

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

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.

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Thursday, May 29, 2025, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #25-11: This is the application of **Patricia & Adam Goodman**, owners of the property located at 301 E. Mill Road, Flourtown, PA 19031, also known as Parcel 5200-1165-6001. The applicants have requested a variance from Section 114-131. B. 2.d of the Springfield Township Zoning Ordinance. The property owners seek approval to replace the existing detached garage with a new accessory structure that will include a garage, pool house and cabana. The proposed new accessory structure is proposed to be 15 feet, 3.25 inches in height, exceeding the 12-foot height limitation imposed by the Zoning Ordinance. The property is zoned within the A-Residential 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](http://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.

HRMM&L

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

34142-0000

www.HRMML.com
Lawyers@HRMML.com

J. Edmund Mullin
Steven H. Lupin
Douglas I. Zeiders
Carl N. Weiner
Mark F. Himsworth
Steven A. Hann
Steven B. Barrett
Christen G. Pionzio
Ethan R. O'Shea
Bernadette A. Kearney
Paul G. Mullin
John J. Iannozzi
William G. Roark
Lisa A. Shearman, LL.M.
Nathan M. Murawsky
Robert J. Iannozzi Jr.
Sean E. Cullen, LL.M.
Michael S. Gill
Ron L. Woodman
Kevin M. McGrath, LL.M.
Kathleen A. Maloles
Steven J. English
Danielle M. Yacono
John F. McCaul
Zachary R. Morano
Brittany Ann Kane
Celso L. Leite
J. Braun Taylor
Grace C. Gelone
Mark A. Umansky
Gabriela A. Amado

OF COUNSEL:
Jonathan Samel, LL.M.
John C. Rafferty Jr. Senator
Noah Marlier

LANSDALE
1684 S. Broad Street
Suite 230
Post Office Box 1479
Lansdale, PA 19446-5422
Phone 215-661-0400
Fax 215-661-0315

PHILADELPHIA
123 S. Broad Street
Suite 2102
Philadelphia, PA 19109
Phone 215-661-0400
Fax 215-661-0315

March 28, 2025

Via Federal Express

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

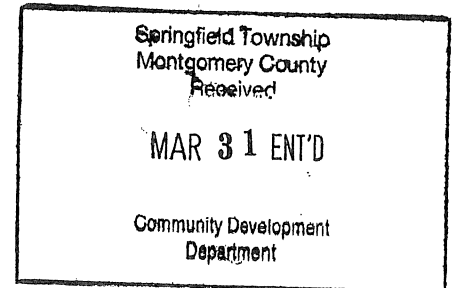
**Re: Zoning Hearing Board Application
Adam and Patricia Goodman
Property: 301 East Mill Road**

Dear Mark,

Enclosed please find the following materials in reference to the Zoning Hearing Board Application for 301 East Mill Road:

1. An original and seven (7) copies of the Zoning Hearing Board Application;
2. Eight (8) copies of the Deed for the subject property;
3. Eight (8) copies of the Zoning Exhibit Plan prepared by North Star Surveying Solutions Corp., dated February 4, 2025, consisting of 1 page (*11 x 17 copies are enclosed; 24 x 36 to be provided under separate cover*);
4. Eight (8) copies of the renderings (6 images);
5. A check in the amount of \$500.00 payable to Springfield Township.

Please be sure to notify me of any and all scheduled meetings, hearing dates and times.



Page 2
March 28, 2025

Thank you for your attention in this regard. If you have any questions or concerns regarding this filing, please contact me.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

Christen G. Pionzio

By: _____
Christen G. Pionzio

CGP/dcbk

Enclosures

CC: Adam and Patricia Goodman (w/enc.) – via email

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

Springfield Township
Montgomery County
Received

MAR 31 ENT'D

Community Development
Department

DATE: 3/27/2025

NO. 25.11

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Adam and Patricia Goodman
(Name of Applicant)

Of (Address) 301 East Mill Road

(Telephone No.) 215-885-8383

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

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

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

 X A **variance** from the requirements set forth in Article 114, Section 131,
Subsection B.2.d, of the Springfield Township Zoning Code.

 Other (please specify)

The property concerned is located at 301 East Mill Road

Petitioner's Interest in the property is Owner

Present use of property Residential

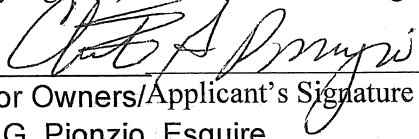
Explanation of Petition: Variance and Special Exception Requests must meet the statutory guidelines Outlined in Section 114-165 of the Township Zoning Code. The following explanation should indicate Compliance with those guidelines.

Applicant is undertaking major improvements to the house, removing the existing detached garage and shed and adding a new detached garage (with attached pool house/cabana) and pool. The existing garage has a height of 18-20 ft. The new garage has a proposed height of 15 ft., 3 1/4 inches, but exceeds the maximum height of 12 ft. per Section 114-131.B.(2)(d). A variance from Section 114-131.B(2)(d) is therefore requested.

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

CASE # 25-11

Check # 118002
\$500.00



Attorney for Owners/Applicant's Signature
Christen G. Pionzio, Esquire

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.

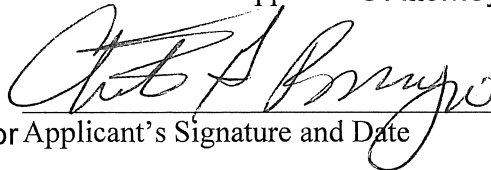
Should a written record, including a stenographic transcript, of the proceedings before the Zoning Hearing Board, be appropriate or required, the Applicant or the Appellant, as the case may be, will be billed and required to pay for the costs of preparing such a written record. In such a case there shall 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.

Christen G. Pionzio

Printed Name of Applicant's Attorney



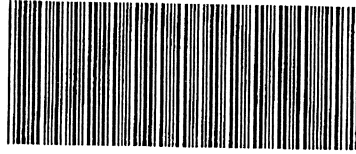
Attorney for Applicant's Signature and Date



**RECORDER OF DEEDS
MONTGOMERY COUNTY**
Nancy J. Becker

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

DEED BK 5922 PG 02058 to 02063
INSTRUMENT # : 2014050396
RECORDED DATE: 08/04/2014 11:14:42 AM



3105456-0006N

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 6

Document Type: Deed
Document Date: 07/02/2014
Reference Info:

Transaction #: 3089128 - 2 Doc(s)
Document Page Count: 5
Operator Id: dawhitner

RETURN TO: (Pickup)
KEYSTONE AGENCY, INC.
1525 LOCUST STREET
STS 301
PHILADELPHIA, PA 19102

PAID BY:
KEYSTONE AGENCY INC

*** PROPERTY DATA:**

Parcel ID #: 52-00-11656-00-1
Address: 301 E MILL RD

FLOURTOWN PA
19031
Municipality: Springfield Township (100%)
School District: Springfield

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT:
\$1,710,000.00

DEED BK 5922 PG 02058 to 02063
Recorded Date: 08/04/2014 11:14:42 AM

FEES / TAXES:

Recording Fee: Deed
Additional Pages Fee
Additional Names Fee
Affordable Housing Pages
Affordable Housing Names
State RTT
Springfield Township RTT
Springfield School District RTT
Misc Fee

Total:

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



Nancy J. Becker
Recorder of Deeds

PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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

Digitally signed 03/27/2025 by montgomery.county.rod@govos.com

Certified and Digitally Signed

Validation may require Adobe 'Windows Integration'

eCertified copy of recorded # 2014050396 (page 1 of 6)
Montgomery County Recorder of Deeds



RECORDER OF DEEDS
MONTGOMERY COUNTY

2014 AUG -4 AM 10:08

Prepared by and Return to:Keystone Agency, Inc.
1525 Locust Street
Suite 301
Philadelphia, PA 19102
215-732-3764

File No. 14-13832-M-FA

UPI # 52-00-11656-00-1

1st int

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-11656-00-1 SPRINGFIELD
301 E MILL RDMAGERMAN MICHAEL L & GREENLEAF KELLY A
B 048 U 004 L 1101 DATE: 08/04/2014

JE

This Indenture, made the 2ND day of July, 2014,

Between

**MICHAEL L. MAGERMAN, TRUSTEE OF THE MICHAEL L. MAGERMAN
LIVING TRUST AND MICHAEL L. MAGERMAN, INDIVIDUALLY AND
KELLY ANNE GREENLEAF**

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

ADAM J. GOODMAN AND PATRICIA A. GOODMAN, HUSBAND AND WIFE

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

Witnesseth, that the said Grantors for and in consideration of the sum of _____
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, as
tenants by the entireties, in fee.

See Attached Exhibit A

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

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

Under and Subject as aforesaid.

And the said Grantors, for themselves and their heirs, executors, administrators, successors and assigns,
do, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns,



that they, the said Grantors, and their heirs, successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them, the said Grantors, and their heirs, successors and assigns, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have signed and sealed these presents or caused these presents to be executed in their respective names and their respective common ~~and corporate seals~~ *Seals* to be hereunto affixed by their proper officers ~~thereunto duly authorized~~. Dated the day and year first above written.

~~XXXXXX~~

MICHAEL L. MAGERMAN, TRUSTEE OF
THE MICHAEL L. MAGERMAN LIVING
TRUST

{SEAL}

By: *Michael L. Magerman*

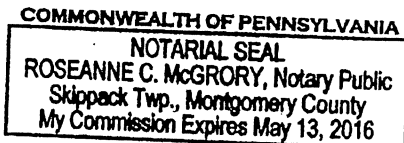
Michael L. Magerman {SEAL}
Michael L. Magerman, Individually

Kelly Anne Greenleaf {SEAL}
Kelly Anne Greenleaf

State of Pennsylvania
County of Montgomery ss

On this, the 2 day of July, 2014, before me, the undersigned Officer, a Notary Public in and for the jurisdiction aforesaid, personally appeared Michael L. Magerman, Trustee of the Michael L. Magerman Living Trust and Michael L. Magerman, Individually 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.



