

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. : 17-02 DATE FILED: 2/27, 20 17

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: _____

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: Kevin Dupell, Jr.
- b. Mailing address: 1012 Windy Hill Road
 Worcester Township, PA 19403
- c. Telephone number: (610) 960-2166
- 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: David M. Shafkowitz, Esquire
- b. Address: 16 Sunset Avenue
 Chalfont, PA 18914
- c. Telephone number: (267) 422-3340

5. Property Details:

- a. Present Zoning Classification: R-100
- b. Present Land Use: Residential
- c. Location (Street Address):
1012 Windy Hill Road
- d. Parcel #: _____
- e. Lot Dimensions:
 - (1) Area: 42,071 square feet
 - (2) Frontage: 115 feet
 - (3) Depth: 404.42 feet
- 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

Kevin R. Dupello Jr
Printed Name

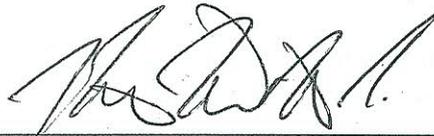
Signature

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.



Applicant

Applicant

Sworn to and subscribed before me this 23rd day of February, 2017



Notary Public

Wanda S. [unclear]
Attorney
Commonwealth of PA

Date Received: 2/24/17



Zoning Officer

Worcester Township Zoning Hearing Board
Application of Kevin Dupell, Jr.

Supplemental Response to Application

5.g. The property in question is currently improved with a single family home, patio, and driveway and is located in R-100 Zoning District. The existing lot is approximately 1 acre. The existing home has a foot print of approximately 1196 square feet. The structure is two stories. The home is served by on-lot septic and well.

6. The Applicant has proposed an extension of the existing driveway to the rear of the lot and the construction of a new pole barn of approximately 960 square feet. The pole barn is for garage and storage purposes only. There is no living space proposed for the pole barn. Please see hand drawn plan attached to the application.

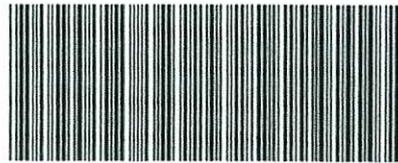
7. The Applicant is seeking a variance from Section 150.69.C(1) of the Township's Zoning Ordinance, which requires a 25 feet side yard for all lots located in the R-100 Zoning District. The Applicant is proposing a 13 foot side yard for the construction of the proposed Pole Barn. The Applicant's lot is long and narrow and is further encumbered by a septic system and septic field. The narrowness of the lot and the existing septic system and septic field, and the corresponding setbacks therefrom, act to restrain where the Applicant can place the proposed pole barn without encroaching into the existing side yard. There is no public sewer hook up available in this area. Accordingly, the Applicant is left with no other alternative but to construct the proposed pole barn, which is a permitted accessory use, within the side yard set back. No other zoning relief is required.



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) 278-3869

DEED BK 5867 PG 02985 to 02990.1
INSTRUMENT # : 2013032843
RECORDED DATE: 03/28/2013 12:33:34 PM



2893288-0014

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 7

Document Type: Deed	Transaction #: 2852242 - 2 Doc(s)
Document Date: 03/20/2013	Document Page Count: 5
Reference Info:	Operator Id: thordije

RETURN TO: (Simplifile) Associates Land Transfer 136 South Main Street North Wales, PA 19454 (215) 699-1200	PAID BY: ASSOCIATES LAND TRANSFER
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*** PROPERTY DATA:**

Parcel ID #: 67-00-04183-00-7
Address: 1012 WINDY HILL RD

NORRISTOWN PA
19403
Municipality: Worcester Township (100%)
School District: Methacton

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$205,000.00	DEED BK 5867 PG 02985 to 02990.1
TAXABLE AMOUNT: \$205,000.00	Recorded Date: 03/28/2013 12:33:34 PM

FEES / TAXES:

Recording Fee:Deed	\$78.00
Affidavit Fee	\$1.50
Additional Pages Fee	\$2.00
Affordable Housing Pages	\$4.00
State RTT	\$2,050.00
Worcester Township RTT	\$1,025.00
Methacton School District RTT	\$1,025.00
Total:	\$4,185.50

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 and Return to:

Associates Land Transfer Company, LLC
136 South Main Street
PHONE: 215-699-1200 Fax: 215-699-1537
North Wales, PA 19454
215-699-1200

File No. ALT12826

UPI # 67-00-04183-~~00~~-7

This Indenture, made the 20th day of March, 2012,

Between

SCOTT M. RHODENBAUGH, SANDRA RHODENBAUGH AND ROBIN BAXTER

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

KEVIN R. DUPELL, JR.

