

## Springfield Township Zoning Hearing Board April 30, 2025 7:00 P.M.

7:00 P.M. Call to Order:

Pledge of Allegiance:

Roll Call:

Jennifer Guckin, Chairperson, Zoning Hearing Board Member

Ed Fox; Esq., Vice Chair, Zoning Hearing Board James Brown; Zoning Hearing Board Member

Michael G. Davey; Alternate Zoning Hearing Board Member

Kate M. Harper, Esq.; Solicitor, Zoning Hearing Board

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

#### **New Business:**

Case #25-07: This is the application of Christia & James Donohue, owners of the property located at 508 Drayton Road, Oreland, PA 19075, also known as Parcel 5200-0537-0004. The applicants have requested a variance from Section 114-135. A of the Springfield Township Zoning Ordinance. The property owners seek approval to replace their existing 4-foot-high fence with a 5-foot-high fence along a portion of their Enfield Road frontage. The property is zoned within the B Residential District of Ward #3 of Springfield Township.

Case #25-08: This is the application of Patricia & Darren Haile, owners of the property located at 412 Suffolk Road, Flourtown, PA 19031, also known as Parcel 5200-1685-5004. The applicants have requested a variance from Section 114-54. B of the Springfield Township Zoning Ordinance. The property owners seek approval to construct an addition to the side of their home that will reduce the required 12-foot side yard setback to 9.76 feet and the required 35-foot aggregate side yard setbacks to 31.7 feet. The property is zoned within the A Residential District of Ward #1 of Springfield Township.

Case #25-09: This is the application of The First Presbyterian Church in Springfield, owners of the property located at 1710 Bethlehem Pike, Flourtown, PA 19031, also known as Parcel 5200-0189-1001 & Parcel #5200-1162-3007. The applicants have requested a variance from Section 114-81 and Section 114-101 of the Springfield Township Zoning Ordinance. The property owners seek approval to operate what they have labeled a "Limited Daycare Use" from the property. The property is zoned within the D Residential and the B-2 Business District of Ward #6 of Springfield Township.

Case #25-10: This is the application of Julie & Patrick Kelly, owners of the property located at 509 Willow Grove Avenue, Wyndmoor, PA 19038, also known as Parcel 5200-1824-6007. The applicants have requested a variance from Section 114-135. A of the Springfield Township Zoning Ordinance. The property owners seek approval to install a 6-foot-high fence, 7 feet from the front property line, instead of the required 15 feet. The property is zoned within the A Residential District of Ward #5 of Springfield Township.

#### Adjournment:

**Note:** The next meeting of the Zoning Hearing Board is scheduled for Tuesday, May 29, 2025, 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



#### 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

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.

Wednesday, April 30, 2025, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #25-07: This is the application of Christia & James Donohue, owners of the property located at 508 Drayton Road, Oreland, PA 19075, also known as Parcel 5200-0537-0004. The applicants have requested a variance from Section 114-135.A of the Springfield Township Zoning Ordinance. The property owners seek approval to replace their existing 4-foot-high fence with a 5-foot-high fence along a portion of their Enfield Road frontage. The property is zoned within the B Residential District of Ward #3 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 Montgomery County Received

MAR 27 ENT'D

Community Development
DATE Development

NO. 25.07

## **PETITION**

#### SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

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.

This Petition is requesting a variance from the fencing requirements set forth in Article 114, Section 135, Subsection A of the Springfield Township Zoning Code. We would

| to replace our existing 4 foot tall fence, with a 5 foot tall fence. The fence line running running along Enfield Rd. starts at approximately 20 feet from the center of Enfield Rd.                          |
|---|
| running along Enfield Rd. starts at approximately 20 feet from the center of Enfield Rd.  |
|   |
| The first section of a 6 foot privacy fence, separating our property from 419 Crest Rd.   |
| will start approximately 20 feet from the center of Enfield Rd. We are requesting this  |
| variance because we have two small children ( 6 and 10) and two large dogs.   |
| APPLICANT NOTE: Petition must be accompanied by eight (8) sets of scaled drawings or plans, Application Fee and a copy of the property deed.  Applicant's Signature  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.

Printed Name of Applicant

Applicant's Signature and Date 3/27/25

Prepared by:

Trident Land Transfer Company LP 431 West Lancaster Avenue Devon, PA 19333

Phone: (610)889-7660 Return To:

ATTN: Post-Closing Department Trident Land Transfer Company LP Parcel No.: 52-00-05137-00-4

File No.: 16PA05915

## DEED

Martin L. Longstreth, III and Laura A. Longstreth, also known as Laura Urmson, husband and wife

to

James P. Donohue and Christia H. Donohue

PREMISES:

508 Drayton Road Township of Springfield County of Montgomery Pennsylvania

Parcel No.: 52-00-05137-00-4

The address of the above named Grantee(s) is: 508 Drayton Road Oreland, PA 19075

Certified by:

### DEED

THIS INDENTURE made this 12 day of Aug ust, 2016.

Between

MARTIN L. LONGSTRETH, III AND LAURA A. LONGSTRETH, ALSO KNOWN AS LAURA URMSON, HUSBAND AND WIFE, (hereinafter called the Grantors) and

JAMES P. DONOHUE AND CHRISTIA H. DONOHUE, (hereinafter called the Grantees)

Witnesseth That the said Grantors for and in consideration of the sum of Three Hundred Seventy Thousand One Hundred And No/100 Dollars (\$370,100.00) 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, their heirs and assigns, Tenants by the continety

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

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 wise 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 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 above described with the improvements, 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 do by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns that the said Grantors all and singular the Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said Grantees, their heirs and assigns, against the said Grantors and against all and every Person or 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.

#### **EXHIBIT A**

All that certain lot or piece of ground with the buildings and improvements thereon erected, situate in the Township of Springfield, County of Montgomery and Commonwealth of Pennsylvania, and described in accordance with a Plan of Enfield Tract No. 1 made by Barton and Martin, Civil Engineers of Philadelphia, Pennsylvania, dated April 30, 1940 and revised August 28, 1940 as follows to wit:

Beginning at a point on the Northeast side of Drayton Road (50 feet wide) at the starting point of a curve to the left with a radius of 40 feet which connects the said Northeast side of Drayton Road with the Northeast side of Enfield Road (50 feet wide); thence extending along said curve to the left with a radius of 40 feet the arc distance of 86 and twenty-nine one-hundredths feet to a point of tangency on the Northwest side of Enfield Road; thence extending North 42 degrees fast along the Northwest side of Enfield Road 69 and forty-seven one-hundredths feet to a point; thence extending north 14 degrees 24 minutes West 54 and eighty-seven one-hundredths feet to a point; thence extending South 75 degrees, 30 minutes West 120 feet to a point on the northeasterly side of Drayton Road; thence extending South 14 degrees, 24 minutes East along the said northeasterly side of Drayton Road 60 feet to the point of curve and place of beginning.

