

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.: 19-07 DATE FILED: April 1, 20 19

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: March 22, 2019

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: Fabio and Antonella Pilo
- b. Mailing address: 1866 STEIGER ROAD
Lansdale PA 19446
- c. Telephone number: 267-903-5211
- 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: Residential
- c. Location (Street Address):
1866 STEIGER Road
- d. Parcel #: 67-00-02648-02-7
- e. Lot Dimensions:
 - (1) Area: 20,552
 - (2) Frontage: 35
 - (3) Depth: _____
- 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.

Antonella Pilo (SERRA)
Signature

Antonella Pilo (SERRA)
Printed Name

[Signature]
Signature

FABIO Pilo
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Montgomery : SS

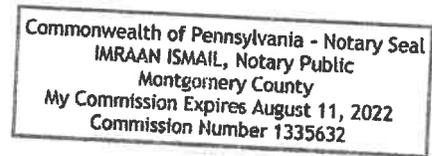
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

Fabio Pilo
Applicant

Antonella Pilo
Applicant

Sworn to and subscribed before me this 30 day of March, 2019

Imraan Ismail
Notary Public



Date Received: April 1 2019

Andrew R. Knight
Zoning Officer

Fabio and Antonella Pilo
1866 Steiger Road
Lansdale, PA 19446

Worcester Township Zoning Hearing Board
1721 Valley Forge Rd.
Worcester, PA 19490

Dear Zoning Hearing Board,

The purpose of this letter is to request a variance from the township ordinances regarding proposed improvements to our property at 1866 Steiger Rd.

SIZE, CONSTRUCTION, AND USE OF EXISTING IMPROVEMENTS:

Currently, our property consists of a single-family dwelling with a total footprint of 4,579 sq. ft. of impervious surface which includes the house, driveway, front porch, sidewalk, and covered back porch. The total surface of the lot is 20,552 sq. ft. The Property is zoned Agricultural (AGR) and the lot area, width and yard requirements are governed under Option 1 of Article XVIA, § 150-110.6, Conservation Subdivisions, of the Zoning Code.

PROPOSED USE AND CONSTRUCTION:

Our proposed improvements include a total project of 850 sq. ft, which consists of 450 sq. ft in-ground swimming pool with 400 sq. ft of cantilever pool decking. This project will bring the total impervious surface to 5,429 sq. ft. or 26.4% (5,429/20.552 sq. ft.).

We are seeking a variance from Ordinance 150-110.7 to exceed the allowed 25% maximum of total impervious coverage by 1.4% to allow for the improvement of a rear paver patio. This is only 1.4% over the currently approved total impervious surface variance of 25.0%.

Additionally, we are requesting zoning relief of the 40' rear setback requirements established under Option 1 of Article XVIA §150-110.6. We meet the requirement for variance and are legally entitled to a favorable determination to our application under the Township's Zoning Code and Section 910.2 of the MPC.

LEGAL GROUNDS FOR APPEAL:

We are seeking a variance pursuant to Article XXVI, Zoning Hearing Board, 150-219 Variances. There are unique physical circumstances which include the irregularity, or otherwise exceptional topographical or other physical conditions peculiar to this

particular property. We are subject to an unnecessary hardship due to the conditions and not the circumstances or conditions created by the provisions of the Zoning Ordinance. As a result of the physical circumstances there is no possibility the property can be developed in strict conformity with the provisions of the Zoning Ordinance. We did not create the unnecessary hardship. Furthermore, if authorized, the variance will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent properties. If authorized, the variance will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.

The relief sought is a de minimus variance as it is a minor deviation from the dimensional provisions of the zoning ordinance and further suggest rigid compliance of the zoning ordinance is not necessary to protect the public concerns. We ask that the Zoning Hearing Board evaluate the request according to the particular circumstances contained within the request for relief.

Exhibits:

- A. Deed
- B. Plot Plan of Property with Proposed pool plan
- C. Tax Map

Thank you for your consideration.

Sincerely,

Antonella Pilo 
3/22/19

Fabio Pilo and Antonella Pilo

Prepared by and return to:
Westminster Abstract Company
250 Gibraltar Road, 1 West
Horsham, Pennsylvania 19044
800-265-0425

CERTIFIED TRUE COPY
WESTMINSTER ABSTRACT COMPANY

Parcel ID No.: 67-00-02648-02-7

DEED

THIS INDENTURE MADE THE 02 day of September in the year two thousand and sixteen (2016)

BETWEEN

Toll PA, L.P.

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

Fabio Pilo and Antonella Serrao, married to one another

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

Witnesseth, that the said Grantor

For and in consideration of the sum of Six Hundred Sixty One Thousand and Ninety Five Dollars \$661,095.00

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, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantees, their heirs and assigns, as tenants by the entirety.

