

#### COMMISSIONERS

James M. Lee

Susanna O. Ratsavong Vice President

> Peter D. Wilson Jonathan C. Cobb Brendan May Elizabeth McNamara Edward H. Morris, III

#### **OFFICERS**

A. Michael Taylor Secretary-Manager

James J. Garrity

Engineer

Joelle Kleinman Treasurer / Tax Collector Timothy P. Woodrow, PE

# 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

# **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 22, 2024,** at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-04: This is the application of Steven & Samantha Honeywell, owners of the property located at 910 Campbell Lane, Wyndmoor, PA 19038. The property is also known as parcel #5200-0289-6004. The applicants have requested a variance from Section 114-131. B.2.c of the Springfield Township Zoning Ordinance. The applicants seek approval to relocate the existing side property through the subdivision process that will have the existing detached masonry garage 3 feet, 3 inches from the adjusted property line. The property is zoned within the D-Residential District of Ward #5 of Springfield Township.

A copy of the application and information submitted for this application is on file in the Community Development Office and may be reviewed during normal business hours. In addition, all information submitted is posted on our website @springfieldmontco.org.

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

THERE IS A 30-DAY 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

Springfield Township Montgomary County Received

MAR 1 REC'D

Community Davelopment

NO.24-04

## **PETITION**

# DATE: 3 | 2024

# SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

SEE ATTACHED STA	ATEMMENT OF FACTS.			
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A DDI ICANT NOTE	Petition must be accompanied	1 by eight (8) sets	of scaled drawing	es or
	and a copy of the property dec	ed.	or scared drawing	M R
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elk # 24-04 elk # 117 #5000  Do not write in this sp	Applicant's Signature  Owner's Signature	Apple	Smill	e 
\$500:00	Applicant's Signature  Owner's Signature	Apple	Smill	e
Do not write in this sp	Applicant's Signature  Owner's Signature	Apj	Janell	e
Do not write in this sp Petition granted. Petition refused.	Applicant's Signature Owner's Signature ace.	April	Janell	e
Do not write in this sp Petition granted.	Applicant's Signature Owner's Signature ace.	Apply Sow	Janell	e
Do not write in this sp Petition granted. Petition refused.	Applicant's Signature Owner's Signature ace.	April	Janell	
Do not write in this sp Petition granted. Petition refused.	Applicant's Signature Owner's Signature ace.	Apple	Janell	
Do not write in this sp Petition granted. Petition refused.	Applicant's Signature Owner's Signature ace.	Apple	Janell	

## 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.

Printed Name of Applicant

Applicant's Signature and Date

#### REVISED STATEMENT OF FACTS

In the late 1980s the Ruggeris, owners of 912 Campbell Lane and the Harantshuks, then owners of 910 Campbell Lane, jointly erected a fence between their properties and along the rear portions of their respective properties.

In 2018 the property at 910 Campbell Lane was sold to the Honeywells who objected to placement of the fence between 910 and 912 as infringing on their property and stated that they could force its removal.

The Ruggeris filed an action in Common Pleas Court which resulted in the attached February 28, 2023 Order by Agreement by which the Honeywells agreed to accept the existing fence's placement and sought to transfer a portion of their property to the Ruggeris.

The transfer proposed by the Honeywells constitutes a 98 sq. ft. triangular-shaped parcel and would modify the property line between 910 Campbell Lane and 912 Campbell Lane, which requires approval by the Township Zoning Board. Additionally, the proposed new line involves a varience that requires Zoning Board approval.

The proposed new property line results in a minor irregular infringement of the four foot property line setback requirement due to the location of the Honeywells masonry garage, which in all other respects comports with the Springfield Township Zoning. The proposed angled line diverges from the established boundary line 86 ft. from the streetside property line and passes initially at a 3.6 ft. distance from the rear of the garage and continues diagonally to a 3.3 ft. distance from the rear of the garage until it meets the rear property boundary line running parallel to Mermaid Lane.

	OF MONTGOMERY COUNTY PENNSYLVANIA Civil Action
DOMENICK J. RUGGERI and LUCIA N. RUGGERI v.	Sequence #64  Motion for Summary Judgment
STEVEN HONEYWELL, JR. and SAMANTHA HONEYWELL	: : NO. 2019-01240

## ORDER BY AGREEMENT

	AND	NOW, this, day of, 2023	3,
upon a	igreeme	ent of the Parties it is hereby ORDERED and DECREED as follows:	
(a)	The ex	xisting chain link fence between 910 and 912 Campbell Lane, Wydmoor,	
	Penns	ylvania, at the rear of the houses, shall be deemed to demark the boundary line	
	betwee	en the properties;	
(b)	Withir	n sixty (60) days Plaintiffs shall, at their expense:	
	(1)	using the data contained in the December 6, 2022 survey report report prepared	ł by
		Douglas H. Bogdan, PLS, revise the legal descriptions of the respective	
		properties in accordance with this Order	
	(2)	sever the disputed land from the Defendants' parcel by appropriate instrument;	
	(3)	prepare and record deeds and other such documents as may be required reflecti	ing
		the revised legal descrption of both parcels in accordance with this Order;	
	(4)	notify tax authorities of the revised legal descriptions so that any adjustment in	l
		tax on the respective properties may be made;	

