



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
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Stephanie Cecco
Borough Manager

APRIL 15, 2024, ZONING HEARING BOARD MEETING PACKET

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BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
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Stephanie Cecco
Borough Manager

ZONING NOTICE APRIL 17, 2023, ZONING HEARING BOARD MEETING

ZONING HEARING Z-2023-03

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on April 17, 2023, at 7:00 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: TS 16, LLC
15 St. Asaphs Road, Bala Cynwyd, PA 19004

PREMISES INVOLVED: 5 Colwell Lane
Conshohocken, PA 19428
LI - Limited Industrial District/Research
FP - Floodplain Conservation District

OWNER OF RECORD: TS 16, LLC
15 St. Asaphs Road, Bala Cynwyd, PA 19004

The petitioner is appealing a zoning enforcement notice and seeking a variance from Sections 27-817.H.(2), 27-817.H.(3), 27-1404.9, 27-1714 and 27-1726.1F of the Conshohocken Zoning Ordinance related to outdoor storage of materials and materials that may be transferred off the lot by natural causes or forces within the floodplain conservation overlay district. The petitioner is proposing continuation of an existing nonconforming use under Section 27-701.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: 2-2023-03
Date Submitted: 2/10/23
Date Received: 2/10/23

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other Continuation of Non-Conforming Use

2. Section of the Zoning Ordinance from which relief is requested:

27-817H(2), 27-817H(3), 27-1404.9, 27-1714 and 1726.1.F

3. Address of the property, which is the subject of the application:

5 Colwell Lane, Conshohocken, PA

4. Applicant's Name: TS 16 LLC

Address: 15 St. Asaphs Road

Phone Number (daytime): 610 888 3035

E-mail Address: soldonmike@gmail.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: TS 16, LLC

Address: 15 St. Asaphs Road, Bala Cynwyd, PA 19004

Phone Number: 610 888 3035

E-mail Address: soldonmike@gmail.com

7. Lot Dimensions: irregular Zoning District: LI-Limited Industrial

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

None by current owner. Prior zoning history is not known.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

The property is an irregularly shaped lot, 1.103 acres in size improved with a 1 story masonry garage building of approx 1650 Square feet in area. The property is used as a contractor's office with storage and parking and as contractor's yards for two other businesses. See Deed, Exhibit "A", Survey, Exhibit "B."

10. Please describe the proposed use of the property.

Same as above.

11. Please describe proposal and improvements to the property in detail.

None proposed.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

Applicant appeals the determination of the Zoning Officer dated January 12, 2023, attached as Exhibit C. See paragraph 14, below. Additionally, the current use should be permitted as a continuation of the pre-existing non conforming use, applicant seeks a variance from the provisions of the ordinance per Section 2, above and applicant is awaiting copies of flood maps from FEMA to ascertain the accuracy of the conclusions of the Zoning Officer. Applicant reserves all rights and remedies at law and in equity including those afforded by the Pennsylvania and United States Constitutions.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: Most of the property is located within the flood plain district based upon the maps relied upon by the Borough staff.

b. How the Zoning Ordinance unreasonably restricts development of the property:

The property has historically been used as an office and storage yard and that use should be permitted to continue. The use of the property pre-dates the provisions of the zoning code relating to floodplains. The property cannot be reasonably adapted to another use, without complete redevelopment. The property's current use is entirely consistent with the neighboring properties and the actions of the enforcement officer concerning this property are inconsistent with the actions of the zoning officer concerning other similar properties.

c. How the proposal is consistent with the character of the surrounding neighborhood. _____

The current use is entirely consistent with the LI zoning district and with neighboring uses as well as the uses in other flood plain areas in the borough.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

Applicant seeks approval to use the property in manner consistent with historical uses of the property and neighboring properties.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

By way of example and not limitation Code sections 27-817 h(2), 27-817 h (3), 27-1409.9, 27-1714 and 27-1726.1 F. See letter of January 12, 2023, Exhibit "C". The zoning officer also references Chapter 13 concerning "Licenses, Permits and General Business Regulations all of which are disputed.

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

By way of example and not limitation, the zoning officer's determinations are in error as follows: 27-817 H(2)- the property is not used for outdoor storage of "fuel, raw materials and products." Rather is used as a contractors office and storage as permitted in the LI district consistent with many other neighboring properties. 27-817 h (3) There are no materials which may be transferred off the lot by "natural forces". 27-1404.9- The use of the property complies with applicable law and regulation. 27-1714 It is unclear which of the 11 provisions of this section the zoning officer contends applicant has violated. 27-1726.1 F Applicant is not aware of any "buoyant, flammable or explosive" material stored on the property. Chapter 13- This is not the zoning code and the zoning officer's reference thereto in a notice of zoning violation is improper. By way of

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

Appeal from zoning officer's determination 27-307, 27-605 and for variance, in the alternative and for continuation of non-conforming use 27-701 et seq.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

All sections referenced by the zoning officer in Exhibit "C"

c. Please describe in detail the reasons why the requested relief should be granted.

See all prior responses

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: Daniel S. Coval, Jr., Esquire

b. Address: 15 St. Asaphs Road, Bala Cynwyd, PA 19004

c. Phone Number: 610 617 1776

d. E-mail Address: dcoval@amillerlaw.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

TS 16, LLC

Applicant

Michael Reed

Legal Owner

10 February, 2023

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 10th day of

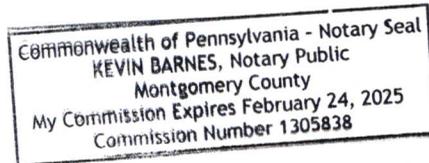
February, 2023

10th
February

[Signature]

Notary Public

(Seal)





BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____

Exhibit “A”

Deed

Prepared by: Montgomery County Tax Claim Bureau
Returned To: Montgomery County Tax Claim Bureau
Parcel No. 05-00-00108-00-4

RECORDER OF DEEDS
MONTGOMERY COUNTY

2017 JAN 27 A 9 22

**TAX CLAIM BUREAU DEED
UPSET SALE**

This Deed Made this 17th day of January, 2017
Between the TAX CLAIM BUREAU, of the County of Montgomery, Pennsylvania, as Trustee,
Grantor, and

**TS 16, LLC
15 ST. ASAPHS ROAD
BALA CYNWYD, PENNSYLVANIA 19004**

GRANTEE, his, her or their heirs, assigns, and successors.

Witnesseth, that in consideration of \$300,000.00 in hand paid, receipt whereof is hereby
acknowledged, the said Grantor does hereby grant and convey unto the said Grantee, his, her,
their heirs, assigns and successors, in accordance with the Real Estate Tax Sale Law of July 7,
1947, P.L. 1368, as amended, (72 P.S. 5860.101 et seq.)

ALL THAT CERTAIN PROPERTY SITUATE AND BEING KNOWN AS

**BLOCK 006 UNIT 030
5 COLWELL LN
Conshohocken
County of Montgomery
Commonwealth of Pennsylvania
Parcel No. 05-00-00108-00-4**

"Being the property formerly owned or reputed to be owned by WRUBEL BERENICE, the
same having been sold at Upset Sale held on September 22, 2016 under the provisions of the
Real Estate Tax Sale Law.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-00108-00-4 CONSHOHOCKEN

5 COLWELL LN
WRUBEL BERENICE
B 006 U 030 L 4280 DATE: 01/27/2017

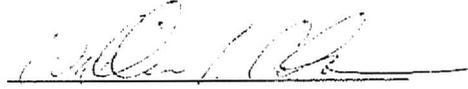
\$15.00
TG

{00488826;v1}

Case# 2017-03193-0 Docketed at Montgomery County Prothonotary on 02/16/2017 9:36 AM, Fee = \$270.00

In Witness Whereof, said Grantor has hereunto caused this Deed to be executed by its Director the day and year first above written.

Tax Claim Bureau of Montgomery County, Trustee



First Deputy Director of Tax Claim

COMMONWEALTH OF PENNSYLVANIA }ss:
COUNTY OF MONTGOMERY

On this, the 19th day of January, 2016, before me, the undersigned officer, personally appeared William Caldwell, First Deputy Director of the Tax Claim Bureau of the County of Montgomery, Commonwealth of Pennsylvania, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purpose therein contained

In Witness Whereof, I have hereunto set my hand and official seal.



PROTHONOTARY

CERTIFICATE OF RESIDENCE

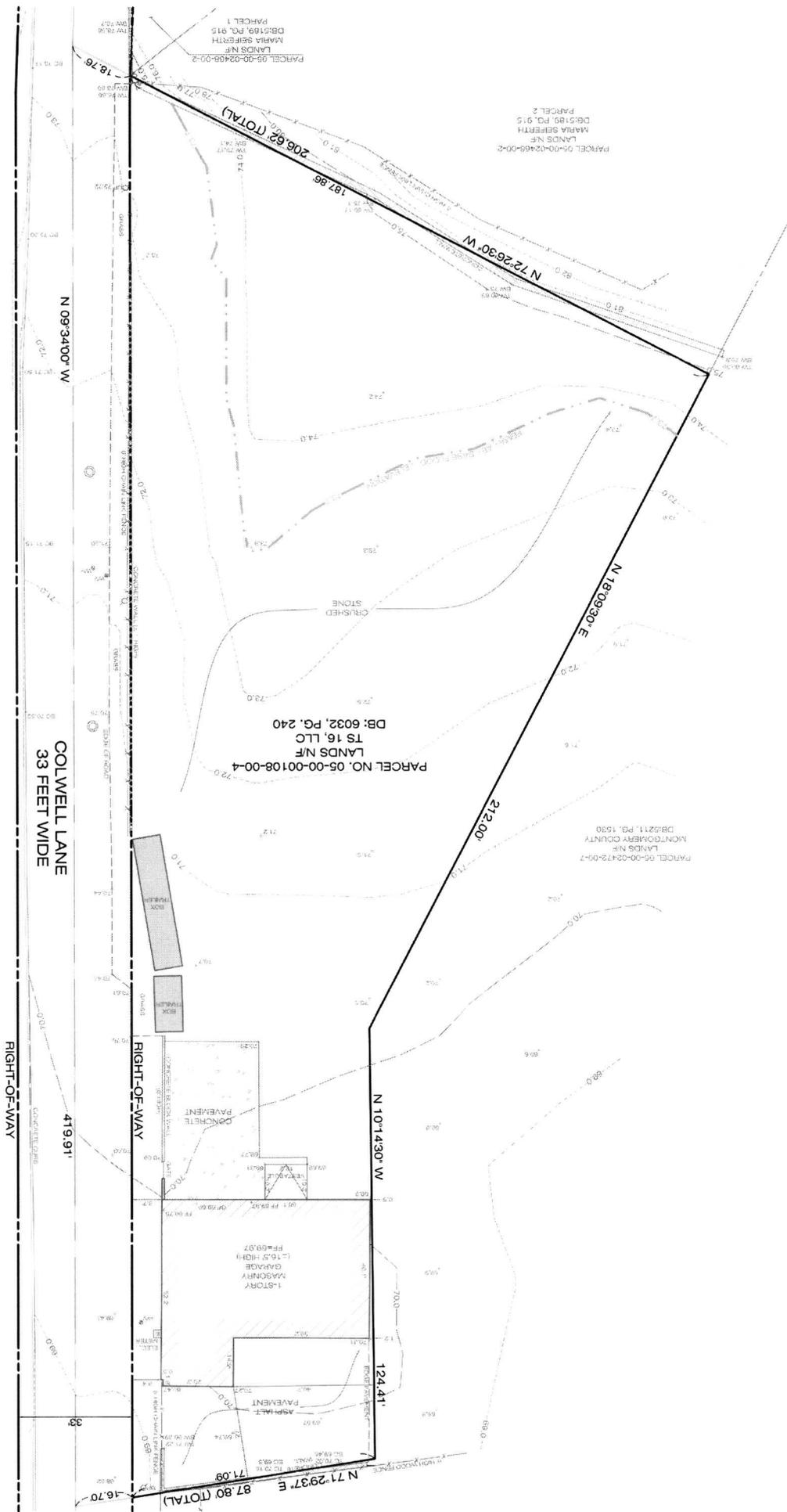
I hereby certify that the precise residence of the Grantee herein is:

**TS 16, LLC
15 ST. ASAPHS ROAD
BALA CYNWYD, PENNSYLVANIA 19004**



For the Grantee

Exhibit “B”
Survey



PARCEL 1
 MARIA SHERBETH
 LANDS N/F
 DB:5189, PG. 915
 PARCEL 05-00-02449-00-2

PARCEL 2
 MARIA SHERBETH
 LANDS N/F
 DB:5189, PG. 915
 PARCEL 05-00-02449-00-2

PARCEL NO. 05-00-00108-00-4
 LANDS N/F
 TS 16, LLC
 DB: 6032, PG. 240

PARCEL 06-00-02472-00-7
 LANDS N/F
 MONTGOMERY COUNTY
 DB:5211, PG. 1530

COLWELL LANE
 33 FEET WIDE
 N 09°34'00" W
 419.91'

RIGHT-OF-WAY

RIGHT-OF-WAY

N 71°29'37" E
 87.80 (TOTAL)
 16.70'

N 101°43'0" W
 124.41'

212.00'

N 18°09'30" E

N 72°26'30" W

206.62 (TOTAL)

18.76'

CRUSHED STONE

1-STORY
 GARAGE
 1.165' HIGH
 PF=69.97

CONCRETE
 PAVEMENT

BOX
 TRAILER

Exhibit “C”
Zoning Officer’s Letter



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serma, Member
Karen Tutino, Member

Stephanie Cocco
Borough Manager

SENT VIA CERTIFIED MAIL AND U.S. MAIL

January 12, 2023

TS 16, LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

**Re: 5 Colwell Lane
ZONING ENFORCEMENT NOTICE**

Please be advised, the subject property is in violation of the terms of the Borough Zoning Code. Specifically, all objects located on a property within the Floodplain Conservation District pose a potential risk to human, animal, and plant life by impounding floodwater and raising flood elevations. Additionally, any object that is not permanently affixed to the ground can be washed away by floodwaters, creating a safety hazard by obstructing and/or contaminating waterways. Therefore, all objects that are in violation of the outlined ordinances shall be removed from the property.

Based on visual observations from our Building Codes Inspector, there are materials currently stored on-site; including but not limited to, box trailers, large cable/wire spools, port-o-potties, and trash dumpster. Along with these unsecured materials, with the exception of the trash dumpster, there are contractor company vehicles that are parked on-site and which are not accessory to the current landscaping business; and therefore, is in violation of *Chapter 13 – Licenses, Permits, and General Business Regulations* of Conshohocken Borough's Code of Ordinances since there are no record of licensing nor permits of the additional use for the lot in the Borough records.

In addition, an unscreened outdoor trash dumpster has been placed adjacent the entrance to the existing building for the current landscaping business. The trash dumpster must be placed inside the building.

All unsecured materials observed on-site are located within the Floodplain Conservation District. Therefore, the property remains in violation of Zoning Code Sections 27-817.H(2) and (3), -1404.9, -1714, and -1726.1.F.

By **February 13, 2023**, you must come into compliance with the Borough ordinance by removing all existing box trailers and unsecured materials from within the Floodplain Conservation District.

YOU HAVE THE RIGHT TO APPEAL TO THE ZONING HEARING BOARD WITHIN 30 DAYS OF RECEIPT OF THIS NOTICE.

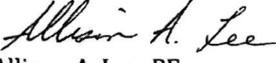
YOUR FAILURE TO COMPLY WITH THIS NOTICE WITHIN THE TIME SPECIFIED UNLESS EXTENDED BY APPEAL TO THE ZONING HEARING BOARD CONSTITUTES A VIOLATION OF THE ZONING ORDINANCE WHICH MAY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE BOROUGH. EACH DAY THAT THE VIOLATION CONTINUES MAY CONSTITUTE A SEPARATE VIOLATION.

January 12, 2023
TS 16, LLC

Page 2
5 Colwell Lane – Zoning Enforcement Notice

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,


Allison A. Lee, PE
Zoning Officer
PENNONI ASSOCIATES INC.

cc: Ray Sokolowski
Stephanie Cecco
Chris Small



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
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Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE AUGUST 21, 2023, ZONING HEARING BOARD MEETING

ZONING HEARING Z-2023-15

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on August 21, 2023, at 7:00 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: TS 16, LLC
15 St. Asaph's Road, Bala Cynwyd, PA 19004

PREMISES INVOLVED: 5 Colwell Lane
Conshohocken, PA 19428
LI - Limited Industrial District/Research
FP - Floodplain Conservation District

OWNER OF RECORD: TS 16, LLC
15 St. Asaph's Road, Bala Cynwyd, PA 19004

The petitioner is appealing the three (3) zoning Use & Occupancy permit application denials for the site and is seeking a Special Exception pursuant to Sections 27-703.B & E and a Variance from Sections 27-1713, 27-1703, 27-817.H.(3), 27-1402, 27-1714.1.A & H, 27-1713, 27-1717, 27-1718, 27-1718.2, and 27-1718.3 of the Conshohocken Zoning Ordinance related to multiple uses permitted on the site; outdoor storage of materials and materials that may be transferred off the lot by natural causes or forces; and variance conditions within the floodplain conservation overlay district. The petitioner is proposing continuation of an existing nonconforming status of the site under Part 7 of the Zoning Ordinance.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2023-15
Date Submitted: 7/20/23
Date Received: 7/20/23

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other Continuation of a non-conforming use

2. Section of the Zoning Ordinance from which relief is requested:

See attached.

