

RESOLUTION NO. 44 - 2003

**RESOLUTION APPROVING A ZONE DISTRICT CHANGE AND
PRELIMINARY DEVELOPMENT PLAN FOR WEST CHESTER TOWNSHIP MAP
AMENDMENT CASE # 04-03, VILLAGES OF PROVIDENCE**

WHEREAS, an R-PUD District and Preliminary Development Plan were approved by the Union Township, now West Chester Township, Board of Trustees (Zoning Commission Case 05-96) in September 1996 for the Lakes of Wyndtree, which is the same property as the within case but is now known as Villages of Providence. The property contains 259.2 acres located south of Tylersville Road and west of S.R. 747; and,

WHEREAS, on June 17, 2002 the West Chester Zoning Commission granted a Revised Preliminary Development Plan for the Villages of Providence; and,

WHEREAS, on December 16, 2002, the West Chester Zoning Commission granted a Revised Preliminary Development Plan for the Villages of Providence, which included changes regarding street layout and 571 single-family residential lots; and,

WHEREAS, on September 16, 2003, Villages of Providence, Inc. submitted an application requesting a Zone Map Amendment for 1.586 acres of land from R-1A to R-PUD and Preliminary Development Approval for an addition to the Villages of Providence; and,

WHEREAS, a public hearing was held by the West Chester Zoning Commission for said Zone District Change Map Amendment and Preliminary Development Plan on October 20, 2003.

NOW THEREFORE BE IT RESOLVED, that on the basis of the above actions and findings, the West Chester Township Board of Trustees does hereby concur with the recommendations of the West Chester Township Zoning Commission and does hereby approve the Zone District Change Map Amendment from "R-1A" to "R-PUD" and the Preliminary Development Plan for the aforesaid application consistent with the submitted site plan with the following conditions:

SECTION 1. No Zoning Certificate shall be issued for any structure in the phase of development that this property is located in until the area designated for open space area has been recorded as such and dedicated to an established Property Owner's Association. Said association shall be responsible for keeping all open space areas in good condition and free from trash and litter.

SECTION 2. No Zoning Certificate shall be issued for any structure in the Final Development Plan phase that this property is located in until all concerns regarding drainage are resolved to the satisfaction of the BCEO, which may include a swale between Tylersville Road and the hiker/biker path.

SECTION 3. The exterior building materials for all primary structures and detached garages shall be restricted to the following requirements: The entire first floor portion of the front, side and rear exterior wall areas shall be constructed of brick, stone, cultured stone, stucco, drivit or natural wood siding. The areas of the first floor portions expressly excluded from the above stated materials shall include areas where normal building practices prohibit the use of the materials stated above, including but not limited to gas fireplace insert cantilever, gables, overhangs, kitchen and other bays, and other types of protrusions that structurally preclude the use of the above stated materials. All other exterior wall areas may be constructed

of the above listed materials or other compatible siding materials. Any request for variation from these guidelines shall be reviewed by the developer and presented to the Planning and Zoning Director. The Planning and Zoning Director shall approve or deny the proposed variation in writing within ten (10) working days, however, failure to do so shall not constitute approval. In no event shall any exterior wall contain less than 50% coverage of the specified approved masonry or natural wood type material.

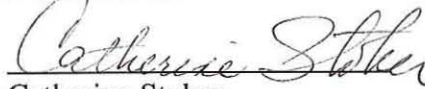
SECTION 4. The Hiker/Biker Path shall be constructed as illustrated on the approved FDP.

Adopted this 25th day of November, 2003.



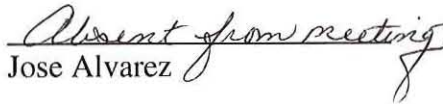
David Tacosik

yes
Yes / No



Catherine Stoker

YES
Yes / No



Jose Alvarez

Yes / No

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

