



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

JULY 21, 2025, ZONING HEARING BOARD MEETING PACKET

241 West 6th Ave (extension request)
113 West 8th Avenue (extension request)
261-263 East Elm Street (extension request)
110 East 7th Avenue
720 Fayette Street

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BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

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Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE JULY 21, 2025 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2025-06

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on July 21, 2025 at 6:30 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: Joshua Levin
241 West 6th Avenue
Conshohocken, PA 19428

PREMISES INVOLVED: 241 West 6th Avenue
Conshohocken, PA 19428
BR-1 – Borough Residential District 1

OWNER OF RECORD: Joshua Levin
241 West 6th Avenue
Conshohocken, PA 19428

The petitioner is seeking an extension of the Conshohocken Borough Zoning Hearing Board approval of the following special exception and variance granted in the Zoning Hearing Board Decision dated February 26, 2024: from the Conshohocken Borough Zoning Code Sections a Special Exception pursuant to Section §27-703.E.(6)(a) and a variance from Section §27-1005.F to permit a one (1)-story 300 SF rear building addition and porch to the existing nonconforming building that would result in an increase in the building coverage of the property from 41.2% to 53.8%, whereas only a maximum building coverage of 35% is permitted within the BR-1 zoning district.

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

Zoning Administration

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Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: July 15, 2025

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 241 W. Sixth Avenue (Extension Request) – Zoning Determination

History of the Site:

241 West Sixth Avenue is comprised of an existing nonconforming two and a half (2½)-story single-family attached residential dwelling that was constructed in 1890. The 2,380 SF property is located within the BR-1 – Borough Residential District 1 zoning district. The site is fronted by West Sixth Avenue to the north; a 20-foot wide unnamed alley to the south and rear of the property; and residential properties also located within the BR-1 zoning district in all other directions.

The subject property is the middle dwelling in a group of three (3) total townhomes (row homes). There is an existing approximately 2.5-foot wide covered alley opening on the ground floor located within the property boundaries. The adjoining dwelling located at 239 W. 6th Avenue currently encroaches and covers the approximately 2.5-foot wide alley opening on the upper floors to share a party wall with the single-family attached dwelling on the subject property. The existing single-family attached dwelling shares a party wall on both sides of the dwelling with 239 W. 6th Avenue and 243 W. 6th Avenue.

There is also an existing 300 SF concrete patio located to the rear of the dwelling. In addition, there is an existing 336 SF accessory semi-detached garage located in the rear yard off of the unnamed alley with existing concrete pads to the front and rear of the garage. This existing semi-detached garage is currently offset and adjoins the neighbor's garage located at 243 W. 6th Avenue.

The Applicant went before the Conshohocken Borough Zoning Hearing Board under Zoning Application no. Z-2024-02 on January 29, 2024. Based on the written Zoning Hearing Board decision dated February 27, 2024, the Applicant was granted a special exception pursuant to Section §27-703.E.(6)(a) and a variance from Section §27-1005.F of the Conshohocken Borough Zoning Ordinance to permit a one (1)-story 300 SF rear building addition and porch to the existing nonconforming residential building that would result in an increase in the building coverage of the property from 41.2% (980 SF) to 53.8% (1,280 SF) whereas only a maximum building coverage of 35% is permitted within the BR-1 zoning district.

Current Request:

The applicant, Joshua Levin, is seeking an extension of the previously granted zoning reliefs pursuant to Section §27-613 of the Zoning Ordinance which has since expired.

Zoning Determination:

In accordance with Section §27-613 of the Zoning Ordinance, the zoning relief granted expires if the applicant does not obtain any and all required permits within one year of the date of approval. The reliefs were granted by the Zoning Hearing Board in the February 27, 2024 written decision; therefore, the granted reliefs expired on February 27, 2025.

The applicant cannot proceed to construction without the proper building permits. Therefore, an extension of the previously granted relief is required.



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2025-06

Date Submitted: 6/5/25

Date Received: 6/5/25

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 F (Building Cover %) 27-1005 E (Side Yard Setback) Zoning Extension

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

241 West Sixth Avenue Conshohocken PA 19428

4. Applicant's Name: Joshua Levin

Address: 241 West Sixth Avenue Conshohocken PA 19428

Phone Number (daytime): 215-740-6878

E-mail Address: thejoshlevin@gmail.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: 17' x 140' Zoning District: BR-1

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

Yes ☒ No ☐ If yes, please describe.

prior zoning application no. Z-2024-02
date of granted zoning decision 2/26/2024

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

The property has an existing row home dwelling with an existing detached garage at the rear of the property. The property is non-conforming in Lot area (2380 sf vs. 2800 sf). Non-conforming in lot width (17 ft vs. 25 ft). Non-conforming in building width (15 ft vs. 20 ft). Non-conforming in Front and Side yard setbacks for the principal building. Non-conforming in building coverage (41.2% vs. 35%) and non-conforming for impervious surface (65.5% vs. 60%). In addition, there is an existing accessory structure (garage) at the rear of the property that is non-conforming for rear yard setback.

10. Please describe the proposed use of the property.

The use will not change. It is a residential property that will continue to be a residential property.

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

The applicant would like to remove the existing garage and build a new one of the same size further from the rear property line to allow for a more gradual grade toward the existing alley. This would not constitute additional impervious since there is an existing concrete pad in the area of the new garage that will be removed. The garage will continue to violate the rear yard setback but would be an improvement on the existing garage. In addition, there is an existing concrete patio off the rear of the house. The applicant would like to build an addition onto the house to replace this patio. This addition would be an enlargement to the existing kitchen with a rear porch. The addition would not increase impervious since it is replacing an existing concrete pad. It would not extend beyond the existing side yard non-conformities and would not extend beyond either neighbors existing houses on each side. The addition would increase the building cover percentage which is already non-conforming given the fact that the lot size is already less than the allowable min lot area of 2800 sf. The roof over the addition will also cover the existing alley to the neighboring party wall which would decrease the current side yard setback.

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

The current house has an extremely small kitchen with no eating area. This small addition will improve that without adding new impervious or creating a structure that extends beyond the adjacent structures. The new garage location will be an improvement over the existing location.


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

a. The unique characteristics of the property: It is a small and narrow lot

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

Due to the fact that the lot size is well below the minimum allowable lot size of 2800 sf, the building cover percentage is out of proportion to the ordinance requirement. The neighboring property has already built over the existing alley and this addition would simply cover the remainder of the alley for a better drainage condition.

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

The addition will not extend beyond the rear walls of the adjacent neighboring structures and will not create additional impervious surfaces. Existing setback non-conformities will not be expanded beyond existing non-conformities for the exterior walls. The existing alley will remain and simply be covered. The garage will be further from the existing rear property line to improve existing grading. 

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.

It is a small and narrow lot with very limited design opportunities for other options.

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).

Not Applicable

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

Not Applicable

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.

Not Applicable

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

Not Applicable

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

Not Applicable

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

a. Attorney's Name: Not Applicable

b. Address: _____

c. Phone Number: _____

d. E-mail Address: _____

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.

Joshua Levin

Applicant

Joshua Levin

Legal Owner

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

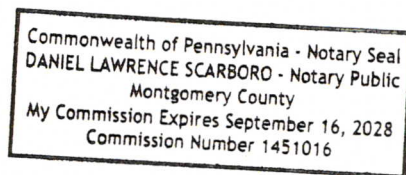
As subscribed and sworn to before me this 4th day of

June, 20 25

Daniel Lawrence Scarboro

Notary Public

(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: _____

RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

One Montgomery Plaza
Swede and Ary Streets - Suite 303
P.O. Box 311 - Norristown, PA 19404
Office: (610) 278-3289 - Fax: (610) 278-3889



4853M
DEED BK 5657 PG 01190 to 01194
INSTRUMENT #: 2007090395
RECORDED DATE: 07/27/2007 09:11:58 AM



0168338-0014S

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed
Document Date: 07/13/2007
Reference Info: levin

Transaction #: 123259 - 2 Doc(s)
Document Page Count: 4
Operator Id: tboutler

RETURN TO: (Simplifile)
Greater Montgomery Settlement Services, LLC
790 Penlyn Pike Suite 202
Blue Bell, PA 19422
(215) 641-8000

SUBMITTED BY:
Greater Montgomery Settlement Services, LLC
790 Penlyn Pike Suite 202
Blue Bell, PA 19422
(215) 641-8000

* PROPERTY DATA:
Parcel ID #: 05-00-09036-00-4
Address: 241 W SIXTH AVE
PA
19428
Municipality: Conshohocken Borough
School District: Colonial

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT: \$207,500.00

DEED BK 5657 PG 01190 to 01194
Recorded Date: 07/27/2007 09:11:58 AM

FEES / TAXES:
Recording Fee: Deed \$46.50
State RTT \$2,075.00
Conshohocken Borough RTT \$1,037.50
Colonial School District RTT \$1,037.50
Total: \$4,196.50

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



Nancy J. Becker
Nancy J. Becker
Recorder of Deeds

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:

Greater Montgomery Settlement Services, LLC
790 Penllyn Pike

Ste. 202

Blue Bell, PA 19422

File No. GMSS4883M

UPI # 05-00-09036-00-4

This Indenture, made the 13 day of July, 2007,

Between

NANCY POLLICK

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

JOSHUA M. LEVIN

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Two Hundred Seven Thousand Five Hundred Dollars 00/100 (\$207,500.00)** lawful money of the United States of America, unto her well and truly paid by the said Grantee, 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 Grantee, as sole owner

ALL THAT CERTAIN lot or piece of land, with the messuage thereon erected, situated in the Borough of Conshohocken, Montgomery County, Pennsylvania, and known as No. 241 West Sixth Avenue, bounded and described as follows:

BEGINNING at a stake on the Southwesterly side of Sixth Avenue, at a distance of sixty two feet Southeasterly from Wood Street, a corner of this and land now or late of Rose McAdams; THENCE Southwesterly along the line of said land, one hundred and forty feet to an alley twenty feet wide; THENCE Northwesterly along the Northeasterly line of said alley, seventeen feet to a corner of land now or late of Edward Dempsey; THENCE along said land, Northeasterly, one hundred and forty feet to Sixth Avenue aforesaid and along the Southwesterly side thereof, Southeasterly seventeen feet to the place of beginning.

PARCEL NO. 05-00-09036-00-4

BEING the same premises which Mary Ann Canale, Executrix of the Estate of Berry Corson Elwood, Deceased, by Indenture dated 02-27-02 and recorded 03-19-02 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5400 Page 671, granted and conveyed unto Nancy Pollick, as sole owner.

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 her, 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 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 Grantor, for herself and her heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, his heirs and assigns, that she, the said Grantor, and her 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, against her, the said Grantor, and her heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

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

Sealed and Delivered
IN THE PRESENCE OF US:

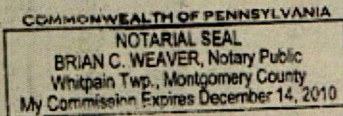
Nancy Pollick {SEAL}
Nancy Pollick

Commonwealth of Pennsylvania } ss
County of Montgomery

On this, the 13 day of July, 2007, before me, the undersigned Notary Public, personally appeared **Nancy Pollick**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

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

Brian C. Weaver
Notary Public

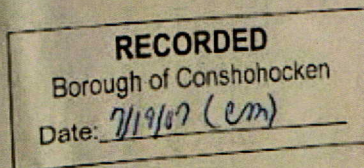


My commission expires _____

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

241 West Sixth Avenue
Conshohocken, PA 19428

Brian C. Weaver
On behalf of the Grantee



Deed

UPI # 05-00-09036-00-4

Nancy Pollick

TO

Joshua M. Levin

Greater Montgomery Settlement
Services, LLC
790 Penllyn Pike
Ste. 202
Blue Bell, PA 19422

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: JOSHUA LEVIN

REGARDING

241 WEST SIXTH AVENUE

APPLICATION NO. Z-2024-02

DECISION OF THE BOARD

I. HISTORY

On or about November 27, 2023, Joshua Levin (“Applicant”) filed a Zoning Hearing Board application before the Conshohocken Zoning Hearing Board (“ZHB”) seeking relief from the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the “Ordinance”) for the property located at 241 West Sixth Avenue (“Subject Property”).

The Applicant’s specific request for relief includes the following:

1. A special exception pursuant to the terms of Section 27-703.E(6)(a) to permit the extension of an existing nonconforming building.
2. A variance from the terms of Section 27-1005.F to permit a building coverage of 53.8 percent where 35 percent is the maximum permitted and 41.2 percent is the existing condition.

After notice was duly given and advertised, a hearing was held on January 29, 2024. At the hearing, the following Exhibits were introduced and admitted:

P-1 Zoning Application

P-2 Deed

P-3 Plot plan

P-4 Photographs

P-5 Zoning Determination

P-6 Proof of Notice

Applicant was unrepresented and proceeded *pro se*.

No members of the public requested party status.

II. FINDINGS OF FACT

1. The Subject Property is located at 241 West Sixth Avenue, Conshohocken, Pennsylvania.
2. The Subject Property is zoned as BR-1 – Borough Residential District 1.
3. The ZHB met all of the requirements of the Ordinance and the Pennsylvania Municipalities Planning Code (“MPC”) as to the requisite Legal Notice of the Hearing.
4. The Applicant has standing to proceed with the Application.
5. At the hearing, Applicant offered the following testimony:
 - a. The Subject Property is an undersized lot that is improved with a row house.
 - b. The kitchen on the Subject Property is particularly small and is not functional for modern living because there is insufficient room for a refrigerator and counter space.
 - c. The Subject Property has a detached garage in the rear yard that abuts an alleyway.
 - d. The Subject Property also has a 300 square foot rear yard patio and a concrete parking pad.
 - e. Applicant proposes to remove the patio and replace it with a building addition that has an identical footprint.

- f. Therefore, the building footprint would increase by 300 square feet but the impervious surface coverage on the Subject Property would remain unchanged.
 - g. Applicant also proposes to demolish the existing garage and concrete pad and relocate such structures with identical footprints in more appropriate locations on the Subject Property.
 - h. Applicant is unaware of any neighbors who oppose the requested relief.
6. No members of the public offered comment in support of, or in opposition to, the Application.

III. DISCUSSION

Section 27-703.E(6)(a) of the Ordinance permits expansion or extension of a prior nonconforming use by special exception only.

Section 27-1005.F of the Ordinance states that, in the BR-1 – Borough Residential District 1, “[t]he maximum building coverage shall not exceed 35% of the lot area.”

In a request for a variance, the Board is guided by Section 910.2 of the Pennsylvania Municipalities Planning Code (hereinafter called “MPC”). An applicant for a variance has the burden of establishing that a literal enforcement of the provisions of the Ordinance will result in an unnecessary hardship as that term is defined by law, including court decisions, and that the allowance of the variance will not be contrary to the public interest. Section 910.2 of the MPC permits the Board to grant a variance where it is alleged that the provisions of the Ordinance inflict unnecessary hardship upon the applicant and when the Board can make certain prescribed findings where relevant in a given case.

An “unnecessary hardship is established by evidence that: (1) the physical features of the property are such that it cannot be used for a permitted purpose; or (2) the property can be conformed for a permitted use only at a prohibitive expense; or (3) the property has no value for any purpose permitted by the zoning ordinance.” Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh, 721 A.2d 43, 47 (Pa. 1998)(internal citations omitted).

The variance requested is dimensional in nature. When seeking a dimensional variance within a permitted use, 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. Hertzberg, 721 A.2d at 47. Thus, the grant of a dimensional variance is of lesser moment than the grant of a use variance, since the latter involves a proposal to use the property in a manner that is wholly outside the zoning regulation. Id.

Additionally, as noted in numerous court decisions, a special exception is not an exception to a zoning ordinance, but rather is a use to which an applicant is entitled unless objectors demonstrate, according to standards set forth in the zoning ordinance, that the proposed use would adversely affect the community. See, e.g., Brentwood Borough v. Cooper, 431 A.2d 1177 (Pa. Commw. Ct. 1981) and In re Appeal of Brickstone Realty Corp., 789 A.2d 333 (Pa. Commw. Ct. 2001).

The existence of a special exception provision in a zoning ordinance indicates a legislative determination that the use is consistent with the municipality's zoning plan, and is a use which is presumptively consistent with the public health, safety and welfare. See, e.g. Ruddy v. Lower Southampton Twp. Zoning Hearing Bd., 669 A.2d 1051 (Pa. Commw. Ct. 1995).

Once an applicant proves that the proposed use complies with the specific standards in the ordinance, the special exception may not be denied unless the opponents have carried their burden. Mann v. Lower Makefield Twp., 634 A.2d 768, 771 (Pa. Commw. Ct. 1993).

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that Applicant shall be granted the requested variance. Accordingly, the Board is able to make the following relevant findings under Section 910.2 of the MPC:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the Subject Property, and that an unnecessary hardship is created due to such condition;
2. The Subject Property cannot be developed in strict conformity with the provisions of the Ordinance and that the authorization for a variance is therefore necessary to enable the reasonable use of the Subject Property;
3. That the variance will not alter the essential character of the neighborhood or district in which the Subject Property is located, will not substantially or permanently impair the appropriate use or development of the adjacent property, or will not be detrimental to the public welfare;
4. That the alleged hardship has not been created by the Applicant; and
5. That the variance represents the minimum that will afford relief and the least modification possible.

In addition, from the facts presented, it is the judgment of the Board that the Applicant has proven that the special exception is not contrary to the public interest. Accordingly, the Board is able to make the following relevant findings under Section 912.1 of the MPC:

1. The Applicant has proven compliance with the specific standards of the Ordinance; and
2. The special exception sought by the Applicant is not contrary to the public health, safety or welfare of the community.

ORDER

AND NOW, this 26th day of February, 2024, the Application of Joshua Levin, seeking a special exception pursuant to the terms of Section 27-703.E(6)(a) and a variance from the terms of Section 27-1005.F of the Conshohocken Borough Zoning Ordinance of 2001 to permit the expansion of an existing nonconforming dwelling and the construction of a 300 square foot building addition that will result in a building coverage of 53.8 percent, is **GRANTED** in conformance with the plans, testimony, and other evidence presented to the Zoning Hearing Board.

The Applicant is directed to apply to the Borough Zoning Officer to obtain any appropriate permits.

THE RELIEF GRANTED HEREIN SHALL EXPIRE IF THE APPLICANT FAILS TO OBTAIN PERMITS WITHIN ONE (1) YEAR OF THE DATE OF THIS DECISION.

**BOROUGH OF CONSHOHOCKEN
ZONING HEARING BOARD**

Date Personally Delivered:



Richard Barton, Chair



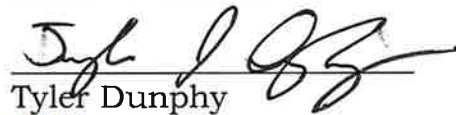
Mark S. Danek, Vice Chair



Marlowe Doman

Or Date Emailed:

FEBRUARY 27, 2024



Tyler Dunphy



David Bria







Jeffrey Harris Architect
16 FERRY ROAD
DOYLESTOWN, PA 18901
(215) 805-4054 phone jeff@jhaemiac.com



BOROUGH OF CONSHOHOCKEN

Zoning Administration

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Stephanie Cecco
Borough Manager

ZONING NOTICE JULY 21, 2025 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2025-10

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on July 21, 2025 at 6:30 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: Ratoskey & Trainor, Inc.
3201 Potshop Road
East Norriton, PA 19403

PREMISES INVOLVED: 113 West 8th Avenue
Conshohocken, PA 19428
BR-1 – Borough Residential District 1

OWNER OF RECORD: Ratoskey & Trainor, Inc.
3201 Potshop Road
East Norriton, PA 19403

The petitioner is seeking a one (1)-year extension of the Conshohocken Borough Zoning Hearing Board approval of the following special exception granted in the Zoning Hearing Board Decision dated July 3, 2024: from the Conshohocken Borough Zoning Code Section a Special Exception pursuant to Section §27-703.B.(1) to permit a change in use of the existing nonconforming mixed-uses on the property to another nonconforming multi-family building with three (3) residential units within the BR-1 zoning district.

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

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: July 15, 2025

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 118 W. Eighth Avenue (Extension Request) – Zoning Determination

History of the Site:

113 West Eighth Avenue is an existing irregular shaped parcel comprised of the following:

- a one (1)-story single-family detached stucco mixed use building (Building 1) having a street address of 111 West Eighth Avenue
- a one (1)-story single-family semi-detached (twin) brick mixed use building (Building 2) having a street address of 113 and 115 West Eighth Avenue.

Building 1 is an existing nonconforming building that was condemned in 2019 after a motor vehicle incident that rendered the building uninhabitable. Building 2 is also an existing nonconforming mixed use building with a hair salon business (formerly known as Ciccarella Hair Stylists) on the 113 West Eighth Avenue side of the twin building and a residential apartment on the 115 West Eighth Avenue side of the twin building.

The 7,230 SF commercial property is fronted by West Eighth Avenue (80' right-of-way) to the north; an opened 20-foot wide unnamed alley with access from Maple Street located to the southwest; a nine (9)-unit low rise garden apartment building to the northeast; a quadraplex to the southeast; and single family residential properties also located within the BR-1 zoning district in all other directions. The existing 20-foot wide unnamed alley located to the rear and east of the property is unopened.

In addition, the site is improved with a brick wall, concrete patio and walkways, a chain link fence and shade trees located to the rear of the property.

The Applicant went before the Conshohocken Borough Zoning Hearing Board under Zoning Application no. Z-2024-15 on May 20, 2024 and based on the written Zoning Hearing Board decision dated July 3, 2024 was granted a special exception pursuant to Section §27-703.B.(1) to permit a change in use of the existing nonconforming mixed-uses on the property to another nonconforming multi-family building with three (3) residential units within the BR-1 zoning district.

Current Request:

The applicant, Ratosky & Trainor, Inc., is seeking an extension of the previously granted zoning reliefs pursuant to Section §27-613 of the Zoning Ordinance for an additional one (1)-year extension. The current zoning reliefs expired on July 3, 2025.

Zoning Determination:

The proposed development constitutes a land development under the Pennsylvania Municipalities Planning Code, requiring the applicant to complete the Borough's established land development process. The land development process is currently in progress and the Applicant has received land development application reviews and recommendations by the Borough and County Planning Commissions, and still has to obtain preliminary/final land development application approval from Borough Council. The applicant cannot proceed to apply for permits until the project has adequately addressed all outstanding review comments and obtained the required approvals for land development plans recordation. Therefore, an extension of the previously granted relief is required.



Eastburn and Gray, PC

Attorneys at Law

Michael E. Peters, Esquire

60 East Court Street

P.O. Box 1389

Doylestown, PA 18901

(215) 345-7000

mpeters@eastburngray.com

July 16, 2025

VIA E-MAIL

Alexander M. Glassman, Esquire

Clarke Gallagher Barbiero Amuso & Glassman Law

aglassman@cgbaglaw.com

**RE: Conshohocken Zoning Hearing Board
113 West 8th Avenue**

Dear Alex:

Please be advised that on July 16, 2025, Borough Council of the Borough of Conshohocken reviewed application no. Z-2025-10, a request for extension of the relief granted for 113 West 8th Avenue in the decision of the zoning hearing board dated July 3, 2024, in application no Z-2024-15.

The applicant has filed the land development application for the project that is the subject of the aforementioned relief, which land development application Borough Council intends to act on August 6, 2025. To the extent the zoning hearing board believes additional extension of the relief granted in application no. Z-2024-15 is appropriate, Borough Council respectfully requests that the zoning hearing board limit the extension to a 6 month extension, given the current procedural posture of the land development application.

Thank you for your attention to this matter.

Very truly yours,

Michael E. Peters, Esquire
Borough Solicitor

cc: Gerald E. Rath III, Esquire, counsel for applicant grath@blumberg-rath.com
Stephanie Cecco, Borough Manager, scecco@conshohockenpa.gov



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

Zoning Application

BOROUGH OF CONSHOHOCKEN
JUN 23 '25 PM 12:00
RECEIVED

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 **1-Year Extension of Special Exception**

Application: Z-2025-10

Date Submitted: 6/20/25

Date Received: 6/20/25

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

Expiration: §27-613; and, Special Exception: §27-709.B(1)

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

113 West 8th Avenue (the "Parcel")

4. Applicant's Name: **Ratoskey & Trainor, Inc.**

Address: **3201 Potshop Road, East Norriton, PA 19403**

Phone Number (daytime): **(610) 496 – 6213**

E-mail Address: **robr110@aol.com**

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

6. Property Owner: **Ratoskey & Trainor, Inc.**

Address: **3201 Potshop Road, East Norriton, PA 19403**

Phone Number: **(610) 496 – 6213**

E-mail Address: **robr110@aol.com**

7. Lot Dimensions: **Irregular** Zoning District: **Borough Residential District 1**

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

Yes ☐ No ☒ If yes, please describe.

The Zoning Hearing Board granted a special exception via its written decision dated July 3, 2024 to allow a change in nonconforming use to a multi-family dwelling.

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

The use of the Parcel is nonconforming mixed-use in that the uses at the Parcel have included three (3) simultaneous uses located in the two (2) principal structures. One structure is known as 111 West 8th Avenue, and is identified as "Building 1" on the Existing Site Plan submitted with the 2024 Zoning Application. The second structure is known as 113-115 West 8th Avenue and is identified as "Building 2" on the Existing Site Plan submitted with the 2024 Zoning Application. The nonconforming mixed-use at Building 1 was a 1-story detached residential dwelling which was condemned in 2019 after a motor vehicle crashed into Building 1 and rendered in uninhabitable. The two mixed-uses at Building 2 include a residential apartment and a personal service retail business (a hair salon), which constitutes a nonconforming use.

10. Please describe the proposed use of the property.

The proposed use has not changed since the aforementioned 2024 Zoning Application and special exception granted by the Zoning Hearing Board. Applicant proposes to eliminate all dimensional nonconformities at the Parcel and all nonconforming mixed-uses at the Parcel, and then use the Parcel solely for residential uses (3 apartments), eliminating the commercial personal service retail business in a residential neighborhood

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

The proposed use is a multi-family dwelling with three units. That use has not changed since the aforementioned 2024 Zoning Application and special exception approved by the Zoning Hearing Board. Applicant will: (a) demolish and remove all existing nonconforming improvements at the Parcel, including but not limited to Building 1 and Building 2; (b) erect and use a single 3-story multifamily building with a footprint of approximately sixteen hundred (1,600) square feet (the "Proposed Building") in compliance with all dimensional requirements of the Ordinance; (c) erect and use three (3) apartments in the Proposed Building (collectively, the "Proposed Apartments", and each individually, a "Proposed Apartment"); (d) create an on-site parking lot at the rear of the Parcel to provide the six (6) off-street parking spaces for the Apartments in compliance with the requirements of the Ordinance; (e) erect a privacy fence along each side boundary of the proposed parking lot; and, (f) install landscaping.

