

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

APPLICATION FOR VARIANCE(S) **Check One** Date: 5/15/2020
 APPLICATION FOR SPECIAL EXCEPTION(S) _____
 APPEAL FROM ZONING OFFICER'S _____
 DECISION/DETERMINATION(S) _____

PROPERTY ADDRESS/ LOCATION 779 Sumneytown Pike 783 Sumneytown Pike 153,978 s.f (gross) 129,874 s.f. (net) **LOT SIZE** R-2 **ZONING DISTRICT**

Check One (Applicant)
 Owner
 Equitable Owner (under Agreement of Sale)
 Lessor
 Lessee

Applicant's Name: Carmichael Associates, L.P. **Check One**
404 N. Sumenytown Pike, Suite 200 **Date Ownership Secured**
North Wales, PA 19454 **Date of Agreement of Sale** 11/30/17
Telephone: 215-699-0800 **Date of Lease** _____

Contractor's or Agent's Name Christopher R. Canavan **Public Water** Yes No _____
404 N. Sumeriytown Pike, Sulte 200 **Public Sewer** Yes No _____
 Address North Wales, PA 19454

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.

See attached.

Jeppy
By: Mad P... Partner
 Owner's signature, if Applicant is not Owner, agreeing to this Application

Applicant's Signature *Christopher R. Canavan*
 Please Print Name: Christopher R. Canavan
 Attorney's Name: Bernadette A. Kearney, Esq. / HRMM&L
 Address: 375 Morris Road, PO Box 1479, Lansdale, PA 19446
 Telephone: 215-661-0400

Record of Secretary – Zoning Hearing Board

Application No. _____ Hearing Date(s) _____ Decision Date _____

VARIANCE(S)	Granted _____	Denied _____
SPECIAL EXCEPTION(S)	Granted _____	Denied _____
APPEAL	Granted _____	Denied _____

RESTRICTIONS/CONDITIONS (if any)

- () Zoning Officer
- () Zoning Hearing Board
- () Board of Commissioners
- () Zoning Solicitor

Signature of Secretary _____

Zoning Attachment

Property Address/Location

779 Sumneytown Pike: Parcel #56-00-08323-00-9; Block 11, Unit 13

783 Sumneytown Pike: Parcel# 56-00-08326-00-6; Block 11, Unit 12

The properties are located along Sumneytown Pike across from Merck's parking lot.

Together, the lot area is 153,978 s.f (gross) and 129,874 s.f. (net)

The Applicant is proposing seventeen (17) townhomes on the consolidated property as shown on the attached plan. Thirty-four (34) parking spaces are required and the Applicant is proposing 60 parking space.

The Applicant is requesting a variance from Section 195-12.A. to allow the proposed single-family townhouse dwelling units with the dimensional criteria set forth on the Plan, and any other necessary relief required. Although each individual unit does not meet all of the dimensional requirements of the R-2 zoning district, the overall development of the proposed townhomes meets the dimensional requirements of the R-2 zoning district as shown on the Plan. The properties are unable to be reasonably developed for R-2 uses. The properties front on heavily traveled Sumneytown Pike, across from Merck's parking lot. The other uses along Sumneytown Pike, include the adjacent institutional nursing home, Gwynedd Healthcare & Rehabilitation Center (773 Sumneytown Pike); a dentist office (781 Sumneytown Pike); Kieffer's Appliance (785 Sumneytown Pike); Dunkin Donuts (787 Sumneytown Pike) and a CVS Pharmacy (799 Sumneytown Pike).

The Board of Commissioner adopted Ordinance No 2018-012, the Sumneytown Pike In-Fill and Traffic Management Overlay District on 12/17/2018. The Overlay District has not been applied to any properties in the Township. The Overlay District recognizes that there is a need to provide development/redevelopment opportunities, to improve the overall appearance of the Township, to improve traffic safety and reduce congestion along a selective distance of Sumneytown Pike. The subject properties are a part of the selective distance along Sumneytown Pike. The Overlay District permits multiple-family dwellings at a density not to exceed 8 dwelling units per developable acre by conditional use. The Overlay District also permits uses of the same general character by conditional use. The proposed single-family townhouse dwelling units are of the same general character as multiple-family dwellings and the proposed density is 5.66 dwelling units per developable acre. The proposed redevelopment of the Property will improve the overall appearance of the Township.

The requested relief to allow the townhouse development will not adversely affect the public health, safety or welfare and is the minimum to afford relief.

