

**ZHB REGULAR MEETING
UPPER DUBLIN TOWNSHIP ZONING HEARING BOARD
MONDAY, SEPTEMBER 24, 2018 | 7:30 PM**

The meeting location is accessible to person with disabilities. A request for special accommodations for persons with disabilities should be made at least 24 hours in advance of the meeting by calling 215-643-1600 x3220.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

APPLICATIONS

Applications to the Zoning Hearing Board for September 24, 2018

**#2268: CONDOR FORT WASHINGTON REAL ESTATE LLLP, OF 404
PENNSYLVANIA AVENUE, FORT WASHINGTON, PA 19034, FOR THE
PROPERTY LOCATED AT 325 W. PENNSYLVANIA AVENUE, FORT
WASHINGTON**

Seeks the following relief: 1) Review and reversal of the Notice of Zoning Violation issued by the Community Planner and Zoning Officer dated May 1, 2018, finding the Applicant/Owner in violation of the Upper Dublin Township Zoning Code, Section 255-7, in that the use of the property for parking vehicles is in violation of said Zoning Code, and 2) A variance from Zoning Code Section 255-7 and, if necessary, a variance from Section 255-246, to permit the use of the property for parking of vehicles. The property is zoned CR-L Commercial and is located in the Fort Washington Village District overlay.

**#2278: RICHARD AND MERLE GITOMER, 1721 SOMERSET STREET, DRESHER, PA
19025**

Request the following relief: an interpretation/determination that the area in question in the single family residence does not constitute an “in-law suite”; in the alternative, an interpretation/determination that the area in question is not a “dwelling unit” as defined in Zoning Code Section 255-7 and that no Special Exception is required; in the alternative, a Special Exception pursuant to Section 255-27.E(1) to allow a dwelling unit within a single family detached dwelling; in the alternative, a variance to allow an in-law suite in the single family residence. An interpretation/determination is also requested that no additional parking is required. In the alternative, a variance from Section 255-27.E(1).c to allow the existing parking on the site without the addition of an additional parking space. In the alternative, a special exception pursuant to Section 255-147 is requested to expand a lawful nonconforming use less than 25% of the area actually utilized in connection with the nonconforming use, as permitted by the Ordinance; in the alternative, a variance to increase the existing non-conformity as total impervious coverage of 26.6% of lot area to 27.6% to provide one additional parking space for an in-law suite. An interpretation/determination is also requested that the proposed variance for impervious coverage is de minimus and should therefore be granted on that basis. The property is zoned A-1 Residential.

#2280: KATHARINE AND PATRICK HITCHENS, 1740 LIMEKILN PIKE, GLENSIDE, PA 19038

Request a variance to replace an existing detached garage with a new garage having an area of 880 sq.ft., where 600 sq.ft. is permitted (Zoning Code, Section 255-29.B). A variance is also requested from Section 255-29.D to allow the side yard setback to remain at 3.13 feet where 10 feet is required; and a variance from Section 255-43.B to increase the total impervious surface from 26.3% (nonconforming) to 28.3%. The property is zoned A-Residential.

#2281: KEITH WEIGNER AND MARY F. DIAZ, 340 E. CASALS PLACE, AMBLER, PA 19002

Request a variance from Zoning Code Section 255-39.1 which limits a deck perimeter to 20 feet from the rear of a dwelling unit. It is requested to have a new deck constructed over an existing patio to extend 28 feet from the back of the dwelling. The property is zoned A-1 Residential.

Zoning Hearing Board Agenda Item Report

Meeting Date: September 24, 2018

Submitted by: Jesse Conte

Submitting Department: Administration

Item Type: Discussion

Agenda Section: Applications

Subject:

Applications to the Zoning Hearing Board for September 24, 2018

Suggested Action:

Attachments:

[RBMemo.pdf](#)

Memorandum from Community Planning and Zoning Upper Dublin Township

To: Board of Commissioners, Zoning Hearing Board, Paul Leonard, Gilbert P. High, Esq., Joseph Bagley, Esq.

From: Richard D. Barton, Zoning Officer *RB*

Date: September 5, 2018

Subject: Applications to the Zoning Hearing Board for September 24, 2018

#2268: *Condor Fort Washington Real Estate LLLP, of 404 Pennsylvania Avenue, Fort Washington, PA 19034, for the property located at 325 W. Pennsylvania Avenue, Fort Washington, seeks the following relief: 1) Review and reversal of the Notice of Zoning Violation issued by the Community Planner and Zoning Officer dated May 1, 2018, finding the Applicant/Owner in violation of the Upper Dublin Township Zoning Code, Section 255-7, in that the use of the property for parking vehicles is in violation of said Zoning Code, and 2) A variance from Zoning Code Section 255-7 and, if necessary, a variance from Section 255-246, to permit the use of the property for parking of vehicles. The property is zoned CR-L Commercial and is located in the Fort Washington Village District overlay.*

In April of this year, Mercedes-Benz of Fort Washington purchased the subject property, which for many years operated as a Friendly's restaurant, since closed. Mercedes-Benz relocated their accounting offices to the building, a permitted use. However, they are also using the parking lot to serve the employees of their dealership, across Pennsylvania Avenue in Whitemarsh Township. The position of staff is that the parking lot at 325 W. Pennsylvania Avenue is an accessory use to the office use on that property only, and may not be used for off-site employee parking.

#2278: *Richard and Merle Gitomer, 1721 Somerset Street, Dresher, PA 19025 request the following relief: an interpretation/determination that the area in question in the single family residence does not constitute an "in-law suite"; in the alternative, an interpretation/determination that the area in question is not a "dwelling unit" as defined in Zoning Code Section 255-7 and that no Special Exception is required; in the alternative, a Special Exception pursuant to Section 255-27.E(1) to allow a dwelling unit within a single family detached dwelling; in the alternative, a variance to allow an in-law suite in the single family residence. An interpretation/determination is also requested that no additional parking is required. In the alternative, a variance from Section 255-27.E(1).c to allow the existing parking on the site without the addition of an additional parking space. In the alternative, a special exception pursuant to Section 255-147 is requested to expand a lawful nonconforming use less than 25% of the area actually utilized in connection with the nonconforming use, as permitted by the Ordinance; in the alternative, a variance to*

increase the existing non-conformity as total impervious coverage of 26.6% of lot area to 27.6% to provide one additional parking space for an in-law suite. An interpretation/determination is also requested that the proposed variance for impervious coverage is *de minimus* and should therefore be granted on that basis. The property is zoned A-1 Residential.

This complex application essentially concerns what the Township considers to be an in-law suite at 1721 Somerset Street, and the need to provide 4 on-site parking spaces as required by the Zoning Code.

#2280: *Katharine and Patrick Hitchens, 1740 Limekiln Pike, Glenside, PA 19038* request a variance to replace an existing detached garage with a new garage having an area of 880 sq.ft., where 600 sq.ft. is permitted (Zoning Code, Section 255-29.B). A variance is also requested from Section 255-29.D to allow the side yard setback to remain at 3.13 feet where 10 feet is required; and a variance from Section 255-43.B to increase the total impervious surface from 26.3% (nonconforming) to 28.3%. The property is zoned A-Residential.

#2281: *Keith Weigner and Mary F. Diaz, 340 E. Casals Place, Ambler, PA 19002* request a variance from Zoning Code Section 255-39.1 which limits a deck perimeter to 20 feet from the rear of a dwelling unit. It is requested to have a new deck constructed over an existing patio to extend 28 feet from the back of the dwelling. The property is zoned A-1 Residential.

Zoning Hearing Board Agenda Item Report

Meeting Date: September 24, 2018

Submitted by: Jesse Conte

Submitting Department: Administration

Item Type: Discussion

Agenda Section: #2268: Condor Fort Washington Real Estate LLLP, of 404 Pennsylvania Avenue, Fort Washington, PA 19034, for the property located at 325 W. Pennsylvania Avenue, Fort Washington

Subject:

Seeks the following relief: 1) Review and reversal of the Notice of Zoning Violation issued by the Community Planner and Zoning Officer dated May 1, 2018, finding the Applicant/Owner in violation of the Upper Dublin Township Zoning Code, Section 255-7, in that the use of the property for parking vehicles is in violation of said Zoning Code, and 2) A variance from Zoning Code Section 255-7 and, if necessary, a variance from Section 255-246, to permit the use of the property for parking of vehicles. The property is zoned CR-L Commercial and is located in the Fort Washington Village District overlay.

Suggested Action:

Attachments:

[#2268Notice.pdf](#)

[#2268Application.pdf](#)

[#2268Deed.pdf](#)

[#2268NoticeofViolation.pdf](#)

[#2268Plan.pdf](#)

[#2268Receipt.pdf](#)

Upper Dublin

801 LOCH ALSH AVENUE
FORT WASHINGTON, PA 19034-1697
Phone: (215) 643-1600
Fax: (215) 542-0797
www.upperdublin.net



IRA S. TACKEL
President

RONALD P. FELDMAN
Vice President

REBECCA A. GUSHUE

LIZ FERRY

ROBERT H. MCGUCKIN

GARY V. SCARPELLO

MEREDITH L. FERLEGER

PAUL A. LEONARD
Township Manager

GILBERT P. HIGH, JR.
Solicitor

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Hearing Board of Upper Dublin Township will hold a meeting as required by the Township's Zoning Ordinance at the Township Administration Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania on **Monday September 24, 2018 at 7:30 PM**. During this meeting an application concerning **325 W Pennsylvania Avenue, Fort Washington, PA 19034** will be heard.

#2268: Condor Fort Washington Real Estate LLLP, of 404 Pennsylvania Avenue, Fort Washington, PA 19034, for the property located at 325 W. Pennsylvania Avenue, Fort Washington, seeks the following relief: 1) Review and reversal of the Notice of Zoning Violation issued by the Community Planner and Zoning Officer dated May 1, 2018, finding the Applicant/Owner in violation of the Upper Dublin Township Zoning Code, Section 255-7, in that the use of the property for parking vehicles is in violation of said Zoning Code, and 2) A variance from Zoning Code Section 255-7 and, if necessary, a variance from Section 255-246, to permit the use of the property for parking of vehicles. The property is zoned CR-L Commercial and is located in the Fort Washington Village District overlay.

All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

A copy of the application is on file in the Code Enforcement Department and may be seen upon request.

By Order of the Zoning Hearing Board.


Richard D. Barton
Zoning Officer

Note: There is a 30 day period after the date of the decision for an aggrieved person to file an appeal in court to contest an approval by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period do so at their own risk.

If you are not able to attend the hearing, written comments may be entered into the record by submitting them in advance to the Department of Code Enforcement.

Advertisement Dates: September 9 and 16, 2018 - Ambler Gazette

Date Received: 5/30/18
 Fee Paid: \$1500.00
 1st Ad 6-10-18 /2nd Ad 6-17-18
 Date of Hearing: 6/28/18
8-27-18
9-24-18

**UPPER DUBLIN TOWNSHIP
ZONING HEARING BOARD
APPLICATION # 2018**

Application is hereby made to the Zoning Hearing Board for a determination in connection with the following facts:

Name of Applicant: <u>Condor Ft Washington Real Est LLLP</u>	Name of Owner: <u>Same</u>
Address: <u>404 Pennsylvania Avenue</u>	Address: <u>Same</u>
City, State and Zip: <u>Fort Washington, PA 19034</u>	City, State and Zip: <u>Same</u>
Phone Number: <u>215-646-7700</u>	Phone Number: <u>Same</u>
Name of Attorney: <u>Michael P. Clarke, Esq.</u>	Attorney Phone Number: <u>215-633-1890</u>
Address: <u>7 Neshaminy Interplex #200</u>	City: <u>Trevose</u>
	State: <u>PA</u> ZIP <u>19053</u>

Applicant and Owner request that a determination be made by the Zoning Hearing Board on this Appeal from the Decision of the Code Enforcement Department in which we were:

Refused a building Permit Ordered to Cease a current use
 Given conditional approval of a subdivision plan
 Other (specify) _____

This appeal seeks:

An interpretation of the ordinance or map
 A special exception under Article _____, Section _____, Subsection _____, Paragraph _____
 A Variance relating to the Use, Area, Frontage, Yard, Height, Parking,
 Other (specify) _____

The applicable provisions of the Zoning Ordinance are as follows:

Chapter <u>255</u>	Section <u>255-7</u>	Subsection _____	Paragraph _____
Chapter <u>255</u>	Section <u>255-246</u>	Subsection <u>A</u>	Paragraph _____
Chapter _____	Section _____	Subsection _____	Paragraph _____
Chapter _____	Section _____	Subsection _____	Paragraph _____

The description of the property involved in this appeal is as follows:

Street Number: 325 Street Name: W. Pennsylvania Ave. Deed Book: 6087 Page 259

Block Number: 042 Unit Number: 012 Parcel Number: 54-00-13406-00-4

Zoning District: FW Served by Public Sewer (y/n) Y Served by Public Water (y/n) Y

Lot Size: 1.387 acres Lot Dimensions: 230' x 232' (approx) Street Frontage: 232' (approx)

Describe the present use of the property and the existing improvements: One story masonry building, approx. 4771 s.f., used as professional office (accounting services for Applicant); on-site parking; see Land Survey enclosed

Describe the proposed use of the property and the proposed improvements: Same as above

Has any previous petition been filed with the Zoning Board in connection with these premises? Yes No

If yes, please describe _____

Is this property a part of a subdivision heretofore approved by the Township? Yes No

If Yes, give name of subdivision _____ Date of approval by Township _____

I/We believe that the Zoning Board should approve this request because: _____
Please see attached Narrative.

STATE OF PENNSYLVANIA: SS
COUNTY OF MONTGOMERY:

BEING DULY SWORN ACCORDING TO LAW, DEPOSE(S)
AND SAY(S) THAT THE FACTS SET FORTH IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

Sworn and subscribed to

Condor Fort Washington Real Estate LLLP

Applicant

 **husm**
Applicant

before me, this 29th day

of May, 20 18
Carla S. Savage
Notary Public

Property owner(s) must join in the above application.

Sworn and subscribed to

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
CARLA S. SAVAGE Notary Public
Whitemarsh Twp., Montgomery County
My Commission Expires February 15, 2021

Condor Fort Washington Real Estate LLP

Quia

before me, this 29th da

of May 2018
Santa S. Savage
Notary Public

This application must be filled out and signed by the owner and if different the applicant and filed with the Zoning officer along with the appropriate fee. If more space is required, attach a separate sheet to this application and reference the question being answered. The application must be accompanied by:

1. Copy of the deed showing current ownership.
2. Copies of leases or agreements affecting the premises.
3. Notarized zoning application & corporate sealed for companies.
4. Eight copies of the plan of real estate affected showing the location and dimension of improvements now and proposed, parking spaces, all dimensional requirements of the zoning ordinance, the building envelope, rights and easements. The plan ~~X~~ must be prepared and sealed by a Registered Land Surveyor unless this requirement is waived by the Director of Code Enforcement.

UPPER DUBLIN TOWNSHIP ZONING HEARING BOARD

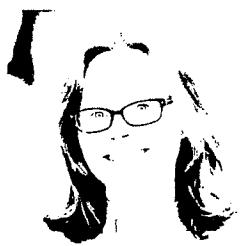
NARRATIVE IN SUPPORT OF APPLICATION
Condor Fort Washington Real Estate LLLP
325 W. Pennsylvania Avenue
TMP 54-00-13406-00-4

The Applicant/Owner, Condor Fort Washington Real Estate LLLP (“Applicant”), submits the subject application to the Zoning Hearing Board seeking the following relief:

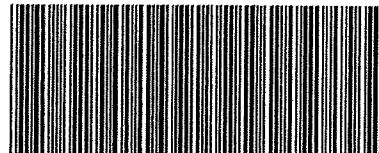
1. Review and reversal of the Notice of Zoning Violation issued by the Community Planner and Zoning Officer dated May 1, 2018, finding the Applicant/Owner in violation of the Upper Dublin Township Zoning Code, Section 255-7, in that the use of the above-referenced property (the “Property”) for parking vehicles is in violation of said Zoning Code.
2. A variance from Zoning Code Section 255-7 and, if necessary, a variance from Zoning Code Section 255-246, to permit the use of the Property for parking of vehicles.

In support of the relief described above, Applicant submits the following:

Applicant conducts business at 404 W. Pennsylvania Avenue, as a Mercedes Benz dealership. Due to restrictions regarding parking at the dealership, located in Whitemarsh Township, Applicant requires additional parking for its employees. Despite acquiring several off-site properties for parking the dealership vehicles, some of which off-site properties are several miles from the dealership, parking for employees who work at the dealership is limited to on-street parking in the surrounding residential neighborhood in Upper Dublin Township. Applicant recognizes the intent of Upper Dublin Township to revitalize the corridor along W. Pennsylvania Avenue and has taken steps to ensure that the building on the Property is not left vacant or in a deteriorated condition, pending implementation of the Township’s planned revitalization. In that regard, Applicant uses the building on the Property for an accounting office, a use permitted in the Zoning District, designated as the Ft. Washington Village District Overlay. The accounting office services not only the dealership at 404 W. Pennsylvania Avenue but also multiple other locations in Pennsylvania and New Jersey. Although there is ample parking available on the Property, the accounting office does not utilize most of the available parking spaces. Applicant does not store any non-employee vehicles on the Property. Use of the Property for Applicant’s employees is not inconsistent with surrounding uses within the District and is not detrimental to the public interest. On the contrary, use of the Property for such parking is less intrusive than if the employees were to park their vehicles in the nearby residential neighborhood, a use that is permitted but certainly not preferable to local residents.



DEED BK 6087 PG 00259 to 00262.1
INSTRUMENT # : 2018025118
RECORDED DATE: 04/20/2018 03:20:21 PM



3789615-0023.