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

*** * *Please see the attached Supplement to Zoning Application. * * ***

13. If a Variance is being requested, please describe the following: **Not applicable.**

a. The unique characteristics of the property: _____

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

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

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).

Not applicable.

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.

Not applicable.

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: Gerald E. Rath, III, Esquire
Blumberg & Rath

b. Address: 25 East Butler Avenue, Ambler, PA 19002

c. Phone Number: (215) 628 – 8823

d. E-mail Address: grath@blumberg-rath.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:

Ratoskey & Trainor, Inc.

By: _____

Robert Ratoskey, President
Applicant

LEGAL OWNER:

Ratoskey & Trainor, Inc.

By: _____

Robert Ratoskey, President
Legal Owner

June 20, 2025

Date

COMMONWEALTH OF PENNSYLVANIA

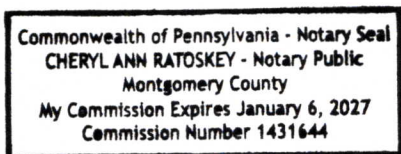
COUNTY OF MONTGOMERY

As subscribed and sworn before me this 20th day of

JUNE, 2025

Cheryl Ann Ratoskey
Notary Public

(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: _____

**SUPPLEMENT TO ZONING APPLICATION
OF RATOSKEY & TRAINOR, INC.**

113 West Eighth Avenue

- 12. Applicant has been compelled to request a 1-Year Extension to accommodate unanticipated delays which occurred with the project subsequent to the Zoning Hearing Board granting the special exception. Those delays resulted from: (1) Applicant being informed the project would have to go through the full land development process when Applicant was informed previously that process would not be needed; (2) Applicant discussing that requirement with Borough staff, and Applicant appealing that requirement; and, (3) Applicant encountering unanticipated stormwater management issues which required further engineering analysis and resolution.**

Upon Applicant's appeal being denied and the determination made that the project would have to go through the land development process, Applicant immediately had his design professionals complete the necessary land development plans, including having the design team engage with the Borough Professionals. Applicant submitted all necessary applications and materials, and has been informed the land development application has been deemed administratively complete. Borough staff issued their reviews as follows: Engineer Review on May 12, 2025; Zoning Review May 12, 2025; Traffic Review on May 12, 2025; and, Fire Marshal Review on April 11, 2025. The Montgomery County Planning Commission Review was issued on February 24, 2025.

A Borough of Conshohocken Planning Commission Meeting was held on June 12, 2025, at which meeting the Planning Commission recommended Borough Council grant approval for Preliminary and Final Land Development. The project has been scheduled for review by Borough Council at its July 16, 2025 meeting, and for voting consideration at Borough Council's Meeting on August 6, 2025. Applicant will do everything Applicant can to ensure the aforementioned meetings occur as scheduled.

Applicant anticipates the project will receive all permits well before the expiration of the requested 1-Year Extension. However, Applicant is requesting the 1-Year extension to ensure Applicant is afforded sufficient time to address any additional unexpected issues which arise during the land development and permitting processes.

Please note, Applicant reserves the right to further supplement the contents of the Zoning Application, both prior to the hearing to be scheduled for this application, and at that hearing.

COMMONWEALTH OF PENNSYLVANIA
BOROUGH OF CONSHOHOCKEN ZONING HEARING BOARD
APPLICATION Z-2024-15
APPLICATION /APPEAL OF RATOSKY & TRAINOR, INC.
113 WEST EIGHTH AVENUE
DECISION OF THE BOARD

I. HISTORY

On or about April 18, 2024, Ratosky & Trainor, Inc. (“Applicant”) filed an Application for relief from the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the “Ordinance”) for the property located at 113 West Eighth Avenue (“Subject Property”). The Subject Property is located in the BR-1 – Borough Residential District 1.

The Applicant’s request for relief included the following:

1. A special exception pursuant to the terms of Section 27-703.B(1) of the Ordinance to permit a change in a prior-existing nonconforming use.
2. In the alternative, a variance from the terms of Section 27-1002 of the Ordinance to permit a multifamily dwelling, where such use is not permitted.

After notice was duly given and advertised, a hearing was held on Application on May 20, 2024. At the hearing, the following Exhibits were introduced and admitted:

P-1 Zoning Application with Supplement

- P-2 Block Data
- P-3 Deed
- P-4 Existing Site Photograph
- P-5 Existing Site Plan
- P-6 Proposed Front Elevation
- P-7 Montgomery County Tax Map Excerpts
- P-8 Proposed Site Plan
- P-9 Zoning Determination Letter
- P-10 Proof of Notice

Applicant was represented by Gerald Rath III, Esquire,

Ann Kelly, 126 West Eighth Avenue, was granted party status. Ms. Kelly was unrepresented and proceeded *pro se*.

Virginia Hauer, 110 West Eighth Avenue, was granted party status. Ms. Hauer was unrepresented and proceeded *pro se*.

II. FINDINGS OF FACT

1. The Subject Property is located at 113 West Eighth Avenue, Conshohocken, Pennsylvania.
2. The Subject Property is zoned BR-1 – Borough Residential District 1.
3. The Zoning Hearing Board (“Board”) met all of the requirements of the Ordinance and the Pennsylvania Municipalities Planning Code (“MPC”) as to the requisite Legal Notice of the Hearing.
4. Applicant has standing to proceed with the Application.
5. At the hearing, Robert Ratosky, President of the Applicant, offered the following testimony:
 - a. Applicant learned of the Subject Property years ago after a car crashed into the side of one of the buildings.
 - b. Applicant first engaged the prior owner to discuss rebuilding the prior structure, but the discussion ultimately resulted in the Applicant’s purchase of the Subject Property.
 - c. Historically, the Subject Property was improved with two (2) residential units and one (1) commercial unit.
 - d. Applicant proposes to demolish the existing structures on the Subject Property, regrade the lot and erect a 3-unit multifamily dwelling.
 - e. Presently, the structures on the Subject Property protrude closer to the right-of-way than any other dwelling on the block.

- f. Applicant proposes to relocate the building footprint on the Subject Property such that it is in line with the rest of the neighborhood.
- g. Applicant also proposed to add six (6) off-street parking spaces where none currently exist.
- h. Applicant will install privacy fencing and landscaping along the Subject Property.
- i. Applicant will install appropriate stormwater management systems on the Subject Property.
- j. The proposed multi-family dwelling was designed such that it aesthetically matches the surrounding dwellings.
- k. The proposed multi-family dwelling would be three (3) stories, with a unit on each floor and a stairwell on the side.
- l. The first floor of the multi-family dwelling would have a covered porch that matches the surrounding neighborhood.
- m. Each unit would be approximately 1,400 square feet in total area and contain two (2) bedrooms and two (2) bathrooms.
- n. The proposed multi-family dwelling will comply with all bulk and dimensional standards in the BR-1 District.
- o. The proposed multi-family dwelling will be approximately 33 feet wide and 48 feet long.

- p. The proposed multi-family dwelling is more harmonious with the surrounding neighborhood than the existing use of the Subject Property.
 - q. Applicant will comply with the Borough of Conshohocken Sewer Authority if it requires additional Equivalent Dwelling Units.
 - r. Applicant has been constructing dwellings since 1988 and successfully operates multiple rental properties within the Borough that house long-term tenants.
- 6. At the hearing, Ms. Hauer offered testimony to state that the existing conditions of the Subject Property are unacceptable and an eyesore in the neighborhood.
 - 7. At the hearing, Ms. Kelly offered testimony to complement the renderings provided for the proposed multi-family dwelling and to commend the Applicant on its intentions.
 - 8. Joi Manas offered public comment in support of the Application.

III. DISCUSSION

Section 27-703.B(1) of the Ordinance states that:

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

As noted in numerous court decisions, a special exception is a bit of a misnomer. It is neither special, nor an exception to a zoning ordinance, but rather is a use to which an applicant is entitled unless objectors demonstrate, according to standards set forth in the zoning ordinance, that the use would adversely affect the community. See, e.g., Brentwood Borough v. Cooper, 431 A.2d 1177 (Pa. Commw. Ct. 1981) and In re Appeal of Brickstone Realty Corp., 789 A.2d 333 (Pa. Commw. Ct. 2001).

The existence of a special exception provision in a zoning ordinance indicates a legislative determination that the use is consistent with the municipality's zoning plan, and is a use which is presumptively consistent with the public health, safety and welfare. See, e.g. Ruddy v. Lower Southampton Twp. Zoning Hearing Bd., 669 A.2d 1051 (Pa. Commw. Ct. 1995). Once an applicant proves that the use complies with the specific standards in the ordinance, the special exception may not be denied unless the opponents have demonstrated that a grant of the special exception would have a detrimental impact on the public health, safety or welfare. Mann v. Lower Makefield Twp., 634 A.2d 768, 771 (Pa. Commw. Ct. 1993).

Thus, an application for a special exception triggers a burden-shifting test. The applicant carries the initial burden and, once satisfied, the burden shifts to any objectors. As the Commonwealth Court has summarized:

The applicant for a special exception has the burden of proving that the proposed special exception use satisfies the standards of the zoning ordinance. Once an applicant has made out a *prima facie* case, the burden shifts to any objectors to present sufficient evidence that the Proposed Use has a detrimental effect on the public health, safety, and welfare.

Greth Dev. Grp., Inc. v. Zoning Hearing Bd. of Lower Heidelberg Twp., 918 A.2d 181, 186 (Pa. Commw. Ct. 2007) (internal citations omitted).

Courts have repeatedly held that “the burden placed on the objectors is a heavy one.” Siya Real Est. LLC v. Allentown City Zoning Hearing Bd., 210 A.3d 1152, 1160 (Pa. Commw. Ct. 2019) (quoting Marr Dev. Mifflinville, LLC v. Mifflin Twp. Zoning Hearing Bd., 166 A.3d 479, 483 (Pa. Commw. Ct. 2017)). Objectors cannot meet this burden unless they present “more than unsubstantiated concerns or vague generalities, and [m]ere **speculation** as to possible harm.” Id. (quoting Dunbar v. Zoning Hearing Bd. of City of Bethlehem, 144 A.3d 219, 226 (Pa. Commw. Ct. 2016)). Speculative lay testimony alone as to potential harms is generally insufficient to overcome an objector’s burden. Monroe Land Investments v. Zoning Bd. of Adjustment, 182 A.3d 1, 10 (Pa. Commw. Ct. 2018); Allegheny Tower Assocs., LLC v. City of Scranton Zoning Hearing Bd., 152 A.3d 1118, 1126 (Pa. Commw. Ct. 2017); Dunbar, 144 A.3d at 226; In re Brickstone Realty Corp., 789 A.2d 333, 342 (Pa. Commw. Ct. 2001). Instead, an objector must present evidence of a “strong

degree of probability” that the use would negatively affect the health, safety and welfare of the community before a Zoning Hearing Board can “deprive a landowner of the otherwise legitimate use of his land.” Appeal of O'Hara, 131 A.2d 587, 596 (Pa. 1957).

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that the Applicants have proven that the special exception is not contrary to the public interest. Accordingly, the Board is able to make the following relevant findings under Section 912.1 of the MPC:

1. The Applicant has proven compliance with the specific standards of the Ordinance; and
2. The special exception sought by the Applicant is not contrary to the public health, safety or welfare of the community.

ORDER

AND NOW, this 3rd day of July, 2024, the Application of Ratosky & Trainor, Inc., seeking a special exception pursuant to the terms of Section 27-703.B(1) and, in the alternative, a variance from the terms of Section 27-1002 of the Conshohocken Borough Zoning Ordinance of 2001, to permit the change in a prior nonconforming use to a multi-family dwelling, is **GRANTED IN PART AND DENIED IN PART** in conformance with the plans, testimony, and other evidence presented to the Zoning Hearing Board. The request for a special exception is **GRANTED** and the requested for a variance is **DENIED AS MOOT**.

The Applicants are directed to apply to the Borough Zoning Officer to obtain any appropriate permits.

THE RELIEF GRANTED HEREIN SHALL EXPIRE IF THE APPLICANT FAILS TO OBTAIN PERMITS WITHIN ONE (1) YEAR OF THE DATE OF THIS DECISION.

CONSHOHOCKEN ZONING HEARING BOARD

Date Sent via U.S. Mail:

/s/ Richard Barton

Richard Barton, Chair

/s/ Mark S. Danek

Mark S. Danek, Vice Chair

/s/ Marlowe Doman

Marlowe Doman

Or Date Emailed:

/s/ Tyler Dunphy


Tyler Dunphy

July 3, 2024

/s/ David Bria

David Bria

I, Gregory R. Heleniak, the Solicitor of the Borough of Conshohocken Zoning Hearing Board, hereby certify that each member of said Board has read and approved this written opinion, which accurately reflects the actions and vote by said Board at its May 20, 2024, hearing in this matter. Said Board members have consented to their signatures to be affixed to this Decision as above.


Gregory R. Heleniak, Esquire



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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

DEED BK 6224 PG 00111 to 00115
INSTRUMENT # : 2021052118
RECORDED DATE: 05/05/2021 10:41:54 AM



5934589-0020

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed
Document Date: 04/13/2021
Reference Info:

Transaction #: 6308130 - 1 Doc(s)
Document Page Count: 4
Operator Id: JSorg

RETURN TO: (Simplifile)
Aaron Abstract
526 Township Line Road
Blue Bell, PA 19422
(215) 283-4800

PAID BY:
AARON ABSTRACT

*** PROPERTY DATA:**

Parcel ID #: 05-00-00692-00-5
Address: 113 W EIGHTH AVE

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

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$300,000.00
TAXABLE AMOUNT: \$300,000.00

FEES / TAXES:

Recording Fee: Deed \$86.75
State RTT \$3,000.00
Conshohocken Borough RTT \$1,500.00
Colonial School District RTT \$1,500.00

Total: \$6,086.75

DEED BK 6224 PG 00111 to 00115
Recorded Date: 05/05/2021 10:41:54 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: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

Return to: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

File No. **AAF10565**
Parcel ID No. **05-00-00692-00-5**

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-00692-00-5 CONSHOHOCKEN BOROUGH
113 W EIGHTH AVE
LANNUTTI ANDREW D
B 029 L U 084 4100 05/04/2021

\$15.00
JW

This Indenture, made the 13th day of April, 2021,

Between

ANDREW D. LANNUTTI

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

RATOSKEY & TRAINOR INC.

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Three Hundred Thousand And 00/100 Dollars (\$300,000.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, 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 Grantee

ALL THAT CERTAIN lot or piece of land with the building thereon erected, Situate in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stake on the Southwesterly side of Eighth Avenue at the distance of One Hundred and Three feet Northwestwardly from a stake on the Westerly corner of Eighth Avenue and Forrest Street; thence along the Southwestwardly side of Eighth Avenue Northwestwardly fifty-eight feet to a point a corner of this and other land now or late of J. Willison Smith; thence Southwestwardly on a line at right angles to the said Eighth Avenue One Hundred and Fifty feet to a point in the middle of a certain Twenty feet



wide alley or driveway running from Forrest Street to Maple Street; thence Southeastwardly on a line parallel with Eighth Avenue forty-three feet to a point a corner of land now or late of Rufus W. Missimer; thence Northeastwardly on a line parallel with Forrest Street and along said Missimer's land Ninety-eight feet to a point; thence Southeastwardly on a line parallel with said Eighth Avenue and along said Missimer's land Fifteen feet to a point; thence Northeastwardly on a line at right angles to said Eighth Avenue and along said Missimer's land Fifty-two feet to the first mentioned stake or place of beginning.

PARCEL NO. 05-00-00692-00-5

BEING the same premises which Joan P. Moore, unmarried, by Deed dated May 31, 1996 and recorded July 5, 1996 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5153, Page 20, granted and conveyed unto Andrew D. Lannutti and Judith A. Lannutti, husband and wife, as tenants by the entirety.

AND ALSO BEING the same premises which Andrew D. Lannutti and Judith A. Lannutti, by Deed dated December 28, 2001, and recorded December 28, 2001, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 5390, Page 245, granted and conveyed unto Andrew D. Lannutti, 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 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 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 Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors 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 Grantee, its successors 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.

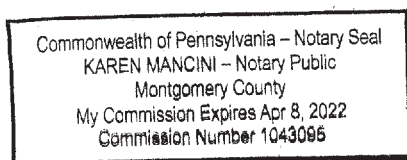
Sealed and Delivered
IN THE PRESENCE OF US:

 **SEAL}**
Andrew D. Lannutti

Commonwealth of Pennsylvania } ss
County of Montgomery

On this the 13th day of April, 2021, before me, the undersigned Notary Public, personally appeared **Andrew D. Lannutti**, 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.




Notary Public
My commission expires 4.8.22



The address of the above-named Grantee is:

3201 POTSHOPK,
EAST NORRITON PA 19403

On behalf of the Grantee





RATOSKEY & TRAINOR

PROPOSED MULTI-FAMILY RESIDENCE



FRONT ELEVATION

113 WEST EIGHT AVENUE



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE JULY 21, 2025 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2025-07

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on July 21, 2025 at 6:30 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: Maximum Craft, LLC (successor to Craft Custom Homes, LLC)
6 Poplar Street, Suite 200-B
Conshohocken, PA 19428

PREMISES INVOLVED: 261-263 East Elm Street
Conshohocken, PA 19428
LI - Limited Industrial District/Research
BR-2 - Borough Residential District 2
FP - Floodplain Conservation District

OWNER OF RECORD: Maximum Craft, LLC (successor to Craft Custom Homes, LLC)
6 Poplar Street, Suite 200-B
Conshohocken, PA 19428

The petitioner is seeking a one (1)-year extension to July 19, 2026 of the Conshohocken Borough Zoning Hearing Board approval for the following variances granted in the Zoning Hearing Board Decisions dated August 26, 2021 and extended for two (2) years on July 17, 2023: from Conshohocken Borough Zoning Code Sections §27-1714.1.A; §27-1903.B.2; §27-1903.B.3.A-C; §27-1903.B.4; §27-1903.B.6; §27-1903.B.9; §27-1903.B.12; §27-1904.B.1-5; §27-2007.F.1-3; §27-2007.H & J; §27-820.C-F; §27-1404.4.A-C; §27-1105; and §27-1102 to permit development of a proposed 4-story multi-family building with 21 units and parking garage within the Floodplain Conservation District.

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

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: July 15, 2025

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 261-263 E. Elm Street (2nd Extension Request) – Zoning Determination

History of the Site:

261-263 E. Elm Street is an approximately 0.5-acre property, located at the southwest corner of E. Elm Street and Poplar Street. The property is bounded by the Fine Grinding Corporation property to the south and west, along with some residential dwellings to the west near the E. Elm Street frontage. The majority of the property is located in the LI – Limited Industrial zoning district, with a small portion in the BR-2 – Borough Residential 2 zoning district, as well as the Residential Overlay District. The majority of the site is located in the Floodplain Conservation District and Zone AE Special Flood Hazard Area as defined by the FEMA Flood Insurance Rate Map (FIRM). The property is currently developed with a building housing multiple commercial uses, including a fitness center, locksmith, and offices; along with 23 parking spaces.

The applicant, Maximum Craft, LLC, the successor to Craft Custom Homes, LLC, proposes to demolish all of the existing site improvements in order to construct a multifamily residential development consisting of a 4-story building containing 21 units with rooftop decks. The applicant also proposes an under-building parking lot containing 42 parking spaces and a courtyard located behind the building.

The applicant (a.k.a. Craft Custom Homes, LLC) went before Borough Council on June 2, 2021 and was granted conditional use approval for the following sections of the Borough Zoning Ordinance:

- §27-1901-B – To permit a residential development utilizing the Residential Overlay District.
- §27-1903-B.11 – To permit a building height of 45 feet.

The applicant (a.k.a. Craft Custom Homes, LLC) went before the Conshohocken Borough Zoning Hearing Board on August 26, 2021 and was granted zoning relief for the following sections of the Borough Zoning Ordinance:

- §27-1714.1.A – In order to construct a new building in the 100-year flood plain.
- §27-1903-B.2 – To exceed the allowable maximum permitted dwelling unit density of 33 units per acre.
- §27-1903-B.3.A-C – To provide relief from the district's front, side, and rear yard setback standards.
- §27-1903-B.4 – To exceed the allowable maximum building coverage of 40%.
- §27-1903-B.6 – To allow the proposed parking setback to be less than the minimum 10-foot setback from property lines.

- §27-1903.B.9 - To allow for the parking to be located under the building rather than the rear yard of the parcel.
- §27-1903.B.12 - To develop a parcel that does not comply with the minimum tract area for the district.
- §27-1904-B.1-5 - To provide partial relief from the screening, buffering, and street tree regulations of the ordinance.
- §27-2007.F.1-3 - To provide relief from the required buffer strip.
- §27-2007.H - To provide relief from the required curbed planting strips.
- §27-2007.J - To provide relief from the requirement of providing shade trees within parking areas.
- §27-820.C-F - To provide relief from the large truck collection access and setback requirements as listed in the ordinance.
- §27-1404.4.A-C - To provide partial relief from the requirements of shade trees along public streets, landscaping of the front yards adjoining residential districts, side and/or rear yard buffers when adjoining residential districts.
- §27-1102 - To permit the proposed multi-family building use in the BR-2 zoning district.
- §27-1105 - To permit relief from the dimensional standards of the BR-2 zoning district.

The applicant (a.k.a. Craft Custom Homes, LLC) subsequently went before the Zoning Hearing Board under application no. Z-2021-12 and based on the written Zoning Hearing Board decision dated July 17, 2023, was granted a two (2)-year extension that will expire on July 19, 2025.

Current Request:

The applicant, Maximum Craft, LLC, the successor to Craft Custom Homes, LLC, is seeking an additional one (1) - year extension of the previously granted zoning reliefs pursuant to Section §27-613 of the Zoning Ordinance to July 19, 2026.

Zoning Determination:

The proposed development constitutes a land development under the Pennsylvania Municipalities Planning Code, requiring the applicant to complete the Borough's established land development process. The land development process is currently in progress and the Applicant has received land development application reviews and recommendations by the Borough and County Planning Commissions, and has obtained preliminary/final land development application approval from Borough Council by Resolution no. 2022-07 on March 16, 2022. The applicant cannot proceed to apply for permits until the project has adequately addressed all outstanding review comments and obtained the required approvals for land development plans recordation. Therefore, an extension of the previously granted relief is required.



Eastburn and Gray, PC

Attorneys at Law

Michael E. Peters, Esquire

60 East Court Street

P.O. Box 1389

Doylestown, PA 18901

(215) 345-7000

mpeters@eastburngray.com

July 16, 2025

VIA E-MAIL

Alexander M. Glassman, Esquire

Clarke Gallagher Barbiero Amuso & Glassman Law

aglassman@cgbaglaw.com

**RE: Conshohocken Zoning Hearing Board
261-263 East Elm Street**

Dear Alex:

Please be advised that on July 16, 2025, Borough Council of the Borough of Conshohocken reviewed application no. Z-2025-07, a request for extension of the relief granted for 261-263 East Elm Street in the decision of the zoning hearing board dated August 26, 2021, in application no Z-2021-12.

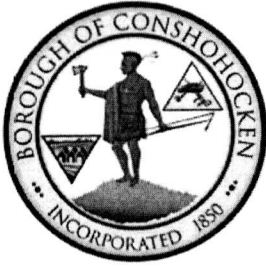
By prior extension the relief granted in application no. Z-2021-12 expires on July 19, 2025. The zoning relief was granted almost 4 years ago. To the extent the zoning hearing board believes additional extension of the relief granted in application no. Z-2021-12 is appropriate, Borough Council respectfully requests that the zoning hearing board limit the extension to a 6 month extension, given the current procedural posture of the land development application.

Thank you for your attention to this matter.

Very truly yours,

Michael E. Peters, Esquire
Borough Solicitor

cc: Debra A. Shulski, Esquire, counsel for applicant, debbie@rrhc.com
Stephanie Cecco, Borough Manager, scecco@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2025-07

Date Submitted: 6/5/25

Date Received: 6/5/25

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 Extension of Zoning Hearing Board Decision dated August 26, 2021 as extended by Decision dated July 17, 2023

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

§27-613

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

261-263 East Elm Street

4. Applicant's Name: Maximum Craft, LLC (successor to Craft Custom Homes, LLC)

Address: 6 Poplar Street, Suite 200-B, Conshohocken, PA 19428

Phone Number (daytime): 610-945-7860

E-mail Address: ryan@builtbycraft.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: N/A Zoning District: N/A

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

Yes ☒ No ☐ If yes, please describe.

Zoning Hearing Board Decision dated August 26, 2021 as extended by letter decision dated July 17, 2023

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

N/A

10. Please describe the proposed use of the property.

N/A

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

N/A

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

Applicant is seeking an extension of the prior Zoning Hearing Board Decision dated August 26, 2021. Since the time of the Zoning Decision, Applicant has been diligently pursuing land development approval from the Borough and addressing the post approval requirements. Applicant is currently proceeding forward with the structural engineering design required for purposes of the building permit submission.

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

a. The unique characteristics of the property: _____

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

c. How the proposal is consistent with the character of 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.

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.

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

See response to paragraph 12.

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

§27-613

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

See response to paragraph 12. Applicant will present further evidence and legal argument at the time of the hearing.

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

a. Attorney's Name: Debra A, Shulski, Esquire

b. Address: 717 Constitution Drive, Suite 201, Exton, PA 19341

c. Phone Number: 610-458-4400

d. E-mail Address: debbie@rrhc.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.

Dalia G. Shulski
Applicant Attorney for Applicant/Owner

Legal Owner

6-4-25
Date

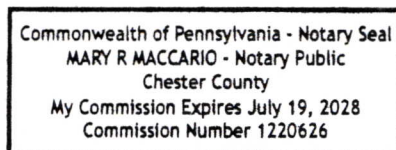
COMMONWEALTH OF PENNSYLVANIA

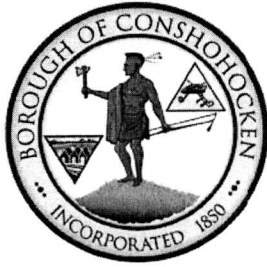
COUNTY OF ~~MONTGOMERY~~ CHESTER

As subscribed and sworn to before me this 4th day of
June, 2025.