3. Address of the property, which is the subject of the application:

5 Colwell Lane, Conshohocken, PA

4. Applicant's Name: TS 16, LLC

Address: 15 St. Asaph's Road, Bala Cynwyd, PA 19004

Phone Number (daytime): (610) 888-3035

E-mail Address: soldonmike@gmail.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: TS 16, LLC

Address: 15 St. Asaph's Road, Bala Cynwyd, PA 19004

Phone Number: (610) 888-3035

E-mail Address: soldonmike@gmail.com

7. Lot Dimensions: Irregular Zoning District: L1 - Limited Industrial

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

There is a pending Zoning Application filed February 10, 2023, appealing a January 12, 2023 determination of the Zoning Officer and requesting other relief.

That appeal is designated 7-2023-03. This Application should be made part of that application or, in the alternative, consolidated with it.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

See attached Supplement to Application.

10. Please describe the proposed use of the property.

See attached Supplement to Application.

11. Please describe proposal and improvements to the property in detail.

See attached Supplement to Application.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

See attached Supplement to Application.

13. If a Variance is being requested, please describe the following:

See attached Supplement to Application.

a. The unique characteristics of the property: _____

b. How the Zoning Ordinance unreasonably restricts development of the property:

c. How the proposal is consistent with the character of the surrounding neighborhood. _____

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer. See attached Supplement to Application.
- a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

15. If the Applicant is requesting any other type of relief, please complete the following section. See attached Supplement to Application.

a. Type of relief that is being requested by the applicant.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

c. Please describe in detail the reasons why the requested relief should be granted.

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: Daniel S. Coval, Jr., Esquire

b. Address: 15 St. Asaph's Road, Bala Cynwyd, PA 19004

c. Phone Number: (610) 617-1776

d. E-mail Address: dcoval@amillerlaw.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

TS 16, LLC

Applicant

Michael Bauer 7-19-23

Legal Owner

Date

COMMONWEALTH OF PENNSYLVANIA

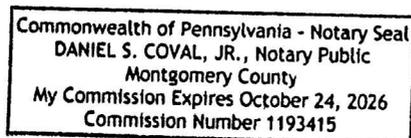
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 19th day of

July 2023

[Signature]
Notary Public

(Seal)





BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____

SUPPLEMENT TO ZONING APPEAL
APPEAL OF TS 16, LLC
Property at 5 Colwell Lane, Conshohocken, PA

The following Supplement includes the information requested in the Zoning Application. The numbered paragraphs of this Supplement conform with the printed form Zoning Application.

9. Please describe the present use of the property, including any existing improvements, and the dimensions of any structures on the property.

The property is an irregularly shaped lot, 1.103 acres in size, improved with a one-story masonry garage building with a footprint of approximately 3,300 square feet. The building has a vestibule and there are paved areas adjacent to the building. There is also a small trailer and porta potties on the site. The building is used for storage and office by a landscaping contractor, with adjacent parking, and has been used for similar uses for many years. Other areas of the property are used by two contractor tenants for parking and dispatch of vehicles. The property is divided into three areas by owner, designated A, B and C, as shown on the attached Plan, which are leased to the tenants.

10. Please describe the proposed use of the property.

No change of the present use is proposed. Rather, Applicant seeks approval of the present use(s).

11. Please describe proposal and improvements to the property in detail.

No improvements are proposed. Applicant appeals the determinations of the Zoning Officer, who denied applications for use and occupancy permits for each of the the three uses. Applicant asserts that the current use(s) of the property should be permitted for the reasons set forth at length in this Application. A copy of the Deed of January 17, 2017, vesting title to the property in Applicant, is attached as Exhibit “A”. A copy of a site plan of the property is attached as Exhibit “B”.

12. Please describe the reasons Applicant believes that the requested relief should be granted.

Applicant appeals three determinations of the Zoning Officer dated June 22, 2023, which are attached as Exhibits C-1, C-2 and C-3. The Zoning Officer’s decisions denied applications by the Applicant for use and occupancy permits for the property. In the alternative to appealing the zoning officer’s determination, the Applicant seeks variances to allow the uses, if required, and also asserts that the uses are non-conforming uses which are entitled to remain and seeks a special exception, if necessary, to expand the non-conforming use. The determinations made in each of the Zoning Officer’s letters are addressed separately as follows:

C-1 – Novvex Green, LLC d/b/a Patkin Landscaping – Permit Application # 23-00427

The Applicant agrees with the Zoning Officer’s determination that the current use of the Property by Novvex Green, LLC, d/b/a Patkin Landscaping (“Patkin”) is a pre-

existing, non-conforming use which may continue. To the extent that the Zoning Officer's determination is that the use of the property by Patkin is other than a lawful use, Applicant appeals that determination. To the extent that the Zoning Officer's determination is interpreted to hold that any portion or aspect of the use of the property by Patkin is unlawful because it violates the Code or is outside of the scope of the pre-existing non-conformity, Applicant challenges that determination and, in the alternative, requests variance(s) to allow the current use to remain.

Applicant challenges the Zoning Officer's determination that the non-conforming use does not extend to the entire tract, if that is her determination. In the alternative, Applicant requests a variance from Section 27-1713 of the Borough Zoning Ordinance (the "Code"), and any other applicable provisions, to permit the existing use in the Floodplain Conservation District ("FCD").

Applicant appeals the Zoning Officer's determination that the existing trash dumpster located outside the building may be transferred off the property by natural causes or force and therefore is in violation of Section 27-817.H(3) of the Code. In the alternative, if it is determined that the dumpster violates the Code, Applicant seeks a variance from Section 27-817.H(3) of the Code to allow the dumpster to remain.

Applicant also appeals the Zoning Officer's determination that, since the Borough of Conshohocken "does not have record of the portion of the property identified in the permit application as Section "A" and no outdoor storage of materials or waste may be transferred off the lot by natural causes or forces is permitted, the permit application is denied at this time". Applicant appeals the denial of the permit for the use. In the

alternative, Applicant avers that the current use by Patkin is permitted as the continuation of a pre-existing, non-conforming use. In the alternative, and if necessary, Applicant requests a variance from the Code Section 27-1713 and any other provisions of the Code cited in the letter to allow the described use.

C-2 – Safe Zone Line Services, LLC – Permit Application # 23-00428

Applicant appeals the Zoning Officer’s determinations in her letter of June 22, 2023, attached hereto as C-2, relating to the use and occupancy permit application for Safe Zone Line Services, LLC (“Safe Zone”). Applicant appeals the Zoning Officer’s determinations as follows.

Applicant appeals any implied determination by the Zoning Officer that portions of this commercial zoned property cannot be leased to or used by more than one entity. Applicant has leased portions of this property to three separate tenants, each of whom occupies a designated area. Nothing in the Zoning Code prohibits the occupancy of a commercial property by more than one tenant or requires subdivision of a property to permit multiple uses. To the extent that the Zoning Code prohibits use of a single property by multiple tenants, Applicant seeks a variance from any applicable provisions of the Code, which Code sections are not cited by the Zoning Officer, to permit the use.

Applicant appeals the Zoning Officer’s characterization of the extent of the FEMA floodplain on the property and will show the actual extent of the floodplain through evidence presented at hearing. Therefore, Applicant appeals the Zoning Officer’s determination that, in accordance with Sections 27-1702.1 and 27-1709.1.B, the entirety of the property is subject to the FP – Floodplain Conservation Overlay District.

Applicant agrees with the Zoning Officer's determination that the use of the property by Safe Zone, for parking of vehicles, and as an area for staging and dispatching of its vehicles, is a "warehouse, storage or distribution center". See Code 27-1402.F and I (use of the "same general character" permitted). Applicant also asserts that prior owners of the property had used the entire property for parking and dispatch of commercial vehicles, and this use is a pre-existing, non-conforming use, or a use of the same general character as the pre-existing, non-conforming use and is entitled to continue pursuant to Part 7 of the Zoning Code, 27-701 – 27-704. To the extent it is determined that the pre-existing, non-conforming use did not extend throughout the portion of the Property occupied by Safe Zone, then Applicant seeks a special exception for other required relief pursuant to Code Section 27-703(A), (B), (D) and (E), and applicable law, extension or expansion of that use. To the extent the Zoning Officer has determined that the current use is different than the pre-existing, non-conforming use, then Applicant appeals that determination and, in the alternative, seeks a special exception pursuant to Code § 27-703(B) to change to a non-conforming use which is equally appropriate or more appropriate to the LI District and is no more detrimental. In the alternative, Applicant seeks a variance from Sections 27-1402, 27-1713 and 27-1703, and any other Code section set forth in the Zoning Officer's letter, as appropriate, to allow the use of the property by Safe Zone as currently conducted.

Applicant appeals the determination of the Zoning Officer that the existing trailers, equipment (which term is not further defined), porta-potty, and loose materials on the site are in violation of Section 27-817.H(3) of the Code and must be removed. In the

alternative, Applicant seeks a variance from Code Section 27-817.H(3) to allow those items to remain on the property.

Applicant appeals the Zoning Officer's determination that, pursuant to Section 27-1714.1(A) and (H) of the Code, the use by the Applicant is a parking lot or otherwise prohibited within the Floodplain Conservation District ("FCD"). In the alternative, the Applicant seeks a variance from Code Section 27-817.H(3) and 27-1714.1.A and H, and pursuant to 27-1717, 27-1718, including 27-1718(3), and any other applicable Code provisions, to permit outdoor storage of materials, permanent structures, and to utilize the site for parking and dispatch of contractor vehicles and equipment within the floodplain.

Applicant appeals the Zoning Officer's determination denying a permit for the Safe Zone use. See Exhibit C-2.

C-3, letter of June 22, 2023 regarding Asplundh Tree Expert, LLC – 5 Colwell Lane (Section C) – Permit Application # 23-00429

Applicant appeals the Zoning Officer's determinations in its letter of June 22, 2023, attached hereto as C-3, relating to the use and occupancy permit application for Asplundh Tree Expert, LLC ("Asplundh"). Applicant appeals the Zoning Officer's determinations as follows.

Applicant appeals any implied determination by the Zoning Officer that portions of this commercial zoned property cannot be leased to or used by more than one entity. Applicant has leased portions of this property to three separate tenants, each of whom occupies a designated area. Nothing in the Zoning Code prohibits the occupancy of a commercial property by more than one tenant or requires subdivision of a property to

permit multiple uses. To the extent that the Zoning Code prohibits use of a single property by multiple tenants, Applicant seeks a variance from any applicable provisions of the Code.

Applicant appeals the Zoning Officer's characterization of the extent of the FEMA floodplain on the property and will show the actual extent of the floodplain through evidence presented at hearing. Therefore, Applicant appeals the Zoning Officer's determination in accordance with Sections 27-1702.1 and 27-1709.1.B that the entirety of the property is subject to the FP – Floodplain Conservation Overlay District.

Applicant agrees with the Zoning Officer's determination that the use of the property by Asplundh, for parking of vehicles, and as an area for staging and dispatching of its vehicles, is "a warehouse, storage or distribution center", permitted within the LI – Limited Industrial District. See Code 27-1402.F and I (use of "the same general character" permitted). Applicant also asserts that prior owners of the property had used the entire property for parking and dispatch of commercial vehicles, and this use is a pre-existing, non-conforming use, and is entitled to continue pursuant to Part 7 of the Zoning Code, 27-701 – 27-704. To the extent it is determined that the pre-existing, non-conforming use did not extend throughout the portion of the Property occupied by Asplundh, then Applicant seeks a special exception or other required relief pursuant to Code Section 27-703(A), (B), (D) and (E), and applicable law, to permit an extension or expansion of the pre-existing, non-conforming use. In the alternative, Applicant seeks a variance from Sections 27-1402, 27-1713 and 27-1703, and any other Code section set

forth in the Zoning Officer's letter, as appropriate, to allow the use of the property by Asplundh as currently conducted.

Applicant appeals the determination of the Zoning Officer that the existing portapotty is in violation of Section 27-817.H(3) of the Code and must be removed. In the alternative, Applicant seeks a variance from Code Section 27-817.H(3) to allow the portapotty to remain.

Applicant appeals the Zoning Officer's determination that, pursuant to Section 27-1714.1(A) and (H) of the Code, the use by the Applicant is a parking lot or otherwise prohibited within the Floodplain Conservation District. In the alternative, the Applicant seeks a variance from Code Section 27-817.H(3) and 27-1714.1.A and H, and pursuant to 27-1717, 27-1718, including 27-1718(3), and any other applicable Code provisions, to permit outdoor storage of materials, and to utilize the site for parking, permanent structures, and dispatch of contractor vehicles and equipment within the floodplain.

Applicant appeals the Zoning Officer's determination denying a permit for the Asplundh use. See Exhibit C-3.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property:

A substantial portion of the property is located within the Floodplain Conservation District based upon the maps relied upon by the Borough staff. However, Applicant believes that most, if not all, of the property is located within the floodplain fringe, or outside the floodplain, and is not subject to flooding. The location of the property within

the FCD is a unique characteristic of the property which unduly impacts its use and development.

b. How the Zoning Ordinance unreasonably restricts development of the property:

The property has historically been used as an office, warehouse and storage yard and that use should be permitted to continue. The use of the property predates the enactment of the provisions of the Zoning Code establishing the FCD. The property cannot reasonably be adapted to another use, without complete redevelopment. No use permitted within the floodplain is viable for the property and therefore the property will suffer a hardship if relief is not granted. The current use of the property is entirely consistent with the use of neighboring properties. The actions of the enforcement officer concerning this property are inconsistent with the actions of the zoning officer concerning other similar properties in this area and in the Borough.

c. How the proposal is consistent with the character of the surrounding neighborhood:

The current use is entirely consistent with the LI Zoning District and with neighboring uses as well as uses within the FCD areas in the Borough. The use is less intensive than others permitted in the FCD. The property, and the neighborhood, consists of similar, if not more intensive, commercial uses. The current use of the property is permitted in the LI District or is "of the same general character" as permitted uses and is not a prohibited use. See Code § 27-1402(I). The use of the property as proposed will not adversely affect public health, safety of the general welfare. There are no residential uses which are proximate to this property. There is substantial and unimpeded access to

and from the property. The proposed use of the property will not overburden municipal services, increase the Base Flood Elevation beyond the level permitted by the Code, or cause any impact off of the property.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

- a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence to the determination).**

Please see the attached letters, Exhibits C-1, C-2 and C-3. Applicant incorporates its prior statements in this Application, particularly those contained in response to Section 12 above. The applicable provisions of the Zoning Ordinance which are subject to challenge are set forth in the Zoning Officer's letter and set forth previously in this application, and are also set forth in response to Sections 15a and b.

- b. Please explain in detail the reasons why you disagree with the zoning officer's determination.**

Applicant incorporates the prior sections of this Application, particularly those set forth in Section 12. In further answer, and by way of example and not limitation, the Zoning Officer's determination that the uses of the property by Safe Zone and Asplundh are not permitted, non-conforming uses or reasonable continuations or extensions of the pre-existing uses is in error. The Zoning Officer's implied determination that no more than one tenant or entity may be permitted to occupy this property is an error. There is no provision in the Zoning Code which prohibits multiple tenants at the same commercial property. The Zoning Officer's determination relating to the flood zone of the property is

incorrect and the dimensions and nature of the floodplain will be shown by engineering testimony. The Zoning Officer's determination that the trailer, equipment, porta-potty and other materials are subject to being transferred off the lot by natural causes or forces is not correct. See 27-817.H(3). Further, the Applicant will demonstrate that the existing uses of the property, and these same proposed uses, do not result in an increase in the Base Flood Elevation of more than one foot at any point as required by Sections 27-1718(3), and if located in a floodway, will cause no increase in the BFE, and therefore, if required, a variance should be granted to permit the use of the property as currently exists 27-1718(2).

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

The Applicant is appealing the Zoning Officer's determinations, as indicated, and asserts that the uses of the property should be permitted as a continuation of the non-conforming use. If necessary, a special exception should be granted to permit a change of non-conforming use and expansion of the pre-existing, non-conforming use, pursuant to 27-701, 27-703. In the alternative, Applicant requests variances as previously set forth.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

All sections referenced by the Zoning Officer in Exhibits C-1, C-2 and C-3, and previously in this Application, including the following:

- Appeal from the determinations of the Zoning Officer's letters dated June 22, 2023 attached as Exhibits C-1, C-2 and C-3.

