



The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

Township Bldg., 1510 Paper Mill Rd., Wyndmoor, PA 19038

website: www.SpringfieldMontco.org

Phone: 215-836-7600

Fax: 215-836-7180

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President

Eddie T. Graham
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Engineer

Zoning Hearing Board Notice Continued Hearing

Notice is hereby given that the Zoning Hearing Board of Springfield Township, Montgomery County, will hold a meeting as required by the Township's Zoning Ordinance. This meeting will be in the Boardroom of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

Monday, January 24, 2021 at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #21-26: This is the application of **Jose Antonio Luna Cortes**, owner of the property located at 1508 Mermaid Land, Wyndmoor, PA 19038 also known as Parcel #5200-1162-0001. Mr. Cortes has requested a use variance from Section 114-12.C.1 of the Springfield Township Zoning Ordinance. The applicant seeks approval to maintain the single family dwelling use on the property and also conduct firewood splitting and a firewood sales operation. The zoning ordinances prohibits multiple uses on the property. In addition, Section 114-21.C.2 prohibits any use that may be deemed offensive by reason of odor, dust, fumes, smoke, noise or vibration. The property is zoned within the Limited Industrial District of Ward #5 of Springfield Township.

A copy of the application and information submitted is on file in the Community Development Office and may be reviewed during normal business hours.

By Order of the Springfield Township
Zoning Hearing Board
Mark A. Penecale
Director of Planning & Zoning

THERE IS A 30 DAYS PERIOD AFTER THE DATE THE DECISION IS RENDERED FOR ANY AND ALL AGGRIEVED PERSONS TO FILE AN APPEAL IN THE APPROPRIATE COURT TO CONTEST THE ACTIONS OF THE ZONING HEARING BOARD. APPLICANTS THAT TAKE ACTION ON ANY ZONING HEARING BOARD APPROVAL DURING THE 30 DAY APPEAL PERIOD, DO SO AT THEIR OWN RISK.

TOWNSHIP OF SPRINGFIELD
MONTGOMERY COUNTY
1510 PAPER MILL ROAD
WYNDMOOR, PA 19038

NO. 21-26

DATE: 11-22-2021

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We JOSE ANTONIO LUNA CORTES
(Name of Applicant)

Of (Address) 1508 MERMAID LANE, WYNDMOOR, PA. 19038

(Telephone No.) 215-910-9783

do hereby make application before the Springfield Township Zoning Hearing Board to request:

 An **appeal** from the decision of the Zoning/Building Official.

 A **special exception** as provided for in Article , Section ,
Subsection , of the Springfield Township Zoning Code.

A **variance** from the requirements set forth in Article 114, Section 12,
Subsection C.2, of the Springfield Township Zoning Code.

Other (please specify) The property was developed as a single family dwelling
that is a legal non-conforming use. I started a firewood business on the same site.

The property concerned is located at 1508 MERMAID LANE, WYNDMOOR, PA. 19038

Petitioner's Interest in the property is PROPERTY OWNER

Present use of property SINGLE FAMILY DWELLING IN ADDITION TO A FIRE WOOD
BUSINESS.

Explanation of Petition: Variance and Special Exception Requests must meet the statutory guidelines Outlined in Section 114-165 of the Township Zoning Code. The following explanation should indicate Compliance with those guidelines.

THE USE OF THE PROPERTY AS A SINGLE FAMILY DWELLING IS A LEGAL NON-
CONFORMING USE. THE FIREWOOD BUSINESS IS A LEGAL USE AS PER
SECTION 114-12.C.1. I SEEK A VARIANCE TO USE THIS PROPERTY AS BOTH MY
HOME AND TO CONTINUE THE PART TIME FIREWOOD BUSINESS. I HAVE BEEN
INFORMED THAT THE FIREWOOD BUSINESS VIOLATES SECTION 114-12.C.2 OF
THE ZONING ORDINANCE. FIREWOOD ON THE PROPERTY IS FOR SALE DAILY,
BUT THE SPLITTED HAPPENS NO MORE THAN 2 DAYS A WEEK.