BEING Lot No. 1 Section "E" on said plan.

Being Parcel No. 52-00-05137-004

Being the same property which Troy L. Dobson and Deborah E. Dobson, granted and conveyed unto Martin L. Longstreth III and Laura A. Longstreth, as tenants by the entireties by deed dated November 20, 1999 and recorded January 20, 2000 in the Recorder's Office of said County in Deed Book 5304 Page 1012.

AND the said Laura A. Longstreth is also known as Laura Urmson.

Parcel No.: 52-00-05137-00-4

IN THE WITNESS WHEREOF, the said Grantors has/have caused these presents to be duly executed dated the day and year first above written.

SEALED AND DELIVERED In the presence of us:

Laura a.

a/k/a Laura Urmson

Commonwealth of Pennsylvania

ity of Cabe Mack

On this, the 13 day of 2016, before me, the undersigned Notary Public, personally appeared Martin L. Longstreth, III and Laura A. Longstreth, also known as Laura Urmson, husband and wife known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

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

My CRUTHANN STEEDLEY

ID #2360265
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires May 23, 2017

## Chapter 114. Zoning

## Article XIII. General Regulations

§ 114-135. Fences and walls.

[Amended 3-10-1965 by Ord. No. 521; 9-9-1987 by Ord. No. 750]

- A. Front yards. Fences located within the front yard shall not exceed four feet in height. However, a five-foot fence may be erected if set back 10 feet from the property line, curb or edge of paving, whichever creates the greatest setback. In addition, a six-foot fence may be erected if set back 15 feet from the property line, curb or edge of paving, whichever creates the greatest setback.
- B. Side and rear yards. Fences located within the side or rear yards shall not exceed six feet in height.
- C. Exceptions. Where any ordinance or ordinances of the Township or regulations thereunder now in effect or hereafter passed or promulgated shall require a fence of a different height or nature than herein specified, for special situations, such other ordinance or ordinances or regulations thereunder shall control rather than the provisions of this section. The provisions of this section shall not pertain to retaining walls or walls of a building. No fence may be erected or maintained which creates a safety hazard as determined by the Springfield Township Police Department.
  - [1] Editor's Note: See Ch. **29**, Excavations, Art. **I**, Fencing; Ch. **98**, Swimming Pools; and Ch. **105**, Vehicles, Abandoned and repairable; Junkyards, for other ordinances containing fencing requirements.













#### 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

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## The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

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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.

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

| Springfield Township |
|----------------------|
| Montgomery County    |
| Received             |

MAR 28 ENT'D

| Community Development |   |
|-----------------------|---|
| Department            |   |
| 3/28                  |   |
| DATE:                 | • |

| NO. | 25- | 80 |  |  |
|-----|-----|----|--|--|
|     |     |    |  |  |

### **PETITION**

## SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

| WeDarren M Haile  |
|---|
| We Darren M Haile  (Name of Applicant)  |
| Of (Address) 412 Suffolk Road, Flourtown, PA 19031  |
| (Telephone No.) 215-532-8074  |
| do hereby make application before the Springfield Township Zoning Hearing Board to request:                                     |
| An appeal from the decision of the Zoning/Building Official.  |
| A <b>special exception</b> 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 54.B, Subsection, of the Springfield Township Zoning Code. |
| Other (please specify)  |
| The property concerned is located at 412 Suffolk Road. Flourtown, PA 19031  |
| Petitioner's Interest in the property isProperty Owner  |
| Present use of property_Single Family Dwelling  |
|   |

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.

We are constructing an addition to the side of our home that will reduce the sideyard setback to 9.76 feet with an aggreate of 31.7 feet. The proposed addition will be used as living space for my inlaws. The proposed addition will not include a kitchen, but will have a bathroom, bedroom and small livingroom. The proposed addition was placed in this location because it allows the easiest access from the driveway and my existing utilities {water & sewer} are on this side of my home. The side yard setback is required to be a minimum of 12 feet with and aggreate of 35 feet.

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 # 391

\$ 5000

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

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

Darren M. Haile

Printed Name of Applicant

Applicant's Signature and Date

Beel

UPI # 52-00-16855-00-4

Estate of Rachel G. Myers, deceased

Ω

Patricia W. Haile and Darren M. Haile

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





#### 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

INSTRUMENT #: 2022059802

DEED BK 6284 PG 02671 to 02675

RECORDED DATE: 06/01/2022 10:55:48 AM

#### **MONTGOMERY COUNTY ROD**

#### OFFICIAL RECORDING COVER PAGE

Page 1 of 5

**Document Type:** Deed **Document Date:** 05/24/2022

Reference Info:

**RETURN TO: (**Simplifile) Springfield Abstract 1415 Bethlehem Pike Flourtown, PA 19031 (215) 836-1000

Transaction #:

6595065 - 2 Doc(s) 4

**Document Page Count:** Operator Id:

dawhitner

PAID BY:

SPRINGFIELD ABSTRACT

#### \* PROPERTY DATA:

Parcel ID #: Address:

52-00-16855-00-4 412 SUFFOLK RD

FLOURTOWN PA

19031

Municipality:

Springfield Township (100%)

School District:

Springfield

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

CONSIDERATION/SECURED AMT:

**TAXABLE AMOUNT:** 

\$365,000.00

\$365,000.00

FEES / TAXES:

Recording Fee: Deed State RTT Springfield Township RTT

Springfield School District RTT

\$86.75 \$3,650.00 \$1,825.00 \$1,825.00

Total:

\$7,386.75

DEED BK 6284 PG 02671 to 02675

Recorded Date: 06/01/2022 10:55:48 AM

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



Jeanne Sorg **Recorder of Deeds** 

Rev1 2016-01-29

## 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

File No. SAC-12491

UPI # 52-00-16855-00-4

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-16855-00-4 SPRINGFIELD TOWNSHIP
412 SUFFOLK RD
MYERS ROBERT W & RACHEL G \$15.00
B 046C L 47 U 038 1101 05/27/2022 JU

This Indenture, made the 3400 day of May, 2022,

Between

ESTATE OF RACHEL G. MYERS, DECEASED, BY MARY E. FRIEDELL, EXECUTRIX

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

PATRICIA W, HAILE AND DARREN M, HAILE

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

**Witnesseth** that in consideration of the sum off Three Hundred Sixty-Five Thousand And 00/100 Dollars (\$365,000.00), in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, as tenants by the entirety, their heirs and assigns,

ALL THAT CERTAIN Lot or piece of ground, together with the building and improvements thereon erected, Situate in the Township of Springfield, County of Montgomery and Commonwealth of Pennsylvania, being Lot No. 47 as shown on the plan of development known as Wedgewood made for Lucan Corporation, by Barton and Martin, Engineers, on March 3, 1953, and recorded May 26, 1953 in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania in Deed Book 2357 page 601, said lot being more fully bounded and described as follows, to wit:-

SITUATE on the Southeasterly side of Suffolk Road (50 feet wide) at the distance of 532.88 feet measured North 35 degrees 59 minutes 30 seconds East from the intersection of the said Southeasterly side of Suffolk Road with the Northeasterly side of Wedgewood Road (50 feet wide) (both lines produced).