Mary R. Maccario
Notary Public

(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: _____



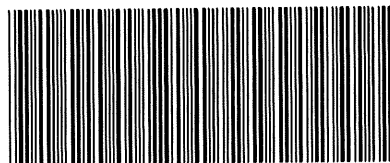
RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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

DEED BK 6266 PG 00477 to 00481

INSTRUMENT # : 2022015707

RECORDED DATE: 02/07/2022 12:42:35 PM



6059756-0021Y

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed	Transaction #: 6505184 - 3 Doc(s)
Document Date: 01/03/2022	Document Page Count: 4
Reference Info:	Operator Id: JSorg
RETURN TO: (Simplifile) Aaron Abstract 526 Township Line Road Blue Bell, PA 19422 (215) 283-4800	PAID BY: AARON ABSTRACT

*** PROPERTY DATA:**

Parcel ID #:	05-00-02200-00-9	05-00-02196-00-4
Address:	263 E ELM ST	261 E ELM ST
	PA	PA
Municipality:	Conshohocken Borough (100%)	Conshohocken Borough (0%)
School District:	Colonial	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1,235,366.00
TAXABLE AMOUNT: \$1,235,366.00

FEES / TAXES:

Recording Fee:Deed	\$86.75
Additional Parcels Fee	\$15.00
Affordable Housing Parcels	\$0.50
State RTT	\$12,353.66
Conshohocken Borough RTT	\$6,176.83
Colonial School District RTT	\$6,176.83
Total:	\$24,809.57

DEED BK 6266 PG 00477 to 00481
Recorded Date: 02/07/2022 12:42:35 PM

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:

Aaron Abstract Company
526 Township Line Road
Suite 200
Blue Bell, PA 19422
215-283-4800

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-02200-00-9 CONSHOHOCKEN BOROUGH
263 E ELM ST
STALEY JOHN J SR & STALEY JOSEPH F STALEY & JOHN J JR
B 018 L U 015 3321 01/21/2022 JW

File No. FAF1043

UPI # 05-00-02200-00-9 (A) 05-00-02196-00-4 (B)

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-02196-00-4 CONSHOHOCKEN BOROUGH
261 E ELM ST
STALEY JOHN J SR & JOSEPH F & JOHN J JR \$15.00
B 018 L U 007 2102 01/21/2022 JW

This Indenture, made the 3rd day of January, 2022,

Between

JOHN J. STALEY, SR., JOSEPH F. STALEY AND JOHN J. STALEY, JR.

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

MAXIMUM CRAFT, LLC

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

Witnesseth, that the said Grantors for and in consideration of the sum of **One Million Two Hundred Thirty-Five Thousand Three Hundred Sixty-Six And 00/100 Dollars (\$1,235,366.00)** 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

PREMISES "A"

ALL THAT CERTAIN lot or piece of ground, **SITUATE** in Conshohocken Borough, Montgomery County, Pennsylvania, bounded and described according to a Land Subdivision Agreement made by John L. Dzedzy, Inc., dated January 22, 1983 and reviewed March 14, 1983, and recorded in Plan Book B-40 page 181, as follows, to wit:

BEGINNING at a point of intersection formed by the Westerly side of Poplar Street and the Southerly side of Elm Street (50 feet wide); thence extending from said point of beginning along the said Westerly side of Poplar Street South 6 degrees 55 minutes West 150.14 feet to a point a corner of lands now or late or Consolidated Rail Corp.; thence extending along the same North 83 degrees 23 minutes West crossing a certain 12 inch drain pipe 226.38 feet to a point in line of lands now or late of Fine Grinding Corp.; thence extending along the same North 6 degrees 37 minutes East 23.29 feet to a point a corner of Lot 1 as shown on the above mentioned plan; thence extending along the same the four following courses and distances: (1) South 83 degrees 23 minutes East 15 feet to a point; (2) North 6 degrees 37 minutes East 15 feet to a point; (3) South 83 degrees 23 minutes East crossing a certain 10 feet wide easement and recrossing the said 12 inch drain pipe therein 94.80 feet to a point and (4) North 6 degrees 37 minutes East 40.85 feet to a point; thence extending South 3 degrees 23 minutes East 25 feet to a point; thence extending North 6 degrees 55 minutes East 71 feet to a point on the Southerly side of Elm Street; thence

extending along the same South 83 degrees 23 minutes East 92 feet to the first mentioned point and place of beginning.

CONTAINING in area 19,755 square feet (more or less)

BEING Lot 2 as shown on the above mentioned plan.

BEING Assessment Parcel No. 05-00-02200-00-9

PREMISES "B"

ALL THAT CERTAIN lot or piece of land known as 261 E ELm STreet, Situate in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the South side of Elm Street, at the distance of 92 feet Westerly from Poplar Street; thence along Elm Street, Westerly 31.7 feet to a stake, a corner of this and land conveyed to Henry C. Messinger; thence along said land Southerly, parallel with Poplar Street, 70 feet to the Northerly side of land conveyed to the Pennsylvania Schuylkill Valley Railroad Company; thence along said land Easterly 31.7 feet to a stake; thence Northerly parallel with Poplar Street, aforesaid; 70 feet to the place of beginning.

BEING Parcel No. 05-00-02196-00-4

BEING the same premises which Joseph G. Proietto and Ann T. Proietto, by Deed dated October 7, 1999, and recorded October 18, 1999, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 5292, Page 2391, granted and conveyed unto John J. Staley, Sr., Joseph F. Stanley and John J. Staley, Jr., 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 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:

UNOFFICIAL COPY
DEED 6266 00477

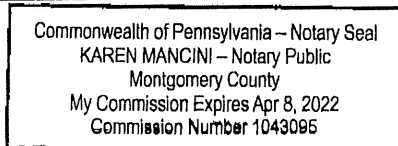
John J. Staley, Sr. {SEAL}
John J. Staley, Sr.

Joseph F. Staley {SEAL}
Joseph F. Staley

John J. Staley, Jr. {SEAL}
John J. Staley, Jr.

Commonwealth of Pennsylvania } ss
County of Montgomery

This record was acknowledged before me on January 3, 2022 by John J. Staley, Sr., Joseph F. Staley, and John J. Staley, Jr.



[Signature]
Notary Public
My commission expires 4-8-22

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

**1549 Dowlin Forge Road
Downingtown, PA 19335**

[Signature]
On behalf of the Grantee

File No. **FAF1043**

Record and return to:

Aaron Abstract Company

526 Township Line Road, Suite 200

Blue Bell, PA 19422

UNOFFICIAL COPY
DEED 6266 00477

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: APPLICATION OF CRAFT CUSTOM HOMES, LLC

REGARDING

261-263 EAST ELM STREET

EXTENSION OF APPLICATION NO. Z-2021-12

DECISION OF THE BOARD

I. HISTORY

On or about October 14, 2020, Craft Custom Homes, LLC (the “Applicant”) filed a Zoning Hearing Board application before the Conshohocken Zoning Hearing Board (the “ZHB”) seeking variances from the use and performance standards of the BR-2 Zoning District, certain performance standards of the Residential Overlay District, and certain provisions of the Floodplain Conservation District of the Borough of Conshohocken Ordinance (the “Ordinance”) for the property located at 261-263 E. Elm St. Conshohocken, PA 19428 (the “Subject Property”) (the “Application”). Hearings were held on the Application on May 12, June 14, and July 19, 2021.

Upon the conclusion of the hearings, the ZHB voted to approve the Application and granted the following specific relief:

1. A variance from Section 27-1714.1.A to alter an existing building and construct a new building in the 100-year flood plain;
2. A variance from Section 27-1903-B.2 to exceed the allowable maximum permitted dwelling unit density of 33 units per acre to permit 21 units on an approximately .5 acre property;

3. A variance from Section 27-1903-B.3.A-C to provide relief from the district's front, side, and rear yard setback standards to permit zero-foot (0') setbacks;
4. A variance from Section 27-1903-B.4 to allow a building coverage of 87.5% when the Ordinance requires a maximum building coverage of 40%;
5. A variance from Section 27-1903-B.6 to allow a parking area setback of one-and-one-half feet (1-½') where the minimum parking area setback is 10 feet from the property lines;
6. A variance from Section 27-1903-B.9 to allow for the parking to be located under the building where parking is required to be located at the rear of the building;
7. A variance from Section 27-1903.B.12 to develop a parcel that does not comply with the minimum tract area for the district where the tract is one-half (½) acre and one (1) acre is required;
8. A variance from Section 27-1904.B.1-5 to provide partial relief from the screening, buffering, and street tree regulations of the Ordinance;
9. A variance from Section 27-2007.F.1-3 to provide relief from the required buffer strip;
10. A variance from Section 27-2007.H to provide relief from the required curbed planting strips;
11. A variance from Section 27-2007.J to provide relief from the requirement of providing shade trees within parking areas;
12. A variance from Section 27-820.C-F to provide relief from the large truck collection access and setback requirements as listed in the Ordinance;

13. A variance from Section 27-1404.4.A-C to provide partial relief from the requirements of shade trees along public streets, landscaping of the front yard adjoining residential districts, side and/or rear yard buffers when adjoining residential districts;
14. A variance from Section 27-1105 to permit relief from the dimensional standards of the BR-2 Borough Residential District Two;
15. A variance, if necessary, from Section 27-1102 to permit the proposed multi-family building.

This granted relief was due to expire and become void unless all necessary permits had been obtained within two (2) years of its approval, or July 19, 2023. The ZHB issued a written decision confirming its approval of the Application on September 2, 2021. This written decision is incorporated herein by reference.

On April 25, 2023, Applicant submitted a letter to the ZHB requesting an extension of the time afforded to commence development pursuant to the relief granted on July 19, 2021 (“Extension Request”).

After notice was duly given and advertised, a hearing on the Extension Request was commenced on June 26, 2023 (“Hearing”). At the Hearing, Applicant was represented by Gina M. Gerber, Esquire.

II. FINDINGS OF FACT

1. The Subject Property is located at 261 and 263 East Elm Street.
2. The Subject Property is bisected by several zoning districts.
3. Applicant owns the Subject Property.
4. Applicant is proposing a redevelopment of the Subject Property consisting of demolishing all of the existing site improvements and constructing a four-story multifamily residential building consisting of 21 units.
5. Applicant also proposes an under-building parking lot containing 42 parking spaces and a courtyard located behind the building.
6. After receiving relief from the ZHB in 2021, Applicant had to obtain conditional approval of its proposed use as well as final land development approval from the Borough of Conshohocken.
7. Applicant has only recently obtained all necessary approvals from the Borough.
8. Applicant must now comply with all comments and conditions attached to the land development approval issued by the Borough, as well as obtain several third-party permits related to its proposed construction.
9. Therefore, Applicant has been unable to commence the construction related to the zoning relief granted by the ZHB in 2021.
10. No residents sought party status or offered public comments regarding the Extension Request.

III. DISCUSSION

Section 27-613 of the Ordinance provides that “[u]nless otherwise specified by the Board, a special exception or variance shall expire if the applicant fails to obtain any and all permits within one year of the date of approval.” The ZHB had previously afforded Applicant two (2) years to obtain such permits.

In a request for a modification of a condition of approval, an Applicant “can obtain relief if [the Applicant] establishes: (1) Either grounds for traditional variance or changed circumstances which render the condition inappropriate; and (2) Absence of injury to the public interest.” South Broad St. Neighborhood Assoc. v. Zoning Bd. of Adjustment, 208 A.3d 539, 545 (Pa. Commw. Ct. 2019). “For changed circumstances to support modification of a condition, the record must contain substantial evidence of exactly ‘what changes in circumstances render the [previously imposed] conditions no longer appropriate.’” Id.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that Applicant has proven all elements as required to justify a modification of a condition. Accordingly, the Board can make the following conclusions of law:

1. Applicant has established changed circumstances that render the condition no longer appropriate; and
2. Applicant's request causes no injury to the public interest.

ORDER

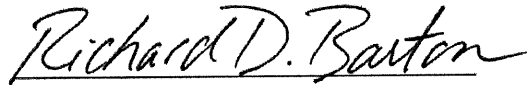
AND NOW, this 17th day of July, 2023, the Application of Craft Custom Homes, LLC seeking a two (2) years extension of time of the relief previously granted on July 19, 2021, issuing several variances from the Conshohocken Borough Zoning Ordinance of 2001, as stated herein, is **GRANTED**. All relief previously granted, and as stated herein, shall now expire on July 19, 2025 unless all applicable permits are obtained or further extension granted by the Zoning Hearing Board.

The Applicant is directed to apply to the Borough Zoning Officer to obtain any appropriate permits.

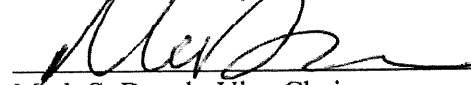
CONSHOHOCKEN ZONING HEARING BOARD

Date Personally Delivered:

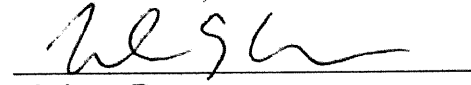
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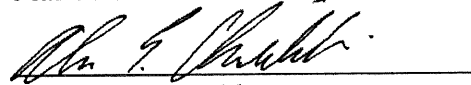
Richard D. Barton, Chair



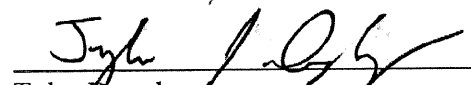
Mark S. Danek, Vice Chair



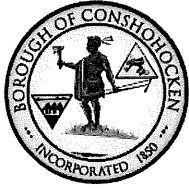
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Alan Chmielewski



Tyler Dunphy



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

July 22, 2021

Debra Shulski, Esq.
Riley Riper Hollin & Colagreco
717 Constitution Drive, Suite 201
Exton, PA 19341

Re: Z-2020-12: 261-263 E. Elm Street Conshohocken, PA 19428

Dear Ms. Shulski,

The Conshohocken Zoning Hearing Board at its July 19, 2021 meeting granted approval of the requested variances in accordance with the terms of your application. The zoning relief has been granted for a period of 2 years.

A written decision is being prepared by the Board's Solicitor and will be forwarded to you at a later date.

Approval is granted subject to your being in compliance with all local, state, and federal laws and regulations. This zoning approval will expire July 19, 2023 should all required permits not be obtained within that time period. (§27-613)

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
Ray Sokolowski, Executive Director of Operations
Michael Peters, Esq., Borough Solicitor
Alex Glassman, Esq., Zoning Hearing Board Solicitor
Zoning Hearing Board

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: APPLICATION OF CRAFT CUSTOM HOMES, LLC

REGARDING

261-263 EAST ELM STREET

APPLICATION NO. Z-2021-12

DECISION OF THE BOARD

I. HISTORY

On or about October 14, 2020, Craft Custom Homes, LLC (the “Applicant”) filed a Zoning Hearing Board application before the Conshohocken Zoning Hearing Board (the “ZHB”) seeking variances from the use and performance standards of the BR-2 Zoning District, certain performance standards of the Residential Overlay District, and certain provisions of the Floodplain Conservation District of the Borough of Conshohocken Ordinance (the “Ordinance”) for the property located at 261-263 E. Elm St. Conshohocken, PA 19428 (the “Subject Property”) (the “Application”).

The Applicant’s specific request for relief includes the following:

1. A variance from Section 27-1714.1.A to alter an existing building and construct a new building in the 100-year flood plain;
2. A variance from Section 27-1903-B.2 to exceed the allowable maximum permitted dwelling unit density of 33 units per acre to permit 21 units on an approximately .5 acre property;
3. A variance from Section 27-1903-B.3.A-C to provide relief from the district’s front, side, and rear yard setback standards to permit zero-foot (0’) setbacks;

4. A variance from Section 27-1903-B.4 to allow a building coverage of 87.5% when the Ordinance requires a maximum building coverage of 40%;
5. A variance from Section 27-1903-B.6 to allow a parking area setback of one-and-one-half feet (1-½') where the minimum parking area setback is 10 feet from the property lines;
6. A variance from Section 27-1903-B.9 to allow for the parking to be located under the building where parking is required to be located at the rear of the building;
7. A variance from Section 27-1903.B.12 to develop a parcel that does not comply with the minimum tract area for the district where the tract is one-half (½) acre and one (1) acre is required;
8. A variance from Section 27-1904.B.1-5 to provide partial relief from the screening, buffering, and street tree regulations of the Ordinance;
9. A variance from Section 27-2007.F.1-3 to provide relief from the required buffer strip;
10. A variance from Section 27-2007.H to provide relief from the required curbed planting strips;
11. A variance from Section 27-2007.J to provide relief from the requirement of providing shade trees within parking areas;
12. A variance from Section 27-820.C-F to provide relief from the large truck collection access and setback requirements as listed in the Ordinance;
13. A variance from Section 27-1404.4.A-C to provide partial relief from the requirements of shade trees along public streets, landscaping of the front yard

adjoining residential districts, side and/or rear yard buffers when adjoining residential districts;

14. A variance from Section 27-1105 to permit relief from the dimensional standards of the BR-2 Borough Residential District Two;

15. A variance, if necessary, from Section 27-1102 to permit the proposed multi-family building.

After notice was duly given and advertised, hearings were held on May 12, June 14, and July 19, 2021. At the hearings, the following Exhibits were introduced and admitted:

Conshohocken Zoning Hearing Board Exhibits

P-1A Zoning Notice

P-1B Zoning Hearing Board Application Memo dated October 13, 2020

P-2 Amended Variance Letter dated February 17, 2021

P-3 Deed

P-4 Agreement of Sale

P-5 Existing Conditions Plan

P-6 Zoning Plan

P-7 Landscape and Lighting Detail

P-8 Proposed Elevations

P-9 Exhibit Package

P-10 Curriculum Vitae of Nicholas A. Vastardis, PE

P-11 Curriculum Vitae of Melissa Duyar, PE

P-12 Curriculum Vitae of Andreas Heinrich, PE, PTOE

P-13 Preliminary Floodplain Study prepared by Kimley-Horn, dated March 18, 2021

- P-14 Trip Generation Analysis prepared by Andreas Heinrich, dated July 16, 2020
- P-15 Parking Assessment prepared by Andreas Heinrich, dated August 31, 2020
- P-16 Request for Party Status by R. Morgan
- P-17 Request for Party Status by J. Straka and P. Paone
- P-18 Letter of P. and J. Paone dated May 4, 2021
- P-19 Memorandum of Law prepared by Applicant
- P-20 Letter of Applicant re: Request to Reopen Record dated June 30, 2021
- P-21 Exhibit prepared by RHC Design, LLC
- P-22 Conditional Use Approval by Borough Council

Applicant's Exhibits

- A-1 Zoning Hearing Board Application submitted by correspondence dated October 13, 2020
- A-2 Amended Variances Requested by correspondence dated February 17, 2021
- A-3 Property Deed
- A-4 Redacted Agreement of Sale
- A-5 Existing Conditions Plan
- A-6 Zoning Plan
- A-7 Landscaping and Lighting Plan
- A-8 Proposed Latest Building Elevation Plans
- A-9 Exhibit package including proposed elevations, floor plans and before and after renderings
- A-10 Curriculum Vitae of Nicholas L. Vastardis, P.E.
- A-11 Curriculum Vitae of Melissa Duyar, P.E., CFM

A-12 Curriculum Vitae of Andreas Heinrich, P.E., PTOE

A-13 Flood Study prepared by Kimley Horn dated March 18, 2021

A-14 Trip Generation Analysis prepared by Andy Heinrich, P.E., PTOE dated July 16, 2020

A-15 Parking Assessment Analysis prepared by Andy Heinrich, P.E., PTOE dated August 31, 2020

Applicant was represented by Debra A. Shulski, Esquire of Riley, Riper, Hollin & Colagreci.

II. FINDINGS OF FACT

1. The Subject Property is located at 261 and 263 East Elm Street.
2. The Subject Property is the site of the original Conshohocken train station.
3. The Subject Property currently contains an existing building occupied by several commercial uses, including a fitness center, locksmith and offices.
4. The Subject Property is bisected by several zoning districts.
5. The Subject Property includes a number of existing nonconformities on the site, including as to the setbacks, impervious coverage, building coverage, landscaping, buffering, and parking.
6. The Subject Property is located primarily in the LI-Limited Industrial Zoning District, with a small portion in the BR-2- Borough Residential 2 Zoning District; the Subject Property is also subject to the Residential Overlay District.
7. The majority of the site is located in the Floodplain Conservation District and Zone AE Special Flood Hazard Area as defined by the FEMA Flood Insurance Rate Map (FIRM).

8. The owners of record of the Subject Property include: John Staley, Joseph Staley, and John Staley Jr. ("Property Owners").
9. Craft Custom Homes, LLC is the equitable owner of the Subject Property.
10. The Applicant is proposing a redevelopment of the Subject Property consisting of demolishing all of the existing site improvements and constructing a four-story multifamily residential building consisting of 21 units.
11. The Applicant also proposes an under-building parking lot containing 42 parking spaces and a courtyard located behind the building.
12. Ryan Alexei, the owner of Craft Custom Homes, LLC, offered the following testimony on behalf of the Applicant:
 - a. Craft Custom Homes has an agreement of sale with Property Owners.
 - b. The agreement with the Property Owners has been extended and is still in full force and effect.
 - c. Craft Custom Homes specializes in redevelopment and infill development of existing neighborhoods in a lot of surrounding communities such as Colonial School District, Conshohocken, King of Prussia, Tredyffrin, and Radnor.
 - d. The Subject Property is at the corner of Elm and Poplar;
 - e. The Subject Property spans from Elm through Poplar and back to the train tracks in the rear.
 - f. The parcels in this general area are designed in a streetscape style, which means the homes are closer to the roadway.

- g. The existing dwelling has two curb cuts to the parcel; Applicant proposes to maintain those curb cuts so as to not interfere or eliminate any on-street parking.
- h. The architecture and landscape architecture design professionals try to take into consideration all of the surrounding area and maintain the streetscape when designing the building and landscape package;
- i. The proposal is similar to with other redeveloped properties in the area in terms of appearance and style.
- j. The Applicant is proposing a first floor parking garage which consists of 42 parking spaces and is proposing a minimum of five scissor lifts to increase their potential parking.
- k. Part of the Applicant's request for the conditional use with Borough Council relates to increasing the building height from 40 feet to 45 feet, which would then allow for the maximization of the number of scissor lifts; this would allow for expanded parking in the future;
- l. Above the first floor parking garage would be three (3) stories and a rooftop deck.
- m. The Applicant reached out to neighbors and received 25 signatures in favor, many of which were on the 200 and 300 block.
- n. The proposal decreases the number of trips according to a traffic study conducted;
- o. There is a potential to have 84 spaces based on future needs.

- p. Regarding parking for development of these particular parcels, Borough Council requested that the Applicant restrict the units to two (2) bedrooms.
- q. Applicant's target market is young industry individuals, newer relationships and/or downsizers.
- r. None of the surrounding buildings on 200 or 300 blocks meet the BR Residential Overlay District side, front, rear yard requirements.
- s. All units are similar in size.
- t. The idea with implementing scissor lifts was to install five (5) of them for the first five (5) buyers, which would then open up five (5) spots, which would not be assigned to the community and could be utilized for guest parking;
- u. The Applicant agreed, at the Borough Council's request, to add power to every single parking spot for future access to scissor lifts and agreed to add power so that each parking spot could have the future availability of an electric vehicle charging station.
- v. The Subject Property is on a one-half (1/2) acre lot.
- w. Due to the provision of parking and the design of the building related thereto, the project is not viable at a reduced density (i.e. sixteen (16) units).
- x. Any adjustment to the building would not significantly alter or change the flood study.
- y. The units vary from 1,500 square feet and 1,700 square feet;
- z. The Applicant is agreeable to maintain this project as two (2) bedroom condos.

- aa. The Applicant spoke with neighbors regarding the project with respect to whether they are in support of the project;
- bb. The Applicant had a team go out and walk door-to-door on several different occasions up and down Elm Street and Hector Street, along with approaching individuals around another property the Applicant owns at 541 East Hector Street, and provide individuals with information on the project;
- cc. The vast majority of people that the Applicant's team approached were in favor of the project.
- dd. The Applicant is proposing an underground containment system with topsoil, which will allow the trees to grow freely;
- ee. The Applicant has agreed to add street lighting, landscape lighting, and building lighting, along with coming up with a decorative design to add additional greenery to the potential project.
- ff. There is landscaping, buffering on the back of the building, which is next to the railroad tracks.

13. Melissa Duyar, a water resource engineer at Kimley-Horn & Associates, was qualified as an expert in engineering with a specialty in floodplain studies and offered the following testimony on behalf of the Applicant:

- a. Ms. Duyar and her company have extensive experience in preparing flood study reports and FEMA related documents.
- b. As part of the floodplain study, Kimley-Horn & Associates, requested the effective FEMA model, the hydrologic and hydraulic models that dictates the 100-year water surface elevation of the Schuylkill River;

- c. Ms. Duyar's office took a copy of FEMA's model and updated it with existing conditions site survey to develop a new existing conditions base, and then took another copy of the model and updated it with a proposed building and proposed grading plan.
 - d. The study determined that there was a 1/100 of a foot of rise at just two cross-sections along the entire model length;
 - e. The model has about 120 cross-sections and there were just two locations where that was occurring.
 - f. The floodplain study was prepared in accordance with the applicable Ordinance requirements;
 - g. What 1/100 of a foot rise means is that, in the proposed conditions, the water surface elevation at two of those cross-sections along the full length of the river experiences 1/100 of a foot rise in the software program that the company uses.
 - h. The floodplain study uses all of the FEMA methodologies.
 - i. The floodplain study did not look at spring water.
14. Nicholas Vastardis, President of Vastardis Consulting Engineers, was qualified as an expert and offered the following testimony on behalf of the Applicant:
- a. Through the development process, it is being proposed to consolidate the parcels as one tract to be developed for the multifamily use.
 - b. The redevelopment of this project would result in a reduction of the existing nonconformities, primarily the impervious coverage, landscaping and parking

- c. One of the variances refers to landscaping parking area; however, given that parking will be under the building, there won't be any light for vegetation to grow
- d. A trash area has been provided removed from the street.
- e. The landscape plan proposes street trees everywhere possible, except where there are utilities or access points;
- f. The landscape plan proposes porous pavers and a soil panel under the sidewalk for trees to grow and infiltrate water;
- g. The building is nonconforming with respect to setbacks, especially along Poplar.
- h. The bisection of the Subject Property by two different zoning districts creates a uniqueness.
- i. The proposed development will be serviced by public water and sewer and other utilities are readily available.
- j. The proposed development provides for adequate buffering and screening.
- k. The sidewalk that currently exists will be ripped up and replaced with pavers.
- l. Additional trees cannot be planted due to utilities;
- m. Any redevelopment of the property for either commercial or residential uses, would require similar relief.
- n. Landscaped islands cannot be placed inside of a building because the vegetation will not be exposed to light or water.

