

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.: 20-18 DATE FILED: October 21, 20 20

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: 10/19/20

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: Timothy Wixted
- b. Mailing address: 2020 Stony Creek Rd.
Lansdale, PA 19446
- c. Telephone number: 610-308-5879
- 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: _____
- b. Address: _____
- c. Telephone number: _____

5. Property Details:

- a. Present Zoning Classification: R-AG-200
- b. Present Land Use: Residential
- c. Location (Street Address): 2020 Stony Creek Rd., Lansdale, PA 19446
- d. Parcel #: 67-00-03506-32-4
- e. Lot Dimensions:
 - (1) Area: 12,784 SF
 - (2) Frontage: 87.5'
 - (3) Depth: 130'
- 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

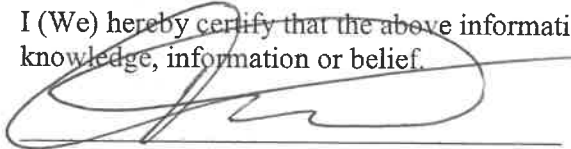
If yes: specify: **(Please submit as an attachment)**

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 properties situated in the vicinity of the subject property as per Township Code Section 150-224

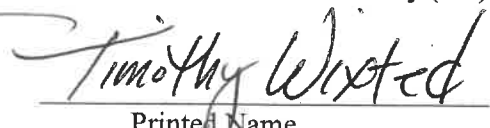
CERTIFICATION

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge, information or belief.



Signature

Geena Hong-Wixted
Signature



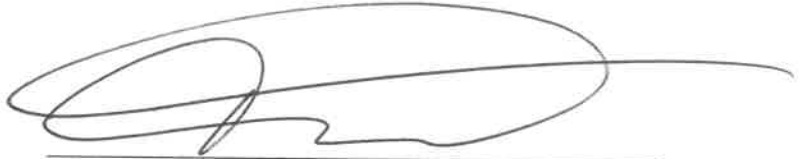
Printed Name

Timothy Wixted
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Delaware : 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.

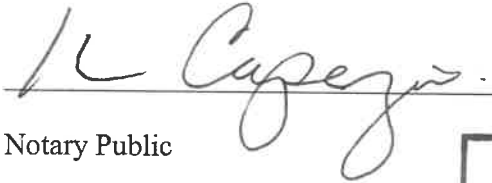


Applicant

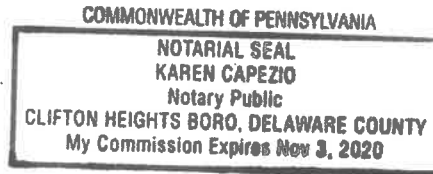


Applicant

Sworn to and subscribed before me this 20th day of October, 2020



Notary Public



Date Received: October 21, 2020



Zoning Officer

October 19, 2020

Worcester Township Zoning & Codes
1721 Valley Forge Rd.
PO Box 19490
Worcester, PA 19490

Hello,

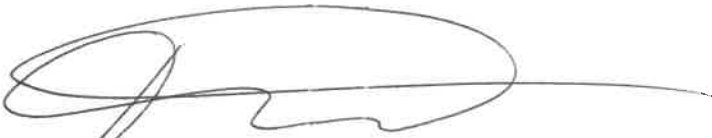
We are respectfully requesting a variance to Zoning Code 150-22 A (*Building Coverage*) which limits building coverage to a maximum of 15% on a lot. We previously had variance granted for this same project (Variance No. 2020-10). The below information is a revision of our initial plans.

We would like to install a new patio which will include 24' X 21' roof covering.

- Under current zoning, our allowable coverage for our lot is 1,918 sq ft (15% of 12,784 sq ft).
- Our existing coverage is 1,888 sq ft.
- The proposed covering on the patio will bring the total coverage to 2,392 sq ft.
- The requested variance would allow the additional 504 sq ft of coverage, bringing the total coverage to 18.7%

Thank you very much for your consideration of our request.

