



**Springfield Township
Zoning Hearing Board
July 22, 2024
7:00 P.M.**

7:00 P.M. Call to Order:

Pledge of Allegiance:

Roll Call: Jennifer Guckin, Chairperson, Zoning Hearing Board Member
Megan McDonough; Esq., Vice Chair, Zoning Hearing Board
Ed Fox; Esq., Zoning Hearing Board Member
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 #24-05: This is **The Institutes for the Achievement of Human Potential**, owners of the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. The property is also known as Parcel #5200-1658-8505. The applicant has appealed the actions of the Zoning Officer related to the violation letter dated February 1, 2024. In the alternative, the applicant has requested a variance from Section 114-8. A.1 for the use of the property and Section 114-134.A for the required on-site parking. The applicant seeks approval to use portions of the property for catered, rental events, as well as the headquarters and a private school for neurologically impaired youth, under the name of The Institutes for the Achievement of Human Potential. The property is zoned within the Institutional District of Ward #2 of Springfield Township.

Case #24-06: This is the application of **Rose Lane Holding, LLC**, owners of the property located at 1300 Rose Lane, Flourtown, PA 19031. The property is also known as Parcel #5200-1577-5004. The applicant has requested a variance to allow the 24 square foot, non-illuminated monument sign to remain as currently installed along the Rose Lane frontage of the property. The applicant has requested a variance from Section 114-144. A.3 {Permitted Signage} and Section 114-145 {the Sign Chart} of the Springfield Township Zoning Ordinance. This sign replaced an

approximately 6 square foot freestanding sign at the site. The property is zoned within the C-Residential District of Ward #1 of Springfield Township.

Case #24-08: This is the application of **Mr. Keith Matus**, owner of the property located at 217 Preston Road, Flourtown, PA 19031, also known as Parcel #5200-1497-4004. The applicant has requested a variance from Section 114-54. b.1 of the Springfield Township Zoning Ordinance. The applicant seeks approval to construct an addition to the side of the home that proposes to reduce the side yard from the required 20 feet in width to 18 feet. The property is zoned within the A-Residential District of Ward #1 of Springfield Township.

Case #24-09: This is the application of **Holy Martyrs Church**; owners of the property have requested an interpretation and confirmation that a Special Exception for an expansion of a non-conforming use is required for the placement of a temporary modular classroom to be installed on a vacant lot known as Parcel #5200-0408-4004 and fronting on Clement Road. The proposed modular classroom will be used by Caring Branches Early Care Pre-School. The proposed modular classroom will setback 85 feet from Clement Road and take access from the existing Rectory parking lot. The property is one of nine adjoining parcels owned by Holy Martyrs Church. The property is zoned within the B-1 Business District of Ward #3 of Springfield Township.

Adjournment:

Note: The next meeting of the Zoning Hearing Board is scheduled for Monday, August 26, 2024, 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

COMMISSIONERS

James M. Lee
President

Susanna O. Ratsavong
Vice President

Peter D. Wilson
Jonathan C. Cobb
Brendan May
Elizabeth McNamara
Edward H. Morris, III

Sean G. Livesey, Esq.
High Swartz, Attorney at Law
40 East Airy Street
Norristown, PA 19401

June 25, 2024

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

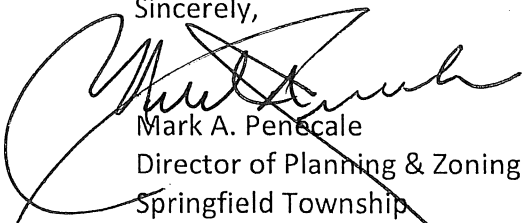
Re: Zoning Hearing Board Application #24-05, for the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038, Known as Parcel #5200-1658-8505 owned by the Institute for the Achievement of Human Potential.

Dear Mr. Livesey,

This letter is sent to inform you that the Springfield Township Zoning Hearing Board received your request for a continuance on application #24-05 for the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. The Zoning Hearing Board has approved your request, and the application will be placed on the Springfield Township Zoning Hearing Board's July 22, 2024 agenda. This meeting has a 7:00 P.M. start time and will be held in the Board Room of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

If there are any questions that you may have, please feel free to contact me at 215-836-7600, ext. 1114.

Sincerely,



Mark A. Penecale
Director of Planning & Zoning
Springfield Township

Cc: Zoning Hearing Board Members
Catharine M. Harper, Esq.; Zoning Hearing Board Solicitor
Michael Taylor, Springfield Township Manager
James J. Garrity, Esq. Township Solicitor
File Copy (2)



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Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Zoning Hearing Board Notice Continued Hearing

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, May 20, 2024, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-05: This is **The Institutes for the Achievement of Human Potential**, owners of the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. The property is also known as Parcel #5200-1658-8505. The applicant has appealed the actions of the Zoning Officer related to the violation letter dated February 1, 2024. In the alternative, the applicant has requested a variance from Section 114-8. A.1 for the use of the property and Section 114-134.A for the required on-site parking. The applicant seeks approval to use portions of the property for catered, rental events, as well as the headquarters and a private school for neurologically impaired youth, under the name of The Institutes for the Achievement of Human Potential. The property is zoned within the Institutional District of Ward #2 of Springfield Township. ***A continuance has been requested for this application and it will be on the Zoning Hearing Board agenda for Monday, May 20, 2024.***

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

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

THERE IS A 30-DAY PERIOD AFTER THE DATE THE DECISION IS RENDERED FOR ANY AND ALL AGGRIEVED PERSONS TO FILE AN APPEAL IN THE APPROPRIATE COURT TO CONTEST THE ACTIONS OF THE ZONING HEARING BOARD. APPLICANTS THAT TAKE ACTION ON ANY ZONING HEARING BOARD APPROVAL DURING THE 30-DAY APPEAL PERIOD, DO SO AT THEIR OWN RISK.



The Township of Springfield

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Elizabeth McNamara
Edward H. Morris, III

Sean G. Livesey, Esq.
High Swartz, Attorney at Law
40 East Airy Street
Norristown, PA 19401

April 15, 2024

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Re: Zoning Hearing Board Application #24-05, for the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038, Known as Parcel #5200-1658-8505.

Dear Mr. Livesey,

This letter is sent to inform you that the Springfield Township Zoning Hearing Board received your request for a continuance on application #24-05 for the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. The Zoning Hearing Board has approved your request, and the application will be placed on the Springfield Township Zoning Hearing Board's May 20, 2024 agenda. This meeting has a 7:00 P.M. start time and will be held in the Board Room of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

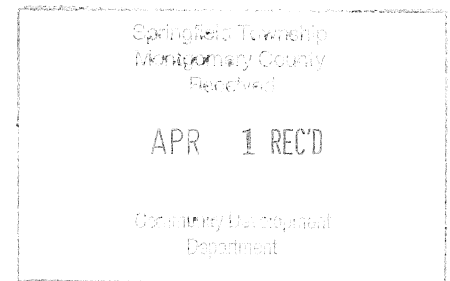
If there are any questions that you may have, please feel free to contact me at 215-836-7600, ext. 1114.

Sincerely,

Mark A. Penecale
Director of Planning & Zoning
Springfield Township

Cc: Zoning Hearing Board Members
Catharine M. Harper, Esq.; Zoning Hearing Board Solicitor
Michael Taylor, Springfield Township Manager
James J. Garrity, Esq. Township Solicitor
File Copy (2)

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



NO. 2A-05

DATE: 3/28/2024

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We The Institutes for the Achievement of Human Potential c/o High Swartz LLP
(Name of Applicant)

Of (Address) 8801 Stenton Avenue, Wyndmoor, PA 19038

(Telephone No.) (610) 275-0700

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

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

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

X A **variance** from the requirements set forth in Article 114, Section 8, Subsection D1, of the Springfield Township Zoning Code.

Other (please specify) and a variance from the requirements of Section 114-134, per attached Supplement.

The property concerned is located at 8801 Stenton Avenue, Wyndmoor, PA 19038
(Tax Parcel ID No. 52-00-16588-50-5)

Petitioner's Interest in the property is Fee Owner

Present use of property Nonprofit educational organization headquarters and associated specialized private school facility for neurologically impaired youth.

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

Please See Supplement Attached.

****Drawings to be provided****

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

#24-05
Check # 87287
\$1,200.00


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

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.

Janet Doman

Printed Name of Applicant

 3/28/2024

Applicant's Signature and Date

Supplement to Application to the Springfield Township Zoning Hearing Board

Property: 8801 Stenton Avenue

Applicant: The Institutes for the Achievement of Human Potential, by Hich Swartz LLP

Background/Current Use:

Applicant's Property located at 8801 Stenton Avenue, Wyndmoor, PA (the "Property") is a 4.9-acre parcel, and it, along with an adjacent parcel, comprises the campus of the Institute for the Achievement of Human Potential, a nonprofit organization that has operated there for approximately sixty years, since 1965. The Property, located in the Institutional Zoning District, is improved with school, office and multi-purpose buildings, including an auditorium and adjunct residential facilities, as well as patios and various driveways, paths and parking areas.

