

**BEFORE THE ZONING HEARING BOARD OF WORCESTER TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

IN RE: APPLICATION OF
COUNTY OF MONTGOMERY and
ALAN ROTHENBERGER and
KIM ROTHENBERGER

NO. 2017-03
APPLICATION FOR SPECIAL EXCEPTION

DECISION

The Applicants/Owners, County of Montgomery and Alan Rothenberger and Kim Rothenberger, propose to change the nonconforming use of an existing woodworking and manufacturing use to warehouse and storage at 2865 Skippack Pike, Worcester Township, Parcel Nos. 67-00-03238-12-4, 67-00-03238-10-6, and 67-00-03238-11-5, in the LPD – Land Preservation Zoning District.

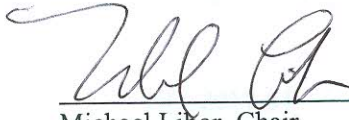
A public hearing on the above Application was held on March 21, 2017 at 6:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Pennsylvania, pursuant to Notice as required by the Worcester Township Zoning Ordinance, as amended (hereinafter “Zoning Ordinance”) and the Pennsylvania Municipalities Planning Code. Upon consideration of the evidence and testimony presented regarding the Application, the Zoning Hearing Board of Worcester Township enters the following Order:

ORDER

(1) A special exception under Section 150-163 of the Zoning Ordinance, so as to permit the change of nonconforming use of an existing woodworking and manufacturing use to warehouse and storage, is GRANTED, subject to the following conditions:

1. This approval is conditioned upon the County's acquisition of the Rothenberger parcels as presented.
2. The special exception approval applies only to Parcel No. 67-00-03238-12-4 currently owned by the County, Parcel No. 67-00-03238-10-6 to be acquired by the County, and that portion of Parcel 67-00-03238-11-5 to be acquired by the County.
3. The Applicants shall comply with all requirements set forth in the Township Solicitor's correspondence dated March 16, 2017.
4. The Applicants shall apply for and obtain all applicable Township, County and State permits and approvals relative to the change of use in a timely manner.
5. All use and development permitted by this Decision shall conform to the exhibits and testimony presented by the Applicants, unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.
6. Except as permitted by prior Decisions of this Board, the use of the subject property shall otherwise comply with the Worcester Township Code, including, but not limited to, all storm water management, fencing, setback, parking, lighting, sign and noise regulations, and all other codes, regulations and ordinances of Worcester Township.
7. Pursuant to Section 150-225 of the Worcester Township Zoning Ordinance, a special exception or variance shall expire if the Applicant fails to obtain a permit in connection therewith within one (1) year of the date of authorization thereof. When land development/subdivision approval is required, the special exception or variance shall expire if the Applicant fails to make a diligent effort to obtain such approval within six (6) months following the date of the Zoning Hearing Board's Order. Upon receipt of land development/subdivision approval, the special exception or variance shall expire if a building permit is not obtained within six (6) months of the date of the land development/subdivision approval.

WORCESTER TOWNSHIP ZONING HEARING BOARD



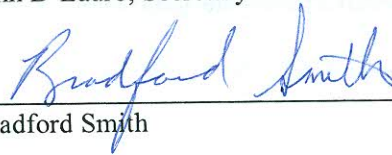
Michael Libor, Chair



Caesar Gambone, Vice Chair



John D'Lauro, Secretary



Bradford Smith

Order Entered: 4/18/17

Circulation Date: 4/18/17

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the Circulation Date set forth above. The Board reserves the right to prepare Findings of Fact and Conclusions of Law in support of this Decision if an appeal is filed.