



**Springfield Township
Zoning Hearing Board
June 27, 2022
7:00 P.M.**

7:00 P.M. Call to Order:

Pledge of Allegiance:

Roll Call: Ed Fox; Esq. Chairman, Zoning Hearing Board
Jennifer Guckin, Vice Chair, Zoning Hearing Board Member
Megan McDonough; Esq., Zoning Hearing Board
James Brown; Zoning Hearing Board Alternate Member
Kate M. Harper, Esq.; Solicitor, Zoning Hearing Board

Decisions: There are no pending Order & Opinions to render.

New Business:

Case #22-03: This is the application of **William & Cathy Murphy**, owners of a vacant lot on Carlton Way, known as Parcel #52-00-03025-01-9, and located in the A – Residential District of Ward #6 of Springfield Township (“Property”). The applicants request the following relief to construct a single-family dwelling with attached garage and rear deck on the Property. (1) An appeal of the Zoning Officer’s determination that section 114-12B3.A “Regulations for Areas of Steep Slopes” is applicable to the development of the Property, based on the approved and recorded subdivision plan, or in the alternative a variance from section 114-12B3.A to permit more than 40% of the total lot area to be regraded; and (2) a variance from section 114-54.A(1) “Front Yards” to permit a 30’ front yard setback rather than the required 40’.

Adjournment:

Note: The next meeting of the Zoning Hearing Board is scheduled for Monday, July 25, 2022 with a 7:00 P.M. start time. This meeting will be held at the Springfield Township Administration Building located at 1510 Paper Mill Road, Wyndmoor, PA 19038



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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Vice President

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Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Julie L. Von Spreckelsen, Esq.
Eastburn & Gray, PC
470 Norristown Road, Suite 302
Blue Bell, PA 19422

April 26, 2022

Re: Zoning Hearing Board Application #22-03, filed by William & Cathy Murphy for the vacant parcel known as #5200-0302-5019.

Dear Ms. Von Spreckelsen,

Please allow this letter to serve as formal notification that on Monday, April 25, 2022 the Zoning Hearing Board of Springfield Township, Montgomery County, Pennsylvania approved your request for a continuance on the above listed zoning hearing board application until the scheduled Monday, June 27, 2022 hearing date. This was announced to the room at the time the vote was taken. This letter also confirms you have waived the applicable provisions of the Municipalities Planning Code for the Board to hold a hearing until July 15, 2022.

Please feel free to contact me directly with questions you have or in the event that that the pending application needs to be revised or withdrawn.

Sincerely,

Mark A. Penecale
Director of Planning & Zoning
Springfield Township
215-836-7600, ext. 1114

Cc: Carrie B Nace-Poust, Esq. {cnace-poust@foxrothchild.com}
File Copy (2)



Eastburn and Gray, PC
Attorneys at Law

A-2



Julie L. Von Spreckelsen, Esquire
470 Norristown Road, Suite 302
Blue Bell, PA 19422
Main: 215-345-7000
Direct: 215-461-1239
Fax: 215-542-9421
jvonspreckelsen@eastburngray.com

April 25, 2022

VIA EMAIL (charper@timoneyknox.com)

Catherine M. Harper, Esquire
Timoney Knox LLP
400 Maryland Drive
P.O. Box 7544
Fort Washington, PA 19034-7544

**Re: Zoning Application of William J. Murphy and Cathy R. Murphy
Property: Carolton Way, Flourtown**

Dear Kate:

As you are aware, I represent Applicants, William and Cathy Murphy, with regard to the above-referenced zoning application which was hand-delivered to Springfield Township on January 28, 2022 (“Application”), and which Application is scheduled for a hearing before the Springfield Township Zoning Hearing Board this evening.

I was informed today by Carrie Nase-Poust, Esquire, that she represents neighboring property owners who are in opposition to the Application. My clients, the Murphys, would like an opportunity to meet with the neighboring property owners in an effort to resolve their objections.

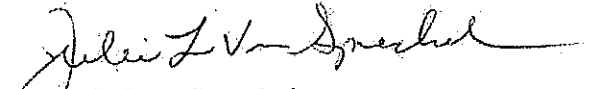
Accordingly, Applicants request a continuance of their Application scheduled for tonight’s Zoning Hearing until the Zoning Hearing Board’s June 27, 2022 meeting date. I unfortunately have a conflict on the night of the Zoning Hearing Board’s May 23, 2022 meeting date, which is why I have requested the Application be placed on the Zoning Hearing Board’s June 27, 2022 meeting agenda. Applicants waive all of the time deadlines of section 908 of the Pennsylvania Municipalities Planning Code relative to holding hearings and issuing a decision through and until July 15, 2022.

Please confirm that the Application will be continued to the Zoning Hearing Board’s June 27, 2022 meeting agenda.

Catherine M. Harper, Esquire
April 25, 2022
Page 2 of 2

Thank you for your consideration.

Very truly yours,



Julie L. Von Spreckelsen

cc: Mark Penecale, Township Zoning Officer (via email mpenecale@springfieldmontco.org)
Carrie B. Nase-Poust, Esquire (via email cnase-poust@foxrothschild.com)
William and Cathy Murphy (via email)



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Timothy P. Woodrow, PE
Engineer

Zoning Hearing Board Notice

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, April 25, 2022 at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #22-03: This is the application of **William & Cathy Murphy**, owners of vacant lot, known as Parcel #5200-0302-5019. The applicant has filed an appeal to the actions of the Zoning Officer and in the alternative they have requested dimensional variances from Section 114-12.B.(3)(a) and Section 114-54.A(1) of the Springfield Township Zoning Ordinance. The applicants content that the Zoning Officer erred in his interpretation of the approved Subdivision Plan as it relates to the slopes on the property and dimensional requirements of A-Residential District. The applicants content the approved plan is exempt from the steep slope requirements of the Zoning Ordinance and the proposed dwelling does not require a forty foot front yard setbacks. The property is zoned within the A-Residential District of Ward #6 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. In addition, this information is also posted on our website [@springfieldmontco.org](http://springfieldmontco.org).

