

#original

RECEIVED
AUG 31 2018

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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. : 18-15 DATE FILED: August 31, 2018

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: 8/31/18

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: Aldo J. Cuce, Jean M. Cuce & Frank Cuce
b. Mailing address: 3261 Barley Lane, Lansdale, PA
c. Telephone number: 484-576-7509 (daughter)
d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: Legal (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: Bernadette A. Kearney / Hamburg Rubin Mullin Maxwell & Lupin
b. Address: 375 Morris Road, PO Box 1479, Lansdale, PA 19446
c. Telephone number: 215-661-0400
 Email: bkearney@hrmml.com

5. Property Details:
- a. Present Zoning Classification: AGR
 - b. Present Land Use: Residential
 - c. Location (Street Address):
2033 Wentz Church Road
 - d. Parcel #: 67-00-04006-00-4
 - e. Lot Dimensions:
 - (1) Area: Approx. 180,479.82 s.f.
 - (2) Frontage: 509.83
 - (3) Depth: 354
 - 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.

Aldo J. Cucci
Signature

ALDO J. CUCCI
Printed Name

Jean M. Cucci
Signature

Jean M. Cucci
Printed Name

Frank Cucci, by Aldo Cucci FRANK CUCCI by ALDO CUCCI
AS his AGENT.

Website: www.worcestertwp.com
Last Revised: January 30th, 2014

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.

Allo J. Cucci

Jean M. Cucci
Applicant

Frank Cucci, Jr. Allo Cucci
as his Agent
Applicant

Sworn to and subscribed before me this *30th* day of *August*, 20*18*

Catherine M. Mussari

Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Catherine Maryann Mussari, Notary Public
Hatfield Twp., Montgomery County
My Commission Expires Feb. 21, 2021
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Date Received: *8-31-18*

Andrew R. Lopez

Zoning Officer

Zoning Application Attachment

5.g: The Property consists of a 2,752 s.f. residence, barn and pool. The Property is part of the Act 319 program with adjacent properties owned by the Applicants. Applicants' daughter and son-in-law, Vicki and Matthew Cox, live at the property.

6. Applicant is proposing a 1,374 s.f. addition to the existing house, a 204 s.f. covered porch and a 496 s.f. patio. These proposed additions do not require zoning relief. The Applicant is also proposing new parking and a 1900 s.f. garage/barn on the Property as shown on the attached plans. The 1900 s.f. proposed barn requires zoning relief for the front yard setback and the proposed height of the barn.

7. The Applicant is requesting zoning relief from Section 150-13.A,(1)(a) to permit a 15 foot front yard setback instead of the required 75 foot setback for the proposed barn. The Applicant is also requesting a variance from Section 150-15.A., which permits a 15 foot height for structures accessory to a single-family detached dwelling, to allow a height of 25 feet for the proposed barn. The request for zoning relief for the setback of the proposed barn is due to the unique nature of the Property as the existing buildings are set close to the road due to the age of the structures. In addition, locating the proposed barn close to the road also reduces the need for more impervious coverage on the Property. As seen on the attached plans, the adjacent property also has a barn set close to the road. The Applicants preserved the existing barn but due to the age and nature of the barn, it cannot be used for storage of cars, tractors, or farm equipment. The preserved barn is where animals were housed. The proposed garage/barn will be used for the storage of cars, tractor and farm equipment. As shown on the attached plans, in order to obtain the right proportion for a traditional barn, the Applicant is requesting relief for the height of the proposed barn. The requested relief meets the legislative intent of the AGR Agricultural District as set forth in Section 150-10. The requested zoning relief is dimensional in nature and is the minimum to afford relief and will not adversely affect the public health, safety and welfare.

Additional

The Applicants/Owners of the Property permit, Vicki and Matt Cox and Gordon Todd to appear before the Zoning Hearing Board to present the zoning application.

