PUBLIC NOTICE

PLEASE TAKE NOTICE that Zoning Hearing Board of Upper Gwynedd Township will hold an in-person public hearing(s) on Tuesday, May 31, 2022, at the Upper Gwynedd Township Building, 1 Parkside Place, North Wales (Upper Gwynedd Township), PA 19454, at 7:00 P.M. on the following matters:

Continued Hearing No. 22-03: Sanctuary United Methodist Church of 1346 E. Prospect Avenue, North Wales, PA 19454 for property located at the same address, for variances from the Upper Gwynedd Zoning Code to construct a ground sign with an LED display as previously advertised. The Property is zoned R-2 Residential.

Hearing No. 22-07: Amy Geissele of 408 Swedesford Road, Lower Gwynedd, PA 19002 for property located at 1708 Supplee Road, Lansdale, PA 19446 for property located at the same address, for the following variances from the Upper Gwynedd Zoning Code for the construction of a detached garage with attached carport and a front porch to the existing dwelling: (1) a variance from Section 195-9.M.(2) to permit an accessory building height of 17 feet 5 inches where a maximum of 14 feet is permitted as measured to the midpoint of the highest and lowest point of the roof; (2) a variance from Section 195-12.B.(3) to permit a front yard setback of 27 feet and 6.5 inches where a minimum of 50 ft is required to construct the proposed porch; (3) a variance from Section 195-12.B.(4) to permit a side yard setback of 12 feet 5 inches where a minimum of 25 ft is required to construct the proposed roofed carport; and (4) a variance from Section 195-9.R to permit a driveway backup space 2 ft from a side boundary line where a minimum of 6 ft is required. The Property is zoned R-2 Residential.

Hearing No. 22-08: Chris Condello of 453 School Road, Blue Bell, PA 19422 for property located at 211 Gwynedd Avenue (T.P. 032-030), North Wales, PA 19454, for the following variances from the Upper Gwynedd Zoning Code for the construction of new single-family residence: (1) a variance from Section 195-12.B.(3) to permit a front yard setback of 45 feet where 50 ft is required to construct a front porch; (2) a variance from Section 195-12.B.(5) to permit a rear yard setback of 40 feet where a minimum of 50 ft is required to construct a rear patio. The Property is zoned R-2 Residential.

Hearing No. 22-09: John and Laura Chinofsky of 7 Maple Avenue, North Wales, PA 19454 for property located at the same address, for the following variance from the Upper Gwynedd Zoning Code for the construction of a one-story addition: (1) a variance from Section 195-12.B.(5) to permit a rear yard setback of 22.8 feet where a minimum of 50 ft is required. The Property is zoned R-2 Residential.

Copies of the application, exhibits, site plans or other materials received by the Township in connection with the above matters are on file with the Zoning Officer at the Township Building. Paper copies may be requested in writing from the Township at a cost as permitted by law. The public is invited to attend the public hearings and participate. If a member of the public would like to participate but requires assistance or accommodation, please contact the Township at <u>mweaver@uppergwynedd.org</u> or (215) 699-7777 prior to 10:00 a.m. on May 31, 2022.

Patrick Hitchens, Esquire

Solicitor for the Zoning Hearing Board of Upper Gwynedd Township

As stated in the legal advertisement, copies of the applications, exhibits, site plans or other materials received by the Township for zoning cases to be heard by the Zoning Hearing Board are on file with the Zoning Officer. In an effort to make these documents more accessible, electronic copies are available below. Because Pennsylvania law does not require applicants to submit exhibits in advance of a hearing, other materials may be presented at the hearing that were not submitted in advance or that may differ from the materials submitted. Therefore, any individual interested in a particular zoning case is encouraged to attend the hearing in order to be apprised of all documents and information presented.

ZONING HEARING BOARD



UPPER GWYNEDD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
Zoning Ordinance of November 23, 1987 as Amended

APPLICATION FOR VARIANCE(S) APPLICATION FOR SPECIAL EXCEPTION(S) APPEAL FROM ZONING OFFICER'S DECISION/DETERMINATION(S)	Check One	Date:	11/17/2021
PROPERTY ADDRESS/ LOCATION 1346 E. Prospect Ave LOT SIZE	5.557 Acres ZOND	1G DISTRIC	Т
Check One (Applicant) X Owner/*Trustee Equitable Owner (under Agreement of Sale) Lessor Lessee			
Applicant's Name: Carl Gravely-Trustee on behalf of Trustee Address: 1229 Swamp Rd Furlong, PA 18925 Telephone: 724-989-9657 carl.gravely@gmail.com	(s) Date Ownership S Date of Agreemen Date of Lease	ecured	ck One
Contractor's or Agent's Name Trustees on Behalf of Sanctuary UMC	Public Water Yes Public Sewer Yes	X No No No	

1346 E Prospect Ave, North Wales, PA 19454 Address

Give full information as to Section of Zoning Ordinance involved and reasons why the Variance(s), Special Exception(s) or Appeal is desired and why it should be granted.

Please see Attachement (A) in response to Items 1-6 answered or reasons provided.

Owner's signature, if Applicant is not Owner, agreeing to this Application		Applicant's Signature Please Print Name: Attomey's Name:	Carl Gravety	Trootee
		Address: Telephone:		
, Lemma the community with	· Reco	rd of Secretary – Zoning F	learing Board	nan ayunut talan ayunut talan da ayunut ta
Application No.	Hearing Date(s)		Decision Date	
Y	VARIANCE(S)	Granted	Denied	2
	SPECIAL EXCEPTION(S)	Granted	Denied	-
	APPEAL	Granted	Denied	_

(

) Zoning Officer) Zoning Hearing Board (

) Board of Commissioners (

RESTRICTIONS/CONDITIONS (if any)

) Zoning Solicitor (

Signature of Secretary _

Sanctuary UMC Responses to Sign Permit Application 1/17/2022

Attn:

UPPER GWYNEDD TOWNSHIP

BOARD OF COMMISSIONERS

Application Statement:

Background: Sanctuary purchased a LED sign in 2011 with a "verbal" understanding from the township that we would be able to install it to replace our existing sign. As the process un-folded we learned that we were, in fact, not able to obtain the township approval for the installation. Since that time the sign has been stored in our shed and we are currently in the process of discerning if we should move forward with our investment and take the necessary steps to gain township approval to install the sign and remove our existing sign.

In our initial zoning presentation, we noted that we would be using the sign to not only promote Sanctuary's events and happenings but that we could also use this sign to share local information such as Blood Drive events, etc. so that it will be seen as an asset to our community (even something as simple as displaying the time and temp will be helpful for the many walkers and those who frequently drive by our property).

Please review our variance application and see notations in response to the ordinances. *Note: the sign is now 10 years old and some options may be limited by the technology at that time.*

NO VARIANCE

Highlights below are our responses and color coded per the following:

Green-Confirmed/complies

Yellow-Seeking Variance

1. Section 195-35.J.(2)(L)[9]

[a] No sign may be closer than 250 feet to the nearest dwelling unit. For 501 Hancock Road the setback is calculated to be approximately 221 feet. For 1349 W Prospect Avenue, the setback is calculated to be approximately 214 feet.

Seeking approval for alternate location considered than that of sign application. (empty flower box north of Kitchen/Patio area. (Abandon old sign landscape area and removing the old sign) 5 Images below

2. LED Signs are only permitted as part of a ground sign that complies with all other applicable provisions and the schedule of sign regulations.

The maximum area for a ground sign= 24 s.f. The proposed sign= 40 s.f. Variance, 12SF LED message area, 6x4=24SF top sign.
 Exact Total is 36 square feet. Application was rounded to the nearest 10s.

> The maximum height= 7.0 ft. The proposed sign height= 8.5 ft. 4feet plus 2 feet = 6 feet of height. Only allows 1 foot of clearance for snow and landscaping. 7 feet can be met however seeking

variance for 8 feet. The reason is to allow flower plantings as well as average snowfall to NOT interfere with the message board.

3. The copy area of any LED message screen shall be no greater than 50% of the allowable sign area per sign face. This calculation shall be confirmed by the applicant.

Confirmed! LED message area is 2ft x 6ft = 12SF

4. LED lines for messages shall not exceed three lines of LED text per each sign face. Please confirm or seek a variance.

Application supporting document included the model that shows 3 lines. Confirmed!

5. LED signs are restricted to one color of LED for the entire message. Based upon the exhibits filed, a variance will be required to permit multiple colors.

Seeking Variance graphics will only render with Tri Color use.

6. General Regulations. Please confirm that the following shall apply:

Message changes shall be immediate. (Confirmed-controlled by the signs processor old 2012 model)

Each message shall be displayed for a minimum period of four hours. (Variance for 2 minutes) Understanding safety is the number 1 issue, there are a lot of walkers with the new development as with the athletic fields in use to try and convey messages to.

Signs shall not blink, flash, or move. Variance-(Clock and temperature will move.)

Illumination shall turn off no later than 10:30 p.m., every night. (Confirmed)

Images for Item 1 above:







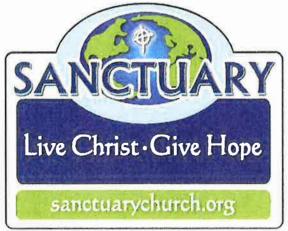


FROM ORIGINAL BUILDING/SLON FERMIT



To be an upgrade to existing sign at current location shown on plot plan from developers.