- Variance from Section 27-1713 of the Code to permit existing uses in the Floodplain Conservation District.
- Variance, if necessary, from Code Section 27-817.H(3) to allow dumpster, trailer and porta-potty and other equipment to remain on property, for each of the tenants.
- Variance from Section 27-1402, if necessary, to permit use of property by existing tenants.
- Determination that the current uses of the property are a continuation of the previously existing, non-conforming uses.
- In the alternative, a special exception from Code Section 27-703.B and E, if required, to allow non-conforming use, which is equally appropriate or more appropriate in the LI District and is no more detrimental.
- A special exception pursuant to Code Section 27-703.B and E, and other applicable code sections, to permit expansion of existing, non-conforming use.
- Variance, if necessary, from Code Sections 27-817.H(3) and 27-1714.1(A) and (H) and any other applicable provisions to permit outdoor storage of materials and to utilize the site for parking of contractor vehicles and equipment within the floodplain.
- A variance pursuant to Code Sections 27-1713, 27-1717 and 27-1718, including 27-1718(3), to allow the existing/proposed use of the property within the floodplain.
- A variance from Section 27-1718(2) to allow for use within a floodway, if required.
- A request for relief from any other provisions of the Code referred to previously in this Application.

c. Please describe in detail the reasons why the requested relief should be granted.

The property is improved as a commercial property and has long been used for commercial purposes, as a contractor's office and for parking and storage associated with

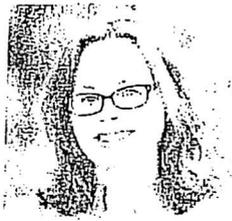
that use. The Applicant is entitled to continue the non-conforming use of the property. The use of the property at present, by Safe Zone and Asplundh, is nothing more than a continuation of the prior, pre-existing contractor storage use. The use is reasonable and is consistent with the uses permitted in the underlying LI District.

The property, though located in a floodplain, is not subject to flooding. The proposed use will not increase the base flood elevation by more than one foot. Further, the use of the property for storage or parking of vehicles is consistent with both the LI District and the floodplain district.

The grant of relief will not adversely affect the public health, safety or general welfare, and will cause no adverse effect. Without the grant of a variance from the floodplain regulations, this property will suffer a hardship as none of the uses permitted in the floodplain district are economically feasible for this property.

In further response, Applicant incorporates its prior statements in this Application.

EXHIBIT A



DEED BK 6032 PG 00240 to 00242.1
 INSTRUMENT # : 2017007630
 RECORDED DATE: 01/27/2017 10:45:13 AM



3434607-0006Q

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

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

Document Type: Deed	Transaction #: 3510441 - 1 Doc (s)
Document Date: 01/17/2017	Document Page Count: 2
Reference Info:	Operator Id: msanabia

RETURN TO: (Wait)
 MONTGOMERY COUNTY TAX CLAIM BUREAU
 ONE MONTGOMERY PLAZA SUITE 610
 NORRISTOWN, PA 19401

PAID BY:
 MONTGOMERY COUNTY TAX CLAIM BUREAU

PROPERTY DATA:
 Parcel ID #: 05-00-00108-00-4
 Address: 5 COLWELL LN
 Municipality: PA
 Conshohocken Borough
 (100%)
 School District: Colonial

ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT:
300,000.00
 TAXABLE AMOUNT:
290,941.00
 FEES / TAXES:

Recording Fee: Deed	\$95.00
Affidavit Fee	\$1.50
State RTT	\$2,909.41
Conshohocken Borough RTT	\$1,454.70
Colonial School District RTT	\$1,454.71
Total:	\$5,915.32

DEED BK 6032 PG 00240 to 00242.1
 Recorded Date: 01/27/2017 10:45:13 AM
 I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.



Jeanne Sorg

Jeanne Sorg
 Recorder of Deeds

Case# 2017-03193-0 Docketed via 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

Prepared by: Montgomery County Tax Claim Bureau
Returned To: Montgomery County Tax Claim Bureau
Parcel No. 05-00-00108-00-4

RECORDER OF DEEDS
MONTGOMERY COUNTY
2017 JAN 27 A 9 22

**TAX CLAIM BUREAU DEED
UPSET SALE**

This Deed Made this 17th day of January, 2017
Between the TAX CLAIM BUREAU, of the County of Montgomery, Pennsylvania, as Trustee,
Grantor, and

**TS 16, LLC
15 ST. ASAPHS ROAD
BALA CYNWYD, PENNSYLVANIA 19004**

GRANTEE, his, her or their heirs, assigns, and successors.

Witnesseth, that in consideration of \$300,000.00 in hand paid, receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee, his, her, their heirs, assigns and successors, in accordance with the Real Estate Tax Sale Law of July 7, 1947, P.L. 1368, as amended, (72 P.S. 5860.101 et seq.)

ALL THAT CERTAIN PROPERTY SITUATE AND BEING KNOWN AS

**BLOCK 006 UNIT 030
5 COLWELL LN
Conshohocken
County of Montgomery
Commonwealth of Pennsylvania
Parcel No. 05-00-00108-00-4**

"Being the property formerly owned or reputed to be owned by WRUBEL BERENICE, the same having been sold at Upset Sale held on September 22, 2016 under the provisions of the Real Estate Tax Sale Law.

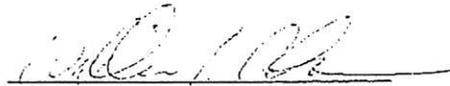
MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-00108-00-4 CONSHOHOCKEN
5 COLWELL LN
WRUBEL BERENICE \$15.00
B 006 U 030 L 4280 DATE: 01/27/2017 TG

{00488826;v1}

Case# 2017-03193-0 Docketed at Montgomery County Prothonotary on 02/16/2017 9:36 AM, Fee = \$270.00

In Witness Whereof, said Grantor has hereunto caused this Deed to be executed by its Director the day and year first above written.

Tax Claim Bureau of Montgomery County, Trustee



First Deputy Director of Tax Claim

COMMONWEALTH OF PENNSYLVANIA }ss:
COUNTY OF MONTGOMERY

On this, the 19th day of January, 2017, before me, the undersigned officer, personally appeared William Caldwell, First Deputy Director of the Tax Claim Bureau of the County of Montgomery, Commonwealth of Pennsylvania, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purpose therein contained

In Witness Whereof, I have hereunto set my hand and official seal.



PROTHONOTARY

CERTIFICATE OF RESIDENCE

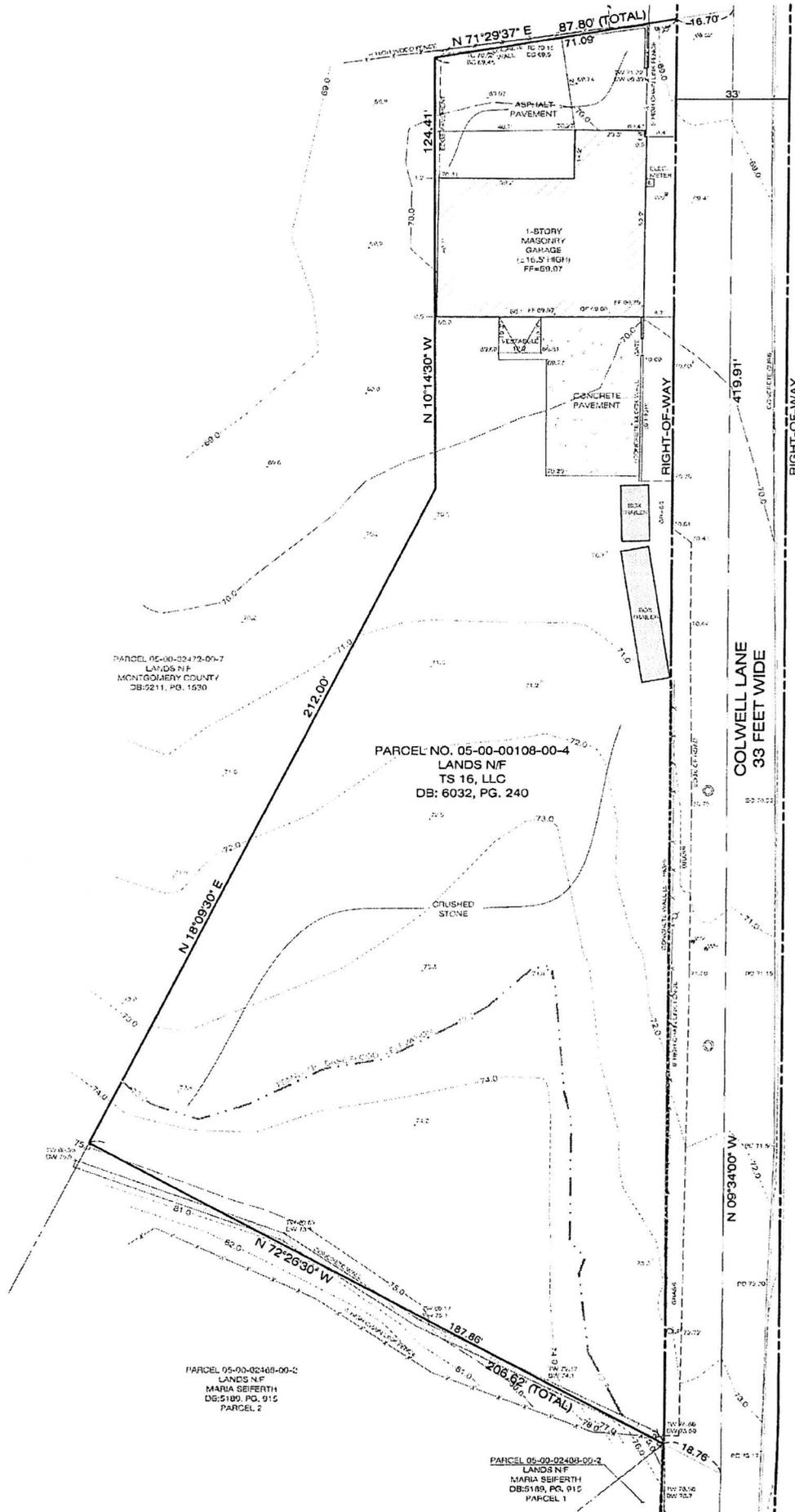
I hereby certify that the precise residence of the Grantee herein is:

**TS 16, LLC
15 ST. ASAPHS ROAD
BALA CYNWYD, PENNSYLVANIA 19004**



For the Grantee

EXHIBIT B



PARCEL 05-00-02472-00-7
LANDS N/F
MONTGOMERY COUNTY
DB:5211, PG. 1630

PARCEL NO. 05-00-00108-00-4
LANDS N/F
TS 16, LLC
DB: 6032, PG. 240

PARCEL 05-00-02468-00-2
LANDS N/F
MARIA SEBERTH
DB:5189, PG. 915
PARCEL 2

PARCEL 05-00-02469-00-2
LANDS N/F
MARIA SEBERTH
DB:5189, PG. 915
PARCEL 1

COLWELL LANE
38 FEET WIDE

RIGHT-OF-WAY

RIGHT-OF-WAY

RIGHT-OF-WAY

CRUSHED STONE

ASPHALT PAVEMENT

CONCRETE PAVEMENT

1-STORY MASONRY GARAGE
(2 16.5' x 8.5')
FF=69.07

8024 TRUCK

8007 TRUCK

EXTRUSION

CONCRETE

ASPHALT

GRAVEL

CRUSHED STONE

EXHIBIT C-1



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellan, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

June 22, 2023

Applicant:

Novvex Green, LLC, d/b/a Patkin Landscaping
Michael Sherick, Managing Member
613 Woodcrest Avenue
Ardmore, PA 19003

Property Owner:

TS 16, LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

**Re: 5 Colwell Lane (Section "A")
Use and Occupancy (U&O) Permit Application #23-00427**

Conshohocken Borough is in receipt of your Use and Occupancy (U&O) Permit Application #23-00427 for Section "A" of the above referenced property. Upon review of this permit application, there is currently an active U&O permit for a landscaping business, and more specifically for a "warehouse" use to store landscaping equipment, which is utilizing the existing nonconforming building on the site. The current application states a change in tenant to "Novvex Green, LLC" (the prior application only identified the owner, TS 16, LLC). No change in use is stated. The Borough only has record of the above referenced property as one entire tract and does not have record of the portion of the above referenced property identified as Section "A" in the permit application. A site plan shall be provided documenting Section "A" of the above referenced property to accompany the U&O permit application.

The property is identified to be located within the LI - Limited Industrial District/Research. Based on the FEMA Flood Insurance Rate Map (FIRM), panel no. 42091C0358G, effective March 2, 2016, the majority of the property is located within Zone AE, which is determined by FEMA to be Special Flood Hazard areas with base flood elevations or depths defined. The remaining small sliver of the subject property along the southern property line is located within Zone X, which is determined by FEMA to be Other Areas of Flood Hazard of 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. In accordance with Sections §27-1702.1 and §27-1709.1.B of the Borough Zoning Ordinance, the property is subject to the FP - Floodplain Conservation Overlay District.

Per § 27-1402.F of the Borough Zoning Ordinance, the "warehouse, storage, or distribution center" use is a permitted use within the LI-Limited Industrial District/Research. However, per §27-1713 of the Borough Zoning Ordinance, a warehouse, storage, or distribution center use is not permitted by right within the Floodplain Conservation District. Since the above referenced property is also subject to the FP - Floodplain Conservation Overlay District the more restrictive provisions of the Zoning Ordinance shall apply in accordance with §27-1703 of the Borough Zoning Ordinance.

However, since the existing building and current use are considered nonconforming, the nonconforming status shall continue, and a property may continue to be used as nonconforming until it complies with the requirements of the Zoning Ordinance in accordance with §27-703 and §27-1715 of the Borough Zoning Ordinance. To the extent any change in use (rather than just a change in tenant) is proposed, the Borough reserves the right to review such change in use.

Based on visual observations of the site, and in accordance with §27-1404.6 and pursuant to §27-817.H.(3) of the Zoning Ordinance, no outdoor storage of materials or wastes shall be deposited upon a lot in such form or manner that may be transferred off the lot by natural causes or forces. The existing trash dumpster located outside and adjacent the existing building is in violation of §27-817.H.(3). The existing outdoor trash dumpster will need to be relocated inside the existing nonconforming building; be removed off-site; or otherwise, a variance from Zoning Ordinance Section §27-817.H.(3) for approval by the Conshohocken Borough Zoning Hearing Board is required to permit the outdoor storage of materials within the floodplain.

Should any variances be granted, compliance to the technical provisions of Part 17 of the Floodplain Conservation Overlay District, Article G shall be required.

Since the Borough of Conshohocken does not have record of the portion of the property identified in the permit application as Section "A"; and no outdoor storage of materials or waste that may be transferred off the lot by natural causes or forces is permitted, this U&O permit application is **denied** at this time.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,



Allison A. Lee, PE

Zoning Officer

PENNONI ASSOCIATES INC.

cc: Ray Sokolowski
Stephanie Cecco
Chris Small

EXHIBIT C-2



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

June 22, 2023

Applicant:

Safe Zone Line Services, LLC
Victoria Legra, Supervisor
234 Dogwood Drive
Crawfordville, FL 32327

Property Owner:

TS 16, LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

**Re: 5 Colwell Lane (Section "B")
Use and Occupancy (U&O) Permit Application #23-00428**

Conshohocken Borough is in receipt of your Use and Occupancy (U&O) Permit Application #23-00428 for Section "B" of the above referenced property. Upon review of this permit application, the Borough only has record of the above referenced property as one entire tract and does not have record of the portion of the above referenced property identified as Section "B" in the permit application. A site plan shall be provided documenting Section "B" of the above referenced property to accompany the U & O permit application.

The property is identified to be located within the LI - Limited Industrial District/Research. Based on the FEMA Flood Insurance Rate Map (FIRM), panel no. 42091C0358G, effective March 2, 2016, the majority of the property is located within Zone AE, which is determined by FEMA to be Special Flood Hazard areas with base flood elevations or depths defined. The remaining small sliver of the subject property along the southern property line is located within Zone X, which is determined by FEMA to be Other Areas of Flood Hazard of 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. In accordance with Sections §27-1702.1 and §27-1709.1.B of the Borough Zoning Code, the property is subject to the FP - Floodplain Conservation Overlay District.

Per § 27-1402.F of the Borough Zoning Ordinance, the "warehouse, storage, or distribution center" use is a permitted use within the LI-Limited Industrial District/Research. However, per §27-1713 of the Borough Zoning Ordinance, a warehouse, storage, or distribution center use is not permitted by right within the Floodplain Conservation District. Since the above referenced property is also subject to the FP - Floodplain Conservation Overlay District the more restrictive provisions of the Zoning Ordinance shall apply in accordance with §27-1703 of the Borough Zoning Ordinance. A variance from §27-1713 of the Borough Zoning Code for approval from the Conshohocken Borough Zoning Hearing Board is required to permit the proposed new use to be located within the FP - Floodplain Conservation Overlay District.

