BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

OCTOBER 19, 2026, ZONING HEARING BOARD MEETING PACKET

Millennium IV M4 Office Building Development (extension) Page 2
524 E Elm Street (extension) Page 41
530 Harry Street Page 89
400 E 10th Avenue Page 108

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR
Yaniv Aronson

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Stephanie Cecco
Borough Manager

ZONING NOTICE
OCTOBER 19, 2026 ZONING HEARING BOARD MEETING
ZONING HEARING Z-2026-14

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on October 19, 2026 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:	Millennium IV Land Owner LLC 160 Club House Road King of Prussia, PA 19046
PREMISES INVOLVED:	05-00-11856-10-9 (Unit E) 05-00-11856-11-8 (Unit F) 05-00-11856-12-7 (Unit G) 05-00-11856-93-7 (Unit H) 05-00-11856-14-5 (Unit J) SP-2 – Specially Planned District 2 FP – Floodplain Conservation Overlay District
OWNER OF RECORD:	Millennium IV Land Owner LLC 160 Club House Road, King of Prussia, PA 19046

The petitioner is seeking an extension pursuant to Section §27-613 of the Conshohocken Borough Zoning Hearing Board approval of the following variances granted in the Zoning Hearing Board Decision dated September 22, 2025: from the Conshohocken Borough Zoning Code Sections §27-1503.3.C; §27-1504.F.(2); §27-1505.B.(3); §27-1509.2; §27-1509.2.C; and §27-1514.1.A, B, D, F, G, H, and K - to permit a building height of 140 feet; impervious coverage of 79%; a building separation of 17.9 feet; a maximum building profile of 406 linear feet; and a visible parking structure oriented parallel to the Schuylkill River associated with the proposed construction of two (2) office buildings with podium parking decks and related improvements within the FP-Floodplain Conservation Overlay 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

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MEMORANDUM

Date: October 1, 2026

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: Millennium IV Office Buildings (1st Extension Request) – Zoning Determination

History of the Site:

The property is located within the SP-2 – Specially Planned District 2 and subject to provisions of the FP – Floodplain Conservation Overlay district. The site is part of unified development comprising of a total of thirteen (13) parcels with eight (8) of the parcels being Millenium and affiliated owned parcels (which are listed under separate ownership as Millenium Waterfront Associates II, LP, Millenium III Office Owner, LLC, and 301 Washington Street Landlord, LLC) that fronts Washington Street (55 feet right-of-way) encompassing a total tract size of 587,769 SF (or 13.49 acres). The remaining five (5) parcels (a.k.a. Condo E, F, G, H and J) and totals 214,858 SF (or 4.932 acres) are under the Millenium IV Land Owner, LLC ownership. The Millenium IV parcels are located to the rear of the existing Millenium I, II, and III buildings.

The site is also bounded by Ash Street (50 feet right-of-way) to the west; Poplar Street (a private street) and the Londonbury Apartment Buildings to the east; and a parking lot and the Schuylkill River waterfront to the south.

The current use of the Millenium IV site includes an existing surface parking lot located to the rear of the Millenium I parcel with access off of Ash Street and shared access to the Millenium II building and parking lot; as well as open space located to the rear of the Millenium II and III buildings.

The Applicant, Millenium IV Land Owner, LLC, is proposing to make site improvements to the existing five (5) Condo E, F, G, H and J parcels. The Applicant is proposing to demolish a portion of the existing parking lot located to the rear of the Millenium I building (a.k.a. 20 Ash Street) and construct the following:

- a six (6)-story 36,066 SF (216,400 GSF) office building (a.k.a. Building A);
- a four (4)-story 63.334 SF (253,336 GSF) podium parking garage with 960 proposed parking spaces with ingress/egress off of Ash Street and at the northeastern corner of the building; and,
- a row of six (6) parking spaces along the front northeastern corner of the new building.

The Applicant is also proposing to construct the following on the existing open space parcels to the rear of the Millenium II building (a.k.a. 225 Washington Street) and Millenium III building (a.k.a. 227 Washington Street) as follows:

- a three (3)-story 29,280 SF (87,840 GSF) office building (a.k.a. Building B); and,
- a two (2)-story 39,729 SF (158,916 GSF) podium parking garage with 236 proposed parking spaces with ingress/egress off of Poplar Street and in the rear center of the parking lot located between the Millenium II and III buildings.

In addition, the Applicant is proposing a five (5)-feet wide asphalt sidewalk that will connect to the existing sidewalk in front of the proposed three (3)-story office building and adjacent the ingress/egress access drive of the proposed six (6)-story office building to the existing waterfront trail along the Schuylkill River.

The overall Millenium development had gone before the Zoning Hearing Board under multiple prior zoning applications since January 2000. Most recently, the Applicant, Millenium IV Land Owner, LLC, appeared before the Conshohocken Borough Zoning Hearing Board on August 18, 2025 under zoning application no. Z-2025-05. In the Zoning Hearing Board Decision and Order dated September 22, 2025, the Applicant was granted zoning relief from the following sections of the Borough Zoning Ordinance:

1. Section §27-1503.3.C - to permit a building height greater than 85 feet for a building that is located further than 2,000 feet from a SEPTA rail station;
2. Section §27-1504.F.(2) - to permit a maximum impervious coverage of 79%, whereas not more than 70% of the area of any lot in the SP-2 zoning district is permitted;
3. Section §27-1505.B.(3) - to permit a building separation on the same lot of 17.9 feet, whereas a minimum 30 feet building separation is required;
4. Section §27-1509.2 – to permit a maximum building profile of 406 LF whereas a 250 LF is otherwise permitted by right;
5. Section §27-1509.2.C - to permit a visible parking structure fronting parallel to the Schuylkill River in connection to a maximum building profile of 350 feet; and,
6. Section §27-1514.1.A, B, D, F, G, H, and K - to permit the construction of the proposed office buildings with podium parking decks and associated site clearing, filling, placement, and related improvements within the FP- Floodplain conservation overlay district, whereas such activities, uses, and permanent structures are prohibited.

The above zoning relief was granted conditioned that the Fire Marshal must approve the building separation distance for Building B.

Current Request:

The Applicant, Millenium IV Land Owner, LLC, is seeking a one (1)-year extension of the previously granted zoning reliefs to September 22, 2027 pursuant to Section §27-613 of the Zoning Ordinance which expired after September 22, 2026. The zoning extension request was received by Conshohocken Borough on September 3, 2026, prior to the expiration of the zoning reliefs.

Zoning Determination:

Pursuant to the September 22, 2025 Zoning Hearing Board Decision and Order, and in accordance with §27-613 of the Conshohocken Borough Zoning Ordinance, unless otherwise specified by the Zoning Hearing Board, any special exception or variance granted by the Board shall expire if the Applicant fails to obtain any and all required permits within one (1) year from the date of approval.

The proposed development constitutes a land development under the Pennsylvania Municipalities Planning Code and, therefore, is subject to the Borough's established land development review and approval process. In addition, the proposed improvements to the subject properties require Conditional Use approval by Borough Council. Accordingly, the Applicant must first complete the Conditional Use application and review process and obtain the requisite approval from Borough Council. Thereafter, the Applicant must complete the applicable land development review process, including review and recommendations by the Borough and County Planning Commissions and preliminary/final land development approval by Borough Council.

Following the required land development approvals, the Applicant will be required to submit and obtain all applicable permits necessary to proceed with the proposed development. Based upon the required sequence of municipal reviews and approvals, the Applicant has not currently obtained all required permits prior to the September 22, 2026 expiration of the zoning relief granted pursuant to the September 22, 2025 Zoning Hearing Board Decision and Order. Accordingly, an extension of the previously granted zoning relief pursuant to §27-613 is required in order to preserve the validity of the approved variances while the Applicant completes the required conditional use, land development, and permitting processes.

KLEHR HARRISON
HARVEY BRANZBURG LLP

Leonard B. Altieri III
Direct Dial: (215) 569-4364
Email: laltieri@klehr.com

September 2, 2026

VIA FEDERAL EXPRESS
Borough of Conshohocken
400 Fayette Street
Conshohocken, PA 19403
Attn: Brittany Rogers

Re Millennium IV Land Owner LLC–Zoning Application
M4 Office Buildings Units E, F, G, H, & J

Dear Sir/Madam:

Please be advised that this firm represents the above-named entity, Millenium IV Land Owner LLC ("Applicant"). On behalf of Applicant please find the following three (3) packets enclosed for a zoning application in the following order:

- Three (3) copies of the Zoning Application.
- Three (3) copies of the letter requesting an extension addressed to the Borough of Conshohocken.
- Three (3) copies of the Special Warranty Deed for the subject property.
- Check in the amount of $500.00 for the application fee made payable to the Borough of Conshohocken.
- Check in the $1,500.00 for the Escrow fee made payable to the Borough of Conshohocken.

Please:

- Confirm receipt of the completed application and advise of the date that this application will be scheduled for a public hearing before the Borough; and

- Provide me with advance notice of any meeting of any board, commission, agency, or committee which intends to discuss or consider this Application.

Should you have any questions, or need any additional information, please do not hesitate to contact me.

Very Truly Yours,

Klehr Harrison Harvey Branzburg

Leonard B. Altieri, III
Leonard B. Altieri, III

LBA:mb
Enclosures

BOROUGH of CONSHOHOCKEN
SEP 3 '26 AM11:45
RECEIVED

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

Zoning Application

Application: Z-2026-14
Date Submitted: 9/3/26
Date Received: 9/3/26

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 Relief

2. Section of the Zoning Ordinance from which relief is requested:
Section 27-613

3. Address of the property, which is the subject of the application:
M4 Office Buildings, Units E, F, G, H, and J

4. Applicant's Name: Millennium IV Land Owner LLC
Address: 160 Clubhouse Road, King of Prussia, PA 19406
Phone Number (daytime): 919-259-6233
E-mail Address: jnickel@morganproperties.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: _____ Zoning District: SP-2

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

Yes [✔] No [ ] If yes, please describe.

See attached Zoning Hearing Board Decision for Appeal No.: Z-2025-05, dated September 22, 2025

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.

N/A

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

a. The unique characteristics of the property: _____

N/A

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

N/A

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

N/A

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

N/A

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

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

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: Matthew J. McHugh, Esq. / Leonard B. Altieri, III, Esq.

b. Address: 1835 Market Street, Suite 1400, Philadelphia, PA 19103

c. Phone Number: 215-569-1662 / 215-569-4364

d. E-mail Address: MMcHugh@klehr.com / LAltieri@klehr.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.

Millenium IV LAND OWNER, LLC

Applicant

Legal Owner

9/1/26

Date

COMMONWEALTH OF ~~PENNSYLVANIA~~ Delaware

COUNTY OF ~~MONTGOMERY~~ New Castle

As subscribed and sworn to before me this first day of September, 2026

Brittany L Anastor

Notary Public

(Seal)

BRITTANY LANASTOR
NOTARY PUBLIC
STATE OF DELAWARE
MY COMMISSION EXPIRES OCT. 9TH, 2027

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
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

DATE OF ORDER: _____

KLEHR HARRISON HARVEY BRANZBURG LLP

Leonard B. Altieri III
Direct Dial: (215) 569-4364
Email: laltieri@klehr.com

September 2, 2026

VIA EMAIL ONLY
brogers@conshohockenpa.gov
Brittany Rogers
Executive Assistant to the Borough Manager
Borough of Conshohocken

Re: Borough of Conshohocken Zoning Hearing Board
Application of Millennium IV Land Owner, LLC
Millennium IV (M4) Office Building

Dear Brittany:

As you know, this firm represents Millennium IV Land Owner, LLC (the "Applicant") in connection with the above-referenced matter. The Applicant appeared before the Conshohocken Zoning Hearing Board (the "ZHB") on August 18, 2025, seeking various forms of zoning relief from the requirements of the Conshohocken Borough Zoning Ordinance (the "Ordinance").

By Decision and Order dated September 22, 2025 (the "Decision and Order"), the ZHB granted all requested zoning relief, subject to the condition that the relief would expire one (1) year from the date of the Decision and Order unless a building permit had been issued within that time. A true and correct copy of the Decision and Order is attached hereto as Exhibit "A" and incorporated herein by reference.

Pursuant to Section 27-613 of the Ordinance, the Applicant hereby respectfully requests a one (1) year extension of the zoning relief granted by the ZHB, extending the expiration date through and including September 22, 2027. Although the Applicant has advanced the project since the ZHB's approval, it remains in the process of finalizing its conditional use approval and land development applications. Accordingly, additional time is necessary to complete the municipal review and approval process and to obtain the required building permit(s).

Very truly yours,

/s/ Leonard B. Altieri, III

Leonard B. Altieri III

LBA:

COMMONWEALTH OF PENNSYLVANIA

BOROUGH OF CONSHOHOCKEN ZONING HEARING BOARD

APPEAL NO. Z-2025-05

APPLICATION OF MILLENNIUM IV LAND OWNER, LLC

MILLENNIUM IV (M4) OFFICE BUILDING

DECISION

I. HISTORY

On or about May 28, 2025, Millennium IV Land Owner, LLC (the "Applicant"), filed an Application for Variances from the Borough of Conshohocken Zoning Ordinance of 2001, as amended, (the "Ordinance") for the property located at five (5) different parcels of land with Parcel Numbers 05-00-11856-10-9, 05-00-11856-11-8, 05-00-11856-12-7, 05-00-11856-93-7, and 05-00-11856-14-5 (the "Subject Property"). The Subject Property is in the SP - 2 – Specially Planned District 2 and the Floodplain Conservation Overlay District.

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

1. A Variance from Section 27-1503(3)(C) to permit a building height of 140 feet where the maximum height permitted for a building located further than 2,000 feet from a SETPA rail station is 85 feet.
2. A Variance from Section 27-1504(F)(2) to permit an impervious coverage of 79% where a maximum impervious coverage of 70% is permitted.
3. A Variance from Section 27-1505(B)(3) to permit a building separation of 17.9 feet where a minimum building separation of 30 feet is required.

4. A Variance from Section 27-1509(2) to permit a building profile of 406 linear feet where a maximum profile of 250 linear feet is permitted.
5. A Variance from Section 27-1509(2)(C) to permit a visible parking structure fronting parallel to the Schuylkill River in connection to a building with a profile longer than 350 linear feet where a lot may not be developed with a visible parking structure fronting parallel to the Schuylkill River.
6. A Variance from Section 27-1714(1)(A), (B), (D), (F), (G), (H), and (K) to permit the construction of the proposed office buildings with podium parking decks and associated site clearing, filling, placement, and related improvements within the FP – Floodplain Conservation Overlay District where such activities, uses, and permanent structures are prohibited.

After notice was duly given and advertised, a hearing was scheduled for and commenced on the Application and testimony was received August 18, 2025. At the hearing, the following Exhibits were introduced and admitted:

P-1: Zoning Application with Addendum

P-2: Deed

P-3: Cover Letter dated May 29, 2025

P-4: Zoning Plan

P-5: Zoning Determination

P-6: Zoning Notice

A-1: Curriculum Vitae of Jennifer Oltman

A-2: Aerial Photograph

A-3: Zoning Plan

A-4: Building Renderings

A-5: SEPTA Location

A-6: H&H Report

A-7: Zoning Hearing Board Decision of 2014

A-8: Zoning Hearing Board Decision of 2015

The Applicant was represented by Matthew J. McHugh, Esquire.

Party status was requested by Danielle Vennett, who works at 110 Washington Street, but said request was denied.

II. FINDINGS OF FACT

1. The Subject Property is located Units E, F, G, H, and J of the M4 Office Buildings in Conshohocken, PA 19428.
2. The Subject Property is in the SP – 2 Specially Planned District 2 and the Floodplain Conservation Overlay District.
3. The Zoning Hearing Board of the Borough of Conshohocken met all the requirements of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code as to the requisite Legal Notice of the Hearing.
4. The Subject Property is owned by the Applicant.
5. Applicant offered the following testimony on the Application on their own behalf at the hearing:
    a. Applicant proposes the development of land at the Millennium Complex along the riverfront of the Schuylkill River.
    b. The Subject Property is one of the last partially-undeveloped portions of land adjacent to the riverfront and is out of harmony with the surrounding structures.
    c. Development of the Subject Property is restricted by existing on-lot construction and the unique shape of the parcel.
    d. Applicant proposes a six (6) story office building over a four (4) story podium parking deck, referenced as “Building A”.
    e. The parking proposed in Building A is planned to include 960 parking spaces, including garage and surface parking spaces.

f. Building A is intended to be occupied by a single tenant.

g. Applicant also proposes a three (3) story office over a two (2) story podium parking garage, referenced as “Building B”.

h. The parking proposed in Building B is planned to include 236 parking spaces.

i. Building B is intended to be occupied by adjacent property tenants, Morgan Properties.

j. The proposed construction of Building B will be performed between five (5) and ten (10) years into the future, with the Applicant working with the Borough in the meantime to ensure that the Borough contains adequate open space.

k. Applicant also proposes a 10-foot wide asphalt sidewalk which will connect down to the river trail, to be finalized while working with the Borough.

l. Applicant has designed the proposed structures to be an aesthetically pleasing view from the river.

m. The currently-proposed structures are still subject to change but will not expand beyond the bounds of the zoning relief requested.

n. If Applicant proposes further construction beyond the bounds of the requested relief, they will apply for further zoning relief as necessary.

6. Jennifer Oltman, Civil Engineer for the proposed construction, offered the following testimony in support of the Application at the hearing:

   a. The Applicant has performed a Traffic Study in accordance with PennDOT regulations.

   b. Applicant intends to attend further public meetings and hearings regarding this project to ensure that it maintains compliance with all applicable rules and regulations.

7. Danielle Vennett, who lives at 400 West Elm Street, Apartment 808, Conshohocken, PA 19428, offered the following comment in opposition of the Application at the hearing:

   a. Ms. Vennett is head of real estate for Hamilton Lane.

   b. There are currently existing parking and traffic issues in the local area and this development may exacerbate those issues.

8. No other members of the public offered any form of comment on the Application.

III. DISCUSSION

Section 27-1503(3)(C) of the Ordinance, in relevant part, a building's height may be increased to up to 230 feet by condition use, provided that the building is located within 2,000 feet of a SEPTA rail station.

Section 27-1504(F)(2) of the Ordinance, in relevant part, a lot in the SP – 2 District may not be covered by more than 70% impervious surface area.

Section 27-1505(B)(3) of the Ordinance, in relevant part, requires at least 30 feet between any buildings or parking structures on the same lot or parcel.

Section 27-1509(2) of the Ordinance, in relevant part, permits a maximum building profile from any side or elevation of 250 linear feet.

Section 27-1509(2)(C) of the Ordinance, in relevant part, does not permit a lot to be developed with a visible parking structure fronting parallel to the Schuylkill River.

Section 27-1714(1)(A), (B), (D), (F), (G), (H), and (K) of the Ordinance, in relevant part, prohibits (1) new construction, alteration, or improvement of any buildings or permanent structures, (2) new construction or placement of fill, (3) clearing of all existing vegetation, (4) roads or driveways, (5) motor or wheeled traffic, (6) parking lots, and (7) stormwater basins, including necessary berms and outfall facilities within the Floodplain Conservation Overlay District.