Sincerely,



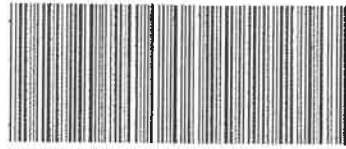
Tim Wixted

**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) 278-3869



DEED BK 5654 PG 01276 to 01279
INSTRUMENT # : 2007081362
RECORDED DATE: 07/09/2007 12:54:48 PM




0157692-0013R

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

Document Type: Deed	Transaction #: 116256 - 2 Doc(s)	
Document Date: 06/29/2007	Document Page Count: 3	
Reference Info: OLESKI/WIXTED	Operator Id.: estaglia	
RETURN TO: (Simplifile) First American Title Insurance Company - Quakertown 472 California Road Quakertown, PA 18951 (215) 538-1053	SUBMITTED BY: First American Title Insurance Company - Quakertown 472 California Road Quakertown, PA 18951 (215) 538-1053	
* PROPERTY DATA:		
Parcel ID #:	67-00-03506-32-4	
Address:	2020 STONY CREEK RD	
	PA 19446	
Municipality:	Worcester Township	
School District:	Methacton	
* ASSOCIATED DOCUMENT(S):		
CONSIDERATION/SECURED AMT: \$515,000.00	DEED BK 5654 PG 01276 to 01279 Recorded Date: 07/09/2007 12:54:48 PM	
FEEES / TAXES:	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.	
Recording Fee:Deed		\$46.50
State RTT		\$5,150.00
Worcester Township RTT		\$2,575.00
Methacton School District RTT		\$2,575.00
Total:	\$10,346.50	
 <i>Nancy J. Becker</i> 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.

1335123 PLEASE RECORD AND RETURN TO
First American Title Insurance Company
472 California Road
Quakertown, PA 18951

Parcel# 67-00-03506-32-4

DEED

This indenture, made the 29th day of June in the year of our Lord two thousand and seven

Between

Daniel H. Oleski and Lisa J. Oleski, parties of the first part, grantors

And ~~and~~ GEENA HONG - WIXTED, HUSBAND and WIFE,
Timothy Wixted, party of the second part, grantee

Witnesseth that the said party/ies of the first part, for and in consideration of the sum of \$515,000.00 lawful money of the United States of America, well and truly paid by the said party/ies of the second part to the said party/ies of the first part, at and before the enrolling and delivery of these presents, the receipt whereof is hereby acknowledged, granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said party/ies of the second part, and assigns.

Together with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof:

And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the said party/ies of the first part, of, in, and to the said premises, with the appurtenances: SEE ATTACHED SCHEDULE "A"

To have and to hold the said premises, with all and singular the appurtenances unto the said party/ies of the second part, and assigns, to the only proper use, benefit and behoof of the said party/ies of the second part, and assigns forever.

And the said heirs, executors and administrators, do by these presents, covenant, grant and agree, to and with the said party/ies of the second part, and assigns forever, that the said heirs, 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 party/ies of the second part, and assigns, against the said heirs, and against all and every other person or persons, whomsoever lawfully claiming or to claim the same or any part thereof, shall and will warrant and forever defend.

In witness whereof, the said party/ies of the first part to these presents hereunto set _____ hand(s) and seal(s). Dated the day and year first above written.

Signed, sealed and delivered in the presence of us.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
67-00-03506-32-4 WORCESTER TOWNSHIP
2020 STONY CREEK RD
1101

\$5.00

B 023C L 65 U 065 OLESKI DANIEL H & LISA J DATE: 07/09/2007

Daniel H. Oleski SEAL
Daniel H. Oleski

Lisa J. Oleski SEAL
Lisa J. Oleski

Received the day of the date of the above Indenture of the above named
State of Pennsylvania
County of Montgomery ss.

