Whitemarsh TOWNSHIP

616 GERMANTOWN PIKE - LAFAYETTE HILL, PA 19444-1821
TEL: 610-825-3535 FAX: 610-825-9416
www.whitemarshtwp.org

BOARD of SUPERVISORS

Laura Boyle Nester – Chair
Fran McCusker – Vice Chair
Michael Drossner
Vincent Manuele
Jacy Toll

Richard L. Mellor, Jr.
Township Manager

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
PUBLIC HEARINGS FOR WEDNESDAY, JUNE 10, 2020 6:30 PM
ZOOM MEETING PARTICIPATION INFORMATION

The Whitemarsh Township Zoning Hearing Board will conduct public hearings on **Wednesday, June 10, 2020 at 6:30 PM for the cases as listed on the agenda for this date.**

In response to the Governor's Stay Home Order due to the COVID 19 health pandemic, these hearings will be conducted via ZOOM. All members of the Board, staff and public will participate remotely. The public may join these hearings by either telephone using the dial in number or entering the URL on an internet browser. Below you will find instructions on how to access and participate in the hearing:

- **Hearing Date:** Wednesday, June 10, 2020
- **Hearing Time:** 6:30 PM
- **Hearing URL:** https://us02web.zoom.us/j/87419718730?pwd=ZUF4Szd6T3NNVVVFbVI4VDdKcnRlQT09
- **Hearing via Zoom App:** if you have the Zoom App on your smartphone, tablet, or computer, open the program, click join a meeting, and enter the Meeting ID: 874 1971 8730
- **Hearing dial in number (no video):** 1 646 558 8656
- **Hearing ID number (to be entered when prompted):** 874 1971 8730
- **Hearing Password:** 851998

THE PUBLIC MAY ALSO SUBMIT QUESTIONS OR COMMENTS PRIOR TO THE HEARINGS BY U.S. MAIL ADDRESSED TO CHARLES GUTTENPLAN, ZONING OFFICER, WHITEMARSH TOWNSHIP, 616 GERMANTOWN PIKE, LAFAYETTE HILL, PA 19444 RECEIVED NO LATER THAN JUNE 8, 2020 OR BY E-MAIL TO CGUTTENPLAN@WHITEMARSHTWP.ORG NO LATER THAN 12 NOON ON JUNE 9, 2020.

PERSONS WHO WISH TO BECOME PARTIES TO ANY OF THE APPLICATIONS MUST DO SO DURING THE HEARING ON THE RECORD THROUGH THE ZOOM LINK AS INSTRUCTED, FOLLOWED BY WRITTEN ENTRY OF APPEARANCE FORM. PERSONS MAY ALSO REQUEST PARTY STATUS IN WRITING IN ADVANCE OF THE HEARINGS, BY E-MAIL TO CGUTTENPLAN@WHITEMARSHTWP.ORG RECEIVED NO LATER THAN 12 NOON ON JUNE 9, 2020 AND THEN BEING AVAILABLE THROUGH THE ZOOM CONFERNCE LINK ON THE DATE AND TIME OF THE HEARING. A SAMPLE FORMAT FOR THE WRITTEN REQUEST FOR ENTRY OF APPEARANCE WILL BE POSTED ON THE TOWNSHIP WEBSITE.

Persons with a disability who wish to participate in the public hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Whitemarsh Township at 484-594-2625.

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
ENTRY OF APPEARANCE AS A PARTY

I/We_____

request to be granted party status in Application ZHB #2020-___ ,

Applicant: _____

Please Print Name and Address Below:

_____

_____

_____

_____

Please Sign Below:

_____

_____

WHITEMARSH TOWNSHIP
ZONING HEARING BOARD AGENDA (AMENDED)
JUNE 10, 2020
6:30 PM
DUE TO THE COVID-19 HEALTH EMERGENCY, THESE CASES WILL BE CONDUCTED VIA THE INTERNET USING 'ZOOM' TELECOMMUNICATION TECHNOLOGY
INSTRUCTIONS FOR PARTICIPATING IN THE MEETING WILL BE POSTED ON THE TOWNSHIP'S WEBSITE

___ Bacine ___ Behr ___ Casacio ___ Kramer ___ Weinstein ___ Rubin (Alt.)

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1. CALL TO ORDER

2. ANNOUNCEMENTS & CORRESPONDENCE

- **ZHB#2019-32:** Verity Associates, LP, 6020 Cricket Road, Flourtown, PA; Parcel #65-00-02794-00-3; Block 053; Unit 046; AA-Residential District. ***This application had been continued from the February 12, 2020 meeting; the applicant is now requesting that it be continued to Monday, June 22, 2020 at 7:00 PM..***

- Applicants are requested not to remove signs after the hearing at this time; Township staff will remove them once the hearing is completed.

3. ZONING HEARING BOARD APPLICATIONS

- **ZHB#2020-15:** Edward and Elizabeth Hales, 6020 Sheaff Lane, Fort Washington, PA; Parcel #65-00-10522-00-6; Block 048; Unit 032; AAAA-Residential District. The Applicants are proposing to erect an 8-foot greenwire fence to protect their pool/enclose the pool area and to prevent deer from entering the yard. In order to do so the following is being requested: **Variance from Section 116-33.B.** to permit a fence in the side and/or rear yard to exceed the 6-foot maximum height restricted by this section; and a **Variance from Section 116-33.H.** to permit any fence to exceed six feet in height as restricted by this section.

- **ZHB#2020-16:** Frank and Bridget Watton, 331 Hillcrest Avenue, Conshohocken, PA; Parcel #65-00-05668-00-9; Block 016; Unit 065; B-Residential District. The Applicants are proposing to construct a 14' x 24' (336 square foot) shed to the rear of their property. In order to do so the following is being requested: **Variance from Section 116-24.B.(18)** to permit a residential storage building in excess of the maximum 200 square feet allowed by this section; **Variance from Section 116-57.G.** to allow a building coverage of 21.8% wherein a maximum of 20% is allowed; existing building coverage is 20.5%; **Variance from Section 116-57.H.** to allow an impervious ground coverage of 45.2% wherein a maximum of 30% is allowed; existing impervious ground coverage is 43.9%; and a **Variance from Section 116-194.A.** to allow an increase in both existing nonconforming building coverage and impervious ground coverage; this section allows permitted improvements as long as existing nonconformities are not increased.

4. ADJOURNMENT

ZHB APPEAL #2020-15
SUMMARY

APPLICANTS: Edward and Elizabeth Hales

PROPERTY LOCATION: Parcel #65-00-10522-00-6
Block 048, Unit 032
6020 Sheaff Lane
Fort Washington, PA 19034

ZONING DISTRICT: AAAA-Residential District

SUMMARY OF RELIEF REQUEST:

The Applicants are proposing to erect an 8-foot greenwire fence to protect their pool/enclose the pool area and to prevent deer from entering the yard. In order to do so the following is being requested:

1. **Variance from Section 116-33.B.** to permit a fence in the side and/or rear yard to exceed the 6-foot maximum height restricted by this section.
2. **Variance from Section 116-33.H.** to permit any fence to exceed six feet in height as restricted by this section.

PRIOR DECISIONS:

None

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 2020-15

Applicant/Appellant: ED + LIZANNE HALES
Address: 6020 SHEAFF LN, FT. WASHINGTON, PA 19034
Phone #: [redacted] **Cell Number:** [redacted] **E-Mail:** [redacted]

Owner: * SAME AS ABOVE *
Address:
Phone #: **Cell Number:** **E-Mail:**

Location of the Property Involved: 6020 SHEAFF LN. FT. WASHINGTON, PA 19034
Block #: 048 **Unit #:** 032 **Parcel #:** 65-00-10522-00-6

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

REQUESTING VARIANCES FROM:
SECTIONS 116-33.B. (NO FENCE IN SIDE OR REAR YARD SHALL TO EXCEED (6' FT.)
116-33.H. (UNLESS OTHERWISE PROVIDED, NO FENCE ON ANY PROPERTY IN TWP. CAN EXCEED (6' FT.)

GROUNDS FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):
****Attach additional sheets if necessary**

REASONING; WE LOST 100' RED OAK WHICH DESTROYED PORTION OF EXISTING FENCE AROUND POOL. WE PROPOSE AN 8' FT. GREENWIRE FENCE TO PROTECT POOL / ENCLOSE, AND PROTECT FAMILY MEMBERS FROM DEER. WE HAVE 2 DOGS + AN 8 YR OLD, I HAVE BEEN INFECTED WITH LYME DISEASE ON PROPERTY.

Legal Counsel (if represented):
Address:
Phone #: **E-Mail:**

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

RECEIVED
APR 29 2020
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

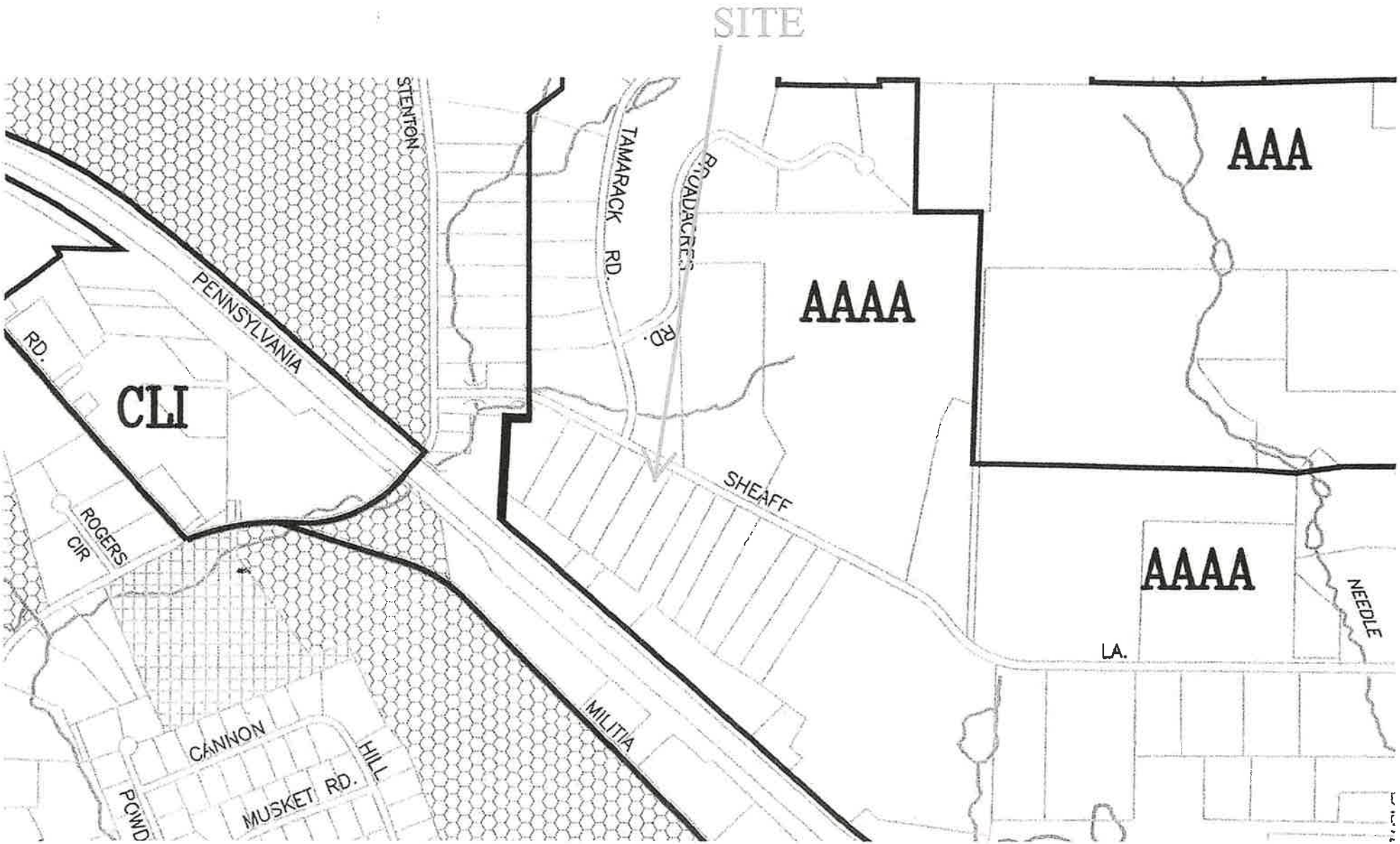
I am (We are)