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). Our Supreme Court has emphasized that "the hardship must truly be an unnecessary one unique or peculiar to the property, and not simply a mere hardship." Kneebone v. Zoning Hearing Bd. of Twp. of Plainfield, 276 A.3d 705, 718 (Pa. 2022). However, an applicant seeking a variance need not demonstrate that the property is rendered valueless as zoned in order to show that a variance is needed to make reasonable use of the property. Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637, 640 (Pa. 1983). "While an unnecessary hardship can be established by demonstrating that the hardship falls squarely within one of these three categories, in practice the evidence presented often does not fit neatly in one category or another but overlaps." Nowicki v. Zoning Hearing Bd. of Borough of Monaca, 91 A.3d 287, 292 (Pa. Commw. Ct. 2014).

The party seeking the variance carries the burden of proving that an unnecessary hardship will result if the requested relief is denied. Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637, 640 (Pa. 1983). This burden upon a landowner requesting a variance is a heavy one. Williams v. Salem Twp., 500 A.2d 933, 937 (Pa. Commw. Ct. 1985) (*appeal denied*, 531 A.2d 781 (Pa. 1987)).

Once an unnecessary hardship has been established, a property owner can demonstrate that the relief sought is the minimum necessary by "showing that of all the viable alternatives, the proposed use is the least departure from the terms of the ordinance, or the most similar to the uses in the surrounding neighborhood." In re Ridge Park Civic Ass'n, 240 A.3d 1029, 1034 (Pa. Commw. Ct. 2020).

However, the Application requests a variance that 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.

Furthermore, "a zoning hearing board, 'as fact finder, is the ultimate judge of credibility and resolves all conflicts of evidence.' In re Appeal of Brickstone Realty Corporation, 789 A.2d 333, 339 (Pa. Commw. Ct. 2001). Indeed, a zoning hearing board 'has the power to reject even uncontradicted testimony if [it] finds

the testimony lacking in credibility.' Constantino v. Zoning Hearing Board of Borough of Forest Hills, [618 A.2d 1193, 1196 (Pa. Commw. Ct. 1992)]" (Delaware Riverkeeper Network v. Middlesex Twp. Zoning Hearing Bd., No. 2609 C.D. 2015, 2019 WL 2605850 (Pa. Commw. Ct. June 26, 2019). Thus, determination of credibility of testimony of witnesses is left entirely to the discretion of the Board as a quasi-judicial governing body.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that the Applicant has proven that an unnecessary hardship unique or peculiar to the property exists and that the variance is not contrary to the public interest. The Board found the testimony and statements of the Applicant and its witnesses to be credible and persuasive. Accordingly, the Board can 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 an unnecessary hardship is created due to such condition;
2. The 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, and 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.

ORDER

AND NOW, this 22nd day of September, 2025, the Application, seeking Variances from Section 27-1503(3)(C), to permit a building height of 140 feet, Section 27-1504(F)(2), to permit an impervious coverage of 79%, Section 27-1505(B)(3), to permit a building separation of 17.9 feet, Section 27-1509(2), to permit a maximum building profile of 406 linear feet, Section 27-1509(2)(C) to permit a visible parking structure fronting parallel to the Schuylkill River, and from Sections 27-1714(1)(A), (B), (D), (F), (G), (H), and (K), to permit the construction of the proposed project within the FP – Floodplain Conservation Overlay District, is **GRANTED**, pursuant to the following **CONDITIONS:**

1) The Fire Marshal must approve the building separation distance for Building B.

THIS RELIEF SHALL EXPIRE AT THE END OF ONE (1) YEAR FROM THE DATE OF THIS ORDER UNLESS THE APPLICANT OBTAINS A BUILDING PERMIT OR PUTS THE PROPERTY TO THE USE FOR WHICH THE RELIEF HAS BEEN GRANTED BEFORE THAT TIME. The Applicant is directed to apply to the Borough of Conshohocken Zoning Officer/Building Inspector to obtain any appropriate permits.

BOROUGH OF CONSHOHOCKEN
ZONING HEARING BOARD

I, Gregory R. Heleniak, the Solicitor of the Borough of Conshohocken Zoning Hearing Board, hereby certify that this written opinion accurately reflects the actions and vote by said Board at its August 18, 2025, hearing in this matter.

Gregory R. Heleniak, Esquire

A copy of this Decision and Order
was sent to all Parties via E-mail or
United States First Class Mail on:

September 22, 2025

THIS DECISION AND ORDER OF THE CONSHOHOCKEN BOROUGH ZONING HEARING BOARD IS FINAL, AND ANY APPEAL OF IT MUST BE FILED WITH THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY WITHIN THIRTY (30) DAYS FOLLOWING THE ABOVE-STATED MAILING DATE.

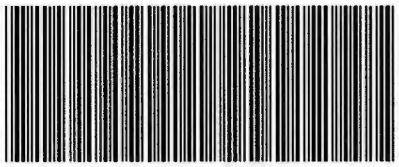




RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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 6288 PG 02432 to 02444
INSTRUMENT # : 2022067207
RECORDED DATE: 06/27/2022 08:22:38 AM



6122555-00230

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Document Type:	Deed	**Transaction #:**	6610525 - 5 Doc(s)
Document Date:	06/01/2022	**Document Page Count:**	12
Reference Info:		**Operator Id:**	sford

RETURN TO: (Simplifile)
MONTGOMERY MADISON ABSTRACT, LP
1125 OCEAN AVE STE 1010
LAKEWOOD, NJ 08701
(732) 333-2686

PAID BY:
MONTGOMERY MADISON ABSTRACT LP

*** PROPERTY DATA:**

Parcel ID #:	05-00-11856-10-9	05-00-11856-11-8	05-00-11856-12-7
Address:	WASHINGTON ST CONDO E PA	WASHINGTON ST CONDO F PA	WASHINGTON ST CONDO G PA
Municipality:	Conshohocken Borough (100%)	Conshohocken Borough (0%)	Conshohocken Borough (0%)
School District:	Colonial	Colonial	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: **$8,750,000.00**
TAXABLE AMOUNT: **$8,750,000.00**

FEES / TAXES:

Recording Fee:Deed	$86.75
Affidavit Fee	$1.50
Additional Pages Fee	$16.00
Additional Parcels Fee	$60.00
Affordable Housing Pages	$16.00
Affordable Housing Parcels	$2.00
State RTT	$87,500.00
Conshohocken Borough RTT	$43,750.00
Colonial School District RTT	$43,750.00
Total:	$175,182.25

DEED BK 6288 PG 02432 to 02444
Recorded Date: 06/27/2022 08:22:38 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:

Kleinbard LLC
1717 Arch Street, 5th Floor
Philadelphia, PA 19103

When Recorded, Return To:

Morgan Properties Acquisition Company LLC
c/o Morgan Properties
160 Clubhouse Road
King of Prussia, PA 19406
Attention: Michael Schecter

Tax Parcel # Tax ID / Parcel No. 05-00-11856-10-9 (UNIT E)
Tax ID / Parcel No. 05-00-11856-11-8 (UNIT F)
Tax ID / Parcel No. 05-00-11856-12-7 (UNIT G)
Tax ID / Parcel No. 05-00-11856-93-7 (UNIT H)
Tax ID / Parcel No. 05-00-11856-14-5 (UNIT J)

SPECIAL WARRANTY DEED

THIS INDENTURE is executed on June 1, 2022, and effective as of June 8, 2022, between **TPT MILLENNIUM, LLC**, a Delaware limited liability company (hereinafter called the "Grantor") and **MILLENNIUM IV LAND OWNER LLC**, a Delaware limited liability company (hereinafter called the "Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of EIGHT MILLION SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($8,750,00.00) lawful money of the United States of America, unto it well and truly paid by the Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and conveyed, and by these presents does grant, bargain and sell, release and convey unto the Grantee, its successors and assigns,

ALL THAT CERTAIN lot or parcel of land situate in the Borough of Conshohocken, Montgomery County, Commonwealth of Pennsylvania, bounded and described as set forth in the legal description attached to this Deed as Exhibit "A" and incorporated by reference.

UNDER AND SUBJECT to all covenants, conditions, restrictions, easements, rights of way and reservations of record, to the extent valid, subsisting and enforceable.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, the Grantor, in law, equity, or

otherwise howsoever, of, in and to the same and every part thereof.

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

UNDER AND SUBJECT, as aforesaid.

AND the Grantor, for itself and its successors and assigns, does covenant, promise and agree, to and with the Grantee, its successors and assigns, by these presents, that it, the Grantor and its successors and assigns, all and singular the buildings, hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the Grantee, its successors and assigns, against the Grantor and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them, shall and will, subject as aforesaid, WARRANT and forever DEFEND.

[*Signature on next page*]

IN WITNESS WHEREOF, the Grantor has hereunto executed this Deed. Dated the day and year first above written.

GRANTOR:

TPT MILLENNIUM, LLC, a Delaware limited liability company

By: _____
Name: Gregory Pinkus
Title: Authorized Signatory

STATE OF NEW YORK)

COUNTY OF NEW YORK)

ON THIS, the 1st day of June, 2022, before me, the undersigned office, personally appeared Gregory Pinkus who acknowledged him/herself to be the Authorized Signatory of **TPT MILLENNIUM, LLC**, a Delaware limited liability company, and that he/she as such office, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by him/herself as said officer.

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

_____
Notary Public

My Commission expires:

(Notarial Seal)

PAULINE YAPUTRA
Notary Public - State of New York
NO. 01YA6405126
Qualified in New York County
My Commission Expires Mar 2, 2024

Certification of Address

I hereby certify that the address of the within-named Grantee is:

c/o Morgan Properties
112 S. French Street, Suite 105-MP
Wilmington, DE 19801

MILLENNIUM IV LAND OWNER LLC,
a Delaware limited liability company

By: _____
Name:
Title:

Jason A. Morgan
Vice-President

[signature page to Special Warranty Deed – Millennium IV]

Exhibit "A"

Legal Description

UNIT E

ALL THAT CERTAIN Unit in the property known, named and identified as Millennium, a Condominium, located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S 3101 et see by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514, being and designated as Unit E together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 2.5%.)

BEING Parcel Number: 05-00-11856-10-9 - (Unit E)

UNIT E is the same real property being described as follows:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF ASH STREET (50 FEET WIDE), SAID POINT BEING LOCATED THE FOLLOWING COURSE AND DISTANCE FROM THE INTERSECTION OF THE EASTERLY SIDE OF ASH STREET AND THE TITLE LINE WITHIN WASHINGTON STREET (55 FEET WIDE), ALONG THE EASTERLY SIDE OF ASH STREET SOUTH 02 DEGREES 34 MINUTES 00 SECONDS WEST, 295.10 FEET TO A POINT, THENCE FROM SAID BEGINNING POINT AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND THE LANDS NOW OR FORMERLY CONSHOHOCKEN ASSOCIATED, L.P., SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 110.72 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND "UNIT F", SOUTH 02 DEGREES 33 MINUTES 59 SECONDS WEST, 197.16 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND THE LANDS NOW OR FORMERLY THREE TOWER BRIDGE ASSOCIATES THE FOLLOWING TWO COURSES AND DISTANCES; 1) NORTH 73 DEGREES 57 MINUTES 09 SECONDS WEST, 49.60 FEET TO A POINT, 2) NORTH 60 DEGREES 25 MINUTES 12 SECONDS WEST, 70.14 FEET TO A POINT ON THE EASTERLY SIDE OF ASH STREET, THENCE CONTINUING ALONG SAID SIDE OF ASH STREET, NORTH 02 DEGREES 34 MINUTES 00 SECONDS EAST, 153.75 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.
CONTAINING 19,833 SF (0.455 ACRES) OF LAND MORE OR LESS.

BEING PARCEL NUMBER: 05-00-11856-10-9 - (UNIT E)

UNIT F

ALL THAT CERTAIN Unit in the property known, named and identified as Millennium, a Condominium, located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S 3101 et see

by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514, being and designated as Unit F together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 13.5%.)

BEING Parcel Number: 05-00-11856-11-8 - (Unit F)

UNIT F is the same real property being described as follows:

BEGINNING AT A POINT AT THE NORTHWESTERN CORNER "UNIT F" AND THE NORTHEASTERN CORNER OF "UNIT E", SAID POINT BEING LOCATED THE FOLLOWING TWO COURSES AND DISTANCES FROM THE INTERSECTION OF THE EASTERLY SIDE OF ASH STREET (50 FEET WIDE) AND THE TITLE LINE WITHIN WASHINGTON STREET (55 FEET WIDE), 1) ALONG THE EASTERLY SIDE OF ASH STREET SOUTH 02 DEGREES 34 MINUTES 00 SECONDS WEST, 295.10 FEET TO A POINT, 2) THENCE LEAVING SAID LINE SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 110.72 FEET TO A POINT, THENCE FROM SAID BEGINNING POINT AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT F" AND THE LANDS NOW OR FORMERLY CONSHOHOCKEN ASSOCIATES, L.P. AND "UNIT I", SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 154.35 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT F" AND "UNIT G", SOUTH 02 DEGREES 33 MINUTES 59 SECONDS WEST, 234.16 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT F" AND THE LANDS NOW OR FORMERLY THREE TOWER BRIDGE ASSOCIATES, NORTH 73 DEGREES 57 MINUTES 09 SECONDS WEST, 158.72 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND "UNIT F", NORTH 02 DEGREES 33 MINUTES 59 SECONDS EAST, 197.16 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING. CONTAINING 33,287 SF (0.764 ACRES) OF LAND MORE OR LESS.

UNIT G

ALL THAT CERTAIN Unit in the property known, named and identified as Millennium, a Condominium, located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S 3101 et seq by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514, being and designated as Unit G together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 13.5%.)

BEING Parcel Number: 05-00-11866-12-7 - (Unit G)

UNIT G is the same real property being described as follows:

BEGINNING AT A POINT AT THE CORNER OF THE NORTHERLY PROPERTY LINE OF "UNIT G" AND THE NORTHERLY PROPERTY LINE OF "UNIT F", SAID POINT BEING LOCATED THE FOLLOWING TWO COURSES AND DISTANCES FROM THE INTERSECTION OF THE EASTERLY SIDE OF ASH STREET (50 FEET WIDE) AND THE TITLE LINE WITHIN WASHINGTON STREET (55 FEET WIDE), 1) ALONG THE EASTERLY SIDE OF ASH STREET SOUTH 02 DEGREES 34 MINUTES 00 SECONDS WEST, 295.10 FEET TO A POINT, 2) THENCE LEAVING SAID LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND "UNIT F" FROM THE LANDS NOW OR FORMERLY CONSHOHOCKEN ASSOCIATES, L.P. AND WASHINGTON STREET ASSOCIATES IV. LP, SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 265.07 FEET TO A POINT, THENCE FROM SAID BEGINNING POINT AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT G" AND WASHINGTON STREET ASSOCIATES IV. LP, THE FOLLOWING TWO COURSES AND DISTANCES; 1) SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 55.37 FEET TO A POINT, 2) NORTH 81 DEGREES 43 MINUTES 27 SECONDS EAST, 106.55 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT G" AND THE "GENERAL COMMON ELEMENTS I" AND "UNIT H", SOUTH 02 DEGREES 34 MINUTES 01 SECONDS WEST, 253.37 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG SAID COMMON LINE SEPARATING "UNIT G" AND "UNIT H", SOUTH 36 DEGREES 34 MINUTES 30 SECONDS WEST, 34.27 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT G" AND THE LANDS NOW OR FORMERLY THREE TOWER BRIDGE ASSOCIATES THE FOLLOWING TWO COURSES AND DISTANCES; 1) NORTH 78 DEGREES 39 MINUTES 17 SECONDS WEST, 73.46 FEET TO A POINT, 2) NORTH 73 DEGREES 57 MINUTES 09 SECONDS WEST, 70.18 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING UNIT "F" AND "UNIT G", NORTH 02 DEGREES 33 MINUTES 59 SECONDS EAST, 234.16 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

CONTAINING 40,928 SF (0.940 ACRES) OF LAND MORE OR LESS.

UNIT H

ALL THAT CERTAIN Unit in the property known, named and identified as Millennium, a Condominium, located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S 3101 et seq by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514, being and designated as Unit H together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 13.5%.)

BEING Parcel Number: 05-00-11856-93-7 - (Unit H)

UNIT H is the same real property being described as follows:

BEGINNING AT A POINT AT THE CORNER OF THE NORTHERLY PROPERTY LINE OF "UNIT H" AND THE EASTERLY PROPERTY LINE OF "UNIT F", SAID POINT BEING LOCATED THE FOLLOWING FOUR COURSES AND DISTANCES FROM THE INTERSECTION OF THE EASTERLY SIDE OF ASH STREET (50 FEET WIDE) AND THE TITLE LINE WITHIN WASHINGTON STREET (55 FEET WIDE), 1) ALONG THE EASTERLY SIDE OF ASH STREET

SOUTH 02 DEGREES 34 MINUTES 00 SECONDS WEST, 295.10 FEET TO A POINT, 2) THENCE LEAVING SAID LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT E" AND "UNIT F" FROM THE LANDS NOW OR FORMERLY CONSHOHOCKEN ASSOCIATES, L.P. AND "UNIT I", SOUTH 87 DEGREES 26 MINUTES 00 SECONDS EAST, 320.44 FEET TO A POINT, 3) THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT G" AND "UNIT I", NORTH 81 DEGREES 43 MINUTES 27 SECONDS EAST, 106.55 FEET TO A POINT, 4) THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT G" AND "GENERAL COMMON ELEMENTS I", SOUTH 02 DEGREES 34 MINUTES 01 SECONDS WEST, 70.82 FEET TO A POINT, THENCE FROM SAID BEGINNING POINT AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND "GENERAL COMMON ELEMENTS I" AND "UNIT A", NORTH 82 DEGREES 13 MINUTES 49 SECONDS EAST, 82.01 FEET TO A POINT, THENCE CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND "UNIT A" THE FOLLOWING THREE COURSE AND DISTANCES; 1) SOUTH 07 DEGREES 46 MINUTES 11 SECONDS EAST, 15.00 FEET TO A POINT, 2) NORTH 82 DEGREES 13 MINUTES 49 SECONDS EAST, 61.00 FEET TO A POINT, 3) NORTH 07 DEGREES 46 MINUTES 11 SECONDS WEST, 17.87 FEET TO A POINT, THENCE CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND "UNIT A" AND "GENERAL COMMON ELEMENTS III", NORTH 82 DEGREES 15 MINUTES 33 SECONDS EAST, 82.58 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND "UNIT J", SOUTH 07 DEGREES 43 MINUTES 51 SECONDS EAST, 276.12 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND THE LANDS NOW OR FORMERLY CONSHOHOCKEN BOROUGH, SOUTH 87 DEGREES 28 MINUTES 24 SECONDS WEST, 292.22 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND THE LANDS NOW OR FORMERLY THREE TOWER BRIDGE ASSOCIATES, NORTH 04 DEGREES 02 MINUTES 12 SECONDS EAST, 43.41 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT H" AND "UNIT G" THE FOLLOWING TWO COURSE AND DISTANCES; 1) NORTH 36 DEGREES 34 MINUTES 30 SECONDS EAST, 34.27 FEET TO A POINT, 2) NORTH 02 DEGREES 34 MINUTES 01 SECONDS EAST, 182.55 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.
CONTAINING 65,448 SF (1.502 ACRES) OF LAND MORE OR LESS.