Roseanne C. McGrory
Notary Public
My commission expires 5/13/16



State of Pennsylvania
County of Montgomery ss

On this, the 2 day of July, 2014, before me, the undersigned Notary Public, personally appeared Kelly Anne Greenleaf, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

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

Roseanne C. McGrory
Notary Public
My commission expires 5/13/16

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

301 East Mill Road
Flourtown, PA 19031

[Signature]
On behalf of the Grantees

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
ROSEANNE C. McGRORY, Notary Public
Skipack Twp., Montgomery County
My Commission Expires May 13, 2016



EXHIBIT "A"

ALL THAT CERTAIN lot or piece of ground together with the buildings and improvements thereon erected, Situate in the Township of Springfield, County of Montgomery, Commonwealth of Pennsylvania, and described according to a certain map by Herbert H. Metz, Registered Engineer, Lansdale, Pennsylvania, in October 1935, as follows, to wit:

BEGINNING at an iron pin on the Southeast side of Mill Road (Thirty-three feet wide), said iron pin being at the distance of Nine hundred thirty-seven and seventy-seven one-hundredths feet Northeast of a stone set in a line of Adeline B. Stout Land; thence extending North fifty degrees West, crossing the bed of the said Mill Road and along line of land of Harry L. Reid four hundred fifteen and seventy-four one-hundredths feet to an iron pin; thence extending North forty-five degrees, six minutes East, along line of land of William H. Wentz and Harry L. Reid, Two hundred forty-three and forty-one one-hundredths feet to an iron pin; thence extending South forty-three degrees, fifty-one minutes East, still along line of lands of Harry L. Reid, crossing the bed of Mill Road, Three hundred ninety-six and thirty-six one-hundredths feet to an iron pin set in the Southeast side of the said Mill Road, and; thence extending South forty degrees West, along the said Southeast side of Mill Road and line of land of the Sunnybrook Golf Club Two hundred feet to an iron pin, being first mentioned point and place of beginning.

BEING Parcel No. 52-00-11656-00-1

BEING the same premises which Michael L. Magerman Living Trust by Michael L. Magerman, Trustee and Kelly Ann Greenleaf by Deed dated 2/27/2013 and recorded 3/22/2013 at Norristown, Pennsylvania in Deed Book 5867 page 1275, granted and conveyed unto Michael L. Magerman, Trustee of the Michael L. Magerman Living Trust; as to a one-half interest and Kelly Anne Greenleaf as to the remaining one-half interest, in fee.

UNDER AND SUBJECT to certain conditions, restrictions and agreements as of record.



Deed

UPI # 52-00-11656-00-1

Michael L. Magerman, Trustee of the
Michael L. Magerman Living Trust and
Michael L. Magerman, Individually and
Kelly Anne Greenleaf

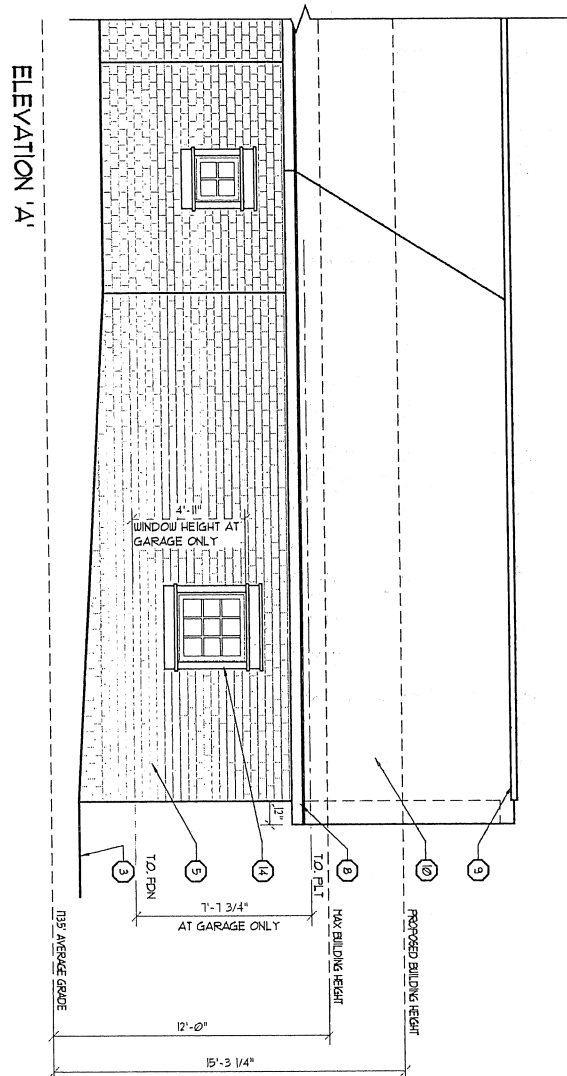
TO

Adam J. Goodman and Patricia A.
Goodman, husband and wife

Keystone Agency, Inc.
1525 Locust Street
Suite 301
Philadelphia, PA 19102
Telephone: 215-732-3764 Fax: 215-545-5329



THE ARCHITECTURAL PLANS AND ELEVATIONS ARE ARCHITECTURAL CONCEPTS ONLY. DETAILS, DIMENSIONS, LAYOUTS AND OPTIONS SHOWN MAY VARY FROM FINAL ARCHITECTS PLANS, BUILDERS FIELD CHANGES, AND/OR SITE CONDITIONS.



NOT FOR CONSTRUCTION - 4-4-25

301 E. MILL RD
'CABANA'
SPRINGFIELD TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA

LUCE
ARCHITECTS

CHRISTOPHER J. LUCE, AIA, NCARB
PA RA015179 • NJ 21A101673300 • NY 037335-1 • FL AR97684
5502 N. Easton Road, Doylestown, PA 18902 • 215.674.5950
Located in the historic Shelby Farmstead, Circa 1850
lucearchitects.com

ONLY PLANS DRAWING A REVISION OR
CORRECTION TO A PREVIOUS EDITION
AND CONSIDERED TO BE OFFICIAL. THE
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 - ▶ ☒ Signs
 - ▶ ☐ Zoning
 - ▶ ☒ FEMA Floodplain
 - ☐ AE
 - ▶ ☐ Traffic Signals
 - ▶ ☐ Wards
 - ▶ ☒ Parcels
 - ☐ — Streets
 - ☐ Municipal Boundary
- ▶ ☐ Hydrology
 - ☐ — Streams
 - ☐ Water Bodies
- ▶ ☐ Parks & Recreation
 - ☐ Parks
 - ☐ Recreational Areas
 - ▶ ☐ Park Routes
 - ☐ Lights
 - ☐ Park Signs
 - ☐ Park Amenities
- ▶ ☐ Fire Marshal
 - ▶ ☒ Fire Hydrants



Chapter 114. Zoning

Article XIII. General Regulations

§ 114-131. Yard encroachments.

- A. Front yards. No building and no part of a building shall be erected within or shall project into the required front yard (unless a greater projection is authorized as a special exception), except:
- (1) Cornices, eaves, gutters, open balconies or chimneys projecting not more than 18 inches.
[Amended 11-10-1993 by Ord. No. 797]
 - (2) Steps.
[Amended 11-10-1993 by Ord. No. 797]
 - (3) Bay windows, not extending through more than one story and not projecting more than five feet.
 - (4) One-story open or enclosed porches, projecting not more than eight feet.
- B. Side yards.
- (1) No building and no part of a building shall be erected within or shall project into the required side yard, except:
 - (a) Cornices, eaves, gutters or chimneys projecting not more than 18 inches.
 - (b) Steps.
[Amended 11-10-1993 by Ord. No. 797]
 - (2) In residential zoning districts, accessory buildings used solely for residential purposes may be constructed within one of the side yards if:
[Amended 5-9-1984 by Ord. No. 724]
 - (a) Entirely separated from the main building.
 - (b) Located at least 10 feet farther back from the front building line than the rearmost portion of the main building.
 - (c) Located no closer to the side property line than seven feet if constructed of wood frame or combustible material and no closer than four feet if constructed of masonry or noncombustible material.
 - (d) The building shall not exceed nine feet in height if it has a flat roof, 12 feet in height if it has a slope roof or one story, whichever is less. The height of the building shall be defined as in § **114-21** of the Springfield Township Code.
- C. Rear yards.
- (1) No building and no part of a building shall be erected within or shall project into the required rear yard, except:

- (a) Cornices, eaves, gutters, open balconies or chimneys, projecting not more than 18 inches.
[Amended 11-10-1993 by Ord. No. 797]
 - (b) Steps.
[Amended 11-10-1993 by Ord. No. 797]
 - (c) Bay windows, not extending through more than one story and not projecting more than five feet.
 - (d) One-story open or enclosed porches projecting not more than 10 feet, provided that a five-foot rear yard is preserved.
[Amended 11-10-1993 by Ord. No. 797]
 - (e) Decks at grade level, where grade level shall be a height not to exceed 42 inches measured from the ground at the rear of the building wall, provided that a five-foot rear yard is preserved.
[Added 11-10-1993 by Ord. No. 797]
- (2) In residential zoning districts, accessory buildings used solely for residential purposes may be constructed within the required rear yard if:
[Amended 5-9-1984 by Ord. No. 724]
- (a) Entirely separated from the main building.
 - (b) Located at least 10 feet farther back from the front building line than the rearmost portion of the main building.
 - (c) Located no closer to the rear property line than seven feet if constructed of wood frame or combustible material and no closer than four feet if constructed of masonry or noncombustible material.
 - (d) The building shall not exceed nine feet in height if it has a flat roof, 12 feet in height if it has a slope roof or one story, whichever is less. The height of the building shall be defined as in § 114-21 of the Springfield Township Code.
- (3) Provided further that, in the case of a lot held in single and separate ownership at the time this chapter becomes effective, in which the distance from the rear line of the lot to the line fixed by the front yard requirement as herein provided is less than 75 feet, a portion of the main building not wider than 20% of the width of the lot may project not more than 10 feet into the required rear yard.
- (4) In no case shall the distance between the rearmost point of such projection and the rear lot line be less than the minimum side yard requirement provided herein for the district in which the lot is located.
- D. Building envelope. Notwithstanding the provisions of § 114-131B and C of this chapter, accessory buildings shall not exceed 20 feet or one story in height, whichever is less.
[Added 5-9-1984 by Ord. No. 724]



The architecture, design, and construction of this house were created by the author and are not to be used for any other purpose.