Additional Images for reference:



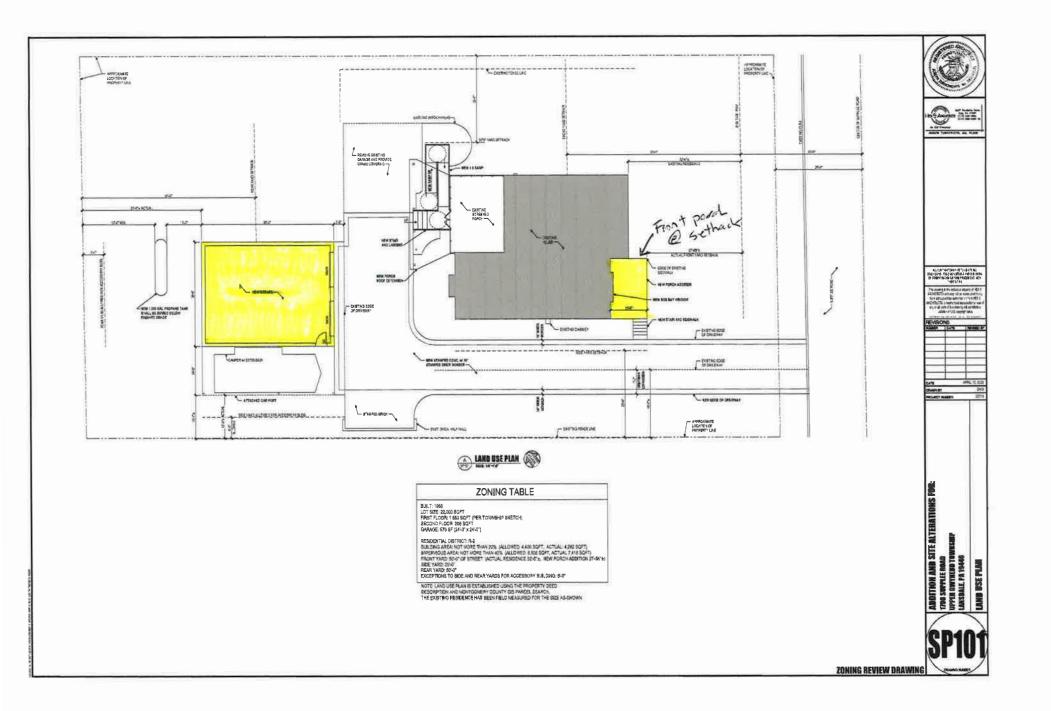
This is our sign design that will be installed like image

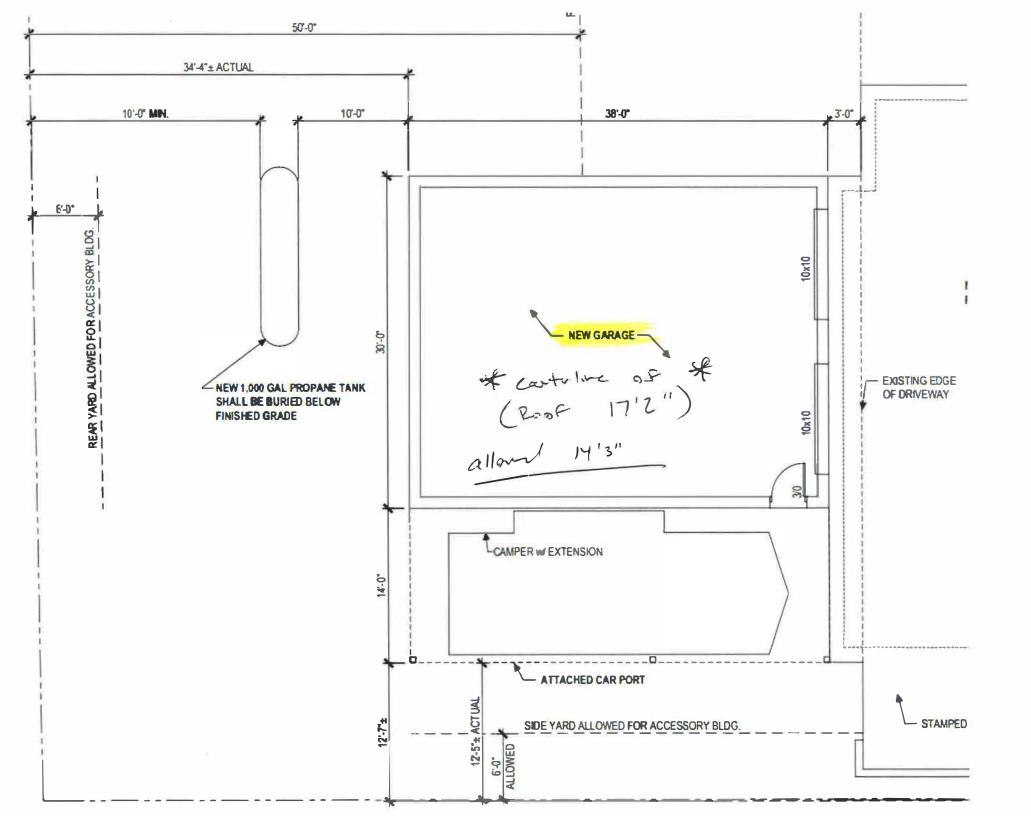
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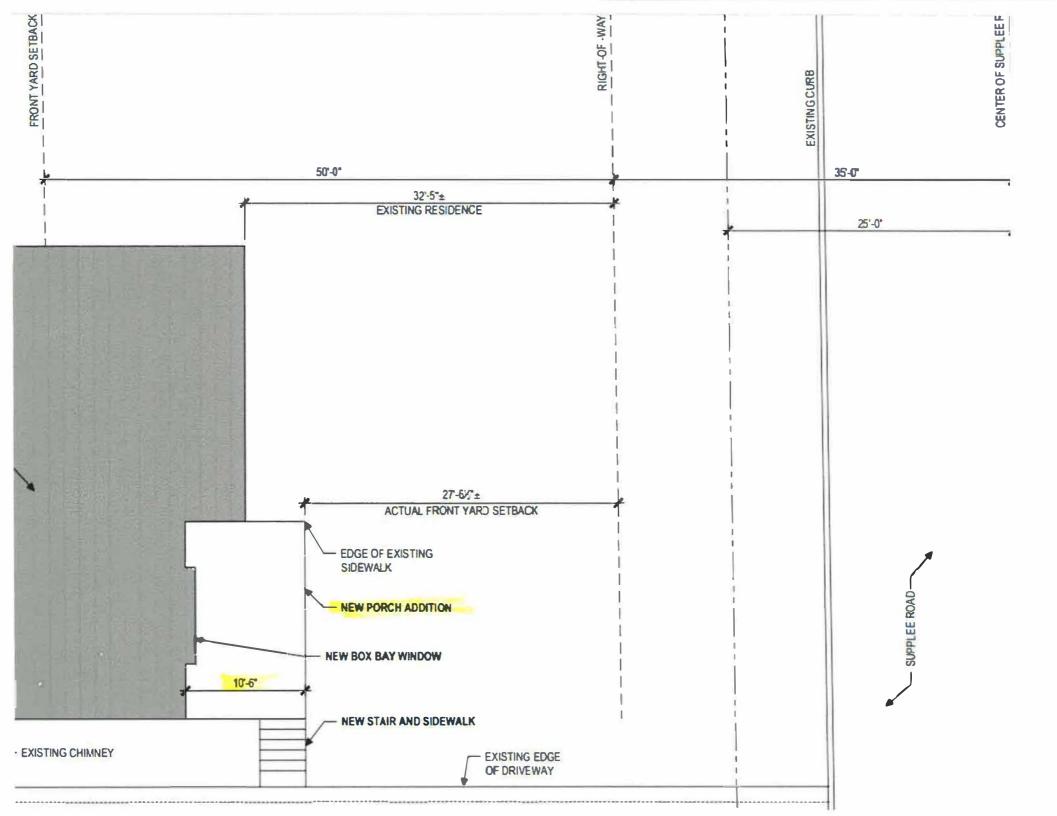
UPPER G MONTGOMERY	HEARING BOARD wynedd Township county, Pennsylvania November 23, 1987 as Amended
APPLICATION FOR VARIANCE(S) APPLICATION FOR SPECIAL EXCEPT APPEAL FROM ZONING OFFICER'S DECISION/DETERMINATION(
PROPERTY ADDRESS/ LOCATION 1708 Supplez rel LOT	SIZE 22,000 SF ZONING DISTRICT
Check One (Applicant) Owner Equitable Owner (under Agreement of Sale Lessor Lessee Applicant's Name: AMY Geissele Address: <u>404</u> Swidzsford Rd Telephone:	Check One Date Ownership Secured Date of Agreement of Sale Date of Lease
Contractor's or Agent's Name Buddy Gratzs	Public Water Yes No Public Sewer Yes No
Address 287 Wisahecton Ave	9
Give full information as to Section of Zoning Ordinance invol desired and why it should be granted.	ved and reasons why the Variance(s), Special Exception(s) or Appeal is
Owner's signature, if Applicant Please P is not Owner, agreeing to this	nt's Signature But Grator rint Name: <u>Y-18-22</u> r's Name: <u>Michael J. Clement (Wisler PearlStine, Ly</u> Address: <u>460 Norristown Road Suite</u> 110, Bue Bell, PA Telephone: <u>610 - 825 - 8400</u> 19422
- Record of Secreta	ry – Zoning Hearing Board
Application No Hearing Date(s)	Decision Date
VARIANCE(S)GrantedSPECIAL EXCEPTION(S)GrantedAPPEALGranted	
RESTRICTIONS/CONDITIONS (if any)	X a a
 () Zoning Officer () Zoning Hearing Board 	ĩ

