

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

850.⁰⁰
RECEIVED
MAR 28 2022
RECEIVED
Phone (610) 584-1410
Fax (610) 584-8901

THIS SECTION COMPLETED ONLY BY TOWNSHIP:

APPEAL NO.: ZHB 22-05 DATE FILED: 3/28, 20 22

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: March 28, 2022

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: Ben and Cindy Gallo
- b. Mailing address: 3048 Mill Road 521 Church Road
Norristown, PA 19403
- c. Telephone number: 610-633-8824 / 484-576-0876
- d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: (REQUIRED) LEGAL TITLE

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: NOT APPLICABLE
- b. Address: —
- c. Telephone number: —

5. Property Details:

- a. Present Zoning Classification: R-175 / AGR
- b. Present Land Use: Residential - new single family home
- c. Location (Street Address):
3048 Mill Road, Norristown, PA 19403
- d. Parcel #: 670002425028
- e. Lot Dimensions:
 - (1) Area: 125,109 SF
 - (2) Frontage: 50 feet
 - (3) Depth: 302 FT + 527.64 FT = 829 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)**

See attached drawing.

6. Proposed Use(s):

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

See attached drawing.

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)** See attachment.

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

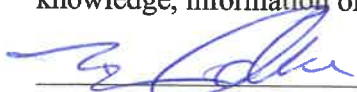
If yes: specify: **(Please submit as an attachment)** None.

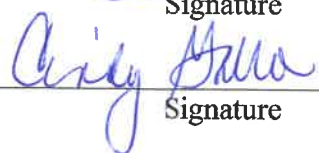
9. Challenges please list requested issues of fact or interpretation:
(Please submit as an attachment) None.

10. Worcester Township to provide the list of names and addresses of properties situated in the vicinity of the subject property as per Township Code 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.


Signature


Signature

Ben Gallo
Printed Name

Cindy Gallo
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF _____ : 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.



Applicant



Applicant

Sworn to and subscribed before me this 28 day of March, 2022



Notary Public

Commonwealth of Pennsylvania - Notary Seal
Matthew C. Brown, Notary Public
Montgomery County
My commission expires September 28, 2025
Commission number 1320326
Member, Pennsylvania Association of Notaries

Date Received: 3/28/22



Zoning Officer

Zoning Hearing Board Attachment

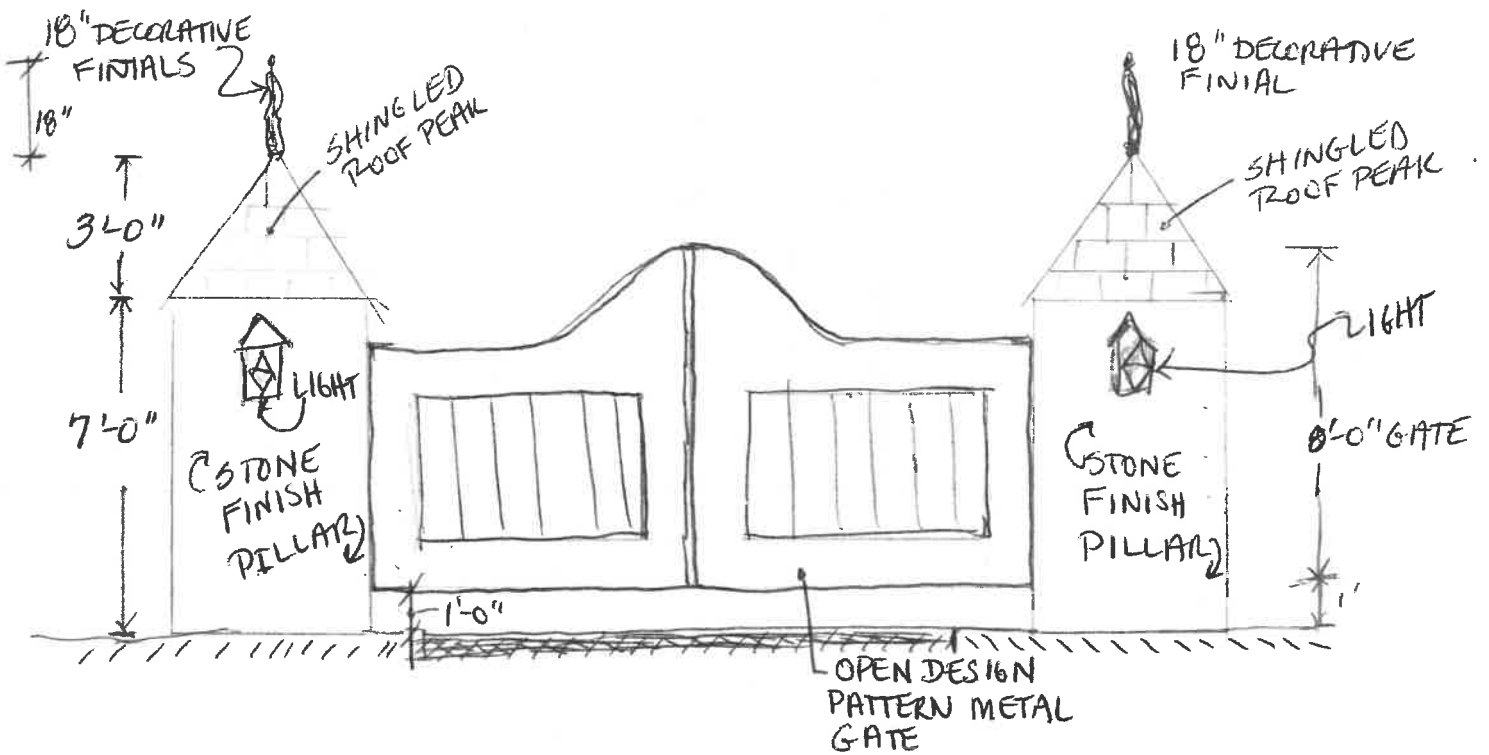
6. The Applicant is proposing to install two driveway pillars, one on each side of the driveway, to accept an open designed patterned gate. The stone finished, shingle capped pillars are each proposed to be 10 feet in height and 4'-0" x 4'-0" in plan with a 18" metal finial on top of each 10'-0" tall pillar. The pillars are proposed to be setback from the edge of the street by no less than 125'-0" so it is well outside any ultimate right-of-way, and provides more than ample access to accommodate the turning radius of an emergency vehicle. The open patterned metal gate is proposed to be approximately 8'-0" in height.