- o. As part of the Conditional Use Approval granted by Borough Council, the Applicant agreed to provide landscaping and screening to the satisfaction of the Borough.
- p. The development is consistent with the Comprehensive Plan, and the Comprehensive Plan supports multifamily use, and encourages land use or redevelopment of this area.
- q. New lighting will be installed.
- r. The building coverage numbers shown on the site plan, the percentage on the plan references 87.5 percent of relief that is being sought, which includes the overall footprint area and certain open air walkway areas;
- s. If the open areas were excluded from the building coverage, the percentage of the building coverage would be 58.7 percent.
- t. The building could not be made any smaller to reduce the amount of building coverage due to the parking, including the stalls, the aisle widths, ingress, and egress;
- u. Given that almost the entirety of the property is located in the Flood Hazard District, any reasonable redevelopment would require that the building be elevated and would require a larger footprint in order to meet the parking requirements.

15. Andreas Heinrich, President of Heinrich & Klein Associates, Inc., was qualified as an expert and offered the following testimony on behalf of the Applicant:

- a. Engineers in estimating traffic for any kind of land use rely on a nationally recognized publication entitled "Trip Generation Manual," which is published

by the Institute of Transportation Engineers and is frequently used to estimate traffic for various land uses.

- b. Mr. Heinrich compared the trip generation for the proposed 21-unit townhouses versus what currently exists on the site;
- c. The current site has retail, general office and a fitness club on the site;
- d. The current use of the site is expected to generate more than 300 trips a day, total inbound and outbound, with 14 morning peak hour trips and 40 afternoon peak trips;
- e. This was compared to the proposed 21-unit townhouses, which can be expected to generate 118 trips per day, total inbound and outbound, with 11 morning peak hour trips, and 15 afternoon peak hour trips;
- f. Replacing the current use with the proposed residential use results in a trip reduction of more than 180 trips in a day, more than three peak hour trips in the morning peak hour, and reduce the afternoon trip generation by 25 trips per day;
- g. The proposed use is a less intensive use, in terms of traffic generation and impact, than what currently exists on the site.
- h. For the parking assessment analysis dated August 31, 2020, Mr. Heinrich examined national guidelines to compare what kind of parking would be adequate for the development, as proposed;
- i. Mr. Heinrich looked at a publication entitled, "Parking," which is published by the Eno Foundation for Transportation, along with a publication entitled

“Parking Generation,” which is published by the Institute of Transportation Engineers;

- j. The Application proposes provide 42 parking spaces, which results in a ratio of two (2) spaces per dwelling unit for the site.
 - k. Two (2) spaces per dwelling unit represents a more than adequate parking supply for the proposed development.
 - l. The proposed project will not result in any undue congestion and hazard.
 - m. Mr. Heinrich has worked on other projects that involved automated parking;
 - n. Mr. Heinrich is not aware of any issues regarding health, safety or welfare concerning scissor lifts.
 - o. Each unit will be assigned one parking space, and then the remaining spaces will be available on a first-come, first-serve basis
 - p. Given that the building height was approved, it would allow for even more opportunity to provide these scissor lifts, and therefore, more additional parking beyond the minimum amount required by the zoning ordinance.
 - q. For the commercial use, trip rates are based on equations and rates that are related to thousands of square feet of floor area;
 - r. Mr. Heinrich used square footage as the variable in the analysis.
 - s. On-street parking was not included in the calculation;
 - t. The on-street parking spaces were not 100 percent occupied;
16. Julia Straka and Phil Paone of 346 East Elm Street, Conshohocken, Pennsylvania, were granted party status.
17. No other residents offered comments regarding the application.

III. DISCUSSION

Section 27-1714 of the Ordinance, entitled “Uses Prohibited in Floodplain Conservation District”, in its pertinent parts states:

1. Any use or activity not authorized within § 27-1713 shall be prohibited within the Floodplain Conservation District, and the following activities and facilities are specifically prohibited, except as part of a redevelopment project in compliance with § 27-1713, Subsection 1G:
 - A. No new construction, alteration, or improvement of any buildings and any other type of permanent structure, including fences, shall be permitted in the floodway or the one-hundred-year floodplain.

Section 27-1903-B of the Ordinance, entitled “Performance Standards”, in its pertinent parts states:

1. Any buildings constructed as part of the Residential Overlay District shall reflect the scale, rhythm, materials, height, and massing of the buildings adjacent to the proposed development site. Considerations should be given to the buildings surrounding the parcel for development, as well as to the buildings and structures that form the streetscape.
2. Maximum density: 33 dwellings per acre.
3. Yards.
 - A. Front yard: 30 feet to be measured from the property line.
 - B. Side yard: two required; 10 feet for each side measured from the property line.
 - C. Rear yard: 30 feet to be measured from the property line.
4. Maximum building coverage: 40% of total lot area.
5. Maximum impervious coverage: 80% of total lot area, subject to the approval of the Borough Engineer.
6. Parking area setbacks. From property line: 10 feet.
7. Internal driveway setback. From property line: 10 feet.

8. Parking requirements. A minimum of two parking spaces per unit shall be provided on-site. These spaces shall be adequately identified and designated for each unit.
9. Parking Lot Location. Parking shall be to the rear of the building.
10. Minimum Building Separation.
 - A. Between ends of buildings, or end of one building and side (longer dimension) of another: 40 feet.
 - B. Between parallel sides of buildings: 40 feet.
11. Height limit: 35 feet, unless otherwise permitted by Conshohocken Borough Council as a conditional use.
12. Minimum tract area: The minimum tract area shall be one acre.

Section 27-1904-B of the Ordinance, entitled "Landscaping and Buffering Standards", in its pertinent parts states:

1. Any development that is adjacent to a residential use shall be screened from that use by wall, fence or landscape material. If landscaping materials are used, such landscaping screen shall be designed by a landscaping architectural plan which shall be approved by the Borough.
2. Street trees shall be provided along all streets. Shade trees shall be provided at a maximum spacing of 30 feet on center and a minimum caliper of 3 1/2 inches.
3. Service areas. All trash dumpsters, receptacles, etc., shall be screened from the view of residents, adjoining properties, and streets. Such screening may use landscape materials, opaque fences or a combination of both.
4. All parking lots shall be screened by a buffer of trees and shrubs from all adjacent properties and streets.
5. The use of native plant materials and naturalistic design is encouraged.

Section 27-2007 of the Ordinance, entitled "Design Requirements for Parking Lots", in its pertinent parts states:

- F. Unless specified in an individual district, a buffer strip 10 feet in width shall be provided along each property line abutting a

residential property or a public right-of-way. The buffer shall be designed according to the following standards:

1. Where a parking area adjoins a residential property, a dense, continuous, evergreen screen at least six feet in height shall be provided. In lieu of a planted buffer, a six feet high decorative opaque fence may be substituted.
2. Where a parking area adjoins a public right-of-way, a screening of continuous evergreen hedging a minimum of four feet in height shall be provided. In lieu of a hedge planting, a decorative wall at least four feet in height or a combination of plantings, ornamental fencing and walls may be provided.
3. The use of native plant materials and naturalistic design is encouraged.

H. No parking area shall abut directly upon a public street, but instead shall be separated from the street by curbed planting strips a minimum of five feet in depth from the edge of the cart way or sidewalk, with suitable breaks for access ways.

J. Shade trees shall be provided within all parking areas at a minimum rate of one 3 1/2 inch caliper shade tree per 10 parking spaces.

Section 27-820 of the Ordinance, entitled "Refuse Collection Facilities", in its pertinent parts states:

In all zoning districts, multifamily, commercial, industrial, or office uses refuse collection facilities must be provided by the applicant, either inside the building(s) or within an area enclosed by either walls or opaque fencing, according to the following provisions:

- A. These facilities shall be architecturally compatible with the building(s).
- B. Walls or fencing shall be designed to shield the refuse facilities from direct view from adjacent properties, to a height of at least six feet.
- C. These facilities shall be designed in a manner that can accommodate large collection trucks.
- D. Landscaping is required around these facilities.

- E. Refuse facilities attached to or within buildings shall be subject to the same building setbacks as the buildings.
- F. Refuse facilities detached from buildings shall be subject to the setback of 10 feet from all property lines.

Section 27-1404.4 of the Ordinance, entitled “Additional Development Regulations - Landscaping”, in its pertinent parts states:

- A. Shade trees shall be provided along all public streets.
- B. The area within the front yard setback shall contain shade trees and ornamental plantings when the property adjoins or faces a residential use or district.
- C. A screen buffer of evergreens and/or an opaque fence, six feet in height, shall be required whenever a side yard or rear yard adjoins a residential use.

Section 27-1105 of the Ordinance, entitled “Permitted Use Dimensional Standards”, in its pertinent parts states:

The following standards shall apply to all permitted uses in the BR-2 District.

- A. The minimum lot size shall be 3,500 square feet for single-family detached dwellings; 2,500 square feet for single-family semidetached dwellings per individual dwelling unit; 1,800 square feet per unit for single-family attached dwellings; and 5,000 square feet for two family detached dwellings.
- B. The minimum lot width shall be 40 feet for single-family detached dwellings; 25 feet for single-family semidetached dwellings; 18 feet per unit for single-family attached dwellings; and 50 feet for two-family detached dwelling.
- C. The front yard setback shall be 15 feet, to be measured from the ultimate right-of-way line; except where there is an established line, as herein defined, then the building line of the majority of the buildings on that side of the block shall be used as the minimum required front yard setback. However in no case shall the setback be less than 10 feet from the face of a curb of a public street.
- D. The minimum rear yard setback shall be 25 feet.
- E. The minimum side yard setback shall be five feet for each side for a single-family detached dwellings. Semidetached

dwelling shall have a five-foot side yard setback for the side not sharing a common wall. The minimum side yard setback of a two-family detached or the end unit of a single-family attached dwelling shall be seven feet.

- F. Not more than eight single-family attached dwelling units per series shall be permitted.
- G. The maximum building coverage shall not exceed 40% of the lot area.
- H. The maximum impervious coverage shall not exceed 60% of the lot area. A minimum of two permanent rear off-street parking spaces per single-family dwelling measuring nine feet by 18 feet may be excluded from the impervious coverage calculation. Such spaces will be subject to review by the Borough Engineer to determine that there are no adverse effect related to drainage and stormwater management. The cost of the engineering review will be born by the homeowner.
- I. The maximum building height shall not exceed 35 feet.
- J. The minimum building width shall be 18 feet.

Section 27-1102 of the Ordinance, entitled "Permitted Uses", in its pertinent parts states:

- 1. Single-family detached dwellings (single).
- 2. Single-family semidetached dwellings (twin).
- 3. Single-family attached dwellings (townhouse).
- 4. Two-family detached dwellings (duplex).
- 5. Accessory uses pursuant to Part 8, General Regulations, § 27-811, of this Chapter.

In a request for a variance, the Board is guided by Section 910.2 of the Pennsylvania Municipalities Planning Code (hereinafter called "MPC"). An applicant for a variance has the burden of establishing that literal enforcement of the provisions of the Ordinance will result in an unnecessary hardship as that term is defined by law, including court decisions, and that the allowance of the variance will not be contrary to the public interest. Section 910.2 of the MPC permits the Board to grant a variance where it is alleged that the provisions of the Ordinance inflict unnecessary hardship upon the Applicant and when the Board can make certain prescribed findings where relevant in a given case.

The variances requested are dimensional in nature. When seeking a dimensional variance within a permitted use, 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. Hertzberg v. Zoning Bd. of Adjustment of City of Pittsburgh, 721 A.2d 43, 47 (Pa. 1998). Thus, the grant of a dimensional variance is of lesser moment than the grant of a use variance, since the latter involves a proposal to use the property in a manner that is wholly outside the zoning regulation. Id.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that Applicant shall be granted the requested variances for all Applications. The Applicant has proven an unnecessary hardship unique or peculiar to the property and that the variance is not contrary to the public interest. The Order and Decision reflect this determination. Accordingly, the Board is able to make the following relevant findings under Section 910.2 of the MPC:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the property, and that the unnecessary hardship is due to such condition, and not the circumstances or conditions generally created by the provisions of the Ordinance in the neighborhood or district in which the property is located;
2. That because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of the Ordinance and that the authorization for a variance is therefore necessary to enable the reasonable use of the Subject Property;

3. That the variance will not alter the essential character of the neighborhood or district in which the Subject property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, or be detrimental to the public welfare;
4. That the unnecessary hardship has not been created by the Applicant; and,
5. That the variance will represent the minimum variance that will afford relief and will represent the least modification possible under the pertinent provisions of the Ordinance.

ORDER

AND NOW, this 26th day of August, 2021, the Application of Craft Custom Homes, LLC seeking variances from the Conshohocken Borough Zoning Ordinance of 2001 is **GRANTED** to permit a residential multi-family building with associated parking in conformity with the exhibits and testimony presented at the hearings.

The Applicant is directed to apply to the Borough Zoning Officer to obtain any appropriate permits.

CONSHOHOCKEN ZONING HEARING BOARD

Date Personally Delivered:

Richard D. Barton

Mark S. Danek

Or Date emailed:

9/2/21

Gregory Scharff

Marlowe Doman

Alan Chmielewski

I, Alexander Glassman, the Solicitor of the Conshohocken Zoning Hearing Board, hereby certify that each member of said Board has read and approved this written opinion, which accurately reflects the actions and vote by said Board at its July 19, 2021 hearing in this matter. Said Board members have consented to their signatures to be affixed to this Decision as above.

Alexander M. Glassman

Alexander M. Glassman, Esquire

DEBRA A. SHULSKI
debbie@rrhc.com
extension: 210



June 4, 2025

via hand delivery and email

Allison Lee, Zoning Officer
Borough of Conshohocken
400 Fayette Street, Suite 200
Conshohocken, PA 19428
zoning@conshohockenpa.gov

**Re: 261-263 East Elm Street
Request for Extension of Zoning Decision**

Dear Ms. Lee:

This is to request on behalf of Maximum Craft, LLC, the successor to Craft Custom Homes ("Owner"), an extension of the Zoning Hearing Board Decision dated August 26, 2021 ("ZHB Decision") as extended by a Decision and Order dated July 17, 2023 to the extent required. As you know, the ZHB Decision granted certain variance relief with respect to the above referenced Property. Following the ZHB Decision, the Owner received final land development plan approval and has been working through addressing the final plan review comments from the Borough consultants and is now proceeding with the structural design for purpose of the submission of the building permits. To the extent necessary given the land development plan has been approved, the Owner is requesting an extension from Section 27-613 of the Zoning Ordinance to extend the ZHB Decision for an additional one-year period until July 19, 2026.

Enclosed as part of this request are the following documents:

1. Zoning Hearing Board Application Form;
2. Zoning Hearing Board Decision dated August 26, 2021 and earlier correspondence from Zoning Officer dated July 22, 2021;
3. Extension Decision dated July 17, 2023;
4. Property Deed; and

5. Two checks made payable to Borough of Conshohocken in the amounts of \$250.00 and \$750.00 representing the application and escrow fee.

Kindly schedule this matter on the next available agenda. It is my understanding that the Borough handles all applicable notice requirements (including newspaper publication posting and individual notices), but if this is not the case, please let me know.

Thank you for your attention to this matter. We look forward to being before the Board at that time.

Very truly yours,



DEBRA A. SHULSKI

DAS/mrm

Enclosures

cc: Ryan Alexaki (*via e-mail*)
Gina Gerber, Esquire (*via email*)



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE JULY 21, 2025 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2025-09

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on July 21, 2025 at 6:30 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: HPA Tax Sale 2024, LLC, c/o Andrew Blum
720 Fayette Street, Suite 100
Conshohocken, PA 19428

PREMISES INVOLVED: 110 East 7th Avenue
Conshohocken, PA 19428
BR-1 – Borough Residential District 1

OWNER OF RECORD: HPA Tax Sale 2024, LLC
720 Fayette Street, Suite 100
Conshohocken, PA 19428

The petitioner is seeking a variance from Section §27-1007.1 of the Conshohocken Zoning Ordinance to allow for an off-street parking area to be located in the front yard of the property where off-street parking spaces located between the front wall of the principal structure and the curb of the street toward which that wall is oriented in the BR-1 zoning district is not permitted.

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

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: July 16, 2025

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 110 East 7th Avenue – Zoning Determination

History of the Site:

110 East 7th Avenue is comprised of an existing three (3) -story single-family semi-detached (twin) residential dwelling that was constructed in 1910. The 6,850 SF property is located within the BR-1 – Borough Residential District 1 zoning district.

The site is fronted by East 7th Avenue to the south; low rise apartment complexes and Harry Street to the west; a parking lot and commercial property to the rear and north of the property; and residential properties also located within the BR-1 zoning district in all other directions.

There is also an existing driveway apron leading to a vacant land area located to the west of the existing dwelling on the parcel.

Current Request:

The applicant, HPA Tax Sale 2024, c/o Andrew Blum, is seeking to subdivide the existing parcel to construct a new single-family detached dwelling in the existing vacant land portion of the parcel with an attached garage facing East 7th Avenue.

The applicant is seeking a variance from Section §27-1007.1 of the Conshohocken Zoning Ordinance to allow for an off-street parking area to be located in the front yard of the property where off-street parking spaces located between the front wall of the principal structure and the curb of the street toward which that wall is oriented in the BR-1 zoning district is not permitted.

Zoning Determination:

The applicant, HPA Tax Sale 2024, c/o Andrew Blum, is seeking to subdivide the existing parcel to construct a new single-family detached dwelling in the existing vacant land portion of the parcel. The proposed single-family detached dwelling will have an unenclosed front porch, rear patio/deck, and an attached garage facing East 7th Avenue.

The proposed unenclosed front porch will be projecting approximately three (3) ft into the front yard setback. Pursuant to Section §27-805.A, an unenclosed porch, not more than fourteen (14) ft in height,

may be erected to extend into a required front or rear yard a distance of not more than ten (10) ft, provided that in no case shall it extend into such front or rear yard more than half (1/2) the required depth of the yard. The proposed unenclosed porch will be in compliance with this code provision.

The applicant is also proposing to abandon the existing driveway apron and construct a new driveway apron and driveway leading to the new attached garage for off-street parking located in the front yard. Per Section §27-1007.1 of the Conshohocken Zoning Ordinance, there shall be no parking lots or required off-street parking spaces permitted between the front wall of a principal structure and the curb of the street toward which that wall is oriented in the BR-1 District.

Since the applicant is proposing a new driveway with off-street parking to accommodate one (1) vehicle parking, located between the front wall of the proposed new single-family dwelling and the curb of East 7th Avenue, the applicant would be required to seek a variance from Section §27-1007.1 to permit the off-street parking located in the front yard.

Based on the "BR-1 Tabulation of Zoning Conformance" table on the proposed site plan, the applicant will be in compliance with all the dimensional standards of the BR-1 zoning district; therefore, no further zoning relief is required.

Per Section §27-202, the proposed subdivision of land will be subject to the subdivision and land development application process by definition.



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

BOROUGH of CONSHOHOCKEN

JUN 20 '25 PM12:05

RECEIVED

Zoning Application

Application: Z-2025-09

Date Submitted: 6/20/25

Date Received: 6/20/25

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 (Permitted Use Dimensional Standards) & 27-1007.1 (Additional Requirements)

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

110 E. 7th Avenue, Conshohocken Pa (Tax Parcel 050007712005)

4. Applicant's Name: HPA Tax Sale 2024, LLC c/o Andrew Blum

Address: 720 Fayette Street, Suite 100 Conshohocken, Pa. 19428

Phone Number (daytime): (215) 669-3409

E-mail Address: andy@howgroup.com

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

6. Property Owner: HPA Tax Sale 2024, LLC

Address: 720 Fayette Street, Suite 100 Conshohocken, Pa. 19428

Phone Number: (215) 669-3409

E-mail Address: andy@howgroup.com

7. Lot Dimensions: 6,933 sq. ft. Zoning District: BR-1

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.

Presently, the Property contains a 970 sq. ft. single family semi-detached dwelling utilizing public water and public sewer facilities. Adjoining the existing single family dwelling is a vacant piece of ground. One (1) curb cut currently exists leading to a small driveway.

10. Please describe the proposed use of the property.

The proposed use of the two (2) newly created lots (as described in further detail below) is for two (2) single-family homes (one (1) newly constructed, one (1) existing to remain). Four (4) off-street parking spaces are proposed.

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

The instant proposal includes the subdivision of the Property into two (2) lots. The two (2) newly formed lots (Lot 1 and Lot 2) meet the minimum lot size and width requirements of the BR-1 zoning district. On Lot 2, the existing single-family dwelling will be maintained. Two (2) surface vehicle parking spaces are proposed to be added on the western side of the lot. On Lot 1, a new 3-story single-family dwelling is proposed to be erected (1,340sf), including two (2) vehicle parking spaces (one (1) interior garage space, one (1) exterior surface space) with a rear patio/deck.

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

As will be described in further detail in Proposed Findings of Fact and Conclusions of Law, to be submitted to the ZHB, two (2) variances are needed. As described below, the Code front setback requirement cannot be uniformly applied given the existing diversity of front setbacks on this block. Furthermore, due to the grade of the site, the stormwater management facilities can only be installed in one (1) location in the front, which eliminates the possibility of providing any less front setback than currently proposed. Regarding the parking, though the Code would require two (2) spaces for single-family dwellings, a rear location is not possible on this site due to its shallowness, lack of rear alley, and inability to move the house forward due to the stormwater management constraints. Eliminating the parking all together would also require a variance, so the Property suffers the true essence of a hardship in that there is no possibility of designing the home to comply with the Code. The proposed parking for the existing home will reduce a non-conformity. More off-site parking will be added than is being lost from the street (only two (2) spaces being removed, while four (4) off-street spaces are being added).

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

a. The unique characteristics of the property: The Property is much shallower than other comparable properties on the block (100ft long v. approx. 140-150 ft) Further, there is also no rear alley behind E. 7th Street between Harry Street & Hallowell Street.

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

In terms of the setback, the setback attempts to mold to an "established building line", which is inconsistent along this block and requires an average calculation that would bring the new structure roughly 7ft closer to the frontage than proposed. This is a de minimus dimensional request that further allows the Applicant to install required stormwater facilities and provide required parking. Regarding parking, the Code requires parking but restricts it to a location which is not viable for the lots given unique dimensional characteristics that cannot be resolved. Requesting a variance for the location of the parking is a lesser variance than requesting no parking at all.

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

The front setback of the new structure would be reasonably uniform with the non-uniform block with front setbacks ranging from around 0ft to 24ft. In terms of parking, the proposed front-access parking is a similar condition that exists further down the block as well as around Conshohocken on lots with similar constraints.

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 front setback is the least minimum to ensure that stormwater management facilities (which are required by Code) can be provided in the solitary possible location on site in the front. By reducing the front setback, the stormwater management would become impossible to locate. Furthermore, it would completely eliminate the viability of providing parking, which would create another variance for insufficient parking. For the existing SFD, this is bringing the structure further in compliance with the Code, where it currently is a non-conforming

structure with no parking. Providing parking in a non-compliant location is a lesser variance than providing none at all.

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).

N/A

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

N/A

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.

N/A

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

N/A

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

N/A

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

a. Attorney's Name: Meredith Ferleger, Esq.

b. Address: 1650 Market Street, Suite 1200, Philadelphia, PA 19103

c. Phone Number: 215-575-7052

d. E-mail Address: mferleger@dilworthlaw.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

6/19/25

Date

COMMONWEALTH OF PENNSYLVANIA

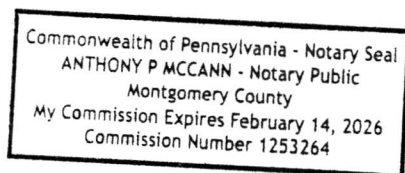
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 19 day of
June, 2025.



Notary Public

(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"/>

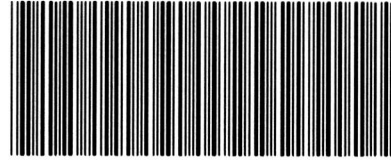
DATE OF ORDER: _____



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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

DEED BK 6395 PG 01690 to 01694
INSTRUMENT # : 2025015130
RECORDED DATE: 03/26/2025 10:56:32 AM



6395252-0019Z

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed Document Date: 03/05/2025 Reference Info:	Transaction #: 7065992 - 1 Doc(s) Document Page Count: 4 Operator Id: smassie
RETURN TO: (Simplifile) Diversified Settlement Services Inc 2110 S. Eagle Road Suite 360 Newtown, PA 18940 (215) 439-1531	PAID BY: DIVERSIFIED SETTLEMENT SERVICES INC

*** PROPERTY DATA:**

Parcel ID #: 05-00-07712-00-5
Address: 110 E SEVENTH AVE

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

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$440,000.00
TAXABLE AMOUNT: \$440,000.00

FEES / TAXES:

Recording Fee:Deed	\$86.75
State RTT	\$4,400.00
Conshohocken Borough RTT	\$2,200.00
Colonial School District RTT	\$2,200.00
Total:	\$8,886.75

DEED BK 6395 PG 01690 to 01694
Recorded Date: 03/26/2025 10:56:32 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:

Carriage House Abstract, LLC
2110 South Eagle Road, 360
Newtown, PA 18940

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-07712-00-5 CONSHOHOCKEN BOROUGH
110 E SEVENTH AVE

MONTEMAYOR ROGER C REVOCABLE TRUST \$15.00
B 037 L U 076 1101 03/26/2025 JG

File No. CHA-791

Parcel ID No. 05-00-07712-00-5

This Indenture, made the 5th day of March, 2025, with an effective date of MARCH 25, 2025,

Between

Roger C. Montemayor, Trustee of the Roger C. Montemayor Revocable Trust
Dated March 26, 2013

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

HPA Tax Sale 2024, LLC, a Pennsylvania limited liability company

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

Witnesseth, that the said Grantor for and in consideration of the sum of **FOUR HUNDRED FORTY THOUSAND AND 00/100 (\$440,000.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, 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 Grantee

ALL THAT CERTAIN lot or piece of ground, with the buildings and improvements thereon erected, situate in the Borough of Conshohocken, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a Plan of Lots for Alfred M. Johnston and David S. Kelso, made by Damon and Foster, Civil Engineers, Sharon Hill, Pennsylvania, dated June 20, 1957 as follows to wit:

BEGINNING at a point on the Northeasterly side of East seventh avenue (eighty feet wide) at the distance of fifty feet measured South forty-nine degrees East from the

intersection of the Southeasterly side of Harry Street (fifty feet wide); thence extending from said point of beginning, North forty-one degrees East one hundred five feet to a point on the Northeasterly side of a certain five feet wide right of way and in line of lot no. 13 on said plan; thence extending along the same, South forty-eight degrees forty-eight minutes East seventy and four one-hundredths feet to a point in line of lot no. 11 on said plan; thence extending along the same, and extending partly through the party wall dividing the dwelling on these premises from the premises to the Southeast, South forty degrees fifty-seven minutes West ninety-eight and ninety-four one-hundredths feet to a point on the said side of East seventh avenue; thence extending along the same, North forty-nine degrees West seventy and twelve one-hundredths feet to the first mentioned point and place of beginning.