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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

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.

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Thursday, May 29, 2025, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #25-12: This is the application of **Yogesh I. Patel and Oreland Market, Inc.** owners of the property located at 1339 Bruce Road, Oreland, PA 19075, also known as Parcel 5200-0255-1007. The applicants have filed a Zoning Hearing Board application that includes an appeal to the actions of the zoning officer, variances from Section 114-91 of the Springfield Township Zoning Ordinance and a challenge to the validity of the Ordinance. The applicants allege that the Zoning Officer issued a violation letter that is insufficient with the requirements of Pennsylvania Municipalities Planning Code. The applicants contend that "skill games" are a permitted accessory use within a convenience store and permitted within the B-1 Business District. In the alternative, the applicants challenge the validity of Chapter 4 of the Springfield Township Code. The property is zoned within the B-1 Business 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](http://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.

HRMM & L

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN, PC

www.HRMML.com
Lawyers@HRMML.com

J. Edmund Mullin
Steven H. Lupin
Carl N. Weiner
Mark F. Himsworth
Steven A. Hann
Steven B. Barrett
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Robert J. Iannozzi Jr.
Sean E. Cullen LL.M.
Michael S. Gill
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Kevin M. McGrath LL.M.
Kathleen A. Maloles
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Brittany Ann Kane
Celso L. Leite
J. Braun Taylor
Grace Gelone
Mark Umansky
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OF COUNSEL:

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Noah Marlier

LANSDALE

1684 S. Broad Street
Suite 230
Post Office Box 1479
Lansdale, PA 19446-5422
Phone 215-661-0400
Fax 215-661-0315

PHILADELPHIA

123 S. Broad Street
Suite 2102
Philadelphia, PA 19109

32040-0002

April 30, 2025

Via E-mail and Courier

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

**Re: Zoning Hearing Board Case #25-01,
Amended Petition to Zoning Hearing Board;
1339 Bruce Road, Oreland, PA 19075;
Tax Parcel No. 52-00-02551-00-7.**

Dear Mr. Penecale,

This firm represents Yogesh I. Patel and Oreland Market, Inc. in the above referenced matter. On behalf of our clients, we attach our Addendum to Petition to Zoning Hearing Board and related exhibits.

Mr. Patel filed the original Application without the assistance of counsel. This submission is an amendment to the original Petition. In the event of any conflict between this submission and the original Petition, this submission shall control.

Enclosed are the following, compiled in packets:


- Original and seven (7) copies of the amended Petition to Zoning Hearing Board with Addendum and Exhibits 1-8; and,
- Continuance fee of \$600.00.

We have also provided an additional copy of this submission. Please have the additional copy date-stamped and return it to the Courier.

Should you have any questions, please call me at (215) 661-0400. Thank you for your assistance in this matter.

Very truly yours,

**HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC**

By: 
CELSO L. LEITE, JR., ESQUIRE
ATTORNEY FOR APPLICANTS

Enclosure

CC: Michael S. Gill, Esquire. (via e-mail only)
Yogesh Patel (via e-mail only)
Miranda Dang, Esquire (via e-mail only)

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

NO. ²⁵⁻⁰¹_____

DATE: 4/30/2025

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Yogesh I. Patel, and Oreland Market, Inc.

(Name of Applicant)

Of (Address) 3172 Fox Drive, Chalfont, PA 18914; 1339 Bruce Road, Oreland, PA 19075

(Telephone No.) 267-230-5189

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 in Article , Section ,
Subsection , of the Springfield Township Zoning Code.

X A **variance** from the requirements set forth in Article IX, Section 114,
Subsection 91, of the Springfield Township Zoning Code.

X Other (please specify) Please see the Addendum to Petition to Zoning Hearing
Board.

The property concerned is located at 1339 Bruce Road, Springfield Township,
Montgomery County, PA; Tax Parcel 52-00-02551-00-7

Petitioner's Interest in the property is Please see the Addendum to Petition to Zoning
Hearing Board.

Present use of property Please see the Addendum to Petition to 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.

Please see the Addendum to Petition to Zoning Hearing Board.

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

HAMBURG, RUBIN, MULLIN, MAYWELL & LUPIN, PC

Applicant's Signature

By: Celso Lucas Leite Jr.

CELSON LUCAS LEITE, JR., ESQUIRE
ATTORNEY FOR APPLICANTS

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. **HAMBURG, RUBIN, MULLIN, MAYWELL & LUPIN, PC**

By: 
Printed Name of Applicant
CELSO LUCAS LEITE, JR., ESQUIRE
ATTORNEY FOR APPLICANTS

Applicant's Signature and Date

DATE: 4/30/2025

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC

By: Michael S. Gill, Esquire
Attorney ID No. 86140
By: Celso Lucas Leite, Jr., Esquire
Attorney ID No. 330871
1684 South Broad Street, Suite 230
Lansdale, Pennsylvania 19446-5422
215.661.0400

ATTORNEYS FOR APPLICANTS

Mr. Yogesh I. Patel
Oreland Market, Inc.

IN RE:	:	SPRINGFIELD TOWNSHIP
PETITION OF	:	ZONING HEARING BOARD
YOGESH I. PATEL &	:	CASE # 25-01
ORELAND MARKET, INC.	:	
1339 BRUCE ROAD	:	
TAX PARCEL NO. 52-00-02551-00-7	:	

ADDENDUM TO PETITION TO ZONING HEARING BOARD

Applicants Mr. Yogesh I. Patel and Oreland Market, Inc. (collectively, "**Applicants**"), by and through their undersigned counsel, Hamburg, Rubin, Mullin, Maxwell & Lupin, PC, hereby submit to the Springfield Township Zoning Hearing Board (the "**Board**") this Addendum to Petition to Zoning Hearing Board (together with the Petition to Zoning Hearing Board, this "**Application**"), and state as follows:

Background

1. Mr. Patel is an adult individual who owns fee simple title to that certain parcel of real property located within the jurisdictional limits of Springfield Township, Montgomery County, Pennsylvania (the "**Township**") generally known as 1339 Bruce Road, and known to the Montgomery County Board of Assessment Appeals as Tax Parcel No. 52-00-02551-00-7 (the "**Property**"). A copy of the Deed to the Property is attached to this Application as Exhibit 1.

2. Mr. Patel is also the principal of Oreland Market, Inc., which operates the Oreland Market convenience store (the "**Store**") on the Property. Among other things, the Store is engaged in the retail sale of packaged food items, basic household goods, tobacco products, and alcohol. The Store also serves as a Pennsylvania Lottery retailer.

3. Pace-O-Matic, Inc. ("**Pace-O-Matic**") is a company based in Duluth, Georgia, that develops legally compliant skill game software for use throughout the United States. These games include *Pennsylvania Skill* games.

4. *Pennsylvania Skill* machines are manufactured by Miele Manufacturing in Lycoming County, Pennsylvania and are distributed throughout the Commonwealth to numerous small businesses, social clubs, and fraternal organizations. There are three (3) *Pennsylvania Skill* machines located within the Store.

5. The *Pennsylvania Skill* machines located in the Store are legal games of skill and do not constitute illegal gambling devices or games of chance. See In re: Three Pa. Skill Amusement Devices, 306 A.3d 432 (Pa. Cmwlth. 2023).

Letter Insufficient as an Enforcement Notice

6. The Township Director of Planning & Zoning (the “**Zoning Officer**”) has alleged, by way of letter dated July 24, 2024 (the “**Letter**”), that the offering of skill game machines within the Store is a violation of Chapter 4 of the Springfield Township Code (the “**Township Code**”), as amended by Ordinance 978, and a violation of Article IX, § 114 -91 of the Springfield Township Zoning Ordinance (the “**Zoning Ordinance**”). A copy of the Letter is attached to this Application as Exhibit 3.

7. In the Letter, the Zoning Officer further directs Mr. Patel to either remove any skill games from the Property, seek a variance from Article IX, § 114-91 of the Zoning Ordinance, or appeal to the Board. See Exhibit 3, Letter.

8. At the hearing before the Board (the “**Hearing**”), Applicants will demonstrate that the Letter is insufficient to constitute an enforcement notice under Pennsylvania Municipalities Planning Code (“**MPC**”), both generally and as it applies to Oreland Market, Inc. See 53 P.S. § 10616.1.

Skill Games Permitted By-Right as a Core Component of a Convenience Store Use

9. Applicants appeal the Letter because skill games are a core component of the convenience store use and are permitted by-right on the Property.

10. Pursuant to the Township Zoning Map, the Property is located within the B-1 Business District, which permits convenience stores as a by-right use. See Zoning Ordinance, Article IX, § 114-91 B.

11. Games of skill are standard offerings at convenience stores; they are a core component of the convenience store use expressly permitted in the B-1 Business District. See Zoning Ordinance, Article IX, § 114-91 B.

12. At the Hearing, Applicants will demonstrate that skill games are a core component of the use of the Property as the Store and the use of skill games is therefore permitted by-right on the Property.

Skill Games Permitted By-Right as an Accessory to the Convenience Store Use

13. In the alternative, Applicants appeal the Letter because skill games are permitted as an accessory to the permitted use of the Property as the Store. See Zoning Ordinance, Article IX, § 114-91 K.