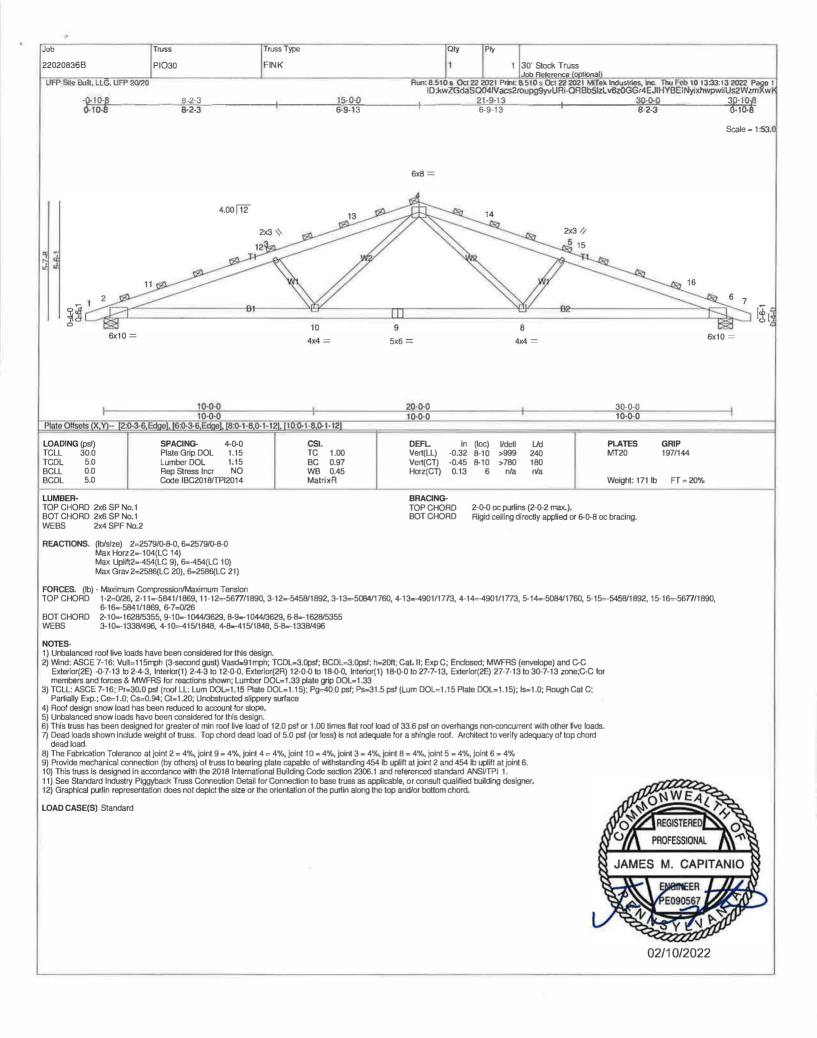
) Zoning Hearing Board
) Board of Commissioners
) Zoning Solicitor

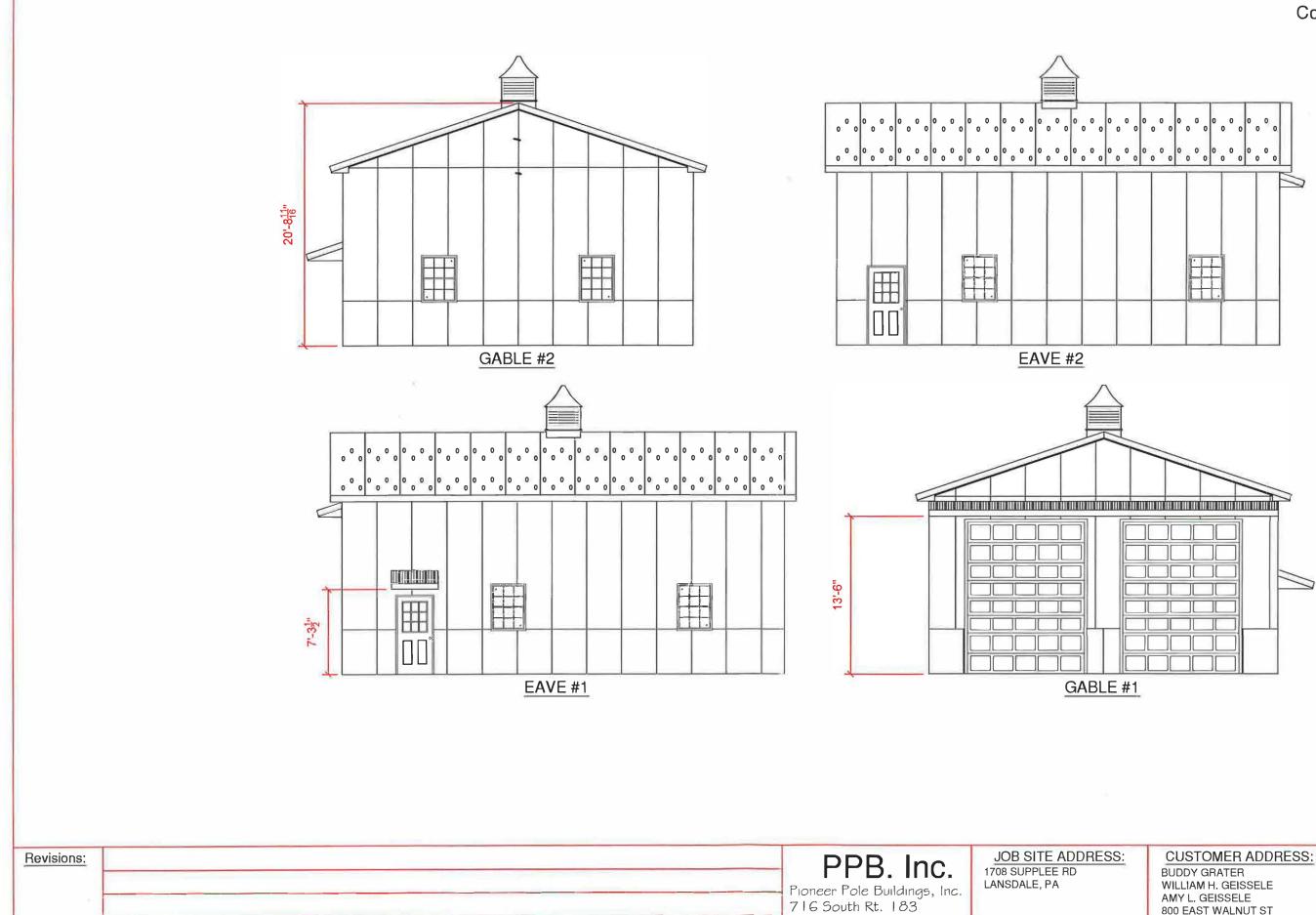
Signature of Secretary











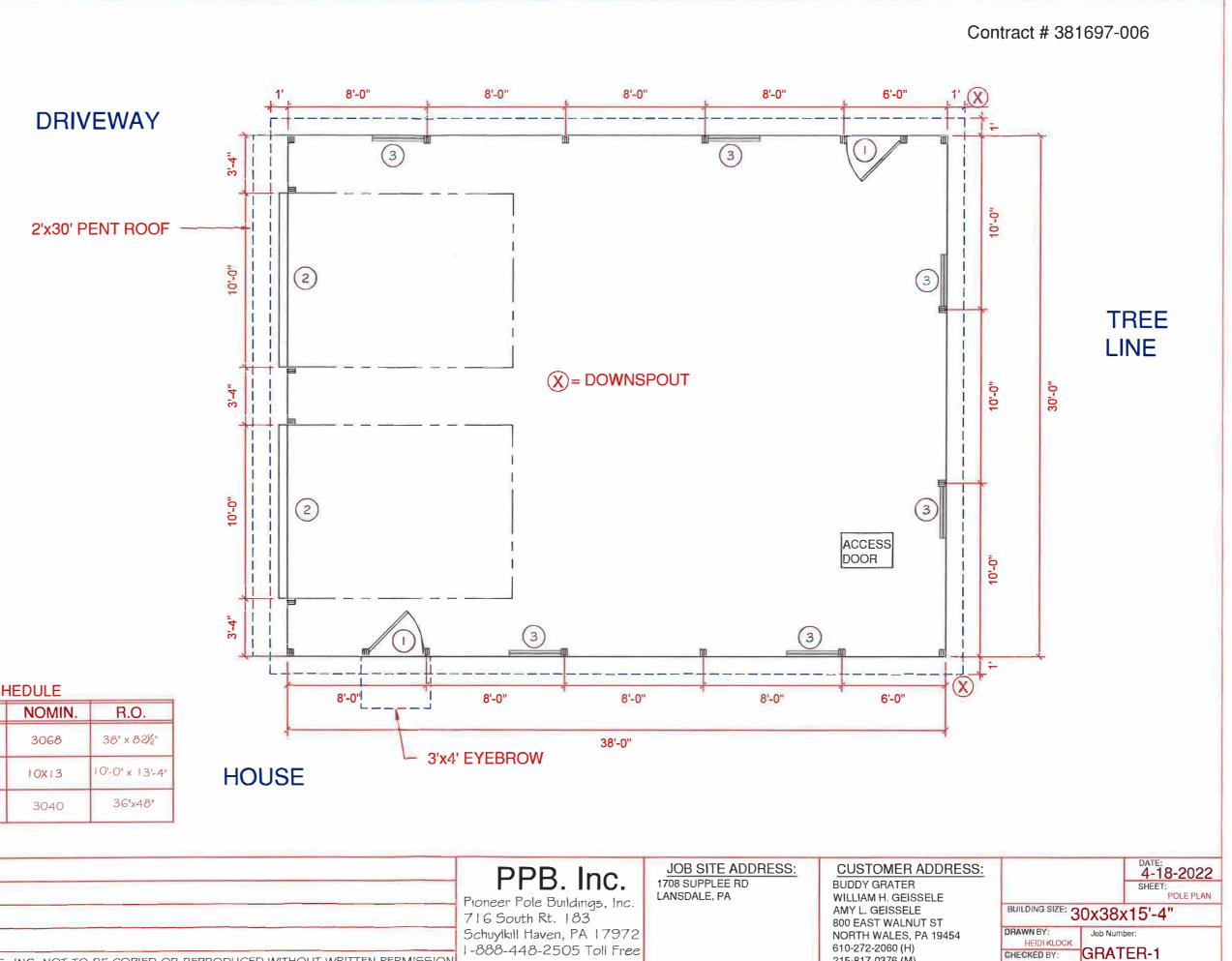
Schuylkill Haven, PA 17972

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Contract # 381697-006



CUSTOMER ADDRESS:			4-18-2022
BUDDY GRATER			SHEET:
WILLIAM H. GEISSELE			Elevations
AMY L. GEISSELE 800 EAST WALNUT ST	BUILDING SIZE: 30x38x15'-4"		
NORTH WALES, PA 19454	DRAWN BY: Job Number:		ber:
610-272-2060 (H)	HEIDI KLOCK	ODAT	
215-817-0376 (M)	CHECKED BY:	GRATER-1	

