



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

REVISED - ZONING NOTICE

MAY 27TH, 2020 ZONING HEARING BOARD MEETING TO OCCUR VIA REMOTE MEANS

NOTICE IS HEREBY given that the Conshohocken Zoning Hearing Board will conduct a public hearing on May 27th, 2020 at 7:00 p.m. prevailing time via remote means. The public is encouraged to participate as set forth below.

In response to the Governor's Stay at Home Order due to COVID-19, this meeting will be held using a Web-ex platform. To the extent possible, members of Conshohocken Zoning Hearing Board members, and Borough staff/professionals will participate via both video and audio. (INSTRUCTIONS ON SECOND PAGE)

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Conshyre, LLC
312 E. 10th Ave., Conshohocken, PA 19428

PREMISES INVOLVED: 12 W. 8th Ave., Conshohocken, PA 19428
Residential Office Zoning District

OWNER OF RECORD: Conshyre, LLC
312 E. 10th Ave., Conshohocken, PA 19428

The Petitioner is requesting a Variances from the terms of the Conshohocken Zoning Ordinance Sections 27-1202.

The Petitioner proposes to use the single-family residential dwelling for short-term leases.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov or calling (610) 828-1092. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board

ZONING HEARING REMOTE SESSION ACCESS INSTRUCTIONS

The public is encouraged to participate as follows:

Audio Feed Participation: You may dial-in to access the audio feed of the meeting. All participants (whether listening or providing comments) must use this method of audio participation, even those using Webex to access the video feed. To access audio, please use the below number and access code/ password information.

- Dial: 1-888-822-7517
- Access Code/Password: 430 557 7 #

We ask that you please keep your phones on mute at all times, unless giving a public comment as set forth in the Public Comment section below.

Video Feed Participation: The public may access the video feed by using the link provided below. *Please note that this will give participants visual only. You must still dial-in in order to get audio of the meeting (see *Audio Feed Participation* section below for further instructions).

VIDEO LINK CAN BE FOUND ON THE BOROUGH OF CONSHOHOCKEN WEBSITE WWW.CONSHOHOCKENPA.GOV

If this is the first time you have used Webex, the link will direct you to a website to download the Webex application. Please follow the instructions to install the Webex application.

If you have already downloaded the Webex application, the link will redirect you to the application itself. Please follow the instructions.

It is recommended that you download the application in advance of the meeting time. If you attempt to sign in prior to the start of the meeting, the Webex application will inform you that the meeting has not started. Please close the application and log back in at the time of the meeting (7:00 PM).

Public Comment: There will be a designated time on the agenda for public comment. Those with public comment shall state their name and address. Prior to the start of the meeting, you may submit written comments by e-mailing them to Bmyrsiades@conshohockenpa.gov. Similarly, during the meeting, you may submit written comments by e-mailing them to bmyrsiades@conshohockenpa.gov.

Public comments submitted in this manner will be read by a member of Borough Administration during the public comment period. Because the actual time of the public comment period is determined by the pace of the meeting, please submit all comments as soon as possible, whether before or during the meeting. Written comments shall include the submitting person's name, address and property in question.

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.

The Borough of Conshohocken Zoning Hearing Board Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z _____.

Applicant: _____

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than Wednesday May 20th, 2020)

MAIL:
Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St.
Conshohocken, PA 19428

E-MAIL:
zoning@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MEMORANDUM

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

Date: February 11, 2020

To: Stephanie Cecco, Brittany Rogers

From: Eric P. Johnson, P.E.

Re: 12 W. 8th Avenue Zoning Determination

History of the Site:

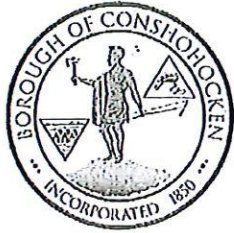
12 W. 8th Avenue is a 2,341 square-foot lot located in the Residential Office Zoning District and is developed with a detached single-family home with 3 bedrooms and a 2-car garage accessible from 8th Avenue. In addition to the garage parking, the Variance application indicates 2 parking spaces are provided in the driveway leading to the garage; however, the driveway is only 12 feet long and thus not able to accommodate vehicles without part of the vehicle in the roadway and/or obstructing the sidewalk. According to available public records, the property has been used as a residential dwelling since the 1940's and was purchased by the applicant in 2016. The property is located across the street from the Leeland Mansion.

Current Request:

The applicant proposes to use the property for short-term rentals listed for lease on the Airbnb, Inc. short-term rental service. The applicant states the short-term rentals would be marketed as an ideal accommodation for use in connection with events held across the street at the Leeland Mansion property. The application indicates the property owner would not be on the property during the time of a rental.

Zoning Determination:

Residential rental properties are permitted in the Borough in accordance with the requirements of Borough Code Chapter 11, in which the relationship between a landlord and tenant is established as a lease on a rental property which continues for a period in excess of 30 days. The proposed use of the subject property would predominantly be for periods less than 30 days and thus is not considered a residential rental property. Additionally, the definition of a rental property explicitly does not include transient lodging to overnight guest, such as hotels, motels, and bed-and-breakfasts. The R-O District does permit bed-and-breakfast by Conditional Use; however, a bed-and-breakfast is an owner-occupied building in which rooms are rented and meals are prepared for guest by the proprietor. The subject property does not meet the Zoning requirements for a bed-and-breakfast as outlined in §27-813, including lot size and off-street parking, nor will the property owner be on premises during the rental period. Therefore, the proposed use of the subject property for short-term rentals is not permitted and a Variance will be required as requested by the applicant.



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: 2-2000-02
Date Submitted: 1-27-2000
Date Received: 1-30-2000

1. Application is hereby made for:

- Special Exception Variance
- Appeal of the decision of the zoning officer
- Conditional Use approval Interpretation of the Zoning Ordinance
- Other _____

2. Section of the Zoning Ordinance from which relief is requested:
Section 27-1202 (Permitted Use)

3. Address of the property, which is the subject of the application:
12 W. Eighth Avenue, Conshohocken, PA 19428

4. Applicant's Name: Conshyre, LLC
Address: 312 E. Tenth Avenue, Conshohocken, PA 19428
Phone Number (daytime): (215) 284-5725
E-mail Address: matt@homeexpertsforyou.com / mike@HomeExpertsForYou.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Conshyre, LLC
Address: 312 E. Tenth Avenue, Conshohocken, PA 19428
Phone Number: (215) 284-5725
E-mail Address: matt@homeexpertsforyou.com / mike@HomeExpertsForYou.com

7. Lot Dimensions: 40 x 58.52 Zoning District: RO (Residential Office)

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

The subject property is a 3 bedroom single family residence with a 2 car garage and 2 parking spaces available in front of the garage. It has recently been rehabilitated and available for short term leases.

10. Please describe the proposed use of the property.

The Applicant is proposing to use the property for short term rentals by leasing through AirBNB.

11. Please describe proposal and improvements to the property in detail.

There are no proposed improvements to the property. It will be used in its existing state.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

The subject property has recently been updated. With the location next to the old City Hall which is available for events, the Applicant believes it would be an ideal location for short term rentals for those events such as weddings. The Applicants are long term business owners in Conshohocken with the presence several blocks away to ensure the upkeep and maintenance of the property. There would be minimal impact on any neighbors as it is the only house on that block of W. Eighth Avenue that faces Eighth Avenue. An AirBNB use does not appear to be a use permitted in any Zoning District in the Borough of Conshohocken.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: Recently renovated single family home

b. How the Zoning Ordinance unreasonably restricts development of the property:

The Conshohocken Borough Zoning Ordinance does not permit use of a short term rental. They do permit leases of residences. There is no difference between a short term lease or a long term lease and it will have no effect on the residents surrounding the property.

c. How the proposal is consistent with the character of the surrounding neighborhood. _____

The subject property will be used as a single family residence which is consistent with the surrounding neighborhood.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

The subject property will be used as a single family residence and is therefore consistent with the underlying Zoning District. The relief seeks the permission to use the property on an overnight or short term basis. Also, the RO District does permit bed and breakfasts which is a similar use as an AirBNB.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

15. If the Applicant is requesting any other type of relief, please complete the following section. N/A

a. Type of relief that is being requested by the applicant.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

c. Please describe in detail the reasons why the requested relief should be granted.

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: George J. Ozorowski, Esquire

b. Address: 1250 Germantown Pike, Suite 205, Plymouth Meeting, PA 19462

c. Phone Number: (610) 279-6800

d. E-mail Address: gjo@hkolaw.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

By: Michael Sik - Michael Siroka

Applicant
CONSHYRE, LLC

By: Matthew Donnelly - Matthew Donnelly

Legal Owner

Date

1/15/20

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 15th day of January, 2020.

Elizabeth K. Plenskofski
Notary Public

(Seal)

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Elizabeth K. Plenskofski, Notary Public
Warrington Twp., Bucks County
My Commission Expires Dec. 30, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

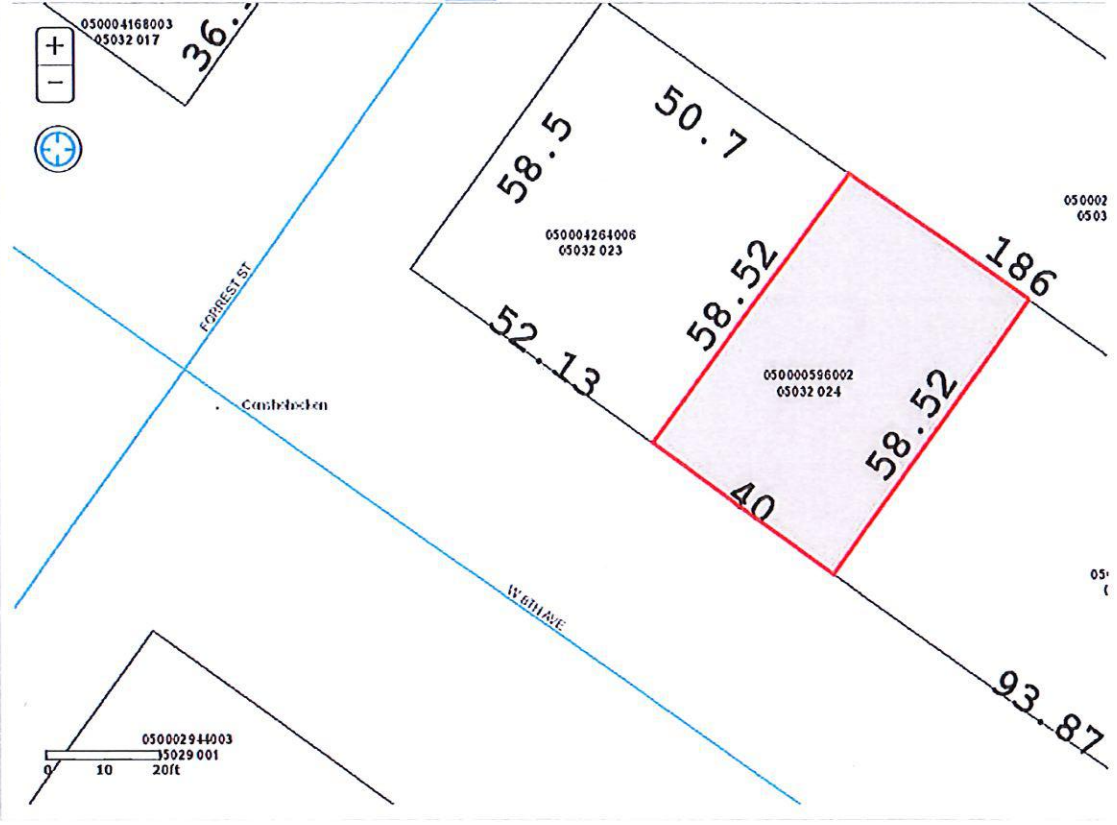
BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____

- Profile
- Accessory Structures
- Assessment Breakdown
- Assessment History
- Commercial
- Lot
- Map**
- Permits
- Photos
- Residential
- Sales
- Sketch
- Splits and Combinations

PARID: 050000596002
CONSHYRE LLC

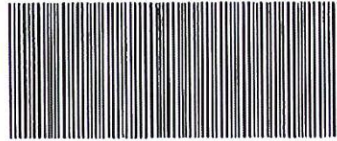




RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Alry Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6027 PG 00454 to 00458
INSTRUMENT # : 2016097603
RECORDED DATE: 12/15/2016 09:27:25 AM



3417733-0020N

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 3489979 - 3 Doc(s)
Document Date: 11/18/2016	Document Page Count: 4
Reference Info:	Operator Id: dkrasley
RETURN TO: (Simplifile) Commonwealth Agency, Inc 1 West First Ave. Suite 400 Conshohocken, PA 19428 (215) 643-7744	PAID BY: COMMONWEALTH AGENCY INC

*** PROPERTY DATA:**
Parcel ID #: 05-00-00596-00-2
Address: 12 W EIGHTH AVE

CONSHOHOCKEN PA
19428
Municipality: Conshohocken Borough
(100%)
School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$215,000.00

FEES / TAXES:

Recording Fee:Deed	\$95.00
State RTT	\$2,150.00
Conshohocken Borough RTT	\$1,075.00
Colonial School District RTT	\$1,075.00
Total:	\$4,395.00

DEED BK 6027 PG 00454 to 00458
Recorded Date: 12/15/2016 09:27:25 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 and Return to:

COMMONWEALTH RESIDENTIAL
ONE WEST FIRST AVENUE
SUITE 400
CONSHOHOCKEN PA 19428
215.643.7744

File No. D100214CR

UPI # 05-00-00596-00-2

This Indenture, made the 18th day of November, 2016,

Between

MICHAEL P. BONENBERGER AND BARBARA J. BONENBERGER

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

CONSHYRE, LLC, A PENNSYLVANIA LIMITED LIABILITY COMPANY

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

Witnesseth, that the said Grantors for and in consideration of the sum of **Two Hundred Fifteen Thousand And 00/100 Dollars (\$215,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee

Address: 12 West 8th Avenue, Conshohocken, PA 19428

ALL THAT CERTAIN message and lot of land, known as No. 12 West Eighth Avenue, situate in the borough of Conshohocken, County of Montgomery and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Northeasterly side of Eighth Avenue, at the distance of 93.87 feet Northwestwardly from the Northerly corner of Fayette Street and Eighth Avenue, a corner of this and land of Samuel P. Madonna and Marie, his wife (Deed Book 2265, Page 314); thence along the said side of Eighth Avenue, North 41 degrees 30 minutes West 40 feet to a point, a corner of land of Arthur R. Winters and Emily P., his wife (Deed Book 1693, Page 385); thence along the said land of Winters, North 47 degrees 6 minutes East, 58.52 feet to a point, a corner of land of Freeman W. Fleck (Deed Book 410, Page 368); thence along the said Fleck's land, South 41 degrees, 30 minutes East, 40 feet to a point, a corner of this and land of Samuel P. Madonna and wife and thence along the same, South 47 degrees 6 minutes West 58.52 feet to the place of beginning.

Tax ID / Parcel No. 05-00-00596-00-2

Being the same premises which Philip G. Schmitt and Frieda B. Schmitt by Deed dated 3/28/1977 and recorded 3/31/1977 in Montgomery County in Deed Book 4189 Page 83 conveyed unto Michael P. Bonenberger and Barbara J. Bonenberger, 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 them, the said grantors, 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 Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that they, the said Grantors, and their heirs, 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 them, the said Grantors, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

Michael P. Bonenberger (SEAL)
Michael P. Bonenberger

Barbara J. Bonenberger (SEAL)
Barbara J. Bonenberger

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 15th day of November, 2016, before me, the undersigned Notary Public, personally appeared Michael P. Bonenberger and Barbara J. Bonenberger, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

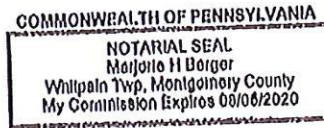
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

30
Notary Public
My commission expires _____

The precise residence and the complete post office address of the above-named Grantee is:

312 E. 10th Avenue
Conshohocken, PA 19428

Katya Blaud
On behalf of the Grantee



Deed

UPI # 05-00-00596-00-2

Michael P. Bonenberger and Barbara J.
Bonenberger

TO

Conshyre, LLC, a Pennsylvania Limited
Liability Company

COMMONWEALTH RESIDENTIAL
ONE WEST FIRST AVENUE
SUITE 400
CONSHOCKEN PA 19428
Phone 215.643.7744 Fax 215.643.5680



brighi MLS











brighi M.S.

May 12, 2020

RE: 12 W 8th Ave. Conshohocken, pa. 19428

Proposed use of parking Lot at 730 Fayette St. Conshohocken, Pa. 19428

To Whom it may Concern,

I'm aware of the **ZONING HEARING MAY 27th, 2020** for the proposed relief for short term rental at 12 W 8th Ave., across from my property located at 730 Fayette St.

The owners of the property, Conshy RE LLC, Mike Sroka & Matt Donnelly have approached me about the hearing and the use of the parking lot after business hours and on the weekends.

I am in favor of the proposal. I would welcome the option to place any of the attendees to our events at the property if relief is granted. I would also allow the use of our parking lot for overflow or additional parking if needed.

This would be a great option for our events.

Thank you,

Gary Jonas , How Properties LLC

Gary Jonas

dotloop verified
05/12/20 7:23 PM EDT
XPH1-T182-FFDW-SEG3



Dear Neighbor,

We wanted to introduce ourselves as your neighbors and the owners of 12 W. 8th Avenue. We would like to keep you in the loop of our plans! We are looking to get approval from the Borough for short-term rental of our house. We're working with the Borough and the community to put regulations in place for short-term rentals. We also plan to work in conjunction with Old Borough Hall with their events.