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) 278-3889



DEED BK 5636 PG 02188 to 02192
INSTRUMENT # : 2007023937
RECORDED DATE: 02/26/2007 11:16:21 AM



0068801-0007N

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 46748 - 9 Doc(s)
Document Date: 01/26/2007	Document Page Count: 4
Reference Info: Heck	Operator Id: emiller2

RETURN TO: (Pickup) SUBURBAN PHILADELPHIA ABSTRACT INC 922 W. RIDGE PIKE CONSHOHOCKEN, PA 19428	SUBMITTED BY: SUBURBAN PHILADELPHIA ABSTRACT INC 922 W. RIDGE PIKE CONSHOHOCKEN, PA 19428
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* PROPERTY DATA:
Parcel ID #: 67-00-04006-00-4
Address: 2033 WENTZ CHURCH RD

PA
19446
Municipality: Worcester Township
School District: Methacton

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT: \$450,000.00

FEES / TAXES:
Recording Fee:Deed \$46.50
State RTT \$4,500.00
Worcester Township RTT \$2,250.00
Methacton School District RTT \$2,250.00
Total: \$9,046.50

DEED BK 5636 PG 02188 to 02192
Recorded Date: 02/26/2007 11:16:21 AM

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



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.

EWH

Prepared by and Return to:

Commonwealth Agency, Inc.
25 Skippack Pike
Broad Axe, PA 19002
215-643-7744
UPI # 67-00-04006-00-4

id int

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
67-00-04006-00-4 WORCESTER
2033 WENTZ CHURCH RD
HECK ALDEN M
B 030 U 052 L 1101 DATE: 02/21/2007

\$5.00
AN

This Indenture, made the 26th day of JANUARY, 2007.

Between

ALDEN M. HECK

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

ALDO J. CUCE, JEAN M. CUCE, HUSBAND AND WIFE AND FRANK CUCE

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

Witnesseth, that the said Grantor for and in consideration of the sum of Four Hundred Fifty Thousand DOLLARS. lawful money of the United States of America, unto him 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, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, their heirs and assigns, as to Aldo J. Cuce and Jean M. Cuce, an undivided 1/2 interest as tenants by the entirety and as to Frank Cuce, an undivided 1/2 interest; as to the whole unto the grantees and survivors as joint tenants with right of survivorship and not as tenants in common.

FEB 21 2007

ALL THAT CERTAIN message and tract or piece of land, situate in the Township of Worcester, County of Montgomery and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin a corner of this and in a line of land of Roy Vierman; thence by land of John Henning the following two courses and distances: North 57-1/2 degrees East 455 feet to a corner; thence South 43 degrees East 344 feet 6 inches to a corner in the middle of a public road; thence along the middle of said road, South 45 degrees West 509 feet 10 inches to a corner of this and land of Roy Vierman; thence by the same, North 34 degrees West 354 feet to the place of beginning.

BEING the same premises which Craig T. Przywiecki and Joan E. Staggers by Deed dated December 10, 1991 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Deed Book 5008 page 1962, granted and conveyed unto Alden M. Heck, in fee.


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 him, the said grantor, 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 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 Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that he, the said Grantor, and his 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 Grantees, their heirs and assigns, against him, the said Grantor, and his heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has hereunto set his hand and seal. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:




 (SEAL)
Alden M. Heck

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 26th day of JANUARY, 2007, before me, the undersigned Notary Public, personally appeared Alden M. Heck, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he 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 Grantees is:

~~2033 Wentz Church Road~~ 2049 Wentz Church Rd. P.O. Box 109
~~Lansdale, PA 19446~~ Cedars PA 19423

On behalf of the Grantees

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
RAYMOND R. VERBRUGGHE, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires July 11, 2010

