



Zoning Hearing Board Meeting
June 23, 2025 @ 6:00 PM
This meeting is recorded for public record.

Davis Sweet, Chair	Term Expires:
Anne M. Carroll	Term Expires:
Matthew Chominski	Term Expires:
Terrance Keenan	Term Expires:
Michael Pastino	Term Expires:
Victoria Zytkowicz, Alternate	Term Expires:

Zoning Hearing Board Meeting:

A. Agenda Items

1. 410 S. High Street – #1027 - Appeal from a purported denial of a zoning permit; and
2. 25 W. Barnard Street – Apartment Number 1 – #1028- Short Term Rental Application; and
3. 531 Marshall Drive – #1029 - Dimensional variance; and
4. 400 N. Penn Street – #1030 - Special Exception to permit an educational use/variance from parking space requirements.
5. No other agenda items.

Visit www.west-chester.com for access to all attachments.

Agendas are posted to www.west-chester.com by noon 3 business days prior to the meeting.

May 12, 2025

Via E-mail

Borough of West Chester
Building Housing & Code Enforcement
Attn: Wendy Mecke, Administrative Assistant
401 E. Gay Street
West Chester, PA 19380

Re: Short Term Rental Application – 25 W. Barnard Street, Apt. #1

Dear Ms. Mecke:

Attached for filing with the Borough of West Chester ZHB is a Short Term Rental Application that we are submitting on behalf of our client, Equity Trust Co FBO Brian McFadden IRA, for the property located at 25 W. Barnard St., Apt. #1. Please process the same and let me know if you need additional hard copy sets of the Application packet. My client did provide me with a check for the application fee and I can hand-deliver that to you along with any additional sets of the Application packet if needed.

I understand that this matter will be placed on the upcoming June 23, 2025, ZHB agenda for a hearing. Please confirm the same and whether Applicant will need to do anything procedurally prior to the hearing.

Please let me know if you have any questions or need anything further in order to process the Application. Thank you.

Very truly yours,



Ryan M. Jennings

RMJ/akf
Attachment

cc: Arthur L. Sagnor, III, Esquire, Zoning Hearing Board Solicitor (*via e-mail; w/encl.*)

MAILING ADDRESS: P.O. Box 515, West Chester, PA 19381-0515, T: 610.692.1371, F: 610.918.1361

OFFICE ADDRESS: 17 West Gay Street, Suite 200, West Chester, PA 19380-3090

www.utbf.com



Borough of West Chester

401 East Gay Street ▪ West Chester, Pennsylvania ▪ 19380

Telephone: 610-692-7574 ▪ Facsimile: 610-436-0009

www.west-chester.com

ZONING HEARING BOARD APPLICATION

APPEAL # _____ DATE RECEIVED _____

Property (real estate) Location: 25 West Barnard St., Apt. #1

Zoning District: TC - Town Center District Tax Parcel: 1-9-448

Equity Trust Co FBO Brian McFadden IRA
I / We _____ of 115 W. Miner Street, WC, PA 19382 request the scheduling of a hearing on it/my/our APPEAL (Application) to the West Chester Borough Zoning Hearing Board on the following grounds: (choose one or more):

Special Exception to the Borough of West Chester Zoning Ordinance of 2021 (cite Ordinance Sections), specifically:
Short Term Rental pursuant to Section 112-304.D of the West Chester Borough Zoning Ordinance
(as adopted in Ordinance No. 08-2024).

Variance to the Borough of West Chester Zoning Ordinance of 2021 (cite Ordinance Sections), specifically:

Appeal a decision of the Zoning Officer, Specifically, the following:

Other _____

Application Received By: W. Mecke

Date: 05/13/2025

NOTICE

Please see the Borough's website for the Fee Schedule for Zoning Fees. Zoning Fees are not refundable upon the Zoning Hearing scheduling and holding a hearing. A hearing will be scheduled only upon submission of a complete Application and payment of the applicable fee.



Borough of West Chester

401 East Gay Street ■ West Chester, Pennsylvania ■ 19380

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- A) The description of the Property (real estate located in West Chester Borough) including acreage (square feet), current improvements and use:

The Property is located at 25 W. Barnard Street and contains 0.0574 acres (2,500 sq. ft.); and is more particularly identified as TPN: 1-9-448.

The Property is two-story, currently improved as a 2-unit apartment use.

- B) a) Does the Applicant own the Property? Yes () No

b) If "NO", who is the Owner of the Property? _____

c) If not the Owner, what is your legal authority (e.g. – equitable owner, tenant, etc.) for filing this Application on behalf of Owner? _____

- C) I/We believe that the Zoning Hearing Board should approve this request because: (Please include the grounds for appeal or reasons both with respect to the law and fact in support of your relief request for the Appeal or Special Exception or Variance. You may also attach your explanation in a separate narrative including any documents supporting your request).

Applicant is seeking a special exception to allow a short term rental use on the first floor of the Property (Apt. #1) pursuant to Section 112-304.D of the West Chester Borough Zoning Ordinance. The attached plot plan and floor plan identify the rooms on the first floor unit, as well as the location of the bedroom. There is one off-street parking space on the west side of the building, as shown on the attached photograph.