UNIT J

ALL THAT CERTAIN Unit in the property known, named and identified as Millennium, a Condominium, located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S 3101 et seq by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514, being and designated as Unit J together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 13.5%.)

BEING Parcel Number: 05-00-11856-14-5 - (Unit J)
UNIT J is the same real property being described as follows:

BEGINNING AT A POINT AT THE NORTHEASTERN CORNER OF "UNIT J" ALONG THE WESTERLY BOUNDARY OF "UNIT D", SAID POINT BEING LOCATED THE FOLLOWING SIX

COURSES AND DISTANCES FROM THE INTERSECTION OF THE EASTERLY SIDE OF ASH STREET (50 FEET WIDE) AND THE TITLE LINE WITHIN WASHINGTON STREET (55 FEET WIDE); 1) CONTINUING ALONG SAID TITLE LINE, ALONG THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING THE RADIUS 2,561.71 FEET, THE ARC LENGTH 225.73 FEET, THE CHORD BEARING SOUTH 89 DEGREES 59 MINUTES 00 SECONDS EAST, AND THE CHORD LENGTH 225.66 FEET TO A POINT, 2) THENCE LEAVING SAID LINE SOUTH 02 DEGREES 36 MINUTES 00 SECONDS WEST, 25.10 FEET TO A POINT ON THE SOUTHERLY SIDE OF WASHINGTON STREET, 3) THENCE CONTINUING ALONG SAID SIDE, ALONG THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING THE RADIUS 2,586.71 FEET, THE ARC LENGTH 254.77 FEET, THE CHORD BEARING NORTH 84 DEGREES 43 MINUTES 15 SECONDS EAST, 254.61 FEET TO A POINT, 4) THENCE ALONG SAID LINE NORTH 81 DEGREES 54 MINUTES 00 SECONDS EAST, 313.73 FEET TO A POINT, 5) THENCE LEAVING SAID LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT C" AND "GENERAL COMMON ELEMENTS II" AND "UNIT D", SOUTH 07 DEGREES 43 MINUTES 51 SECONDS EAST, 305.61 FEET TO A POINT, 6) THENCE CONTINUING ALONG SAID COMMON LINE SEPARATING "UNIT D" AND "GENERAL COMMON ELEMENTS II", SOUTH 82 DEGREES 13 MINUTES 49 SECONDS WEST, 11.00 FEET TO A POINT, THENCE FROM SAID BEGINNING POINT AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT J" AND "UNIT D", SOUTH 07 DEGREES 43 MINUTES 51 SECONDS EAST, 336.66 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT J" AND THE LANDS NOW OR FORMERLY CONSHOHOCKEN BOROUGH THE FOLLOWING TWO COURSE AND DISTANCES; 1) SOUTH 79 DEGREES 36 MINUTES 09 SECONDS WEST, 6.23 FEET TO A POINT, 2) SOUTH 87 DEGREES 28 MINUTES 24 SECONDS WEST, 188.76 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT J" AND UNIT H", NORTH 07 DEGREES 43 MINUTES 51 SECONDS WEST, 276.12 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT J" AND "GENERAL COMMON ELEMENTS III" AND "UNIT B", NORTH 82 DEGREES 15 MINUTES 33 SECONDS EAST, 90.55 FEET TO A POINT, THENCE CONTINUING ALONG SAID COMMON LINE SEPARATING "UNIT J" AND "UNIT B" THE FOLLOWING FIVE COURSES AND DISTANCES; 1) SOUTH 07 DEGREES 46 MINUTES 11 SECONDS EAST, 18.00 FEET TO A POINT, 2) NORTH 82 DEGREES 13 MINUTES 49 SECONDS EAST, 60.00 FEET TO A POINT, 3) NORTH 07 DEGREES 46 MINUTES 11 SECONDS WEST, 27.29 FEET TO A POINT, 4) NORTH 82 DEGREES 09 MINUTES 40 SECONDS EAST, 23.57 FEET TO A POINT, 5) NORTH 07 DEGREES 46 MINUTES 11 SECONDS WEST, 34.31 FEET TO A POINT, THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE COMMON LINE SEPARATING "UNIT J" AND "GENERAL COMMON ELEMENTS II", NORTH 82 DEGREES 13 MINUTES 49 SECONDS EAST, 20.12 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.
CONTAINING 55,362 SF (1.271 ACRES) OF LAND MORE OR LESS.

WITH respect to the Units E, F, G, H, and J:

TOGETHER with rights granted in the Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5667 page 2249 and the Second Amendment to Amended & restated Declaration of Condominium as in Deed Book 5691 page 2492 and the Third Amendment to Amended & Restated Declaration of Condominium as in Deed Book 5805 page 1514.

TOGETHER with rights granted in the Amended and Restated Protective Covenants Agreement between Washington Street Associates II, L.P., a Pennsylvania Limited Partnership; Washington Street Associates V, LP., a Pennsylvania Limited Partnership; Millennium Condominium Association, a Pennsylvania non-profit corporation and a condominium association formed pursuant to the provisions of the Pennsylvania

Uniform Condominium Act; and Washington Street Associates Residential Partners, L.P., a Delaware limited partnership dated 1/20/2006 and recorded in Deed Book 5588 page 1216 on 1/27/2006.

TOGETHER with rights granted in the Easement Agreement between Washington Street Associates Residential Partners, L.P., a Delaware limited partnership; Washington Street Associates II, LP., a Pennsylvania Limited Partnership; Washington Street Associates IV, L.P., a Pennsylvania Limited Partnership; and Millennium Condominium Association, a Pennsylvania non-profit corporation and a condominium association formed pursuant to the provisions of the Pennsylvania Uniform Condominium Act dated 1/20/2006 and recorded in Deed Book 5588 page 1245 on 1/27/2006.

TOGETHER with rights granted in the Amended and Restated Parking Garage and Access Easement Agreement between Washington Street Associates II, L.P., a Pennsylvania Limited Partnership; Millennium Condominium Association, a Pennsylvania non-profit corporation and a condominium association formed pursuant to the provisions of the Pennsylvania Uniform Condominium Act; Conshohocken Associates, L.P., a Pennsylvania limited partnership; and Washington Street Associates IV, L.P., a Pennsylvania Limited Partnership dated 3/30/2007 and recorded in Deed Book 5642 page 1733 on 4/11/2007.

TOGETHER with rights granted in the Declaration of Access and Utilities Easement agreement between The Borough of Conshohocken, a Commonwealth municipality operating under the Borough Code of the Commonwealth of Pennsylvania; Washington Street Associates II, L.P., a Pennsylvania Limited Partnership; and WSA II Boat, LLC, a Pennsylvania limited liability company dated 2/15/2000 and recorded in Deed Book 5309 page 1641. Terms of which are further clarified in the Access, Parking and Construction Cross Easement Agreement between Washington Street Associates II, L.P., a Pennsylvania Limited Partnership; Washington Street Associates IV, L.P., a Pennsylvania Limited Partnership; Millennium Condominium Association, a Pennsylvania non-profit corporation and a condominium association formed pursuant to the provisions of the Pennsylvania Uniform Condominium Act; and The Borough of Conshohocken, a Commonwealth municipality operating under the Borough Code of the Commonwealth of Pennsylvania dated September 28, 2007 and recorded in Deed Book 5667 page 2205 on October 9, 2007.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11856-10-9 CONSHOHOCKEN BOROUGH
WASHINGTON ST CONDO E
TPT MILLENNIUM LLC $15.00
B 018 L E U 028 4345 06/22/2022 JG

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11856-11-8 CONSHOHOCKEN BOROUGH
WASHINGTON ST CONDO F
TPT MILLENNIUM LLC $15.00
B 018 L F U 029 4345 06/22/2022 JG

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11856-12-7 CONSHOHOCKEN BOROUGH
WASHINGTON ST CONDO G
TPT MILLENNIUM LLC $15.00
B 018 L G U 030 4345 06/22/2022 JG

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11856-93-7 CONSHOHOCKEN BOROUGH
WASHINGTON ST CONDO H
TPT MILLENNIUM LLC $15.00
B 018 L H U 025 4345 06/22/2022 JG

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11856-14-5 CONSHOHOCKEN BOROUGH
WASHINGTON ST CONDO J
TPT MILLENNIUM LLC $15.00
B 018 L J U 032 4345 06/22/2022 JG

pennsylvania DEPARTMENT OF REVENUE (EX) MOD 06-19 (FI)

REV-183

BUREAU OF INDIVIDUAL TAXES
PO BOX 280603
HARRISBURG, PA 17128-0603

1830019105

REALTY TRANSFER TAX STATEMENT OF VALUE
COMPLETE EACH SECTION

RECORDER'S USE ONLY
State Tax Paid:
Book: Page:
Instrument Number:
Date Recorded:

SECTION I TRANSFER DATA

Date of Acceptance of Document

Grantor(s)/Lessor(s)	Telephone Number	Grantee(s)/Lessee(s)	Telephone Number
TPT Millennium, LLC	(212) 753-5100	Millennium IV Land Owner LLC	(610) 265-2650

Mailing Address	Mailing Address
c/o Terra Capital Partners, 805 Third Avenue, 8th Floor	c/o Morgan Properties, 112 S. French Street, Suite 105-MP

City	State	ZIP Code	City	State	ZIP Code
New York	NY	10022	Wilmington	DE	19801

SECTION II REAL ESTATE LOCATION

Street Address	City, Township, Borough
227 Washington Street, Unit E, F, G, H, J	Conshohocken

County	School District	Tax Parcel Number
Montgomery	COLONIAL	05-00-11856-10-9, 05-00-11856-11-8, 05-00-11856-12-7, 05-00-11856-93-7 and 05-00-11856-14-5

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? ○ YES ● NO

1. Actual Cash Consideration	2. Other Consideration	3. Total Consideration
8,750,000.00	+	= 8,750,000.00
4. County Assessed Value	**5. Common Level Ratio Factor**	**6. Computed Value**
See Attachment	x 2.24	= 587,216.00

SECTION IV EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed	1b. Percentage of Grantor's Interest in Real Estate	1c. Percentage of Grantor's Interest Conveyed
$ 0.00	100 %	100 %

2. Fill in the Appropriate Oval Below for Exemption Claimed.

- ○ Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
- ○ Transfer to a trust. (Attach complete copy of trust agreement and all amendments.)
- ○ Transfer from a trust. (Attach complete copy of trust agreement and all amendments.)
- ○ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ○ Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ○ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ○ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ○ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ○ Other (Provide a detailed explanation of exemption claimed. If more space is needed attach additional sheets.)

SECTION V CORRESPONDENT INFORMATION - All inquiries may be directed to the following person:

Name	Telephone Number
Christopher R. Sullivan	(215) 528-2000

Mailing Address	City	State	ZIP Code
Kleinbard, 1717 Arch St., 5th Floor	Philadelphia	PA	19103

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

Signature of Correspondent or Responsible Party _____ Date 4/6/22

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

1830019105

1830019105

ATTACHMENT TO

PENNSYLVANIA REAL TRANSFER TAX STATEMENT OF VALUE

Grantor: **TPT Millennium, LLC**

Grantee: **Millennium IV Land Owner LLC**

Date of Deed:

Address	Tax Parcel No.	Assessed Value	Computed Value
227 Washington St., Unit E	05-00-11856-10-9	$24,200	$54,208.00
227 Washington St., Unit F	05-00-11856-11-8	$40,600	$90,944.00
227 Washington St., Unit G	05-00-11856-12-7	$49,950	$111,888.00
227 Washington St., Unit H	05-00-11856-93-7	$79,850	$178,864.00
227 Washington St., Unit J	05-00-11856-14-5	$67,550	$151,312.00
		Total:	$587,216.00

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

ZONING NOTICE
OCTOBER 19, 2026 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2026-16

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on October 19, 2026 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:	DeNicola Health & Fitness, LLC d/b/a Stable Goat Barbell 917 Lorien Drive, Ambler, PA 19002
PREMISES INVOLVED:	524 East Elm Street Conshohocken, PA 19428 LI – Limited Industrial District/Research
OWNER OF RECORD:	DeNicola Health & Fitness, LLC d/b/a Stable Goat Barbell 917 Lorien Drive, Ambler, PA 19002

The petitioner is seeking a Variance from Sections §27-1402 and §27-2002 to permit a weightlifting gym/fitness facility use and to permit on-street parking for the new use rather than provide off-street parking at the subject property; whereas such use is not a permitted use by right within the LI zoning district and where off-street parking is required for any building to be occupied for such use.

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

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MEMORANDUM

Date: October 6, 2026

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 524 E. Elm Street (1st Extension Request) – Zoning Determination

History of the Site:

524 East Elm Street is an existing 6,000 SF property that is comprised of an existing nonconforming 2,080 SF one and half (1½)-story stucco warehouse that was constructed in 1940. The remainder of the site is primarily comprised of bituminous pavement with a grass area and limited landscaping along the western and northern property lines. The existing warehouse is currently leased and operating as a clinical medical laboratory for the diagnosis and treatment of cancer patients.

The subject property is located within the LI – Limited Industrial District/Research District.

The subject property is bounded by East Elm Street (50 ft wide right-of-way) to the south; a residential property fronting E. Hector Street to the north; a club/fraternal organization known as the Tadeusz Kosciuszko (TK) Club to the west; and the land development site of twelve (12) new dwelling units with podium parking by Carriages of Conshohocken, LLC to the east.

The Applicant, DeNicola Health & Fitness, dba, Stable Goat Barbell, currently leases the property located at 544 E. Elm Street and operates a weightlifting gym and personal fitness center at that property. The Applicant has purchased the subject property on January 2, 2026.

The Applicant appeared before the Zoning Hearing Board on October 20, 2025 under zoning hearing application no. Z-2025-19. Based on the Zoning Hearing Board Decision and Order dated November 17, 2025, the Applicant was granted Variances from Section §27-1402 to permit a fitness facility use, and from Section §27-2002 to permit on-street parking to be used in lieu of off-street parking. The variances were granted conditioned that the Applicant explore the use of shared parking spaces with the adjacent "TK Club" located close to the subject property.

Current Request:

The Applicant, DeNicola Health & Fitness, dba, Stable Goat Barbell, is seeking a one (1)-year extension, up to and including November 19, 2027, of the previously granted zoning reliefs pursuant to Section §27-613 of the Zoning Ordinance which will expire after November 17, 2026 since the Applicant has not obtained a building permit or has put the property to the use for which the relief was granted.

Zoning Determination:

Pursuant to the November 17, 2025 Zoning Hearing Board Decision and Order and §27-613 of the Conshohocken Borough Zoning Ordinance, the zoning relief granted by the Board is subject to expiration if the Applicant fails to obtain all required permits within one (1) year of the date of approval, unless otherwise specified by the Board.

The Applicant has not obtained all required permits, specifically the required building permit from the Borough of Conshohocken, and does not anticipate obtaining such permit prior to the November 17, 2026 expiration of the approved zoning relief. Accordingly, pursuant to §27-613, the Applicant is required to obtain an extension of the previously granted conditional variances from §27-1402 to permit a fitness facility use and from §27-2002 to permit the use of on-street parking in lieu of the required off-street parking. The requested extension is necessary to preserve the validity of the approved zoning relief while the Applicant completes the condition of the zoning relief approval and permitting requirements.

Kaplin Stewart
Attorneys at Law

BOROUGH of CONSHOHOCKEN
SEP 16 '26 AM 10:30
RECEIVED

Craig R. Lewis
Direct Dial: (610) 941-2584
Direct Fax: (610) 684-2021
Email: rlewis@kaplaw.com
www.kaplaw.com

September 15, 2026

VIA FEDERAL EXPRESS AND EMAIL [ZONING@CONSHOHOCKENPA.GOV]

Alison Lee, Zoning Officer
Borough of Conshohocken
400 Fayette Street, Suite 200
Conshohocken, PA 19428

RE: Stable Goat Barbell – 524 E. Elm Street, Conshohocken, PA
Zoning Hearing Board Application for Extension of Relief
Our Reference Number 19236-1

Dear Ms. Lee:

As you are aware, my firm represents DeNicola Health & Fitness, LLC d/b/a Stable Goat Barbell, the applicant and owner ("**Applicant**") of the property located at 524 E. Elm Street, Conshohocken, PA (Tax Parcel No. 05-00-02064-001) in connection with the variance relief from the Borough of Conshohocken Zoning Hearing Board ("**ZHB**") to permit a fitness facility use with on-street parking ("**Project**").

By written Decision dated November 17, 2025, and mailed November 19, 2025, the ZHB approved Applicant's request for variance relief from Sections 27-1402 and 27-2002 ("**Prior Approval**").

Although Applicant intends to proceed with the Project, it will not be in a position to obtain the necessary permits before the expiration of the Prior Approval which is currently due to expire on November 19, 2026. Accordingly, Applicant respectfully requests that the Prior Approval be extended for one (1) additional year (up to and including November 19, 2027).

In connection therewith, I submit the following

1. An original and one (1) copy of the Zoning Hearing Board Application and Addendum with attached exhibits;

   A. Deed to the Property;

   B. Aerial Photograph,

   C. August 19, 2019 Decision;

D. Layout Plan;

E. Prior Approval dated November 17, 2025; and

2. A check in the amount of $2,000.00 ($500 representing the required Application fee and $1500.00 representing the required escrow deposit).

Also enclosed is an additional copy of the Application. Kindly date-stamp the additional Application and return it to me.

Please inform me of when the hearing on the Application will be scheduled before the Zoning Hearing Board.

If you have any questions or require anything further, please contact me at your convenience.

Best Regards,

KAPLIN STEWART MELOFF REITER & STEIN, P.C.

Craig R. Lewis

Enclosures

cc: (via electronic mail)
Michael DeNicola
George W. Broseman, Esq.

BOROUGH of CONSHOHOCKEN
SEP 16 '26 AM10:30
RECEIVED

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

Zoning Application

Application: Z-2026-16
Date Submitted: 9/16/26
Date Received: 9/16/26

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 Request for extension of previously approved variance relief

2. Section of the Zoning Ordinance from which relief is requested:
27-1402 and 27-2002 (Appeal Z-2025-19, previously granted by written Decision dated November 17, 2025)

3. Address of the property, which is the subject of the application:
524 E. Elm Street, Conshohocken, PA

4. Applicant's Name: DeNicola Health &Fitness, LLC d/b/a Stable Goat Barbell
Address: 917 Lorien Drive, Ambler, PA 19002
Phone Number (daytime): 215-450-4322
E-mail Address: mdenicola1531@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: 6,000 s.f. Zoning District: Limited Industrial

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

Yes ☑ No ☐ If yes, please describe.

The ZHB granted Applicant's requested variance relief from Sections 27-1402 and 27-2002 (Appeal No. Z-2025-19). See Decision November 17, 2025.
This Application seeks to renew the previously granted approval.