The current primary use of the Property is as the headquarters for an educational nonprofit organization with an associated specialized private school facility for neurologically impaired youth. Over the years, in addition to this primary use, the Institutes have maintained certain *de facto* accessory uses customarily incidental to a school/nonprofit, including holding small-scale private events and educational based entertainment for fundraising purposes.

Relief Requested:

Applicant now proposes to formally add, as a use accessory to the existing primary use, a **"rental hall/events space with limited short-term rentals"** use.

Applicant requests a variance from **Section 114-8D1** (Permitted uses) to allow such proposed accessory use within certain buildings/areas of the Property. In addition, Applicant requests a variance from the off-street parking requirements pursuant to **Section 114-134.A** to allow for fewer than the required number of paved parking spaces, or, in the alternative, a variance from **Sections 114-134.C and D** to allow for parking and parking reserve areas that are not paved.



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Jonathan C. Cobb
Brendan May
Elizabeth McNamara
Edward H. Morris, III

Mr. Leo Jasien
Brookfield Events, LLC
8801 Stenton Avenue
Wyndmoor, PA 19038

February 1, 2024

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Re: 8801 Stenton Avenue, Wyndmoor, PA 19038.

Dear Mr. Jasien,

This letter is sent as a follow-up to my inspection of the property located at 8801 Stenton Avenue, Wyndmoor, PA 19038. During my inspection, it was clear that Brookfield Events, LLC now leases portions of the buildings and the property for catered events. A review of Brookfield Events, LLC website provides a listing of services offered, including the leasing of rooms for overnight stays.

Please be aware that 8801 Stenton Avenue, Wyndmoor, PA is zoned within the Institutional District of Springfield Township. The Institutional District offers a defined list of permitted uses. However, a catering hall and the leasing of rooms for overnight stays are not included. Please feel free to refer to Section 114-8. D.1 of the Springfield Township Zoning Ordinance for a list of permitted uses within the Institutional District. A copy of the Springfield Township Zoning Ordinance can be found on-line at www.springfieldmontco.org.

The use of the property as a rental hall for weddings, receptions, showers, and the like are violations of Section 114.8.D.1 and Section 114-134.A of the Springfield Township Zoning Ordinance. Brookfield Events, LLC, must submit a Zoning Hearing Board Application and request the required use variance and possible parking variance on or before, **March 1, 2024**. Failure to submit the required Zoning Hearing Board Application for the required relief, will result in a "Cease and Desist Order" being issued by this office and possible citations being issued for the above listed violations to Section 114-8. D.1 and Section 114-134.A of the Springfield Township Zoning Ordinance.

Please be aware that violations of the Springfield Township Zoning Ordinance can be assessed a fine of as much as \$1,000.00 per offense, with each day the violation remains uncorrected, being counted as a separate offense. I have attached a copy of

a Springfield Township Zoning Hearing Board Application for your use. In addition, I would strongly suggest you contact Tri-State Financial Group at 610-270-9520 and discuss the Business Privilege Taxes that are due for use. If there are any questions that you may have, please feel free contact me at 215-836-7600, ext. 1114.

Sincerely,



Mark A. Penecale
Director of Planning & Zoning
Springfield Township
215-836-7600, ext. 1114
mpenecale@springfieldmontco.org

000848

This Indenture, Made the

day of October in the year of our Lord one thousand nine hundred and Sixty-seven (1967)

Between JOSEPH WARREN DARLING and HELENE MANLEY DARLING, his wife (hereinafter called the Grantors), of the one part,

A N D

THE INSTITUTES FOR THE ACHIEVEMENT OF HUMAN POTENTIAL, a Pennsylvania Corporation, (hereinafter called the Grantee), of the other part,

Witnesseth, That the said Grantors _____ for and in consideration of the sum of ONE DOLLAR (\$1.00) _____ lawful money of the United States of America, unto them _____ sell and truly paid by the said Grantee _____ at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have _____

_____ granted, bargained, sold, aliened, enfeoffed, released and confirmed, and by these presents do _____

_____ grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its successors _____ and Assigns, _____

ALL THAT CERTAIN tract or piece of land Situate in the Township of Springfield, County of Montgomery and State of Pennsylvania bounded and described in accordance with a Plan of Sub-division made for Joseph W. Darling, et ux by Barton and Martin, Engineers, dated December 27, 1965 and recorded in the Office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and later revised May 10, 1967 as follows, to wit-

BEGINNING at a point in the line dividing Montgomery County from Philadelphia County and in the bed of Stenton Avenue, said point being at the distance of twenty-one and twenty one-hundredths feet measured South forty-eight degrees twenty minutes East along said County

§ 3

BOOK 3492 PG 412



line from the intersection of the Northwestwardly side of Newton Street (fifty feet wide) produced with the County Line; thence extending North forty-three degrees one minute East three hundred and twenty-five and thirty-four one-hundredths feet to a point; thence North forty-nine degrees three minutes West ten and one one-hundredths feet to a point; thence North forty-three degrees four minutes two seconds East four hundred and thirty-six and fifty-nine one-hundredths feet to a concrete monument; thence South twenty-one degrees forty-one minutes forty seconds East crossing the bed of Birch Lane, four hundred and twenty-seven and twenty-three one-hundredths feet to a point on the Southeastwardly side of Birch Lane (thirty feet wide); thence along the said side of Birch Lane the two following courses and distances (1) South thirty-five degrees forty-seven minutes thirty seconds West one hundred and twenty-one and fifty-three one-hundredths feet to a point and (2) South two degrees twenty-nine minutes forty seconds East one hundred and seventy-seven and seventy-three one-hundredths feet to a point; thence recrossing the bed of Birch Lane North fifty-one degrees twenty-eight minutes fifteen seconds West two hundred and eighty-seven and eighty-six one-hundredths feet to a point; thence South forty-two degrees thirty-one minutes thirty seconds West eighty-eight and thirty-nine one-hundredths feet to a point; thence South eighty-two degrees fifty-seven minutes thirty seconds West fifty-one and fifty-five one-hundredths feet to a point; thence South forty-three degrees forty-six minutes thirty seconds West one hundred and seventy-eight and ninety one-hundredths feet to a point in the County Line; thence along the County Line parallel with the Northeastwardly side of Stenton Avenue and sixteen and five tenths feet Southwestwardly from the said side of Stenton Avenue North forty-eight degrees twenty minutes West one hundred and ninety-seven and fourteen one-hundredths feet to the first mentioned point and place of beginning.

CONTAINING 4.918 acres and BEING No. 8769 Stenton Avenue

BEING the same premises which Joseph Warren Darling and Helene Manley Darling, his wife by Indenture dated the first day of March A. D. 1966 and recorded in the Office for the Recording of Deeds in and for the County of Montgomery in Deed Book #3417 page 564 &c. intended to grant and convey unto The Institutes for the Achievement of Human Potential in fee.

WHEREAS in the above recited Indenture the premise was described according to a Plan of Subdivision made by Barton and Martin, Engineers dated the twenty-seventh day of December A. D. 1965 and recorded in the Office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and,

WHEREAS the aforesaid Plan was revised on the tenth day of May 1967, disclosing various errors in the description set forth in the aforesaid Deed recorded in Deed Book 3417 page 564, and

WHEREAS the Grantors herein desire to correct the aforesaid errors and to amend the description in the Deed recorded as aforesaid in Deed Book 3417 page 564 to read as now hereinabove correctly set forth reflecting the various courses and distances as shown on the Plan of Subdivision made by Barton and Martin, Engineers dated the twenty-seventh day of December 1965 and recorded in the office for the Recording of Deeds at Norristown in Plan Book A-9 page 6 and revised on the tenth day of May A. D. 1967 and further, the Grantors desire to confirm title to the premises herein described unto The Institutes for the Achievement of Human Potential and to vest the same in it, its successors and assigns, forever, this conveyance to inure to the benefit of the Grantee herein, its Grantees and Mortgagees, and all person claiming by, from, or under it, them or any of them.

800-3492 PG 413



Together with all and singular the buildings, improvements, Streets, Alleys, Passages, Ways, 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 them the said Grantors,

_____ 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 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.

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And the said Grantors, for themselves their heirs, executors and administrators _____

_____ do by
these presents, covenant, grant and agree, to and with the said Grantee, its successors _____

and Assigns, that they the said Grantors, their heirs _____

_____ all and singular the
Hereditaments and Premises herein above described and granted, or mentioned and intended so to be, with
the Appurtenances, unto the said Grantee, its successors _____

and Assigns, against them the said Grantors, their heirs _____

and against all and every _____ Person or 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 Grantors have caused these presents to be duly executed, dated
the day and year first above written. _____

I hereby certify the consideration
is in full of one hundred dollars.