Based on visual observations of the site, and in accordance with §27-1404.6 and pursuant to §27-817.H.(3) of the Zoning Ordinance, no outdoor storage of materials or wastes shall be deposited upon a lot in such form or manner that may be transferred off the lot by natural causes or forces. The existing trailers, equipment, port-a-potty, and loose materials currently stored onsite is in violation of §27-817.H.(3). The existing loose materials will be required to be removed off-site. In addition, pursuant to §27-1714.1.A and H of the Zoning Ordinance, no new construction, alteration, or improvement of any buildings and any other type of permanent structure, including fences, shall be permitted in the floodway or the one-hundred-year floodplain and parking lots are prohibited uses within the Floodplain Conservation Overlay District. A variance from Zoning Ordinance Sections §27-817.H.(3) and §27-1714.1.A and H for approval by the Conshohocken Borough Zoning Hearing Board is required to permit the outdoor storage of materials, permanent structures, and utilizing the site as a parking lot for contractor vehicles and equipment within the floodplain.

Should any variances be granted, compliance to the technical provisions of Part 17 of the Floodplain Conservation Overlay District, Article G shall be required.

Since the Borough of Conshohocken does not have record of the portion of the property identified in the permit application as Section "B"; the proposed new use is not a permitted use by right within the more restrictive FP – Floodplain Conservation Overlay District; and no permanent structures nor outdoor storage of materials or waste that may be transferred off the lot by natural causes or forces is permitted, this U&O permit application is **denied** at this time.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,



Allison A. Lee, PE
Zoning Officer

PENNONI ASSOCIATES INC.

cc: Ray Sokolowski
Stephanie Cecco
Chris Small

EXHIBIT C-3



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

June 22, 2023

Applicant:

Asplundh Tree Expert, LLC
Elizabeth Bolger, Director Region 021
575 A Virginia Drive
Fort Washington, PA 19034

Property Owner:

TS 16, LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

**Re: 5 Colwell Lane (Section "C")
Use and Occupancy (U&O) Permit Application #23-00429**

Conshohocken Borough is in receipt of your Use and Occupancy (U&O) Permit Application #23-00429 for Section "C" of the above referenced property. Upon review of this permit application, the Borough only has record of the above referenced property as one entire tract and does not have record of the portion of the above referenced property identified as Section "C" in the permit application. A site plan shall be provided documenting Section "C" of the above referenced property to accompany the U & O permit application.

The property is identified to be located within the LI - Limited Industrial District/Research. Based on the FEMA Flood Insurance Rate Map (FIRM), panel no. 42091C0358G, effective March 2, 2016, the majority of the property is located within Zone AE, which is determined by FEMA to be Special Flood Hazard areas with base flood elevations or depths defined. The remaining small sliver of the subject property along the southern property line is located within Zone X, which is determined by FEMA to be Other Areas of Flood Hazard of 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. In accordance with Sections §27-1702.1 and §27-1709.1.B of the Borough Zoning Code, the property is subject to the FP - Floodplain Conservation Overlay District.

Per § 27-1402.F of the Borough Zoning Ordinance, the "warehouse, storage, or distribution center" use is a permitted use within the LI-Limited Industrial District/Research. However, per §27-1713 of the Borough Zoning Ordinance, a warehouse, storage, or distribution center use is not permitted by right within the Floodplain Conservation District. Since the above referenced property is also subject to the FP - Floodplain Conservation Overlay District the more restrictive provisions of the Zoning Ordinance shall apply in accordance with §27-1703 of the Borough Zoning Ordinance. A variance from §27-1713 of the Borough Zoning Code for approval from the Conshohocken Borough Zoning Hearing Board is required to permit the proposed new use to be located within the FP - Floodplain Conservation Overlay District.

Based on visual observations of the site, and in accordance with §27-1404.6 and pursuant to §27-817.H.(3) of the Zoning Ordinance, no outdoor storage of materials or wastes shall be deposited upon a lot in such form or manner that may be transferred off the lot by natural causes or forces. The existing port-a-potty currently stored onsite is in violation of §27-817.H.(3). The existing port-a-potty will be required to be removed off-site. In addition, pursuant to Section §27-1714.1.H of the Zoning Ordinance, parking lots is a prohibited use within the Floodplain Conservation Overlay District. A variance from Zoning Code Sections §27-817.H.(3) and §27-1714.1.H for approval by the Conshohocken Borough Zoning Hearing Board is required to permit the outdoor storage of the port-a-potty and utilizing the site as a parking lot for contractor vehicles within the floodplain.

Should any variances be granted, compliance to the technical provisions of Part 17 of the Floodplain Conservation Overlay District, Article G shall be required.

Since the Borough of Conshohocken does not have record of the portion of the property identified in the permit application as Section "C"; the proposed new use is not a permitted use by right within the more restrictive FP – Floodplain Conservation Overlay District; and no outdoor storage of materials or waste that may be transferred off the lot by natural causes or forces is permitted, this U&O permit application is **denied** at this time.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,

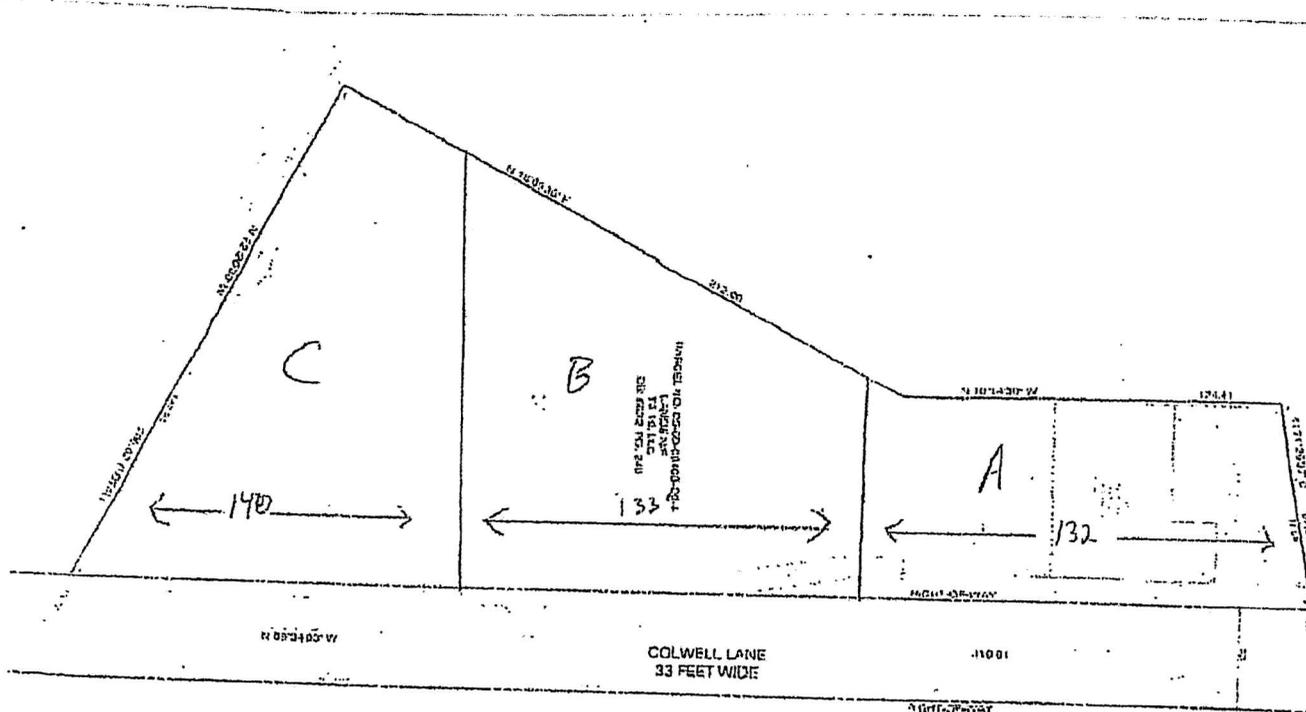


Allison A. Lee, PE
Zoning Officer

PENNONI ASSOCIATES INC.

cc: Ray Sokolowski
Stephanie Cecco
Chris Small

EXHIBIT D



Not to Scale
 All measurements are approximate

Exhibit "A"

MJS

100



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE APRIL 15, 2024 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2024-07

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on April 15, 2024 at 6:30 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: Matthew and Stephanie O'Hanlon
340 East 7th Avenue, Conshohocken, PA 19428

PREMISES INVOLVED: 340 East 7th Avenue
Conshohocken, PA 19428
BR-1 - Borough Residential District 1

OWNER OF RECORD: Matthew and Stephanie O'Hanlon
340 East 7th Avenue, Conshohocken, PA 19428

The petitioner is seeking a Variance from Section §27-1005.F to permit a one (1)-story 320 SF rear building addition to the existing dwelling which will increase the building coverage on the site to 39% whereas only a maximum 35% building coverage is permitted within the BR-1 - Borough Residential District 1.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: April 9, 2024
To: Stephanie Cecco, Allison Flounders
From: Allison A. Lee, PE
Re: 340 East Seventh Avenue – Zoning Determination

History of the Site:

340 East Seventh Avenue is a 906 SF existing three (3)-story single-family detached residential dwelling located within the BR-1 – Borough Residential District 1 zoning district. The 4,200 SF corner property was part of the 701 Jones Street subdivision and land development application from 2019 with the existing dwelling constructed in 2020. Prior to the land development application, the developer went before the Conshohocken Zoning Hearing Board and was granted the following variances at the hearing held on March 4, 2013:

- Section 27-1002 – to permit the construction of townhomes within the BR-1 zoning district;
- Section 27-1005.B – to permit a minimum lot width of 30 feet for the detached single-family dwellings;
- Section 27-1005.C – to permit building in the front yard setback.
- Section 27-1005.E – to permit bay windows to project 18” into the side yards.
- Section 27-1005.F – to permit building coverage to exceed 35% of the lot area for the twins not to exceed 38.9%, for the end units of the townhomes not to exceed 44.4%, and for the interior units of the townhomes not to exceed 60%;
- Section 27-1005.G – to permit impervious coverage to exceed 60% of the lot area for the interior townhomes not to exceed 74%;
- Section 27-808 – to permit corner lots to have only one required front yard;
- Section 27-811.B – to permit attached garages; and
- Section 27-811.C – to permit 20’ x 20’ garages.

The above granted variances was further stipulated in a settlement agreement under docket no. 2013-09397.

The corner property is fronted by East Seventh Avenue (80’ right-of-way) to the south and Jones Street (66’ right-of-way) to the east; an unnamed alley (20’ right-of-way) to the north and rear of the property; and residential properties also located within the BR-1 zoning district in all other directions. In addition, there is an existing accessory detached 401 SF one (1)-story two (2)- car garage and off-street parking area located off of the unnamed alley to the rear of the site.

Current Request:

The Applicants are proposing to demolish the existing 14' wide x 13' long (182 SF) deck attached to the rear of the dwelling and construct a 20' wide x 16' long (320 SF) rear building addition to provide for additional living space. The Applicant is seeking a variance from the Conshohocken Borough Zoning Code Section §27-1005.F to allow for an exceedance in the maximum 35% building coverage within the BR-1 – Borough Residential District 1 zoning district.

Zoning Determination:

In accordance with the Conshohocken Borough Zoning Code Section §27-202, the following definition is applicable to this zoning application:

Building Coverage – The ration obtained by dividing the maximum horizontal cross-section of all principal and accessory buildings on a lot (including balconies, covered porches, carports and breezeways, but excluding patios and decks) by the total area upon which the buildings are located.

The Applicant is proposing to demolish the existing 182 SF deck and construct a new 320 SF building addition to the rear of the existing dwelling. The total existing building coverage on the site is 1,307 SF (or 31.12%). With the building addition, the new total building coverage on the site will be 1,627 SF (or 38.74%). The total existing impervious coverage on the site is 1,606 SF (or 38.24%), including a 324 SF maximum parking allowance. The total proposed impervious coverage on the site with the building addition will be 1,926 SF (or 45.86%), including a 324 SF maximum parking allowance.

Per the Conshohocken Borough Zoning Code Section §27-1005.F, the maximum building coverage shall not exceed 35% of the lot area. Therefore, the Applicant is required to seek a variance from Zoning Code Section §27-1005.F to permit a maximum building coverage of approximately 39% on the lot, whereas the maximum building coverage of 35% is permitted within the BR-1 – Borough Residential District 1 zoning district.

The Applicant will be in compliance with the maximum 60% impervious coverage permitted on the site within the BR-1 zoning district at approximately 46% impervious coverage.

The site, which was constructed as part of the 701 Jones Street subdivision and land development application was previously granted variances from Section 27-808 to permit corner lots to have only one required front yard. Since East 7th Avenue is considered the front yard, the area facing Jones Street will be considered a side yard. The proposed rear building addition will not be extending past the front façade of the dwelling facing Jones Street, and therefore will be in compliance with the side yard setback of the BR-1 zoning district.



RECEIVED

BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2024-07
Date Submitted: 2/28/24
Date Received: 2/28/24

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

27-1005.F

3. Address of the property, which is the subject of the application:

340 E. 7th Ave. Conshohocken PA 19428

4. Applicant's Name: Matthew & Stephanie O'Hanlon

Address: 340 E. 7th Ave.

Phone Number (daytime): 610-291-6528

E-mail Address: matt.ohanlon@gmail.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Matthew & Stephanie O'Hanlon

Address: 340 E. 7th Ave.

Phone Number: 610-291-6528

E-mail Address: matt.ohanlon@gmail.com

7. Lot Dimensions: _____ Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

Retaining wall to level grass & fence.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

The property is a home for our family.
We are raising our family and are looking for them to grow up & be raised in Conshohocken Borough.

10. Please describe the proposed use of the property.

The use of the property will be to create additional living space for our family with a formal dining room/family room.

11. Please describe proposal and improvements to the property in detail.

To replace or build over our existing deck on the back of the house and create all season space for our family. The improvements will be consistent with the existing home and have good curb appeal for the neighborhood.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.
We enjoy being part of the community and want to raise our family here. As our family grows, the additional main level living space is vital. The narrow shape of the build does not allow the opportunity to create more space for a formal dining room/family room to the width of the house.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: Tall property that is built up with limited width to allow a formal dining room/family room for our family.

b. How the Zoning Ordinance unreasonably restricts development of the property:
The 35.02% total building coverage we will need relief from to cover the existing deck already built.

c. How the proposal is consistent with the character of the surrounding neighborhood. It is consistent with the neighborhood that is new construction & will have good neighborhood appeal. Two neighbors have recently completed similar projects

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.
To be able to create additional main level family space. There are not ~~additional~~ alternative options to create additional space on the front or side of the house.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

N/A

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

N/A

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

N/A

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

N/A

c. Please describe in detail the reasons why the requested relief should be granted.

N/A

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: _____

b. Address: _____

c. Phone Number: _____

d. E-mail Address: _____

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

Matthew & Stephanie O'Kantow

Applicant

[Signature] [Signature]

Legal Owner

2-22-24

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 22nd day of FEBRUARY, 2024.

[Signature]
Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Lisa J. Hartsell, Notary Public
Montgomery County
My commission expires October 12, 2025
Commission number 1322051
Member, Pennsylvania Association of Notaries



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____

• Matt O'Hanlon
340 E 7th Ave
610-291-6528

New Addition
16x20
Replacing existing deck



• Matt O'Hanlon
340 E 7th Ave
610-291-6528

New Addition
16x20
Replacing existing deck

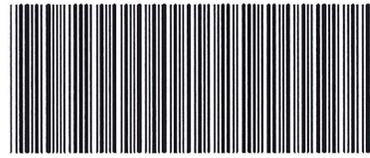




RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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 6186 PG 00123 to 00127
INSTRUMENT # : 2020054082
RECORDED DATE: 07/13/2020 09:59:45 AM



5789299-00201

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 6085559 - 2 Doc(s)
Document Date: 06/15/2020	Document Page Count: 4
Reference Info:	Operator Id: dawhitner
RETURN TO: (Simplifile) Terra Abstract Inc 1581 Main Street, Suite 200 Warrington, PA 18976 (215) 572-7750	PAID BY: TERRA ABSTRACT INC

* PROPERTY DATA:	
Parcel ID #:	05-00-07828-00-6
Address:	E SEVENTH AVE
Municipality:	PA Conshohocken Borough (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$660,000.00	DEED BK 6186 PG 00123 to 00127 Recorded Date: 07/13/2020 09:59:45 AM	
FEES / TAXES:	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.	
Recording Fee:Deed		\$86.75
Additional Names Fee		\$0.50
Affordable Housing Names		\$0.50
State RTT		\$6,600.00
Conshohocken Borough RTT		\$3,300.00
Colonial School District RTT		\$3,300.00
Total:	\$13,287.75	



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

Digitally signed 02/28/2024 by montgomery.county.rod@govos.com

Certified and Digitally Signed

Validation may require Adobe 'Windows Integration'

eCertified copy of recorded # 2020054082 (page 1 of 5)
Montgomery County Recorder of Deeds



PREPARED BY:

Vested Abstract, LLC
The Shops at Valley Square
1581 Main Street, Suite 200
Warrington, PA 18976

RECORD AND RETURN TO:

Vested Abstract, LLC
The Shops at Valley Square
1581 Main Street, Suite 200
Warrington, PA 18976

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-07828-00-6 CONSHOHOCKEN BOROUGH
E SEVENTH AVE
720 SPRING MILL LP
B 043 L 8 U 018 2101 07/10/2020

\$15.00
HW

File No.: VES19-1192-PUR

Parcel ID No.: 05-00-07828-00-6

THIS INDENTURE, made the 15th day of June, 2020

Between

720 SPRING MILL, L.P.

(hereinafter referred to as Grantor), of the one part, and

MATTHEW T. O'HANLON AND STEPHANIE A. O'HANLON, AS TENANTS BY THE ENTIRETY

(hereinafter referred to as Grantee), of the other part,

WITNESSETH, that the said Grantor for and in consideration of the sum of **Six Hundred Sixty Thousand And No/100 Dollars (\$660,000.00)** 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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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 Grantor, as well at law as in equity, of, in and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground 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, their successors and assigns, to and for the only proper use and behoof of the said Grantee, their successors and assigns, forever.