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

Please see attached Addendum for details

10. Please describe the proposed use of the property.

Please see attached Addendum for details

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

Please see attached Addendum for details

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

Please see attached addendum for detials

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

a. The unique characteristics of the property: Please see attached addendum for detials.

b. How the Zoning Ordinance unreasonably restricts development of the property:
Please see attached addendum for details.

c. How the proposal is consistent with the character of the surrounding neighborhood.
Please see attached addendum for details.

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.
Please see attached addendum for details

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: Craig R. Lewis Esq. and George W. Broseman, Esq.

b. Address: Kaplin Stewart, 900 Harvest Drive, Suite 200, Blue Bell, PA 19422

c. Phone Number: 610-941-2584

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

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

Applicant

Michael DeNicola (Applicant & Legal Owner)
Legal Owner

9/15/2026
Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 15th day of September, 2026.

Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Kristen Shepherd, Notary Public
Montgomery County
My Commission Expires December 5, 2028
Commission Number 1449512

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
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

DATE OF ORDER: _____

Kaplin Stewart Meloff Reiter & Stein, PC **Attorneys for Applicant**
Union Meeting Corporate Center
910 Harvest Drive
Post Office Box 3037
Blue Bell, PA 19422
Craig R. Lewis Esquire
Identification No. 83564
(610) 941-2584
rlewis@kaplaw.com

BEFORE THE BOROUGH OF CONSHOHOCKEN ZONING HEARING BOARD
MONTGOMERY COUNTY, PENNSYLVANIA

In the Matter of:	**Premises:**
Stable Goat Fitness	**524 E. Elm Street, Conshohocken, PA** **Parcel No. 05-00-02064-001**

ADDENDUM TO ZONING HEARING BOARD APPLICATION

DeNicola Health and Fitness, L.L.C, a Pennsylvania limited liability company, d/b/a Stable Goat Barbell ("**Stable Goat**"), by and through its attorneys, Kaplin Stewart Meloff Reiter & Stein, P.C., files this addendum to its application to the Zoning Hearing Board for the Borough of Conshohocken ("**ZHB**"), seeking an extension of the variance relief granted by the ZHB in their Decision dated November 17, 2025 (Appeal Z-2025-19), and in support thereof states as follows:

1. **Owner/Applicant**. In accordance with a Deed dated January 2, 2026, a copy of which is attached hereto as **Exhibit "A"**, DeNicola Health & Fitness, LLC (d/b/a Stable Goat Barbell) is the legal owner and applicant ("**Applicant**") of the property located at 524 E. Elm Street, Conshohocken, PA 19428, more particularly identified as Montgomery County Tax Parcel No. 05-00-02064-001 ("**Property**"). Applicant is the owner/operator of Stable Goat Barbell, a weightlifting gym and personal fitness center located at 544 E. Elm Street, Conshohocken, PA. (www.stablegoatbarbell.com). Stable Goat Barbell is a 24/7 fitness facility.

2. **Description of Property – Existing Conditions**. As depicted on an aerial photograph of the Property, a copy of which is attached hereto as **Exhibit "B**", the Property is an approximately 6,000 s.f. parcel located along E. Elm Street, Conshohocken. The Property is improved with a single-story, masonry, approximately 3,000 s.f. commercial building served by a driveway from E. Elm Street; its principal façade. Along E. Elm Street, the existing building has a roll-up garage door and a separate pedestrian entrance. With the exception of the driveway, the Property has no existing off-street parking. The Property is presently leased to and occupied by Emeritus Medical Technology and Freedom Pathology Partners, a medical laboratory for the diagnosis and treatment of cancer patients.

3. **Zoning**. According to the Zoning Map of the Borough of Conshohocken, the Property is located in the Limited Industrial Zoning District ("**LI District**"). Section 27-1402 of the Borough of Conshohocken Zoning Code ("**Code**") provides that permitted uses in the LI District. The LI District permits an array of office, warehouse and manufacturing uses.

4. **Proposed Use**. Stable Goat proposes to expand and/or relocate its existing personal training/fitness facility operating at 544 E. Elm Street ("**Proposed Use**")[1]. A Plan depicting the proposed interior fit-out of existing building located on the Property is attached hereto as **Exhibit "D**" ("**Layout Plan**"). The Proposed Use will operate in a similar manner to Stable Goat's existing facility, e.g. the Proposed Use will be a 24/7/365 weightlifting gym and fitness center. Although available to members by key fob access 24/7, the Proposed Use is staffed by Stable Goat Monday through Friday from 11:00 a.m. to 7:00 p.m. At present Stable Goat consists of a single employee/owner Michael DeNicola. As set forth in this Board's decision dated August 19, 2019

[1] Stable Goat's existing location, 544 E. Elm Street is also located in the LI-District and therefore was not a specifically permitted use. The August 19, 2019 decision of this Board granting relief from the Code to permit a personal training/fitness facility in the LI District is attached hereto as **Exhibit "C**".

(Exhibit D), Stable Goat's existing facility relies exclusively on on-street parking as no off-street parking is provided.

5. **Zoning and Variance Relief Granted**. Pursuant to written Decision dated November 17, 2025, mailed November 19, 2025, the ZHB granted Applicant's variance relief necessary to permit a fitness facility with on-street parking in the LI-Zoning District (Appeal #Z-2025-19) ("**Prior Approval**"). Under the terms of the Prior Approval, this relief is set to expire within one (1) year of the date of this Decision if Applicant fails to obtain a building permit or puts the property to the use for which relief has been granted before that time. A copy of this Decision is included herewith as **Exhibit "E**" and incorporated herein by reference.

6. **Extension Requested**. Applicant hereby requests a one (1) year extension, up to and including November 19, 2027 to acquire the necessary building permits for the Property.

WHEREFORE, Stable Goat requests that the Zoning Hearing Board for the Borough of Conshohocken grant the requested extension of the Prior Approval to permit reasonable and appropriate reuse of the Property as a personal training and fitness facility with on-street parking to be used in lieu of off-street parking.

Respectfully Submitted,

Dated: September 15, 2026

CRAIG R. LEWIS, ESQUIRE
Attorney for Applicant

EXHIBIT “A”

Deed

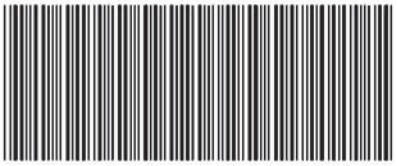




RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

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 6426 PG 00780 to 00783
INSTRUMENT # : 2026002323
RECORDED DATE: 01/12/2026 03:39:52 PM



6480445-0019Y

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Document Type:	Deed	**Transaction #:**	7201882 - 1 Doc(s)
Document Date:	01/02/2026	**Document Page Count:**	3
Reference Info:		**Operator Id:**	dawhitner

RETURN TO: (Simplifile)
Legalty Transfer formerly Rogers Land Transfer, LLC
90 Cricket Ave
Ardmore, PA 19003-1348
(610) 285-1470

PAID BY:
LEGALTY TRANSFER FORMERLY ROGERS LAND TRANSFER LLC

*** PROPERTY DATA:**

Parcel ID #:	05-00-02064-00-1
Address:	524 E ELM ST
	PA
Municipality:	Conshohocken Borough (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: **$560,000.00**
TAXABLE AMOUNT: **$560,000.00**

FEES / TAXES:

Recording Fee:Deed	$87.75
State RTT	$5,600.00
Conshohocken Borough RTT	$2,800.00
Colonial School District RTT	$2,800.00
Total:	$11,287.75

DEED BK 6426 PG 00780 to 00783
Recorded Date: 01/12/2026 03:39:52 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**

Digitally signed 09/11/2026 by montgomery.county.rod@govos.com

Certified and Digitally Signed

Validation may require Adobe 'Windows Integration'

eCertified copy of recorded # 2026002323 (page 1 of 4)
Montgomery County Recorder of Deeds



Prepared by and Return to:
Legalty Transfer
26 East Athens Ave.
Ardmore, PA 19003

File No.: 2025-0261FA

Parcel ID No.: 05-00-02064-00-1

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-02064-00-1 CONSHOHOCKEN BOROUGH
524 E ELM ST
GLOSE RODNEY E JR $15.00
B 038 L U 032 3320 01/12/2026 JM

This Indenture, made the 2nd day of January, ~~2025~~ 2026 RG

Between

Rodney E. Glose, Jr.

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

DeNicola Health & Fitness, LLC

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Five Hundred Sixty Thousand And No/100 Dollars ($560,000.00)** 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, its successors and assigns

ALL THAT CERTAIN lot or piece of land, situate in Conshohocken Borough, County of Montgomery, Commonwealth of Pennsylvania, bounded and described as follows, to wit;

BEGINNING at a stake in the Northeasterly side of Elm Street at the distance of one hundred twenty feet Westerly from the Northwest corner of Elm and Jones Streets a corner of this and other land now or late of Lawrence N. Blanche and Garrett J. Blanche; thence along said other land Northeasterly and parallel to said Jones Street one hundred feet to a stake a corner of land of Frank Molzylonsky: thence along said Molzylonsky's land

Fronting on Hector Street and parallel with said Elm Street Northwesterly sixty feet to a stake, a corner of other land of Lawrence N. Blanche and Garrett J. Glanche; thence along said other land Southwesterly and parallel with said Jones Street one hundred feet to Elm Street aforesaid and thence along the Northeasterly side thereof Southeasterly sixty feet to the place of beginning.

PARCEL NO. 05-00-02064-00-1

BEING the same premises which Anne Marie Brophy, by Deed dated 12/19/2011 and recorded 12/20/2011 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5822, Page 2113, granted and conveyed unto Rodney E. Glose, Jr.

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

And the said Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its heirs and assigns, that he, the said Grantor, and his heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its heirs and assigns, against himself, the said Grantor, and his 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 his hand and seal. Dated the day and year first above written.

Sealed and Delivered

IN THE PRESENCE OF US:

Rodney E. Glose, Jr.

STATE OF PENNSYLVANIA

COUNTY OF Philadelphia

On this, the 2nd day of January, 20 26, before me Monica Middleton the undersigned officer, personally appeared Rodney E. Glose, Jr. 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.

Commonwealth of Pennsylvania - Notary Seal
MONICA MIDDLETON - Notary Public
Philadelphia County
My Commission Expires July 23, 2028
Commission Number 1450811

Notary Public

Printed Name: Monica Middleton

My Commission Expires: 07/23/2028

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

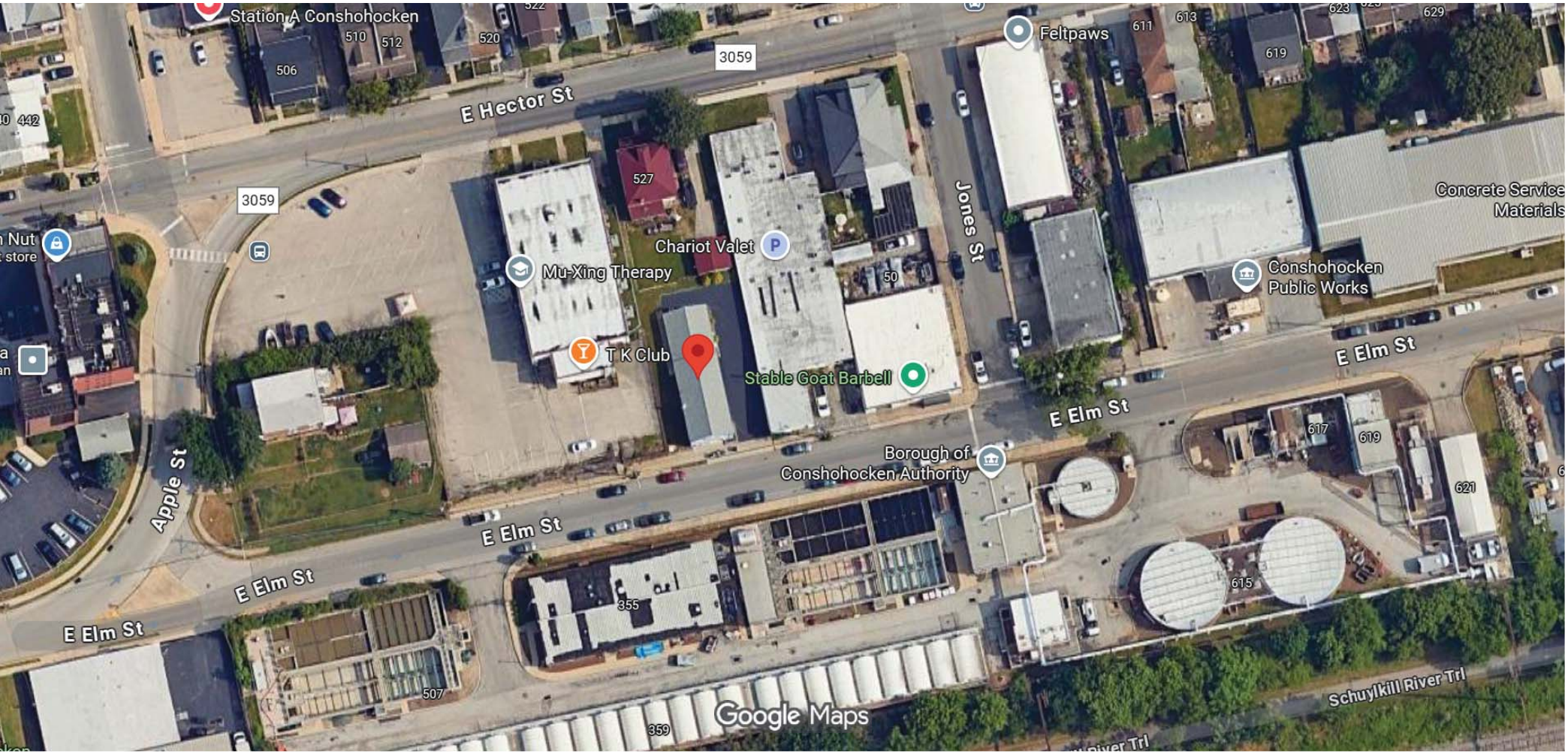
917 Lorien Dr. Ambler, PA 19002

On behalf of the Grantee

EXHIBIT “B”

Aerial Image

Google Maps 524 E Elm St



Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 Google 50 ft

EXHIBIT “C”

August 19, 2019 ZHB Decision

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: 544 EAST ELM STREET
SPECIAL EXCEPTION FOR CHANGE OF NON-CONFORMING USE;
VARIANCE FOR OFF-STREET PARKING

DECISION OF THE BOARD

I. HISTORY

On or about June 3, 2019, PWR BLD Gym, LLC (hereinafter called "Applicant"), filed a Zoning Application seeking a Special Exception pursuant to Section 27-703.B(1) or alternatively a Variance from the terms of Section 27-1402, and a Variance from the terms of 27-2002 of the Borough of Conshohocken Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance"), seeking permission operate a membership based fitness business with accompanying Variance from off street parking requirements for the property located at 544 East Elm Street, Conshohocken, Pennsylvania 19428 (hereinafter called "Subject Property").

After notice was duly given and advertised, a hearing was held on said Zoning Application at Borough Hall on July 15, 2019 at 8:46 p.m.

At the hearing, the following Exhibits were introduced and admitted:

P-1 – Zoning Application.

P-2 – Zoning Notice.

P-3 – Letter dated 6/10/19

P-4 – Memo dated 6/5/19

A-1 – Printout of County Records

II. FINDINGS OF FACT

1. The Subject Property is located at 544 East Elm Street in Conshohocken and is zoned Limited Industrial.

2. The Subject Property is owned by Martin and Mary Magid of 308 Anthony Drive, Plymouth Meeting, Pennsylvania 19462.

3. The Applicant was represented by Robert Careless, Esquire.

4. The Applicant is requesting one (1) special exception or alternatively a use variance from the terms of the Zoning Ordinance. As well as one (1) variance regarding off-street parking requirements from the terms of the Zoning Ordinance.

5. Mr. Careless called Mr. Martin Magid to testify. Mr. Magid testified to the following:

   a. Mr. Magid has been the owner of the Subject Property for over 15 years and the same is reflected in County property records. (A-1).

   b. Mr. Magid contracted with Mr. Collin Whitney to lease him the Subject Property so that Mr. Whitney could open a specialty strength training gym.

   c. Prior to the leasing of the Subject Property to Mr. Whitney, the Subject Property was an auto body shop for five years until 2012. From 2012 on the property was available for lease and vacant.

   d. Since 2012, there had been a public "for lease" sign on the property and Mr. Magid additionally posted the property as being available on Craigslist. Lack of on-site parking was often an impediment to lease negotiations for the Subject Property.

e. There is street parking adjacent to the Subject Property. Specifically, there are four spots on the front of the Subject Property and four spots on Jones Street near the subject property.

f. Mr. Magid subsequently hired a real estate broker who ultimately connected him with Mr. Whitney.

g. There is no space or availability for on-site, off-street, parking on the property and the property is in the approximately the same condition now as it was when purchased by Mr. Magid.

h. Today Borough employees who work nearby at the Conshohocken Borough Garage

i. have dedicated striped parking for their vehicles. The other surrounding businesses have dedicated parking.

j. The prior tenant who operated a garage on the Subject Property did not have issues relating to parking of cars near the Subject Property.

k. Half of the Subject Property is air conditioned and is otherwise suited for the purpose of a specialty gym.

6. Mr. Careless called Mr. Collin Whitney who testified as follows:

a. Mr. Whitney has worked as a professional fitness trainer for approximately six years. Mr. Whitney has a personal training certification through the American Council on Exercise and is certified by USA Power Lifting for club coaching in the specialized area of power lifting.

b. Mr. Whitney previously managed a specialty power lifting gym in Reading, Pennsylvania before leaving to pursue opening a similar gym at the Subject Property.

c. The majority of the clientele are power lifters, some athletes, law enforcement / military, and individuals with a specific interest in strength training. The equipment for the business will be specific to this use and the clientele is sophisticated in the use of the equipment.

d. Based on Mr. Whitney's previous experience as a manager of a similar facility he would expect 5 to ten people to be using the facility during peak times after work hours, approximately four (4) to six (6) p.m.

e. Most of the employees of the surrounding commercial businesses leave by 5 p.m.

f. There will be no external music or classes at the Subject Property.

g. Initially, Mr. Whitney will be present during operational hours with the goal of eventually hiring additional employees

7. No public comment was offered:

III. DISCUSSION

The Applicant is requesting seeking a Special Exception pursuant to Section 27-703.B(1) or alternatively a Variance from the terms of Section 27-1402, and a Variance from the terms of 27-2002.

Section 27-703 states:

" The following regulations shall govern all properties to which nonconforming status is applied:

A. Nonconforming status shall continue, and a property may continue to be used as nonconforming until it complies with the requirements of this Chapter.

B. Change of Use.

(1) A nonconforming use may be changed to another nonconforming use which is equally appropriate or more appropriate to the district in which the property is located, and is no more detrimental than the existing nonconforming use, as a special exception by the Zoning Hearing Board in accordance with the provisions of Part 6 of this Chapter.