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 5

Document Type: Deed	Transaction #: 3939567 - 4 Doc(s)
Document Date: 04/17/2018	Document Page Count: 3
Reference Info:	Operator Id: ebossard

RETURN TO: (Simplifile)
Germantown Title Company
502 West Germantown Pike, Suite 200
East Norriton, PA 19403
(610) 631-1540

PAID BY:
GERMANTOWN TITLE COMPANY

*** PROPERTY DATA:**

Parcel ID #: 54-00-13406-00-4
Address: 325 W PENNSYLVANIA AVE

PA
Municipality: Upper Dublin Township (100%)
School District: Upper Dublin

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1.00	DEED BK 6087 PG 00259 to 00262.1
TAXABLE AMOUNT: \$2,344,187.95	Recorded Date: 04/20/2018 03:20:21 PM
FEES / TAXES:	
Recording Fee:Deed	\$86.75
Affidavit Fee	\$1.50
State RTT	\$23,441.88
Upper Dublin Township RTT	\$11,720.94
Upper Dublin School District RTT	\$11,720.94
Total:	\$46,972.01



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**



Recd & Recd
 Germantown Title Company
 11 W. Germantown Pike, Suite 200
 East Norriton, PA 19403
 3/9/22

Prepared by and Return to:

Eric A. Heinz, Esq.
 Law Offices of Eric A. Heinz, P.C.
 1835 Market Street, Suite 1215
 Philadelphia, PA 19103-2912
 215-979-7601

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 54-00-13406-00-4 UPPER DUBLIN TOWNSHIP
 325 W PENNSYLVANIA AVE
 325 W PENNSYLVANIA AVE LP \$15.00
 B 042 L U 012 4282 04/20/2018 MY

PARCEL NO. 54-00-13406-00-4

THIS INDENTURE, made the 17 day of April, 2018 and effective the 17th day of April, 2018

BETWEEN

325 W. Pennsylvania Ave., L.P., a Pennsylvania partnership

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

Condor Fort Washington Real Estate LLLP, a Delaware limited liability limited partnership

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

WITNESSETH, that the said Grantor for and in consideration of the sum of One and 00/100 Dollars (\$1.00) 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 does grant, bargain and sell, release and confirm unto said Grantee, its successors and assigns, the land as more fully described in Exhibit "A" attached hereto and made a part hereof.

BEING the same premises which 325 Pennsylvania (Fort Washington), LLC, a Pennsylvania limited liability company by Deed dated 3-3-2016 and recorded 3-21-2016 in Montgomery County in Deed Book 5992 Page 1374 conveyed unto 325 W. Pennsylvania Ave., L.P. a Pennsylvania limited partnership, in fee.

TOGETHER with all and singular the land and buildings, improvements, ways, streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said 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 itself and its successors and assigns, does by these presents covenant, grant and agree, to and with the said Grantee its successors and assigns, that the said Grantor and its successors and assigns, all and singular the hereditaments and premises herein described and



granted, or mentioned and intended so to be, with the appurtenances, unto the said **Grantee** and its successors and assigns, against the said **Grantor**, its successors and assigns, and against all and every other person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from, or under them, or any of them, shall and will, subject as aforesaid, **WARRANT** and forever **DEFEND**.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

Sealed and Delivered:

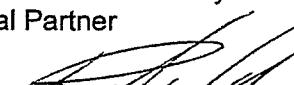
In the Presence of Us:

Grantor:

Witness: _____

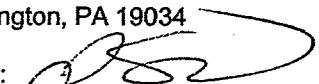
325 W. Pennsylvania Ave., L.P.

By: GP of 325 W Pennsylvania Ave., LLC, its
General Partner

By:  (Seal)
Name: Kenneth Cohen
Title: Authorized Representative

The address of the within-named Grantee is:

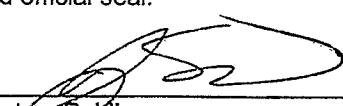
c/o Mercedes Benz of Fort Washington
404 Pennsylvania Ave.
Fort Washington, PA 19034

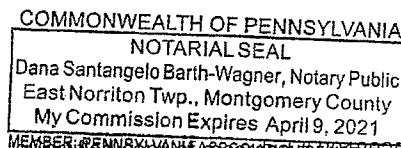
Certified by: 

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF Montgomery :

On this, the 17 day of April, 2018, before me, the undersigned officer, a Notary Public for the State and County aforesaid, personally appeared Kenneth Cohen who acknowledged himself to be the Authorized Representative of GP of 325 W Pennsylvania Ave., LLC, a Pennsylvania limited liability company which is the general partner of **325 W. Pennsylvania Ave., L.P.**, a limited partnership, and that Kenneth Cohen as such Authorized Representative, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited partnership by himself as Authorized Representative.

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


Notary Public
My Commission expires: 4/19/2021



MEMBER PENNSYLVANIA ASSOCIATION OF NOTARIES
CERTIFIED COPY OF A RECORD DEEDS 2018-04-25 118 (page 3 of 5)
Montgomery County Recorder of Deeds



EXHIBIT "A"**LEGAL DESCRIPTION**

ALL THAT CERTAIN lot or piece of ground, situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania, described according to a certain Plan thereof made for Julius P. and Virginia H. Schnell by George B. Mebus, Inc., Engineers of Glenside, Pennsylvania and recorded in Plan Book A-17, Page 38 on October 8, 1970 in Norristown, Pennsylvania, described as follows to wit:

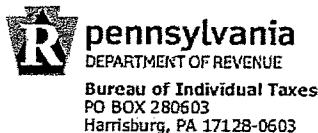
BEGINNING at a point of tangent, an iron pipe, on the North side of Pennsylvania Avenue (Appl. 3961) (62.50 Feet Wide), said point being the distance of 46.84 feet measured on the arc of a circle curving to the right having a radius of 30 feet from a point of curve on the Northwesterly side of Summit Avenue (50 feet wide); thence extending from said point of beginning North 45 degrees, 42 minutes, 30 seconds West along the North side of said Pennsylvania Avenue the distance of 148.40 feet to an iron pipe; thence extending still by lands of the same North 45 degrees, 22 minutes, 30 seconds West the distance of 82.25 feet to an iron pipe, of a corner of lands now or late of Julius P. and Virginia H. Schnell; thence extending still by lands of the same North 44 degrees, 51 minutes East the distance of 232.51 feet to an iron pin; thence extending still by lands of the same South 45 degrees, 33 minutes East the distance of 260.52 feet to an iron pin on the Northwest side of the aforementioned Summit Avenue; thence extending along the Northwesterly side of Summit Avenue South 44 degrees, 50 minutes West the distance of 202.96 feet to an iron pin a point of curve on the same iron pin; thence extending on the arc of a circle curving to the right having a radius of 30 feet the arc distance of 46.84 feet to the first mentioned point and place of beginning.

BEING 325 West Pennsylvania Avenue, Fort Washington, Pennsylvania.

Being the same premises which 325 Pennsylvania (Fort Washington), LLC, a Pennsylvania limited liability company by Deed dated 3-3-2016 and recorded 3-21-2016 in Montgomery County in Deed Book 5992 Page 1374 conveyed unto 325 W. Pennsylvania Ave., L.P. a Pennsylvania limited partnership, in fee.

54-00-13406-00-4





REALTY TRANSFER TAX STATEMENT OF VALUE

See reverse for instructions

RECORDER'S USE ONLY

State Tax Paid	\$23,441.88
Book Number	6087
Page Number	
Date Recorded	00259

04/20/2018 03:20:21 PM

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration, or by gift, or (3) a tax exemption is claimed. If more space is needed, please attach additional sheet(s). A Statement of Value (SOV) is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. However, it is recommended that a SOV accompany all documents filed for recording.

A. CORRESPONDENT - All inquiries may be directed to the following person:

Name Germantown Title Company	Telephone Number: (610)631-1540
Mailing Address 502 W. Germantown Pike, Suite 200	City East Norriton State PA ZIP Code 19403

B. TRANSFER DATA

Date of acceptance of Document 4/17/2018				
Grantor(s)/Lessor(s) 325 W. Pennsylvania Ave., L.P., a Pennsylvania limited partnership	Telephone Number:	Grantee(s)/Lessee(s) Condor Fort Washington Real Estate LLLP, a Delaware limited liability limited partnership		Telephone Number:
Mailing Address 416 S. Bethlehem Pike	Mailing Address 325 West Pennsylvania Avenue			
City Fort Washington	State PA	ZIP Code 19034	City Fort Washington	State PA ZIP Code 19034

C. REAL ESTATE LOCATION

Street Address 325 West Pennsylvania Avenue	City, Township, Borough Township Upper Dublin Township		
County Montgomery	School District Upper Dublin	Tax Parcel Number 54-00-13406-00-4	

D. VALUATION DATA

Was transaction part of an assignment or relocation? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
1. Actual Cash Consideration \$2,344,187.95
2. Other Consideration + \$0.00
3. Total Consideration = \$2,344,187.95
4. County Assessed Value \$805,770.00
5. Common Level Ratio Factor X 1.85
6. Computed Value = \$1,490,674.50

E. EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed 0.00%	1b. Percentage of Grantor's Interest in Real Estate 100.00%	1c. Percentage of Grantor's Interest Conveyed 100.00%
--	--	--

2. Check Appropriate Box Below for Exemption Claimed. Will or intestate succession

(NAME OF DECEASED)

(ESTATE FILE NUMBER)

 Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.) Transfer from a trust. Date of transfer into the Trust _____.

If trust was amended attach a copy of original and amended trust.

 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 a 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 (Please explain exemption claimed.)

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

Date

4-17-2018

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

eCertified copy of recorded # 2018025118 (page 5 of 5)
Montgomery County Recorder of Deeds



Upper Dublin

801 LOCH ALSH AVENUE
FORT WASHINGTON, PA 19034-1697
Phone: (215) 643-1600
Fax: (215) 542-0797
www.upperdublin.net



IRA S. TACKEL
President

RONALD P. FELDMAN
Vice President

REBECCA A. GUSHUE

LIZ FERRY

ROBERT H. McGUCKIN

GARY V. SCARPELLO

MEREDITH L. FERLEGER

PAUL A. LEONARD
Township Manager

GILBERT P. HIGH, JR.
Solicitor

May 1, 2018

By first-class and e-mail.

Chris Magarity / Chief Operating Officer
Mercedes Benz of Atlantic City
Mercedes Benz of Fort Washington
Mercedes Benz of West Chester
404 Pennsylvania Avenue
Fort Washington, PA 19034

**Notice of zoning violation: Off-site employee parking at 325
Pennsylvania Avenue, Fort Washington**

Dear Mr. Magarity:

It has been observed by Township staff that the property at 325 Pennsylvania Avenue in Upper Dublin Township is being used as a parking lot for the employees of the Mercedes Benz of Fort Washington auto dealership across the street in Whitemarsh Township (photos attached).

Parking lots are accessory uses to permitted primary uses in the Fort Washington Village District Overlay. The Township Zoning Code defines an “accessory use” as “A use subordinate to the principal use of land or of a principal building or of a principal structure on a lot and customarily incidental thereto.” (Zoning Code, Section 255-7) The parking lot at 325 Pennsylvania Avenue is an accessory use to be used only by employees and customers of the professional accounting office located at that site, and not for employees working off-site.

This letter is to notify you of the Township Zoning regulations. You have 30 days from the receipt of this letter to comply with the ordinance, or you may file an appeal of this notice with the Zoning Hearing Board within 30 days. Failure to comply with the notice or file a Zoning Board application within 30 days will result in a citation filed with the Magistrate Justice, and you will be subject to a hearing and possible fines.

If you have any questions about this notice, you may contact me at 215-643-1600, ext. 3213.

Sincerely,



Richard D. Barton
Community Planner and Zoning Officer

Attachments

C: Paul Leonard
David Brooman, Esq.

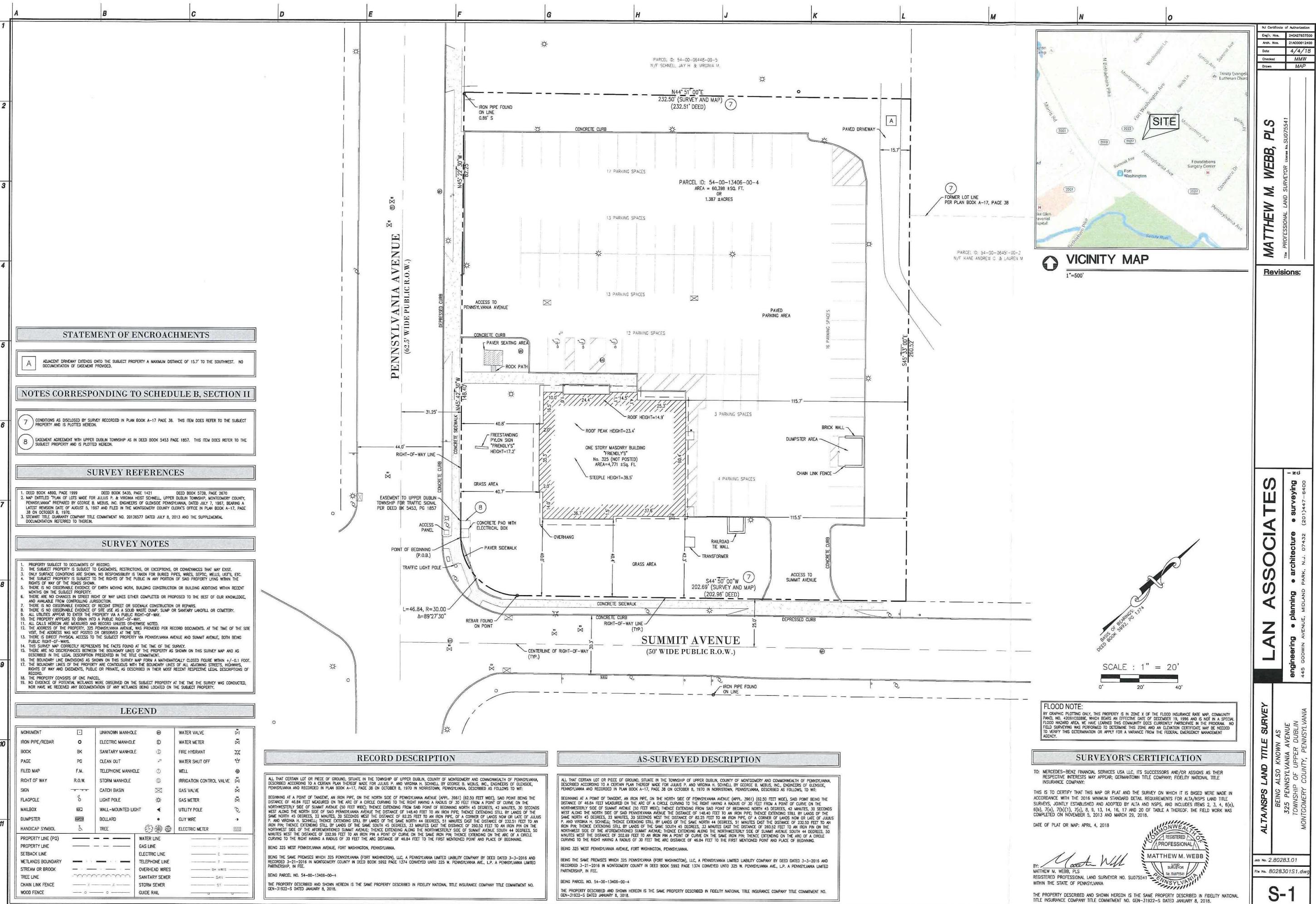


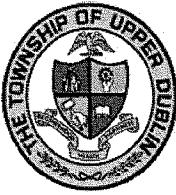
325 Pennsylvania Ave.



325 Pennsylvania Ave.







Upper Dublin Township

Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone # 215-643-1600
Fax # 215-643-8843
<http://www.upperdublin.net>

Payment Receipt

Date	Receipt No.
5/30/2018	PR-24842

Received From:

MERCEDES-BENZ OF FT WASHINGTON
404 PENNSYLVANIA AVENUE
FT WASHINGTON, PA 19034

Check No.	Payment Method	Property Location		
Item	Description		Qty	Rate
70507	Check	325 W. Penna. Ave		
01-361-3300	Zoning Hearing Board Fees		1,500.00	1,500.00

***PLEASE NOTE: Payment of the permit fee does not constitute issuance of a permit.
After the Permit Application has been reviewed, approved, and processed, the permit will be either mailed
or emailed to Homeowner and Contractor. Thank you.***

Zoning Hearing Board Agenda Item Report

Meeting Date: September 24, 2018

Submitted by: Jesse Conte

Submitting Department: Administration

Item Type: Discussion

Agenda Section: #2278: Richard and Merle Gitomer, 1721 Somerset Street, Drexer, PA 19025

Subject:

Request the following relief: an interpretation/determination that the area in question in the single family residence does not constitute an “in-law suite”; in the alternative, an interpretation/determination that the area in question is not a “dwelling unit” as defined in Zoning Code Section 255-7 and that no Special Exception is required; in the alternative, a Special Exception pursuant to Section 255-27.E(1) to allow a dwelling unit within a single family detached dwelling; in the alternative, a variance to allow an in-law suite in the single family residence. An interpretation/determination is also requested that no additional parking is required. In the alternative, a variance from Section 255-27.E(1).c to allow the existing parking on the site without the addition of an additional parking space. In the alternative, a special exception pursuant to Section 255-147 is requested to expand a lawful nonconforming use less than 25% of the area actually utilized in connection with the nonconforming use, as permitted by the Ordinance; in the alternative, a variance to increase the existing non-conformity as total impervious coverage of 26.6% of lot area to 27.6% to provide one additional parking space for an in-law suite. An interpretation/determination is also requested that the proposed variance for impervious coverage is de minimus and should therefore be granted on that basis. The property is zoned A-1 Residential.

Suggested Action:

Attachments:

[#2278Notice.pdf](#)

[#2278Application.pdf](#)

[#2278Deed.pdf](#)

[#2278Plan.pdf](#)

[#2278PlotPlan.pdf](#)

[#2278Receipt.pdf](#)

Upper Dublin

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PAUL A. LEONARD
Township Manager

GILBERT P. HIGH, JR.
Solicitor

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Hearing Board of Upper Dublin Township will hold a meeting as required by the Township's Zoning Ordinance at the Township Administration Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania on **Monday September 24, 2018 at 7:30 PM**. During this meeting an application concerning 1721 Somerset Street, Dresher, PA 19025 will be heard.

