

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. : ZHS 18-01 DATE FILED: December 26, 20 17

APPLICATION:  BOARD OF SUPERVISORS  
 ZONING HEARING BOARD

1. Date of Application: 12/26/17

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: NOLAN, GARY T JR & AMANDA E
- b. Mailing address: 1895 OLD FORGE WAY  
NORRISTOWN PA 19403
- c. Telephone number: 610-883-0034
- d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: Owner (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-100 AGR e
- b. Present Land Use: Single Family detached residence
- c. Location (Street Address):  
1895 Old Forge Way; Norristown, PA 19403
- d. Parcel #: 67-00-03448-04-9
- e. Lot Dimensions:
  - (1) Area: 32,441 SF
  - (2) Frontage: 56.82'
  - (3) Depth: 182'
- 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

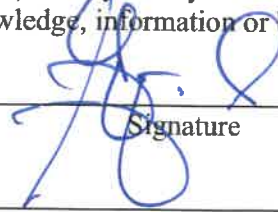
If yes: specify: **(Please submit as an attachment)**

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.

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Signature

Gary Nolan  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Montgomery : SS

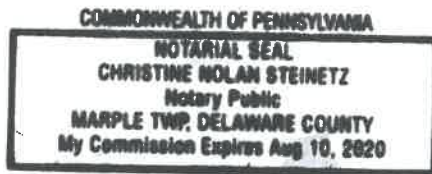
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

[Signature]  
Applicant

[Signature]  
Applicant

Sworn to and subscribed before me this 21 day of DECEMBER, 2017

[Signature]  
Notary Public



Date Received: 12/26/17

[Signature]  
Zoning Officer

## INTEGRATED ENGINEERING, LLC

1200 Spring Meadow Drive  
Quakertown, PA 18951

Phone: 215-534-1207

December 21, 2017

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

**Re: 1895 Old Forge Way**  
Worcester Township; Montgomery Co., PA  
Job Number: 17-7005

To Whom It May Concern:

On behalf of Gary and Amanda Nolan, we are submitting to you a list of requested Variances with backup justification for 1895 Old Forge Way:

Section 150-14.B – Impervious coverage. Twenty percent shall be the maximum total impervious coverage on residential, municipal or agricultural use lots.

Request: A variance is requested to permit an in-ground pool along with associated decking (patio) and equipment pad to be constructed in substantial conformance to the plan provided. The proposed impervious coverage is 26.4% of the lot area.

The facts and reason(s) supporting the application are as follows:

- The 20% impervious cover is based on a minimum lot size of 80,000 SF (16,000 SF of impervious permitted).
- The parcel is 32,441 SF.
- The subdivision was developed by Conditional Use using the Rural Preservation District (RPD) which was removed from the ordinance in 2006.
- The applicant proposes 8,575 SF of impervious.

The Variance will be consistent with the intent and purpose of this Zoning Ordinance, and will not be detrimental to the neighborhood or public welfare because:

- The existing and proposed features are consistent with a residential dwelling of this size and type.
- The impervious percentage is requested is consistent with the area and parcels of this size.
  - The adjacent neighborhood is R-100, 30,000 SF minimum lot size and 30% maximum impervious
- The proposed pool will not be detrimental to the neighborhood:
  - The Open Space North east of the parcel is home to an old fill pile with electric transmission line northeast of that
  - The only parcel that will be able to view the pool is vacant.

State the special circumstances or conditions applicable to the property or building which are unique and which do not exist for the other properties of buildings in the same zoning district, and the immediate vicinity:

- The pie shape of the parcel makes it difficult to put anything directly out the rear of the dwelling requiring additional walking paths.

State the specific hardship – why it is not possible to develop/use the property in strict conformity with the Zoning Ordinance:

- Using a impervious standard intended for a parcel three times the size of this existing parcel does not allow for the landowner to make improvements to the property consistent with the type of use.

