

**IN RE:
APPLICATION OF
AZCO PARTNERS**

**BEFORE THE ZONING HEARING BOARD
OF TREDYFFRIN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

APPEAL NO. 28-25

DECISION

The Zoning Hearing Board of Tredyffrin Township, Chester County, Pennsylvania (the “Board”), after proper advertisement, met on Thursday, October 23, 2025, to hear evidence on the application (the “Application”) of Azco Partners (the “Applicant”) for the property located at 125 E. Swedesford Road, Suite 249, Berwyn, PA (UPI No. 43-5M-55) (the “Property”) in the C-2 Commercial Zoning District of Tredyffrin Township (the “Township”). The Applicant seeks dimensional variance relief from Section 208-126.B of the Tredyffrin Township Code of Ordinances (the “Code”) to allow for the installation of a 68.63 square foot wall sign where a maximum sign area of 40 square feet is permitted.

Present at the hearing were Chairperson Daniel McLaughlin, Vice Chairperson Robyn Forbes Drucker, Member Bradford Murphy, and Alternate Members Edward Sweeney and Erika Diaz.¹ Also present at the hearing were Erin McPherson, Township Director of Planning and Zoning and Zoning Officer; and Amanda J. Sundquist, Esquire, Solicitor for the Board.

The Applicant was unrepresented. Melissa Price, of Jones Signs, testified on behalf of the Application. No one sought party status or provided public comment.

At the conclusion of the hearing, the Board, by a 3 to 0 vote, granted the requested relief subject to the conditions set forth herein. The Applicant waived the time period for issuance of this written decision under the Municipalities Planning Code (the “MPC”).

I. Findings of Fact

1. The foregoing recitals are incorporated herein as if fully set forth.

¹ Mr. Sweeney and Ms. Diaz participated in the hearing, but did not vote.

2. The Board held a duly convened hearing and provided proper public notice of the same.

3. The Applicant presented testimony and documentary evidence in support of the Application.

4. The Board admitted the following exhibits as evidence at the hearing:

Board's Exhibits:

Exhibit B-1 Zoning Application, with supporting documentation, dated September 22, 2025;

Exhibit B-2 Proof of Publication of the notice in the *Daily Local News* on October 8, 2025 and October 15, 2025;

Exhibit B-3 Affidavit of Mailing Notice to the neighboring property owners on October 14, 2025; and

Exhibit B-4 Affidavit of Posting, dated October 15, 2025.

The Code and Township Zoning Map are incorporated herein by reference.

5. The Property is located at 125 E. Swedesford Road, Suite 249, Berwyn, PA (UPI No. 43-5M-55).

6. The Applicant owns the Property.

7. The Property is located in the Township's C-2 Commercial Zoning District.

8. The Property is located within a shopping center, known as the Gateway Shopping Center, which contains various commercial buildings and parking areas.

9. Sephora is the Applicant's tenant for the Property, and intends to operate a Sephora at the Property.

10. Code Section 208-126.B states: "Wall signs. One square foot of sign area is permitted per linear foot of the building facade where the sign is to be installed, with a maximum of 40 square feet permitted."

11. The Applicant proposes to install a Sephora wall sign at the Property.

12. The proposed sign will measure 68.63 square feet in area.

13. Therefore, the Applicant requires a dimensional variance from Section 208-126.B to allow the installation of the proposed sign.

14. The building façade measures 49.9 feet in width and 23.2 feet in height.

15. The letters will be internally lit by white LEDs.

16. The Property has frontage on Swedesford Road, however, Swedesford Road is approximately 406 feet from the Property.

17. A smaller sign will have diminished visibility.

18. A smaller sign will be less aesthetically pleasing given the size of the building façade.

19. The proposed sign size is consistent with other signs in the shopping center.

20. The proposed sign will have a timer to control the lighting of the sign.

21. The proposed sign will be lit during the hours of operation for the business.

22. The Applicant was amendable to a condition requiring the sign's lighting to be turned off one-hour after employees depart the store.