Deed

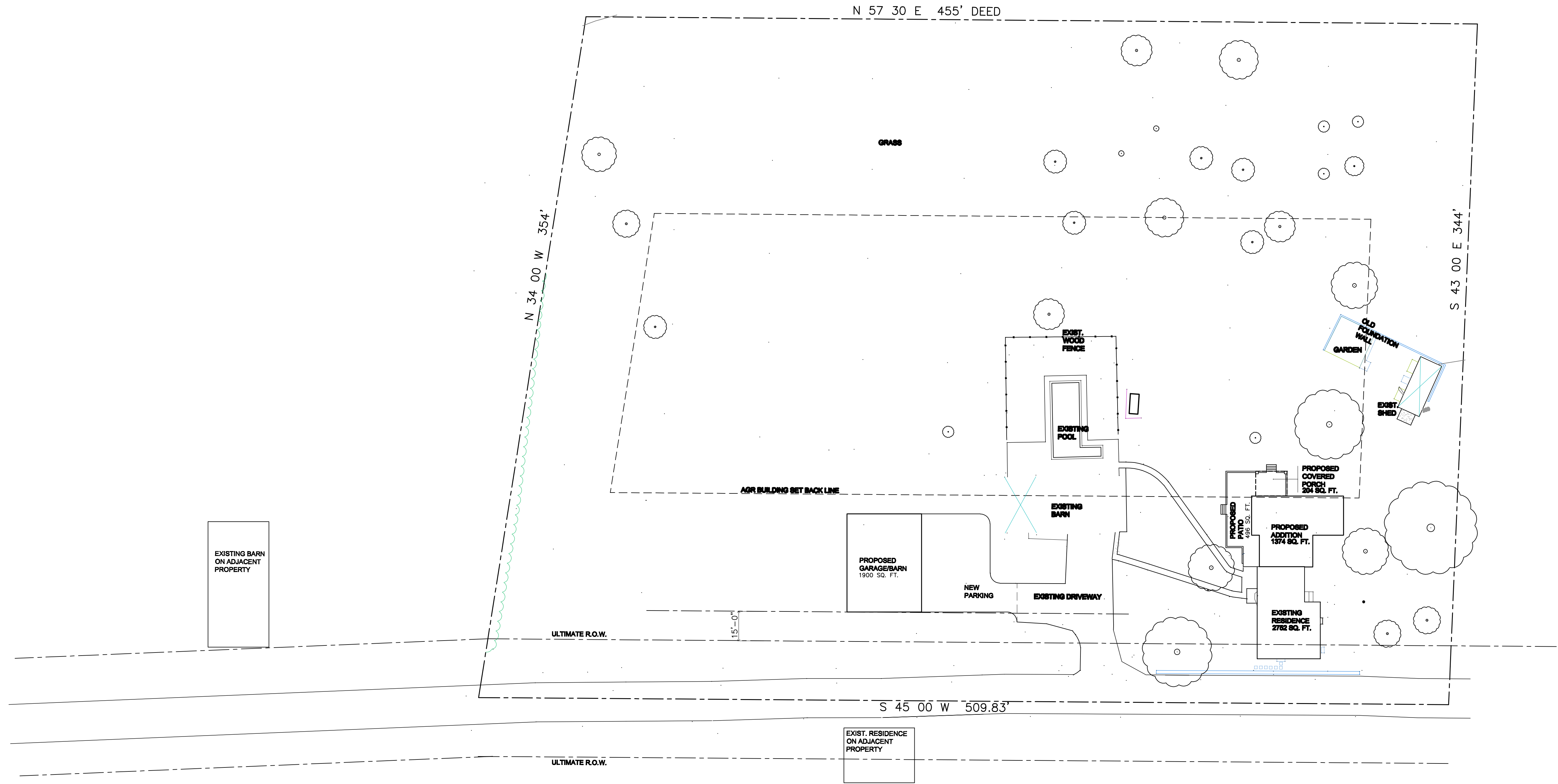
UPI # 67-00-04006-00-4

Alden M. Heck

TO

Aldo J. Cuce, Jean M. Cuce and Frank Cuce

Commonwealth Agency, Inc.
25 Skippack Pike
Broad Axe, PA 19002
Telephone: 215-643-7744 Fax: 215-643-5680