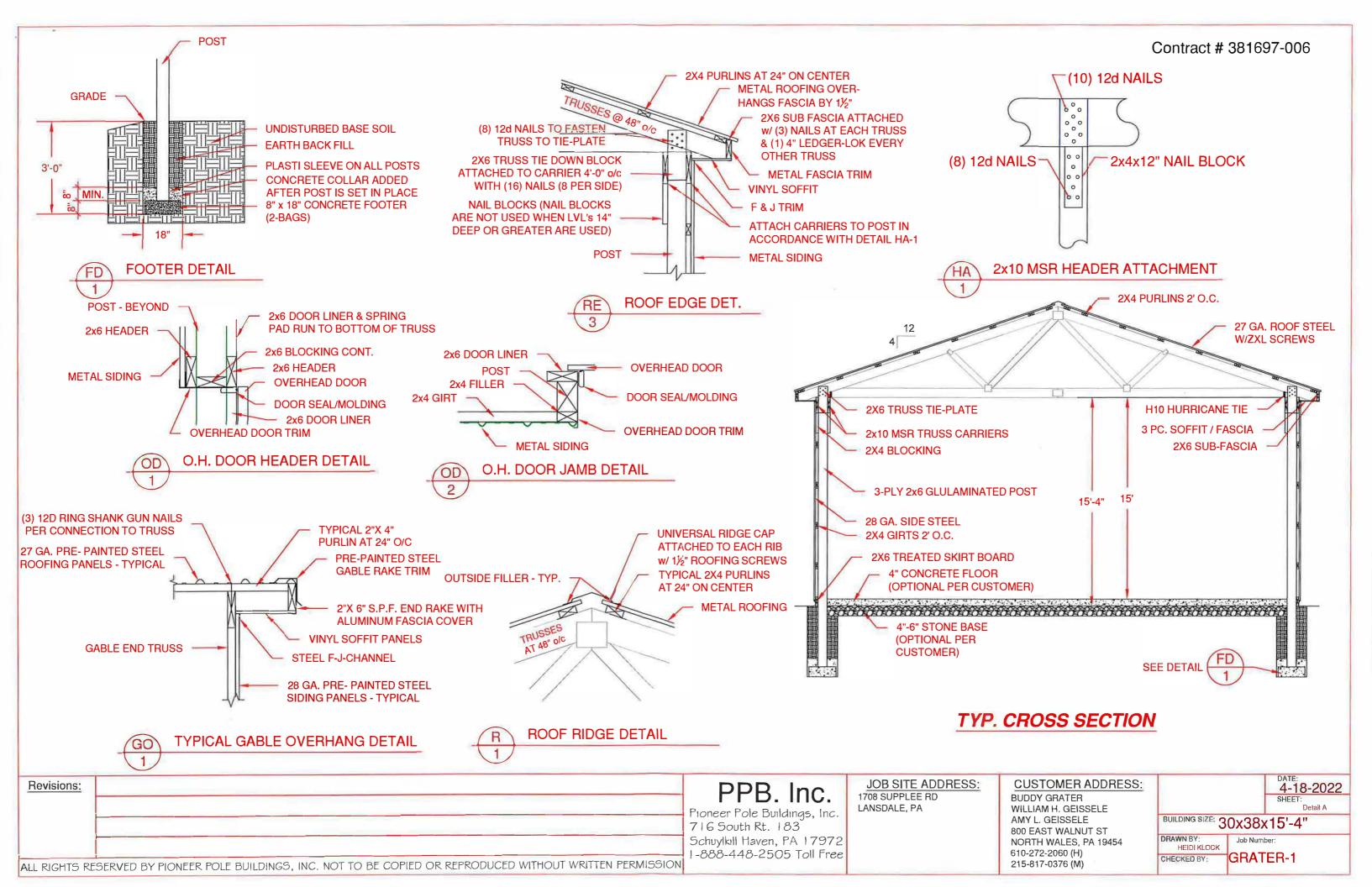


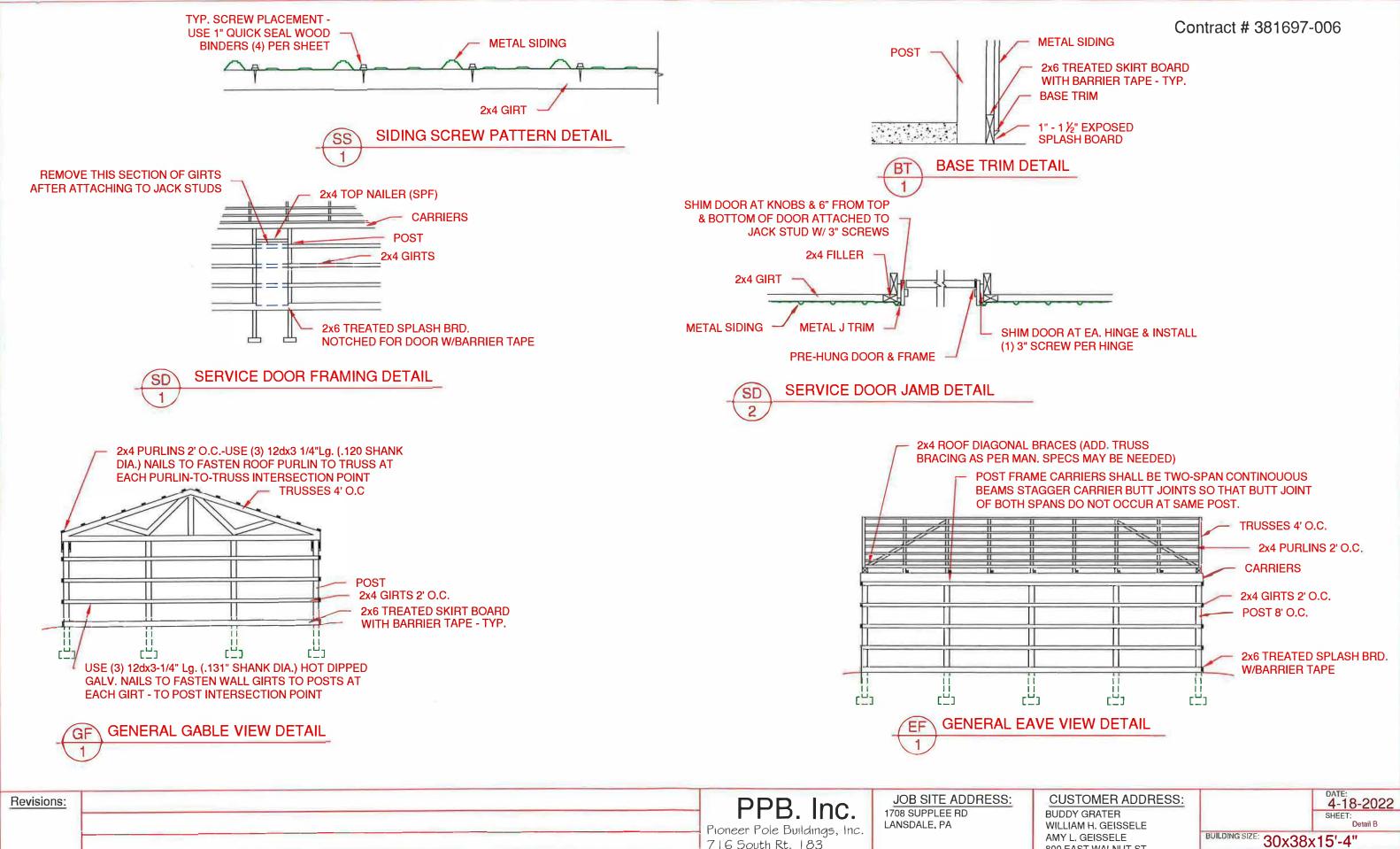
215-817-0376 (M)

WINDOW & DOOR SCHEDULE

SYM	TYPE OF WINDOW / DOOR	NOMIN.	R.O.
	ENTRY DOOR 9-LITE	3068	38" x 821/2"
2	OVERHEAD DOOR	10X13	10'-0" x 13'-4"
3	Single Hung Window w∕ Grids ∉ Screen	3040	36"x48"

Revisions:	PPB. Inc.	JOB SITE ADDRESS: 1708 SUPPLEE RD
	Pioneer Pole Buildings, Inc. 716 South Rt. 183	LANSDALE, PA
ALL RIGHTS RESERVED BY PIONEER POLE BUILDINGS, INC. NOT TO BE COPIED OR REPRODUCED WITHOUT WRITTEN F	Schuylkill Haven, PA 17972 1-888-448-2505 Toll Free PERMISSION	

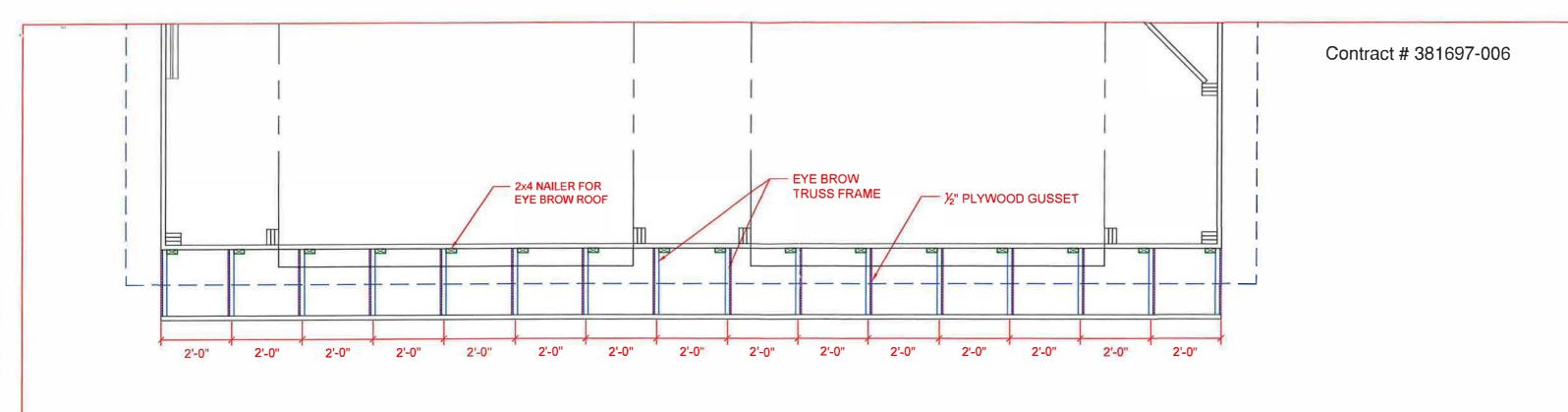


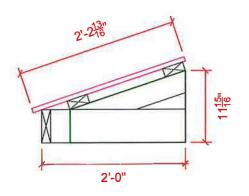


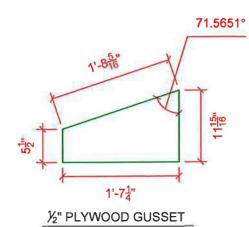
Schuylkill Haven, PA 17972 1-888-448-2505 Toll Free