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.



Eastburn and Gray, PC

Attorneys at Law

Julie L. Von Spreckelsen, Esquire
470 Norristown Road, Suite 302
Blue Bell, PA 19422
Main: 215-345-7000
Direct: 215-461-1239
Fax: 215-542-9421
jvonspreckelsen@eastburngray.com

February 14, 2022

VIA REGULAR MAIL and EMAIL (MPenecale@springfieldmontco.org)

Mark Penecale
Planning Director
Springfield Township
1510 Paper Mill Road
Wyndmoor, PA 19038

**Re: Zoning Application of William J. Murphy and Cathy R. Murphy
Property: Carolton Way, Flourtown**

Dear Mr. Penecale:

As you are aware I represent William and Cathy Murphy, the Applicants with regard to the above-referenced zoning application which was hand-delivered to Springfield Township on January 28, 2022 ("Application").

It is my understanding that the Township Board of Commissioners reviewed this Application at their workshop meeting on February 7th and then voted to oppose the Application at their regular monthly meeting held on February 9th. Applicants have made a written request to the Township Manager to be placed on the Board of Commissioners' March 7th workshop meeting agenda to discuss, in an effort to resolve, the Board's opposition to the Application.

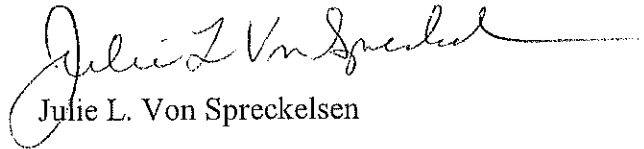
Accordingly, Applicants request a continuance of the Zoning Hearing currently scheduled for February 28th to the Zoning Hearing Board's April 25, 2022 meeting date. I unfortunately have a conflict on the night of the Zoning Hearing Board's March 28, 2022 meeting date which is why I have requested the Application be placed on the Zoning Hearing Board's April 25, 2022 meeting agenda. Applicants waive all of the time deadlines of section 908 of the Pennsylvania Municipalities Planning Code relative to holding hearings and issuing a decision through and until April 26, 2022.

Please confirm that the Application will be continued to the Zoning Hearing Board's April 25, 2022 meeting agenda.

Mark Penecale
February 14, 2022
Page 2 of 2

Thank you for your consideration.

Very truly yours,



Julie L. Von Spreckelsen

cc: James J. Garrity, Esquire, Township Solicitor (via email)
Catherine M. Harper, Esquire, Zoning Hearing Board Solicitor (via email)
William and Cathy Murphy (via email)
Gary Tilford, PLS (via email)



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Timothy P. Woodrow, PE
Engineer

Julie L. Von Spreckelsen, Esq.
Eastburn & Gray, PC
470 Norristown Road, Suite 302
Blue Bell, PA 19422

March 1, 2022

Re: Zoning Hearing Board Application #22-03, filed by William & Cathy Murphy for the vacant parcel known as #5200-0302-5019.

Dear Ms. Von Spreckelsen,

Please allow this letter to serve as formal notification that on Monday, February 28, 2022 the Zoning Hearing Board of Springfield Township, Montgomery County, Pennsylvania approved your request for a continuance on the above listed zoning hearing board application until Monday, April 25, 2022.

Please feel free to contact me directly with questions you have or in the event that that the pending application needs to be revised or withdrawn.

Sincerely,

Mark A. Penecale
Director of Planning & Zoning
Springfield Township
215-836-7600, ext. 1114

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

NO. 22-03

DATE: 1/28/2022

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We William R. Murphy and Cathy R. Murphy

(Name of Applicant)

Of (Address) 2106 Carolton Way, Flourtown, PA 19031

(Telephone No.) 215-836-0411

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 V, Section 54, Subsection A(1), of the Springfield Township Zoning Code. X11B 12 B3
A

Other (please specify) _____

The property concerned is located at Carolton Way; tax parcel no. 52-00-03025-01-9

Block 48A, Unit 27

Petitioner's Interest in the property is legal owner

Present use of property vacant lot

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.

See attached addendum

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 # 249
\$500.00

Cathy Korte Mugh
Applicant's Signature
Cathy Korte Mugh
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.

Cathy Rosate Murphy & William J Murphy
Printed Name of Applicant

Cathy Rosate Murphy
Applicant's Signature and Date

WJ Murphy 1/26/21

**SPRINGFIELD TOWNSHIP ZONING HEARING BOARD
ADDENDUM TO PETITION**

Petitioners/Owners: William J. Murphy and Cathy R. Murphy
2106 Carolton Way
Flourtown, PA 19031

Property: Carolton Way
TPN: 52-00-03025-01-9
Block 48A, Unit 27

Requested Relief: 1. An appeal of the Zoning Officer's determination that section 114-12B3.A "Regulations for Areas of Steep Slopes" is applicable to the development of the Property based on the approved and recorded subdivision plan, or in the alternative a variance from section 114-12B3.A to permit more than 40% of the total lot area to be regraded.

2. A variance from section 114-54.A(1) "Front yards".

To permit a 30' front yard setback rather than the required 40'.

INTRODUCTION

This petition proposes the construction of single family dwelling with attached garage and deck, which is permitted by right in the A Residential District, on an approved subdivided lot.

Petitioners/Owners William J. Murphy and Cathy R. Murphy ("Landowners") are the legal owners of a vacant parcel of land located on Carolton Way, Springfield Township ("Township"), Pennsylvania, and identified as Montgomery County tax parcel number 52-00-03025-01-9 ("Property").

Unique physical conditions of the Property include its irregular shape, slope areas, and a 17.25' wide portion of a PECO easement traversing the entire length of the eastern side of the Property. The Property is zoned A Residential District, comprises 12,671 square feet, and is vacant.