BEING Lot No. 12 on said plan.

UNDER AND SUBJECT to a certain easement of five feet wide right of way extending across rear of premises.

Being the same premises which Dorothy M. Leonard by Deed dated October 19, 2001 and recorded November 27, 2001 in Montgomery County in Deed Book 5386 Page 1920 conveyed unto Roger C. Montemayor, in fee.

Being the same premises which Roger C. Montemayor by Deed dated June 11, 2013 and recorded July 29, 2013 in Montgomery County in Deed Book 5882 Page 1509 conveyed unto Roger C. Montemayor Revocable Trust Dated March 26, 2013, 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 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 Grantee, their heirs and assigns, to and for the only proper use and behoof of the said Grantee, their heirs and assigns, forever.

And the said Grantor, for themselves and their heirs, executors and administrators, does, by these presents, covenants, grants and agrees, to and with the said Grantee, their heirs and assigns, that he, the said Grantor, 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, their heirs and assigns, against him, the said Grantor, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party 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:

Witness

Roger C. Montemayor Revocable Trust Dated March
26, 2013

By: Roger C. Montemayor, Trustee
Roger C. Montemayor, Trustee

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF BUCKS

This record was acknowledged before me on 5th day of March, 2025 by Roger C. Montemayor,
Trustee of Roger C. Montemayor Revocable Trust Dated March 26, 2013.

[Signature]
Signature of notarial officer
Stamp

Commonwealth of Pennsylvania - Notary Seal
STEPHEN A. DANASTORG, Notary Public
Bucks County
My Commission Expires May 13, 2026
Commission Number 1034947

Title of office

My commission expires:

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

720 KAYETTE STREET, STE 100

CONSHOHOCKEN, PA 19028

[Signature]
On behalf of the Grantee

Deed

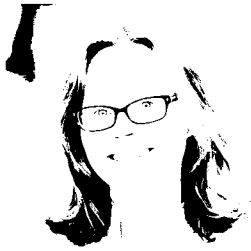
Parcel No 05-00-07712-00-5

Roger C. Montemayor, Trustee of Roger C.
Montemayor Revocable Trust Dated March
26, 2013

TO

HPA Tax Sale 2024, LLC, a Pennsylvania
limited liability company

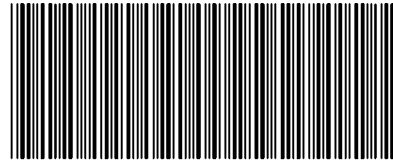
Carriage House Abstract, LLC
2110 South Eagle Road, 360
Newtown, PA 18940



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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

DEED BK 6395 PG 01690 to 01694
INSTRUMENT # : 2025015130
RECORDED DATE: 03/26/2025 10:56:32 AM



6395252-0019Z

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed
Document Date: 03/05/2025
Reference Info:

Transaction #: 7065992 - 1 Doc(s)
Document Page Count: 4
Operator Id: smassie

RETURN TO: (Simplifile)
Diversified Settlement Services Inc
2110 S. Eagle Road Suite 360
Newtown, PA 18940
(215) 439-1531

PAID BY:
DIVERSIFIED SETTLEMENT SERVICES INC

*** PROPERTY DATA:**

Parcel ID #: 05-00-07712-00-5
Address: 110 E SEVENTH AVE

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

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$440,000.00
TAXABLE AMOUNT: \$440,000.00

FEES / TAXES:

Recording Fee:Deed	\$86.75
State RTT	\$4,400.00
Conshohocken Borough RTT	\$2,200.00
Colonial School District RTT	\$2,200.00
Total:	\$8,886.75

DEED BK 6395 PG 01690 to 01694
Recorded Date: 03/26/2025 10:56:32 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:

Carriage House Abstract, LLC
2110 South Eagle Road, 360
Newtown, PA 18940

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-07712-00-5 CONSHOHOCKEN BOROUGH
110 E SEVENTH AVE
MONTEMAYOR ROGER C REVOCABLE TRUST \$15.00
B 037 L U 076 1101 03/26/2025 JG

File No. CHA-791

Parcel ID No. 05-00-07712-00-5

This Indenture, made the 5th day of March, 2025, with an effective date of MARCH 25, 2025,

Between

Roger C. Montemayor, Trustee of the Roger C. Montemayor Revocable Trust
Dated March 26, 2013

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

HPA Tax Sale 2024, LLC, a Pennsylvania limited liability company

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

Witnesseth, that the said Grantor for and in consideration of the sum of **FOUR HUNDRED FORTY THOUSAND AND 00/100 (\$440,000.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, 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 Grantee

ALL THAT CERTAIN lot or piece of ground, with the buildings and improvements thereon erected, situate in the Borough of Conshohocken, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a Plan of Lots for Alfred M. Johnston and David S. Kelso, made by Damon and Foster, Civil Engineers, Sharon Hill, Pennsylvania, dated June 20, 1957 as follows to wit:

BEGINNING at a point on the Northeasterly side of East seventh avenue (eighty feet wide) at the distance of fifty feet measured South forty-nine degrees East from the

intersection of the Southeasterly side of Harry Street (fifty feet wide); thence extending from said point of beginning, North forty-one degrees East one hundred five feet to a point on the Northeasterly side of a certain five feet wide right of way and in line of lot no. 13 on said plan; thence extending along the same, South forty-eight degrees forty-eight minutes East seventy and four one-hundredths feet to a point in line of lot no. 11 on said plan; thence extending along the same, and extending partly through the party wall dividing the dwelling on these premises from the premises to the Southeast, South forty degrees fifty-seven minutes West ninety-eight and ninety-four one-hundredths feet to a point on the said side of East seventh avenue; thence extending along the same, North forty-nine degrees West seventy and twelve one-hundredths feet to the first mentioned point and place of beginning.

BEING Lot No. 12 on said plan.

UNDER AND SUBJECT to a certain easement of five feet wide right of way extending across rear of premises.

Being the same premises which Dorothy M. Leonard by Deed dated October 19, 2001 and recorded November 27, 2001 in Montgomery County in Deed Book 5386 Page 1920 conveyed unto Roger C. Montemayor, in fee.

Being the same premises which Roger C. Montemayor by Deed dated June 11, 2013 and recorded July 29, 2013 in Montgomery County in Deed Book 5882 Page 1509 conveyed unto Roger C. Montemayor Revocable Trust Dated March 26, 2013, 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 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 Grantee, their heirs and assigns, to and for the only proper use and behoof of the said Grantee, their heirs and assigns, forever.

And the said Grantor, for themselves and their heirs, executors and administrators, does, by these presents, covenants, grants and agrees, to and with the said Grantee, their heirs and assigns, that he, the said Grantor, 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, their heirs and assigns, against him, the said Grantor, and their heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party 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:

Witness

Roger C. Montemayor Revocable Trust Dated March
26, 2013

By: Roger C. Montemayor, Trustee
Roger C. Montemayor, Trustee

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF BUCKS

This record was acknowledged before me on 5th day of March, 2025 by Roger C. Montemayor,
Trustee of Roger C. Montemayor Revocable Trust Dated March 26, 2013.

[Signature]
Signature of notarial officer
Stamp

Commonwealth of Pennsylvania - Notary Seal
STEPHEN A. DANASTORG, Notary Public
Bucks County
My Commission Expires May 13, 2026
Commission Number 1034947

Title of office

My commission expires:

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

720 KAYATE STREET, STE 100
CONSHOHOCKEN, PA 19028

[Signature]
On behalf of the Grantee

Deed	<div>Parcel No 05-00-07712-00-5</div> <div>Roger C. Montemayor, Trustee of Roger C. Montemayor Revocable Trust Dated March 26, 2013</div> <div>TO</div> <div>HPA Tax Sale 2024, LLC, a Pennsylvania limited liability company</div>	<div>Carriage House Abstract, LLC 2110 South Eagle Road, 360 Newtown, PA 18940</div>
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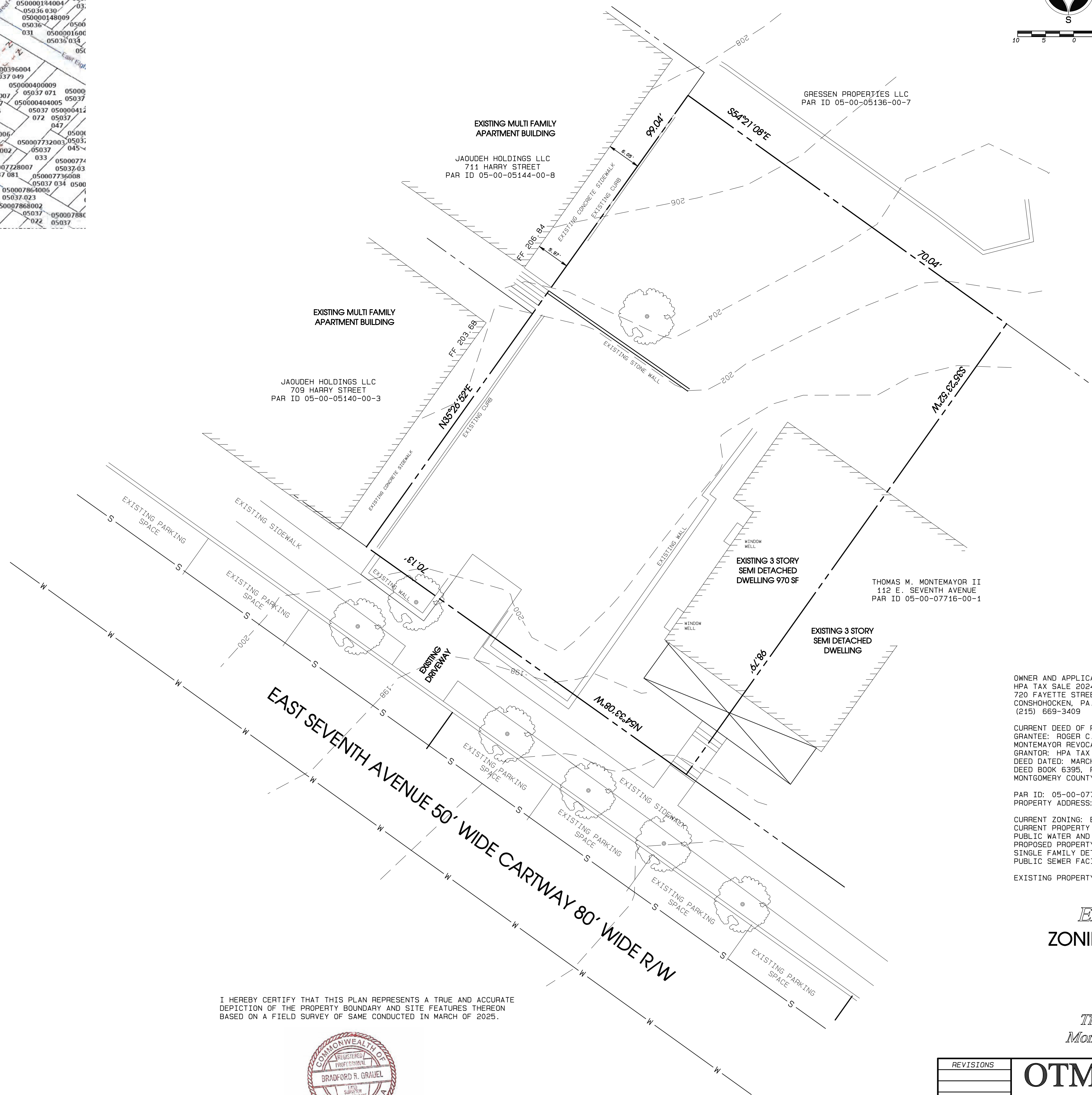
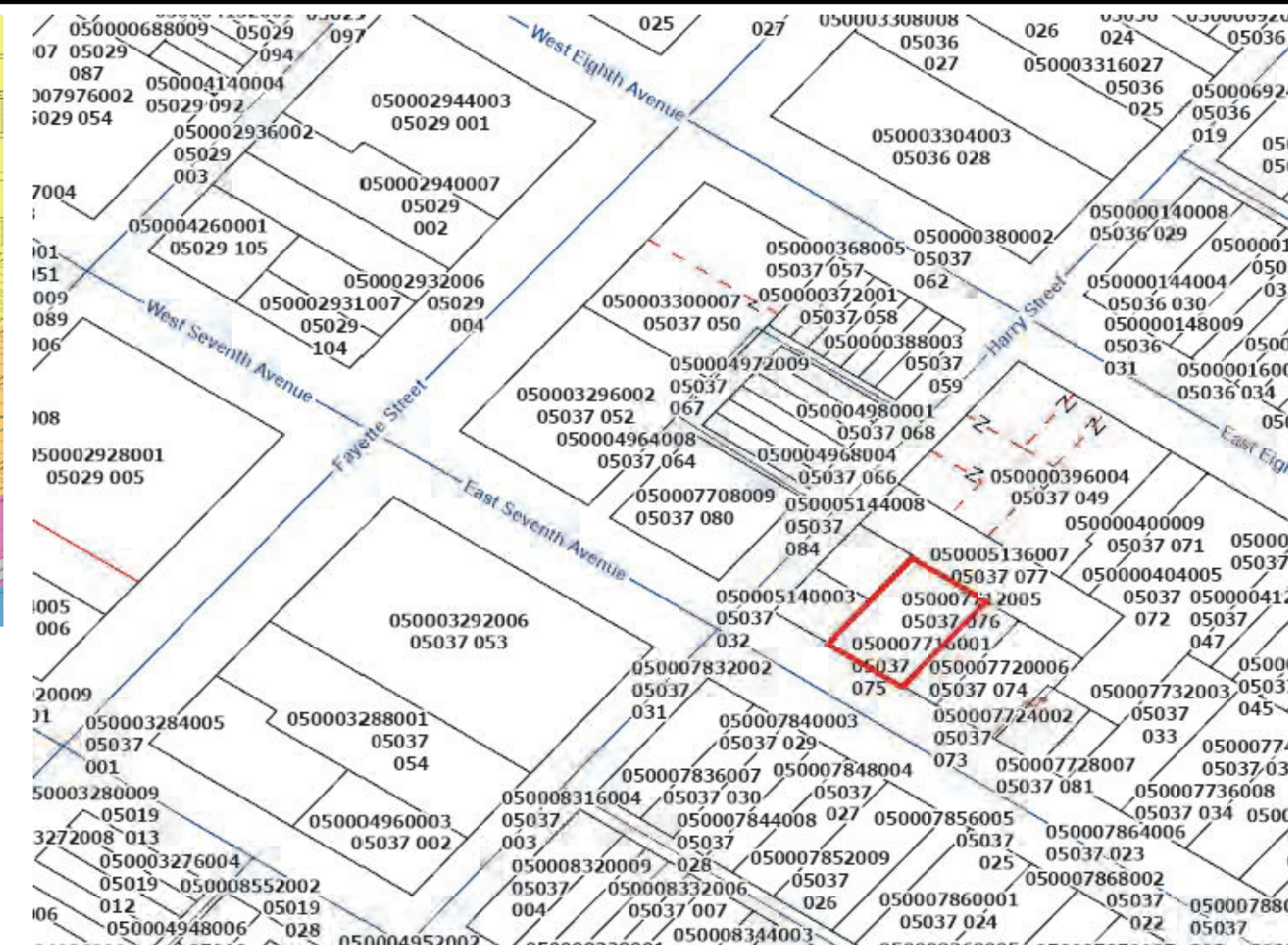


Figure 1: Plan View of Proposed Site. The plan view shows a rectangular site with a north arrow pointing up. The site is divided into four quadrants by a horizontal and vertical line. The quadrants are labeled N (North), S (South), E (East), and W (West). The site is surrounded by a boundary line. A scale bar is provided below the plan view, indicating a scale of 1 inch equals 10 feet. The scale bar has markings for 10, 20, and 30 feet. A legend below the scale bar identifies symbols: a solid line for 'WATER MAIN', a dashed line for 'SAN SEWER MAIN', a dashed line for 'EXISTING GROUND CONTOUR LINE', and a tree symbol for 'EXISTING DECIDUOUS TREE'.

OWNER AND APPLICANT
HPA TAX SALE 2024 LLC
720 FAYETTE STREET, SUITE 200
CONSHOHOCKEN, PA. 19428
(215) 669-3409

CURRENT DEED OF RECORD
GRANTEE: ROGER C. MONTEMAYOR, TRUSTEE OF THE ROGER C.
MONTEMAYOR REVOCABLE TRUST
GRANTOR: HPA TAX SALE 2024 LLC
DEED DATED: MARCH 5TH, 2025
DEED BOOK 6395, PAGE 1690
MONTGOMERY COUNTY RECORDS

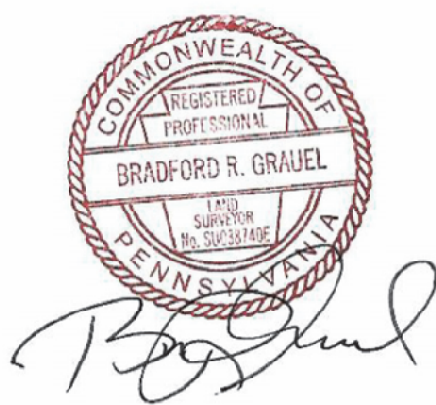
PAR ID: 05-00-07712-00-5
PROPERTY ADDRESS: 110 E. 7TH AVENUE

CURRENT ZONING: BR-1 RESIDENTIAL
CURRENT PROPERTY USE: SINGLE FAMILY ATTACHED DWELLING UTILIZING
PUBLIC WATER AND PUBLIC SEWER FACILITIES
PROPOSED PROPERTY USE: 1 SINGLE FAMILY ATTACHED DWELLING AND 1
SINGLE FAMILY DETACHED DWELLING BOTH UTILIZING PUBLIC WATER AND
PUBLIC SEWER FACILITIES.

EXISTING PROPERTY AREA: 6, 933 SQ. FT.

EXISTING SITE PLAN
ZONING PRESENTATION PLAN
PREPARED FOR
110 E. 7TH AVENUE
Situate In:
The Borough of Conshohocken
Montgomery County, Pennsylvania

I HEREBY CERTIFY THAT THIS PLAN REPRESENTS A TRUE AND ACCURATE
DEPICTION OF THE PROPERTY BOUNDARY AND SITE FEATURES THEREON
BASED ON A FIELD SURVEY OF SAME CONDUCTED IN MARCH OF 2025.

[illegible]

OTM LLC
*SURVEYING, LAND PLANNING
 & DESIGN SERVICES*

200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610
 (484) 335-6454 www.otm-surveying.com

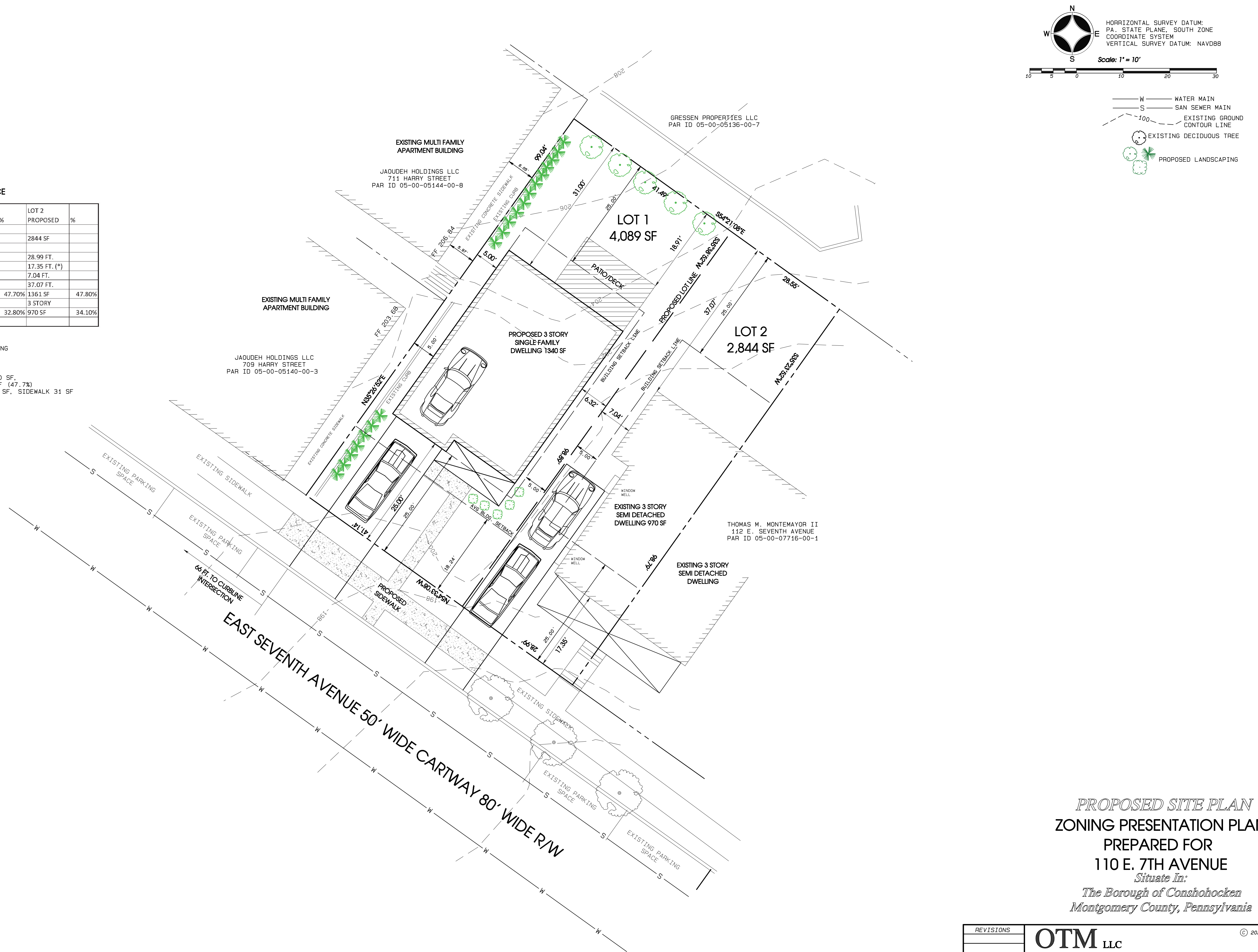
DRAWN BR GRAGUEL, PLS 05/15/2018	CHECK	SCALE 1" = 10'	PROJECT NO. 25-038 SHEET 1 of 2
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ADDRESS	EX. SETBACK	AVG. SETBACK
110	17.3	
112	17.3	
116	23.8	
120	0.41 (*)	
124	0.32 (*)	
126	2.58 (*)	
130	12.38	
134	18.75	
142	19.06	
144	19.12	
TOTAL	127.71 /7	18.24

BR-1 TABULATION OF ZONING CONFORMANCE

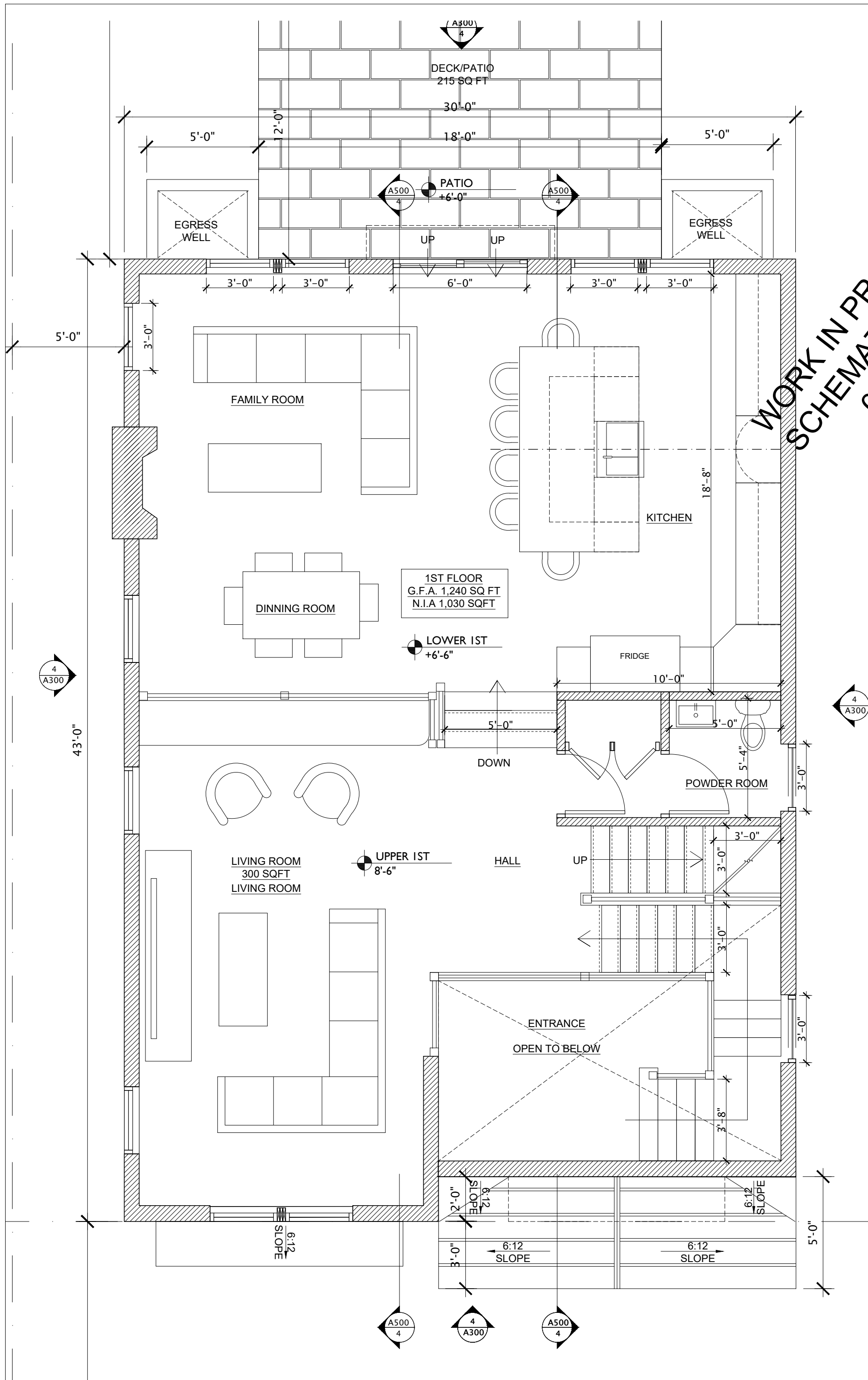
	REQUIRED/ PERMITTED	EXISTING SITE	%	LOT 1 PROPOSED	%	LOT 2 PROPOSED	%
LOT SIZE (SFD)	4,000 SF	6933 SF		4089 SF			
LOT SIZE (SFSO)	2800 SF					2844 SF	
LOT WIDTH (SFD)	40 FT.	70.13 FT.		41.14 FT.			
LOT WIDTH (SFSO)	25 FT.					28.99 FT.	
FRONT YARD SETBACK	25 FT.	17.35 FT		25 FT.		17.35 FT. (*)	
SIDE YARD SETBACK	5 FT.			5 FT. & 5.32FT.		7.04 FT.	
REAR YARD SETBACK	25 FT.			31.00 FT.		37.07 FT.	
IMPERVIOUS COVERAGE		60%		1950 SF	47.70%	1361 SF	47.80%
BUILDING HEIGHT	35 FT.	3 STORY		3 STORY		3 STORY	
BUILDING COVERAGE	35%			1340 SF	32.80%	970 SF	34.10%

