



**TOWNSHIP OF UPPER PROVIDENCE
MEETING TO BE HELD IN TOWNSHIP MEETING HALL—1286 BLACK ROCK ROAD
PLANNING COMMISSION AGENDA
JANUARY 5, 2022— 7:00 PM**

REORGANIZATION

CALL TO ORDER / ROLL CALL

PUBLIC COMMENT FOR NON-AGENDA ITEMS

GENERAL DISCUSSION ITEMS:

- Minutes: November 3, 2021, Planning Commission Meeting
- Select Properties—Lovers Lane, Mennonite Road, TDR Discussion
- ZHB #21-16 Addition to 141 Jacobs Street

APPLICATIONS TO BE HEARD ON JANUARY 5, 2022: NONE

APPLICATIONS PENDING REVIEW: DATE FOR DISCUSSION TO BE DETERMINED

1. AutoZone Conditional Use and Tentative Plan

Property Address: 1811 E. Ridge Pike
Proposed Development: AutoZone Store
Township #: 8005-0376-0001 [CU] & 8005-0376-0002 [TLD]
Submission Date: October 28, 2021, | MPC expiration date: NONE (signed wavier)

2. Kudach Minor Subdivision

Property Address: 336 Old State Road
Proposed Development: Minor Subdivision (1 new lot)
Township #: 5020-0378-0001 [MSD]
Submission Date: June 2, 2021, | MPC expiration date: NONE (signed wavier)

3. Global Packaging Amended Final Plan

4. DeVimy Equities Amended Final Plan

5. Amelia Street Townhomes

Property Address: 105 /109 Amelia Street
Proposed Development: 8 townhomes
Township #: 3028-0373-0001 [TLD]
Submission Date: June 2, 2021, | MPC expiration date: NONE (signed wavier)

6. 172 Hopwood Road Conditional Use and Tentative Plan

Property Address: 172 Hopwood Road
Proposed Development: 48-unit carriage home development
Township #: 6033-0341-0001 CU / 6033-0341-0002 [TLD]
Submission Date: February 5, 2020 | MPC expiration date: NONE (signed wavier)
Conditional Use Hearing Clock: Open Extension (per January 27, 2021 letter)
Land Development Clock Expiration: Open Extension (per January 27, 2021 letter)



FUTURE AGENDA DISCUSSION: Next meeting: January 19, 2022

ADJOURNMENT

Minutes: November 3, 2021, Planning Commission Meeting



**UPPER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
Wednesday, November 3, 2021**

A meeting of the Upper Providence Township Planning Commission was held at the Upper Providence Meeting Hall, 1286 Black Rock Road in Phoenixville, Pennsylvania on Wednesday, November 3, 2021. Attending were Planning Commission members, Tom Wright, Chair; Bob Heist, Vice Chair; Nicole Lyddane, Secretary; Robert Gilinger. Matt Caffrey. Also in attendance were Jen Gutshall from the Township Engineer's Office; Anthony Valencia from the Township Traffic Engineer's Office; and Geoffrey Grace, Township Director of Planning/Zoning Officer.

Call to Order

The regular meeting was called to order by Mr. Wright at 7:00 p.m.

Public Comment for Non-Agenda Items

Philip Moran Santangelo - 109 Store Street

Mr. Moran Santangelo stated he was speaking on behalf of some of the Hurricane Ida flood victims who live off of Port Providence Road. Mr. Moran Santangelo stated concerns the residents had about the letter they received on Friday, (October 19, 2021) from the township, specifically many residents understanding of the letter was that they had to participate in the buyout or raise their home; that there appeared to be no consistency as to who received the letters and the damages that were listed on the letter were inconsistent with actual damage. Mr. Moran Santangelo also stated that it was his understanding that the buyout was going to be voluntary and that is not how he interpreted the letter.

Mr. Grace stated the township sent the letters to homeowners that had an assessed damage over 50% of the value of their home. These letters are a baseline for damage assessment. Mr. Grace stated the homeowners are to bring their home into flood plain compliance. If the homeowner cannot bring their house into compliance, there is a buyout option which is voluntary. If the homeowner wants to do any improvements, then the home must be raised. The Board of Supervisors directed the staff to meet with the homeowners individually to review and discuss their situation, to review the assessed damage letters, correct the amount of assessed damage as needed and then move forward.

Mr. Moran Santangelo stated that the homeowners would like to meet as a group, so they can hear each other's questions. Mr. Grace stated that has already happened; now it's time to meet individually and address individual concerns. Maybe at a later time, with Board approval, they may meet again.

Michelle Demas - 820 Port Providence

Ms. Demas asked what does compliance mean? Mr. Grace stated compliance means bringing your house back to a livable condition. If you do any substantial improvements, then you must raise your house.

Erin Holvoet-333 Port Providence Road

Erin Holvoet read her concerns requesting receiving accurate and timely information from the Board of Supervisors, the township and the experts regarding flooding issues. Ms. Holvoet stated she had contacted Mr. Grace and to discuss her situation. She stated her house was not substantially damaged but would like guidance before she spends money on her property. Mr. Grace stated he and township staff will be speaking with those who experienced less than 50% damage of their assessed value after they meet with those in substantially damaged areas.

Derek Moran – 258 Walnut Street, Mont Clare

Derek Moran questioned what substantial improvements to a home means. Mr. Grace explained what substantial improvements are.

General Discussion Items:

Minutes to be approved

The following minutes were reviewed:

October 6, 2021

Mr. Gilinger motioned, seconded by Mr. Heist, to approve the Planning Commission minutes from October 6, 2021. Motion carried 5-0.

Letter Request: Yerkes Station Grant Application

Present: Alyson Zarro, Esquire, Attorney for the applicant
Ted Drauschak – The Galman Group

Alyson Zarro, Esquire explained that the applicant for the Yerkes Station development is requesting a state grant for Traffic Improvements as part of the development due to the increased cost from first estimates. It is for a multi modal transportation grant via PennDOT to contribute to the cost of the improvements. The grant will only cover a portion of the improvements and the developer will match the grant money. The grant application requires letters of approval from the Planning Commissions of the county and township stating that the proposed improvements are consistent with both the county and townships comprehensive plans. Attorney Zarro requested approval from the Planning Commission and a letter signed by the Chairman. Attorney Zarro stated that Montgomery County Planning Commission has approved this request. There is no guarantee that the grant will be approved.

Mr. Wright inquired why the discrepancy from the original estimate to the current one. Attorney Zarro explained the increase is because the estimate was done a few years back by a previous developer when full engineering was not completed and there has also been a recent rise in material costs. Mr. Wright asked if the grant is not approved what happens to the project. Attorney Zarro stated that if the grant is not approved, the developer has another plan to fund the improvements.

Attorney Zarro confirmed Mr. Caffrey's comment that there would be no cost to the township.

Ms. Lyddane motioned, seconded by Mr. Caffrey approval that the Upper Providence Planning Commission writes and signs a letter saying that the traffic improvements requested are consistent with the township's comprehensive plan. Motion carried 5-0.