AND the said Grantor, for itself and its heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, their successors and assigns, that it, the said Grantor, and its 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, their successors and assigns, against them, the said Grantor, and its heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.



File No.: VES19-1192-PUR

Parcel ID No.: 05-00-07828-00-6

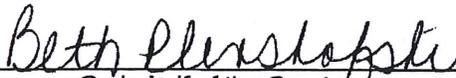
720 Spring Mill, L.P.
(Grantor)

TO

Matthew T. O'Hanlon and Stephanie A. O'Hanlon, as tenants by the entirety
(Grantee)

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

340 East 7th Avenue
(LOT 8)
Conshohocken, PA 19428


On behalf of the Grantee

Vested Abstract, LLC
The Shops at Valley Square
1581 Main Street, Suite 200
Warrington, PA 18976



EXHIBIT A

ALL THAT CERTAIN LOT or piece of ground with improvements to be made thereon Situate in the Borough of Conshohocken, County of Montgomery and Commonwealth of Pennsylvania bounded and described according to a Subdivision Plan of "701 Jones Street" made by Kimley-Horn and Associates, Inc. for 720 Spring Mill, L.P., a Pennsylvania limited partnership, dated 7-6-18 and last revised 9-21-19 and recorded in the Office for the Recorder of Deeds in and for the County of Montgomery at Norristown, Pennsylvania in Plan Book 50 page 234 as follows to wit:

BEGINNING at a point on the Northeasterly Right of Way Line of East Seventh Avenue (80.00 public right of way) a corner of this and Lot 7; thence extending from said place of beginning and along the said Lot 7 North 35 degrees 20 minutes 24 seconds East 140.00 feet to a point a corner of a certain 20.00 feet wide unnamed alleyway; thence extending along the same South 54 degrees 39 minutes 36 seconds East 30.00 feet to a point a corner on the Northwesterly side of Jones Street (66.00 feet wide); thence extending along the said Jones Street South 35 degrees 20 minutes 24 seconds West 140.00 feet to a point a corner on the Northeasterly side of East Seventh Avenue aforesaid; thence extending along the same North 54 degrees 39 minutes 36 seconds West 30.00 feet to the first mentioned point and place of beginning.

BEING Lot 8.

BEING Parcel Number 05-00-07828-00-6.

BEING a part of the same premises which Hurst Jaws of Life, Inc, formerly known as Hale Products, Inc., formerly known as Hale Fire Pump Company, by Deed dated March 27, 2019 and recorded April 1, 2019 in the Recorder's Office of the County of Montgomery, Commonwealth of Pennsylvania in Deed Book 6130, Page 1971 as Instrument Number 2019019228, granted and conveyed unto 720 Spring Mill, L.P., in fee.





BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE APRIL 15, 2024 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2024-08

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on April 15, 2024 at 6:30 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: Luke Reilly
434 Pleasant Valley Drive, Conshohocken, PA 19428

PREMISES INVOLVED: 434 Pleasant Valley Drive
Conshohocken, PA 19428
BR-1 - Borough Residential District 1

OWNER OF RECORD: Luke Reilly
434 Pleasant Valley Drive, Conshohocken, PA 19428

The petitioner is seeking a Variance from Sections §27-805.B and §27-830 to permit the construction of a 192 SF rear deck addition located on the second floor of the existing dwelling to project into the required rear yard setback, whereas decks are only permitted on the ground or first floor of a dwelling.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: April 9, 2024
To: Stephanie Cecco, Allison Flounders
From: Allison A. Lee, PE
Re: 434 Pleasant Valley Drive - Zoning Determination

History of the Site:

434 Pleasant Valley Drive is an improved level lot which consist of an approximately 740 SF existing three (3)-story single-family semi-detached residential (twin) dwelling located within the BR-1 – Borough Residential District 1 zoning district. The dwelling was constructed in 1993. The dwelling is comprised of an attached front garage on the ground floor with driveway access from the front of the property. The ground floor is also partitioned with existing living space to the rear of the attached garage. There is an existing 16' wide x 10' long (160 SF) wooden deck located to the rear of the dwelling on the ground floor.

The property has a lot width of 24.5 feet and an average lot depth of 90.05 feet (or an area of approximately 2,206 SF). The property is fronted by Pleasant Valley Drive (50' right-of-way) to the south; residential properties also located within the BR-1 zoning district to the east and west; and residential properties located to the north are located within Plymouth Township.

Current Request:

The Applicant is proposing to demolish the existing 16' wide x 10' long (160 SF) wooden deck attached to the rear of the dwelling on the ground floor and construct a 16' wide x 12' long (192 SF) wooden deck addition on the second story of the dwelling. The Applicant is seeking a variance from the Conshohocken Borough Zoning Code Sections §27-805.B and §27-830 to permit the construction of a rear deck addition on the second floor of the existing building which projects into the required rear yard area, whereas decks are only permitted on the ground or first floor of a dwelling.

Zoning Determination:

The property is located within the BR-1 - Borough Residential District One and per Code Section §27-1005.D of the Conshohocken Borough Zoning Ordinance, the minimum rear yard setback shall be 25 feet.

Per Code Section §27-805.B of the Conshohocken Borough Zoning Ordinance for projections into required yards, *"a terrace, platform, deck, or land place, not covered by a roof, canopy or trellis, which does not extend above the level of the first floor of the building, may be erected to extend into a required side or rear yard a distance of not more than 12 feet provided that it shall not extend into such yard more than 50% of the required depth or with of the yard. Terraces, platforms and decks are expressly prohibited in the front yard of a dwelling."*

Per Code Section §27-830 of the Conshohocken Borough Zoning Ordinance for decks, "decks as herein defined shall be permitted to be constructed at or to the rear of a dwelling. Any deck proposed to be attached to the side of a dwelling or rear deck proposed to extend or "wrap around" the side of a dwelling, shall require review and approval of the Zoning Hearing Board. Decks constructed at the front of a dwelling are expressly prohibited. Decks may be constructed only at ground level or first floor of a dwelling."

The Applicant is proposing to demolish the existing 160 SF wooden rear deck located on the ground floor and construct a new 192 SF wooden rear deck addition on the second floor of the dwelling which will project into the required rear yard setback area. The proposed wooden deck will be projecting approximately 12 feet into the required rear yard setback area and will be less than 50% of the required 25 feet rear yard setback. However, the proposed wooden deck will be erected on the second floor of the building which is not permitted; and therefore, the Applicant will be required to seek Variances from Code Sections §27-805.B and §27-830 to permit a rear deck addition to be constructed on the second story of a dwelling, whereas, decks may not extend nor be constructed above the ground or first floor of a dwelling.



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2024-08
Date Submitted: 3/16/24
Date Received: 3/16/24

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

Sections 27-805.B and 27-830

3. Address of the property, which is the subject of the application:

434 Pleasant Valley Dr

4. Applicant's Name: Luke Reilly

Address: 434 Pleasant Valley Dr

Phone Number (daytime): 267 280 6061

E-mail Address: LukeReilly94@gmail.com

5. Applicant is (check one): Legal Owner ; Equitable Owner ; Tenant

6. Property Owner: Luke Reilly

Address: 434 Pleasant Valley Dr

Phone Number: 267 280 6061

E-mail Address: LukeReilly94@gmail.com

7. Lot Dimensions: 25 x 90 Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

Not to my knowledge

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

This is a residential home. There are no structures on the property other than the home.

10. Please describe the proposed use of the property.

It will remain my residential home.

11. Please describe proposal and improvements to the property in detail.

I am requesting permission to build a 12'x16' second story deck, that will be 9' off the ground. This will be off the rear of the property into the backyard. Please see engineer drawings for more information.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

1. There is no safety concern / hazard concern. The structure will be built by a very reputable contractor who has a large portfolio of successful, similar projects. He has absolutely no concern about the practicality or safety of this project.

2. Like every homeowner, I purchased my home as an investment, and have always had the vision of increasing my property value (and the value of my neighborhood, the borough, etc.). Building a beautiful, functional deck was always a part of that vision, and it will allow me to enhance my initial investment in the house.

3. This project will not be an eye sore for the neighbors, which is supported by my petition (attached). My neighbors within a reasonable distance, in my Zoning District of BR-1, have expressed their support for my project via their signatures on this petition. Essentially, there are 0 parties that object.

4. There are similar 2nd story decks all throughout Conshohocken, which I have documented in the attached exhibit. There is no reason to limit my rights as a property owner when considering that the deck I am requesting to build is already a normalcy throughout the borough.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: There are no unique characteristics.

b. How the Zoning Ordinance unreasonably restricts development of the property:

Please refer to my response for question #12. To summarize - there is no safety concern, my neighbors are in support of the project, and there are already many 2nd story decks in Conshohocken. It is my right to invest in the improvement of my own home if I am not inconveniencing my neighbors or the borough. This deck will also only be 9' off of ground level; as shown in my exhibit, decks of this height (and higher) are already a normalcy throughout the borough.

c. How the proposal is consistent with the character of the surrounding neighborhood. _____

(Adding to my response for question #12) - There are already numerous 2nd story decks throughout Conshohocken Borough, which I have to assume have been approved by the Zoning Ordinance. There is no rational reason to deprive me of this right, especially when considering this fact. This deck will enhance the neighborhood, as well as my property, and will be viewed as a positive addition.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

(Adding to my response for question #12) - I need deck access from the second story. If I were to build a ground-level deck, it is hugely inconvenient to travel from the second story, down two small flights of stairs, through my home-office, just to enjoy the back end of the property. This is not only true when entertaining guests, and for my partner & I around the home, but I have a 12-year-old dog who is unfortunately beginning to struggle with steps. It would be majorly helpful if he were able to get outside and get sunlight without having to walk down 2 flights of stairs.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

27-805.B and 27-830

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

As described throughout my application, the determination is unreasonable in my case and I should be granted a variance.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

N/A

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

N/A

c. Please describe in detail the reasons why the requested relief should be granted.

N/A

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: (I will only hire an attorney if necessary)

b. Address: N/A

c. Phone Number: N/A

d. E-mail Address: N/A

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

Luke Reilly

Applicant

Luke Reilly

Legal Owner

3/5/2024

Date

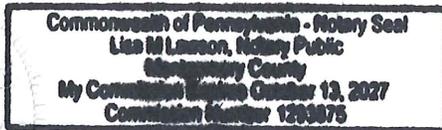
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 5th day of MARCH, 2024.

Notary Public

(Seal)





BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



CLASS ABSTRACT

Representing Commonwealth Land Title Insurance Company

8039 Germantown Avenue, Philadelphia, PA 19118

Tel: (215) 487-1977

Fax: (215) 509-6204

Email: classabstract@classabstract.com

November 2, 2022

Luke Reilly
215 Preston Road
Flourtown, PA 19031

Re: Property: **434 Pleasant Valley Drive, Conshohocken, PA 19428**
Policy #: **81451-228959072**
Our File #: **CA-5729**

Dear Luke,

Enclosed are the documents marked below:

Original Deed

We recommend you keep these documents in a safe place, as with your other permanent records.

Please feel free to contact us with any questions you may have or if we can be of any further assistance to you.

Thank you for choosing Class Abstract, and please keep us in mind for any future title needs.

Sincerely,
Michael R. Pio Jr.

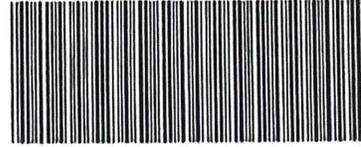
CLASS ABSTRACT
Enclosures



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 6308 PG 02831 to 02835
INSTRUMENT # : 2022105113
RECORDED DATE: 11/21/2022 12:17:00 PM



6171002-0021D

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed Document Date: 10/18/2022 Reference Info:		Transaction #: 6688754 - 2 Doc(s) Document Page Count: 4 Operator Id: djohnson1	
RETURN TO: (Simplifile) Class Abstract 8039 Germantown Ave Ste 100 Philadelphia, PA 19118-3434 (215) 487-1977		PAID BY: CLASS ABSTRACT	
* PROPERTY DATA: Parcel ID #: 05-00-07513-12-3 Address: 434 PLEASANT VALLEY DR CONSHOHOCKEN PA 19428 Municipality: Conshohocken Borough (100%) School District: Colonial			
* ASSOCIATED DOCUMENT(S):			
CONSIDERATION/SECURED AMT: \$455,000.00 TAXABLE AMOUNT: \$455,000.00		DEED BK 6308 PG 02831 to 02835 Recorded Date: 11/21/2022 12:17:00 PM	
FEES / TAXES: Recording Fee:Deed \$86.75 State RTT \$4,550.00 Conshohocken Borough RTT \$2,275.00 Colonial School District RTT \$2,275.00 Total: \$9,186.75		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:

Class Abstract
8039 Germantown Avenue
Philadelphia, PA 19118
(215) 487-1977

File No. CA-5729

Parcel No. 05-00-07513-123

1/2

This Indenture, made the 18 of October, 2022,

Between

Ryan D. Dreibelbis

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

Luke Reilly

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

Witnesseth, that the said Grantor(s) for and in consideration of the sum of **FOUR HUNDRED FIFTY FIVE THOUSAND AND 00/100 (\$455,000.00)** lawful money of the United States of America, unto him, her, or them well and truly paid by the said Grantee(s), at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has or have granted, bargained and sold, released and confirmed, and by these presents does or do grant, bargain and sell, release and confirm unto the said Grantee(s), as Luke Reilly.

Street Address: **434 Pleasant Valley Drive, Conshohocken, PA 19428**

ALL THAT CERTAIN lot or piece of land, Situate in the Borough of Conshohocken, Montgomery County, Commonwealth of Pennsylvania, bounded and described according to a Subdivision Plan entitled "Pleasant Valley Homes" drawn by DePallo Design and Planning Conshohocken, Pennsylvania, dated 11/15/1969 last revised 12/31/1991 recorded in Plan Book A-53 page 342 and Amended Plan of Subdivision prepared for Pleasant Valley Homes, drawn by Stout-Taconelli Associates, Inc., Civil Engineering and Land Surveying of Kulpville, Pennsylvania, dated 4/8/1993 revised 6/22/1993 and Job 2242 recorded in Plan Book A-54 page 226, as follows, to wit:

BEGINNING at a point on the Northeasterly side of Pleasant Valley Drive said point being a corner of Lot No. 26 on said plan; thence extending from said point being of beginning and extending along the line of Lot 26 North 35 degrees 50 minutes 30 seconds East 90 feet to a point in line of lands now or late of "Cardinal View Subdivision" as shown on said plan; thence extending along the same South 54 degrees 9 minutes 30 seconds East, 24.50 feet to a point a corner of Lot 28 on said plan; thence extending along the line of said Lot 28 the 3 following courses and distances: (1) South 39 degrees 31 minutes 36 seconds West 22.05 feet to a point; (2) South 35 degrees 50 minutes 30 seconds West 40 feet to a point; (3) South 32 degrees 9 minutes 24 seconds West 25.05 feet to a point on the Northeasterly side of Pleasant Valley Drive aforesaid;

thence extending along the said Northeasterly side of Pleasant Valley Drive North 54 degrees 9 minutes 30 seconds West 24.50 feet to a point a corner of Lot 26 aforesaid being the first mentioned point and place of beginning.

BEING Lot No. 27 on said Plan.

Being the same premises which Brian L. Sperling and Dale E. Epstein by Deed dated February 27, 2010 and recorded March 2, 2010 in Montgomery County in Deed Book 5760, Page 29 conveyed unto Ryan D. Dreibelbis, in fee.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, her, or them, the said grantor(s), 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(s), his, her, or their heirs and assigns, to and for the only proper use and behoof of the said Grantee(s), his, her, or their heirs and assigns, forever.

And the said Grantor(s), for himself, herself, or themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee(s), their heirs and assigns, that he, she, or they, the said Grantor(s), 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(s), his, her, or their heirs and assigns, against him, her, or them, the said Grantor(s), and his, her, or their heirs, will **WARRANT SPECIALLY** and defend against the lawful claims of all persons claiming by, through or under the said Grantor(s) but not otherwise.

In Witness Whereof, the party or 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:

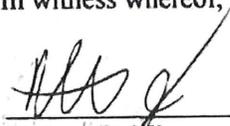


Ryan D. Dreibelbis

STATE OF New Jersey
COUNTY OF Camden

On this, the 18 day of October, 2022, before me, the undersigned officer, personally appeared Ryan D. Dreibelbis, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/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 seals.