14. The Zoning Ordinance permits, by-right, an “[a]ccessory use on the same lot with and customarily incidental to any of [the uses permitted by right in the B-1 Business District].” See Zoning Ordinance, Article IX, § 114-91 K.

15. The Zoning Ordinance defines an “accessory use” as a “[u]se customarily incidental and subordinate to principal use or structure.” See Zoning Ordinance, Article II, § 114-21.

16. At the Hearing, Applicants will demonstrate, that the use of skill games on the Property is customarily incidental and subordinate to the principal use of the Property as the Store, and therefore permitted by-right as an accessory use on the Property.

Substantive Validity Challenge

17. In the alternative, Applicants challenge the substantive validity of the Zoning Ordinance and the zoning provisions located within Chapter 4 of the Township Code on the basis that:

- a. games of skill are a legitimate use and the Zoning Provisions unlawfully exclude games of skill from the Township; and further,
- b. the Zoning Provisions, as applied to skill games, are otherwise invalid because they are unconstitutionally vague, arbitrary and unreasonable, and have no substantial relationship to promoting the public health, safety or welfare .¹

See 53 P.S. § 10916.1(a)(1).

18. On July 10, 2024, the Township enacted Ordinance No. 978, entitled “Amusement Device Zoning Ordinance Amendment” (“**Ordinance 978**”) which, *inter alia*, amended Chapter 4 of the Township Code. A copy of Ordinance 978 is attached to this Application as Exhibit 7.

19. § 4-2 of the Township Code defines an “Amusement Device” as follows:

Any automatic, mechanical, electric or electronic machine or device, used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin, token, key, money or other article or by the payment of money to have it activated. This definition shall not include the following devices:

- A. *Jukebox.*
- B. *Rides.*
- C. *Bowling alleys.*
- D. *Merchandise machines which dispense beverages, food, toilet articles or other tangible personal property.*

¹ Together, the Zoning Ordinance and the zoning provisions in Chapter 4 of the Township Code are referred to herein as the “**Zoning Provisions**.”

- E. *Photographic machines.*
- F. *Any game or device maintained within a residence for the sole use of the occupants thereof and their guests.*
- G. *Gaming devices regulated by the Pennsylvania Gaming Control Board.*
[Added 7-10-2024 by Ord. No. 978]
- H. *Small games of chance regulated by the State Department of Revenue.*
[Added 7-10-2024 by Ord. No. 978]

20. The *Pennsylvania Skill* machines located within the Store fall within the definition of “Amusement Device” as set forth in § 4-2 of the Township Code.

21. Chapter 4 of the Township Code regulates amusement devices, in part, by way of licensure. In particular, § 4-8 of the Township Code partially states:

- A. *An amusement device license may be issued for a building, premises, store or other public or quasi-public place located within the following zoning districts:*

(1) *S Shopping Center District.*

(2) *B2 Business District, when authorized as a special exception.*

22. As amended by Sections III and IV of Ordinance 978, the property line of any property in the S Shopping Center District or B2 Business District that has an amusement device cannot:

be within 500 feet in any direction of the property line of any public, private or parochial school, day-care facility, place of worship, park, playground, community center, public open space.

23. A municipality may not use zoning to exclude a legitimate use from its jurisdiction. See In re: Appeal of the April 24, 2018 Decision of the Charlestown Twp. Zoning Hearing Bd. Denying the Challenge of Charlestown Outdoor, LLC, 280 A.3d 948, 958 (Pa. 2022).

24. “[A] legitimate use is one which is not so particularly objectionable and undesirable that its prohibition appears prima facie to be designed to protect the public interest.” See General Battery Corp. v. Zoning Hearing Bd., 371 A.2d 1030, 1032 (Pa. Cmwlth. Ct. 1977) (citing, in part, Beaver Gasoline Co., 285 A.2d 501 (Pa. 1971)).

25. Further, a legitimate use is any which is not “...generally known to give off noxious odors, disturb the tranquility of a large area by making loud noises, have the obvious potential of poisoning the air or the water of the area, or similarly have clearly deleterious effects upon the general public[.]” See General Battery Corp., 371 A.2d at 1032 (quoting Beaver Gasoline Co., 285 A.2d at 504).

26. The use of skill game machines is a legitimate use under Pennsylvania law. By application of the Zoning Provisions, especially by the implementation of the aforementioned 500 foot setback, the Township has both *de jure* and *de facto* excluded the legitimate use of skill game machines within the Township.

27. A landowner that successfully challenges a zoning ordinance that totally excludes a legitimate use is generally entitled to site-specific relief; and in this case, Applicants are entitled to site-specific relief to permit the use of skill games on the Property as a component of or accessory to the Store. *See H.R. Miller Co. v. Bd. of Supervisors of Lancaster Twp.*, 605 A.2d 321, 324 – 25 (Pa. 1992).

28. The Zoning Provisions, as applied to skill games, are unconstitutionally vague, in part, because they fail to define critical elements of the regulatory scheme for skill games, such as “public open space.” *See Scurfield Coal, Inc. v. Commonwealth*, 582 A.2d 694, 697 (Pa. Cmwlth 1990).

29. The Zoning Provisions, as applied to skill games, are otherwise arbitrary and unreasonable, and have no substantial relationship to promoting the public health, safety or welfare. *See Carnahan v. Slippery Rock Twp. Zoning Hearing Bd.*, 305 A.3d 211, 220 (Pa. Cmwlth. 2023).

30. At the Hearing, Applicants will demonstrate that the Zoning Provisions are substantively invalid because, *inter alia*:

- a. games of skill are a legitimate use and the Zoning Provisions unlawfully exclude games of skill from the Township; and further,
- b. the Zoning Provisions, as applied to skill games, are otherwise invalid because they are unconstitutionally vague, arbitrary and unreasonable, and have no substantial relationship to promoting the public health, safety or welfare.

31. At the Hearing, Applicants will also demonstrate that they are entitled to site-specific relief to permit the use of skill games on the Property as a component of or accessory to the Store.

Variance Relief

32. In the alternative, Applicants request variance relief from § 4-8 A of the Township Code, and to the extent necessary, variance relief from Article IX, §114-91 of the Zoning Ordinance, to permit the use of skill games on the Property as a component of or accessory to the Store.

33. The variance relief requested is minor in nature and rigid compliance with the Zoning Ordinance is not necessary to protect public policy concerns. *See Soland v. Zoning Hearing Board*, 311 A.3d 1208, 1213 (Pa. Cmwlth. Ct. 2024).

34. At the Hearing, Applicant will present substantial and competent evidence to satisfy to relevant portions of Article XVI, § 114-165 of the Zoning Ordinance, including, *inter alia*, that the variance relief requested is:

- a. consistent with the Township's Comprehensive Plan and promotes the harmonious and orderly development of the zoning district involved;
- b. suitable with respect to traffic and parking;
- c. reasonable in terms of the logical, efficient, and economical extension of public services and facilities;
- d. will not harm nearby property; and,
- e. otherwise will not be detrimental to the safety, health, morals, and general welfare of the Township.

35. At the Hearing, Applicant will present evidence to satisfy the relevant portions of the five-part variance test set forth in §910.2(a) of the MPC.

36. In this case, the provisions of the Zoning Ordinance inflict an unnecessary hardship on the Applicant. *See* 53 P.S. § 10910.2(a).

37. The authorization of variance relief requested is necessary to enable the reasonable use of the Property. *See* 53 P.S. § 10910.2(a).

38. If authorized, the variance relief requested will not alter the essential character of the neighborhood or district where the Property is located, will not substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. *See* 53 P.S. § 10910.2(a).

39. If authorized, the variance relief requested will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue. *See* 53 P.S. § 10910.2(a).

Conclusion

40. At the Hearing, Applicants will demonstrate their and the Property's entitlement to relief, as aforesaid including, without limitation:

- a. The Letter is insufficient to constitute an enforcement notice, both generally and as it applies to Oreland Market, Inc.;
- b. Skill games are a core component of the use of the Property as the Store and the use of skill games is therefore permitted by-right on the Property;

- c. In the alternative, the use of skill games on the Property is customarily incidental and subordinate to the principal use of the Property as the Store, and therefore permitted by-right as an accessory use on the Property;
- d. In the alternative, the Zoning Provisions are substantively invalid because, *inter alia*:
 - i. games of skill are a legitimate use and the Zoning Provisions unlawfully exclude games of skill from the Township; and,
 - ii. that the Zoning Provisions, as applied to skill games, are otherwise invalid because they are unconstitutionally vague, arbitrary and unreasonable, and have no substantial relationship to promoting the public health, safety or welfare;

and further, that Applicants are entitled to site-specific relief to permit the use of skill games on the Property as a component of or accessory to the Store.


- e. In the alternative, variance relief from §4-8 A of the Township Code, and to the extent necessary from Article IX, §114-91 of the Zoning Ordinance, to permit the use of skill games on the Property as a component of or accessory to the Store.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

WHEREFORE, Applicants respectfully request that this Board grant relief and approval(s), as aforesaid, together with any other relief or approval which may be necessary to permit the use of skill games on the Property as a component of or accessory to the Store.

Respectfully submitted,

**HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC**

By: 
Michael S. Gill, Esquire
Celso Lucas Leite, Jr., Esquire

Attorneys for Applicants
Mr. Yogesh I. Patel & Oreland Market, Inc.