Applications:

PBP3 – PD Home and Garden

Property Address: Hollow and Egypt Road

Proposed Development: 100,000 square foot warehouse building

Township#: 20559-0372-0003 [PLD]

MPC expiration date: NONE (signed waiver)

Plans Submitted: September 10, 2021

*Present: J. Edmund Mullin, Esquire - Attorney for Applicant
Joe Gambone - Applicant*

Ed Mullin, Esquire provided a brief over of the project. Attorney Mullin stated they are in a receipt of four review letters and are a will comply with all except for the county letter. The county review letter wants a walking path to connect the development with the local condominium. The applicant does not feel that that is appropriate. Attorney Mullin is requesting one waiver, to use a different scale on the documents so they can get the entire site on the plan.

Mr. Caffrey asked if there are substantive changes to the tentative plan. Attorney Mullin stated there are not. Attorney Mullin stated the parking lot will be paved but since they only will have 23 employees and it is not a retail site, all the spaces will not be painted. Mr. Grace stated that when this application goes before the Board of Supervisors, there should be a separate line item added, noting that there is sufficient parking available but that it will not be completely stripped.

Public Comments

Glenn Murphy – 921 Port Providence Road

Glen Murphy asked what is on the property now, if it is undeveloped land, what is being done for flood mitigation, if plans are available to review, and are storm water measures being revised in light of the recent flooding?

Mr. Grace reviewed the layout of the of the building and the other buildings nearby. Attorney Mullin stated the applicant is complying with the township subdivision land development ordinance. Mr. Wright explained that the letters Attorney Mullin referred to are the responses from the consultant's reviews of the plans. Mr. Grace stated the post storm water control measure plans are at the township if he would like to review them. Jen Gutshall stated that as part of the engineer review, all the impervious coverage improvements that are being done for this development are being

collected in the regional stormwater basin. There is a proposed wall at the back to pitch the water into the basin. The only thing going under the existing culvert under the railroad tracks that by pass it will be grass.

Arlyn Bell – 708 Meadowview Lane

Arlyn Bell asked if anything is going to be done to block or reduce the truck noise from the roadway from carrying to the neighboring apartment complex, The Meadows. Ms. Bell's concern is that the plantings and small trees that are proposed will look nice but don't appear to assist with the noise. Joe Gambone stated they can add some more plantings to assist with the noise, but that you can plant too much. Mr. Valencia stated the options to control noise other than plantings are to install noise barriers, noise walls or lower the road.

Ms. Bell also asked about the status of the county request including a proposed SEPTA stop. Mr. Mullin stated that the SEPTA bus was proposed by the county to accommodate the applicant's employees. Attorney Mullin had stated early that the applicant does not see a need for the SEPTA stop or walkway.

Mr. Heist motioned seconded by Mr. Gilinger to continue the discussion and review options to minimize sound, to approve the waiver dated November 3, 2021, to not include the county planning letter and to forward this to the Boards of Supervisors. Motion carried 5-0

Toll Brothers – Foley Tract Tentative Sketch Plan

Property Address: 301 Rittenhouse Road

Proposed Development: 54 Total Units

Township #: 8001-0362-0004 TLD

Submission Date: October 5, 2021

MPC expiration date: NONE (signed waiver)

*Present: Alyson Zarro, Esquire – Attorney for the Applicant
Brian Thierrin, Toll Brothers – Applicant*

Alyson Zarro reviewed the tentative sketch plan and the review letters from McMahon Associates, Gilmore and Associates and Grace Planning. Attorney Zarro stated that some comments from McMahon's review letter will be addressed after the traffic study is completed and findings will be included at preliminary plans.

Attorney Zarro reviewed proposed pedestrian crossings and trail connection across Valley View Drive, from the northeast part of the property to an existing trail, from the south parcel to a trail to Lewis Road and the pedestrian crossing between the north east parcel and south parcel. Attorney Zarro stated there are no sidewalks on the plan along Rittenhouse Road due to environmental constraints of wetlands and the flood plain on the north side and is asking the commission for their advice regarding installing sidewalks, trails and the circulation between the north side parcels. Mr. Heist

asked if an elevated boardwalk could be built. Brian Thierrin stated they could look at that option but noted there are very steep slopes that would probably require another permit. Mr. Wright received clarification that there are two proposed connections across Rittenhouse Road.

Mr. Wright asked if the consultants and applicant can review the connections at the north parcels before they return for preliminary approval. Mr. Grace stated these engineering issues could be worked out when they present the preliminary plan.

Public Comments:

None

Recommendation

Mr. Heist motioned, seconded by Ms. Lyddane, recommending tentative sketch plan approval with the caveat that there is continued consultation with McMahon to make the road connections complete. Motion carried 5-0.

Discussion Item:

Planning Commission Meeting: Future Agenda

Next meeting November 17, 2021 @7:00 pm (Wednesday) Cancelled

Mr. Heist motioned, seconded by Mr. Gilinger to cancel the November 17, 2021 meeting. Motion carried 5-0.

Adjournment:

Mr. Gilinger motioned, seconded by Mr. Caffrey to adjourn. Motion carried 5-0.

Respectfully submitted,

Nicole Lyddane, Secretary
Upper Providence Township Planning Commission

Select Properties—Lovers Lane, Mennonite Road, TDR Discussion

Date: December 7, 2021

To: Geoff Grace, Director of Planning and Zoning

From: John H. Kennedy, AICP

Re: TDR District
425 S. Mennonite Rd.
Upper Providence Twp., Montgomery County PA

TDR – Transfer of Development Rights District Summary

This District was adopted in 2008 with the intention of providing the Township with an additional means to preserve open space, protect the natural environment, minimize disturbance to sensitive areas, and lessen suburban sprawl in the Township by transferring the development rights from a sending area to a receiving area by conditional use approval. The sending areas can be tracts within the R-1 or R-2 District which meet at least one of the specific requirements provided by the District. The receiving areas must also be located in the R-1 or R-2 District and are subject to numerous regulations.

However, in the time since the TDR District was created, it has not been utilized. Overall, the District is too narrowly focused, resulting in a limited number of places it can actually be implemented. Adjustments to the TDR District regulations and expansion of the receiving zones are necessary to make this a viable method of preserving land by transferring development rights within the Township.

We would like to amend the TDR District to make it a functional tool for Upper Providence Township. In our case we would be using the Greer property (located in the R-2 District) as the sending area and the Mennonite Road property (R-1 District) as the receiving area. A summary of the properties and the proposed changes to the TDR that have been identified are provided below.

Sending Parcel requirements for TDR:

The Greer parcel is a qualifying sending parcel. It is zoned R-2 and yields 12 lots (including a lot for the existing house). A yield plan has previously been prepared. All of the lots can be transferred, or a portion of the lots as long the sending parcel restricts a minimum of 50% of the parcel from future development.