() See Attached Narrative

- D) Has any previous application or appeal been filed in connection with this Property?

() Yes (X) No

(E) PLOT PLAN REQUIREMENTS (Supporting Documents)

A Plot Plan of the Property must be submitted as part of this Application. The plot plan shall contain a description of this Property (lot) and show all of the information as follows:

1. Length of all Property (lot) lines.
2. Approximate acres or square feet of Property.
3. Show location of all buildings/structures on Property, their outside dimensions, the distances between buildings and the Property's boundaries.



Borough of West Chester

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4. If this application is for new buildings or additions to present buildings, show these proposed buildings/additions giving outside dimensions and the distances between any new structures and existing buildings plus distances between any proposed buildings and the Property's boundaries.
5. Show any existing roads or driveways on the Property and the location of any new drives (if any) you plan to construct.
6. Show location and sizes of all existing parking spaces on the Property and additionally, if any, parking spaces you plan to construct.

NOTE: This Application must be completed in full and submitted with Supporting Documents. Two (2) copies of the Application, the Plot Plan and any supporting documents are required as part of your submission. Please also submit the Application and Supporting Documents in a PDF to Housing@west-chester.com

The Applicant certifies that the above statements contained in this Application and Supporting Documents submitted are true and correct to the best of its/my/our knowledge and belief.

Equity Trust Co FBO Brian McFadden IRA

Name of Applicant(s)

Brian McFadden

Signature

115 West Miner Street, West Chester, PA 19382

Address of Applicant

215-620-9784

Phone Number

manager@115Group.com

Email Address (if any)

Name of Applicant(s)

05/12/25

Date

Ryan M. Jennings, Esquire

Attorney (If Represented)
Unruh Turner Burke & Frees
Post Office Box 515
West Chester, PA 19381

Address

610-692-1371 / rjennings@utbf.com

Phone or Email

Borough Use Only

Zoning Hearing Board Fee: _____ Check No.: _____ Date Received: _____

Received By: _____

Borough Employee



Borough of West Chester

401 East Gay Street ■ West Chester, Pennsylvania ■ 19380

Telephone: 610-692-7574 ■ Facsimile: 610-436-0009

www.west-chester.com

Zoning Officer Review:

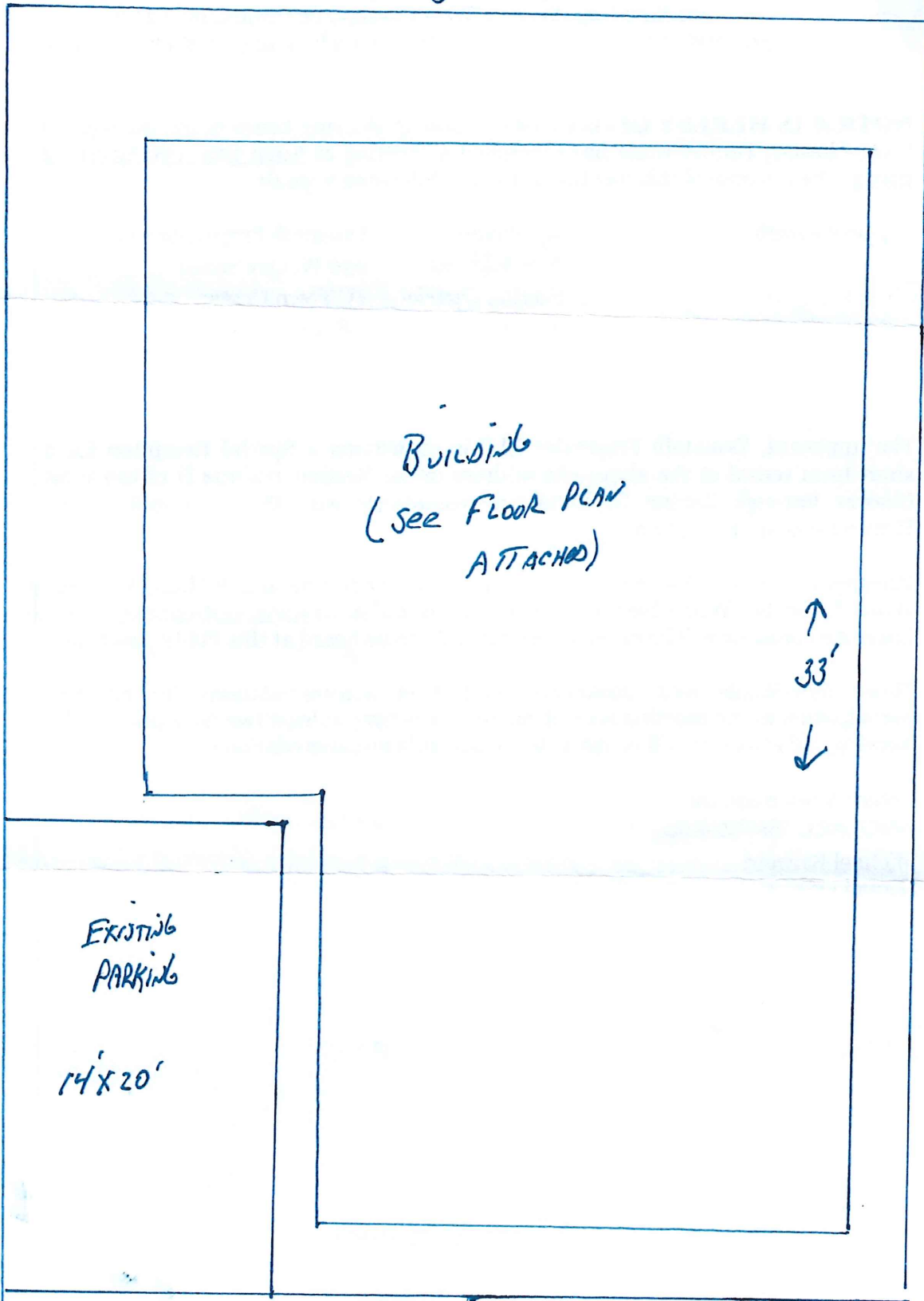
Signature: _____

Date: _____

Plot Plan

N ↑

← 30' →



Building
(SEE FLOOR PLAN
ATTACHED)

↑
33'
↓

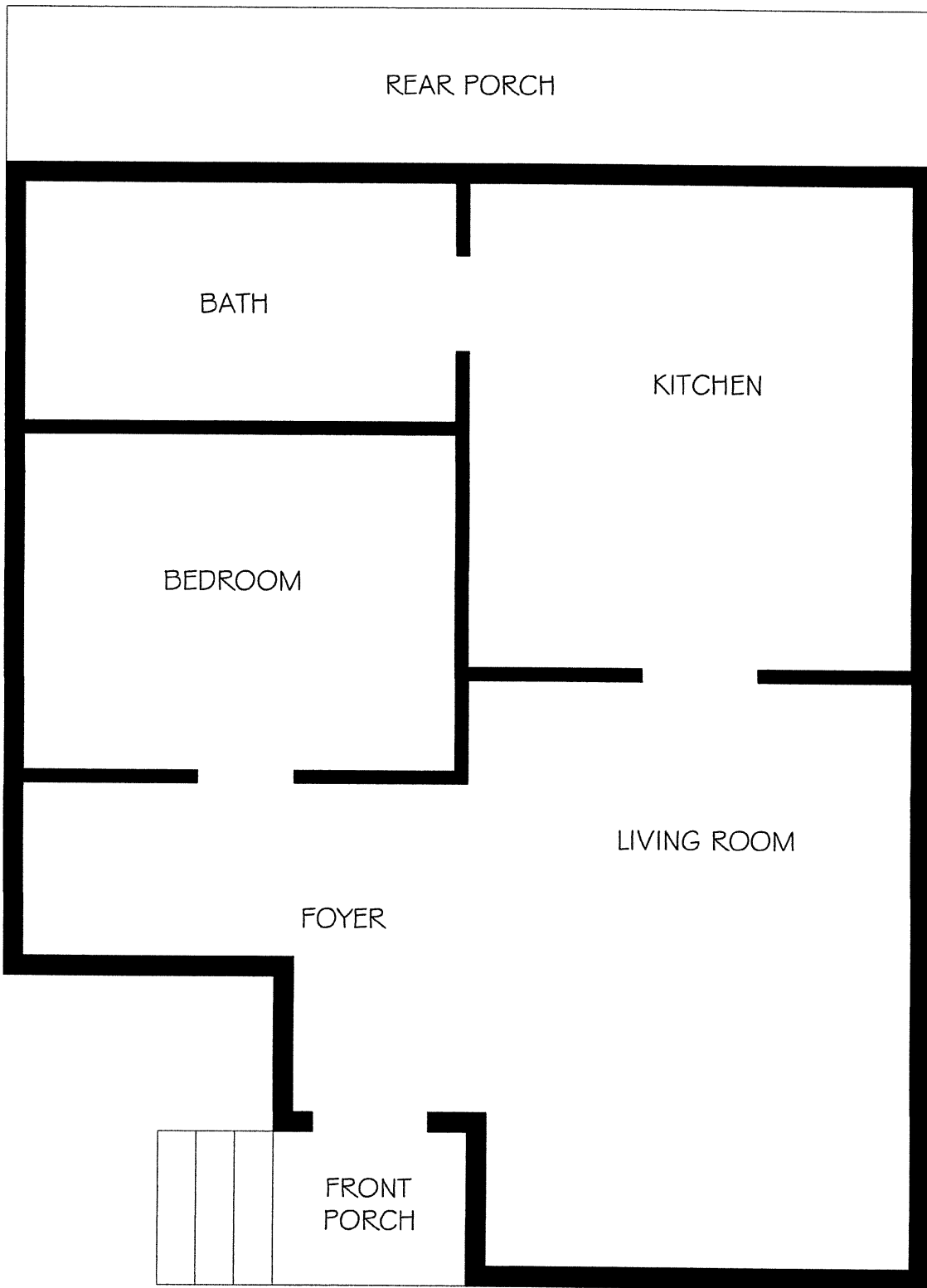
Alley

EXISTING
PARKING

14' x 20'