5	..	..	..
4	..	..	..
3	..	..	..
2	..	..	..
1	1/28/2017	ISSUED FOR REVIEW	OR
NO.	DATE	ISSUE	REVISION

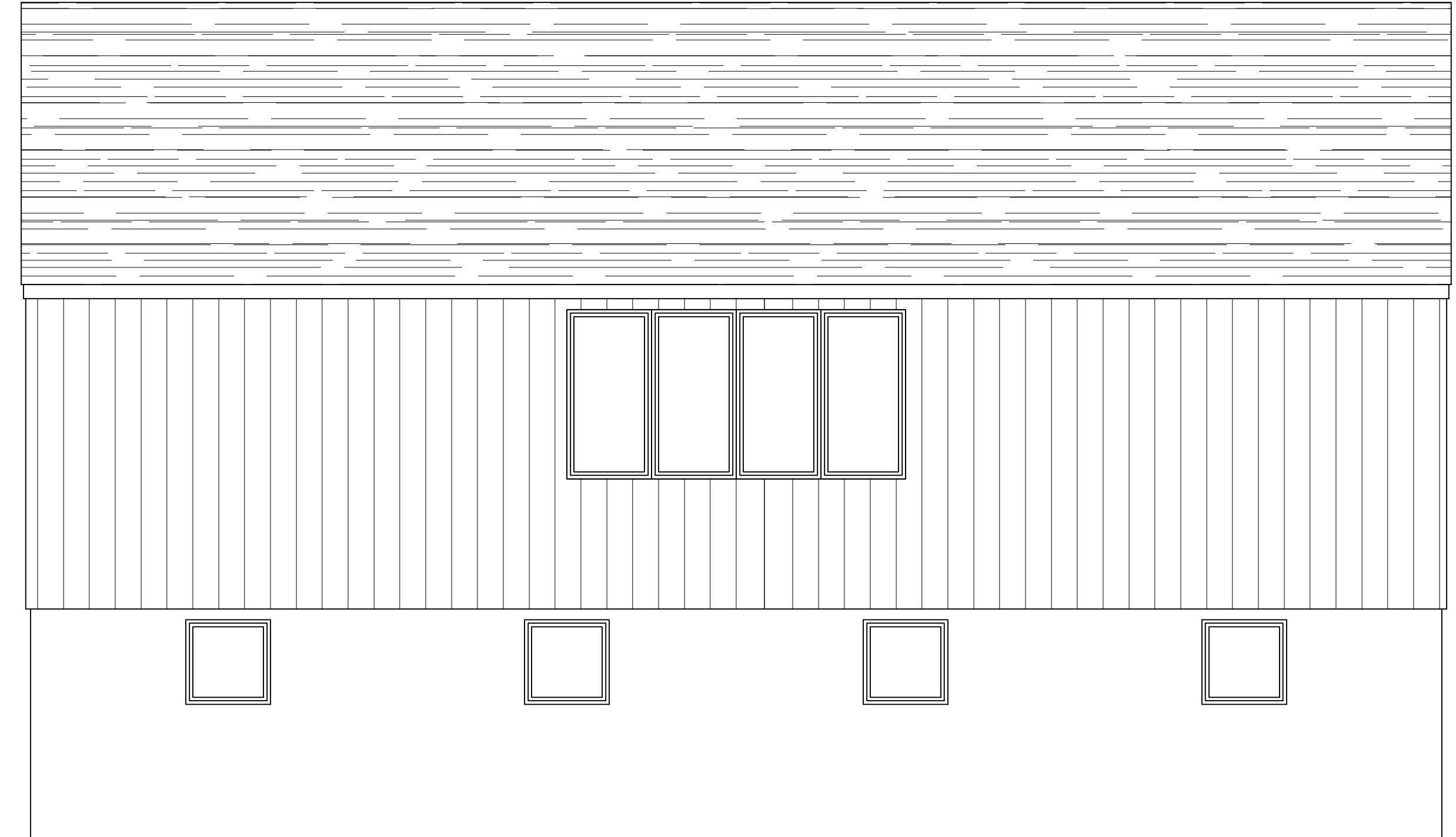
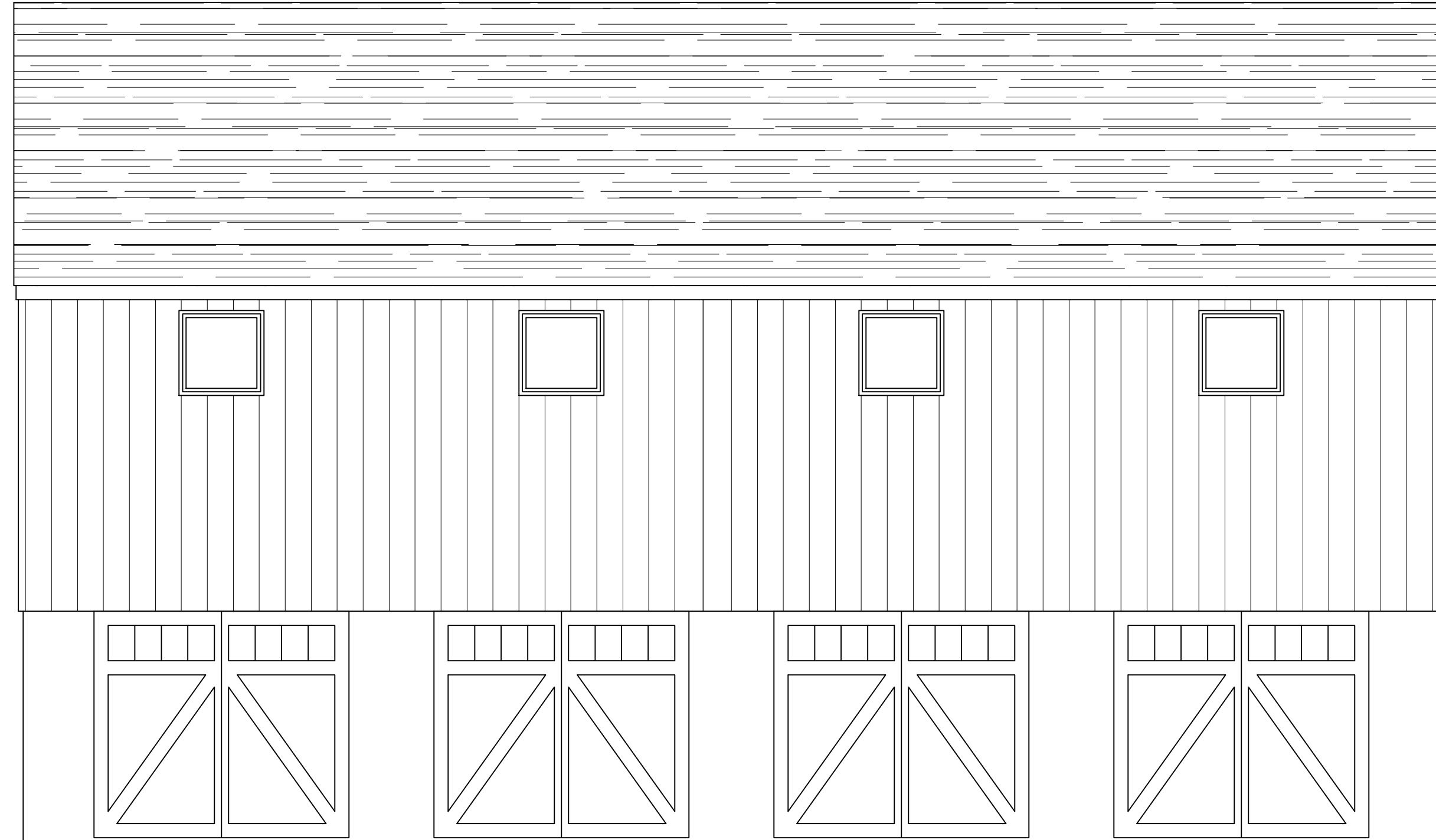
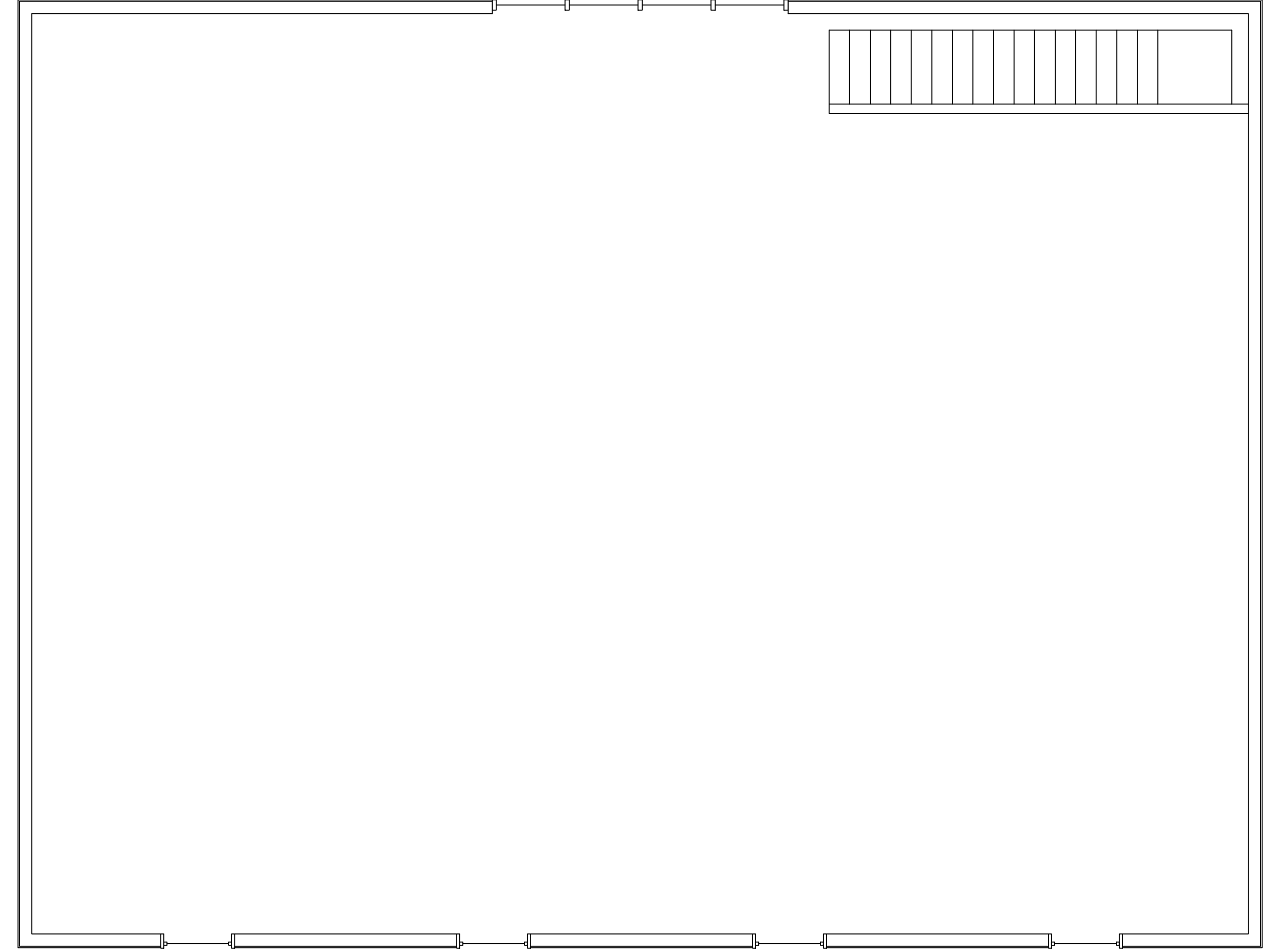
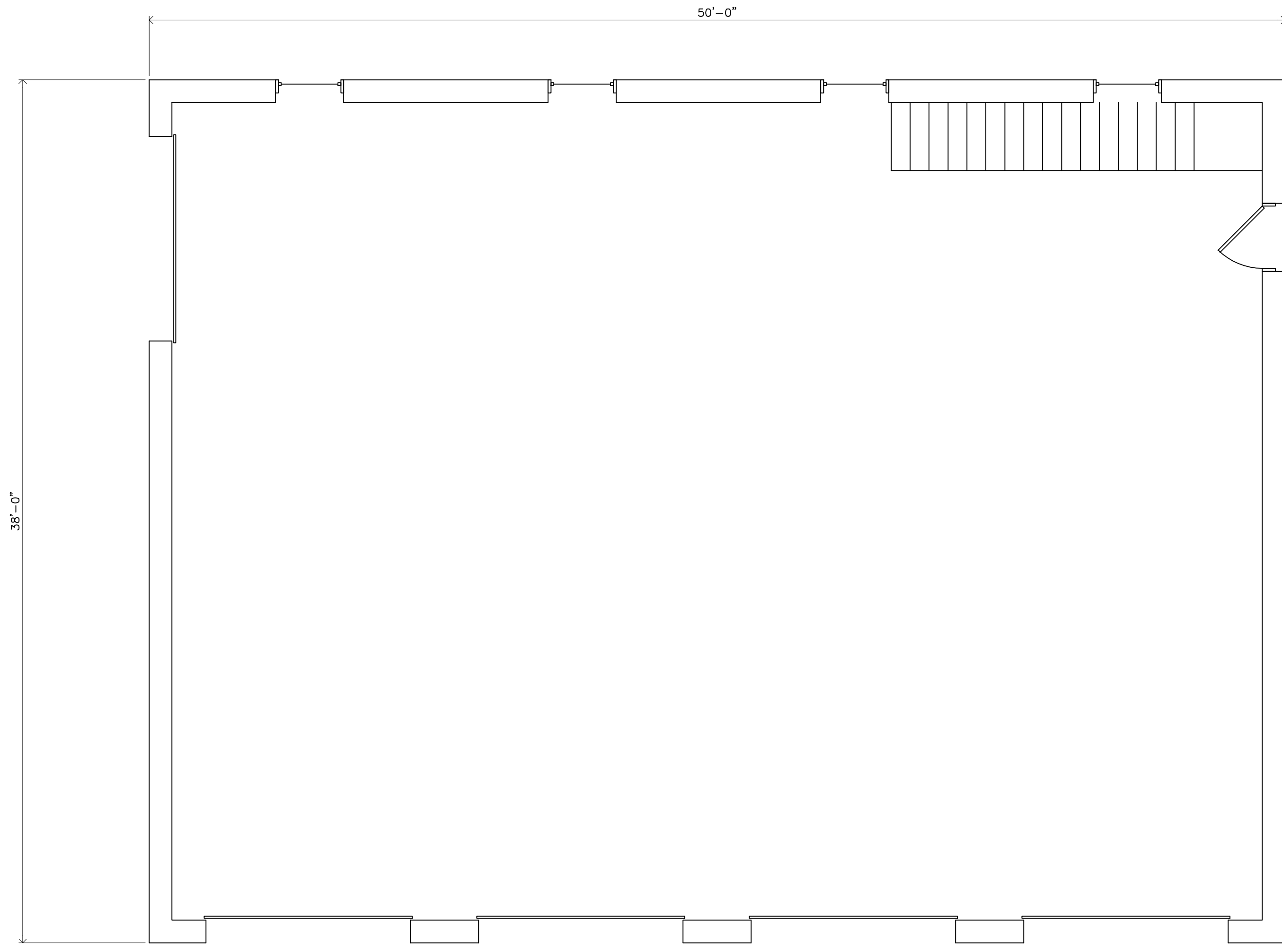