RECORDED SUBDIVISION PLAN

The Property is a Township approved subdivided lot. A copy of the approved recorded subdivision plan prepared by Pahutski Land Surveying dated January 2, 2001, consisting of sheets 1 and 2 of 2 is attached as Exhibit A ("Subdivision Plan"). Note 5 on sheet 1 of the Subdivision Plan states that slopes along the frontage of the Property are man-made and were created by the construction of Carolton Way. Note 5 refers to sheet 2 of the Subdivision Plan which states that the average slope of the Property prior to the construction of Carolton Way was 6.8% but that after the construction of Carolton Way, which resulted in the placing of man-made slopes on the Property, the average slope of the Property increased to an estimated 11.8%. Note 5 states that because the increase in average slope area resulted from the man-made slopes caused by the construction of Carolton Way, the Property was not required to add lot area per the Code (section 114-12B3.A).

PROPOSED DEVELOPMENT AND ZONING OFFICER'S DETERMINATION

Landowner proposes the construction of a single family dwelling with attached garage and rear deck. A single family dwelling use is permitted by right in the A Residential District, and the proposed development meets all of the dimensional and bulk

criteria of the Zoning Ordinance, including building area, except for the front yard setback for which Landowner requests a variance.

Based upon the approved and recorded Subdivision Plan, Landowners assert that Zoning Ordinance section 114-12B3.A is not applicable to the proposed development because that section applies to lots that have an average slope of at least 10%. As stated on the approved and recorded Subdivision Plan the Property had an average slope of 6.8% but because of the construction of Carlton Way causing additional man-made slopes on the Property, the average slope was increased to an estimated 11.8%. [Updated calculations confirm that the average slope was increased to 11%, not the estimated 11.8%, as shown on the Zoning Plan that is included with this application submission.] Zoning Ordinance section 114-12B3.A requires a lot with between 10% and 15% average slope to be increased in lot area by a factor of 1.3. Note 5 specifically states that the subdivision was not required to comply with that zoning provision and that additional lot area was not required.

Zoning Ordinance section 114-12B3.A also provides that for a lot having an average slope between 10% and 15%, no more than 40% of the total lot area shall be regraded and/or stripped of vegetation. Again, but for the man-made slopes placed on the Property from the construction of Carlton Way the Property has an average slope of 6.8% which does not meet the threshold of 10% required for Zoning Ordinance section 114-12B3.A to be applicable, which is consistent with Note 5 on the approved recorded Subdivision Plan. The Zoning Officer in his email dated January 21, 2022 made a determination to the contrary, attached as Exhibit B ("Zoning Officer's Determination"), and thus Landowners appeal the Zoning Officer's Determination.

REQUESTED RELIEF

Landowners appeal the Zoning Officer's Determination and request the variances, as outlined above, from the Springfield Township Zoning Ordinance ("Zoning Ordinance") to permit construction of a single-family dwelling with attached garage and rear deck at the Property.

Landowners are entitled to the requested zoning relief for the following reasons:

(1) When the Subdivision Plan was approved and recorded in 2001, Zoning Ordinance section 114-12B3.A was determined not to be applicable because the average slope on the Property was increased due to the construction of Carlton Way causing placement of additional man-made slopes on the Property. For Zoning Ordinance Section 114-12B3.A to be applicable, a threshold of 10% average slope must be met. Per the approved recorded Subdivision Plan, the Property, without the additional man-made slopes from the construction of Carlton Way has an average slope of 6.8%, thus not meeting the 10% threshold required for Zoning Ordinance section 114-12B3.A to be applicable. Landowners appeal of the Zoning Officer's Determination that the 40% limitation on lot regrading is applicable, must be granted.

(2) In the alternative, if it is determined that the provision of Zoning Ordinance section 114-12B3.A limiting regrading of the Property to 40% is applicable, Landowners request a variance from this provision. Compliance with the Zoning Ordinance requirement limiting regrading of the Property to 40% renders the Property unbuildable. The building envelope would only be approximately 650 square feet. Landowners proposed development meets all of the bulk and dimensional requirements of the Zoning

Ordinance, including building area, except for front yard setback for which a variance is requested.

(3) As stated above, the Property has unique physical conditions, including an irregular shape, in part caused by the curvature of Carolton Way, slope areas, and the PECO easement traversing the Property. These unique physical conditions limit the available building area necessitating the variance request to allow a 30' front yard setback rather than the required 40' front yard setback. Only a small portion of the proposed development is within the 40' yard setback.

(4) There will be no adverse impact on the community and the requested variances, if granted, will not alter the essential character of the neighborhood nor will such variances substantially or permanently impair the appropriate use or development of adjacent parcels. The single family dwelling directly across Carolton Way from the Property has a 30' front yard setback.

(5) The variances requested represent the minimum variances that will afford relief and represent the least modification possible of the regulations in issue.

(6) The variances requested meet the standards set forth in section 910.2(a) the Pennsylvania Municipalities Planning Code, 53 P.S. §§ 10910.2(a) and section 114-165.A and B. "Special exceptions and variances" of the Zoning Ordinance.

EXHIBIT "A"

020042

②
15.00
15.00
5.00
2.00

DEED

This Indenture made the 15th day of SEPTEMBER in the year of our Lord, two thousand and one (2001)

Between, Thomas Rosato and Catherine P. Rosato, husband and wife (hereinafter called the Grantors) parties of one part,

AND

William Murphy and Cathy Rosato Murphy, husband and wife (hereinafter called the Grantees) parties of the other part,

WITNESSETH that the said Grantors for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, 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 thereof, 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, their heirs and assigns, as tenants by the entireties.

"SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION"

REGISTERED

9/28/01
75.00
Lg

BEING known as Lot No. 2 on said Plan.

BEING COUNTY PARCEL NO. 52-00-03025-019 (N.)

BEING PART OF THE SAME PREMISES WHICH Ronald E. Hurst and Catherine T. Hurst, his wife, by deed dated August 10, 1981 and recorded December 1, 1981 in the office for the Recorder of Deeds in and for the County of Montgomery, and Commonwealth of Pennsylvania in Deed Book Volume 4669, Page 1032, granted and conveyed unto Thomas Rosato and Catherine P. Rosato, husband and wife, in fee.

