



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING NOTICE NOVEMBER 21, 2022, ZONING HEARING BOARD MEETING

ZONING HEARING Z-2022-19

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on November 21, 2022, at 7:00 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

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

PETITIONER: Denise Masciantonio
32 Taylor Rd., Conshohocken, PA 19428

PREMISES INVOLVED: 306 W. 6th Ave.
Conshohocken, PA 19428
Borough Residential 1 Zoning District

OWNER OF RECORD: Denise Masciantonio
32 Taylor Rd., Conshohocken, PA 19428

The petitioner is seeking a Special Exception from Section 27-1002 and Section 27-703.B(1) of the Conshohocken Zoning Ordinance for a change in nonconforming uses from a gardening supplies and equipment use to DBC America, a marketing agency, to utilize the building for showroom, retail, warehouse storage, and office uses.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you,
Zoning Hearing Board



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

Zoning Application

Application:	<u>Z-2022-19</u>
Date Submitted:	<u>10-19-22</u>
Date Received:	<u>10-25-22</u>

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:

27-1002 and 27-1003 via 27-703.B(1)

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

306 W. 6th Avenue

4. Applicant's Name: Denise Masciantonio

Address: 32 Taylor Road, Conshohocken, PA 19428

Phone Number (daytime): ~~(610) 673-3074~~ 610 637-3074

E-mail Address: denisemasc@verizon.net

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

6. Property Owner: Denise Masciantonio

Address: 32 Taylor Road, Conshohocken, PA 19428

Phone Number: ~~(610) 673-3074~~ 610 637-3074

E-mail Address: denisemasc@verizon.net

7. Lot Dimensions: 4500 sq. feet Zoning District: BR-1

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

Yes No If yes, please describe.

See attached narrative.

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

See attached narrative.

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10. Please describe the proposed use of the property.

See attached narrative.

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

See attached narrative.

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. .
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. .
. .

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

See attached narrative.

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

a. The unique characteristics of the property: ^{N/A} _____

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

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

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.
N/A

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).

See attached narrative.

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

See attached narrative.

.....

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.

See attached narrative.

.....

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

See attached narrative.

.....

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

See attached narrative.

.....

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

a. Attorney's Name: Andrew M. Slom, Esq.

b. Address: 1617 JFK Blvd., Suite 1250, Philadelphia, PA 19103

c. Phone Number: (267) 328-4783

d. E-mail Address: Andrew@slomlegal.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.

Denise Masciantonio
Applicant

Legal Owner

10-19-22
Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 19th day of October, 2022

Dawn C. Nylander
Notary Public

Commonwealth of Pennsylvania – Notary Seal
Dawn C Nylander, Notary Public
Montgomery County
My Commission Expires March 29, 2023
Commission Number 1121814

(Seal)



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: _____

Re: 306 W. 6th Avenue

Narrative:

Applicant is the owner of the subject property located at 306 W. 6th Avenue (the “Subject Property”).

The Subject Property is located in the BR-1 District and was constructed in 1950. It has a lot area of approximately 4,500 square feet. Applicant received relief from the Zoning Board in approximately 2012 when it let the Subject Property to NAPA Auto Parts. Subsequently, in 2017, Applicant let the Subject Property to former tenant, Deep Roots Grow Supply, LLC. Deep Roots Grow Supply, LLC utilized the Subject Property for warehouse storage and retail sales of indoor gardening supplies and equipment.

On September 21, 2022, Applicant submitted a Use and Occupancy Permit Application with the Borough, notifying the Borough of a change in tenant, and seeking a Use and Occupancy Permit for the use of the building by the new tenant, DBC America LLC (“DBC”), for a commercial showroom, retail, and warehouse space. A true and correct copy of the September 21, 2022 Use and Occupancy Permit Application is attached hereto as **Exhibit “A”**.

In a September 30, 2022 letter from the Borough Zoning Officer, said Application was denied, citing that the uses proposed by the tenant are not listed as permitted uses in accordance with Zoning Code Section 27-1002; nor permitted by Conditional Use per Zoning Code Section 27-1003. As a result, it was required that the Applicant seek a Special Exception by the Zoning Hearing Board for the proposed change in nonconforming use. A true and correct copy of the September 30, 2022 Denial Letter is attached hereto as **Exhibit “B”**.

