

ERECTED INTO A TOWNSHIP IN 1733  
**TOWNSHIP OF WORCESTER**  
AT THE CENTER POINT OF MONTGOMERY COUNTY  
PENNSYLVANIA

1721 Valley Forge Road  
P.O. Box 767  
Worcester, PA 19490

Phone (610) 584-1410  
Fax (610) 584-8901

**THIS SECTION COMPLETED ONLY BY TOWNSHIP:**

APPEAL NO. : 16-08      DATE FILED: 10/26, 20 16

APPLICATION:       BOARD OF SUPERVISORS  
                          ZONING HEARING BOARD

RECEIVED  
OCT 26 2016

1. Date of Application: \_\_\_\_\_
2. Classification of Appeal (Check one or more, if applicable):
- a. Appeal from the Zoning Officer's Determination
  - b. Request for Variance
  - c. Request for Special Exception
  - d. Challenges to the Validity of Zoning Ordinance or Map
  - e. Request for Conditional Use Hearing
  - f. Request for Amendment to Zoning Map
  - g. Request for Zoning Ordinance Amendment
  - h. Request for a Curative Amendment
  - i. Request for other relief within the Jurisdiction of the Zoning Hearing Board as established in Section 909.1(a) of the Pennsylvania Municipalities Code

3. Applicant:
- a. Name: Robert E. Hayes & Winifred S. Hayes
  - b. Mailing address: 3033 Fisher Road Lansdale, PA 19446
  - c. Telephone number: 610-584-0371
  - d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: \_\_\_\_\_ **(REQUIRED)**
- Please attach Deed to prove ownership, an Agreement of Sale to prove equitable ownership, or an Affidavit allowing Tenant to apply for necessary relief.**

4. Applicant's attorney, if any:
- a. Name: \_\_\_\_\_
  - b. Address: \_\_\_\_\_
  - c. Telephone number: \_\_\_\_\_

5. Property Details:

- a. Present Zoning Classification: R-175
- b. Present Land Use: Single Family Residential
- c. Location (Street Address):  
3033 Fisher Road Lansdale, PA 19446
- d. Parcel #: 67-00-01159-00-7
- e. Lot Dimensions:
  - (1) Area: 113,823 Sq. Ft.
  - (2) Frontage: 196.17 Ft.
  - (3) Depth: 575.92 Ft.
- f. Circle all that apply in regards to the above specified property:  
Public Water                  Public Sewer  
  
Private Well                  Private Septic
- g. Size, construction, and use of existing improvements; use of land, if unimproved: **(Please submit as an attachment)**

6. Proposed Use(s):

- a. Proposed use(s) and construction: Please provide size, construction and proposed use(s). **(Please submit as an attachment)**

7. Legal grounds for appeal (Cite specific sections of Pennsylvania Municipalities Planning Code, Zoning Ordinance, Subdivision Regulations, and/ or other Acts or Ordinances). All sections that apply must be listed in which relief is required and an explanation provided. **(Please submit as an attachment)**

8. Has any previous appeal been filed concerning the subject matter of this appeal?  
 Yes     No

If yes: specify: **(Please submit as an attachment)**

9. Challenges please list requested issues of fact or interpretation:  
**(Please submit as an attachment)**

10. Worcester Township to provide the list of names and addresses of all property within 500 feet of the perimeter of the subject property. **(REQUIRED: SECTION 150-224)**

**CERTIFICATION**

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge, information or belief.

Robert E. Hayes Jr.  
Signature  
Winifred S. Hayes  
Signature

Robert E. HAYES JR.  
Printed Name  
Winifred S. Hayes  
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Montgomery : SS

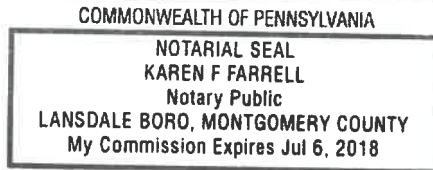
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

Rose Hayes  
Applicant

Christine Hayes  
Applicant

Sworn to and subscribed before me this 26 day of October, 2014

Karen F. Farrell  
Notary Public



Date Received: 10/26/16 [Signature]  
Zoning Officer

§ 150-177 Accessory uses and structures.

[Amended 4-17-1996 by Ord. No. 146; 8-21-1996 by Ord. No. 150; 7-21-2004 by Ord. No. 200; 7-21-2004 by Ord. No. 201; 12-20-2006 by Ord. No. 212; 5-16-2007 by Ord. No. 215; 12-15-2010 by Ord. No. 227; 12-19-2012 by Ord. No. 239]

A.

Accessory uses and structures to a single-family detached residential use shall be regulated as follows:

(1)

In the AGR, R-175, and R-AG-175 districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located behind the building line and no closer than 15 feet to the side and rear property lines. In all other districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located behind the building line and within the building envelope, except that where the required size of the rear yard is greater than 10 feet, said accessory structures may be erected in the rear yard not closer than 10 feet to the rear property line. Accessory structures in any district shall not be higher than 15 feet.

