

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.: 20-11 DATE FILED: June 30, 2020

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: June 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: North Grange, LLC
 - b. Mailing address: c/o Frank R. Bartle, Esq., Dischell Bartle Dooley
1800 Pennbrook Parkway, Suite 200, Lansdale PA 19446
 - c. Telephone number: (215) 362-2474
 - d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: Legal Owner (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: Frank R. Bartle, Esq., Eric F. Wert, Esq., Dischell Bartle Dooley
 - b. Address: 1800 Pennbrook Parkway, Suite 200, Lansdale PA 19446
 - c. Telephone number: (215) 362-2474

5. Property Details:
- a. Present Zoning Classification: See Attached Addendum
 - 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:

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 See attached addendum.
 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

Eric F. West
 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.



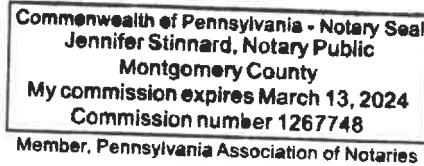
~~Applicant~~ Attorney for Applicant

Applicant

Sworn to and subscribed before me this 30th day of June, 2020



Notary Public



Date Received: 6.30.20



Zoning Officer

North Grange, LLC
Addendum to Application to Worcester Township Zoning Hearing Board

5. Property Details:

- a. Present Zoning Classification: AGR Agricultural District
- b. Present Land Use: Property contains an existing lawn care business with associated improvements.
- c. Location (Street Address): 3481 Germantown Pike (address shared and property assessed with Lower Providence Parcel 43-00-05302-00-1 fronting on Germantown Pike, as shown on the attached Zoning Variance Application Plan)
- d. Parcel #: 67-00-05302-10-9
- e. Lot Dimensions:
 - (1) Area: Worcester Township and Lower Providence Parcels have a combined area of 2.9608 Gross Acres, 2.29 Net Acres (99,752 Net Square Feet). Worcester Township parcel is 47,493 Net SF and Lower Providence Township parcel is 52,259 Net SF.
 - (2) Frontage: Worcester Township and Lower Providence Township parcels together have 372.49 feet of frontage on N. Grange Avenue. The Lower Providence Parcel has 357.56 feet of frontage on Germantown Pike.
 - (3) Depth: 340.11 Feet (from North Grange Avenue)
- f. Existing Sewer Service: Lower Providence Sewer Authority

Existing Water Service: PA American Water Company
- g. Size, construction, and use of existing improvements; use of land, if unimproved:

Property contains a 1,500 s.f. office, 10,500 s.f. ancillary storage building, associated parking, and outdoor storage areas for the existing lawn care business located at the property. Please see the Zoning Variance Application Plan for a depiction of the existing improvements.

6. Proposed Use:

Applicant proposes to expand the existing impervious coverage area of the property for increased outdoor parking and storage for the existing lawn care business as shown on the attached Zoning Variance Application Plan.

Applicant further proposes additional porous stone over certain proposed underground stormwater BMP facilities also as shown on the Zoning Variance Application Plan.

As part of these improvements, Applicant will relocate the existing Privacy/Security Fence and will supplement the existing landscape screen buffer plantings.

7. Legal grounds for appeal:

Applicant requests the following zoning relief:

1. A variance from Section 150-11 to permit the installation of landscaping, detention basin, paving and related improvements as shown on the Zoning Variance Application Plan for the existing lawn care business use.
2. A variance from Section 150-13.B.(2) from the required 250 feet front yard and 125 feet side and rear yard setback requirements.
3. A variance from Section 150-14.B to allow impervious coverage of 44% of the Worcester parcel where 20% is the maximum allowable.
4. A variance from Section 150-182.B to allow the relocation of the existing privacy/security fence within the required front, side and rear yard setbacks.
5. A variance from Section 150-203.C and 150-203.D to permit a storm water basin to occupy more than 15% of the required rear yard area of the Worcester Parcel, and be located within the side and rear yard setbacks.
6. A variance from Section 150-225 to allow Applicant two years from the grant of any relief by the Zoning Hearing Board to obtain a permit for the proposed improvements.