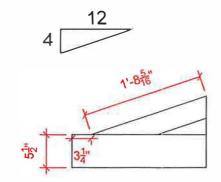
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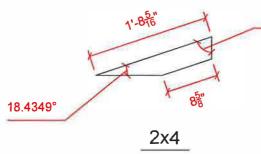
CUSTOMER ADDRESS: BUDDY GRATER WILLIAM H. GEISSELE		DATE: <u>4-18-2022</u> SHEET: Detail B	
AMY L. GEISSELE 800 EAST WALNUT ST NORTH WALES, PA 19454 610-272-2060 (H) 215-817-0376 (M)	BUILDING SIZE: 30x38x15'-4"		
	DRAWN BY: HEIDI KLOCK CHECKED BY:	Job Number: GRATER-1	

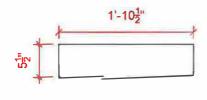




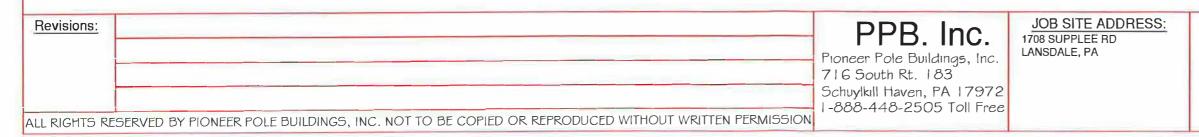




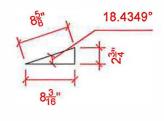




2x6



71.5651°



2x4

CUSTOMER ADDRESS:			4-18-2022
BUDDY GRATER WILLIAM H. GEISSELE			SHEET: Detail C
AMY L. GEISSELE 800 EAST WALNUT ST	BUILDING SIZE: 30x38x15'-4"		
NORTH WALES, PA 19454 610-272-2060 (H) 215-817-0376 (M)	DRAWN BY: HEIDI KLOCK CHECKED BY:	Job Numb	

General Notes:

Foundations:

A. Bottom of all exterior footings shall be minimum of 3'-0" below finished grade. Minimum size 8" high x 18" round or as noted. B. Assumed design soil bearing pressure = 2,000 PSF U.N.O.

C. Minimum concrete footing strength to be 3,500 PSI at 28 days.

Metal Cladding:

A. Steel siding and roofing panels shall be fabricated from 27 \$ 28 gauge, grade e 180 KSI structural quality steel conforming to ASTM A-446 with a hot dipped galvanized coating conforming to ASTM A-525 or with an aluminum-zinc alloy coating conforming to ASTM A-792 (plain products only).

B. Paint Finish: All panels when required shall receive a factory applied polyester coating conforming to the manufacturer's specifications.

C. Flashings: All flashings shall be shop fabricated from material that is the same gauge and finish as the wall/roof panels to which they are attached.

D. Closures: Shall be pre-molded neoprene to match the configuration of the wall/roof panel and shall be in lengths as supplied by the panel manufacturer.

E. Fasteners: All screw fasteners shall have a combination steel and neoprene washer. Nails shall have a Fabriseal washer or equivalent. Fastener selection and installation shall be as recommended by the cladding manufacturer.

Wood Trusses:

A. Trusses are to be designed and fabricated in accordance with the published standards of the National Forest Products Association and the Truss Plate Institute's "Design Specifications for Light, Metal Plate Connected Wood Trusses" (TPI-XX) Latest Edition

B. The web configuration plate sizes, chord sizes and lateral bracing shall be designed by a licensed professional engineer. The truss manufacturer shall provide the contractor with shop drawings of each truss design bearing the engineers seal. Shop drawings shall be approved by the contractor before fabrication.

C. All trusses shall be designed for the loading, spacing and geometry shown on the plan.

D. The contractor shall install the bracing of the wood trusses in accordance with the manufacturer's design. Minimum lateral bracing of web and bottom chord members shall be as required by truss design.

Lumber:

A. All lumber shall comply to the requirements of the American Institute of Timber Construction and the National Forest Products Association's "National Design Specification for Wood Construction".

B. All lumber for posts and beams shall be #2 or better southern yellow pine grade stamped by a SPIB approved mill, surfaced at a maximum moisture content of 19% treated .6 pcf ACQ, .23 pcf MCA or equal.

C. All lumber for headers shall be MSR grade stamped by a SPIB approved mill, surfaced at a maximum moisture content of 19%.

D. All lumber exposed to ground contact or insect infestation shall be treated according to the American Wood preservers' Association Standards, .6 pcf ACQ, .15 pcf MCA or equal.

Connections:

A. All wood connection to be made according to the "National Design Specification for Wood Construction". The minimum connection to be two 12 penny nails. Other connection as per plan or as controlled by standard construction practices.

B. It is acceptable for 2x4 wind girt spacing to vary from 18" to 30", when the span of the girt is 10' or less. Horizontal spacing of fasteners for the metal wall panels shall be in accordance with the panel manufacturer's instructions. The wind girt spacing up to 30" conforms to the rigid diaphragm design for post frame walls.

Cautionary Notes:

1. Structural components such as posts, beams, trusses or fasteners and attachment brackets should NOT be modified, notched or cut in any manner without proper review and approval of the building design professional.

2. Rainwater and melt water should be directed away from post foundation locations.

3. On enclosed buildings with large doors (that is buildings designed as completely enclosed) the doors should be closed during periods high wind and/or stormy weather to reduce uplift forces on the building.

4. Do NOT lean heavy materials against posts or girts unless the building has been designed for those types of loads. Do NOT store loose material against walls unless building has been designed for side thrust loads and any moisture contained in the loose materials.

5. Do NOT use the roof trusses for storing material unless the building and roof trusses have been designed for those loads. 10.00

6. Concentrated loads such as ceiling-mounted furnaces, wet sprinkler systems, ventilation hoods, etc. SHALL NOT be attached to the roof trusses without the prior review and written approval of Pioneer Pole Buildings, Inc. and the building design professional.

7. Do NOT install hardware that would maintain snow cover on the roof of buildings.

8. Do NOT attach additional buildings or lean-to enclosed areas to pole barn buildings unless the building has been designed for the additional loads created by these building additions.

9. Door openings should NOT be added to the building walls after the building has been constructed without review and approval of the building design professional.

MISC. Notes:

These plans are designed in accordance with the 2018 IBC Construction Class VB

TRUSS CARRIERS USED TO BE EQUAL TO OR BETTER THAN 2x10 MSR

HURRICANE TIES USED = RT I GA (USP CONNECTORS)
6K GUTTER W/DOWNSPOUTS
R-21 INSULATION - WALLS W/LINER PANEL
R-38 INSULATION - ROOF
CEILING LINER PANEL
CEILING ACCESS DOOR
TWO-TONE SIDING ON 4-WALLS
UNIVERSAL RIDGE VENT
1-36" CUPOLA W/LOUVERS
I -30" ROOSTER WEATHERVANE
IBC USE GROUP UTILITY
2'x30' PENT ROOF ON GABLE #1
3'x4' EYEBROW OVER 1-3068
SNOW GUARDS INSTALLED ON BOTH EAVES

Revisions:	PPB. Inc.	JOB SITE ADDRESS: 1708 SUPPLEE RD LANSDALE, PA
-	Pioneer Pole Buildings, Inc. 716 South Rt. 183	
	Schuylkill Haven, PA 17972 1-888-448-2505 Toll Free	

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Contract # 381697-006

DESIGN CRITERIA: Ground Snow Loads: Ground-Snow Load (psf) = 40 Wind Speed: Wind Speed = 115 mph Truss Loads: Top Chord Live (psf) = 30 Top Chord Dead (psf) = 5 Bottom Chord Live (psf) = 0Bottom Chord Dead (psf) = 5