- [x] **Owner(s) of Legal Title**
- [ ] **Owner(s) of Equitable Title**
- [ ] **Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)**

Date: 4/27/2020

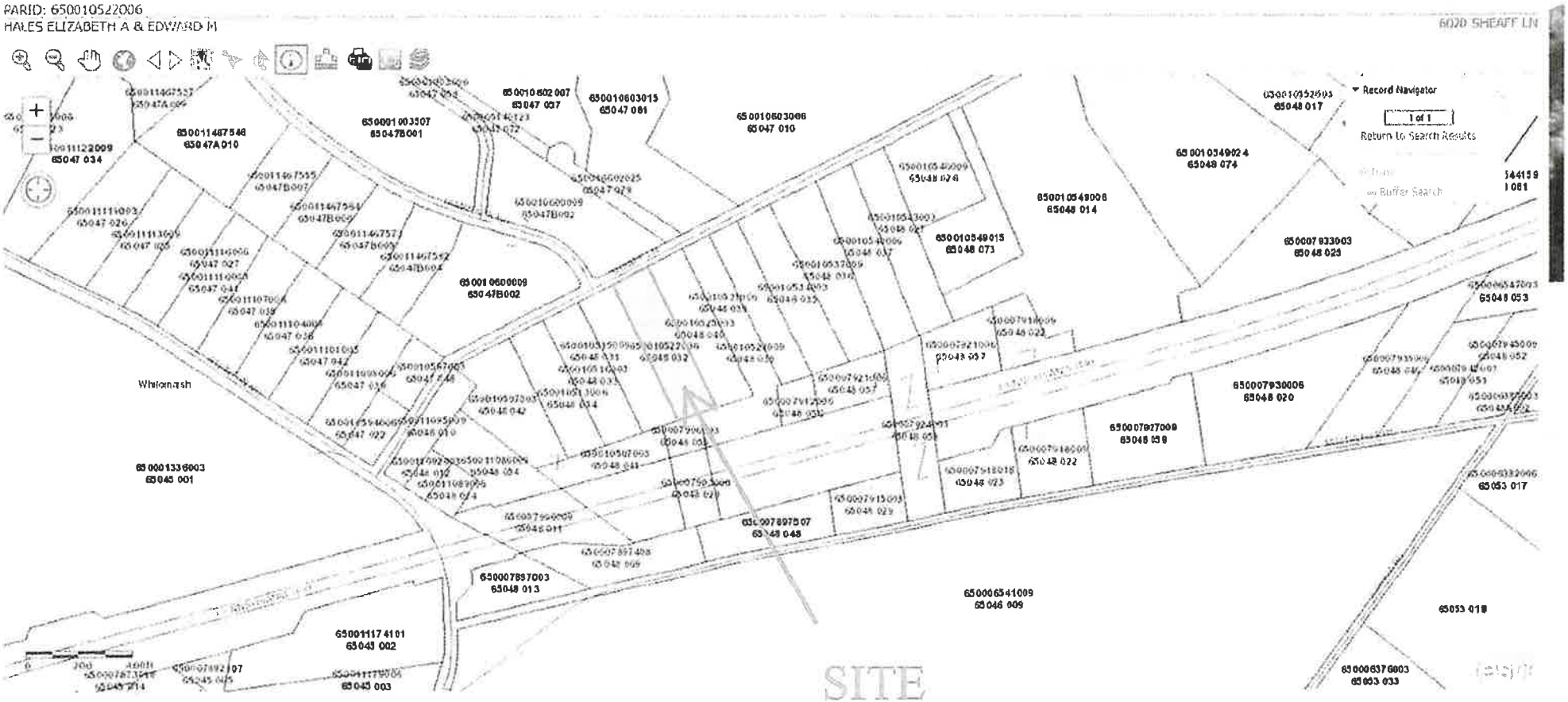
Edward Hales
Signature of Applicant/Appellant:

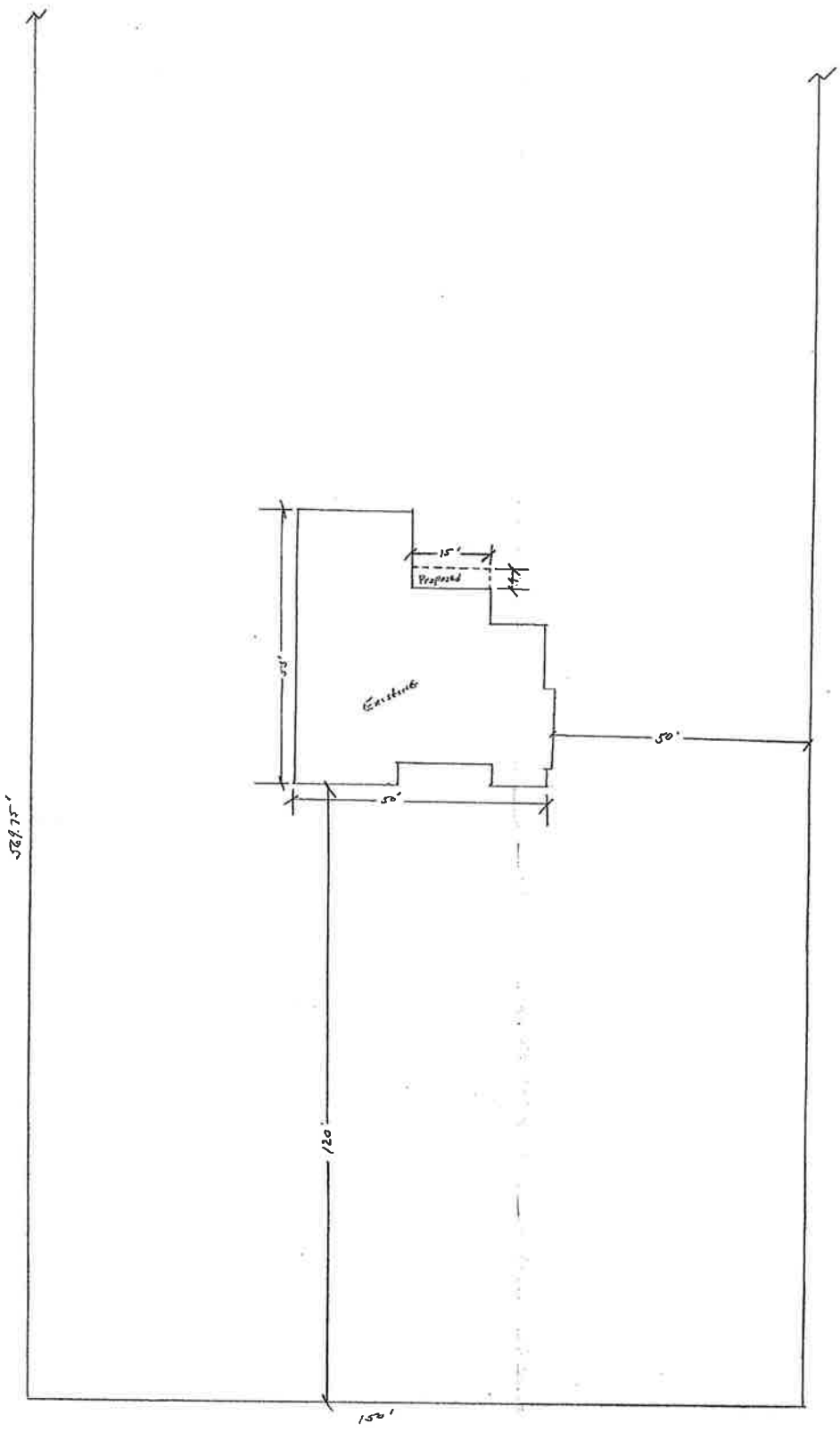
Lizanne Hales
Signature of Applicant/Appellant:


SITE
STENTON
TAMARACK RD.
RD.
PENNSYLVANIA
RD.
CLI
AAAA
AAA
AAAA
SHEAFF
ROGERS
CIR
NEEDLE
LA.
MILITIA
CANNON
HILL
MUSKET RD.
PCWD

PARID: 650010522006
HALES ELIZABETH A & EDWARD M

6020 SHEAFF LN





BERKow Residence

Plot Plan

Scale - 1/16" = 1.0'

January 29, 1990

309

812 S. York Road
Willow Grove PA 19090
Phone: 215.643.7490
Fax: 215.643.9540
Email: MSF@MainStreetFence.com
www.MainstreetFence.com

MAILING ADDRESS:
812 S. York Road
Harboro, PA 19040

Project No.:
County: MONTCO Twp.: WHITEMARSH
POCS: Date:
PA Contractor # 003356
PA Consumer Hotline: 1.800.441.2555

PC (2017)

