

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. ZHB 22-12 DATE FILED: 6/28, 20 22

APPLICATION:  BOARD OF SUPERVISORS  
 ZONING HEARING BOARD

1. Date of Application: 6/17/22

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: Obafemi and Idayat Adewunmi
- b. Mailing address: 2565 Cold Spring Road, Lansdale, PA 19446
- c. Telephone number: 267-810-9348
- d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: Legal Owner See attached


4. Applicant's attorney, if any:

- a. Name: Robert J. Iannozzi Jr. Esquire
- b. Address: 1800 Pennbrook Parkway Suite 200  
Lansdale, PA 19446
- c. Telephone number: 215-362-2474

5. **Property Details: See attached**
- a. Present Zoning Classification: \_\_\_\_\_
  - b. Present Land Use: \_\_\_\_\_
  - c. Location (Street Address): \_\_\_\_\_
  - d. Parcel #: \_\_\_\_\_
  - e. Lot Dimensions:
    - (1) Area: \_\_\_\_\_
    - (2) Frontage: \_\_\_\_\_
    - (3) Depth: \_\_\_\_\_
  - f. Circle all that apply in regards to the above specified property:
    - X Public Water      X Public Sewer
  - g. Size, construction, and use of existing improvements; use of land, if unimproved: **See attached**
6. **Proposed Use(s): See attached**
- a. Proposed use(s) and construction: Please provide size, construction and proposed use(s).
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. **See attached**
8. Has any previous appeal been filed concerning the subject matter of this appeal?  
 Yes     No
9. Challenges please list requested issues of fact or interpretation: N/A
10. Worcester Township to provide the list of names and addresses of properties situated in the vicinity of the subject property as per Township Code Section 150-224

**CERTIFICATION**

I hereby certify that the above information is true and correct to the best of my knowledge, information, and belief.

  
 \_\_\_\_\_  
**Robert J. Iannozi Jr.**  
 Applicant's Attorney

# **OBAFEMI AND IDAYAT ADEWUNMI**

## **APPLICATION SUPPLEMENT**

### **BACKGROUND/REQUESTED ZONING RELIEF**

#### *Applicant/Property*

The property, which is owned by Abafemi and Idayat Adewunmi (“Applicant”), consists of approximately 70,352 square feet and is located at 2565 Cold Spring Road (“Property”)<sup>1</sup> in the Township’s R-175 Residential District (“R-175 District”).

The Property is currently improved with a 2-story, 7,246 square-foot single-family dwelling that was constructed in 1998.

#### *The Proposal*

Applicant is proposing to install a 840 square-foot concrete pool with spa; sun deck; a 360 square-foot pavilion; and associated decking on the Property (“Proposal”).<sup>2</sup>

#### *Requested Zoning Relief*

To facilitate the Proposal, Applicant requests a variance from Article VII, Section 150-38 of Worcester Township’s Zoning Ordinance, as amended (“Ordinance”), relating to the maximum permitted total impervious coverage on a residential lot in the R-175 District.

If granted, Applicant’s requested variance relief will permit an impervious coverage of 25%, where 21% currently exists, and a maximum of 20% is permitted in the R-175 District. The Property is compliant with all other applicable R-175 District dimensional requirements.

At the hearing, Applicant will establish entitlement to the requested variance relief by presenting credible testimony/exhibits and satisfying the Pennsylvania Municipalities Planning Code (“MPC”) Section 910.2 [Zoning Hearing Board/Variations] and Article XXVI, Section 150-219 [Zoning Hearing Board’s/Variations]. Specifically, Applicant will establish:

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<sup>1</sup> See Deed and County Property records, attached as Exhibit A.

<sup>2</sup> See Zoning Exhibit, attached as Exhibit B.

1. The Property's configuration and the location of the single-family dwelling upon it are unique physical circumstances peculiar to the Property and the unnecessary hardship is due to such conditions and not the circumstances or conditions created under the Ordinance;
2. Due to these unique physical circumstances and conditions, there is no possibility that Applicant can use the Property as proposed in strict conformity with the Ordinance;
3. Applicant did not create the unnecessary hardship necessitating the requested variance relief;
4. Applicant's requested variance relief will neither alter the essential character of the neighborhood and R-175 District in which the Property is located, nor will it substantially or permanently impair the appropriate use or development of adjacent properties, nor will it be detrimental to the public welfare; and
5. The requested variance is the minimum relief needed to facilitate the Proposal and represents the least modification of the Ordinance.