(2)

Private garages (whether attached or detached) may not encroach on any yard setback and must be located entirely within the building envelope of the lot on which they are located. Attached garages shall not exceed the height restriction for principal buildings in the applicable zoning district, and detached garages shall not exceed 20 feet in height.

(3)

Private swimming pools shall be constructed in accordance with the applicable Township ordinances, and shall be located entirely within the rear yard of the lot on which the pool is located and at least 10 feet behind the closest part of the main building. However, in no case shall the distance from the pool to the side or rear property line be less than 25 feet. In the AGR, R-175, and R-AG-175 districts, the distance from the pool to the side and rear property lines shall be not less than 50 feet. The water edge shall be the line for measurement of these setbacks. All filters, heaters and accessory structures incidental thereto shall meet the same setback criteria. Freestanding spas and hot tubs shall be exempt from the requirement to be located at least 10 feet behind the closest part of the main building.

(4)

Private tennis courts and private sports courts and all facilities incidental thereto shall be located on a lot 60,000 square feet or larger and in the rear yard only. Except as set forth below for lighted courts, a private tennis court shall not be less than 50 feet from the side and rear property lines, and a private sports court shall not be less than 75 feet from the side and rear property lines. A vegetative screening landscape buffer in accordance with the Worcester Township Landscape Ordinance requirements for rear and side yards as set forth in § 130-28 of the Worcester Township Subdivision and Land Development Ordinance shall be provided for all private tennis courts and private sports courts and all facilities

incidental thereto. To the extent required by the Township Engineer, all tennis courts and sports courts shall have stormwater management facilities. All required stormwater management facilities shall be approved by the Township Engineer. The lighting of a private tennis court or private sports court shall conform to § 150-200. Any lighted private tennis court or sports court shall not be less than 100 feet from the side and rear property lines. No tennis court or sports court shall be illuminated after 9:00 p.m. Sunday through Thursday, or after 10:00 p.m. on Friday and Saturday.

(5)

Private stables for the keeping of horses and livestock shall be permitted on properties having a gross lot area of three acres or more. A gross lot area of three acres shall allow a maximum of two large animals (e.g., horses, cattle, llamas). Two small animals (e.g., goats, sheep, mini horses, ponies, yearling horses or cattle, donkeys) shall be the equivalent of one large animal. Each additional acre of gross lot area shall allow the keeping of one additional large animal or the equivalent. All grazing areas shall be suitably fenced to contain the animals at all times. All buildings and structures (including rings, but not including fencing) used for the housing, stabling, training, and recreational enjoyment of such animals shall be located within the building envelope and shall be no higher than 35 feet.

(6)

Decorative structures such as garden trellises, arbors, statues, benches, and the like, but specifically not including storage units, sheds, greenhouses, or other work areas, may be located no closer than 15 feet to any property line, but not within the ultimate right-of-way of any road.

(7)

Private mailboxes shall be located as required by the United States Postal Service. Private newspaper boxes may be located adjacent to private mailboxes and no closer to the cartway than a private mailbox.

(8)

Private driveways shall be regulated by § 150-155, and private parking spaces shall be regulated by § 150-153.

(9)

Structures associated with public or private utilities (such as water, stormwater, sanitary waste, power, fuel, telephone, and cable) to serve permitted agricultural and single-family residential uses shall be exempt from the setbacks in this section.

This Indenture Made this 4th day of June 19 87

Between

THOMAS M. LANDIN AND JOHANNA S. LANDIN, HIS WIFE

(hereinafter called the Grantors ),

ROBERT E. HAYES AND WINIFRED S. HAYES, HIS WIFE

(hereinafter called the Grantees ),

Witnesseth That the said Grantor for and in consideration of the sum of TWO HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED (\$282,500.00) DOLLARS lawful money of the United States of America, unto them well and truly paid by the said Grantee s, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, doth granted, bargained and sold, released and confirmed, and by these presents doth grant, bargain and sell, release and confirm unto the said Grantee s, their heirs and assigns, as tenants by entirities

Witnesseth

010295

2825.00  
2825.00  
*[Signature]*

13.50  
2.72

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Township of Worcester, County of Montgomery and Commonwealth of Pennsylvania being bounded and described according to a Plan of Subdivision #1, prepared for Henry W. Jendricks and Mary Ellen, his wife, by Herbert H. Metz, Inc., Civil Engineers and Surveyors, dated 6/7/1972, as follows, to wit:

BEGINNING at a point in the centerline of Fisher Road, as presently laid out, which point is measured North 52 degrees 20 minutes West 555.75 feet from a point of intersection of said centerline with the centerline of Valley Forge Road; thence from said point of beginning, extending along the said centerline of Fisher Road North 52 degrees 20 minutes West 371.34 feet to a point, a corner of Lot No. 2 on said plan; thence extending along the same the three following courses and distances, vis: (1) North 37 degrees 40 minutes East 292 feet to a point; (2) North 08 degrees 21 minutes 45 seconds West 76.43 feet to a point; (3) North 37 degrees 40 minutes East 230 feet to a point in line of lands now or late of Grace Jeanette Weigner et al; thence extending along the same South 52 degrees 47 minutes 29 seconds East 400.43 feet to a point in line of lands now or late of Edward Synaki; thence extending along the same South 35 degrees 06 minutes West 578.85 feet to the first mentioned point and place of beginning.

