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.: 20-17 DATE FILED: Sept. 30, 2020				
AF	PLICATION: BOARD OF SUPERVISORS ZONING HEARING BOARD				
1.	Date of Application: September 30, 2020				
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: John R. Dellangelo and Jaala Dellangelo b. Mailing address: 1325 Hollow Road				
	Collegeville, PA 19426				
	c. Telephone number: (610) 539 - 9130 d. State whether owner of legal title, owner of equitable title, or tenant with				
	The state of the s				
	the permission of owner legal title:				
	Applicant is the Legal Owner. Deed is attached.				
4.	Applicant's attorney, if any:				
	a. Name: Gerald E. Rath, III, Esquire				
	b. Address: Blumberg & Rath				
	25 East Butler Avenue, Ambler, PA 19002				
	c. Telephone number: (215) 628 – 8823				
	grath@blumberg-rath.com				

5. Property Details:				
	a.	Present Zoning Classification: AGR Agricultural District		
	b.	Present Land Use: Single Family Residence		
	c.	Location (Street Address):		
1325 Hollow Road				
	d.	Parcel #: 67 - 00 - 01315 - 00 - 4		
	e.	Lot Dimensions:		
		(1) Area: 2.45 acres / 106,722 square feet		
		(2) Frontage: 376 feet on Hollow Road		
		(3) Depth: Approximately 268 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 Us	2(a).		
0.	a.			
	a.	Proposed use(s) and construction: Please provide size, construction and proposed use(s). (Please submit as an attachment)		
		proposed disc(s). (I lease 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)			
CERT	TIFICATION			
		that the above information is true and correct to the best of my (our)		
knowl	edge, informat	ion or belief		
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	1	John R. Dellangelo		
-	Signa			
	//(%	TIMMED INMINE		
F	ale hix	Malo Jaala Dellangelo		
1	Signa			
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Website: www.worcestertwp.com Last Revised: January 30th, 2014

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF	MONTGOMERY	: SS
above names a	dersigned, being duly sworn pplicant, that he/she is autho egoing facts are true and con	according to law, deposes and says the he/she is the rized to and does take this affidavit on behalf of the rect.
		Applicant John R Dellangelo

Jaala Dellangelo

Sworm to and subscribed before me this 29th day of SEPTEMBER

Licinaisea Byla NOTARY RYBLIC Notary Public FRANCESCA BYFFFA

Commonwealth of Pennsylvania - Notary Seal FRANCESCA BUFFA - Notary Public Montgomery County My Commission Expires Dec 22, 2022 Commission Number 1229798

Date Received: 9-30-20

Zoning Officer

SUPPLEMENT TO ZONING APPLICATION OF JOHN R. DELLANGELO AND JAALA DELLANGELO 1325 HOLLOW ROAD

5(g). Size, construction, and use of existing improvements; use of land, if unimproved

The Property is improved with a single family residence (the "Residence"). A photo of the Residence is attached. The Property is also improved with a working barn (the "Barn"), and a tennis court (the "Tennis Court").

Attached is a "Subdivision – Record Plan" as prepared by Woodrow & Associates, Inc. bearing a last revision date of October 31, 2018 (the "Site Plan"). On the Site Plan, the Property which is the subject of this application is identified as "Proposed Lot 1". The Residence, the Barn, and the Tennis Court are each shown on the Site Plan.

Also attached is an aerial photo which shows the existing improvements on the Property (the "Aerial Photo").

The Residence:

<u>Size</u>: The Residence consists of 2,668 square feet of living area. The Residence has irregular dimensions (it is not a square or a rectangle). The front width of the Residence is approximately 55 feet. The depth of the Residence varies from 19 feet on the left side, to 36 feet in the center, to 29 feet on the right side. Please see the attached Site Plan on which the Residence is identified as "Existing Dwelling". Please also see the attached Aerial Photo.

<u>Construction</u>: Montgomery County records report the Residence was erected in 1840 and is "Old Colonial" in style. Stone, block and wood framing are used for the structure of the Residence. The exterior of the Residence is primarily stucco with an asphalt shingle roof.

<u>Use</u>: The Residence is occupied as a single family home by the owners as their primary residence.

The Barn:

<u>Size</u>: The Barn consists of approximately 1,467 square feet of storage space. The Barn has irregular dimensions (it is not a square or a rectangle). The dimensions of the Barn are approximately 36 feet by 26 feet, with a "bump out" of approximately 28 feet by 19 feet.. Please see the attached Site Plan on which the Barn is identified as "Stone Barn". Please also see the attached Aerial Photo.