APPLICANT NOTE: Petition must be accompanied by eight (8) sets of scaled drawings or plans, Application Fee and a copy of the property deed.

check #415
\$500.00
Case # 21-26

Applicant's Signature

Owner's Signature

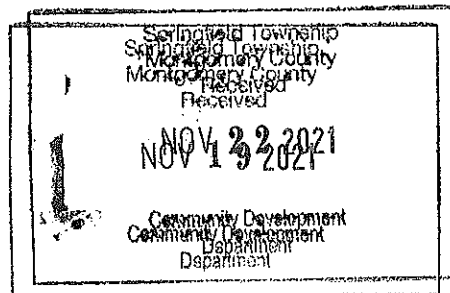
Do not write in this space.

Petition granted.

Petition refused.

The following special conditions are imposed.

By Order of the Zoning Hearing Board



**TOWNSHIP OF SPRINGFIELD
COMMUNITY DEVELOPMENT
ZONING INFORMATION AND FEE SCHEDULE**

**NOTICE TO APPLICANTS WHO WISH TO APPEAR BEFORE
THE ZONING HEARING BOARD OF SPRINGFIELD TOWNSHIP**

Application Procedures

Applicants must complete the standard Petition form **TYPED** and signed in **TRIPLICATE** and file same with the Zoning Officer by the **last day** of the month preceding the public hearing date. The Zoning Board Hearings are normally held on the **fourth Monday** of each month with the exception of a chosen

summer month.

Applications **must** be accompanied by eight **(8)** copies of **scaled** drawings including sketches, or drawings indicating lot lines, building dimensions, yard distances, and any other illustrative data relating to the Petition. Pertinent photographs and letters from immediate neighbors are also helpful for the record but need not be filed unless required by the Zoning Hearing Board.

A copy of the property deed must accompany all applications. **No applications will be accepted without the deed.**

An explanation of the Petition must be provided with specific details on the nature of the Petition, relief being requested, pertinent code sections, lot and setback criteria, etc.

In order for the Zoning Board to grant a special exception and/or variance request, the statutory guidelines outlined in Section 114-165 of the Township Zoning Code must be met. The explanation of the petition should indicate compliance with those guidelines. It is the applicant's responsibility to provide all necessary information pertaining to the petition.

It is required that the Applicant, or in the case of an organization to have one of its corporate officers, be present to testify at the hearing. Applicants have the right to be represented by an attorney.

Petitions are listed on the Zoning Hearing Board Agenda in the date order in which they are received.

In accordance with the **Pennsylvania Municipalities Planning Code, Act 247, Section 908**, it will be necessary for Springfield Township to post notice of this Hearing. Such posting is to be conspicuously displayed on the affected tract of land or building.

Filing Fees and Costs

Each applicant must pay the requisite application fee when filing a Petition to the Zoning Hearing Board:

1. A filing fee of **\$500.00** shall be required with respect to any Petition dealing exclusively with single or two-family residential property and the residential use, including accessory use thereof. Such a Petition may involve an appeal from a decision of the Zoning Officer, an application for a Special Exception, and/or a Variance or any other appeal the Board is empowered to hear.
2. A filing fee of **\$1,200.00** shall be required with respect to any petition to the Zoning Hearing Board for any matter dealing with non-residential property or the non-residential use thereof, and/or multi-family use.
3. A continuance fee equal to 50% of the application fee will be charged for each continuance that is requested by the applicant.

Filing fees are applied to clerical, advertising, mailing, administrative, legal and stenographic costs associated with the Hearing and are not refundable to Applicant. The filing fee has been established to pay the costs associated with one hearing. In those instances where hearings are continued and the original filing fee and/or continuance fee does not cover the additional costs incurred by the Township, the costs will be assessed upon the Applicant.

Should a written record, including a stenographic transcript, of the proceedings before the Zoning Hearing Board, be appropriate or required, the Applicant or the Appellant, as the case may be, will be billed and required to pay for the costs of preparing such a written record. In such a case there shall not be any credit granted to anyone as a result of the filing fee initially paid.

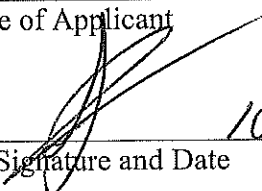
The Zoning Hearing Board may deem it appropriate to have a stenographic transcript of the proceedings in any matter before it in order that a decision and opinion may be made. In such a case the cost thereof shall be borne initially by the Applicant and thereafter by the Appellant, upon appeal as a part of the cost of the entire written record of the proceedings.

I have read the Application Procedure and the Schedule of Filing Fees and Costs and agree to be bound by the provisions thereof.