**Receiving Parcel Requirements and Changes Proposed for the TDR District:
TDRs from Greer to Mennonite Rd**

Maximum number of lots §182-71.(11)

The maximum number of lots in a TDR development is determined as follows:

Yield of the receiving parcel (using existing R-1 zoning)	6 lots (per sketch plan)
+ TDR from sending parcel + 20% (or less).	13 lots (11 + 20%)
Maximum number of lots	19 lots

Receiving parcel requirements	Mennonite Rd Parcel: TDR sketch 07.06.2021	Requires change to TDR §
Not previously restricted	Assumed, no restrictions	~
Min. Tract size of 7 AC	8.55 AC	~
Located in R-1 or R-2	R-1	~
Access to feeder or higher-class Rd.	70 ft. access to Mennonite Rd. (A 50 ft ROW would be needed)	~
Adjacent to higher density zoning: Commercial/office/industrial R-3 or R-4 Lot sizes 30,000, or less.	NO: Does not Qualify. (It is within 1,500 ft of residential development with < 30,000 sf lots). However, the parcel abuts Route 422.	§182-71.5.A.(4)
Not designated for preservation	Complies	~
85% free of environmental constraints	NO: at least 31% of the site could be considered woodland.	§182-71.5.A(6)
Public water and sewer	Yes	~

Subdivision with TDR in the R-1 Dimensional Requirements: Single Family Detached

	TDR	Proposed TDR sketch Dated 07.06.2021	Requires a change to TDR District:
Min lot size:	15,000 sf*	8,000 sf	§182-71.6.A(1)
Average lot size:	17,500 sf	15,000 sf	§182-71.6.A(1)
Yards:			§182-71.6.A(2)
Front	30 ft	25 ft	
Side	15 ft., each	10 ft., each	
Rear	30 ft	30 ft	
Min lot width	100 ft.	70 ft	§182-71.6.A(3)
Max. building coverage	20%	25%	§182-71.6.A(4)
Max. Imp. surface ratio	35%	40%	§182-71.6.A(5)
Max. building height	35 ft.	35 ft	~

*15,000 sf is also the same minimum lot size required by the R-2 District with public sewer and water (Greer Parcel), a smaller lot size is appropriate for a TDR subdivision.

- If the above changes are made to the TDR R-1 dimensional requirements, appropriate adjustments should also be made to the R-2. Or, just incorporate the TDR R-1 and TDR R-2 into one set of requirements for any TDR subdivision.

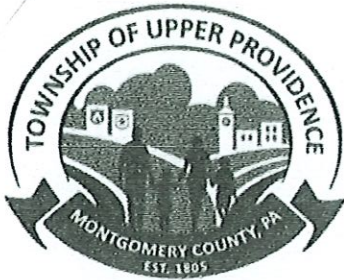
SALDO Comments:

- §182-71.5.B of the TDR Ordinance requires single family detached dwellings to follow the

design guidelines of SALDO §154-36.4. We have reviewed this section and found that a waiver from §154-36.4.D would be desired from most potential developer's/builders. Revising this section would be appropriate.

- §154-36.4.D - *“Except for accent purposes on no greater than 10% of any elevation, aluminum siding, vinyl siding or fiber-cement siding shall not be utilized.”*

ZHB #21-16 Addition to 141 Jacobs Street



Township of Upper Providence
1286 Black Rock Road Phoenixville PA 19460
Phone: 610-933-9179; Fax: 610-983-0355

Township of Upper Providence

Application to Zoning Hearing Board

To be completed by Township staff:
DATE APPLICATION RECEIVED: 11-24-2021
DATE APPLICATION ACCEPTED: 11-29-2021
APPLICATION NUMBER: 21-16
TOWNSHIP RECEIVED SIGNATURE: GLACE
FEE PAID: \$500.00

Date Submitted to the Township of Upper Providence: _____

[1.] Classification of Application (check one or more as applicable):

- ☒ [A.] Request for **VARIANCE** [Pennsylvania Municipality Planning Code (PA MPC), Sections 909.1(a)(5) and 910.2]
☐ [B.] Request for **SPECIAL EXCEPTION** [PA MPC, Sections 909.1(a)(6) and 912.1]
☐ [C.] **APPEAL** of determination of the Zoning Officer, Township Engineer, or other Township officer or agency [PA MPC, Sections 909.1.(a)(3), (4), (7) and (8)]
☐ [D.] **SUBSTANTIVE CHALLENGE TO THE VALIDITY** of the Zoning Ordinance or Map (i) by a landowner regarding the prohibition or restriction on the use or development of landowner's land, or (ii) by a person aggrieved by the use or development permitted on land of another [PA MPC, Sections 909.1.(a)(1), 916.1.(a), and 916.1.(b)]

[2.] Property Address:

- [A.] Number and Street (if assigned pursuant to Township Ord. No. 179, June 28, 1976, as amended): 141 Jacobs St
[B.] Tax Parcel Number(s): 61-00-02 701-00 - 1
[C.] Block / Unit: _____ [E.] Nearest Cross Street: Bridge St.
[D.] Current Zoning: Floodplain Conservation District [F.] Area (acreage or square feet): ≈ 3,049 sq. ft.

[3.] Describe the size, construction and use of the existing improvements or use of land, if unimproved:

Residential twin. Rehabbing for residence.

[4.] Applicant:

- [A.] Applicant Address: _____
[B.] City/State/Zip: _____
[C.] Applicant phone/email: _____

[5.] Owner: Larry and Rose McReady

- [A.] Owner Address: 141 Jacobs St.
[B.] City/State/Zip: Mont Clare, PA 19453
[A.] Owner phone/email: 610.290.3447
Lhughm@gmail.com

[6.] Classification of Applicant (check one or more as applicable):

- ☒ [A.] Owner of Legal Title – Copy of Deed must be attached as Exhibit
☐ [B.] Owner of Equitable Title – Agreement of Sale must be attached as Exhibit
☐ [C.] Tenant with the permission of the Owner of Legal Title – Lease must be attached as Exhibit
☐ [D.] Other (please describe): _____



Township of Upper Providence

Application to Zoning Hearing Board

APPLICATION NUMBER: 2176

[7.] Applicant Representatives:

[A.] Attorney: Benjamin L. McCready

[i.] Contact Information (phone/email):

111 N Olive St.

Media, PA 19063

bmcready@bmcreadylaw.com

267-261-6240

[B.] Traffic Engineer:

[i.] Contact Information (phone/email):

[C.] Civil Engineer:

[i.] Contact Information (phone/email):

[D.] Other: DLG Contracting

[i.] Contact Information (phone/email):

610-804-2132 ; DLG Contracting@live.com

81 Bishop Dr.

Aston, PA 19014

[8.] Plans to be submitted with the application:

Please note: The Township may request additional copies to be provided during the application review process or hearing; all additional copies will be provided at the Applicant's expense.

☒ Plans [four (4) paper copies are required] (dated: _____)

_____ Electronic version of all plan and documentation submitted with application (via CD, thumb drive, etc.)

_____ Dropbox or other electronic file transfers to be sent to ggrace@uprov-montco.org

_____ Other Documents [four (4) copies required]

_____ List additional documents by title (attach a separate sheet if necessary):

[9.] Other Required Information (please note if responses are submitted as a separate document):

[A.] Describe the proposed use or construction: Rehabbing/improving twin unit for residential use.

[B.] Describe how the proposed use or construction differs from what is permitted:

Flood proofing requirements of section 182-28.3 and 182-32.F



Township of Upper Providence

Application to Zoning Hearing Board

APPLICATION NUMBER: 21-16

[C.] List specific Zoning Ordinance sections from or under which a variance, special exception or other relief is being requested:

182-28.2 ; 182-28.3; MPC § 910.2

[D.] State grounds for the relief requested (including, the unnecessary hardship claimed in the case of a requested variance), and cite specific sections of the Pennsylvania Municipalities Planning Code, Zoning Ordinance, Subdivision and Land Development Ordinance, or other acts or ordinances which support the requested relief:

See attached

[E.] Has a previous application been filed with the Zoning Hearing Board concerning the subject matter of this application?