Customer Name:	Est. Date	Estimator:
SALES, ED	TUES 3/17/20 @ 1PM	RICK
Address: 6020 SHEAFF LN.	Phone: [redacted]	Email: [redacted]
City, State and Zip Code: FT. WASHINGTON 19034	Cross St: TAMANACK RD & E. SKIPPACK PK	
Job Site Address: REPL. EXIST NOT SURE OF STYLE		

Check One: ☐ Wood ☐ PVC ☐ Aluminum ☐ Other

526 ' of 8 ' high, Pool Code Pool Fence

2 Rows w/ 1½x4" Black or Green Wire tops

Installed on 5"-6"x12' Posts w/ Round CCA Posts

2-10' Double Gates

1-8' Double Gate

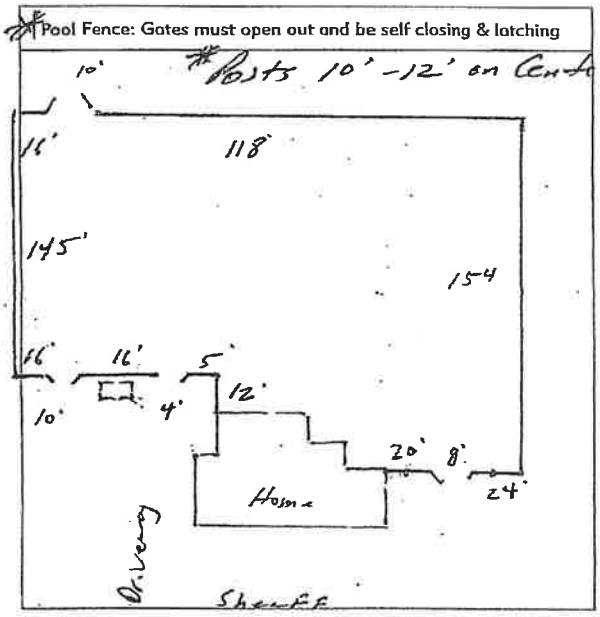
1-4' Single Gate $11,890.00

Pool Fence Hardware

1 year Labor Guarantee

Removal: old s/a - included Diego

Clearing:



☐ Chain Link: ' of ' high, x Gauge chain link fabric,

Weighted Pipe " Terminal Posts " Line Posts " Top Rail.

- ***Homeowner is responsible to check local building code for permit requirements***
- ***MainStreet Fence has all public utilities marked by PA 1-Call HOWEVER, any privately run lines such as, but not limited to; pool, electrical, sprinkler, drain and septic lines, the Buyer assumes responsibility for damage which may result***
- ***Any unforeseen hidden obstacles such as rock, concrete slab, root or land fill that cannot be determined prior to excavation by the Seller or Buyer, and results in additional time or materials, may require an additional charge.***

MainStreet Fence agrees to supply all labor and materials for the net sum of: $

TERMS OF AGREEMENT: 1/3 DEPOSIT TO START, BALANCE DUE UPON COMPLETION OF DESCRIBED WORK, SET FORTH IN PROPOSAL

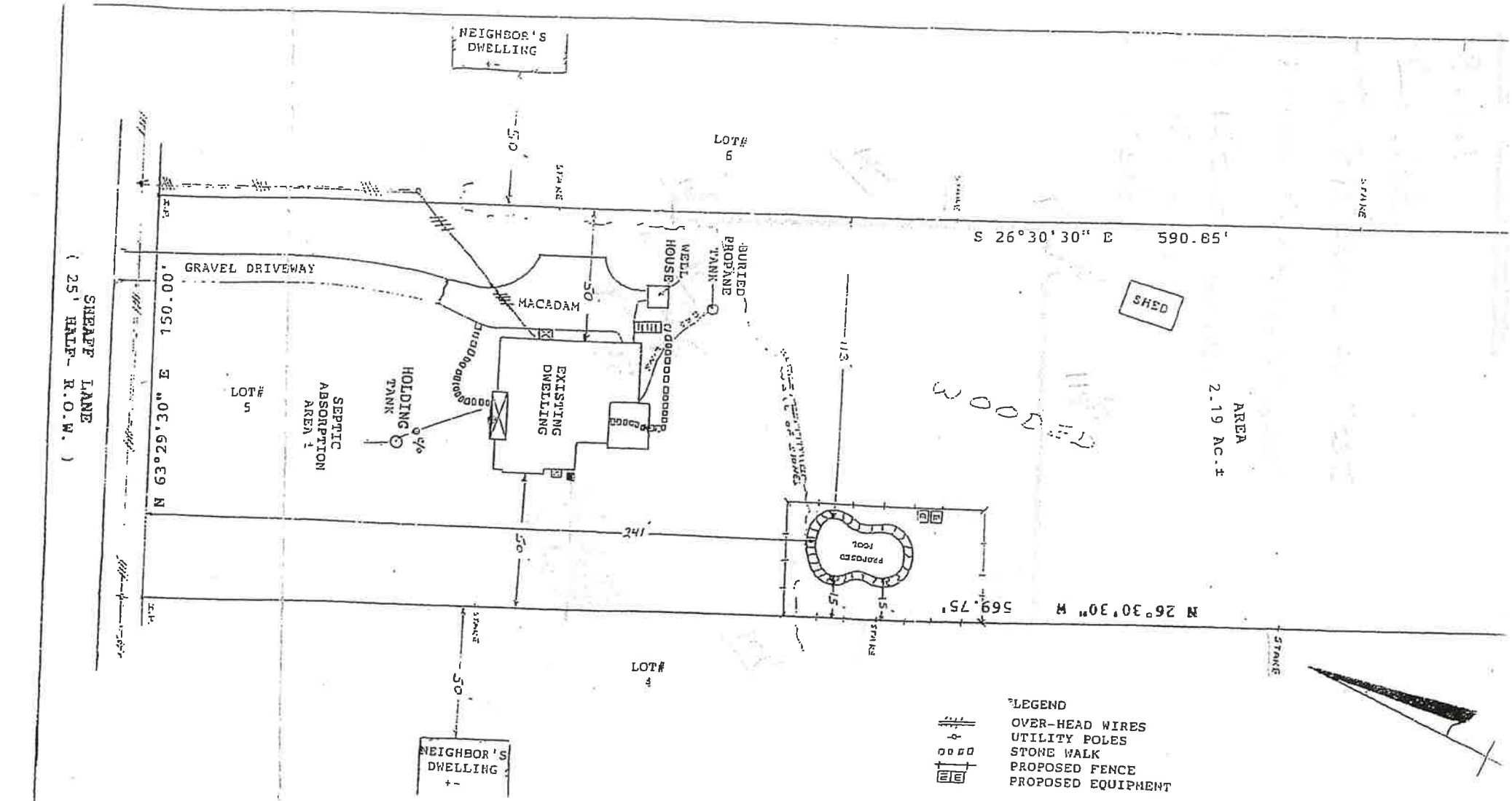
Acceptance of Proposal: The prices, specifications and agreement of sale are satisfactory and hereby accepted. Buyer has the right to rescind contract up to three days after accepting the proposal.

Signature of Buyer:

Office Use Only:

Amount: $

Deposit: $



LEGEND

- OVER-HEAD WIRES
- UTILITY POLES
- STONE WALK
- PROPOSED FENCE
- PROPOSED EQUIPMENT

NOTES

1. Reference "Plan of Lots Known as the Kolmar Tract, by C. Raymond Weir, dated 11-14-52."
2. Being Lot# 5 of said plan.
3. Contractor to verify utility locations prior to construction.
4. Pool area to be fully enclosed with Township approved fence.
5. Plan based on Property Survey performed on 11-19-99.