Of note, on August 30, 2022, Applicant entered into a new Lease Agreement with the new tenant, DBC. The Lease is contingent upon Applicant being able to obtain approval for the use of Subject Property for its new intended (mixed) use.

Relief Requested:

DBC is a marketing agency based on Wyandotte, Michigan that predominantly provides marketing services on behalf of the adult-beverage industry. They intend to utilize the Subject Property as showroom, retail, and warehousing space. The Subject Property also will contain office space for interviews, storage for promotion and retail items (i.e. T-shirts, koozies, keychains, hats, etc.) for sale. There will be approximately one full-time employee and 2-3 part time employees on site, and at most 3-4 vehicles. At some point in the future, they anticipate parking their event trailer in the rear lot. The location will also contain a small store front, with normal business hours of Monday through Friday, 8:30am – 5:00pm.

Pursuant to Section 27-703.B(1) of the Conshohocken Zoning Code, “a nonconforming use may be changed to another nonconforming use which is equally appropriate to the district in which the property is located, and is no more detrimental than the existing nonconforming use, as a special

exception by the Zoning Hearing Board in accordance with the provisions of Part 6 of this Chapter.”

Although BR-1 does not permit the newly proposed nonconforming use (i.e. mixed use), the proposed nonconforming use is equally appropriate in the district. Moreover, as the permitted (and conditional) uses for properties located in the BR-1 district do not allow for commercial activity, the Subject Property, which is a commercial building, would be rendered useless without zoning relief. While the current nonconforming use will continue under the new tenant, the addition of office space will in no way be more detrimental than the prior usage under the former tenant. During the former tenant’s occupancy, there was significant foot traffic as a result of their dependency on retail sale of consumer goods. Although retail will continue here, said retail usage is not the primary source of income for the new tenant, and very little foot traffic is expected. Rather, the primary uses of the Subject Property will be for storage and office space. Moreover, there will likely be less vehicular activity, as the new tenant only proposed to have one full-time employee on-site.

As a result of the foregoing, Applicant respectfully requests that the Zoning Board grant its application for a Special Exception and permit the nonconforming use as set forth above.

Exhibit “A”



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

For Office Use Only	Date Application Received
Receipt # <u>2202190</u>	<u>SEP 27 2022</u>
U & O Fee \$ <u>300</u> .00	
<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check # _____	
Land Use Code: <u>B-2</u>	
Parcel # 0-500- <u>08772-007</u>	

USE & OCCUPANCY PERMIT APPLICATION

PERMIT# 22-00813

SECTION 1. REASON FOR APPLICATION (Check Appropriate Condition)

- Property Sale / Transfer of Ownership Use Group / Occupancy Classification Change
 Property Rental / Change of Tenant
 Location of Property: 306 W. 6th Avenue Floor and/or Suite and/or Apt # _____

SECTION 2: OCCUPANCY CLASSIFICATION/USE GROUP INFORMATION. Please indicate the present occupancy type/use group. (If the building is mixed use, list of the appropriate classification/use groups). Single Family Multi-Family Mercantile Business Other _____

- Residential - ___ Unit(s) - Fees: Single Family Dwelling or Multi Family Dwelling = \$75 per unit
 Commercial - Square Ft = 4500 - Fees - Commercial = \$300 < 6000 sq ft & \$5 per 100 sq ft > 6000 sq ft

Does the tenant/buyer intend a change in occupancy classification/use group? Yes or No. (If Yes, please provide description of the proposed new use) _____

SECTION 3. PRESENT PROPERTY OWNER

Name(s): Denise Masciantonio
 Address: 32 Taylor Rd
 City: Conshohocken State: PA Zip Code: 19428
 Daytime or Cell Phone #: 610-637-3074
 E-mail denisemasc@verizon.net

SECTION 4. PROPERTY SALE - BUYER (complete EITR form)

Buyer's Name(s): _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Daytime or Cell Phone #: _____
 E-mail _____

Does the buyer intend to occupy or reside at the location? Yes or No If the answer is Yes, skip Section 5

SECTION 5. PROPERTY RENTAL - CHANGE OF TENANT - TENANT

- (A) Borough Ordinances requires property owners to obtain a Use and Occupancy Permit each time a change of tenant occurs in all of the occupancies/use groups listed in Section #2.
 (B) Borough Ordinance requires single & multi-family dwelling rental units to be registered with the Borough of Conshohocken. A Rental Property Registration Form can be obtained at the Conshohocken Municipal Building during normal business hours.

