


Law Offices
King Laird

A PROFESSIONAL CORPORATION
360 WEST MAIN STREET
TRAPPE, PA 19426
www.kinglaird.com

Andrew C. Laird
Thomas C. Rentschler
*Robert H. McGuckin**
**Member PA and NJ*
Arthur J. King
(Retired)

Berks County Office
3970 Perkiomen Avenue
Reading, PA 19606

Please direct all communications
to our Trappe Office
Phone: 610-489-0700
Fax: 610-489-6970

January 20, 2016

Hand Delivered

Tommy Ryan
Township Manager
Worcester Township
1721 Valley Forge Road
Worcester, PA 19490

RECEIVED
JAN 20 2016

Re: Request: Dimensional Variance to Cover Portion of Deck
Property: 1890 Blattner Road
Owner: Michael and Lisa Morelli
Zoning: Agriculture (AGR)

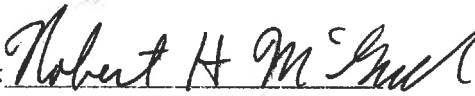
Dear Mr. Ryan,

As you know this firm represents Mr. and Mrs. Morelli regarding their application for variance to cover a 14' x 15' portion of their rear deck. Enclosed for filing is the following:

- 1) Application for Variance
- 2) Addendum to the Application
- 3) Deed
- 4) Plot Plan
- 5) Montgomery County Tax Map
- 6) Deck Design Plan

Please schedule us for the first available date to appear before the Zoning Hearing Board. Please contact me if any additional items are needed to perfect this application or if you want to discuss anything in greater detail. Thank you for your attention to this matter.

Kind Regards,
King Laird, P.C.

By: 
Robert H. McGuckin, Esquire

cc: Michael Morelli
enclosures

Serving clients in Southeastern Pennsylvania since 1970.
"We're Available, We're Experienced, And We Keep You Advised."

BEFORE THE ZONING HEARING BOARD
OF
THE TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE: Michael and Lisa Morelli
1890 Blattner Road

January 14, 2016

A-1	Zoning Hearing Board Application and Addendum
A-2	Deed
A-3	Plot Plan
A-4	Proposed Deck and Cover Design Plan
A-5	Tax Map
A-6	RESERVED
A-7	RESERVED
A-8	RESERVED

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. : _____ DATE FILED: _____, 20____

APPLICATION: **BOARD OF SUPERVISORS**
 ZONING HEARING BOARD

1. Date of Application: January 11, 2016

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: Michael and Lisa Morelli
- b. Mailing address: _____
1890 Blattner Rd. Lansdale, PA 19446
- c. Telephone number: 267-625-4139
- 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: Robert H. McGuckin, Esquire
- b. Address: 360 West Main Street, Trappe, PA 19426
- c. Telephone number: 610.489.0700

5. **Property Details:**
- a. Present Zoning Classification: AGR
 - b. Present Land Use: Residential
 - c. Location (Street Address):
1890 Blattner Road
 - d. Parcel #: 67-00-02648-32-7
 - e. Lot Dimensions:
 (1) Area: 26,240
 (2) Frontage: 35'
 (3) Depth: 162.54'
 - f. Circle all that apply in regards to the above specified property:

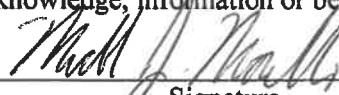
Public Water

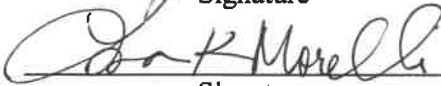
Public Sewer

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

Michael J. Morelli
 Printed Name

Lisa K Morelli
 Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF _____ : SS

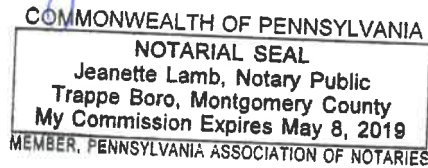
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

Michael J. Morelli
Applicant

Chris # Morelli
Applicant

Sworn to and subscribed before me this 19th day of January, 2016

Jeanette Lamb
Notary Public



Date Received: 1/25/16

[Signature]
Zoning Officer

Exhibit

"2"

Prepared by:
Westminster Abstract Company
250 Gibraltar Road, 1 West
Horsham, Pennsylvania 19044
800-265-0425

Return to:
Commonwealth Agency
25 Skippack Pike
Broad Axe, Pennsylvania 19002
215-643-7744

Parcel ID No.: 67-00-02648-32-7

DEED

THIS INDENTURE MADE THE *2nd* day of *June* in the year two
thousand and fifteen (2015)

BETWEEN

Toll PA , L.P.