#2278: Richard and Merle Gitomer, 1721 Somerset Street, Dresher, PA 19025 request the following relief: an interpretation/determination that the area in question in the single family residence does not constitute an "in-law suite"; in the alternative, an interpretation/determination that the area in question is not a "dwelling unit" as defined in Zoning Code Section 255-7 and that no Special Exception is required; in the alternative, a Special Exception pursuant to Section 255-27.E(1) to allow a dwelling unit within a single family detached dwelling; in the alternative, a variance to allow an in-law suite in the single family residence. An interpretation/determination is also requested that no additional parking is required. In the alternative, a variance from Section 255-27.E(1).c to allow the existing parking on the site without the addition of an additional parking space. In the alternative, a special exception pursuant to Section 255-147 is requested to expand a lawful nonconforming use less than 25% of the area actually utilized in connection with the nonconforming use, as permitted by the Ordinance; in the alternative, a variance to increase the existing non-conformity as total impervious coverage of 26.6% of lot area to 27.6% to provide one additional parking space for an in-law suite. An interpretation/determination is also requested that the proposed variance for impervious coverage is *de minimus* and should therefore be granted on that basis. The property is zoned A-1 Residential.

All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

A copy of the application is on file in the Code Enforcement Department and may be seen upon request.

By Order of the Zoning Hearing Board.


Richard D. Barton
Zoning Officer

Note: There is a 30 day period after the date of the decision for an aggrieved person to file an appeal in court to contest an approval by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period do so at their own risk.

If you are not able to attend the hearing, written comments may be entered into the record by submitting them in advance to the Department of Code Enforcement.

Advertisement Dates: September 9 and 16, 2018 - Ambler Gazette

Date Received: 8/1/18
Fee Paid: \$500.00
1st Ad 9-9-18 /2nd Ad 9-16-18
Date of Hearing: 9/34/18

UPPER DUBLIN TOWNSHIP
ZONING HEARING BOARD
APPLICATION # 2218

Application is hereby made to the Zoning Hearing Board for a determination in connection with the following facts:

Name of Applicant: Richard and Merle Gitomer

Name of Owner: Richard and Merle Gitomer

Address: 1721 Somerset Street

Address: 1721 Somerset Street

City, State and Zip: Dresher, PA 19025

City, State and Zip: Dresher, PA 19025

Phone Number: 215-738-5806

Phone Number: 215-738-5806

Name of Attorney: Michael Yanoff, Esquire

Attorney Phone Number: 19384

Address: 101 Greenwood Ave 5th Floor City: Jenkintown State: PA ZIP 19046

email: mYanoff@fsalaw.com

Applicant and Owner request that a determination be made by the Zoning Hearing Board on this Appeal from the Decision of the Code Enforcement Department in which we were:

Refused a building Permit
 Given conditional approval of a subdivision plan
 Other (specify) _____

Ordered to Cease a current use

This appeal seeks:

An interpretation of the ordinance or map
 A special exception under Article IV, Section 255-27, Subsection E, Paragraph 1
 A Variance relating to the Use, Area, Frontage, Yard, Height, Parking, Other (specify) (a) In the alternative to the Special Exception; (b) impervious coverage

The applicable provisions of the Zoning Ordinance are as follows:

Chapter 255 Section 27 Subsection E Paragraph 1

Chapter 255 Section 43.1 Subsection A Paragraph 1

Chapter 255 Section 147 Subsection B Paragraph _____

Chapter 255 Section 7 Subsection _____ Paragraph _____

The description of the property involved in this appeal is as follows:

Street Number: 1721 Street Name: Somerset Street Deed Book: 6081 Page 02483

Block Number: _____ Unit Number: _____ Parcel Number: 54-00-14108-35-5

Zoning District: A-1 Served by Public Sewer (y/n) Y Served by Public Water (y/n) Y

Lot Size: 30928 Sq. Ft Lot Dimensions: _____ Street Frontage: 25'

Describe the present use of the property and the existing improvements: Single Family Residence

Describe the proposed use of the property and the proposed improvements: Single family Residence and associated parking

Has any previous petition been filed with the Zoning Board in connection with these premises? Yes No

If yes, please describe _____

Is this property a part of a subdivision heretofore approved by the Township? Yes No

If Yes, give name of subdivision Dawesfield Date of approval by Township _____

I/We believe that the Zoning Board should approve this request because: See the attached.

STATE OF PENNSYLVANIA: SS
COUNTY OF MONTGOMERY:

Michael Yanoff, attorney for Applicant BEING DULY SWORN ACCORDING TO LAW, DEPOSE(S)
AND SAY(S) THAT THE FACTS SET FORTH IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

NOTARIAL SEAL
ERICKA CROCKER, Notary Public
Jenkintown Boro., Montgomery County
My Commission Expires April 4, 2020

Sworn and subscribed to

2

before me. this day **My Commission Expires April 4, 2020**

Math

Applicant

of August, 20 18

Notary Public

Property owner(s) must join in the **COMMONWEALTH** application.

NOTARIAL SEAL
ERICKA CROCKER, Notary Public
Jenkintown Boro., Montgomery County
My Commission Expires April 4, 2020

Sworn and subscribed to

✓ sh

Owner

before me, this day

of August, 2018

Notary Public

This application must be filled out and signed by the owner and if different the applicant and filed with the Zoning officer along with the appropriate fee. If more space is required, attach a separate sheet to this application and reference the question being answered. The application must be accompanied by:

question being answered. The application must be accompanied by:

1. Copy of the deed showing current ownership.
2. Copies of leases or agreements affecting the premises.
3. Notarized zoning application & corporate sealed for companies.
4. Eight copies of the plan of real estate affected showing the location and dimension of improvements now erected and proposed, parking spaces, all dimensional requirements of the zoning ordinance, the building envelope, rights of way and easements. The plan must be prepared and sealed by a Registered Land Surveyor unless this requirement is waived by the Director of Code Enforcement.

ADDENDUM TO ZONING APPLICATION FOR GITOMER-1721 SOMERSET
STREET

Applicant respectfully requests the following relief:

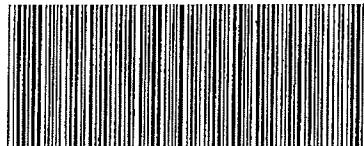
1. An interpretation/determination that the area in question in the Single Family Residence does not constitute an "in-law suite," especially where:
 - A. The Upper Dublin Township Zoning Code does not contain a definition of "in law suite."
 - B. There is no separate entrance or exit to the area in question other than the front door of the house. See attached plan.
2. In the alternative, an interpretation/determination that the area in question is not a "dwelling unit" as defined in Section 255-7 (Definitions) as there are no independent living facilities contained therein, and that, therefore, no Special Exception is required.
3. In the alternative, a Special Exception pursuant to Section 255-27 E (1) to allow a Dwelling Unit within a single family detached dwelling.
4. In the alternative, a variance to allow an in-law suite in the single family residence.
5. An interpretation/determination that no additional parking is required.
6. In the alternative, a variance to allow the existing parking on the site without the addition of an additional parking space.
7. In the alternative, a Special Exception pursuant to Section 255-147 to expand a lawful nonconforming use less than the 25% of the area actually utilized in connection with the nonconforming use, as permitted by the Ordinance.
8. In the alternative, a variance to increase the existing non-conformity as to total impervious coverage of 31.6% of lot area to 33% to provide one additional parking space for an in-law suite. *26.6%* *27.6%* *RB*
9. An interpretation/determination that the requested variance for impervious parking is *de minimus* and should therefore be granted on that basis.



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 6081 PG 02483 to 02486
INSTRUMENT # : 2018014031
RECORDED DATE: 03/05/2018 11:31:47 AM



3748539-0019%

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

Document Type: Deed	Transaction #: 3889287 - 1 Doc(s)
Document Date: 02/21/2018	Document Page Count: 3
Reference Info:	Operator Id: estaglia
RETURN TO: (Simplifile) Elkins Park Abstract Company 721 Dresher Road Horsham, PA 19044 (215) 830-1100	PAID BY: ELKINS PARK ABSTRACT COMPANY

*** PROPERTY DATA:**

Parcel ID #:	54-00-14108-35-5
Address:	1721 SOMERSET ST
DRESHER, PA 19025	
Municipality:	Upper Dublin Township (100%)
School District:	Upper Dublin

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT:	\$390,000.00
TAXABLE AMOUNT:	\$390,000.00
FEES / TAXES:	
Recording Fee: Deed	\$86.75
Additional Names Fee	\$0.50
Affordable Housing Names	\$0.50
State RTT	\$3,900.00
Upper Dublin Township RTT	\$1,950.00
Upper Dublin School District RTT	\$1,950.00
Total:	\$7,887.75

DEED BK 6081 PG 02483 to 02486
Recorded Date: 03/05/2018 11:31:47 AM

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



Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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

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



MONTGOMERY COUNTY COMMISSIONERS REGISTRY
54-00-14108-35-5 UPPER DUBLIN TOWNSHIP

1721 SOMERSET ST
MANNING JOHN L SR
B 011D L 23 U 017 1101 03/05/2018

\$15.00
JG

Prepared by:

Return to:

Attorneys and Brokers' Abstract Co

721 Dresher Road, Suite 1000

Horsham, PA 19044

215-830-1100

File No. C018-004EP

Property ID No. 54-00-14108-35-5

This Indenture, made the 26 day of February, 2018,
Between

**ALEXANDER MATHIE, EXECUTOR OF THE ESTATE OF JOHN L.
MANNING, SR. A/K/A JOHN L. MANNING, DECEASED**

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

RICHARD GITOMER AND MERLE GITOMER, HUSBAND AND WIFE

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

Witnesseth that in consideration of the sum off **Three Hundred Ninety Thousand And 00/100** Dollars (\$390,000.00), in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, as tenants by the entirety, their heirs and assigns,

See Attached Exhibit A

Together with all and singular the buildings, improvements, ways, waters, water-courses, driveways, rights, liberties, hereditaments and appurtenances, whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

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

And the said , Executor of the aforesaid covenants, promises and agrees to and with said Grantees, their heirs and assigns, that he/she, the said Executor of the aforementioned, has not



Order Number: 6776764
C018-004EP

Description and Recital

ALL THAT CERTAIN lot or piece of ground, situate in Upper Dublin Township, Montgomery County, Commonwealth of Pennsylvania, bounded and described according to a Final Subdivision Plan (Phase IIA) of Dawesfield, prepared by Alon Engineering Associates, Inc., dated 6/18/1991, last revised 10/30/1991 and recorded in Plan Book A53 page 100, as follows, to wit:

BEGINNING at a point on the Southeasterly side of Somerset Street, said point being a corner of Lot 24, as shown on above mentioned plan; thence extending from said beginning point, along the Southeasterly side of Somerset Street, North 42 degrees 12 minutes 30 seconds East, 25 feet to a point; thence extending South 47 degrees 47 minutes 30 seconds East, 393.35 feet to a point; thence extending South 42 degrees 35 minutes 30 seconds West, 145 feet to a point; thence extending North 47 degrees 47 minutes 30 seconds West, 175.38 feet to a point; thence extending North 42 degrees 12 minutes 30 seconds East, 120 feet to a point; thence extending North 47 degrees 47 minutes 30 seconds West, 217 feet to the first mentioned point and place of beginning.

BEING Lot 23, as shown on the above mentioned plan.

54-00-14108-35-5

Being the same premises which DawesField Joint Venture by Deed dated 05/08/1992 and recorded 05/14/1992 in Montgomery County in Deed Book 5006 Page 1712 conveyed unto John L. Manning, Sr., in fee.

And the said John L. Manning, Sr. a/k/a John L. Manning died on 05/17/2017 leaving a Will probated and registered at Montgomery County as Will No. 2017-X1998, wherein he appointed Alexander Mathle as Executor, to whom Letters Testamentary were granted on 05/30/2017.



done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or encumbered, in title, charge, estate, or otherwise howsoever.

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

SEALED AND DELIVERED
IN THE PRESENCE OF US:

Alexander Mathie, executor of the
ALEXANDER MATHIE, EXECUTOR OF THE

Estate of John L. Manning, Sr. A/K/A
ESTATE OF JOHN L. MANNING, SR. A/K/A

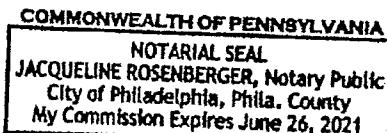
John L. Manning, Deceased
JOHN L. MANNING, DECEASED

Commonwealth of Pennsylvania }
County of PHILA } ss

On this the 21st day of February, 2018, before me, the undersigned Officer, a Notary Public in and for the jurisdiction aforesaid, personally appeared Alexander Mathie, Executor of the Estate of John L. Manning, Sr. a/k/a John L. Manning, Deceased known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she executed the same in the capacity therein stated and for the purposes therein contained.

I hereunto set my hand and official seal.

Jacqueline Rosenberg
Notary Public



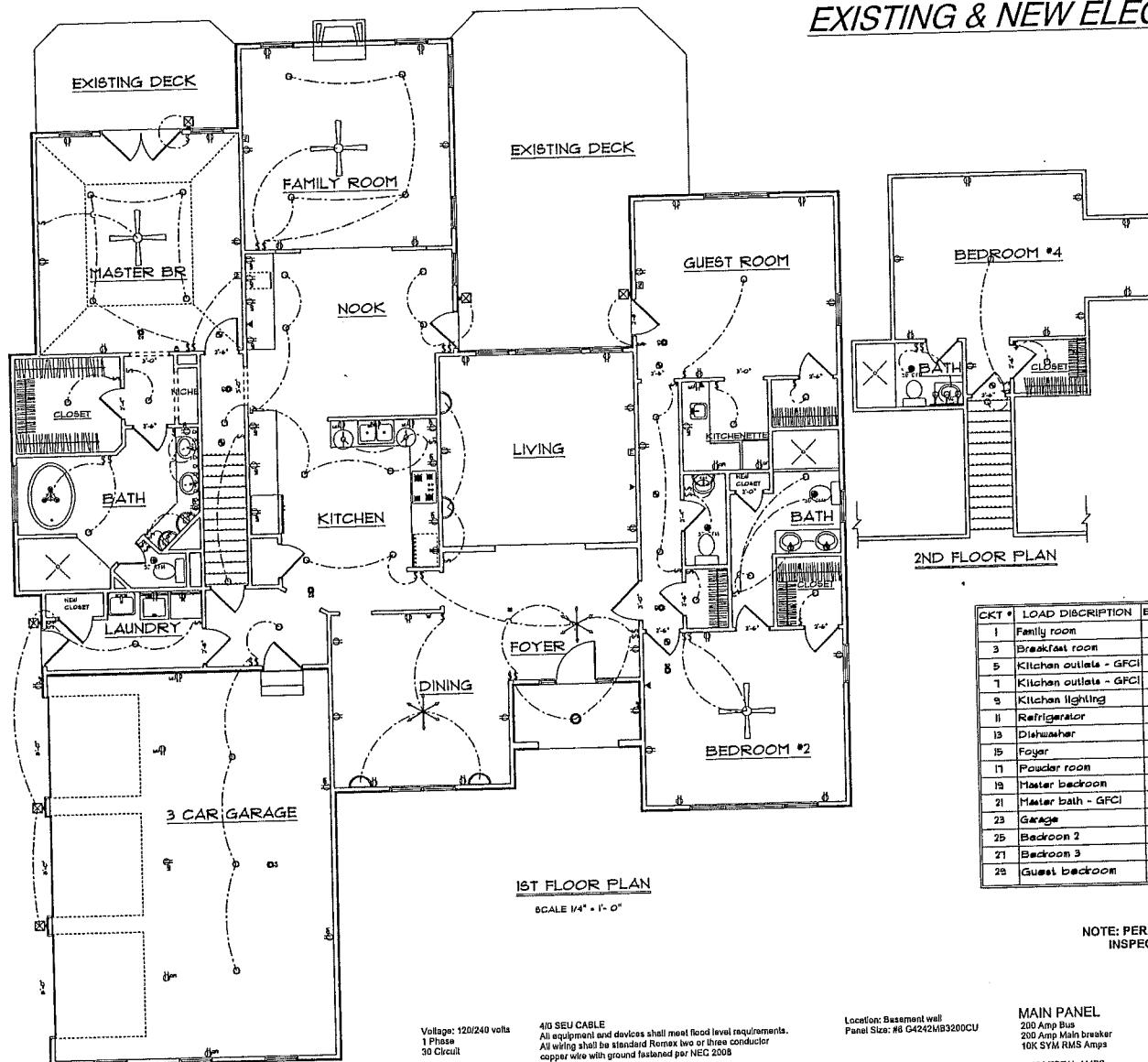
The Address of the above named Grantees is:

8310 Cameron Cave Drive
Boynton Beach, FL 33473

MMJ
Agent for Grantee



EXISTING & NEW ELECTRICAL LAYOUT

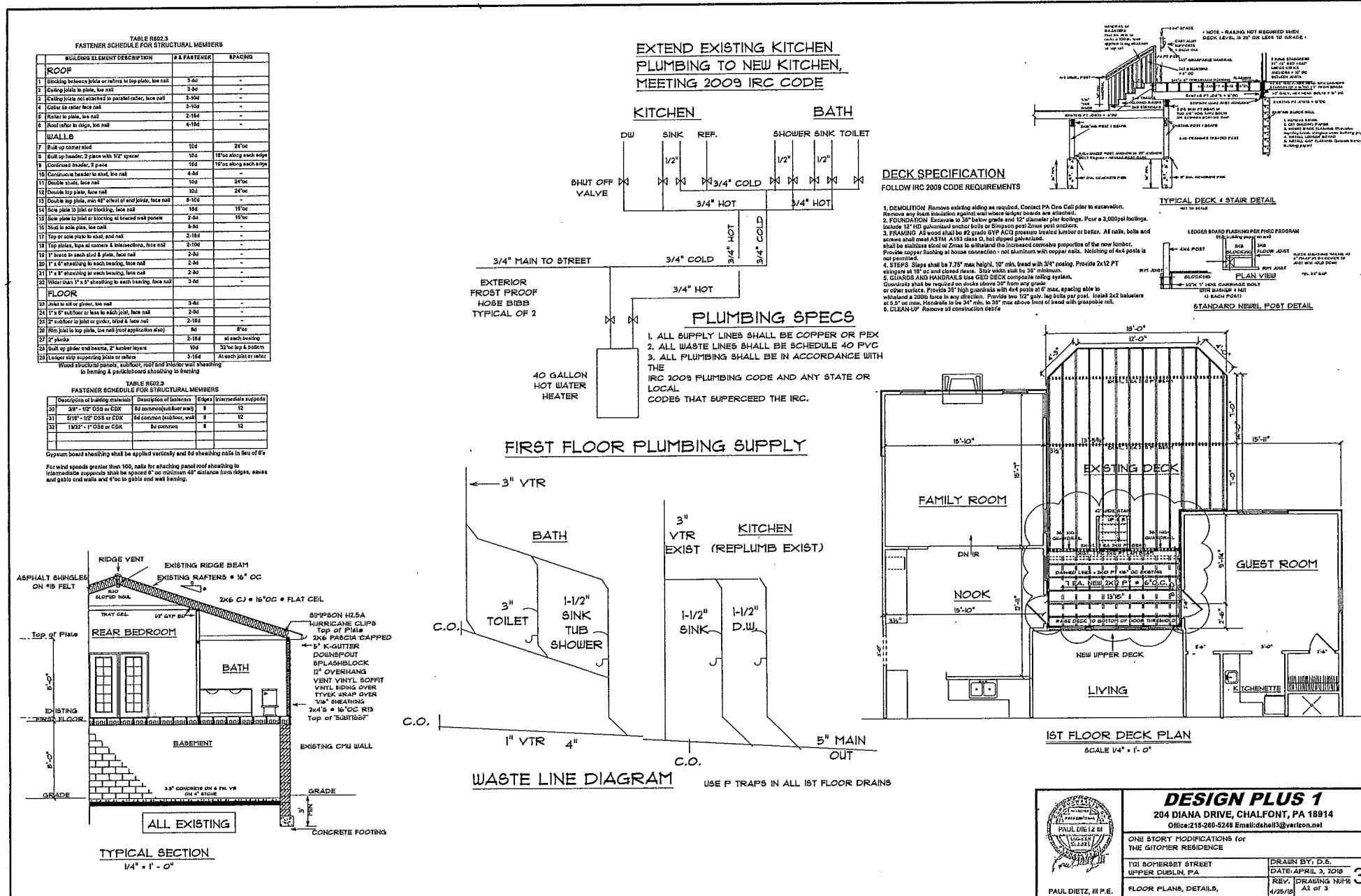


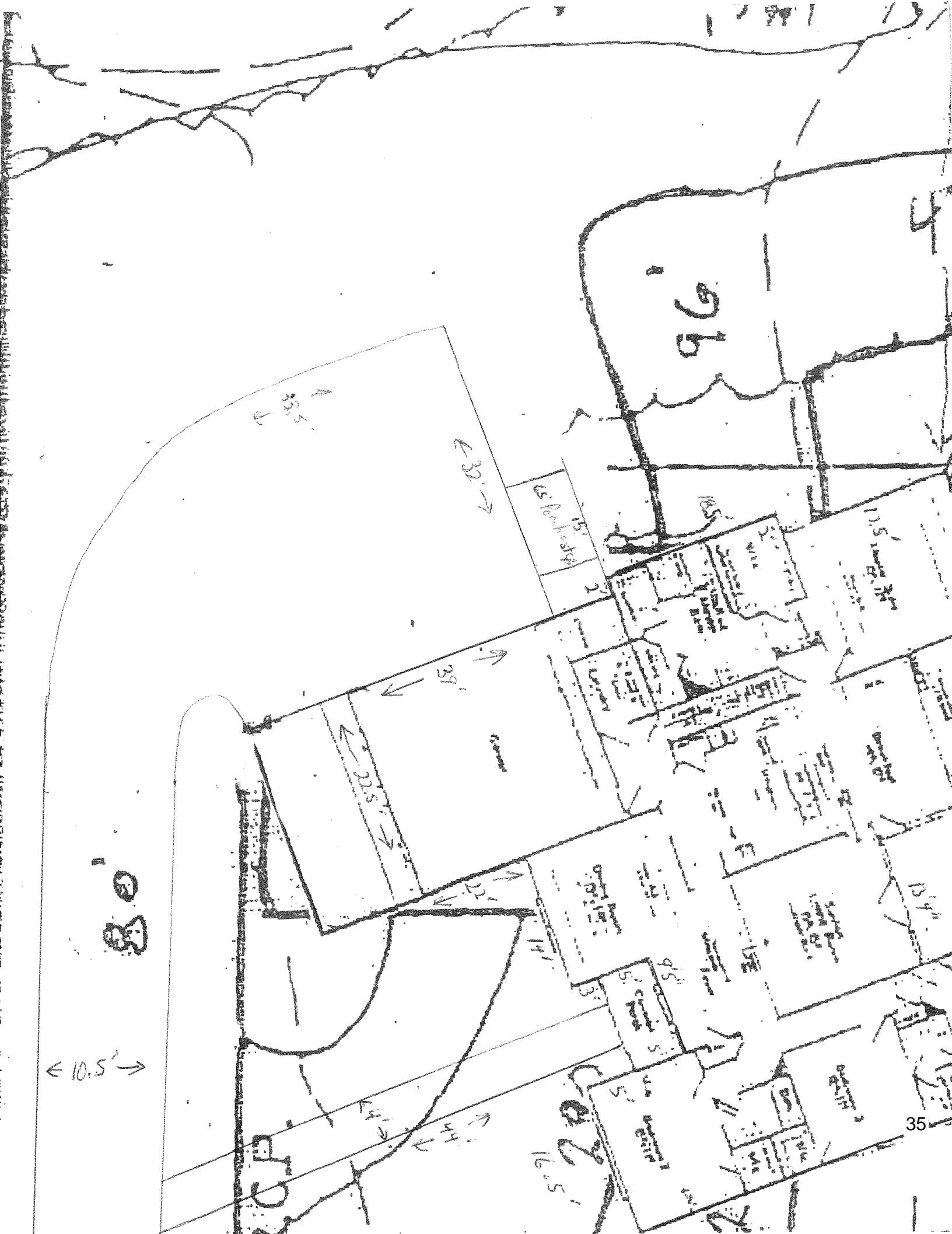
MAIN PANEL
200 Amp Bus
200 Amp Main breaker
10K 3YM RMS Amps
Location: Basement well
Panel Size: #8 G4242MIB3200CU

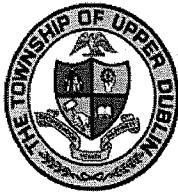
NOTE: PER TOWNSHIP REQUIREMENTS, BUILDER TO OBTAIN UL UNDERWRITER INSPECTIONS AND CERTIFICATION OF ALL EXISTING AND NEW APPLICATIONS

ELECTRICAL LEGEND		
ELECTRICAL	COUNT	SYMBOL
ceiling fan plate 01	3	
Teach Keypad light	2	
Chandelier 02	2	
chandelier 04	1	
ceiling light 40	40	
ceiling light 05	5	
ceiling light 06	1	
Dimmer	2	
Light switch	4	
Light switch 01	4	
Light switch 02	4	
Light switch 03	4	
Light switch 04	4	
Light switch 05	4	
Light switch 06	4	
Light switch 07	4	
Light switch 08	2	
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SECTION R315 - CARBON MONOXIDE ALARMS FOR NEW CONSTRUCTION
AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED OUTSIDE OF EACH SEPARATE SLEEPING QUARTER IN DWELLING UNITS WITHIN WHICH FUEL-FIRED APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES.







Upper Dublin Township

Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone # 215-643-1600
Fax # 215-643-8843
<http://www.upperdublin.net>

Payment Receipt

Date	Receipt No.
8/7/2018	PR-25293

Received From:
Friedman, Schuman, Applebaum & Nemeroff 101 Greenwood Ave, 5TH Floor Jenkintown, PA. 19046

Check No.	Payment Method	Property Location		
112175	Check	1721 Somerset Street		
Item	Description	Qty	Rate	Amount
01-361-3300	Zoning Hearing Board Fees		500.00	500.00

***PLEASE NOTE: Payment of the permit fee does not constitute issuance of a permit.
After the Permit Application has been reviewed, approved, and processed, the permit will be either mailed
or emailed to Homeowner and Contractor. Thank you.***

Zoning Hearing Board Agenda Item Report

Meeting Date: September 24, 2018

Submitted by: Jesse Conte

Submitting Department: Administration

Item Type: Discussion

Agenda Section: #2280: Katharine and Patrick Hitchens, 1740 Limekiln Pike, Glenside, PA 19038

Subject:

Request a variance to replace an existing detached garage with a new garage having an area of 880 sq.ft., where 600 sq.ft. is permitted (Zoning Code, Section 255-29.B). A variance is also requested from Section 255-29.D to allow the side yard setback to remain at 3.13 feet where 10 feet is required; and a variance from Section 255-43.B to increase the total impervious surface from 26.3% (nonconforming) to 28.3%. The property is zoned A-Residential.

Suggested Action:

Attachments:

[#2280Notice.pdf](#)

[#2280Application.pdf](#)

[#2280ApplicationAddendum.pdf](#)

[#2280Deed.pdf](#)

[#2280ImpCov.pdf](#)

[#2280Receipt.pdf](#)

Upper Dublin

801 LOCH ALSH AVENUE
FORT WASHINGTON, PA 19034-1697
Phone: (215) 643-1600
Fax: (215) 542-0797
www.upperdublin.net



IRA S. TACKEL
President

RONALD P. FELDMAN
Vice President

REBECCA A. GUSHUE

LIZ FERRY

ROBERT H. MCGUCKIN

GARY V. SCARPELLO

MEREDITH L. FERLEGER

PAUL A. LEONARD
Township Manager

GILBERT P. HIGH, JR.
Solicitor

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Hearing Board of Upper Dublin Township will hold a meeting as required by the Township's Zoning Ordinance at the Township Administration Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania on **Monday September 24, 2018 at 7:30 PM**. During this meeting an application concerning **1740 Limekiln Pike, Glenside, PA 19038** will be heard.

#2280: *Katharine and Patrick Hitchens, 1740 Limekiln Pike, Glenside, PA 19038* request a variance to replace an existing detached garage with a new garage having an area of 880 sq.ft., where 600 sq.ft. is permitted (Zoning Code, Section 255-29.B). A variance is also requested from Section 255-29.D to allow the side yard setback to remain at 3.13 feet where 10 feet is required; and a variance from Section 255-43.B to increase the total impervious surface from 26.3% (nonconforming) to 28.3%. The property is zoned A-Residential.

All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

A copy of the application is on file in the Code Enforcement Department and may be seen upon request.

By Order of the Zoning Hearing Board.



Richard D. Barton
Zoning Officer

Note: There is a 30 day period after the date of the decision for an aggrieved person to file an appeal in court to contest an approval by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period do so at their own risk.

If you are not able to attend the hearing, written comments may be entered into the record by submitting them in advance to the Department of Code Enforcement.

Advertisement Dates: September 9 and 16, 2018 - Ambler Gazette

Date Received: 8/21/18
Fee Paid: 8/21/18
1st Ad 9-9-18 2nd Ad 9-16-18
Date of Hearing: 9/24/18

UPPER DUBLIN TOWNSHIP
ZONING HEARING BOARD
APPLICATION # 2280

Application is hereby made to the Zoning Hearing Board for a determination in connection with the following facts:

~~email: hitchenspatrick@gmail.com~~ patrick@skilkennylaw.com

Name of Applicant: Katharine and Patrick Hitchens

Address: 1740 Limekiln Pike

City, State and Zip: Glenside, PA 19038

Phone Number: 215-266-1673

Name of Attorney: Owner Attorney Phone Number: _____

Address: _____ City: _____ State: _____ ZIP _____

Applicant and Owner request that a determination be made by the Zoning Hearing Board on this Appeal from the Decision of the Code Enforcement Department in which we were:

Refused a building Permit Ordered to Cease a current use
 Given conditional approval of a subdivision plan
 Other (specify) Variance request for replacement of existing garage

This appeal seeks:

An interpretation of the ordinance or map
 A special exception under Article _____, Section _____, Subsection _____, Paragraph _____
 A Variance relating to the Use, Area, Frontage, Yard, Height, Parking, Other (specify) _____

The applicable provisions of the Zoning Ordinance are as follows:

Chapter 255 Section 255-29 Subsection B Paragraph _____
Chapter 255 Section 255-29 Subsection D Paragraph _____
Chapter 255 Section 255-43 Subsection B Paragraph _____
Chapter _____ Section _____ Subsection _____ Paragraph _____

The description of the property involved in this appeal is as follows:

Street Number: 1740 Street Name: Limekiln Deed Book: 5779 Page 00761

Block Number: 70 Unit Number: 102 Parcel Number: 540009961011

Zoning District: A - Res Served by Public Sewer (y/n) Y Served by Public Water (y/n) Y

Lot Size: 29,293 Lot Dimensions: irregular lot Street Frontage: 224

Describe the present use of the property and the existing improvements: Single family Residential Dwelling

Property currently contains a 1 -1.5 car detached garage that is in poor shape and in need of repair/ replacement

Describe the proposed use of the property and the proposed improvements: Single Family Residential Dwelling

See attached; Applicant seeks to demolish and reconstruct an existing garage into 2 car garage with loft storage

Has any previous petition been filed with the Zoning Board in connection with these premises? Yes No

If yes, please describe Use and dimensional variances were requested as part of minor subdivision in 2010

Is this property a part of a subdivision heretofore approved by the Township? Yes No

If Yes, give name of subdivision Lulu Temple Minor Subdivision Date of approval by Township 8/9/2010

I/We believe that the Zoning Board should approve this request because: See Attached.

STATE OF PENNSYLVANIA: SS
COUNTY OF MONTGOMERY

COUNTY OF MONTGOMERY:

PATRICK M. HITCHENS & Katherine Hitchens BEING DULY SWORN ACCORDING TO LAW, DEPOSE(S)
AND SAY(S) THAT THE FACTS SET FORTH IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

Sworn and subscribed to

before me, this 2nd day

of August, 20 18
Amelia
Notary Public

Property owner(s) must join in the above application.

Commonwealth of Pennsylvania - Notary Seal
Armandina Severini, Notary Public
Montgomery County
My commission expires May 6, 2019
Commission number 1216373
Member, Pennsylvania Association of Notaries

Sworn and subscribed to

before me, this day,

of _____, 20_____

cf. 30

Notary Public

This application must be filled out and signed by the owner and if different the applicant and filed with the Zoning officer along with the appropriate fee. If more space is required, attach a separate sheet to this application and reference the question being answered. The application must be accompanied by:

1. Copy of the deed showing current ownership.
2. Copies of leases or agreements affecting the premises.
3. Notarized zoning application & corporate sealed for companies.

4. Eight copies of the plan of real estate affected showing the location and dimension of improvements now erected and proposed, parking spaces, all dimensional requirements of the zoning ordinance, the building envelope, rights of way and easements. The plan **must** be prepared and sealed by a Registered Land Surveyor unless this requirement is waived by the Director of Code Enforcement.

Upper Dublin Township Zoning Application
Katharine and Patrick Hitchens
1740 Limekiln Pike, Upper Dublin
Application Addendum

Applicants seek to demolish an existing 1 – 1.5 detached car garage and reconstruct a 2-car garage in its place. The proposed 2 -car garage will be larger than then the existing garage (288 vs. 880) and will also contain a second floor/ loft area for storage. Therefore, Applicant will need relief from the following zoning sections:

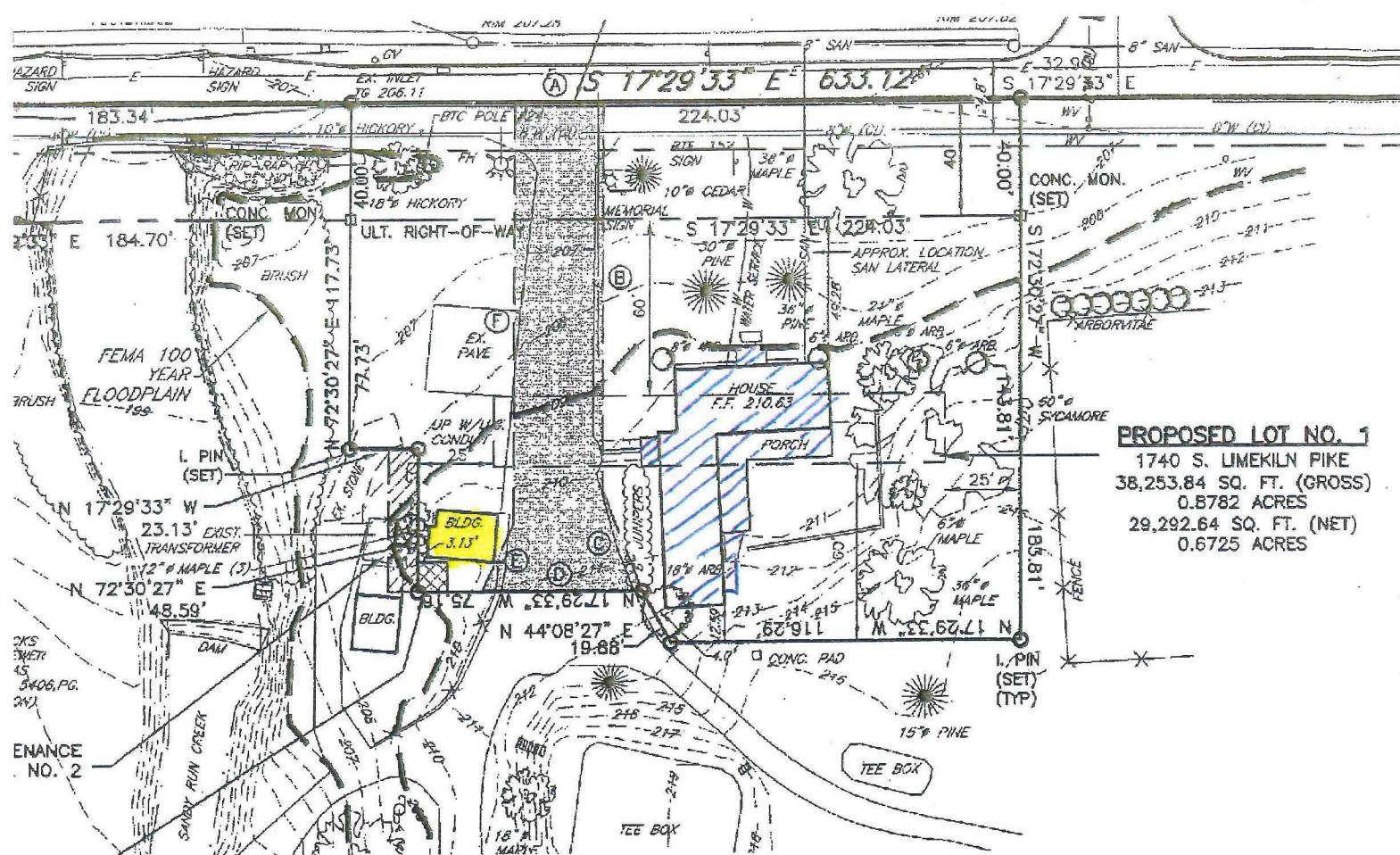
- **255-29(B)** – variance to allow the construction of a 880 sq. ft 2-car detached garage where only 600 ft is permitted by right;
- **255-29(D)** – variance to allow the side yard setback to remain at 3.13 ft where the zoning code requires 10 ft; and
- **255-43(B)** – variance to allow a total impervious surface of 28.3% where only 25% is permitted.