Executed and Delivered
IN THE PRESENCE OF US
Laine St. Cooper
Ed. R. Kiley

SWD Joseph Warren Darling (SEAL)
Joseph Warren Darling

HM Helene Manley Darling (SEAL)
Helene Manley Darling

The Address of the above Grantee is:
1601 Stanton Ave, Philadelphia, 10, Pa.



Recorded, the day of the date of the above instrument, of the above named.

On the 11th day of October, Anno Domini 1967, before me,
the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing
in Philadelphia County,
residing in West Chester, Delaware
personally appeared the above-named JOSEPH WARREN DARLING and HELENE MANLEY DARLING,
his wife

and in due form of law acknowledged the above instrument to be their _____ act and deed, and
desired the same might be recorded as such.

Witness my hand and notarial seal the day and year aforesaid.

Catharine M. Steley
Notary Public
CATHARINE M. STELEY, Notary Public
PHILA. PHILA. CO., PA.
My Commission Expires Apr. 21, 1974

My Commission expires

Recorded in the Office for Recording of Deeds in and for
in Deed Book No. _____ page _____ &c.

Witness my hand and seal of Office this
day of _____ Anno Domini 19 _____



Montgomery County S. S.
Recorded in the Office for Recording of Deeds &c.
In and for said county in _____ Book _____
No. 3492 Page 412 &c.
Witness my hand and seal of office this _____ 21st
day of _____ 1967
John T. Magill Recorder,

3000
MONTGOMERY COUNTY
RECORDING OFFICE

25
25
COMMONWEALTH LAND
TITLE INSURANCE COMPANY
DEED OF CORRECTION AND CONFIRMATION
C-252-776-M
JOSEPH WARREN DARLING, ETUX

To _____
THE INSTITUTES
FOR THE ACHIEVEMENT
OF HUMAN POTENTIAL
Premises: 8769 Stanton Avenue
Springfield Township
Montgomery County
John C. Clark Co. 100 N. First Square, Phila.

Nov 21 11 57 AM '67

BOOK 3492 PG 417

S





The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

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

website: www.SpringfieldMontco.org Phone: 215-836-7600

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Elizabeth McNamara
Edward H. Morris, III

Mr. Simon Plotnik
Rose Lane Holdings, LLC
Post Office Box 950
Lakewood, NJ 08701

June 25, 2024

OFFICERS

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Secretary-Manager

James J. Garrity
Solicitor

Joelle Kleinman
Treasurer / Tax Collector

Timothy P. Woodrow, PE
Engineer

Re: Zoning Hearing Board Application #24-06, for the property located at 1300 Rose Lane, Flourtown, PA 19031, Known as Parcel #5200-1577-5004.

Dear Mr. Plotnik,

This letter is sent to inform you that the Springfield Township Zoning Hearing Board opened the hearing on your application listed as Case #24-06 for the property located at 1300 Rose Lane, Flourtown, PA 19031 and postponed it to allow you to present evidence. The Zoning Hearing Board has approved the continuance by a unanimous vote, and the application will be placed on the Springfield Township Zoning Hearing Board's July 22, 2024 agenda. This meeting has a 7:00 P.M. start time and will be held in the Board Room of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

If there are any questions that you may have, please feel free to contact me at 215-836-7600, ext. 1114.

Sincerely,

Mark A. Penecale
Director of Planning & Zoning
Springfield Township

Cc: Zoning Hearing Board Members
Catharine M. Harper, Esq.; Zoning Hearing Board Solicitor
Michael Taylor, Springfield Township Manager
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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, June 24, 2024, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-06: This is the application of **Rose Lane Holding, LLC**, owners of the property located at 1300 Rose Lane, Flourtown, PA 19031. The property is also known as Parcel #5200-1577-5004. The applicant has requested a variance to allow the 24 square foot, non-illuminated monument sign to remain as currently installed along the Rose Lane frontage of the property. The applicant has requested a variance from Section 114-144.A.3 {Permitted Signage} and Section 114-145 {the Sign Chart} of the Springfield Township Zoning Ordinance. This sign replaced an approximately 6 square foot freestanding sign at the site. The property is zoned within the C-Residential District of Ward #1 of Springfield Township.

A copy of the application and information submitted 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

THERE IS A 30-DAY PERIOD AFTER THE DATE THE DECISION IS RENDERED FOR ANY AND ALL AGGRIEVED PERSONS TO FILE AN APPEAL IN THE APPROPRIATE COURT TO CONTEST THE ACTIONS OF THE ZONING HEARING BOARD. APPLICANTS THAT TAKE ACTION ON ANY ZONING HEARING BOARD APPROVAL DURING THE 30-DAY APPEAL PERIOD, DO SO AT THEIR OWN RISK.

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



NO. 24-06

DATE: 5/21/2024

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Rose Lane Holdings, LLC
(Name of Applicant)

Of (Address) Post Office Box 950, Lakewood, N.J. 08701

(Telephone No.) 215-360-1657

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

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

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

 X A **variance** from the requirements set forth in Article 114, Section 144,
Subsection A.3, of the Springfield Township Zoning Code.

 Other (please specify) Variance from Section 114-145 {Sign Chart}

The property concerned is located at 1300 Rose Lane, Flourtown, PA 19031

Petitioner's Interest in the property is Property Owner

Present use of property Apartment Complex

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.

I seek approval to allow for the single sided, 24 square foot monument sign to remain as currently installed along the Rose Lane frontage. The new sign was installed to replace the old free standing sign in the same location as the one removed. I feel the sign is an improvement to the property and is in keeping with the improvements that have been made to the balance of the site. The new sign is non-illuminated and does not impact the surrounding residential properties.

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 # ZA-06
Check # 44
\$1,200.00

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.

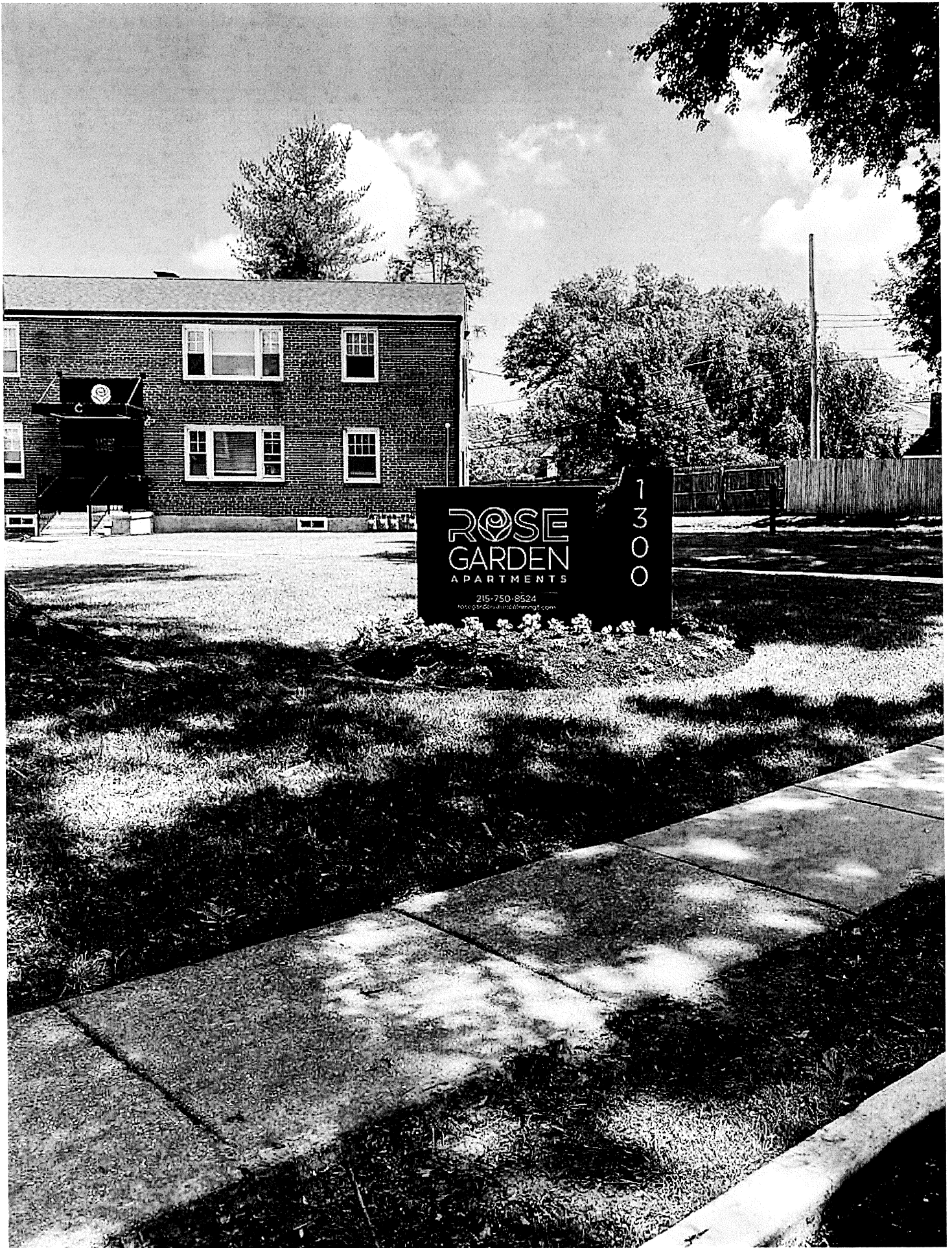
I have read the Application Procedure and the Schedule of Filing Fees and Costs and agree to be bound by the provisions thereof.