- (5) Plaintiffs will remit to Defendants the sum of \$139.55 to cover the proposed portion of taxes that may have been inappropriately paid by Defendants for the disputed parcel.
- (6) take other actions reasonably necessary to establish and record the boundary lines and relieve Defendants of any obligation to pay taxes on the land claimed by Plaintiffs.
- (7) The Parties shall provide notice as each step is completed. Within sixty (60) days, the parties shall certify to the Court the completion of the foregoing.
- (c) Upon such certification, this Court will dissolve the preliminary injunction dated February 6, 2019.

This Court retains jurisdiction to enforce the terms of this Order.

BY THE COURT:

STEVEN C TOLLIVER SR

This Order has been E-Filed on 21/28/12023

Copies via Prothonotary to:

All Parties of Record

Copies via Chambers to:

Court Administration - Civil Division

Judicial Secretary





## RECORDER OF DEEDS MONTGOMERY COUNTY Jeanne Sorg

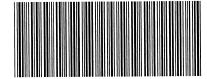
One Montgomery Plaza Swede and Airy Streets ~ Suite 303 P.O. Box 311 ~ Norristown, PA 19404

Office: (610) 278-3289 ~ Fax: (610) 278-3869

#### DEED BK 6115 PG 00244 to 00248

INSTRUMENT # : 2018079004

RECORDED DATE: 11/15/2018 10:08:10 AM



#### MONTGOMERY COUNTY ROD

OFFICIAL RECOR	DING COVER PAGE	Page 1 of 5
Document Type: Deed	Transaction #:	4189109 - 2 Doc(s)
<b>Document Date:</b> 11/09/2018	Document Page Count:	4
Reference Info:	Operator Id:	msanabia
RETURN TO: (Simplifile)	PAID BY:	
Genesis Abstract, LLC	GENESIS ABSTRACT LLC	
25 W Moreland Ave		
Hatboro, PA 19040		

#### (215) 441-5500 \* PROPERTY DATA:

Parcel ID #: Address:

52-00-02896-00-4 910 CAMPBELL LN

WYNDMOOR PA

19038

Municipality:

Springfield Township (100%)

\$0.50

\$2,720.00

\$1,360.00

\$1,360.00

\$5,527.75

School District:

Springfield

#### \* ASSOCIATED DOCUMENT(S):

Affordable Housing Names

Springfield Township RTT

Springfield School District RTT

CONSIDERATION/SECURED AMT TAXABLE AMOUNT:	\$272,000.00 \$272,000.00	Recorded Date: 11/15/2018 10:08:10 AM
FEES / TAXES: Recording Fee:Deed Additional Names Fee	\$86.75 \$0.50	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office

recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.



Jeanne Sorg **Recorder of Deeds** 

Rev1 2016-01-29

State RTT

Total:

# 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

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-02896-00-4 SPRINGFIELD TOWNSHIP
910 CAMPBELL LN
HARANTSCHUK EUGENE & SONIA \$15.00
B 028 L 6 U 092 1101 11/15/2018 JW

Parcel ID Number: 52-00-02896-00-4

PERSONAL REPRESENTATIVE'S DEED

This Indenture, is made this the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 2018, by and between ZENON HARANTSCHUK, CO-EXECUTOR and EUGENE HARANTSCHUK, JR., CO-EXECUTOR of the WILL OF SONIA HARANTSCHUK, deceased, hereinafter called the Grantor of the first part and

STEVEN HONEYWELL JR and SAMANTHA HONEYWELL, husband and wife, hereinafter called the Grantee of the other part.

Witnesseth: That the said Grantor(s), pursuant for and in consideration of the sum of TWO HUNDRED SEVENTY TWO THOUSAND AND 00/100 DOLLARS (\$272,000.00) paid to Grantor by Grantee receipt of which is acknowledged, grants, bargains and sells to Grantee and Grantee's heirs and assigns forever, as tenants by the entirety, the real property in Montgomery County, PA, described as:

See Exhibit "A" for legal description

#### EXHIBIT "A"

#### PARCEL NUMBER 52-00-02896-00-4

ALL THAT CERTAIN lot or piece of ground, Hereditaments and Appurtenances, SITUATE in the Township of Springfield, County of Montgomery and State of Pennsylvania, bounded and described according to a Plan of Property made for Elena Tammaro and Fred S. and Mary A. Contino by Charles E. Shoemaker, Inc. Engineer and Surveyors, Abington, Pa., dated April 26, 1976 and recorded in and for the County of Montgomery, Norristown, PA, in Plan Book B-31 page 52, as follows, to wit:

BEGINNING at a point on the Southeasterly side of Campbell Lane (40 feet wide), said point being at the distance of 211.85 feet measured South 39 degrees, 54 minutes, 30 seconds West on the Southeasterly side of Campbell Lane from its point of intersection with the Southwesterly side of New Street (40 feet wide); thence extending from said point of beginning, South 50 degrees, 5 minutes, 30 seconds East, 150.57 feet to a point; thence extending South 39 degrees, 45 minutes, 0 seconds West, 58.85 feet to a point; thence extending North 50 degrees, 5 minutes, 30 seconds West, 150.73 feet to a point on the Southeasterly side of Campbell Lane; thence extending along the Southeasterly side of Campbell Lane, North 39 degrees, 54 minutes, 30 seconds East, 58.85 feet to the first mentioned point and place of beginning.

BEING Revised Lot 6 as shown on the above mentioned Plan.

BEING the same premises which Elena M. Tammaro, by Indenture bearing date the 29th day of March, A.D. 1985 and recorded the 2nd day of April, A.D. 1985 in the Office of the Recorder of Deeds, in and for the County of Montgomery, aforesaid, in Deed Book 4763 page 128, granted and conveyed unto Eugene Harantschuk and Sonia Harantschuk, husband and wife, in fee.

AND THE SAID Eugene Harantschuk departed this life on <u>727/1914</u>, whereby title to the above described premises vested in the said Sonia Harantschuk, by operation of law.

AND THE SAID Sonia Harantschuk departed this life on July 21, 2016, leaving a Will dated May 26, 2005, duly proven and registered in the Office of the Register of Wills, in and for the County of Montgomery, as of RW No. 46-2018-X3769, wherein said Testatrix appointed Zenon Harantschuk and Eugene Harantschuk, Jr., as Co-Executors thereof, to whom Letters Testamentary were granted on October 17, 2018.

**Together** with all and singular the buildings, improvements, tenements, hereditaments, appurtenances, ways, waters, water-courses, rights, liberties, privileges whatsoever thereunto 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 estate in law, equity or otherwise howsoever, of, in and to the same and every part thereof.

To Have And To Hold the same to Grantee(s), and Grantee(s), heirs and assigns, in fee simple forever.

And Grantor(s) for himself/herself, executors and administrators do(es) covenant, promise and agree to and with the Grantee(s) and Grantee's heirs and assigns, that he/she/they has/have not done, committed or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted or any part thereof, is, are, shall or may be impeached, charged or incumbered in title, charge, estate or otherwise howsoever.

In Witness Whereof, Grantor individually or as personal representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, sealed and delivered in our presence:

*>*\_\_

EUGENE HARANTSCHUK, CO-EXECUTOR

COMMONWEALTH OF Bennsylvania	
COUNTY OF ///////////////////////////////////	
On this the Gill day of MUNKUSA18 before me a Notary Public the	
On this the 7203 day of, 2018, before the a rotally I dolle, the	
undersigned officer, personally appeared ZENON HARANTSCHUK, CO-EXECUTOR and	
EUGENE HARANTSCHUK, JR., CO-EXECUTOR of the WILL OF SONIA	
HARANTSCHUK, known to me (or satisfactorily proven) to be the persons described in the	
foregoing instruments, and acknowledge that they executed the same in the capacity therein	
stated and for the purposes therein contained.	
outed and for the purposes therein contained.	
IN WITNESS WHEREOF, I hereunto set my hand and official seal.	
Printed Name RYCOO MEMBEL	_
My commission expires for 3. Lo18	
MAIL TAX BILL TO: STEVEN F. HONEYWELL and SAMANTHA HONEYWELL <sub>COMMONWEALTH OF PENNSYLVANIA</sub>	
910 CAMPBELL LANE  NOTARIAL SEAL  Joyce E. McGovern. Notary Public	
GLENSIDE, PA 19038  Joyce E. McGovern. Motaly  Hatboro Boro, Montgomery County  My Commission Expires Dec. 3, 2018  HEMBER, DENNIS VLVANIX ASSOCIATION OF NOTARIES	

(C)

Fee Simple/Trustees' Deed

# This Indenture Made this 24th tay of July

19 89

EUGENIO BRUN and IDA BRUN, his wife

(hereinafter called the Grantor ),

DOMENICK J. RUGGERI and LUCIA M. RUGGERI, his wife (hereinafter called the Grantee ),

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 by Charles E. Showmaker, Inc., Engineers and Surveyors dated February 3, 1977 and last revised April 19, 1977 and recorded in Plan Book B-32 page 21, as follows, to wit:

BEGINNING at a point on the Southeasterly side of Campbell Lane (40 feet wide) said point being at the distance of one hundred eighty-five and ninety-three one hundredths feet measured South 39 degrees 54 Minutes 30 seconds West along the said side of Campbell Lane from its point of intersection with the Southwesterly side of New Street (40 feet wide); said point of beginning also being a corner of Lot No. 2, on the aforementioned Plan; thence extending along same South 50 degrees 5 minutes 30 seconds East one hundred fifty and forty-nine one-hundredths feet to a point; thence extending South 39 degrees 45 minutes West Twenty-five and ninety-two one-hundredths feet to a point; thence extending North 50 degrees 5 minutes 30 seconds West one hundred fifty and fifty-seven one-hundredths feet to a point on the Southeasterly side of Campbell Lane aforesaid; thence extending along same, North 39 degrees 54 minutes 30 seconds East twenty-five and ninety-two one hundredths feet to the first mentioned point and place of BEGINNING.

COUNTY PARCEL NO. 52-00-02893-00-7 CONTAINING in area 3,902 square feet.

BEING the same premises which Arnold C. Carnevale, Jr. and Denise W. Carnevale, his wife, by indenture bearing date the 23rd day of Pebruary, A. D., 1984, recorded in the Office for the Recording of Deeds, in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book No. 4730 page 485 &c., granted and conveyed unto Eugenio Brun and Ida Brun, his wife, in fee.

CONVEYANCE from parents to daughter and son-in-law, not taxable.

BOM 4920=1675

REALTY TRANS. TAX PAID
STATE
LOCAL
PS Celo

(SPECIAL WARRANTY)

Concerned with all and singular the buildings 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 wise appertaining, and the reversions and remainders, rents, issues, and profits thereby and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, 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 above described 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 Grantee , their heirs

MONTCOMERY COUNTY COMMISSIONERS REGISTRY 52-00-02893-00-7 SPRINGFIELD 912 CAMPBELL IN BRUN FUGENIO & IDA E 023 U 089 L 1 1102 DATE: 08/18/89

And the said Grantors, for themselves

by these presents, covenant, grant and agree, to and with the said Grantees the said Grantors, their heiral and singular the do their heirs and Assigns, that they Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said Grantees their heirs Appurtenances unto the said Grantors, /their heirs and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under him, her /them, shall and will WARRANT and forever DEFEND.

OR

the said

do covenant, promise and agree, to and with the said

and assigns, by these presents, that

has not done, committed or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or incumbered, in title, charge, estate, or otherwise howsoever.

In Witness Whereof, the said Grantor has/have caused these presents to be duly executed dated the day and year first above written.

Sealed and Delibered IN THE PRESENCE OF US:

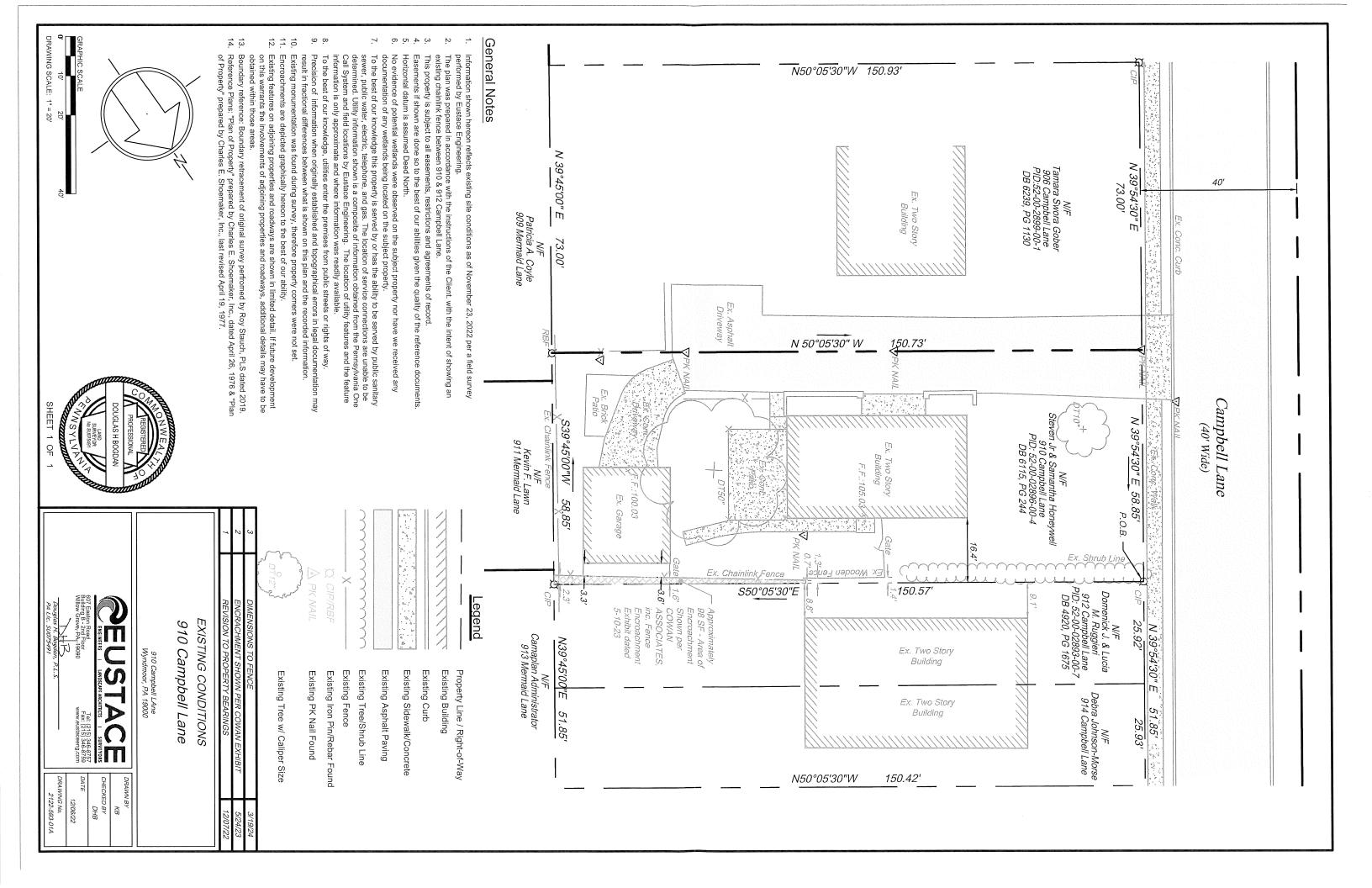
BUX 4920:1676

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Monegomery
On this, the ,A.D. 1909, beforeme, Eugenio Brun & Ida Brun, his wife On this the African day of the undersigned officer, personally appeared Eugenio Brun & Ida Brun, his known to me (or satisfactorily proven) to be the persons whose names is (are) subscinistrument, and acknowledged that they executed the same for the purposes therein contained. In continent with the continent of the purposes thereof. I hereunto set my hand and official seal. & (are) subscribed to the within ROSERTAL SEAL ROSEPT CIDICERSO Nitray Public JAWI GALISTO ETAIS Vongomery Co. My Compussion Elignos March 1, 1932 My Commission Expires COMMONWEALTH OF PENNSYLVANIA COUNTY OF On this, the A.D. 19 day of , before me, the undersigned officer, personally appeared who acknowledged himself (herself) to be the of a corporation and that he as such being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself (herself) as In Militess Whereof, I hereunto set my hand and official seal. **Notary Public** RELIANCE ABSTRACT COMPANY My Commission Expires: DOMENICK J. RUGGERI EUGENIO BRUN and IDA BRUN, his wife 912 Campbell Lane and M. RUGGERI, ដ Springfield PREMISES: LUCIA The address of the above-named Grantee Montgomery County, S.S. Recorded in the Office for Recording of Deeds GWNSHIP OF SPRINGFIELD MONTGOMERY COUNTY, PENNA for said county in On behalf of the Grantee tore to 49 REGISTERED Wyndmoor, Pa. 19118 & c. Witces ay bard is 912 Campbell Lane AUG 18 1989

492011677

COUNT

CLT-2896





#### COMMISSIONERS

James M. Lee President

Susanna O. Ratsavong Vice President

> Peter D. Wilson Jonathan C. Cobb Brendan May Elizabeth McNamara Edward H. Morris, III

#### **OFFICERS**

A. Michael Taylor Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman Treasurer / Tax Collector Timothy P. Woodrow, PE Engineer

# 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

# **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 22, 2024,** at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-05: This is The Institutes for the Achievement of Human Potential, owners of the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. The property is also known as Parcel #5200-1658-8505. The applicant has appealed the actions of the Zoning Officer related to the violation letter dated February 1, 2024. In the alternative, the applicant has requested a variance from Section 114-8. A.1 for the use of the property and Section 114-134.A for the required on-site parking. The applicant seeks approval to use portions of the property for catered, rental events, as well as the headquarters and a private school for neurologically impaired youth, under the name of The Institutes for the Achievement of Human Potential. The property is zoned within the Institutional District of Ward #2 of Springfield Township.

A copy of the application and information submitted for this application is on file in the Community Development Office and may be reviewed during normal business hours. In addition, all information submitted is posted on our website @springfieldmontco.org.