Applicant will suffer hardship to the property as defined in Section 910.2 of MPC, in that the property cannot be developed in strict conformity with the applicable zoning provisions. The requested relief will allow Applicant to improve the condition of the property and make reasonable use of it. Moreover, the proposed use presents no detriment to public health safety or welfare.

Applicant will establish its entitlement to the relief requested through the presentation of testimony and exhibits at the public hearing satisfying all criteria for the stated variances as set forth in Section 910.2 of the MPC.

8. Has any previous appeal been filed concerning the subject matter of this appeal?

Property was the subject of a previous 2010 Zoning Hearing Board application which resulted in certain zoning relief being granted to the property owner. Previously granted relief is listed on the Zoning Variance Application Plan.

9. Challenges please list requested issues of fact or interpretation: N/A

10. Worcester Township to provide the list of names and addresses of all property within 500 feet of the perimeter of the subject property.

RECORDER OF DEEDS
MONTGOMERY COUNTY PENNSYLVANIA
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

I hereby certify that the following is a true and correct
copy of the original document
recorded in Montgomery County, PA



Jeanne Sorg

Jeanne Sorg, Recorder of Deeds



DE BK08615-2816

DT-DEED

2006113861 09/12/2006 11 47 32 AM 8

RCD FEE \$52.50 LCL TAX \$6 750.00 ST TAX \$6 750.00



MONTGOMERY COUNTY ROD

434 LOWER PROVIDENCE TOWNSHIP \$6 750.00 NANCY BECKER ROD

Prepared by and Return to

Germantown Title Company
11 S Trooper Road
Norristown, PA 19403
610-631-1540

File No G-20149FA

Parcel ID No 43-00-05302-00-1

67-00-05302-109 (N)

67-00-05302-109 (N)

REGISTERED NEW

Handwritten marks: 'u' at top right, '4' and '2' in a vertical column, and a circled '2' below them.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
43-00-05302-00-1 LOWER PROVIDENCE
3481 GERMANTOWN PIKE
PROVIDENCE ELECTRIC SUPPLY INC
B 034 U 017 L 1101 DATE 09/07/2006

\$0.00 BR

This Indenture, made the 30th day of August, 2006,

87 WORCESTER TOWNSHIP \$6 00 -

Between

PROVIDENCE ELECTRIC SUPPLY, INC.

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

NORTH GRANGE, LLC

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Six Hundred Seventy Five Thousand Dollars 00/100 (\$675,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantee, 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 Grantee, as an limited liability company

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE PARTLY IN THE TOWNSHIP OF LOWER PROVIDENCE AND PARTLY IN THE TOWNSHIP OF WORCESTER, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED IN ACCORDANCE WITH A SURVEY THEREOF MADE BY HOWARD F MEIXNER, SURVEYOR, COLLEGEVILLE, PENNSYLVANIA, DATED SEPTEMBER 7TH, 1954, AS FOLLOWS, TO WIT.

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF GERMANTOWN PIKE (FIFTY FEET WIDE) WITH THE CENTER LINE OF GRANGE AVENUE (THIRTY EIGHT FEET WIDE), THENCE EXTENDING ALONG THE CENTER LINE OF SAID GRANGE AVENUE, NORTH FORTY DEGREES, THIRTY FOUR MINUTES EAST, THREE HUNDRED SIXTY EIGHT AND TEN ONE-HUNDREDTHS FEET TO A POINT IN LINE OF LAND NOW OR LATE OF JOHN HEFFELFINGER, THENCE EXTENDING BY THE SAME THE TWO FOLLOWING COURSES AND DISTANCES TO WIT (1) SOUTH FIFTY FIVE DEGREES, FIFTEEN MINUTES EAST, ONE HUNDRED EIGHTY AND EIGHTEEN ONE-HUNDREDTHS FEET TO A POINT, AND (2) SOUTH FIFTY FIVE DEGREES, FIFTEEN MINUTES EAST, ONE HUNDRED FIFTY NINE AND NINETY TWO ONE-HUNDREDTHS FEET TO A POINT IN LINE OF LAND NOW OR LATE OF R

RECEIVED
SEP 07 2006



BY:.....