Yes ☒ No ☐ If yes, please specify:

[F.] Validity Challenges. If 1.D is checked on page 1 of this application, list requested issues of fact or interpretation:

[10.] Applicant's Signature:

No application shall be accepted for processing unless properly signed in the appropriate space:

[A.] Signed: Rose McCready Owner of Record

[B.] Signed: _____ Equitable Owner

[C.] Signed: [Signature] Authorized Agent (for: ☒ Owner; _____ Equitable Owner)

[D.] Signed: _____ Tenant / Other

Benjamin L. McCready, Esq.
111 N OLIVE STREET
MEDIA, PA 19063
D: (267) 261-6240
F: (484) 930-0622
bmccready@bmccreadylaw.com

Township of Upper Providence
Zoning Hearing Board
1286 Black Rock Rd
Phoenixville, PA 19460
(610) 933-9179

Grounds for Relief of Applicants, Rose and Larry McCready

The duplex at 141 Jacobs Street, Mont Clare, was built in approximately 1900. The structure consists of two adjoined single-family homes, each with three stories and a basement. Larry and Rose McCready purchased 141 Jacobs Street after their son and his wife moved into the adjoining home (139 Jacobs Street) with their two children. Rose and Larry McCready (the McCready's) purchased 141 knowing it to be in need of major repairs. They purchased the unit with the intent of moving closer to their son, daughter-in-law, and grandchildren, and improving the neglected unit, which would benefit their family and the neighborhood.

Every room of the home was in terrible condition at purchase, and the previous owner had stored large quantities of trash and debris inside the structure. Several large dumpsters needed to be filled to remove all the trash and debris. The entire structure needed to be gutted to be suitable for use. The electric, plumbing, gas line, and HVAC system all needed to be removed and replaced. The rear "addition" containing the kitchen, was also beyond repair, and needed to be removed and replaced. Photographic evidence and testimony will support these facts. *See* (Exhibits E and F).

Planning to move in once the renovations were complete, Mr. and Mrs. McCready sold their single-family home in Media and are currently living in temporary housing at a rate far exceeding their previous mortgage payment. Their permit now having been denied due to Floodplain Conservation District restrictions, the McCready's are applying for a variance with the hope of finishing the project as soon as possible so they can avoid further losses and move into their new home.

Specifically, the McCready's are seeking a variance from the requirements of sections 182-28.2.C and 182-28.3. Due to the egregious condition of the residence, the McCready's face a project cost of approximately \$105,000, as reported by their contractor when applying for the permit. This \$105,000 exceeded 50% of the \$183,770 assessed value, thus triggering the Floodplain Conservation District Section 182-28.2.C and the floodproofing requirements of Section 182-28.3. (Exhibit B).

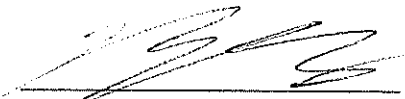
Applying these requirements to the subject property would present an undue hardship to the McCready's, who have sold their previous residence and are now in temporary housing awaiting completion of the project. Under normal circumstances, such significant improvements would not have been needed and the regulations of § 182-28.2.C would not have been triggered. Imposing these requirements in this case would be unduly costly given the insignificant changes to the overall structure and dimensions of the building. The improvements are primarily internal and therefore would not have any impact on the flood plain. To the contrary, the improvements

would only be of benefit to the health, safety, and welfare of the community as the previously hazardous conditions in the residence are being removed and replaced. To avoid any flooding issues, the HVAC, electrical, and hot water units have been removed from the basement and are being placed above the base flood elevation. Several sump pumps will be installed in the basement and a generator will also be installed. The improvements align with the legislative intent of AP Village Preservation District § 182-64, (Exhibit C) and the intent of the Floodplain Conservation District § 182-25 (Exhibit B).

A variance is warranted under the Pennsylvania Municipalities Planning Code § 910.2 (Exhibit D) for the following reasons:

1) There are physical conditions unique to the property, and the unnecessary hardship is due to such conditions and not to the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; 2) there is no possibility that this unit can be developed in strict conformity with the provisions of this ordinance and the authorization of the variance is therefore necessary to enable the reasonable use of the property; 3) this unnecessary hardship was not created by the McCready's, but due to the previous owners' neglect; 4) the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; 5) the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Respectfully Submitted



Benjamin L. McCready, Esq.
Attorney for Larry and Rose McCready

A



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 6212 PG 02566 to 02569
INSTRUMENT # : 2021014207
RECORDED DATE: 02/08/2021 02:20:26 PM



5887916-00183

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

Document Type: Deed
Document Date: 01/15/2021
Reference Info:

Transaction #: 6236085 - 1 Doc(s)
Document Page Count: 3
Operator Id: JSorg

RETURN TO: (Simplifile)
All American Abstract Company, Inc.
1220 VALLEY FORGE RD STE 37A
PHOENIXVILLE, PA 19460
(800) 607-5339

PAID BY:
ALL AMERICAN ABSTRACT COMPANY INC

* PROPERTY DATA:

Parcel ID #: 61-00-02701-00-1
Address: 141 JACOBS ST

MONT CLARE PA
19453
Municipality: Upper Providence Township
(100%)
School District: Spring-Ford Area

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED AMT: \$75,000.00
TAXABLE AMOUNT: \$75,000.00

DEED BK 6212 PG 02566 to 02569
Recorded Date: 02/08/2021 02:20:26 PM

FEES / TAXES:

Recording Fee:Deed	\$86.75
State RTT	\$750.00
Upper Providence Township RTT	\$375.00
Spring-Ford Area School District RTT	\$375.00
Total:	\$1,586.75

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: James R. Freeman, Esquire
O'Donnell, Weiss & Mattei, P.C.
347 Bridge Street, Suite 200
Phoenixville, PA 19460

Return To: Benjamin L. McCready, Esquire
111 N Olive Street
Media, PA 19063
484-453-2220

Parcel No.: 61-00-02701-00-1

DEED

THIS INDENTURE, MADE the 15th day of January, in the year two thousand twenty-one (2021), BETWEEN KENTON L. FISHER, (hereinafter called the Grantor), party of the one part, and LARRY HUGH MCCREADY AND ROSE MARIE MCCREADY, husband and wife, as tenants by the entireties, (hereinafter called the Grantee), party of the second part,

WITNESSETH:

That the said Grantors for and in consideration of the sum of SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$75,000.00), lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, their heirs and assigns,

ALL THAT CERTAIN messuage and lot or piece of land, Situate in the Village of Mont Clare, Township of Upper Providence, County of Montgomery and Commonwealth of Pennsylvania, bounded and described in accordance with a Survey thereof made January 8, 1944, by Earl R. Ewing, Registered Surveyor, as follows, to wit:

BEGINNING on the Northeast side of a 50 feet wide street, called Jacob Street, at a fence post set in line of the division party wall dividing twin house; thence North 28 degrees, 26 minutes West 25.00 feet to a corner of Lot No. 23, a fence post; thence North 61 degrees, 34 minutes East, along a fence line, 125.00 feet to a point in line of land of The Pennsylvania Railroad Company; thence South 76 degrees, 09 minutes East 37.17 feet to a point; thence South 61 degrees, 34 minutes West 152.5 feet along fence line through the party wall of a twin house and along fence line to the point and place of beginning.

BEING THE SAME PREMSIS WHICH Kenton L. Fisher and Holly Jo Fisher by Deed dated September 7, 2020 and recorded October 22, 2020 in Montgomery County Recorder of Deeds in Deed Book 6198 Page 145 conveyed unto Kenton L. Fisher, grantor herein.