CONTAINING in front or breadth on the said Southeasterly side of Suffolk Road North 35 degrees 59 minutes 30 seconds East 80 feet and extending of that width in length or depth South 54 degrees no minutes 30 seconds East between parallel lines at right angles to the said Southeasterly aide of Suffolk Road, 165 feet.

FOR INFORMATION ONLY: Parcel No. 52-00-16855-00-4

Being the same property conveyed to Robert W. Myers and Rachel G. Myers, his wife, as tenants by the entireties by Fee Simple Deed from Robert W. Swingle and

MONTCO

Sealed and Delivered

Ruth A. Swingle, his wife of record as (book) 3786 / (page) 224 in the Recorder of Deeds Office for Montgomery County, Pennsylvania, dated September 1, 1972 and recorded on September 7, 1972.

**DEED BK 6284** 

AND THE SAID Robert W. Myers has since departed this life on --/--/----, leaving title vested in Rachel G. Myers, by right of survivorship.

AND THE SAID Rachel G. Myers, has since departed this life on April 2, 2021, leaving a Last Will and Testament duly filed and probated as Estate No. 46-2021-X2260 in the Office of the Register of Wills of Montgomery County, wherein she did nominate Mary E. Friedell, to whom Letters Testamentary were granted on June 4, 2021.

Being also known as 412 Suffolk Road, Flourtown, PA 19031

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

To have and to hold the said buildings with 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 Mary E. Friedell, Executrix, Executor of the aforesaid covenants, promises and agrees to and with said Grantees, their heirs and assigns, that he/she, the said Executor of the aforementioned, 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 encumbered, in title, charge, estate, or otherwise howsoever.

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

| in the Presence of Us: | ESTATE OF RACHEL G. MYERS,                                     | DECEASED               |
|------------------------|--|------------------------|
|                        | By: <u>Mary E. Friedell, Ex</u><br>Mary E. Friedell, Executrix | <u>'ecutrix</u> {SEAL} |
|                        | Ву:  | {SEAL}                 |

Commonwealth of Pennsylvania County of Montgomery ss

On this, the 24thday of May, 2022, before me, the undersigned Officer, a Notary Public in and for the jurisdiction aforesaid, personally appeared Mary E. Friedell, Executrix of the Estate of Rachel G. Myers, deceased, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she executed the same in the capacity therein stated and for the purposes therein contained.

I hereunto set my hand and official seal.

Notary Public

My commission expires

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

412 Suffolk Road Flowtown, PA. 19031

On behalf of the Grantees

Commonwealth of Pennsylvania - Notary Seal Dorothy K Welk-Hange, Notary Public Montgomery County

My Commission Expires April 28, 2026 Commission Number 1255559

## Chapter 114. Zoning

### Article V. A Residence District

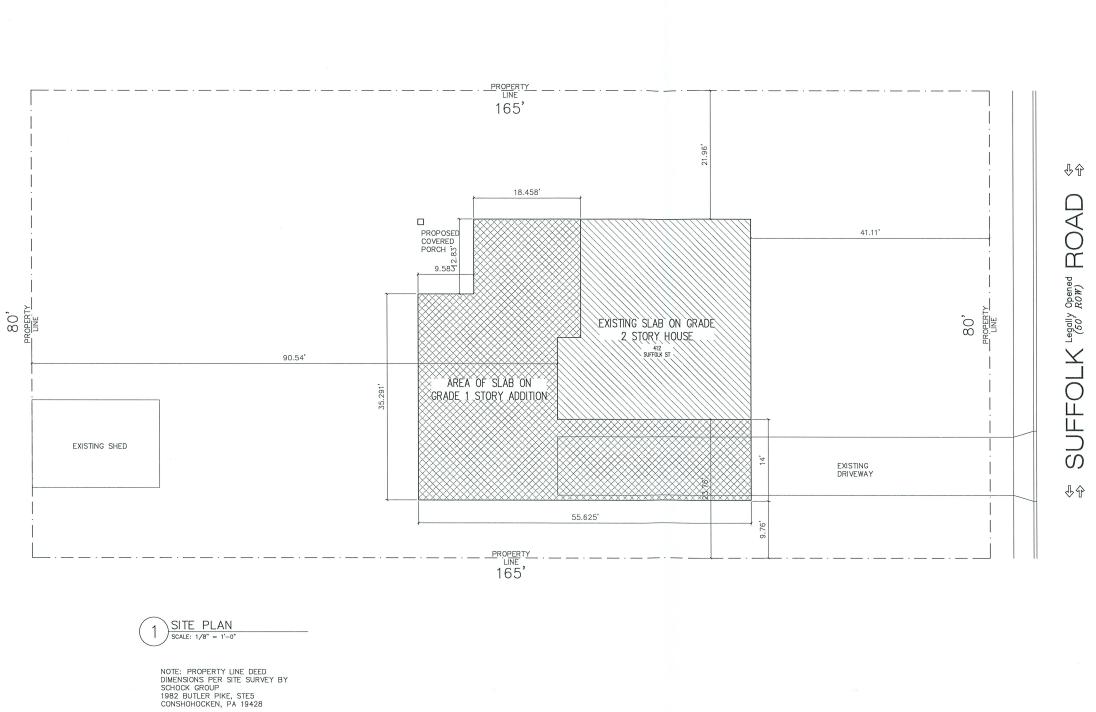
§ 114-54. Yards.

#### A. Front yards.

- (1) General requirement. There shall be a front yard, the depth of which shall be at least 40 feet, provided that in the case of a lot extending through from one street to another, the street lines of which are not more than 150 feet apart, the depth of the front yard on the rear street line of such lot may be decreased when authorized as a special exception.
  [Amended 3-11-1970 by Ord. No. 591]
- (2) Corner lots. In the case of a corner lot, a front yard, as provided for in Subsection A(1) above, shall be required on each street on which the lot abuts, provided that if at the time this chapter becomes effective any corner lot is held in single and separate ownership with a width of less than 100 feet, the depth of the front yard on the long side of such lot may be decreased when authorized as a special exception.