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT made this 30 day of November, 2017 and effective on the last date endorsed by the parties hereto (the "Effective Date"), by and between **CARMICHAEL ASSOCIATES, L.P.**, having an address of 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 ("Buyer") and **JEPPY**, a Pennsylvania general partnership, having an address of 411 Carmichael Drive, North Wales, PA 19454 ("Seller").

Basis of Agreement

A. Seller is the owner of all that certain lot or piece of ground known as 779 & 783 Sumneytown Pike, Upper Gwynedd Township, Montgomery County, Commonwealth of Pennsylvania County Parcel Nos. 56-00-08323-00-9 & 56-00-08326-00-6, consisting of 3.43 acres of ground, more or less, together with full right of ingress and egress from and to fully improved public roads, ("Premises"), as more fully described in Exhibit "A", attached hereto and incorporated herein by reference.

B. Buyer desires the right to purchase the Premises upon certain terms and conditions as more fully set forth herein.

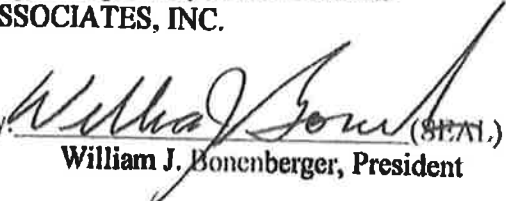
NOW, THEREFORE, intending to be legally bound hereby and in consideration of the mutual covenants, conditions and promises hereinafter set forth, Buyer and Seller ("Parties") agree as follows:

ARTICLE I. PURCHASE AND SALE OF THE PREMISES.

A. Seller agrees to sell, and Buyer agrees to buy the Premises, subject to the satisfaction or waiver by Buyer of the conditions hereinafter set forth in Articles 2 and 7 hereof, and in accordance with the terms and conditions of this Agreement.

CARMICHAEL ASSOCIATES, L.P., by
its general partner, CARMICHAEL
ASSOCIATES, INC.

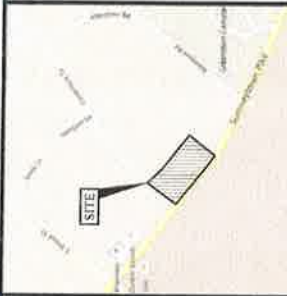
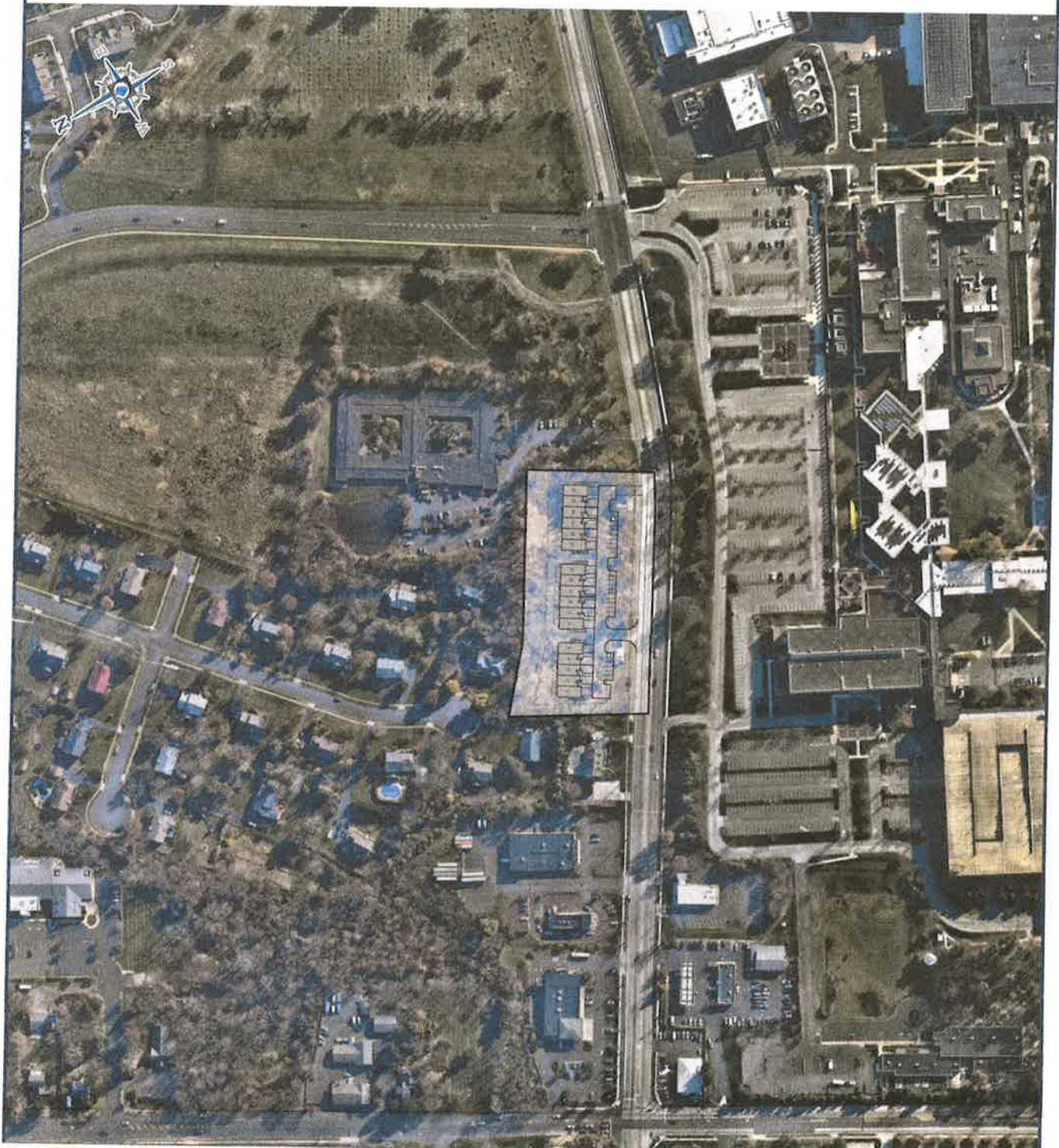
Date: 11/30/17