IMPERVIOUS COVERAGE CALCULATIONS
 LOT NO. 1: BUILDING 1340 SF, DRIVEWAY 300 SF,
 SIDEWALK AND PATIO 310 SF. TOTAL= 1950 SF (47.7%)
 LOT NO. 2: BUILDING 970 SF, DRIVEWAY 360 SF, SIDEWALK 31 SF
 TOTAL = 1361 SF (47.8%)

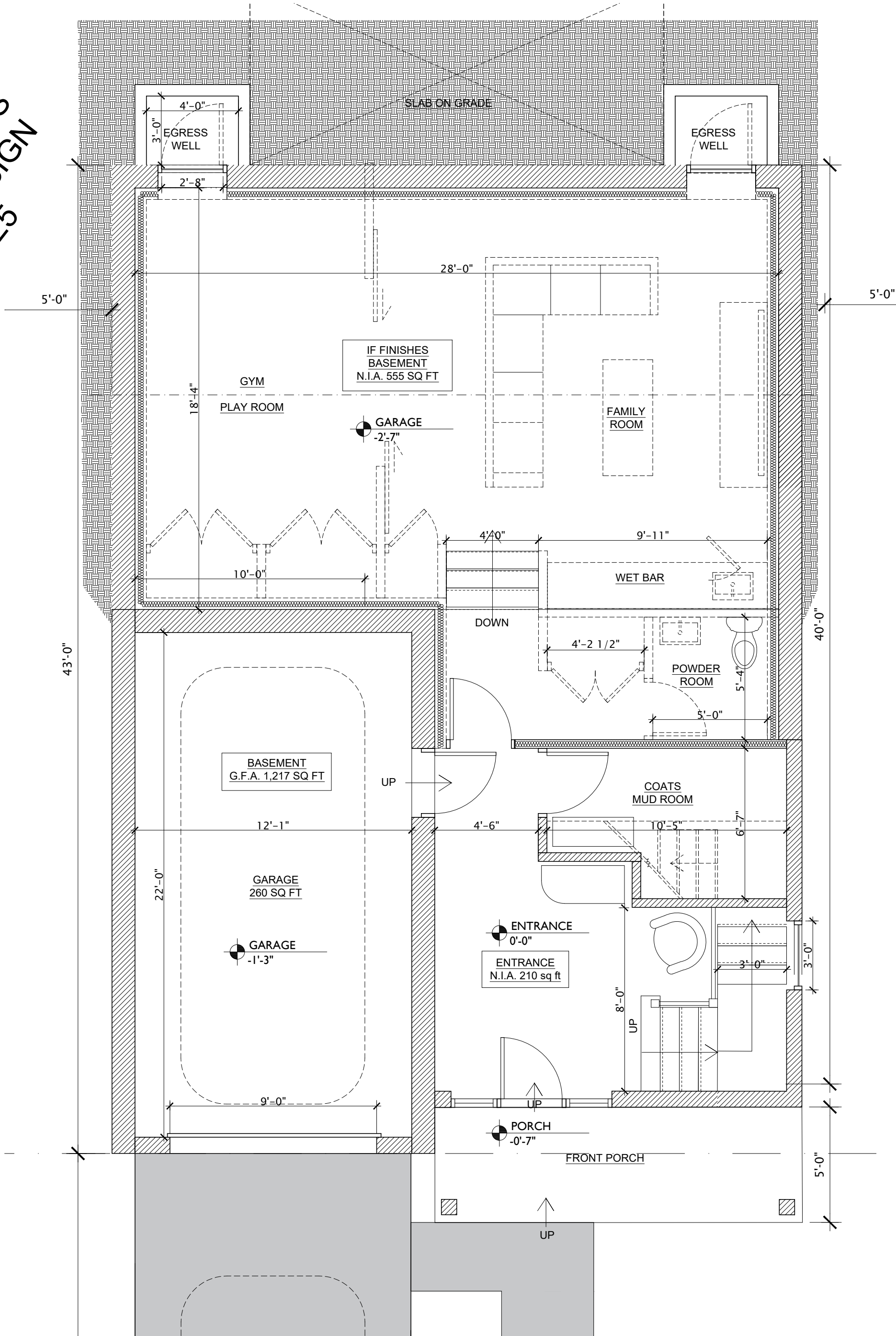


PROPOSED SITE PLAN
ZONING PRESENTATION PLAN
PREPARED FOR
110 E. 7TH AVENUE
Situate In:
The Borough of Conshohocken
Montgomery County, Pennsylvania

REVISIONS	 © 2025 OTM, LLC		
	SURVEYING, LAND PLANNING & DESIGN SERVICES		
	200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610 (484) 336-6454 www.otm-surveying.com		
	DRAWN BR. GRAUEL, PLS 06/11/2025	CHECK	SCALE 1" = 10' PROJECT NO. 25-038 SHEET 2 of 2



A100 | PROPOSED FIRST FLOOR PLAN
1 | 1/4" = 1'-0"



A100 | PROPOSED BASEMENT FLOOR PLAN
2 | 1/4" = 1'-0"

architect:
Elisa Lanzutti
ArchitecturaLAB LLC
300 E 8th Ave
Conshohocken, PA 19428
484.681.0011
elisa@ArchitecturaLAB.com

Architect's seal:

Structural Engineer:

Struct. Engineer Seal:

project:
RESIDENTIAL NEW CONSTRUCTION
SINGLE FAMILY DETACHED
project address:
108E 7TH AVE, CONSHOHOCKEN, PA 19428

contractor :

client :
The HOW Group
Attention of: Andy Blum
720 Fayette St, Conshohocken,
PA 19428
215.669.3409
andy@howgroup.com

drawing revisions : date:

1.
2.
3.
date: 03.18.2025

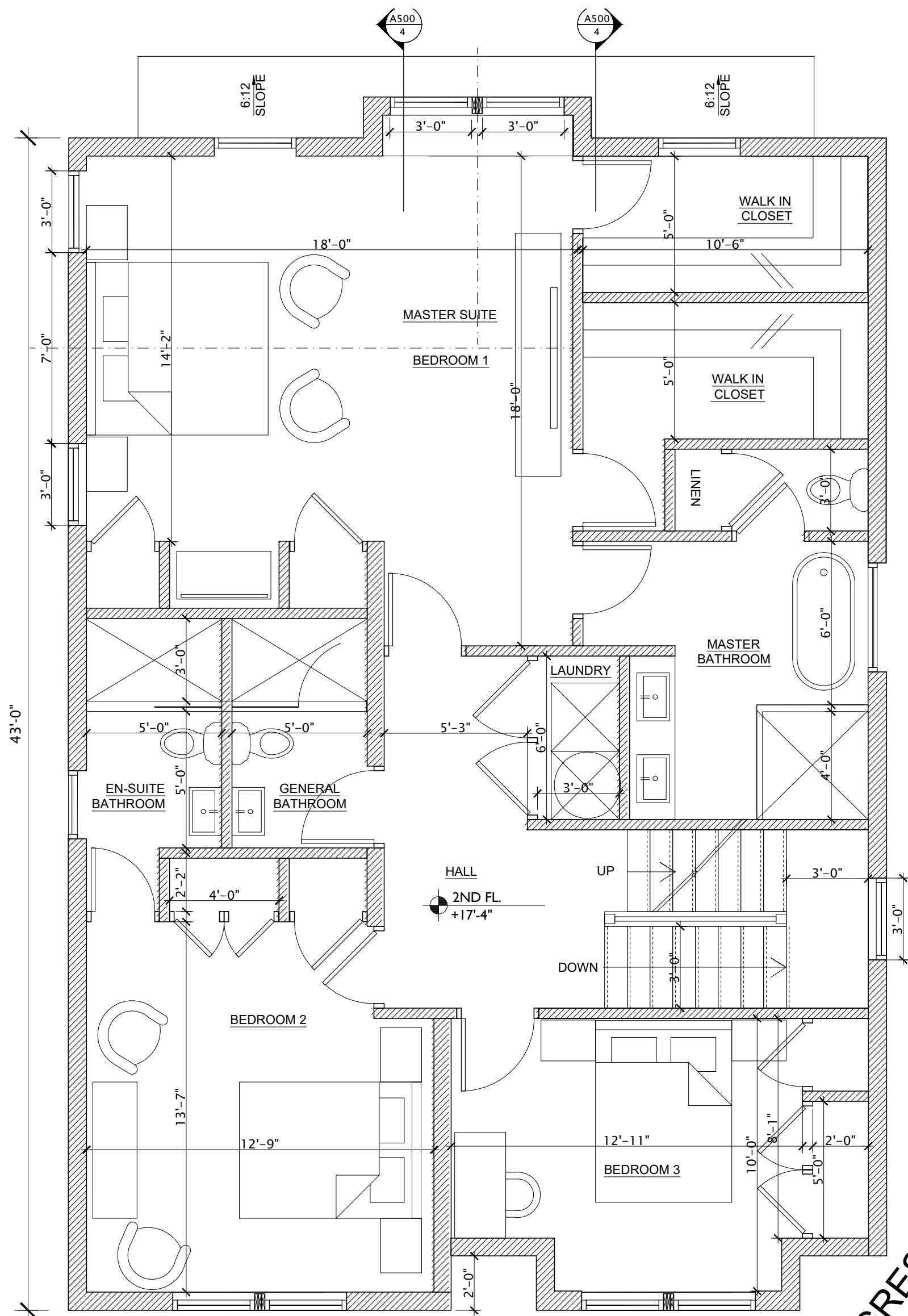
SCALE: 1/4"=1'-0"

drawing name:

PROPOSED
FLOOR PLAN

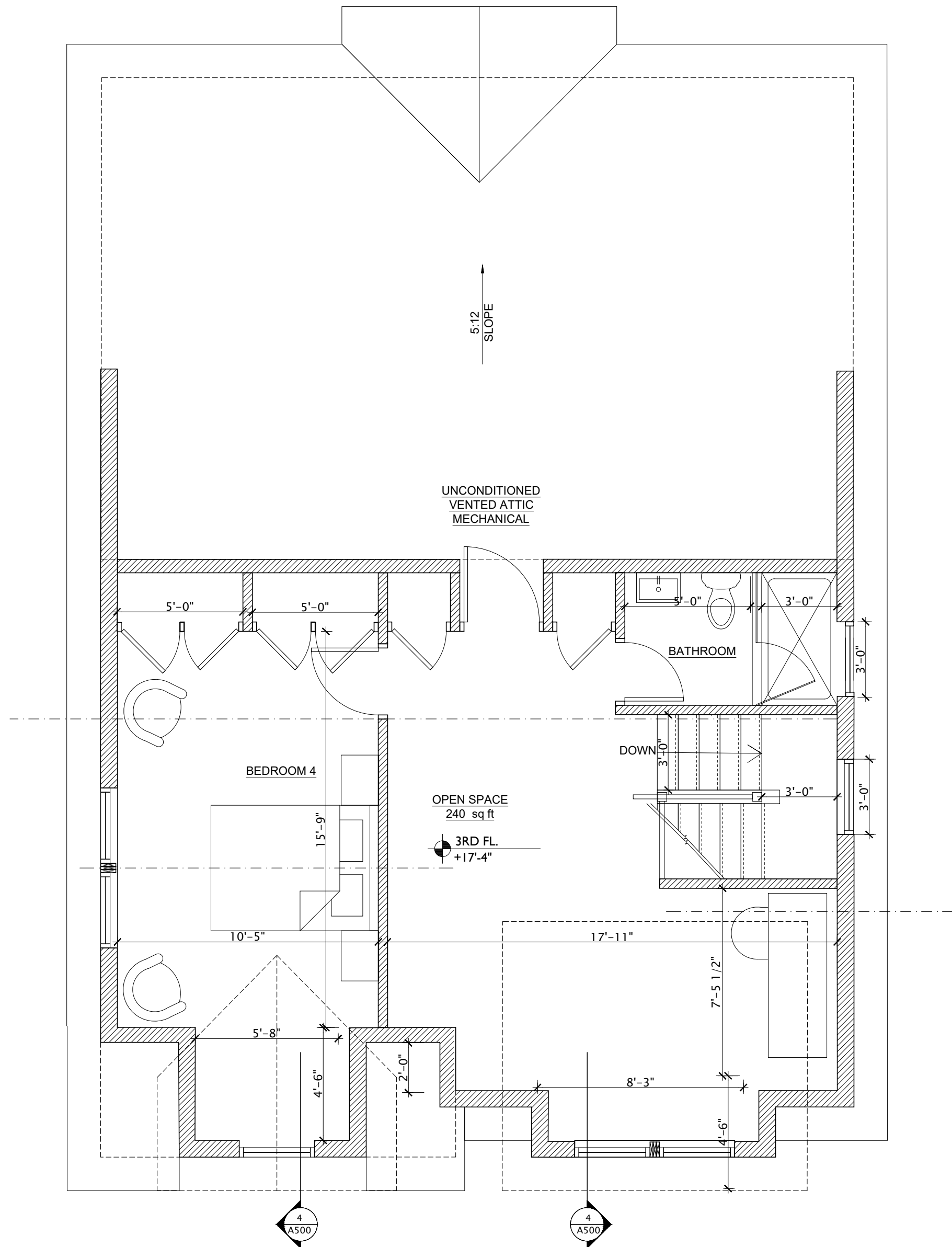
drawing number: rev:

A100 -



WORK IN PROGRESS
SCHEMATIC DESIGN
06.18.2025

A101 | PROPOSED 2ND FLOOR PLAN
1 | 1/4" = 1'-0"



A101 | PROPOSED 3RD FLOOR PLAN
2 | 1/4" = 1'-0"

architect:
Elisa Lanzutti
ArchitecturaLAB LLC
300 E 8th Ave
Conshohocken, PA 19428
484.681.0011
elisa@ArchitecturaLAB.com

Architect's seal:

Structural Engineer:

Struct. Engineer Seal:

project:
RESIDENTIAL NEW CONSTRUCTION
SINGLE FAMILY DETACHED
project address:
108E 7TH AVE, CONSHOHOCKEN, PA 19428

contractor :

client :
The HOW Group
Attention of: Andy Blum
720 Fayette St, Conshohocken,
PA 19428
215.669.3409
andy@howgroup.com

drawing revisions : date:

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2.
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date: 03.18.2025

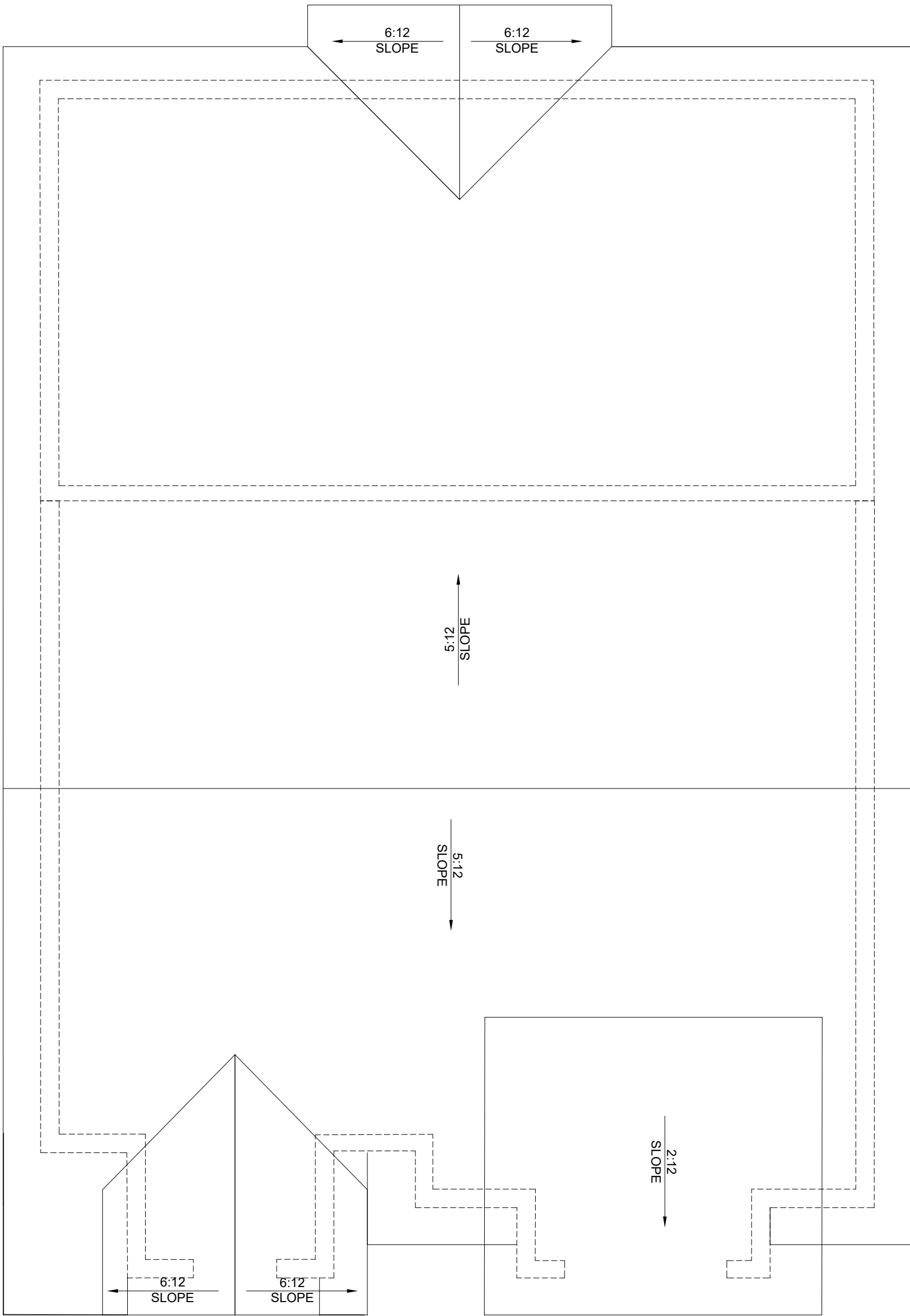
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drawing name:

PROPOSED
FLOOR PLAN

drawing number: rev:

A101



WORK IN PROGRESS
SCHEMATIC DESIGN
06.18.2025

A102 | PROPOSED ROOF PLAN
1 | 1/4" = 1'-0"

architect:

Elisa Lanzutti
ArchitecturaLAB LLC
300 E 8th Ave
Conshohocken, PA 19428
484.681.0011
elisa@ArchitecturaLAB.com

Architect's seal:

Structural Engineer:

Struct. Engineer Seal:

project:

RESIDENTIAL NEW CONSTRUCTION
SINGLE FAMILY DETACHED

project address:

108E 7TH AVE, CONSHOHOCKEN, PA 19428

contractor :

client :

The HOW Group
Attention of: Andy Blum
720 Fayette St, Conshohocken,
PA 19428
215.669.3409
andy@howgroup.com

drawing revisions : date:

1.

2.

3.

date: 03.18.2025

SCALE: 1/4"=1'-0"

drawing name:

PROPOSED
FLOOR PLAN

drawing number: rev:

A102

-



A300 | PROPOSED REAR ELEVATION
2 | 3/16" = 1'-0"



A300 | PROPOSED FRONT ELEVATION
1 | 3/16" = 1'-0"

WORK IN PROGRESS
SCHEMATIC DESIGN
06.18.2025

architect:

Elisa Lanzutti
ArchitecturaLAB LLC
300 E 8th Ave
Conshohocken, PA 19428
484.681.0011
elisa@ArchitecturaLAB.com

Architect's seal:

Structural Engineer:

Struct. Engineer Seal:

project:
RESIDENTIAL NEW CONSTRUCTION
SINGLE FAMILY DETACHED

project address:
108E 7TH AVE, CONSHOHOCKEN, PA 19428

contractor :

client :
The HOW Group
Attention of: Andy Blum
720 Fayette St, Conshohocken,
PA 19428
215.669.3409
andy@howgroup.com

drawing revisions : date:

1.

2.

3.

date: 03.18.2025

SCALE: 1/4"=1'-0"

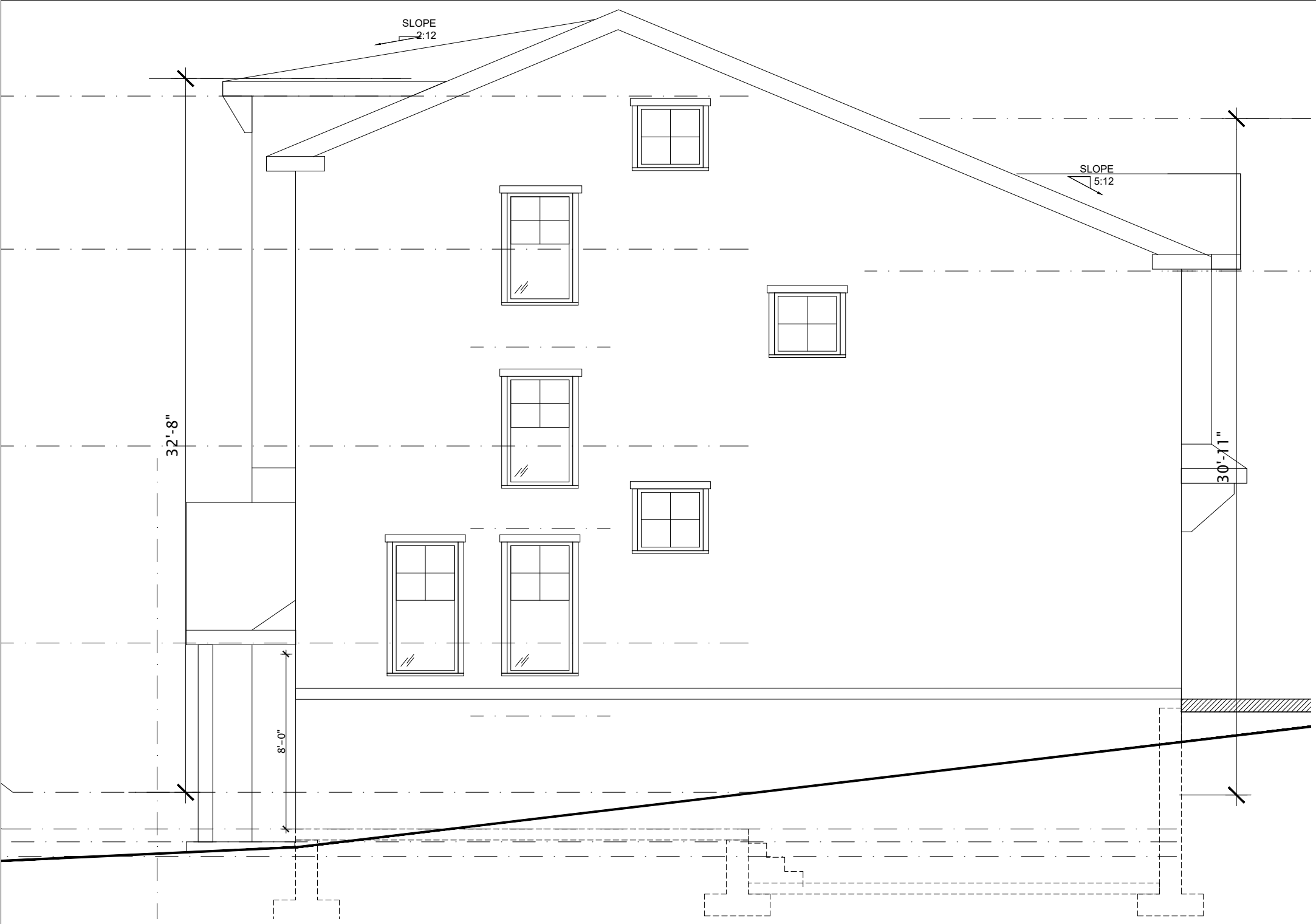
drawing name:

PROPOSED
EXTERIOR
ELEVATIONS

drawing number: rev:

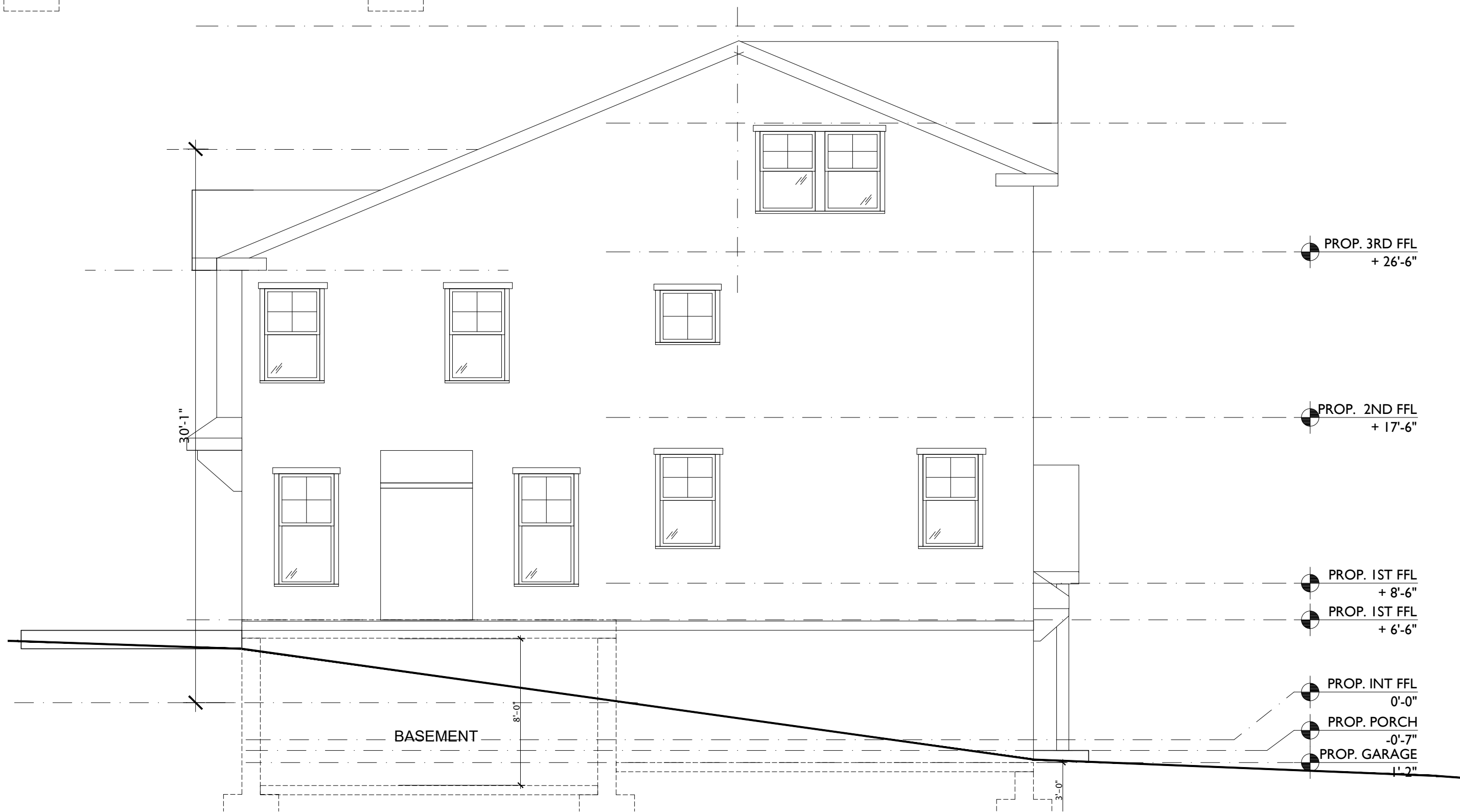
A300

-



WORK IN PROGRESS
SCHEMATIC DESIGN
06.18.2025

A301 | PROPOSED SIDE ELEVATION
1 | 3/16" = 1'-0"



A301 | PROPOSED SIDE ELEVATION
1 | 3/16" = 1'-0"

architect:
Elisa Lanzutti
ArchitecturaLAB LLC
300 E 8th Ave
Conshohocken, PA 19428
484.681.0011
elisa@ArchitecturaLAB.com

Architect's seal:

Structural Engineer:

Struct. Engineer Seal:

project:
RESIDENTIAL NEW CONSTRUCTION
SINGLE FAMILY DETACHED
project address:
108E 7TH AVE, CONSHOHOCKEN, PA 19428

contractor :

client :
The HOW Group
Attention of: Andy Blum
720 Fayette St, Conshohocken,
PA 19428
215.669.3409
andy@howgroup.com

drawing revisions : date:

1.
2.
3.
date: 03.18.2025

SCALE: 1/4"=1'-0"

drawing name:

PROPOSED
EXTERIOR
ELEVATIONS

drawing number: rev:

A301 | -



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE JULY 21, 2025 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2025-08

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on July 21, 2025 at 6:30 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: HOW Group/HOW Real Estate Investment, LLC
720 Fayette Street
Conshohocken, PA 19428

PREMISES INVOLVED: 720 Fayette Street
Conshohocken, PA 19428
RO – Residential Office District
FCO – Fayette Corridor Overlay District

OWNER OF RECORD: HOW Real Estate Investment, LLC
720 Fayette Street
Conshohocken, PA 19428

The petitioner is seeking a special exception pursuant to Section §27-703.E.(6)(a) to permit an expansion of the existing nonconforming flex space use within the Leeland Mansion, and a variance from Sections §27-1202 and §27-2303 to permit a flex space use when such use is not a permitted use by right within the underlying RO zoning district and the FCO overlay zoning district.

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

Zoning Administration

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
Anita Barton, Senior Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

Date: July 16, 2025

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 720 - 730 Fayette Street – Zoning Determination

History of the Site:

720 – 730 Fayette Street is an existing multi-use commercial property comprised of two (2) separate buildings and off-street parking. The main building (a.k.a. Leeland mansion) is a three (3)-story masonry building located at the corner of Fayette Street and W. Eighth Avenue. There is a separate two (2)-story accessory masonry “Carriage House” building located at the corner of Forrest Street and W. Eighth Avenue. The buildings were constructed in the early 1890’s, and was the former site of the Conshohocken Borough administration offices and police department. The entire 23,009 SF parcel is located within the R-O – Residential Office District and Zone 2 of the FCO - Fayette Street Corridor Overlay District.

The property is bounded by Fayette Street and the BC – Borough Commercial District to the east; West Eighth Street and residential and commercial properties to the north; Forrest Avenue and residential properties located within the BR-1 – Borough Residential District One to the west; and commercial properties located within the BC – Borough Commercial District to the south.

The property operates primarily as professional offices for the HOW Group real estate investment company and flex/events space. The property was granted Conditional Use approval by Borough Council on February 6, 2019 to allow for flex/event space in the mansion building for social and community events, which expands the accessory uses beyond those of the real estate business. The applicant also went before the Conshohocken Zoning Hearing Board on February 26, 2019 under zoning application no. 2019-03. Based on the written Zoning Hearing Board decision dated April 11, 2019, was granted a variance from Section §27-1202.4 of the Conshohocken Zoning Ordinance to permit leasing of a 965 SF flex space located on the ground floor of the Leeland mansion for social and community events, subject to the following conditions:

1. The applicant shall provide the zoning officer with written copies of all off-site parking agreements;
2. During the hours of 9:00 am to 5:00 pm, Monday through Friday, the on-site parking must be reserved for use by the customers using the flex space.
3. The flex space may also be used on weekend, holidays and weekday evenings provided that the property owner has adequate off-street parking for people using the flex space as evidenced by an off-street parking agreement.

In addition, the Applicant went before the Conshohocken Zoning Hearing Board on March 18, 2024 under application no. Z-2024-06 and was granted a variance from Section §27-1202 of the Conshohocken Borough Zoning Ordinance to permit a short-term rental unit at the property, subject to the condition that the short-term rentals shall be limited to only individuals and parties that are also renting the event space at the Subject Property.

Current Request:

The applicant, HOW Group/HOW Real Estate Investment, LLC, is seeking to expand their existing flex space use on the ground floor of the Leeland mansion to the basement, first and second floors of the Leeland mansion, and a proposed 1-bedroom residential unit on the third floor. No exterior modifications to the existing Leeland mansion nor Carriage house is proposed.

The petitioner is seeking a Special Exception pursuant to Section §27-703.E.(6)(a) to permit an expansion of the existing nonconforming flex space use within the Leeland Mansion, and a variance from Sections §27-1202 and §27-2303 to permit a flex space use when such use is not a permitted use by right within the underlying R-O and the FCO overlay zoning districts.

Zoning Determination:

Per Section §27-702.A of the Conshohocken Borough Zoning Ordinance, a nonconforming use is the existing lawful use of land and/or buildings and/or structures upon which does not conform to any of the permitted uses of the district in which it is located. A flex space use is not a permitted use by right within the R-O and FCO zoning districts pursuant to Sections §27-1202 and §27-2303.

Per Section §27-703.E.(6)(a) of the Borough Zoning Ordinance provides additional code provisions for extension or expansion of a nonconforming use as permitted in Sections §27-703.E.(1) through (5), shall be permitted only by special exception in accordance with Part 6 of the zoning ordinance, only to the extent that all new construction shall comply with the dimensional standards of the district in which the use is located or the district in which the use is permitted, whichever is more restrictive.

Since the applicant, HOW Group/HOW Real Estate Investment, LLC, is seeking to expand their existing nonconforming flex space use to the rest of the Leeland mansion, the applicant would be required to seek a Special Exception pursuant to Section §27-703.E.(6)(a) to permit the proposed expansion of the nonconforming flex space use within the Leeland mansion.

The proposed floor plans provided with the zoning application shows the proposed flex spaces in the basement, first and second floors and a proposed 1-bedroom residential unit on the third floor. These proposed uses will meet the definition of mixed use for the Leeland mansion. Therefore, the FCO's off-street parking requirement under Section 27-2307.1 for the Leeland mansion applies as follows:

- Nonresidential use - min. of 3 off-street parking spaces per 1000 SF of gross floor area
- Residential use - min. 1 off-street parking space for the 1-bedroom unit

Based on the zoning application, the carriage house will remain as office space use. Based on my calculations, the current uses of the property requires about 58 total off-street parking spaces. With the proposed change in uses and utilizing the FCO off-street parking requirement for the Leeland mansion, the total off-street parking spaces required is 35 for the entire property, which is less the current off-street

parking requirement. Therefore, a variance from section 27-2307.1 will not be required since no new off-street parking spaces will be created with the expansion of the flex space use within the Leeland mansion.



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2025-08

Date Submitted: 6/20/25

Date Received: 6/20/25

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:

27-1202 and 27-2303. To the extent necessary, 27-2308 as it pertains to parking requirements.

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

720 Fayette Street, 19428

4. Applicant's Name: HOW Group/HOW Real Estate Investment, LLC

Address: 720 Fayette Street, 19428

Phone Number (daytime): 215-669-3412

E-mail Address: gary@howgroup.com, katie@howgroup.com

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

6. Property Owner: HOW Real Estate Investment, LLC

Address: 720 Fayette Street, 19428

Phone Number: 215-669-3412

E-mail Address: gary@howgroup.com, katie@howgroup.com

7. Lot Dimensions: 120 X 189 Zoning District: RO

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

Yes ☒ No ☐ If yes, please describe.

The HOW Group was granted approval in April 2019 to lease 965/sf of flex space on the 1st floor of the mansion building for social and community events. See approval attached as Exhibit "A".

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

The property consists of two (2) structures, both currently utilized as office space for the HOW Group. The front structure (mansion) is a 3-story 8,011/sf building and the rear structure (carriage house) is a 2-story 5,494/sf structure. Both buildings were fully renovated by the HOW Group in 2018.

The mansion consists of office space with a 965/sf room that was previously granted zoning relief to operate as a flex/community space. Included in the flex/community space is a 1,161/sf covered, wrap around porch. The buildings and porch are fully sprinklered.

10. Please describe the proposed use of the property.

The properties are utilized as The HOW Group's primary offices and the flex space is available to the community to rent for business and social functions. HOW is requesting to expand the flex space use to the entire mansion building. The third floor will be designated as a residential dwelling unit. The carriage house will remain office space.

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

We propose converting underutilized office space within the mansion into areas that better support private events. Planned improvements include transforming part of the space into a formal dining area for catered events and creating dedicated bridal and groom suites for weddings and special occasions. These upgrades will enhance the property's functionality and appeal as a full-service event venue while maintaining its historic character. The proposed conversion will retain the existing structure.

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

The existing flex space has been positively received by the community, reflecting strong support for its continued use. As demand for traditional office space has declined, expanding the approved use from the current room to the entire mansion will allow the property to better serve community needs and appeal to a wider range of events. This expanded use will enhance the property's versatility while maintaining its positive community impact. Additionally, our clients frequently utilize local restaurants and vendors for catering and event services, which supports neighboring businesses. The FCO overlay intends to encourage economic development and unify Fayette Street as a vibrant mixed-use corridor. However, there is no use category provided that encompasses the proposed use, and therefore a variance is necessary. Furthermore, as it relates to parking, the FCO overlay requires the same parking for all non-residential uses. Accordingly, the proposed change-of-use should not trigger any greater parking requirement than would currently exist and be considered nonconforming. To the extent the Borough does not believe the FCO parking requirements apply given the ambiguous definition of "mixed-use", then a variance is requested from the "Interpretation" section of the FCO to permit a more favorable interpretation under MPC 603.1.

These reasons and more will be supplemented with Proposed Findings of Fact and Conclusions of Law to be submitted to the ZHB with exhibits.

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

a. The unique characteristics of the property: The property is a historic mansion situated within a walkable, mixed-use overlay district, offering a distinctive blend of character, charm, and accessibility.

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

The current ordinance limits to traditional office use, despite clear market and community demand for more adaptive options. Although the Overlay doesn't allow, by-right, any use category that fully encompasses the proposed event venue, it does permit other uses of similar character—such as a restaurant, studio, tavern/bar, or microbrewery. This restriction blocks converting the mansion into a flexible event venue that better suits its layout, historic character, and mixed-use surroundings. As demand for office space declines, the ordinance undermines the property's financial viability and its potential to serve the community sustainably.

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

The proposal is fully consistent with the character of the surrounding neighborhood, which features a mix of residential, commercial, and community-focused uses. The adaptive reuse of the mansion as an event venue complements the area's vibrant, walkable environment and supports local businesses by drawing guests who utilize nearby restaurants, shops, and services.

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 requested relief is the minimum necessary to allow for the reasonable and productive use of the property. Without expanding permitted use beyond a single room, the property remains underutilized and unable to meet current demand for event space. The proposed expansion to include the full mansion enables adaptive reuse of the existing structure without any exterior changes, preserving its character while allowing it to operate in a viable, community-supported capacity. This relief simply aligns the property's use with current market needs and its physical layout.

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).

Not Applicable

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

Not Applicable

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.

Not Applicable

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

Not Applicable

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

Not Applicable

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

a. Attorney's Name: Meredith L. Ferleger, Esq.

b. Address: One Liberty Place, 1650 Market Street, Suite 1200, Philadelphia, PA 19103

c. Phone Number: (215) 575-7052

d. E-mail Address: mferleger@dilworthlaw.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.

Seegfmr
Applicant

Seegfmr
Legal Owner

6/19/25
Date

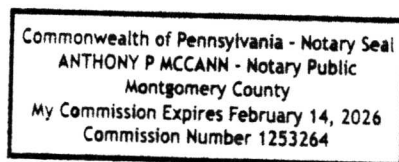
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 19th day of
June, 2025.

[Signature]
Notary Public

(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 ☐

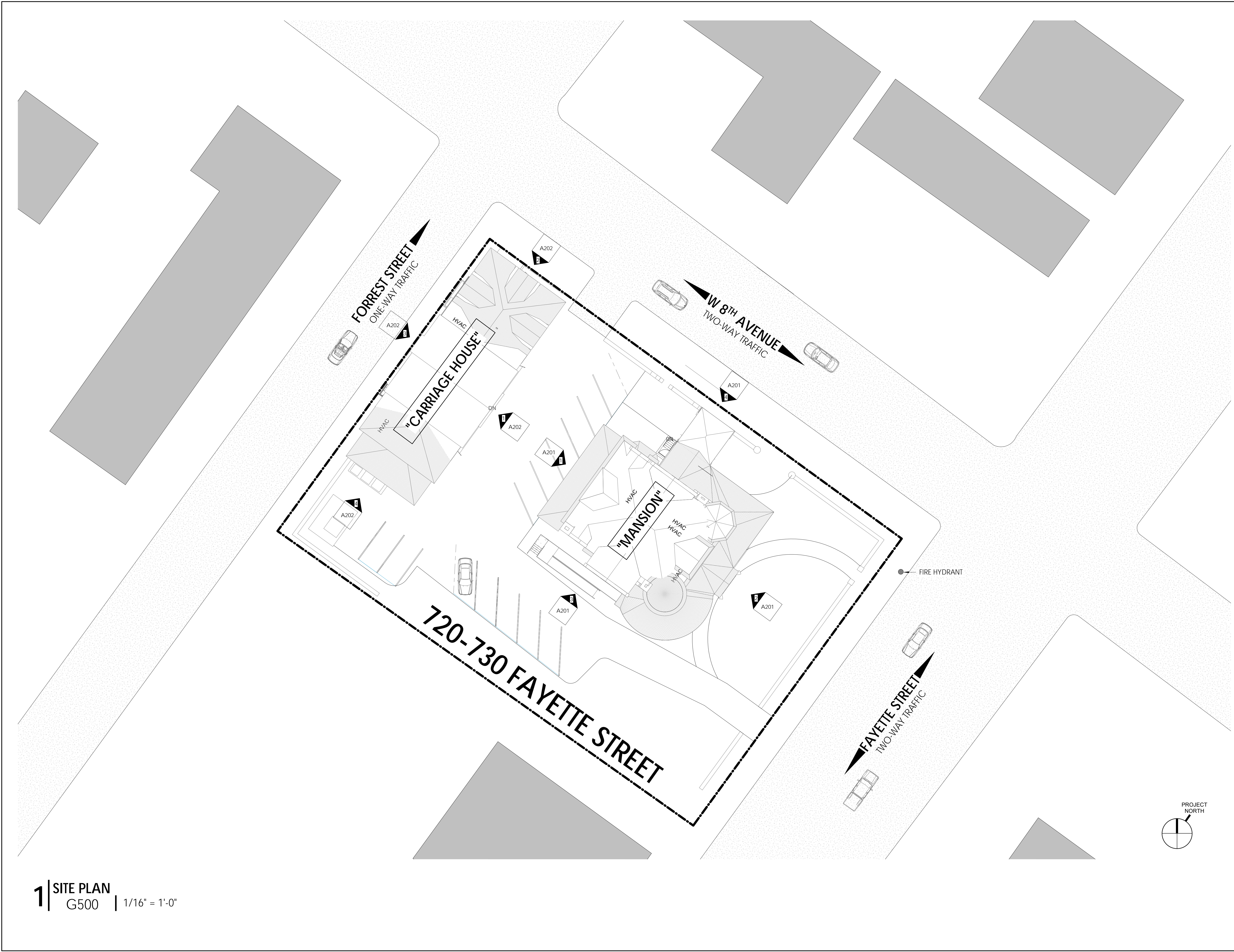
MOTION:

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: _____



DB

DESIGNBLENDZ

ARCHITECTURE

DESIGNBLENDZ ARCHITECTURE, LLP 4001 MAIN ST, SUITE 203, PHILADELPHIA, PA 19127

1 | 215.995.0228 f | 215.995.0228

e | info@designblendz.com w | www.designblendz.com

CONSULTANTS

MULHERN + KULP

MULHERN + KULP
20 SOUTH MAPLE STREET, Suite 150
AMBLER, PA 19002
215.646.8001

MULHERN+KULP

residential structural engineering

E 8TH AVE

FORREST ST

FAYETTE ST

CARRIAGE HOUSE

MANSON

KEY PLAN

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SEAL

PROJECT ADDRESS

720-730 FAYETTE STREET,
CONSHOHOCKEN, PA, 19428

1	ISSUE FOR PERMIT	DB	MM
Issued		By	Appd

Project

720-30 FAYETTE STREET

Sheet Title

SITE PLAN

Project No.
17155104

Revision
1

Scale
1/16" = 1'-0"

Drawing No.

G500

1 | SITE PLAN

G500

1/16" = 1'-0"

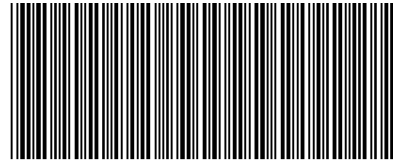
ORIGINAL SHEET - ARCH D (24"x36") 4/2/2018 7:02:00 PM



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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

DEED BK 6069 PG 01994 to 01998
INSTRUMENT # : 2017086999
RECORDED DATE: 11/16/2017 03:25:03 PM



3538374-0020S

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: Deed
Document Date: 11/16/2017
Reference Info:

Transaction #: 3662969 - 4 Doc(s)
Document Page Count: 4
Operator Id: estaglia

RETURN TO: (Simplifile)
Diversified Settlement Services Inc
1200 Veterans Hwy Unit C-7
Bristol, PA 19007
(215) 781-1900

PAID BY:
DIVERSIFIED SETTLEMENT SERVICES INC

*** PROPERTY DATA:**

Parcel ID #: 05-00-02944-00-3
Address: 730 FAYETTE ST

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

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1,210,500.00

FEES / TAXES:

Recording Fee:Deed	\$95.00
State RTT	\$12,105.00
Conshohocken Borough RTT	\$6,052.50
Colonial School District RTT	\$6,052.50
Total:	\$24,305.00

DEED BK 6069 PG 01994 to 01998
Recorded Date: 11/16/2017 03:25:03 PM

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:

DIVERSIFIED SETTLEMENT SERVICES, INC.
1200 VETERANS HIGHWAY
SUITE C-7
BRISTOL, PA 19007

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-02944-00-3 CONSHOHOCKEN BOROUGH
730 FAYETTE ST
CONSHOHOCKEN BOROUGH
B 029 L U 001 9940 11/16/2017

\$15.00
MY

File No. DSS-45458

Tax Parcel No.: 05-00-02944-00-3

This Indenture, made the 16th day of November, 2017,

Between

BOROUGH OF CONSHOHOCKEN

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

HOW REAL ESTATE INVESTMENT, LLC

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

Witnesseth, that the said Grantor for and in consideration of the sum of **One Million Two Hundred Ten Thousand Five Hundred And 00/100 Dollars (\$1,210,500.00)** 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, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee

TRACT I-

ALL THAT CERTAIN tract or piece of ground with the buildings and improvements thereon erected, Situate in the Borough of Conshohocken, County of Montgomery and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point of intersection the Northwesternly side of Fayette Street with the Southwesterly side of Eighth Avenue; thence extending along the Northwesternly side of Fayette Street, Southwestwardly one hundred twenty feet to a point, a corner in line of land now or late of the William Cleaver Estate; thence extending partly along said land and partly along Tract #2 herein, Northwestwardly at right angles to Fayette Street, one hundred eighty six feet to a point, a corner on the Southeasterly side of Forrest Street; thence extending along said side of Forrest Street, Northeastwardly one hundred twenty feet to a point of intersection of said side of Forrest Street with the Southwesterly side of Eighth Avenue aforesaid; thence extending along the said side of Eighth Avenue, Southeastwardly one hundred eighty six feet to the place of beginning.

TRACT II -

ALSO ALL THAT CERTAIN tract of land, 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 Southeasterly side of Forrest Street, at the distance of one hundred twenty feet Southwesterly from the corner of Eighth Avenue; thence by land of J. Ellwood Lee Estate, Southeastwardly fifty one feet to a point, a corner of this and other land of the William Cleaver Estate; thence Southwesterly thirteen and one-half feet to a point, a corner of other land of said William Cleaver Estate; thence parallel with the first line, Northwesterly fifty one feet to the Southeasterly side of Forrest Street aforesaid and thence along said side of Forrest Street, Northeasterly thirteen and one-half feet to the place of beginning.

Tax ID / Parcel No. 05-00-02944-00-3

BEING the same premises which The Conshohocken Association, a Pennsylvania Corporation, by Deed dated July 6, 1964, and recorded July 7, 1964, in the Montgomery County Recorder of Deeds Office, in Deed Book 3336, page 231 granted and conveyed unto Borough of Conshohocken, in fee simple.

UNDER AND SUBJECT to the restriction prohibiting the destruction, alteration, revision or modification of the exterior of principal residential building, including its existing stone façade, porch and roof, together with the existing stone wall and portico, without the written consent of Conshohocken Borough, in its sole discretion.

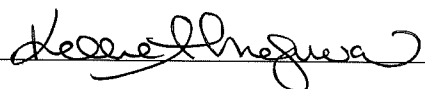
Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, the said grantor, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behalf of the said Grantee, its successors and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that it, the said Grantor, and its successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said Grantor, and its successors and assigns, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has caused its common seal to be affixed to these presents by the hand of its COUNCIL PRESIDENT. Dated the day and year first above written.

ATTEST:



{SEAL}

BOROUGH OF CONSHOHOCKEN

By:


**STEPHANIE CECCO, BOROUGH
MANAGER**

Commonwealth of Pennsylvania } ss
County of Montgomery }

AND NOW, this 16th day of November, 2017, before me, the undersigned Notary Public, appeared **STEPHANIE CECCO**, who acknowledged herself to be the **BOROUGH MANAGER** of **BOROUGH OF CONSHOHOCKEN**, a municipality, and she, as such **BOROUGH MANAGER** being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the municipality by herself as **BOROUGH MANAGER**.