If you have any questions, please contact me directly. My phone number is 610-520-6543 and my email is Mike@homeexpertsforyou.com. I look forward to hearing from you!

Best Wishes,

Mike Sroka, REALTOR ® Keller Williams Realty
Owner/Partner, Home Experts For You Real Estate Team
Direct (610) 520-6543~Office (610) 520-0100
Email Mike@HomeExpertsForYou.com

Matthew Donnelly, REALTOR ® Keller Williams Realty
Owner/Partner, Home Experts For You Real Estate Team
Cell (215) 284-5725~EFax (610) 370-2698~Office (610) 520-0100
Email Matt@HomeExpertsForYou.com

www.HomeExpertsForYou.com

Home Experts For You
Keller Williams Realty
610-520-6563 (Team Line)
610-520-0100 (Main Line)
Team@HomeExpertsForYou.com
www.HomeExpertsForYou.com



1. Prior to commencing the short-term rental use, Applicant shall obtain a residential rental license permit pursuant to Chapter 11 *Housing*, Part 2 *Residential Rental License Permits* of the Borough's Code of Ordinances, except that Applicant's short-term rental shall be subject to annual inspections instead of the biannual inspections required under the aforementioned Part. A residential rental license permit shall not be issued until the precedent conditions set forth below are met.
2. Prior to commencing the short-term rental use, Applicant shall notify all immediate neighbors of its intent to rent the property for a short-term rental, and shall explain to those immediate neighbors its business plan and provide those neighbors with the local contact required by condition no. 3. Applicant shall provide immediate written notice to neighbors should the local contact change.
3. Prior to commencing the short-term rental use, Applicant shall provide the Borough a "local contact" that can be reached 24/7 and that can immediately take corrective action in the event any emergency or non-emergency issues are reported. Contact information for the local contact shall include a phone number and e-mail address at which the contact can be reached 24/7, and a mailing address. The local contact shall have access to, and authority to assume management of, the short-term rental unit and to take remedial measures as necessary. If the local contact person is not the Applicant, the local contact person shall immediately advise Applicant of any notification of violations/issues. There shall be a local contact person at all times the short-term rental unit is operated. The local contact person may be changed only after written notice to the Borough, and any new local contact person shall meet all requirements of this condition.
4. Prior to commencing the short-term rental use, Applicant shall submit an emergency evacuation plan to the Borough, and obtain the Borough's approval of said plan. Upon approval, the emergency evacuation plan shall be conspicuously posted in the short-term rental unit, and shall be included as part of the "Welcome" packet given to renters. The emergency evacuation plan shall be subject to review at each annual inspection required for the residential rental license permit.
5. The short-term rental shall be rented as a single-family home (one rental unit) only. In other words, Applicant shall not be permitted to rent the short-term rental unit to multiple renters, *e.g.* by bedroom.

6. Renters of the short-term rental shall be 21 years or older.
7. The short-term rental shall be operated in full compliance with all applicable local, state, and federal codes, ordinances, rules and regulations. The short-term rental shall not generate unreasonable noise or disturbances.
8. Parking for the short-term rental shall be limited to the 2-car parking garage only. Renters shall not park in the driveway of the short-term rental. Applicant shall seek alternative off-street parking for vehicles too large for the parking garage, or where renters have more than 2 cars at any given time. Applicant shall use its best efforts to ensure that renters need not use on-street parking.
9. References to "Applicant" herein shall include any successor in title.



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

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Yaniv Aronson

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Stephanie Cecco
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At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Russell Cardamone, Jr.
241 W. 4th Ave., Conshohocken, PA 19428

PREMISES INVOLVED (1): 301 W. 4th Ave., Conshohocken, PA 19428
Borough Residential 1 Zoning District

PREMISES INVOLVED (2): 303 W. 4th Ave., Conshohocken, PA 19428
Borough Residential 1 Zoning District

OWNER OF RECORD: Russell Cardamone, Jr.
241 W. 4th Ave., Conshohocken, PA 19428

The Petitioner is requesting a Variances from the terms of the Conshohocken Zoning Ordinance Sections 27-1005.C and 27-805.A.

The Petitioner is appealing the decision of the Zoning Officer that the residential dwelling has been constructed in violation of the front yard setback requirement; or in alternate a variance to permit the building setback as constructed.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov or calling (610) 828-1092. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board

ZONING HEARING REMOTE SESSION ACCESS INSTRUCTIONS

The public is encouraged to participate as follows:

Audio Feed Participation: You may dial-in to access the audio feed of the meeting. All participants (whether listening or providing comments) must use this method of audio participation, even those using Webex to access the video feed. To access audio, please use the below number and access code/ password information.

- Dial: 1-888-822-7517
- Access Code/Password: 430 557 7 #

We ask that you please keep your phones on mute at all times, unless giving a public comment as set forth in the Public Comment section below.

Video Feed Participation: The public may access the video feed by using the link provided below. *Please note that this will give participants visual only. You must still dial-in in order to get audio of the meeting (see *Audio Feed Participation* section below for further instructions).

VIDEO LINK CAN BE FOUND ON THE BOROUGH OF CONSHOHOCKEN WEBSITE
WWW.CONSHOHOCKENPA.GOV

If this is the first time you have used Webex, the link will direct you to a website to download the Webex application. Please follow the instructions to install the Webex application.

If you have already downloaded the Webex application, the link will redirect you to the application itself. Please follow the instructions.

It is recommended that you download the application in advance of the meeting time. If you attempt to sign in prior to the start of the meeting, the Webex application will inform you that the meeting has not started. Please close the application and log back in at the time of the meeting (7:00 PM).

Public Comment: There will be a designated time on the agenda for public comment. Those with public comment shall state their name and address. Prior to the start of the meeting, you may submit written comments by e-mailing them to Bmyrsiades@conshohockenpa.gov. Similarly, during the meeting, you may submit written comments by e-mailing them to bmyrsiades@conshohockenpa.gov.

Public comments submitted in this manner will be read by a member of Borough Administration during the public comment period. Because the actual time of the public comment period is determined by the pace of the meeting, please submit all comments as soon as possible, whether before or during the meeting. Written comments shall include the submitting person's name, address and property in question.

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.

The Borough of Conshohocken Zoning Hearing Board Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z _____.

Applicant: _____

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than Wednesday May 20th, 2020)

MAIL:
Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St.
Conshohocken, PA 19428

E-MAIL:
zoning@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MEMORANDUM

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

Date: April 30, 2020
To: Stephanie Cecco, Brittany Rogers
From: Eric P. Johnson, PE, Zoning Officer *E.P.J.*
Re: 301 W. 4th Avenue Zoning Determination

History of the Site:

The property is located in the Borough Residential 1 Zoning District and is newly constructed residential dwelling with an unenclosed front porch, driveway, and detach garage to the rear of the dwelling. The property was developed in accordance with the approved Subdivision and Land Development plan as reflected in the signed Record Plan "*Cardamone Tract*," prepared by Hibbeln Engineering Company, LLC, dated December 20, 2013, last revised September 5, 2014. The development was also subject to the terms of the Zoning Hearing Board Decision issued in connection with the referenced Land Development. Per the approved Record Plan, the front of the residential dwelling, identified as Lot 2, is graphically depicted and labeled to be constructed with a 5-foot front yard setback measured from the right-of-way line of W. 4th Avenue. Additionally, the zoning data table on the Record Plan identifies the front yard setback as 5 feet. The Record Plan does not indicate an unenclosed porch extending into the front yard setback. Subsequent to the completion of the site improvements, the As-Built Plan "*Final As-Built Lot 1 & 2 Cardamone Tract*," prepared by OTM, LLC, last revised February 17, 2020 was submitted to the Borough for review. The As-Built plan identifies the front of the residential dwelling is constructed 0.62 feet behind the right-of-way line, with a 6-foot deep unenclosed front porch extending 5.38 feet into the right-of-way. A Zoning Enforcement Notice, dated March 16, 2020, was issued to the property owner indicating a violation of the front yard setback requirement, resulting in the current zoning application submission.

Current Request:

The applicant is challenging the decision of the Zoning Officer that the residential dwelling has been constructed in violation of the front yard setback requirement; or in alternate a variance to permit the building setback as constructed.

Zoning Determination:

Section 27-1005.C states the front yard setback shall be 25 feet, to be measured from the ultimate right-of-way line; except where there is an established building line, then the building line of the majority of the buildings on that side of the block shall be used. Based on the building line setback of the majority of the buildings on the south side of W. 4th Avenue, the Land Development Plan that was approved by the Borough and documented on the referenced Record Plan allowed for a front yard setback less than 25

feet, establishing the required setback as 5 feet behind the right-of-way line. Therefore, the location of the residential dwelling is not compliant with the minimum front yard setback requirement.

In addition to the Zoning Code section identified in the referenced Zoning Enforcement Notice and the subject Zoning Application, further review of the property has identified an additional related violation as follows:

Section 27-805.A states an unenclosed porch, not more than 14 feet in height, may be erected to extend into a required front yard a distance of not more than 10 feet, provided that in no case shall it extend into such front or rear yard more than 1/2 the required depth of the yard. An unenclosed front porch measuring 6 feet in depth that was not included as part of the approved Land Development plan was constructed extending the full width of the residential dwelling frontage. The porch extends the full depth of the 0.62-foot front yard and extends 5.38 feet into the W. 4th Avenue right-of-way.



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MEMORANDUM

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

Date: April 30, 2020
To: Stephanie Cecco, Brittany Rogers
From: Eric P. Johnson, PE, Zoning Officer *EPJ*
Re: 303 W. 4th Avenue Zoning Determination

History of the Site:

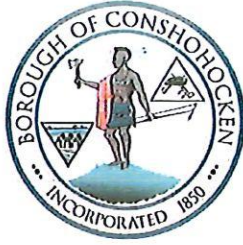
The property is located in the Borough Residential 1 Zoning District and is developed with a newly constructed residential dwelling with attached garage and driveway. The property was developed in accordance with the approved Subdivision and Land Development plan as reflected in the signed Record Plan "Cardamone Tract," prepared by Hibbeln Engineering Company, LLC, dated December 20, 2013, last revised September 5, 2014. The development was also subject to the terms of the Zoning Hearing Board Decision issued in connection with the referenced Land Development. Per the approved Record Plan, the front of the residential dwelling, identified as Lot 1, is graphically depicted and labeled to be constructed with a 5-foot front yard setback measured from the right-of-way line of W. 4th Avenue. Additionally, the zoning data table on the Record Plan identifies the front yard setback as 5 feet. Subsequent to the completion of the site improvements, the As-Built Plan "Final As-Built Lot 1 & 2 Cardamone Tract," prepared by OTM, LLC, last revised February 17, 2020 was submitted to the Borough for review. The As-Built plan identifies the front of the residential dwelling is constructed 0.43 feet behind the right-of-way line. A Zoning Enforcement Notice, dated March 16, 2020, was issued to the property owner indicating a violation of the front yard setback requirement, resulting in the current zoning application submission.

Current Request:

The applicant is challenging the decision of the Zoning Officer that the residential dwelling has been constructed in violation of the front yard setback requirement; or in alternate a variance to permit the building setback as constructed.

Zoning Determination:

Section 27-1005.C states the front yard setback shall be 25 feet, to be measured from the ultimate right-of-way line; except where there is an established building line, then the building line of the majority of the buildings on that side of the block shall be used. Based on the building line setback of the majority of the buildings on the south side of W. 4th Avenue, the Land Development Plan that was approved by the Borough and documented on the referenced Record Plan allowed for a front yard setback less than 25 feet, establishing the required setback as 5 feet behind the right-of-way line. Therefore, the location of the residential dwelling is not compliant with the minimum front yard setback requirement.



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: 2-2020-6
Date Submitted: 3-31-20
Date Received: 4-6-20

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

27-1005.C

3. Address of the property, which is the subject of the application:

301 and 303 West Fourth Avenue

4. Applicant's Name: Russell Cardamone

Address: 241 West Fourth Avenue

Phone Number (daytime): (610) 633-3049

E-mail Address: russcardyjr@yahoo.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Same as Applicant

Address: _____

Phone Number: _____

E-mail Address: _____

7. Lot Dimensions: 6300 sf (301) & 4620 sf (303) Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

A hearing on variances necessary to subdivide a property into four (4) lots and to then permit construction of homes on each lot was held August 5, 2013. All variances were granted. Variances for front yard setbacks were neither requested nor required. A copy of the decision is included herewith.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

The properties at issue are two (2) portions of a four (4) lot subdivision, constructed pursuant to the zoning relief referenced above, applicable zoning ordinance provisions, and a Record Plan, prepared by Hibbeln Engineering, entitled Record Plan - Cardamone Tract, dated December 20, 2013, with revisions through December 2, 2014. A copy of the Record Plan is enclosed herewith.

A residence was subsequently constructed on each lot in accordance with the plan, prior approvals, and applicable zoning ordinance provisions.

Thereafter, an as-built survey, prepared by OTM, LLC, entitled Final As-Built, Lot 1 and 2 - Cardamone Tract, undated but sealed, and with no revisions was prepared and submitted to the Borough. A copy of the As-Built Survey is included herewith. The As-Built confirms that the residences were constructed in accordance with applicable Zoning Ordinance provisions and prior approvals.

10. Please describe the proposed use of the property.

Existing newly constructed residences to remain. The within request is for a determination that the residences comply with applicable front yard setback requirements, or in the alternative, a variance to permit same.

11. Please describe proposal and improvements to the property in detail.

The Zoning Ordinance provides that new residential construction should be constructed with either: (i) a front yard setback of 25' measured from the ultimate right-of-way line or (ii) where there is an established building line, the front line of the majority of buildings on that side of the block shall be used. The residences on both properties were constructed to match the adjoining established building line of existing residences to the west, and accordingly, comply with Section 27-1005.C of the Zoning Ordinance.

However, the Borough Zoning Officer determined that the residences were required to be constructed with a front yard setback of 5'-0" as that is the general dimension of the building envelopes depicted on the Record Plan. A copy of the March 16, 2020 Notice of Violation is included herewith. The Zoning Officer's determination fails to account for the provision in the Zoning Ordinance which permits the front yard setback to be altered to meet adjoining property setbacks.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

The residences are already constructed and comply with the applicable front yard setback requirements of the Zoning Ordinance. To the extent zoning relief was not required to construct the residences as ultimately constructed, the building layout as depicted on the Record Plan shows a general building envelope and does not require modification or additional approval if the modifications to building location otherwise meet applicable zoning requirements.

The within request is for a determination that the residences comply with applicable front yard setback requirements and that additional "relief" from the Record Plan depiction is not required, or in the alternative, a variance to permit same.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: The residences are constructed in accordance with applicable zoning requirements. Modification would require a portion of the buildings be removed.

b. How the Zoning Ordinance unreasonably restricts development of the property:
The residences are constructed in accordance with applicable zoning requirements. Modification to conform to the building envelope depicted on the Record Plan would require a portion of the buildings be removed. The within request is for a determination that the residences comply with applicable front yard setback requirements and that additional "relief" from the Record Plan depiction is not required, or in the alternative, a variance to permit same.

c. How the proposal is consistent with the character of the surrounding neighborhood. _____
The front yard setbacks as constructed meet the specific intent and plain language of Section 27-1005.C as they align the building faces with the adjoining properties to the west.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.
The residences are constructed in accordance with applicable zoning requirements. Modification to conform to the building envelope depicted on the Record Plan would require a portion of the buildings be removed. The within request is for a determination that the residences comply with applicable front yard setback requirements and that additional "relief" from the Record Plan depiction is not required, or in the alternative, a variance to permit same.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

The Borough Zoning Officer determined that the residences were required to be constructed with a front yard setback of 5'-0" as that is the general dimension of the building envelopes depicted on the Record Plan. A copy of the March 16, 2020 Notice of Violation is included herewith. The Zoning Officer's determination fails to account for the provision in the Zoning Ordinance which permits the front yard setback to be altered to meet adjoining property setbacks.

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

See above.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

Should the Board determine that relief is required, a variance in the alternative, to permit the residences to remain in their existing locations, is requested.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

Section 27-1005.C

c. Please describe in detail the reasons why the requested relief should be granted.

The residences are constructed in accordance with applicable zoning requirements. Modification to conform to the building envelope depicted on the Record Plan would require a portion of the buildings be removed. The within request is for a determination that the residences comply with applicable front yard setback requirements and that additional "relief" from the Record Plan depiction is not required, or in the alternative, a variance to permit same.

16. If the applicant is being represented by an attorney, please provide the following information.

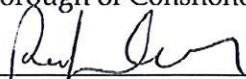
a. Attorney's Name: Amee S Farrell, Esquire

b. Address: 910 Harvest Drive P.O. Box 3037 Blue Bell, PA 19422


c. Phone Number: (610) 941-2547

d. E-mail Address: afarrell@kaplaw.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.



Applicant



Legal Owner

3.31.2020

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 31 day of
March, 2020.



Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Renita L. Perseo, Notary Public
Montgomery County
My commission expires October 21, 2022
Commission number 1128037
Member, Pennsylvania Association of Notaries



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

ZONING ENFORCEMENT NOTICE

March 16, 2020

Russell Cardamone
241 West 4th Avenue
Conshohocken, PA 19428

301 and 303 West 4th Avenue Conshohocken, PA 19428

Per the recently submitted plan titled "*Final As-Built Lot 1 & 2 Cardamone Tract*," (1 sheet) prepared by OTM, LLC, last revised February 17, 2020, it appears that your use of the above-described property is in violation of the Conshohocken Borough Zoning Ordinance of 2001 as amended December, 2005 as specified below:

Section 27-1005.C - The front yard setback shall be 25 feet, to be measured from the ultimate right-of-way line; except where there is an established building line, then the building line of the majority of the buildings on that side of the block shall be used.