<u>Construction</u>: Montgomery County Records report the Barn was erected in 1840. Stone and wood framing are utilized for the structure of the Barn. The exterior of the Barn is primarily painted wood with an asphalt shingle roof.

<u>Use</u>: The Barn is a working barn, with animal stalls on the first floor, hay storage and other storage in the other areas of the barn.

The Tennis Court:

<u>Size</u>: The Tennis Court consists of approximately 7,021 square feet of playing surface. The Tennis Court is rectangular in shape with a width of 59 feet and a length of 119 feet. Please see Site Plan on which the Tennis Court is identified as "Tennis Court". Please also see the attached Aerial Photo.

<u>Construction</u>: Montgomery County records report the Tennis Court was erected in 1976. Asphalt is utilized for the structure of the Tennis Court. The perimeter of the Tennis Court is enclosed with chain link fence.

Use: The Tennis Court is used for recreation.

6(a). Proposed use(s) and construction. Please provide size, construction and proposed use(s)

Proposed Use

Applicants propose to erect and use a garage at the Property (the "Proposed Garage"). The Proposed Garage will service the residence. The Proposed Garage is a "Private Garage" as defined in Section 150-9 of the Worcester Township Zoning Ordinance (the "Ordinance"). The Proposed Garage is permitted as an accessory use and structure in accordance with Ordinance Section 177,A(2).

The proposed garage will be substantially similar to the rendering shown on the attached plan entitled "Dellangelo Garage" as prepared by Post Frame Precision, LLC and bearing a date of September 21, 2020 (the "Garage Plan").

As shown on the Site Plan, there is an existing driveway servicing the Property (the "Driveway"). The Proposed Garage is located adjacent to the Driveway (the "Proposed Garage Location") and as shown on the attached Garage Location Plan (the "Garage Location Plan" as prepared by Applicants.

Ordinance Section 150-13.A(1) requires a minimum front yard at the Property of 75 feet. The Proposed Garage Location allows for a minimum front yard of 15 feet.

Garage Size

As shown in greater detail on the Garage Plan, the Proposed Garage will be approximately 960 square feet, with dimensions of 32 feet by 30 feet. The Proposed Garage will have height no greater than 20 feet at its peak.

Construction

The Proposed Garage will be constructed using the "post-frame" building method. The components of the Proposed Garage will be fabricated off-site, trucked to the Property and assembled. A concrete pad is poured for the floor.

7. Legal grounds for appeal

To erect the garage, the Applicants hereby request a variance to Ordinance Section 150-13.A(1) to allow a minimum front yard at the Property of 15 feet. Unique physical conditions exist at the Property supporting the granting of the requested variance.

As shown on the Site Plan, the existing Barn at the Property is located at the opposite end of the Driveway from Hollow Road. Accordingly, the Proposed Garage cannot be located at that end of the Driveway without removing or relocating the 180 year old working Barn. The Applicants would incur huge costs to remove and/or relocate the Barn (if relocation is even possible) to position the Proposed Garage in the location where the Barn presently is. Given the above, the Applicants are left no choice but to place the Proposed Garage on the right side of the Driveway in the Proposed Garage Location.