JOHN J. GRASER, P.L.S.
P.O. BOX 486
PENNS PARK, PA 18943
(215) 598-9530
(215) 598-9977 FAX

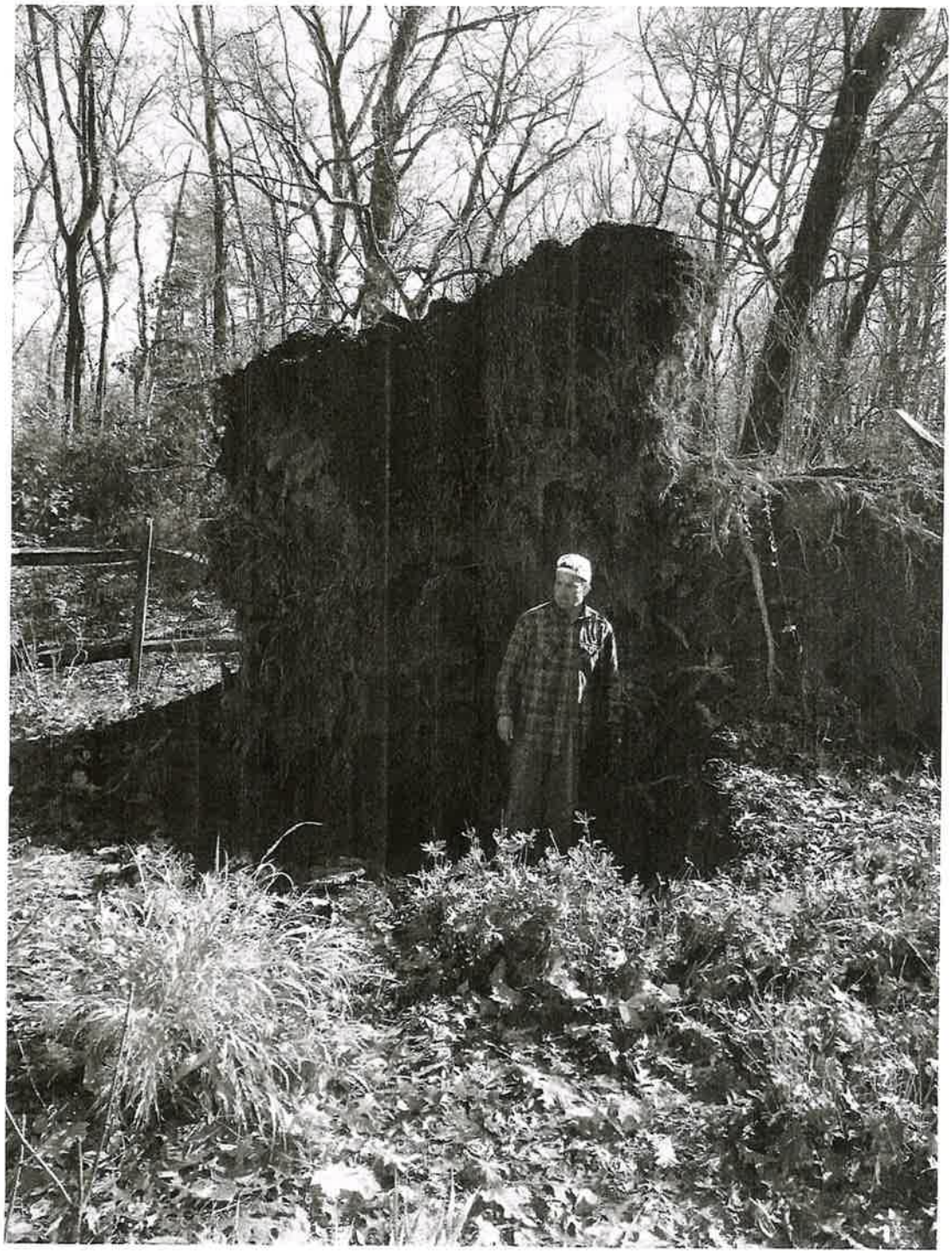
John J. Graser

POOL PLAN

ROBERT

6020
White
Montgomery

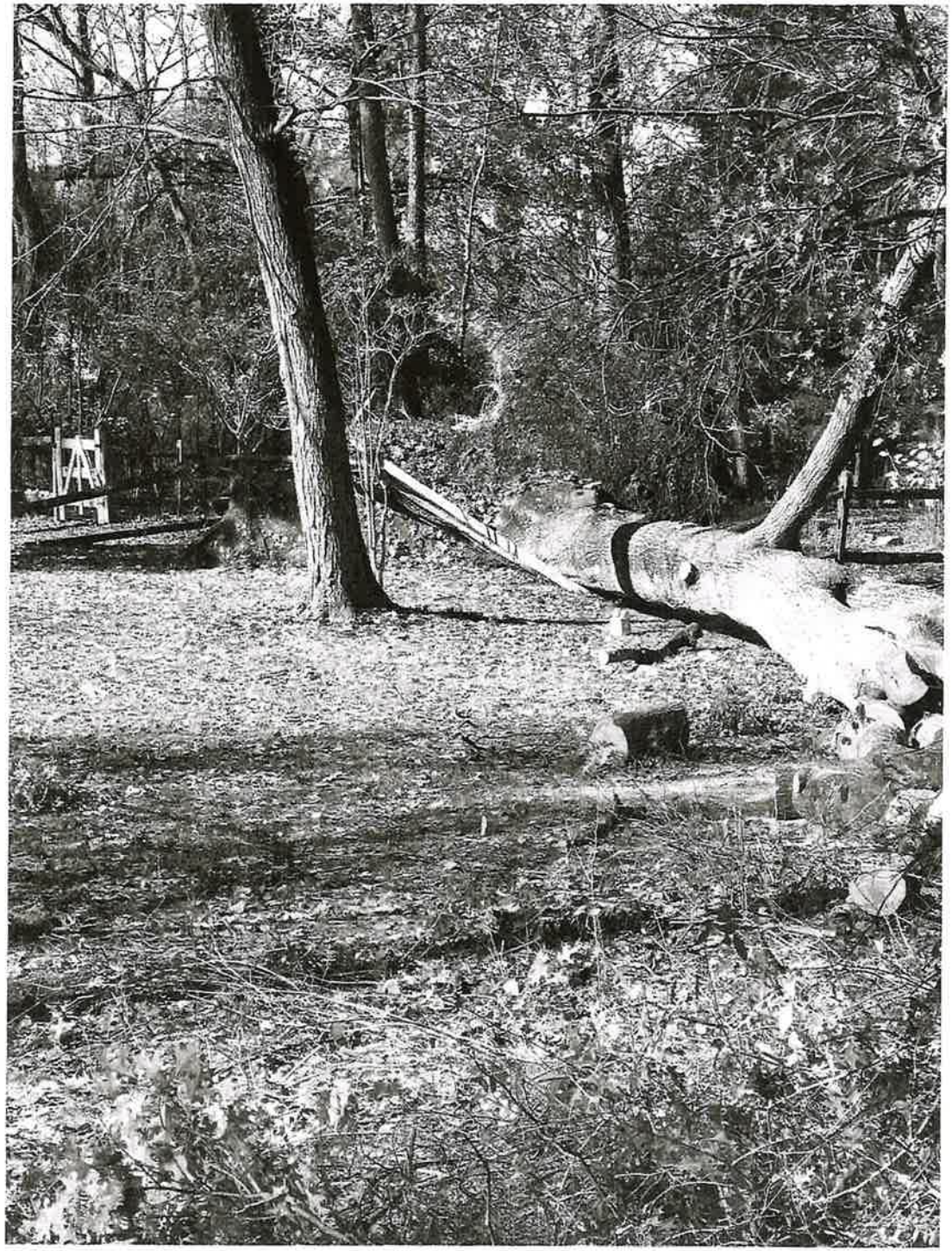
SCALE: 1" = 40'



11/01/19 STORM

→ UPROOTED 100' RED OAK LOCATE

INSIDE POOL FENCED IN ARE



*VIEW FROM BACK PROPOSED FENCLINE LOOKING @ AREA TO BE FENCED IN

* SHORE / PROPERTY LINE *

* GOLDEN / PROPERTY LINE.

ZHB APPEAL #2020-16
SUMMARY

APPLICANTS: Frank and Bridget Watton

PROPERTY LOCATION: Parcel #65-00-05668-00-9
Block 016, Unit 065
331 Hillcrest Avenue
Conshohocken, PA 19428

ZONING DISTRICT: B-Residential District

SUMMARY OF RELIEF REQUEST:

The Applicants are proposing to construct a 14' x 24' (336 square foot) shed to the rear of their property. In order to do so the following is being requested:

1. **Variance from Section 116-24.B.(18)** to permit a residential storage building in excess of the maximum 200 square feet allowed by this section.
2. **Variance from Section 116-57.G.** to allow a building coverage of 21.8% wherein a maximum of 20% is allowed; existing building coverage is 20.5%.
3. **Variance from Section 116-57.H.** to allow an impervious ground coverage of 45.2% wherein a maximum of 30% is allowed; existing impervious ground coverage is 43.9%.
4. **Variance from Section 116-194.A.** to allow an increase in both existing nonconforming building coverage and impervious ground coverage; this section allows permitted improvements as long as existing nonconformities are not increased.

PRIOR DECISIONS:

ZHB#2000-25 Variance / Front Yard Setback (Addition)

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 2020-16

Applicant/Appellant: FRANK + BRIDGET WATTON

Address: 331 HILLCREST AVE

Phone #: [redacted] **Cell Number:** [redacted] **E-Mail:** [redacted]

Owner: SAME

Address:

Phone #: **Cell Number:** **E-Mail:**

Location of the Property Involved:

Block #: 016 **Unit #:** 065 **Parcel #:** 65000056680009

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

SEC 116-24.B(18) THE DIMENSIONS OF NEW SHED ARE 14'x24' WHICH EXCEED LIMITS.
SEC 116-57.G. WILL BE GOING FROM 20.5% TO 21.8% BUILDING COVERAGE. EXCEEDS 20% LIMIT
SEC 116-57.H. WILL BE GOING FROM 43.9% TO 45.2% IMPERVIOUS COVERAGE. EXCEEDS 30% LIMIT
SEC 116-194.A. AN INCREASE IN NON CONFORMING BUILDING AND IMPERVIOUS COVERAGE.

GROUNDS FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):
****Attach additional sheets if necessary**

I WILL BE MAKING MY ATTACHED GARAGE INTO AN IN-LAW SUITE. I NEED TO MOVE WORKSHOP, TOOLS, LAWN EQUIPMENT, AND PAINTING TOOLS ALL INTO THE SHED. PAINTING TOOLS INCLUDE VARIOUS LADDERS, DROP CLOTHES, AND HAND TOOLS.

Legal Counsel (if represented):

Address:

Phone #: **E-Mail:**

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

I am (We are)

- ☐ **Owner(s) of Legal Title**
- ☐ **Owner(s) of Equitable Title**
- ☐ **Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)**