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

THERE IS A 30-DAY 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

Springfield Township
Montpornary County
Flex street

APR 1 REC'D

Constructly Description
Department

DATE: 3/28/2024

NO. 24-05

## **PETITION**

#### SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We The Institutes for the Achievement of Human Potential c/o High Swartz LLP (Name of Applicant)

Of (Address) 8801 Stenton Avenue, Wyndmoor, PA 19038
(Telephone No.) (610) 275-0700
do hereby make application before the Springfield Township Zoning Hearing Board to request:
X 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.
X A variance from the requirements set forth in Article 114, Section 8, Subsection D1, of the Springfield Township Zoning Code.
Other (please specify) and a variance from the requirements of Section
114-134, per attached Supplement.
The property concerned is located at 8801 Stenton Avenue, Wyndmoor, PA 19038
(Tax Parcel ID No. 52-00-16588-50-5)
Petitioner's Interest in the property is Fee Owner
Present use of property Nonprofit educational organization headquarters and
associated specialized private school facility for neurologically impaired youth

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. Please See Supplement Attached. \*\*\*\*Drawings to be provided\*\*\*\* APPLICANT NOTE: Petition must be accompanied by eight (8) sets of scaled drawings or plans, Application Fee and a copy of the property deed. #24-05 Applicant's Signature Check #87287 Do not write in this space. Petition granted. Petition refused. The following special conditions are imposed. By Order of the Zoning Hearing Board

#### 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.

Janet Doman

Signature and Date

Printed Name of Applicant

**-** 3/28/2024

Supplement to Application to the Springfield Township Zoning Hearing Board

**Property: 8801 Stenton Avenue** 

Applicant: The Institutes for the Achievement of Human Potential, by Hich Swartz LLP

#### **Background/Current Use:**

Applicant's Property located at 8801 Stenton Avenue, Wyndmoor, PA (the "Property") is a 4.9-acre parcel, and it, along with an adjacent parcel, comprises the campus of the Institute for the Achievement of Human Potential, a nonprofit organization that has operated there for approximately sixty years, since 1965. The Property, located in the Institutional Zoning District, is improved with school, office and multi-purpose buildings, including an auditorium and adjunct residential facilities, as well as patios and various driveways, paths and parking areas.

The current primary use of the Property is as the headquarters for an educational nonprofit organization with an associated specialized private school facility for neurologically impaired youth. Over the years, in addition to this primary use, the Institutes have maintained certain *de facto* accessory uses customarily incidental to a school/nonprofit, including holding small-scale private events and educational based entertainment for fundraising purposes.

#### Relief Requested:

Applicant now proposes to formally add, as a use accessory to the existing primary use, a "rental hall/events space with limited short-term rentals" use.

Applicant requests a variance from **Section 114-8D1** (Permitted uses) to allow such proposed accessory use within certain buildings/areas of the Property. In addition, Applicant requests a variance from the off-street parking requirements pursuant to **Section 114-134.A** to allow for fewer than the required number of paved parking spaces, or, in the alternative, a variance from **Section Sections 114-134.C** and **D** to allow for parking and parking reserve areas that are not paved.



# 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

#### COMMISSIONERS

James M. Lee President

Susanna O. Ratsavong Vice President

> Peter D. Wilson Jonathan C. Cobb Brendan May Elizabeth McNamara Edward H. Morris, III

Mr. Leo Jasien Brookfield Events, LLC 8801 Stenton Avenue Wyndmoor, PA 19038

February 1, 2024

#### **OFFICERS**

A. Michael Taylor Secretary-Manager

James J. Garrity

Joelle Kleinman Treasurer / Tax Collector

Timothy P. Woodrow, PE Engineer Re: 8801 Stenton Avenue, Wyndmoor, PA 19038.

Dear Mr. Jasien,

This letter is sent as a follow-up to my inspection of the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. During my inspection, it was clear that Brookfield Events, LLC now leases portions of the buildings and the property for catered events. A review of Brookfield Events, LLC website provides a listing of services offered, including the leasing of rooms for overnight stays.

Please be aware that 8801 Stenton Avenue, Wyndmoor, PA is zoned within the Institutional District of Springfield Township. The Institutional District offers a defined list of permitted uses. However, a catering hall and the leasing of rooms for overnight stays are not included. Please feel free to refer to Section 114-8. D.1 of the Springfield Township Zoning Ordinance for a list of permitted uses within the Institutional District. A copy of the Springfield Township Zoning Ordinance can be found on-line at <a href="https://www.springfieldmontco.org">www.springfieldmontco.org</a>.

The use of the property as a rental hall for weddings, receptions, showers, and the like are violations of Section 114.8.D.1 and Section 114-134.A of the Springfield Township Zoning Ordinance. Brookfield Events, LLC, must submit a Zoning Hearing Board Application and request the required use variance and possible parking variance on or before, March 1, 2024. Failure to submit the required Zoning Hearing Board Application for the required relief, will result in a "Cease and Desist Order" being issued by this office and possible citations being issued for the above listed violations to Section 114-8. D.1 and Section 114-134.A of the Springfield Township Zoning Ordinance.