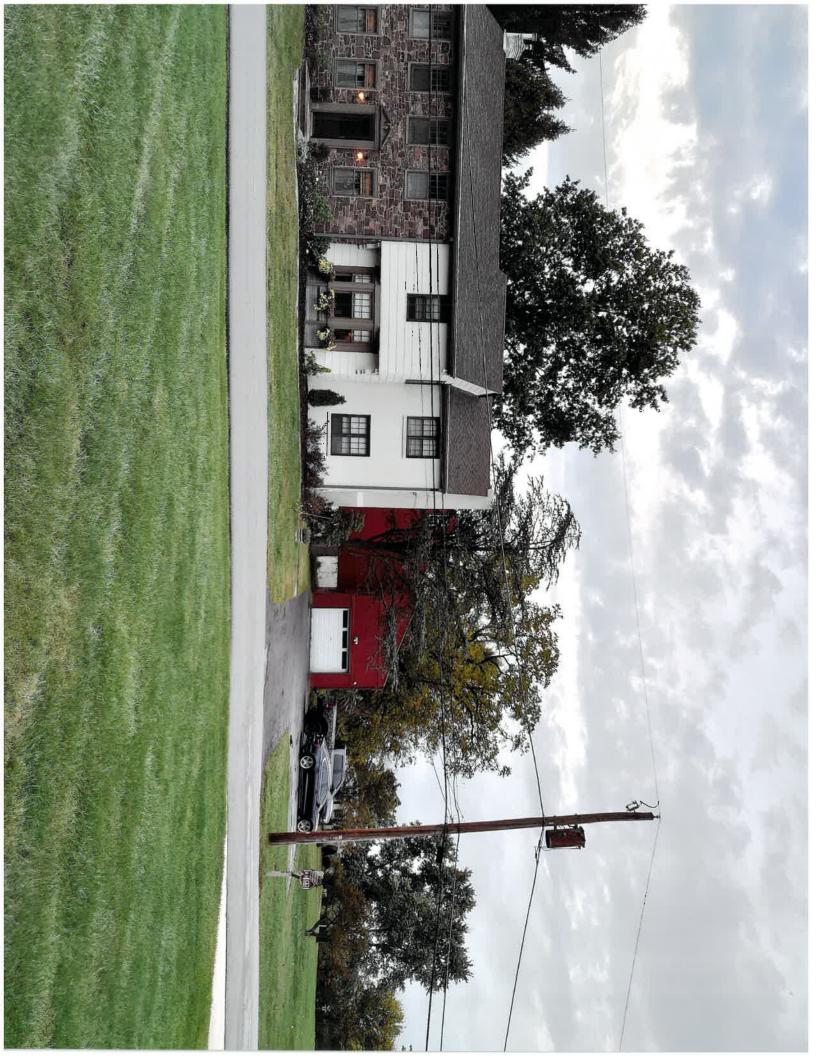
As also shown on the Site Plan, the Driveway was designed and installed in a manner which allows a motor vehicle to perform a "K-Turn" in the Driveway. Accordingly, motor vehicles using the Proposed Garage will be able to turn around in the Driveway, and will be able to pull onto the street in a forward direction. Put another way, motor vehicles using the Proposed Garage will not have to back out onto the street, resulting in safe egress to the street.

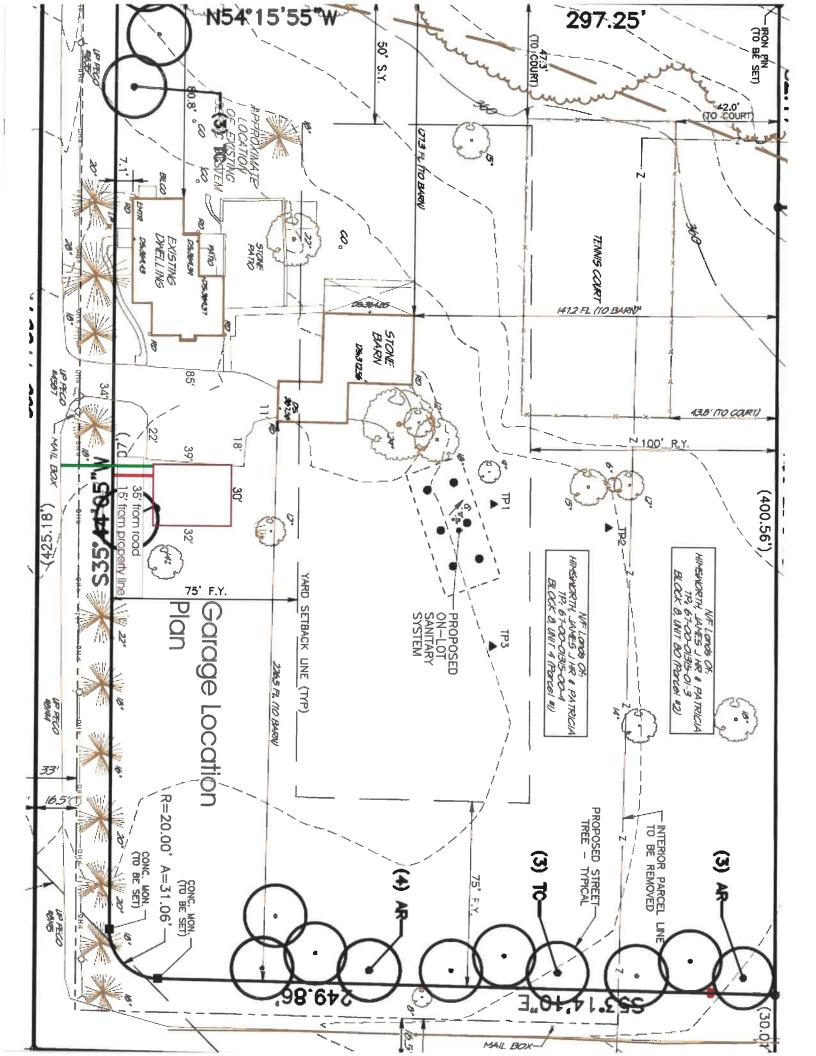
The Proposed Garage Location was also selected to allow the wall of the garage fronting on Hollow Road to generally align with the front of the Residence to provide a more uniform look. The garage will not be closer to Hollow Road than the Residence.