ALSO BEING PART OF THE SAME PREMISES WHICH William Murphy and Cathy Rosato Murphy, husband and wife, by deed dated _____ and recorded even date herewith in the office for the Recorder of Deeds in and for the County of Montgomery, and Commonwealth of Pennsylvania, granted and conveyed unto Thomas Rosato and Catherine P. Rosato, husband and wife, in fee.

REALTY TRANS. TAX PAID	
STATE	-0-
LOCAL	-0-
PER	ll

01 SEP 28 AM 9:51

PAHUTSKI LAND SURVEYING

Professional Land Surveyor

500 BRADFORD ROAD
ORELAND, PA 19076-2411
(215) 233-3822



2 July 2001

Description of Property

For

LOT #2

Springfield Township, Montgomery County
Pennsylvania

All that certain lot or parcel of land, situated in the Township of Springfield, County of Montgomery, Commonwealth of Pennsylvania, bounded and described in accordance with a Subdivision Plan prepared for Thomas & Catherine Rosato and William & Cathy Murphy dated 2 January 2001 and last revised 6 June 2001 as prepared by Pahutski Land Surveying.

Beginning at a point on the southwesterly side of Carolton Way (50 feet wide), said point being 103.86 feet measured along the southwesterly side of Carolton Way South 20 degrees 56 minutes East from a Pin set at a point of tangent, said last mentioned point being at the arc distance of 14.07 feet measured along the same along the arc of a circle curving to the right having a radius of 15.00 feet from a point of curve, said last mentioned point being 2.90 feet measured along the same South 20 degrees 56 minutes East from a Pin found on the southerly side of Sunnybrook Avenue (50 feet wide); Thence from said **POINT OF BEGINNING** along the southwesterly side of Carolton Way, South 20 degrees 56 minutes East 4.00 feet to a Pin set at a point of curve; Thence along the same, along the arc of a circle curving to the left having a radius of 375.00 feet the arc distance of 106.86 feet to a point, a corner; Thence along lands of Lot #3 and in and through a certain 50 feet wide Peco Easement as shown on said plan, South 54 degrees 04 minutes West 169.93 feet to a point, a corner; Thence along lands now or formerly of Federal Realty Investment Trust; North 53 degrees 12 minutes West 18.06 feet to a Pin set in a large Pipe found, a corner; Thence along lands now or formerly of George P., Jr. and Elizabeth L. Thomas, North 54 degrees 04 minutes East 73.90 feet a Pin set, a corner; Thence along the same, North 20 degrees 56 minutes West 119.00 feet to a point, a corner, Thence along lands of Lot #1, North 69 degrees 04 minutes East 87.28 feet to the first mentioned point and place of beginning.

Containing 12,671 square feet being the same more or less.

Being Lot #2 on the above referenced plan.

THIS IS A TRANSFER FROM PARENTS TO DAUGHTER AND HUSBAND AND IS THEREFORE TRANSFER TAX EXEMPT.

TOGETHER with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any way appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest property, claim, and demand whatsoever of the 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 herein with the buildings and improvements thereon erected, the 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, their successors, heirs, executors and administrators do covenant, promise and agree to and with the said Grantees, their heirs and assigns by these presents, that the said Grantors, their heirs and successors, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them, the said Grantors, their heirs and assigns against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under them, or any of them, shall and will WARRANT and forever DEFEND.

TOWNSHIP OF SPRINGFIELD
MONTGOMERY COUNTY, PA

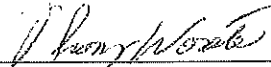
- REGISTERED -

DATE 9/27/01 NO.

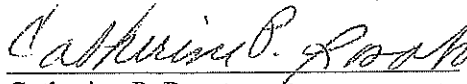
Mark Ewald
TOWNSHIP ENGINEER

IN WITNESS WHEREOF the undersigned Grantors have executed this Deed the Day and year first above written.

WITNESS:



Thomas Rosato
(SEAL)



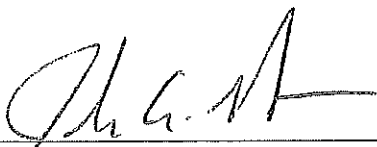
Catherine P. Rosato
(SEAL)

COMMONWEALTH OF PENNSYLVANIA SS:
County of Montgomery

On this, the 28th day of SEPTEMBER, 2001, before me a Notary Public, the undersigned officer personally appeared Thomas Rosato and Catherine P. Rosato, 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 THEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Notary Public

Notarial Seal
John A. Novarina, Notary Public
Whitpain Twp., Montgomery County
My Commission Expires May 23, 2005
Member, Pennsylvania Association of Notaries

DEED

Thomas Rosato and Catherine P. Rosato

TO

William Murphy and Cathy Rosato Murphy

The residence of the within-named grantee is:

2106 CAROLTON WAY
FLOURTOWN, PA 19031

Dallys Settlement Services
725 Skippack Pike, Suite 340
Blue Bell, PA 19422
(215)646-3400



A faint circular stamp is visible on the left side of the lower section, partially overlapping a handwritten signature. The signature appears to be in cursive and is mostly illegible due to fading.

EXHIBIT "B"

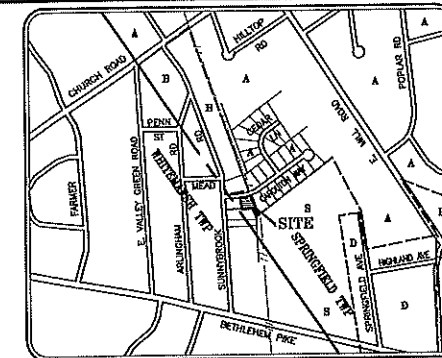


BEFORE YOU DO ANYWHERE IN PENNSYLVANIA CALL 1-800-242-1778. NON-RESIDENTS MUST BE LICENSED SURVEYORS IN THE STATE WHERE THEY ARE WORKING. THIS NOTICE IS VALID FOR 90 DAYS FROM THE DATE OF ISSUANCE.

