



ZBA Denies Variance for Springer St.

By **PATRICK COBBS**
Staff Writer

In 1951 the house at 506 West Springer Street was where Frank Sinatra and Ava Gardner escaped the paparazzi of the day to have their secret wedding. Today that house is gone, but lately the vacant lot has been the backdrop for a new controversy – a fight between owner Yuri Yakhnis, and the West Mt. Airy Neighbors (WMAN) Zoning Committee, which opposes his development plans.

The Zoning Board of Adjustments (ZBA) voted January 27 to deny Yakhnis' variance request to subdivide the property into four lots for the construction of two large twins; four new residential units. Now that the ZBA has sided with nearby neighbors, who have charged that putting twins on single-home loaded Springer would ruin the neighborhood, that battle might seem to be over. After all, the R-2 residential zoning for the street seems to

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(Left to right) Elaine Tucker, Darlene Roberson and Kay Hill were three of more than 200 congregants of Enon Tabernacle Baptist Church who came to the church's building at 2800 Cheltenham Avenue on Saturday, January 30 to help collect relief supplies for distribution in Haiti. The effort was one part of an outpouring of support in the Northwest for the earthquake-ravaged Caribbean nation; for more, see story below.

The News in the Northwest

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Northwest Reaches Out to Help Haiti

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They say the human voice is the most beautiful musical instrument ever made. Last Saturday night, as snow was falling, heavenly evidence supported that statement filling the showroom of Cunningham Piano Company in Germantown, sweeping over the small audience assembled there and reverberating through the open grand pianos spread across the giant space.

It was an impromptu concert put on jointly by Cunningham and the Delaware Valley Opera Company to raise money for disaster relief in Haiti. But only the most moving music can follow an account of what the Haitian people are facing now.

"Right now even, as Haitians, we are not in Haiti but we are suffering because our country is in trouble," said Deurel Dalturis before the concert began.

He and his wife Mireille are members of the Haitian Evangelical Baptist Church on Cheltenham Avenue. They live in Philadelphia, but their hearts are in Haiti. The money they send home supports an orphanage that cares for 10 children, and since the 7.0 earthquake ravaged that country on January 12 they have been cutting back on basic expenses here, even food, to channel as much as they can back to their homeland. But even in America there is a schism between what they want to do and what they can.

"I can't tell anybody, 'bring that kid over here, they can sleep on the floor.' What am I going to feed them? So I have to keep my mouth shut," said Mireille Dalturis.

Haiti has been widely described as "the poorest nation in the Western Hemisphere," but it is much more than that. For a hundred years, after a 1697 treaty gave France a third of the territory on the Spanish-held island of Hispaniola, the colony was the most

prosperous in the world, outstripping all of the thirteen British colonies in North America combined, and becoming the single largest source of wealth in all of France.

Then, in 1791 the slaves who made that prosperity possible rose up against France and after a more than 10-year struggle – in its final stages against French Emperor Napoleon Bonaparte – they won. With the loss of sugar revenue from its Caribbean colony France gave up dreams of expansion into North America and, in a surprise offer by the defeated Napoleon, France sold the land that now comprises Arkansas, Missouri, Iowa, Oklahoma, Kansas, Nebraska, parts of Minnesota, North Dakota, South Dakota, New Mexico, Montana, Wyoming, Colorado and Louisiana, including New Orleans to the U.S. for \$15 million in the Louisiana Purchase.

Thus, by 1804 Haiti had become the second independent republic and the first black-controlled nation in the Western Hemisphere, as well as being directly responsible for the U.S. gaining more than 20 percent of its current territory.

Its poverty, many say, originates with France's demand for reparations payments totalling as much as 80 percent of Haiti's national budget each year from 1825 to 1947. And America has played no small role in Haiti's plight, including an 18-year military occupation beginning in 1916 which altered the country's constitution and killed thousands of people, and the 2004 ouster of the nation's first democratically-elected president, Jean-Bertrand Aristide.

Whatever the official attitude toward Haiti has been, human rights groups and churches have long tried to help the country. Now, after the earthquake virtually levelled the capital city of Port-au-Prince and killed tens of thousands, Americans in general are jumping to the cause.

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Helping hands in the Northwest

Northwest residents are no exception. Whether it be collections of staggering sums, such as the \$50,000 that Enon Tabernacle Baptist Church recently raised for the relief efforts of the global missionary service Lott Carey, which works in Haiti, or the efforts of the children at All About Kidz Early Learning Center in Mt. Airy who have collected ten boxes of children's clothing, shoes and supplies over the last two weeks in their kid inspired "Hands Across Haiti" donation drive, local residents are finding ways to inject positive energy into this tragedy.

