



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

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Karen Tutino, Member

MEMORANDUM

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.

CONSHYRE, LLC

By: Michael Sik - Michael Siroka

Applicant
CONSHYRE, LLC

By: Matthew Donnelly - Matthew Donnelly

Legal Owner

1/15/20
Date

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:

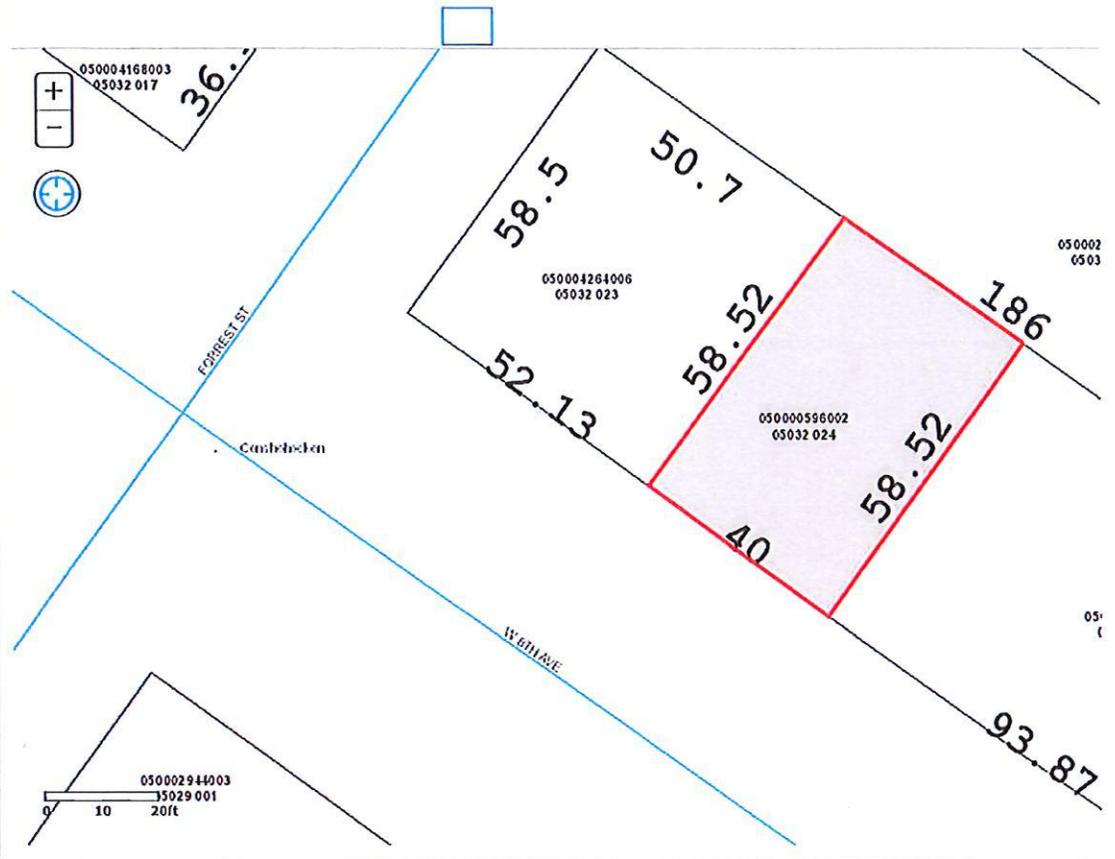
BY ORDER OF THE ZONING HEARING BOARD

	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

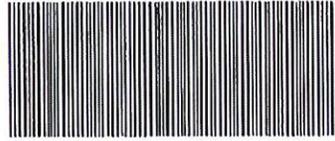




RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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.

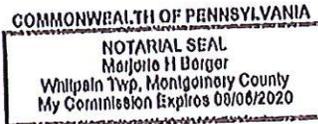
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
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

[Signature]
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





bright 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-T18Z-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.