Simon Plotnik

Printed Name of Applicant



Applicant's Signature and Date



ROSE
GARDEN
APARTMENTS

215-750-8524
http://www.rosegardenapartments.com

1
3
0
0

Section 11-4-144.3 Ground signs.

(1) When permitted. A ground sign is permitted only if the building which it serves to identify is set back more than 15 feet from the street curb or edge of street.

(2) Quantity.

(a) Quantity shall be limited to only one per lot, including a lot containing frontage on two or more streets. For a property which contains more than 300 linear feet of front footage, one sign will be permitted for every 300 linear feet of front footage or portion thereof.
[Amended 7-8-1992 by Ord. No. 788]

(b) Where two or more persons, agencies or establishments are located in a place or location common to all, such as a shopping center or an office complex, or where separate facilities share a common parking area, only one ground sign shall be permitted per street frontage or 300 linear feet or part thereof of street frontage.

(3) Sign area. The maximum area of a ground sign shall not exceed the maximum area listed in the Schedule of Sign Regulations. ^[2]

[2]

Editor's Note: The Schedule of Sign Regulations is included at the end of this chapter.

Permitted Signs	Address	Zoning Classification	Maximum Area of Sign (square feet)			Maximum Height (feet)			Illumination	Permit Limitations	Permit Required
			Ground	Pro-jeeting	Facial	Ground	Facial				
Public Interest	All	AA, A, B, C, D, MFA, MU, CRD, INST.	1	1	1	5	10	D	Spaced no less than 100 feet apart on street frontage and 50 feet apart on other boundaries	No	
			1	X	1	5	10				
Home occupation, professional office	All	All others	2	X	2	5	10	IND	Limit of 1 type	No	
			1.5	1.5	1.5	5	10				
Institutional	All	MU, CRD, INST, AA, A, B, C, D, MFA	20	12	10	5	10	D	Maximum of 2 signs per street frontage, spaced a minimum of 25 feet apart, limit of 1 type to completion of the transaction	Yes	
			20	12	10	5	10				
Contractor	All others	AA, A, B, C, D, MFA, MU, CRD, INST.	8	6	X	5	X	X	1 per contractor, removed on completion of work	No	
			12	12	X	10	X				
Industrial office, business, commercial	B1, B2, S, I	B1, B2, S, I	25	12	40	15	18	D	1 per contractor, permit to C/O	Yes	
			25	X	25	8	10				
Multiple directional signs	All	B1, B2, S, I	25	X	25	8	10	D	Subject to requirements of § 114-144E	Yes	
			18	X	18	5	10				
Special events	All	All	18	X	18	5	10	D	14 days limited to 1 per street frontage	Yes	

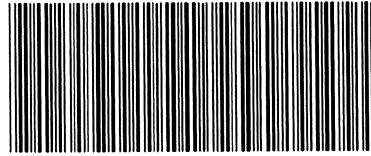
NOTES:
 1 Symbols:
 X = Not permitted.
 IND = Indirect Illumination only.
 D = Indirect and direct illumination.
 2 General sign regulations for MFA District are covered under § 114-8A-9C.
 3 Applicants, in addition to either a ground sign or a projecting sign, may also maintain a facial sign.
 4 Structures set back more than two hundred (200) feet from the street curb or edge of the street may use seventy-five hundredths (0.75) square foot per linear footage of building frontage or forty (40) square feet, whichever is more.



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 6312 PG 00921 to 00932.1
INSTRUMENT # : 2022111943
RECORDED DATE: 12/28/2022 08:01:08 AM



6179906-0024.

MONTGOMERY COUNTY ROD


OFFICIAL RECORDING COVER PAGE

Page 1 of 13

Document Type: Deed	Transaction #: 6702919 - 4 Doc(s)
Document Date: 12/08/2022	Document Page Count: 11
Reference Info:	Operator Id: dawhitner
RETURN TO: (Simplifile) Madison Title Agency, LLC 1125 Ocean Avenue Lakewood, NJ 08701 (732) 333-2667	PAID BY: MADISON TITLE AGENCY LLC

* PROPERTY DATA:	
Parcel ID #:	52-00-15775-00-4
Address:	1300 ROSE LN
	PA
Municipality:	Springfield Township (100%)
School District:	Springfield

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1.00	DEED BK 6312 PG 00921 to 00932.1
TAXABLE AMOUNT: \$1,176,981.30	Recorded Date: 12/28/2022 08:01:08 AM
FEES / TAXES:	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.
Recording Fee:Deed \$86.75	
Affidavit Fee \$1.50	
Additional Pages Fee \$14.00	
Additional Names Fee \$0.50	
Affordable Housing Pages \$14.00	
Affordable Housing Names \$0.50	
State RTT \$11,769.81	
Springfield Township RTT \$5,884.90	
Springfield School District RTT \$5,884.91	
Total: \$23,656.87	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

Parcel ID:52-00-15775-004

Return To:

Premises: 1300 Rose Lane
Flourtown, PA 19031
Northampton County
Parcel No. 52-00-15775-00-4

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-15775-00-4 SPRINGFIELD TOWNSHIP
1300 ROSE LN
CONTI FRANK W & ANTHONY J & PAMELA A & KRAUSE VIRGINIA
B 008 L U 007 4203 12/27/2022 JM

SPECIAL WARRANTY DEED

This Indenture, made the ^{8th}/~~15~~ day of **December**, in the year of our Lord Two Thousand Twenty-Two (2022)

Between Frank W. Conti, Anthony J. Conti, Virginia Krause and Pamela A. Conti,

(hereinafter called the Grantors), parties of the first part,

And Rose Lane Apts LLC,

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

Witnesseth that in consideration of the sum of One and 00/100-----
--(\$1.00) Dollar, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantee, its successors and assigns forever,

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, **SITUATE** in Springfield Township, Montgomery County, Pennsylvania, and described according to a certain plan of Property made for Streeper Karr III by Charles E. Shoemaker, Registered Professional Engineer, dated November 13, 1963 and revised December 9, 1963 and recorded in Plan Book A-7 page 111, as follows, to wit:

BEGINNING at a point on the Easterly side of Rose Lane (40 feet wide) at the distance of 69.94 feet measured along the said side of Rose Lane (40 feet wide) South 7 degrees, 58 minutes, 30 seconds West from the Southerly side of Wissashickon Avenue (40 feet wide); thence extending South 89 degrees, 31 minutes East, 355.89 feet to a point; thence extending South 0 degrees, 29 minutes West 89.84 feet to a point; thence extending North 89 degrees, 31 minutes West 21 feet to a point; thence extending South 0 degrees, 29 minutes West 79.55 feet to a point; thence extending Northward 89 degrees, 4 minutes, 16 seconds West 356.80 feet to a point on the Easterly side of Rose Lane (40 feet wide) thence extending along the same North 7 degrees, 58 minutes, 30 seconds East 168.04 feet to the first mentioned point and place of beginning.

BEING the same premises that Frederick Bartlett, Jr. and Robert C. Adams, co-partners trading as Rose Lane Apartments, by deed dated March 31, 1978 and recorded April 3, 1978 in the Office of the Recorder of Deeds of Montgomery County, PA, in Deed Book 4290 Page 296, granted and conveyed unto Frank W. Conti and Ann C. Conti, husband and wife, in fee. And the said Frank W. Conti departed this life on January 10, 1995 whereby title became vested in Ann C. Conti, by right of survivorship.