Per the approved Land Development Record Plan for the referenced property, the front yard setback for the newly constructed residential dwellings is required to be 5 feet, measured from the ultimate right-of-way line of West 4th Avenue. The referenced As-Built plan indicates a front yard setback of 0.43 feet on Lot 1 and 0.62 feet on Lot 2.

Before April 15, 2020, you must correct the referenced zoning violation or seek a variance from the Zoning Hearing Board.

YOU HAVE THE RIGHT TO APPEAL TO THE ZONING HEARING BOARD WITHIN 30 DAYS OF RECEIPT OF THIS NOTICE.

YOUR FAILURE TO COMPLY WITH THIS NOTICE WITHIN THE TIME SPECIFIED UNLESS EXTENDED BY APPEAL TO THE ZONING HEARING BOARD CONSTITUTES A VIOLATION OF THE ZONING ORDINANCE WHICH MAY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE BOROUGH. EACH DAY THAT THE VIOLATION CONTINUES MAY CONSTITUTE A SEPARATE VIOLATION.

March 16, 2020
Russell Cardamone

Page 2
Zoning Enforcement Notice

If you have any questions or concerns, please feel free to contact the undersigned,

Sincerely,



Eric P. Johnson, PE
Zoning Officer
PENNONI ASSOCIATES INC.

EPJ/

cc: Stephanie Cecco, Borough Manager (via Email)
Brittany Rogers (via Email)
Karen MacNair, PE, Gilmore & Associates, Inc. (via Email)

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: APPLICATION OF RUSS AND MAUREEN CARDAMONE

REGARDING

239-301 WEST 4TH AVENUE

DECISION OF THE BOARD

I. History of the Case:

By application dated June 5, 2013 (the "Application"), Russ and Maureen Cardamone¹ (collectively, the "Applicant") are seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of variances (each a "Variance" and collectively, the "Variances") from Sections 27-1005.B, 27-1007.1, 27-1007.2, 27-2002 for Lot 1 (as set forth on the Plan which is hereinafter defined) and Section 27-811.C for Lot 3 (as set forth on the Plan which is hereinafter defined) to the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance") which require minimum lot width, minimum amount of off-street parking, prohibit off-street parking in front of a residence and further limit the maximum size for accessory building, all for real property located at 239-301 West 4th Avenue, Conshohocken, Pennsylvania (the "Property"). The Applicant wishes to (i) subdivide the Property into four (4) lots (each a "Lot" and collectively the "Lots") all as defined and detailed on that certain Zoning Application Plan (the "Plan") entered into the record as Exhibit P-3; (ii) leave the residence on Lot 4 as is; (iii) demolish an existing structure on 301 W. 4th Avenue (which covers portions of Lot 1 and Lot 2); and (iv) construct three

¹Russ Cardamone, one of the applicants, is presently a member of the Board. He recused himself from this matter in its entirety.

(3) additional residences at the Property (the "Proposed Construction"). The Property is presently zoned Borough Residential District One ("BR-1"), which requires a minimum lot width of forty (40) feet (Section 27-1005.B); prohibits off-street parking in front of a dwelling (Sections 27-1007.1 and 27-1007.2); requires two (2) off-street parking spaces (Section 27-2002); and further requires that any accessory building be no greater than three hundred fifty (350) square feet. The Applicant proposes to build a new home on Lot 1 which will be thirty-three (33) feet in width; have an entranceway to a garage in front of the home on Lot 1; have only one (1) off-street parking space for Lot 1; and have an accessory building/garage for Lot 3 which is four hundred eighty four (484) square feet in size (the "Proposed Relief").

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 27-611.1.A.

A public hearing was held before the Board on the evening of August 5, 2013, at 7:00 p.m. prevailing time, at the Borough Hall in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was give for the public hearing.

After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Russ and Maureen Cardamone, the owners of the Property. The Applicant was represented by Ameer Farrell, Esquire.
2. The Property involved is 239-301 West 4th Avenue, Conshohocken, Pennsylvania. The Property is presently zoned BR-1.

3. The Property is approximately ten thousand seven hundred eighty (10,780) square feet in size, with an approximately sixty (60) foot curb cut at its front that prohibits on-street parking for that portion of the curb.

4. The Applicant, who lives at the Property with their children, wishes to develop the site over time, building a new home for themselves, using the existing home on Lot 4, and then construct two (2) additional homes.

5. The proposed homes on Lots 2 and 4 are fully compliant.

6. The proposed home on Lot 3 requires a variance solely from Section 27-811.C regarding the size of its garage, which is planned to be four hundred eighty four (484) square feet as opposed to the maximum of three hundred fifty (350) square feet allowed under the Zoning Ordinance.

7. Lot 1 requires variance relief for lot width (thirty-three (33) feet instead of forty (40) feet), number of off-street parking spaces (proposes one (1) instead of two (2)) and location of off-street parking (Applicant proposes parking via a garage which enters from the front of the home).

8. Relief from the requirements of the Zoning Ordinance provisions regarding lot width, location of off-street parking, amount of off-street parking and size of accessory buildings require Board approval.

9. The Applicant stated that the unnecessary hardship requesting to be relieved was that, due to size and configuration of the Property, they were unable to build a home on Lot 1 in conformity to the Zoning Ordinance requirements. Essentially, it is impossible to access the rear of Lot 1, as noted on the Plan, as the alleyway does not extend to the rear of where Lot 1 is proposed to be located, thus off-street parking must

be via the front of the lot. Further, while the Applicant could construct attached homes with lesser lot width without relief from the Zoning Ordinance, the Applicant stressed that they felt the value of the homes proposed, as well as the look of the community, was better served with single family, detached dwellings. Therefore, the Applicant needs to have a thirty-three (33) foot wide lot for Lot 1 and room for only one (1) off-street parking space. The Applicant did testify and present evidence (such as Exhibit A-8) which showed a thirty three (33) foot lot width was in keeping with other nearby lots.

10. The Applicant also presented testimony regarding the grading behind Lot 1, which would make it impossible to access a garage or off-street parking via the rear of the lot.

11. The Applicant further presented testimony that the accessory building for Lot 3 needed to be four hundred eighty four (484) square feet — as opposed to the Zoning Ordinance's requirement of three hundred fifty (350) square feet or less — because of the proposed width of Lot 3 and the utility of such a sized garage for the proposed dwelling on the lot.

12. Under questioning from the public, the Applicant advised that Lots 2 through 4 would have all the required off-street parking needed for the Proposed Construction, and while the Proposed Construction would include the parking Variance relating to only one (1) off-street parking space for Lot 1, the Proposed Construction would actually increase the amount of on-street parking available in the area, from the current four (4) to five (5) spaces to six (6) to seven (7) spaces on the street, as the Applicant would be closing up currently existing curb cuts that prohibit on-street parking in front of much of the Property presently.

13. No one spoke in favor or against the Application.

14. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant wishes to obtain four (4) Variances in order to permit the Proposed Construction to subdivide the Property and allow four (4) dwellings on the newly subdivided lots. The Property is presently zoned BR-1, which requires a minimum lot width of forty (40) feet, requires two (2) off-street parking spaces and further prohibits parking in front of structures. See Zoning Ordinance at Sections 27-27-1005.B, 27-1007.1 and 1007.2, and 27-2002. The Applicant wishes to create Lot 1 with a width of thirty three (33) feet and construct a dwelling that has only one (1) off-street parking space which is in front of the dwelling. Thus, three (3) Variances are required for the proposed Lot 1. In addition, the Applicant has requested a fourth (4) Variance so that it may construct an accessory building, in this case a garage, on Lot 3, which will be four hundred eighty four (484) square feet — thus in excess of the maximum of three hundred fifty (350) square feet permitted under Section 27-811.C of the Zoning Ordinance. The Property is presently ten thousand seven hundred eighty (10,780) square feet, and has approximately sixty (60) feet of curb cut in front of the Property.

Section 27-611 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict[s] unnecessary hardship upon the applicant." See id. at 27-611.1.A.

Some of the requested variances are of a dimensional nature. In such situations, the Supreme Court of Pennsylvania has found, "the owner is asking only for a reasonable

adjustment of the zoning regulations in order to utilize the property in a manner consistent with the applicable regulations.” See Hertzberg v. Zoning Board of Adjustment of City of Pittsburgh, 721 A.2d 43, 47 (Pa. 1998). Thus the Pennsylvania Supreme Court has stated, the level “of proof required to establish unnecessary hardship is indeed lesser.” See id. at 48.

As the testimony and evidence presented to the Board in this case have shown, the Proposed Construction appears to attempt to accommodate both a positive use of the Property with minimal relief being requested. While the lot width for Lot 1 appears significantly smaller that required under the Zoning Ordinance at first blush, as the Applicant has shown, there are numerous other nearby lots with similar widths. Further, while the Applicant acknowledges that it will be providing only one (1) off-street parking space, such Applicant has noted that it is returning several parking spaces by elimination of some of the curb cut presently fronting the site. Finally, while the Applicant also concedes it wishes to place off-street parking in front of the home, it has rightfully noted the near impossibility of accessing Lot 1 by the rear due to the topography and configuration of that portion of the Property.

While the Board is reluctant to give variance relief and prefers that applicants make all efforts to conform to the Zoning Code as written, the Board also recognizes that the Property is unusual in shape and size, and that the Applicant could have made a denser, less attractive use by right. The Board also appreciates that the Applicant wishes to maintain the present dwelling, and thus not demolish but instead augment the current streetscape of the block.

The Board is swayed by the Applicant's testimony and evidence, as well as the lack of any community opposition to the Proposed Construction. Thus the Board believes that granting the Proposed Relief is both prudent and appropriate in relieving an undue hardship upon the Applicant, and further believes that the dimension relief requested is a "reasonable adjustment of the zoning regulations in order to utilize the property in an manner consistent with the applicable regulations" as required under the Hertzberg decision. See Hertzberg, 721 A.2d at 47, 48.

As a result of all the above, the Application meets the requirements of "unnecessary hardship" required under the MPC. See id. The Board, upon thorough and deliberate review of the materials submitted and testimony offered, has determined that the proposed Variances for Lot 1 from Zoning Ordinance Sections 27-1005.B, 27-1007.1, 27-1007.2 and 27-2002, as well as the Variance for Lot 3 from Zoning Ordinance Section 27-811.C, are appropriate.

IV. Conclusions of Law:

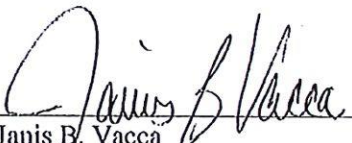
1. The matter was properly presented before the Board.
2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Zoning Ordinance and the MPC.
3. The Zoning Ordinance and the MPC both permit the Board to grant the Variances for the Lots designated herein and in accordance with the provisions of testimony and evidence offered this Opinion, and all other applicant Borough requirements.

CONSHOHOCKEN ZONING HEARING BOARD


Richard Barton, Chairman


Gregory F. Scharff


Vivian Angelucci

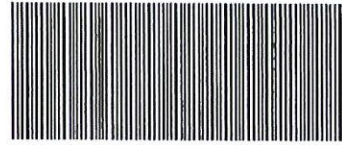

Janis B. Vacca



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Alry Streets ~ Sulte 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6005 PG 01311 to 01316.16
INSTRUMENT # : 2016047980
RECORDED DATE: 07/05/2016 07:22:54 AM




3354182-00230

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 22

Document Type: Deed	Transaction #: 3404265 - 2 Doc(s)
Document Date: 06/24/2016	Document Page Count: 5
Reference Info:	Operator Id: sford
RETURN TO: (Simplifile) Germantown Title Company 11 South Trooper Road Norristown, PA 19403 (610) 631-1540	PAID BY: GERMANTOWN TITLE COMPANY
* PROPERTY DATA:	
Parcel ID #: 05-00-04680-02-2	
Address: W FOURTH AVE	
	CONSHOHOCKEN PA 19428
Municipality: Conshohocken Borough (100%)	
School District: Colonial	
* ASSOCIATED DOCUMENT(S):	
CONSIDERATION/SECURED AMT: \$1.00	DEED BK 6005 PG 01311 to 01316.16
TAXABLE AMOUNT: \$0.00	Recorded Date: 07/05/2016 07:22:54 AM
FEES / TAXES:	I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.
Recording Fee:Deed \$95.00	
Affidavit Fee \$1.50	
Additional Pages Fee \$2.00	
Affordable Housing Pages \$4.00	
Total: \$102.50	
	
	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

Digitally signed 03/25/2020 by montgomery.county.rod@kofile.us

Certified and Digitally Signed

Validation may require Adobe Windows Integration

eCertified copy of recorded # 2016047980 (page 1 of 22)
Montgomery County Recorder of Deeds



Prepared by and Return to:

Germantown Title Company
11 S. Trooper Road
Norristown, PA 19403

File No. G-27589

UPI # 05-00-04680-02-2

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-04680-02-2 CONSHOHOCKEN BOROUGH
W FOURTH AVE

CARDAMONE RUSSELL J JR & MAUREEN \$15.00
B 002 L 3 U 054 2102 07/01/2016 JU

THIS CONVEYANCE IS A DEED OF
CONFIRMATION FROM CURRENT OWNERS TO
CURRENT OWNERS AND IS THEREFORE
TRANSFER TAX EXEMPT

This Indenture, made the 24th day of June, 2016,

Between

RUSSELL J. CARDAMONE, JR. AND MAUREEN CARDAMONE

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

RUSSELL J. CARDAMONE, JR. AND MAUREEN CARDAMONE

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

Witnesseth, that the said Grantors for and in consideration of the sum of One And 00/100 Dollars (\$1.00) lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, as tenants by the entirety

See Exhibit A attached

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 them, the said grantors, 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 heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that they, the said Grantors, and their heirs, 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



Exhibit A

ALL THAT CERTAIN tract or parcel of ground situate in Conshohocken Borough, Montgomery County, Pennsylvania, being shown as Lot 3 on Record Plan as part of the "Cardamone Tract", Sheet 1 of 8, prepared for Russell J. Jr. and Maureen Caramone, by Hibbeln Engineering Company, LLC, dated December 20, 2013, last revised December 2, 2014, and being more fully described as follows:

BEGINNING at a point, along the Southwesterly ultimate right-of-way line of West 4th Avenue, (40 feet half width), said point being located North 49 degrees 00 minutes 00 seconds West, 52 feet from an existing iron pipe, also along the Southwesterly ultimate right-of-way line of West 4th Avenue (40 feet half width), said iron pipe being located along a line dividing the lands of N/F Russell J. Jr. and Maureen Cardamone and N/F Regina Bruni Ramey.

THENCE from said beginning point and extending along a line dividing parcel 05-00-04680-00-4 (previously known as Lot 4) and parcel 05-00-04680-02-2 (previously known as Lot 3), South 41 degrees 00 minutes 00 seconds West, 140 feet to an angle point; said point being on the line dividing parcel 05-00-04680-02-2 (previously known as Lot 3) and the existing 20 feet wide alley, thence extending along said diving line, North 49 degrees 00 minutes 00 seconds West, 40 feet to an angle point; said point being on the line dividing parcel 05-00-04680-01-3 (previously known as Lot 2) and parcel 05-00-04680-02-2 (previously known as Lot 3), North 41 degrees 00 minutes 00 seconds East, 140 feet to an angle point, said angle point being located along the Southwesterly ultimate right-of-way line of West 4th Avenue (40 feet half width); thence extending along said right-of-way line South 49 degrees 00 minutes 00 seconds East, 40.00 feet to the point and place of beginning.

CONTAINING 5,600 square feet of land, be the same, more or less.

SUBJECT TO never-the-less a certain Retaining Wall Easement "A" across Lot 3 as described and depicted on aforesaid plan.

ALSO SUBJECT TO never-the-less a certain Retaining Wall Easement "B" across Lot 3 as described and depicted on aforesaid plan.

ALSO SUBJECT TO never-the-less a certain Retaining Wall Easement "C" across Lot 3 as described and depicted on aforesaid plan.

TOGETHER WITH a certain Driveway Easement across Lot 2 as described and depicted on aforesaid plan.

ALSO TOGETHER WITH a certain Retaining Wall Easement "A" across Lot 2 as described and depicted on aforesaid plan.

ALSO TOGETHER WITH a certain Retaining Wall Easement "B" across Lot 2 as described and depicted on aforesaid plan.

ALSO TOGETHER WITH a certain Retaining Wall Easement "C" across Lot 2 as described and depicted on aforesaid plan.

BEING Parcel No. 05-00-04680-02-2.

Being Lot 3

BEING Part of the same premises which Francis T. Dennis, Exec. Of the Estate of Vito Danisi, dec'd, by Indenture dated 11/28/1988 and recorded 11/29/1988 in the Office of



Exhibit A
(continued)

the Recorder of Deeds in and for the County of Montgomery in Deed Book 4694 page 2239, granted and conveyed unto Mary Romano, in fee.

BEING Part of the same premises which Mary Romano, by Indenture dated 6/25/2003 and recorded 7/21/2003 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5465 page 788, granted and conveyed unto George E. Scandone, in fee.

BEING Part of the same premises which George E. Scandone, by Indenture dated 6/7/2004 and recorded 7/13/2004 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5616 page 1375, granted and conveyed unto Russell J. Cardamone and Maureen Cardamone, in fee.

AND ALSO BEING Part of the same premises which The Borough of Conshohocken with office at 720 Fayette Street, Conshohocken, Pennsylvania, by Indenture dated 07/03/2003 and recorded 09/14/2004 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5526 page 1225, granted and conveyed unto Mary Romano, in fee.