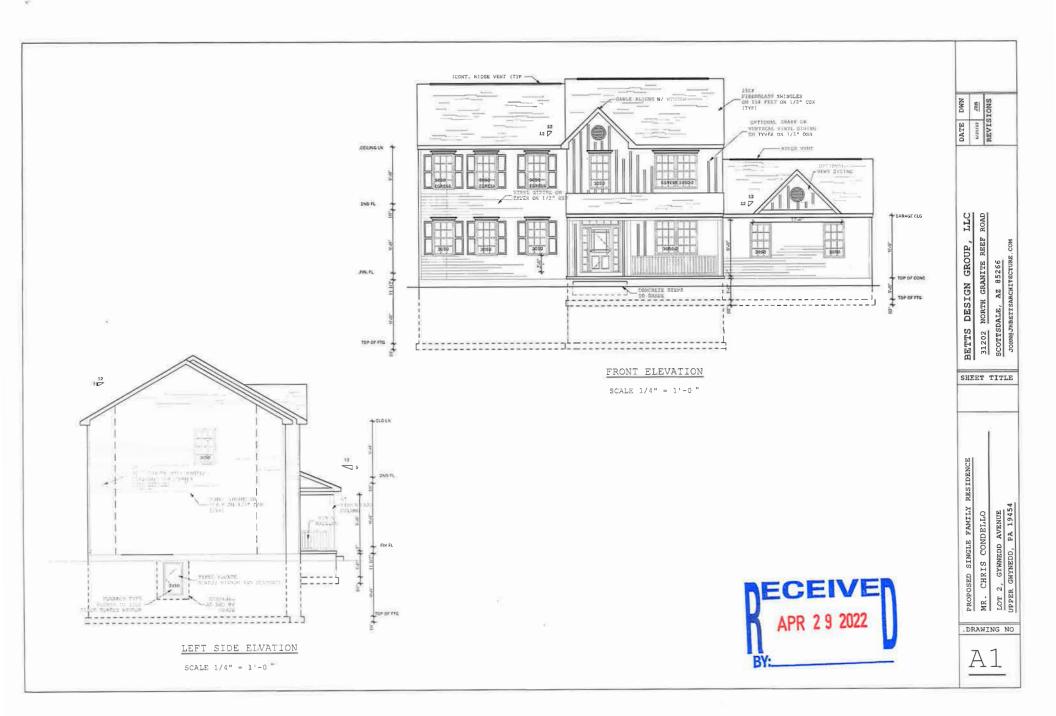
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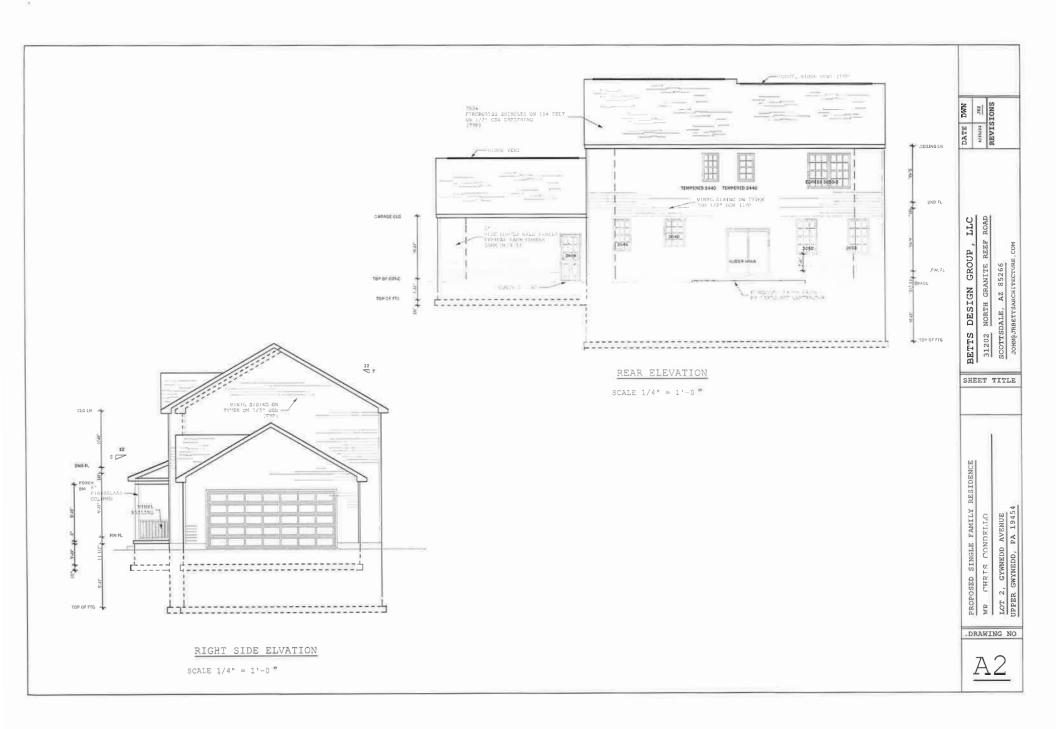
CUSTOMER	ADDRESS:
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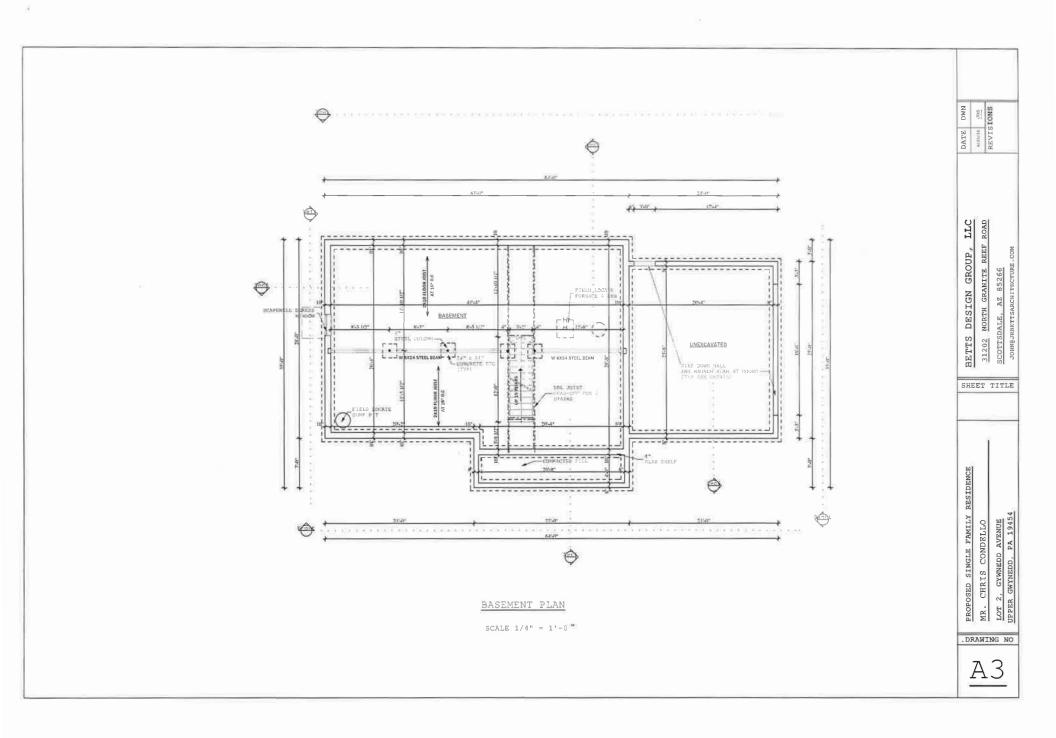
BUDDY GRATER WILLIAM H. GEISSELE AMY L. GEISSELE 800 EAST WALNUT ST NORTH WALES, PA 19454 610-272-2060 (H) 215-817-0376 (M)

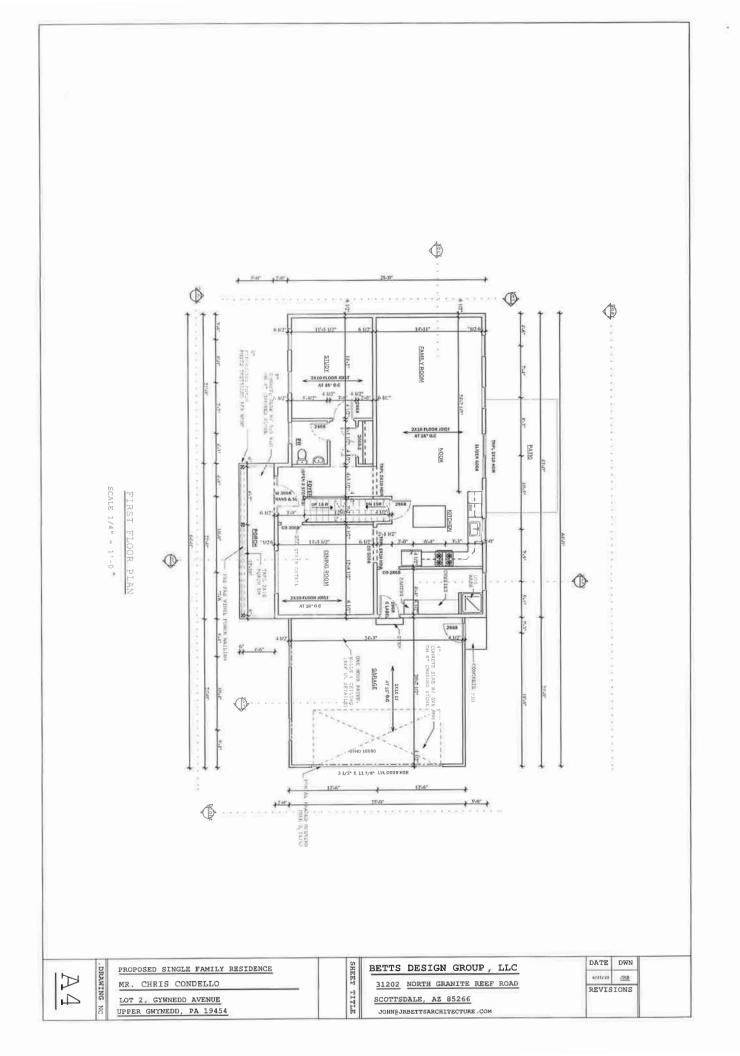
	4-18-2022					
	SHEET: Notes					
BUILDING SIZE: 30x38x15'-4"						
3	0x30x15-4					
DRAWN BY:	Job Number:					
HEIDI KLOCK	ODATED 4					
CHECKED BY:	GRATER-1					