Section 150-177.A.(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.

Request: Allow a private swimming pool to be less than 50', but greater than 25' from a property line.

The facts and reason(s) supporting the application are as follows:

- The side yard setback in AGR is 50'; however, this was reduced for this parcel as part of the Rural Preservation District (RPD). In this case the side yard is 25' off the property line.
- Districts with similar sized minimum lot areas and yard setbacks require a 25' setback.

The Variance will be consistent with the intent and purpose of this Zoning Ordinance, and will not be detrimental to the neighborhood or public welfare because:

- The existing and proposed features are consistent with a residential dwelling of this size and type.
- Based on the setbacks that this neighborhood was developed using, a dwelling is permitted as close as 15' from the property line.
- The proposed pool will not be detrimental to the neighborhood:
  - The Open Space North east of the parcel is home to an old fill pile with electric transmission line northeast of that
  - The only parcel that will be able to view the pool is vacant.

State the special circumstances or conditions applicable to the property or building which are unique and which do not exist for the other properties of buildings in the same zoning district, and the immediate vicinity:

- The pie shape of the parcel makes it difficult to put anything directly out the rear of the dwelling requiring additional walking paths.

State the specific hardship – why it is not possible to develop/use the property in strict conformity with the Zoning Ordinance:

- Using a setback intended for a parcel three times the size of this existing parcel does not allow for the landowner to make improvements to the property consistent with the type of use.

Please feel free to contact me should you have any questions or comments about this project.

Sincerely,

**INTEGRATED ENGINEERING, LLC.**

  
Brian D. Spray, P.E.  
President

# Deed

UPI # 67-00-03448-04-9

Sparango Land Partnership III, LP

TO

Gary T. Nolan, Jr. and Amanda E. Nolan

Germantown Title Company  
502 W Germantown Pike  
Suite 200  
East Norriton, PA 19403

Prepared by and Return to:

Germantown Title Company  
502 W Germantown Pike  
Suite 200  
East Norriton, PA 19403

File No. G-26851OR

UPI # 67-00-03448-04-9

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
67-00-03448-04-9 WORCESTER TOWNSHIP  
1895 OLD FORGE WAY  
SPARANGO LAND PARTNERSHIP III LP  
B 019 L 4 U 060 2105 09/21/2016

\$15.00  
TG

This Indenture, made the 16 day of September, 2016.

Between

**SPARANGO LAND PARTNERSHIP III, LP**

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

**GARY T. NOLAN, JR. and AMANDA E. NOLAN**

(hereinafter called the Grantees), of the other part,

Witnesseth, that the said Grantor for and in consideration of the sum of **Eight Hundred Twenty-Five Thousand And 00/100 Dollars (\$825,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, as tenants by the entirety, their heirs and assigns,

ALL THAT CERTAIN LOT or piece of ground with improvements thereon to be erected Situate in the Township of Worcester, County of Montgomery and Commonwealth of Pennsylvania bounded and described according to a Final Plan of Applewood Estates of Worcester made by Bursich Associates, Inc. for Sparango Construction Co., Inc. dated 11-27-02 and last revised 3-15-05 and recorded in Plan Book 25 page 58 as follows to wit:

BEGINNING at a point on the Northwesterly side of Old Forge. Way (variable width cul-de-sac) a corner of this and Lot 5 as shown on said plan; said point also being in the bed of a certain 20 feet wide access easement between Lots 4 and 5; thence extending from said point of beginning and along said Lot 5 South 43 degrees 15 minutes 00 seconds West 224.14 feet to a corner in line of Open Space A; thence extending along said Open Space A and leaving the aforesaid access easement North 13 degrees 16 minutes 56 seconds West 296.21 feet to a point a corner of Lot 3; thence extending along Lot 3 South 71 degrees 38 minutes 28 seconds East 22.40 feet to a point of curve on the Northwesterly side of Old Forge Way aforesaid; thence on the arc of a circle curving to the left having a radius of 50.00 feet the arc distance of 56.82 feet to the first mentioned point and place of beginning.