AND the said Mary Romano departed this life on or about September 12, 1995 leaving a Will registered and probated in Montgomery County Register of Wills Office File No. 46-04-0895 wherein Mary Romano appointed George E. Scandone Executor, to whom Letters were granted on February 7, 2004.


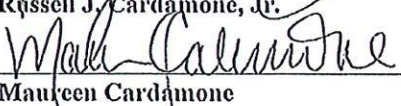
BEING Part of Deed of Correction the same premises which George E. Scandone, Executor, by Indenture dated 09/07/2005 and recorded 09/28/2005 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5572 page 2604, granted and conveyed unto Russell J. Cardamone, Jr. and Maureen Cardamone, in fee.



and assigns, against them, the said Grantors, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

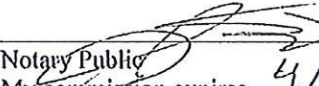
Sealed and Delivered
IN THE PRESENCE OF US:

 {SEAL}
Russell J. Cardamone, Jr.
 {SEAL}
Maureen Cardamone

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 24th day of June, 2016, before me, the undersigned Notary Public, personally appeared Russell J. Cardamone, Jr. and Maureen Cardamone, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

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


Notary Public
My commission expires 4/9/2017

The precise residence and the complete post office address of the above-named Grantees is:

241 West Fourth Ave
Censtohocken, PA 19428



On behalf of the Grantees

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Dana Santangelo Barth-Wagner, Notary Public
Lower Providence Twp., Montgomery County
My Commission Expires April 9, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



<p style="text-align: center;">Deed</p>	<p style="text-align: center;">UPI # 05-00-04680-02-2</p> <p style="text-align: center;">Russell J. Cardamone, Jr. and Maureen Cardamone</p> <p style="text-align: center;">TO</p> <p style="text-align: center;">Russell J. Cardamone, Jr. and Maureen Cardamone</p>	<p style="text-align: center;">Germantown Title Company 11 S. Trooper Road Norristown, PA 19403</p>
--	---	---





pennsylvania
DEPARTMENT OF REVENUE
Bureau of Individual Taxes
PO BOX 280603
Harrisburg, PA 17128-0603

REALTY TRANSFER TAX STATEMENT OF VALUE

RECORDER'S USE ONLY

State Tax Paid	\$0.00
Book Number	6005
Page Number	01311
Date Recorded	07/05/2016 07:22:54 AM

See reverse for instructions.

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed. If more space is needed, please attach additional sheets. A Statement of Value (SOV) is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. However, it is recommended that a SOV accompany all documents filed for recording.

A. CORRESPONDENT - All inquiries may be directed to the following person:

Name Germantown Title Company		Telephone Number: (610) 631-1540	
Mailing Address 11 S. Trooper Road		City Norristown	State ZIP Code PA 19403

B. TRANSFER DATA

Date of Acceptance of Document 06 / 24 / 2016			
Grantor(s)/Lessor(s) Russell J. Cardamone, Jr. and Maureen Cardamone		Telephone Number:	
Mailing Address 241 West Fourth Avenue		City Conshohocken	
State PA	ZIP Code 19428		

C. REAL ESTATE LOCATION

Street Address 241 West Fourth Avenue		City, Township, Borough Conshohocken Borough	
County Montgomery	School District Colonial	Tax Parcel Number 05-00-04680-02-2	

D. VALUATION DATA

Was transaction part of an assignment or relocation? Y N

1. Actual Cash Consideration 0	2. Other Consideration + 0	3. Total Consideration = 0
4. County Assessed Value 20,670.00	5. Common Level Ratio Factor X 1.78	6. Fair Market Value = 36,792.50

E. EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed \$ 735.85	1b. Percentage of Grantor's Interest in Real Estate 100 %	1c. Percentage of Grantor's Interest Conveyed 100 %
---	---	---

2. Check Appropriate Box Below for Exemption Claimed.

- Will or Intestate succession. _____
(Name of Decedent) (Estate File Number)
- Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- Transfer from a trust. Date of transfer into the trust _____
If trust was amended attach a copy of original and amended trust.
- Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- Other (Please explain exemption claimed.) _____

Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party Germantown Title Company, By: 	Date June 24, 2016
--	------------------------------

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUIRED INFORMATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

Certified copy of recording # 2016017980 (page 7 of 22)
Montgomery County Recorder of Deeds



139

18 1M

File No 020-522

Parcel ID No 05-00-04680-00-4

This Indenture, made the 7th day of June 2004,

Between

GEORGE SCANDONE

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

RUSSELL J. CARDAMONE AND MAUREEN CARDAMONE

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Two Hundred Fifty Thousand And 00/100 Dollars (\$250,000.00)** lawful money of the United States of America, unto him 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

ALL THAT CERTAIN lot or piece of land, situate in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, bounded and described as follows, viz

BEGINNING at a stake on the Southwesterly side of Fourth Avenue at the distance of 22 feet Southeastwardly from the South corner of said Fourth Avenue and Wood Street, a corner of this and land of Alfred Volpe, thence by and along said land Southwesterly 140 feet to an alley 20 feet wide, thence along the Northeasterly side of said alley Southeastwardly 22 feet to a stake, a corner of this and land of Nicholas Volpe, thence by and along said land Northeastwardly 140 feet to Fourth Avenue aforesaid and along the Southwesterly side thereof Northwestwardly 22 feet to the place of beginning.

ALSO, ALL THAT CERTAIN lot or piece of land, situate in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, bounded and described as follows, viz

BEGINNING at a stake on the South corner of Fourth Avenue and Wood Street, thence along the Southwesterly side of Fourth Avenue Southeastwardly 22 feet to a stake, a corner of this and land late of Petro Volpe, thence by and along said land Southwestwardly at right angles to said Fourth Avenue 140 feet to an alley 20 feet wide; thence along the Northeasterly side of said alley Northwestwardly 22 feet to Wood Street aforesaid and along the Southeasterly side thereof Northeastwardly 140 feet to the place of beginning.

BEING PARCEL NO 05-00-04680-00-4 TO BOTH TRACTS

APPROVED
Borough of Conshohocken
Date: 6/24/04 (Signature)

MONTGOMERY COUNTY RECORDER

DE BK05610-1375

DT-DEED

2004142045 07/13/2004 03 23 58 PM 9
RCD FEE \$46.60 LCL TAX \$2,500.00 ST TAX \$2,500.00



BEING the same premises which Mary Romano by deed dated 6-25-2003 and recorded at Norristown, Pennsylvania in Deed Book 5465 page 788, granted and conveyed unto George E Scandone, in fee

BEING Parcel 05-00-04680-00-4 to both tracts

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 him, 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 heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

And the said Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that he, the said Grantor, and his heirs, 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 and assigns, against him, the said Grantor, and his heirs, 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 hereunto set his hand and seal Dated the day and year first above written

Sealed and Delivered
IN THE PRESENCE OF US

George E Scandone (SEAL)
GEORGE SCANDONE



Commonwealth of Pennsylvania } ss
County of Montgomery

On this the 7th day of June 2004, before me, the undersigned Notary Public, personally appeared **GEORGE SCANDONE**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

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

[Signature]
Notary Public
My commission expires _____

The address of the above-named Grantees is

301 W 4TH AVE
CONSHOHOCKEN, PA 19428
On behalf of the Grantees



MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-04680-00-4 CONSHOHOCKEN
239 W FOURTH AVE
SCANDONE GEORGE E
B 003 U 001 L 1132 DATE 07/09/04





Handwritten signature

DEED
 FROM:
 GEORGE SCANDONE

TO:
 RUSSELL J. CARDAMONE and
 MAUREN CARDAMONE

Please return the recorded
 document to:

Suburban Philadelphia Abstract, Inc.
 922 West Ridge Pike
 Conshohocken, PA 19428
 Telephone: 610-828-6133 Fax: 610-828-
 9787

FILE NO. 020-522



DEED

THE BOROUGH OF CONSHOHOCKEN

To

MARY ROMANO

Premises: 237-239 West Fourth Avenue
Conshohocken, Pennsylvania 19428

Prepared by: John Adam Di Pietro, Esquire
500 Fayette Street, Suite 300
Conshohocken, Pennsylvania 19428
610-941-9530

The Address of the within-named Grantee is:

237 - 239 West Fourth Avenue
Conshohocken, Pennsylvania 19428

On behalf of Grantee

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-04680-00-4 CONSHOHOCKEN
239 W FOURTH AVE
CARDAMONE RUSSELL J & MAUREEN
B 003 U 001 L 1132 DATE. 09/14/04

DE BK05526-1225 DT-DEED
2004104401 09/14/2004 04 06 15 PM 5
RCD FEE \$50.00



MONTGOMERY COUNTY ROD

05-00-04680-00-4 CONSHOHOCKEN BOROUGH 19428 MAURICE BECKER ROD



This Indenture Made the 3rd day of July, in the year of our Lord Two Thousand and Three (2003)

Between The Borough Of Conshohocken with office at 720 Fayette Street, Conshohocken, Pennsylvania

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

Mary Romano, currently residing at 237-239 West Fourth Avenue, Conshohocken, Pennsylvania

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

Witneseth That the said Grantor, for and in consideration of the sum of **ONE DOLLAR (\$1.00)** 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, granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, her heirs and assigns.

Description of a Portion of Wood Street to be dedicated to Block 3, Lot 1

ALL THAT CERTAIN lot, tract or parcel of land and premises, situate, lying and being in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, and being more particularly described as follows

BEGINNING at a point of intersection of the easterly right-of-way line of Wood Street (66 feet wide, unopened) and the southerly right-of-way line of Fourth Avenue (80 feet wide) also known as the northwesterly corner of Block 3, Lot 1, said point being 449.00 feet northwest along the southern right-of-way line of Fourth Avenue from the intersection of the westerly right-of-way line of Maple Street (66 feet wide) and the southerly right-of-way line of Fourth Avenue (80 feet wide), thence extending from said point of BEGINNING:

1. Along the westerly property line of Lot 1, Southwesterly a distance of 140.00 feet to a point; thence,
2. Through the bed of Wood Street, Northwesterly a distance of 33.00 feet to a point in the centerline of Wood Street, thence,
3. Along the centerline of Wood Street, Northeasterly a distance of 140.00 feet to a point; thence,
4. Through the bed of Wood Street, Southeasterly a distance of 33.00 feet to the point and place of BEGINNING

Containing within said bounds 4,620 Square Feet (0.106 Acres) of land, more or less.



Subject to covenants, restrictions and other easements of record, if any, except those that have expired by their own limitations.

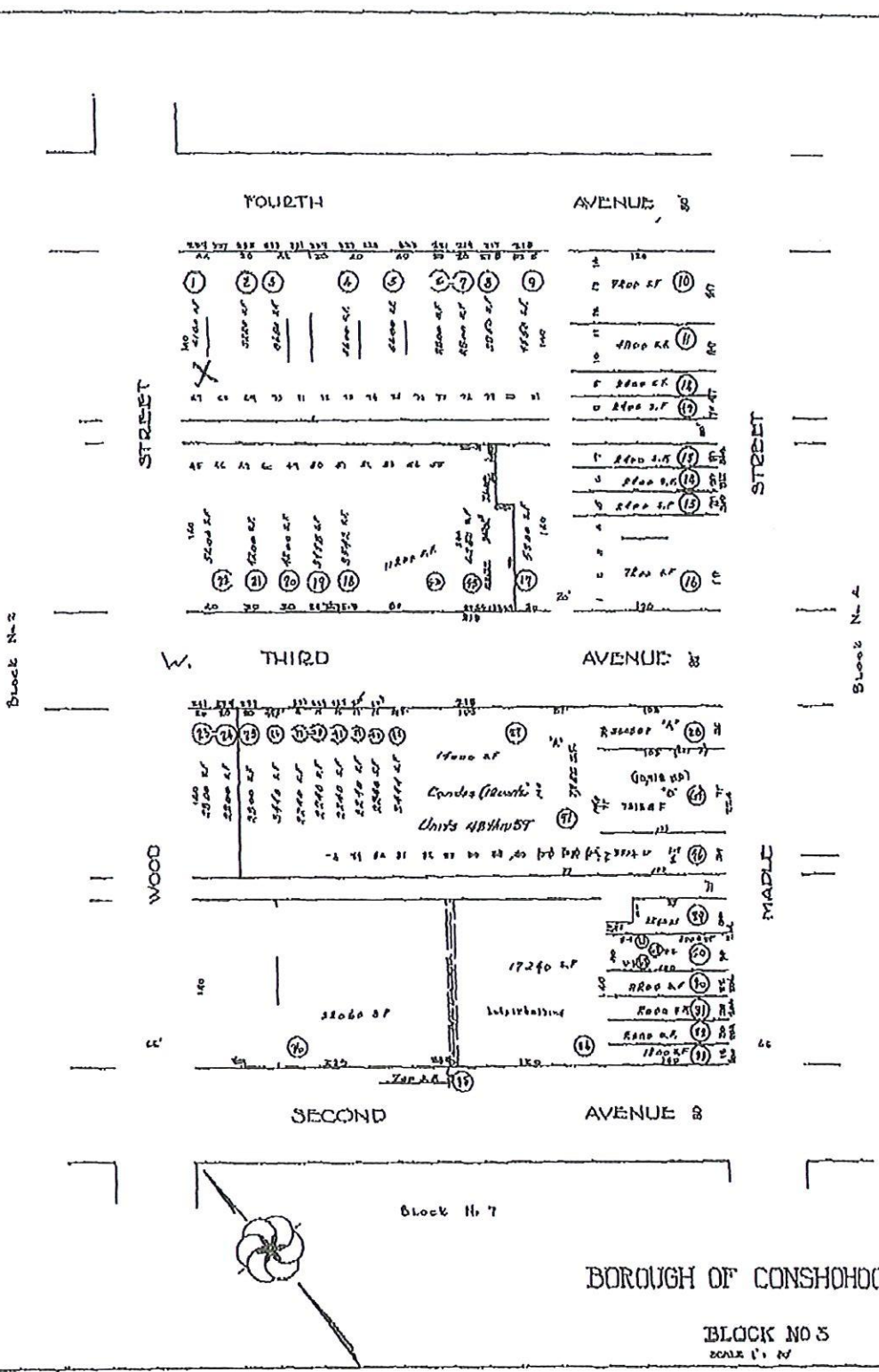
BEING a portion of the premises vacated by Conshohocken Borough Council through Ordinance Number _____ of _____

BEING Parcel Number. 05-00-04680-00-4

This is a tax exempt conveyance, pursuant to Pennsylvania Realty Act 91.193 (b) (21) .

APPROVED
Borough of Conshohocken
Date 12/19/03 *(signature)*





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 any wise 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, 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 herein and all the hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, to and for the only proper use and behoof of the said Grantee,

And the said Grantor, its heirs, executors and administrators does covenant, promise and agree, to and with the said Grantee, her heirs and assigns, by these presents, that it the said Grantor and its heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, against it the said Grantor and its heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under or any of them, shall and will **WARRANT** and forever **DEFEND**.

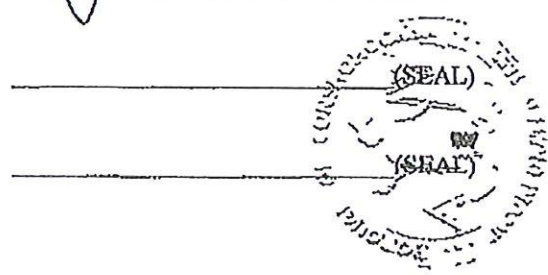
In Witness Whereof, the party of the first part has hereunto set its hand and seal. Dated the day and year first above written

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

Pearl Suckett

BOROUGH OF CONSHOHOCKEN

BY *Joseph P. Collins* (SEAL)
JOSEPH P. COLLINS, Council President



Commonwealth of Pennsylvania

ss.

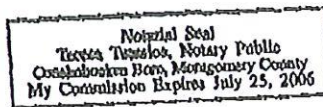
County of Montgomery

On this, the 3rd day of JULY, 2003, before me, a Notary Public for the Commonwealth of Pennsylvania, residing in the Borough of Norristown, personally appeared **JOSEPH P. COLLINS**, President of Borough Council for the Borough of Conshohocken, known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same as Council President and for the purposes therein contained

I hereunto set my hand and official seal

Theresa Testolob

Notary Public



[Handwritten signature]



8-3
STATE TAX
AFFIDAVIT
FILED

DE BK06572-2604 DT-DEED
2005140136 09/21/2005 01 22 38 PM 1
RCO FEE \$54.60



MONTGOMERY
COUNTY, PA

05-CONSHOHOCKEN BOROUGH 19160 NAJCY BECKER RCO

DEED

GEORGE E. SCANDONE, EXECUTOR

THE ESTATE OF MARY ROMANO

To

RUSSELL J. CARDAMONE, JR., and MAUREEN CARDAMONE

PREMISES: 239 West 4th Avenue
Conshohocken, Pennsylvania 19428

Prepared by Richard M. Connelly, Solicitor
Borough of Conshohocken

The Address of the within-named Grantee is:

301 West 4th Avenue
Conshohocken, Pennsylvania 19428



RECORDED
 Borough of Conshohocken
 Date: 9/28/05 *CPD*

DEED OF CORRECTION

This is a deed of correction as at the time of recording of the previous Deed dated July 3, 2003 between The Borough of Conshohocken and Mary Romano DEED BOOK 5525, PAGE 1225, Mary Romano was deceased and Russell J. Cardamone, Jr. and Maureen Cardamone were the rightful owners of 239 West Foth Avenue, Conshohocken.

This Indenture Made the _____ **day of** _____ **, in the**
year of our Lord Two Thousand Five (2005)

Between the Estate of Mary C. Romano, by George E. Scandone,
Executor of the Estate of Mary C. Romano

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

Russell J. Cardamone, Jr. and Maureen Cardamone,

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

Witnesseth That the said Grantor, for and in consideration of the sum of **ONE DOLLAR (\$1 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, granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, their heirs and assigns.