PROPOSED ADDITION TO RESIDENCE
 OF
 MATT & VICKI COX
 2033 WENTZ CHURCH ROAD, LANSDALE
 MONTGOMERY COUNTY, PENNSYLVANIA

GORDON L. TODD, ASSOCIATES
 ARCHITECTS & PLANNERS, P.C.
 2116 BUSTARD ROAD, LANSDALE, PA 19446 PH. (610) 584-1707

(SEAL)

T2017-031

SITE-1



CAUTION:
IF THIS DOCUMENT DOES NOT CONTAIN AN ORIGINAL
INKED OR THE RAISED IMPRESSION SEAL OF THE
THE PROFESSIONAL, IT IS NOT AN AUTHORIZED
ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.

NO.	DATE	ISSUE	OR	REVISION
1	9/2/2017	ISSUED FOR REVIEW		
2				
3				
4				
5				

PROPOSED ADDITION TO RESIDENCE
OF
MATT & VICKI COX
2033 WENTZ CHURCH ROAD, LANSDALE
MONTGOMERY COUNTY, PENNSYLVANIA

GORDON L. TODD, ASSOCIATES
ARCHITECTS & PLANNERS, P.C.
2116 BUSTARD ROAD, LANSDALE, PA 19446 PH. (610) 594-1707

(SEAL)

T2017-031

A-1