#### B. Side yards.

- (1) Single-family dwellings. In the case of a single-family dwelling, there shall be two side yards, one on each side of the main building, together having an aggregate width of at least 35 feet, but neither side yard shall be less than 12 feet wide, provided that in the case of a lot held in single and separate ownership at the effective date of this chapter, of a width less than 85 feet, a single-family dwelling may be built thereon with side yards of less width, when authorized as a special exception; and provided further that in the case of a single-family dwelling constructed with its greater dimension parallel with the front street, a one-story open or enclosed porch may project into one of the side yards, provided that the width of such side yards is not thereby reduced to less than the required minimum of 12 feet.
- (2) Other buildings. In the case of any building other than a single-family dwelling or a building accessory thereto, there shall be two side yards, one on each side of the main building. If such building is not over 40 feet high, the width of each of the two side yards shall be at least 20 feet, and if such building is over 40 feet high, this width shall be increased five feet for each 12 feet or portion thereof by which the building exceeds 40 feet in height.
- C. Rear yards. There shall be a rear yard, the depth of which shall be at least 25 feet, provided that in the case of any lot which, at the time this chapter becomes effective, is held in single and separate ownership and which has a depth of less than 100 feet, the depth of the rear yard shall be at least 15 feet. In the case of a building over 40 feet high, the depth shall be increased five feet for each 12 feet or portion thereof by which the building exceeds 40 feet in height.



SITE LOCATION 2 LOCATION PLAN
SCALE: N.T.S.





(3) EXISTING CONDITIONS

Addition
Project No.: 25009
A12 Suffolk Rd, Flourtown, P.

In Earnest Design

ZONING SITE PLAN

DRAWN BY:
c.b.k.
DATE:
02-18-25
FILE NAME:
d&t



#### 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

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.

Wednesday, April 30, 2025, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #25-09: This is the application of The First Presbyterian Church in Springfield, owners of the property located at 1710 Bethlehem Pike, Flourtown, PA 19031, also known as Parcel 5200-0189-1001 & Parcel #5200-1162-3007. The applicants have requested a variance from Section 114-81 and Section 114-101 of the Springfield Township Zoning Ordinance. The property owners seek approval to operate what they have labeled a "Limited Daycare Use" from the property. The property is zoned within the D Residential and the B-2 Business District of Ward #6 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 Montgomery County Received

MAR 28 ENT'D

Community Development
Department
DATE:

NO. 25-09

## **PETITION**

#### SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

| We_The First Presbyterian Church in Springfield  |
|--|
| (Name of Applicant)  |
| Of (Address) 1710 Bethlehem Pike, Flourtown, PA 19031  |
| (Telephone No.)c/o 484-684-4203  |
| do hereby make application before the Springfield Township Zoning Hearing Board to request:                          |
| An appeal from the decision of the Zoning/Building Official.   |
| A <b>special exception</b> as provided for in Article, Section, Subsection, of the Springfield Township Zoning Code. |
| X A variance from the requirements set forth in  |
| the "Permitted uses" Sections of both Article VIII (D-Residence District) Section                                    |
| 114-81; and Article X (B2-Business Dsitrict) Section 114-101, to allow a Day Care                                    |
| Center (including before/after care and summer camp) for children, upon the subject                                  |
| property located in both Districts.  |
| The property concerned is located at 1710 Bethlehem Pike, and is comprised of two                                    |
| Parcels: 1) 52-00-01891-001 (acquired in 1856 by Deed attached); and 2) 52-00-11623-00                               |
| (acquired in 1954 by Deed attached) Petitioner's Interest in the property is Legal Owner                             |
|  |
| Present use of property_ Church  |
|  |

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 Subject Property possesses certain unique physical characteristics, among them its location, split-zoning, and its consistent long-term use and improvement (nearly 175 years) as a Church. Relief from the Ordinance is now necessary to afford the additional, reasonable, and limited Day Care use proposed.

The Applicant, at the Public Hearing, will present sworn testimony, exhibits, and other evidence to establish entitlement to the relief requested pursuant to the Pennsylvania Municipalities Planning Code, the Springfield Township Zoning Ordinance, and other requirements.

APPLICANT NOTE: Petition must be accompanied by eight (8) sets of scaled drawings or

| plans, Application Fee and a copy of the property deed.  Chick #9176  \$1,200 | Applicant's Signature  By: Applicant's Counsel |  |
|---|--|--|
| Close #25-09  | Joseph C. Kuhls                                |  |
| 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.

Joseph C. Kuhls

Printed Name of Applicant

JC/Luller

Applicant's Signature and Date

## **RECORDER OF DEEDS**

# MONTGOMERY COUNTY PENNSYLVANIA 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

I hereby certify that the following is a true and correct copy of the original document recorded in Montgomery County, PA