FOR RESIDENTIAL TENANT USE ONLY (complete EITR form)

Resident's Name: _____ Resident's Name: _____
 Resident's Name: _____ (attach a separate sheet of paper if necessary)

FOR COMMERCIAL TENANT USE ONLY

Business Name: DBC
 Address: PO Box 8 City: Wyandotte State: MI Zip Code: 48192
 Contact Person: Michael Betman Title: Territory manager - PA
 Daytime or Cell Phone #: 215-205-0950 E-mail michael.betman@beamsuntery.com

Application is hereby made to the Borough of Conshohocken for the approval to use and occupy the aforementioned location in full or part. I agree to comply with all Ordinances and Codes of the Borough of Conshohocken and the Commonwealth of Pennsylvania. I will not occupy or allow occupancy of any land, structure or building until a Certificate of Occupancy is issued. I understand that any misrepresentation in this application will be grounds for the revocation of the application or the Certificate of Occupancy.

OWNER'S SIGNATURE _____ DATE _____

I hereby certify that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her agent.
 AGENT'S SIGNATURE John Maniam DATE 9/21/22



Promotional Modeling & Marketing Agency
P.O. Box 8, Wyandotte, MI. 48192
734.624.3100

Date: 09/18/2022

RE: W. 6th Street, Conshohocken, Pa 19428

To Whom It May Concern:

DBC America wishes to take possession of Building located 306 W. 6th Avenue, Conshohocken, Pa 19428, for use as Showroom, retail, warehousing space. We are a marketing agency based out of Michigan which offers marketing services to select clients in PA. We need this space to use as common meeting space, work hub as well as a place to set up a retail area and warehouse our event supplies (Shirts, hats, key chains, (Event trailer to be parked in the rear lot). This location will be used as a small store front. We will have normal business hours, Mon – Fri 8:30am – 5pm with 3-4 staff working in this location.

Cheers,

Matt Widby
DBC America llc
P.O. Box 8
Wyandotte, Mi. 48192
O- 734.624.3100
F- 313.383.2369
C- 313.363.1875
www.DBCMODEL.com

Exhibit “B”



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellan, Member
Kathleen Kingsley, Member
Adrian Serina, Member
Karen Lutins, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

September 30, 2022

Denise Masciantonio
72 Taylor Road
Conshohocken, PA 19428

Re: 306 West 6th Avenue – Use & Occupancy Permit Application

Conshohocken Borough is in receipt of the referenced Use and Occupancy Permit Application for the proposed use of the building by DBC America for a commercial showroom, retail, and warehouse space specializing in marketing services at the referenced property. In the September 18, 2022 letter, DBC America also indicated that the building will have a retail store front and will be used as a common meeting space, work hub, and warehouse event supplies with event trailers to be parked in the rear of the property.

This property is identified as an existing commercial building with a former nonconforming use located within the BR-1 Borough Residential District 1 zoning district. The uses proposed by DBC America for this site is not listed as a permitted use in accordance with Zoning Code Section 27-1002; nor permitted by Conditional Use per Zoning Code Section 27-1003 within the BR-1 zoning district. However, per Zoning Code Section 27-703.B.(1), a nonconforming use may be changed to another nonconforming use which is equally appropriate or more appropriate to the district in which the property is located, and is no more detrimental than the existing nonconforming use, as a special exception by the Zoning Hearing Board in accordance with the provisions of the Zoning Hearing Board process.

Therefore, based on the zoning code requirements identified in this letter for the Applicant to seek a Special Exception by the Zoning Hearing Board for the proposed change in the nonconforming use, the referenced permit application is **DENIED**.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,

Allison A. Lee, PE
Zoning Officer
PENNONI ASSOCIATES INC.
AAL/

cc: Ray Sokolowski Stephanie Cecco Kristen Davis Chris Small

STATE TAX
AFFIDAVIT
FILED

001230

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150
1300
1300
500
50

THIS INDENTURE Made the 7th day of January in
the year of our Lord one thousand nine hundred and ninety-
seven (1997)

Between MICHAEL MASCIANTONIO, Widower, and
GERALD W. MASCIANTONIO and DENISE MASCIANTONIO, his Wife
(hereinafter called the Grantors), of the one part,
and

GERALD W. MASCIANTONIO and DENISE MASCIANTONIO, his Wife,
as tenants by entireties
(hereinafter called the Grantees), of the other part,