On the 29th day of June, 2007 before me, the undersigned officer,
personally appeared Daniel H. Oleski and Lisa J. Oleski known to me (or
satisfactorily proven) to be the person(s) whose name(s) subscribed to the with
instrument, and acknowledged that he executed the same for the purposes
therein contained, and desired the same might be recorded as such.

In witness whereof, I hereunto set my hand and official seal.

The address of the within-named
Grantee is 2020 Stoney Creek Rd.
Lansdale, PA 19446

Richard H. Pyott, Jr

Richard H. Pyott, Jr

On behalf of the Grantee

Title of Officer

Recorded, in the Office for the Recording of Deeds in and for
_____ in Deed Book No. _____, page _____ &c.

Witness my hand and seal of Office this _____ day of _____, _____.

Recorder/Deputy Recorder

UNOFFICIAL COPY
DEED BK 5654 PG 01278

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
-RICHARD H. PYOTT, JR., Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires December 9, 2009

EXHIBIT "A"

ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE TOWNSHIP OF WORCESTER, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA BOUNDED AND DESCRIBED ACCORDING TO A SUBDIVISION PLAN SECTION E, FINAL PLAN PHASE 1 - SUNNY BROOK ESTATES MADE BY WOODROW & ASSOCIATES, INC., MUNICIPAL/CIVIL CONSULTING ENGINEERS DATED 5/31/1996 AND LAST REVISED 12/9/1998 AND RECORDED IN PLAN BOOK A-58 PAGE 174 - 179, AS FOLLOWS TO WIT:

BEGINNING AT A POINT OF CURVE ON THE SOUTHEASTERLY SIDE OF STONY CREEK ROAD (50 FEET WIDE) SAID POINT BEING A CORNER OF LOT NO. 64 AS SHOWN ON THE ABOVE MENTIONED PLAN AND PLACE OF BEGINNING; THENCE EXTENDING FROM SAID PLACE OF BEGINNING AND ALONG LOT NO. 64 SOUTH 86 DEGREES 00 MINUTES 40 SECONDS EAST 130.00 FEET TO A POINT IN LINE OF COMMON OPEN SPACE; THENCE EXTENDING ALONG SAID OPEN SPACE THE TWO (2) FOLLOWING COURSES AND DISTANCES, VIZ: (1) SOUTH 07 DEGREES 08 MINUTES 19 SECONDS WEST 112.27 FEET TO A POINT, A CORNER; THENCE (2) NORTH 74 DEGREES 59 MINUTES 56 SECONDS WEST 130.00 FEET TO A POINT ON THE SOUTHEASTERLY SIDE OF STONY CREEK ROAD; THENCE EXTENDING ALONG THE SAME SOUTHEASTERLY SIDE OF STONY ROAD, THE TWO (2) FOLLOWING COURSES AND DISTANCES, VIZ: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 205.00 FEET THE ARC DISTANCE OF 39.40 FEET TO A POINT OF TANGENT; THENCE (2) NORTH 03 DEGREES 59 MINUTES 20 SECONDS EAST 48.11 FEET TO A POINT, A CORNER OF LOT NO. 64, AFORESAID; BEING THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