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

Michael J. Morelli and Lisa Knauer Morelli, married to one another

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

Witnesseth, that the said Grantor

For and in consideration of the sum of **Eight Hundred Seventy Nine Thousand Ninety Six Dollars** 00/100 (\$879,096.00)

Lawful money of the United States of America, unto it 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, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantees, their heirs and assigns, as tenants by the entirety.

SEE ATTACHED LEGAL

DESCRIPTION OF PROPERTY
LOT 30
PRESERVE AT WORCESTER

All that certain lot or parcel of land situated in the Township of Worcester, County of Montgomery, and Commonwealth of Pennsylvania, being known as Lot 30 as shown on a plan entitled, "The Preserve at Worcester, Final Cluster Land", dated April 01, 2006, last revised January 17, 2014, sheets 1 through 48 of 48, prepared by Woodrow & Associates, Inc., Lower Gwynedd, Pa, 19002, recorded in the Montgomery County Recorder of Deeds Office on May 2, 2014, Plan Book 40, Page 335, Instrument No. 2014026469, more particularly described as follows;

Beginning at a common corner of Lot 30 and Lot 31, on the curved easterly side of Blatter Road (40' R.O.W.) and running;

1. Along said southerly side, the following three (3) courses and distances, passing along an arc of a circle curving to the left, having a radius of 75.50 feet, an arc distance of 89.43 feet to a point of tangency; thence
2. North 52 degrees 51 minutes 37 seconds West, a distance of 4.49 feet to a point of curve; thence
3. Passing along an arc of a circle curving to the right, having a radius of 15.00 feet, an arc distance of 24.75 feet to a point of tangency on the southerly side of Cassel Road (50' R.O.W.); thence
4. Along said southerly side, the following two (2) courses and distances, passing along an arc of a circle curving to the right, having a radius of 175.00 feet, an arc distance of 108.69 feet to a point of reverse curve; thence
5. Passing along an arc of a circle curving to the left, having a radius of 225.00 feet, an arc distance of 38.44 feet to a corner of Open Space C; thence
6. Along Open Space C, the following two (2) course and distances, South 22 degrees 30 minutes 35 seconds East, a distance of 205.25 feet; thence
7. South 37 degrees 08 minutes 23 seconds West, a distance of 28.57 feet to a corner of Lot 31; thence
8. Along Lot 31, North 74 degrees 59 minutes 38 seconds West, a distance of 162.54 feet to the first mentioned point and place of beginning.

Containing 26,240.00 square feet of land.

Subject to restrictions and easements of record, if any.

Parcel Number: 67-00-02648-32-7.

Address: 1896 Blattner Road.

BEING PART OF THE SAME PREMISES which Keystone Lands, Inc., a Pennsylvania Corporation by deed dated May 1, 2014 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery on May 2, 2014, Document #2014026472, in Book 591, Page 02448/ to 02453, granted and conveyed unto Toll PA L.P., in fee.

BEING PART OF THE SAME PREMISES which The Maple Glen Group, a Pennsylvania General Partnership, by deed dated April 28, 201, recorded in the Office of the Recorder of Deeds in the County of Montgomery on May 2, 20104, Document #2014026473, in Book 5911, Page 02454 to 02459, granted and conveyed unto Toll PA, L.P., in fee.

SUBJECT TO Covenants, Conditions and Restrictions contained in "Declaration of The Preserve at Worcester, A Planned Community", dated April 6, 2015 and recorded in the Office of the Recorder of Deeds in the County of Montgomery on April 9, 2015, in Book 5949, Page 1460 and any future amendments thereto.