25 W. BARNARD ST

Floor Plan

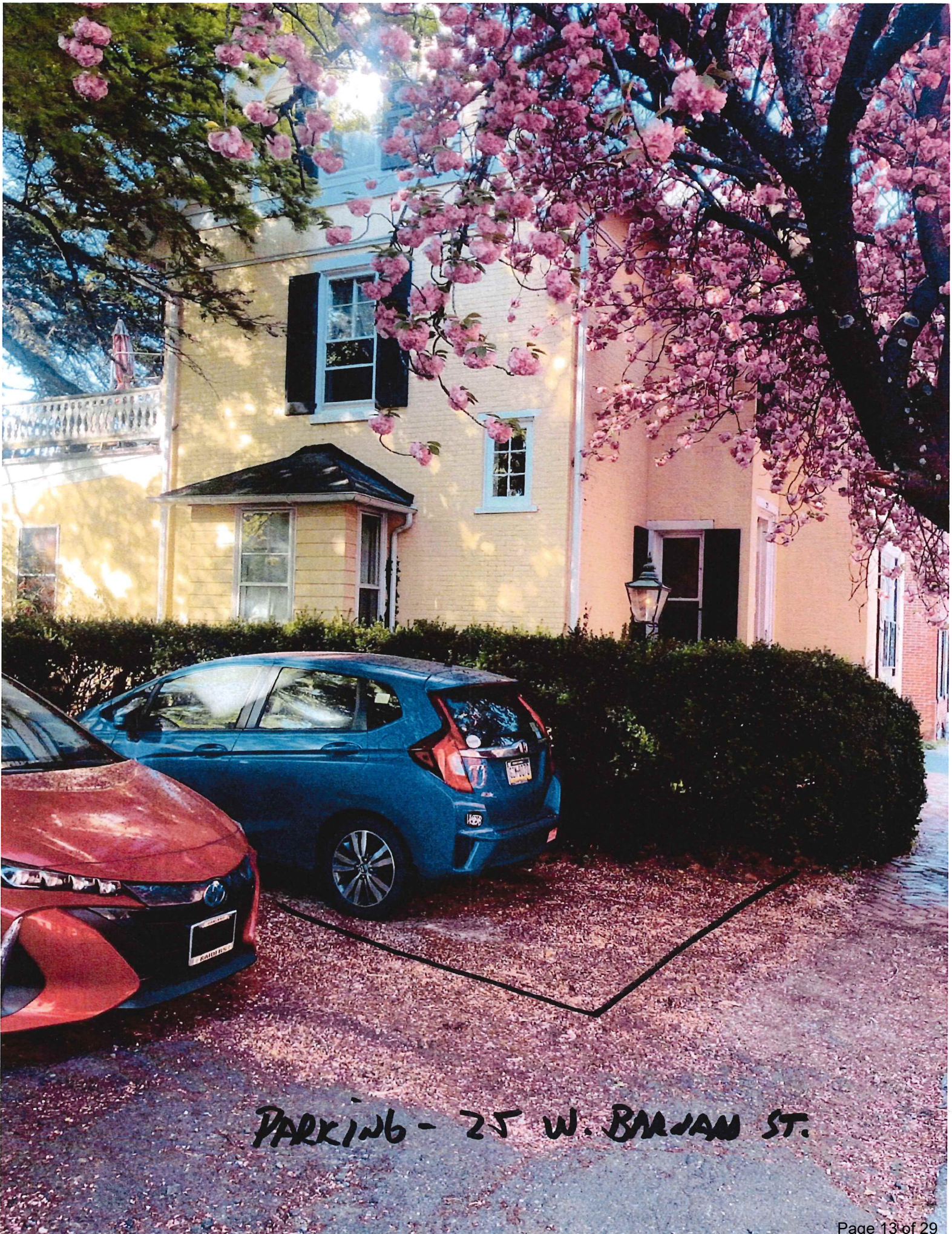


25 WEST BARNARD STREET
WEST CHESTER, PA 19382

Photographs Showing Street View and Off-Street Parking Area



25 W. BARNARD ST



PARKING - 25 W. BARDAN ST.



Department of Building, Housing & Code Enforcement
Regulations for the Protection of Public Health, Safety and Welfare

401 East Gay Street ▪ West Chester, Pennsylvania 19380
610-696-1773 ▪ Fax: 610-692-7958 ▪ web: www.west-chester.com

NOTICE IS HEREBY GIVEN that the Zoning Hearing Board of the Borough of West Chester, Pennsylvania has scheduled a Meeting at **6:00 pm, on June 23, 2025**. The purpose of this meeting is to hear following appeal:

<i>Appeal #</i> 1028	<i>Applicant</i>	Equity Trust Co. FBO Brian McFadden IRA
	<i>Site Address</i>	25 W. Barnard Street
	<i>Zoning District</i>	TC – Town Center
	<i>Parcel #</i>	1-9-448

The applicant, Equity Trust Co. FBO Brian McFadden IRA is requesting a Special Exception for a short term rental only on the first floor of the two unit dwelling at the above site address under Section 112-304.D of the West Chester Borough Zoning Ordinance (as adopted in Ordinance No. 08-2024) in accordance with the submitted Zoning Hearing Board Application.

