

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. : 2022-23 DATE FILED: \_\_\_\_\_, 20

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▶ DEC 16 2022 ◀

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APPLICATION:  BOARD OF SUPERVISORS  
 ZONING HEARING BOARD

1. Date of Application: 12/2/2022

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: Andrew & Lim Kim
- b. Mailing address: 2586 HAWTHORN DR.  
Eagleville, PA 19403
- c. Telephone number: [REDACTED]
- 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 Residential Agricultural District
- b. Present Land Use: Detached single family residence
- c. Location (Street Address):  
2586 Hawthorn Drive, Eagleville, PA 19403
- d. Parcel #: 67-00-03470-09-9
- e. Lot Dimensions:
  - (1) Area: 16,452 Sq ft
  - (2) Frontage: 110'
  - (3) Depth: 150'
- 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

Andrew Kreis  
Printed Name

  
Signature

EMK  
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.

  
\_\_\_\_\_  
Applicant

  
\_\_\_\_\_  
Applicant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

Date Received: \_\_\_\_\_

\_\_\_\_\_  
Zoning Officer

**Township of Worcester  
1721 Valley Forge Road  
Worcester, PA 19490**

**APPLICANT/SITE ADDRESS:**

*Andrew & Lim Kim (Homeowner)  
2586 Hawthorn Drive  
Eagleville, PA 19403*

**LETTER OF INTENT FOR ZONING VARIANCE**

Dear Zoning Hearing Board members,

The applicant is looking to construct a swimming pool and patio on their property, 2586 Hawthorn Drive. In order to construct the swimming pool the applicant will require the following relief from Zoning Ordinances §150-177.A.(3), §150-177.A.(1) and §150-182.B:

1. To permit the proposed pool equipment to be located within the front yard of the lot (35 ft from the front property line) and be closer than 10 ft from the main building (within 1 ft from the main building).
2. To permit the proposed patio to extend 8 ft into the required front yard setback.
3. To allow a 5 ft high aluminum fence to be located within the front yard of the lot (3 ft from the front property line).

Ordinance §150-177.A.(3) currently states that swimming pools must be located entirely within the rear yard of the lot and at least 10 feet behind the closest part of the main building. This statement includes all filters, heaters, and accessory structures incidental thereto shall meet the same setback criteria. Below are the explanations and reasons why we are requesting relief.

1. The lot in question sits on a corner lot and abuts two streets giving the property two front yards. When taking into consideration a 25 ft side and rear setback with a 10 ft required setback off the house, the only possible location for the pool equipment would be within the required setback. The applicants are proposing the pool equipment to be located 35 ft from the front property line still within the building setback for the main building. However, since this area is not located within the rear yard relief will be needed.
2. The required setback from the proposed pool equipment to the house is 10 ft. The applicants are proposing the new pool equipment to be located only within 1 ft from the main building to limit the extension into the front yard.
3. Granting the requested relief will have no effect on the community or neighboring properties as the applicants will provide proper screening to hide the pool equipment from the side street and have it enclosed within pool-compliant fencing.

Ordinance §150-177.A.(1) currently states that structures accessory to single-family residential uses, shall be located in the rear yard or side yard only. Below are the explanations and reasons why we are requesting relief.

4. The property currently sits approximately 10 ft higher than the neighboring property to the right of the lot (2588 Hawthorn Dr.). To decrease the amount of runoff leading directly towards the neighboring house, we are limiting the patio on that side to a walkway and extending it towards the street, within the required front yard setback. The new runoff

created from this patio will be directed into the existing rear swale of the property away from the neighboring houses.

5. Granting the requested relief will have no effect on the community and should help limit any potential drainage impacts this project may have on neighboring properties.
6. The applicants are also willing to provide proper landscape screening to hide the patio from the street.

Ordinance §150-182.B currently states that no fence or wall shall be installed within the required side or rear yard setback. Below are the explanations and reasons why we are requesting relief.

7. Currently the ordinance does allow a completely open post and rail fence within the front yard that does not exceed 48 inches in height. However, this type of fence will not meet the requirements to be a pool-compliant barrier. In addition, the HOA will only allow a 5 ft high aluminum fence when installing a pool in the development.
8. The proposed fencing will be located 3 ft off the front property line, which is 5 ft off the existing sidewalk and 14 ft off the existing curb line.
9. Granting the requested relief should have no effect on the community as the proposed fence has openings within it, allowing a person to see through it, and will not obstruct any views for drivers trying to turn down Hawthorn Drive.

We appreciate your time and consideration for this potential project.

Sincerely,

Andrew & Kim Lim