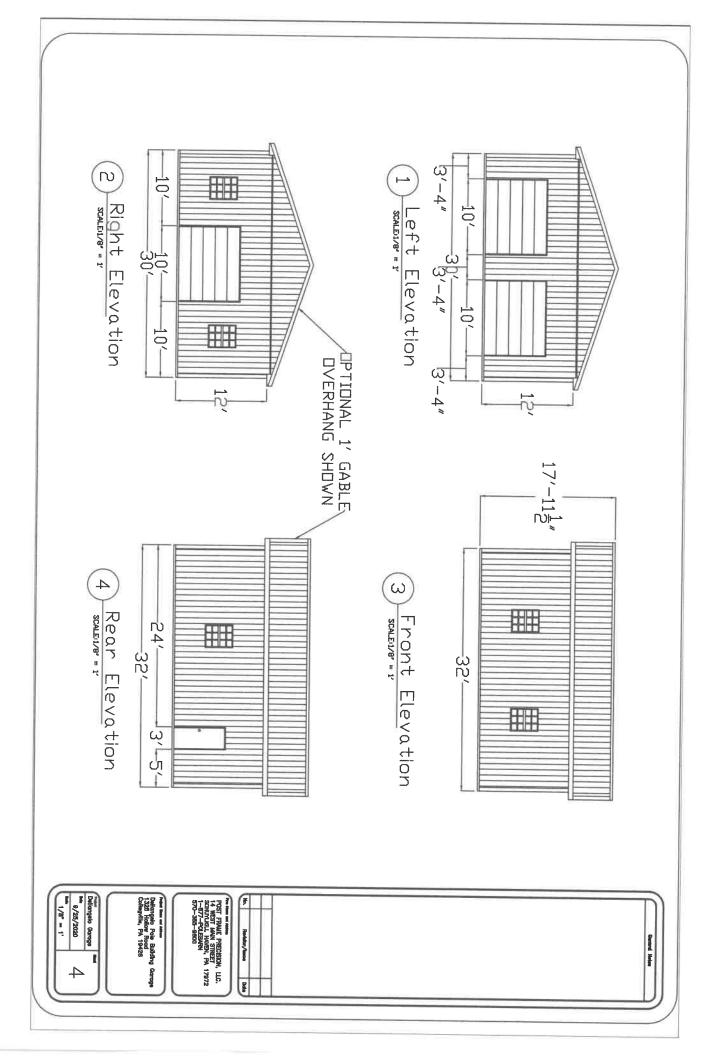
The conditions set forth in the preceding paragraphs presented design challenges to locating the Proposed Garage on the Property in compliance with the Ordinance. Granting the Applicants the relief requested accommodates both a positive use of the Property and minimal relief being requested.

Literal enforcement of the Ordinance will result in an unnecessary hardship to the Applicants. Strict compliance with the Ordinance, if possible, would result in the Applicants incurring high costs, and would thus result in economic hardship to the Applicants which is unreasonable. Allowance of the variance requested will not be contrary to the public interest. The Proposed Garage use at the Property is consistent with the neighborhood. The requested variance represents the minimum variance which will provide relief needed. The requested variance represents the least modification possible of the Ordinance. The Proposed Garage use at the Property will not alter the essential character of the neighborhood. The Proposed Garage use will not substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

Please note, Applicant reserves the right to further supplement the contents of the Zoning Application, both prior to the hearing to be scheduled for this application, and at that hearing