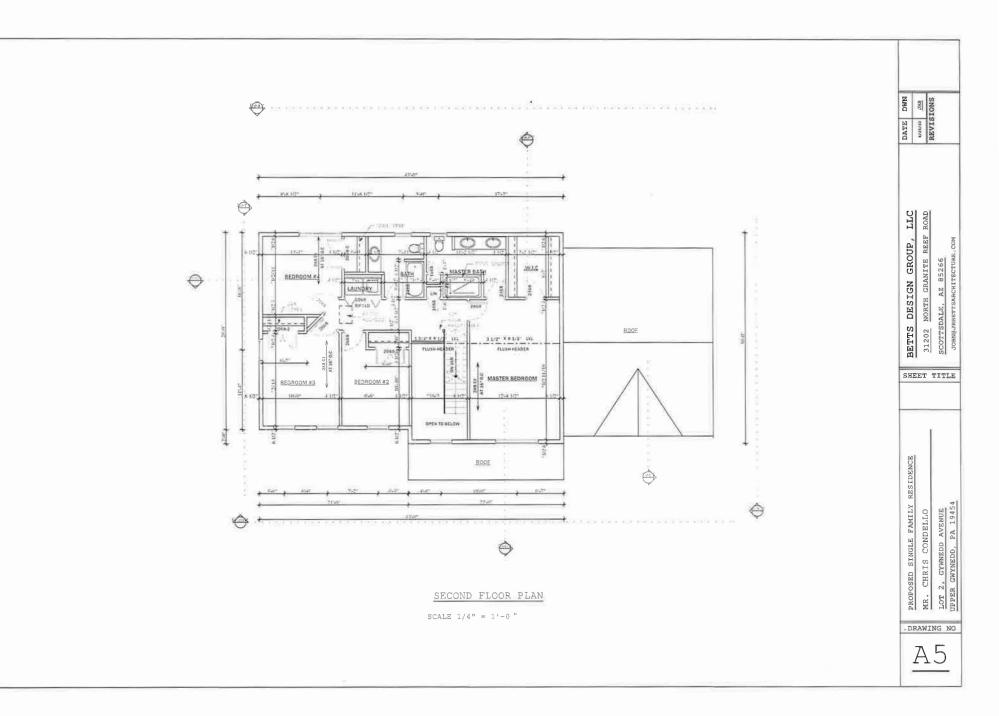
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ZONING HEAR	
UPPER GWYNED MONTGOMERY COUNT	
Zoning Ordinance of Novem	
	Check One Date: $4 26 22$
APPLICATION FOR VARIANCE(S)	Dute:
APPLICATION FOR SPECIAL EXCEPTION(S)	
APPEAL FROM ZONING OFFICER'S	· · · · · · · ·
DECISION/DETERMINATION(S)	*
PROPERTY ADDRESS/ Lot # 2	
PROPERTY ADDRESS/ LOC	P-7 to da til
LUCATION COLLYNEL OF THE AGEN LOT SIZE -	22,750 ZONING DISTRICT R-2 Residential
Check One (Applicant)	
/ Wwner	
Equitable Owner (under Agreement of Sale)	
Lessor	
Lessee	
Chine Con III	Check One check on lo
Applicant's Name: Chris Condello	Date Ownership Secured S/12/21
Address: 453 School Rd Blue Bell PA	Date of Agreement of Sale
	Date of Lease
Telephone:	
Contractor's or	Public Water Ves No
Agent's Name SAM C	Public Water Yes <u>No</u> No
Address	÷
Give full information as to Section of Zoning Ordinance involved and	
desired and why it should be granted. ZONINS Relief F	Rom 195-12 R-2 Residential
(B) AREA AND VARO REGULATION # 3.	And #5 FRONT REAR VAR d Setbacks.
A New Home has been Davis	- 1 to be built on this Lot AS
Per Oldal with a Frant Des	a to be bottle on the Read Rates
Ter plan, with A 1-wor pole	npicojection frod icente 14TIO
projection, it is not versible	ed to be built on this Lot AS in projection and REAR PAtio to shrink this house and maintain
FUNCTIONALITY Annligant's Sign	
FUNCTIONATITY Applicant's Sign Owner's signature, if Applicant Please Print Name	ature
is not Owner, agreeing to this	e: Chiris Condello
Application Attorney's Name	
Address	
Telepho	
-	
n 1.40 - 7	
Record of Secretary – Zon	ing Hearing Board
Application No Hearing Date(s)	Decision Date
VARIANCE(S) Granted	Denied
SPECIAL EXCEPTION(S) Granted	Denied
APPEAL Granted	
RESTRICTIONS/CONDITIONS (if any)	
4	
() Zoning Officer	
() Zoning Hearing Board	
() Board of Commissioners	of Company
() Zoning Solicitor Signature	e of Secretary



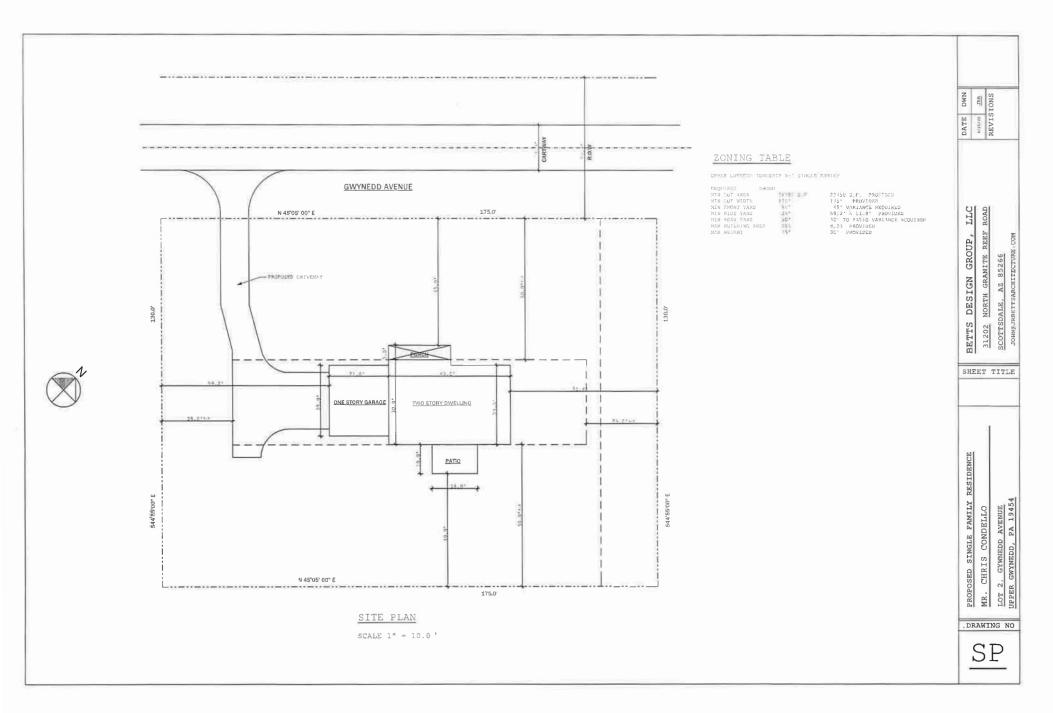








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ZONING HEARING BOARD UPPER GWYNEDD TOWNSHIP MONTGOMERY COUNTY, PENNSYLVANIA Zoning Ordinance of November 23, 1987 as Amended

		JUI 23, 1907 45 A.	mendeu		
APPLICATION FOR VARIAN APPLICATION FOR SPECIAL APPEAL FROM ZONING OFF DECISION/DETERMIN	EXCEPTION(S)	Check One	Date:	•	85
PROPERTY ADDRESS/ LOCATION 7 Maple Street	LOT SIZE	22,500 SFZON	NING DISTRICT	<u>R-2</u>	
Check One (Applicant) X Owner Equitable Owner (under Agreement Lessor Lessee	of Sale)				
			Check	One	
Applicant's Name: John and Laura Chinofsky Address: 7 Maple Street, North Wales, PA		Date Ownership Date of Agreem Date of Lease	Secured X(ent of Sale	<u>7/7/</u> 2000) 	
Telephone:					
Contractor's or Agent's Name <u>N/A</u>		Public Water Y Public Sewer Y	es <u>X</u> No es <u>X</u> No	-	8
Address					
	(m)				
	_				
	A		>		
Owner's signature, if Applicant	Applicant's Signa Please Print Nam		ROBERT	J. IANN	0221 Te
is not Owner, agreeing to this		\leq			
Application	Attorney's Name:		noszi Jr., Esquire		
主	Address: Telephor	1800 Pennb ne: 215-362-24		ite 200, Lansdale, PA	19446
-	Тегерно				
· Record	of Secretary – Zoni	ng Hearing Boar	d		
Application No Hearing Date(s)		Decision Da	ite		
VARIANCE(S)	Granted	Denied			
SPECIAL EXCEPTION(S)	Granted	Denied			
APPEAL	Granted	Denied			
RESTRICTIONS/CONDITIONS (if any)					
5°				2 a	
 () Zoning Officer () Zoning Hearing Board () Board of Commissioners () Zoning Solicitor 	Signature	of Secretary	ĸ		

CHINOFSKY APPLICATION SUPPLEMENT

Applicants and the Property

John and Laura Chinofsky ("Applicant") own the property located at 7 Maple Street ("Property"), within the Township's R-2 District ("District").¹ The Property, which consists of approximately 22,500 square feet (0.516 acres), is improved with an approximately 3,429 square-foot colonial-style single-family dwelling (initially constructed in 1955 and remodeled in 2005).

The Proposal

Applicants are proposing to construct a 1,304 square-foot building that will enclose a 648 square-foot therapy pool for their 12-year old special-needs son ("Proposal").² Applicants have found that water therapy has greatly assisted their son in dealing with his cerebral palsy and autism. The proposed pool enclosure will be attached to the single-family dwelling and located in the rear of the Property. The proposed enclosure will encroach 27.2 feet into the District's required 50-foot minimum rear-yard setback. The Proposal will be compliant with all other applicable District dimensional requirements, including associated front-yard/side-yard setbacks and building coverage.³

Requested Variance Relief

To facilitate the Proposal, Applicants request a variance from Article V, Section 195-12(B)(5) of the Township's Zoning Ordinance, as amended, ("Ordinance") relating to the District's required 50-foot minimum rear-yard setback.

Applicants' variance, if granted, will permit the proposed pool enclosure with a rear-yard setback of 22.8 feet where a minimum of 50 feet is required under the Ordinance.

In furtherance of this request, Applicants spoke with adjoining property owners and nearby neighbors about the Proposal and there are no known oppositions.

