



**Springfield Township
Zoning Hearing Board
December 19, 2022
7:00 P.M.**

7:00 P.M. Call to Order:

Pledge of Allegiance:

Roll Call: Ed Fox; Esq. Chairman, Zoning Hearing Board
Jennifer Guckin, Vice Chair, Zoning Hearing Board Member
Megan McDonough; Esq., Zoning Hearing Board
James Brown; Zoning Hearing Board Alternate Member
Kate M. Harper, Esq.; Solicitor, Zoning Hearing Board

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

New Business:

Case #22-28: This is the application of **Robert J. Orsher**, owner of the property located at 8209 Ardmore Avenue, Wyndmoor, PA, also known as Parcel #5200-0049-0007. The applicant has requested a dimensional variance from Section 114-54.B of the Springfield Township Zoning Ordinance. The applicant seeks a variance to construct an addition to the existing single family dwelling that will reduce one of the side yard setback from 26.8 feet in width to 4 feet in width. In addition, the second side yard setback is proposed to be reduced from 23.2 feet in width to 16.11 feet. This will reduce the accumulative side yard setback from 50 feet in width, to 20.11 feet, instead of the required 35 feet. The property is zoned within the A-Residential District of Ward #2 of Springfield Township.

Adjournment:

Note: The next meeting of the Zoning Hearing Board is scheduled for Monday, January 23, 2023 with a 7:00 P.M. start time. This meeting will be held at the Springfield Township Administration Building located at 1510 Paper Mill Road, Wyndmoor, PA 19038



The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

Township Bldg., 1510 Paper Mill Rd., Wyndmoor, PA 19038

website: www.SpringfieldMontco.org

Phone: 215-836-7600

Fax: 215-836-7180

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Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Zoning Hearing Board Notice

Notice is hereby given that the Zoning Hearing Board of Springfield Township, Montgomery County, will hold a meeting as required by the Township's Zoning Ordinance. This meeting will be in the Boardroom of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

Monday, December 19, 2022 at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #22-28: This is the application of **Robert J. Orsher**, owner of the property located at 8209 Ardmore Avenue, Wyndmoor, PA, also known as Parcel #5200-0049-0007. The applicant has requested a dimensional variance from Section 114-54.B of the Springfield Township Zoning Ordinance. The applicant seeks a variance to construct an addition to the existing single family dwelling that will reduce one of the side yard setback from 26.8 feet in width to 4 feet in width. In addition, the second side yard setback is proposed to be reduced from 23.2 feet in width to 16.11 feet. This will reduce the accumulative side yard setback from 50 feet in width, to 20.11 feet, instead of the required 35 feet. The property is zoned within the A-Residential District of Ward #2 of Springfield Township.

A copy of the application and information submitted for this application is on file in the Community Development Office and may be reviewed during normal business hours. In addition, all information submitted is posted on our website @springfieldmontco.org.

By Order of the Springfield Township
Zoning Hearing Board
Mark A. Penecale
Director of Planning & Zoning

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

NO. 22-29

DATE: 11/28/2022

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Robert Orsher
(Name of Applicant)

Of (Address) 8209 Ardmore Avenue, Glenside PA 19038

(Telephone No.) 215-280-8822

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

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

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

 X A **variance** from the requirements set forth in Article 114-54, Section B,
Subsection 1, of the Springfield Township Zoning Code.

 Other (please specify)

The property concerned is located at 8209 Ardmore Avenue, Glenside PA 19038

Petitioner's Interest in the property is Owner

Present use of property Single-Family Residence

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

The applicant seeks relief from the minimum side yard setback provision of Zoning District A. This district requires a minimum side yard of 12' and 35' in aggregate. The property currently includes a detached 2-car garage, which is 4' from the side yard property line. The applicant wishes to build an addition to the home to allow for aging-in-place living. The proposed plan will rebuild the garage closer to the front of the property (no change in front yard), which will create space to put the building addition where the garage is currently located. In so doing, the existing 4' side yard setback will be maintained. This is required to preserve two (2) 100-year specimen trees in the rear yard. The applicant has been advised by an arborist that encroaching on those trees with new foundations will damage the root system and jeopardize the trees. The 4' side setback is currently allowed because the existing garage is detached and therefore viewed as an accessory structure. The proposed project would attach the garage; as a result a variance is required although the distance between side lot line and structure will not change. On the opposite side of the lot, the applicant proposes to add a screen porch which will reduce the existing side yard from 23.2' to 16.2'.

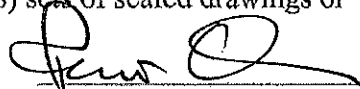
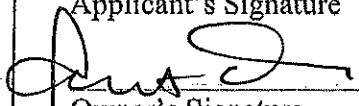
APPLICANT NOTE: Petition must be accompanied by eight (8) sets of scaled drawings or plans, Application Fee and a copy of the property deed.