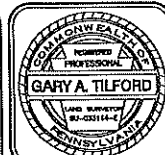


LEGEND

EXISTING		PROPOSED	
--- 365 ---	CONTOUR LINE	--- 365 ---	CONTOUR LINE
+ 364.2	FLOOR ELEVATION	+ 365.95	FLOOR ELEVATION
○ 364.2	SPOT ELEVATION	+ 364.2	SPOT ELEVATION
□	FIRE HYDRANT		
○	UTILITY POLE		
○	GAS VALVE		
○	WATER VALVE		
○	SEWER CLEAN OUT		
○	WATER CURB STOP		
○	STORM SEWER W/ INLET		
○	DECIDUOUS TREE		
○	EVERGREEN TREE		
○	SKIN POST		
○	SANITARY LATERAL		
---	OVERHEAD WIRE		
---	UNDERGROUND ELECTRIC		
---	GAS MAIN		
---	WATER MAIN		
---	EDGE OF WOODS		
---	SLOPES 10% - 15%		
---	SLOPES 15% - 24%		



LOCATION MAP
SCALE: 1" = 800'



COUNTY: PUNJAB
BLOCK: 048A
UNIT: 008
SITE ADDRESS: 2106 CAROLTON WAY
DRAWING NO.: 26865
DEED BOOK: PAGE 379-01416

RECORD OWNER
WILLIAM MURPHY & CATHY R. MURPHY
2106 CAROLTON WAY
FLOURTOWN, PA 19031

CHARLES E. SHOEMAKER, INC.
ENGINEERS & SURVEYORS
110 KEESTON DRIVE
MONTGOMERY, PA 19360
PHONE: 610-338-7145 FAX: 215-976-7761
E-MAIL: charles@shoemaker.com

ZONING PLAN
OF
CAROLTON WAY
PREPARED FOR
WILLIAM & CATHY R. MURPHY
SPRINGFIELD TOWNSHIP, MONTGOMERY COUNTY, PA.

DATE: JANUARY 6, 2022
DWG NO.: SP-750
JOB NO.: 26865
SHEET NO.: 1 OF 1

ZONING: 'A' RESIDENTIAL DISTRICT

LOT USE	Z.O. SEC. No.	REQUIRED	PROPOSED
	114-51.A.	Single-Family Detached	Single-Family Detached
LOT AREA, Min.	114-52.A.	12,500 S.F.	12,671 S.F.
BUILDING AREA, Max.	114-52.B.	20 %	2,373 S.F./18.0 %
LOT WIDTH, Min.	114-53.	75 FT.	106.86 FT.
BUILDING SETBACKS:			
FRONT YARD, Min.	114-54.A.(1)	40 FT.	30.0 FT.
SIDE YARD, Min.	114-54.B.(1)	12 FT./35 FT. Aggr.	17.6 FT./40.7 FT. Aggr.
REAR YARD, Min.	114-54.C.	25 FT.	25.1 FT.
AVG. DEPTH <100 FT.	114-54.C.	15 FT.	101 FT. N/A
STEEP SLOPES:			
Avg. Slope	114-12B1.	>10 %	11.0 % (Avg.)
10% - 15% - Lot Area, Min.	114-12B3.A.	1.3 x Min. Lot Area	12,671 S.F. *
IMPERVIOUS COVER, Max.	114-12B3.A.	3,801 S.F./30%	3,700 S.F./29.2%
EARTH DISTURBANCE, Max. 114-12B3.A.			
		5,066 S.F./40%	BSX [STANDARD]
BUILDING HEIGHT, Max. 114-130.A.(1)			
		40 FT.	<40 FT.
ACCESSORY BUILDINGS:			
SECOND PRINCIPAL BLDG.	114-131.B.(2)(b)	10 FT. Min.	-
SIDE & REAR YARDS	[114-131.B.(2)(c)]	7 FT. Combustible	-
	[114-131.C.(2)(c)]	4 FT. Non-Combustible	-
HEDGIT	[114-131.B.(2)(d)]	9 FT. Flat Roof	-
	[114-131.C.(2)(d)]	12 FT. Pitched Roof	-
DECKS IN REAR YARD, Min.	114-131.C.(1)(c)	5 FT., Not Exceeding 4' High	-
OFF-STREET PARKING: 114-134.A.(1)			
		Two Spaces	Two Spaces
FLOODPLAIN CONSERVATION DISTRICT:			
DEFINITION	114-12A2.C.	FEMA ZONE AE	
The Floodplain Conservation District shall be delineated according to FEMA's Flood Insurance Rate Map (FIRM) for the Township of Springfield which is hereby made a part of this article, and additional use based on soils as described in Sec. 114-12A2(C).			
114-54.A.(1) - INDICATES ZONING RELIEF REQUIRED			
* - INDICATES EXISTING NON-CONFORMING CONDITION			

NOTES:

- Boundary information taken from Subdivision Plan prepared for Thomas & Catherine Rosato and William & Cathy Murphy, by Patricia Land Surveying dated January 2, 2001 and last revised June 8, 2001, Plan No. M-52-48A-08
- Existing underground utility locations were plotted from utility company plans supplied to us in accordance with PA ONE CALL or by physical survey locations. All underground utility locations are approximate only. Contractors are required by PA ONE CALL to verify the exact locations of all underground utilities prior to commencing excavation activities. PENNSYLVANIA ONE CALL SYSTEMS, phone no. 1-800-242-1778
- Site area is designated in Zone X, areas determined to be outside the 100-year flood plain as shown on FEMA Flood Insurance Rate Map of Montgomery County, Panel 377 of 451, Map No. 42091C03770, effective March 2, 2016.
- Soils on this site have been identified by the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey for Montgomery County, PA. All site soils are classified as Urban land-Duffield complex, 0-8 percent slopes (Urb8).
- Public water and sanitary sewer facilities are located within Carolton Way.