BEING Lot 4 on said plan.

BEING known as 1895 Old Forge Way.

Parcel: 67-00-03448-04-9

BEING part of the same premises that Jane Thompson aka Jane Giovanis and Ann Schweizer, aka Ann Hamilton, by deed dated October 30, 2003, and recorded December 5, 2003, in the Office of the Recorder of Deeds of Montgomery County, Pennsylvania, in Book 5484, Page 1693, granted and conveyed unto Sparango Land Partnership, III, L.P. a Pennsylvania Limited Partnership, in 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 anywise 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, of, in and to the same.

To have and to hold the said lot or piece of ground described above, 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 Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that it, the said Grantor, and its successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against it, the said Grantor, and its successors and assigns, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, it, or any of them, shall and will

Warrant and Forever Defend.



In Witness Whereof, the party of the first part has caused its common and corporate seal to be affixed to these presents by the hand of its General Partner, and the same to be duly attested by its President. Dated the day and year first above written.

**Sealed and Delivered  
in the Presence of Us:**

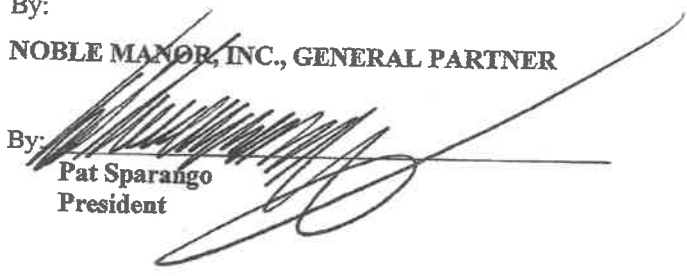
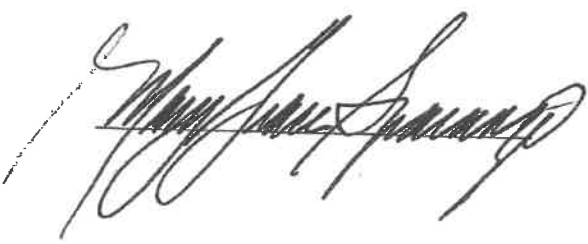
**SPARANGO LAND PARTNERSHIP III, LP**

By:

**NOBLE MANOR, INC., GENERAL PARTNER**

By:


**Pat Sparango  
President**



Commonwealth of Pennsylvania }  
County of Montgomery } ss

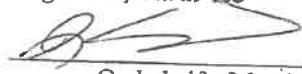
AND NOW, this 10 day of September, 2016, before me, the undersigned Notary Public, appeared **Pat Sparango**, who acknowledged himself/herself to be the President of Noble Manor, Inc., General Partner of Sparango Land Partnership III, LP, a limited partnership, and he/she, as such President being authorized to do so, executed the foregoing instrument for the purposes therein contained on behalf of Sparango Land Partnership III, LP by signing the name of the general partnership by himself/herself as President thereof.

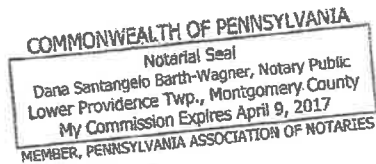
IN WITNESS WHEREOF, I hereunder set my hand and official seal.

  
Notary Public  
My commission expires 9/9/2017

The precise residence and the complete post office address of the above-named Grantees is:

**1895 Old Forge Way  
Eagleville, PA 19403**

  
On behalf of the Grantees



**STORM**

LINE #	SPECIFICATIONS
L1	10LF OF 6" PVC* @ 0.0%
L2	10LF OF 6" PVC* @ 0.0%
L3	16LF OF 6" PVC @ 1.25%

\* PIPE IS PERFORATED WITH SEEPAGE BET