The said Ann C. Conti departed this life on November 10, 2015 whereas Letters of Testamentary were duly granted on December 2, 2015, unto Frank W. Conti and Virginia Krause, by the Register of Wills of Montgomery County, PA at Docket No. 46-2015-X4090

ALSO BEING the same premises that Frank W. Conti and Virginia Krause, Executors under the Last Will of Ann C. Conti, Frank W. Conti, individually, Anthony J. Conti, individually, Virginia Krause, individually and Pamela A. Conti, individually, by deed dated August 6, 2018 and recorded December 7, 2018 in the Office of the Recorder of Deeds of Montgomery County, PA, in Deed Book 6117 Page 2050, granted and conveyed unto Frank W. Conti, Anthony J. Conti, Virginia Krause and Pamela A. Conti, in fee.

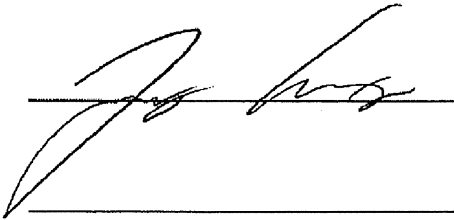
Together with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents,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

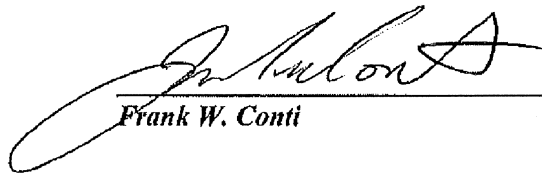
To have and to hold the said above-described lot or piece of ground, together with the hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns,

And the said Grantors for themselves and their heirs and assigns, do by these presents covenant, grant and agree to and with the said Grantee, and its successors and assigns, that they, the said Grantors, and their heirs and assigns, all and singular the hereditaments and premises hereinabove described and granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against them, the said Grantors and their heirs and assigns, and against all and every other person or persons whomsoever, lawfully claiming or to claim the same, or any part thereof, ***SHALL AND WILL SPECIALLY WARRANT AND FOREVER DEFEND.***

In witness whereof, the said Grantors have hereunto set their hands and seals the day and year first above written.

***Signed, Sealed and Delivered
In the presence of:***





Frank W. Conti

Anthony J. Conti

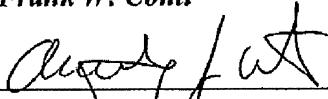
Virginia Krause

Pamela A. Conti

In witness whereof, the said Grantors have hereunto set their hands and seals the day and year first above written.

***Signed, Sealed and Delivered
In the presence of:***

Frank W. Conti



Anthony J. Conti

Virginia Krause

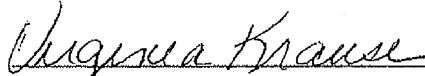
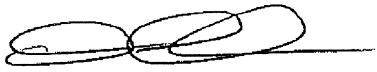
Pamela A. Conti

In witness whereof, the said Grantors have hereunto set their hands and seals the day and year first above written.

***Signed, Sealed and Delivered
In the presence of:***

Frank W. Conti

Anthony J. Conti



DEVIN UUSKI

Virginia Krause

Pamela A. Conti

In witness whereof, the said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
In the presence of:

Frank W. Conti

Anthony J. Conti

Cindi Berne

Virginia Krause


Pamela A. Conti

State of _____ |
 | ss.:
 County of _____ |

On this, the _____ day of **December, 2022**, before me, the undersigned officer, personally appeared **Frank W. Conti** 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 purpose therein contained.

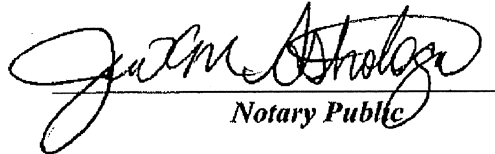
In witness whereof I have hereunto set my hand and official seal.

Notary Public

State of New York |
 | ss.:
 County of Dutchess |

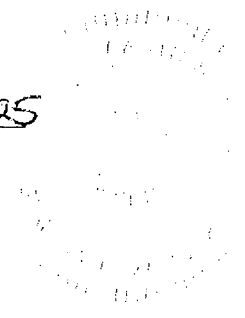
On this, the 9th day of **December, 2022**, before me, the undersigned officer, personally appeared **Anthony J. Conti** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I have hereunto set my hand and official seal.



Notary Public

Jill M. Astrologo
 Notary Public State of New York
 No. 01AS6207674
 Qualified in Dutchess County
 My Commission Exp. 6/15/2025



State of _____]
] ss.:
 County of _____]

On this, the _____ day of **December, 2022**, before me, the undersigned officer, personally appeared *Virginia Krause* 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 purpose therein contained.

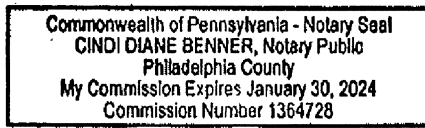
In witness whereof I have hereunto set my hand and official seal.

Notary Public

State of Pennsylvania]
] ss.:
 County of Philadelphia]

On this, the 8th day of **December, 2022**, before me, the undersigned officer, personally appeared *Pamela A. Conti* 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 purpose therein contained.

In witness whereof I have hereunto set my hand and official seal.



Cindi Diane Benner

Notary Public

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



The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

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

website: www.SpringfieldMontco.org

Phone: 215-836-7600

Fax: 215-836-7180

COMMISSIONERS

James M. Lee
President

Susanna O. Ratsavong
Vice President

Peter D. Wilson
Jonathan C. Cobb
Brendan May
Elizabeth McNamara
Edward H. Morris, III

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
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.

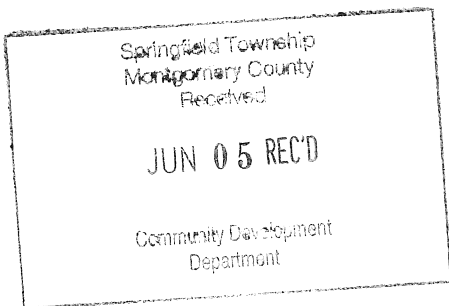
Monday, July 22, 2024, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-08: This is the application of **Mr. Keith Matus**, owner of the property located at 217 Preston Road, Flourtown, PA 19031, also known as Parcel #5200-1497-4004. The applicant has requested a variance from Section 114-54. b.1 of the Springfield Township Zoning Ordinance. The applicant seeks approval to construct an addition to the side of the home that proposes to reduce the side yard from the required 20 feet in width to 18 feet. The property is zoned within the A-Residential District of Ward #1 of Springfield Township.

A copy of the application and information submitted is on file in the Community Development Office and may be reviewed during normal business hours. In addition, all information submitted is posted on our website [@springfieldmontco.org](http://springfieldmontco.org).

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

THERE IS A 30-DAY PERIOD AFTER THE DATE THE DECISION IS RENDERED FOR ANY AND ALL AGGRIEVED PERSONS TO FILE AN APPEAL IN THE APPROPRIATE COURT TO CONTEST THE ACTIONS OF THE ZONING HEARING BOARD. APPLICANTS THAT TAKE ACTION ON ANY ZONING HEARING BOARD APPROVAL DURING THE 30-DAY APPEAL PERIOD, DO SO AT THEIR OWN RISK.



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

NO. 24-08

DATE: 6/5/24

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Mr. Keith Matus
(Name of Applicant)

Of (Address) 217 Preston Road, Flourtown, PA 19031

(Telephone No.) 215-380-5588

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

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

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

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

 Other (please specify)

The property concerned is located at 217 Preston Road, Flourtown, PA 19031

Petitioner's Interest in the property is Property Owner

Present use of property Single Family Dweeling

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.

We are requesting an addition that will encroach 2 feet into a required ~~20~~ side yard.

The proposed addition is for a kitchen expansion and this location allows for that expansion without having to reloacte the existing sanitary sewer drain line or the hot and cold water supplies. The existing kitchen has limited storage space and does not allow for any seating. The requested variance is to allow the required side uard to be reduced by ~~1/10~~ of the requirement.

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

check # 1146
\$ 500.00

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.