**APPLICATION OF
YOGESH I. PATEL**

**TOWNSHIP OF SPRINGFIELD
ZONING HEARING BOARD**

EXHIBIT INDEX

1. Deed to Property
2. BOA Property Summary, Sketch, and Parcel Map
3. Letter, dated July 24, 2024
4. Photograph of PA Skill Machines
5. Photographs of Store
6. Floor Plan
7. Ordinance 978
8. Tenant Authorization Letter

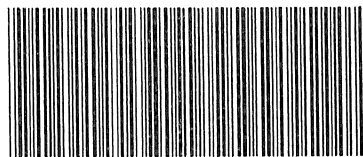
Exhibit 1: Deed to Property



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 6307 PG 02412 to 02416.1
INSTRUMENT # : 2022102887
RECORDED DATE: 11/10/2022 10:04:30 AM

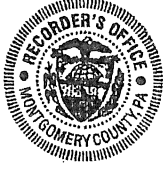


6168155-0020R

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 6

Document Type: Deed Document Date: 11/04/2022 Reference Info:	Transaction #: 6683691 - 1 Doc(s) Document Page Count: 4 Operator Id: dawhitner
RETURN TO: (Simplifile) North Penn Abstract 35 Green Street Lansdale, PA 19446 (215) 362-0475	PAID BY: NORTH PENN ABSTRACT
* PROPERTY DATA: Parcel ID #: 52-00-02551-00-7 Address: 1339 BRUCE RD ORELAND PA 19075 Municipality: Springfield Township (100%) School District: Springfield	
* ASSOCIATED DOCUMENT(S):	
CONSIDERATION/SECURED AMT: \$135,000.00 TAXABLE AMOUNT: \$0.00 FEES / TAXES: Recording Fee: Deed \$86.75 Affidavit Fee \$1.50 Total: \$88.25	DEED BK 6307 PG 02412 to 02416.1 Recorded Date: 11/10/2022 10:04:30 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:

North Penn Abstract Co. Inc.
35 Green Street
P.O. Box 2
Lansdale, PA 19446

File No. 6255

UPI # 52-00-02551-00-7

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-02551-00-7 SPRINGFIELD TOWNSHIP
1339 BRUCE RD
PATEL YOGESH I & BHARAT I
B 080 L U 030 4100 11/10/2022

\$15.00
JB

This Indenture, made the 4th day of November, 2022

Between

YOGESH I. PATEL AND BHARAT I. PATEL

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

YOGESH I. PATEL

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

Witnesseth, that the said Grantors for and in consideration of the sum of **One Hundred Thirty-Five Thousand And 00/100 Dollars (\$135,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee, 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 Grantee, as sole owner

Premises Address: 1339 Bruce Road, Springfield Township, Montgomery County, PA

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Hereditaments, and Appurtenances, Situate in the Township of Springfield, County of Montgomery and State of Pennsylvania bounded and described in accordance with a Plan of Property made for Leon W. Cohen and Mary Cohen, by Barton & Martin, Engineers, dated 8/5/1952 and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, PA., in Deed Book 2289 page 601, on 8/22/1952, as follows, to wit,

BEGINNING at a point on the Northeasterly side of Bruce Road (50 feet wide) at the distance of 1747.57 feet Northwestwardly along said side of Bruce Road, along its various courses from the Northwesterly end of a radius corner where the said side of Bruce Road curves into the Northwesterly side of Paper Mill Road with a radius of 25 feet; thence from said point of beginning and along the said Northeasterly side of Bruce Road on a line curving to the left with a radius of 506.12 feet, the arc distance of 28 feet to a point; thence leaving said Bruce Road and extending North 29 degrees 22 minutes 3 seconds East 126.81 feet to a point in the Southwesterly right of way line of Reading Company (North Pennsylvania Railroad); thence along said right of

way line South 69 degrees 48 minutes 50 seconds East 27.67 feet to a point in the middle of a certain 5 feet wide utility easement; thence along the middle of said utility easement South 29 degrees 4 minutes 36 seconds West 130.20 feet to the first mentioned point and place of beginning.

BEING 1339 Bruce Road.

UNDER AND SUBJECT to certain conditions, restrictions and agreements of record.

TOGETHER with free and common use, right, liberty and privilege of the driveways and parking space as more particularly set forth in the restrictions hereinabove recited, in common with the tenants, owners and occupiers of the other lots of ground bounding and abutting thereon; Subject to the proportionate part of the expense of keeping the same in good order and repair.

BEING Parcel No. 52-00-02551-00-7

BEING the same premises which Albert D. Dragon, by Indenture dated April 1, 1998, and recorded April 8, 1998, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Deed Book 5221, Page 2085, granted and conveyed unto Yogesh I. Patel and Bharat I. Patel, in fee.

THIS IS A CONVEYANCE FROM BROTHER AND BROTHER
TO BROTHER, THEREFORE IT IS TAX EXEMPT.

THIS CONVEYANCE IS BEING RECORDED BY NORTH PENN
ABSTRACT CO., INC. FOR CONVENIENCE PURPOSES ONLY.
NO INSURANCE AND/OR LIABILITY IS BEING GIVEN BY
NORTH PENN ABSTRACT CO., INC.

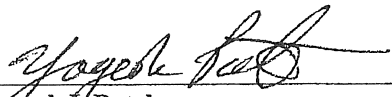
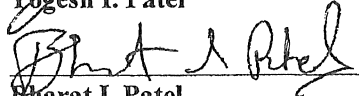
Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders,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

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

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

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

Sealed and Delivered
IN THE PRESENCE OF US:

 {SEAL}
Yogesh I. Patel
 {SEAL}
Bharat I. Patel

Commonwealth of Pennsylvania } ss
County of Montgomery }

On this, the 4th day of November, 2022, before me, the undersigned Notary Public, personally appeared **Yogesh I. Patel and Bharat I. Patel**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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

Peggy J Fenstermacher
Notary Public
My commission expires 9/28/24

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

3172 Jay Ave
Chalfont PA 18914

Commonwealth of Pennsylvania - Notary Seal
Peggy J. Fenstermacher, Notary Public
Montgomery County
My commission expires September 28, 2024
Commission number 1048970

Peggy J Fenstermacher
On behalf of the Grantee

REV-183
BUREAU OF INDIVIDUAL TAXES
PO BOX 280603
HARRISBURG, PA 17128-0603

1830019105

**REALTY TRANSFER TAX
STATEMENT OF VALUE**
COMPLETE EACH SECTION

RECORDER'S USE ONLY	
State Tax Paid:	\$0.00
Book:	6307
Page:	
Instrument Number:	02412
Date Recorded:	11/10/2022 10:04:30 AM

SECTION I TRANSFER DATA

Date of Acceptance of Document 11/03/2022			
Grantor(s)/Lessor(s) Yogesh I. Patel & Bharat I. Patel	Telephone Number	Grantee(s)/Lessee(s) Yogesh I. Patel	Telephone Number
Mailing Address 118 Winfield Ct		Mailing Address 3172 Fox Drive	
City Fairless Hills	State PA	ZIP Code 19030	City Chalfont
			State PA
			ZIP Code 18914

SECTION II REAL ESTATE LOCATION

Street Address 1339 Bruce Road	City, Township, Borough Springfield Township
County Montgomery	School District Spring Field
	Tax Parcel Number 52-00-02551-00-7

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? <input type="radio"/> YES <input checked="" type="radio"/> NO		
1. Actual Cash Consideration 135,000.00	2. Other Consideration +	3. Total Consideration = 135,000.00
4. County Assessed Value 130,060.00	5. Common Level Ratio Factor x 2.53	6. Computed Value = 329,051.80

SECTION IV EXEMPTION DATA Refer to instructions for exemption status.

1a. Amount of Exemption Claimed \$ 329,051.80	1b. Percentage of Grantor's Interest in Real Estate 100 %	1c. Percentage of Grantor's Interest Conveyed %
--	--	--

2. Fill in the Appropriate Oval Below for Exemption Claimed.

- ☐ Will or intestate succession. _____ (Name of Decedent) (Estate File Number)
- ☐ Transfer to a trust. (Attach complete copy of trust agreement and all amendments.)
- ☐ Transfer from a trust. (Attach complete copy of trust agreement and all amendments.)
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☒ Other (Provide a detailed explanation of exemption claimed. If more space is needed attach additional sheets.)
Transfer from Brothers to Brother thereby exempt from transfer tax

SECTION V CORRESPONDENT INFORMATION All inquiries may be directed to the following person:

Name North Penn Abstract Co	Telephone Number (215) 362-0475
Mailing Address 35 Green Street	City Lansdale
	State PA
	ZIP Code 19446

Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party <i>Rogay J. Qureshi</i>	Date 11/03/2022
--	--------------------

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



1830019105

1830019105

Exhibit 2: BOA Property Summary, Sketch, and Parcel Map

PARID: 520002551007
PATEL YOGESH I

1339 BRUCE RD

Parcel

TaxMapID	52080 030
Parid	52-00-02551-00-7
Land Use Code	4100
Land Use Description	C - RETAIL, OFFICE, APTS. - MULTI-USE
Property Location	1339 BRUCE RD
Lot #	
Lot Size	3584 SF
Front Feet	28
Municipality	SPRINGFIELD
School District	SPRINGFIELD TWP
Utilities	ALL PUBLIC//

Owner

Name(s)	PATEL YOGESH I
Name(s)	
Mailing Address	3172 FOX DR
Care Of	
Mailing Address	
Mailing Address	CHALFONT PA 18914

Current Assessment

Appraised Value	Assessed Value	Restrict Code
130,060	130,060	

Estimated Taxes

County	683
Montco Community College	51
Municipality	605
School District	5,084
Total	6,423
Tax Lien	Tax Claim Bureau Parcel Search

Last Sale

Sale Date	04-NOV-2022
Sale Price	\$135,000
Tax Stamps	0
Deed Book and Page	6307-02412
Grantor	PATEL YOGESH I & BHARAT I
Grantee	PATEL YOGESH I
Date Recorded	10-NOV-2022

Sales History

Sale Date	Sale Price	Tax Stamps	Deed Book and Page	Grantor	Grantee	Date Recorded
11-04-2022	\$135,000	0	6307-02412	PATEL YOGESH I & BHARAT I	PATEL YOGESH I	11-10-2022
04-01-1998	\$140,000	1400	5221-02085		PATEL YOGESH I & BHARAT I	04-08-1998
04-14-1997	\$1	0	5184-00913		DRAGON ALBERT D	05-05-1997
10-14-1983	\$15,000	150	-		DRAGON ALBERT D & MARLYN	