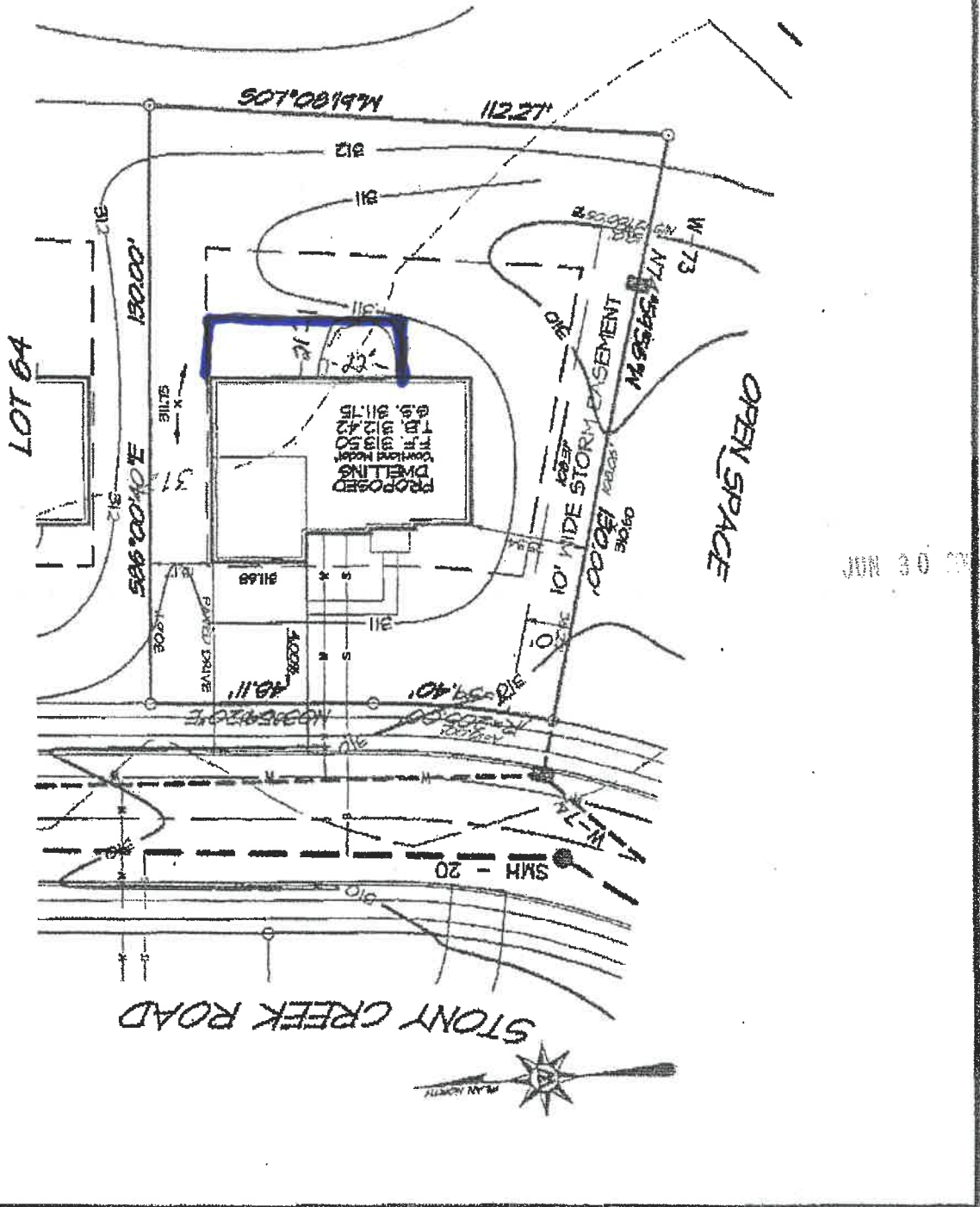
BEING LOT NO. 65 ON THE ABOVE MENTIONED PLAN.