The existing property is an irregularly shaped lot as was created by LuLu Country Club in subdividing the Fitzwater House for preservation/ resale per the terms of a conservation easement entered into with Upper Dublin Township. Attached with the application is an enlarged copy of the existing lot as depicted on the approved August 2010 subdivision plan. As shown on the plan, the lot is a series of decreasingly sized rectangles, which was likely done intentionally by LuLu in order to preserve access and rights to their existing facilities that support the country club use. In the area of the existing garage (which is only identified as “bldg.” on the plan), the lot was designed so that there would be 10 ft to the rear of the lot and only 3.13 ft to the side line.

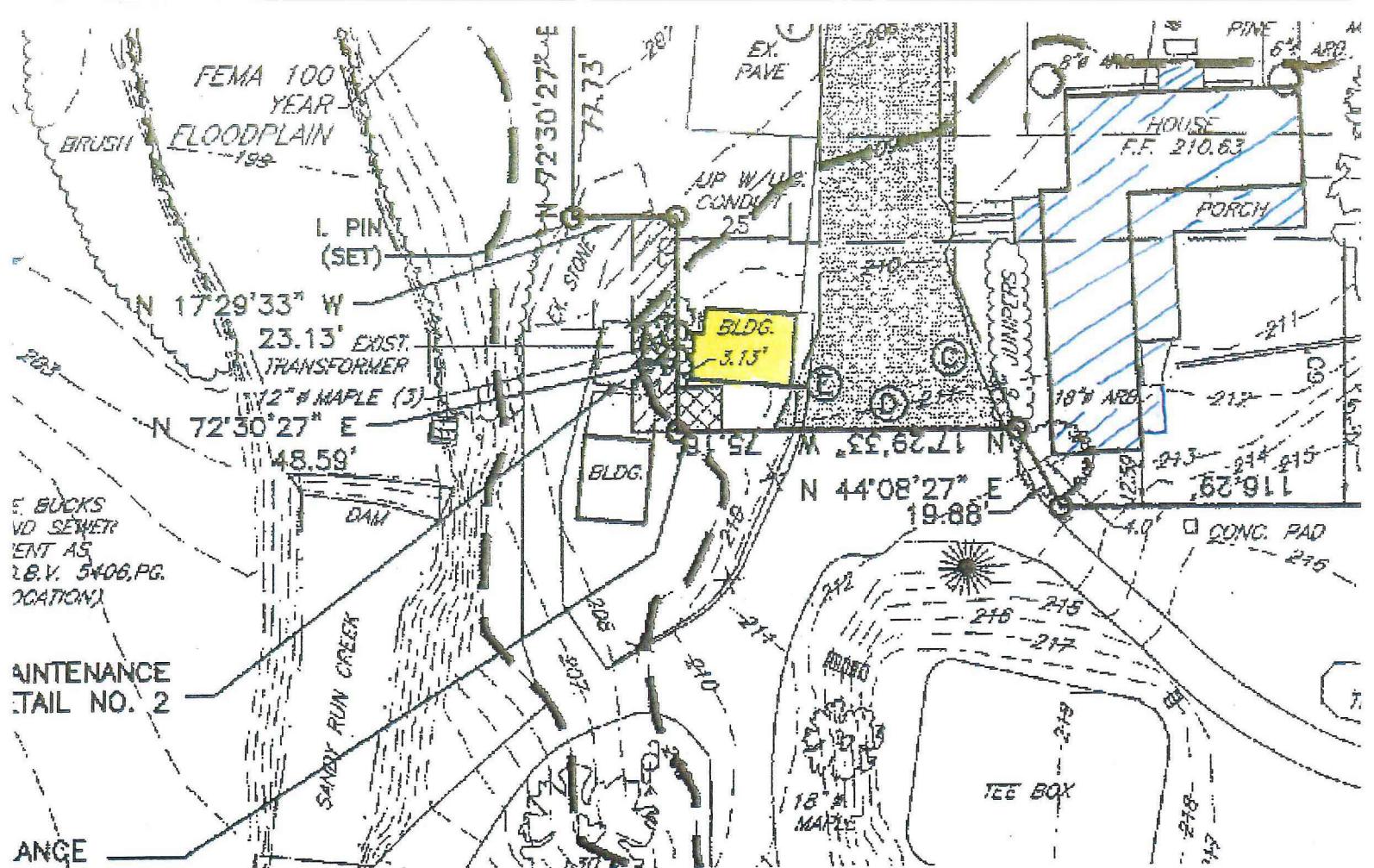
In addition to this irregular shape, the 100-year flood line runs through the front of the property as shown by the dark dashed line and swings around the back of the existing detached garage. Applicants are in the process of confirming that the location of this line has not moved as the 2010 plan was based on the prior FEMA maps. Assuming the line has not moved, the location of this 100 year floodplain line restricts any construction or development of a usable garage to the same tight corner where the existing garage is located.

Applicants also allow LuLu to use by license an existing driveway for access to their maintenance building the sits behind Applicant's property (where the original barn once stood).

Therefore Applicant believes that a variance for the location of the proposed garage replacement is warranted because there exists unique physical conditions of the property (i.e. irregularly shaped lot and 100-yr flood plain) creating a hardship. This hardship was not created by the Applicant. The existing garage is in a condition that demolition and replacement is reasonable and appropriate, and the relief requested will not frustrate LuLu's use of its property (as they created some of the hardship) or other neighboring properties, and the relief requested is the minimum relief necessary for the proposed garage replacement.



Plot Plan from approved subdivision Plan
recorded @ Plan Bk 35, pg 322



Enhanced view of existing detached garage

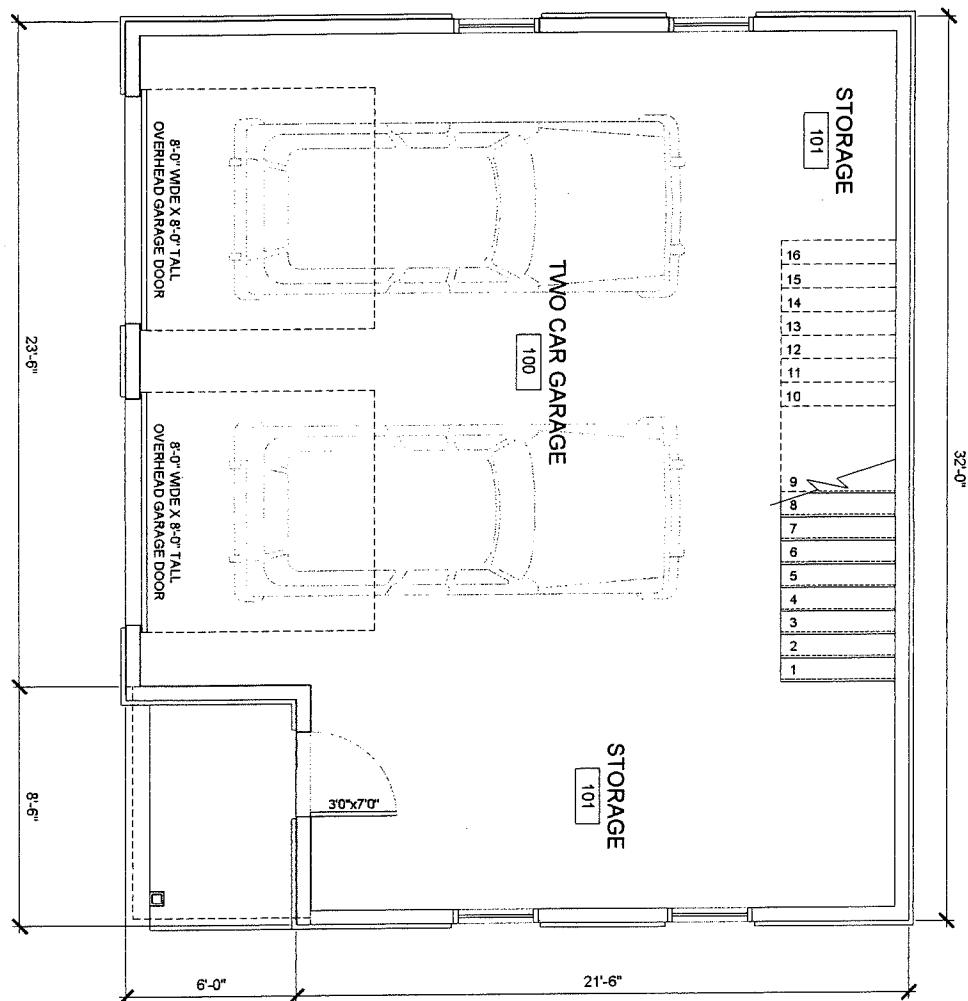
from Plot Plan, showing 3.13' distance

to side yard line and approx 10' distance

to rear yard line based on measurements

from Maintenance Detail No 1 (the cross hatched box)

1/10 SCALE 10'-0"



A1.0

SD SCHMIDT RFF
FIRM: RCF
DRAWN BY: RCF
CHECKED BY: RCF
DATE: 08/19/2018

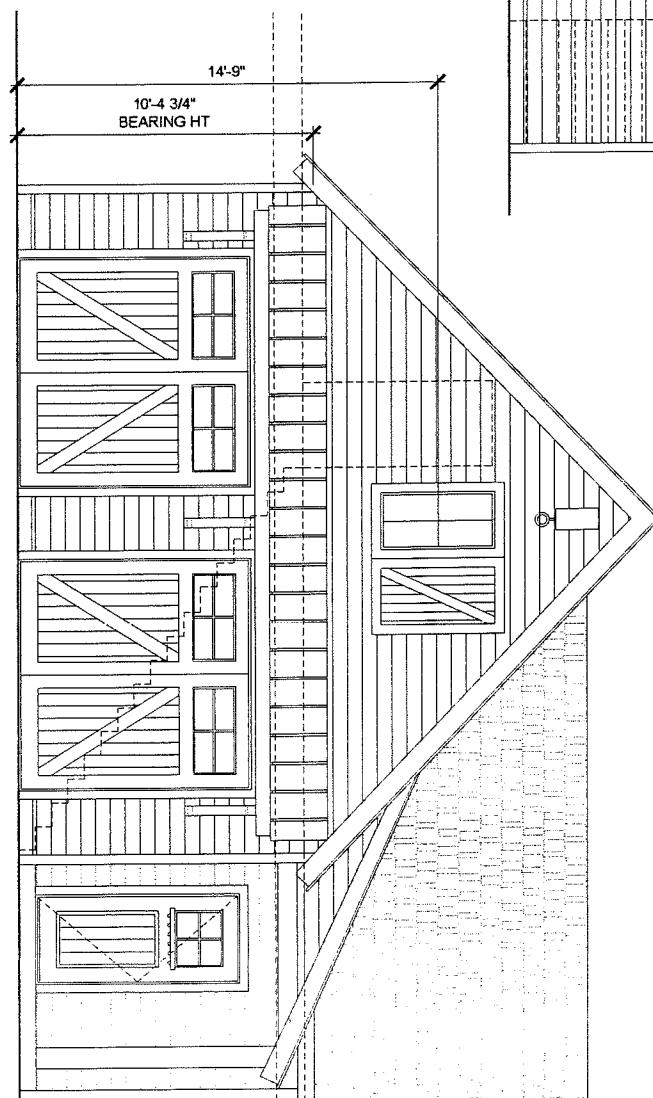
HITCHENS GARAGE
1740 LIMEKILN PIKE
GLENDALE, PA 19038

REVISIONS

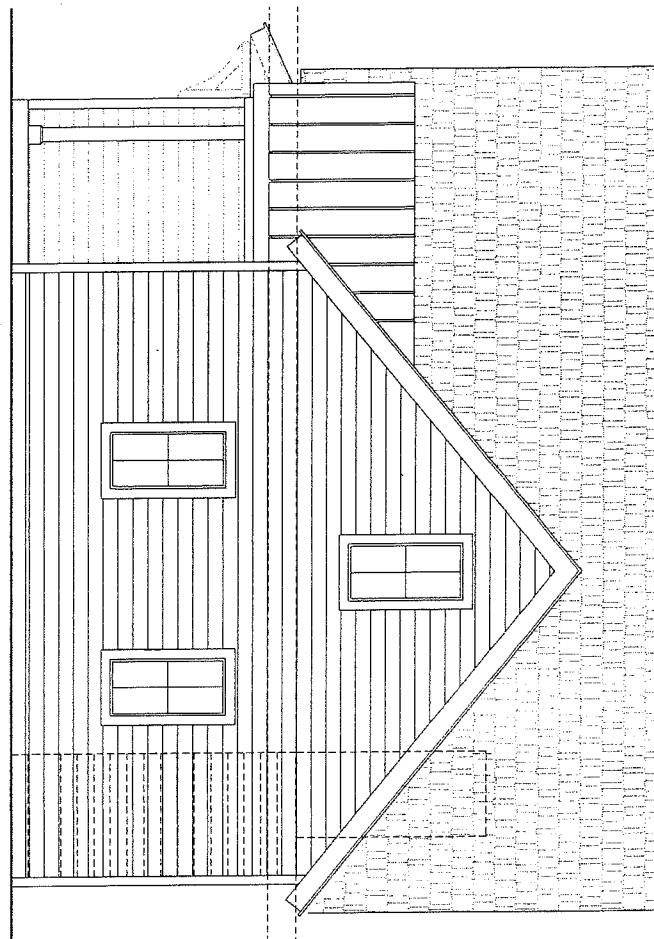
RALPH C. FEY A.I.A. PC
ARCHITECTS
300 NORTH BROAD STREET COVINGTON, PA 18931
215-439-2042 WWW.RCFARCHITECTS.COM LICENSE PA, NJ, NY

CONSULTANT

A2.1 SCHEME THREE FRONT ELEVATION
1/2" SCALE 12'-0"



A2.1 SCHEME THREE SIDE ELEVATION
1/2" SCALE 12'-0"



A2.1

SD SCHEME THREE
SCALE SD
SUBMISSION BY
DRAWN BY RCF
CHECKED BY RCF
DATE 09/19/2013

HITCHEN3 GARAGE
1740 LIMEKILN PIKE
GLENDALE, PA 19038

REVISIONS

RALPH C. FEY A.I.A. PC
A R C H I T E C T S
300 NORTH BROAD STREET DOYLESTOWN, PA 18930
215-483-3942 WWW.RCFARCHITECTS.COM LICENSE PA, NJ, NY

CONSULTANT

BUILDING & IMPERVIOUS COVERAGE FORM

Property Location:		1740 Limekiln Pike			Date:
Zoning District:	A	Owner Name:		Katharine and Patrick Hitchens	
				Lot Size:	29293

Part A - Building Coverage

EXISTING	Length	x	Width	=	Square Feet	Notes / Removals / Reductions
House	51	x	22	=	1122	House is "L" shaped, this is street portion
Garage	16	x	18	=	288	Existing detached garage to be removed
Shed		x		=		
Gazebo		x		=		
House Section B	60	x	20	=	1200	House is "L" shaped, this is driveway portion
		x		=		
NEW / ADDITIONS - SEE REQUIREMENTS ON PAGE 1 FOR STORMWATER MANAGEMENT:						
New Detached Garage	32	x	27.5	=	880	
		x		=		
		x		=		
TOTAL - PART A				3202		

Total - Part A:	3202	÷	Lot Size:	29293	=	% of Building Coverage:	10.9%
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Part B - Impervious Surface

EXISTING	Length	x	Width	=	Square Feet	Notes / Removals / Reductions
Driveway	135	x	32	=	4320	Driveway used by LULU Maintenance
Walkways		x		=		
Patio	84	x	8	=	672	Patio is "L" shaped
Deck		x		=		
Sports Court		x		=		
Pool (Water Surface)		x		=		
Pool (Decking)		x		=		
Side Porch	6	x	10	=	60	Roofed Porch used as primary entrance
Front Porch	7	x	10	=	70	slab concrete w/o roof
NEW / ADDITIONS - SEE REQUIREMENTS ON PAGE 1 FOR STORMWATER MANAGEMENT:						
		x		=		
		x		=		
		x		=		
		x		=		
TOTAL - PART B				5122		

Total - Part B:	5122	÷	Lot Size:	29293	=	% of Impervious Surface:	17.4%
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% of Building Coverage from Part A Above:	10.9%	+	% of Impervious Surface from Part B Above:	17.4%	=	TOTAL IMPERVIOUS AREA	28.3%
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The above information has been completed to the best of my knowledge.