BEING lots 3 and 4 on said plan.

TOGETHER with the free and common use of a 20 feet wide easement extending along the rear line of Lot No. 2, along line of lands now or late of Grace Jeanette Weigner et al, as a passageway between Lots 1 and 3 and 4 on said plan.

BEING PARCEL NO. 67-00-01159-00-7 (lot 3), 67-00-01159-50-2 (lot 4)

BEING THE SAME PREMISES which William J. Callnin and Susan M. Callnin, his wife, by Deed dated 4/12/1979 and recorded in Montgomery County in Deed Book 4402 page 204, granted and conveyed unto Thomas M. Landin and Johanna S. Landin, his wife, is fee.

**Together** with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, 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 hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever. as tenants by entireties

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
 67-09-01159-00-7 WORCESTER DBK 4402  
 FISHER RD PG 0204  
 LANDIN THOMAS M & JOHANNA S  
 S 028 U 055# 1108 DATE 6/09/87

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
 67-09-01159-50-2 WORCESTER DBK 4402  
 FISHER RD PG 0204  
 LANDIN THOMAS M & JOHANNA S  
 S 028 U 056# 2408 DATE 6/09/87

250 m



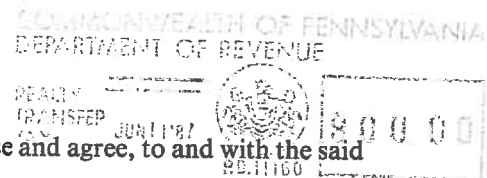
(SPECIAL WARRANTY)

**And** the said Grantors, for themselves, their executors, administrators and assigns do thby these presents, covenant, grant and agree, to and with the said Grantees their heirs 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 Grantees, their 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 him, her or any of them, shall and will  
**WARRANT and forever DEFEND.**

OR

the said

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



the said has 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.

**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 Delibered**  
 IN THE PRESENCE OF US:

*Suzanne C. Terrier*  
 COMMUNWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF REVENUE  
 REALTY TRANSFER TAX JUN 11 1987 \$125.00

*Thomas M. Landin*  
 Thomas M. Landin  
*Johanna S. Landin*  
 Johanna S. Landin

BUR: 484061283

(TRUSTEES' WARRANTY)

C-870-916 SMC

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF Montgomery )SS.

On this, the 4<sup>th</sup> day of June, A.D. 19 87, before me,  
the undersigned officer, personally appeared Thomas M. Landin and Johanna S. Landin, his wife  
known to me (or satisfactorily proven) to be the persons whose names are is (are) subscribed to the within  
instrument, and acknowledged that they executed the same for the purposes therein contained.  
In Witness Whereof, I hereunto set my hand and official seal.

*Suzanne C. Ferrier*  
Notary Public

My Commission Expires:

SUZANNE C. FERRIER, Notary Public  
Lower Prov. Twp., Montg. Co., PA  
My Commission Expires May 8th, 1989

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:

PLEASE RETURN:  
S.M.C. ABSTRACT CO., INC.  
1811 RIDGE PIKE  
LIMERICK, PA 19468



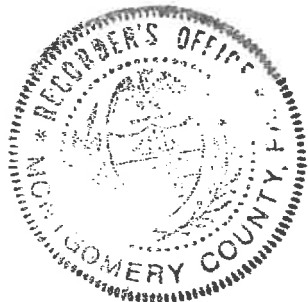
THOMAS M. LANDIN AND JOHANNA S.  
LANDIN, HIS WIFE

TO:

ROBERT E. HAYES AND WINIFRED  
S. HAYES, HIS WIFE

PREMISES:  
3033 Fisher Road  
Worcester Township  
Montgomery County  
Pennsylvania

CLT-2896



Montgomery County, S. S.  
Recorded in the Office for Recording of Deeds & c.  
In and for said county in Deed book  
No. 4840 Page 1282 & c.  
Witness my hand and seal of office this 11th  
day of June 19 87  
*James R. Price*  
Recorder

The address of the above-named Grantee  
is 3033 Fisher Road  
Worcester, PA 19380  
On behalf of the Grantee

BOOK: 4840 PG 1284