

**CHARLESTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

DECISION AND ORDER

**Application of Katherine Bright
for Conditional Use Approval**

September 6, 2016

Katherine Bright, (the "Applicant") has filed an application for conditional use approval pursuant to Sections 27-1614 and 27-1809.1 of the Charlestown Township Zoning Ordinance, as amended (the "Zoning Ordinance") to permit a Home Occupation on the property

I. INTRODUCTION

The Conditional Use Permit Application requests approval to utilize a portion of the dwelling on the Applicant's property located in Charlestown Township for a part-time one-on-one personal training studio as a Home Occupation. The Applicant owns and resides on approximately 2.3 acres of land identified as Tax Parcel No. 35-4-38 located at 4004 Hollow Road, in Charlestown Township (the "Property"). The Property is located in the FR Zoning District where a Home Occupation is a use permitted by conditional use.

As part of the Home Occupation, Ms. Bright intends on providing one-on-one personal training to her clients. No classes with more than one participant are planned and appointments would be staggered so there were not more than one car accessing the property at a time. There is a separate area of the dwelling used for the activity with a separate entrance (and a walkway with existing lighting).

In addition to the general standards set forth in Section 1809.1 of the Zoning Ordinance applicable to all conditional uses, Section 27-1614.1 of the Zoning Ordinance sets for standards specific to Home Occupation uses all of which the Applicant has demonstrated compliance with.

The Applicant, Katherine Bright testified at the hearing and in support of the Application.

II. RELIEF REQUESTED

The Board of Supervisors concludes that the Applicants' requested Home Occupation use is within the scope of that which is permitted under Section 1614 of the Zoning Ordinance. Pursuant to Section 1614.1, a Home Occupation, as defined by the Zoning Ordinance, is permitted in a single family detached dwelling so long as the owner of the Property demonstrates compliance with the standards set forth in Section 1614.1.

III. FINDINGS OF FACT

1. The Applicant holds title to the Property.
2. The Applicant is a personal trainer.
3. The Property is located in the FR Farm Residential Zoning District of the Charlestown Township Zoning Ordinance.
4. The area within the dwelling on the Property containing Home Occupation use consist of less than 20 percent (20%) of the total square footage of the dwelling.
5. There are no employees associated with the Applicants' proposed Home Occupation.
6. The Applicant does not intend to make any exterior alterations to the dwelling to accommodate the proposed Home Occupation.
7. The Applicant has parking for two cars as shown on Exhibit A-1.
8. No products are proposed to be sold from the Property and no signs are proposed as part of the Application.

IV. CONCLUSIONS OF LAW

1. The Applicant has standing.
2. The Applicant has met the standard for approval of the proposed conditional use to allow for the Home Occupation within the dwelling on the Property.
3. The Applicant has satisfied the standards set forth in §1614.1 and §1809 of the Zoning Ordinance for Conditional Use Approval subject to the following conditions of approval.

V. CONDITIONS OF APPROVAL

This Conditional Use Approval is made subject to the following conditions.

1. The Applicant's requested use is subject to compliance with all terms and provisions of the Zoning Ordinance, and all other Township Ordinances and Regulations, and in addition to the regulations of all other government agencies having jurisdiction over the use.
2. The scope of this approval is limited to the requested use and representations made by the Applicants made of part of the record at the public hearing.

3. The Applicant shall comply with all exhibits, representations, record evidence, and conditions of approval, which are incorporated herein as part of this approval.

4. The continued use of the Property as a Home Occupation shall be subject to approval of the Township Code Enforcement Officer and any other agency that has jurisdiction over the proposed use of the structure such as the Commonwealth of Pennsylvania Department of Labor and Industry.

5. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County.

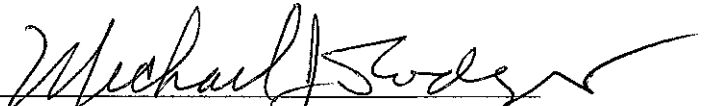
VI. DECISION AND ORDER

The Board of Supervisors of Charlestown Township hereby approves the requested Conditional Use Application subject to the Conditions set forth above.

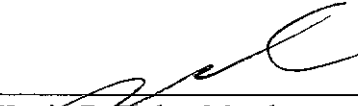
CHARLESTOWN TOWNSHIP



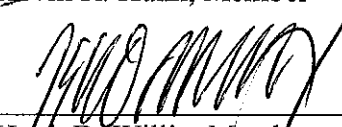
Frank Pilierro, Chairman



Michael R. Rodgers, Vice Chairman




Kevin R. Kuhn, Member



Hugh D. Willig, Member



Charles A. Philips, Member


Linda M. Csete, Secretary