ROUSE, THENCE EXTENDING BY THE SAME SOUTH FORTY ONE DEGREES, THIRTY MINUTES WEST, THREE HUNDRED SEVENTY ONE AND SIXTY NINE ONE-HUNDREDTHS FEET TO A POINT IN THE AFORESAID CENTER LINE OF GERMANTOWN PIKE, THENCE EXTENDING BY SAID CENTER LINE THEREOF NORTH FIFTY FIVE DEGREES, THIRTY MINUTES WEST, THREE HUNDRED THIRTY THREE AND SIXTEEN ONE-HUNDREDTHS FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

BEING PARCEL NUMBER 43-00-05302-00-1 AND 67-00-05302-10-9 (N)

BEING THE SAME PREMISES WHICH ROBERT T POWELL AND MARGUERITE M POWELL, HUSBAND AND WIFE, BY INDENTURE DATED 09-24-99 AND RECORDED 10-07-99 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF MONTGOMERY IN DEED BOOK 5291 PAGE 1773, GRANTED AND CONVEYED UNTO PROVIDENCE ELECTRIC SUPPLY, INC. A PENNSYLVANIA CORPORATION.

BEING the same premises which Robert T Poweell and Marguerite M Powell, husband and wife, by Deed dated September 24, 1999, and recorded October 7, 1999, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 5291, Page 1773, granted and conveyed unto Providence Electric Supply, Inc., a Pennsylvania Corporation, 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 it, 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 Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that it, the said Grantor, and its successors and assigns, 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, its successors and assigns, against it, the said Grantor, and its successors and assigns, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, shall and will

Warrant and Foreber Defend.



In Witness Whereof, the party of the first part has caused its common and corporate seal to be affixed to these presents by the hand of its President, and the same to be duly attested by its Secretary Dated the day and year first above written

ATTESTED


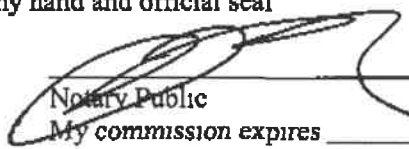
PROVIDENCE ELECTRIC SUPPLY, INC.

By 
Michael Malone, President

{SEAL}
Commonwealth of Pennsylvania } ss
County of Montgomery

AND NOW, this 30th day of August, 2006, before me, the undersigned Notary Public, appeared Michael Malone, who acknowledged himself/herself to be the President of Providence Electric Supply, Inc., a corporation, and he/she, as such President being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as President

IN WITNESS WHEREOF, I hereunder 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
3481 Germantown Pike
Fairview Village, PA 19409

On behalf of the Grantee

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Dana Santangelo Barth, Notary Public
Lower Providence Twp, Montgomery County
My Commission Expires Apr. 9, 2009
Member, Pennsylvania Association of Notaries



Deed

Parcel ID No 43-00-05302-00-1

Providence Electric Supply, Inc.

TO

North Grange, LLC

Germanatown Title Company
11 S. Trooper Road
Norristown, PA 19403
Telephone: 610-631-1540 Fax: 610-631-1057



Nancy J. Becker



NOTES

- 1. BOUNDARY AND TOPOGRAPHIC SURVEY TAKEN FROM AN EXISTING FEATURES PLAN PREPARED FOR TERRA LANDSCAPING DATED APRIL 13, 2007 PERFORMED BY BOKSIEWICZ SURVEY AND SITE PLANNERS...

Table with columns: CURVE, RADIUS, LENGTH, TANGENT, DELTA, BEARING, DISTANCE. Rows include ROW CURVE DATA and PROPOSED ROW LINE DATA.