At the public hearing, Applicants will establish an entitlement to their requested variance through the presentation of substantive testimony and exhibits

¹ See Property's Deed and County Property Records, attached as Exhibit A.

² See Applicants' Zoning Exhibit, attached Exhibit B.

³ Id.

satisfying all relevant variance criteria as set forth in the Ordinance and Section 910.2 of Pennsylvania's Municipalities Planning Code.

Suffice it to say, however, Applicants assert:

- (1) The Property's limiting size and the single-family dwelling's location upon it are unique physical circumstances and conditions peculiar to it, and Applicants' claimed hardship is due to such physical circumstances and conditions;
- (2) Given such circumstances and conditions, the Property cannot be developed as proposed in strict conformity with the Ordinance and as such, Applicants' requested variance is necessary to enable the Property's reasonable use as proposed;
- (3) The Property's unique physical circumstances and conditions, and Applicants' resulting claimed hardship, are not self-created;
- (4) The variance needed to facilitate the Proposal will not: (a) alter the essential character of the area in which the Property is located; (b) substantially or permanently impair the use and development of adjacent property; and (c) be detrimental to the public welfare; and
- (5) The variance is (a) the minimum needed to afford relief and facilitate the Proposal; and (b) the least modification of the District's rear-yard setback requirement given the Proposal.

Additionally, Applicants assert that the proposed 22.8-foot rear-yard setback is significantly better than the 6-foot setback they will have to contend with if the pool enclosure is not attached to the principle dwelling as currently proposed.

10 St

EXHIBIT A Deed and County Property Records

DEED

File No.: P-27598R

「日日にいいない時にあるのかりまたのです

THIS INDENTURE made this 7th day of July, 2000

BEIWEEN A.E.S. Builders, a Pennsylvania General Partnership (hereinaft called the Grantor/s), of the one part and

John E. Chinofsky and Laura Chinofsky, husband and wife (hereinafter called the Grantee/s), of the other part,

WITNESSETH, That in consideration of ONE HUNDRED THIRTY SEVEN THOUSAND HUNDRED FIFTY AND 00/100 Dollars, (\$137,250.00) in hand paid, the recei whereof is hereby acknowledged, the said Grantor/s do/does hereby gran convey/s unto the said Grantee/s, his/her/their/its heirs/executors an assigns,

ALL THOSE THREE CERTAIN lots or pieces of land situate in the Town Upper Gwynedd, County of Montgomery and State of Pennsylvania, being I #259, 260, and 261 on a Planof Pennbrook #1 as same is recorded at Nor Montgomery County, Pennsylvania in Deed Book 348, page 408.

BEGINNING at the intersection of the southeasterly side of Maple ϵ and the northeasterly side of 16th Avenue (40 feet wide).

CONTAINING in front or breadth on Maple Street one hundred fifty i extending southeastwardly one hundred fifty feet.

BEING No. 7 Maple Street, North Wales.

BEING COUNTY PARCEL NO. 56-00-05209-00-9.

UNDER AND SUBJECT to Conditions and Restrictions as now appear of

BEING THE SAME PREMISES WHICH Ocwen Federal Bank, FSB granted and unto A.E.S. Builders, a Pennsylvania General Partnership, by deed date 23, 1999 and recorded in Deed Book 5282, page 981, Montgomery County I

AND the said Grantor/s do/does hereby covenants to and with the said (that he/she/they/it, the said Grantor/s, for himself/herself/themselv their heirs/executors and assigns, SHALL AND WILL SPECIALLY, Warrant ; forever Defend the herein above described premises, with the hereditar appurtenances, unto the said Grantee/s his/her/their/its heirs/executor assigns, against the said Grantor/s and against every other person lar claiming or who shall hereafter claim the same or any part thereof, b or under he/she/them/it or any of them. IN WITNESS WHEREOF, the unid Grantor/s has/have caused these presents duly executed, the day and year first above written.

SEALED AND DELIVERED in the presence of:

1947324

sortiers, (SEAL) Builders

Commonwealth of Pennsylvania:

County of Berks

On this, the 7th day of July, 2000, before me, the undersigned off personally appeared A.E.S. Builders, a Pennsylvania General Partnershi to me (or satisfactorily proven) to be the person/s whose name/s is/ar subscribed to the within instrument and acknowledged that he/she/they the same for the purposes therein contained.

Notary Public

88

albert Schultz adam sailor NOTARIAL SEAL KAREN S. DRAWBAUGH, Notary Public Wyomlasing, Berks County My Commission Expires May 29, 2001

The address of the Grantee is:

ople stract north wooles 194154

MONTGOMERY COUNTY COMMISSIONERS REGISTRY 56-00-05209-00-9 UPPER GWYNEDD 7 MAPLE ST A ES BUILDERS B 056 U 016 L 1101 DATE: 07/14/00

4/27/22, 9:40 AM

PARID: 560005209009 CHINOFSKY JOHN E & LAURA

Sale Date Sale Price	Tax Stamps Deed Book and	Page Grantor Grantee	Date Recorded
Sales History			
Date Recorded		14-JUL-00	
Grantee		CHINOFSKY JOHN E & LAURA	
Grantor			
Deed Book and Page		5323-00749	
āx Stamps		1372	
Sale Price		\$137,250	
Gale Date		07-JUL-00	
ast Sale			
Tax Lien		Tax Claim Bureau Parcel Search	
Fotal		6,357	
School District		5,191	
Municipality		353	
Montco Community College		74	
County		739	
Estimated Taxes			
188,500	188,	,500	
Appraised Value	Asse	essed Value	Restrict Code
Current Assessment			
Mailing Address		NORTH WALES PA 19454	
Mailing Address			
Care Of			
Mailing Address		7 MAPLE ST	
Name(s)			
Name(s)		Chinofsky John E & Laura	
Owner			
Utilities		PUBLIC WATER/SEPTIC/	
School District		NORTH PENN	
Municipality		UPPER GWYNEDD	
Front Feet		150	
Lot Size		22500 SF	
Lot #			
Property Location		7 MAPLE ST	
Land Use Description		R - SINGLE FAMILY	
Land Use Code		1101	
Parid		56-00-05209-00-9	
TaxMapID		56056 016	

Sale Date	Sale Price	Tax Stamps	Deed Book and Page	Grantor	Grantee	Date Recorded
07-07-2000	\$137,250	1372	5323-00749		CHINOFSKY JOHN E & LAURA	07-14-2000
07-23-1999	\$70,000	700	5282-00981		A ES BUILDERS	08-04-1999
05-26-1999	\$69,901	699	5282-00979		OCWEN FEDERAL BANK FSB	08-04-1999
06-18-1998	\$1,204	0	5230-00357		WMFC 1997-4 PROPERTIES INC	06-22-1998

4/27/22, 9:40 AM

03-21-1988	\$1	0	4868-00435	
04-16-1981	\$61,900	619		
08-29-1975	\$45,500	0		

Montgomery, Pennsylvania MARSHALL WILLIAM E

MARSHALL WILLIAM E & ANASTASIA HUNSBERGER ROBT W & SANDRA 03-23-1988

Lot Information

Lot Size	22500 SF	
Lot #		
Remarks	L 259-260-261	
Remarks		
Remarks		

Residential Card Summary

Card	1	
Land Use Code	1101	
Building Style	COLONIAL	
Number of Living Units	1	
Year Built	1955	
Year Remodeled	2005	
Exterior Wall Material	ASBESTOS	
Number of Stories	2	
Square Feet of Living Area	3,429	
Total Rms/Bedrms/Baths/Half Baths	8/3/4/1	
Basement	FULL	
Finished Basement Living Area		
Rec Room Area	800	
Unfinished Area		
Wood Burning Fireplace		
Pre Fab Fireplace		
Heating	CENTRAL WITH A/C	
System	HOT WATER	
Fuel Type	OIL	
Condo Level		
Condo/Townhouse Type		
Attached Garage Area	783	
Basement Garage No. of Cars		

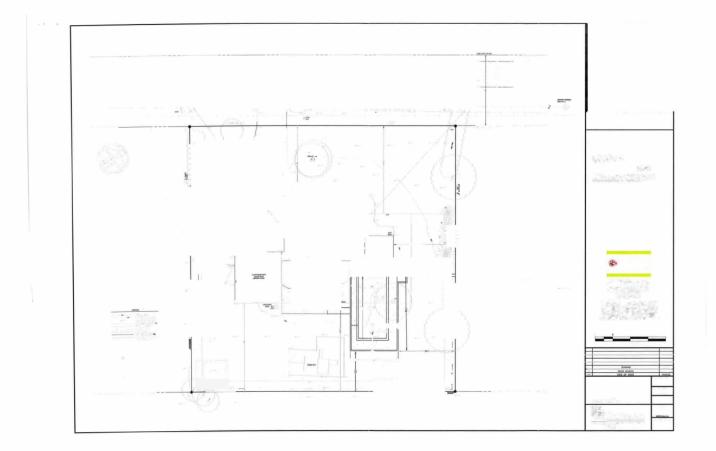
Accessory Structures

Card	Туре	Туре				Size	Year Built	
1	RG1	FRAME OR CB DETACHE	ED GARAGE			300	1955	
Permits								1 of 3
Permit Date			29-SEP-2006					
Permit Numi	ber		06-159					
Amount			50000					
Purpose			GARAGE					
Notes								
Notes								
Notes					a.			
Status			CLOSED					
Assessme	ent History	,						
Appralsed Va	alue	Assessed Value	Restrict Code	Effective Date	Reason		Notice Dat	e

https://propertyrecords.montcopa.org/pt/Datalets/PrintDatalet.aspx?pin=560005209009&gsp=PROFILEALL&taxyear=2022&jur=046&ownseq=0&card... 2/3

4/27/22, 9:40 AM			Montgomery, Pennsylvania			
	188,500	188,500	01-APR-07	GARAGE	07-MAY-07	
	164,330	164,330	01-JAN-06	ADDITION	06-MAR-06	
		164,330	01-JAN-06	ADDITION		
		129,010	01-JAN-98	REASSESSMENT		
		7,300	01-JAN-87			

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EXHIBIT B Zoning Exhibit

