

**ZONING HEARING BOARD OF LOWER PROVIDENCE TOWNSHIP**

**APPLICATION NO. Z-20-18**

**:**  
**:**

**THE LINCOLN CENTER  
FOR FAMILY AND YOUTH  
1100 ADAMS AVE  
Tax parcel 430000001595**

**: HEARING DATE: October 29, 2020**

**OPINION, DECISION AND ORDER OF THE  
LOWER PROVIDENCE TOWNSHIP ZONING HEARING BOARD**

**INTRODUCTION AND BACKGROUND**

Applicant seeks a special exception to operate a school at the above location, which is in the IP zoning district. Ordinance 143-136 allows schools of a vocational/trade/business nature, which is not the nature of the proposed school. Section 143-136.C allows uses of the same general character as the permitted uses, by special exception. The proposed school is an alternative school for children who have difficulty with conventional learning.

The application was properly advertised, and a public hearing was held before the Lower Providence Township Zoning Hearing Board (the “Board”) on October 29, 2020 at 7:00 p.m. at the Lower Providence Township Building. Joseph E. Bresnan, Esquire served as conflict counsel to the Zoning Hearing Board. The Board and parties were present in the hearing room, while other citizens participated via the internet due to the pandemic. Applicant was represented by David J. Falcone, Esquire.

No third person or entity sought party status. No persons had questions or comments of the applicant.

Board exhibits included:

B-1, a copy of the application

B-2, proof of publication and copy of legal notice

B-3, Proof of posting the property

B-4, Proof of notice to neighbors

Applicant exhibits included:

A-1, Copy of application

A-2, Redacted agreement of sale confirming equitable ownership status

A-3, Plan sheet

A-4, Aerial photo

### **FINDINGS OF FACT**

1. Applicant, Lincoln Center for Family and Youth, seeks a single location in the Township at which it can operate its school as well as undertake its administrative functions.
2. G. Thomas Freeman, CEO, testified in support of the application.
3. Applicant provides alternative education, counseling and coaching to public school students throughout the area.
4. Applicant already operates within the Township and there have never been complaints of any type.
5. 42 students are proposed, grades 7 through 12.
6. The school is state accredited.
7. Counselors will have office space, but actual counseling is undertaken off campus.
8. There are far more parking spaces than required, eliminating parking as a concern.

### **CONCLUSIONS OF LAW**

1. The Applicant has standing to appear before the Board regarding the requested relief.
2. The Board has jurisdiction over applications seeking special exceptions identified in the zoning ordinance.
3. The Board finds that the proposed use would be of the same general character, and no more intense than, the permitted uses in the IP district.
4. The Board finds no aspect of the proposed use that would be inconsistent with the health, safety and welfare of the community.

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**ORDER**

For the reasons set forth in the foregoing decision, the Order of the Lower Providence Township Zoning Hearing Board is as follows:

The application for a special exception, Ordinance 143-146.C, is GRANTED. Applicant may operate an alternative school at the above location in a manner consistent with the testimony.

**LOWER PROVIDENCE TOWNSHIP  
ZONING HEARING BOARD**

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Kathie A. Eskie, Chairwoman

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George J. Ozorowski, Vice Chairman

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Gail Hager

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Joseph Pucci

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Patricia Alzamora