Witnesseth That the said Grantors
for and in consideration of the
sum of ONE (\$1.00) DOLLAR
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, their heirs and assigns, as tenants by
entireties,

ALL THAT CERTAIN lot or piece of land situate in the Borough of
Conshohocken, bounded and described as follows, to wit:

BEGINNING at a point on the Northeasterly side of Sixth Avenue at
the distance of twenty-four feet Northwestwardly from the Northerly
corner of Sixth Avenue and Wood Street, a corner of this and land
about to be conveyed to Pietro DiSebastiano, et ux; thence along
the said side of Sixth Avenue Northwestwardly seventy-six feet to
a point a corner of land now or late of Frank Waters; thence along
said land of Waters Northeastwardly one hundred and forty feet to
a point a corner on the Southwesterly side of a twenty feet wide
alley; thence along the said side thereof Southeastwardly seventy-
six feet to a point a corner of land about to be conveyed to Pietro
DiSebastiano, et ux; thence along the same Southwestwardly one
hundred and forty feet to the place of beginning.

BEING the same premises which Michael Masciantonio, Widower, by
deed dated November 29, 1996, and recorded in the Recorder of Deeds
office in and for the County of Montgomery in Deed Book No. 5171,
page 347 &c., granted and conveyed unto Michael Masciantonio and
Gerald W. Masciantonio and Denise Masciantonio, his wife.

BEING Parcel No. 05-00-08772-007

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-08772-00-7 CONSHOHOCKEN
306 W SIXTH AVE
MASCIANTONIO MICHAEL & GERALD W &
B 030 U 014 L 3325 DATE: 01/21/97

REALTY TRANS. TAX PAID
STATE —
LOCAL —
PER: 60

NR5174PG2447

97 JAN 22 AM 9:21

Together with all and singular improvements, ways, streets, alleys, driveways, passages, waters, watercourses, 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 Grantors, as well at law as in equity, of, in, and to the same.

To have and to hold the said buildings, improvements, 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 and their

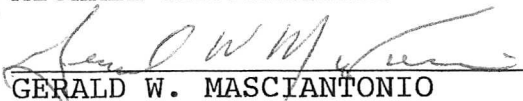
heirs, executors and administrators do covenant, promise and agree, to and with the said Grantees, their heirs and assigns, by these presents, that they, the said Grantors and their heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them the said Grantors and their

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 him, her, them, or any of them, shall and will WARRANT and forever DEFEND.

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 MASCIANTONIO


GERALD W. MASCIANTONIO

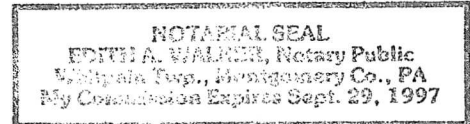
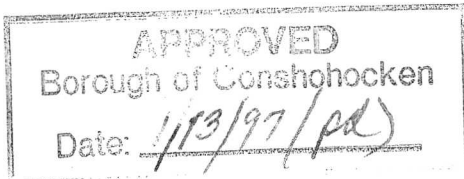

DENISE MASCIANTONIO

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY**

On this, the 17th day of January, 1997, before me, the undersigned Officer, personally appeared MICHAEL MASCIANTONIO, GERALD W. MASCIANTONIO and DENISE MASCIANTONIO known to me (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.

Edith A. Walker
Notary Public



DEED

**MICHAEL MASCIANTONIO
and
GERALD W. MASCIANTONIO and
DENISE MASCIANTONIO, his Wife**

TO

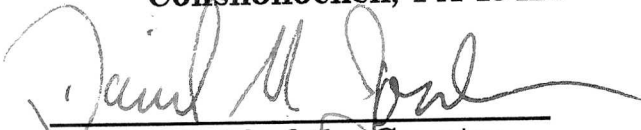
**GERALD W. MASCIANTONIO and
DENISE MASCIANTONIO**

**Premises: 302-304-306-308 W. Sixth Ave.
Conshohocken, PA 19428**



**The address of the above-named
Grantee is: 32 Taylor Road
Conshohocken, PA 19428**

**David M. Jordan, Esquire
Wisler, Pearlstine, Talone,
Craig, Garrity & Potash, LLP
484 Norristown Road; Ste. 100
Blue Bell, PA 19422
(610) 825-8400**