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 the said Grantors, as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground described with the hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever.

AND the said Grantors, for themselves, their heirs, executors and administrators do covenant, promise and agree, to and with the said Grantees, their heirs and assigns, by these presents, that they the said Grantors and their heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them, the said Grantors and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them, or any of them, shall and will **BY THESE PRESENTS, SPECIALLY WARRANT** and forever **DEFEND**.

B

§ 182-25. Statutory authorization; legislative intent.

- A. The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978,¹ delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and general welfare of its citizenry. Therefore, the Board of Supervisors of Upper Providence Township does hereby order as follows.
- B. In addition to the purpose and statement of community development objectives found in Article 1, § 182-2, the specific intent of this district shall be to protect areas of the floodplain subject to and necessary for the containment of floodwaters and to permit and encourage the retention of open space land uses which will be so located and utilized as to constitute a harmonious and appropriate aspect of the continuing physical development of Upper Providence Township. Furthermore, in light of the Township's certification as eligible for federal flood insurance, and to comply with the Pennsylvania Flood Plain Management Act of 1978, it is the intent of this district to provide adequate protection for flood-prone properties within Upper Providence.
- C. In advancing these principles and the general purpose of this chapter and the Comprehensive Plan, the following shall be the specific objectives of the Floodplain Conservation District:
 - (1) To combine with present zoning requirements certain restrictions made necessary for flood-prone areas to promote the general health, welfare and safety of the Township.
 - (2) To prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazard.
 - (3) To minimize the danger to public health by protecting the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas and promoting safe and sanitary drainage.
 - (4) To permit only those uses which can be appropriately located in the floodplain as herein defined and which will not impede the flow or storage of floodwaters or otherwise cause danger to life and property at, above or below their locations along the floodplain.
 - (5) To protect those individuals who might choose, despite the flood dangers, to develop or occupy land on a floodplain.
 - (6) To protect adjacent landowners, and those both upstream and downstream, from damages resulting from development within a floodplain and the consequent obstruction or increase in flow of floodwaters.
 - (7) To protect the entire Township from individual uses of land which may have effect upon subsequent expenditures for public works and disaster relief and

1. Editor's Note: See 32 P.S. § 670.101 et seq.

adversely affect the economic well-being of the Township.

- (8) To maintain the undisturbed ecological balance between those natural systems' elements, including wildlife, vegetation and marine life, dependent upon watercourses and water areas.
- (9) To protect other municipalities within the same watershed from the impact of improper development and the consequent increased potential for flooding.
- (10) To provide areas for the deposition of flood-borne sediment.
- (11) To require that uses vulnerable to floods be developed so as to be protected from flood damage, in accordance with the requirements of the Federal Flood Insurance Program, P.L. 93-234.²

2. Editor's Note: See 42 U.S.C. § 4001 et seq.

§ 182-28.2. Improvements to existing structures in Floodplain Conservation District.

The following provisions shall apply whenever any improvement is made to an existing structure located within any Floodplain Conservation District:

- A. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the base flood elevation.
- B. No expansion or enlargement of an existing structure shall be undertaken in the direction of the streambank.
- C. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of 50% or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this chapter.
- D. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this chapter must comply with all ordinance requirements that do not preclude the structure's continued designation as an historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained by the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from the ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.
- E. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this chapter.
- F. No expansion or enlargement of an existing structure shall be allowed within any AE Area/District with floodway that would, together with all other existing and anticipated development, increase the base flood elevation more than one foot at any point.
- G. The above activity shall also address the requirements of the 34 Pa. Code, as amended, and the 2009 IBC and the 2009 IRC.

§ 182-28.3. Elevation and floodproofing requirements.

- A. Residential structures.
 - (1) In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 Pa. Code (Chapters 401 through 405,

as amended) shall be used.

- (2) In A Zones, where there are no base flood elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with § 182-26A(1)(c) of this chapter.
- (3) In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
- (4) The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 Pa. Code (Chapters 401 through 405, as amended) shall be utilized.

B. Nonresidential structures.

- (1) In AE, A1-30 and AH Zones, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
 - (a) Is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water; and
 - (b) Has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- (2) In A Zones, where no base flood elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with this chapter.
- (3) In AO Zones, any new construction or substantial improvement shall have its lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.
- (4) Any nonresidential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the United States Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above-referenced standards.
- (5) The design and construction standards and specifications contained in the 2009

International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 Pa. Code (Chapters 401 through 405, as amended) shall be used.

C. Space below the lowest floor.

- (1) Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
- (2) Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (a) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (b) The bottom of all openings shall be no higher than one foot above grade.
 - (c) Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

D. Accessory structure.

- (1) Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - (a) The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
 - (b) Floor area shall not exceed 100 square feet.
 - (c) The structure will have a low damage potential.
 - (d) The structure will be located on the site so as to cause the least obstruction to the flow of floodwaters.
 - (e) Power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
 - (f) Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc., are prohibited.
 - (g) Sanitary facilities are prohibited.
 - (h) The structure shall be adequately anchored to prevent flotation or

movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- [1] A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
- [2] The bottom of all openings shall be no higher than one foot above grade.
- [3] Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

E. Water and sanitary sewer facilities and systems.

- (1) All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damage and the infiltration of floodwaters.
- (2) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
- (3) No part of any on-site waste disposal system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
- (4) The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities from Flood Damages and The International Private Sewage Disposal Code shall be utilized.

F. Anchoring.

- (1) All recreational vehicles, buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- (2) All air ducts, large pipes, storage tanks, and similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

§ 182-31. Procedures for consideration of special exceptions or variances.

If compliance with any of the requirements of this chapter would result in an exceptional hardship to a prospective builder, developer, or landowner, Upper Providence Township may, upon request, grant relief from the strict application of the requirements. All applications for approval of special exceptions or variances shall be considered using

standards listed in § 182-32.

- A. The Zoning Hearing Board shall hold a public hearing within 60 days after an application is filed pursuant to public notice.
- B. Prior to submission of an application for special exception or variance to the Zoning Hearing Board, the applicant shall submit a soil erosion and sedimentation control plan to the Soil Conservation Service for review. The results of said review and any recommendations of the Soil Conservation Service shall be submitted as part of said application.
- C. The Zoning Officer shall request, upon receipt of an application to the Zoning Hearing Board, the review and recommendations of the Upper Providence Township Planning Commission. Said review and any recommendations therefrom shall be forwarded to the Board of Supervisors for any appropriate action.
- D. The Zoning Hearing Board may request the review and recommendation of technical agencies or appropriate planning agencies to assist in determining the impact of the proposed use. Any such review shall be requested at least 30 days prior to the public hearing.
- E. The Zoning Hearing Board shall render a decision within 45 days after the public hearing. In rendering a decision, the Zoning Hearing Board may impose special measures or conditions as deemed necessary and appropriate for the use to conform to the intent of the chapter.

§ 182-32. Standards for granting of special exceptions or variances.