23. No one appeared to seek party status.

24. No one provided public comment.

25. Granting the requested dimensional variance will not alter the essential character of the neighborhood or be injurious to the neighborhood or otherwise detrimental to the public health, safety, and welfare of the community.

26. Granting the requested dimensional variance will not substantially or permanently impair the use or development of adjacent properties.

II. Discussion

Code Section 208-150 empowers the Board to grant variances from the terms of the Code. To be entitled to a variance, an applicant must meet the requirements of Section 910.2 of the MPC (53 P.S. § 10910.2) and Section 208-150.B of the Township Code, which contains the following standards for the grant of a variance:

1. unique physical circumstances peculiar to the subject property, which create an unnecessary hardship to the property;
2. such physical circumstances prevent development of the property in strict conformity with the provisions of the zoning ordinance;
3. the hardship is not self-created;
4. the variance, if authorized, will not alter the essential character of the neighborhood, substantially impair neighboring properties, or otherwise detract from the public welfare; and
5. the variance is the minimum to afford relief.

“The reasons for granting a variance must be substantial, serious and compelling,” and “[t]he party seeking the variance bears the burden of proving that (1) unnecessary hardship will result if the variance is denied, and (2) the proposed use will not be contrary to the public interest.” Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637, 640 (Pa. 1983) (internal citations omitted; alteration added). The Pennsylvania Supreme Court in Hertzberg v. Zoning Bd. of

Adjustment of City of Pittsburgh established a more “relaxed standard” when addressing the “unnecessary hardship” criterion in regard to dimensional variances. 721 A.2d 43, 47 (Pa. 1998).

The Applicant seeks to install a 68.63 square foot wall sign at the Property. The building has a large building façade and is located far from the nearest street. The sign will be internally lit during business hours and will be on a timer. The Applicant is amendable to a condition requiring the sign to be turned off outside of business hours. The sign will be in keeping with the neighborhood and will enhance the safety of the community, and will not impair other properties. Given the foregoing, the Board finds the Applicant has met its burden of proof for the requested dimensional variance.

III. Conclusions of Law

1. The hearing was duly advertised; all required notices were given; and the hearing was duly convened.
2. The Board has jurisdiction over this matter.
3. The Applicant has established entitlement to the requested dimensional variance under Code Section 208-126.B to permit the sign to have a sign area of 68.63 square feet where a maximum sign area of 40 square feet is permitted.

The Board, therefore, enters the following:

ORDER

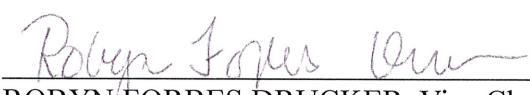
AND NOW, this 19th day of November, 2025, confirming its oral decision of October 23, 2025, upon consideration of the Application of Azco Partners for the Property located at 125 E. Swedesford Road, Berwyn, PA (UPI No. 43-5M-55), IT IS HEREBY ORDERED that the following relief is GRANTED: a dimensional variance under Code Section 208-126.B to permit the proposed sign to have a sign area of 68.63 square feet where a maximum sign area of 40 square

feet is permitted, subject to the condition that the sign's lighting shall be turned off one-hour after employees depart the store each day.

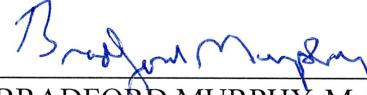
**ZONING HEARING BOARD OF
TREDYFFRIN TOWNSHIP**



DANIEL McLAUGHLIN, Chairperson



ROBYN FORBES DRUCKER, Vice Chairperson



BRADFORD MURPHY, Member

Please be advised that Code Section 208-148 states: "Unless otherwise specified by the Zoning Hearing Board, a special exception or variance shall expire if the applicant fails to obtain a building or occupancy permit within 12 months from the date of the decision of the Zoning Hearing Board."