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

Notary Public

My commission expires

The precise residence and the complete post office address of the abovenamed Grantee is:

**1145 Forrest Street, Suite 300
Conshohocken, PA 19428**

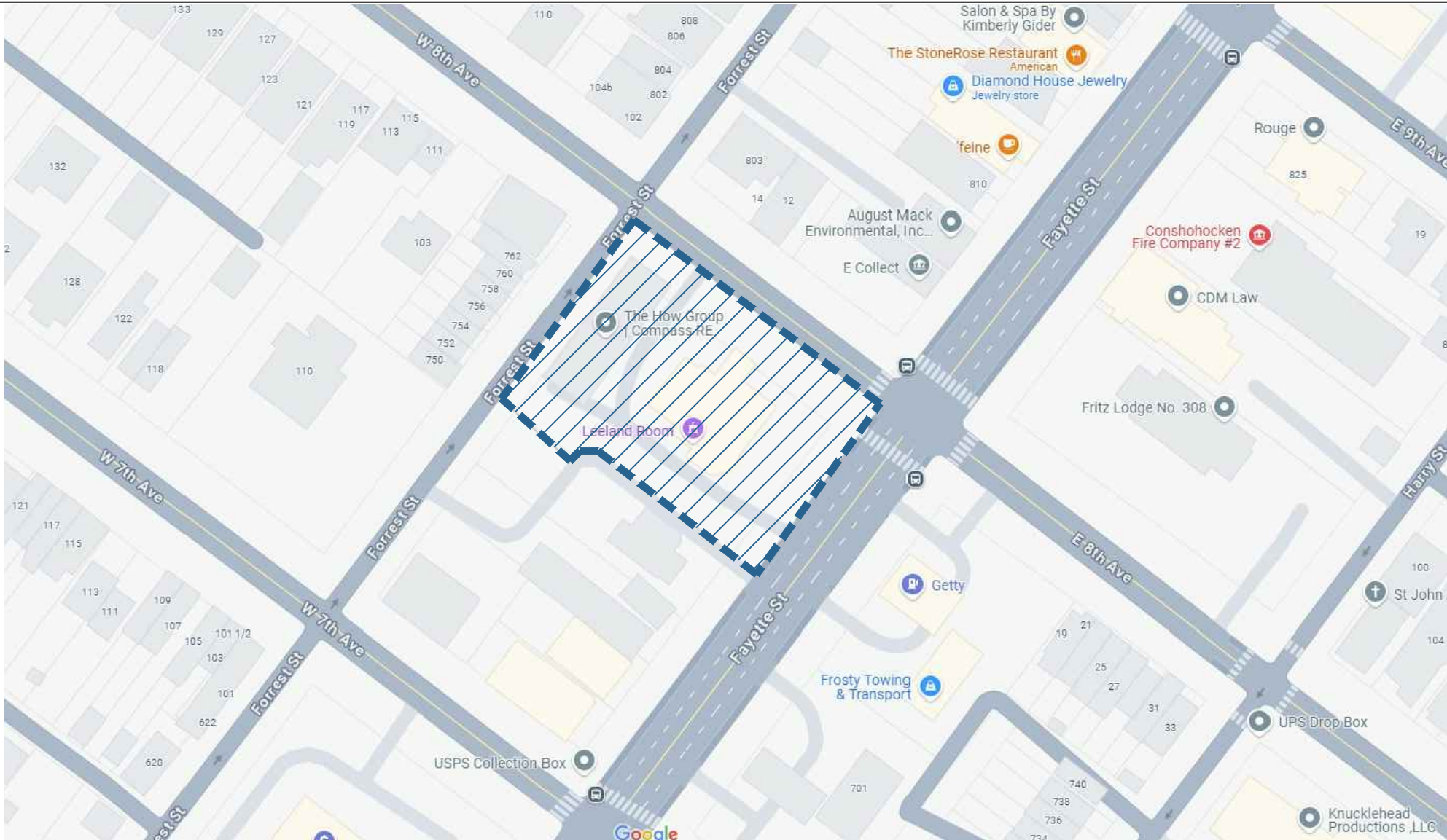
On behalf of the Grantee

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
STEPHEN A. DANASTORG, Notary Public
Bristol Twp., Bucks County
My Commission Expires May 13, 2018

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
STEPHEN A. DANASTORG, Notary Public
Bristol Twp., Bucks County
My Commission Expires May 13, 2018

Deed	<div>Tax Parcel No.: 05-00-02944-00-3</div> <div>BOROUGH OF CONSHOHOCKEN TO HOW REAL ESTATE INVESTMENT, LLC</div>	<div>DIVERSIFIED SETTLEMENT SERVICES, INC. 1200 VETERANS HIGHWAY SUITE C-7 BRISTOL, PA 19007</div>
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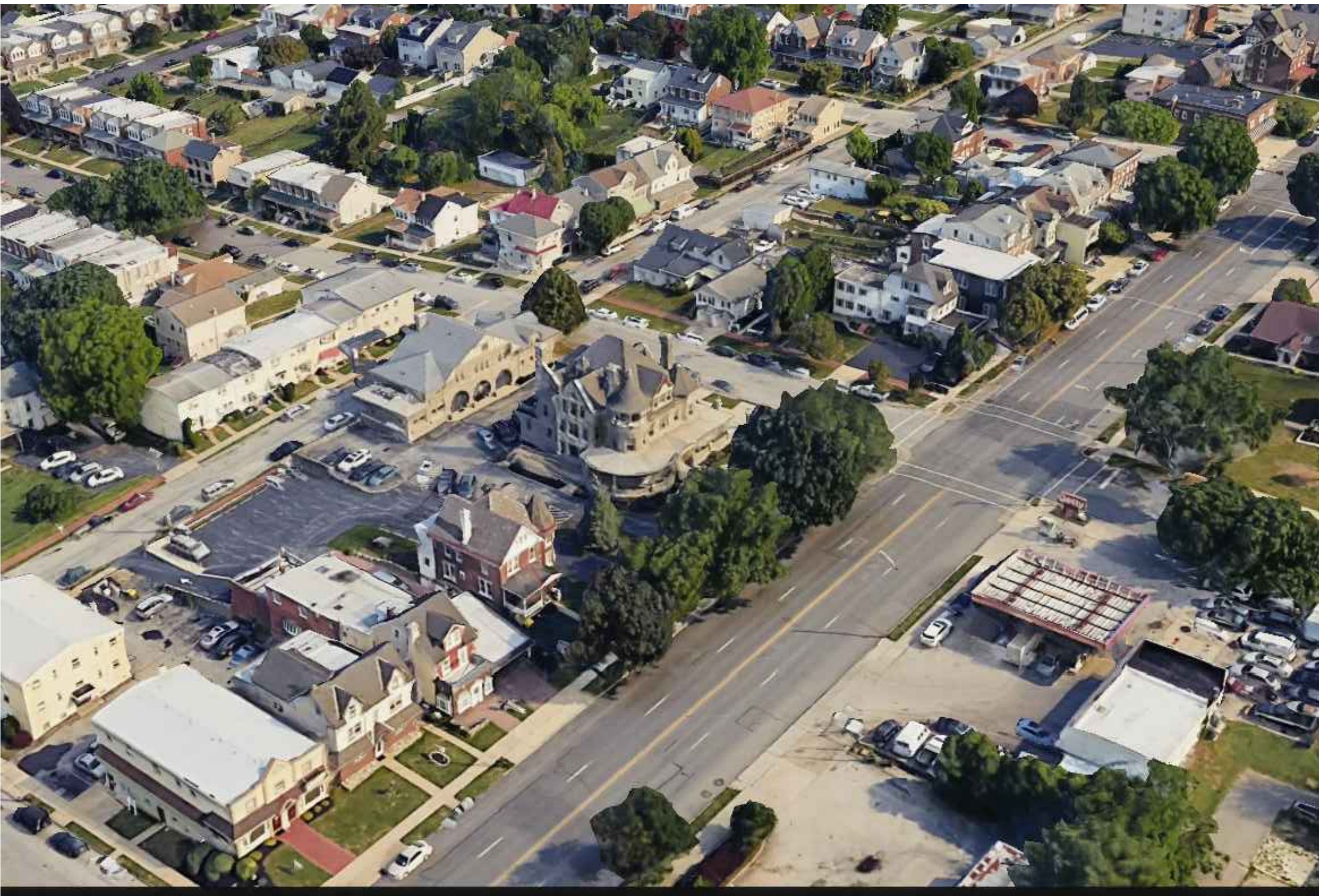
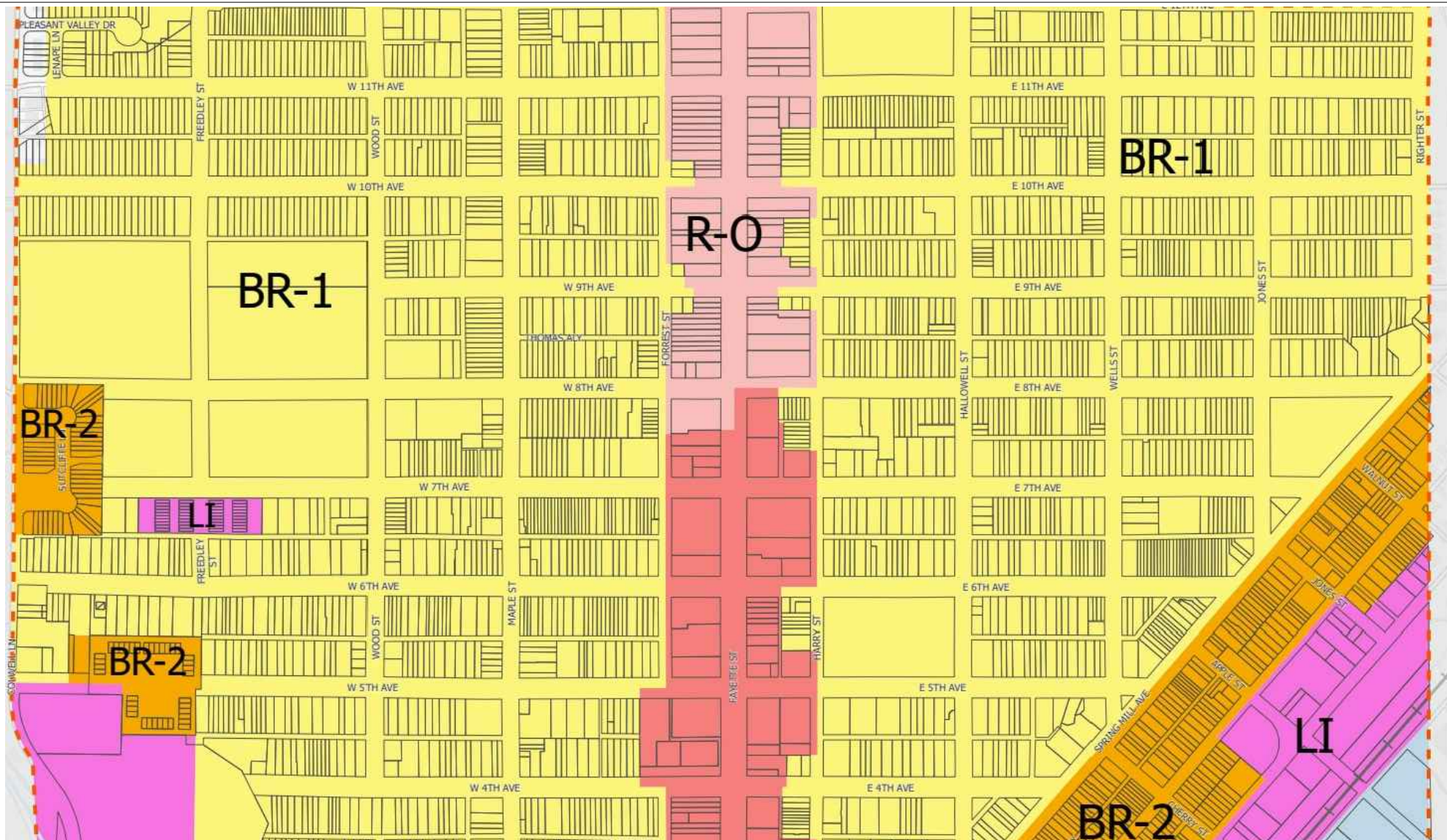
AERIAL MAP



AERIAL PHOTO



ZONING MAP



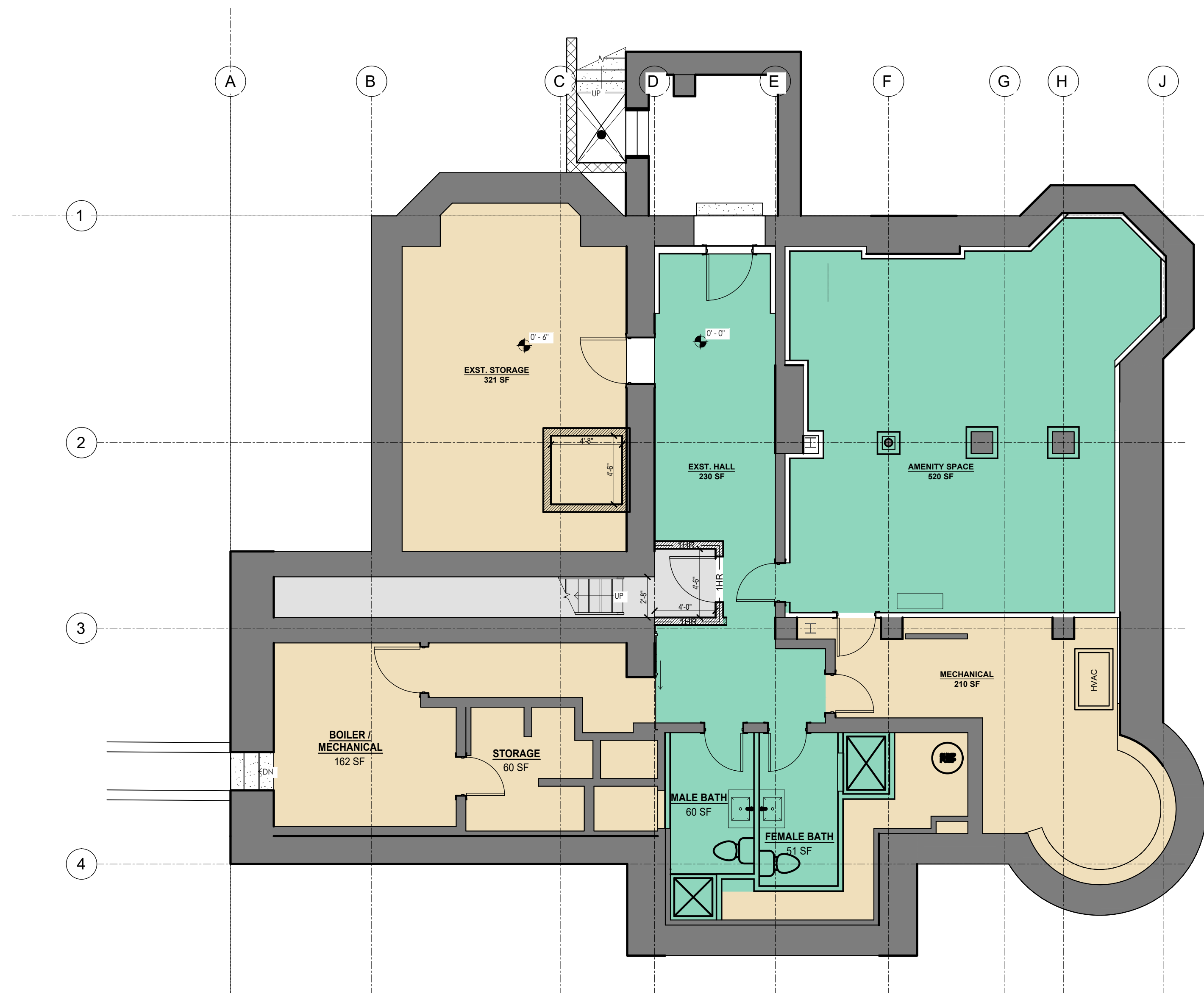
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Conshohocken, PA19428



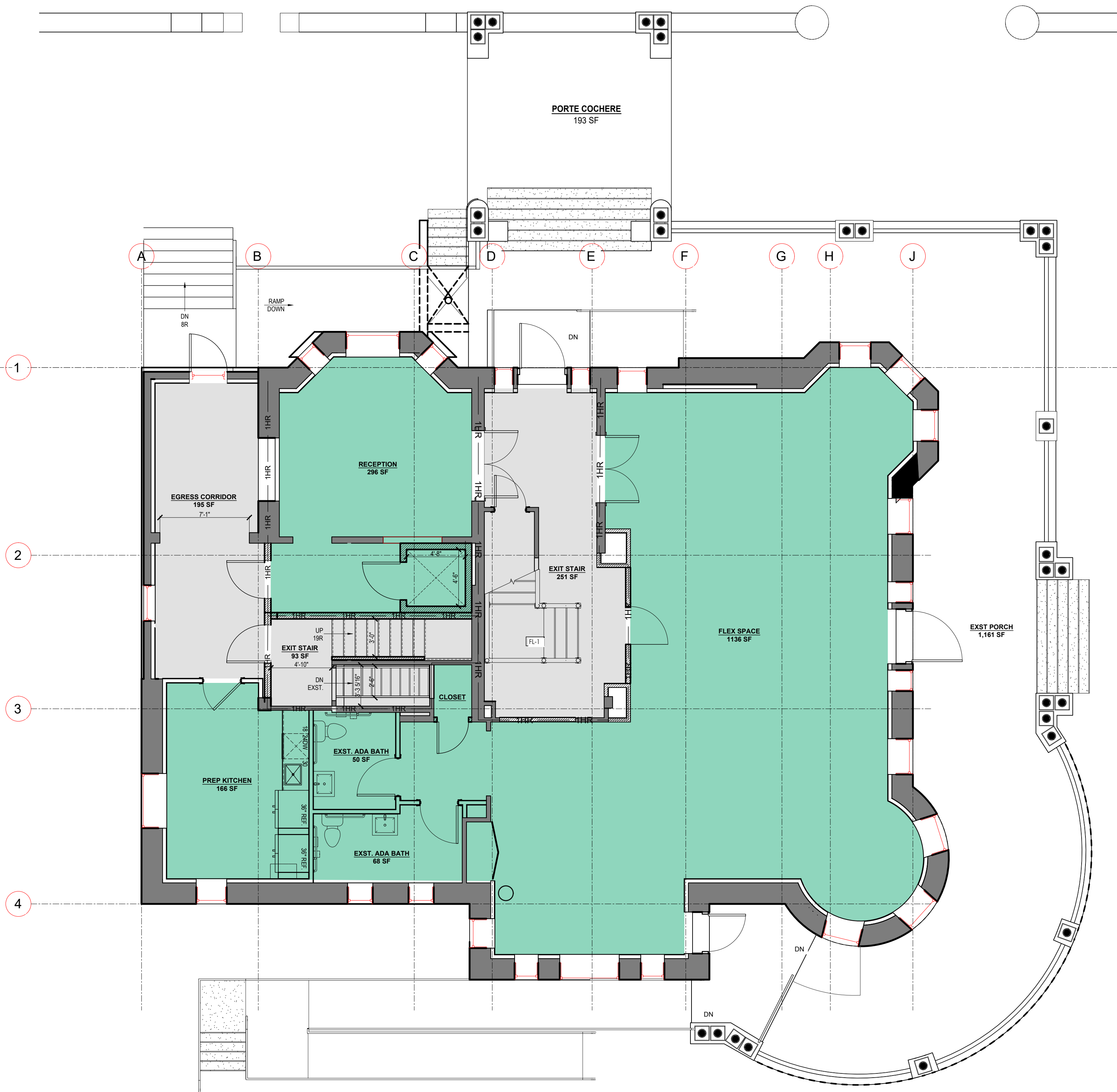
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1	05.27.2025	FEASIBILITY	RS	RO
2	06.16.2025	SCHEMATIC PLANS	RS	RO

CS
COVER SHEET

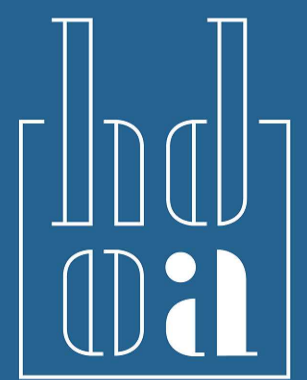
720-30 FAYETTE ST.
Philadelphia, PA



1 BASEMENT PLAN
SD1.0 3/16" = 1'-0"



2 FIRST FLOOR PLAN
SD1.0 3/16" = 1'-0"



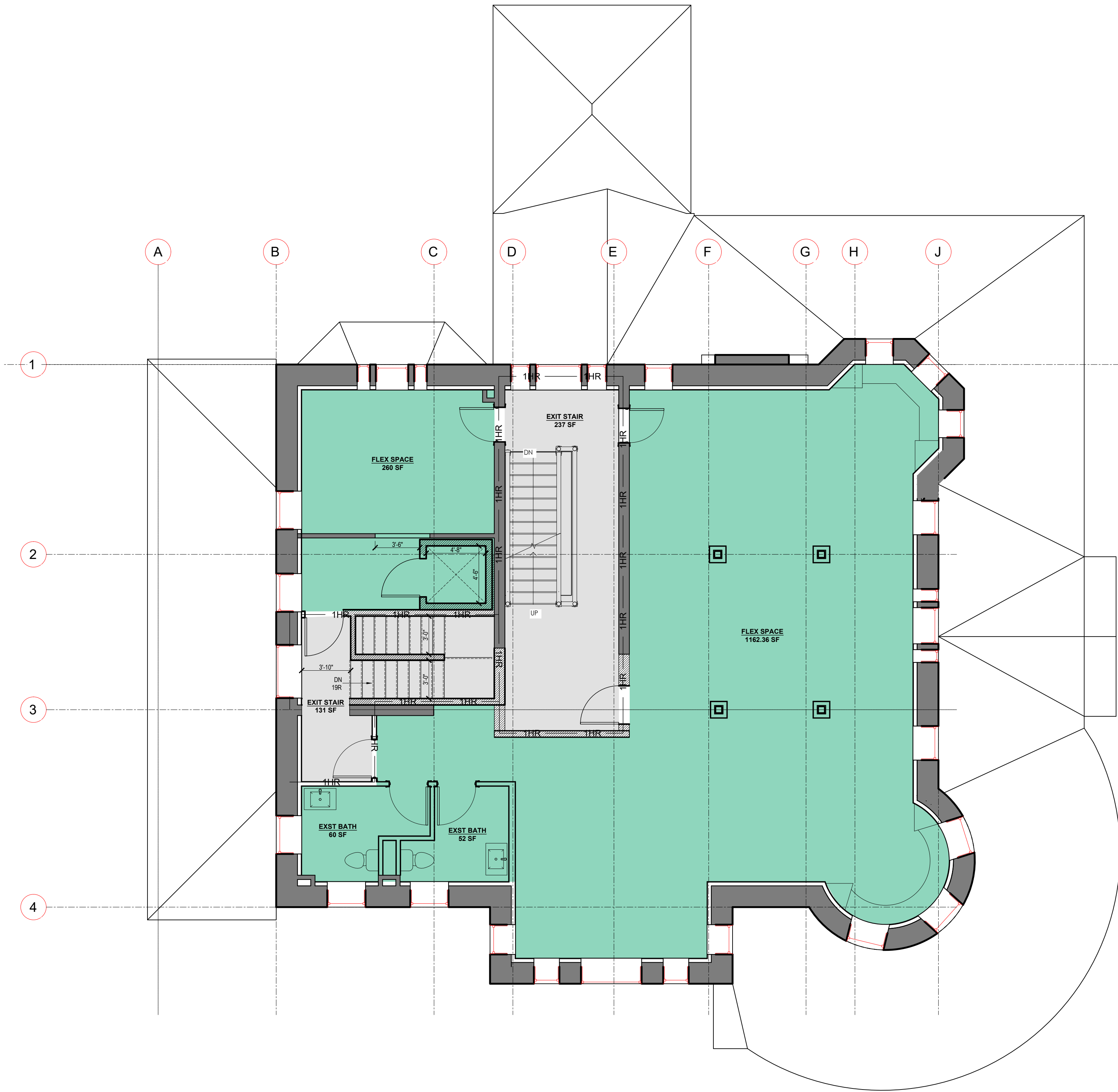
harman
deutsch
ohler
architecture

720 Fayette St. Conshohocken, PA19428

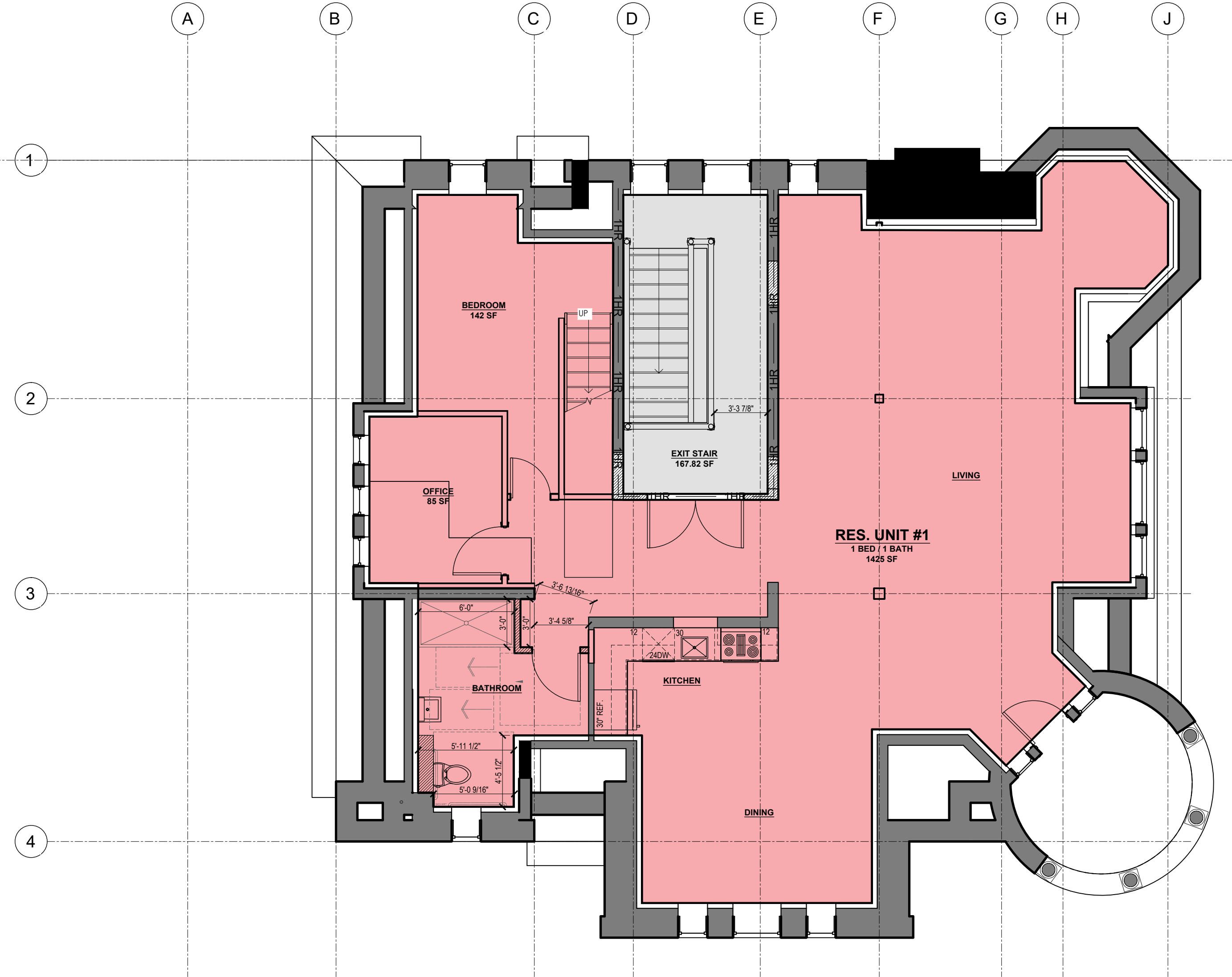
#	DATE	ISSUE / REVISION	DRAWN BY:	REVIEWED BY:
1	05.27.2025	FEASIBILITY	RS	RO
2	06.16.2025	SCHEMATIC PLANS	RS	RO

SD1.0
FLOOR PLANS

720-30 FAYETTE ST.
Philadelphia, PA



1 SECOND FLOOR PLAN
SD1.1 3/16" = 1'-0"



2 THIRD FLOOR PLAN
SD1.1 3/16" = 1'-0"

#	DATE	ISSUE / REVISION	DRAWN BY:	REVIEWED BY:
1	05.27.2025	FEASIBILITY	RS	RO
2	06.16.2025	SCHEMATIC PLANS	RS	RO