SUNNYBROOK ROAD
ULTIMATE R/W
50' R/W
56' ULT. R/W
26 FT. CARIWAY

N/F
Lynda D. Moore
TPN: 52-00-17026-00-4
Blk. 049, Unit 018
#200 Sunnybrook Road

N/F
Cynthia M. Strolle
TPN: 52-00-03001-50-2
Blk. 049, Unit 042
#2107 Carolton Way

N/F
Kevin F. McGovern
& Leslie Iveys Sauter
TPN: 52-00-03001-00-7
Blk. 048A, Unit 001
#2105 Carolton Way

N/F
Douglas J. Demeter
& Amy E. Antrim
TPN: 52-00-03025-02-B
Blk. 048A, Unit 028
Carolton Way

N/F
Douglas J. Demeter
& Amy E. Antrim
TPN: 65-00-11428-00-9
Blk. 060, Unit 050
#6330 Sunnybrook Road

N/F
William & Cathy R. Murphy
TPN: 52-00-03025-00-1
Blk. 048A, Unit 009
#2106 Carolton Way

N/F
Jessica L. Cuesta
TPN: 65-00-11425-00-3
Blk. 060, Unit 048
#6328 Sunnybrook Road

N/F
Federal Realty
Investment Trust
TPN: 52-00-01904-10-5
Blk. 048, Unit 019
Bethlehem Pike

SOIL CLASSIFICATION AS TAKEN FROM THE USDA-NRCS WEB SOIL SURVEY

SYMBOL	SOILS
Urb8	Urban land - Duffield complex, 0 to 8 percent slopes

On-site soils identified and mapped from the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey.

AVERAGE SITE SLOPE:
AVERAGE 0.0023 x 1 x 1
SLOPE = 0.2309 Ac.
= 0.0023 x 1' x 1.397 LF.
= 11.0 %

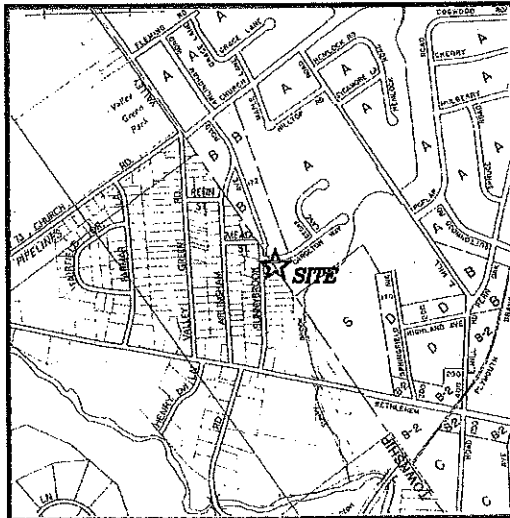
SLOPES TABLE AVERAGE SLOPE = 11.0%

HATCH	SLOPE RANGE	(1) AREA (S.F.)	(2) PERCENTUM EQUIVALENT
[Hatched]	10% - 15%	4,928	UP TO 8% FOR LOTS WITH 10-15% SLOPES
[Hatched]	15% - 25%	1,545	
[Hatched]	25% - 35%	0	
[Hatched]	>35%	0	
[Hatched]	MIN. SLOPES	PROHIBITED	

EXISTING SITE DATA:

LOT AREA TO LEGAL R/W	12,671 S.F.
BUILDING AREA	2,373 S.F.
DECK AREA	314 S.F.
DRIVEWAY	845 S.F.
WALKS	168 S.F.
TOTAL IMPERVIOUS COVER	3,700 S.F.

SITE AREA
12,671 S.F. or 0.2909 Ac.



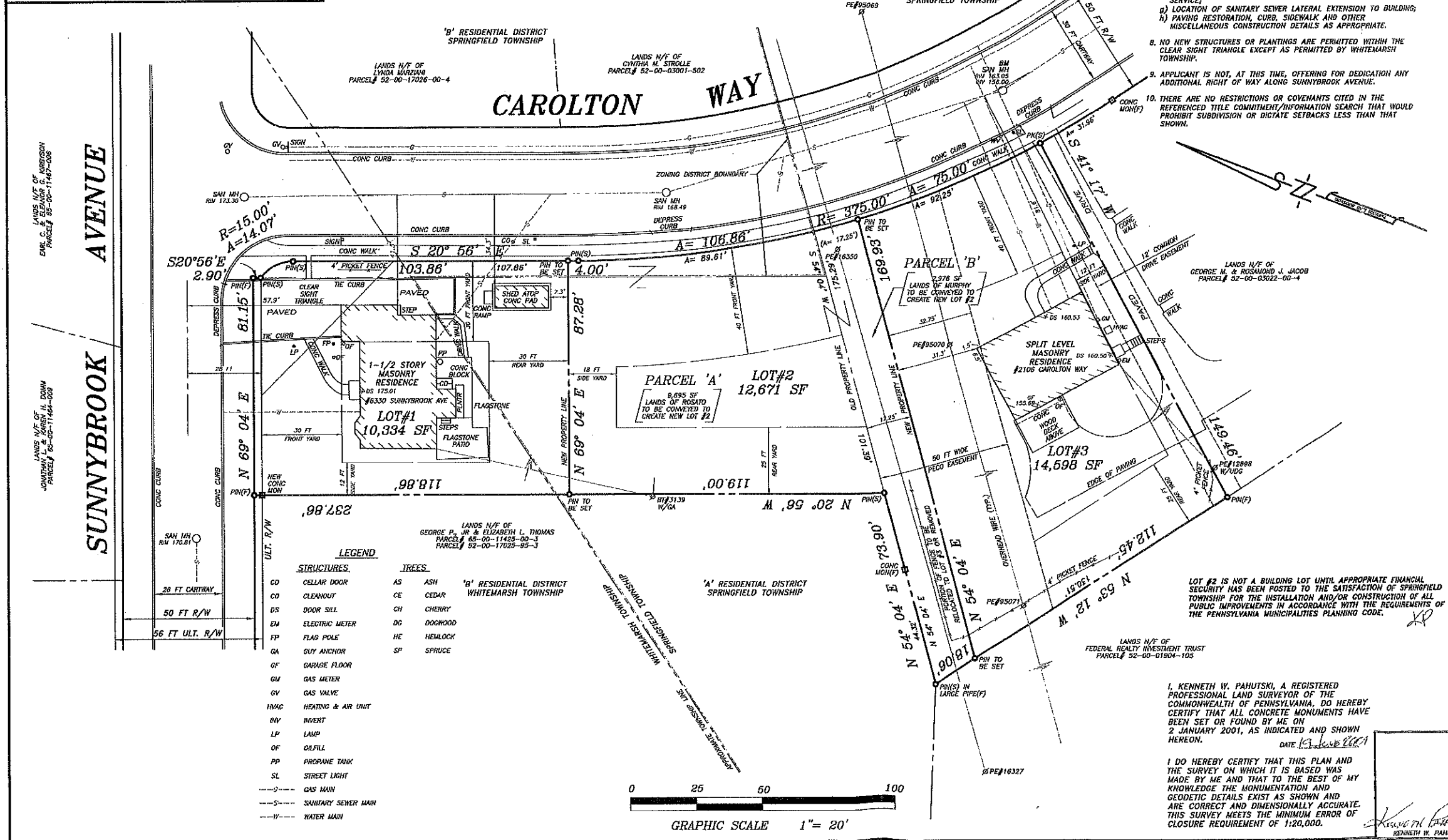
SURVEY NOTES:

- TOTAL LOT AREA = 20,029 SF (6330 SUNNYBROOK AVE)
TOTAL LOT AREA = 17,574 SF (2106 CAROLTON WAY)
- OUTLINE DESCRIPTION AND LOCATIONS SHOWN IN ACCORDANCE WITH ACTUAL FIELD INSTRUMENT SURVEY PERFORMED BY THIS OFFICE FROM VARIOUS DEEDS AND PLANS OF RECORD.
REFERENCE: TITLE INSURANCE COMMITMENT #136-01-521322 FOR 2106 CAROLTON WAY EFFECTIVE DATE 04 NOVEMBER 1998 BY LAWYERS TITLE INSURANCE CORPORATION PLAN OF LOTS FOR GEORGE PAD DATED 10 MAY 1947 BY C. RAYMOND WEIR, PLAN OF PROPERTY OF ARLINGHAM HILLS FOR BRAXTON CONSTRUCTION & DEVELOPMENT CO. DATED 07 SEPTEMBER 1958 AND LAST REVISED 16 FEBRUARY 1959 BY A.W. MARTIN, INFORMATION SEARCH #104771-1 FOR 6330 SUNNYBROOK AVENUE DATED 10 MAY 2001 BY ROBERT CHAPMAN ASSOC., INC.
- VERTICAL DATUM IS SPRINGFIELD TOWNSHIP SEWER DATUM. BENCHMARK IS INVERT OF SANITARY MANHOLE - ELEVATION 155.00.
- SITE DATA
THOMAS AND CATHERINE P. ROSATO
6330 SUNNYBROOK AVENUE FLOURTOWN, PA 19031
TAXMAP# M-52-48A-08
PARCEL# 65-00-11428-00-9
PARCEL# 52-00-90006-00-5
WILLIAM J. AND CATHY MURPHY
2106 CAROLTON WAY FLOURTOWN, PA 19031
TAXMAP# M-52-48A-08
PARCEL# 52-00-03025-00-1
- PROPERTY DOES NOT LIE WITHIN 100 YEAR FLOODPLAIN AS SHOWN ON FEMA INSURANCE RATE MAP #4209100377E DATED 19 DECEMBER 1996.

SUBDIVISION NOTES:

- ZONING
LOT #1 - 'B' RESIDENTIAL DISTRICT (WHITEMARSH TWP)
REQUIRED PROPOSED
MIN LOT AREA 10,000 SF 10,334 SF
MIN LOT WIDTH (Ø BLDG SETBACK) 80 FT 81.1 FT
MIN FRONT YARD 30 FT 30 FT
MIN SIDE YARD (30'AGG) 12 FT (30'AGG) 12 FT
MIN REAR YARD 30 FT 30 FT
MAX BLDG HEIGHT 35 FT 35 FT
MAX BLDG COVERAGE 30 % 30 %
LOT #2 - 'A' RESIDENTIAL DISTRICT (SPRINGFIELD TWP)
REQUIRED PROPOSED
MIN LOT AREA 12,500 SF 12,671 SF
MIN LOT WIDTH 75 FT 110.8 FT
MIN FRONT YARD 40 FT 40 FT
MIN SIDE YARD (35'AGG) 12 FT (35'AGG) 18 FT
MIN REAR YARD 25 FT 25 FT
MAX BLDG HEIGHT 40 FT 40 FT
MAX BLDG COVERAGE 20 % 20 %
LOT #3 - 'A' RESIDENTIAL DISTRICT (SPRINGFIELD TWP)
REQUIRED PROPOSED
MIN LOT AREA 12,500 SF 14,598 SF
MIN LOT WIDTH 75 FT 75 FT
MIN FRONT YARD 40 FT 40 FT
MIN SIDE YARD (35'AGG) 12 FT (35'AGG) 12 FT
MIN REAR YARD 25 FT 25 FT
MAX BLDG HEIGHT 40 FT 40 FT
MAX BLDG COVERAGE 20 % 9 %
- SITE COVERAGES EXISTING PROPOSED
BUILDING COVERAGE
LOT #1 1,861 SF, 10 % 1,861 SF, 18 %
LOT #2 N/A *2,534 SF, 20 %
LOT #3 1,353 SF, 8 % 1,355 SF, 10 %
* ALLOWABLE BUILDING FOOTPRINT
- OWNER / APPLICANT:
THOMAS AND CATHERINE P. ROSATO
6330 SUNNYBROOK AVENUE FLOURTOWN, PA 19031
TAXMAP# M-52-48A-08
PARCEL# 65-00-11428-00-9
PARCEL# 52-00-90006-00-5
WILLIAM J. AND CATHY MURPHY
2106 CAROLTON WAY FLOURTOWN, PA 19031
TAXMAP# M-52-48A-08
PARCEL# 52-00-03025-00-1
- PARCEL 'A' (9,695 SF) IS PORTION OF ROSATO PROPERTY TO BE CONVEYED AND HELD IN COMMON OWNERSHIP WITH PARCEL 'B' TO CREATE NEW LOT #2.
PARCEL 'B' (2,976 SF) IS PORTION OF MURPHY PROPERTY TO BE CONVEYED AND HELD IN COMMON OWNERSHIP WITH PARCEL 'A' TO CREATE NEW LOT #2.
LOT #1 IS ROSATO PROPERTY LESS PARCEL 'A'.
LOT #3 IS MURPHY PROPERTY LESS PARCEL 'B'.