In addition, the Zoning Hearing Board will hear such other relief deemed necessary per the Application.

The application is available for public review at the Department of Building & Housing at 401 E. Gay St., West Chester, Pennsylvania or online at www.west-chester.com. All interested persons will be given an opportunity to be heard at this Public Meeting.

Those individuals with disabilities and ADA accommodations for effective participation in the meeting should call 610-692-7574 at least two days prior to the meeting. All attempts will be made for reasonable accommodations.

Yerkes Associates, Inc

MICHAEL BARBEIRI

Michael Barbeiri

Borough of West Chester Zoning Officer

BOARD EXHIBIT 2



Department of Building, Housing & Code Enforcement
Regulations for the Protection of Public Health, Safety and Welfare

401 East Gay Street ▪ West Chester, Pennsylvania 19380
610-696-1773 ▪ Fax: 610-692-7958 ▪ web: www.west-chester.com

NOTICE IS HEREBY GIVEN that the Zoning Hearing Board of the Borough of West Chester, Pennsylvania has scheduled a Meeting at **6:00 pm, on June 23, 2025**. The purpose of this meeting is to hear following appeal:

<i>Appeal # 1030</i>	<i>Applicant</i>	West Chester Area School District
	<i>Site Address</i>	400 N. Penn Street
	<i>Zoning District</i>	NC-3 Neighborhood Conservation
	<i>Parcel #</i>	1-5-132

The Applicant is requesting a special exception under §112-304.D.4 to allow an educational use in the NC-3 Zoning district. The Applicant is also requesting a variance for relief from §112-603.A related to the required number of parking spaces.

In addition, the Zoning Hearing Board will hear such other relief deemed necessary per the Application.

The Application is available for public review at the Department of Building & Housing at 401 E. Gay St., West Chester, Pennsylvania or online at www.west-chester.com. All interested persons will be given an opportunity to be heard at this Public Meeting.

Those individuals with disabilities and ADA accommodations for effective participation in the meeting should call 610-692-7574 at least two days prior to the meeting. All attempts will be made for reasonable accommodations.

Yerkes Associates, Inc

MICHAEL BARBEIRI

Michael Barbeiri

Borough of West Chester Zoning Officer

May 22, 2025

Via E-mail

Borough of West Chester
Building Housing & Code Enforcement
Attn: Wendy Mecke, Administrative Assistant
401 E. Gay Street
West Chester, PA 19380

Re: Zoning Application – 400 North Penn Street

Dear Ms. Mecke:

Attached for filing with the Borough of West Chester ZHB is a Zoning Application that we are submitting on behalf of our client, West Chester Area School District, for the property located at 400 North Penn Street. Please process the same and let me know if you need additional hard copy sets of the Application packet. I will hand-deliver the \$800 application fee, as well as any additional sets of the Application packet if needed.

I understand that this matter will be placed on the upcoming June 23, 2025, ZHB agenda for a hearing. Please confirm the same and whether Applicant will need to do anything procedurally prior to the hearing.

Please let me know if you have any questions or need anything further in order to process the Application. Thank you.

Very truly yours,



Ryan M. Jennings

RMJ/akf
Attachment

cc: Arthur L. Sagnor, III, Esquire, Zoning Hearing Board Solicitor (*via e-mail; w/encl.*)



Borough of West Chester

401 East Gay Street ▪ West Chester, Pennsylvania ▪ 19380

Telephone: 610-692-7574 ▪ Facsimile: 610-436-0009

www.west-chester.com

ZONING HEARING BOARD APPLICATION

APPEAL # **1030**

DATE RECEIVED **05/22/2025**

Property (real estate) Location 400 North Penn Street

Zoning District: NC-3 Neighborhood Conservation District

Tax Parcel: 1-5-132

I / We West Chester Area School District of 1181 McDermott Drive request the scheduling of a hearing on it/my/our APPEAL (Application) to the West Chester Borough Zoning Hearing Board on the following grounds: (choose one or more):

Special Exception to the Borough of West Chester Zoning Ordinance of 2021 (cite Ordinance Sections), specifically:
Section 112-304.D.4. of the West Chester Borough Zoning Ordinance (to permit an educational use in the NC-3 District)

Variance to the Borough of West Chester Zoning Ordinance of 2021 (cite Ordinance Sections), specifically:
Section 112-603.A. of the West Chester Zoning Ordinance (Parking Space Requirements)

Appeal a decision of the Zoning Officer, Specifically, the following:

Other _____

Application Received By: W.Mecke

Date: 05/22/2025

NOTICE

Please see the Borough's website for the Fee Schedule for Zoning Fees. Zoning Fees are not refundable upon the Zoning Hearing scheduling and holding a hearing. A hearing will be scheduled only upon submission of a complete Application and payment of the applicable fee.