Please be aware that violations of the Springfield Township Zoning Ordinance can be assessed a fine of as much as \$1,000.00 per offense, with each day the violation remains uncorrected, being counted as a separate offense. I have attached a copy of

a Springfield Township Zoning Hearing Board Application for your use. In addition, I would strongly suggest you contact Tri-State Financial Group at 610-270-9520 and discuss the Business Privilege Taxes that are due for use. If there are any questions that you may have, please feel free contact me at 215-836-7600, ext. 1114.

Sincerely,

Director of Planning & Zoning

Springfield Township

215/836-7600, ext. 1114

mpenecale@springfieldmontco.org

Piece Deco-Ornst. No. 868.

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day of Oilshu — in the year of our Lord one thousand nine
hundred and Sixty-seven (1967)
Between Joseph Warren Darling and Helene Manley Darling, his wife
(hereinafter called the Grantors), of the one part,
AND
THE INSTITUTES FOR THE ACHIEVEMENT OF HUMAN POTENTIAL, a Pennsylvania
Corporation, (hereinafter called the Grantee), of the other part,
Witnesspth, That the said Grantors
for and in consideration
of the sum of ONE DOLLAR (\$1.00)
lawful money of the United States of America, unto them
well and truly paid by the said Grantee
at and before the sealing and delivery of
these presents, the receipt whereof is hereby schnowledged, have
granted, bargained, sold, aliened, enjeoffed,
released and confirmed, and by these presents do
grant, bargain, tell, alien, enjooff, release and confirm unto the said
Grantee, its successors
and Assigns,
ALL THAT CERTAIN tract or piece of land Situate in the Township of Springfield, County of Montgomery and State of Pennsylvania bounded and described in accordance with a Plan of Sub-division made for Joseph W. Darling, etux by Barton and Martin, Engineers, dated December 27, 1965 and recorded in the Office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and later revised May 10, 1967 as follows, to witi-

806,3492 FC 412

BEGINNING at a point in the line dividing Montgomery County from Philadelphia County and in the bed of Stenton Avenue, said point being at the distance of twenty-one and twenty one-hundredths feet measured South forty-eight degrees twenty minutes East along said County

Mary Transport

line from the intersection of the Northwestwardly side of Newton Street (fifty feet wide) produced with the County Line; thence extending North forty-three degrees one minute East three hundred and twenty-five and thirty-four one-hundredths feet to a point; thence North forty-three degrees three minutes West ten and one one-hundredths feet to a point; thence North forty-three degrees four minutes two seconds East four hundred and thirty-six and fifty-nine one-hundredths feet to a concrete monument; thence South twenty-one degrees forty-one minutes forty seconds East crossing the bed of Birch Lane, four hundred and twenty-seven and twenty-three one-hundredths feet to a point on the Southeastwardly side of Birch Lane (thirty feet wide); thence along the said side of Birch Lane the two following courses and distances (1) South thirty-five degrees forty-seven minutes thirty seconds West one hundred and twenty-one and fifty-three one-hundredths feet to a point and (2) South two degrees twenty-nine minutes forty seconds East one hundred and seventy-seven and seventy-three one-hundredths feet to a point; thence recrossing the bed of Birch Lane North fifty-one degrees twenty-eight minutes fifteen seconds West two hundred and eighty-seven and eighty-six one-hundredths feet to a point; thence South forty-two degrees thirty-one minutes thirty seconds West eighty-eight and thirty-nine one-hundredths feet to a point; thence South forty-three degrees forty-six minutes thirty seconds West eighty-eight and thence South forty-three degrees forty-six minutes thirty seconds West one hundred and seventy-eight and ninety one-hundredths feet to a point; thence South forty-three degrees forty-six minutes thirty seconds West one hundred and seventy-eight and ninety one-hundredths feet to a point; thence along the County Line parallel with the Northeastwardly side of Stenton Avenue and slateen and five tenths feet Southwestwardly from the said side of Stenton Avenue North forty-right degrees twenty minutes West one hundred and ninety-s

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CONTAINING 4. 918 acres and BEING No. 8769 Stenton Avenue

BEING the same premises which Joseph Warren Darling and Helene Manley Darling, his wife by Indenture dated the first day of March A. D. 1966 and recorded in the Office for the Recording of Deeds in and for the County of Montgomery in Deed Book #3417 page 564 &c. intended to grant and convey unto The Institutes for the Achievement of Human Potential In fee.

WHEREAS in the above recited Indenture the premise was described according to a Plan of Subdivision made by Barton and Martin, Engineers dated the twenty-seventh day of December A.D. 1965 and recorded in the Office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and.