Case # 22-29
\$500.00
check # 6491

Springfield Township
Montgomery County
Received

NOV 28 2022

Community Development
Department


Applicant's Signature

Owner's Signature

Do not write in this space.

Petition granted.

Petition refused.

The following special conditions are imposed.

By Order of the Zoning Hearing Board

**TOWNSHIP OF SPRINGFIELD
COMMUNITY DEVELOPMENT
ZONING INFORMATION AND FEE SCHEDULE**

**NOTICE TO APPLICANTS WHO WISH TO APPEAR BEFORE
THE ZONING HEARING BOARD OF SPRINGFIELD TOWNSHIP**

Application Procedures

Applicants must complete the standard Petition form **TYPED** and signed in **TRIPLICATE** and file same with the Zoning Officer by the **last day** of the month preceding the public hearing date. The Zoning Board Hearings are normally held on the **fourth Monday** of each month with the exception of a chosen

summer month.

Applications **must** be accompanied by eight **(8)** copies of **scaled** drawings including sketches, or drawings indicating lot lines, building dimensions, yard distances, and any other illustrative data relating to the Petition. Pertinent photographs and letters from immediate neighbors are also helpful for the record but need not be filed unless required by the Zoning Hearing Board.

A copy of the property deed must accompany all applications. **No applications will be accepted without the deed.**

An explanation of the Petition must be provided with specific details on the nature of the Petition, relief being requested, pertinent code sections, lot and setback criteria, etc.

In order for the Zoning Board to grant a special exception and/or variance request, the statutory guidelines outlined in Section 114-165 of the Township Zoning Code must be met. The explanation of the petition should indicate compliance with those guidelines. It is the applicant's responsibility to provide all necessary information pertaining to the petition.

It is required that the Applicant, or in the case of an organization to have one of its corporate officers, be present to testify at the hearing. Applicants have the right to be represented by an attorney.

Petitions are listed on the Zoning Hearing Board Agenda in the date order in which they are received.

In accordance with the **Pennsylvania Municipalities Planning Code, Act 247, Section 908**, it will be necessary for Springfield Township to post notice of this Hearing. Such posting is to be conspicuously displayed on the affected tract of land or building.

Filing Fees and Costs

Each applicant must pay the requisite application fee when filing a Petition to the Zoning Hearing Board:

1. A filing fee of **\$500.00** shall be required with respect to any Petition dealing exclusively with single or two-family residential property and the residential use, including accessory use thereof. Such a Petition may involve an appeal from a decision of the Zoning Officer, an application for a Special Exception, and/or a Variance or any other appeal the Board is empowered to hear.
2. A filing fee of **\$1,200.00** shall be required with respect to any petition to the Zoning Hearing Board for any matter dealing with non-residential property or the non-residential use thereof, and/or multi-family use.
3. A continuance fee equal to 50% of the application fee will be charged for each continuance that is requested by the applicant.

Filing fees are applied to clerical, advertising, mailing, administrative, legal and stenographic costs associated with the Hearing and are not refundable to Applicant. The filing fee has been established to pay the costs associated with one hearing. In those instances where hearings are continued and the original filing fee and/or continuance fee does not cover the additional costs incurred by the Township, the costs will be assessed upon the Applicant.

Should a written record, including a stenographic transcript, of the proceedings before the Zoning Hearing Board, be appropriate or required, the Applicant or the Appellant, as the case may be, will be billed and required to pay for the costs of preparing such a written record. In such a case there shall not be any credit granted to anyone as a result of the filing fee initially paid.

The Zoning Hearing Board may deem it appropriate to have a stenographic transcript of the proceedings in any matter before it in order that a decision and opinion may be made. In such a case the cost thereof shall be borne initially by the Applicant and thereafter by the Appellant, upon appeal as a part of the cost of the entire written record of the proceedings.

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

Robert Orsher
Printed Name of Applicant

Robert Orsher 4/28/2022
Applicant's Signature and Date

Fee Simple Deed

Prepared By:

Sage Premier Settlements
160 Market Street, Suite #1
Collegeville, PA 19426
484-420-1600

Return To:

Sage Premier Settlements
160 Market Street, Suite #1
Collegeville, PA 19426
484-420-1600

Parcel Number: 52-00-00490-00-7
File No: 356530CLGS

(Space above this line for Recorder of Deed Use Only)

This Deed Indenture

Made this 12th day of August, 2022,

Effective this 18th day of August, 2022

Between

Frederick C. Miller and Susan P. Miller, (hereinafter called the Grantors)