Jeanne Sorg, Recorder of Deeds

mahy This Indentury made the Junky with Deed El an Min, Sorber, et, ux day of December in the trace of on Sord one their Medi and hight chundred and fifty six Molucus Dohn o bei Just Lusbytenaw Church Dorber of Springfeeter Jourship Montgomery Onio ty in the State of Jennesylvanies Shoeshakes Anet in Springfield cest Mary Ann his wife of the One frair and the bush reefu Insty becau Whereby the Spring freit in the said 211/2 Junistrife of Almingfuteo County and State apresaid of the other pait Wilmessin Chat 3 How the vaid Tola Shite and May arm his derte for and in consideration of the suno of One thousand and descrip Wollaw langut miny of the United States of America into Them in hand frain by the said First Rusbyheilan Church in Springfiles at and Ligns him the Sealing and deliving hereof the hearth and payment whiting they do here 2dina to acknowledge and thereof would and farmer descharge the said First Busty believe chief Tohnselv and Shew Successers and assigns, as well as the members of the said Just lece A Justylenem Dongregation in springfliles) Home granted bargained sold alice Cinta id suferfeet reliased and confirmed and by these presents to grant bargain sell rice min suferf relian and confirm unto the pain dirt Prestylenaw Church ' Ortu in springfield and to their successors and assigns in fie simple forever Wille In cutain lots or preces of land petrate in said tourship of springfice 7 Mul the sixt of them Polawing at a stone set for a corner on the East side 61) 16 of the Cheenest will and Linghouse Tuenfite Road a corner of this Ticiens and land of Daniel Streeper things by one said Streeper sand North hily eight deques fire minutes wast thirty one purches and fifty six a £3. habouled the the a Stone in a line of lance belonging to lange Lolow thence (69) by the said Lower's land South two degrees holity two minuits Bast five Justes and thirty eight a diundudthe to a state a corner of this and 11100 the land of John Solver party hereunto thence by the said Solves other 1 lin land South sixty eight degrees five minuits thest thirty one perches and C fifty six a hundrethe to de state on the Cast side of the afresaire June fike Road and thence along the Gast side of said Jumpike Reace North his degrees twenty two minuits West five furales and thirty eight a hundred this to the filace of beginning Donkaining On Gen of Land they being the same premises windle Jacob Day and John Kats admi 1.836 interhated to the Estate of Peter Stott late of said springfules Foresisting c kew deceased by their Indenture bearing date the Twenty swent day of March 11016 AD 1850 the the consideration therein mentioned alil grant and confirm unto the said John Sorber and to his hairs and assights forered as in and recli to one suice necteus Inuntine shorting do be Recordered in the Office for Record ach ding of Deeds at Nouisbown in and for one County of Montgomery reference ing the being thereunto had so appears, the orner of theme Belinning at a state drifu Ze In on the bast side of the africain Sumfitte Reace a come of this and the human before described lot theme by the same North right deques fire min . 1/n with Bost thirty one puches and fifty six a hundredthe to a State in the line of land belonging to the refuse mentioned Groupe Lower thence by the paid Lowers land South her digner swenty somminuits Cast file date flushes and thirty eight a hundredth's a hundredthes, to a stine set fee a ounce of this and hand belonging to Seth Smith theire by the said Smith's land and land belonging to Vanier Sheefer South sich right degrees five minuits West thirty bru furches and fifty six a hundredthes Wa stine on the Cast side of the aferciace Jumpite Read and thenice

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Received on the day of the date of the above amillie Indentice of the above named First Rushfredow Church the perm of One thousands and twenty to faw it being the Conseducation principalow needlesses in fall Milness from At Rigning

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eCertified copy of recorded # 1865000001 (page 3 of 3)
Montgomery County Recorder of Deeds

## **RECORDER OF DEEDS**

# MONTGOMERY COUNTY PENNSYLVANIA 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

I hereby certify that the following is a true and correct copy of the original document recorded in Montgomery County, PA



Jeanne Sorg, Recorder of Deeds

DEED-Trustees' Covenant - Corporation - Individual No. 772A Printed for and Sold by John C. Clark Co., 1436 S. Penn Square, Phile. day of Voto Made the in the year of our Lord one thousand nine hundred and Fifty-four (1954) BETWEEN LOUISE W. MARTER. ADMIN-ISTRATRIX C.T.A. OF THE WILL OF ALEXANDER B. MARTER (also known as Alexander Burtis Marter, Alexander Burtis Marter, Sr. Alexander Marter and Alex B. Marter. decenned: (hereinafter called the Grantor) party of the first part; THE FIRST PRESBYTERIAN CHURCH IN SPRINGRIELD of the other part, Wittresseth, That the said Grantor for and in consideration of the sum of twenty seven thousand two hundred dollars (\$27,200.00) lawful money of the United States of America, unto her well and truly paid by the said at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, \_ has \_\_\_granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents does ·grant, bargain, sell, alien, enfcosf, release and confirm unto the said Grantee, its successors ALL THAT CERTAIN tract, piece or parcel of land, SITUATE in Township of Spring-Tield, County of Montgomery, State of Pennsylvania, bounded and described as follows to wit, viz: BEGINNIMO at a post on the East side of Chestnut Hill and Sprin; house Turnpike Homa (now known as Bethlehem Pike) on the South side of a public road (now known as Mill Road) leading from Church Road to said Turnpike Road (now known as Bethlehem Pike), thence along the East side of said Turnpike Road (now known as Bethlehem Pike), North two degrees, twenty-two minutes, west Seven and twenty-eight one-hundredths perches to a stake, a corner of land of the Flourtown Presbyterian Church; thence by same North Sixty-eight degrees, five minutes, East Twenty-six and nineteen one-hundredths perches to a stake a corner, of other land of said George Scheetz, thence by the same South two degrees, twenty two minutes, East Twelve perches to a stake on the South side of the aforesaid Road, thence along the South side of said Road South Seventy-eight and three-quarter degrees, West Twenty-two and eighty-three one-hundredths perches to the place of beginning.

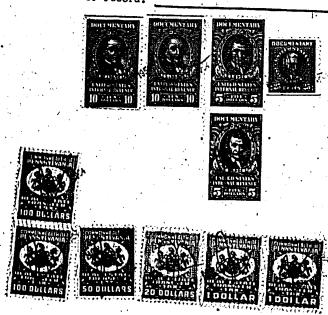
GONTAINING Lacre, 57 perches of land be the same more or less.

BEING the same premises which Edward P.McCloskey, singleman, etal, by Indenture bouring date the 3rd d'ay f September A.D. 1953 and recorded at Norri town in the Office for the Recording of Deeds, in Deed Book 2403 page 284 &c.grantei ani conveyed unto Alexander B.Marter, in fee.

|  | •  |  |                                  |
|--|--|--|----------------------------------|
|  | hereditaments an   | premises hereby granted, or mentioned and  |                                  |
| intended so to be wi   | th the appurtenances,  |  |                                  |
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| rancos, ita aucce  |  |  |                                  |
|  | an   | d assigns to and for the only proper use and   | •                                |
| behoof of the said   | rantee, 1ts successors   |  |                                  |
|  |  | and assigns forever  | _                                |
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AND the said Alexander B.Marter, also known as Alexander Burtis Marter, Alexander Burtis Marter, Sr. Alexander Marter and Alex B.Marter, being so thereof seized died on or about the 9th day & April A.D. 1954 leaving a will dated the 15th day estate Letters of Administration C.T.A. were duly granted on June 12th A.D. 1954 unto Louise W.Marter.

UNDER AND SUBJECT to agreements as of record.



VALUE OF PREMISES AS DEFINED BY ORDINANCE IS \$ 27 200,00 TAX PAID ON SUCH VALUE. COMMONWEALTH CHARLOO.