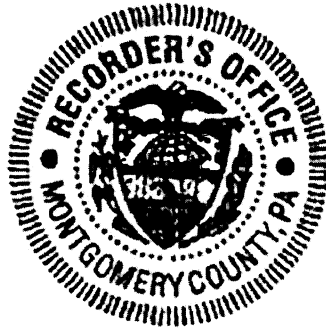
Printed Name of Applicant


Applicant's Signature and Date

RECORDER OF DEEDS
MONTGOMERY COUNTY PENNSYLVANIA
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

**I hereby certify that the following is a true and correct
copy of the original document
recorded in Montgomery County, PA**



Jeanne Sorg

Jeanne Sorg, Recorder of Deeds



For Simple/Trustees' Deed

This Indenture Made this 27th day of APRIL 1995

Between YASIN NISAR KHAN AND ELIZABETH ACTON KAHN, H/W

006698

REALTY TRANS TAX PAID
STATE 1,650.00
LOCAL 1,650.00
PER <i>[Signature]</i>

KEITH MATUS

(hereinafter called the Grantor S),

(hereinafter called the Grantee),

13.00
13.00
3.00
5.00

Witnesseth That the said Grantor S for and in consideration of the sum of ONE HUNDRED AND SIXTY FIVE THOUSAND DOLLARS (\$165000.00)

lawful money of the United States of America, unto THEM well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, HAVE granted, bargained and sold, released and confirmed, and by these presents DO grant, bargain and sell, release and confirm unto the said Grantee, HIS HEIRS and assigns,

A036898HC

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Springfield, County of Montgomery, Commonwealth of Pennsylvania, described according to a Survey and Plan, made of Springfield Heights, Section No. 2, made by Barton and Martin, Engineers of Philadelphia, on September 14, 1956, and revised March 15, 1958, as follows, to wit:

55 MAY 10 PM 2:50

BEGINNING at a point on the Northwest side of Preston Road (fifty feet wide) which point is measured South Thirty-six degrees Sixteen minutes Thirty seconds West ninety feet from a point, which point is measured on the arc of a circle curving to the right, having a radius of Ten feet the arc distance of Fifteen and seventy-one one-hundredths feet from a point on the Southwest side of Mallory Road (fifty feet wide); thence extending along the Northwest side of Preston Road South Thirty-six degrees Sixteen minutes, Thirty seconds West eighty feet to a point) thence extending North fifty-three degrees Forty-three minutes Thirty seconds West One hundred sixty-one and eighty-three one-hundredths feet to a point; thence extending North Thirty-six degrees, Twelve minutes Thirty seconds East Eighty feet to a point) thence extending South Fifty-three degrees Forty-three minutes Thirty seconds East One hundred sixty-one and ninety-two one-hundredths feet to a point on the Northwest side of Preston Road, the first mentioned point and place of beginning.

BEING Lot No. 78 on said Plan.

BEING 217 Preston Road,

BEING ASSESSMENT PARCEL NUMBER 52-00-14974-00-4.

BEING the same premises which Walter D. Strouse and Candace E. Strouse, his wife, by Deed dated September 15, 1989 and recorded in Montgomery County in Deed Book 4924 page 2198 conveyed unto Yasin Nisar Khan and Elizabeth Acton Khan, his wife, in fee.

085112PG0664



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

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

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
52-00-14974-00-4 SPRINGFIELD
217 PRESTON RD
KHAN YASIN NISAR & ELIZABETH A
B 0466 U 041 L 78 1101 DATE: 05/02/95

And the said GRANTORS, FOR THEMSELVES, THEIR HEIRS AND ASSIGNS do by these presents, covenant, grant and agree, to and with the said GRANTEE HIS HEIRS and Assigns, that THEY the said GRANTORS all and singular the Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said GRANTEE, HIS HEIRS and Assigns, against THEM the said GRANTORS and against all and every 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
WARRANT and forever DEFEND.

(SPECIAL WARRANTY)

OR

the said do covenant, promise and agree, to and with the said and assigns, by these presents, that the said

has/have not 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 incumbered, in title, charge, estate, or otherwise howsoever.

(TRUSTEE'S WARRANTY)

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

Sealed and Delivered
IN THE PRESENCE OF US:

J.F. Beck


YASIN NISAR KHAN (SEAL)


ELIZABETH ACTON MANN (SEAL)

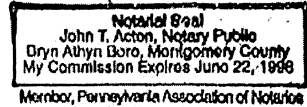
0B5112P60665



COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF MONTGOMERY) ss.

On this, the 27th day of APRIL, A.D. 1995, before me,
the undersigned officer, personally appeared YASIN NISAR KAHN AND ELIZABETH ACTON KAHN
known to me (or satisfactorily proven) to be the person whose name is (are) subscribed to the within
instrument, and acknowledged that he executed the same for the purposes therein contained.
In Witness Whereof, I hereunto set my hand and official seal.

J. Acton
Notary Public
My Commission Expires:



COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF) ss.

On this, the _____ day of _____, A.D. 19____, before me,
the undersigned officer, personally appeared _____ who acknowledged
himself (herself) to be the _____ of _____
a corporation and that he as such
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
In Witness Whereof, I hereunto set my hand and official seal.

Notary Public
My Commission Expires:

A036898EC
INDUSTRIAL VALLEY TITLE INS. CO.
40 W. EVERGREEN AVENUE
PELHA. PA 19118

ACED.

1650.00
1650.00 YASIN NISAR KAHN AND
3308 ELIZABETH ACTON KAHN, H/W
1650.00 TO
1650.00

CASH-08 4689 15620
KELIA GREGORY MATUS

PREMISES:
217 PRESTON ROAD
SPRINGFIELD TWP.
MONTGOMERY CO. PA.



Maryanne Beckenbach

#6398
SPRINGFIELD TWP
STATE STAMP
TOTAL
CHECK
-CHECK
ITEM 2
05-10-95 WED #1

CASH-08 4689 15620
KELIA GREGORY MATUS

MONTGOMERY COUNTY, PENNA
- REGISTERED -
DATE 5-1-95 NO. 15620
ROY BECKER
TOWNSHIP RECORDER

The address of the above-named Grantee
is 217 PRESTON ROAD
SPRINGFIELD, PA 19031
On behalf of the Grantee

DB5112PG0666



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.



The Township of Springfield

MONTGOMERY COUNTY, PENNSYLVANIA

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

website: www.SpringfieldMontco.org

Phone: 215-836-7600

Fax: 215-836-7180

COMMISSIONERS

James M. Lee
President

Susanna O. Ratsavong
Vice President

Peter D. Wilson
Jonathan C. Cobb
Brendan May
Elizabeth McNamara
Edward H. Morris, III

OFFICERS

A. Michael Taylor
Secretary-Manager

James J. Garrity
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.

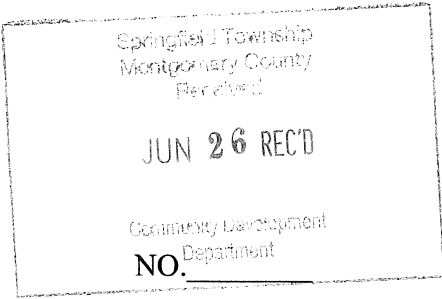
Monday, July 22, 2024, at 7:00 p.m. at which time a public meeting will commence on the following application:

Case #24-09: This is the application of **Holy Martyrs Church**; owners of the property have requested an interpretation and confirmation that a Special Exception for an expansion of a non-conforming use is required for the placement of a temporary modular classroom to be installed on a vacant lot known as Parcel #5200-0408-4004 and fronting on Clement Road. The proposed modular classroom will be used by Caring Branches Early Care Pre-School. The proposed modular classroom will setback 85 feet from Clement Road and take access from the existing Rectory parking lot. The property is one of nine adjoining parcels owned by Holy Martyrs Church. The property is zoned within the B-1 Business District of Ward #3 of Springfield Township.

A copy of the application and information submitted is on file in the Community Development Office and may be reviewed during normal business hours. In addition, all information submitted is posted on our website [@springfieldmontco.org](http://springfieldmontco.org).

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

THERE IS A 30-DAY PERIOD AFTER THE DATE THE DECISION IS RENDERED FOR ANY AND ALL AGGRIEVED PERSONS TO FILE AN APPEAL IN THE APPROPRIATE COURT TO CONTEST THE ACTIONS OF THE ZONING HEARING BOARD. APPLICANTS THAT TAKE ACTION ON ANY ZONING HEARING BOARD APPROVAL DURING THE 30-DAY APPEAL PERIOD, DO SO AT THEIR OWN RISK.



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

DATE: 05/31/2024

PETITION

SPRINGFIELD TOWNSHIP ZONING HEARING BOARD

We Holy Martyrs Church
(Name of Applicant)

Of (Address) 120 Allison Road, Oreland, PA 19075

(Telephone No.) 215-884-8575

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

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

 x A **special exception** as provided for in Article XIII, Section 114, Subsection 138, of the Springfield Township Zoning Code.

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

 x Other (please specify) Applicant sees Special Exception Relief as detailed
in Attachment 1 appended hereto.

The property concerned is located at Tax Parcel No.:520004084004, Unit No. 5208 088

Petitioner's Interest in the property is _____

Present use of property Church, Rectory, Convent and School

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.

See Attachment 1

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

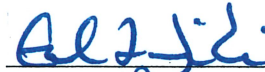
CASE # 24-09

Check # 1013

\$1200.00



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.

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

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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.