Lot Information

Lot Size	3584 SF
Lot #	
Remarks	PT 80
Remarks	
Remarks	

Commercial Parcel Summary

No. of Cards	1
Land Use Code	4100
Gross Building Area (Total of all Cards)	3,648
Total Living Units	

Commercial Parcel Summary

Use	Area	
RETAIL STORE		1,824
SUPPORT AREA		1,824

Commercial Card Summary

Card	1
Imp Name	ORELAND MARKET
Structure Code	373
Structure	RETAIL SINGLE OCCUP
Sprinkler	N
Units	
Identical Units	1
Year Built	1955
Gross Building Area	
Elevator/Escalator	N

Permits

Permit Date	10-APR-2015
Permit Number	28569
Amount	6750
Purpose	HVAC
Notes	CONVERT OIL TO GAS HEATER W/ A/C
Notes	
Notes	
Status	CLOSED

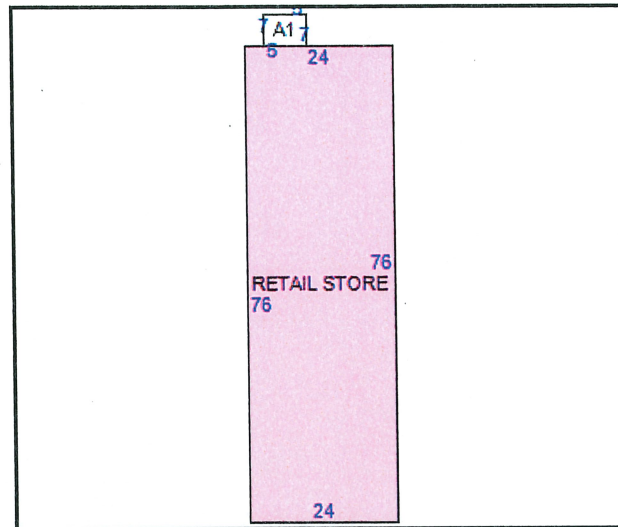
Assessment History

Appraised Value	Assessed Value	Restrict Code	Effective Date	Reason	Notice Date
130,060	130,060			O	16-MAY-1997
	130,060		01-JAN-1998	REASSESSMENT	
	6,200		01-JAN-1987		

PARID: 520002551007

PATEL YOGESH I

1339 BRUCE RD



Options

Type	Line #	Item	Area
Commercial	2	RETAIL STORE - 034:RETAIL STORE	1,824
Commercial Feature	1	UTL BLDG-FRM - RS1:UTILITY BLDG-FRAME	35
Commercial	1	SPRT AREA - 086:SUPPORT AREA	1,824



Exhibit 3: Letter, dated July 24, 2024



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. Ralsavong
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

Mr. Yogesh Patel
3172 Fox Drive
Chalfont, PA 18914

July 24, 2024

Re: Amusement Device Machines @ Oreland Market located at 1339 Bruce Road, Oreland, PA 19075.

Dear Mr. Patel,

This letter is sent to inform you that the amusement device/gaming machines that you currently offer for use in your store located at 1339 Bruce Road, Oreland, PA 19075, are in violation of Chapter 4 of the Springfield Township Code Book as amended by Ordinance #978 of Springfield Township.

Violation Location: 1339 Bruce Road, Oreland, PA 19075.

Violation Of: Chapter 4 of the Springfield Township Code Book as amended by Ordinance #978 of Springfield Township and of Section 114-91 of the Springfield Township Zoning Ordinance.

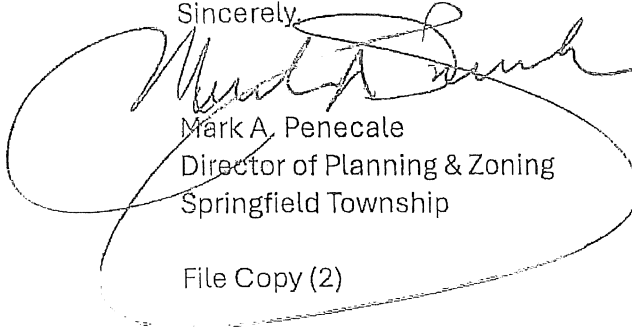
Action Required: The amusement device/gaming machines must be removed from the property, or a variance from Section 114-91 of the Springfield Township Zoning Ordinance must be obtained from the Springfield Township Zoning Hearing Board, or you may file an appeal to the actions of the Zoning Officer to be heard by the Springfield Township Zoning Hearing Board.

The amusement devices/gaming machines must be removed from the property on or before **August 15, 2024**, or you may file a Zoning Hearing Board application requesting either a variance or an appeal to the actions of the Zoning Officer. That application must be filed no later than **August 30, 2024**.

Please be aware that your failure to bring the property into compliance with the requirements of Chapter 4 of the Springfield Township Code Book as amended by Ordinance #978 of Springfield Township and of Section 114-91 of the Springfield Township Zoning Ordinance, may result in a citation being issued for the above listed violation.

A Copy of Chapter 4 of the Springfield Township Code Book as amended by Ordinance #978 and the Springfield Township Zoning Ordinance are available on our website @springfieldmontco.org. If there are any questions that you may have, please feel free to contact me at 215-836-7600, ext. 1114.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to read "Mark A. Penecale". The signature is written over the printed name and title of the sender.

Mark A. Penecale
Director of Planning & Zoning
Springfield Township

File Copy (2)

Exhibit 4: Photograph of PA Skill Machines



Exhibit 5: Photographs of Store

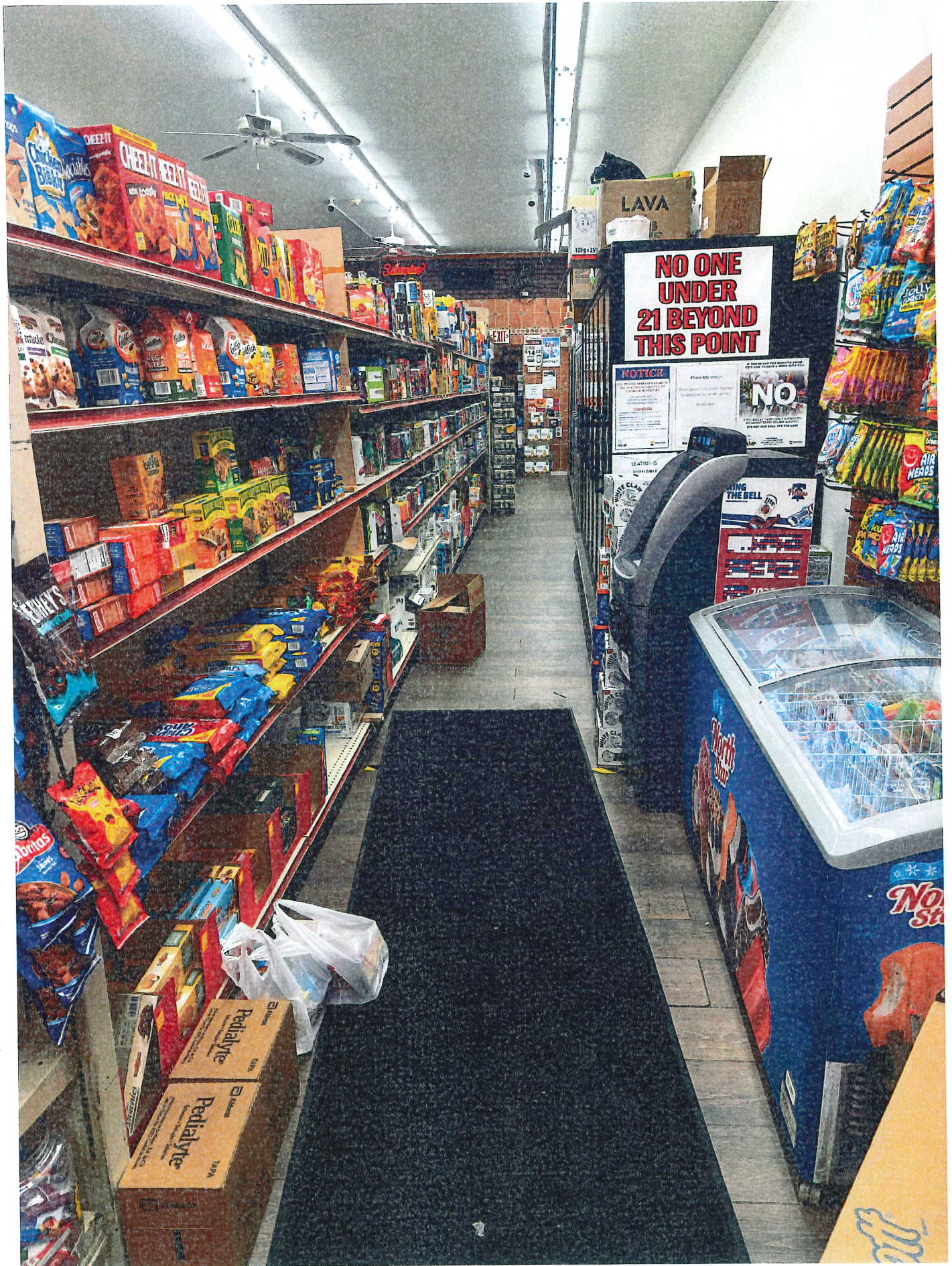




Exhibit 6: Floor Plan

24 FT

Cold Box
6x8

Rest
Room

OFFICE
4x5

BACK DOOR

16x8 STORAGE ROOM

COUNTER

GAME AREA
10x4

Cooler

BASEMENT

aisle

aisle

1

GROCERY

aisle

2

GROCERY

BEER

74 FT

MAIN

Entrerence

CASH REGISTER

1339 BRUCE RD

Exhibit 7: Ordinance 978

SPRINGFIELD TOWNSHIP
BOARD OF COMMISSIONERS

ORDINANCE NO. 978

"Amusement Device Zoning Ordinance Amendment"

AN ORDINANCE AMENDING THE SPRINGFIELD TOWNSHIP CODE, CHAPTER 4 (AMUSEMENT DEVICES), SECTION 2 TO AMEND THE DEFINITION OF AMUSEMENT DEVICE, AND CHAPTER 114 (ZONING), ARTICLE II (DEFINITIONS), SECTION 114-21 (DEFINITIONS AND TERMS) TO ADD THE TERM AND DEFINITION OF AMUSEMENT DEVICE, AND TO FURTHER AMEND ARTICLE XI (S SHOPPING CENTER DISTRICT), SECTION 114-113 (USE REGULATIONS) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE SUBJECT TO CHAPTER 4 (AMUSEMENT DEVICE) AND ADDITIONAL REQUIREMENTS, AND TO FURTHER AMEND ARTICLE X (B2 BUSINESS DISTRICT), SECTION 114-101 (PERMITTED USES) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE WHEN AUTHORIZED AS A SPECIAL EXCEPTION AND SUBJECT TO ADDITIONAL REQUIREMENTS.