RECEIVED
APR 29 2020
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

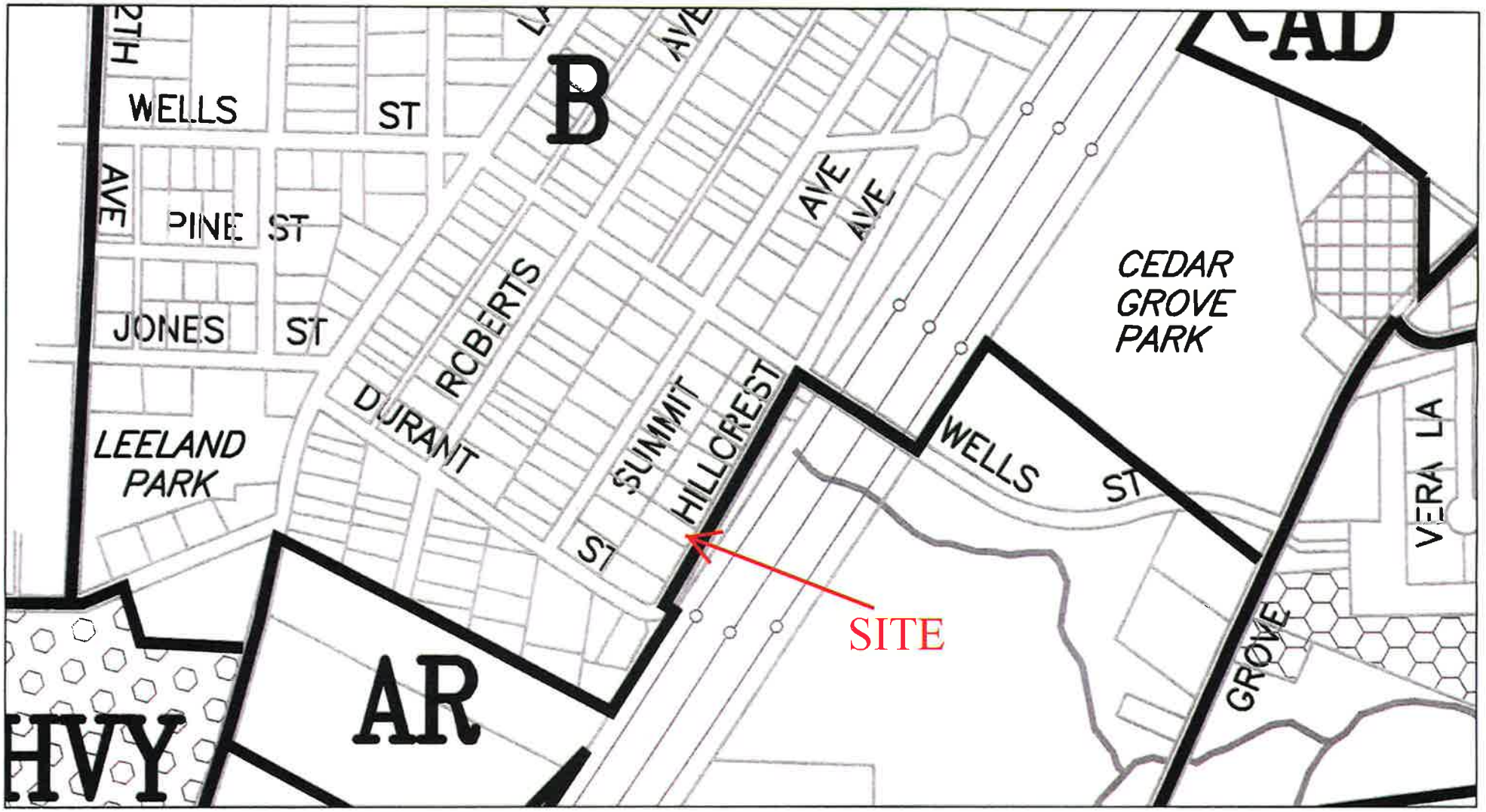
Date: 4/29/2020

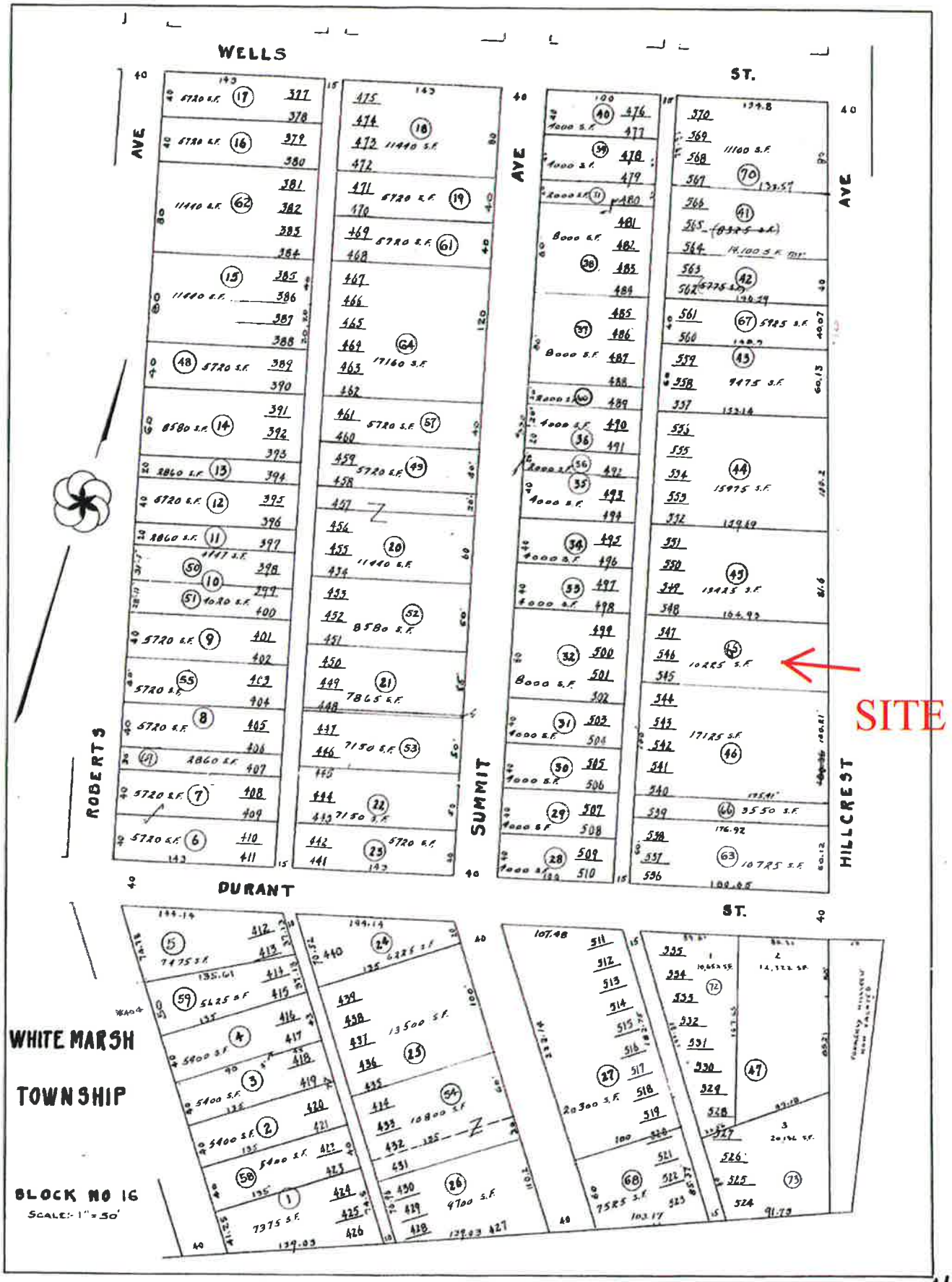
Jr L R Watton Jr

Signature of Applicant/Appellant:

Bridget A Watton

Signature of Applicant/Appellant:


WELLS ST
PINE ST
JONES ST
AVE
B
ROBERTS
DURANT
SUMMIT
HILLCREST
AVE
AVE
CEDAR GROVE PARK
LEELAND PARK
WELLS ST
VERA LA
GROVE
SITE
AR
HWY


WELLS
ST.
AVE
AVE
AVE
ROBERTS
SUMMIT
HILLCREST
DURANT
ST.
SITE
WHITE MARSH
TOWNSHIP
BLOCK NO 16
SCALE:- 1" = 50'

GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

M E M O R A N D U M

TO: Charles L. Guttenplan, AICP - Director of Planning and Zoning

FROM: Jim Hersh, PE, Township Engineer

DATE: June 8, 2020

RE: 331 Hillcrest Avenue
ZHB#2020-16

PROJECT NUMBER: 2020-01116

In reference to the above-mentioned property, we have reviewed the application prepared by Frank and Bridget Watton and offer the following comments for your consideration.

The applicants are requesting zoning relief to construct a 14' x 24' shed in the rear yard of a residential lot, in place of an existing 10' x 20' shed. The resultant increase in impervious surface coverage would be approximately 136 square-feet. The maximum impervious coverage for a lot in the B-Residential District is 30% of the total lot area.

The proposed addition would result in an increase of approximately 136 square-feet in impervious surface coverage which will increase the impervious coverage from 43.9% to 45.2%, which is greater than the allowable amount of 30%.

There are no engineering objections to or environmental impacts associated with the proposed increase in impervious surface.

Should you have any questions or need further information regarding this matter, please do not hesitate to contact me at this office.

O:\MUNICIPL\2020\2001116-WshT_Whitemarsh Zoning Review\correspondence\331 Hillcrest.doc

BUILDING COVERAGE

OLD 20.5%

NEW 21.8%

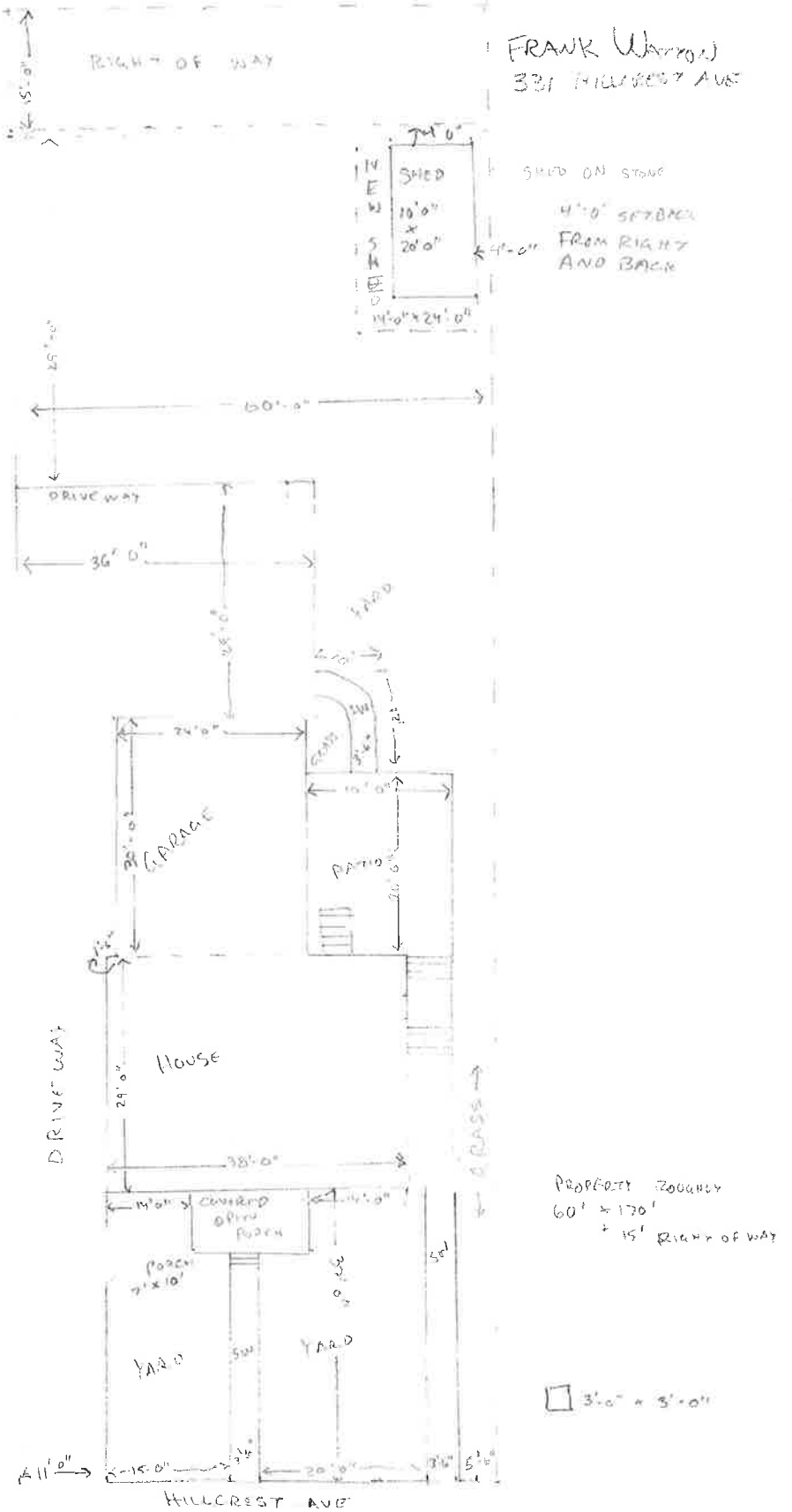
IMPERVIOUS COVERAGE

OLD 43.9%

NEW 45.2%

FRANK WARROW

331 HILLCREST AVE



SHED ON STONE

4'-0" SETBACK FROM RIGHT AND BACK

PROPERTY ROUGHLY

60' x 170'