Borough of West Chester

401 East Gay Street ■ West Chester, Pennsylvania ■ 19380

Telephone: 610-692-7574 ■ Facsimile: 610-436-0009

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- A) The description of the Property (real estate located in West Chester Borough) including acreage (square feet), current improvements and use:

The Property is located at 400 North Penn Street and contains 0.1010 acres (4,400 sq. ft.); and is more particularly identified as TPN: 1-5-132.

The Property is currently improved with a 2-story dwelling.

- B) a) Does the Applicant own the Property? Yes () No

b) If "NO", who is the Owner of the Property? _____

c) If not the Owner, what is your legal authority (e.g. – equitable owner, tenant, etc.) for filing this Application on behalf of Owner? _____

- C) I/We believe that the Zoning Hearing Board should approve this request because: (Please include the grounds for appeal or reasons both with respect to the law and fact in support of your relief request for the Appeal or Special Exception or Variance. You may also attach your explanation in a separate narrative including any documents supporting your request).

See Attached Narrative

- D) Has any previous application or appeal been filed in connection with this Property?

() Yes (X) No

- (E) PLOT PLAN REQUIREMENTS (Supporting Documents) No exterior or interior modifications are being proposed to the existing dwelling.

A Plot Plan of the Property must be submitted as part of this Application. The plot plan shall contain a description of this Property (lot) and show all of the information as follows:

1. Length of all Property (lot) lines.
2. Approximate acres or square feet of Property.
3. Show location of all buildings/structures on Property, their outside dimensions, the distances between buildings and the Property's boundaries.



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4. If this application is for new buildings or additions to present buildings, show these proposed buildings/additions giving outside dimensions and the distances between any new structures and existing buildings plus distances between any proposed buildings and the Property's boundaries.
5. Show any existing roads or driveways on the Property and the location of any new drives (if any) you plan to construct.
6. Show location and sizes of all existing parking spaces on the Property and additionally, if any, parking spaces you plan to construct.

NOTE: This Application must be completed in full and submitted with Supporting Documents. Two (2) copies of the Application, the Plot Plan and any supporting documents are required as part of your submission. Please also submit the Application and Supporting Documents in a PDF to Housing@west-chester.com

The Applicant certifies that the above statements contained in this Application and Supporting Documents submitted are true and correct to the best of its/my/our knowledge and belief.

West Chester Area School District
Name of Applicant(s)


Signature

1181 McDermott Drive, West Chester, PA 19380
Address of Applicant

484-266-1265
Phone Number

wbirster@wcasd.net
Email Address (if any)

c/o Wayne Birster, Director of Facilities & Operations
Name of Applicant(s)

5/22/25
Date

Ryan M. Jennings, Esquire
Attorney (If Represented)
Unruh Turner Burke & Frees
Post Office Box 515
West Chester, PA 19381
Address

610-692-1371 / rjennings@utbf.com
Phone or Email

Borough Use Only

Zoning Hearing Board Fee: \$800.00 Check No.: 4166 Date Received: 05/22/2025

Received By: W. Mecke
Borough Employee



Borough of West Chester

401 East Gay Street ■ West Chester, Pennsylvania ■ 19380

Telephone: 610-692-7574 ■ Facsimile: 610-436-0009

www.west-chester.com

Zoning Officer Review:

Signature: _____

Date: _____

C) Narrative:

Applicant is seeking a special exception pursuant to Section 112-304.D.4. to allow an educational use in the NC-3 Neighborhood Conservation District in order to provide independent living, employment, and educational instruction to students with disabilities in the West Chester Area School District. The neighboring property at 402 North Penn Street is the current headquarters for West Chester Area School District's West Chester Independent Living and Transition House (WCILTH) program and the School District is looking to expand the program to the adjacent property at 400 North Penn Street. No exterior or interior modifications are being proposed to the existing structure. The property is located on the corner of N. Penn Street and E. Biddle Street, consisting of 0.1010 acres (4,400 sq. ft.) and is currently improved with a 2-story dwelling. The Parcel Details and County GIS Aerial Tax Map, as well as a photograph showing the existing dwelling are attached hereto and marked as Attachment "1".

Applicant is also seeking zoning relief regarding the parking space requirement pursuant to Section 112-603.A. WCASD anticipates hiring just two (2) staff members to operate the expanded WCILTH program at 400 North Penn Street. The Property currently has its own driveway and associated one, off-street parking space by permit in Area G. Applicant is seeking a determination by the Borough based on the information provided and other such information and studies as the Borough shall determine relevant as to satisfying the off-street parking requirement. A photograph showing the existing driveway and the associated one, off-street parking space by permit only is attached hereto and marked as Attachment "2".