The Zoning Hearing Board shall exercise discretion in allowing only those uses which are substantially in accord with the stated objectives in § 182-25 herein. The Zoning Hearing Board, in considering special exceptions or variance applications, shall consider the following:

- A. The effect of the use shall not substantially alter the cross-section profile of the stream and floodplains at the location of the proposed use.
- B. Lands abutting the waterway, both upstream and downstream, shall not be unreasonably affected by the proposed use.
- C. The general welfare or public interest of Upper Providence Township or of other municipalities in the same watershed shall not be adversely affected.
- D. Any new structures permitted by special exception or by variance shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwaters. Such structures shall be elevated in accordance with the provisions contained in § 182-28.3, Elevation and Floodproofing Requirements, within this chapter.
- E. Any new structure permitted as a special exception or by variance shall be

floodproofed in accordance with the provisions contained in § 182-28.3, Elevation and Floodproofing Requirements, within this chapter.

- (1) All such structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
 - (2) All such structures shall be constructed so as to prevent the entrance of floodwaters into the water supply and waste treatment systems as well as other utility and facility systems. In addition, waste treatment systems shall be designed to minimize or eliminate discharges from the systems into the floodwaters.
- F. Any additions to existing structures permitted as a special exception or by variance shall be elevated to the greatest extent possible according to the provisions contained in § 182-28.3, Flood Damage Prevention, of this chapter. However, any portion of the structure not so elevated shall be floodproofed, also in accordance with § 182-28.3, Elevation and Floodproofing Requirements, within this chapter.
- G. An affirmative decision shall not be issued by the Zoning Hearing Board for an application within the designated floodway unless the effect of such proposed activity on flood heights is fully offset by accompanying stream improvements.
- H. The Zoning Hearing Board shall notify the applicant in writing, over the signature of community officials, that the issuance of a decision to allow construction of a structure below the base flood elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risk to life and property. Such notification shall be maintained with a record of all decisions as required in Subsection I below.
- I. The Zoning Hearing Board shall:
- (1) Maintain a record of all decisions, including the jurisdiction for their issuance.
 - (2) Report such decisions issued in its annual report submitted to the Federal Insurance Administration.
- J. No special exception or variance shall be granted which would allow any of the uses specifically prohibited by § 182-28.1, Subsections C, D, F, G, H, I and J.
- K. Within any FA floodplain areas, no new construction or development shall be located within the area measured 50 feet landward from the top of bank of any watercourse.
- L. In granting any variance Upper Providence Township shall attach the following technical provisions to the proposal for which the variance has been granted. These conditions and safeguards are necessary in order to protect public health, safety, and welfare of the residents of this municipality.
- (1) Pertaining to the alteration or relocation of a watercourse:
 - (a) No encroachment, alteration, or improvement of any kind shall be made

to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office.

- (b) No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood-carrying capacity of the watercourse in any way.
 - (c) In addition, FEMA and the Pennsylvania Department of Community and Economic Development shall be notified prior to any alteration or relocation of any watercourse.
- (2) The municipality shall require technical or scientific data to be submitted to FEMA for a letter of map revision (LOMR) within six months of the completion of any new construction, development, or other activities resulting in changes in the base flood elevation. A LOMR or conditional letter of map revision (CLOMR) is required for:
- (a) Any development that causes a rise in the base flood elevations within the floodway;
 - (b) Any development occurring in an AE Area/Zone without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or
 - (c) Alteration or relocation of a stream (including but not limited to installing culverts and bridges.)
- (3) Any new construction, development, uses or activities allowed by variance within any Floodplain Conservation District shall be undertaken in strict compliance with the provisions contained in this chapter and any other applicable codes, ordinances, and regulations. In addition, when such development is proposed within the area measured 50 feet landward from the top of bank of any watercourse, a permit shall be obtained from the Department of Environmental Protection Regional Office.
- (4) Where permitted by variance within any identified floodplain area, any new or substantially improved nonresidential structure shall be built in accordance with § 182-28.3, including:
- (a) Elevated, or designed and constructed to remain completely dry up to at least 1 1/2 feet above base flood elevation; and
 - (b) Designed to prevent pollution from the structure or activity during the course of a base flood.
 - (c) Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication

Flood-Proofing Regulations (United States Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

- (5) If a variance for a recreational vehicle is granted, the following shall apply:
 - (a) The recreational vehicle will be on the site for fewer than 180 days.
 - (b) The recreational vehicle shall be fully licensed and ready for highway use, or shall meet the permit requirements for manufactured homes within this article.
- (6) Whenever a variance is granted, Upper Providence Township shall notify the applicant in writing that:
 - (a) The granting of the variance may result in increased premium rates for flood insurance.
 - (b) Such variances may increase the risks to life and property.

C

*Township of Upper Providence, PA
Tuesday, November 23, 2021*

Chapter 182. Zoning

Article VIII. VP Village Preservation District

§ 182-64. Legislative intent.

In expansion of the statement of community development objectives contained in § 182-2 of this chapter, it is hereby declared to be the intent of this article with respect to VP Village Preservation Districts to encourage the preservation of the existing character and residential life-styles of the Mont Clare portions of Upper Providence Township which exhibit a mixture of single-family detached and two-family dwellings on smaller lot sizes than those found throughout the Township. Furthermore, it is the intent of this district to guide the future development or redevelopment of these neighborhoods in the Township by providing strict control of conversions to multiple-family dwellings, home occupations and the introduction of incompatible uses or activities within the designated Village Preservation Districts in order to preserve and enhance their present character and, thus, avoid rapid deterioration or transition to the detriment of the local residents and the general welfare of Upper Providence Township.

§ 182-65. Permitted uses.

In a VP District, a building may be erected, altered or used and a lot may be used or occupied for any of the following uses and no other:

- A. Single-family detached dwellings.
- B. Two-family dwellings (twins and duplexes).
- C. The following uses when authorized as a special exception:
 - (1) Home occupations, except that a clinic, barbershop, beauty parlor, tearoom, tourist home, animal hospital or any similar use shall not be deemed to be a home occupation and that no goods shall be publicly displayed on the premises.
 - (2) Conversions of residential structures. The conversion of a single-family dwelling or other building into a dwelling for two or more families, subject to the following requirements:
 - (a) Each dwelling unit shall not have less than 600 square feet of floor area, plus an additional 100 square feet of floor area for each additional bedroom in excess of one.
 - (b) The lot area per family may not be reduced to an amount less than 33% of that required by this article.
 - (c) No more than three families shall be permitted to occupy such buildings.
 - (d) The off-street parking requirements of this chapter shall be met.
 - (e) The conversion shall be authorized only for a large dwelling with relatively little economic usefulness as a conforming use.

- (f) The Zoning Hearing Board may prescribe such further conditions and restrictions as they may consider appropriate to preserve the character of the surrounding neighborhood.

- D. Accessory uses on the same lot with and customarily incidental to any permitted use.
- E. As a special exception only, communications antennas, in accordance with the provisions of § 182-21.1, mounted on an existing public utility transmission tower, existing building or other existing structure, and communications equipment buildings only upon a showing, in addition to any other that may be required under this chapter that denial of such a special exception would have the effect of prohibiting the provision of personal wireless service. Communications towers are not permitted.
[Added 6-1-1998 by Ord. No. 372]
- F. No-impact home based businesses in accordance with the standards set forth in § 182-21.3 herein.
[Added 3-15-2004 by Ord. No. 436]
- G. Home occupations, provided that all of the requirements of § 182-21.4 herein shall be met.
[Added 3-15-2004 by Ord. No. 436]

§ 182-66. Development regulations.

