

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.: 2HB 22-09 DATE FILED: April 28, 20 22

APPLICATION: BOARD OF SUPERVISORS
 ZONING HEARING BOARD

1. Date of Application: 4/28/22

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: Michael & Annie Byrne
- b. Mailing address: 2845 Potshop Rd
Norristown PA 19403
- c. Telephone number: 484-207-7773
- d. State whether owner of legal title, owner of equitable title, or tenant with the permission of owner legal title: _____

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: AGR - DISTRICT
- b. Present Land Use: Primary residence
- c. Location (Street Address):
2845 Potshop Rd, Nurnstown PA 19403
- d. Parcel #: 670002803001
- e. Lot Dimensions:
 - (1) Area: 136,750 sqft
 - (2) Frontage: 472 LF
 - (3) Depth: 255 LF
- 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)
PUBLIC

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.

Maria Bern
Signature

4/28/22
Printed Name

Ami Bern
Signature

4/28/22
Printed Name

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Montgomery : SS

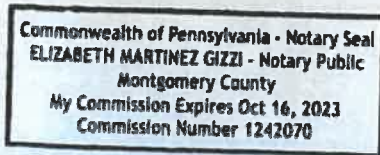
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

Maria J. [Signature]
Applicant

[Signature]
Applicant

Sworn to and subscribed before me this 28 day of April, 20 22

[Signature]
Notary Public



Date Received: April 28, 2022

[Signature]
Zoning Officer

Request for 2845 Potshop Rd Back Yard Swimming Pool Location To Be Located in Side Yard

Challenges for a back yard location of the planned swimming pool

- The largest challenge is that there is a private septic system line that runs through the back yard. This would have to get dug up and re-routed with a new engineering plan for the line. (See attached drawing)
- The back yard today is already across the set back line for the side yard due to the age of the house. This means that a backyard pool would also be across the side set back line even with a back yard installation.
- There are wild trees/plants in the back yard. These would have to be removed removing a portion of green space.

Reasons for a side yard location:

- The pool installation would remove an aging parking lot that was in place for a barn that has been since removed. (See picture)
- There wouldn't be any removal of trees.
- The property is not located in traditional neighborhood and gets only a tiny amount of foot traffic
- The neighboring property owner who shares the longest property line has given written permission for the location of a side yard pool.



Arista Pool & Spa Inc.
11 Crosskeys Road • Collegeville • PA • 19426

4/13/22

To Whom It May Concern for variance application numbers 7 & 9:

7. Michael and Amy Byrne are requesting relief from Section 150-177.A(3) which requires swimming pools and filtration systems to be entirely within the rear yard. Due to the existing location of the on lot septic system the pool cannot go behind the house. The applicant is proposing to remove a large amount of existing driveway and install the pool where that asphalt used to be. The pool decking will be 92 lf from the property line and even further from potshop road so there will be no impact to the roadway. The pool project will not pass the front line of the house.

9. Existing on lot septic system does not allow for the pool to go behind the house and conform to the code, as well as be within the 50' side yard setback. The house rear yard beyond the septic system is wooded and does not allow for a swimming pool.

Sincerely,

ARISTA POOL & SPA, INC.

Mike Ciaccio III
Vice President



Byrne Family Pool Variance @ 2845 PotShop Rd. Worcester, Pa.

From: Pete Roman (proman@enricoromaninc.com)

To: airforcemb@yahoo.com

Date: Thursday, April 28, 2022, 07:29 AM EDT

My name is Pete Roman and I live at 2861 Defford circle Norristown, Pa. 19403 (Worcester Township). I also own the Properties that are adjacent to parcel in question along the back of the Byrne Family since 2009. They are excellent neighbors , and I have no objections to their need for a variance to install a new inground pool at the proposed location. I have seen and reviewed their pool location plan and approve of this proposed variance needed. If you have any questions , please feel free to email me or call me on my cell at 267-718-4845. Thanks, Pete.

Pete Roman

President

1414 Bruce Road (Street) |P.O. Box 214 (Mailing) | Oreland, PA 19075

P: 215-572-7010 | C: 267-718-4845

PRoman@EnricoRomanInc.com



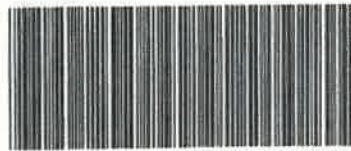
www.EnricoRomanInc.com



**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 6012 PG 02945 to 02949
INSTRUMENT # : 2016064695
RECORDED DATE: 08/26/2016 09:03:41 AM



3375310-00211

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 3433595 - 2 Doc(s)
Document Date: 08/25/2016	Document Page Count: 4
Reference Info:	Operator Id: dkrasley
RETURN TO: (Simplifile) Origination Services - Avenue 365 401 Plymouth Road, Suite 550 Plymouth Meeting, PA 19462 (484) 594-1100	PAID BY: ORIGINATION SERVICES - AVENUE 365