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

Witnesseth, that the said Grantors for and in consideration of the sum of **Two Hundred Five Thousand Dollars 00/100 (\$205,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

ALL THAT CERTAIN lot or piece of ground, situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania, and described according to a Plan of Subdivision of property for George Fad, made by John E. Burkhardt, Registered Professional Surveyor, dated 7/1954 and last revised 11/1955, as follows, to wit:

BEGINNING at a point on the Southeasterly side of Farview Way (50.00 feet wide) at the distance of 262.55 feet measured on a bearing of North 50 degrees 54 minutes East along the said side of Farview Way and its extension from its point of intersection with the extension of the Northeasterly side of Germantown Pike (50.00 feet wide); thence extending from said point of beginning North 50 degrees 54 minutes East along the said side of Farview Way 115.79 feet to a point; thence extending South 47 degrees 29 minutes East 387.45 feet to a point; thence extending South 42 degrees 31 minutes West 106.26 feet to a point; thence extending North 48 degrees 39 minutes West 404.42 feet to the first mentioned point and place of beginning.

BEING known as Lot No. 14, as shown on the above mentioned Plan.

BEING Parcel No. 67-00-04183-00-7.

BEING the same premises which Prudential Relocation, Inc., a Colorado Corporation, by Indenture dated 3/20/2008 and recorded 4/11/2008 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5688 page 2588, granted and conveyed unto Scott M. Rhodenbaugh and Sandra Rhodenbaugh, husband and wife, as tenants by the entirety; and as joint tenants with the right of survivorship with Robin Baxter, in fee.

UNDER AND SUBJECT, NEVERTHELESS, to all reservations, restrictions, covenants, conditions, easements, leases and rights of way appearing of record.

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 them, the said grantors, 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 Grantee, his heirs and assigns, to and for the only proper use and behoof of the said Grantee, his heirs and assigns, forever.

And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, his heirs and assigns, that they, the said Grantors, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his heirs and assigns, against them, the said Grantors, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

Beyon Sabbarwal

Scott M. Rhodenbaugh (SEAL)
Scott M. Rhodenbaugh

Beyon Sabbarwal

Sandra Rhodenbaugh (SEAL)
Sandra Rhodenbaugh

Robin Baxter

Robin Baxter (SEAL)
Robin Baxter

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 20th day of March, 2013, before me, the undersigned Notary Public, personally appeared **Scott M. Rhodenbaugh**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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



[Signature]
Notary-Public
My commission expires _____

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 20th day of March, 2013, before me, the undersigned Notary Public, personally appeared **Sandra Rhodenbaugh**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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



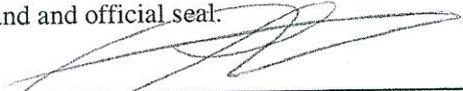
[Signature]
Notary-Public
My commission expires _____



Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 20th day of March, 2013, before me, the undersigned Notary Public, personally appeared **Robin Baxter**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

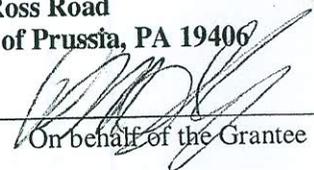
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public
My commission expires _____

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

**398 Ross Road
King of Prussia, PA 19406**



On behalf of the Grantee



DEED

UPI # 67-00-04183-00--7

Scott M. Rhodenbaugh, Sandra
Rhodenbaugh and Robin Baxter

TO

Kevin R. Dupell, Jr.

Associates Land Transfer Company, LLC
136 South Main Street
PHONE: 215-699-1200 Fax: 215-699-1537
North Wales, PA 19454
Phone 215-699-1200 Fax 215-699-1537