Completed by (Printed Name)

Updated 10/15/2015

Signature

Date

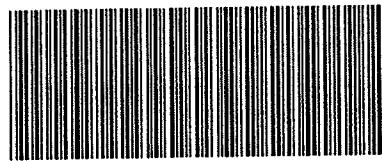
Page 2



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 5779 PG 00761 to 00765
INSTRUMENT #: 2010078850
RECORDED DATE: 09/14/2010 12:13:28 PM



1988144-0015Y

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 1899040 - 6 Doc(s)
Document Date: 09/08/2010	Document Page Count: 4
Reference Info:	Operator Id: dcane
RETURN TO: (Simplifile) S&W Closing Services, Inc. 602 Corporate Drive West Langhorne, PA 19047 (215) 579-3223	SUBMITTED BY: S&W Closing Services, Inc. 602 Corporate Drive West Langhorne, PA 19047 (215) 579-3223

* PROPERTY DATA:

Parcel ID #: 54-00-09961-01-1

Address:

Municipality: Upper Dublin Township (100%)

School District: Upper Dublin

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT:	\$190,000.00
TAXABLE AMOUNT:	\$190,000.00
FEES / TAXES:	
Recording Fee: Deed	\$65.00
State RTT	\$1,900.00
Upper Dublin Township RTT	\$950.00
Upper Dublin School District RTT	\$950.00
Total:	\$3,865.00

DEED BK 5779 PG 00761 to 00765
Recorded Date: 09/14/2010 12:13:28 PM

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 and Return to:

The Deed Exchange, LLC
1917 Welsh Road
Philadelphia, PA 19115
File No. DE-1724

UPI # TBD

54-00-09961-00-1

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
54-00-09961-01-1 UPPER DUBLIN TOWNSHIP

LULU TEMPLE COUNTRY CLUB
B L **NEW PARCEL NUMBER** U 09/14/2010

\$10.00
LG

This Indenture, made the 8th day of September, 2010,

Between

LULU COUNTRY CLUB F/K/A LULU TEMPLE COUNTRY CLUB

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

PATRICK HITCHENS AND KATHARINE BERG, HUSBAND & WIFE

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

Witnesseth, that the said Grantor for and in consideration of the sum of **One Hundred Ninety Thousand Dollars 00/100 (\$190,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantees, 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 Grantees, as tenants by the entirety, in fee

ALL THAT CERTAIN tract or piece of land with the buildings and improvements thereon erected, situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described according to a Minor Subdivision Plan prepared for LuLu Temple Country Club dated February 9, 2010, last revised August 5, 2010, and recorded in the Montgomery County Office of the Recorder of Deeds on August 11, 2010 in Plan Book 35, page 322, as follows, to wit:-

BEGINNING at a point in the bed of Limekiln Pike, said point being common to this Lot and Lot No. 2 as shown on said Plan; thence extending from said point of beginning along the bed of Limekiln Pike South 17 degrees 29 minutes 33 seconds East, 224.03 feet to a corner of Lot No. 2 as shown on said Plan; thence extending along the same the following seven courses and distances, viz: (1) South 72 degrees 30 minutes 27 seconds West crossing a 100 year Flood Plain, 183.81 feet to a point, (2) North 17 degrees 29 minutes 33 seconds West, 116.29 feet to a point, (3) North 44 degrees 08 minutes 27 seconds East, 19.88 feet to a point, (4) North 17 degrees 29 minutes 33 seconds West, 75.10 feet to a point, (5) North 72 degrees 30 minutes 27 seconds East crossing a Proposed Maintenance Easement, 48.59 feet to a point, (6) North 17 degrees 29 minutes 33 seconds West, 23.13 feet to a point, and (7) North 72 degrees 30 minutes 27 seconds East, 117.73 feet to a the first mentioned point and place of beginning.

BEING Lot No. 1 as shown on said Plan.

BEING known as 1740 South Limekiln Pike

ALSO BEING Part of Parcel No. 54-00-0 9961-00-2 54-00-09941-01-1

NEW PARCEL #

The conveyance of the premises by this Deed is made under and subject to following restrictions (collectively, the "Restrictions"): (i) that the premises, including the residence generally known as the "Fitzwater House" and the other buildings located on the premises, shall only be used as a single family residence; and (ii) that the structural, architectural, and historic integrity of the Fitzwater House shall be maintained and preserved, as required pursuant to a Conservation Easement and Declaration of Restrictions and Covenants dated recorded in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania, in Deed Book 5746, page 1022. For purposes hereof, maintenance and preservation of the structural, architectural, and historic integrity of the Fitzwater House shall include keeping the Fitzwater House in good physical condition, maintaining the exterior appearance of the Fitzwater House with materials that are consistent to a reasonable extent with materials currently comprising the exterior walls, roof, windows, and doors of the Fitzwater House, and not making structural modifications or additions to the Fitzwater House which would change its current architectural character as visible from the outside of the house. The Restrictions shall run with and be an equitable servitude upon the premises. Any transferee of the premises shall automatically be deemed by acceptance of the title to premises to have assumed all of the obligations of this paragraph relating thereto, and to all things reasonably required to carry out the intention of this paragraph; provided, that in the event of any conveyance or divestiture of fee simple title to the premises, the grantor of such interest shall be entirely freed and delivered of all obligations of this paragraph thereafter accruing with respect to the premises. The Restrictions are perpetual, but shall terminate in the event that 50% or more of the Fitzwater House is destroyed by fire or other casualty beyond the reasonable control of the owner of the premises. Upper Dublin Township is a third party beneficiary of the Restrictions, and only Upper Dublin Township shall have the right and authority to enforce the Restrictions through injunctive relief or otherwise, or to consent to a modification of the Restrictions in its discretion.

BEING PART of the same premises which Lester G. Benner, singleman, by Deed dated May 10, 2026, and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 988, Page 31, granted and conveyed unto Lulu Temple County Club, 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 it, 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 Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that it, the said Grantor, and its successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against it, the said Grantor, and its successors and assigns, 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 caused its common and corporate seal to be affixed to these presents by the hand of its President, and the same to be duly attested by its Secretary. Dated the day and year first above written.

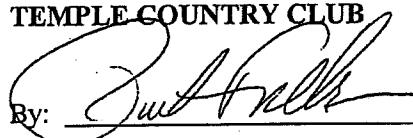
ATTEST:

(SEAL)

Commonwealth of Pennsylvania } ss
County of Montgomery }

LULU COUNTRY CLUB F/K/A LULU
TEMPLE COUNTRY CLUB

By:


Paul F. Muller, pres.

AND NOW, this 8th day of September, 2010, before me, the undersigned Notary Public, appeared PAUL F MULLER, who acknowledged himself/herself to be the PRESIDENT (title) of LuLu Country Club f/k/a Lulu Temple Country Club, a corporation, and he/she, as such PRESIDENT (title) being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as President (title).

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

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Christy A. Traenkle, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires March 13, 2011


Notary Public
My commission expires 3/13/11

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

1740 South Limekiln Pike
Glenside, PA 19038


On behalf of the Grantees

Deed

UPI # TBD

~~part of 54-00-09961-002~~
54-00-09961-01-1

LuLu Country Club f/k/a Lulu Temple
Country Club

TO

Patrick Hitchens and Katharine Berg,
husband & wife

The Deed Exchange, LLC
1917 Welsh Road
Philadelphia, PA 19115

Deed

UPI # TBD

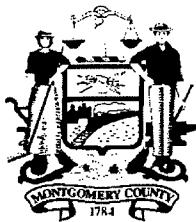
~~Part of 54-00-09961-002~~
54-00-09961-01-1

LuLu Country Club f/k/a Lulu Temple
Country Club

TO

Patrick Hitchens and Katharine Berg,
husband & wife

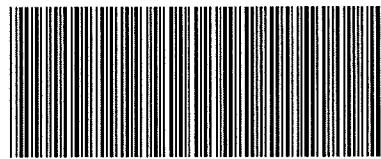
The Deed Exchange, LLC
1917 Welsh Road
Philadelphia, PA 19115



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 5779 PG 00761 to 00765
INSTRUMENT #: 2010078850
RECORDED DATE: 09/14/2010 12:13:28 PM



1988144-0015Y

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #:	1899040 - 6 Doc(s)
Document Date: 09/08/2010	Document Page Count:	4
Reference Info:	Operator Id:	dcane

RETURN TO: (Simplifile) S&W Closing Services, Inc. 602 Corporate Drive West Langhorne, PA 19047 (215) 579-3223	SUBMITTED BY: S&W Closing Services, Inc. 602 Corporate Drive West Langhorne, PA 19047 (215) 579-3223
--	--

* PROPERTY DATA:	
Parcel ID #:	54-00-09961-01-1
Address:	
Municipality:	Upper Dublin Township (100%)
School District:	Upper Dublin

* ASSOCIATED DOCUMENT(S):	
---------------------------	--

CONSIDERATION/SECURED AMT:	\$190,000.00	DEED BK 5779 PG 00761 to 00765
TAXABLE AMOUNT:	\$190,000.00	Recorded Date: 09/14/2010 12:13:28 PM
FEES / TAXES:		
Recording Fee:Deed	\$65.00	
State RTT	\$1,900.00	
Upper Dublin Township RTT	\$950.00	
Upper Dublin School District RTT	\$950.00	
Total:	\$3,865.00	
		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 and Return to:

The Deed Exchange, LLC
1917 Welsh Road
Philadelphia, PA 19115
File No. DE-1724

UPI # TBD

~~Part of 54-00-09961-00-1~~

54-00-09961-01-1

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
54-00-09961-01-1 UPPER DUBLIN TOWNSHIP

LULU TEMPLE COUNTRY CLUB
B L **NEW PARCEL NUMBER** U 09/14/2010

\$10.00

LG

This Indenture, made the 8th day of September, 2010,

Between

LULU COUNTRY CLUB F/K/A LULU TEMPLE COUNTRY CLUB

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

PATRICK HITCHENS AND KATHARINE BERG, HUSBAND & WIFE

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

Witnesseth, that the said Grantor for and in consideration of the sum of **One Hundred Ninety Thousand Dollars 00/100 (\$190,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantees, 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 Grantees, as tenants by the entirety, in fee

ALL THAT CERTAIN tract or piece of land with the buildings and improvements thereon erected, situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described according to a Minor Subdivision Plan prepared for LuLu Temple Country Club dated February 9, 2010, last revised August 5, 2010, and recorded in the Montgomery County Office of the Recorder of Deeds on August 11, 2010 in Plan Book 35, page 322, as follows, to wit:-

BEGINNING at a point in the bed of Limekiln Pike, said point being common to this Lot and Lot No. 2 as shown on said Plan; thence extending from said point of beginning along the bed of Limekiln Pike South 17 degrees 29 minutes 33 seconds East, 224.03 feet to a corner of Lot No. 2 as shown on said Plan; thence extending along the same the following seven courses and distances, viz: (1) South 72 degrees 30 minutes 27 seconds West crossing a 100 year Flood Plain, 183.81 feet to a point, (2) North 17 degrees 29 minutes 33 seconds West, 116.29 feet to a point, (3) North 44 degrees 08 minutes 27 seconds East, 19.88 feet to a point, (4) North 17 degrees 29 minutes 33 seconds West, 75.10 feet to a point, (5) North 72 degrees 30 minutes 27 seconds East crossing a Proposed Maintenance Easement, 48.59 feet to a point, (6) North 17 degrees 29 minutes 33 seconds West, 23.13 feet to a point, and (7) North 72 degrees 30 minutes 27 seconds East, 117.73 feet to the first mentioned point and place of beginning.

BEING Lot No. 1 as shown on said Plan.

BEING known as 1740 South Limekiln Pike *⑧*

ALSO BEING Part of Parcel No. ~~54-00-0 9961-00-2~~ *54-00-0 9961-01-1*

NEW PARCEL #

The conveyance of the premises by this Deed is made under and subject to following restrictions (collectively, the "Restrictions"): (i) that the premises, including the residence generally known as the "Fitzwater House" and the other buildings located on the premises, shall only be used as a single family residence; and (ii) that the structural, architectural, and historic integrity of the Fitzwater House shall be maintained and preserved, as required pursuant to a Conservation Easement and Declaration of Restrictions and Covenants dated recorded in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania, in Deed Book 5746, page 1022. For purposes hereof, maintenance and preservation of the structural, architectural, and historic integrity of the Fitzwater House shall include keeping the Fitzwater House in good physical condition, maintaining the exterior appearance of the Fitzwater House with materials that are consistent to a reasonable extent with materials currently comprising the exterior walls, roof, windows, and doors of the Fitzwater House, and not making structural modifications or additions to the Fitzwater House which would change its current architectural character as visible from the outside of the house. The Restrictions shall run with and be an equitable servitude upon the premises. Any transferee of the premises shall automatically be deemed by acceptance of the title to premises to have assumed all of the obligations of this paragraph relating thereto, and to all things reasonably required to carry out the intention of this paragraph; provided, that in the event of any conveyance or divestiture of fee simple title to the premises, the grantor of such interest shall be entirely freed and delivered of all obligations of this paragraph thereafter accruing with respect to the premises. The Restrictions are perpetual, but shall terminate in the event that 50% or more of the Fitzwater House is destroyed by fire or other casualty beyond the reasonable control of the owner of the premises. Upper Dublin Township is a third party beneficiary of the Restrictions, and only Upper Dublin Township shall have the right and authority to enforce the Restrictions through injunctive relief or otherwise, or to consent to a modification of the Restrictions in its discretion.

BEING PART of the same premises which Lester G. Benner, singleman, by Deed dated May 10, 2026, and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 988, Page 31, granted and conveyed unto Lulu Temple County Club, in fee.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passageways, 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 it, 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 Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that it, the said Grantor, and its successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against it, the said Grantor, and its successors and assigns, 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 caused its common and corporate seal to be affixed to these presents by the hand of its President, and the same to be duly attested by its Secretary. Dated the day and year first above written.

ATTEST:

{SEAL}

**LULU COUNTRY CLUB F/K/A LULU
TEMPLE COUNTRY CLUB**

By:

Paul F. Müller, pres.

Commonwealth of Pennsylvania } ss
County of Montgomery }

AND NOW, this 8th day of September, 2010, before me, the undersigned Notary Public, appeared PAUL F. MULLER, who acknowledged himself/herself to be the PRESIDENT (title) of LuLu Country Club f/k/a Lulu Temple Country Club, a corporation, and he/she, as such PRESIDENT (title) being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as President (title).

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

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Christy A. Traenkle, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires March 13, 2011

Notary Public
My commission expires

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

1740 South Limekiln Pike
Glenside, PA 19038

On behalf of the Grantees

BUILDING & IMPERVIOUS COVERAGE FORM

Property Location: 1740 Limekiln Pike				Date:
Zoning District: A	Owner Name: Katharine and Patrick Hitchens			Lot Size: 29293

Part A - Building Coverage

EXISTING	Length	x	Width	=	Square Feet	Notes / Removals / Reductions
House	51	x	22	=	1122	House is "L" shaped, this is street portion
Garage	16	x	18	=	288	Existing detached garage to be removed
Shed		x		=		
Gazebo		x		=		
House Section B	60	x	20	=	1200	House is "L" shaped, this is driveway portion
		x		=		

NEW / ADDITIONS - SEE REQUIREMENTS ON PAGE 1 FOR STORMWATER MANAGEMENT:

New Detached Garage	32	x	27.5	=	880	
		x		=		
		x		=		
TOTAL - PART A				3202		

Total - Part A:	3202	÷	Lot Size:	29293	=	% of Building Coverage:	10.9%
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Part B - Impervious Surface

EXISTING	Length	x	Width	=	Square Feet	Notes / Removals / Reductions
Driveway	135	x	32	=	4320	Driveway used by LULU Maintenance
Walkways		x		=		
Patio	84	x	8	=	672	Patio is "L" shaped
Deck		x		=		
Sports Court		x		=		
Pool (Water Surface)		x		=		
Pool (Decking)		x		=		
Side Porch	6	x	10	=	60	Roofed Porch used as primary entrance
Front Porch	7	x	10	=	70	slab concrete w/o roof

NEW / ADDITIONS - SEE REQUIREMENTS ON PAGE 1 FOR STORMWATER MANAGEMENT:

		x		=		
		x		=		
		x		=		
		x		=		
TOTAL - PART B				5122		

Total - Part B:	5122	÷	Lot Size:	29293	=	% of Impervious Surface:	17.4%
------------------------	-------------	---	------------------	--------------	---	---------------------------------	--------------

% of Building Coverage from Part A Above:	10.9%	+	% of Impervious Surface from Part B Above:	17.4%	=	TOTAL IMPERVIOUS AREA	28.3%
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The above information has been completed to the best of my knowledge.

Completed by (Printed Name)

Signature

Date

Updated 10/15/2015

Page 2



Upper Dublin Township
Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone: (215) 643-1600
Fax: (215) 643-8843
www.upperdublin.net

Building & Impervious Coverage Form

Impervious surfaces (anything covered by impenetrable materials such as asphalt, concrete, brick, stone, rooftops, etc.) are an environmental concern because, with their construction, they eliminate rainwater infiltration and natural groundwater recharge. Therefore, in order to calculate the Total Impervious Area (TIA) of your property, please use the information below to complete the chart on Page 2.