The Board of Commissioners of Springfield Township does hereby **ENACT** and **ORDAIN:**

SECTION I. - Amendment to Code.

The Code of Springfield Township, Chapter 4 (Amusement Device), Section 4-2 (Definitions) is hereby amended to add the following exceptions to an Amusement Device:

- G. Gaming devices regulated by the Pennsylvania Gaming Control Board.
- H. Small games of chance regulated by the State Department of Revenue.

SECTION II. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article II (Definitions), Section 114-21 (Definitions and terms) is hereby amended to add the following terms:

AMUSEMENT DEVICE:

Any automatic, mechanical, electric or electronic machine or device, used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin,

token, key, money or other article or by the payment of money to have it activated. This definition shall not include the following devices:

- A. Jukebox.
- B. Rides.
- C. Bowling alleys.
- D. Merchandise machines which dispense beverages, food, toilet articles or other tangible personal property.
- E. Photographic machines.
- F. Any game or device maintained within a residence for the sole use of the occupants thereof and their guests.
- G. Gaming devices regulated by the Pennsylvania Gaming Control Board.
- H. Small games of chance regulated by the State Department of Revenue.

SECTION III. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article XI (S Shopping Center District), Section 114-113 (Use regulations) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when installed and operated in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 500 feet in any direction of the property line of any public, private or parochial school, day-care facility, place of worship, park, playground, community center, public open space.

SECTION IV. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article X (B2 Business District), Section 114-101 (Permitted uses) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when authorized as a special exception, in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 500 feet in any direction of the property line of any public, private or parochial school, day-care facility, place of worship, park, playground, community center, public open space.

SECTION V. - Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VI. - Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VII. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VIII. - Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Commissioners of Springfield Township, Montgomery County, Pennsylvania, this 10th day of July 2024.

SPRINGFIELD TOWNSHIP

By: _____

James M. Lee
James M. Lee, President
Board of Commissioners

Attest: _____

A. Michael Taylor
A. Michael Taylor, Secretary

Exhibit 8: Tenant Authorization Letter

TENANT AUTHORIZATION LETTER

Mr. Yogesh L. Patel
472 Fox Drive
Chalfont, PA 18914

Mr. Mark Penecale
Director of Planning & Zoning
Springfield Township
1310 Paper Mill Rd.
Wyndmoor, PA 19038

Re: Petition to Springfield Township Zoning Hearing Board (Case #25-01)
1339 Bruce Road, Springfield Township, Montgomery County, PA;
Tax Parcel No. 52-00-02551-00-7.

Dear Mr. Penecale:

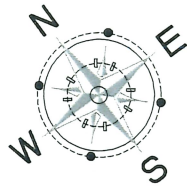
I, the undersigned Yogesh L. Patel, own 1339 Bruce Road, Springfield Township, Montgomery County, PA; further identified as Tax Parcel No. 52-00-02551-00-7 (the "Property"). Oreland Market, Inc. ("Tenant") is a tenant at the Property. Tenant is authorized and has my permission to file an application and/or appeal with the Zoning Hearing Board, or otherwise take any necessary action to obtain whatever zoning relief is necessary to permit games of skill on the Property.

Please contact us if you have any further questions.

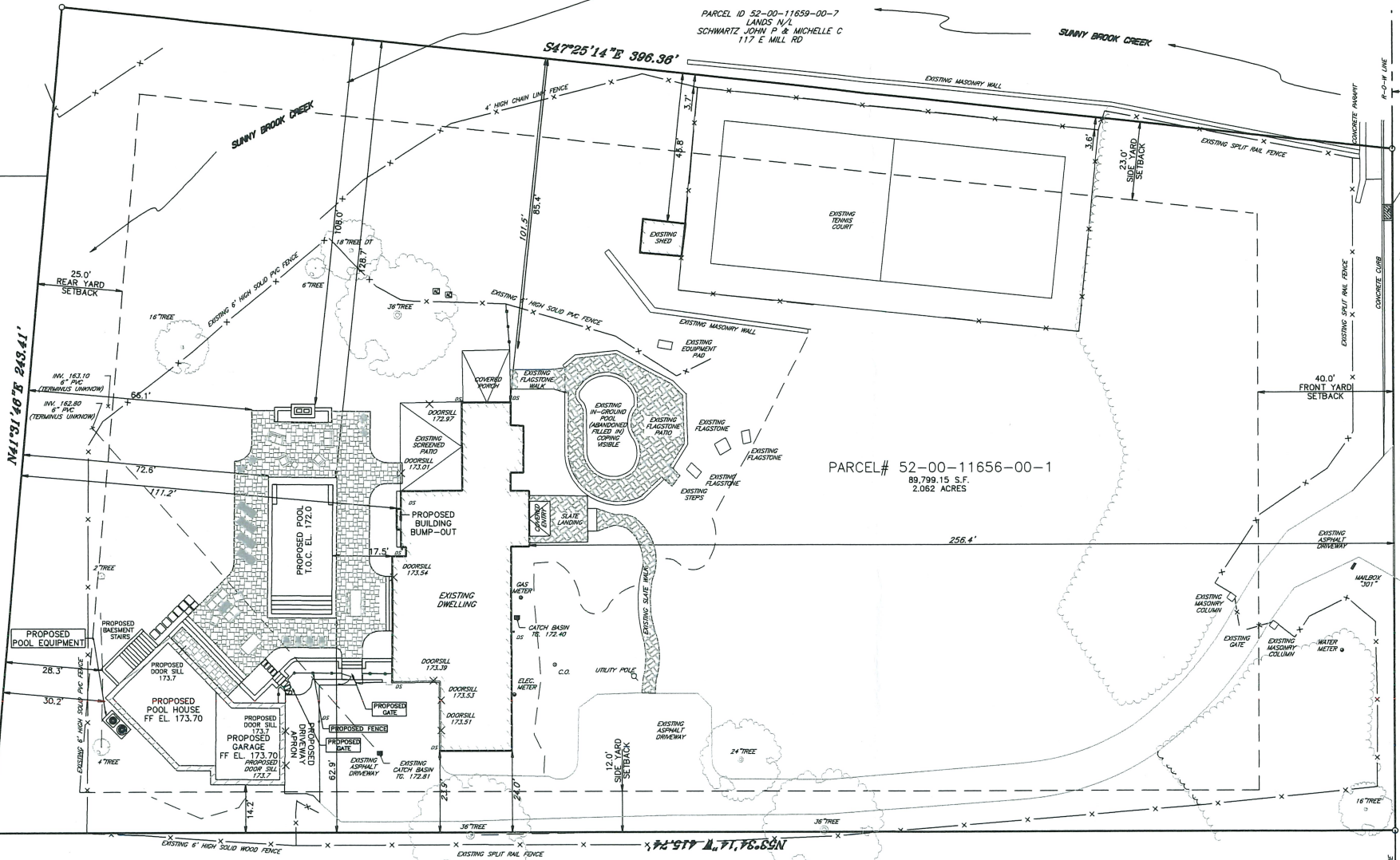
Sincerely,


Name: Mr. Yogesh L. Patel

Date: 4-24-2025



PARCEL ID 52-00-01904-10-5
LANDS N/L
FEDERAL REALTY INVESTMENT TRUST
908 ROSE AVE STE 200
NORTH BETHESDA MD 20852



PARCEL# 52-00-11656-00-1
89,799.15 S.F.
2.062 ACRES

PARCEL ID 52-00-11653-00-4
LANDS N/L
HALLIGAN BRIAN & MELISSA
113 E MILL RD

ZONING DATA:

'A' RESIDENCE DISTRICT
EXISTING: DETACHED DWELLING AND DETACHED GARAGE
PROPOSED: SWIMMING POOL, POOL HOUSE AND DETACHED GARAGE

DESCRIPTION	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	12,500 S.F.	89,799 S.F.	89,799 S.F.
MIN. LOT WIDTH	75'	200.0'	200.0'
SETBACKS			
MIN. FRONT YARD	40'	254.6'	254.6'
MIN. SIDE YARD	12'	23.9'	23.9'
AGGREGATE SIDE YARD	35'	125.4'	125.4'
MIN. REAR YARD	25'	111.2'	111.2'
MAX. BUILDING AREA	20%	4.4%	5.6%
POOL SETBACKS			
PRINCIPAL BLDG.	10'	NA	17.5'
MIN. SIDE	10'	NA	62.9' / 128.7'
MIN. REAR	10'	NA	72.6'
DETACHED GARAGE			
MIN. SIDE	7'	NA	14.2'
MIN. REAR	7'	NA	28.3'
MAX. HEIGHT	MAX. 12' / 1 STORY	NA	15' - 3 1/4' / 1 STORY

BUILDING COVERAGE

DESCRIPTION	EXISTING	PROPOSED	TOTAL
DWELLING	2,871 S.F.	20 S.F.	2,891 S.F.
GARAGE	476 S.F.	834 S.F.	1,310 S.F.
COVERED ENTRY	83 S.F.	0 S.F.	83 S.F.
COVERED PORCH	216 S.F.	0 S.F.	216 S.F.
SCREENED PATIO	473 S.F.	0 S.F.	473 S.F.
SHEDS	296 S.F.	-176 S.F.	120 S.F.
4,395 S.F. TOTAL	678 S.F. TOTAL	5,073 S.F. TOTAL	
4,395 S.F. / 89,799 S.F. = 4.9% EXISTING BUILDING COVERAGE			
5,093 S.F. / 89,799 S.F. = 5.6% PROPOSED BUILDING COVERAGE			
MAXIMUM ALLOWABLE BUILDING COVERAGE 20% OR 17,959 S.F.			