The following regulations shall apply in the VP District:

- A. Area, width, yard and coverage regulations. The following area, width, coverage and yard regulations shall apply in the VP District:
[Amended 12-16-1991 by Ord. No. 307]

Development Requirements	Dwelling Type		
	Single-Family Detached Dwelling	Two-Family Dwellings Twin	Duplex
Minimum lot area (square feet) ¹	6,000	3,000	3,000
Minimum lot width (feet) ²	40	20	40
Minimum front yard (feet) ³	20	20	20
Minimum side yard (feet) ⁴	15	8 (1 side only)	15
Minimum rear yard (feet) ⁵	40	40	40
Maximum building coverage (percentage) ⁶	30	40	30

NOTES:

¹Per dwelling unit.

²Per dwelling unit measured along the building line.

³Measured from the ultimate right-of-way line.

⁴Measured from the property line, except that the distance from a street line shall be at least 10 feet.

⁵Except that an accessory use may be erected within the rear yard not closer than 10 feet to the rear property line.

⁶Calculated as a percentage of lot area.

- B. Sewer and water facilities. Each lot shall be served by public sewer and centralized water facilities deemed acceptable by the Board of Supervisors, upon recommendation of the Township Engineer.
- C. Height. No building hereafter erected in the VP District shall exceed a height of 30 feet. Buildings considered accessory structures shall not exceed a height of 15 feet unless the requirements of

§ **182-16** of this chapter are met.

[Amended 3-15-2021 by Ord. No. 588]

- D. Parking and signs. All parking spaces and all signs erected in the VP District shall be in accordance with the requirements of Articles **XIX** and **XXII** of this chapter.
[Amended 8-1-2011 by Ord. No. 517]

D

Section 910.2. Zoning Hearing Board's Functions; Variances.--(a) The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The board may by rule prescribe the form of application and may require preliminary application to the zoning officer. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

(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 particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

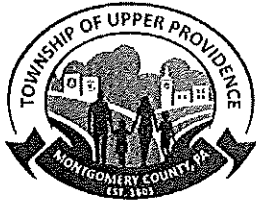
(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) That such unnecessary hardship has not been created by the appellant.

(4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

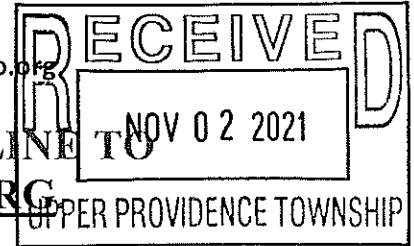
E

**TOWNSHIP OF UPPER PROVIDENCE**

1286 Black Rock Road, Phoenixville, PA 19460

610-933-9179 (phone) 610-983-0355(fax)

www.uprov-montco.org permits@uprov-montco.org

**PERMITS MAY BE SUBMITTED ONLINE TO
PERMITS@UPROV-MONTCO.ORG**

I. TOWNSHIP USE ONLY			
Date Issued: / /	Permit #	Approved By:	
Permit Fee: \$	<input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Debit <input type="checkbox"/> Discover <input type="checkbox"/> MasterCard		
State Surcharge: \$	Check #	Credit Card #	Exp. Date:
Certificate of Occupancy: \$	Rept #	When Ready: Mail or	Appl#
Other Fee: \$	Date Fee Paid: / /	Collected By:	
Total Permit Fees: \$	Time/Date Stamp when received:		

II. LOCATION OF JOB		
Site Address: 141 JACOB ST MONT CLARE 19453		
Cross Streets: and		
Subdivision Name:		Lot Number:
Block:	Unit:	Zoning District:

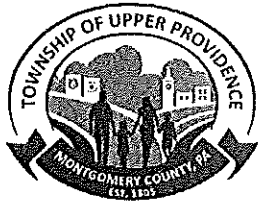
If you are an owner in a HOA Development – Homeowners Association- You, as the owner, are responsible for obtaining ANY approvals from your HOA for ANY outside work to be done

III. PERMIT TYPE OF WORK (one per application)	
<input type="checkbox"/> Residential OR <input type="checkbox"/>	<input type="checkbox"/> Building <input type="checkbox"/> Zoning <input type="checkbox"/> Fire
Flood Zone-Choose One <input type="checkbox"/> AE	<input type="checkbox"/> OA (Other Areas)
<input type="checkbox"/> New Home <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Pool <input type="checkbox"/> Fence <input type="checkbox"/> Deck <input type="checkbox"/> Porch <input type="checkbox"/> Shed	
<input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing <input type="checkbox"/> Demolition <input type="checkbox"/> **Electrical** <input type="checkbox"/> Other _____ (Fire)	
Description of Work: RENNOVATION OF WHOLE	Total Project Cost: \$ 105,000
HOUSE. NEW ELECTRIC, PLUMBING, HVAC, ELECTRIC	
REMOVE AND REPLACE ADDITION.	

IV. PROPERTY OWNER Email-	
Name: LARRY MCCREARY	Phone Number: (610) 290 3447
Address: 141 JACOB ST MONTCLARE PA 19453	City, State, Zip:
Person in Responsible Charge: LARRY MCCREARY	Phone Number: (610) 290 3447

V. APPLICANT Email-	
Name:	<input checked="" type="checkbox"/> CHECK IF SAME AS OWNER
Address:	Relationship to Owner: GMAIL
City, State, Zip:	Phone Number: ()
	Fax Number: ()