8th District Councilwoman Donna Reed Miller will host a "Philly Loves Haiti" fundraiser on Saturday, February 6 from 10 a.m. – 6 p.m. at the Marathon Grill, 40th and Chestnut streets, in West Philadelphia. Confirmed participants include Councilwoman Jannie Blackwell, Councilman Curtis Jones, State



Above left: A building of the University of Fondwa lies in ruins. All seven of the university buildings were destroyed in the quake. Above right: Fondwa residents use makeshift tents as shelters to replace damaged homes. They also need larger tents to replace the local school, church and community center. Photos provided by Hérault Beauvais

important enough event - a disaster - that we needed to do something real," said Trolley Car owner Ken Weinstein.

In another first for Weinstein, he has pulled an old trolley token box from his vintage ice cream car to take up Haiti donations at

ple in [from] Chestnut Hill and Mt. Airy and meet the local painters and hopefully buy some art to help out in Haiti," she said.

Ongoing relationships

Some area organizations have long-standing relationships with Haiti relief and development efforts. Global Women's Strike, out of the Crossroads Women's Center in Germantown held a candle light vigil January 21 to call attention not only to the need for relief in Haiti, but to the equal need that such relief not take the form of yet another military occupation.

"We've had an ongoing relationship with grassroots groups in Haiti for a number of years," said Mary Kalyna. "It's really important for donations to really make it to grass roots groups... People there were saying, 'we want the USA but we don't want it to be an occupation' because there has been a whole history of the U.S. military there that has not been all that positive." Global Women's Strike supports the return of Aristide to Haiti, who has been in exile in South Africa since 2004.

The First United Methodist Church of Germantown (FUMCOG) is also a friend of Aristide's, and of Haiti. He preached there once during his exile. FUMCOG has worked in the rural village of Fondwa for the past 16 years. Through its relationship with the Fondwa Peasant Association it helped found Fonkoze USA, a micro-credit bank that makes very small loans to peasants through 40 locations in the country. In December FUMCOG donated \$4000 to the Peasant Association to help develop professional staff for the organization. Last week the church raised another \$5,000 that will go to rebuild a school that served 650 children in the village

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Above are part of the tons of non-perishable supplies collected by Enon Tabernacle Baptist Church on January 30 for shipment to Haiti through Lott Carey Missions of Lake Charles LA.

Rep. John Myers and District Attorney Seth Williams, and the event will feature music and radio personalities from many local radio stations. For more information call Councilwoman Miller's office at 215-686-3424.

Through Friday of this week the Trolley Car Diner has turned its Helping Hands profit-sharing campaign to the Haiti cause. The diner will donate 15 percent of the total bill of any customer with a Helping Hands coupon (available at tiny.cc/trolleycoupon) to the Red Cross in Haiti. Unlike previous Helping Hands campaigns this is the first time the Trolley Car is recruiting diners to the cause without the help of a partnering non-profit.

"We just thought this was an

the door.

'Paint for Haiti'

A little farther up the Avenue, the Chestnut Hill Gallery has squeezed in a special "Paint for Haiti" benefit sale between two long-planned shows. Paint for Haiti features original work, and some lower cost prints of many area artists.

Normally artists and the gallery split the profits of art sales down the middle but owner Joe Borrelli has decided to take a smaller cut for this show, donating 30 percent of the sale price of any art during the week to Doctors Without Borders in Haiti. Gallery Manager Anne Buckwalter hoped the artists' reception February 3 would inspire people.

"The idea is to try to draw peo-



Chestnut Hill Gallery Manager Anne Buckwalter and owner Joe Borrelli stand amid the Paint for Haiti benefit art show that will be up until Friday February 5.



Delaware Valley Opera singer Paula Rivera-Dantagan performs with accompanist Michelle Scanlon for spectators at the benefit show held at Cunningham Piano Company January 30.

DIA to Discuss Census, R8

The February general meeting of the Duval Improvement Association will be held Tuesday, February 9 at 6:30 p.m. at Stapeley in Germantown, 6300 Greene street, in the recreation room.

At this month's meeting we will be discussing a number of important issues, including special presentations by the U.S. Census

Bureau and SEPTA regarding the status of the Tulpehocken Station renovations.

This promises to be an interesting and informative meeting. We look forward to seeing you on Tuesday and please be sure to inform other neighbors about the meeting.