SEE ATTACHED LEGAL

DESCRIPTION OF PROPERTY
LOT 3
PRESERVE AT WORCESTER

All that certain lot or parcel of land situated in the Township of Worcester, County of Montgomery, and Commonwealth of Pennsylvania, being known as Lot 3 as shown on a plan entitled, "The Preserve at Worcester, Final Cluster Land", dated April 01, 2006, last revised January 17, 2014, sheets 1 through 48 of 48, prepared by Woodrow & Associates, Inc., Lower Gwynedd, Pa, 19002, recorded in the Montgomery County Recorder of Deeds Office on May 2, 2014, Plan Book 40, Page 335, Instrument No. 2014026469, more particularly described as follows;

Beginning at a common corner of Lot 3 and Lot 4, on the westerly side of Steiger Road (40' R.O.W.) and running;

1. Along said westerly side, the following two (2) courses and distances, South 53 degrees 04 minutes 09 seconds East, a distance of 27.88 feet to a point of curve; thence
2. Passing along an arc of a circle curving to the left, having a radius of 80.00 feet, an arc distance of 56.97 feet to a corner of Open Space A; thence
3. Along Open Space A, the following two (2) courses and distances, South 03 degrees 52 minutes 27 seconds East, a distance of 91.92 feet; thence
4. South 37 degrees 03 minutes 46 seconds West, a distance of 100.94 feet to a point on line of Peco Energy Transmission Lines; thence
5. Along said lands, North 52 degrees 56 minutes 59 seconds West, a distance of 140.00 feet to a corner of Lot 4; thence
6. Along Lot 4, North 36 degrees 55 minutes 51 seconds East, a distance of 150.75 feet to the first mentioned point and place of beginning.

Containing 20,549.73 square feet of land.

Subject to restrictions and easements of record, if any.

Parcel Number: 67-00-02648-02-7.

Address: 1866 Steiger Road.

BEING PART OF THE SAME PREMISES which Keystone Lands, Inc., a Pennsylvania Corporation by deed dated May 1, 2014 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery on May 2, 2014, Document #2014026472, in Book 591, Page 02448/ to 02453, granted and conveyed unto Toll PA L.P., in fee.

BEING PART OF THE SAME PREMISES which The Maple Glen Group, a Pennsylvania General Partnership, by deed dated April 28, 201, recorded in the Office of the Recorder of Deeds in the County of Montgomery on May 2, 20104, Document #2014026473, in Book 5911, Page 02454 to 02459, granted and conveyed unto Toll PA, L.P., in fee.

SUBJECT TO Covenants, Conditions and Restrictions contained in "Declaration of The Preserve at Worcester, A Planned Community", dated April 6, 2015 and recorded in the Office of the Recorder of Deeds in the County of Montgomery on April 9, 2015, in Book 5949, Page 1460 and any future amendments thereto.

Together with all and singular the buildings improvements, ways, streets, alleys, 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 the said Grantor In 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 with the buildings and improvements thereon erected with the 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 the entirety.

UNDER AND SUBJECT, to all easements, restrictions and matters of record.

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, 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 it the said Grantor and against all and every Persons 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.

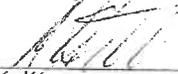
In Witness Whereof the said Grantor has caused these presents to be duly executed the day and year first herein above written.

**Sealed and Delivered
IN THE PRESENCE OF US:**

Toll PA, L.P.

BY TOLL PA GP CORP, GENERAL PARTNER

BY: 
Kathryn L. Gaffney, Vice President

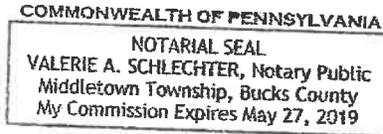

ATTEST: Stacey Rothaus, Assistant Secretary

Commonwealth of Pennsylvania
County of Montgomery

On this, the 02 day of September, 2016, before me

personally appeared Kathryn L. Gaffney, the undersigned officer,
to be the Vice President of Toll PA GP Corp., General Partner of Toll PA, L.P. who acknowledged himself (herself)
a corporation, and that he (she) as such Officer, being authorized to do so, executed
the foregoing instrument for the purposes therein contained by the signing the name of the corporation by himself
(herself) as Vice President.

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




Notary Public

DEED.

Parcel ID No. 67-00-02648-02-7

Toll PA, L.P.
250 Gibraltar Road, Horsham, Pennsylvania 19044

To

Fabio Pilo and Antonella Serrao, married to one another

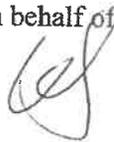
Premises:

Homesite # 3-Preserve at Worcester
Worcester Township
Montgomery County, Pennsylvania

The address of the above-named Grantees is

1866 Steiger Road
Lansdale, Pennsylvania 19446

On behalf of the Grantees



PARID: 670002648027
 PILO FABIO & SERRAO ANTONELLA

1866 STEIGER RD

Parcel

TaxMapID	67022A003
Parid	67-00-02648-02-7
Land Use Code	1101
Land Use Description	R - SINGLE FAMILY
Property Location	1866 STEIGER RD
Lot #	3
Lot Size	20550 SF
Front Feet	85
Municipality	WORCESTER
School District	METHACTON
Utilities	ALL PUBLIC//

Owner

Name(s)	PILO FABIO & SERRAO ANTONELLA
Name(s)	
Mailing Address	1866 STEIGER RD
Care Of	
Mailing Address	
Mailing Address	LANSDALE PA 19446

Current Assessment

Appraised Value	Assessed Value	Restrict Code
375,900	375,900	

Estimated Taxes

County	1,300
Montco Community College	147
Municipality	19
School District	11,293
Total	12,759
Tax Lien	Tax Claim Bureau Parcel Search

Last Sale

Sale Date	02-SEP-16
Sale Price	\$661,095
Tax Stamps	6610
Deed Book and Page	6014-00773
Grantor	TOLL PA LP
Grantee	PILO FABIO & SERRAO ANTONELLA
Date Recorded	06-SEP-16

Exhibit C

670002648527
67022A048

670002648445
67022A041

STEDGER RD

670002648045
67022A005

670002648036
67022A004

670002648027
67022A003

Worcester

670005004005
67022 006