Description of a Portion of Wood Street to be dedicated to Block 3, Lot 1

ALL THAT CERTAIN lot, tract or parcel of land and premises, situate, lying and being in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, and being more particularly described as follows

BEGINNING at a point of intersection of the easterly right-of-way line of Wood Street (66 feet wide, unopened) and the southerly right-of-way line of Fourth Avenue (80 feet wide) also known as the northwesterly corner of Block 3, Lot 1, said point being 449.00 feet northwest along the southern right-of-way line of Fourth Avenue from the intersection of the westerly right-of-way line of Maple Street (66 feet wide) and the southerly right-of-way line of Fourth Avenue (80 feet wide); thence extending from said point of BEGINNING:

1. Along the westerly property line of Lot 1, Southwesterly a distance of 140.00 feet to a point; thence,
2. Through the bed of Wood Street, Northwesterly a distance of 33.00 feet to a point in the centerline of Wood Street; thence,
3. Along the centerline of Wood Street, Northeasterly a distance of 140.00 feet to a point,

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 05-00-04680-00-4 CONSHOHOCKEN
 239 W FOURTH AVE
 CARDAMONE RUSSELL J & MAUREEN
 B 003 U 001 L 1132 DATE 09/28/05

eCertified copy of recorded # 2016047980 (page 19 of 22)
 Montgomery County Recorder of Deeds



thence,

4 Through the bed of Wood Street, Southeasterly a distance of 33.00 feet to the point and place of BEGINNING.

Containing within said bounds 4,620 Square Feet (0 106 Acres) of land, more or less

Subject to covenants, restrictions and other easements of record, if any, except those that have expired by their own limitations.

BEING a portion of the premises vacated by the Conshohocken Borough Council through Ordinance Number _____ of _____.

BEING Parcel Number. 05-00-04680-00-4.

This is a tax exempt conveyance, pursuant to Pennsylvania Realty Act 91.193 (b) (21).



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 any wise 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, 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 herein and all the hereditaments and ~~premises hereby granted, or mentioned and intended so to be, with the~~ appurtenances, unto the said Grantee. ~~their~~ heirs and assigns, to and for the only proper use and behoof of the said Grantee,

And the said Grantor, its heirs, executors and administrators ~~does~~ covenant, promise and agree, to and with the said Grantees, ~~thier~~ heirs and assigns, by these presents, that it the said Grantor and its heirs, all and singular there hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, ~~thier~~ heirs and assigns, against it the said Grantor and its heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under or any of them, shall and will **WARRANT and forever DEFEND.**

In Witness Whereof, the party of the first part has hereunto set its hand and seal.
Dated the day and year first above written.

~~Scaled and Delivered~~
IN THE PRESENCE OF US

Michael C. Shull

THE ESTATE OF MARY ROMANO

BY: *George Edm. Scandone* (SEAL)
GEORGE SCANDONE, EXECUTOR
ESTATE OF MARY ROMANO



Commonwealth of Pennsylvania :
 :
 ss:
 County of Montgomery :

On this, the 7th day of September 2005, before me, a Notary Public for the Commonwealth of Pennsylvania, residing in the Borough of Norristown, personally appeared **GEORGE E. SCANDONE**, known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same as Executor of the Estate of *Mary Romano* and for the purposes therein contained.

I hereby set my hand and official seal



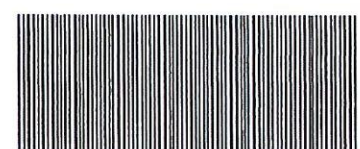

Mary E. Taus

 Notary Public



Nancy J. [Signature]



  <p>RECORDER OF DEEDS MONTGOMERY COUNTY <i>Jeanne Sorg</i></p> <p>One Montgomery Plaza Swede and Alry Streets ~ Sulte 303 P.O. Box 311 ~ Norristown, PA 19404 Office: (610) 278-3289 ~ Fax: (610) 278-3869</p>	<p>DEED BK 6130 PG 01580 to 01584 INSTRUMENT # : 2019018979 RECORDED DATE: 04/01/2019 07:38:09 AM</p>  <p>5510168-0018S</p> <p>MONTGOMERY COUNTY ROD</p>
OFFICIAL RECORDING COVER PAGE Page 1 of 5	
<p>Document Type: Deed Document Date: 03/01/2019 Reference Info:</p>	<p>Transaction #: 5710113 - 1 Doc(s) Document Page Count: 4 Operator Id: sford</p>
<p>RETURN TO: (Simplifile) First Platinum Abstract, LLC 2416 Bristol Road Bensalem, PA 19020 (215) 741-2000</p>	<p>PAID BY: FIRST PLATINUM ABSTRACT LLC</p>
<p>* PROPERTY DATA: Parcel ID #: 05-00-04684-00-9 Address: 301 W FOURTH AVE CONSHOHOCKEN PA 19428 Municipality: Conshohocken Borough (100%) School District: Colonial</p>	
<p>* ASSOCIATED DOCUMENT(S):</p>	
<p>CONSIDERATION/SECURED AMT: \$1.00</p> <p>FEES / TAXES: Recording Fee:Deed \$86.75 Total: \$86.75</p>	<p>DEED BK 6130 PG 01580 to 01584 Recorded Date: 04/01/2019 07:38:09 AM</p> <p>I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.</p>  <p style="text-align: right;">Jeanne Sorg Recorder of Deeds</p>

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

Digitally signed 03/25/2020 by montgomery.county.rod@kofile.us

Certified and Digitally Signed

Validation may require Adobe Windows Integration

eCertified copy of recorded # 2019018979 (page 1 of 5)
Montgomery County Recorder of Deeds



Prepared by and Return to:

Russell J. Cardamone, Jr.
241 w, 4TH Ave
Conshohocken, PA 19428

UPI# 05-00-04684-00-9

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-04684-00-9 CONSHOHOCKEN BOROUGH
301 W FOURTH AVE
CARDAMONE RUSSELL J JR & MAUREEN \$15.00
B 002 L 1 U 019 2101 03/29/2019 JW

This Indenture, made the 1st day of MARCH, 2019,

Between

RUSSELL J. CARDAMONE, JR. AND MAUREEN CARDAMONE

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

RUSSELL J. CARDAMONE, JR.

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

Witnesseth, that the said Grantors for and in consideration of the sum of **One And 00/100 Dollars (\$1.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

See Attached Exhibit A

THIS IS A TRANSFER FROM HUSBAND AND WIFE TO HUSBAND AS SOLE OWNER AS IS THEREFORE TAX EXEMPT

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 them, the said grantors, 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, his heirs and assigns, to and for the only proper use and behoof of the said Grantee, his heirs and assigns, forever.

And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, his heirs and assigns, that they, the said Grantors, and their heirs, 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, his heirs and assigns,



EXHIBIT A

LEGAL DESCRIPTION
PARCEL 05-00-04684-00-9 (PREVIOUSLY KNOWN AS LOT 1)
PROJECT #1008 - "CARDAMONE TRACT"

ALL THAT CERTAIN tract or parcel of ground situate in Conshohocken Borough, Montgomery County, Pennsylvania, being shown as Lot 1 on the Record Plan as part of the "Cardamone Tract", Sheet 1 of 8, prepared for Russell J. Jr. and Maureen Cardamone, by Hibbeln Engineering Company, L.L.C., dated December 20, 2013, last revised December 2, 2014, and being more fully described as follows:

BEGINNING at point, along the Southwesterly ultimate right-of-way line of West 4th Avenue (40' half width), said point being located North 49°00'00" West, 137.00' from an existing iron pipe, also along the Southwesterly ultimate right-of-way line of West 4th Avenue (40' half width), said iron pipe being located along a line dividing the lands of N/F Russell J. Jr. and Maureen Cardamone and N/F Regina Bruni Ramey.

THENCE, from said beginning point and extending along a line dividing parcel 05-00-04684-00-9 (previously known as Lot 1) and parcel 05-00-04680-01-3 (previously known as Lot 2), South 41°00'00" West, 140.00' to an angle point; said point being on the line dividing parcel 05-00-04684-00-9 (previously known as Lot 1) and the existing 20' wide Alley, thence, extending along said dividing line, North 49°00'00" West, 33.00' to an angle point; said point being on the line dividing parcel 05-00-04684-00-9 (previously known as Lot 1) and the lands of N/F Jeremy Shoemaker (previously owned by Patrick P. Power), North 41°00'00" East, 140.00' to an angle point, said angle point being located along the Southwesterly ultimate right-of-way line of West 4th Avenue (40' half width); thence, extending along said right-of-way line South 49°00'00" East, 33.00' to the point and place of beginning.

CONTAINING 4,620 S.F., be the same, more or less.

SUBJECT TO never-the-less a certain Retaining Wall Easement across Lot 1 as described and depicted on aforesaid plan.

TOGETHER WITH a certain Stair & Retaining Wall Easement across Lot 2 as described and depicted on aforesaid plan.

ALSO TOGETHER WITH a certain Retaining Wall Easement 'C' across Lot 2 as described and depicted on aforesaid plan.

W Ike, Suite 300, Blue Bell Pennsylvania 19422

SI

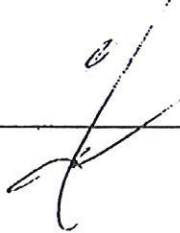
(ax 215-619-4




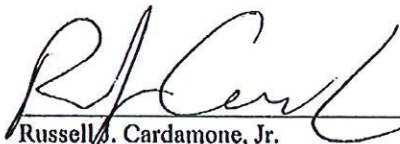
against them, the said Grantors, and their heirs, will **WARRANT SPECIALLY** and defend against the lawful claims of all persons claiming by, through or under the said Grantors but not otherwise.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:



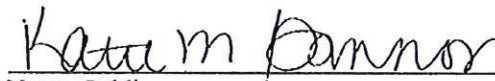


 {SEAL}
Russell J. Cardamone, Jr.

 {SEAL}
Maureen Cardamone


Commonwealth of Pennsylvania } ss
County of Montgomery

This record was acknowledged before me on 1st day of MARCH, 2019 by Russell J. Cardamone, Jr.
and Maureen Cardamone.

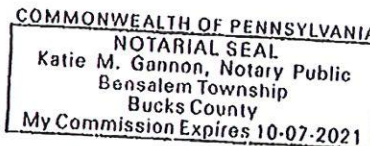

Katie M. Gannon
Notary Public
My commission expires _____

The precise residence and the complete post office address of the above-named Grantee is:

241 W. 4th Ave
Conshohocken, PA 19428



On behalf of the Grantee



File No. **CARDAMONE**

Record and return to:
First Platinum Abstract, LLC
2416 Bristol Road
Bensalem, PA 19020



<h1>Deed</h1>	<p>UPI # 05-00-04684-00-9</p> <p>Russell J. Cardamone, Jr. and Maureen Cardamone</p> <p>TO</p> <p>Russell J. Cardamone, Jr.</p>	<p>Russell J. Cardamone, Jr. 241 w, 4TH Ave Conshohocken, PA 19428</p>
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OWNER AUTHORIZATION TO PROCEED:

**Zoning Hearing Board
Borough of Conshohocken**

RE: 303 West Fourth Avenue – Zoning Hearing Board Application

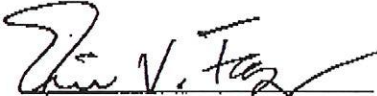
Russell Cardamone, as owner of 301 and 303 West Fourth Avenue, applied to the Zoning Hearing Board of the Borough of Conshohocken for relief related to a front yard setback of the homes constructed at 301 and 303 West Fourth Avenue (“Application”).

The home at 303 West Fourth Avenue has since been conveyed to the below owner, who by signing herein, joins in the Application and authorizes Russell Cardamone, Amee S. Farrell, Esquire, and Kaplin Stewart, P.C. to prosecute the Application as it pertains to 303 West Fourth Avenue.

Title Owner of 303 West Fourth Avenue:

Eileen V. Fay
Parcel No. 05-00-04684-00-9
303 West Fourth Avenue

Signature:



Witness:

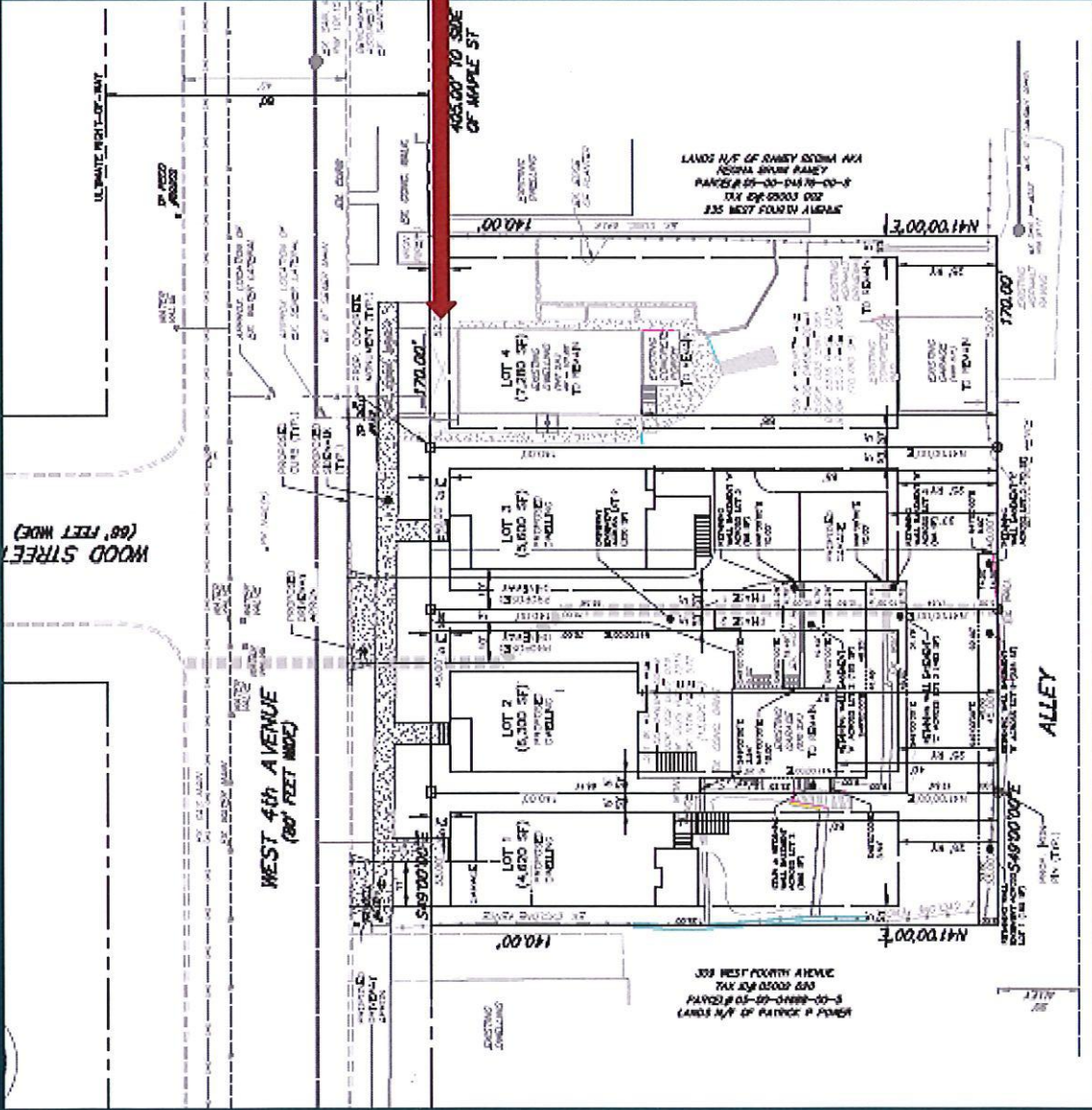




Lot 1 (303) Lot 2 (301) Lot 3 (239) Lot 4 (237)

CARDAMONE A-3.A
ILLUSTRATIVE AERIAL

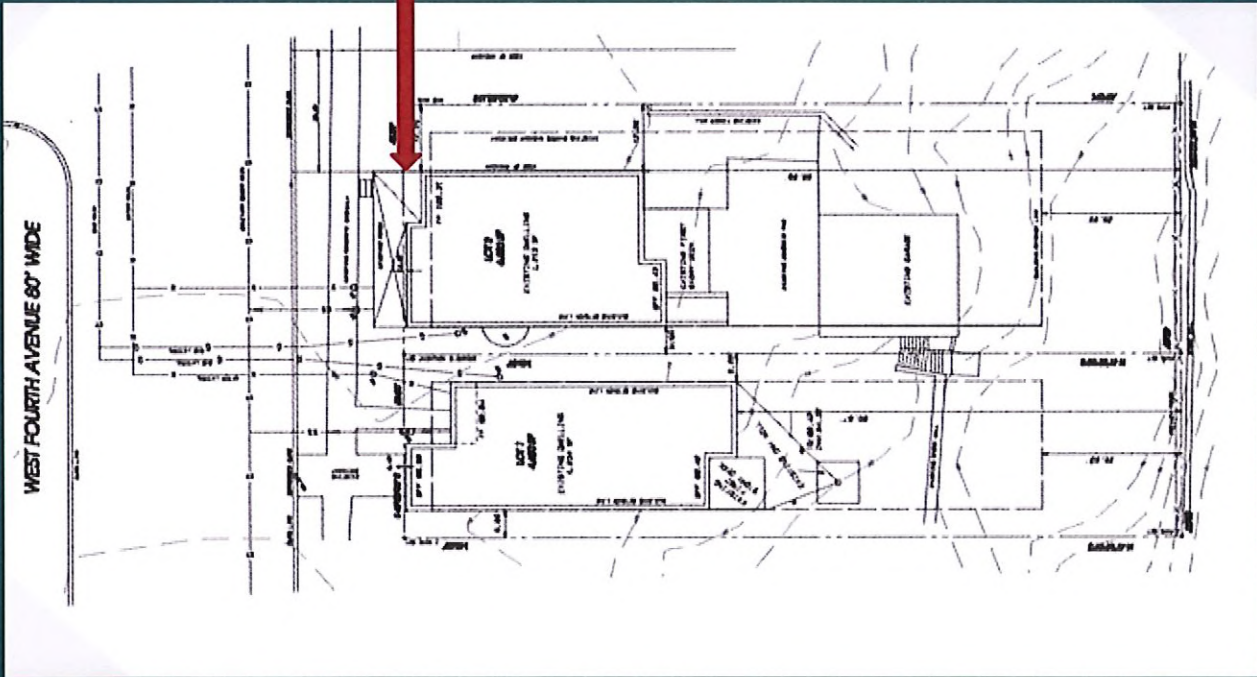
301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