**EXHIBIT A**

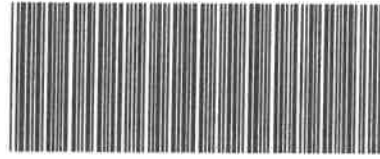
*Deed and County Property Records*



RECORDER OF DEEDS  
MONTGOMERY COUNTY  
*Jeanne Sorg*

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 6143 PG 02258 to 02262**  
INSTRUMENT # : 2019044351  
RECORDED DATE: 07/10/2019 08:04:09 AM



5653146-0020P

**MONTGOMERY COUNTY ROD**


**OFFICIAL RECORDING COVER PAGE**

Page 1 of 5

<b>Document Type:</b> Deed	<b>Transaction #:</b> 5870579 - 2 Doc(s)
<b>Document Date:</b> 06/27/2019	<b>Document Page Count:</b> 4
<b>Reference Info:</b>	<b>Operator Id:</b> sford
<b>RETURN TO:</b> (Simplifile) Trident Land Transfer Company, LP 431 W. Lancaster Ave. 3rd Floor Devon, PA 19333 (610) 889-7660	<b>PAID BY:</b> TRIDENT LAND TRANSFER COMPANY LP

<b>* PROPERTY DATA:</b>	
Parcel ID #:	67-00-00671-68-3
Address:	2565 COLD SPRING RD
	PA
Municipality:	Worcester Township (100%)
School District:	Methacton

**\* ASSOCIATED DOCUMENT(S):**

<b>CONSIDERATION/SECURED AMT:</b> \$950,000.00	DEED BK 6143 PG 02258 to 02262
<b>TAXABLE AMOUNT:</b> \$950,000.00	Recorded Date: 07/10/2019 08:04:09 AM
<b>FEES / TAXES:</b>	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.
Recording Fee:Deed \$86.75	
State RTT \$9,500.00	
Worcester Township RTT \$4,750.00	
Methacton School District RTT \$4,750.00	
<b>Total:</b> \$19,086.75	<b>Jeanne Sorg</b> 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

Digitally signed 06/14/2022 by montgomery.county.rod@kofile.com

**Certified and Digitally Signed**

Validation may require Adobe Windows Integration

eCertified copy of recorded # 2019044351 (page 1 of 5)  
Montgomery County Recorder of Deeds



**Prepared by:**

Trident Land Transfer Company LP  
431 West Lancaster Avenue  
Devon, PA 19333  
Phone: (610)889-7660

**Return To:**

ATTN: Post-Closing Department  
Trident Land Transfer Company LP  
Parcel No.: 67-00-00671-68-3

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
67-00-00671-68-3 WORCESTER TOWNSHIP  
2565 COLD SPRING RD  
THOMPSON WILLIAM M & MAUREEN S  
B 023A L 25 U 025 1101 07/08/2019

\$15.00  
JW

File No.: 19PA04159

# DEED

**William M. Thompson and Maureen S. Thompson, husband and wife**  
**to**  
**Obafemi Adewunmi and Idayat Adewunmi**

**PREMISES:**  
**2565 Cold Spring Road**  
**Township of Worcester**  
**County of Montgomery**  
**Pennsylvania**  
**Parcel No.: 67-00-00671-68-3**

The address of the above named Grantee(s) is:  
2565 Cold Spring Road  
Lansdale, PA 19446

Certified by: Obafemi Adewunmi



**DEED**

THIS INDENTURE made this 27 day of June, 2019.

**Between** WILLIAM M. THOMPSON AND MAUREEN S. THOMPSON, HUSBAND AND WIFE,  
(hereinafter called the Grantors) and

OBAFEMI ADEWUNMI AND IDAYAT ADEWUNMI, (hereinafter called the Grantees)

Witnesseth That the said Grantors for and in consideration of the sum of Nine Hundred Fifty Thousand And No/100 Dollars (\$950,000.00) lawful money of the United States of America, unto them well and truly paid by the said Grantees, 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 Grantees, their heirs and assigns, as tenants by the entirety.

**LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

TOGETHER with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise 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 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 above described with the improvements, 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 Grantors do by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns that the said Grantors 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 the said Grantors and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under them or any of them, shall and will WARRANT and forever DEFEND.





**EXHIBIT A**

**ALL THAT CERTAIN** Lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Worcester, County of Montgomery and Commonwealth of Pennsylvania bounded and described according to a Record Plan of "Hillcrest Meadows" prepared for Pat Sparango Inc. & Northern Liberty Service Corp., by Robert E. Blue, Consulting Engineers, P C. dated January 24, 1989, last revised August 2, 1989, recorded in the Office for the Recording of Deeds, in and for the County of Montgomery, at Norristown, Pennsylvania, in Plan Book A-52 Pages 52 and 54, as follows to wit:

**BEGINNING** at a point on the Southeasterly side of Cold Spring Road (60.00 feet wide), at a corner of Lot Number 24, as shown on said Plan and which point is measured the five following courses and distances from a point of curve on the Southeasterly side of Country View Lane (50.00 feet wide), viz: (1) leaving the said Southeasterly side of Country View Lane on the arc of a curve, curving to the left, having a radius of 20.00 feet, the arc distance of 30.15 feet to a point of reverse curve on the Northeasterly side of Cold Spring Road, aforesaid; (2) thence extending Southeastwardly along the said Northeasterly side of Cold Spring Road on the arc of a curve, curving to the right, having a radius of 180.00 feet, the arc distance of 78.07 feet to a point of tangent on the same; (3) thence extending South 19 degrees 40 minutes 00 seconds East, along the said Northeasterly side of Cold Spring Road, the distance of 517.06 feet to a point of curve on the same; (4) thence extending in a Southeastwardly to Southwardly to Southwestwardly direction, along the Northeasterly, Easterly and Southeasterly sides of Cold Spring Road, aforesaid, on the arc of a curve, curving to the right, having a radius of 530.00 feet, the arc distance of 567.66 feet to a point of tangent on the said Southeasterly side of Cold Spring Road; and (5) thence extending South 41 degrees 42 minutes 00 seconds West, along the said Southeasterly side of Cold Spring Road, the distance of 442.82 feet to the point of beginning; thence extending from said point of beginning South 48 degrees 18 minutes 00 seconds East, along Lot Number 24, aforesaid, the distance of 300.00 feet to a point, a corner in line of lands now or formerly of Haines, as shown on said Plan; thence extending South 41 degrees 42 minutes 00 seconds West, along lands of Haines, the distance of 234.02 feet to a concrete monument, a corner in line of lands now or formerly of Frisbie, as shown on said Plan; thence extending North 48 degrees 29 minutes 16 seconds West, along lands of Frisbie, the distance of 300.00 feet to a point on the said Southeasterly side of Cold Spring Road; thence extending North 41 degrees 42 minutes 00 seconds East, along the said Southeasterly side of Cold Spring Road, the distance of 235.00 feet to the first mentioned point on the same, at a corner of the aforesaid Lot Number 24 and place of beginning.

**BEING** Lot Number 25, as shown on the above mentioned Plan.

**BEING** PARCEL NO. 67-00-00671-68-3

Being the same premises which Pat Sparango Inc. by Deed dated 9/4/1998 and recorded 10/23/1998 in Montgomery County in Deed Book 5245 Page 1803 conveyed unto William M. Thompson and Maureen S. Thompson, in fee.

Parcel No.: 67-00-00671-68-3



IN THE WITNESS WHEREOF, the said Grantors has/have caused these presents to be duly executed dated the day and year first above written.