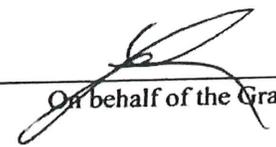
Notary Public

ALEXANDER JACKSON

Notary Public of New Jersey

My Commission Expires Jan. 7, 2025
ID # 50119806

The precise residence and the complete post office
address of the above-named Grantees is:
215 Preston Rd, Flourtown, PA 19031



On behalf of the Grantees

Deed

Parcel No. 05-00-07513-123

Ryan D. Dreibelbis

TO

Luke Reilly

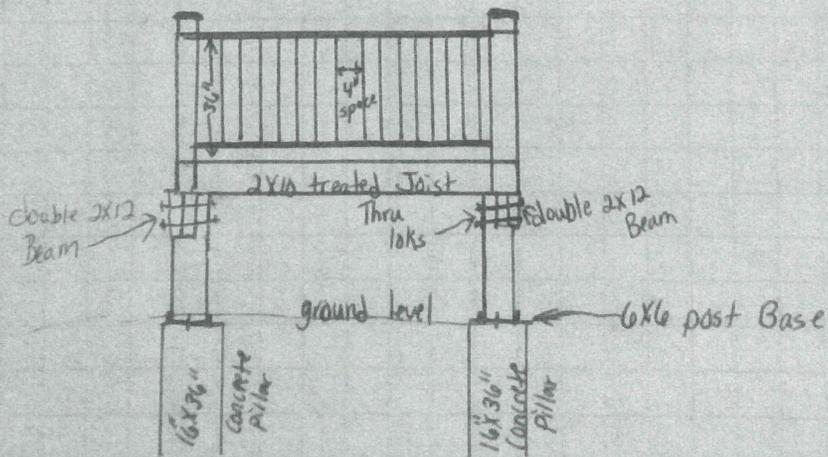
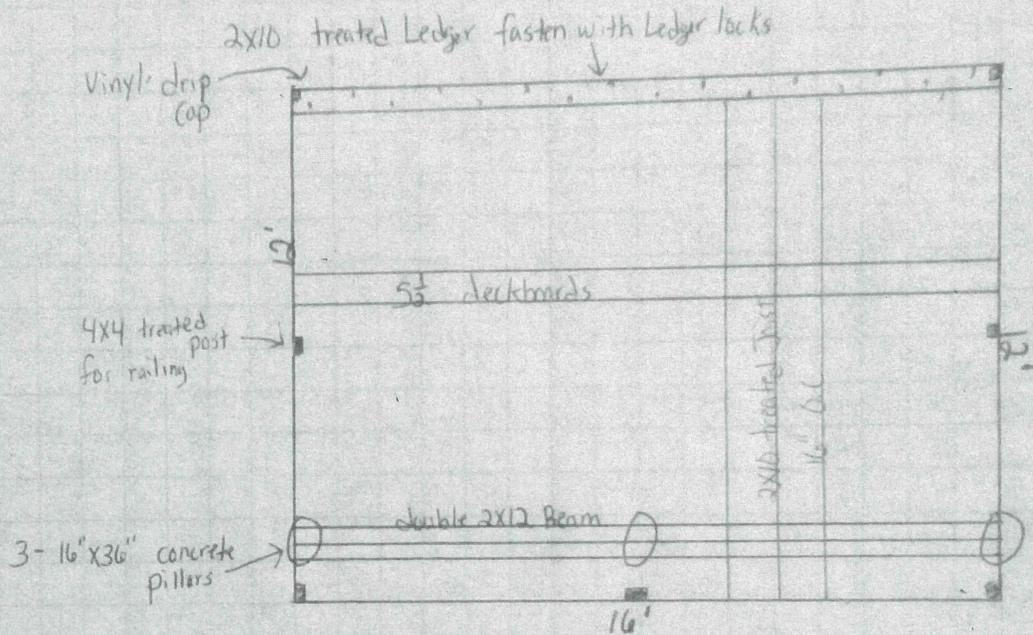
Class Abstract
8039 Germantown Avenue
Philadelphia, PA 19118

267-280-6061

Luke Reilly

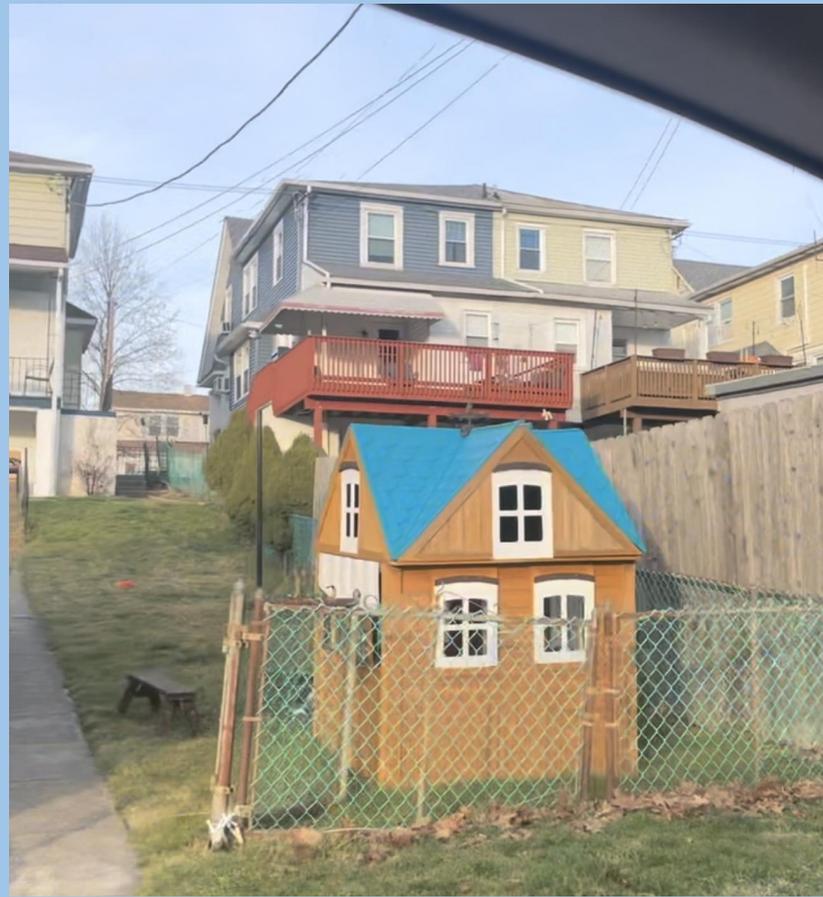
434 Pleasant Valley Drive
Conshohocken PA

House





Maple Street, 0.3 miles from my home at 434 Pleasant Valley Drive



W 10th Avenue between Freedly & Wood, 0.2 miles from my home



W 10th Ave, 0.2 miles from my home



W 10th Ave, 0.2 miles from my home



W 10th Ave, 0.2 miles from my home

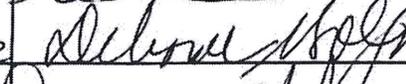
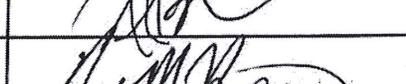
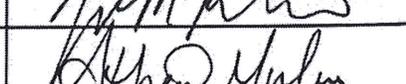
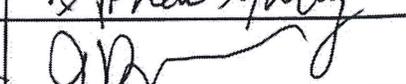
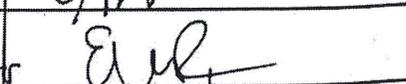
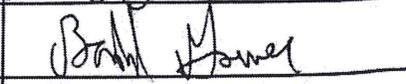
Petition - 2nd Story Deck

434 Pleasant Valley Drive

Summary: I'm pushing for approval from the Borough of Conshohocken to build a 2nd story deck off the back of my home. I'd like to show that my neighbors do not object, and that the Borough should approve my request.

Details: The deck is 9' off the ground, and will be 12'x16'; consistent with other decks that can be found in Conshohocken.

Petition: By signing, you agree that you do not object, and that the Borough should approve my request.

PRINT NAME	SIGNATURE	ADDRESS	DATE
A E Mica		432 Pleasant Vly Dr	3/14/24
Deborah Wolke		432 Pleasant Valley Dr	3/14/24
James McNeilis		436 Pleasant Valley	3/14/24
MARK AVENSA		436 PVD	3/14/24
Alec Baum		423 Pleasant Valley Dr	3/14/24
Jared Renster		1107 Lenape Lane	3/14/24
ATHENA MULVEY		426 PLEASANT VALLEY DR	3/14/24
JESSICA BAUM		423 Pleasant Valley Dr	3/14/24
Emily Nette Renster		1107 Lenape Ln	3/14/24
Bradford Gower		430 Pleasant Valley Dr	03/14/24



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE JANUARY 29, 2024 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2024-01

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on January 29th, 2024 at 6:30 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: David J. Brosso
749 Spring Mill Avenue, Conshohocken PA 19428

PREMISES INVOLVED: 333 West 7th Avenue
Conshohocken, PA 19428
BR-1 – Borough Residential District 1

OWNER OF RECORD: DJB Properties, LLC
PO Box 988, Conshohocken, PA 19428

The petitioner is seeking a Special Exception pursuant to Section §27-823 and a variance from Sections §27-823.A & B of the Conshohocken Borough Zoning Ordinance to permit a group home use within the BR-1 – Borough Residential District One zoning district; and to permit only two (2) off-street parking spaces located in the front and side yards of the group home when a potential total of five (5) off-street parking spaces may be required at the site and whereas no off-street parking spaces shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

Date: December 26, 2023
To: Stephanie Cecco, Allison Flounders
From: Allison A. Lee, PE
Re: 333 West Seventh Avenue – Zoning Determination

History of the Site:

333 West Seventh Avenue is comprised of an existing one-story single-family detached residential dwelling that was constructed in 1987. The 8,260 SF property is located within the BR-1 – Borough Residential District 1 zoning district. The site is fronted by West Seventh Avenue and the Borough Public Works facilities to the north; a 20-foot wide unnamed alley to the south and rear of the property; and residential properties also located within the BR-1 zoning district in all other directions.

There is an existing off-street driveway and parking area located to the front and side yard of the existing dwelling. There is also a detached shed located adjacent the unnamed alley in the rear yard of the property.

Current Request:

The property owner has executed a residential lease with Jeanette Duperon with Ellie Vie, which is licensed to provide residential housing (and related services) for adults that are not able to live independently. The property is currently being operated as a group home to provide residential housing for an adult that has a diagnosis of autism, as well as, an interim residence for new clients entering the care of Ellie Vie.

The Applicant is seeking a Special Exception pursuant to Section §27-823 and a variance from Sections §27-823.A & B of the Conshohocken Borough Zoning Ordinance to permit a group home use within the BR-1 – Borough Residential District One zoning district; and to permit only two (2) off-street parking spaces located in the front and side yards of the group home when a potential total of five (5) off-street parking spaces may be required at the site and whereas no off-street parking spaces shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.

Zoning Determination:

The current request is pursuant to a zoning enforcement letter that was issued on October 31, 2023 for the operation of a group home use without the required special exception pursuant to Section §27-823 of the Conshohocken Borough Zoning Ordinance.

Per Section §27-202 of the Borough Zoning Ordinance, a group home is defined as a residential facility used as living quarters by any number of unrelated persons requiring special care, and their attendant adult supervisors, specifically designed to create a residential setting for the mentally and physically handicapped (as a permitted use), or for other similar uses (as a special exception). The individuals may be either transient or permanent residents. Any number of handicapped persons, as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit.

The current use of the subject property is considered a group home use by definition.

Pursuant to Part 8 of the General Regulations, Section §27-823, group homes “*shall be permitted by special exception in the RO, BR-1, and BR-2 Zoning Districts, subject to the additional requirements below:*”

- A. *In place of the off-street parking requirements for residential units, all group homes shall have one off-street parking space for each resident staff member. Also, one off-street parking space for every five handicapped residents.*
- B. *No off-street parking shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.*
- C. *All group homes will conform to the type and outward appearance of the residences in the area in which they are located. This provision shall in no way restrict the installation of any ramp or other special features required to serve handicapped residents.*
- D. *Any medical or counseling services provided shall be done only for the residents of the group home.”*

The above referenced property is located within the BR-1 – Borough Residential District 1 zoning district. Therefore, the Applicant is required to obtain a Special Exception pursuant to Section §27-823 to permit a group home use within the BR-1 zoning district.

In accordance with the Applicant’s narrative, there will be 1 to 2 employees and a caretaker are required to be present 24/7/365. The employees work in three 8-hour shifts. In addition, a supervisor may be present at times to provide supplemental services to the clients. Occasionally, a third employee may be present for meetings or supervision. Based on this narrative, it appears that a potential total of five (5) off-street parking spaces may be required at the site. This is based on two off-street parking spaces required for employee transitions, an off-street parking space each for a potential supervisor and a third employee, and the required off-street parking space for up to five handicapped residents, regardless of whether the handicapped residents have driver’s licenses. The site currently has a 48-foot long x 10-foot wide driveway located to the front and side of the existing dwelling which can only accommodate up to two off-street parking spaces. Therefore, the Applicant is required to seek a variance from Sections §27-823.A & B for relief from the required number of off-street parking requirements with providing two (2) off-street parking spaces when a potential of five (5) off-street parking spaces is required; and to permit the off-street parking to be located within the front yard area when no off-street parking between the front wall of the principal structure and the curb of the street toward which that wall is oriented is permitted.

The Applicant shall comply with the additional code provisions of Sections §27-823.C & D as noted above.



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

RECEIVED

Zoning Application

Application: _____
Date Submitted: _____
Date Received: _____

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

Section 27-823 A & B

3. Address of the property, which is the subject of the application:

333 W 7th Ave

4. Applicant's Name: DAVID J BROSSO
Address: 749 Spring Mill Ave, Conshohocken PA
Phone Number (daytime): 610 310 5055
E-mail Address: djbprop@gmail.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: DJB Properties, LLC
Address: PO Box 988, Conshohocken PA 19428
Phone Number: 610 310 5055
E-mail Address: djbprop@gmail.com

7. Lot Dimensions: 59' x 140' Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Residence - serving adults with autism

10. Please describe the proposed use of the property.

Residence - serving adults with autism
a "group home"

11. Please describe proposal and improvements to the property in detail.

None are required

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

Group homes are a permitted use.
These homes serve an unmet need in society
The group home poses no threats to the health
safety & welfare of the community
Adults with autism are a protected class

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: N/A

b. How the Zoning Ordinance unreasonably restricts development of the property:

c. How the proposal is consistent with the character of the surrounding neighborhood.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

c. Please describe in detail the reasons why the requested relief should be granted.

16. If the applicant is being represented by an attorney, please provide the following information.

- a. Attorney's Name: Andrew ~~W. Slom~~ Slom
b. Address: 1617 JFK Blvd, Ste 1250 Phila PA 19103
c. Phone Number: 267-328 4783
d. E-mail Address: andrew @ ~~slom~~
andrew @ slomlegal.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

DAVID J BRASSO

Applicant

[Handwritten signature]

Legal Owner

11/14/23

Date

COMMONWEALTH OF PENNSYLVANIA

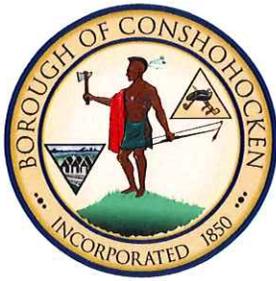
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 15th day of November, 20 23.

[Handwritten signature]
Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Alea K. Pacell, Notary Public
Montgomery County
My commission expires June 28, 2025
Commission number 1302279
Member, Pennsylvania Association of Notaries



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

..

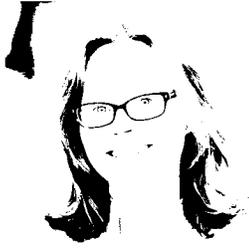
CONDITIONS:

..

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

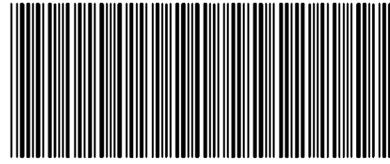
DATE OF ORDER: _____



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 6232 PG 00717 to 00720.1
INSTRUMENT # : 2021074951
RECORDED DATE: 06/28/2021 02:45:11 PM



5959806-00350

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 6349881 - 2 Doc(s)
Document Date: 05/10/2021	Document Page Count: 3
Reference Info:	Operator Id: dkrasley

RETURN TO: (Simplifile) Land Services USA, Inc. 920 Germantown Pike Ste 201 Plymouth Meeting, PA 19462-7401 (610) 279-8290	PAID BY: LAND SERVICES USA INC
---	--

* PROPERTY DATA:	
Parcel ID #:	05-00-08280-10-3
Address:	333 W SEVENTH AVE
	PA
Municipality:	Conshohocken Borough (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1.00	DEED BK 6232 PG 00717 to 00720.1
TAXABLE AMOUNT: \$0.00	Recorded Date: 06/28/2021 02:45:11 PM
FEES / TAXES:	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.
Recording Fee:Deed \$86.75	
Affidavit Fee \$1.50	
Total: \$88.25	



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:
David S. Makara, Esquire

Return To:
David S. Makara, Esquire
10 E. Sixth Avenue, Suite 100
Conshohocken, PA 19428
Phone No. 610-238-0880

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 05-00-08280-10-3 CONSHOHOCKEN BOROUGH
 333 W SEVENTH AVE
 PERSEO AUGUSTINE
 B 030 L 3 U 086 1101 06/24/2021

\$15.00
 HW

Parcel Nos. 05-00-08280-10-3 (N)

This Indenture, made this 10TH day of May 2021.