And

Robert J. Orsher and Andrea N. Orsher, (hereinafter called the Grantees),

Witnesseth That the said Grantors for and in consideration of the sum of One Million Five Hundred Thousand and 00/100 Dollars (\$1,500,000.00) lawful money of the United States of America, unto Grantors well and truly paid by the said Grantees and 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, tenants by the entirety, their heirs and assigns,

ALL THAT CERTAIN Lot or piece of ground, with the buildings and improvements thereon erected, Situate in the Township of Springfield, County of Montgomery and Commonwealth of Pennsylvania; bounded and described in accordance with a Plan of Willing Tract thereof made by George B. Mebus, Registered Professional Engineer, Glenside, Pennsylvania on the twenty-first day of August, A.D., 1947, as follows, to wit: BEGINNING at a point on the Northeasterly side of Ardmore Avenue (50 feet wide) at the distance of 685.22 feet Southeastwardly from the Southeasterly side of Gravers Lane (60 feet wide); thence extending along the Northeasterly side of Ardmore Avenue, South 49 degrees 15 minutes East 87.28 feet to a point; thence leaving the said side of Ardmore Avenue and extending North 40 degrees 35 minutes East 344 feet to a point (the last distance erroneously stated in a previous deed as 334 feet); thence extending North 49 degrees 15 minutes West 125 feet to a point; thence extending South 40 degrees 35 minutes West 114.50

feet to a point in line of Lot Number 8 on aforesaid Plan; thence extending along said Lot South 49 degrees 15 minutes East 37.72 feet to a corner of said Lot; thence continuing along Lot Number 8 on aforesaid Plan South 40 degrees 35 minutes West 229.50 feet to the Northeastly side of the aforesaid Ardmore Avenue, the first mentioned point and place of beginning.

BEING Lot Number 9 on the aforesaid Plan.

BEING Parcel No. 52-00-00490-00-7

BEING the same premises which Martin D. Sellers, by Deed dated October 15, 1993 and recorded October 22, 1993, in and for the Office of the Recorder of Deeds in the County of Montgomery, Pennsylvania in Deed Book 5058, Page 1425, granted and conveyed unto Frederick C. Miller and Susan P. Miller, his wife, as tenants by the entireties, in fee.

The improvements thereon being known as 8209 Ardmore Avenue

Parcel ID#: 52-00-00490-00-7

Subject to all existing rights of way, conditions, easements, restrictions, rights, agreements, notes and other matters of record to the extent valid and enforceable and still applicable to the above-described premises.

Together with all and singular 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 and Grantor's heirs, successors and/or assigns, as well at law as in equity, of, in, and to the same.

To have and to hold the said premises above described with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee as tenants by the entirety, their heirs and assigns forever,

And the said Grantors do hereby covenant to and with the said Grantees, that they, the said Grantors, their Personal Representatives, heirs and/or assigns, shall and will warrant and forever defend the hereinabove described premises, with the hereditaments and appurtenances, unto the said Grantees, their Personal Representatives, heirs and/or assigns, against the said Grantors and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under it, them or any of them.

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

WITNESS:

Frederick C. Miller
Frederick C. Miller

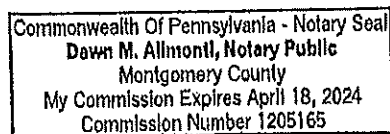
Susan P. Miller
Susan P. Miller

STATE OF Pennsylvania :ss

COUNTY OF Montgomery

ON this, the 12th day of AUGUST, 2022, before me, a Notary Public, the undersigned Officer, personally appeared Frederick C. Miller and Susan P. Miller. Known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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



Dawn M. Allmonti
Notary Public

AFTER RECORDING, PLEASE RETURN TO:

Sage Premier Settlements
160 Market Street, Suite #1
Collegeville, PA 19426
484-420-1600
FILE NO: 356530CLGS

Grantors:

Frederick C. Miller and Susan P. Miller,

TO

Grantees:

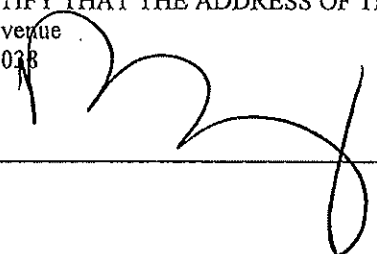
Robert J. Orsher and Andrea N. Orsher,

FOLIO/PARCEL:
52-00-00490-00-7

PREMISES:
8209 Ardmore Avenue
Glenside, PA 19038
Montgomery County

I HEREBY CERTIFY THAT THE ADDRESS OF THE GRANTEE IS:
8209 Ardmore Avenue
Glenside, PA 19038

Certified by: _____

A handwritten signature in black ink, appearing to be 'R. Orsher', is written over a horizontal line. The signature is stylized and cursive.

Chapter 114. Zoning

Article V. A Residence District

§ 114-54. Yards.