2020 ZONING RELIEF REQUESTED

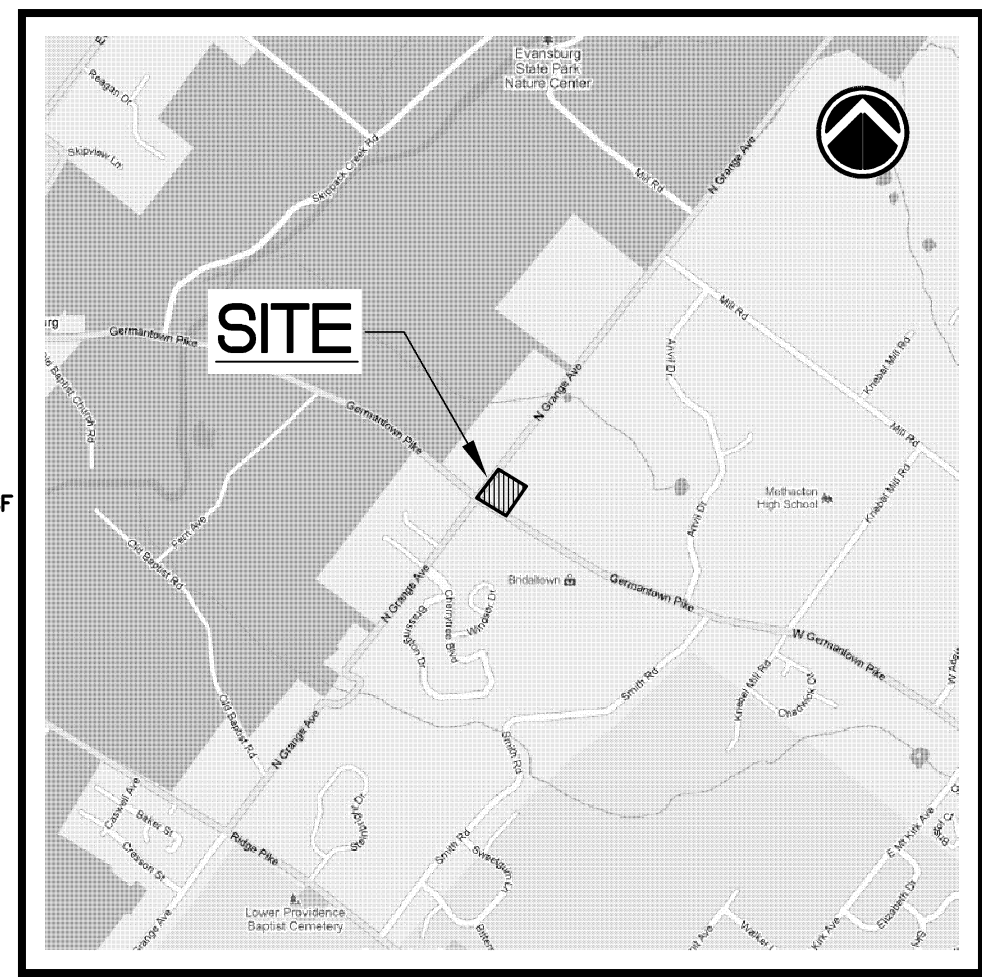
THE APPLICANT HEREBY REQUESTS THE FOLLOWING RELIEF FROM THE WORCESTER TOWNSHIP ZONING ORDINANCE...

ZONING DATA

LOWER PROVIDENCE TOWNSHIP
DATA OBTAINED FROM THE LOWER PROVIDENCE TOWNSHIP ZONING ORDINANCE, AS ADOPTED JULY 1999, REFERENCE ARTICLE XV-HC...

WORCESTER TOWNSHIP

DATA OBTAINED FROM THE WORCESTER TOWNSHIP ZONING ORDINANCE AS ADOPTED OCTOBER 1998, CHAPTER 150 REFERENCE ARTICLE IV, SECTIONS 150-13 TO 150-15...