Holy Martyrs Church
Printed Name of Applicant

T. B. Esq.
Applicant's Signature and Date
Timothy B. Fenningham Esq.
Attorney for Applicant

ATTACHMENT 1

**BEFORE THE SPRINGFIELD TOWNSHIP ZONING HEARING BOARD
MONTGOMERY COUNTY, PENNSYLVANIA**

IN RE: APPLICATION OF HOLY MARTYRS CHURCH

Property: Tax Parcel No.: 520004084004
Unit No.: 52080 088

Zoning Classification: B-1 Business

A. Modular Classroom

Petitioner intends to install a modular classroom on the grassy area of the above referenced lot that fronts on Clement Road as further identified on the attached plan.

B. Petitioner hereby requests the following relief:

(1) An interpretation and confirmation that Special Exception Relief for Expansion of a Non-Conforming use is not required for the modular classroom as the parcel where the classroom will be placed has always been, and still is, used in connection with the Holy Martyrs School, Rectory, and Convent for educational and religious purposes.

(2) Or, in the alternative, Petitioner requests a Special Exception pursuant to the following Section of the Springfield Township Zoning Ordinance:

ZONING ORDINANCE SECTION

Special Exception

114-138

To allow a Special Exception for the Expansion of a Non-Conforming Use via the installation of a modular classroom to be used for educational purposes.

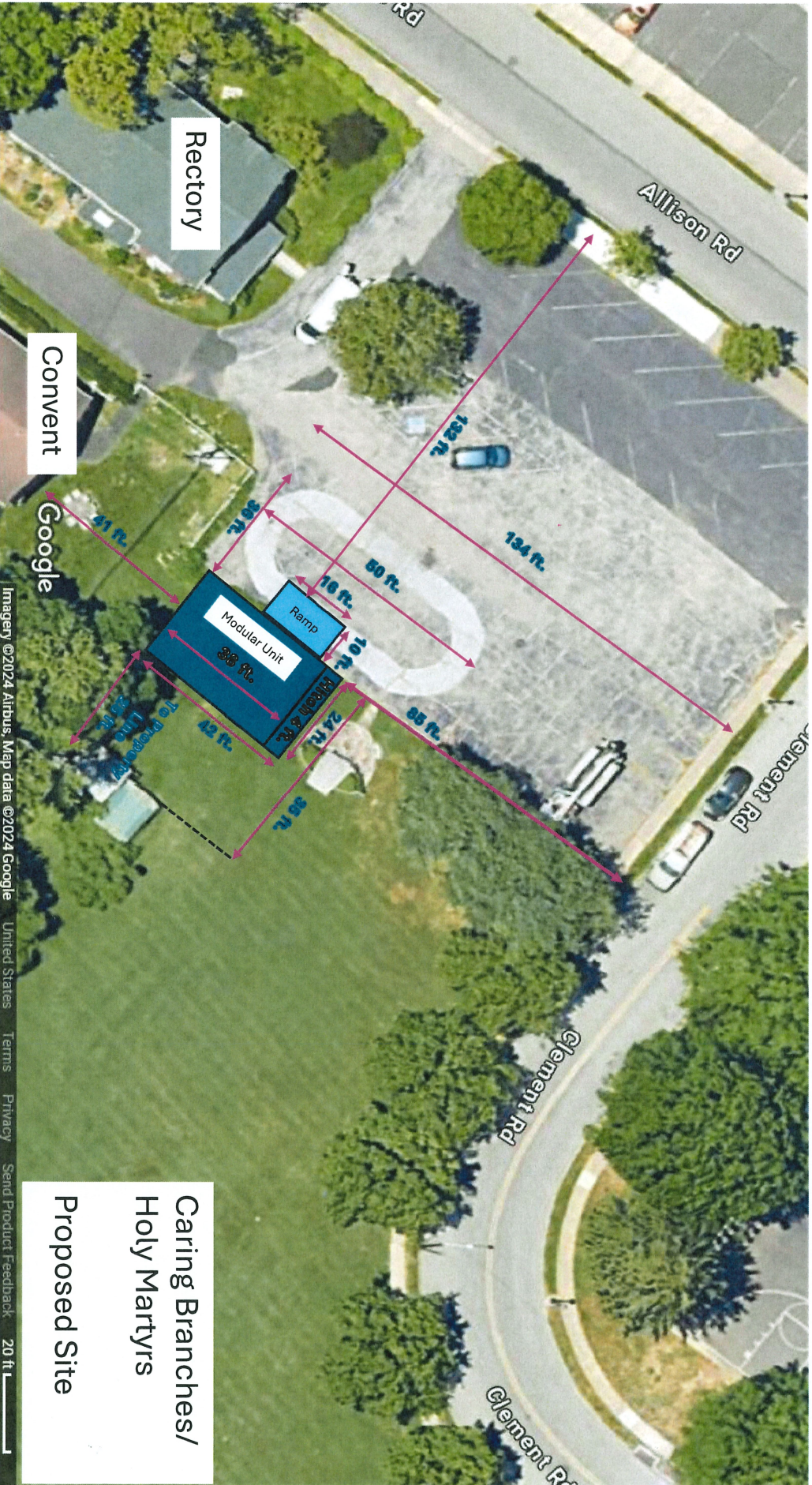
C. Petitioner's Compliance with Zoning Ordinance Section 114-165

The relief requested by Petitioner meets the requirements of Springfield Township Zoning Ordinance Section 114-165.A in that:

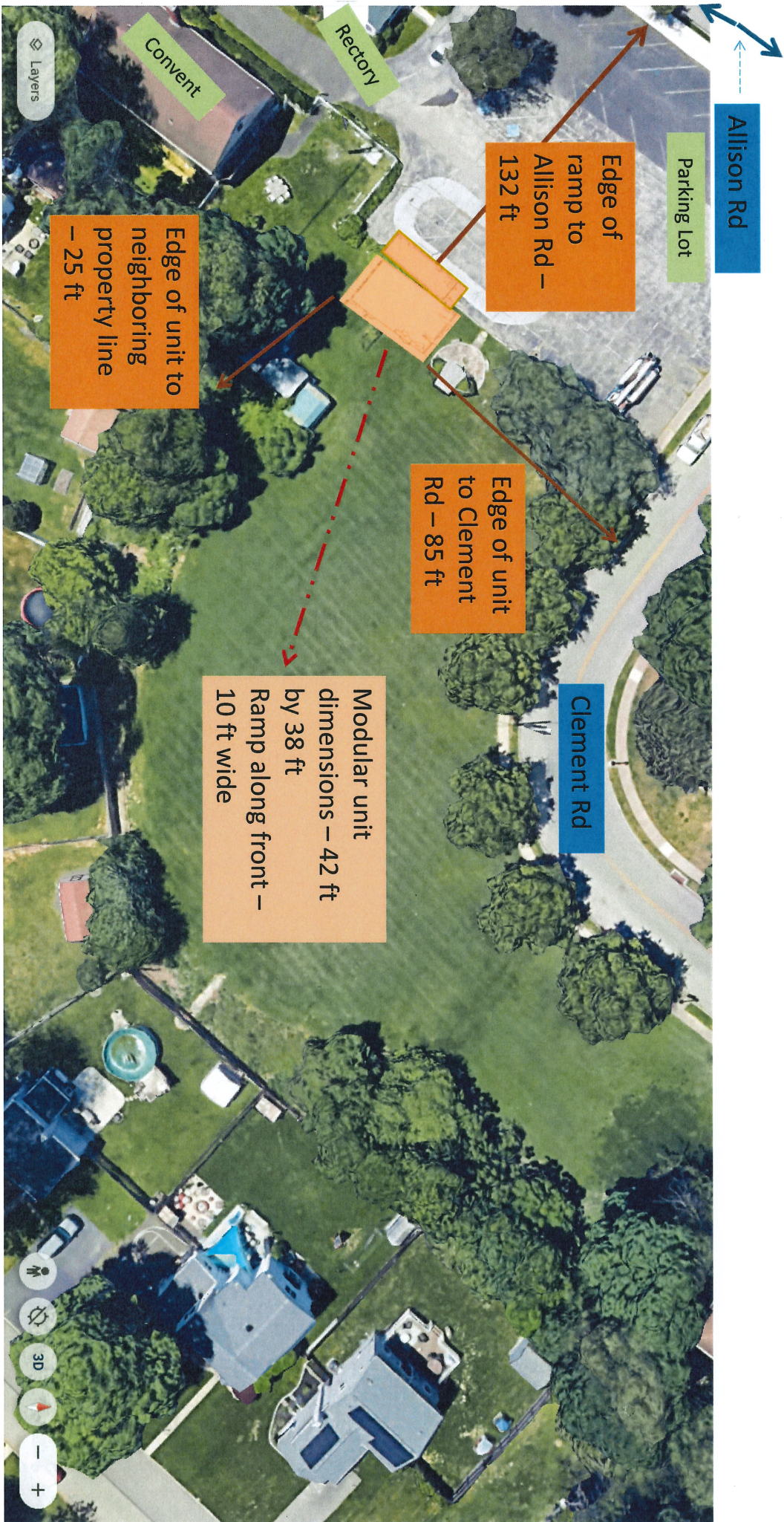
- (1) The relief request is consistent with the Comprehensive Plan of Springfield Township;
- (2) The proposed relief is consistent with the character and development of the area surrounding the Property;
- (3) The proposed relief is suitable with respect to traffic and parking considerations;

- (4) Petitioner's access points to adjacent roads will remain the same;
- (5) The proposed relief is reasonable with respect to its access to public services and utilities;
- (6) The use of the adjacent properties has been adequately safeguarded;
- (7) The proposed relief is not detrimental to the safety and/or welfare of the Township; and
- (8) The requested relief represents the least possible modification of the regulations in issue.