Together with all and singular the buildings improvements, ways, streets, alleys, 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 the said Grantor In law as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lot or piece of ground with the buildings and improvements thereon erected 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, as tenants by the entirety.

UNDER AND SUBJECT, to all easements, restrictions and matters of record.

And the said Grantor for itself, its successors and assigns does by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that it the said Grantor, 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 it the said Grantor and against all and every Persons or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will WARRANT and forever DEFEND.


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

**Sealed and Delivered
IN THE PRESENCE OF US:**

Toll PA ,L.P.

BY TOLL PA GP CORP, GENERAL PARTNER


BY: Kathryn E. Gaffney Vice President

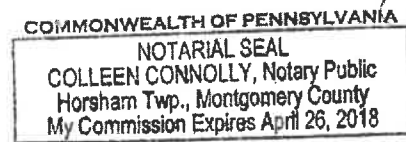

ATTEST: Stacey Rothaus, Assistant Secretary

Commonwealth of Pennsylvania
County of Montgomery

On this, the 2nd day of June, 2015, before me Colleen Connolly
the undersigned officer,
personally appeared Kathryn L. Gaffney who acknowledged himself (herself)
to be the * of Toll PA GP Corp., General Partner of Toll PA, L.P.
a corporation, and that he (she) as such Officer, being authorized to do so, executed
the foregoing instrument for the purposes therein contained by the signing the name of the corporation by himself
(herself) as . ***Vice President**

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

Colleen Connolly



DEED.

Parcel ID No. 67-00-02648-32-7

Toll PA, L.P.
250 Gibraltar Road, Horsham, Pennsylvania 19044

To

Michael J. Morelli and Lisa Knauer Morelli, Married to one another

Premises:

Homesite #30,-Preserve at Worcester
Upper Makefield Township
Bucks County, Pennsylvania

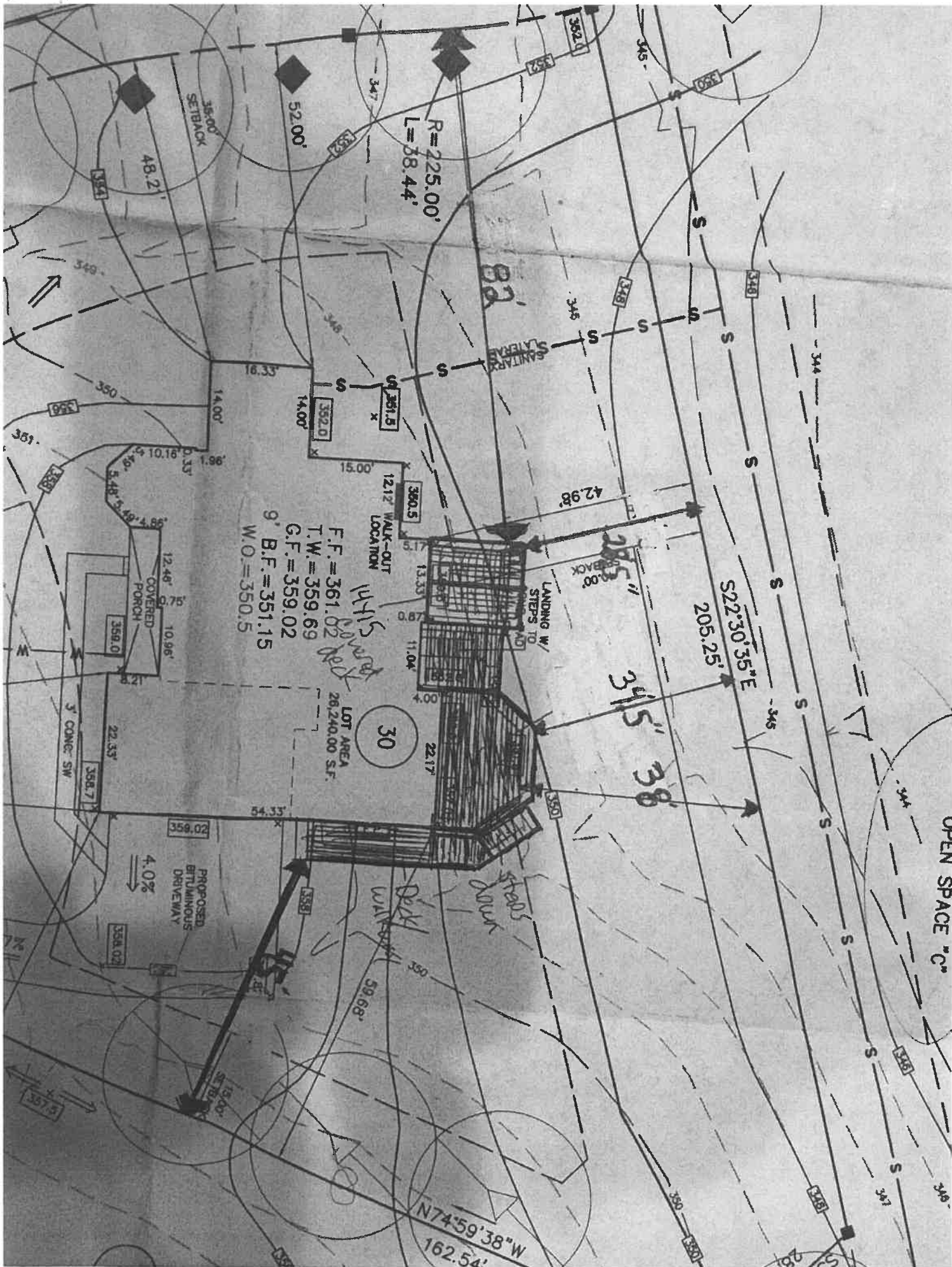
The address of the above-named Grantees is