7. The Applicant is requesting the following relief for this proposed project:

A variance from Section 150-182 Fencing and Walls, Section K Driveway Pillars, as both proposed pillars each exceed five feet in height.

The request for relief is appropriate as we understand variances have been granted in the past to allow for different size driveway pillars. This request is to allow the pillars to match the architectural intent and spirit of the property.

The requested relief will not be adverse to the public health, safety and welfare.



① DRIVEWAY PILLARS
 SCALE: 1/4" = 1'-0"

EXHIBIT FOR VARIANCE

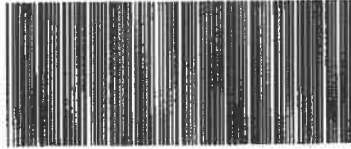
BEN & CINDY GALLO
3048 MILL RD
NORRISTOWN, PA 19403
SKETCH SKS-01
3/28/2022
CTG

**RECORDER OF DEEDS
MONTGOMERY COUNTY**
Nancy J. Becker

One Montgomery Plaza
Swede and Airy Streets - Suite 303
P.O. Box 311 - Norristown, PA 19404
Office: (610) 278-3289 - Fax: (610) 278-3859



DEED BK 5626 PG 01404 to 01408
INSTRUMENT # : 2006148910
RECORDED DATE: 12/01/2006 04:25:24 PM



0030818-00071

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 20318
Document Date: 11/21/2006	Document Page Count: 4
Reference Info: GALLO	Operator Id: dcane

RETURN TO: PENNSBURY ABSTRACT INC 524 W MARKET ST PERKASIE, PA 18944-1419	SUBMITTED BY: PENNSBURY ABSTRACT INC 524 W MARKET ST PERKASIE, PA 18944-1419
---	--

*** PROPERTY DATA:**
Parcel ID #: 67-00-02425-02-8
Address: 3048 MILL RD

Municipality: PA Worcester Township
School District: Methacton

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$300,000.00	DEED BK 5626 PG 01404 to 01408 Recorded Date: 12/01/2006 04:25:24 PM
--	---

FEES / TAXES:	
Recording Fee:Deed	\$46.50
State RTT	\$3,000.00
Worcester Township RTT	\$1,500.00
Methacton School District RTT	\$1,500.00
Total:	\$6,046.50

I hereby CERTIFY that
this document is
recorded in the
Recorder of Deeds
Office in Montgomery
County, Pennsylvania.



Nancy J. Becker
Nancy J. Becker
Recorder of Deeds

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.**



Prepared By: Pennsbury Abstract, Inc.
(# 133620-PB)
524 Market Street
Perkasie, PA 18944
(215) 453-6383

u
43

Return To: Pennsbury Abstract, Inc.
524 Market Street
Perkasie, PA 18944
(215) 453-6383

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
67-00-02425-02-8 WORCESTER
3048 MILL RD
PATRIOT BUILDERS & DEV LLC
B 003 U 107 L 3 2108 DATE: 12/01/2006

\$5.00
JO

Property: Lot 3 3054 Mill Road
Township of Worcester
Montgomery County, Pennsylvania

Parcel # BEING Parcel No. 67-00-02425-02-8. Block 3 Unit 107.

THIS DEED, MADE THE 21st day of November, (2006).