(2) A nonconforming use shall not be changed to another nonconforming use that is less appropriate to the district in which the property is located, and/or is more detrimental than the existing nonconforming use.

(3) If a nonconforming use is changed to a conforming use, then the previous nonconforming status shall become null and void in accordance with § 27-703(C) below.

C. Discontinuance. A nonconforming use, when discontinued, may be resumed any time within one year from such discontinuance, but not thereafter, unless a variance is granted by the Zoning Hearing Board in accordance with Part 6 of this Chapter. The resumption may be of the same use, or another nonconforming use which is equally appropriate or more appropriate to the district in which it is located, but shall not be less appropriate or more detrimental than the previous nonconforming use.

D. Physical Expansion. Physical expansion of a nonconforming building or building housing a nonconforming use shall be permitted only one time and shall be limited to 25% of the gross floor area of the existing building.

E. Extension or Expansion. A nonconforming use, building, or structure, not including signs, may be extended or expanded in compliance with all of the following:

(1) The parcel on which extension or expansion occurs shall include only that lot, held in single and separate ownership, on which the use, building, or structure existed at the time it became nonconforming. Expansion onto adjoining lots is prohibited.

(2) Nonconforming use of a building may be extended throughout the building only in compliance with § 27-703(D) of this Chapter.

(3) A building, which houses a nonconforming use, may be expanded only in compliance with § 27-703(D) of this Chapter.

(4) A nonconforming use may not be extended to a new building.

(5) A nonconforming building may be expanded only in compliance with § 27-703(E)(6) of this Chapter.

(6) In addition to § 27-703(A), (B), (C), (D), and (E) above, nonconforming uses must comply with the following:

(a) Extension and/or expansion as permitted in § 27-703(E)(1) through (5) above, shall be permitted only by special exception in accordance with Part 6 of this Chapter, 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.

(b) In addition, when a nonconforming use is expanded, the applicant must comply with all performance standards of the district in which the use is permitted or the district in which the use

is located, whichever is more restrictive. The performance standards include, but are not limited to, the following: parking, signage lighting, landscaping, noise, and building and impervious coverage.

(c) In cases where a building is nonconforming as to front, side, or rear yard setback, an addition may be built on a line with the existing building, as long as it does not create an additional encroachment into a required yard. Any further encroachment with regard to required setbacks will require a variance.

1) Expansion shall not be permitted to extend closer to the road legal right-of-way than the front wall of the existing dwelling closest to the road.

2) Expansion shall not be permitted to create a new violation of the minimum side yard setback. An existing dwelling that violates the side yard may be expanded to the rear along the side yard building setback established by the wall of the existing building.

3) An existing dwelling that violates the rear yard may be expanded to the sides along the rear yard building setback established by the rear wall of the existing building.

F. Additional Building Regulations. The following regulations apply to buildings:

(1) When new ordinance provisions are adopted and affect planned construction, which has not been completed:

(a) Buildings under construction as of the date of adoption of new ordinance provisions, to the extent of completion of footings, may be completed as nonconforming buildings provided that valid building permits have been issued for those buildings.

(b) The use or uses of buildings governed by subsection (F)(1)(a) above shall comply with the permitted uses for the district in which they are located.

(2) Nonconforming primary structures damaged or destroyed by fire, explosion, accident, or calamity (as contrasted to deterioration due to time or neglect) may be reconstructed and used as before, provided that:

(a) If repairs constitute substantial improvement, as herein defined, the structure may be reconstructed only within strict conformity with all applicable regulations of this Chapter. If the repairs constitute less than substantial improvement, as herein defined, the structure may be reconstructed so as to match the dimensions and location of the damaged building, including height, width, depth and volume.

(b) Building reconstruction shall be started within one year from the date the building was damaged or destroyed, and shall be carried out without interruption.

(c) The building will pose no hazards to safety by virtue of its location.

(3) Legally condemned nonconforming buildings shall not be rebuilt or used except in conformance with this Chapter.

G. Contiguous Undeveloped Lots. Where two or more contiguous undeveloped lots are held in single ownership, within a subdivision which has been duly recorded prior to the effective date of this Chapter, which lots are individually not of the required minimum area or width for the district in which they are situated, such lots may be developed only in groups thereof in order to provide the minimum lot area and width required. When all lots in single ownership are combined and still do not meet area and/or width requirements, they may be considered a single nonconforming lot in accordance with § 27-703(G) of this Chapter.

H. Nonconforming Signs. If and when a nonconforming sign is replaced, the new sign shall comply with the requirements of this Chapter. "Replacement" shall not include simply revising the text or color of the sign, but shall refer to structural replacement and/or relocation of the sign.

I. Conforming Uses in Nonconforming Buildings or Lots. The conversion of one conforming use to another conforming use on a lot or in a building that is nonconforming shall be permitted by special exception from the Zoning Hearing Board in accordance with the provisions of Part 6 of this Chapter."

Section 27-2002 is titled "Required Off-Street Parking Capacity" and states:

"Any building or structure erected, altered, or used, and any lot used or occupied for any of the following purposes shall be provided with the minimum number of parking spaces set forth below, together with adequate driveways and street access in compliance with the requirements of the Conshohocken Borough Subdivision and Land Development Ordinance [Chapter 22]. When a use is not specifically listed below, the requirements of the most similar use shall apply.

Use	**Requirement**
Dwelling unit, multifamily dwelling (studio, efficiency or one-bedroom units)	1 1/2 spaces per dwelling unit.
Dwelling unit:	
Elderly/disabled housing	1 space per dwelling unit.
Independent living	1 space per dwelling unit.
Personal care home	1 space per every 2 private living units.
Dwelling unit, all other types	2 spaces per dwelling unit.
Places of assembly, such as church or auditorium	1 space per 4 seats.
Retail stores	1 space per 150 square feet of gross floor area.
Shopping centers	1 space per 200 square feet of gross leasable area.
Business or administrative offices	1 space per 250 square feet of gross floor area.
Laboratory or industry	The larger of 1 space per employee or per 450 square feet of gross floor area.
Services:	
1. Doctor, dentist, or similar type, including out-patient clinics	7 spaces per doctor, dentist, or similar practitioner.
2. Barber, beautician, tailor, or similar type	3 spaces per barber, beautician or similar practitioner.
3. Plus	1 space per 2 employees not included in subsection (1) or (2) above.
Tourist home, rooming house, bed-and-breakfast	2 spaces, plus 1 space per rental unit.
Self-service laundry	1 space per 3 washers, dryers and/or dry cleaning machines.

Use	Requirement
Place of indoor amusements (not sports or exercise)	1 space per 100 square feet of gross floor area.
The following uses require 1 space per employee and/or volunteer on the largest shift or during peak periods, plus the number of spaces listed below:	
1. Library, museum or similar place	1 space per 800 square feet of floor area in public use.
2. Hotel, motel, or similar use	1 space per rental unit.
3. Motor vehicle repairs (body or mechanical)	3 spaces per service bay.
4. Vehicle sales	1 space per 500 square feet of indoor sales area, plus 1 space per 5,000 square feet of outdoor sales area.
5. Meeting, training, or classroom space as a primary use	1 space per 2 seats of total seating capacity.
Restaurants:	
1. Drive-in or fast-food	The larger of 1 1/2 spaces per table or booth, or 1 space per 50 square feet of gross floor area; minimum of 25 spaces.
2. All others	1 space per 50 square feet of gross floor area.
Indoor sports facility	1 1/2 spaces per person for maximum court and exercise equipment capacity.
Studio for dance, art, music or photography	1 space per 5 students, and/or 1 space per 300 square feet of gross floor area for nonstudent patrons.
Day-care center	1 space per 3 children at maximum capacity.
Bank, financial institution	6 spaces per teller window, plus 3 spaces per automatic teller machine.
Elementary or intermediate schools	1 3/4 spaces per classroom.
High schools	5 spaces per classroom."

In a request for a variance, the Board is guided by Section 27-611 of the Ordinance and 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 27-611 of the Zoning Ordinance and Section 910.2 of the MPC permit 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.

As the testimony and evidence presented to the Board in this case have shown, the Project appears to attempt to accommodate both a positive use of the Property with minimal relief being requested.

As a result of all the above, the Application meets the requirements of "unnecessary hardship" required under the MPC. See Id. The Board, upon thorough and deliberate review of the materials submitted and testimony offered, has determined that the proposed variance is appropriate in consideration of the unique characteristics of the Property. Additionally, the requested variance will not adversely affect the public interest.

Additionally, in a request for a special exception, the Board is guided by both the Ordinance and the Pennsylvania Municipalities Planning Code. An applicant for a special exception has the burden of showing that the request adheres to the express standards and criteria of the special exceptions delineated by the governing body. The Zoning Board must decide requests for special exceptions in accordance with such standards and criteria and how the special exception would impact the public welfare. The Zoning Hearing Board has determined that the granting of the requested special exception would not negatively impact the public welfare.

In reviewing this application, even though the Applicant requested variance relief from multiple sections of the Zoning Code, the Zoning Hearing Board believes that the Applicant only requires a special exception from Section 27-703(B)(1) and variance from Section 27-2002. As the testimony and evidence presented to the Board in this case have shown, the Applicant

appears to attempt to accommodate both a positive use of the Subject Property with minimal relief being requested.

As a result of all the above, the Application meets the requirements of "unnecessary hardship" required under the MPC. See id. The Board, upon thorough and deliberate review of the materials submitted and testimony offered, has determined that the proposed variance is appropriate in consideration of the unique circumstances and characteristics of the Subject Property.

The requested variance will not adversely affect the public interest.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that Applicant shall be granted the requested variance and special exception. The Applicant has proven an unnecessary hardship unique or peculiar to the property and that the variance is not contrary to the public interest. 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 Appellant; and,

5. That the variance will represent the minimum variance that will afford relief and will represent the least modification possible under Section 27-611.

ORDER

AND NOW, this 19th day of August, 2019, upon the Application of PWR BLD Gym, LLC, seeking special exceptions and variances from the terms of Sections 27-703(B)(1) and 27-2002, in order to use the vacant former garage space at the Subject Property for a specialty gym is hereby GRANTED

CONSHOHOCKEN ZONING HEARING BOARD

Richard D. Barton, Chairman

Russell J. Cardamone, Jr.

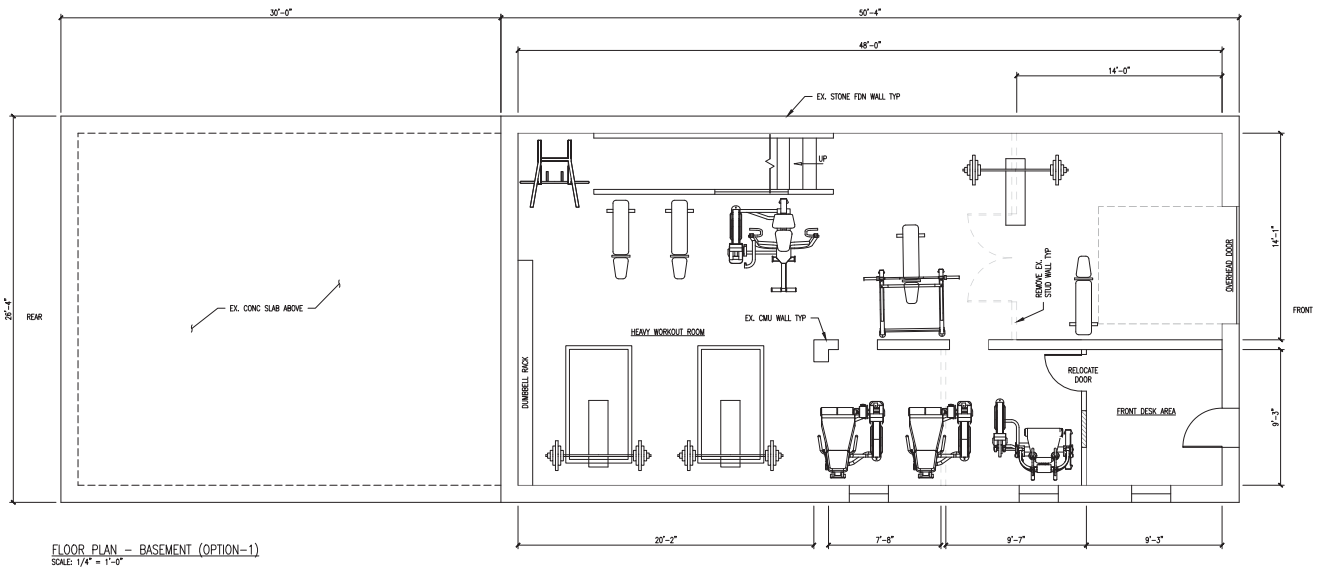
Janis B. Vacca

Gregory Scharff

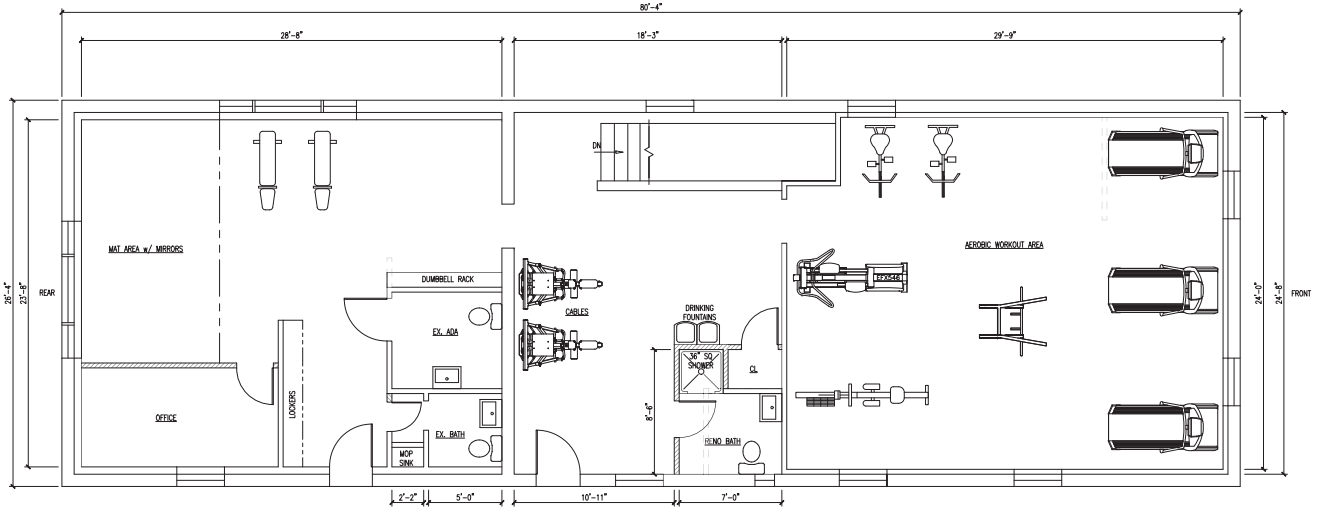
Mark S. Danek

EXHIBIT “D”

Layout Plan



FLOOR PLAN – BASEMENT (OPTION-1)
SCALE: 1/4" = 1'-0"



FLOOR PLAN – FIRST FLOOR (OPTION-1)
SCALE: 1/4" = 1'-0"

SHEET SIZE: 24x36

PE&D
Perspective Engineering & Design

PERSPECTIVE ENGINEERING & DESIGN LLC
EMAIL: PROJECTS@PEANDD.COM
(267) 550-5550
WWW.PEANDD.COM
MAILING:
P.O. BOX 62412
KING OF PRUSSIA, PA 19406

BUILDER / DESIGNER

SEAL

PRELIMINARY ONLY
THIS DRAWING IS NOT FOR CONSTRUCTION

PROJECT NO:	25.169
DRAWN BY:	JR/SF
ENGINEER:	SHAUN R. FISHBURN, PE
LICENSE #	084300
DATE:	SEPTEMBER 11, 2025

PROJECT
GYM FIT-OUT
524 E ELM STREET
CONSHOHOCKEN, PA

CLIENT
STABLE GOAT BARBELL
MICHAEL DENICOLA

SHEET TITLE
PRELIM BASEMENT & FIRST FLOOR PLAN (OPTION-1)

A-1

SHEET 1 OF 1

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EXHIBIT “E”

Prior Approval

COMMONWEALTH OF PENNSYLVANIA

BOROUGH OF CONSHOHOCKEN ZONING HEARING BOARD

APPEAL NO. Z-2025-19

APPLICATION OF DENICOLA HEALTH & FITNESS, LLC

524 EAST ELM STREET

DECISION

I. HISTORY

On or about September 18, 2025, DeNicola Health & Fitness, LLC, doing business as Stable Goat Barbell (the "Applicant"), filed an Application for Variances from the Borough of Conshohocken Zoning Ordinance of 2001, as amended, (the "Ordinance") for the property located at 524 East Elm Street, Conshohocken, Pennsylvania 19428, with Parcel Number 05-00-02064-00-1 (the "Subject Property"). The Subject Property is in the LI – Limited Industrial Zoning District.

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

1. A Variance from Section 27-1402 to permit the Subject Property to be used as a fitness facility in the LI District where that use is not permitted.
2. A Variance from Section 27-2002 to permit the proposed fitness facility to be served by on-street parking in lieu of off-street parking where said use must be served by off-street parking.

After notice was duly given and advertised, a hearing was scheduled for and commenced on the Application and testimony was received October 20, 2025. At the hearing, the following Exhibits were introduced and admitted:

P-1: Zoning Application

P-2: Deed

P-3: Agreement of Sale

P-4: Preliminary Fit-Out Plan

P-5: Tax Map and Aerial Photo

P-6: Transmittal Letter dated September 18, 2025

P-7: Zoning Hearing Board Decision

P-8: Street View Image of Building

P-9: Applicant Exhibit Binder

P-10: Zoning Determination

P-11: Zoning Notice

A-1: Deed

A-2: Agreement of Sale

A-3: Application

A-4: Photographs

A-5: Zoning Hearing Board Decision

The Applicant was represented by Craig R. Lewis, Esquire, before the Board.

No party status was requested or granted.

II. FINDINGS OF FACT

1. The Subject Property is located at 524 East Elm Street, Conshohocken, Pennsylvania.
2. The Subject Property is in the LI – Limited Industrial Zoning District.
3. The Zoning Hearing Board of the Borough of Conshohocken met all the requirements of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code as to the requisite Legal Notice of the Hearing.
4. The Subject Property is legally owned by Rodney E. Glose, Jr., and is equitably owned by the Applicant.
5. The Applicant offered the following testimony on their own behalf at the hearing:
   a. Applicant proposes to use the Subject Property as a fitness facility.
   b. Applicant currently operates another nearby smaller property ("Second Property") as a fitness facility and intends to use the Subject Property to expand the business.
   c. The Subject Property solely fronts Elm Street and does not have additional frontage.
   d. The Subject Property exists on a slope which prevents the use of the Subject Property for parking beyond use of a driveway by the Owner.

e. The Subject Property, as it currently exists and is used, does not maintain any off-street parking.

f. The Second Property does not maintain any off-street parking and Applicant believes that this has not introduced any additional traffic burdens.

g. Applicant expects that the gym will have three to four (3-4) vehicles parked at any one time, with a maximum of six (6) vehicles expected at peak hours.

h. Applicant believes the proposed use will not have any detrimental impact on any adjoining properties or the surrounding neighborhood.

i. Applicant does not propose the use of any external music or classes at the Subject Property.