Between The Estate of Augustine Perseo (hereinafter called the Grantor), and

MARIA COLAVITA (hereinafter called the Grantee),

Witnesseth, That the said Grantor for and in consideration of the sum of (\$1.00) Dollar lawful money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, **HATH** granted, bargained and sold, released and confirmed, and by these presents **BOTH** grant, bargain and sell, release and confirm onto the said Grantee her heirs and assigns,

ALL THAT CERTAIN lot or piece of ground Situate in Conshohocken Borough, Montgomery County, Pennsylvania, bounded and described according to a Subdivision made for Giuseppe Perseo, made by John R. Betts & Associates dated March 26, 1987 revised April 20, 1987, as follows, to wit:

BEGINNING at a point on the Southwesterly side of Seventh Avenue (80 feet wide) said point being at the distance of 220.00 feet measured North 43 degrees 26 minutes West along the Southwesterly side of Seventh Avenue from its point of intersection with the Northwesterly side of Wood Street said point of beginning also being a corner of Parcel 2; thence extending from said point of beginning along Parcel 2, South 46 degrees 34 minutes West 140.00 feet to a point on the Northeasterly side of a certain unnamed 20 feet wide alley; thence extending along the same nor ow late of Anthony and Maria Bello; thence extending along the same North 46 degrees 34 minutes East 140.00 feet to a point on the Southwesterly side of Seventh Avenue; thence extending along the same South 43 degrees 26 minutes East 59.00 feet to the first mentioned point and place of beginning

BEING Parcel 3 as shown on the above mentioned plan.

BEING ASSESSMENT PARCEL NUMBER 05-00-08280-10-3 (N)

BEING PART of the same premises which FRANCIS T. DENNIS, Executor Under the Will of GIUSEPPE PERSEO, Deceased, and AUGUSTINE PERSEO and CONCETTA VENEZIA, and recorded in the Office for the Recording of Deeds, in and for the County of Montgomery at Norristown, Pa., in Deed Book 4562 page 124 &c, granted and conveyed unto AUGUSTINE PERSEO, in fee.

Plan Book A-48 p. 439

Being the same premises Augustine Perseo conveyed in fee to Augustine Perseo by Deed dated August 3, 1987 and recorded in the office for the recording of deeds, in and for the County of Montgomery at Norristown PA, at book number 4847, page 817.

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 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 Grantor, as well at law as in equity, of, in and to the same.

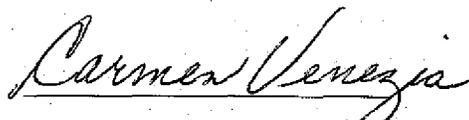
TO HAVE AND TO HOLD the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee/s, their successors, heirs and assigns, to and for the only proper use and behoof of the said Grantee/s, their successors, heirs and assigns, forever.

AND the said GRANTOR, for itself, its heirs, executors, administrators and Assigns does by these presents, covenant, grant and agree, to and with the said GRANTEE her heirs and Assigns, that it the said GRANTOR, its heirs 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 GRANTEE, and her heirs and Assigns, against it the said GRANTOR and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under it, THEM or any of them, shall and will BY THESE PRESENTS WARRANT and forever DEFEND.

In Witness Whereof the said Grantor has hereunto set its hand and seal the day and year first-above written.

Sealed and Delivered
In the Presence of:

ATTEST:


EXECUTOR

Carmen Venezia, Executor
of the Estate of Augustine Perseo
deceased

COMMONWEALTH OF PENNSYLVANIA:

: SS

COUNTY OF MONTGOMERY :

On this 10th day of May, 2021, before me, the undersigned officer, personally appeared CARMEN VENENZIA, EXECUTOR OF THE ESTATE OF AUGUSTINE PERSEO, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

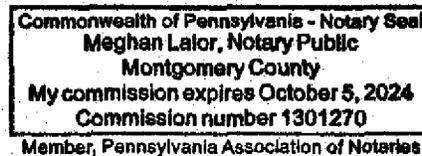
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Maria Colavita

Meghan Lalor
Notary Public

I hereby certify that the address of the within-named Grantee is:

Maria Colavita
7 Red Maple Drive
Lafayette Hill, PA 19444





1830019105

RECORDER'S USE ONLY

State Tax Paid: \$0.00	
Book: 6232	Page:
Instrument Number: 00717	
Date Recorded: 06/28/2021 02:45:11 PM	

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

REALTY TRANSFER TAX STATEMENT OF VALUE
 COMPLETE EACH SECTION

SECTION I TRANSFER DATA

Date of Acceptance of Document 05/28/2021					
Grantor(s)/Lessor(s) Estate of Augustine Perseo, deceased		Telephone Number		Grantee(s)/Lessee(s) Maria Colavita	
Mailing Address c/o Carmen Venezia, Executor, 110 East 14th Street		Mailing Address 7 Red Maple Drive			
City Conshohocken		State PA	ZIP Code 19428	City Lafayette Hill	State PA
		ZIP Code 19444			

SECTION II REAL ESTATE LOCATION

Street Address 333 West Seventh Avenue			City, Township, Borough Conshohocken Borough		
County Montgomery		School District Colonial School District		Tax Parcel Number 05-00-08280-10-3	

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? YES NO

1. Actual Cash Consideration 1.00	2. Other Consideration + 0.00	3. Total Consideration = 1.00
4. County Assessed Value 100,730.00	5. Common Level Ratio Factor x 2.13	6. Computed Value = 214,554.90

SECTION IV EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed \$ 214,554.90	1b. Percentage of Grantor's Interest in Real Estate 100 %	1c. Percentage of Grantor's Interest Conveyed 100 %
--	--	--

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

Will or intestate succession. Augustine Perseo (Name of Decedent) 46-2021-X 2222 (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 decedent's estate to the named beneficiary. Wholly exempt.

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

Name Maria Colavita				Telephone Number	
Mailing Address 7 Red Maple Drive		City Lafayette Hill		State PA	ZIP Code 19444

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.

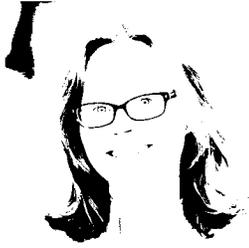
Signature of Correspondent or Responsible Party <u>Maria Colavita</u>	Date 05/28/2021
--	--------------------

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



1830019105

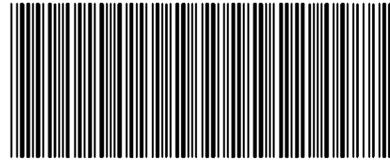
1830019105



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 6232 PG 00721 to 00726
INSTRUMENT # : 2021074952
RECORDED DATE: 06/28/2021 02:45:12 PM



5959807-0032+

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 6

Document Type: Deed	Transaction #: 6349881 - 2 Doc(s)
Document Date: 05/28/2021	Document Page Count: 5
Reference Info:	Operator Id: dkrasley

RETURN TO: (Simplifile) Land Services USA, Inc. 920 Germantown Pike Ste 201 Plymouth Meeting, PA 19462-7401 (610) 279-8290	PAID BY: LAND SERVICES USA INC
---	--

*** PROPERTY DATA:**
Parcel ID #: 05-00-08280-10-3
Address: 333 W SEVENTH AVE

PA
Municipality: Conshohocken Borough
(100%)
School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$325,000.00
TAXABLE AMOUNT: \$325,000.00

FEES / TAXES:

Recording Fee:Deed	\$86.75
Additional Pages Fee	\$2.00
Affordable Housing Pages	\$2.00
State RTT	\$3,250.00
Conshohocken Borough RTT	\$1,625.00
Colonial School District RTT	\$1,625.00
Total:	\$6,590.75

DEED BK 6232 PG 00721 to 00726
Recorded Date: 06/28/2021 02:45:12 PM

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:

Land Services USA, Inc.
1835 Market Street, Suite 420
Philadelphia, PA 19103
File No. PACLT21-2295MM
UPI # 05-00-08280-10-3

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-08280-10-3 CONSHOHOCKEN BOROUGH
333 W SEVENTH AVE
PERSEO AUGUSTINE \$15.00
B 030 L 3 U 086 1101 06/24/2021 HW

This Indenture, made the 28th day of May, 2021,

Between

MARIA COLAVITA

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

DJB PROPERTIES, LLC, A PENNSYLVANIA LIMITED LIABILITY COMPANY

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Three Hundred Twenty-Five Thousand And 00/100 Dollars (\$325,000.00)** lawful money of the United States of America, unto her well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, in fee.

ALL THAT CERTAIN lot or piece of ground situate in Conshohocken Borough, Montgomery County, Pennsylvania, bounded and described according to a Subdivision made for Giuseppe Perseo, made by John R. Betts & Associates dated March 26, 1987 revised April 20, 1987, as follows to wit:

BEGINNING at a point on the Southwesterly side of Seventh Avenue (80 feet wide) said point being at the distance of 220.00 feet measured North 43 degrees 26 minutes West along the Southwesterly side of Seventh Avenue from its point of intersection with the Northwesterly side of Wood Street said point of beginning also being a corner of Parcel 2; thence extending from said point of beginning along Parcel 2, South 46 degrees 34 minutes East 140.00 feet to a point on the Northeasterly side of a certain unnamed 20 feet wide alley; thence extending along the same North 43 degrees 26 minutes West 59.00 feet to a point a corner of lands now or late of Anthony and Maria Bello; thence extending along the same North 46 degrees 34 minutes East 140.00 feet to a point on the Southwesterly side of Seventh Avenue; thence extending along the same South 43 degrees 26 minutes East 59.00 feet to the first mentioned point and place of beginning.

BEING Parcel 3 as shown on the above mentioned plan.

BEING known as 333 West Seventh Avenue.

BEING Parcel No. 05-00-08280-10-3.

BEING PART of the same premises which Augustine Perseo, individual and Francis T. Dennis, Executor of the last Will and Testament of Giuseppe Perseo, Deceased and Concetta Venezia, individually by Deed dated 8/3/1980 and recorded 9/19/1980 in Montgomery County in Deed Book 4562 page 124, conveyed unto Augustine Perseo, in fee.

AND BEING the same premises which Augustine Perseo, by Deed dated 8/3/1987 and recorded 8/10/1987 in Montgomery County in Deed Book 4847 page 817 granted and conveyed unto Augustine Perseo, in fee.

AND Being the same premises which Estate of Augustine Perseo, deceased by Deed dated May 10, 2021 and Recorded _____ in Montgomery County in Deed Book _____ Page _____ granted and conveyed unto Maria Colavita, in fee.

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

To have and to hold the said lot or piece of ground 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, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

And the said Grantor, for herself and her heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that she, the said Grantor, and her 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, its successors and assigns, against her, the said Grantor, and her heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has hereunto set her hand and seal. Dated the day and year first above written.

Maria Colavita {SEAL}
Maria Colavita

Commonwealth of Pennsylvania }
County of Montgomery } ss

On this, the 28th day of May, 2021, before me, the undersigned Notary Public, personally appeared Maria Colavita, 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.

Commonwealth of Pennsylvania - Notary Seal
Danielle Deluzio, Notary Public
Montgomery County
My commission expires September 2, 2022
Commission number 1037825
Member, Pennsylvania Association of Notaries

Danielle Deluzio
Notary Public
My commission expires 9/2/2022

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

1125 Robin Road
Gladwyne, PA 19035

Danielle Deluzio
On behalf of the Grantee

Deed

UPI # 05-00-08280-10-3

Maria Colavita

TO

DJB Properties, LLC, a Pennsylvania limited liability company

Property:
333 West 7th Avenue
Conshohocken, PA 19428

Land Services USA, Inc.
1835 Market Street, Suite 420
Philadelphia, PA 19103
Tel: 215-563-5468



NARRATIVE for Zoning Board Hearing – Request for Special Exception

Date: 11/10/2023

Address; 333 W 7th Ave

Owner: DJB Properties, LLC (David Brosso)

Please be advised that DJB Properties, LLC has executed a residential lease with Ellie Vie (Jeanette Duperon). Jeanette is using the property to provide residential housing for an adult that has a diagnosis of autism. The clients of Ellie Vie are not able to live independently; however, Ellie Vie is licensed to provide residential housing (and related services) to her clients.

More specifically, Ellie Vie operates in the state of PA under the program administered by the ODP program (Office of Developmental Programs)

The mission of the Office of Developmental Programs (ODP) is to support Pennsylvanians with developmental disabilities to achieve greater independence, choice and opportunity in their lives. The office seeks to continuously improve an effective system of accessible services and supports that are flexible, innovative and person-centered. Often companies with these licenses provide sub-standard living conditions. Jeanette has received accolades for her program. She provides a quality residence where her clients can thrive under her care.

Supporting this program is beneficial to the community.

Currently, 333 W 7th Ave is the residence of a single adult with autism. However, Jeanette has used this residence as an interim residence for new clients entering the care of Ellie Vie. Typically, a new client will reside at 333 W 7th for an interim period of time (30 to 60 days) until Jeanette can monitor their needs and behavior to assess which property is the best choice for new clients being onboarded into her program. Jeanette takes great care to match clients with other suitable clients so that there is harmony among the residents. The vetting process is an integral component of Jeanette's process and is one of the many aspects of Ellie Vie that elevates their service above what is typically offered to clients within the ODP program.

Ellie Vie staffs 333 W 7th Ave with 1 to 2 employees. It's required that a caretaker is present 24/7/365 and Jeanette's employees work round the clock in three 8-hour shifts. In addition, a supervisor may be present at times to provide supplemental services to the clients. If a 3rd employee is ever present within 333 W 7th it's only for meetings or supervision. Therefore, we believe that we adhere to the parking requirements as there are 2 parking spots in the driveway of 333 W 7th Ave. No clients within this program are handicapped and no residents have driver's licenses.

We are seeking approval to operate a Group Home by Special Exception in the BR-1 Zoning District. All requirements for zoning relief have been satisfied. Granting this Special Exception will not be detrimental to the health, safety or welfare of the community.



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE APRIL 15, 2024 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2024-09

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on April 15, 2024 at 6:30 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: Derek and Makenzie Dalmolin
1915 Cori Lane, Blue Bell, PA 19422

PREMISES INVOLVED: 447 West 6th Avenue
Conshohocken, PA 19428
BR-1 - Borough Residential District 1

OWNER OF RECORD: Derek and Makenzie Dalmolin
1915 Cori Lane, Blue Bell, PA 19422

The petitioner is seeking a Special Exception pursuant to Section §27-823 and a Variance from Section §27-823.B to permit a group home use within the BR-1 - Borough Residential District 1; and to permit the required two (2) off-street parking spaces for the group home use to be located in the front yard of the group home, whereas no off-street parking spaces shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

Date: April 9, 2024
To: Stephanie Cecco, Allison Flounders
From: Allison A. Lee, PE
Re: 447 West Sixth Avenue - Zoning Determination

History of the Site:

447 West Sixth Avenue is comprised of an existing three (3)-story single-family semi-detached (twin) residential dwelling that was constructed in 1992. The 2,142 SF property is located within the BR-1 - Borough Residential District 1 zoning district. The property was used as a primary residence until 2017 when it was converted into a rental property for two (2) sets of tenants.

The site is fronted by West Sixth Avenue (80' right-of-way) to the north; and residential properties also located within the BR-1 zoning district in all other directions.

There is an existing attached garage and approximately 30-foot long x 10-foot wide driveway located to the front of the existing dwelling. There is also straight in parking available within the W. Sixth Avenue right-of-way along the site frontage.

Current Request:

The property owner has executed a residential lease to a current tenant caretaker that is providing housing, supervision, and care for up to two (2) high-functioning adults with special needs. This independent living arrangement is supported by an organization that provides 24-hour supervision and support.

The Applicant is seeking a Special Exception pursuant to Section §27-823 of the Conshohocken Borough Zoning Ordinance to permit a group home use within the BR-1 - Borough Residential District 1. The Applicant will also need to seek a variance from Section §27-823.B of the Conshohocken Borough Zoning Ordinance to permit the required two (2) off-street parking spaces for the group home use to be located on the existing driveway within the front yard, whereas no off-street parking spaces shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.

Zoning Determination:

The current request is pursuant to a zoning enforcement letter that was issued on December 5, 2023 for the operation of a group home use without the required special exception pursuant to Section §27-823 of the Conshohocken Borough Zoning Ordinance.