BETWEEN, Patriot Builders and Developers, LLC, a Pennsylvania Limited Liability Company

(hereinafter called the "Grantor"), of the one part,

and Ben Gallo and Cynthia Gallo, husband and wife

(hereinafter called the "Grantee(s)"), of the other part.

WITNESSETH, That the said Grantor for and in consideration of the sum of **Three Hundred Thousand Dollars (\$300,000.00)** lawful money of the United States of America, unto them, the said Grantor, well and truly paid by the said Grantee(s), at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantee(s), their heirs and assigns, as tenants by the entireties in fee.

BEING Parcel No. 67-00-02425-02-8. Block 3 Unit 107.

See attached sheet for Legal Description:

RECEIVED
DEC 01 2006

BY:.....



ALL THAT CERTAIN lot or piece of ground situate In the Township of Worcester, County of Montgomery and Commonwealth of Pennsylvania being bounded and described according to a Final Plan Record Plan of Auriemma Tract made by Gilmore & Associates, Inc. dated 2/5/2004 and last revised 12/22/2004 and recorded in the Office of the Recorder of Deeds at Norristown, PA in Plan Book 24 page 471, as follows to wit:

BEGINNING at a point on the existing centerline of Mill Road (33 feet legal R/W), said point being a corner of this and lands now or late of Eileen M. Diamond; thence extending from said point and place of beginning and extending along the aforesaid lands of Diamond the (2) following courses and distances as follows to wit; thence (1) South 38 degrees 06 minutes 00 seconds West and crossing the Southwesterly ultimate right of way line of Mill Road 333.08 feet to a point a corner; thence (2) South 49 degrees 30 minutes 00 seconds East 131.23 feet to a point a corner of lands now or late of Maddalen and Marcello Digenova; thence extending along the same and also along lands now or late of Mary Lee Cook, David P. and Erin L. McCann and Charles D. Williams South 40 degrees 46 minutes 00 seconds West 527.64 feet to a point a corner in line of lands now or late of Luca A. and Maria J. Mandracchia; thence extending along the same and also along lands now or late of Anthony P. and Karen D. Giannone North 49 degrees 34 minutes 57 seconds West 250.00 feet to a point a corner of Lot 2; thence extending along the same the (3) following courses and distances as follows to wit; thence (1) North 40 degrees 46 minutes 00 seconds East 382.00 feet to a point a corner; thence (2) North 73 degrees 23 minutes 35 seconds East 173.87 feet to a point a corner; thence (3) North 38 degrees 06 minutes 00 seconds East and re-crossing the Southwesterly ultimate right of way line of Mill Road 332.03 feet to a point a corner on the existing centerline of Mill Road, thence extending along the same South 51 degrees 54 minutes 00 seconds East 25.00 feet to the point and place of beginning.

BEING Lot No. 3 on said Plan.

BEING PART OF THE SAME PREMISES WHICH Salvatrice Auriemma, by Deed dated 6/2/2006 and recorded 7/18/2006 at Norristown, Pennsylvania in Deed Book 5608, Page 1499, granted and conveyed unto Patriot Builders and Developers, LLC, in fee.



TOGETHER with all and singular the improvement, 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 it the said Grantor, as well at law as in 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, 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(s), their heirs and assigns, to and for the only proper use and behoof of the said Grantee(s), their heirs and assigns forever.

AND the said Grantor, for itself, its successors and assigns, does covenant, promise and agree, to and with the said Grantee(s), their heirs and assigns, by these presents that it, the said Grantor, its successors and assigns, all singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee (s), their heirs and assigns, against it, the said Grantor, its successors and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will, **WARRANT and forever DEFEND.**

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal. Dated the day and year first above written.

**Patriot Builders and Developers, LLC,
a Pennsylvania Limited Liability Company**

By: 

Berino Bonitatis

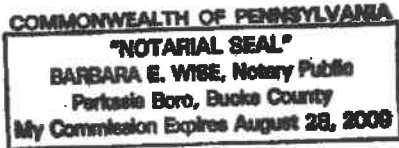


Commonwealth of Pennsylvania

County of Bucks

On this, the 21st day of November, 2006, before me, the undersigned officer, personally appeared Berino Bonitatis who acknowledged himself to be the Managing Member of Patriot Builders & Developers, LLC and being duly authorized to do so, executed the foregoing instrument for the purpose therein contained.

IN WITNESS whereof, I hereunto set my hand and official seal.



Barbara E. Wise
Notary Public

DEED

**Patriot Builders and Developers, LLC,
a Pennsylvania Limited Liability Company**

TO

Ben Gallo and Cynthia Gallo

Recorded in Deed Book

page

**GIVEN under my hand and the seal of the said office,
the date above written.**

Recorder of Deeds

**Pennsbury Abstract, Inc.
524 Market Street
Perkasie, PA 18944**

(215) 453-6383

133620-PB

**The address of the above-named
Grantee(s) is: 521 Church Road,
Norristown, PA 19403**

[Signature]
On behalf of the Grantee(s):