By:  (S1771.)
William J. Bonenberger, President

SELLER hereby accepts the offer of Buyer herein and agrees to be legally bound by the terms hereof, this 30th day of November, 2017. We certify that we have delivered two fully executed counterparts of this Agreement to Buyer, or its representative, as of said date and said date shall constitute the Effective Date hereunder.

Date: 11/30/17


Peppy, Partnership



ZONING PLAN GENERAL NOTES
 1. THIS ZONING PLAN GENERAL NOTE IS A SUPPLEMENT TO THE ZONING PLAN AND SHALL BE CONSIDERED PART OF THE ZONING PLAN. ANY CONFLICTS BETWEEN THIS ZONING PLAN GENERAL NOTE AND THE ZONING PLAN SHALL BE RESOLVED IN FAVOR OF THE ZONING PLAN.
 2. THE ZONING PLAN IS INTENDED FOR CONCEPTUAL, PRELIMINARY, AND PRELIMINARY DESIGN ONLY. IT IS NOT INTENDED TO BE USED FOR FINAL DESIGN, PERMITTING, OR CONSTRUCTION. THE ZONING PLAN IS NOT A CONTRACT AND DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ZONING PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT LIABILITY TO THE ENGINEER.
 3. THE FOLLOWING DOCUMENT HAS BEEN INCORPORATED BY REFERENCE AND IS PART OF THIS ZONING PLAN:
 SITE IMPROVEMENT PLAN
 SITE DEVELOPMENT & UTILITIES
 CIVIL ENGINEERING
 DATE: 05/18/2022

SITE DATA
 UNPLANNED TOWNHOME DEVELOPMENT
 ZONED AS RESIDENTIAL (SINGLE-FAMILY)
 1.1 AC
 1.1 AC
 1.1 AC

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PROPOSED TOWNHOME BUILDING DEVELOPMENT
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BOHLER
 SITE CIVIL AND CONSULTING ENGINEERING
 PROGRAM MANAGEMENT
 LAND SURVEYING
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT
1	11/15/21	CONCEPT REVISIONS
2	05/18/22	FINAL REVISIONS

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 Call Before You Dig
 1-800-4-A-DAWG
 www.811.com

ZONING PLAN
 FOR
CARMICHAEL ASSOCIATES, LP
 PROPOSED TOWNHOME BUILDING DEVELOPMENT
 1.1 AC
 1.1 AC
 1.1 AC

BOHLER
 1600 MANOR DRIVE, SUITE 200
 MONTGOMERY, AL 36102
 PHONE: 205.833.1100
 WWW.BOHLENGROUP.COM

R.E. KLOS, JR.
 REGISTERED PROFESSIONAL ENGINEER
 1600 MANOR DRIVE, SUITE 200
 MONTGOMERY, AL 36102
 PHONE: 205.833.1100
 WWW.BOHLENGROUP.COM

AERIAL PLAN
 SHEET NO. 2
 REVISION: 11/15/2021