+ 15' RIGHT OF WAY

□ 3'-0" x 3'-0"

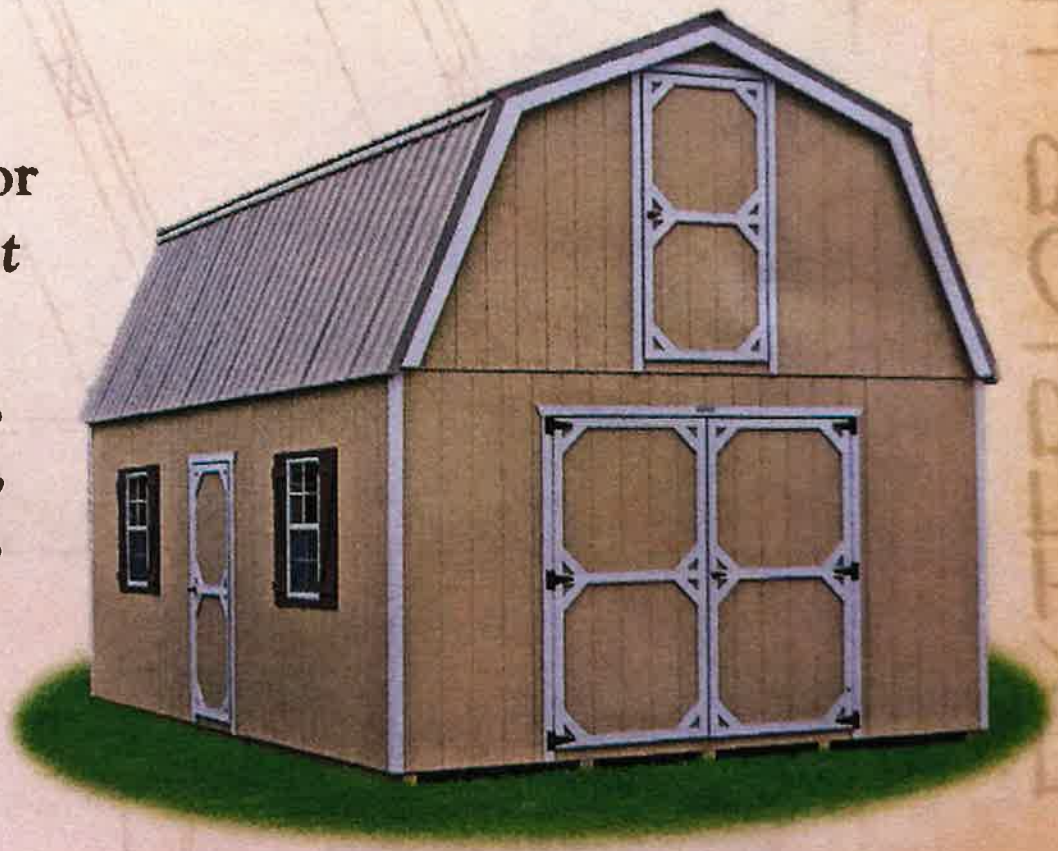
14' x 32' Two-Story Gambrel with PC Clay Smart
ide siding, Avocado trim, Chestnut shutters, and Bronze
ıetal roof. Optional porch, additional windows, upgraded
oors, venting, insulation, and other upgrades shown.

ORKSHOP

ɔp, Project Den, or
Brute—*Our Most*
omical Model!

ıdes: Two 30" x 36"
vith shutters, one 6'
e door, and two 36"
s.

vn at right: 14' x
tory Gambrel with
rt Side siding, White
shutters, and Clay



[redacted]

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 00-25
Frank R. Watton

First Hearing 7/10/00 Decided 7/10/00 Copy Mailed 7/11/00

At a public hearing of the above application, the Zoning Hearing Board decides and orders as follows:

1. The Variance required from Section 116-202.B of the Whitemarsh Township Code to allow an addition on the residence located at 331 Hillcrest Avenue which would encroach into the required front yard by -7- feet is hereby granted / [redacted]

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.

2. The addition which is a porch shall never be enclosed.

Robert A Racine

Jane Elias

Gordon W Gerber

John L Armbrust

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.

CC: BOS/ZHB 7/14/2000

ZHB APPEAL #2019-32
SUMMARY (AMENDMENT 2)

APPLICANT: Verity Associates, LP

PROPERTY LOCATION: Parcel #65-00-02794-00-3
Block 053, Unit 046
6020 Cricket Road
Flourtown, PA 19031

ZONING DISTRICT: AA – Residential District

SUMMARY OF RELIEF REQUEST:

The property is approximately 2.9 acres in size and in improved with an existing residential dwelling detached garage, and a tennis court. The applicant is proposing to subdivide the property into Parcel A, which would contain the existing tennis court, and Parcel B, which would contain the existing dwelling and garage. The applicant then proposes to demolish the tennis court and construct a single family detached dwelling in the approximate location of the tennis court. The following relief is requested:

1. **Variance from Section 116-23.B.** which requires a minimum 1.5 acre lot size when either there is public water or public sewer, but not both. No public sewer is available. The proposed lot size of Parcel A is 1.01113 acres.

2. **Variance from Section 116-24.E.(3)(a)** which requires that an accessory structure (other than specifically listed ones) not be in the front yard and not extend in front of the front principal building plane; on proposed Parcel B, the existing detached garage is partially within the front yard setback and in front of the front principal building plane defined by the existing house. Garages are not one of the listed allowed accessory structures in this position on a lot.

3. **Variance from Section 116-169.A.** to permit impervious coverage of 15% on proposed Parcel A and 21% on proposed Parcel B where no more than 12% impervious coverage is permitted on lots in the AA District with a steep slope ratio of 15% to 50%.

4. **Variance from Section 116-169.B.(1)** to permit more than 30% of the areas with steep slopes between 15% and 25% to be regraded on Parcel A. The steep slopes are man-made that were constructed when the tennis court was installed.

5. **Challenge to the substantive validity of Section 116-23.B** which requires a 1.5 acre minimum lot size where there is no public sewer.

PRIOR DECISION:
None

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: _____

Applicant/Appellant: Verity Associates LP

Address: 6020 Cricket Road, Flourtown, PA 19031

Phone #: (610) 733-2634 **Cell Number:** (610) 733-2634 **E-Mail:** coachfink@comcast.net

Owner: Same

Address:

Phone #: **Cell Number:** **E-Mail:**

Location of the Property Involved: 6020 Cricket Road

Block #: 053 **Unit #:** 046 **Parcel #:** 65-00-02794-00-3

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

Please see the attached Addendum.

GROUNDS FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):
****Attach additional sheets if necessary**

Please see the attached Addendum.

Legal Counsel (if represented): Marc D. Jonas, Esquire

Address: 470 Norristown Road, Suite 302, Blue Bell, PA 19422

Phone #: (215) 345-7000 **E-Mail:** mjonas@eastburngray.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

I am (We are)

- ☒ **Owner(s) of Legal Title**
- ☐ **Owner(s) of Equitable Title**
- ☐ **Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)**

Date: November 20, 2019

Michael Fink

Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
APPLICATION ADDENDUM (Supplemental)

Applicant/Owner: Verity Associates LP

Property: 6020 Cricket Road (TP# 65-00-02794-00-3)

Zoning: AA Residential District

BACKGROUND

This is the second addendum to the application submitted in August 2019 by the Applicant, Verity Associates LP. The property is approximately 2.9 acres in size, improved with an existing residential dwelling, accessory buildings, and a tennis court. Applicant proposes to subdivide the property into Lot B, which would contain the existing residential dwelling, and Lot A, which would contain the existing tennis court. Applicant proposes to demolish the tennis court and construct a single-family detached dwelling in the approximate location of the tennis court.

REQUESTED RELIEF

Applicant requests the following relief from the requirements of the Whitemarsh Township Zoning Ordinance:

- a variance from section 116-23.B to permit a minimum lot area of 1 acre where a minimum lot area of 1.5 acres is required.
- a variance from section 116-24.E(3)(a) to permit an accessory structure that is farther forward than the front principal building plane.

  **This is an existing condition which will remain unchanged.*

- a variance from section 116-169.A to permit impervious coverage of 21% on proposed Lot A and 15% on proposed Lot B where no more than 12% impervious coverage is permitted on lots in the AA District with a steep slope ratio of 15%-50%.

  **Existing impervious coverage for the entire property is today 19%. The proposal will result in a slight reduction of impervious coverage when compared to existing conditions.*

- a variance from section 116-169.B to permit more than 30% of the areas with steep slopes to be re-graded on Lot A.

  **The steep slopes are man-made and were constructed when the tennis court was installed.*

Applicant challenges the substantive validity of section 116-23.B of the Zoning Ordinance. The discrepancy in required minimum lot sizes between properties served by public sewer and properties not served by public sewer is arbitrary, capricious, unreasonable, discriminatory, and confiscatory. This discrepancy has no rational relation to any legitimate health, safety, or welfare concern, nor does it further a lawfully defensible zoning purpose. One-acre properties can accommodate on-lot septic and water systems without posing any health, safety, or welfare concern to the landowner, adjacent properties, or the public. The application and enforcement of this regulation unfairly and illegally impact Applicant's property, demonstrated by the residential development of neighboring properties with private sewer systems on lots less than 1.5 acres, including 1-acre lots such as that proposed.

The proposed subdivision will result in a density of only 2 single-family dwellings on 2.9 acres.