On behalf of the Grantee

DB5174PG2450

**REALTY TRANSFER TAX
STATEMENT OF VALUE**

See Reverse for Instructions

RECORDER'S USE ONLY	
State Tax Paid	0
Book Number	
Page Number	
Date Recorded	1-22-97

Complete each section and file in duplicate with Recorder of Deeds when (1) the full consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

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

Name David M. Jordan, Esquire	Telephone Number
Street Address 484 Norristown Road; Ste. 100	Area Code (610) 825-8400
City Blue Bell	State PA
	Zip Code 19422

B TRANSFER DATA

Grantor(s)/Lessor(s) Michael Masciantonio, Gerald W. Masciantonio and Denise Masciantonio	Date of Acceptance of Document
Street Address 32 Taylor Road	Grantee(s)/Lessee(s) Gerald W. Masciantonio and Denise Masciantonio
City Conshohocken	Street Address 32 Taylor Road
State PA	City Conshohocken
Zip Code 19428	State PA
	Zip Code 19428

C PROPERTY LOCATION

Street Address 302-304-306-308 West Sixth Avenue	City, Township, Borough Conshohocken
County Montgomery	School District Colonial
	Tax Parcel Number 05-00-08772-007

D VALUATION DATA

1. Actual Cash Consideration None	2. Other Consideration + None	3. Total Consideration = None
4. County Assessed Value \$7,600	5. Common Level Ratio Factor x 18.52	6. Fair Market Value = \$140,752.00

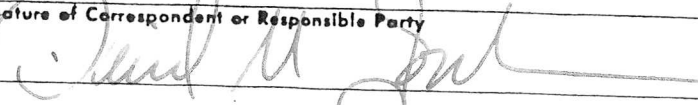
E EXEMPTION DATA

1a. Amount of Exemption Claimed Entire	1b. Percentage of Interest Conveyed 50%
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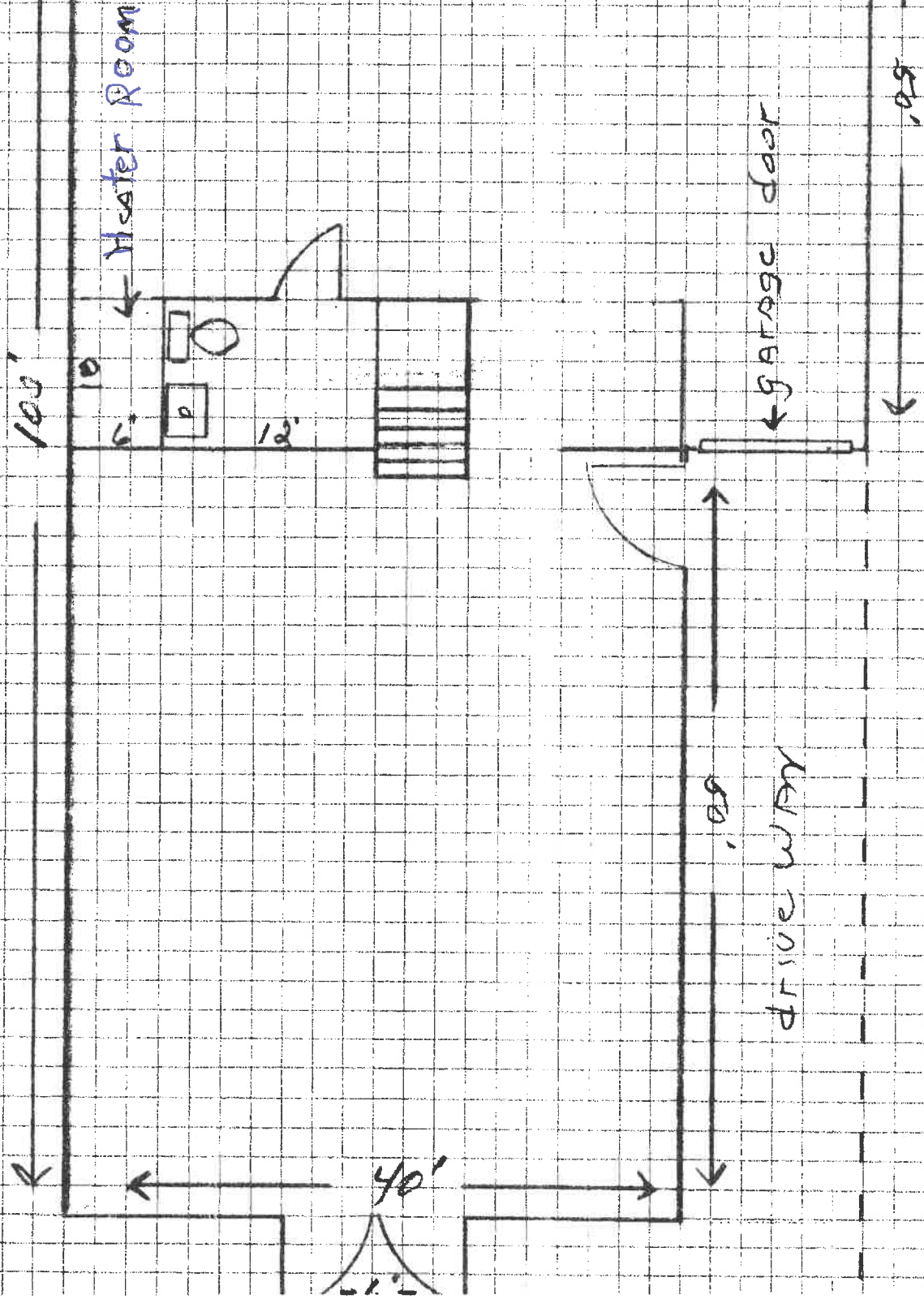
2. Check Appropriate Box Below for Exemption Claimed

- Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number)
- Transfer to Industrial Development Agency.
- Transfer to Agent or Straw Party. (Attach copy of agency/straw party agreement).
- Transfer between principal and agent. (Attach copy of agency/straw trust agreement). Tax paid prior deed \$ _____
- Transfers to the Commonwealth, the United States, and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation (Attach copy of resolution).
- Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____
- Corrective deed (Attach copy of the prior deed).
- Statutory Corporate Consolidation, Merger or Division. (Attach copy of articles).
- Other (Please explain exemption claimed, if other than listed above.) Transfer from parent to child and spouse of child.

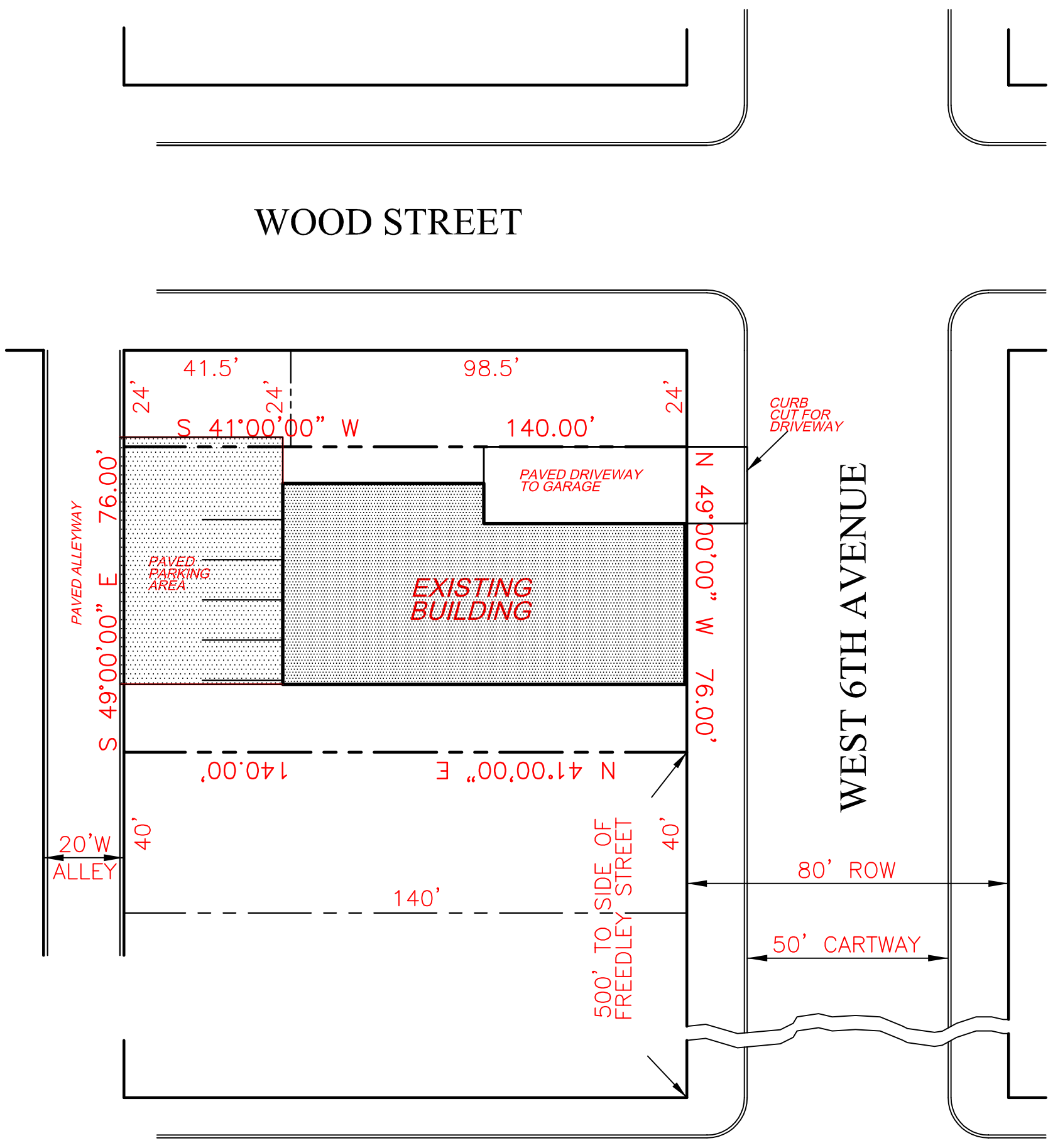
Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party 	Date 1-17-97
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(SEE REVERSE)