6. No other members of the public offered any form of comment on the Application.

III. DISCUSSION

Section 27-1402 of the Ordinance, in relevant part, does not permit the use of a property in the LI District as a fitness facility.

Section 27-2002 of the Ordinance, in relevant part, requires that any building or structure used similarly to a "studio for dance" have at least one (1) space of off-street parking per five (5) patrons.

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). Our Supreme Court has emphasized that "the hardship must truly be an unnecessary one unique or peculiar to the property, and not simply a mere hardship." Kneebone v. Zoning

Hearing Bd. of Twp. of Plainfield, 276 A.3d 705, 718 (Pa. 2022). However, an applicant seeking a variance need not demonstrate that the property is rendered valueless as zoned in order to show that a variance is needed to make reasonable use of the property. Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637, 640 (Pa. 1983). "While an unnecessary hardship can be established by demonstrating that the hardship falls squarely within one of these three categories, in practice the evidence presented often does not fit neatly in one category or another but overlaps." Nowicki v. Zoning Hearing Bd. of Borough of Monaca, 91 A.3d 287, 292 (Pa. Commw. Ct. 2014).

The party seeking the variance carries the burden of proving that an unnecessary hardship will result if the requested relief is denied. Valley View Civic Ass'n v. Zoning Bd. of Adjustment, 462 A.2d 637, 640 (Pa. 1983). This burden upon a landowner requesting a variance is a heavy one. Williams v. Salem Twp., 500 A.2d 933, 937 (Pa. Commw. Ct. 1985) (*appeal denied*, 531 A.2d 781 (Pa. 1987)).

Once an unnecessary hardship has been established, a property owner can demonstrate that the relief sought is the minimum necessary by "showing that of all the viable alternatives, the proposed use is the least departure from the terms of the ordinance, or the most similar to the uses in the surrounding neighborhood." In re Ridge Park Civic Ass'n, 240 A.3d 1029, 1034 (Pa. Commw. Ct. 2020).

However, the Application requests a variance that 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.

Furthermore, "a zoning hearing board, 'as fact finder, is the ultimate judge of credibility and resolves all conflicts of evidence.' In re Appeal of Brickstone Realty Corporation, 789 A.2d 333, 339 (Pa. Commw. Ct. 2001). Indeed, a zoning hearing board 'has the power to reject even uncontradicted testimony if [it] finds the testimony lacking in credibility.' Constantino v. Zoning Hearing Board of Borough of Forest Hills, [618 A.2d 1193, 1196 (Pa. Commw. Ct. 1992)]" (Delaware Riverkeeper Network v. Middlesex Twp. Zoning Hearing Bd., No. 2609 C.D. 2015, 2019 WL 2605850 (Pa. Commw. Ct. June 26, 2019). Thus, determination of credibility of testimony of witnesses is left entirely to the discretion of the Board as a quasi-judicial governing body.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that the Applicant has proven that an unnecessary hardship unique or peculiar to the property exists and that the variance is not contrary to the public interest. The Board found the testimony and statements of the Applicant and its witnesses to be credible and persuasive. Accordingly, the Board can 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 an unnecessary hardship is created due to such condition;
2. The 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, and 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.

ORDER

AND NOW, this 17th day of November, 2025, the Application, seeking Variances from Section 27-1402 to permit a fitness facility use, and from Section 27-2002 to permit on-street parking to be used in lieu of off-street parking, is **GRANTED,** subject to the following condition:

1) Applicant shall explore the use of shared parking spaces with the adjacent "TK Club" located close to the Subject Property.

THIS RELIEF SHALL EXPIRE AT THE END OF ONE (1) YEAR FROM THE DATE OF THIS ORDER UNLESS THE APPLICANT OBTAINS A BUILDING PERMIT OR PUTS THE PROPERTY TO THE USE FOR WHICH THE RELIEF HAS BEEN GRANTED BEFORE THAT TIME. The Applicant is directed to apply to the Borough of Conshohocken Zoning Officer/Building Inspector to obtain any appropriate permits.

BOROUGH OF CONSHOHOCKEN
ZONING HEARING BOARD

A copy of this Decision and Order was sent to all Parties via E-mail or United States First Class Mail on:

November 19, 2025

Richard Barton, Chair

Marlowe Doman, Vice Chair

Tyler Dunphy, Member

David Bria, Member

Christopher Dearolf, Member ON BEHALF OF

THIS DECISION AND ORDER OF THE BOROUGH OF CONSHOHOCKEN ZONING HEARING BOARD IS FINAL, AND ANY APPEAL OF IT MUST BE FILED WITH THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY WITHIN THIRTY (30) DAYS FOLLOWING THE ABOVE-STATED MAILING DATE.

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

ZONING NOTICE
OCTOBER 19, 2026 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2026-18

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on October 19, 2026 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:	Brian Tye 476 S Sweet Gum Lane, Lafayette Hill, PA 19444
PREMISES INVOLVED:	530 Harry Street Conshohocken, PA 19428 BR-1 – Borough Residential District 1
OWNER OF RECORD:	Brian Tye 476 S Sweet Gum Lane, Lafayette Hill, PA 19444

The petitioner is seeking a Variance from Section §27-1007.1 to permit off-street parking spaces located within the front yard facing East 6th Avenue, whereas off-street parking between the front wall of a principal structure and the curb of the street toward which that wall is oriented 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

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MEMORANDUM

Date: October 13, 2026

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 530 Harry Street – Zoning Determination

History of the Site:

530 Harry Street (PARID: 05-00-04956-00-7) is an existing 2,259 SF L-shaped corner parcel located within the BR-1 – Borough Residential District 1.

According to Montgomery County property records, the parcel is improved with an existing two (2) story single-family semi-detached (twin) dwelling. Additional site improvements include an existing concrete patio, a hardscape paver patio, concrete strip, shed, walk, steps, fencing, and landscaped yard located to the side and rear of the property. The existing dwelling was constructed in circa 1875.

The property is fronted by Harry Street (50' feet right-of-way) to the east and East Sixth Avenue (80' feet right-of-way) to the north; a standalone garage to the west; and residential properties on all remaining sides. The property is across the street from the Conshohocken Community Center at Fellowship Hall on the side fronting Harry Street.

Current Request:

The Applicant is proposing to convert the existing 18' wide by 20' long concrete patio located closest to E. Sixth Avenue to two (2)-off-street parking spaces and construct a driveway access to the off-street parking from E. Sixth Avenue.

The Applicant is seeking Variance from Section §27-1007.1 of the Conshohocken Borough Zoning Ordinance of 2001 to permit off-street parking spaces located within the front yard facing East 6th Avenue, whereas off-street parking between the front wall of a principal structure and the curb of the street toward which that wall is oriented is not permitted.

Zoning Determination:

Per the Conshohocken Borough Zoning Ordinance Section §27-808, corner lots shall have two (2) front yard setbacks and one (1) side yard setback and a rear yard setback. The existing dwelling has a front wall facing Harry Street and a front wall facing East Sixth Avenue.

Pursuant to Section §27-1007.1 of the Conshohocken Borough Zoning Code, no parking lot or required off-street parking space is permitted between the front wall of a principal structure and the curb of the street toward which such wall is oriented within the BR-1 Zoning District. The Applicant is proposing an 18 ft wide by 20 ft long (360 SF) off-street parking area adjacent to the side of the existing principal dwelling, as well as an approximately 16.5 ft wide by 20 ft long driveway that has the potential to accommodate an additional vehicle. Based on the proposed configuration, off-street parking would extend into the area between the front wall of the existing principal dwelling and the curb of East Sixth Avenue. As such, the proposed parking configuration does not comply with §27-1007.1, and variance relief is required to permit off-street parking within the prohibited front-yard area between the principal dwelling and the curb of East Sixth Avenue.

Pursuant to Section §27-1005.G of the Conshohocken Borough Zoning Ordinance, the maximum allowable impervious area is limited to 60% of the total lot area. The existing site contains approximately 1,551.38 SF of impervious area, equivalent to 68.87% of the lot area; and therefore, exceeds the maximum permitted impervious coverage. The Applicant proposes to convert the existing 360 SF concrete patio into an off-street parking area. Based upon the maximum 324 SF off-street parking allowance provided under §27-1005.G for two (2) off-street parking spaces, the net impervious area applicable to the lot would be reduced to approximately 1,227.38 square feet, or 54.33% of the lot area. As proposed, the resulting net impervious coverage would comply with the 60% maximum impervious area per Section §27-1005.G.

BOROUGH of CONSHOHOCKEN
SEP 18 '26 AM10:21
RECEIVED

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

Zoning Application

Application: Z-2026-18
Date Submitted: 9/18/26
Date Received: 9/18/26

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:
§27-1007.1

3. Address of the property, which is the subject of the application:
530 Harry Street, Conshohocken, PA 19428

4. Applicant's Name: Brian Tye
Address: 476 S Sweet Gum Lane, Lafayette Hill, PA 19444
Phone Number (daytime): 610-897-1709
E-mail Address: briantye12386@gmail.com

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

6. Property Owner: Brian Tye
Address: 476 S Sweet Gum Lane, Lafayette Hill, PA 19444
Phone Number: 610-897-1709
E-mail Address: briantye12386@gmail.com

7. Lot Dimensions: Irregular L-shaped; 2,259 SF Zoning District: BR-1

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

Yes ☐ No ☒ If yes, please describe.

N/A - Applicant has no knowledge of prior zoning relief for the property.

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

Existing single-family semi-detached dwelling on an irregular L-shaped corner parcel. Existing improvements include the dwelling (approx. 18.05' x 59'), rear concrete patio (18' x 20'), concrete strip (2' x 5.91'), shed (4.25' x 4.60'), upper patio (9.75' x 9.75'), walks/steps, fencing and landscaped yard. See Exhibit A - Existing Conditions Site Plan.

10. Please describe the proposed use of the property.

Continue the existing single-family residential use and add two permanent 9' x 18' off-street parking spaces (324 SF total) adjacent to the dwelling, accessed from E. 6th Avenue.

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

Create two standard 9' x 18' off-street parking spaces adjacent to the dwelling. The parking area primarily repurposes existing concrete patio, with new paving limited to the portion necessary to complete the spaces. Access will be from E. 6th Avenue through a new driveway apron/curb cut. The existing utility pole will remain. Parking is intended for reverse-in/forward-out operation. The 324 SF parking area is excluded from impervious coverage pursuant to §27-1005.G; proposed counted impervious coverage is 54.33%. See Exhibits A-B.

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

The property is an unusual L-shaped corner parcel with frontage on Harry Street and E. 6th Avenue, resulting in two ordinance-defined front yards. The proposed parking area physically functions as a side/rear parking area adjacent to the dwelling and neighboring garage/parking improvements, but is technically within the E. 6th Avenue front yard. The request is limited to two standard residential parking spaces, preserves the existing dwelling and streetscape, and addresses pedestrian/vehicular visibility. See Exhibits B-E.

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

a. The unique characteristics of the property:

Irregular L-shaped corner parcel with two ordinance-defined front yards.

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

Because E. 6th Avenue is treated as a second front yard, §27-1007.1 prohibits parking in an area that physically functions as the side/rear of the dwelling adjacent to existing garage/parking improvements. This prevents creation of normal residential off-street parking in the practical location available on the lot.

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

The proposal is limited to two standard residential parking spaces and is compatible with the surrounding physical character. Existing two-car off-street parking is located immediately adjacent at 528 Harry Street, and garage/parking improvements are present beside the proposed area. See Exhibits C-D.

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 request is limited to two 9' x 18' spaces (324 SF total), the standard dimensions identified by the Borough. It preserves the existing dwelling, utility pole and sidewalk and uses the practical side/rear area of the lot. Reducing the proposal further would not provide two standard off-street spaces.

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: N/A

b. Address: N/A

c. Phone Number: N/A

d. E-mail Address: N/A

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.

Brian Tye

Applicant

Brian Tye

Legal Owner

9/18/26

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 18 day of September, 2026. By Brian Tye

Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Kimberly Zera, Notary Public
Montgomery County
My commission expires May 5, 2030
Commission number 1185103
Member, Pennsylvania Association of Notaries

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

Decision

(For Borough Use Only)

Application Granted ☐ Application Denied ☐

MOTION:

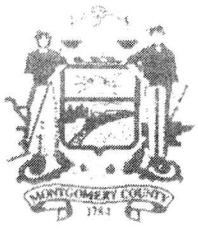
CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

DATE OF ORDER: _____

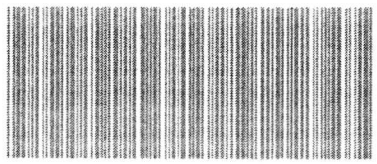




RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

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 5868 PG 00795 to 00799
INSTRUMENT # : 2013033881
RECORDED DATE: 04/01/2013 11:17:18 AM



2894612-0013T

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Document Type:	Deed	**Transaction #:**	2853682 - 2 Doc(s)
Document Date:	03/22/2013	**Document Page Count:**	4
Reference Info:		**Operator Id:**	thordije

RETURN TO: (Simplifile)
1st Patriot Abstract Co.
301 Oxford Valley Road Ste. 1711
Yardley, PA 19067
(215) 321-7620

PAID BY:
1ST PATRIOT ABSTRACT CO

*** PROPERTY DATA:**

Parcel ID #:	05-00-04956-00-7
Address:	530 HARRY ST CONSHOHOCKEN PA 19428
Municipality:	Conshohocken Borough (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT:	**$299,000.00**
TAXABLE AMOUNT:	**$299,000.00**
FEES / TAXES:	
Recording Fee:Deed	$78.00
State RTT	$2,990.00
Conshohocken Borough RTT	$1,495.00
Colonial School District RTT	$1,495.00
Total:	$6,058.00

DEED BK 5868 PG 00795 to 00799
Recorded Date: 04/01/2013 11:17:18 AM

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



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:

1st Patriot Abstract Co.
301 Oxford Valley Road, Suite 1711
Yardley, PA 19067
610-260-3065

File No. PAT-11642LH

UPI # 05-00-04956-00-7

This Indenture, made the 22nd day of March, 2013,

Between

ANDREW R. SCHERER

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

BRIAN J. TYE

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

Witnesseth, that the said Grantor for and in consideration of the sum of **Two Hundred Ninety-Nine Thousand And 00/100 Dollars ($299,000.00)** 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, as sole owner

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

BEGINNING at the point of intersection of the Northwesterly side of Harry Street with the Southwesterly side of Sixth Avenue thence along the said side of said Harry Street Southwestwardly eighteen and five hundredths feet to a point a corner of land now or late of Alexander Lyeezkowski; thence along land now or late of Alexander Lyeezkowski, the line running through the middle of the partition wall between the house hereon and the one on the adjoining lot Northwestwardly fifty six and ninety two hundredths feet to a point and still along said land now or late of Alexander Lyeezkowski Southwesterly forty three and fifty five hundredths feet to a point in line of land now or late of William Dunlap; thence along land now or late of William Dunlap Northwestwardly twenty feet more or less to a point a corner of land now or late of J. Quincy Thomas Northeastwardly sixty one and six tenths feet to a point in the said side of Sixth Avenue; thence along said side of said Sixth Avenue Southeastwardly seventy six and ninety two hundredths feet to the first mentioned point and place of BEGINNING.

BEING Block 19 Unit 27

PARCEL NO. 05-00-04956-00-7

BEING the same premises which Paul L. Pizzica and Melissa Lynn Pizzica, husband and wife, by Deed dated 09-25-09 and recorded 09-30-09 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5745, Page 1667, granted and conveyed unto Andrew R. Scherer.

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, 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 himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, his heirs and assigns, that he, the said Grantor, and his heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his heirs and assigns, against him, the said Grantor, and his heirs, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, 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 R. Scherer

Commonwealth of Pennsylvania }
County of Bucks } ss

On this, the 22nd day of March, 2013, before me, the undersigned Notary Public, personally appeared **Andrew R. Scherer**, 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.

Mandi L Mather
Notary Public
My commission expires 12-09-14

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Mandi L. Mather, Notary Public
Lower Makefield Twp, Bucks County
My commission expires December 09, 2014

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

530 Harry Street
Conshohocken, PA 19428

Mandi L Mather
On behalf of the Grantee

Deed

UPI # 05-00-04956-00-7

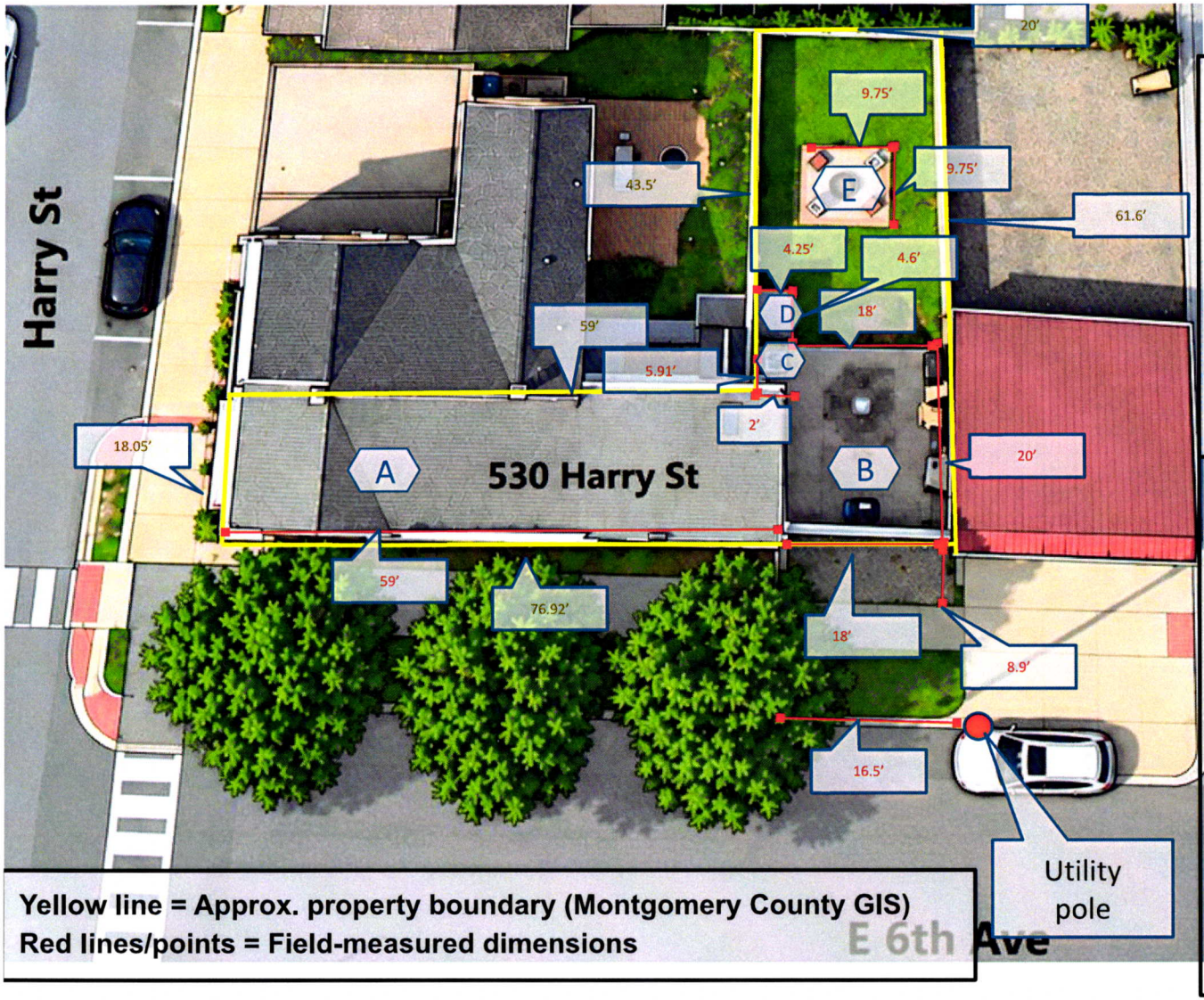
Andrew R. Scherer

TO

Brian J. Tye

1st Patriot Abstract Co.
301 Oxford Valley Road, Suite 1711
Yardley, PA 19067
Phone 610-260-3065 Fax 267-503-0308

Exhibit A – Existing Conditions Site Plan



Existing Conditions

530 Harry Street is an existing single-family semi-detached dwelling on an L-shaped corner parcel fronting Harry Street and E. 6th Avenue. Existing improvements include the dwelling, concrete patio/hardscape, shed, walks/steps and landscaped yard. The property boundary shown is approximate and based on Montgomery County GIS mapping; dimensions are based on field measurements and aerial mapping.