Whitemarsh Township Zoning Hearing Board
ZHB Hearing Exhibits
Wednesday, June 10, 2020

TABLE OF CONTENTS

Tab 14 – revised site plan

Tab 15 – revised floor plans and elevation

Tab 16 – photographs of accessory structure

LOCATION MAP SCALE 1"=800'

LEGEND

EXISTING FEATURES

- TELECOMMUNICATION MANHOLE
- WATER MANHOLE
- ELECTRICAL MANHOLE
- SANITARY MANHOLE
- CITY INLET
- FIRE HYDRANT
- WATER VALVE
- UTILITY POLE
- SIGN
- LIGHT STANDARD
- COMBINED SEWER
- UNDERGROUND WATER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC LINE
- OVERHEAD AERIAL LINE
- FENCE LINE
- EXISTING BUILDINGS
- ZONING BOUNDARY LINE
- PERCOLATION TEST
- TEST PIT
- SLOPES 8% to 15%
- SLOPES 15% to 25%
- SLOPES >25%
- EXISTING CONTOUR

PROPOSED FEATURES

- BUILDING FOOTPRINT
- PORCH ROOF
- CONCRETE
- PAVER PATIO
- [XX.X'] BUILDING FOOTPRINT DIMENSION
- TREE
- SHRUBS

FUTURE FEATURES

- POOL WITH COPING
- PAVER PATIO
- STEPPING STONE

NOTES

1. Boundary and topographic information is based on a field survey performed by Ruggiero Plante Land Design on August 28, 2018.
2. The change from inches to the more precise decimal expression may result in minor changes in the second and third decimal places. These are not mistakes or oversights but more precise values.
3. Some off site improvements such as buildings, curbing, and parking have been taken from aerial photographs, other plans and from public GIS sources.
4. Only above ground visible improvements have been located. The location of the underground utilities must be field verified by contractor before commencement of any construction.4
5. Elevations shown on plan are based on NAVD88 datum per GPS observations. Site benchmark is a concrete monument, found at the northeastern corner of the property, elevation = 156.40.
6. The property is located within Residential Zoning District AA
7. FEMA FIRM Map 42091C0376G, effective March 2, 2016, designates the site as Zone X "Areas determined to be outisde the 0.2 % annual chance floodplain.
8. Water service provided by AQUA. Location of water line taken from AQUA plan 'N-14' provided in response to PA OneCall ticket #20192002068.

PENNSYLVANIA ONE CALL SYSTEM, INC. 1-800-242-1776 STOP-CALL BEFORE YOU DIG!

NOTE:
PENNSYLVANIA ACT 287 OF 1974 AS AMENDED BY ACT 121 OF 2008 REQUIRES THAT CONTRACTORS DETERMINE THE LOCATION OF ALL UTILITY, SEWER AND WATER LINES BEFORE COMMENCING CONSTRUCTION. SEE SHEET 1 FOR THE LIST OF LOCAL UTILITIES.

REVISIONS

REQUESTED ZONING RELIEF:

1. Variance from Section 116-23.B to permit a minimum lot area of 1 acre where a minimum lot area of 1.5 acres is required.

2. Variance from Section 116-24.E(3)(a) to permit an accessory structure that is farther forward than the front pricipal building plane.

3. Variance from Section 116-169.A to permit impervious coverage of 15 % on proposed Lot A and 21 % on proposed Lot B where no more than 12 % impervious coverage is permitted on lots in the AA District with a steep slope ratio of 15 % to 50 %.

4. Variance from Section 116-169.B to permit more than 30 % of the areas with steep slopes fifteen percent to 25 % to be regraded on Lot A; and more than 15 % of the areas with steep slopes twenty-fiver percent or more to be re-graded on Lot A.

STEEP SLOPE RATIO CALCULATIONS

LOT A = 44,045 SF
SLOPES ≥8% = 15,583 SF
STEEP SLOPE RATIO = (15,583 / 44,045)*100 = 35 %

LOT B = 84,045 SF
SLOPES ≥8% = 14,246 SF
STEEP SLOPE RATIO = (14,246 / 84,045)*100 = 17 %

IMPERVIOUS COVER CALCULATIONS

EXISTING LOT = 128,807 SF
EXISTING IMPERVIOUS COVER = 24,353 SF
EXISTING IMPERVIOUS COVER PERCENT OF LOT = 19 %

PROPOSED LOT A = 44,045 SF
PROPOSED IMPERVIOUS COVER = 6,214 SF
PROPOSED IMPERVIOUS COVER PERCENT OF LOT = 14 %
(TOTAL FUTURE IMPERVIOUS COVER = 6,572 SF)
(TOTAL FUTURE IMPERVIOUS COVER PERCENT OF LOT = 15 %)

PROPOSED LOT B = 84,045 SF
EXISTING IMPERVIOUS COVER (LOT B ONLY) = 17,313 SF
PROPOSED IMPERVIOUS COVER PERCENT OF LOT = 21 %

LANDSCAPE BUFFER PLANT LIST

Picea abies - Norway Spruce
Ilex x Nellie Stevens
Thuja orientalis elegantissima - yellow tipped arborvitae
Cupressus leleandii - Leland cypress
Thuja plicata Green Giant - Green Giant arborvitae
Crytomeria japonica yoshina - Japanese cryptomeria

ZONING TABLE
RESIDENTIAL DISTRICT AA

	REQUIRED	PROPOSED PARCEL 'B'	PROPOSED PARCEL 'A'
LOT AREA	30,000 sq. ft.	84,045 sq. ft.	44,045 sq. ft.
WIDTH AT BUILDING SETBACK	135 ft.	408 ft.	168 ft.
FRONT YARD	50 ft.	81.5 ft.	70 ft.
SIDE YARD	25 ft. each	100.6 ft. / 25.2 ft.	40 ft. / 38.5 ft.
REAR YARD	50 ft.	95 ft.	129 ft.
HEIGHT	Principal 35 ft.	27 ft. (existing)	30 ft.
	Accessory 20 ft.	17 ft. (existing)	n/a
BUILDING COVERAGE	15% of lot area	6.5% (5,430 sq. ft/84,045 sq. ft.)	9% (3,624 sq. ft. / 44,045 sq. ft.)

Dimensional requirements with respect to sewage disposal and water supply

	REQUIRED	PROPOSED PARCEL 'B'	PROPOSED PARCEL 'A'
LOT AREA (with approved water supply)	1.5 acres	1.9 acres	1.0 acres
ACCESSORY BUILDING SETBACK FROM PROPERTY LINES	30 ft.	25.2 ft.	n/a

Maximum Impervious Ground Cover (District AA)

Steep Slope Ratio	Max. Impervious Ground Cover
15% to 50%	0.12

SOURCE OF TITLE

6020 CRICKET ROAD, FLOURTOWN, PA

Deed from Albert W. Zimmermann and Leonore Zimmermann to Leonore Zimmermann, dated June 27, 1986 and being recorded in Montgomery County of Pennsylvania on July 7, 1986 as document DB:4804 PG.2438.

OWNER OF RECORD

6020 CRICKET ROAD
ZIMMERMANN LEONORE
6020 CRICKET ROAD
FLOURTOWN, PA, 19031

OWNER'S CERTIFICATION OF INTENT:

Know to all to whom these presents may come that ____________________ as the ____________________ of the [organization/corporation etc], and on behalf of same, does hereby adopt this plan as its plan of lots and streets and/or land development plan of its property, situate in the Township of Whitemarsh, County of Montgomery, Commonwealth of Pennsylvania and desires that it be recorded according to the laws of the Commonwealth of Pennsylvania.

____
Name

____
Title

COMMONWEALTH OF PENNSYLVANIA :
: ss
COUNTY OF MONTGOMERY :

On the _____ day of ____________________, 20__, before me, a notary public residing in Montgomery County, PA, personally appeared ____________________, who acknowledged himself to be the ____________________ of the [organization/corporation etc],, Pennsylvania, a Pennsylvania [corporation non-profit corporation], and that he as such [title] ____________________, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name and desired the same might be recorded.

____
NOTARY PUBLIC
My Commission Expires:

Approved by the Board of Supervisors of Whitemarsh Township this _________ day of ________ 20__.

Attest: ____________________ Chairperson

____________________ Secretary

6020 CRICKET ROAD

Whitemarsh Township
Montgomery County
Flourtown, PA, 19031

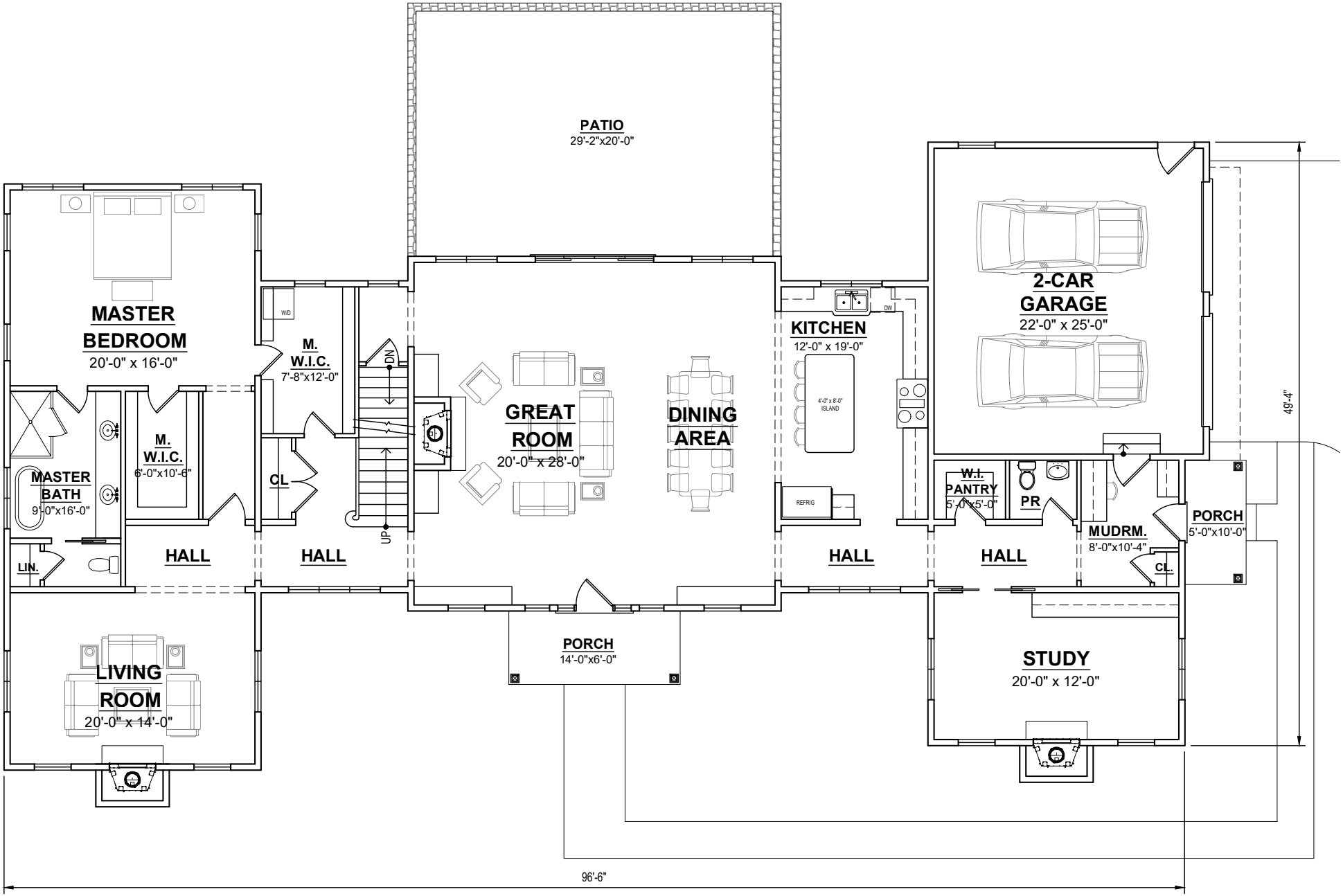
prepared for:
Sam Blake
Blake Development Corp.
10 E. Springfield Ave.
Philadelphia, PA, 19118