By Charles land and

ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of said Grantor, Administratrix C.T.A. as aforesaid;

in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

|                   | •                                     | the day of the the within              |                        |                 |                            | · Louis                                    |  | -          |
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| -                 | · On the                              |  | -day of                |                 |                            |  |  | •          |
| 1                 | personally ap                         | peared                                 |                        |                 | Аппо Дот                   | ni 19 <u>belor</u>                         | e me, the subscrib   | her.       |
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|                   | duly sealed a                         | nd delivered by                        | •                      | 7               | of the said Cor            | peration; that the                         | said Indenture w   | ras        |
|                   | of the said Co                        | orporation, as an                      | d for the act a        | ind deed of the | aid Corporation            | n. for the uses o                          | nd purposes there  |            |
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|                   | November                              | Witness my har                         |                        | Office this     |                            | 2th  | day of   |            |
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#### **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

## 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.

Wednesday, April 30, 2025, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #25-10: This is the application of Julie & Patrick Kelly, owners of the property located at 509 Willow Grove Avenue, Wyndmoor, PA 19038, also known as Parcel 5200-1824-6007. The applicants have requested a variance from Section 114-135. A of the Springfield Township Zoning Ordinance. The property owners seek approval to install a 6-foot-high fence, 7 feet from the front property line, instead of the required 15 feet. The property is zoned within the A 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
Montgomery County
Received

MAR 2 8 ENT'D

Community Development
Department
03/29/25

DATE:

NO.25-10

#### **PETITION**

#### SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

| We_Patrick and Julie Kelly   |
|--|
| (Name of Applicant)  |
| Of (Address)_509 East Willow Grove Avenue, Wyndmoor PA 19038   |
| (Telephone No.) 215-836-7007   |
| do hereby make application before the Springfield Township Zoning Hearing Board to request:                                      |
| An appeal from the decision of the Zoning/Building Official.   |
| A <b>special exception</b> 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 135, Subsection A, of the Springfield Township Zoning Code. |
| Other (please specify)   |
| The property concerned is located at 509 East Willow Grove Avenue, Wyndmoor PA 190   |
| Petitioner's Interest in the property is primary residence   |
| Present use of property primary residence  |
|  |

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.

| We wish to replace the aging privacy fence that shields our s  | side yard from the noise and                                 |
|--|--|
| traffic on Willow Grove Avenue, with a new fence that will allo  | ow us to capture more  |
| usable yard space and plant more screening trees behind the  | e fence.   |
| We are seeking to locate the new fence closer to the street,   |  |
| set back approximately 7' from the sidewalk.   |  |
|  |  |
| APPLICANT NOTE: Petition must be accompanied by eight (8) splans, Application Fee and a copy of the property deed. | Pata (/a/C   |
| Crose #25-10<br>Check # 2983<br>\$500:00   | Applicant's Signature  )  MM  MM  MM  MM  MM  MM  MM  MM  MM |
| \$500.00   | 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.

PATRICK //EUY
Printed Name of Applicant

Applicant's Signature and Date

2006089359 07/21/2005 08:34:45 AM:6

RCD FFE, \$40,50 LCL TAX \$4,405,00 ST TAX, \$4,405,00

MONTGOMERY COUNTY ROD

52-SPRINGSFIELD FORMIGHER STATES NAMEY BECKER HOD

Prepared By: T.A. of Chestnut Hill, LLC

ATTN: Frank Zenszer 48 Chestnut Hill Avenue

Philadelphia, Pennsylvania 19118

Phone: 215-242-2920

Return To: T.A. of Chestnut Hill, LLC

ATTN: Frank Zenszer 48 Chestnut Hill Avenue

Philadelphia, Pennsylvania 19118

Phone: 215-242-2920

Parcel No. 52-00-18346-00-7 509 East Willow Grove Avenue,

Springfield Township

CHE191-855

MONTGOMERY COUNTY COMMISSIONERS REGISTRY

52-00-18346-00-7 SPRINGFIELD

509 WILLOW GROVE AVE

EDENBORN HARRY M & MARILYN K TR B 022 U 015 L 1101 DATE: 07/19/2006 \$5.00 JO

Fee Simple Deed

This Deed, made on July 14, 2006, between,

Harry M. Edenborn and Marilyn K. Edenborn, Trustees under Trust Agreement dated 3/13/00 for the benefit of Harry M. Edenborn and Marilyn K. Edenborn,

hereinafter called the Grantor(s), of the one part, and

Patrick D. Kelly and Julie D. Kelly, husband and wife,

hereinafter called the Grantee(s), of the other part.

Witnesseth, that in consideration of Four Hundred Forty Seven Thousand Five Hundred dollars & no cents, (\$447,500.00) in hand paid, the receipt whereof is hereby acknowledged, the said Grantor(s) do(es) hereby grant and convey unto the said Grantee(s), his/her/their heirs and assigns,

Parcel No. 52-00-18346-00-7

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Hereditaments and Appurtenances, Situate on the Northwesterly side of Willow Grove Avenue at the distance of 381 feet 3 1/8 inches Northeastwardly from the Northeasterly side of Stenton Avenue in Wyndmoor, in the Township of Springfield, County of Montgomery, Commonwealth of Pennsylvania.

CONTAINING in front or breadth on the said Willow Grove Avenue 74 feet and extending of that width in length or depth Northwestwardly between lines parallel with the said Stenton Avenue 140 feet.

BEING known as 509 East Willow Grove Avenue.

ALSO ALL THAT CERTAIN lot or piece of ground being Lot No. 37 on the Plan of Lots of the Chestnut Hill Land Association and lying on the Northwest side of Willow Grove Avenue at the distance of 455 feet 3 1/8 inches Northeastward from the Northeast side of Stenton Avenue.

CONTAINING in front or breadth on said Willow Grove Avenue 74 feet and extending of that width in length or depth Northwestwardly between lines parallel with said Stenton Avenue 140 feet.

BEING known as Lot No. 37 on said Plan.

BEING the same premises which Harry M. Edenborn and Marilyn K. Edenborn, by Indenture dated March 13, 2000 and recorded in the Recorder of Deeds, in and for the County of Montgomery, aforesaid, in Deed Book 5341 page 1076 &c., granted and conveyed unto Harry M. Edenborn and Marilyn K. Edenborn, Trustees under Trust Agreement dated 3/13/00 for the benefit of Harry M. Edenborn and Marilyn K. Edenborn, in fee.



SUCESIA CONTRACTOR CON

3.4

And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s) that he/she/they, the said Grantor(s), his/her/their heirs and assigns, SHALL and WILL, warrant and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee(s), his/her/their heirs and assigns, against the said Grantor(s) and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under him/her/them or any of them.