As approved via subdivision and land development approval/as recorded:
 5 foot front yard setback/build-to line to align with existing Lot 4 residence to the east/residences along the 200 block of West 4th Avenue

CARDAMONE A-3.B
 ILLUSTRATIVE RECORD PLAN

301 AND 303 WEST 4TH AVENUE
 APPLICATION FOR ZONING RELIEF

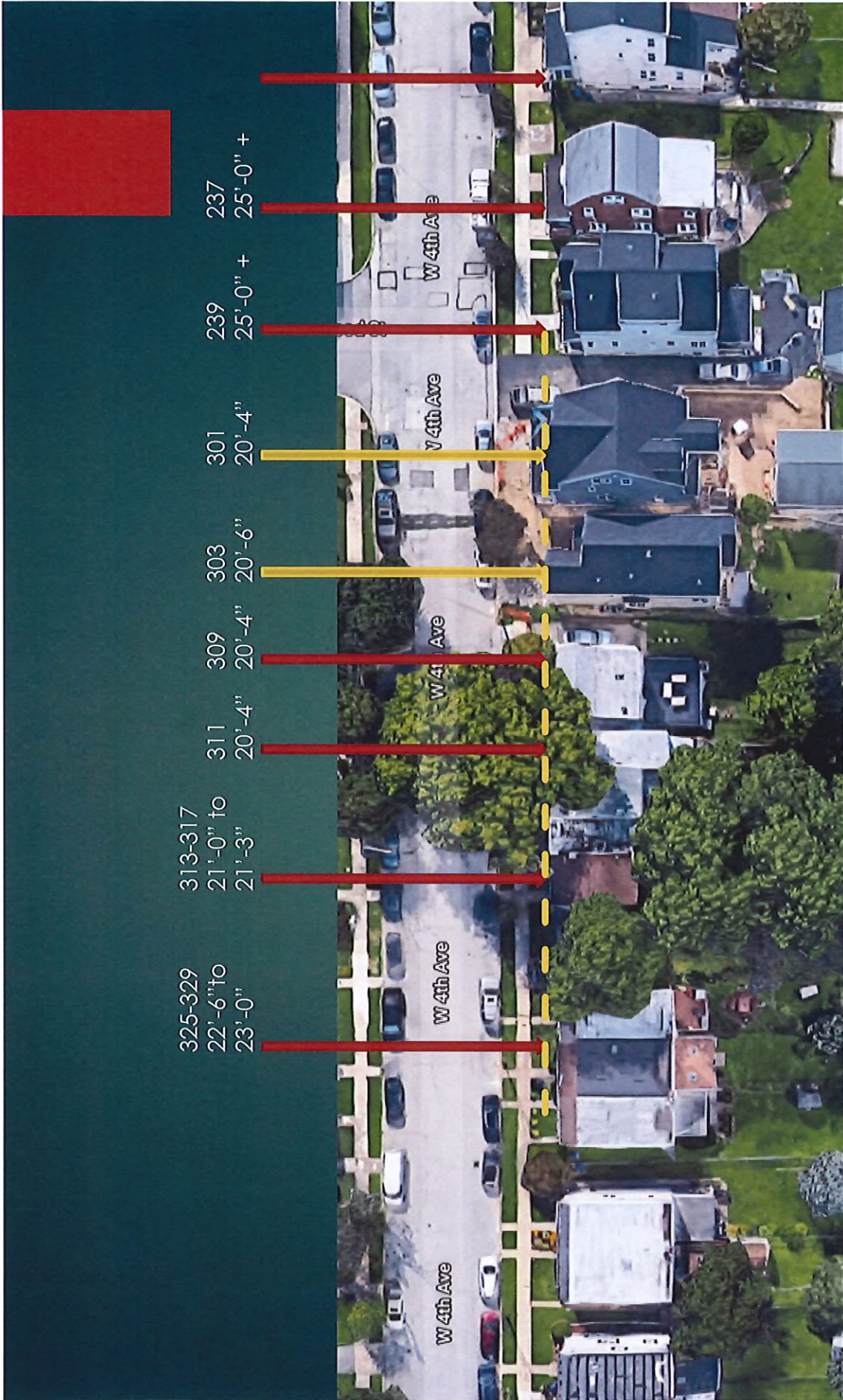


Lot 1 and Lot 2
(i.e. 301 and 304 West
4th Avenue)

0 foot front yard
setback to align with
existing residences to
the west/predominant
frontages on the 300
block of West 4th

CARDAMONE A-3.C
ILLUSTRATIVE AS-BUILT PLAN

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



Dimensions are measured from the curb line.

**CARDAMONE A-3.D
ILLUSTRATIVE AERIAL WITH DIMENSIONS**

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



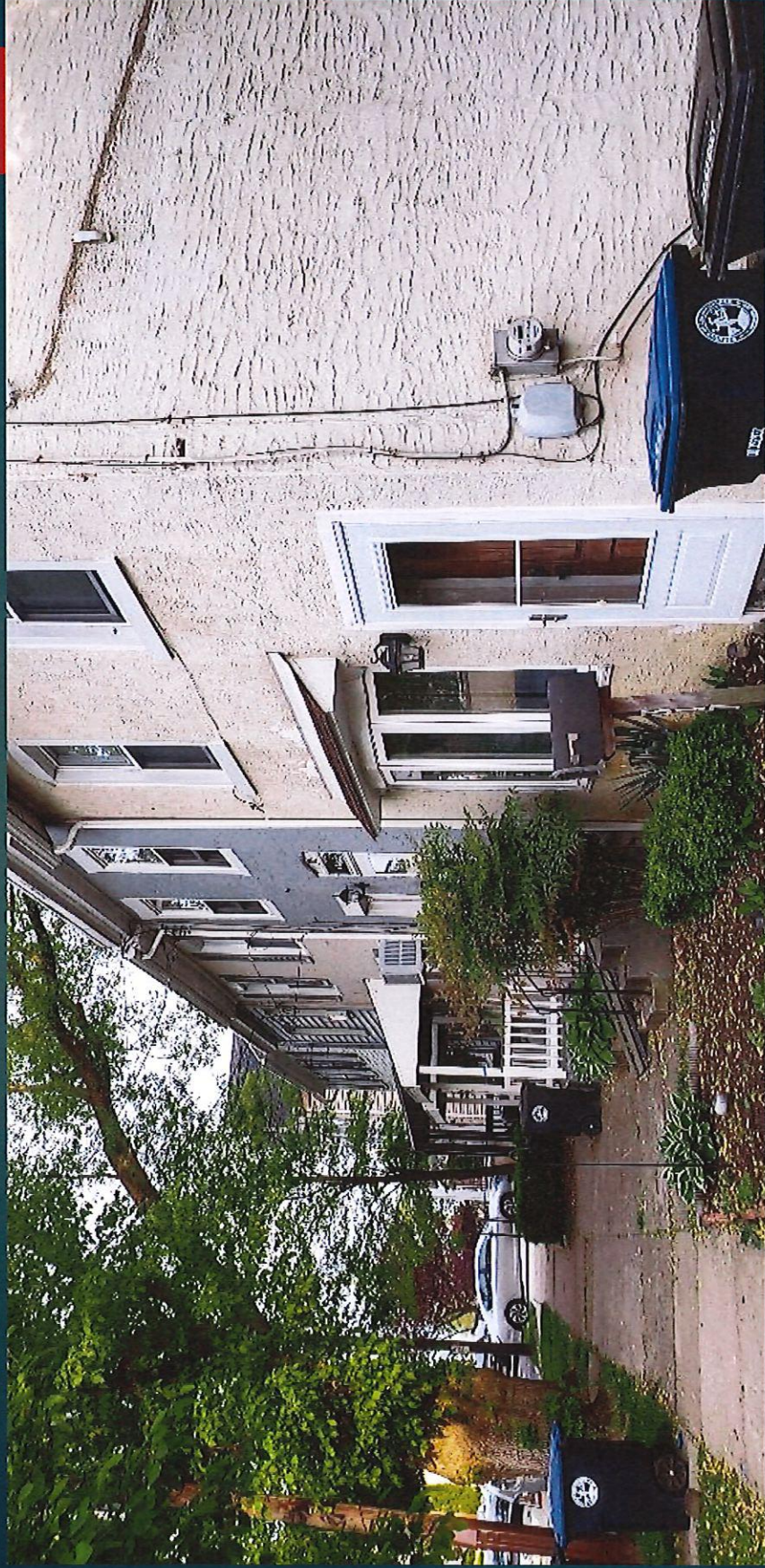
CARDAMONE A-3.E (237 AND 239 LOOKING EAST)
AS-BUILT PHOTOGRAPHS

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



CARDAMONE A-3.F (301 AND 303 LOOKING WEST)
AS-BUILT PHOTOGRAPHS

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



CARDAMONE A-3.G (LOOKING EAST TO 301 AND 303)
AS-BUILT PHOTOGRAPHS

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



CARDAMONE A-3.H (LOOKING WEST)
AS-BUILT PHOTOGRAPHS

301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF



CARDAMONE A-3.J
AS-BUILT PHOTOGRAPHS



301 AND 303 WEST 4TH AVENUE
APPLICATION FOR ZONING RELIEF

RECORDING ACKNOWLEDGMENTS

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY
ON THIS, THE 20th DAY OF September, 2014, BEFORE ME, PERSONALLY APPEARED RUSSELL J. JR. AND MAUREEN CARDAMONE, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON(S) WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED THAT THEY HAVE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

Notary Public signature and seal for Rosemary V. Cocca, Notary Public, Plymouth Township, Montgomery County, My Commission Expires October 18, 2016.

WE, RUSSELL J. JR. AND MAUREEN CARDAMONE, WHO ACKNOWLEDGED THEMSELVES TO BE THE OWNER, HAVE LAID OUT UPON OUR LAND, SITUATE IN THE BOROUGH OF CONSHOHOCKEN, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, CERTAIN SUBDIVISION AND IMPROVEMENTS ACCORDING TO THE ACCOMPANYING PLAN WHICH IS INTENDED TO BE RECORDED. WITNESS OUR HAND AND SEAL THIS 20th DAY OF September, 2014.

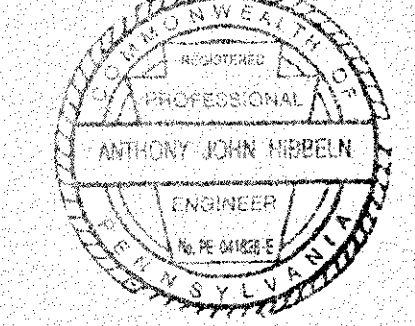
Signatures of Russell J. Jr. and Maureen Cardamone.

APPROVED BY THE BOROUGH COUNCIL OF CONSHOHOCKEN, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, ON THE 13th DAY OF March, 2014.

Signatures of Borough Council members: President Paul Mancell and Secretary dmk/2/1/15.

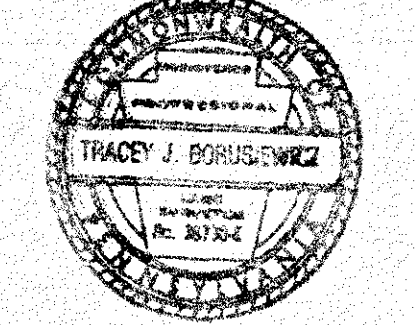
REVIEWED BY THE BOROUGH ENGINEER. Signature and date 2/13/2015.

I, ANTHONY J. HIBBELN, P.E., HEREBY CERTIFY THAT THIS PLAN REPRESENTS AN ACCURATE DEPICTION OF THE ENGINEERING OF THE SUBJECT PARCEL.



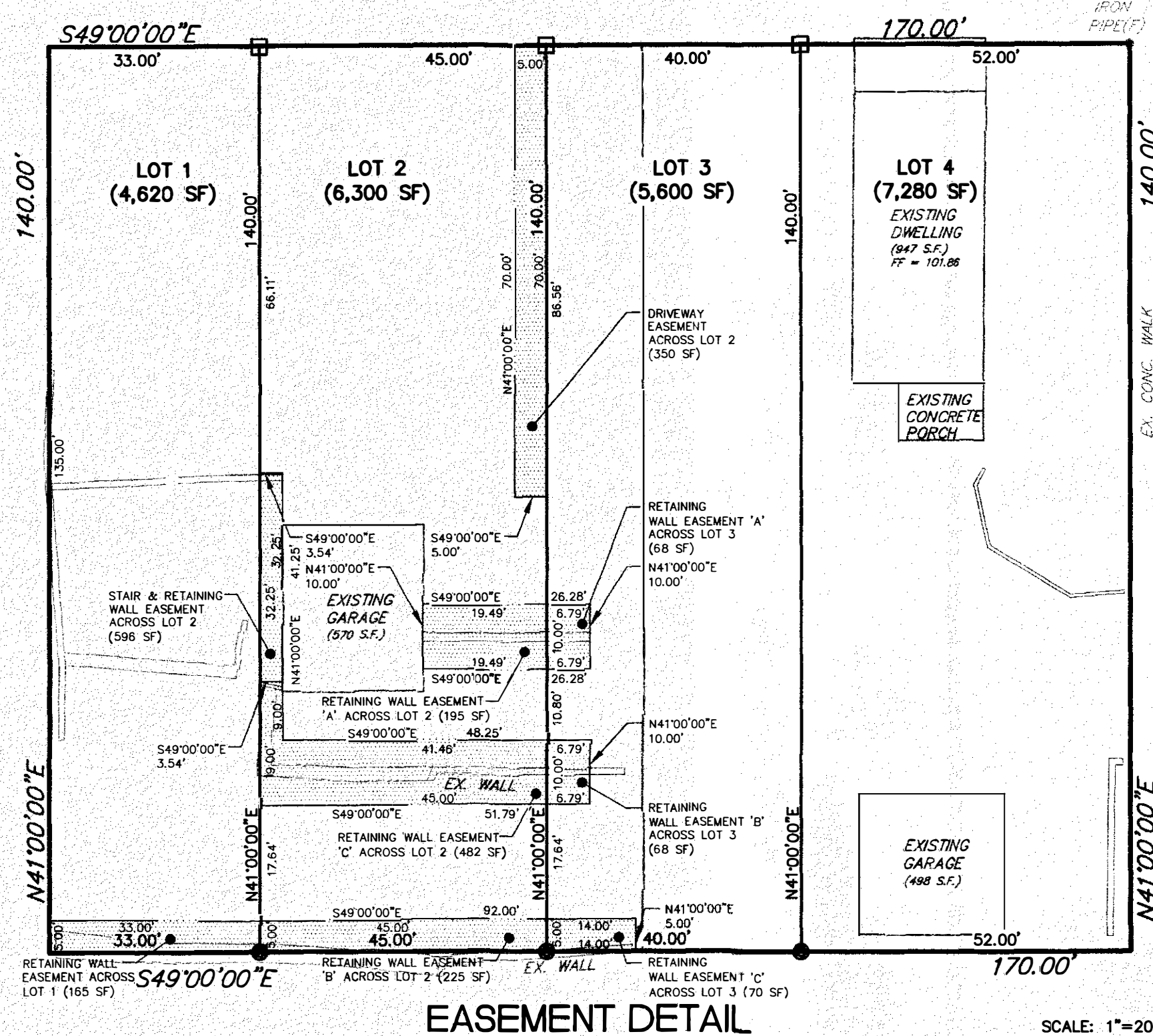
Signature of Anthony J. Hibbeln, P.E. and date 9/15/14.

THIS IS TO CERTIFY THAT THIS PLAN REPRESENTS A FIELD SURVEY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL EXISTING PROPERTY CORNERS ARE SET AS SHOWN HEREON, THAT ALL GEOMETRIC DETAILS AS SHOWN ARE CORRECT, AND THAT ALL LOTS OR TRACTS HAVE A BOUNDARY CLOSURE ERROR OF 1:10,000 OR BETTER.



Signature of Tracey J. Borusiewicz, P.L.S. and date 9/18/14.