45662





RECORDER OF DEEDS MONTGOMERY COUNTY Jeanne Sora

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 6103 PG 02499 to 02504

INSTRUMENT #: 2018057500

RECORDED DATE: 08/22/2018 09:57:24 AM



3895298-00224

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Transaction #: **Document Page Count:** 4065387 - 2 Doc(s)

Operator Id:

5 ebossard

PAID BY:

SECURITY ABSTRACT OF PAINC

Security Abstract of PA, Inc. 1741 Valley Forge Road Worcester,, PA 19490 (610) 584-6890

Document Type: Deed

RETURN TO: (Simplifile)

Document Date: 08/08/2018

* PROPERTY DATA:

Reference Info:

Parcel ID #: Address:

67-00-01315-00-4 1325 HOLLOW RD

COLLEGEVILLE PA

19426

Municipality:

Worcester Township (100%)

School District:

Methacton

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT: \$425,000.00

FEES / TAXES:

Recording Fee: Deed \$86.75 Additional Pages Fee \$2.00 Affordable Housing Pages \$2.00 State RTT \$4,250.00 Worcester Township RTT \$2,125.00 Methacton School District RTT \$2,125.00 Total: \$8,590.75

DEED BK 6103 PG 02499 to 02504

Recorded Date: 08/22/2018 09:57:24 AM

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



Jeanne Sorg Recorder of Deeds

Rev1 2016-01-29

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:
Security Abstract of PA, Inc.
1741 Valley Forge Road
P.O. Box 1060
Worcester, PA 19490
610-584-6890
File No. SPA45662TRG
UPI # 67-00-01315-00-4

This Indenture, made the 8th day of August, 2018

Between

ESTATE OF JAMES J. HIMSWORTH, JR., DECEASED, BY ELIZABETH H. EVANS, EXECUTRIX

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

JOHN R. DELLANGELO AND JAALA DELLANGELO

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

Dollars (\$425,000.00), in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, as Husband and Wife, Tenants by the Entireties,

ALL THAT CERTAIN portion of land situate in the Township of Worcester, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a Subdivision – Record Plan entitled "1325 Hollow Road", prepared by Woodrow & Associates, Inc., dated August 4, 2017, last revised January 29, 2018 and recorded 7/30/2018 in Plan Book 48 page 75, as follows, to wit:

BEGINNING AT A POINT, an iron pin found and held at the intersection that the southwesterly existing legal right of way line of Water Street, having a variable width right of way, makes with the common property line between lands now or formerly of Frank J. & Joanne M. Gibilante (TPN: 67-00-03907-00-4) and Proposed Lot 1, being part of lands now or formerly of James J. HR & Patricia Himsworth (TPN: 67-00-01315-01-3 & 67-00-01315-00-4);

THENCE, leaving said beginning point and along said southwesterly existing legal right of way line and the southwesterly ultimate right of way line of Water Street, being 30 feet distant and parallel to the title line and centerline, South 53 degrees 14 minutes 10 seconds East, a distance of 249.86 feet, to a concrete monument to be set at the point of curve of a radius joining said southwesterly ultimate right of way line of Water Street with the northwesterly ultimate right of way line of Hollow Road, having an existing 33 feet wide legal right of way width and being widened to a 46.50 feet ultimate right of way width by the addition of 13.50 feet to the said northwesterly side;

Under and Subject to any and all agreements, covenants, liens, reservations, exceptions, restrictions and other encumbrances of record.

Together with all and singular the buildings, improvements, ways, waters, water-courses, driveways, rights, liberties, hereditaments and appurtenances, whatsoever thereunto 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, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said buildings 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.

Atto the said Elizabeth H. Evans, Executrix, of the aforesaid covenants, promises and agrees to and with said Grantees, their heirs and assigns, that he/she, the said Executrix of the aforementioned, has not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or encumbered, in title, charge, estate, or otherwise howsoever.

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

SEALED AND DELIVERED IN THE PRESENCE OF US:

or og.	ESTATE OF JAMES J. HIMSWORTH, JR., DECEASED
	By: Elizabeth H. Evans, Executive {SEAL}
	By:{{SEAL}}

Beed

UPI # 67-00-01315-00-4

Estate of James J. Himsworth, Jr., deceased

TO

John R. Dellangelo and Jaala Dellangelo

Security Abstract of PA, Inc. 1741 Valley Forge Road P.O. Box 1060 Worcester, PA 19490 Telephone: 610-584-6890 Fax: 610-584-6859