LOCATION MAP 0 500 1000 1500 2000
GRAPHIC SCALE 1" = 800'



COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY:

ON THIS THE 3rd DAY OF July, 2001 BEFORE ME THE SUBSCRIBER, A NOTARY PUBLIC OF THE COMMONWEALTH OF PA RESIDING IN Montgomery COUNTY, PERSONALLY APPEARED

THOMAS & CATHERINE P. ROSATO

KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING PLAN AND ACKNOWLEDGE THAT THEY ARE OWNERS OF THE DESIGNATED LANDS, SHOWN HEREON, THAT THIS PLAN IS THE OFFICIAL PLAN OF SUBDIVISION SITUATE IN THE TOWNSHIP OF WHITEMARSH, MONTGOMERY COUNTY, PENNSYLVANIA, THAT ALL NECESSARY APPROVALS OF THE PLAN HAVE BEEN OBTAINED AND ARE ENDORSED THEREON AND THAT THEY DESIRE THAT THE FOREGOING PLAN BE DULY RECORDED ACCORDING TO LAW.

THOMAS ROSATO
CATHERINE P. ROSATO
NOTARY PUBLIC MY COMMISSION EXPIRES
WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR AFORESAID.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY:

ON THIS THE 3rd DAY OF July, 2001 BEFORE ME THE SUBSCRIBER, A NOTARY PUBLIC OF THE COMMONWEALTH OF PA RESIDING IN Montgomery COUNTY, PERSONALLY APPEARED

WILLIAM J. & CATHY MURPHY

KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING PLAN AND ACKNOWLEDGE THAT THEY ARE OWNERS OF THE DESIGNATED LANDS, SHOWN HEREON, THAT THIS PLAN IS THE OFFICIAL PLAN OF SUBDIVISION SITUATE IN THE TOWNSHIP OF SPRINGFIELD, MONTGOMERY COUNTY, PENNSYLVANIA, THAT ALL NECESSARY APPROVALS OF THE PLAN HAVE BEEN OBTAINED AND ARE ENDORSED THEREON AND THAT THEY DESIRE THAT THE FOREGOING PLAN BE DULY RECORDED ACCORDING TO LAW.

WILLIAM J. MURPHY
CATHY MURPHY
NOTARY PUBLIC MY COMMISSION EXPIRES
WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR AFORESAID.

APPROVED BY THE BOARD OF TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF SPRINGFIELD THIS 11th DAY OF APRIL, 2001.

ATTEST:
Robert C. Helweg
TOWNSHIP ENGINEER
Mal W. Eide, PE
TOWNSHIP ENGINEER

THIS SUBDIVISION PLAN WAS APPROVED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WHITEMARSH THIS 14th DAY OF MAY, 2001.

THIS SUBDIVISION PLAN WAS REVIEWED BY TOWNSHIP ENGINEER FOR THE TOWNSHIP OF WHITEMARSH THIS 22nd DAY OF July, 2001.

MCPC No. 02-01-01-028-1
PROCESSED AND REVIEWED.
A REPORT HAS BEEN PREPARED BY THE MONTGOMERY COUNTY PLANNING COMMISSION IN ACCORDANCE WITH THE MUNICIPALITIES PLANNING CODE.
CERTIFIED THIS DATE: 2/2/01
SIGNATURE OF DIRECTOR
MONTGOMERY COUNTY PLANNING COMMISSION

RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN NORRISTOWN, PENNSYLVANIA, IN DEED BOOK _____, PAGE _____.

SIGNATURE DATE
6 JUNE 2001 - REVISED PER TOWNSHIP ENGINEER REVIEW DATED 15 MAY 2001
27 MARCH 2001 - REVISED PER TOWNSHIP ENGINEER REVIEW DATED 5 FEBRUARY 2001
© COPYRIGHT PAHUTSKI LAND SURVEYING JANUARY 2001
ALL RIGHTS RESERVED. NO ALTERATIONS, REPRODUCTIONS OR USE OF ANY PORTION OF THE CONTENTS OF THIS PLAN MAY BE MADE WITHOUT THE EXPRESS WRITTEN CONSENT OF KENNETH W. PAHUTSKI, PLS.

SUBDIVISION PLAN

PREPARED FOR:
**THOMAS & CATHERINE ROSATO
WILLIAM & CATHY MURPHY**
SPRINGFIELD TOWNSHIP
MONTGOMERY COUNTY
PENNSYLVANIA

PREPARED BY:
PAHUTSKI LAND SURVEYING
Professional Land Surveyor
500 BRADFORD ROAD
ORELAND, PENNSYLVANIA 19075
(215) 233-3822, FAX 233-4845
SCALE: 1" = 20' DATE: 2 JAN 2001 PLAN NO.: M-52-48A-08

I DO HEREBY CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WAS MADE BY ME AND THAT TO THE BEST OF MY KNOWLEDGE THE MONUMENTATION AND GEODETIC DETAILS EXIST AS SHOWN AND ARE CORRECT AND DIMENSIONALLY ACCURATE. THIS SURVEY MEETS THE MINIMUM ERROR OF CLOSURE REQUIREMENT OF 1:20,000.
KENNETH W. PAHUTSKI
PA LIC #50-36947-E