JOSE ANTONIO CORTES

Printed Name of Applicant

Applicant's Signature and Date


10-29-21

Section 114-12.C.1 Permitted Uses:

A building may be erected, altered or used and a lot or premises may be used for any of the following purposes and for no other:

- A. Administrative, business, professional or corporate offices.
- B. Administrative office building accessory to a permitted use.
- C. Contractor's office and storage, provided that all materials and equipment are located entirely within an enclosed building.
- D. Manufacturing, fabrication, assembly, processing and packaging of natural and man-made materials, except those uses specifically prohibited in § 114-12C2 below.
- E. Printing, publishing, lithography or similar processes.
- F. Public or governmental utility building.
- G. Scientific or industrial research, engineering, training, testing, experimental laboratory or similar establishment.
- H. Trade or professional school.

Section 114-12.C.2 Prohibited Uses:

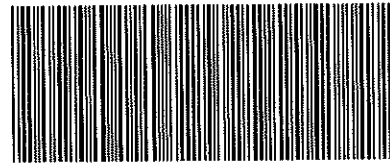
57. Any other use which is or may be noxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration, illumination or noise or harmful radiation or which is or may be dangerous to the public health, welfare or safety or which constitutes or may constitute a public hazard, whether by fire, explosion or otherwise.



RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 5862 PG 02494 to 02498
INSTRUMENT # : 2013011843
RECORDED DATE: 02/01/2013 10:03:09 AM



2862678-0013-

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 2818957 - 2 Doc(s)
Document Date: 01/29/2013	Document Page Count: 4
Reference Info:	Operator Id: thordije
RETURN TO: (Simplifile) Springfield Abstract 1415 Bethlehem Pike Flourtown, PA 19031 (215) 836-1000	PAID BY: SPRINGFIELD ABSTRACT

*** PROPERTY DATA:**
Parcel ID #: 52-00-11620-00-1
Address: 1508 MERMAID LN

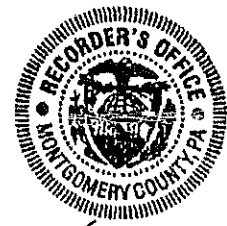
WYNDMOOR PA
19038
Municipality: Springfield Township (100%)
School District: Springfield

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$225,000.00
TAXABLE AMOUNT: \$225,000.00
FEES / TAXES:
Recording Fee:Deed \$78.00
State RTT \$2,250.00
Springfield Township RTT \$1,125.00
Springfield School District RTT \$1,125.00
Total: \$4,578.00

DEED BK 5862 PG 02494 to 02498
Recorded Date: 02/01/2013 10:03:09 AM

I hereby CERTIFY that
this document is
recorded in the
Recorder of Deeds
Office in Montgomery
County, Pennsylvania.



Nancy J. Becker

Nancy J. Becker
Recorder of Deeds

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Prepared by and Return to:

Springfield Abstract, Inc.
1415 Bethlehem Pike
Flourtown, PA 19031
215-836-1000

File No. SA-5158

UPI # 52-00-11620-00-1

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-11620-00-1 SPRINGFIELD TOWNSHIP
1508 MERMAID LN
HALLIGAN JOSEPH & BRIAN
B 032 L U 015 1101 02/01/2013

\$10.00
LG

This Indenture, made the 29th day of January, 2013,

Between

JOSEPH HALLIGAN AND BRIAN HALLIGAN

(hereinafter called the Grantors), of the one part, and

JOSE ANTONIO LUNA CORTES AND MARICELA AYALA CISNEROS

(hereinafter called the Grantees), of the other part,

Witnesseth, that the said Grantors for and in consideration of the sum of **Two Hundred Twenty Five Thousand Dollars 00/100 (\$225,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, as tenants by the entirety

ALL THAT CERTAIN lot or piece of ground SITUATE in Springfield Township, Montgomery County, Pennsylvania, bounded and described according to a Plan of Property made for Charles A Fisher, made by William Magariety, dated May 22, 1929, as follows, to wit:

BEGINNING at a point on the title line in the bed of Mermaid Avenue, said point being at the distance of one hundred three feet measured Southwesterly along the title line in the bed of Mermaid Avenue from its point of intersection with the point on the title line in the bed of Cheltenham Avenue; thence extending from said point of beginning Southwesterly crossing the Southeasterly side of Mermaid Avenue along the arc of a circle curving to the right, having a radius of seven thousand five hundred forty the arc distance of three hundred eight and twenty three one-hundredths feet to a point a corner, thence extending North forty four degrees, forty minutes West re-crossing the Southeasterly side of Mermaid Avenue one hundred twenty two and thirty nine one-hundredths feet to a point in the bed of Mermaid Avenue, thence extending along the title line in the bed of Mermaid Avenue North forty five degrees, twenty minutes East, two hundred eighty two and eighty five one-hundredths feet to the first mentioned point and place of beginning.