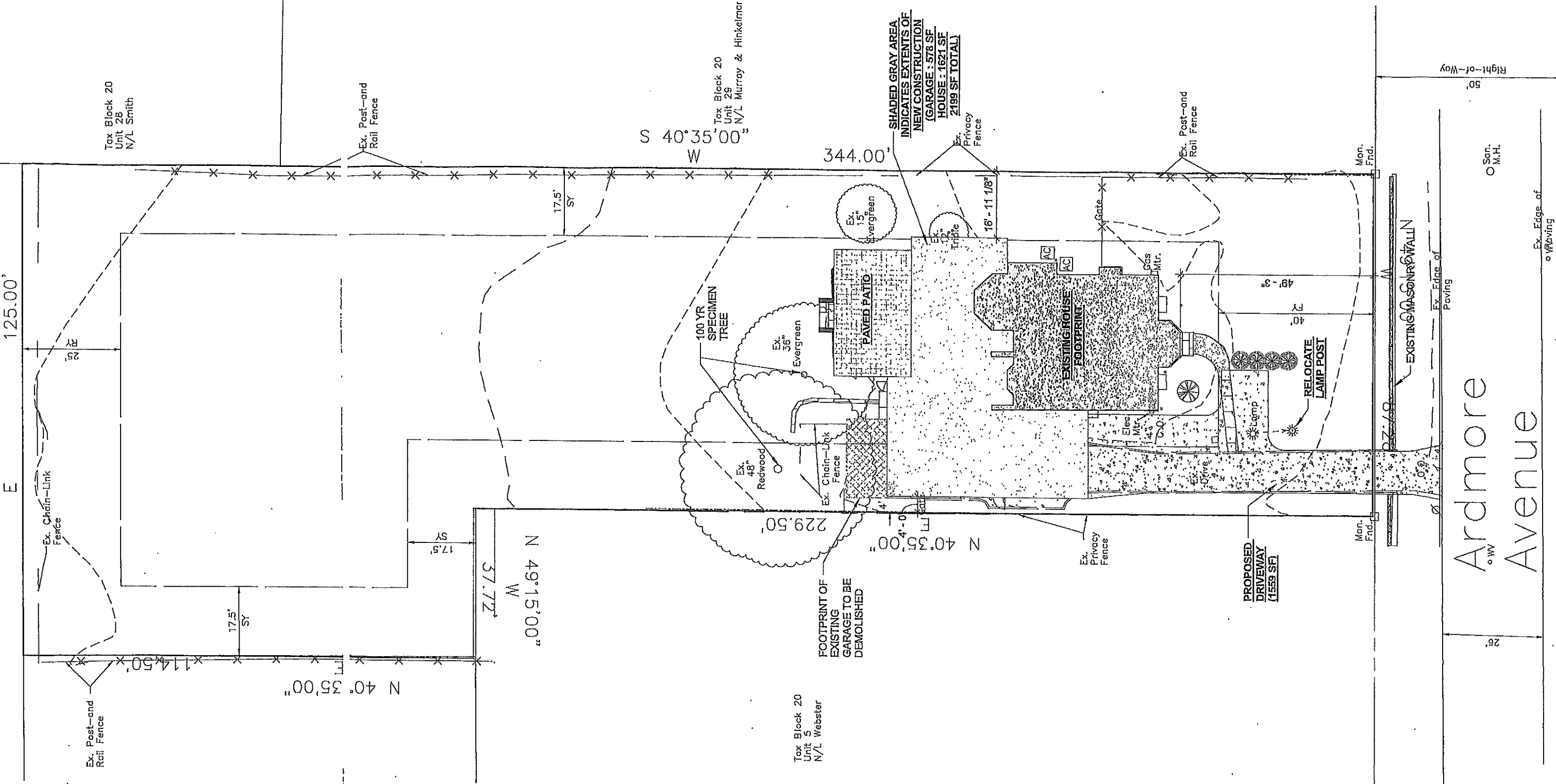
A. Front yards.

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

B. Side yards.

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

- ##### C. Rear yards.
- There shall be a rear yard, the depth of which shall be at least 25 feet, provided that in the case of any lot which, at the time this chapter becomes effective, is held in single and separate ownership and which has a depth of less than 100 feet, the depth of the rear yard shall be at least 15 feet. In the case of a building over 40 feet high, the depth shall be increased five feet for each 12 feet or portion thereof by which the building exceeds 40 feet in height.



Tax Block 20
Unit 28
N/L Smith

Tax Block 20
Unit 29
N/L Murray & Hinkelmar

Tax Block 20
Unit 5
N/L Webster

SHADED GRAY AREA
INDICATES EXTENTS OF
NEW CONSTRUCTION
(GARAGE: 578 SF
HOUSE: 1621 SF
2199 SF TOTAL)

Ardmore
Avenue