SEALED AND DELIVERED

In the presence of us:

*William M. Thompson*  
 \_\_\_\_\_  
 William M. Thompson

*Maureen S. Thompson*  
 \_\_\_\_\_  
 Maureen S. Thompson

Commonwealth of Pennsylvania

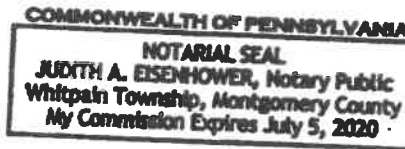
County of Montgomery

On this, the 27 day of June, 2019, before me, the undersigned Notary Public, personally appeared William M. Thompson and Maureen S. Thompson, husband and wife known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

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

*Judith A. Eisenhower*  
 \_\_\_\_\_  
 Notary Public

My Commission Expires: 7/5/20



PARID: 670000671683  
 ADEWUNMI OBAFEMI & IDAYAT

2565 COLD SPRING RD

**Parcel**

TaxMapID	67023A025
Parid	67-00-00671-68-3
Land Use Code	1101
Land Use Description	R - SINGLE FAMILY
Property Location	2565 COLD SPRING RD
Lot #	25
Lot Size	70352 SF
Front Feet	235
Municipality	WORCESTER
School District	METHACTON
Utilities	ALL PUBLIC//

**Owner**

Name(s)	ADEWUNMI OBAFEMI & IDAYAT
Name(s)	
Mailing Address	2565 COLD SPRING RD
Care Of	
Mailing Address	
Mailing Address	LANSDALE PA 19446

**Current Assessment**

Appraised Value	Assessed Value	Restrict Code
515,900	515,900	

**Estimated Taxes**

County	2,024
Montco Community College	201
Municipality	26
School District	16,129
Total	18,380
Tax Lien	Tax Claim Bureau Parcel Search

**Last Sale**

Sale Date	27-JUN-19
Sale Price	\$950,000
Tax Stamps	9500
Deed Book and Page	6143-02258
Grantor	THOMPSON WILLIAM M & MAUREEN S
Grantee	ADEWUNMI OBAFEMI & IDAYAT
Date Recorded	10-JUL-19

**Sales History**

Sale Date	Sale Price	Tax Stamps	Deed Book and Page	Grantor	Grantee	Date Recorded
06-27-2019	\$950,000	9500	6143-02258	THOMPSON WILLIAM M & MAUREEN S	ADEWUNMI OBAFEMI & IDAYAT	07-10-2019
09-04-1998	\$440,000	4400	5245-01803		THOMPSON WILLIAM M & MAUREEN S	10-23-1998

**Lot Information**

Lot Size 70352 SF  
 Lot # 25  
 Remarks 235 X 300 70352 SF  
 Remarks  
 Remarks

**Residential Card Summary**

Card 1  
 Land Use Code 1101  
 Building Style COLONIAL  
 Number of Living Units 1  
 Year Built 1998  
 Year Remodeled  
 Exterior Wall Material STUCCO  
 Number of Stories 2  
 Square Feet of Living Area 7,246  
 Total Rms/Bedrms/Baths/Half Baths 12/4/3/1  
 Basement FULL  
 Finished Basement Living Area 1500  
 Rec Room Area  
 Unfinished Area  
 Wood Burning Fireplace 1  
 Pre Fab Fireplace 1  
 Heating CENTRAL WITH A/C  
 System WARM FORCED AIR  
 Fuel Type GAS  
 Condo Level  
 Condo/Townhouse Type  
 Attached Garage Area 1627  
 Basement Garage No. of Cars