[END OF ATTACHMENT 1]



Caring Branches/
Holy Martyrs
Proposed Site



Allison Rd

Parking Lot

Edge of ramp to Allison Rd - 132 ft

Edge of unit to Clement Rd - 85 ft

Clement Rd

Modular unit dimensions - 42 ft by 38 ft Ramp along front - 10 ft wide

Edge of unit to neighboring property line - 25 ft

Rectory

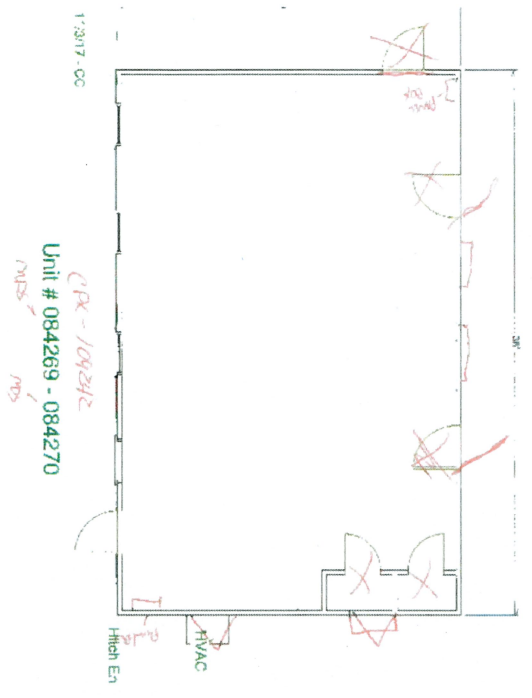
Convent

Layers

Navigation icons: person, compass, 3D, red pin, zoom in (+), zoom out (-)

2 1/2' REVISIONS

24' x 38' Classroom



WillScott Sketch of 24 X 38 ft layout = 912 Square Feet

Exterior Foot print is 34 ft X 42 Ft including hitches and 10 ft ramp

RECORDER OF DEEDS
MONTGOMERY COUNTY PENNSYLVANIA
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

**I hereby certify that the following is a true and correct
copy of the original document
recorded in Montgomery County, PA**



Jeanne Sorg

Jeanne Sorg, Recorder of Deeds



This Indenture

Made the *Ninth*

day of *June* in the year of our Lord one thousand nine hundred and Fifty-three, 1953 — **Between** RANDAI B. SMITH and MARGARET M. SMITH, His Wife, of Springfield Township, County of Montgomery, Commonwealth of Pennsylvania, _____

_____ (hereinafter called the Grantors), of the one part, and REVEREND JAMES A. BOLAND, as Pastor of Holy Martyrs Roman Catholic Parish, Oreland, Springfield Township, Montgomery County, Pennsylvania, and not in his private or individual capacity, acting herein with the authorization of His Excellency Most Reverend John F. O'Hara, C.S.C., Archbishop of Philadelphia, (hereinafter called the Grantee), of the other part:

Witnesseth, That the said Grantors for and in consideration of the sum of ELEVEN THOUSAND SEVEN HUNDRED FIFTY (\$11,750.00) DOLLARS _____ lawful money of the United States of America, unto them _____ well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, ha have granted, bargained, sold, aliened, enfeoffed, released and confirmed, and by these presents do _____ grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, his Successors _____ and Assigns, solely in his capacity as Pastor of Holy Martyrs Roman Catholic Parish, Oreland, Springfield Township, Montgomery County, Pennsylvania, and not in his private or individual capacity, _____

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, located in the Township of Springfield, County of Montgomery and State of Pennsylvania, known as lot #246 on a plan called "Sunnybrook North Hills" made for Sunnybrook, Inc. dated June 1, 1946 by Barton and Martin, Engineers, and recorded at Norristown in plan book #1680 A page 55 and more particularly bounded and described as follows to wit: _____

SITUATE on the Northeasterly side of Ulmer Avenue (fifty feet wide) at a distance of one hundred feet measured South forty-eight degrees forty-eight minutes thirty seconds East from its interesection with with Southeasterly side of Allison Road (fifty feet wide) (both lines produced) Containing in front or breadth on the said Northeasterly side of Ulmer Avenue sixty feet and extending of that width in length or depth Northeastwardly between parallel lines at right angles to the said Ulmer Avenue one hundred forty-five feet. Being known as 207 Ulmer Avenue. _____

BEING the same premises which North Hills Homes, Inc. (Pennsylvania Corporation) by deed dated October 8, 1947 and recorded in the Office for the recording of deeds in and for the County of Montgomery and



273

State of Pennsylvania in Deed Book 1867 page 69; granted and conveyed unto Randal B. Smith and Margaret M. Smith, his wife, as tenants by entireties.

UNDER AND SUBJECT to restrictions of record.

4/3 53

I hereby certify that the value of the above described property as shown on the Spring 1953 assessment is \$12,750.00 and that the tax thereon is \$11.50.

COMMERCIAL TRUST COMPANY
OF PHILADELPHIA
CANTON RD. & GLENVIEW AVE
DARK GLENVIEW, PA

by *Charles R. Brown* (S)



Together with all and singular 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 Grantors, 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 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, his Successors _____ and Assigns, to and for the only proper use and behoof of the said ~~Grantee~~ Reverend James A. Boland as Pastor ~~and Administrator~~ aforesaid and not in his private or individual capacity, and his Successors as such Pastor for ever, subject to his control and disposition as aforesaid and limited by the Canons and ecclesiastical law of the Roman Catholic Church.

UNDER AND SUBJECT as aforesaid.

And the said Grantors for themselves, their _____

Heirs, Executors, and Administrators do by these presents covenant, grant and agree, to and with the said Grantee, his Successors _____ and Assigns, that they the said Grantors, their _____

Heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his Successors _____ and Assigns, against them _____ the said Grantors, their _____

Heirs, and against all and every other 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 said part 108 _____ of the first part to these presents have _____ hereunto set their hand and seals. Dated the day and year first above written.

The state stamps affixed represents tax on full consideration including liens and encumbrances.

Signed, Sealed and Delivered
IN THE PRESENCE OF US

J. Crommie

Rebecca B. Smith

Margaret M. Smith



RECEIVED on the day of the date of the above Indenture of the above-named Grantee the above mentioned consideration money.

WITNESS AT SIGNING:

W. Cromm

Randal B. Smith
Randal B. Smith

Margaret M. Smith
Margaret M. Smith

ON THE *third* day of *June*

subscribed a Notary Public for the Commonwealth of Pennsylvania, residing in *City of Philadelphia* personally appeared the above-named RANDAL B. SMITH and MARGARET M. SMITH, His Wife

and in due form of law acknowledged the above Indenture to be their and each of their free act and deed, and desired the same might be recorded as such.

WITNESS my hand and

seal the day and year above said

W. Cromm

NOTARY PUBLIC
My Commission Expires Jan. 7, 1953

The residence of the within-named Grantee is *414 Oreland Hill Road, Oreland, Pa.* *W. Cromm* on behalf of said Grantee.

Handwritten notes:
Klas 695-6
RECORDED
JUN - 2 1953
5.08

DEED

RANDAL B. SMITH
BY *W. Cromm*
TO
REVEREND JAMES A. BOLAND

B

Premises:-
207 Ulmer Avenue,
Springfield Township,
Montgomery County, Pa.

No. 330
Yeo & Lubbock Co., 11 N. 11th St., and 719 Walnut St., Phila.

BURKHART-SEIBERT
250 E. BUTLER AVE.
AMBLER, PENNA.

TOWNSHIP OF SPRINGFIELD
MONTGOMERY COUNTY, PENNA.

REGISTERED -

DATE *June 5 - 1953*
DAVID W. BARRIS, JUDGE

PER *W. Cromm*
Notary Public

RECORDED in the Office for Recording of Deeds in and for County of Montgomery
in Deed Book No. 2376 page 242 &c.
WITNESS my hand and seal of Office this 4th
day of June Anno Domini 1953.

William J. Bodon Recorder
Per Dep. Recorder