4 1/2' = 10'



WOOD STREET

WEST 6TH AVENUE

FREEDLEY STREET

PLOT PLAN

FOR

PROPERTY SITUATE AT

**306 WEST 6TH AVENUE
MASCIAntonIO PROPERTY**

**CONSHOHOCKEN BOROUGH
MONTGOMERY COUNTY, PA**

DATE: 10/17/2022
SCALE: 1" = 30'



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

MEMORANDUM

Stephanie Cecco
Borough Manager

Date: November 10, 2022
To: Stephanie Cecco, Brittany Rogers
From: Allison A. Lee, PE
Re: 306 W. 6th Avenue – Zoning Determination

History of the Site:

306 W. 6th Avenue is an existing non-conforming, commercial property, developed with a 1-story, 4,940 square-foot brick and masonry warehouse structure. The property contains an off-street parking lot located to the rear of the site. There is an alley access to the rear parking lot located between 618 and 618-1/2 Wood Street. There is also a driveway and driveway access off of W. 6th Avenue along the eastern side of the building to a garage entrance into the building. The building was previously occupied by a prior commercial use, Deep Roots Grow Supply company. The property is located within the BR-1 – Borough Residential One zoning district.

Current Request:

The Deep Roots Grow Supply company has vacated the property and the property owner, Denise Masciantonio, proposes to have a new tenant, DBC America, to establish their marketing business to the subject property. DBC America proposes to convert the building from the prior garden supplies and equipment retail business, and to utilize the building for a mix of showroom, retail, warehouse storage, and office uses by the new tenant. The new tenant is also proposing to park their event trailers in the rear of the property. The anticipated hours of operation of the new tenant is 8:30 AM to 5:00 PM, Monday through Friday. There will be 3 to 4 staff for the business.

Zoning Determination:

Per 27-1002 – Permitted Uses, the proposed commercial use is not a permitted use by right within the BR-1 Residential Borough 1 zoning district. Since the property currently exist as a commercial property within the BR-1 Residential Borough 1 zoning district, it is classified as an existing nonconformity. The Applicant has requested a Special Exception from this Code Section in their zoning application; however, this request from this code section is not needed since the property is already an existing nonconformity.

Per 27-703.B.(1) – Change in Use, a nonconforming use may be changed to another nonconforming use which is equally appropriate or more appropriate to the district in which the property is located and is no more detrimental than the existing nonconforming use as a special exception by the Zoning Hearing Board.

The existing property is a nonconforming commercial property in the BR-1 Residential Borough 1 zoning district. The proposed change of use for the building from a garden supply and equipment use to a marketing-based business with a mix of showroom, retail, warehouse storage, and office uses constitutes a change of a nonconforming use, requiring a special exception granted by the Zoning Hearing Board.