FOR INFORMATION ON YOUR BUILDING COVERAGE:

- **PROPERTY SEARCH:** Go to www.upperdublin.net > Departments > Code Enforcement > Montgomery County Property Records (gray box on right side) > DETAILS > (this brings you to Montgomery County's website's Disclaimer page) > Agree
- At this point, you should be at the address search page. You can search for your property by Owner Name, Address, or Parcel Number.
- **LOT SIZE:** Once you are at your property location, under the Profile section, you can find your Lot Size
- **ACCESSORY STRUCTURES:** Check for any accessory structures which may have been reported
- **PLOT PLAN:** Under the Map section, you can print a copy of your Plot Plan
- **BUILDING COVERAGE:** Under the Sketch section there is information regarding dimensions of your house which can be added together. Garage information (FrGar) should be added under the "Garage" section. If information is provided for "CONCRETE PATIO" please include under Part B – Impervious Surface. **PLEASE ADD OR ADJUST INFORMATION AS NECESSARY.**

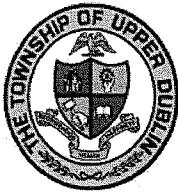
FOR INFORMATION ON YOUR ZONING DISTRICT:

- Go to www.upperdublin.net > Township Information > Maps > Street Maps > UDT Map-Zoning

STORM WATER MANAGEMENT REQUIREMENTS FOR NEW IMPERVIOUS SURFACES:

- 400 sq. ft. to 699 sq. ft. of new impervious surface: seepage bed or rain garden required
- 700 sq. ft. or greater of new impervious surface: seepage bed or rain garden required--designed, signed and sealed by a licensed professional
- Alternate systems will be considered—contact the Grading Inspector at 215-643-1600 x3236

Zoning District	Building Coverage	Impervious Coverage
A Residential	15%	25%
A1 and A2 Residential	15%	25%
B Residential	20%	30%
C Residential	20%	30%
NH Residential	20%	35%
MD Multi-Dwelling	-	40%
MRD Mixed Residential	-	35%
OC Office Center	20%-40%	60%
M Motel	20%	60%
RE Recreation	9%	15%
AHS Apartment House	15%	60%
INST Institutional	20%	60%
CR Commercial Retail	25%	75%
SC Shopping Center	15%	75%
MHD Mobile Home	35%	60%
EC Employment Center	*See Section 255-115B.(1) and (2)	



Upper Dublin Township

Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone # 215-643-1600
Fax # 215-643-8843
<http://www.upperdublin.net>

Payment Receipt

Date	Receipt No.
8/21/2018	PR-25396

Received From:
Patrick Hitchens 1740 Limekiln Pike Glenside, PA. 19038

Check No.	Payment Method	Property Location		
		1740 Limekiln Pike		
Item	Description	Qty	Rate	Amount
01-361-3300	Zoning Hearing Board Fees		500.00	500.00

*PLEASE NOTE: Payment of the permit fee does not constitute issuance of a permit.
After the Permit Application has been reviewed, approved, and processed, the permit will be either mailed
or emailed to Homeowner and Contractor. Thank you.*

Zoning Hearing Board Agenda Item Report

Meeting Date: September 24, 2018

Submitted by: Jesse Conte

Submitting Department: Administration

Item Type: Discussion

Agenda Section: #2281: Keith Weigner and Mary F. Diaz, 340 E. Casals Place, Ambler, PA 19002

Subject:

Request a variance from Zoning Code Section 255-39.1 which limits a deck perimeter to 20 feet from the rear of a dwelling unit. It is requested to have a new deck constructed over an existing patio to extend 28 feet from the back of the dwelling. The property is zoned A-1 Residential.

Suggested Action:

Attachments:

[#2281Notice.pdf](#)

[#2281Application.pdf](#)

[#2281Deed.pdf](#)

[#2281PlotPlan.pdf](#)

[#2281Receipt.pdf](#)

Upper Dublin

801 LOCH ALSH AVENUE
FORT WASHINGTON, PA 19034-1697
Phone: (215) 643-1600
Fax: (215) 542-0797
www.upperdublin.net



IRA S. TACKEL
President

RONALD P. FELDMAN
Vice President

REBECCA A. GUSHUE

LIZ FERRY

ROBERT H. McGUCKIN

GARY V. SCARPELLO

MEREDITH L. FERLEGER

PAUL A. LEONARD
Township Manager

GILBERT P. HIGH, JR.
Solicitor

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Hearing Board of Upper Dublin Township will hold a meeting as required by the Township's Zoning Ordinance at the Township Administration Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania on **Monday September 24, 2018 at 7:30 PM**. During this meeting an application concerning **340 E. Casals Place, Ambler, PA 19002** will be heard.

#2281: *Keith Weigner and Mary F. Diaz, 340 E. Casals Place, Ambler, PA 19002* request a variance from Zoning Code Section 255-39.1 which limits a deck perimeter to 20 feet from the rear of a dwelling unit. It is requested to have a new deck constructed over an existing patio to extend 28 feet from the back of the dwelling. The property is zoned A-1 Residential.

All residents of Upper Dublin Township interested in the above application may appear and be heard. If you are a person with a disability and wish to attend the hearing scheduled for this date and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the Township at (215) 643-1600 to discuss how Upper Dublin Township may best accommodate your needs.

A copy of the application is on file in the Code Enforcement Department and may be seen upon request.

By Order of the Zoning Hearing Board.



Richard D. Barton
Zoning Officer

Note: There is a 30 day period after the date of the decision for an aggrieved person to file an appeal in court to contest an approval by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period do so at their own risk.

If you are not able to attend the hearing, written comments may be entered into the record by submitting them in advance to the Department of Code Enforcement.

Advertisement Dates: September 9 and 16, 2018 - Ambler Gazette

Date Received: 8-29-18
Fee Paid: \$500.00
1st Ad 9-9-18 /2nd Ad 9-16-18
Date of Hearing: 9/24/18

UPPER DUBLIN TOWNSHIP
ZONING HEARING BOARD
APPLICATION # 2281

Application is hereby made to the Zoning Hearing Board for a determination in connection with the following facts:

Name of Applicant: Keith Weigner + Mary F. Diaz Name of Owner: Mary F. Diaz
Address: 340 E Casals Pl Address: 340 E Casals Pl
City, State and Zip: Ambler, PA 19002 City, State and Zip: Ambler, PA 19002
Phone Number: 267-644-6429 Phone Number: 215-514-0857
Name of Attorney: NIA Attorney Phone Number: 215-327-7744
Address: _____ City: _____ State: _____ ZIP: _____

Applicant and Owner request that a determination be made by the Zoning Hearing Board on this Appeal from the Decision of the Code Enforcement Department in which we were:

Refused a building Permit Ordered to Cease a current use
 Given conditional approval of a subdivision plan
 Other (specify) _____

This appeal seeks:

An interpretation of the ordinance or map
 A special exception under Article _____, Section _____, Subsection _____, Paragraph _____
 A Variance relating to the Use, Area, Frontage, Yard, Height, Parking, Other (specify) SIZE OF NEW DECK

The applicable provisions of the Zoning Ordinance are as follows:

Chapter 255 Section 255 Subsection 39 Paragraph 1
Chapter _____ Section _____ Subsection _____ Paragraph _____
Chapter _____ Section _____ Subsection _____ Paragraph _____
Chapter _____ Section _____ Subsection _____ Paragraph _____

The description of the property involved in this appeal is as follows:

Street Number: 340 Street Name: Casals Pl Deed Book: 15639 Page: 1182
Block Number: 1A Unit Number: 1 Parcel Number: 54-00-03863-05-2
Zoning District: A1 Served by Public Sewer (y/n) X Served by Public Water (y/n) Y
Lot Size: 22,000 Sq Ft Lot Dimensions: 101.11 X Irregular Street Frontage: 101.11

Describe the present use of the property and the existing improvements:

Single Family residence with pool, patio and fenced in yard

Describe the proposed use of the property and the proposed improvements:

Single Family residence with new deck built over existing patio footprint

Has any previous petition been filed with the Zoning Board in connection with these premises? Yes No

If yes, please describe _____

Is this property a part of a subdivision heretofore approved by the Township? Yes No

If Yes, give name of subdivision Dak Terrace West Date of approval by Township 5/29/05

I/We believe that the Zoning Board should approve this request because: _____

new deck was built over existing patio footprint
between house and pool

STATE OF PENNSYLVANIA: _____ SS _____

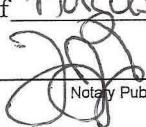
COUNTY OF MONTGOMERY: _____

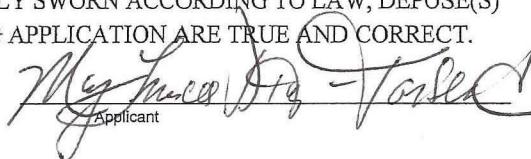
Manyfrances B. Diaz-Townsend BEING DULY SWORN ACCORDING TO LAW, DEPOSE(S)
AND SAY(S) THAT THE FACTS SET FORTH IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

Sworn and subscribed to

before me, this 30 day

of August, 20 18


Notary Public


Applicant

Commonwealth of Pennsylvania - Notary Seal
Frank J. Catanzaro II, Notary Public
Montgomery County
My commission expires April 5, 2022
Commission number 1024832
Member, Pennsylvania Association of Notaries

Property owner(s) must join in the above application.

Sworn and subscribed to

Owner

before me, this _____ day

Owner

of _____, 20 _____


Notary Public

This application must be filled out and signed by the owner and if different the applicant and filed with the Zoning officer along with the appropriate fee. If more space is required, attach a separate sheet to this application and reference the question being answered. The application must be accompanied by:

1. Copy of the deed showing current ownership.
2. Copies of leases or agreements affecting the premises.
3. Notarized zoning application & corporate sealed for companies.

4. Eight copies of the plan of real estate affected showing the location and dimension of improvements now erected and proposed, parking spaces, all dimensional requirements of the zoning ordinance, the building envelope, rights of way and easements. The plan must be prepared and sealed by a Registered Land Surveyor unless this requirement is waived by the Director of Code Enforcement.

RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker



One Montgomery Plaza
Swede and Aly Streets - Suite 303
P.O. Box 311 - Norristown, PA 19404
Office: (610) 278-3289 - Fax: (610) 278-3669

DEED BK 5639 PG 01182 to 01187
INSTRUMENT # : 2007033560
RECORDED DATE: 03/19/2007 11:23:37 AM



0082601-0007H

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 6

Document Type: Deed Document Date: 02/15/2007 Reference Info: diaz	Transaction #: 57310 - 15 Doc(s) Document Page Count: 5 Operator Id: tbutler
RETURN TO: (Mail) LONG AND FOSTER SETTLEMENT SERVICES LLC 3720 WEST CHESTER PIKE NEWTOWN SQUARE, PA 19073	SUBMITTED BY: LONG AND FOSTER SETTLEMENT SERVICES LLC 3720 WEST CHESTER PIKE NEWTOWN SQUARE, PA 19073
* PROPERTY DATA: Parcel ID #: 54-00-03863-05-2 Address: 340 E CASALS PL PA 19002 Municipality: Upper Dublin Township School District: Upper Dublin	
* ASSOCIATED DOCUMENT(S):	
CONSIDERATION/SECURED AMT: \$1.00 FEES / TAXES: Recording Fee: Deed \$46.50 Additional Pages Fee \$2.00 Affordable Housing Pages \$2.00 Total: \$50.50	DEED BK 5639 PG 01182 to 01187 Recorded Date: 03/19/2007 11:23:37 AM I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.




Nancy J. Becker
Recorder of Deeds

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

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

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

Conveyance is tax exempt. Transfer from husband and wife to wife.

Fee Simple Deed
Original
 Prepared By:
 American Patriot Settlement
 92 Lancaster Avenue, Suite 250
 Devon, PA 19333
 (610)225-6050
 APS 07-4000
 Return To:
 American Patriot Settlement
 92 Lancaster Avenue, Suite 250
 Devon, PA 19333
 (610)225-6050
 TAX ID: 54-00-03863-052

(1084)
 SPS 07-4000

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 54-00-03863-05-2 UPPER DUBLIN
 340 E CASALS PL
 WOOD MARK E & MARY F
 B 001A U 007 L 340 1101 DATE: 03/15/2007
 \$5.00
 JG

This Indenture made the 15th day of February, 2007

Between

MARK E. WOOD AND MARY F. WOOD, HUSBAND AND WIFE

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

MARY FRANCES DIAZ

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

Witnesseth That the said Grantor for and in consideration of the sum of **ONE DOLLARS AND 00/100(\$1.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee(s), granted, bargained and sold, released and confirmed, and by these presents do(es) grant, bargain and sell, release and confirm unto the said Grantee(s) their heirs and assigns,

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a Subdivision Plan, Part Number One, "Oak Terrace West" prepared for the Seltzer Organization, Inc., by C. Raymond Welt Associates, Inc, Civil Engineers and Surveyors, dated July 25, 1973, last revised May 29, 1975, recorded in the Office for the Recording of Deeds, in and for the County of Montgomery at Norristown, Pa., in Plan Book A-24 page 74, as follows, to wit:

BEGINNING at a point of tangent on the Northeasterly side of East Casals Place (50 feet wide) said point being at the arc distance of 15.71 feet measured on the arc of a curve, curving to the right having a radius of 10.00 feet from a point of curve on the Northwesterly side of Butler Pike (55 feet wide); thence extending from said point of beginning North 47 degrees 05 minutes 45 seconds West, along said Northeasterly side of East Casals Place, the distance of 100.11 feet to a point a corner of Lot No. 335, as shown on said Plan; thence extending North 42 degrees 54 minutes 15 seconds East, along Lot No.

MAR 1 5 2007

336, the distance of 200.00 feet to a point, a corner in line of Lot No. 329 as shown on said Plan; thence extending South 47 degrees 05 minutes 45 seconds East, along Lot No. 329, crossing a 10.00 feet wide easement for Water Main, as shown on said Plan; the distance of 110.11 feet to a point on the said Northwesterly side of Butler Pike; thence extending South 42 degrees 54 minutes 15 seconds West, along said side of Butler Pike, the distance of 190.00 feet to a point of curve on same; thence leaving said side of Butler Pike on the arc of a curve, curving to the right, having a radius of 10.00 feet the arc distance of 15.71 feet to a point of tangent on the said Northeasterly side of East Casals Place, being the first mentioned point of tangent and place of beginning.

BEING Lot No. 340 as shown on the above-mentioned plan.

UNDER AND SUBJECT to Agreement of Record.

BEING County Parcel Number 54-00-03863-05-2.

BEING the same premises which Judith Kathleen H. Passarella, married, now known as Kathleen Hansell, by Deed dated 02/06/2001 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery on 02/22/2001, in Deed Book 5351 page 577 granted and conveyed unto Mark E. Wood and Mary F. Wood, their heirs and assigns, as tenants by entireties, in fee.

AND the said Mary F. Wood is also known as Mary Frances Diaz

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

And the said Grantor(s), their heirs and assigns, executors and administrators do covenant, promise and agree, to and with the said Grantee(s), their heirs and assigns, by these presents, that the said Grantor(s) and their heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s) their heirs and assigns, against the said Grantor(s) and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them, or any of them, shall and will

WARRANT and forever DEFEND.

In Witness Whereof, the party/parties of the first part have hereunto set their hand and seal.
Dated the day and year first above written.

Sealed and Delivered
In the presence of us.

Mark Ech _____ (Seal)
May J. Marsden _____ (Seal)

Commonwealth of Pennsylvania

ss:

County of Montgomery

On this, the 15th day of February, 2007, before me, a Notary Public for the Commonwealth of Pennsylvania, the undersigned Officer, personally appeared

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.

I hereunto set my hand and official seal.

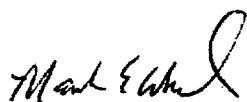
Nancy J. Marsden
NOTARY PUBLIC

NOTARIAL SEAL
NANCY J. MARSDEN, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires June 2, 2007

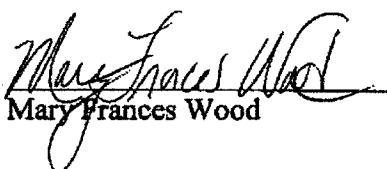
Law Office of Linda G. Walters
PO Box 168
Flourtown, PA 19031-0168
(215) 287-7404

ADDENDUM

And the said Mark E. Wood and Mary Frances Wood are now divorced as to decree # 06-07396. This addendum to that Decree states that Mark E. Wood has chosen to forfeit his equity as disclosed above and is now signing off any right, title and/or interest he now has in 384 Casals Place Ambler, PA 19002, Township of Upper Dublin, County of Montgomery without compensation.



Mark E. Wood



Mary Frances Wood

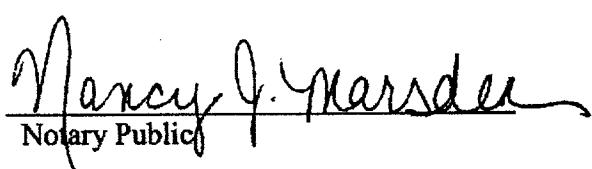
Page 1 Addendum To Decree #06-07396

STATE OF PENNSYLVANIA:

COUNTY OF Montgomery :

On this 16th day of February, 2007, before me, the undersigned officer, personally appeared Mark E. Wood and Mary Frances Wood known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes herein contained.