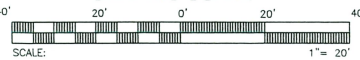
REFERENCES:

- DEED BOOK 5922, PAGE 2058
- SPRINGFIELD TOWNSHIP ORDINANCE CHAPTER 114 ZONING.
- SPRINGFIELD TOWNSHIP ORDINANCE CHAPTER 88 STORM WATER MANAGEMENT
- SPRINGFIELD TOWNSHIP ORDINANCE CHAPTER 98 SWIMMING POOLS
- USDA /NRCS WEB SOIL SURVEY.

SNOW COVERAGE NOTE

FILED SURVEY WAS PERFORMED AT A TIME WHEN THE GROUND WAS SNOW COVERED. ONLY VISIBLE FEATURES AND UTILITIES SHOWN

GRAPHIC SCALE



LOCATION MAP

SCALE: NOT TO SCALE
SOURCE: GOOGLE MAPS

GENERAL NOTES

- OWNER/APPLICANT: GOODMAN, ADAM J. & PATRICIA A.
301 EAST MILL ROAD
FLOUROTOWN, PA 19031
- ZONING SUMMARY:
ZONED: "A" RESIDENTIAL DISTRICT
EXISTING USE: SINGLE FAMILY DETACHED BUFFER DEVELOPMENT
PROPOSED ACCESSORY USE: RESIDENTIAL POOL
- BOUNDARY AND TOPOGRAPHIC SURVEY PERFORMED BY NORTH STAR SURVEYING SOLUTION CORPORATION THOMAS L. COOLBAUGH, PLS ON NOVEMBER 11, 2024.
- VERTICAL DATUM IS NAVD 88 AND WAS ESTABLISHED BY GLOBAL POSITIONING SYSTEM (GPS). HORIZONTAL DATUM IS BASED ON 1983 STATE PLANE COORDINATE SYSTEM. ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEM (GPS), WITH OBSERVATIONS REFERENCE TO THE TOP SURVEY NETWORK.
- ROTATION TO DEED MERIDIAN 04 DEGREES 23 MINUTES 02 SECONDS CLOCKWISE
- CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, (29 U.S.C. 951 ET SEQ.), AS AMENDED AND ANY MODIFICATIONS, AMENDMENTS OR REVISIONS TO SAME.
- NORTH STAR SURVEYING SOLUTIONS CORP. HAS NO CONTRACTUAL, LEGAL, OR OTHER RESPONSIBILITY FOR JOB SITE SAFETY OR JOB SITE SUPERVISION, OR ANYTHING RELATED TO SAME.
- THE PLAN IS INTENDED TO PROVIDE GENERAL INFORMATION, ONLY, REGARDING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR MUST ALSO REVIEW THE OTHER SITE PLAN DRAWINGS AND INCLUDE IN DEMOLITION ACTIVITIES ALL INCIDENTAL WORK NECESSARY FOR THE CONSTRUCTION OF THE NEW SITE IMPROVEMENTS.
- CONTRACTOR MUST RAISE ANY QUESTIONS CONCERNING THE ACCURACY OR INTENT OF THESE PLANS OR SPECIFICATIONS, CONCERNS REGARDING THE APPLICABLE SAFETY STANDARDS, OR THE SAFETY OF THE CONTRACTOR OR THIRD PARTIES IN PERFORMING THE WORK ON THIS PROJECT, WITH NORTH STAR SURVEYING SOLUTIONS CORP. IN WRITING, PRIOR TO THE INITIATION OF ANY SITE ACTIVITY AND ANY DEMOLITION ACTIVITIES MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS AND SPECIFICATIONS AND ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, RULES, REQUIREMENTS, STATUTES, ORDINANCES AND CODES.
- PRIOR TO STARTING ANY DEMOLITION, CONTRACTOR IS RESPONSIBLE FOR/TO:
7.1 OBTAINING ALL REQUIRED PERMITS AND MAINTAINING THE SAME ON SITE FOR REVIEW BY THE ENGINEER AND OTHER PUBLIC AGENCIES HAVING JURISDICTION THROUGHOUT THE DURATION OF THE PROJECT, SITE WORK AND DEMOLITION WORK.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL CONSTRUCTION CONTRACT DOCUMENTS INCLUDING, BUT NOT LIMITED TO, ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION AND COMMENCEMENT OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT AND/OR DISCREPANCY BETWEEN THE DOCUMENTS RELATIVE TO THE SPECIFICATION OR THE RELATIVE OR APPLICABLE CODES, REGULATIONS, LAWS, RULES, STATUTES AND/OR ORDINANCES, IT
- THE CONTRACTOR MUST LOCATE AND CLEARLY AND UNAMBIGUOUSLY DEFINE EXISTING AND HORIZONTALLY ALL ACTIVE AND INACTIVE UTILITY AND/OR SERVICE SYSTEMS THAT ARE TO BE REMOVED. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN ALL ACTIVE AND INACTIVE SYSTEMS THAT ARE NOT BEING REMOVED/RELOCATED DURING SITE ACTIVITY.
- THE CONTRACTOR MUST COMPLY, TO THE FULLEST EXTENT, WITH THE LATEST OSHA STANDARDS AND REGULATIONS, AND/OR ANY OTHER AGENCY WITH JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE "MEANS AND METHODS" REQUIRED TO MEET THE INTENT AND PERFORMANCE CRITERIA OF OSHA, AS WELL AS ANY OTHER ENTITY THAT HAS JURISDICTION FOR EXCAVATION AND/OR TRENCHING PROCEDURES AND CONSULTANT SHALL HAVE NO RESPONSIBILITY FOR OR AS RELATED TO EXCAVATION AND TRENCHING PROCEDURES
- IN THE EVENT OF DISCREPANCIES AND/OR CONFLICTS BETWEEN PLANS OR RELATIVE TO OTHER PLANS, THE SITE PLAN WILL TAKE PRECEDENCE AND CONTROL. CONTRACTOR MUST IMMEDIATELY NOTIFY THE DESIGN ENGINEER, IN WRITING, OF ANY DISCREPANCIES AND/OR CONFLICTS.
- CONTRACTOR IS REQUIRED TO SECURE ALL NECESSARY AND/OR REQUIRED PERMITS AND APPROVALS FOR ALL OFF SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. CONTRACTOR MUST SUPPLY A COPY OF APPROVALS TO ENGINEER AND OWNER PRIOR TO INITIATING ANY WORK.
- ALL MATERIAL FROM SITE EXCAVATION NOT USED IN GRADING OF POOL AREA IS TO BE REMOVED FROM SITE.
- CONSULTANT IS NEITHER LIABLE NOR RESPONSIBLE FOR ANY SUBSURFACE CONDITIONS AND FURTHER, SHALL HAVE NO LIABILITY FOR ANY HAZARDOUS MATERIALS, HAZARDOUS SUBSTANCES, OR POLLUTANTS ON, ABOUT OR UNDER THE PROPERTY.
- POOL AND FENCE TO BE CONSTRUCTED IN ACCORDANCE WITH 2022 INTERNATIONAL SWIMMING POOL AND SPA CODE.
- NO WATER SHALL BE PLACED IN THE POOL UNTIL A FENCE AS REQUIRED BY THE TOWNSHIP ORDINANCE HAS BEEN INSTALLED.
- REFER TO POOL COMPANY PLANS FOR POOL CONSTRUCTION DETAILS.
- ANY DWELLING DOOR OR WINDOW LEADING TO THE POOL AREA SHALL BE EQUIPPED WITH AN AUDIBLE ALARM OR THE POOL SHALL BE EQUIPPED WITH A POWERED SAFETY COVER. BOTH METHODS SHALL MEET THE REQUIREMENTS OF THE 2022 ISPSA.
- DISTURBED AREAS SHALL BE TEMPORARILY STABILIZED IF NO WORK IS TO BE PERFORMED FOR FOUR DAYS AND TEMPORARY STOCKPILES SHALL BE STABILIZED IMMEDIATELY.
- ANY DAMAGE TO THE CURB, SIDEWALK AND/OR GRADING WITHIN THE R/W OF THE PUBLIC ROADWAY IS TO BE REPAIRED IMMEDIATELY UPON COMPLETION OF PROJECT AT THE EXPENSE OF THE HOMEOWNER.
- PROPOSED GRADING MUST BE A MINIMUM OF 2% IN LAWN AREAS

ZONING EXHIBIT PLAN

GOODMAN RESIDENCE

301 EAST MILL ROAD
PARCEL # 52-00-11656-00-1
SPRINGFIELD TOWNSHIP, MONTGOMERY COUNTY
COMMONWEALTH OF PENNSYLVANIA

DATE: 05/04/25	SCALE: 1" = 20'
DESIGN: T.L.G.	DRAWN: T.L.G.
JOB NO.: 2025-004	
SHEET NO.: 1	OF 3