Per Section §27-202 of the Borough Zoning Ordinance, a group home is defined as a residential facility used as living quarters by any number of unrelated persons requiring special care, and their attendant adult supervisors, specifically designed to create a residential setting for the mentally and physically handicapped (as a permitted use), or for other similar uses (as a special exception). The individuals may be either transient or permanent residents. Any number of handicapped persons, as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit.

The current use of the subject property is considered a group home use by definition.

Pursuant to Part 8 of the General Regulations, Section §27-823, group homes *“shall be permitted by special exception in the RO, BR-1, and BR-2 Zoning Districts, subject to the additional requirements below:*

- A. *In place of the off-street parking requirements for residential units, all group homes shall have one off-street parking space for each resident staff member. Also, one off-street parking space for every five handicapped residents.*
- B. *No off-street parking shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.*
- C. *All group homes will conform to the type and outward appearance of the residences in the area in which they are located. This provision shall in no way restrict the installation of any ramp or other special features required to serve handicapped residents.*
- D. *Any medical or counseling services provided shall be done only for the residents of the group home.”*

The above referenced property is located within the BR-1 – Borough Residential District 1 zoning district. Therefore, the Applicant is required to obtain a Special Exception pursuant to Section §27-823 to permit a group home use within the BR-1 zoning district.

In accordance with the Applicant’s narrative, there is currently one (1) resident staff member and two (2) handicapped residents. The site currently has an attached garage and an approximately 30-foot long x 10-foot wide driveway located to the front of the existing dwelling that may be able to accommodate up to two (2) off-street parking spaces.

The Applicant should clarify the current parking arrangement of the property with the two (2) sets of tenants.

Although there is an existing front garage and driveway on the property, the use of the garage and driveway was for the primary residence use. Since the Applicant is requesting a new group home use on the property, the Applicant must comply with the group home code provisions of Section §27-823. Therefore, the Applicant is required to seek a variance from Section §27-823.B to permit the off-street parking for the group home use to be located within the front yard area, whereas no off-street parking between the front wall of the principal structure and the curb of the street toward which that wall is oriented is permitted. In addition, the Applicant shall comply with the additional code provisions of Sections §27-823.C & D as noted above.



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

SENT VIA CERTIFIED MAIL AND U.S. MAIL

December 5, 2023

Property Owner:

Derek Ian Dalmolin
Makenzie Newman
447 W. 6th Avenue
Conshohocken, PA 19428

Secondary Address:

Derek Ian Dalmolin
Makenzie Newman
1915 Cori Lane
Blue Bell, PA 19422

**Re: 447 W. 6th AVENUE
PARCEL ID NO.: 05-00-09160-20-4
ZONING ENFORCEMENT NOTICE**

Please be advised, that the subject property located within the Borough of Conshohocken is in violation of the terms of the Borough Zoning Ordinance in the use and occupancy of the property as a group home. In accordance with Section 27-202 of the Zoning Ordinance, a group home is defined as a residential facility used as living quarters by any number of unrelated persons requiring special care, and their attendant adult supervisors, specifically designed to create a residential setting for the mentally and physically handicapped (as a permitted use), or for other similar uses (as a special exception). The individuals may be either transient or permanent residents. Specifically, the property is in violation of Part 8 - General Regulations of Zoning Code Section 27-823. A. & B. as follows:

*Section 27-823.A. & B. – Group Homes shall be permitted by **special exception** in the RO, **BR-1**, and **BR-2** Zoning Districts, subject to the additional requirements below:*

- A. In place of the off-street parking requirements for residential units, all group homes shall have one off-street parking space for each resident staff member. Also, one off-street parking space shall be provided for every five handicapped residents.*
- B. No off-street parking spaces shall be located in the area between the front wall of the principal structure and the curb of the street toward which that wall is oriented.*

The property is located within the BR-1 – Borough Residential District 1 and you are required to seek a Special Exception from the Conshohocken Borough Zoning Hearing Board to permit a group home use on the subject property. No record of a Special Exception has been granted for a group home use on the subject property. Should a Special Exception be granted, the use must comply with the off-street parking accommodations and use requirements per Zoning Code Section 27-823.

By **January 5, 2024**, you must come into compliance with the outlined zoning code requirements.

YOU HAVE THE RIGHT TO APPEAL TO THE ZONING HEARING BOARD WITHIN 30 DAYS OF RECEIPT OF THIS NOTICE.

YOUR FAILURE TO COMPLY WITH THIS NOTICE WITHIN THE TIME SPECIFIED UNLESS EXTENDED BY APPEAL TO THE ZONING HEARING BOARD CONSTITUTES A VIOLATION OF THE ZONING ORDINANCE WHICH MAY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE BOROUGH. EACH DAY THAT THE VIOLATION CONTINUES MAY CONSTITUTE A SEPARATE VIOLATION.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,



Allison A. Lee, PE
Zoning Officer

PENNONI ASSOCIATES INC.

cc: Ray Sokolowski
Stephanie Cecco
Chris Small



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2024-09
Date Submitted: 3-13-24
Date Received: 3-13-24

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

Section 27-202

3. Address of the property, which is the subject of the application:

447 W 6th Ave, Conshohocken, PA 19428

4. Applicant's Name: Derek Dalmolin

Address: 1915 Cori Ln, Blue Bell, PA 19422

Phone Number (daytime): 201-450-2064

E-mail Address: derek2014502064@gmail.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Derek and Makenzie Dalmolin

Address: 1915 Cori Ln, Blue Bell, PA 19422

Phone Number: 201-450-2064

E-mail Address: derek2014502064@gmail.com

7. Lot Dimensions: 21 x 102 = 2,142 sq ft Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Property was a primary residence until 2017. The residence has been a rental property since 2017 and there have been two sets of tenets during that time.

The residence is 16 x 38 and total internal square footage is 1,216. This calculation does not include a small finished basement space that contains a half bath, clothes washer and dryer, and utility room.

10. Please describe the proposed use of the property.

The property will continue to be used as a rental property for the foreseeable future.

11. Please describe proposal and improvements to the property in detail.

There are no proposed improvements to the property. Following the recent inspection, we were informed a special exception is needed to the zoning to allow the property to be used as group home.

Current tenant is a caregiver that provides housing for up to two high-functioning adults with special needs. This arrangement provides 24-hour supervision and support for their clients' independent living. This request is being made to support their continued use of the property and ensure the property is appropriately filed with the borough.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

The current tenants are self-contained and supported by an organization that provides 24-hour care. There is no negative impact on the surrounding homes or community and no additional parking or community or city services needed at the property. Additionally this arrangement provides a much needed service to people with disabilities that allows them to live in an independent manner.

Note: Given property garage and extended driveway, no additional parking is required or requested to support the tenants. Therefore, "Part 8 - General Regulations of Zoning Code Section 27-823 A&B" does not apply.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: The property is a duplex townhome with a one-car garage and a driveway large enough for two cars

b. How the Zoning Ordinance unreasonably restricts development of the property:

The zoning ordinance prevents the owners from utilizing their discretion as to whom would be good tenants for the property and for the local community. The owners of the property are invested in ensuring the property and surrounding areas are kept at the highest standards to benefit their investment and the community. The owners also have direct connections to the disabled community and felt renting to this organization was for the greater good of society.

c. How the proposal is consistent with the character of the surrounding neighborhood.

The tenants are high functioning individuals with disabilities that receive 24-hour support and care without an impact to their neighbors or larger community. From this perspective they are ideal tenants and inhabitants of the property. Per 2015 county-level statistics from the American Community Survey (ACS), the prevalence of people with disabilities in Montgomery County is 9.4%. As such, we feel this representation is in line with our 

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

The borough defines this arrangement as a group home and therefore requires a special exception. No additional exception is being requested. In review of multiple tenants we viewed this tenant to be best qualified for the property and community; and not moving forward with the best qualified tenant would have been discriminatory.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

N/A - Not contesting the determination. Just requesting a special exception to the zoning ordinance.

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

N/A

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

N/A

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

N/A

c. Please describe in detail the reasons why the requested relief should be granted.

N/A

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: _____

b. Address: _____

c. Phone Number: _____

d. E-mail Address: _____

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

Derek Dalmolin

Applicant

Derek and Makenzie Dalmolin

Legal Owner

3/8/2024

Date

COMMONWEALTH OF PENNSYLVANIA

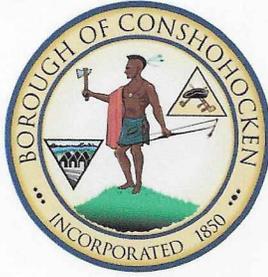
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 11TH day of MARCH, 2024.

Alea K. Pacell
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Alea K. Pacell, Notary Public
Montgomery County
My commission expires June 28, 2025
Commission number 1302279
Member, Pennsylvania Association of Notaries

(Seal)



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



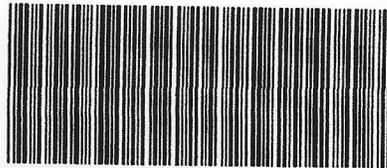
RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

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 5886 PG 01212 to 01215

INSTRUMENT # : 2013090539

RECORDED DATE: 08/26/2013 12:54:23 PM



2972951-0013W

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

Document Type: Deed
Document Date: 08/09/2013
Reference Info:

Transaction #: 2939970 - 2 Doc(s)
Document Page Count: 3
Operator Id: estaglia

RETURN TO: (Simplifile)
 Services Abstract
 794 Penllyn Blue Bell Pike Suite 200
 Blue Bell, PA 19422
 (215) 654-6160

PAID BY:
 SERVICES ABSTRACT

*** PROPERTY DATA:**

Parcel ID #: 05-00-09160-20-4
 Address: 447 W SIXTH AVE

CONSHOHOCKEN PA
 19428
 Municipality: Conshohocken Borough
 (100%)
 School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$310,000.00
TAXABLE AMOUNT: \$310,000.00

DEED BK 5886 PG 01212 to 01215
 Recorded Date: 08/26/2013 12:54:23 PM

FEES / TAXES:

Recording Fee: Deed \$78.00
 State RTT \$3,100.00
 Conshohocken Borough RTT \$1,550.00
 Colonial School District RTT \$1,550.00
Total: \$6,278.00

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



Nancy J. Becker

Nancy J. Becker
 Recorder of Deeds

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Prepared By: **Services Investors, LLC d/b/a Services
Abstract Company
ATTN: Tamarie Luzio
794 Penlyn Blue Bell Pike, Suite 120
Blue Bell, PA19422
Phone: 215-654-6160**

Return To: **Services Investors, LLC d/b/a Services
Abstract Company
ATTN: Tamarie Luzio
794 Penlyn Blue Bell Pike, Suite 120
Blue Bell, PA19422
Phone: 215-654-6160**

**Parcel: 05-00-09160-20-4
447 West 6th Avenue,
File No. 509-002092**

DEED

Prepared By: **Services Investors, LLC d/b/a Services
Abstract Company
ATTN: Taramarie Luzio
794 Penllyn Blue Bell Pike, Suite 120
Blue Bell, PA19422
Phone: 215-654-6160**

Return To: **Services Investors, LLC d/b/a Services
Abstract Company
ATTN: Taramarie Luzio
794 Penllyn Blue Bell Pike, Suite 120
Blue Bell, PA19422
Phone: 215-654-6160**

**05-00-09160-20-4
447 West 6th Avenue, Conshohocken,
PA 19428
File No. 509-002092**

Fee Simple Deed

This Deed, made on August 9th, 2013, between,

Anne Siegfried n/b/m Anne O'Hagan

hereinafter called the Grantor of the one part, and

Derek I. Dalmolin

hereinafter called the Grantee of the other part,

Witnesseth, that in consideration of **Three Hundred Ten Thousand and 00/100 Dollars, (\$310,000.00)** in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee, his/her/their heirs and assigns, as **SOLE OWNER**;

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected,

SITUATE in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, bounded and described according to a Plan of property of Ralph Philomeno made by Donald H. Schurr, Civil Engineer, Plymouth Meeting, Pennsylvania, dated December 14, 1990 and revised May 02, 1991, as follows, to wit:

BEGINNING at a point of intersection of the center line of Sixth Avenue (80 feet wide) and the Southeasterly side of Colwell Lane (60 feet wide); thence along said center line of Sixth Avenue, South 43 degrees 26 minutes East a distance of 100.7 feet to a point; thence South 46 degrees 34 minutes West a distance of 40 feet to a point; a corner on the Southwesterly side of Sixth Avenue; thence along said Southwesterly side of Sixth Avenue, South 43 degrees 26 minutes East a distance of 42 feet to the point of beginning; thence continuing South 43 degrees 26 minutes East a distance of 21 feet to a point; a corner; thence South 46 degrees 34 minutes West, through the center line of a party wall between Lot #2 and Lot #4, a distance of 102.38 feet to a point, a corner; thence North 43 degrees 26 minutes West a distance of 21 feet to a point; a corner; thence North 46 degrees 34 minutes East a distance of 102.38 feet to the point of beginning.

BEING Lot #4.

PARCEL NO. 05-00-09160-20-4

BEING the same premises which Martin J. Norton, by Deed dated 11-05-09 and recorded 11-09-09 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5749, Page 2363, granted and conveyed unto Anne Siegfried.

And the said Grantor does hereby covenant to and with the said Grantee that he/she/they, the said Grantor, 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, his/her/their heirs and assigns, against the said Grantor and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under him/her/they or any of them.

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

Sealed and delivered in the presence of:

Witness _____ Anne Siegfried now by marriage Anne O'Hagan
Anne Siegfried n/b/m Anne O'Hagan

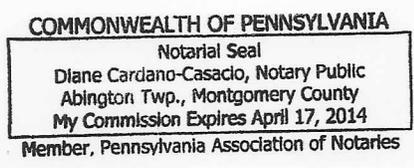
State/Commonwealth of PENNSYLVANIA

County of MONTGOMERY

On this AUGUST 9, 2013 before me, the undersigned officer, personally appeared **Anne Siegfried n/b/m Anne O'Hagan**, known to me (or satisfactorily proven) to be the person(s) 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.

Diane Cardano-Casacio
Notary Public



DEED

File No. 509-002092

Grantor: Anne Siegfried n/b/m Anne O'Hagan

Grantee: Derek I. Dalmolin

I certify the address of the Grantee to be, and mail tax bill to:

447 W. 6th Ave, Conshohocken, PA 19428

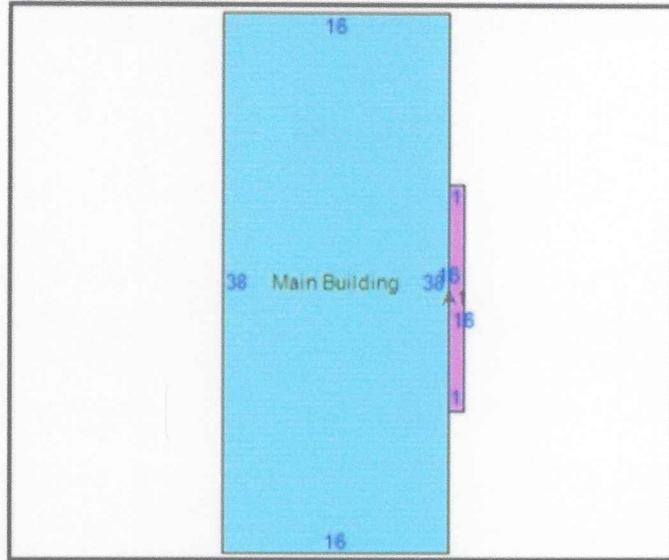
Certified by: [Signature]

Premises: 447 West 6th Avenue, Conshohocken, , Montgomery County, State/Commonwealth of Pennsylvania

PARID: 050009160204

DALMOLIN DEREK IAN & MAKENZIE NEWMAN

447 W SIXTH AVE



Options

Type	Line #	Item	Area
Dwelling	0	Main Building	608
Dwelling	1	A1 - 16.FrOvr	16

PARID: 050009160204
DALMOLIN DEREK IAN & MAKENZIE NEWMAN

447 W SIXTH AVE



PARID: 050009160204

DALMOLIN DEREK IAN & MAKENZIE
NEWMAN

447 W SIXTH AVE

Lot Information

Lot Size	2142 SF
Lot #	4
Remarks	21 X 102 2142 SF
Remarks	
Remarks	

PARID: 050009160204

DALMOLIN DEREK IAN & MAKENZIE
NEWMAN

447 W SIXTH AVE

Residential Card Summary

Card	1
Land Use Code	1101
Building Style	TOWNHOUSE
Number of Living Units	1
Year Built	1992
Year Remodeled	
Exterior Wall Material	ALUM/VINYL
Number of Stories	2
Square Feet of Living Area	1,232
Total Rms/Bedrms/Baths/Half Baths	6/3/1/2
Basement	FULL
Finished Basement Living Area	
Rec Room Area	
Unfinished Area	
Wood Burning Fireplace	
Pre Fab Fireplace	
Heating	CENTRAL WITH A/C
System	WARM FORCED AIR
Fuel Type	GAS
Condo Level	1
Condo/Townhouse Type	CORNER
Attached Garage Area	
Basement Garage No. of Cars	1