SITE LOCATION MAP 1"= 2,000'

SITE STATISTICS

- 1. SUBJECT TRACTS MAY BE IDENTIFIED BY MONTGOMERY COUNTY TAX ASSESSMENT INFORMATION AS FOLLOWS:
2. RECORDED DEED DATA IS AS FOLLOWS:
3. NAME AND ADDRESS OF THE OWNER OF THE SUBJECT TRACT:

PARKING TABULATION

THE FOLLOWING DATA HAS BEEN OBTAINED FROM LOWER PROVIDENCE TOWNSHIP ZONING ORDINANCE, ARTICLE XII, SECTION 14.3.71.

Table with columns: BUSINESS OR PROFESSIONAL OFFICE USE, WAREHOUSE/STORAGE USE, OR 1 SPACE/EMPLOYEE, TOTAL REQUIRED PARKING, TOTAL PROPOSED PARKING.

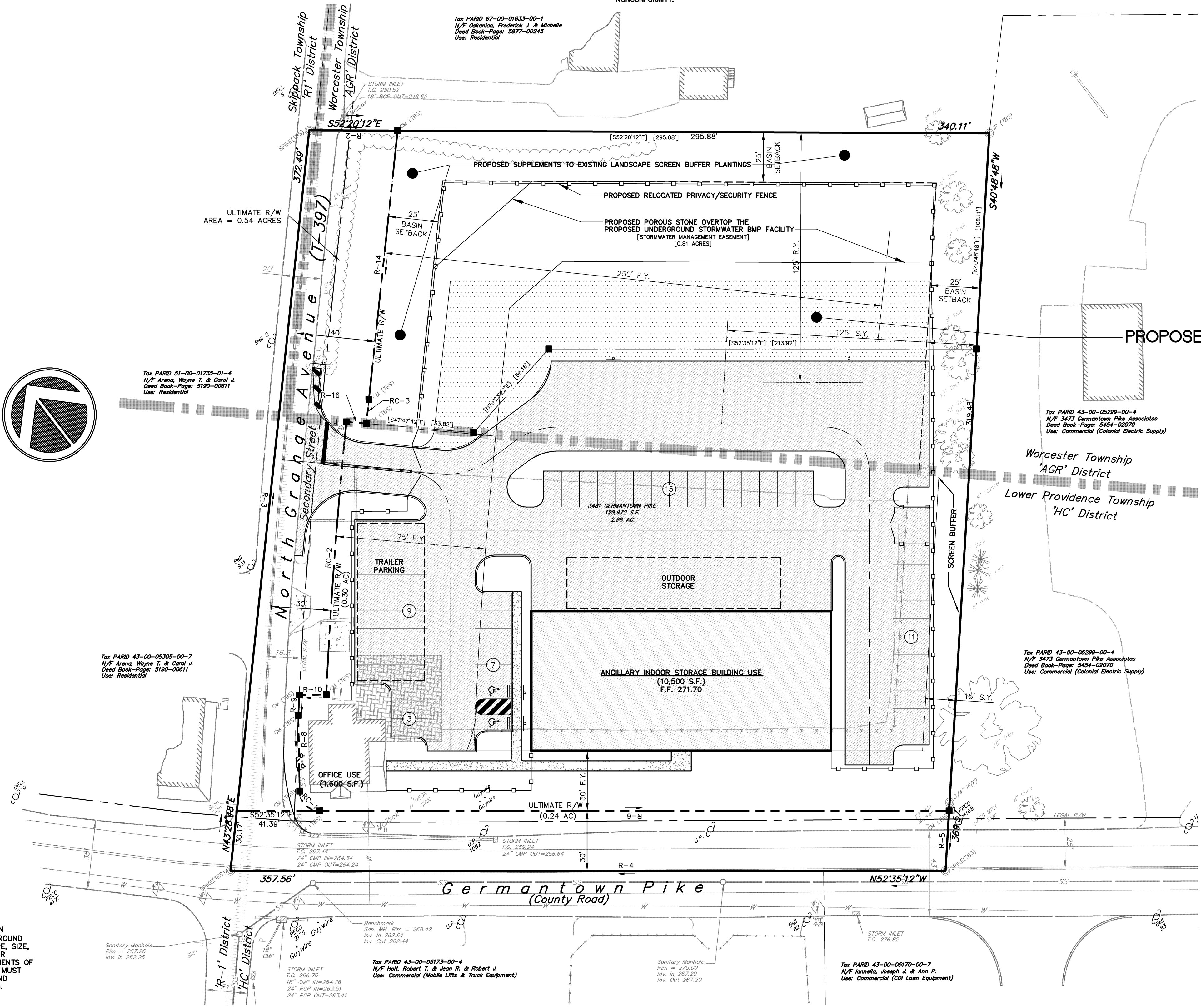
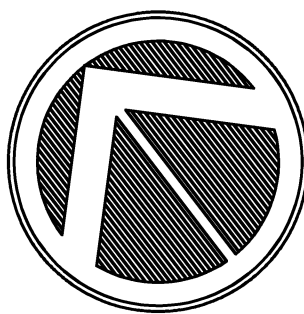
PREVIOUSLY GRANTED WAIVERS