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


Nancy J. Marsden
Notary Public

NOTARIAL SEAL
NANCY J. MARSDEN, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires June 2, 2007

*Prepared for accommodation only

After Recording Return to:
American Patriot Settlement
3720 West Chester Pike
Newtown Square, PA 19073
APS 07-4000

✓

GRANTOR(S):
Mark E. Wood and Mary F. Wood, Husband and Wife

✓

GRANTEE(S):

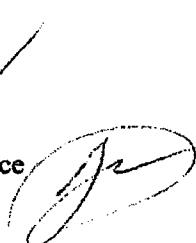
Mary Frances Diaz

✓

FOLIO/PARCEL:

54-00-03863-052

✓



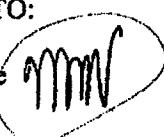
PREMISES:

340 East Casals Place
Ambler, PA 19002

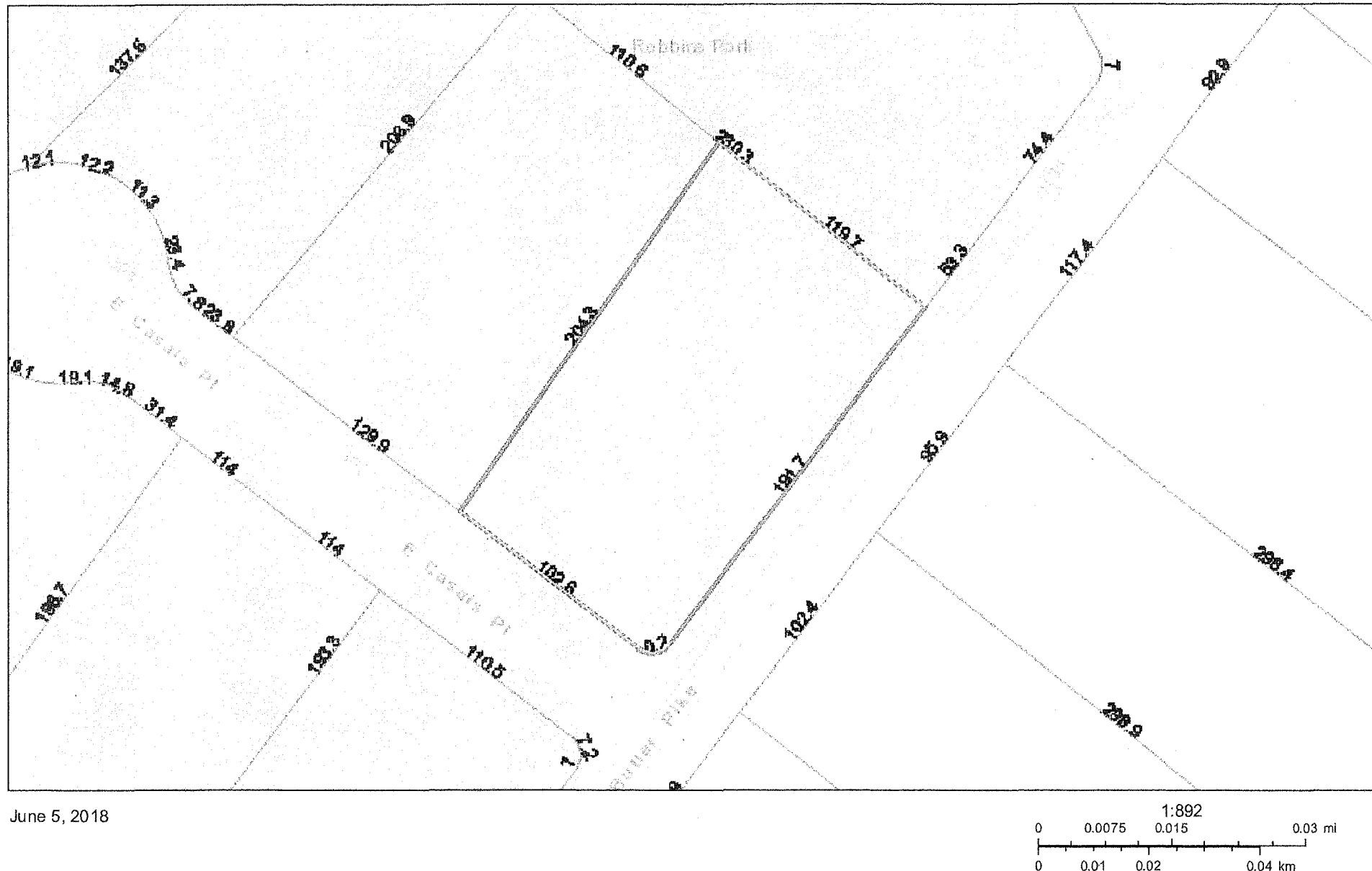
ADDRESS OF GRANTEE(S)/
MAIL TAX BILLS TO:

340 East Casals Place
Ambler, PA 19002

✓

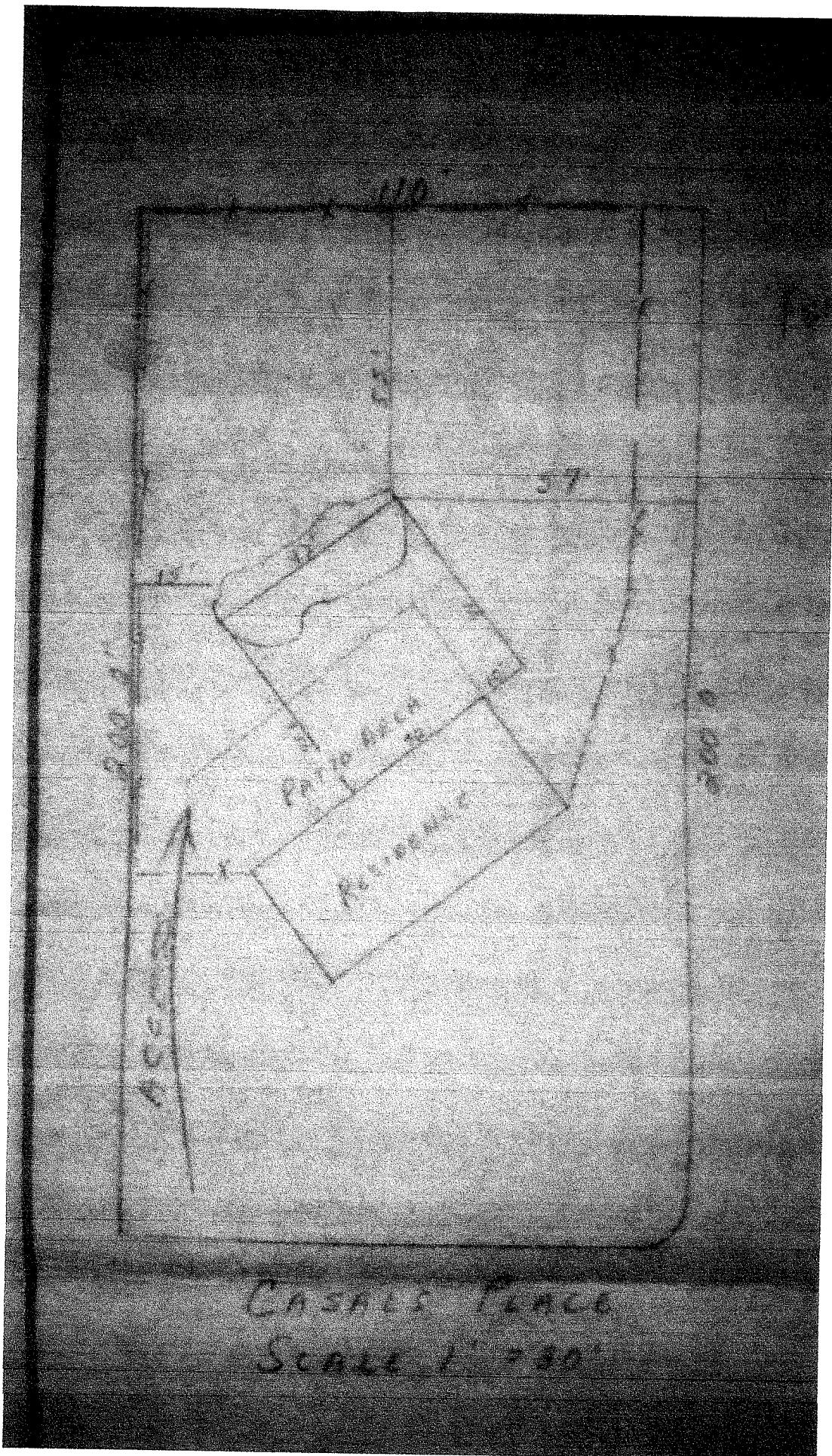


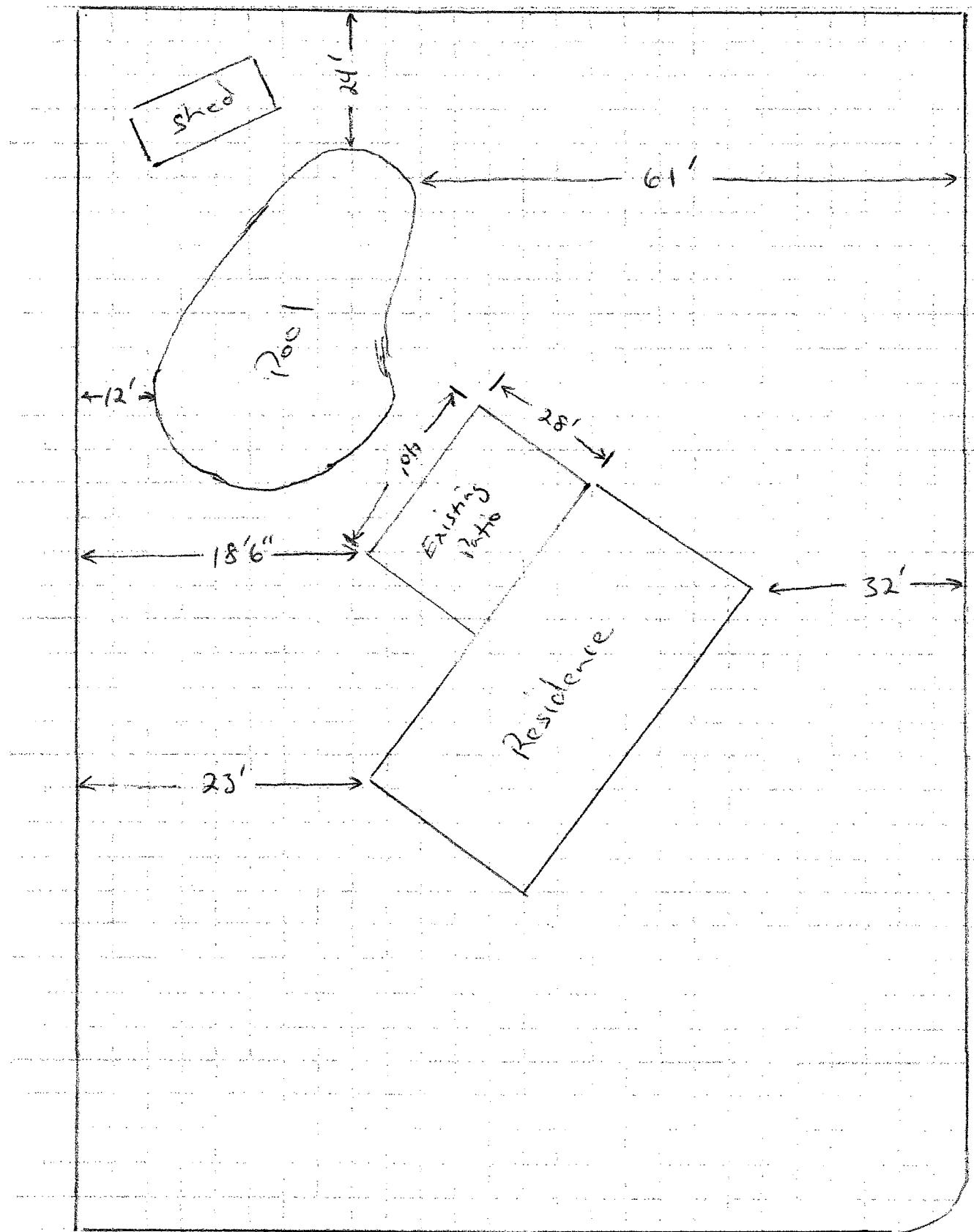
340 Casals Place

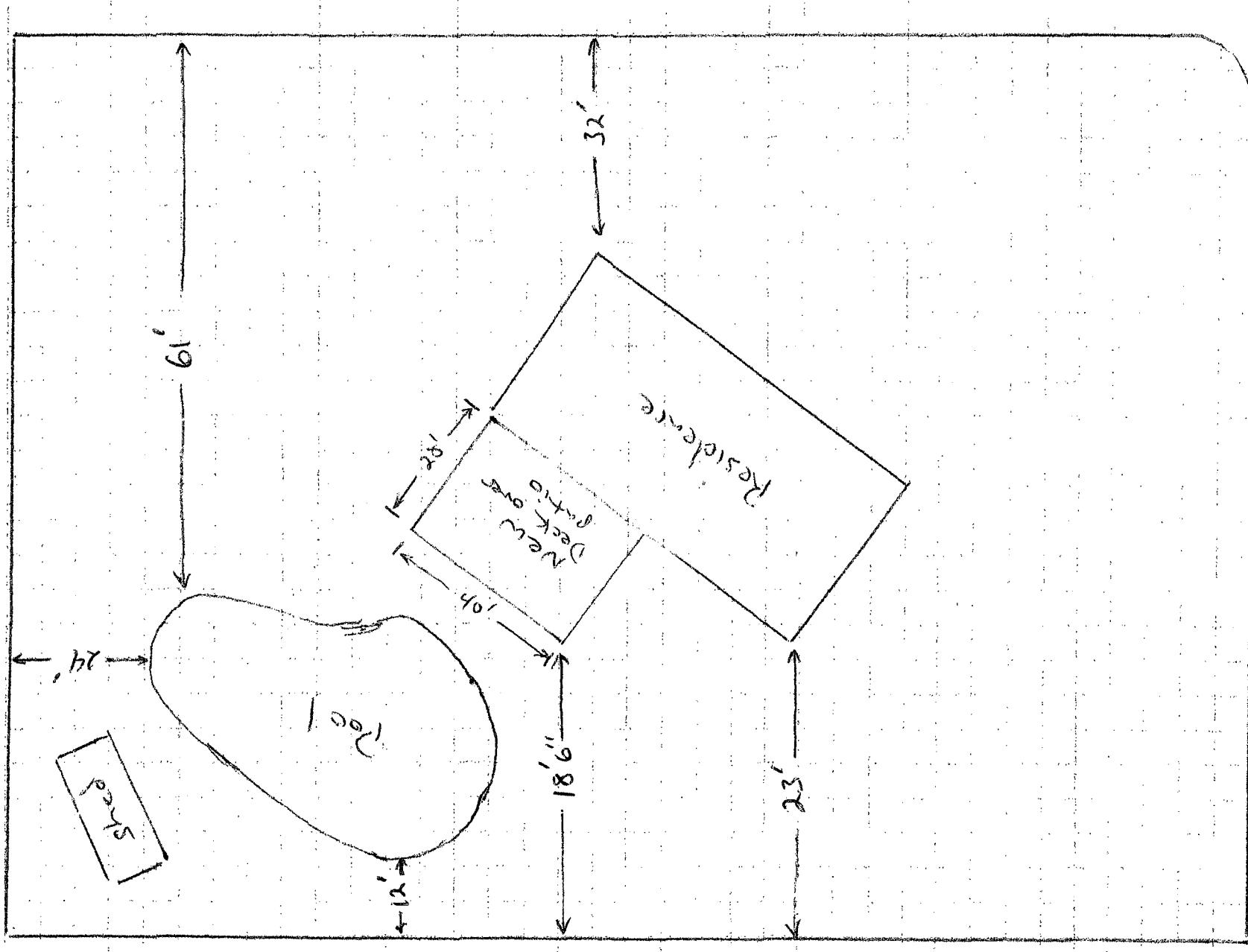


June 5, 2018

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community









Upper Dublin Township

Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone # 215-643-1600
Fax # 215-643-8843
<http://www.upperdublin.net>

Payment Receipt

Date	Receipt No.
9/11/2018	PR-25506

Received From:
KATCO1, LLC 340 Casals Place Ambler, PA 19002

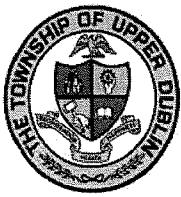
Check No.	Payment Method	Property Location		
Item	Description		Qty	Rate
01-361-3300	Zoning Hearing Board Fees & additional fee		515.00	515.00

***PLEASE NOTE: Payment of the permit fee does not constitute issuance of a permit.
After the Permit Application has been reviewed, approved, and processed, the permit will be either mailed or emailed to Homeowner and Contractor. Thank you.***

Phone No. 242-1429 \$15.00
May 11/6 - Keith Weighner 11:50 A.M. - Dining cash 6
11016 - Returns to cash 11:50 A.M. - Dining cash 6

<p>Called 9-10-18 @ 10:00 AM - 1 m. Bounce check. Ch.</p> <p><i>Recei^{pt} #R-25444</i></p> <p>KATCO1, LLC 340 CASALS PL AMBLER, PA 19002-2734</p> <p>Citizens Bank</p>		<p>1237</p> <p>3-7615/360</p> <p>DATE <u>Aug 29, 2018</u></p> <p>PAY TO THE ORDER OF <u>Upper Dublin Township</u></p> <p><u>Five Hundred Dollars</u> - <u>500</u> DOLLARS</p> <p>Citizens Bank</p> <p><i>[Signature]</i></p> <p>MEMO <u>Zoning Hearing Aug</u></p> <p>150360761501 623997488150</p>
<p>②</p> <p>②</p>		<p>②</p> <p>②</p>

<input checked="" type="checkbox"/> ENDORSE HERE	
TruMark Financial Credit U23608424	
PAY TO THE ORDER OF	
TRUMARK FINANCIAL CREDIT	
ACROSS WASHINGTON 40200031	
Operating & Payroll Account	
FOR DEPOSIT ONLY	
CHECK UPPPER DUBLIN TOWNSHIP DEPOSIT	
OPERATING & PAYROLL ACCT	
DATE 1-0014412860	
DO NOT WRITE. STAMP OR SIGN BELOW THIS LINE	
RESTD. FOR TRU-MARK INSTITUTION USE	



Upper Dublin Township

Code Enforcement Department
801 Loch Alsh Avenue
Fort Washington, PA 19034
Phone # 215-643-1600
Fax # 215-643-8843
<http://www.upperdublin.net>

Payment Receipt

Date	Receipt No.
8/29/2018	PR-25444

Received From:

KATCO1,LLC
340 E. Casals Place
Ambler,PA. 19002-2734

Check No.	Payment Method	Property Location		
		340 E. Casals Place		
Item	Description	Qty	Rate	Amount
01-361-3300	Zoning Hearing Board Fees		500.00	500.00
<p>PLEASE NOTE: Payment of the permit fee does not constitute issuance of a permit. After the Permit Application has been reviewed, approved, and processed, the permit will be either mailed or emailed to Homeowner and Contractor. Thank you.</p>				
Geri Bauer, (215) 643-1600 ext. 3205	TOTAL AMOUNT PAID		\$500.00	