SUBJECT as to so much of the above described premises as is included within the lines of said Mermaid Avenue, to the use thereof by all parties lawfully entitled thereto; and provided always, and this conveyance is made upon the condition that neither the connecting Railway Company nor its successors or assigns, shall be liable or obliged to construct or maintain any fence between the above described triangular lot or piece of land and the land of the Railway Company adjoining the same on the Southeast, or be liable or obliged to pay for any part of the cost or expense of constructing or maintaining such a fence, and that neither the said railway company nor its successors or assigns shall be liable for any damage that may result by reason of the non-existence of such a fence, nor for any damage which may result to the land hereby conveyed by reason of the slipping of the slope of the railroad into the cut.

BEING known as 1508 Mermaid Lane

BEING the same premises which Federal Home Loan Mortgage Corporation, by deed dated March 30, 2010, and recorded April 5, 2010, in the County of Montgomery, in Book 5763, Page 183, granted and conveyed unto Joseph Halligan and Brian Halligan, in fee.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of them, the said grantors, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that they, the said Grantors, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them, the said Grantors, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delibered
IN THE PRESENCE OF US:

Joseph Halligan {SEAL}
Joseph Halligan
Brian Halligan {SEAL}
Brian Halligan

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 29th day of January, 2013, before me, the undersigned Notary Public, personally appeared **Joseph Halligan and Brian Halligan**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Roseanne K Domenic
Notary Public
My commission expires _____

The precise residence and the complete post office address of the above-named Grantees is:

1508 Mermaid Lane
Flourtown, PA 19031

Roseanne K Domenic
On behalf of the Grantees

NOTARIAL SEAL
ROSEANNE K. DOMENIC, NOTARY PUBLIC
SPRINGFIELD TWP, MONTGOMERY COUNTY
MY COMMISSION EXPIRES JAN. 16, 2015

TOWNSHIP OF SPRINGFIELD
MONTGOMERY COUNTY, PA
- REGISTERED -
DATE 2/17/13 NO. 121221
Mark Casold
TOWNSHIP ENGINEER

Deed

UPI # 52-00-11620-00-1

Joseph Halligan and Brian Halligan

TO

Jose Antonio Luna Cortes and Maricela
Ayala Cisneros

Springfield Abstract, Inc.
1415 Bethlehem Pike
Flourtown, PA 19031
Phone: 215-836-1000 Fax: 215-836-1141

PARID: 520011620001
CORTES JOSE ANTONIO LUNA &

1508 MERMAID LN

Parcel

TaxMapID	52032 015
Parid	52-00-11620-00-1
Land Use Code	1101
Land Use Description	R - SINGLE FAMILY
Property Location	1508 MERMAID LN
Lot #	
Lot Size	9233 SF
Front Feet	282
Municipality	SPRINGFIELD
School District	SPRINGFIELD TWP
Utilities	ALL PUBLIC//

Owner

Name(s)	CORTES JOSE ANTONIO LUNA &
Name(s)	CISNEROS MARICELA AYALA
Mailing Address	1508 MERMAID LN
Care Of	
Mailing Address	
Mailing Address	WYNDMOOR PA 19038

Current Assessment

Appraised Value	Assessed Value	Restrict Code
144,360	144,360	

Estimated Taxes

County	524
Montco Community College	56
Municipality	652
School District	5,100
Total	6,332
Tax Lien	Tax Claim Bureau Parcel Search

Last Sale

Sale Date	29-JAN-13
Sale Price	\$225,000
Tax Stamps	2250
Deed Book and Page	5862-02494
Grantor	HALLIGAN JOSEPH & BRIAN
Grantee	CORTES JOSE ANTONIO LUNA &
Date Recorded	01-FEB-13

SALES & BUNDLES

Firewood

215-910-9783

CALL OR TEXT



Quality Wood
SALES & BUNDLES
CALL OR TEXT
210-510-3781