Ruggiero Plante Land Design
5900 Ridge Avenue Philadelphia, PA 19128
phone 215.508.3900 fax 215.508.3800 www.ruggieroplante.com

Plan Date: May 19, 2020

Scale: 1" = 20-0'
20' 10' 0 20'

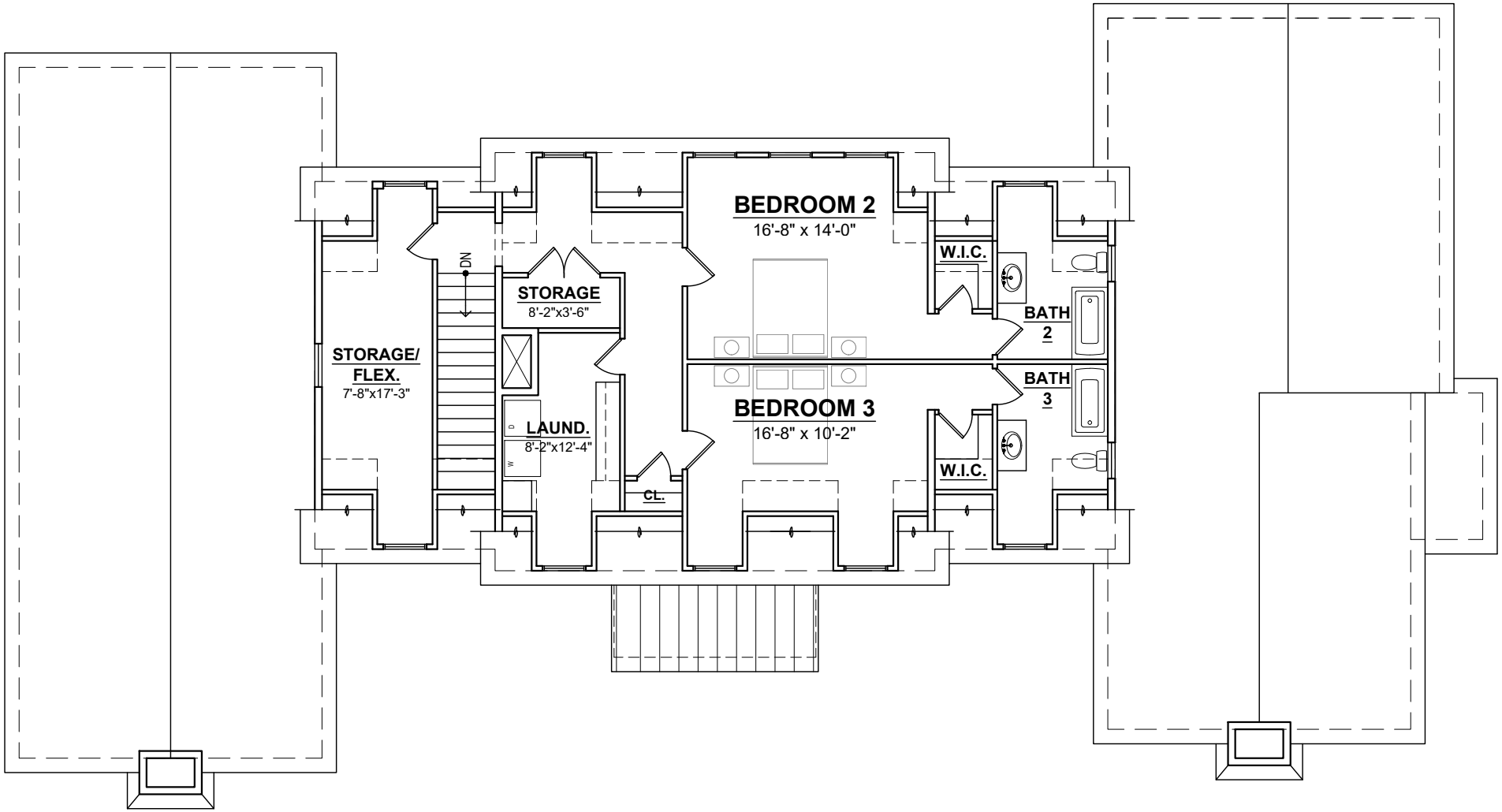
Drawing Name:
EXHIBIT SITE PLAN
Sheet 1 of 1



1FP FIRST FLOOR PLAN

2,600 INT. S.F. SCALE : 1/8" = 1'-0"

6020 CRICKET ROAD



2FP SECOND FLOOR PLAN

1,223 INT. S.F. SCALE : 1/8" = 1'-0"

6020 CRICKET ROAD

FEL FRONT ELEVATION

SCALE : 1/8" = 1'-0"

6020 CRICKET ROAD

A

B

C

CURRICULUM VITAE

VINCENT W. FIORAVANTI, P.E., P.L.S., SEO

PRESIDENT

FIORAVANTI INC.
CIVIL ENGINEERS AND LAND SURVEYORS
618 STREET ROAD, SOUTHAMPTO PA 18966
215-322-2143

RELEVANT EXPERIENCE SUMMARY:

- Twenty three years of progressive experience in all aspects of Civil / Municipal Engineering. President and founder of Fioravanti , Inc. Consulting Engineers and Land Surveyors, located at 618 Street Road, Southampton Pa.., established in 1990. Annual billings in excess of 1 million dollars. Personal responsibility for design, permitting and development of well over one thousand land development projects of all types including residential, industrial and commercial projects.

  Firm is actively engaged in Civil, Sanitary and Environmental Engineering projects in Pennsylvania, New Jersey, Delaware and Maryland. Projects involve Water Supply, Wastewater Treatment and Conveyance, Commercial and Residential Land Development, Stormwater Management, Land development permitting , Land planning, and Surveying for private and municipal clients.

- Expert Testimony

  Experienced with expert testimony relating to all aspects of land development including Zoning hearings, Curative amendment proceedings, Land development meetings before Planning Commissions and Township Supervisors / Councilmen, Zoning Hearings, Conditional use proceedings, Arbitration hearings, Construction lawsuits, and Boundary line court proceedings. Accepted as an expert witness by countless Municipalities and Courts over the last 23 years .

- Land Development Engineering

  Land development / Site Engineering is the majority of our work.
  Project work involves all aspects of engineering relating to the use and development of real estate including the analysis and mitigation of existing and proposed factors such as storm water management, use compatibility and buffering, environmental assessments and impact mitigation for wetlands, steep slopes, erosion and sedimentation control, noise, traffic, emergency access and safety, water distribution, fire protection, sanitary sewerage, wastewater generation, conveyance and treatment, septic systems, soils, storm water infiltration and best management practices, etc.

- Municipal / Sanitary Engineering

  Served as Municipal Engineer with involvement in the preparation of Municipal Act 537 planning studies for various townships including Easttown, Concord, Birmingham, Upper Providence, West Brandywine, and Warwick; Municipal Engineering for East Goshen, Concord, Plymouth and Radnor Townships.

  Responsibilities include overall project management and/or detailed engineering design and specification of sewer systems; sewage pumping stations; Sewage treatment plants; individual and community on lot sewage disposal systems; water distribution and storage systems; water supply stations, booster pump stations and well systems.

- Experienced in Municipal Authority Public Works Project Management

  Experience in all phases of engineering support for municipal authorities including the following types of tasks:

  1. Handling of all aspects of public works projects from initial surveying and design of improvements (if required), preparation of contract documents and project specifications (including all forms of standard AIA documents), prevailing wage determinations, taking projects out for public bid, pre bid conferences with prospective bidders, review of bids, Qualifying apparent low bidder, awarding contract, managing contract during construction, inspection of work, review of quantities and requests for escrow release, and managing project closeout, as built and record information and maintenance / performance bonds.

2. Experienced in retrofit and upgrade design work, as well as operational consulting, upgrading and retrofit projects at numerous sewage treatment facilities; feasibility and economic analysis projects; project management through construction serving as "Owners representative".

♦ Construction Experience.

Experienced in municipal projects from all perspectives, having worked as an employee of a utility contractor on projects involving Municipal Water and Wastewater Construction Projects (10-30 million dollar range) including estimating, computerized CPM scheduling, project planning, economic analysis, systems design, and claim preparation. Fioravanti Incorporated offers construction phase surveying work for all of our projects and for many projects designed by others. We have performed construction layout work on government projects including multi million dollar Padot highway projects in Bucks and Montgomery Counties.

♦ Instrumentation and control of wastewater plants, and pumping stations

Direct responsibility for the design, permitting, construction management, inspection, testing and acceptance of treatment plants and pumping stations - too numerous to mention. Also experienced in the design and implementation of state of the art distributed process control systems for Petroleum, Chemical and Waste Processing Industries.

REGISTRATION: Registered Civil/Sanitary Professional Engineer in Pennsylvania, Maryland, Delaware and New Jersey. Registered Sewage Enforcement Official in the State of Pennsylvania. Licensed Treatment Plant operator in the State of Pennsylvania. Licensed Land Surveyor in Pennsylvania.

EDUCATION: Bachelor of Science in Engineering from Drexel University in 1983, Deans List, PHI ETA SIGMA Honor Society, TAU BETA PHI National Engineering Honor Society. Received training in computer modeling of chemical processes in Harvey Illinois in 1985. Received training in digital computer control of chemical processes in Phoenix Arizona 1986. Graduate work in finance at Drexel (no degree).

Received training in the Pretreatment of Industrial Wastewater from the

University of Toledo, 1988.

Attended Water and Wastewater Pump and Seal Design School, 1989.

Attended Municipal Wastewater Treatment Plant and Pump Station Design course conducted by Edwin Barth, P.E., Chief of Biological Treatment Division, EPA.

Experience and training in all phases of Civil/Sanitary Engineering including Water, Wastewater , Hydraulics, Stormwater Management, and Land Development.

tabbies
EXHIBIT
P2

EXHIBIT
tabbies
P3

tabbies
EXHIBIT
P4

tabbies
EXHIBIT
25