**Permits**

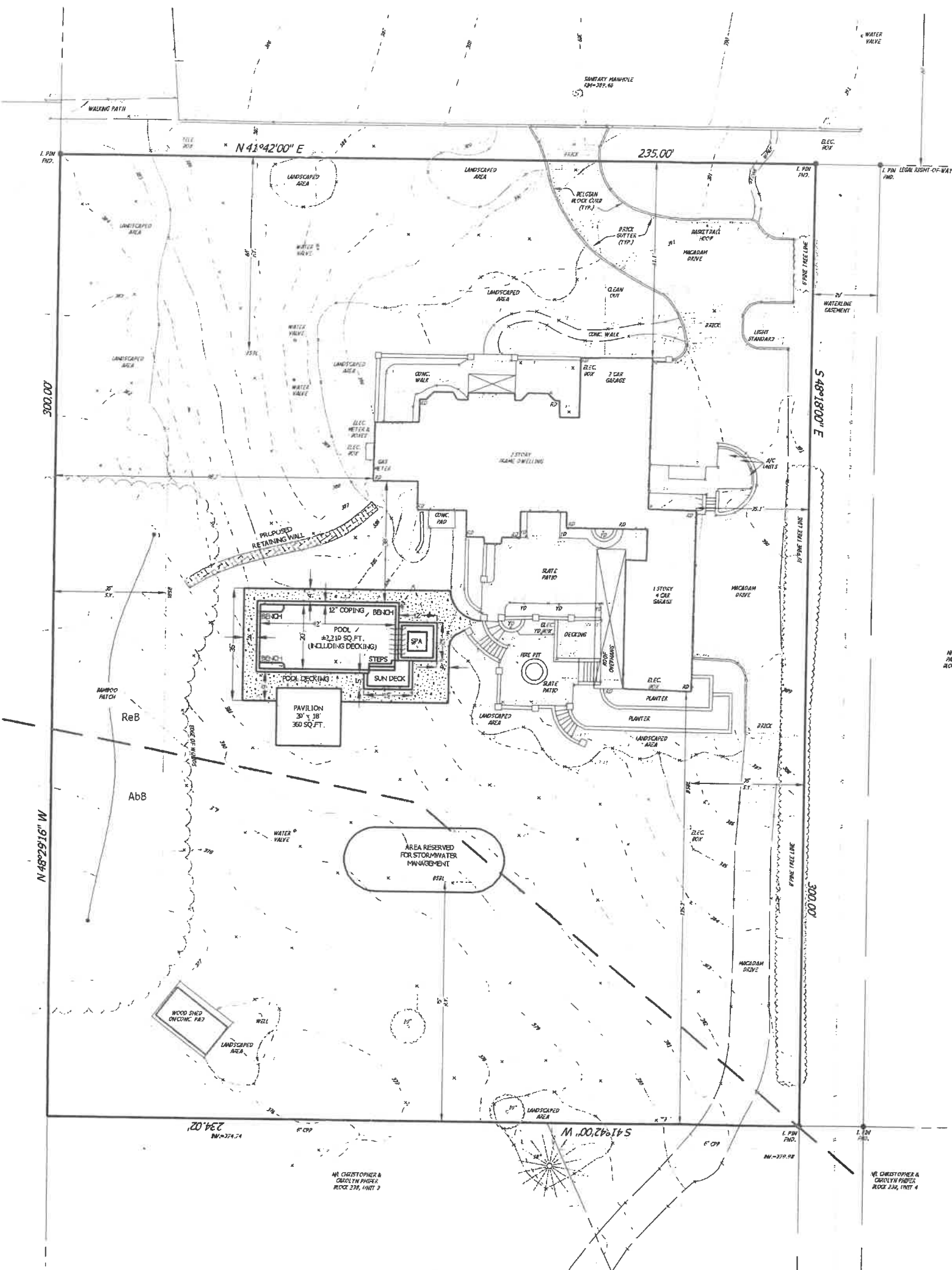
Permit Date 30-JAN-2002  
 Permit Number 5698  
 Amount  
 Purpose ADDITION  
 Notes  
 Notes  
 Notes  
 Status CLOSED

**Assessment History**

Appraised Value	Assessed Value	Restrict Code	Effective Date	Reason	Notice Date
515,900	515,900		01-JAN-21	APPEAL	17-SEP-20
591,600	591,600		01-JAN-20	APPEAL	17-SEP-19
670,140	670,140		01-JAN-06	GARAGE	06-MAR-06
	670,140		01-JAN-06	GARAGE	
	550,570		01-JAN-99	NEW HOUSE	
	128,010		01-JAN-98	REASSESSMENT	
	1,000		01-JUL-90	SUBDIVISION	

**EXHIBIT B**  
*Zoning Exhibit*





WALKING PATH

N 41°42'00" E

235.00'

3000.00'

548°18'00" E

POOL / #32.10 SQ. FT. (INCLUDING DECKING)

PAVILION 30' x 18' 360 SQ. FT.

AREA RESERVED FOR STORMWATER MANAGEMENT

WOOD SHED ON CONC. PAD

S 41°42'00" W

234.02'

3000.00'

M. CHRISTOPHER & SONS INC. ARCHITECTS  
 ROCK 234, UNIT 3

M. CHRISTOPHER & SONS INC. ARCHITECTS  
 ROCK 234, UNIT 4