*** PROPERTY DATA:**
Parcel ID #: 67-00-02803-00-1
Address: 2845 POTSHOP RD

Municipality: PA
Worcester Township (100%)
School District: Methacton

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$475,000.00

FEES / TAXES:

Recording Fee: Deed	\$95.00
State RTT	\$4,750.00
Worcester Township RTT	\$2,375.00
Methacton School District RTT	\$2,375.00
Total:	\$9,595.00

DEED BK 6012 PG 02945 to 02949
Recorded Date: 08/26/2016 09:03:41 AM

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



Jeanne Sorg
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

Prepared By:
Avenue 365 Lender Services, LLC
1777 Sentry Parkway West V#14
Suite 201
Blue Bell, PA 19422

Return To:
Avenue 365 Lender Services, LLC
1777 Sentry Parkway West V#14
Suite 201
Blue Bell, PA 19422

Parcel ID No. 67-00-02803-001

File No 1600308P

This Indenture, made the 25 day of August, 2016

Between

ROMAN BROTHERS LLC

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

MICHAEL JACOB BYRNE AND AMIE LYNN BYRNE

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Four Hundred Seventy Five Thousand and 00/100 Dollars (\$475,000.00)** 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, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, as tenants by the entirety, their successors, heir and assigns,

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 Plan of Subdivision property of Frederick A. Bookheimer, made by George Standbridge Associates, dated 2/11/1980 and recorded in Plan Book A-45 Page 164, as follows, to wit:

BEGINNING at a point on the Northeasterly side of Potshop Road (30 feet from the centerline), a corner of Lot No. 4 on said Plan; thence extending from said point of beginning along the said Northeasterly side of Potshop Road the 3 following courses and distances, viz: (1) North 60 degrees 56 minutes 43 seconds West crossing the Northwesternly side of a drainage easement, 425.25 feet to a point; (2) along the arc of a circle curving to the right having a radius of 470 feet the arc distance of 322.62 feet; (3) North 21 degrees 36 minutes 56 seconds West, 14.98 feet to a point, a corner; thence extending North 51 degrees 39 minutes East 821.73 feet to a point, a corner; thence extending South 86 degrees 24 minutes 15 seconds East, crossing the Westerly side of said drainage easement, 133.50 feet to a point, a corner of Lot No. 2 on said Plan; thence extending along the same, and through the

bed of said easement, South 9 degrees 36 minutes 45 seconds East 493.53 feet to a point, a corner of Lot No. 4, aforesaid; thence extending along the same and still through the bed of said easement, South 30 degrees 5 minutes 34 seconds West 546.73 feet to the first mentioned point and place of BEGINNING.

BEING Lot No. 1 as shown on said Plan.

BEING the same premises which Thomas Naile Bookheimer, by Deed dated November 16, 2009 and recorded November 20, 2009 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5751 page 227, granted and conveyed unto Roman Brothers, LLC.

NOTE: The information below is provided for informational purposes only. The Company will not pay loss, damage, attorney's fees and/or costs due a claim this information is inaccurate.

**Property Address: 2845 Potshop Road, Norristown, PA, 19403
Tax ID: 67-00-02803-00-1**

Commonly known as: 2845 Potshop Road, Norristown, PA 19403

Together with all and singular the buildings and 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 Grantees, their successors, heir and assigns, to and for the only proper use and behoof of the said Grantees, their successors, heir and assigns, forever.

And the said Grantor, for itself and its successors, does, by these presents, covenant, grant and agree, to and with the said Grantees, their successors, heirs 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 Grantees, their heirs, , 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, by, from or under him, her, it, or any of them, shall and will

Warrant and Forever Defend.

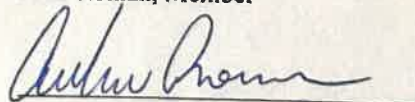
In Witness Whereof, the party of the first part has caused its common and corporate seal to be affixed to these presents by the hand of its _____ and the same to be duly atested by its _____ have signed and sealed these presents or caused these presents to be executed in their respective names and their respective common and corpoptate seals to be hereunto affixed by their proper officers thereunto duly authorized.. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

Roman Brothers LLC



Peter Roman, Member

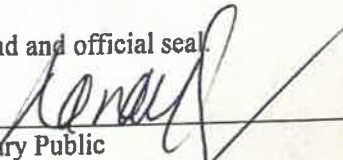


Andrew Roman, Member

State/Commonwealth of PA }
County of Montgomery }

On this the 25 day of August, 2016, before me, the undersigned Notary Public personally appeared **Peter Roman and Andrew Roman** as Members of **Roman Brothers LLC** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same in the capacity therein stated for the purposes therein contained.

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



Notary Public
My commission expires _____

File No. 1600308P

The address of the above named Grantees is:
501 Magnolia Road
~~Hellertown, PA 18055~~
2845 Potshop Rd
Norristown, PA 19403

On behalf of the Grantees