In witness whereof, the said Grantor(s) has/have caused these presents to be duly executed the day and year first above written.

| Sealed and delivered in the presence                       | of:    Agry M Copylor_s   Harry M. Edenbo   Marily n K. Edenbo  |
|--|---|
|  | s   |
|  | s   |
| State of <b>Pennsylvania</b> County of <b>Philadelphia</b> |   |
| Marilyn K. Edenborn, known to me                           | e undersigned officer, personally appeared Harry M. Edenborn and Marist Agreement dated 3/13/00 for the benefit of Harry M. Edenborn at (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed that he/she/they executed the same for the purposes therein contained.  I whand and official seal. |
| File No. CHE191-855  | DEED  |
| Grantor: Harry M. Edenborn and M benefit of Harry M. Edenb | Marilyn K. Edenborn, Trustees under Trust Agreement dated 3/13/00 for the born and Marilyn K. Edenborn  |
| Grantee: Patrick D. Kelly and Julie                        | D. Vally, byshond and mife  |
| I certify the address of the Grantee to b                  | b. Keny, husband and wife   |

Premises: 509 East Willow Grove Avenue, Springfield Township, Montgomery County, Pennsylvania



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Frank J. Zenszer, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires Nov. 24, 2008

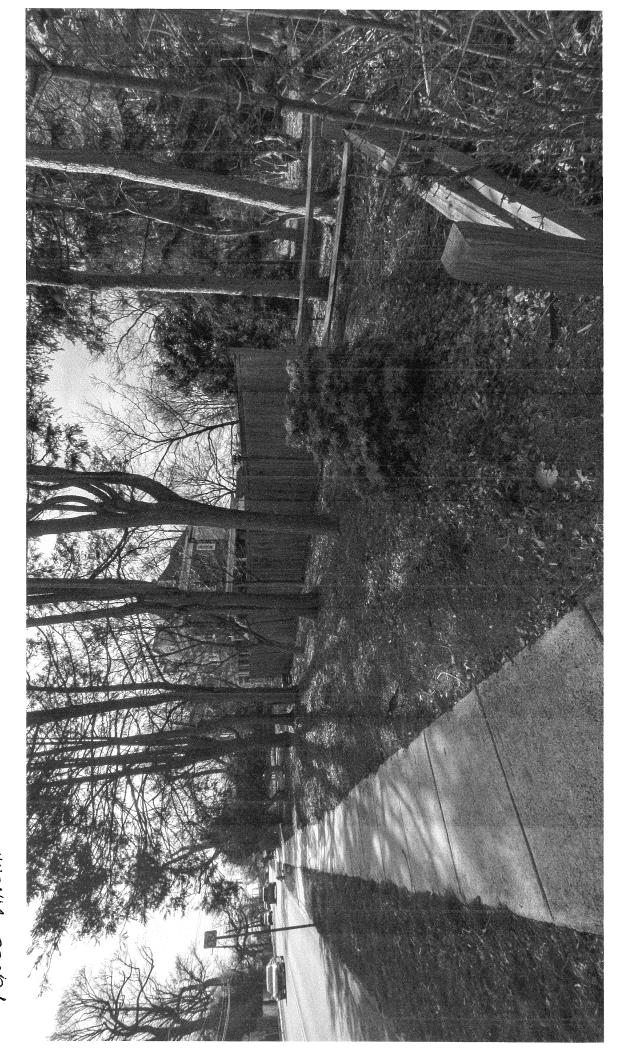
Member, Pennsylvania Association Of Notaries

TOWNSHIP OF SPRINGFIELD MONTGOMERY COUNTY, PA - REGISTERED -

DATE 7-14-06 NO.

TOWNSHIP ENGINEER

509 E. Willsow GROVE AVE, WYNDMOOR KEULY RESIDENCE FENCE VARIANCE





## Chapter 114. Zoning

## Article XIII. General Regulations

§ 114-135. Fences and walls.

[Amended 3-10-1965 by Ord. No. 521; 9-9-1987 by Ord. No. 750]

- A. Front yards. Fences located within the front yard shall not exceed four feet in height. However, a five-foot fence may be erected if set back 10 feet from the property line, curb or edge of paving, whichever creates the greatest setback. In addition, a six-foot fence may be erected if set back 15 feet from the property line, curb or edge of paving, whichever creates the greatest setback.
- B. Side and rear yards. Fences located within the side or rear yards shall not exceed six feet in height.
- C. Exceptions. Where any ordinance or ordinances of the Township or regulations thereunder now in effect or hereafter passed or promulgated shall require a fence of a different height or nature than herein specified, for special situations, such other ordinance or ordinances or regulations thereunder shall control rather than the provisions of this section. [1] The provisions of this section shall not pertain to retaining walls or walls of a building. No fence may be erected or maintained which creates a safety hazard as determined by the Springfield Township Police Department.
  - [1] Editor's Note: See Ch. **29**, Excavations, Art. **I**, Fencing; Ch. **98**, Swimming Pools; and Ch. **105**, Vehicles, Abandoned and repairable; Junkyards, for other ordinances containing fencing requirements.

#### GENERAL NOTES

- REFER TO SPECIFICATIONS (IF ANY) FOR ADDITIONAL INFORMATION, IN ANY CASE OF CONFLICT BETWEEN NOTES, DETAILS, AND SPECIFICATIONS, THE MOST STRINGENT RECOURSMENTS GOVERN.

- 4. THE CONTRACTOR SHALL FILE ALL REQUIRED INSURANCE CERTIFICATES AND OBTAIN ALL REQUIRED BUILDING PERMITS PRIOR TO COMMENCEMENT OF THE WORK. COSTS OF PERMITS TO BE PAID BY BUILDER.
- . A COMPLETE SET OF PROJECT DOCUMENTS, INCLIDING AN ORIGINAL STAMPED SET OF DRAWINGS AND ALL SUBSEQUENT CHANGES AND CLARIFICATIONS SHALL BE KEPT ON SITE AT ALL TIMES, ALL PROPOSED CHANGES TO ORIGINAL PROJECT DOCUMENT BID SET ARE TO BE SUBMITTED BE CONTRACTOR IN THE FORM OF CHANGE ORDERS FOR APPROVAL BY ONEIGNAEMINECT.
- PRIOR TO COMMENCEMENT OF WORK, CONTRACTOR, OWNER, AND ARCHITECT TO HOLD PRE-CONSTRUCTION CONFERENCE TO CONFIRM SITE ACCESS ROUTE, SCHEDULE, AND SEQUENCE OF

INDICATES EXG HARDSURFACE

INDICATES NEW CONSTRUCTION

GENERAL SITE PLAN NOTES:

BUILDING CODES:

C. MIN. LOT AREA

E. MIN. OPEN AREA

J. MAX HEIGHT

K, TOTAL LOT AREA

L. EXG. BUILDING AREA

D. MAX. OCCUPIED AREA

F. FRONT YARD SETBACE

SPECIFIC LOT COVERAGES:

N. PROPOSED NEH GARAGE AREA

P. TOTAL NEW + EXG BUILDING AREA

5. PROPOSED WOOD DECK AREA

R. DRIVE/HALKHAY AREA-GRAVEL (PERVIOUS)

O. TOTAL NEW BUILDING AREA

20,715 SF

610 SF

1550 SF

5041 SF

1425 SF

975 SF

6.01%

2,94%

6.42%

14.65%

6.57%

4.70%

ZONING CODE INFO:

IN POSITIVE DRAINAGE AWAY FROM BUILDING

- SECTIONS AND DETAILS SHOWN, WHILE DAYN FOR SPECIFIC LOCATIONS, ARE INTENDED TO ESTABLISH THE GENERAL TYPES OF DETAILS TO BE USED THROUGHOUT, MORK NOT INDICATED ON A PART OF THE DRAWINGS BUT REASONABLY IMPLIED TO BE SIMILAR TO THAT SHOWN AT CORRESPONDING PLACES, SHALL BE REPEATED. MINOR DETAILS NOT SHOWN OR SPECIFIED, BUT RECORDED FOR PROPER OCTUBINALITY SHOWN OR SPECIFIED, BUT RECORDED FOR PROPER OCTUBINALITY SHOWN OR SPECIFIED, BUT RECORDED FOR PROPER OCTUBINALITY OF ANY PARK.

- 13. SEE FLOOR PLANS FOR DOOR NUMBERS AND SHINGS. 14. SEE ELEVATIONS FOR WINDOW TYPES AND SWINGS.
- ALL DIMENSIONS TO EXISTING WALLS ARE TO FINISH, AND ALL DIMENSIONS TO NEW WALLS ARE TO ROUGH FRAMING, UNLESS NOTED OTHERWISE.
- 16. DOORS AND WINDOWS ARE TYPICALLY OFFSET 3 I/2" FROM ADJACENT PERPENDICULAR PARTITION AT INSIDE CORNER, UNC.
- NEW EXTERIOR WALLS ARE 2x6 FRAMING UNLESS NOTED OTHERWISE. NEW INTERIOR WALLS ARE 2x4 FRAMING UNLESS NOTED OTHERWISE.
- III. COORDINATE HVAC LOCATIONS WARCHITECT PRIOR TO FRAMING.

#### SYMBOLS

 $\langle A \rangle$ WINDOW TYPE

ROOM

DOOR NUMBER

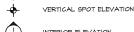


EXTERIOR ELEVATION

BUILDING/WALL SECTION OUT



DETAIL



INTERIOR ELEVATION



REVISION

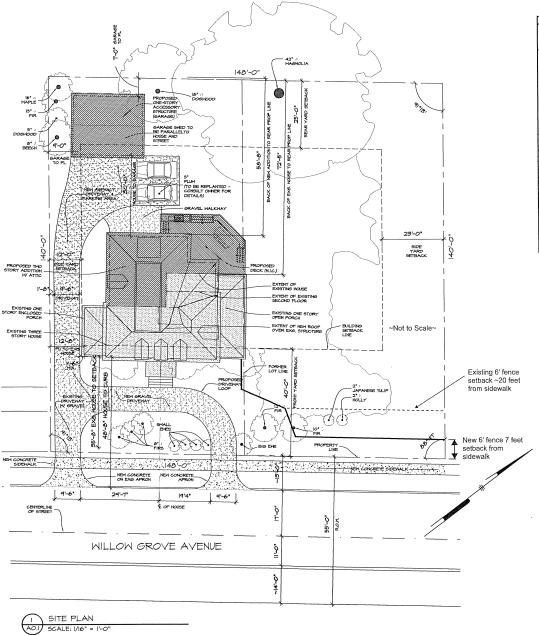
## RENOVATIONS AND ADDITIONS TO THE KELLY RESIDENCE

509 EAST WILLOW GROVE AVE WYNDMOOR, PA 19038

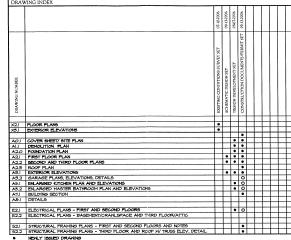
ARCHITECT

## JOHN S. ANDREWS ARCHITECTS, LLC.

184 D EAST EVERGREEN AVENUE PHILADELPHIA, PA 19118



MATERIALS LINE TYPES GYPSUM WALLBOARD/STUCCO EXISTING WALL TO REMAIN BATT INSULATION ITEM TO BE DEMOLISHED NEW WALL ITEM ABOVE OR BEYOND ZZZ BRICK CENTER LINE, FLOOR LINE PROPERTY LINE BUILDING SETBACK LINE  $\langle XX \rangle$ EXISTING TOPOGRAPHIC CONTOUR REVISED TOPOGRAPHIC CONTOUR FINISH WOOD \_\_\_\_\_ SILTATION FENCE % & 12% GRAVE FENCE → 0'-0' → DIMENSION ###### ROUGH WOOD THE STEEL (LARGE SCALE)



NEWLY ISSUED DRAWING REISSUED BUT UNREVISED DRAWING

Gypsum Wallboard Hose Bibb

Hardwood Hollow Meta Horizontal Height

## **ABBREVIATIONS** Insulated Interlor Linoleum Looking Light Laminated Veneer Lumber ADFRACIA APPROXIT ADFRACIA APPROXIT BOBB BOB BOLO CICLON CONTY TO DIAM MODEA JELEN GO TO THE FIRST FOR THE FIRST F Adjustable Above Finish Floor Aluminum Access Panel Appliance Approximate Architect Maximum Medium Density Overlay Board Bottom of Beam Basement Mounted Mounted Metal Not Applicable Not in Contract Not To Scale Overall On Center Opening Opposite Hand Operable Plate Cementitious Backer Ed cast Iron Cantrol Joint Center Line Celling Clear Concrete Masonry Unit Column Concrete Carpet Casement Tile Pedicated Double Hung Diameter Diemesion Down Cementitious Backer Board Plastic Laminate Riser Radius Receptacle Required Section Similar Stainless Steel Stucco Stone Structural Tread Drawing(s) Each Electrical Engineered Equal, Equivalent Existing Exterior Floor Drain Foundation Finish Floor Footh Gauge Galvanized Gauge Galvanized



RESIDENC JULIE KELLY WILLOW GROVE OOR. PA 19038 KELLY
509 EAST WILLOW
WYNDMOOR, PA

IOHN S.

Structural Engineer: ANN ROTHMAN, P.E.

100 E. Lancaster Ave. Suite 203 Wayne, PA 19087 T: 610-688-2566

ANDREWS

Issue Date: SEPT 13, 2006 CONSTRUCTION Revision Date:

Architect Project No.:

0605

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Sheet Number:

A0.1