Sidewalk, grass verge and curb along E. 6th Avenue are shown outside the approximate parcel boundary.

IMPERVIOUS COVERAGE

A House — 18.05' × 59' ..... **1,064.95 SF**
B Concrete Patio — 18' × 20' ..... **360 SF**
C Concrete Strip — 2' × 5.91' ..... **11.82 SF**
D Shed — 4.25' × 4.60' ..... **19.55 SF**
E Upper Patio — 9.75' × 9.75' ..... **95.06 SF**

TOTAL EXISTING IMPERVIOUS ..... 1,551.38 SF

Lot Area ..... **2,259 SF**
EXISTING IMPERVIOUS COVERAGE ... 68.67%

See Exhibit B for proposed conditions and application of the 324 SF exclusion for two permanent off-street parking spaces pursuant to §27-1005.G.

Exhibit B – Proposed Conditions Site Plan

530 Harry Street is proposed to include two permanent 9' × 18' off-street parking spaces (324 SF total) adjacent to the existing dwelling. The parking area primarily repurposes existing concrete patio, with new paving limited to the portion necessary to complete the two spaces. Access is proposed from E. 6th Avenue via a new driveway apron and curb cut located outside the approximate parcel boundary. The existing utility pole will remain. Parking is intended for reverse-in/forward-out operation to improve pedestrian and vehicular visibility.

Proposed parking area is limited to two standard 9' × 18' spaces. Approximate property boundary is based on Montgomery County GIS mapping.



View looking East Along E 6th Avenue

View looking West Along E 6th Avenue

Yellow line = Approx. property boundary (Montgomery County GIS)
Red lines/points = Field-measured dimensions

IMPERVIOUS COVERAGE

A House — 18.05' × 59' ..... **1,064.95 SF**
B Concrete Patio/Parking — 18' × 20' ... **360 SF**
C Concrete Strip — 2' × 5.91' ..... **11.82 SF**
D Shed — 4.25' × 4.60' ..... **19.55 SF**
E Upper Patio — 9.75' × 9.75' ..... **95.06 SF**

TOTAL PHYSICAL IMPERVIOUS ..... 1,551.38 SF
Less: 2 Parking Spaces — 9' × 18' ea. ... **(324 SF)**
COUNTED IMPERVIOUS ..... 1,227.38 SF

Lot Area ..... **2,259 SF**
PROPOSED IMPERVIOUS COVERAGE ... 54.33%
Maximum Permitted **60.00%**

Both 9' × 18' parking spaces (324 SF total) are located entirely within the approximate property boundary and are excluded from impervious coverage pursuant to §27-1005.G

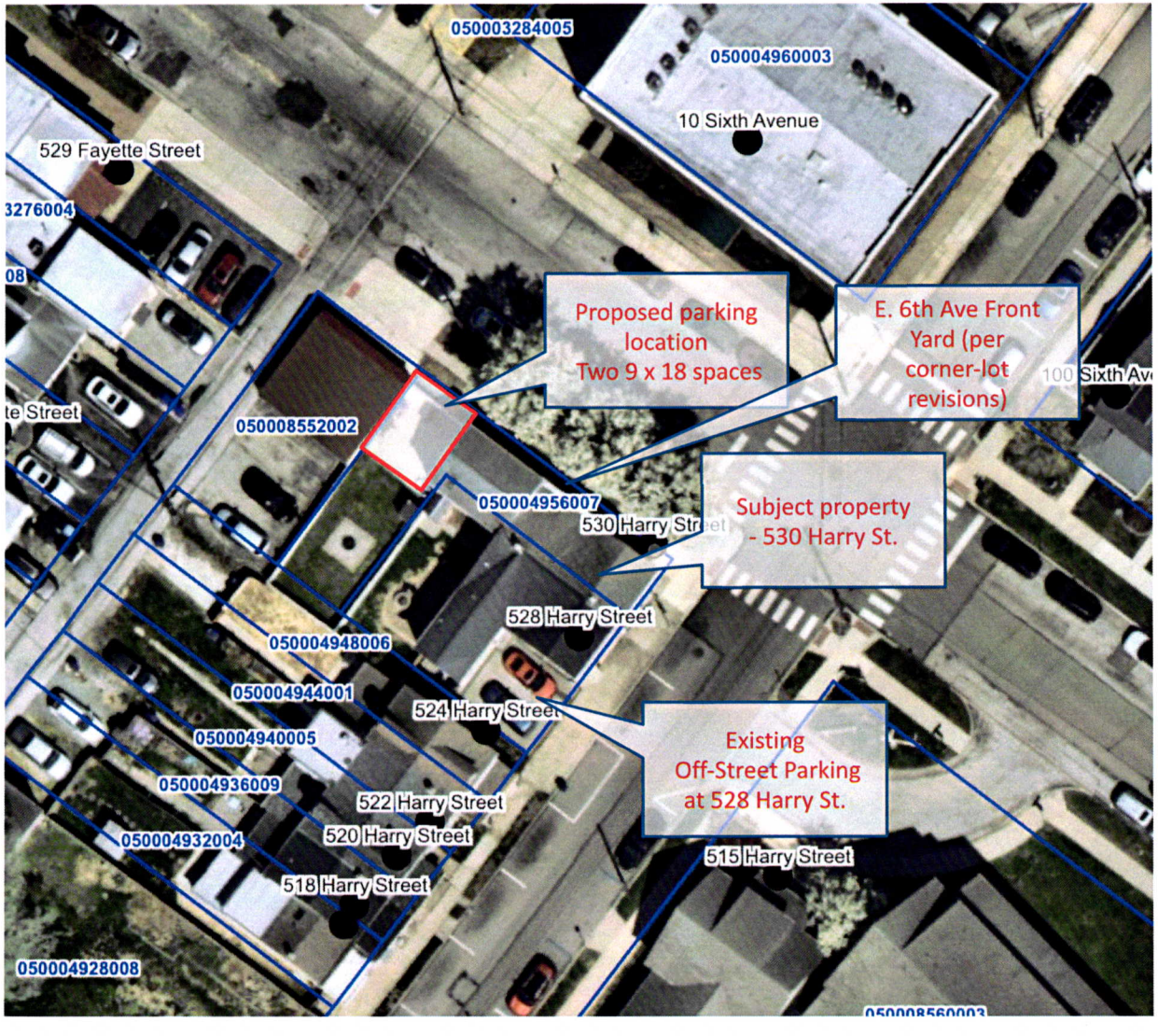


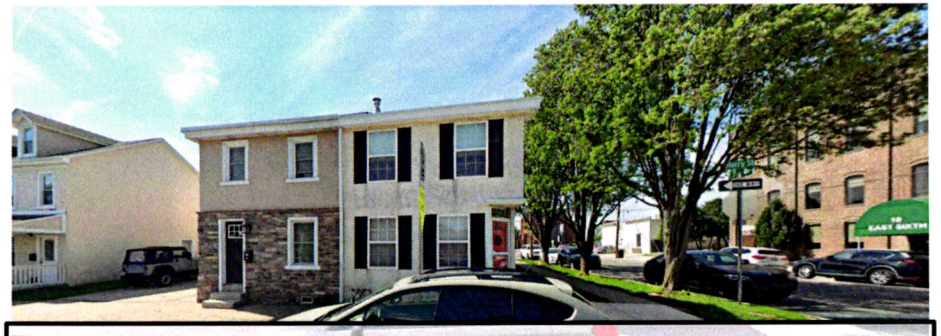
Exhibit C – Zoning Relief / Site Context

530 Harry Street is an L-shaped corner parcel fronting both Harry Street and E. 6th Avenue and is therefore considered to have two front yards under §27-808. Although the proposed parking area physically functions as a side/rear parking area adjacent to the dwelling and neighboring garage/parking improvements, its location along the E. 6th Avenue frontage is considered a front yard under the Zoning Ordinance.

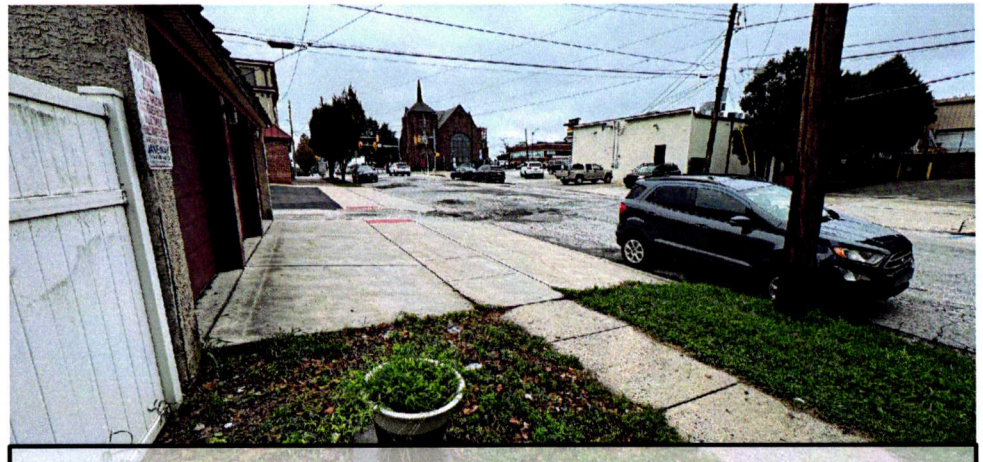
Accordingly, relief from §27-1007.1 is required to permit off-street parking between the front wall of the dwelling and the E. 6th Avenue curb. The requested relief is limited to **two standard 9' × 18' parking spaces (324 SF total)** and does not involve expansion of the dwelling.

Existing off-street parking is located immediately adjacent to the subject property at 528 Harry Street.

Exhibit D – Neighborhood / Existing Parking Context



Existing two-car off-street parking at 528 Harry Street, immediately adjacent to the subject property.



View from the proposed parking area toward E. 6th Avenue, showing the existing sidewalk, utility pole, and driveway approach.



E. 6th Avenue streetscape looking toward the proposed parking location and adjacent garage.



E. 6th Avenue streetscape showing the side of 530 Harry Street and adjacent garage immediately behind the proposed parking area.

Exhibit E – Comparable Zoning Relief

Similar Corner-Lot Parking Relief - 150 W. 8th Avenue – Z-2023-12

The Zoning Hearing Board previously granted relief from §27-1007.1 at 150 W. 8th Avenue, an existing semi-detached dwelling in the BR-1 Residential District. Like 530 Harry Street, the property is a corner property with two ordinance-defined front yards. The approved relief permitted a driveway apron and off-street parking between the dwelling and the curb along the property's secondary street frontage.

The proposed improvements at 530 Harry Street similarly seek limited relief from §27-1007.1 to provide two standard 9' × 18' off-street parking spaces along the property's E. 6th Avenue frontage.

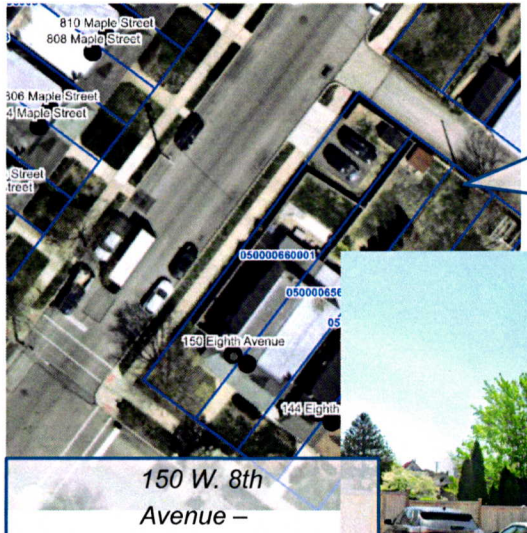
Additional §27-1007.1 Relief

203 E. 12th Avenue – Z-2021-04, Z-2021-05 and Z-2021-06

The Zoning Hearing Board granted §27-1007.1 variances for residential properties in the BR-1 District to permit parking between the front wall of the dwelling and the curb.

238 W. 5th Avenue – 2024 ZHB Decision

The Zoning Hearing Board granted relief including §27-1007.1 for driveway/off-street parking located between the dwelling and Wood Street.



150 W. 8th Avenue – Corner parcel with secondary Maple Street frontage.

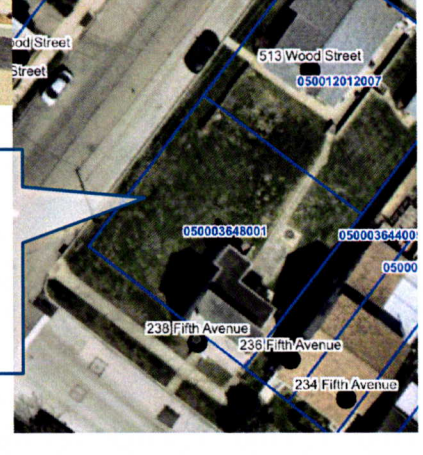


150 W. 8th Avenue – Off-street parking along Maple Street frontage approved under §27-1007.1.



203 E 12th Ave - parking between front wall of the dwelling and curb

238 W. 5th Avenue – Approved driveway/off-street parking location along Wood Street frontage.



MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

ZONING NOTICE
OCTOBER 19, 2026 ZONING HEARING BOARD MEETING

ZONING HEARING Z-2026-17

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on October 19, 2026 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:	Lori A Gamrat 400 East 10th Avenue, Conshohocken, PA 19428
PREMISES INVOLVED:	400 East 10th Avenue Conshohocken, PA 19428 BR-1 – Borough Residential District 1
OWNER OF RECORD:	The Estate of Theresa M Cerrato 400 East 10th Avenue, Conshohocken, PA 19428

The petitioner is seeking a Special Exception pursuant to Section §27-703.B and a Variance from Section §27-2002 to convert the existing vacant office space on the ground floor to residential apartments use and to not provide the required off-street parking spaces on the subject property for the new residential apartments use.

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

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Tina Sokolowski, President
Kathleen Kingsley, Vice-President
David Bria, Member
Alan Chmielewski, Member
Stacy Ellam, Member
Ralph Frey, Member
Adrian Serna, Member

Stephanie Cecco
Borough Manager

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MEMORANDUM

Date: October 6, 2026

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 400 East Tenth Avenue – Zoning Determination

History of the Site:

400 East Tenth Avenue is an existing non-conforming mixed-used property developed with a 2-story, 1,548 square-foot brick and masonry building that was constructed in circa 1925. The 2,660 SF parcel is a corner property located within the BR-1 – Borough Residential One District.

The property is fronted by East Tenth Avenue (80 ft wide right-of-way) to the south and Jones Street (66 ft wide right-of-way) to the west; an approximately 20-feet wide unnamed alley located to the north and rear of the property; and residential properties in all other directions.

The property is currently comprised of two (2)-one-bedroom apartments on the second floor and a vacant commercial office space on the ground floor. There is no off-street parking provided on the property. The commercial space on the ground floor has undergone several changes in use since the 1960's. The Montgomery County property records indicates the commercial use of the property was a deli and grocery store known as Jim's Quality Cold Cuts. The grocery store use on the property continued until 1995. Subsequently, a photography studio occupied the commercial space until 2019, followed by a home security office business known as Home Owner Management Company (a.k.a. Home Alert) until 2023.

The Special Exception change in use from a photography studio to a commercial office space use was granted by the Zoning Hearing Board Decision and Order dated October 21, 2019, under zoning application no. 2019-11. Additional relief obtained under the October 21, 2019 Zoning Hearing Board Decision and Order included variances from off-street parking and the installation of a 20" x 24" (3.33 SF) projecting wall sign. The granting of the Special Exception and variances were subject to the following conditions:

- commercial space use for Home Alert office only;
- the employees of the Home Alert office are limited to parking on Jones Street only; and,
- the sign shall not be illuminated.

Current Request:

The Applicant, Lori A. Gamrat, is proposing to convert the existing commercial space on the ground floor of the subject building to residential apartments. The conversion will comprise of either a two (2) –

approximately 550 SF to 900 SF, one (1) bedroom apartments, or one (1) – approximately 1200 SF two (2) bedroom apartment.

The petitioner is seeking a Special Exception pursuant to Section §27-703.B for a change in use from an existing nonconforming office space use to another nonconforming residential apartments use; and a Variance from Section §27-2002 to not provide the required off-street parking spaces on the subject property for the new residential apartments use.

Zoning Determination:

The above referenced property is located within the BR-1 – Borough Residential District 1, and is subject to provisions of Part 7 of the Conshohocken Borough Zoning Ordinance for nonconforming structures, uses, and lots.

Per Section §27-702.A of the Borough Zoning Ordinance, a nonconforming use is the existing lawful use of land and/or buildings and/or structure upon the land which does not conform to any of the permitted uses of the district in which it is located. The existing mixed-use building with two (2), one (1) bedroom apartment units on the second floor and a commercial use on the ground floor are classified as existing nonconforming uses since the uses to not conform to the uses permitted by right within the BR-1 – Borough Residential One District per Section §27-1002. The BR-1 zoning district only allows for single-family detached and semi-detached dwellings and accessory uses.

A change in use for nonconforming uses is regulated under Section §27-703.B of the Conshohocken Borough Zoning Ordinance. Per Section §27-703.B.(1), a change in a nonconforming use may be changed to another nonconforming use which is equally appropriate or more appropriate to the district in which the property is located and is no more detrimental than the existing nonconforming use as a special exception by the Zoning Hearing Board. The proposed change of use for the commercial space on the ground floor of the building from a vacant commercial office use to residential apartments use constitutes a change of a nonconforming use to another nonconforming use; and therefore, requires a special exception from the Zoning Hearing Board pursuant to Section §27-703.B.(1).