Attachment 1

Real Estate/Assessment > Parcel Details

[Select Another Search Criteria](#)

[Search Another Parcel](#)

 [Print](#)

ID # 01-05-0132 UPI # 1-5-132

5/21/2025 10:50 AM Tax Year 2026

Owner Information

Name:	WEST CHESTER AREA SCHOOL DISTRICT	Address:	1181 MCDERMOTT DR WEST CHESTER PA 19380
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Parcel Details

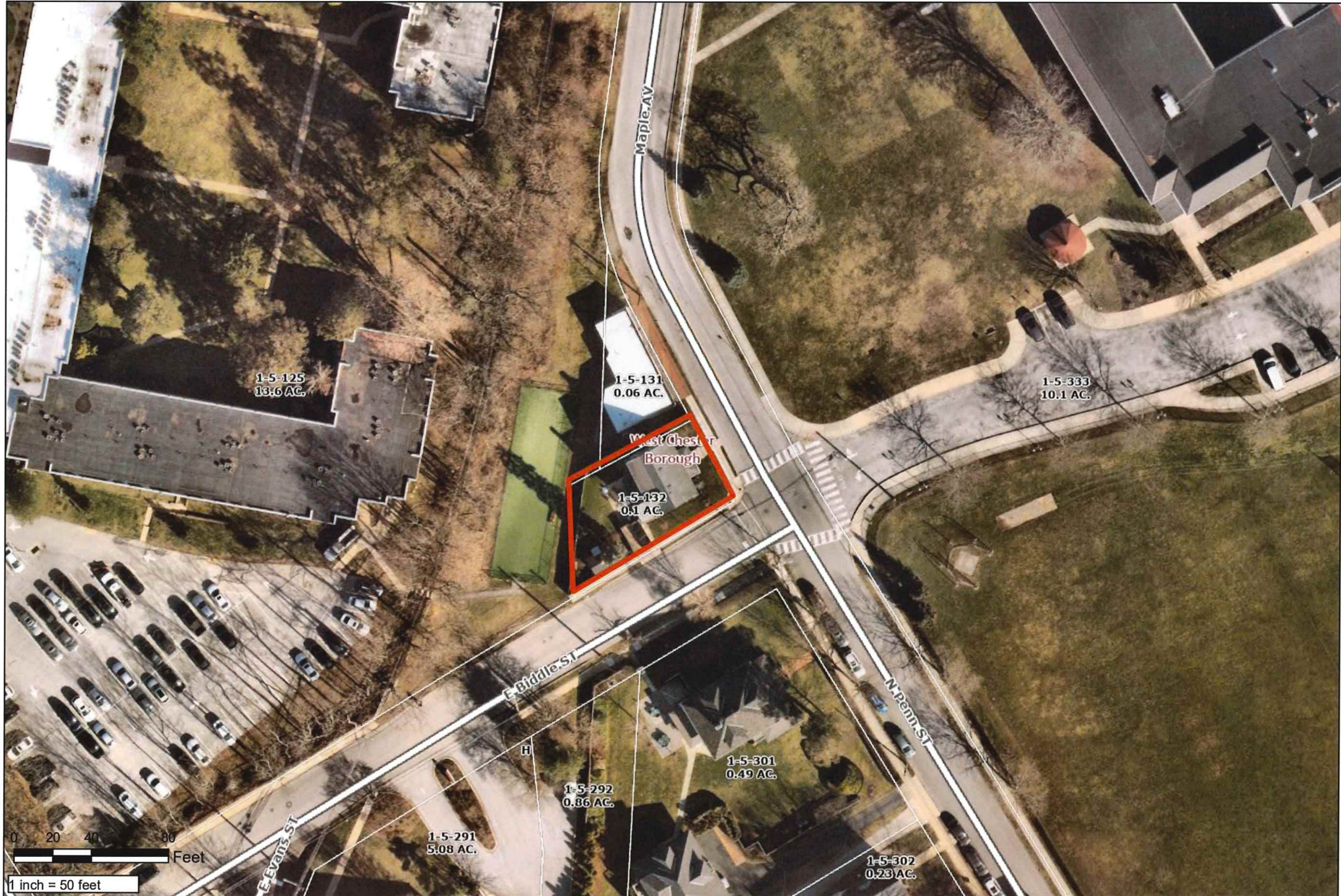
Lot Location:	NW COR N PENN & E BIDDLE S	District:	01
Property Descr:	LOT & DWG	Plan #:	
Land Use Code:	R-10	Acres:	0.1010
Deed Reference:	11342 0932	Sq. Feet:	4,400
Recorded Deed Date:	02/25/2025	Sale Price:	\$750,000
Location Address:	400 N. PENN ST, WEST CHESTER, PA 19380		

Deed Description

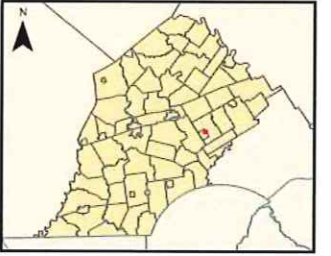
Assessments

Lot:	35,640	Act 319:	
Property:	105,410	Act 515:	
Total:	141,050		
Assessment Date:	12/13/2024		

[< Previous Parcel](#) [Next Parcel >](#)