1890 Blattner Road
Lansdale, Pennsylvania 19446

On behalf of the Grantees

Exhibit

“3”



F.F. = 3561.02
 T.W. = 3559.69
 G.F. = 3559.02
 9' B.F. = 351.15
 W.O. = 350.5

LOT AREA
 26,240.00 S.F.

$R = 225.00'$
 $L = 38.44'$

OPEN SPACE "C"

N74.59.38" W
 162.54'

30

PROPOSED
 BITUMINOUS
 DRIVEWAY
 4.0%

COVERED
 PORCH

WALK-OUT
 LOCATION

LANDING W/
 STAIRS TO
 AD

SCAINTAPAR
 LATERAL

35.00'
 SETBACK

48.21'

82

52.00'

13.54'

549'

350

351

12.48' x 10.16'
 5.47' x 3.49' x 4.88'

359.0

3' CONC. SW

22.33'

359.02

358.02

358.7

357.5

358.0

358.5

359.0

359.5

360.0

360.5

361.0

361.5

362.0

362.5

363.0

348

349

350

346

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340

Exhibit
"4"

Exhibit

“5”



- Profile
- Antiquary Structures
- Assessment History
- Commercial
- Map
- Prints
- Photos
- Residential
- Sales
- Sketch
- Soils and Contributions