BEING COUNTY PARCEL NO. 67-00-03506-32-4

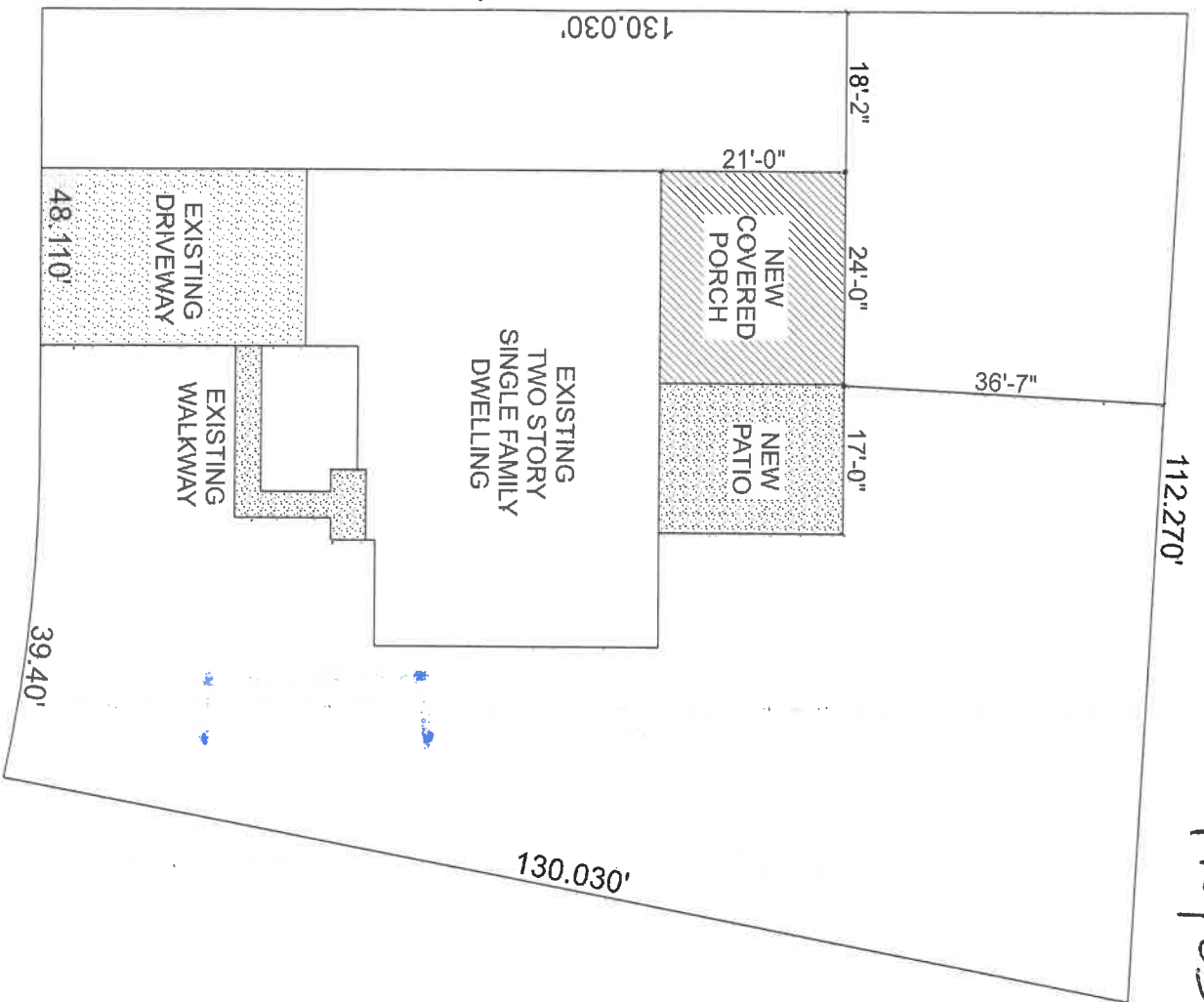
BEING THE SAME PREMISES WHICH NVR, INC. (VA CORPORATION) T/A RYAN HOMES, BY INDENTURE DATED 06-19-02 AND RECORDED 09-05-02 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF MONTGOMERY IN DEED BOOK 5422 PAGE 1739, GRANTED AND CONVEYED UNTO DANIEL H. OLESKI AND LISA J. OLESKI.