Pursuant to Section §27-2009, where a building contains mixed or multiple uses, the required off-street parking is determined by the sum of the parking requirements for each individual use under Section §27-2002.

Under Section §27-2002, studio, efficiency, and one-bedroom dwelling units require 1.5 off street parking spaces per dwelling unit, while a two-bedroom dwelling unit requires 2 off-street parking spaces. Accordingly, the off-street parking spaces are calculated as follows:

- Existing two (2) – one-bedroom units on the second floor x 1.5 parking spaces = 3 parking spaces
- Proposed one (1) - efficiency studio unit on the ground floor x 1.5 parking spaces = 1.5 parking spaces
- Proposed one (1) – one-bedroom unit on the ground floor x 1.5 parking spaces = 1.5 parking spaces
- Proposed one (1) – two-bedroom unit on the ground floor x 1.5 parking spaces = 1.5 parking spaces

If the ground floor is converted to two (2) dwelling units consisting of one studio and one one-bedroom unit, a total of six (6) off-street parking spaces would be required for the property, including three (3) additional spaces attributable to the proposed conversion.

Alternatively, if the ground floor is converted to one (1) two-bedroom dwelling unit, a total of five (5) off-street parking spaces would be required, including two (2) additional spaces attributable to the proposed conversion.

Under the prior October 21, 2019 Zoning Hearing Board Decision and Order, relief was granted to permit no off-street parking for the former commercial office use. At that time, the property would otherwise have required a total of nine (9) off-street parking spaces, consisting of six (6) spaces for the ground-floor office use and three (3) spaces for the existing second-floor residential units.

Although the proposed residential conversion reduces the overall parking requirement compared with the former commercial office use, the prior parking relief pertained to that commercial use only. Because the Applicant proposes no on-site parking in conjunction with the change in use, a variance from Section §27-2002 is required to permit zero (0) off-street parking spaces where five (5) or six (6) off-street parking spaces would otherwise be required, depending upon the proposed residential configuration. Of this total, two (2) or three (3) of the off-street parking spaces, respectively, are attributable to the proposed conversion of the ground floor.

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

Zoning Application

Application: Z-2026-17
Date Submitted: 9/16/26
Date Received: 9/16/26

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:

_____

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

400 East Tenth Avenue Conshohocken, PA 19428

4. Applicant's Name: Lori A Gamrat

Address: 400 East Tenth Avenue Conshohocken, PA 19422

Phone Number (daytime): 484 433 5158

E-mail Address: Lgamrat@gmail.com

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

6. Property Owner: The Estate of Theresa M Cerrato

Address: 400 East Tenth Avenue Conshohocken, PA 19428

Phone Number: 484 433 5158

E-mail Address: Lgamrat@gmail.com

7. Lot Dimensions: 19 ft x 140 ft Zoning District: BR-1

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

Yes [✔] No [ ] If yes, please describe.

First floor was granted a variance to operate as a a commercial office.space.

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

The property currently contains a single two story structure with dimensions of approximately fifteen (15) feet by one hundred (100) feet.

The building is mixed-use. The first floor, which is currently vacant, currently has a variance to be used for commercial office space. The second floor consists of two (2) residential apartments which are currently occupied. The second floor apartments fave been in the same use since the Owner purchased the building.

10. Please describe the proposed use of the property.

The Applicant proposes to convert the first floor of the building from commercial office space to residential apartments. The floor space would be converted into either two (2) one bedroom apartments, or one (1) two bedroom apartment. The one bedroom apartments would range from approximately five hundred and fifty (550) square feet to nine hundred (900) square feet, and the two bedroom apartment would be approximately twelve hundred (1200) square feet.

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

Improvements are primarily limited to the building interior. The proposed changes involve the addition of kitchens, modification/addition of bathrooms, addition of air conditioning units and possibly internal wall modifications.

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

Acceptance of this proposed change will provide additional residential space within the Borough benefiting both the Borough and prospective residents.

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

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.

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: _____

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.

Lori Ann Gamrat Lori Ann Gamrat

Applicant

Lori Ann Gamrat admin of Estate of Theresa Cerrato

Legal Owner

September 14, 2026

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 14th day of September, 20 26.

Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
JOHN LOUTANGOU - Notary Public
Montgomery County
My Commission Expires March 29, 2029
Commission Number 1394552

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
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

DATE OF ORDER: _____

RECORDER OF DEEDS

MONTGOMERY COUNTY PENNSYLVANIA

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

I hereby certify that the following is a true and correct copy of the original document recorded in Montgomery County, PA

RECORDER'S OFFICE
MONTGOMERY COUNTY, PA

Jeanne Sorg

Jeanne Sorg, Recorder of Deeds

Digitally signed 09/18/2026 by montgomery.county.rod@govos.com

Certified and Digitally Signed

Validation may require Adobe 'Windows Integration'

eCertified copy of recorded # 1983000585 (page cover of 4)
Montgomery County Recorder of Deeds

010015

B

172A/S DEED—Trustees' Covenant - Corporation - Individual. Printed for and Sold by John C. Clark Co., 1326 Walnut St., Phila.

This Indenture Made the twenty-first day of

July in the year of our Lord one thousand nine hundred and eighty-three (1983)

50
14 00
2 00

Between ROBERT I. EBERLE and RALPH F. EBERLE, JR., EXECUTORS FOR THE ESTATE OF RALPH F. EBERLE, A/K/A RALPH F. EBERLE, SR., the Sellers and
JAMES A. CERRATO and THERESA M. CERRATO, his wife, the Buyers

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-10196-00-5 CONSHOHOCKEN DBK 1058
400 E TENTH AVE PG 0366
EBERLE RALPH
B 55 U 016 1160 DATE 7/27/83 2.50

of the other part, **Witnesseth** That the said Sellers

for and in consideration of the sum of Sixty-five thousand five hundred dollars ($65,500.)
lawful money of the United States of America, unto them, well and truly paid by the said Buyers

at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents

do grant, bargain, sell, alien, enfeoff, release and confirm unto the said Buyers, their heirs and assigns, as tenants by the entireties.

JUL 27 11 06 AM '83

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon, Situate in the Borough of Conshohocken, County of Montgomery and State of Pennsylvania, designated on a certain plan entitled "Part of East Conshohocken Property of Spring Mill Improvement Company" recorded in the Office for the Recording of Deeds in and for Montgomery County in Deed Book No. 634 page 500 &c., as part of Lot No. 92 which said lot is more fully described as an entirety as follows:

BEGINNING at a point, the intersection of the southeasterly side of Jones Street, with the northeasterly side of Tenth Avenue thence extending south, forty nine degrees East along the said northeasterly side of Tenth Avenue nineteen feet to a point a corner of this and land of Louis A. Weiss, thence extending northeastwardly between parallel lines at right angles to said Tenth Avenue one hundred and forty feet to a certain twenty feet wide alley, bounded on the northwest by Jones Street aforesaid, on the southwest by Tenth Avenue aforesaid, on the southeast by land of the said Louis A. Weiss; and on the northeast by said twenty feet wide alley.

TOGETHER with the free and common use, rights, liberty and privilege of the above mentioned alley as and for a passage, way and water course at all times hereafter forever, in common with the owners, tenants and occupiers of the other lands and premises abutting thereon.

BEING PARCEL NO. 05-00-10196-00-5

BOOK 4713 PG 487

eCertified copy of recorded # 1983000585 (page 1 of 4)
Montgomery County Recorder of Deeds

BEING PARCEL NO. 05-00-10196-00-5

BEING THE same premises which Rose K. DeHaven, singlewoman by deed dated 7/11/1933 and recorded at Norristown, Pennsylvania in Deed Book 1169 page 95 granted and conveyed unto Ralph F. Eberle and Miriam A. Eberle, his wife their heirs and assigns, in fee.

AND THE SAID Miriam A. Eberle has since departed this life.

AND THE SAID Ralph F. Eberle, a/k/a Ralph F. Eberle, Sr., departed this life on 4/10/1982 leaving a will dated 10/20/1976, Registered at Norristown, Pa., in Register of Wills No. 46-82-884, for whose Estate Letters Testamentary were granted on 4/15/1982 to Robert I. Eberle and Ralph F. Eberle, Jr.

REALTY TRANS. TAX PAID
STATE 655.00
LOCAL 655.00
PER M&C

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
REALTY TRANSFER TAX JUL 27 '83
655 00

Together with all and singular the buildings, improvements, alleys, streets, ways, waters, water-courses, driveways, rights, liberties, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors

in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

BOOK 4713 PG 488

eCertified copy of recorded # 1983000585 (page 2 of 4)
Montgomery County Recorder of Deeds

To have and to hold the said lot or piece of ground described hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees their heirs and assigns to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever. as tenants by the entireties.

And the said Grantors, their heirs, executors and administrators do covenant, promise and agree, to and with the said Grantees, their heirs and assigns, by these presents, that they, the said Grantors, and their heirs have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or incumbered, in title, charge, estate, or otherwise howsoever.

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

Sealed and Delivered
in the presence of us:

Jane R. O'Connor

Robert F. Eberle, Jr.

Ralph F. Eberle

Commonwealth of Pennsylvania
County of Montgomery } SS:

On this, the 21st day of July, 19 83, before me, a Notary Public the undersigned officer, personally appeared ROBERT I. EBERLE and RALPH F. EBERLE, JR., Executors of the Estate of RALPH F. EBERLE, A/K/A RALPH F. EBERLE, SR., known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Michael M. Martinelli

Michael M. Martinelli, Notary Public
Norristown, Montg. Co., Pa.
My Commission Expires April 24, 1984

BOOK 4713 PAGE 489

Certified copy of recorded # 1983000585 (page 3 of 4)
Montgomery County Recorder of Deeds

STEWART TITLE GUARANTY CO.

#17550-M

Commonwealth of Pennsylvania
County of } SS:

On this, the day of , 19 , before me the undersigned officer

personally appeared who acknowledged himself (herself)

to be the of

a corporation, and that he as such , being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself (herself) as

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

DEED

ROBERT I. EBERLE AND
RALPH F. EBERLE, JR.
EXECUTORS OF THE ESTATE
OF RALPH F. EBERLE, A/K/A
RALPH F. EBERLE, SR.

TO

JAMES A. CERRATO AND
THERESA M. CERRATO, HIS
WIFE

772A/S John C. Clark Co., Phila. 1978

Premises - 400 East Tenth Avenue, Borough of Conshohocken, Montgomery County, Pennsylvania

Montgomery County S. S.
Recorded in the Office for Recording of Deeds &c
In and for said county in Deed book
No. V713 Page 482 &c
Witness my hand and seal of office this 27th
day of July 1983
Recorder

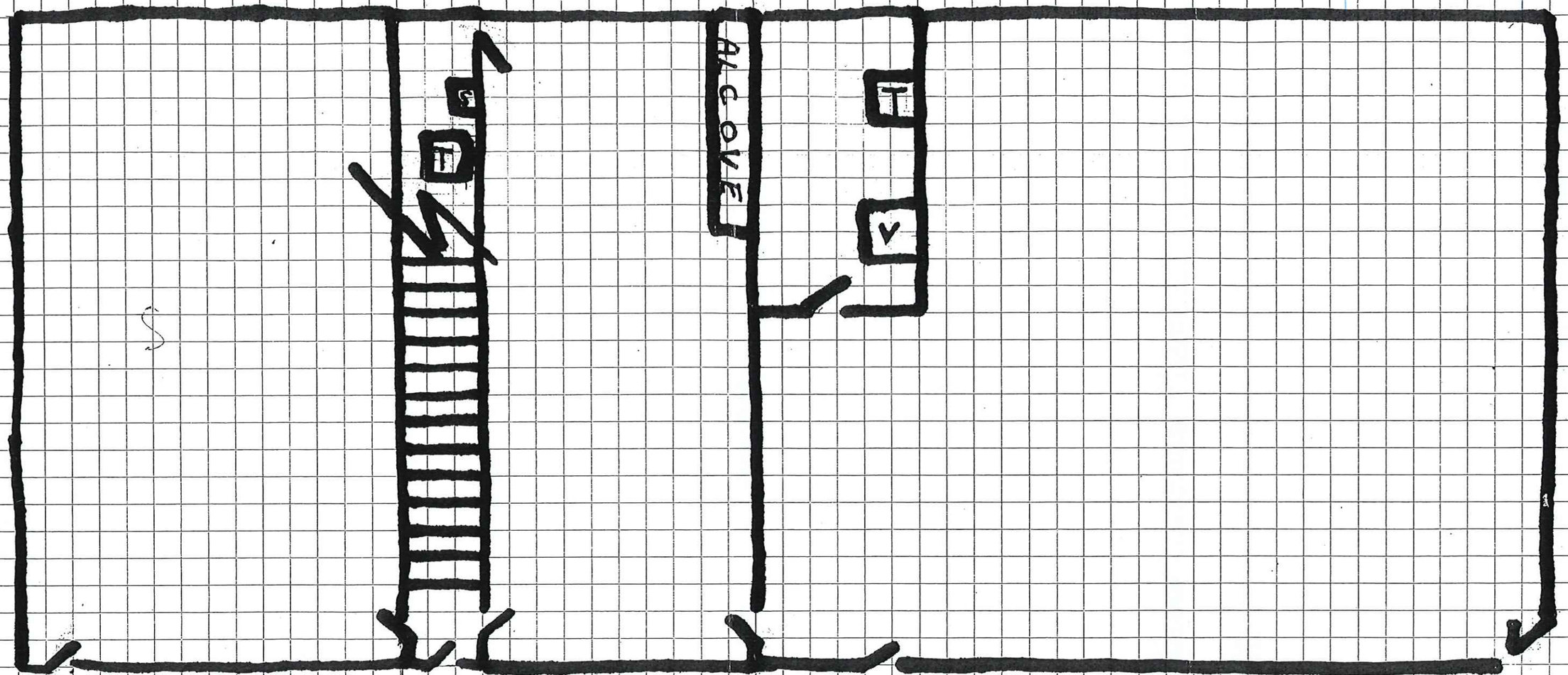
MONTGOMERY COUNTY PA RECORDER'S OFFICE

The address of the above-named Grantees is 400 East Tenth Avenue
Conshohocken, PA 19428
On behalf of the Grantee

Liber 4713 Pg 490

eCertified copy of recorded # 198300058S (page 4 of 4)
Montgomery County Recorder of Deeds

RECEIVED
SEP 17 2026



T - TOILET
S - SINK
SH - SHOWER
V - VANITY SINK

NOT TO SCALE

400 E 10th AVE
FIRST FLOOR
EXISTING
LAYOUT

APPROX 350 SQ FT

APPROX 910 SQ FT

APT #2

APT #1

CLOSET

SH

EFFICIENCY STUDIO

(APPROX 350 SQFT)

W

KITCHEN

BEDROOM

[APPROX 240 SQ FT]

CLOSET

SH

T

V

KITCHEN

KITCHEN

W

LIVING SPACE

(APPROX 670 SQ FT)

T - TOILET

S - SINK

SH - SHOWER

V - VANITY SINK

W - WASHER DRYER

NOT TO SCALE

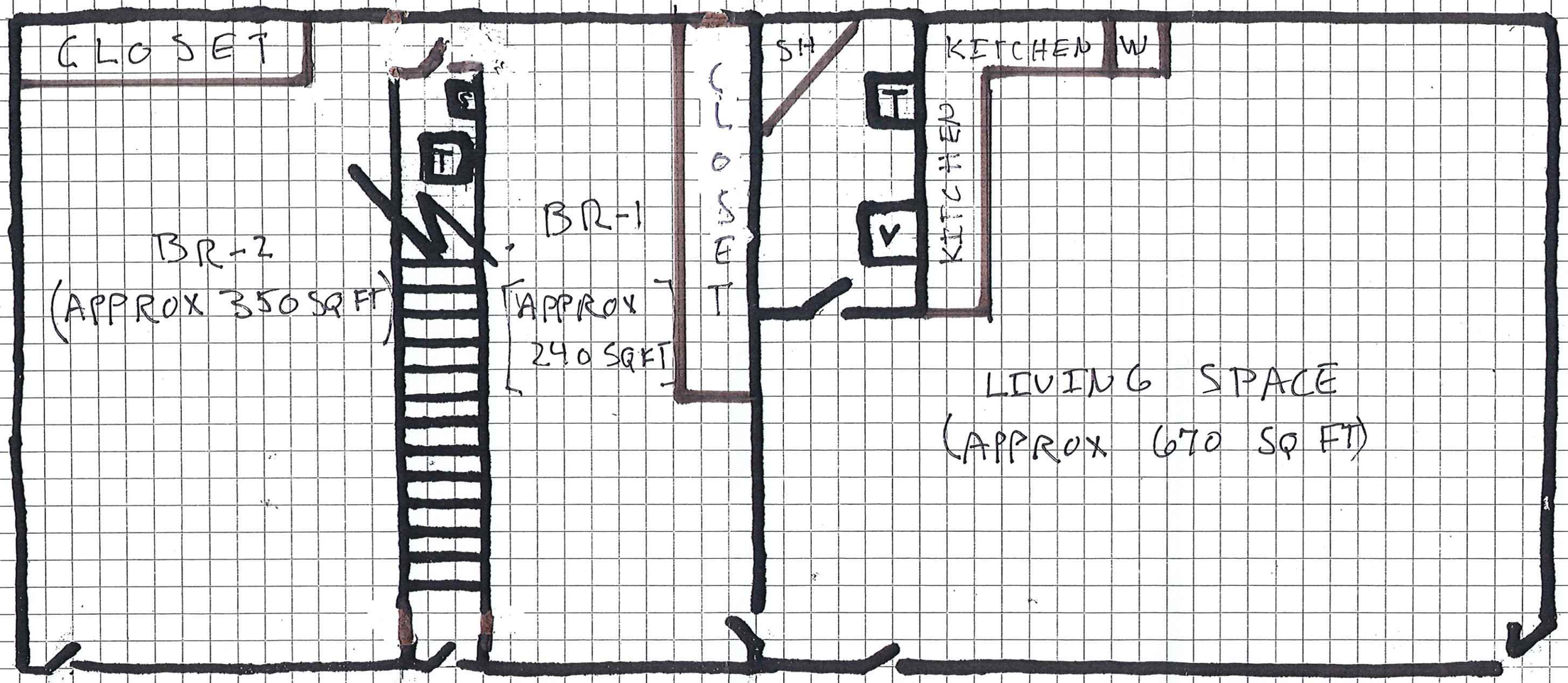
400 E 10th AVE

FIRST FLOOR

ONE BEDROOM/

EFFICIENCY

TWO BEDROOM LAYOUT (APPROX 1260 SQ FT)



T - TOILET
S - SINK
SH - SHOWER
V - VANITY SINK

W - WASHER/DRYER

NOT TO SCALE

400 E 10th AVE
FIRST FLOOR
TWO BEDROOM
LAYOUT