For questions and information call Brian at 215-834-4100.

NW Zoning Hearings

The following hearings will be held at the Zoning Board of Adjustments, 1515 Arch Street, on the 18th floor. All information is according to the Community Alerting Service of the Housing Association of Delaware Valley.

Tuesday, Feb. 9, 9:30 a.m. – 69 Slocum Street. One use permit. Permit for the legalization of an existing three-family dwelling in an existing structure.

Tuesday, Feb. 9, 9:30 a.m. – 398 East Godfrey Avenue. One use permit. Permit for a daycare for periods of less than 24 consecutive hours with accessory preparation and serving of food.

Wednesday, Feb. 10, 4 p.m. – 8850 Germantown Avenue. One zoning permit. Permit for the erection of a fence along the frontage of 8850 Germantown Avenue to replace in kind the old fence.

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back this up too. It only allows for singles.

But they say the devil is in the details, and here the details are interesting.

As a general rule zoning variances are only allowed when property owners can prove a "hardship" as a result of something relating to the property that would make an as-code improvement too difficult to do. When 506 Springer came to the WMAN Zoning Committee on January 6, Yakhnis' attorney, Richard DeMarco, presented the hardship in pure financial terms.

Because of market conditions and the cost of construction, he argued, two twins is "the only viable use of this lot."

DeMarco's position hasn't changed since then, but some of the facts have. At the ZBA hearing last week he surprised the West Mt. Airy residents with evidence of a potential physical hardship associated with the property. Despite the hubbub at the hearing, he insisted this evidence was about as new to him as it was to WMAN.

It was a geological study done by the previous owners, D&T Properties LLC, in 2007, which shows a need to do substantial additional foundation work for any building slated for that site.

"Lots of ground water makes [the site] unstable enough that you have to drive pilings in at a significant cost of construction," DeMarco summarized.

The owner of D&T Properties, Anthony Green, read the findings the same way back in 2007 and he was sure they would impact the current owner as well.

"You needed to put helical piers in there to build there," he said.

"You've got to go 30 feet deep before you get something solid. I think I had to go down 33 feet and I needed 48 piers. That's like a 50 thousand dollar project in itself, per house."

But even with evidence of a traditional hardship the ZBA went with the residents, although the vote was a bit difficult to read. Two of the four ZBA members at the hearing voted against the variance, and the remaining two voted in favor of subdividing the lot in two – not four. However DeMarco maintains that the lot is large enough to allow two single homes by-right, without the need for ZBA approval.

Since the hearing those two votes have been clarified as "nos" to four units on the lot. But DeMarco is convinced that neither the ZBA, nor WMAN fully grasped the significance of the hardship presented in the geolog-

ical study. To him four houses is still the only commercially viable possibility for that lot.

"You simply can't make it work because of that cost," he said. "You can't make two homes work."

As of late last week, DeMarco said his client had made no decision about whether to appeal the ZBA ruling.

The Business Network International (BNI) Northwest Philadelphia Chapter meets each Thursday morning at the Brossman Center, Benbow Hall Room A, Lutheran Theological Seminary, 7301 Germantown Avenue. Meetings run from 8-9:30 a.m. Visitors are welcome. The cost to attend is \$11 for the continental breakfast. For information or a reservation to attend, please call Jim Malone at 215-783-0560.

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before the quake destroyed it.

"They had just finished building this school that went from kindergarten to 12th grade," said FUMCOG's Haiti Committee Co-Chair Ray Torres. "The students were getting the best grades in the whole district and that school basically collapsed."

Luckily, because of the timing of the disaster, no students were hurt in the collapse. But, according to Torres, 25 people were killed in Fondwa during the quake, and the town itself, which was unusually well developed compared to other rural villages because of the Peasant Association, was almost totally destroyed. In addition to the school, a seven-building university for local residents, an orphanage, homes and the com-

munity center were reduced to rubble, Torres said.

FUMCOG plans to hold a benefit concert in the spring to help re-build Fondwa.

At the opera concert Deurel and Mireille Dalturis expressed their gratitude for the all the Haiti relief efforts. Deurel Dalturis said it was important for Haitians to know that they are not alone, and Mireille stressed the need for well directed resources, and for something more.

"There is no way the Haitian people can gather what they need to take care of themselves," she said. "If it wasn't for your love where would Haiti be now? It is for that reason that I find strength... I am hopeful that our children's children can learn from all of the love that was pulled from all over the world."

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