- 1. SECTION 130-3.C(1) REGARDING PROVIDING EXISTING FEATURES FOR A DISTANCE OF 400 FEET OUTSIDE OF THE TRACT BOUNDARY.
2. SECTIONS 130-16, 130-18A AND 130-18B REGARDING ROADWAY IMPROVEMENTS, ROADWAY WIDENING, CURB AND SIDEWALK FOR NORTH GRANGE AVENUE.

2010 ZONING DECISION ORDER

BEFORE THE ZONING HEARING BOARD OF THE TOWNSHIP OF WORCESTER, MONTGOMERY COUNTY, PENNSYLVANIA, THE FOLLOWING RELIEF FROM THE WORCESTER TOWNSHIP ZONING ORDINANCE WAS GRANTED NOVEMBER 23, 2010:

- 1. VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED INSTALLATION OF LANDSCAPING, DETENTION BASIN AND LIMITED PAVING AND SUCH OTHER IMPROVEMENTS AS APPEARS ON EXHIBIT A-3.
2. VARIANCE FROM SECTION 150-13.B.(2) TO PERMIT NON-RESIDENTIAL USE AND RELIEF FROM THE 250' FRONT YARD AND 125' SIDE AND REAR YARD SETBACK REQUIREMENTS.

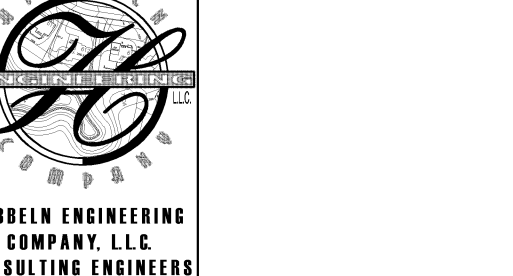


LEGEND

- PROPOSED NEW IMPERVIOUS COVERAGE
EXISTING TREE CANOPY
EXISTING STORM SEWER
EXISTING SANITARY SEWER



3481 GERMANTOWN PIKE TRACT PREPARED FOR NORTH GRANGE, LLC. SITE SITUATE IN WORCESTER AND LOWER PROVIDENCE TOWNSHIPS MONTGOMERY COUNTY, PENNSYLVANIA



ZONING VARIANCE APPLICATION PLAN

3481 GERMANTOWN PIKE TRACT SITE SITUATE IN WORCESTER/LOWER PROVIDENCE TWP MONTGOMERY COUNTY, PENNSYLVANIA

Table with columns: PROJECT MANAGER, PROJECT NUMBER, PLAN SCALE, DRAWN BY, DRAWING FILE, PLAN SHEET NUMBER. Includes a graphic scale at the bottom.