WHEREAS the aforesaid Plan was revised on the tenth day of May 1967, disclosing various errors in the description set forth in the aforesaid Deed recorded in Deed Book 3417 page 564, and

WHEREAS the Grantors herein desire to correct the aforesaid errors and to amend the description in the Deed recorded as aforesaid in Deed Book 3417 page 564 to read as now hereinabove correctly set forth reflecting the various courses and distances as shown on the Plan of Subdivision made by Barton and Martin, Engineers dated the twenty-seventh day of December 1965 and recorded in the office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and revised on the tenth day of May A. D. 1967 and further, the Grantors desire to confirm title to the premises herein described unto The Institutes for the Achievement of Human Potential and to vest the same in it, its successors and assigns, forever, this conveyance to inure to the benefit of the Grantee herein, its Grantees and Mortgagess, and all person claiming by, from, or under it, them or any of them.

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And the said Grantors, for themselves their heirs, executors and administrators these presents, covenant, grant and agree, to and with the said Granton, its successor and Assigns, that they the said Grantors, their heirs -Hereditaments and Premises herein above described and granted, or mentioned and intended so to be, with the Appurtenances, unto the said Grantee, its successors and Assigns, against them the said Grantors, their heirs and against all and every \_\_\_ Person or Persons whomsoever lawfully claiming or to claim the adme or any part thereof, by, from, or under him, her, them, or any of them, .... \_\_\_ shall and will \_\_ WARRANT and forever DEFEND. In Illineas Electrof, the Grantors have caused these presents to be duly executed, dated the day and year first above written. -I herely cartify the consideration Joseph Warren Darling (SEAL) The Address of the above Grantee is: C691 Stenton Ave, Philadelphia, 10,Fe.

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LEED OF CORRECTION AND CONFIRMATION

JOSEPH WARREN DARLING, ETUX

THE INSTITUTES

FOR THE ACHIEVEMENT

THE INSTITUTES
FOR THE ACHIEVEMENT
OF HUMAN POTENTIAL

Premises: 8769 Stenton Avenue,
Springfield Township
Montgomery County

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## INSTITUTE FOR ACHIEVEMENT HUMANPOT

#### **Parcel**

 TaxMapID
 52016 003

 Parid
 52-00-16588-50-5

Land Use Code 5900

Land Use Description E - EXEMPT MISCELLANOUS
Property Location 8801 STENTON AVE

Lot #

Lot Size 4.9 ACRES
Front Feet 197

MunicipalitySPRINGFIELDSchool DistrictSPRINGFIELD TWPUtilitiesALL PUBLIC//

**Owner** 

Name(s) INSTITUTE FOR ACHIEVEMENT HUMANPOT

Name(s)

Mailing Address 8801 STENTON AVE

Care Of Mailing Address

Mailing Address WYNDMOOR PA 19038

**Current Assessment** 

Appraised Value Assessed Value Restrict Code
1,134,440 Exempt

**Estimated Taxes** 

County 0
Montco Community College 0
Municipality 0
School District 0
Total 0

Tax Claim Bureau Parcel Search

**Last Sale** 

 Sale Date
 01-JAN-1900

 Sale Price
 \$0

 Tax Stamps
 0

 Deed Book and Page

Grantor

Grantee INSTITUTE FOR ACHIEVEMENT HUMANPOT

Date Recorded

**Sales History** 

Sale Date Sale Price Tax Stamps Deed Book and Page Grantor Grantee Date Recorded

01-01-1900 \$0 0 - INSTITUTE FOR ACHIEVEMENT HUMANPOT

Lot Information

Lot Size 4.9 ACRES
Lot #

Remarks Remarks Remarks

#### **Commercial Parcel Summary**

No. of Cards 2 Land Use Code 5900

Gross Building Area (Total of all Cards)

Total Living Units 1

#### **Commercial Parcel Summary**

Use Area

DWG CONV-OFFICE 9,275

DWELLING 5,505

WAREHOUSE 676

#### Commercial Card Summary 1 of 2

Card 1

Imp Name GIVEN HALL-INST FOR ACHIVEMENT

Structure Code 105

Structure MIXED RESIDENTIAL/COMMERCIAL

Sprinkler

Units

Identical Units1Year Built1923

Gross Building Area

Elevator/Escalator N

#### **Accessory Structures**

Card	Туре	Туре	Size	Year Built
1	PA1	PAVING ASPHALT PARKING	5000	1960
1	GH1	GRNHSE WD FRM GLASS WALLS	210	1980

#### **Permits**

 Permit Date
 30-JUL-2009

 Permit Number
 25425

 Amount
 31906

Purpose ROOF/SHINGLES

Notes Notes

Status CLOSED

#### **Assessment History**

Appraised Value	Assessed Value	Restrict Code	Effective Date	Reason	Notice Date
1,134,440	1,134,440	Exempt		0	16-MAY-1997
	1,134,440	Exempt	01-JAN-1998	REASSESSMENT	
	53,000	Exempt	01-AUG-1989	SWIMMING POOL	