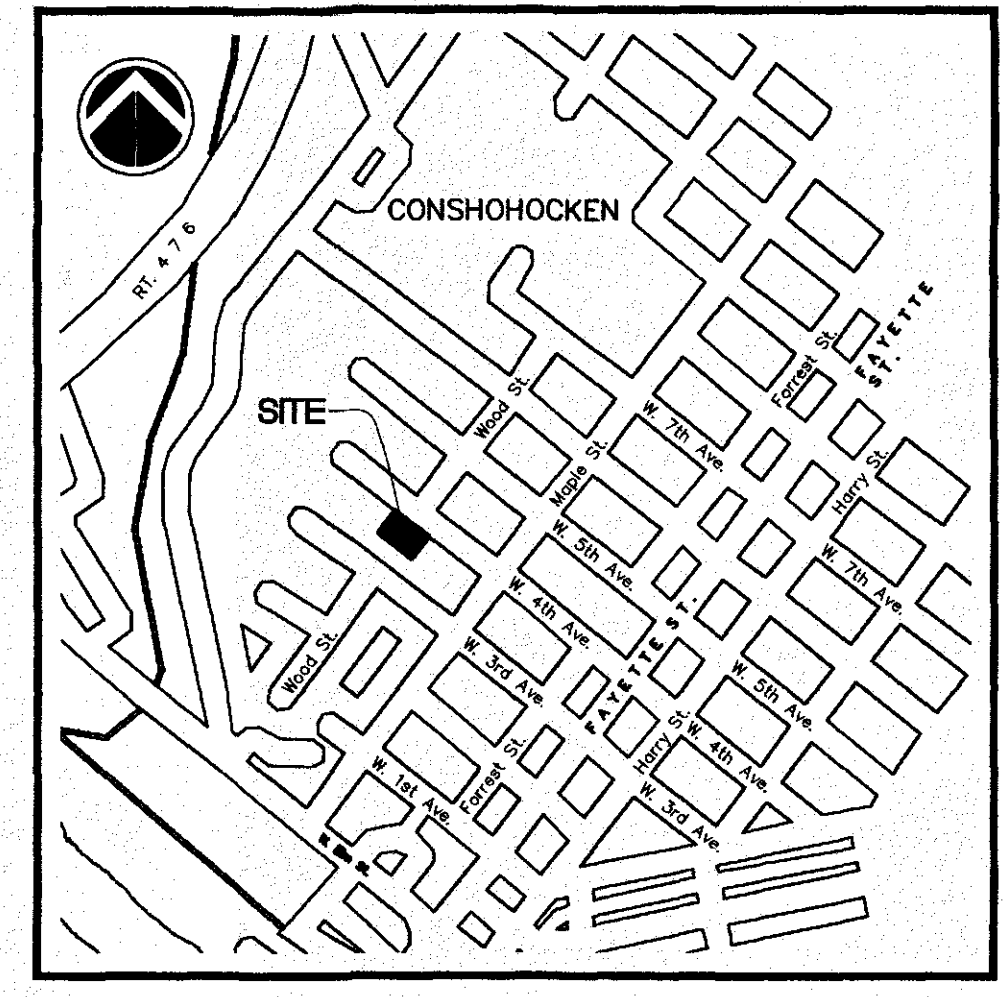
RECORDER OF DEEDS



2015 FEB 23 AM 9:10

IMPERVIOUS COVER TABULATION

Table with 4 columns: LOT 1, LOT 2, LOT 3, LOT 4. Rows include DWELLING, DRIVEWAY, GARAGE, WALKWAY/WALLS, DECK/STEPS, TOTAL, PERCENT IMPERVIOUS COVER, and PROPOSED HEREWITH (ALLOWABLE 60%).



SITE LOCATION MAP 1"=1,000'

SITE STATISTICS

- 1. SUBJECT TRACT MAY BE IDENTIFIED BY MONTGOMERY COUNTY TAX ASSESSMENT INFORMATION AS FOLLOWS: CONSHOHOCKEN BOROUGH, PARCEL 05-00-04680-00-4, TAX BLOCK 003 UNIT 001.
2. RECORDED DEED DATA IS AS FOLLOWS: AS RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, ETC., IN AND FOR THE COUNTY OF MONTGOMERY AT NORRISTOWN, PENNSYLVANIA.
3. NAME AND ADDRESS OF THE OWNER OF THE SUBJECT TRACT: OWNER OF RECORD & APPLICANT: CARDAMONE RUSSELL J. JR. & MAUREEN, 301 W. FOURTH AVE., CONSHOHOCKEN, PA 19428.
4. ADDRESS OF THE SUBJECT TRACTS: 239 W. FOURTH AVE., CONSHOHOCKEN, PA 19428.
5. AREA STATISTICS: GROSS AREA: 10,780 SF (0.2475 AC).
6. EXISTING WATER SERVICE: PUBLIC (AQUA PA).
7. EXISTING SANITARY SEWER SERVICE: PUBLIC (CONSHOHOCKEN AUTHORITY).

GENERAL NOTES

- 1. TITLE LINE BOUNDARY AND TOPOGRAPHIC INFORMATION SUPPLIED BY BORUSIEWICZ SURVEYORS & SITE PLANNERS, BASED ON AN ACTUAL FIELD SURVEY PERFORMED IN MARCH 2013.
2. PURSUANT TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MAP 42091C0358E, EFFECTIVE DATE DECEMBER 19, 1996, NUMBER 420949, PANEL 0358, SUFFIX E, NO 100 YEAR FLOOD LIMITS ARE CONTAINED WITHIN THE SUBJECT TRACT.
3. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CONSHOHOCKEN BOROUGH STANDARDS AND PENNDOT PUBLICATION 408.
4. PERMITS SHALL BE OBTAINED FROM CONSHOHOCKEN BOROUGH PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
5. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.

M. C. P. C. # 14-013-1
PROCESSED AND REVIEWED. Report prepared by MONTGOMERY COUNTY PLANNING COMMISSION in accordance with the Municipalities Planning Code. Certified this date 2/23/15. For the Director, MONTGOMERY CO. PLANNING COMMISSION.

WAIVERS GRANTED

- THE FOLLOWING WAIVERS WERE GRANTED FROM THE BOROUGH OF CONSHOHOCKEN SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.
1. 22-305.A.1: REGARDING THE CRITERIA FOR MINOR SUBDIVISIONS.
2. 22-306.A.1: REGARDING SHOWING EXISTING AND PROPOSED FEATURES WITHIN 100 FEET OF THE SITE.
3. 22-409.2: REGARDING GRADING WITHIN 3' OF THE PROPERTY LINE.
4. 22-410.L.C: REGARDING THE ADDITIONAL STORAGE ALLOWANCE.
5. 22-421.4: REGARDING THE LOCATION OF THE STREET TREES.
6. 22-804: REGARDING PARK AND RECREATIONAL FACILITIES LAND/FEEES.

VARIANCES GRANTED

- THE FOLLOWING VARIANCES WERE OBTAINED FROM THE CONSHOHOCKEN BOROUGH ZONING ORDINANCE OF 2001 AS AMENDED.
1. 27-1005.B: REGARDING MINIMUM LOT WIDTH.
2. 27-1007.1: REGARDING OFF-STREET PARKING BETWEEN THE FRONT WALL OF THE STRUCTURE AND THE CURB.
3. 27-1007.2: REGARDING DOORS TO ACCESSORY STRUCTURES FACING THE ALLEY.
4. 27-2002: REGARDING THE NUMBER OF OFF-STREET PARKING SPACES.
5. 27-811.C: REGARDING THE SIZE LIMIT OF ACCESSORY BUILDINGS.

ZONING DATA

DATA OBTAINED FROM CONSHOHOCKEN BOROUGH ZONING ORDINANCE, AS ADOPTED 2001.
EXISTING DISTRICT CLASSIFICATION - "BR-1" - BOROUGH RESIDENTIAL DISTRICT ONE.
PROPOSED USE - SINGLE FAMILY DETACHED DWELLING
REQUIRED PROVIDED LOT 1 PROVIDED LOT 2 PROVIDED LOT 3 PROVIDED LOT 4
MINIMUM LOT AREA: 4,000 S.F. 4,620 S.F. 6,300 S.F. 5,600 S.F. 7,280 S.F.
MINIMUM LOT WIDTH: 40 FT. 33 FT.*** 45 FT. 40 FT. 52 FT.
MINIMUM BUILDING WIDTH: 20 FT. 23 FT. 25 FT. 25 FT. 21 FT.
MAXIMUM BUILDING COV.: 35% 26.1% 27.4% 30.3% 23.6%
MAXIMUM IMPERVIOUS COV.: 60% 38.0% 55.4% 55.8% 45.3%
FRONT YARD SETBACK: 25 FT. 5 FT. 5 FT. 5 FT. 7 FT.
(SIDE YARD RESTRICTION: AGGREGATE: 5 FT. 5 FT. 5 FT. 5 FT. 5 FT. REAR YARD RESTRICTION: 25 FT. 80 FT. 87 FT. 85 FT. 88 FT. MAXIMUM BUILDING HEIGHT: 35 FT. <35 FT. <35 FT. <35 FT. <35 FT. ACCESSORY USES SETBACK: 3** FT. N/A 40 FT. 27 FT. 3** FT. (EX. NON-CONFORMITY))
PARKING LOCATION: NO PARKING SPACES ARE PERMITTED BETWEEN THE FRONT WALL OF A PRINCIPAL STRUCTURE AND THE CURB OF THE STREET TOWARD WHICH THAT WALL IS ORIENTED. FRONT*** REAR REAR REAR
** FOR ACCESSORY STRUCTURES LOCATED ON AN ALLEY, THE SIDE FACING THE ALLEY SHALL BE SETBACK AT LEAST 5 FEET FROM THE EDGE OF THE CARTWAY.
*** VARIANCE GRANTED

HIBBELN ENGINEERING COMPANY, L.L.C. CONSULTING ENGINEERS
215-619-9070 PA, NJ, MD & DE
593 Skipppok Pike, Suite 300
Blue Bell, Pennsylvania 19422
www.hibbelnengineering.com

IN CONJUNCTION WITH: BORUSIEWICZ SURVEYORS
323 COATES STREET
BRIDGEPORT, PA 19405
(610) 941-7171

CARDAMONE TRACT
PREPARED FOR: RUSSELL J. JR. + MAUREEN CARDAMONE
SITE SITUATE IN: CONSHOHOCKEN BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA

Table with columns: REVISION, DATE, DESCRIPTION. Includes entries for 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30.

HIBBELN ENGINEERING COMPANY, L.L.C. CONSULTING ENGINEERS logo and contact information.

RECORD PLAN

CARDAMONE TRACT
SITE SITUATE IN CONSHOHOCKEN BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA
PROJECT MANAGER: AJH DRAFTED BY: MNB
PROJECT NUMBER: 1008 DRAWING FILE: 1008_SHT01
PLAN SCALE: 1"=20' PLAN SHEET NUMBER: 1 OF 7
GRAPHIC SCALE



123 South Broad Street, Suite 2250
Philadelphia, PA 19109
TEL: (215) 790-1050x.138 FAX: (215) 790-0215
elankenau@ksk1.com

PLANNING REPORT

TO: Conshohocken Borough Planning Commission
RE: 239 – 301 West Fourth Avenue
Preliminary/Final Minor Subdivision and Land Development
PZ#: 2013-11
DATE: 18 February 2014

1. GENERAL INFORMATION

APPLICANT

Russell J. Cardimone, Jr.
301 West Fourth Avenue
Conshohocken, PA 19428
610-633-3049
russcardyjr@yahoo.com

OWNER

Same

SURVEYOR/SITE PLANNER

Hibbeln Engineering Company, LLC
Anthony J. Hibbeln, P.E.
593 Skippack Pike, Suite 300
Blue Bell, PA 19422
215-619-9070
AJH@hibbelnengineering.com
NAC@hibbelnengineering.com

ARCHITECT

Thomas R. Wittemann, AIA
850 Wooded Pond Road
Ambler, PA 19002
610-908-5268
trwaia@verizon.net

LANDSCAPE ARCHITECT

Brian Dragon, RLA
2424 East York Street, Unit 238
Philadelphia, PA 19125
267-243-9182
briandragon76@gmail.com

ZONING: BR-1

ACTION DATE: 8 April 2014

2. PROJECT DESCRIPTION

Located in the BR-1 District, this proposal calls for the consolidation and re-subdivision of two lots into four lots. Lots 1, 2, and 3 would have new, detached, single-family, 2-bay, 2 ½-story houses constructed on them, and Lot 4 will maintain the existing house. To construct the house on Lot 1, an existing dwelling will be demolished. Lot 1 will have front-loaded parking, whereas Lots 2, 3, and 4 will have parking at the rear that is accessed by an existing alley. Lots 2 and 4 have existing garages that will remain; Lot 3 would have a newly constructed garage.

The requisite number of street trees is proposed; however, a waiver is being sought regarding their locations. A street tree from the Recommended Street Tree list must be selected or a waiver for the type of tree selected be requested.

Variations were granted for the following: 1) from the minimum lot width for Lot 1; 2) to allow front-loaded parking on Lot 1; 3) allowing doors to accessory structures facing the alley; 4) regarding the number of off-street parking spaces on Lot 1; and 5) regarding the size limit of accessory buildings (a garage) on Lot 3.

3. MATERIALS REVIEWED

The planner received this application on 5 June 2013, and it consists of the following:

- Application for Subdivision and Land Development;
- Color photographs of the site and its surroundings;
- Plan set prepared by Hibbeln Engineering Company, LLC (dated 20 December 2013):
 - Sheet 1: Record Plan;
 - Sheet 2: Existing Features and Demolition Plan;
 - Sheet 3: Grading and Drainage Plan;
 - Sheet 4: Erosion and Sedimentation Control Plan;
 - Sheet 5: Landscape Plan;
 - Sheet 6: Erosion and Sedimentation Control Details; and
 - Sheet 7: Construction Details;
- Elevations and rendering for dwellings;
- Letter prepared by Hibbeln Engineering Company, LLC (dated 20 December 2013) requesting waivers related to sediment accumulation and the locations of street trees; and
- Stormwater Management Report and Erosion and Sedimentation Control Report, both prepared by Hibbeln Engineering Company, LLC (dated December 2013).

4. DESIGN REVIEW

The following review examines the application according to Part 4 of the Subdivision and Land Development Ordinance (SALDO), *Design Standards*.

CIRCULATION

SALDO Section 22-403: Streets

The proposed land development is situated on the south side of West Fourth Avenue at the foot of Wood Street. No new streets, or extensions to new streets, are proposed. No fences are proposed that would cause visual or physical obstruction within the proposed right of way.

The Borough Engineer will examine the plans for conformity with topography, grading, design, and site distance.

SALDO Section 22-404: Alleys, Driveways, and Parking Areas

An alley runs along the rear of proposed Lots 1, 2, and 3, but appears in an aerial to stop short of Lot 4. Upon review of photos provided by the Applicant, it appears that the alley is paved but in fair condition. The Borough Engineer will examine the plans to ensure the design details of the driveways meet code requirements, and whether any improvements to the alley are necessary.

SALDO Section 22-405: Sidewalks and Curbs

Existing concrete sidewalks and curbs will remain. The grassy area in front of proposed Lots 1 and 2 should be improved to include a sidewalk. It appears this is the intent as shown on the Record Plan, but does not appear to be noted on the Demolition Plan.

The Borough Engineer will examine the plans to ensure the sidewalks and curbs conform to design requirements.

SITE LAYOUT AND DESIGN

SALDO Section 22-406: Blocks

The land development is situated on an existing block.

SALDO Section 22-407: Lots

The land development is situated within an existing lot.

Elevations

The elevations of the dwellings on Lots 1, 2, and 3 depict variations of 2 ½ story, 2-bay, Neo-Traditional houses. Lot 1 has a house with a front-loaded garage, which was granted a variance.

The Applicant should consider the following for the houses to better fit in with their surrounding context: incorporate side gable roofs with 1st floor porches that have shed roofs; use brick and stucco rather than stone, shake shingle, or siding; use 1/1 windows (ie, do not add fake muntins so that they become faux 6/6); do not use faux shutters; omit the oculus shown on the first floor of Lot 3; use a squared opening in the gable on Lot 2; and do not use an off-center gable as shown on Lot 1.

Lot 4 has an existing 2-½ story, 3-bay, brick, Colonial Revival era/vernacular dwelling with a gambrel roof. The second floor has a bay window.

According to the Zoning Requirements chart on Plan Sheet 1, the buildings on Lots 1, 2, and 3 are set back 5', presumably to conform to the established building setback; Lot 4 is set back 7'. Evidence of this setback should be provided.

SALDO Section 22-408: Subdivision or Land Developments with Existing Structures on Land

The Demolition Plan shows the removal of an existing building and features on the site. The proposed new lots are consistent with the new buildings' height and bulk.

Subdivision and land development approval will be issued upon the expeditious removal of existing structures in complete conformity to all other Borough procedural requirements.

GRADING, UTILITIES, STORMWATER MANAGEMENT, AND INFRASTRUCTURE

SALDO Sections 22-409 thru **22-419** will be reviewed by the Borough Engineer.

The lot will be serviced by public water and public sewer infrastructure.

NATURAL OR HISTORIC FEATURE PRESERVATION

SALDO Section 22-420: Natural or Historic Feature Preservation

It does not appear that there are any natural or historic features requiring preservation. In accordance with this section, a plan note should be added stating that no topsoil will be removed from the site or be used as spoil.

LANDSCAPING, LIGHTING, AND OPEN SPACE

SALDO Section 22-421: Landscaping and Lighting

A sealed Landscaping Plan with a plant schedule must be provided as required under this section. The Applicant should clarify whether any plantings are proposed along the front porches. The proposed street tree, the Winter King Hawthorne, does not appear on the Shade Tree Commission's Recommended Tree List; it is advised that the Applicant consult with the Commission on a type of tree that is appropriate for this location, especially if overhead wires are present.

The Applicant should confirm there is sufficient lighting along the sidewalks provided by the existing streetlights.

SALDO Section 22-422: Open Space Areas and Community Assets

It appears that this section does not apply to minor subdivision proposals.

TRANSPORTATION FACILITIES

SALDO Section 22-423: Bicycle Facilities

It appears that this section does not apply to minor subdivision proposals.

