

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

IN RE: APPLICATION OF
JOHN AND AMY COUGHLIN

NO. 2020-16
APPLICATION FOR AN INTERPRETATION,
SPECIAL EXCEPTION AND/OR VARIANCE

DECISION

The Applicants, John and Amy Coughlin, propose to eliminate an existing driveway accessed by way of an easement, and construct a new driveway on the property located at 1631 Kriebel Mill Road, Worcester Township, in the AGR – Agricultural Zoning District.

A public hearing on the above Application was held on September 29, 2020 at the Methacton High School Auditorium, 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 150-138.A.4(b) of the Zoning Ordinance, so as to permit the driveway to cross through the Floodplain Conservation District, is **GRANTED**.

This Decision is subject to the following conditions:

1. The Applicants shall construct the driveway in the location as shown on the Plan marked as Exhibit A-2, and comply with all requirements of the Township Engineer set forth in the letters dated August 18, 2020 and September 16, 2020 marked as Exhibits A-3 and A-4.
2. The Applicants shall apply for and obtain all applicable Township, County and State permits, and approvals, including PaDEP approvals, and Township Conditional Use approval, relative to the construction and use in a timely manner.
3. 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.
4. The Applicants shall install buffering to shield the view of the adjoining Block 11, Unit 7, as directed by the Township Engineer.
5. 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.
6. Pursuant to Section 150-225 of the Worcester Township Zoning Ordinance, a special exception or variance shall expire if the Applicants fail 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 Applicants fail 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.

The expiration date for obtaining the building permit as set forth herein may be extended by the Township for two (2) successive six (6) month periods, if, in the opinion of the Zoning Officer, the Applicants are diligently pursuing the building permit.

FLOODPLAIN NOTICE:

As required by Section 150-139.F of the Zoning Ordinance, the Applicant is on notice that:

Certain relief from floodplain regulations may result in increased premium rates for flood insurance and/or may increase the risks to life and property.

The development of the property in the floodplain is entirely at the risk of the Applicant.

WORCESTER TOWNSHIP ZONING HEARING BOARD

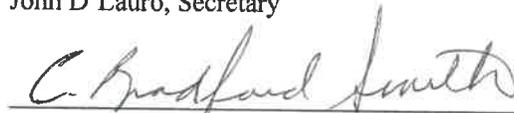
(Absent)

Michael Libor, Chair


Caesar Gambone, Vice Chair



John D'Lauro, Secretary


Bradford Smith

Order Entered: 10.9.20

Circulation Date: 10.9.20

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.