Current

2000 STONY
Fax: (215) 576-8318



Proposed



STONY CREEK ROAD

Proposed

LOT SIZE	12,784SF
EXISTING SINGLE FAMILY DWELLING	1,888SF
NEW REAR COVERED PORCH	504SF
TOTAL BUILDING COVERAGE	2,392SF
	18.7%
NEW REAR PATIO	357SF
EXISTING WALKWAY	115SF
EXISTING DRIVEWAY	600SF
TOTAL IMPERVIOUS COVERAGE	3,464SF
	27%

ZONE	R-4G-200
FRONT YARD	30'
REAR YARD	30'
SIDE YARDS	10'/25'
BUILDING COVERAGE	15%
MAX. IMPERVIOUS	35%

**2020 STONY CREEK ROAD,
LANSDALE, PA
WORCESTER TOWNSHIP**

SITE PLAN

1" = 20'

*Township of Worcester, PA
Tuesday, June 23, 2020*

Chapter 150. Zoning

Article V. R-AG-200 Residential-Agricultural District

§ 150-22. Coverage regulations for cluster option.

- A. Building coverage. Fifteen percent shall be the maximum total building coverage on a lot.
- B. Impervious coverage. Thirty-five percent shall be the maximum total impervious coverage on a lot.

Select Language ▼

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

IN RE: APPLICATION OF
TIMOTHY WIXTED AND
GEENA HONG-WIXTED

NO. 2020-10
APPLICATION FOR A VARIANCE

DECISION

The Applicants/Owners, Timothy Wixed and Geena Hong-Wixed, propose to construct a covered patio on the property located at 2020 Stony Creek Road, Worcester Township, in the R-50 Residential Zoning District.

A public hearing on the above Application was held on July 28, 2020 at the Methacton High School Auditorium, pursuant to Notice as required by the Worcester Township Zoning Ordinance, as amended (hereinafter "Zoning Ordinance"), and the Pennsylvania Municipalities Planning Code. Upon consideration of the evidence and testimony presented regarding the Application, the Zoning Hearing Board of Worcester Township enters the following Order:

ORDER

(1) A variance from Section 150-22.A of the Zoning Ordinance, so as to permit building coverage of 18.14% rather than the 15% permitted, is **GRANTED**.

This Decision is subject to the following conditions:

1. The Applicants shall construct the covered patio in the location as shown on the Plan marked as Exhibit A-4.
2. The Applicants shall apply for and obtain all applicable Township, County and State permits and approvals relative to the construction and use in a timely manner.
3. All use and development permitted by this Decision shall conform to the exhibits and testimony presented by the Applicants, unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.
4. Except as permitted by prior Decisions of this Board, the use of the subject property shall otherwise comply with the Worcester Township Code, including, but not limited to, all storm water management, fencing, setback, parking, lighting, sign and noise regulations, and all other codes, regulations and ordinances of Worcester Township.
5. Pursuant to Section 150-225 of the Worcester Township Zoning Ordinance, a special exception or variance shall expire if the Applicants fail to obtain a permit in connection therewith within one (1) year of the date of authorization thereof. When land development/subdivision approval is required, the special exception or variance shall expire if the Applicants fail to make a diligent effort to obtain such approval within six (6) months following the date of the Zoning Hearing Board's Order. Upon receipt of land development/subdivision approval, the special exception or variance shall expire if a building permit is not obtained within six (6) months of the date of the land development/subdivision approval. The expiration date for obtaining the building permit as set forth herein may be extended by the Township for two (2) successive six (6) month periods, if, in the opinion of the Zoning Officer, the Applicants are diligently pursuing the building permit.

WORCESTER TOWNSHIP ZONING HEARING BOARD



Michael Libor, Chair



Caesar Gambone, Vice Chair



John D'Lauro, Secretary

(Alternate)

Bradford Smith

Order Entered:

8.19.20

Circulation Date:

8.19.20

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the Circulation Date set forth above. The Board reserves the right to prepare Findings of Fact and Conclusions of Law in support of this Decision if an appeal is filed.