SALDO Section 22-424: Transit Facilities

It appears that this section does not apply to minor subdivision proposals.

PARK/RECREATIONAL FACILITIES, LAND AND/OR FEES

SALDO Section 22-804: Park/Recreational Facilities, Land and/or Fees

A waiver should be requested from Section 22-804 regarding a dedication of land, or fee in lieu of, for recreation purposes. The waiver would enable to Developer to negotiate a fee in lieu of a land contribution.

5. REQUESTED WAIVERS

The Applicant has requested the following waivers:

1. Section 22-421.4 Regarding the location of street trees
2. Section 22-410 Regarding the additional storage allowance

6. AGENCY APPROVALS

This application may be subject to the review of the following agencies:

Conshohocken Borough Zoning Officer
Conshohocken Borough Engineer
Conshohocken Borough Fire Marshall
Conshohocken Borough Sewer Authority
Montgomery County Planning Commission

7. RECOMMENDATIONS

Final approval is also contingent upon the recommendations of the Zoning Officer, Borough Engineer, and/or other applicable municipal entities.

The following issues should be addressed:

1. The Borough Engineer will examine the plans to ensure the design details of the driveways meet code requirements, and whether any improvements to the alley are necessary.
2. More information should be provided on the height and roof profile of the garage.
3. It appears that existing concrete sidewalks and curbs will remain. The grassy area in front of proposed Lots 1 and 2 should be improved to include a sidewalk. It appears this is the intent as shown on the Record Plan, but does not appear to be noted on the Demolition Plan.
4. Please provide evidence of the established building line.
5. A plan note should be added stating that no topsoil will be removed from the site or be used as spoil. Plant material must be guaranteed for two growing seasons.
6. A sealed Landscaping Plan must be provided. It should be clarified whether any plantings are proposed along the front porches. The proposed street tree, the Winter King Hawthorne, does not appear on the Shade Tree Commission's Recommended Tree List; it is advised that the Applicant consult with the Commission on a type of tree that is appropriate for this location, especially if overhead wires are present.
7. A waiver should be requested from Section 22-804 regarding a dedication of land, or fee in lieu of, for recreation purposes. The waiver would enable to Developer to negotiate a fee in lieu of a land contribution.

Zoning Review: 239 – 301 West 4th Avenue, Conshohocken, PA 19428

Zoning District: Borough Residential -1 Zoning District

Lot Dimension: 23,800 square feet (170’ x 140’); 2 lots: 239 West 4th – 10,780 square feet and 301 West 4th – 13,020 square feet

Proposed Activity: Consolidate and re-subdivide the lots into 4 lots with a phased development of 3 new single-family detached dwelling units. The existing dwelling unit on Lot 4 will remain with no proposed changes.

Comparison of Zoning Requirements to Proposed Plan:

Borough Residential - 1	Required/Permitted	Lot 1	Lot 2	Lot 3	Lot 4
Use	Single-family detached dwellings; single-family semi-detached dwellings; accessory uses	Single-family detached dwelling	Single-family detached dwelling	Single-family detached dwelling	Existing single-family detached dwelling to remain
Lot Size	4,000 square feet for single-detached	4,620 square feet	6,300 square feet	5,600 square feet	7,280 square feet
Lot Width	40 feet for single detached	33 feet: Variance granted	45 feet	40 feet	52 feet
Front Yard Setback	25 feet or the established building line	5 feet – conforms to established building line	5 feet – conforms to established building line	5 feet – conforms to established building line	7 feet – existing non-conformity; not change proposed

Borough Residential – 1	Required/Permitted	Lot 1	Lot 2	Lot 3	Lot 4
Rear Yard Setback	25 feet	80 feet	87 feet	85 feet	88 feet
Side Yard Setback	5 feet each side	5 feet each side	5 feet and 5 feet	5 feet and 5 feet	7 feet and 5 feet
Building Coverage	35%	26.1%	27.4%	30.3%	23.6%
Impervious Coverage	60%	31.9%	49.1%	50%	40.1%
Building Height	35 feet	< 35 feet per plan note	<35 feet per plan note	<35 feet per plan note	<35 feet per plan note
Minimum Building Width	20 feet	23 feet	25 feet	25 feet	21 feet

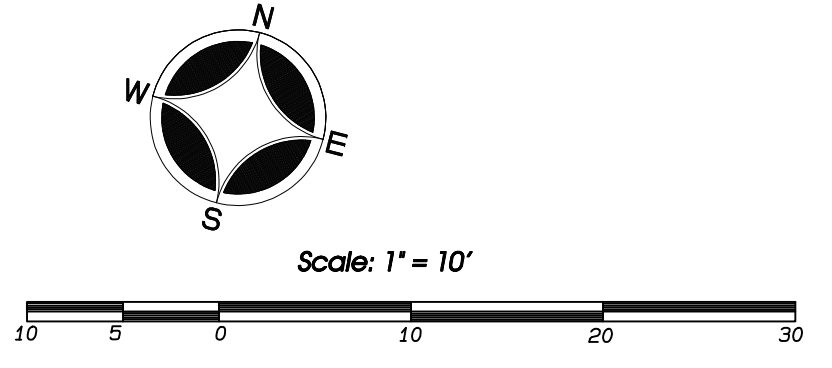
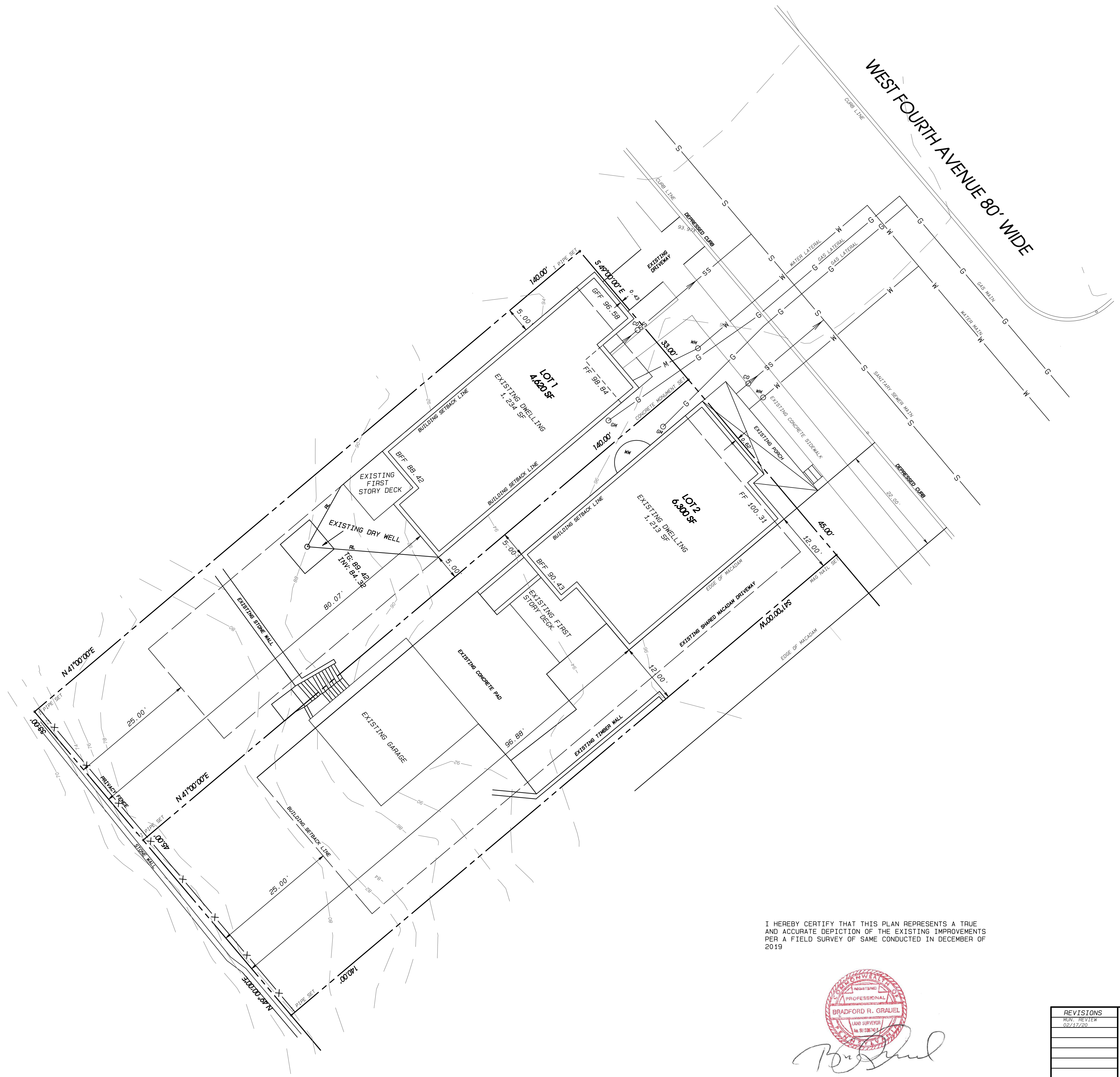
Borough Residential – 1	Required/Permitted	Lot 1	Lot 2	Lot 3	Lot 4
Additional Requirements	<ul style="list-style-type: none"> No parking permitted between the front wall of a principal structure and the street toward which it is oriented. Doors to accessory structures to face alleys where possible 	<ul style="list-style-type: none"> Propose parking is in a garage at the front of the house off of West 4th Avenue. Variance granted Garage doors will face West 4th Avenue Variance granted 	<ul style="list-style-type: none"> Proposed parking is in the rear accessed by an existing drive from West 4th Avenue Existing garage which is shown is to remain with no proposed changes 	<ul style="list-style-type: none"> Proposed parking is in the rear and is accessed via an existing drive off of West 4th Avenue A garage is proposed at the rear of the dwelling. No information was provided on the door orientation 	<ul style="list-style-type: none"> There is an existing garage in the rear of the property which is accessed from an alley which is paved only to the property line No changes are proposed to the existing garage and no information was provided regarding door orientation
Off-Street Parking	2 spaces per dwelling unit	One space in garage; one space on street Variance granted	2 spaces	2 spaces	2 spaces
Accessory Structure Requirements	Size ≤ 350 square feet	Not applicable	Existing structure no changes proposed garage size	498 square feet Variance granted	Existing structure no changes proposed to garage size

Borough Residential – 1	Required/Permitted	Lot 1	Lot 2	Lot 3	Lot 4
	Height – 10 feet for a flat roof; 15 feet for a peaked roof	Not applicable	No changes proposed in the height of the existing structure	<i>No information regard the roof style or height were provided</i>	Existing structure with no changes proposed to garage height
	Setbacks: 3 feet from the property line and 5 feet from an alleyway	Not applicable	5 feet and 20 feet from the side property lines and 40 feet from the rear property line	7 feet and 11 feet from the side property lines and 27 feet from the rear property line	Existing conditions with no proposed changes. 9 feet and 20 feet from the side property lines and 3 feet from the rear alley.

Comments/Required Relief:

1. The Developer should be prepared to provide information on the roof style and height of the garage being added to Lot 3.
2. The parking allowance for impervious coverage does not apply to this case. It was designed for existing small non-conforming lots in the Borough. Because this project is largely new construction, there is no reason for additional impervious coverage to be provided.
3. The Developer should be prepared to discuss the material of the decks and steps to be provided. Use of pressure treated lumber for decks and steps is not considered impervious coverage unless there is a concrete or other impervious material underneath. Plastic/composite deck material is not considered impervious if 1/16” is left between beams and no impervious material is underneath.

4. Aggregate for side yards are listed as 5 feet. The current zoning ordinance requires 5 feet per side for attached dwellings, and does not allow aggregate side yards without a variance.
5. There are significant differences in the dimensional requirements of on the lots between the current plan and that presented to the Zoning Hearing Board. The Developer should be prepared to discuss these differences, as this is a change to the representations made to the Zoning Board.
6. The street tree selected for the project is not on the Borough's list of recommended street trees. Options are to replace the tree listed with a species on the recommended list, or request a waiver. If a different species is selected, the existence of overhead wires or lack thereof must be taken into consideration in the species selection. If a waiver is requested, the Developer should be prepared to discuss why the selected tree is an appropriate street tree for this location.
7. The Developer should request a waiver of Subdivision and Land Development Section 22-804. No land contribution is proposed, and the waiver request would enable the Developer to negotiate a fee in lieu of land contribution.

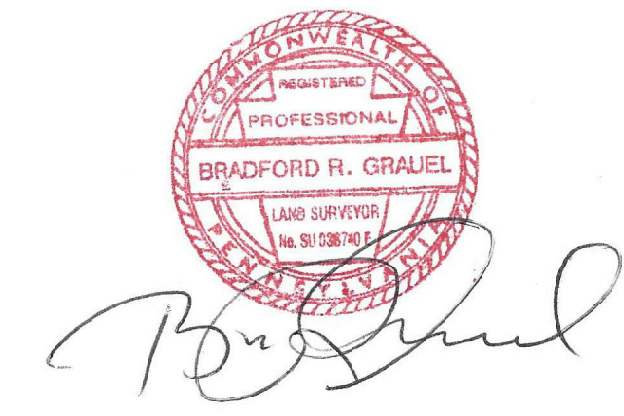


CURRENT ZONING: BR-1: BOROUGH RESIDENTIAL DISTRICT ONE.
 MINIMUM LOT SIZE REQUIRED: 4,000 SF
 EXISTING: LOT 1: 4,620 SF/LOT 2: 6,300 SF
 MINIMUM LOT WIDTH REQUIRED: 40 FT.
 EXISTING: LOT 1: 33 FT/ LOT 2: 45 FT
 MINIMUM REQUIRED FRONT YARD: 25 FT. OR AVERAGE BUILDING LINE
 EXISTING: LOT 1: 0.43 FT/LOT 2 0.62 FT
 MINIMUM REQUIRED SIDE SETBACK: 5 FT.
 EXISTING: LOT 1: 5 FT/LOT 2: 5 FT
 MINIMUM REQUIRED REAR SETBACK: 25 FT.
 EXISTING: LOT 1: 80.07 FT/LOT 2: 96.88 FT
 MAXIMUM PERMITTED IMPERVIOUS COVERAGE: 60%
 EXISTING: LOT 1: 31.70% LOT 2: 3,348 SF 53.14%
 MAXIMUM PERMITTED BUILDING HEIGHT: 35 FT.
 EXISTING: 35 FT OR LESS

PLAN REFERENCE:
 RECORD PLAN FOR THE CARDAMONE TRACT
 PREPARED BY
 HIBBELN ENGINEERING CO.
 PROJECT NO. 1008

SITE ADDRESS: 301 W. 4TH AVENUE
FINAL AS-BUILT
LOT 1 & 2
CARDAMONE TRACT
Situate In:
The Borough of Conshohocken
Montgomery County, Pennsylvania

I HEREBY CERTIFY THAT THIS PLAN REPRESENTS A TRUE AND ACCURATE DEPICTION OF THE EXISTING IMPROVEMENTS PER A FIELD SURVEY OF SAME CONDUCTED IN DECEMBER OF 2019



REVISIONS	
1	ISSUE FOR PERMIT 02/17/20

© 2020 OTM, LLC

OTM LLC
 SURVEYING - LAND PLANNING
 & DESIGN SERVICES
 200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610
 (484) 336-6454

DRAWN C. GRAUEL 1-20-2020	CHECK B. GRAUEL, PLS 02/17/2020	SCALE 1"=10'	PROJECT NO. 19-119 SHEET 1 of 1
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B-4



A



B-4



C

B-4



D





B-4



G









BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

ZONING ENFORCEMENT NOTICE

March 16, 2020

Russell Cardamone
241 West 4th Avenue
Conshohocken, PA 19428

301 and 303 West 4th Avenue Conshohocken, PA 19428

Per the recently submitted plan titled "*Final As-Built Lot 1 & 2 Cardamone Tract*," (1 sheet) prepared by OTM, LLC, last revised February 17, 2020, it appears that your use of the above-described property is in violation of the Conshohocken Borough Zoning Ordinance of 2001 as amended December, 2005 as specified below:

Section 27-1005.C - The front yard setback shall be 25 feet, to be measured from the ultimate right-of-way line; except where there is an established building line, then the building line of the majority of the buildings on that side of the block shall be used.

Per the approved Land Development Record Plan for the referenced property, the front yard setback for the newly constructed residential dwellings is required to be 5 feet, measured from the ultimate right-of-way line of West 4th Avenue. The referenced As-Built plan indicates a front yard setback of 0.43 feet on Lot 1 and 0.62 feet on Lot 2.

Before April 15, 2020, you must correct the referenced zoning violation or seek a variance from the Zoning Hearing Board.

YOU HAVE THE RIGHT TO APPEAL TO THE ZONING HEARING BOARD WITHIN 30 DAYS OF RECEIPT OF THIS NOTICE.

YOUR FAILURE TO COMPLY WITH THIS NOTICE WITHIN THE TIME SPECIFIED UNLESS EXTENDED BY APPEAL TO THE ZONING HEARING BOARD CONSTITUTES A VIOLATION OF THE ZONING ORDINANCE WHICH MAY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE BOROUGH. EACH DAY THAT THE VIOLATION CONTINUES MAY CONSTITUTE A SEPARATE VIOLATION.

March 16, 2020
Russell Cardamone

Page 2
Zoning Enforcement Notice

If you have any questions or concerns, please feel free to contact the undersigned,

Sincerely,



Eric P. Johnson, PE
Zoning Officer
PENNONI ASSOCIATES INC.

EPJ/

cc: Stephanie Cecco, Borough Manager (via Email)
Brittany Rogers (via Email)
Karen MacNair, PE, Gilmore & Associates, Inc. (via Email)