PARID: 670002648327
MORELLI MICHAEL J & LISA KNAUER

1890 BLATTNER RD

CURRENT RECORD

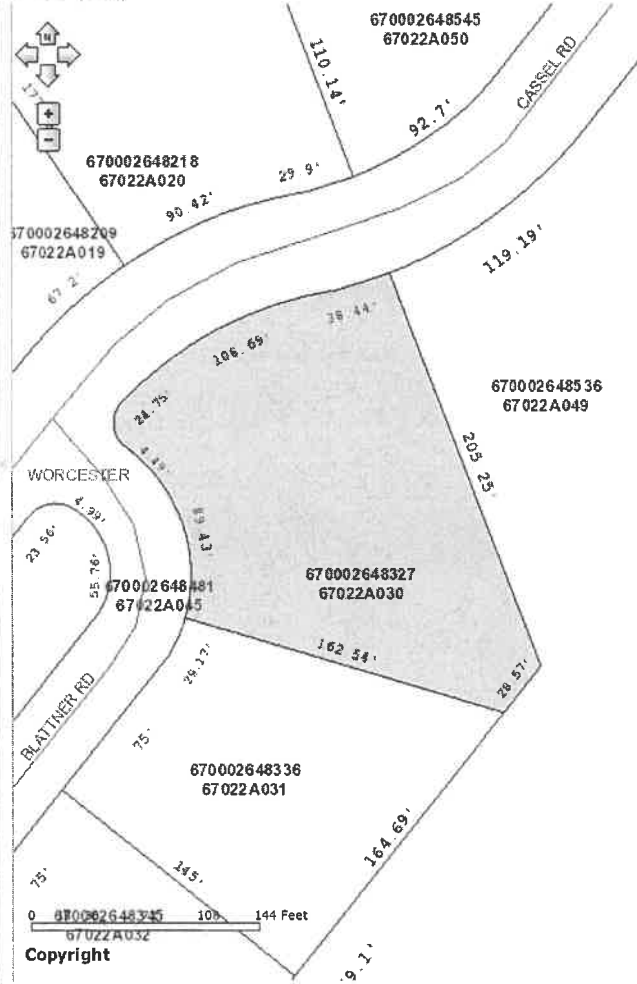
1 of 1

Return to Search Results



Map Contents

- Parcel Selection
 - Parcels
- County Map
 - Annotation
 - Roads
 - LandJoin
 - Municipalities
 - mcgis.DBO.Orthos_2010
 - Parcels
 - MCGIS.DBO.DVRPC2005



Buffer Search

DATA PANEL +


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January 22, 2016

Hand Delivered

Tommy Ryan
Township Manager
Worcester Township
1721 Valley Forge Road
Worcester, PA 19490

Re: Request: Dimensional Variance to Cover Portion of Deck
Property: 1890 Blattner Road
Owner: Michael and Lisa Morelli
Zoning: Agriculture (AGR)

Dear Mr. Ryan,


Enclosed please find an Amended Addendum to Mr. Morelli's Application for Variance. Kindly attach the enclosure to the application, and substitute it for the original Addendum to the Application.

Thank you for your attention to this matter. Please contact me with any questions or concerns.

Kind Regards,
King Laird, P.C.

By: 
Robert H. McGuckin, Esquire

cc: Michael Morelli
Enclosure


1/25/16

Amended Addendum to Application for Variance
Michael and Lisa Morelli
1890 Blattner Road

Michael Morelli is the owner of the property located at 1890 Blattner Road. The Property is zoned Agricultural (AGR) and the lot area, width and yard requirements are governed under Option 1 of Article XVIA, § 150-110.6, Conservation Subdivisions, of the Zoning Code.

Mr. Morelli constructed a deck on the rear of his house after receiving the necessary permits. Mr. Morelli now wants to install a roof over a 14'x 15' portion of the previously constructed deck. As a result, Mr. Morelli is seeking a variance to install the roof and to encroach into the forty foot (40') rear set back by approximately 11.5 feet. (Please see the attached plot plan, Exhibit "3" and building plan for the Deck Cover "Exhibit "4").

Mr. Morelli is seeking a variance under Section §150-219 of the Township Zoning Code. Mr. Morelli is applying for a variance of §150-181(C) to install a 14' x 15' roof on a portion of the deck. Additionally, Mr. Morelli requests zoning relief of the 40' rear set back requirements established under Option 1 of Article XVIA §150-110.6. Mr. Morelli meets the requirements for variance and is legally entitled to a favorable determination to his application under the Township's Zoning Code and Section 910.2 of the MPC.

The properties dimensions, shape, size and other characteristics, including the size and location of the existing deck, creates a unique hardship that makes it impossible to strictly conform to the zoning requirements. This unnecessary hardship was not created by Mr. Morelli and requires the granting of a variance in order to allow Mr. Morelli reasonable use of the Property. Mr. Morelli will suffer economic hardship if the variance is not granted. Furthermore, Mr. Morelli's child suffers from a skin condition which prohibits him from being in direct sunlight for extended periods of time. Installing the 14' x 15' roof is necessary for the health and safety of the child and would allow him to enjoy the use of the property, and the outdoors, while offering the necessary protection of his medical condition. Granting this variance is the minimum variance needed to afford the relief requested. The essential character of the neighborhood will not be impacted nor will adjacent properties be impaired.

###