COUNTY OF CHESTER
PENNSYLVANIA



Find Address Information

PARID: 0105 01320000
 UPI: 1-5-132
 Owner1: WEST CHESTER AREA SCHOOL DISTRICT
 Owner2:
 Mail Address 1: 1181 MCDERMOTT DR
 Mail Address 2: WEST CHESTER PA
 Mail Address 3:
 ZIP Code: 19380
 Deed Book: 11342
 Deed Page: 932
 Deed Recorded Date: 02/25/2025
 Legal Desc 1: NW COR N PENN & E BIDDLE S
 Legal Desc 2: LOT & DWG
 Acres: 0.101
 LUC: R-10
 Lot Assessment: 35640
 Property Assessment: 105410
 Total Assessment: 141050
 Assessment Date: 12/13/2024 7:28:35 AM
 Property Address: 400 N PENN ST
 Municipality: WEST CHESTER
 School District: West Chester Area

Map Created:
 Wednesday, May 21, 2025

County of Chester

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 County of Chester, Pennsylvania makes no claims to the completeness, accuracy, or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein. For information on data sources visit the GIS Services page listed at www.chesco.org/gis.

Attachment 2

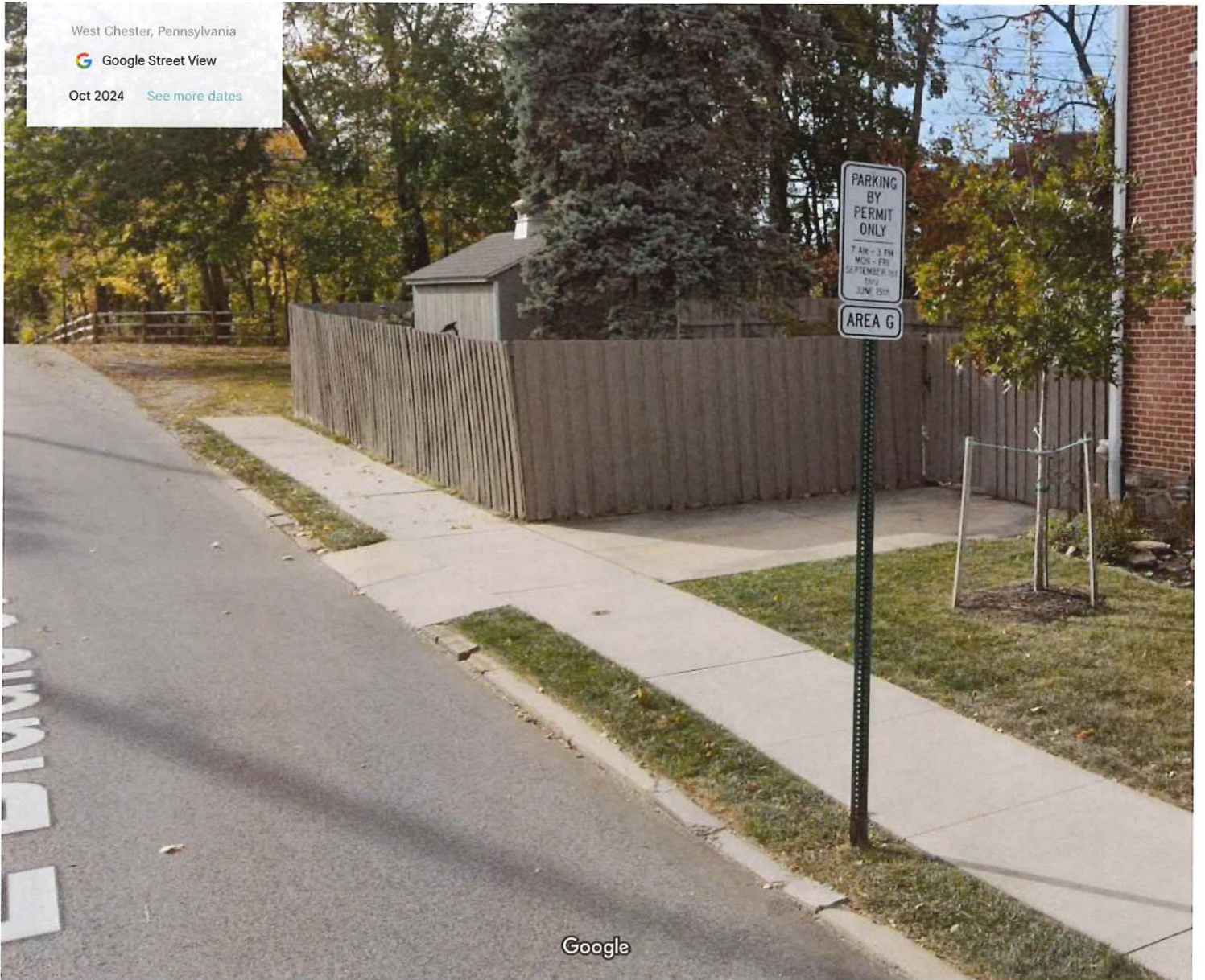
Google Maps

399 E Biddle St

West Chester, Pennsylvania

Google Street View

Oct 2024 See more dates



Google

Image capture: Oct 2024 © 2025 Google