LHV6HM@gmail.com



TOWNSHIP OF UPPER PROVIDENCE

1286 Black Rock Road, Phoenixville, PA 19460

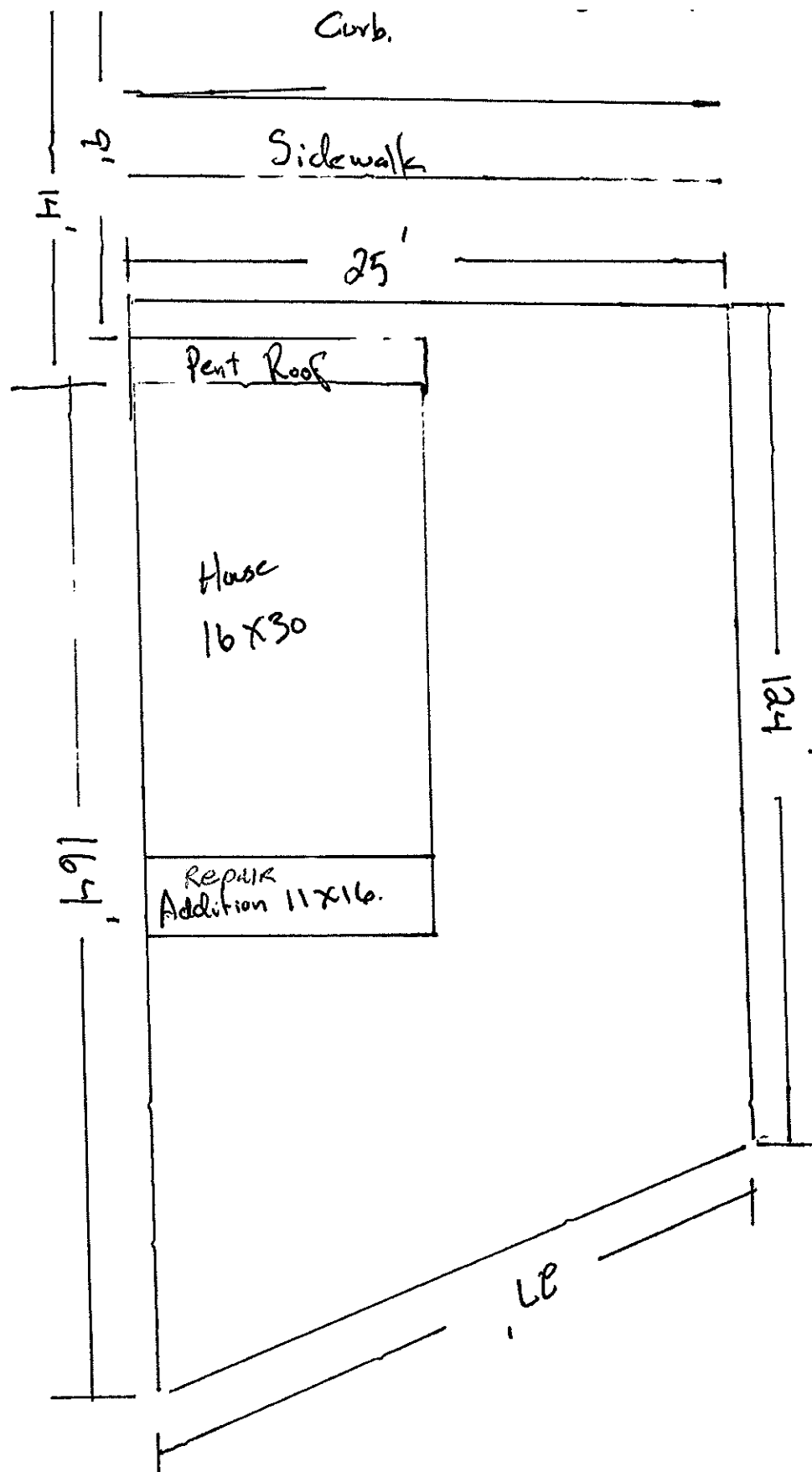
610-933-9179 (phone) 484-391-2380 (fax)

www.uprov-montco.org permits@uprov-montco.org

VI. CONTRACTOR Email- <u>DCG CONTRACTING LLC</u> <input type="checkbox"/> CHECK IF SAME AS APPLICANT	
Name: <u>DAVID C GLACKIN LIVE.COM</u>	
Address: <u>81 BISHOP DR</u>	Phone Number: <u>(610) 864 2132</u>
City, State, Zip: <u>ASTON PA 19014</u>	Fax Number: ()

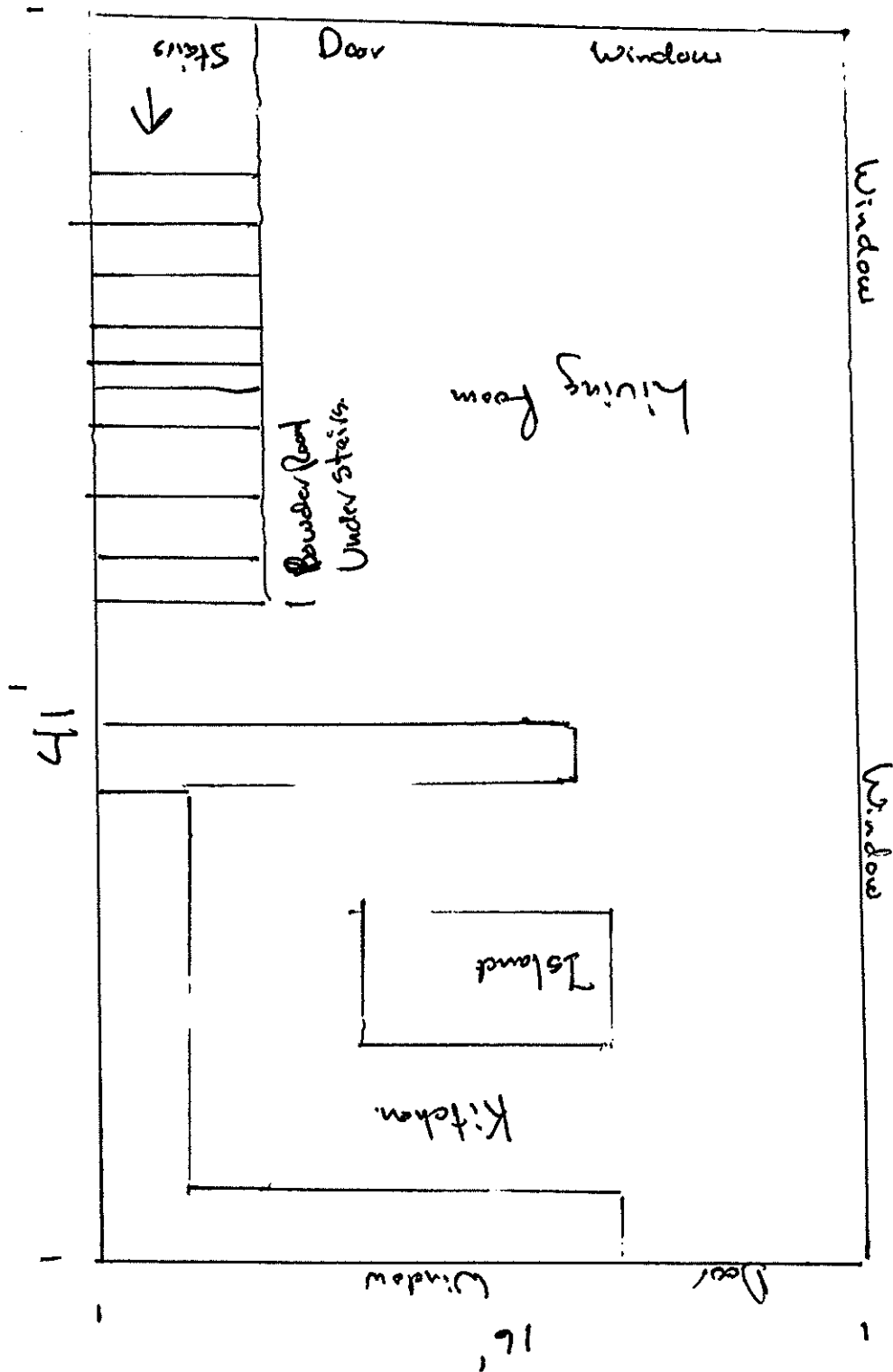
VII. APPLICANT SIGNATURE	
I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I AM THE HOMEOWNER OR HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT AND WE AGREE TO ALL APPLICABLE LAWS OF THIS	
Applicant Name (print): <u>LARRY MCCREARY</u>	Date: <u>11 / 2 / 2021</u>
Applicant Signature: <u>[Signature]</u>	

<p>PLEASE NOTE: Before any application can be given to a Building Inspector for review, the following IS REQUIRED...</p> <p>1-Payment of all Application fees</p> <p>2-Stamped Electrical Plans from an Electrical Inspection Agency IF you are doing additions, new dwellings or any commercial electrical work</p> <p>3-A Site or Plot Plan MUST be included with this application showing all Street locations, all set backs from property lines to proposed work, and all easements, right of ways, basins and any other restricted features on site. (Attach copy or draw on Page 3)</p> <p>4-If required, a copy of your Home Owners Association (HOA) approval letter MUST be attached for all outside work.</p>



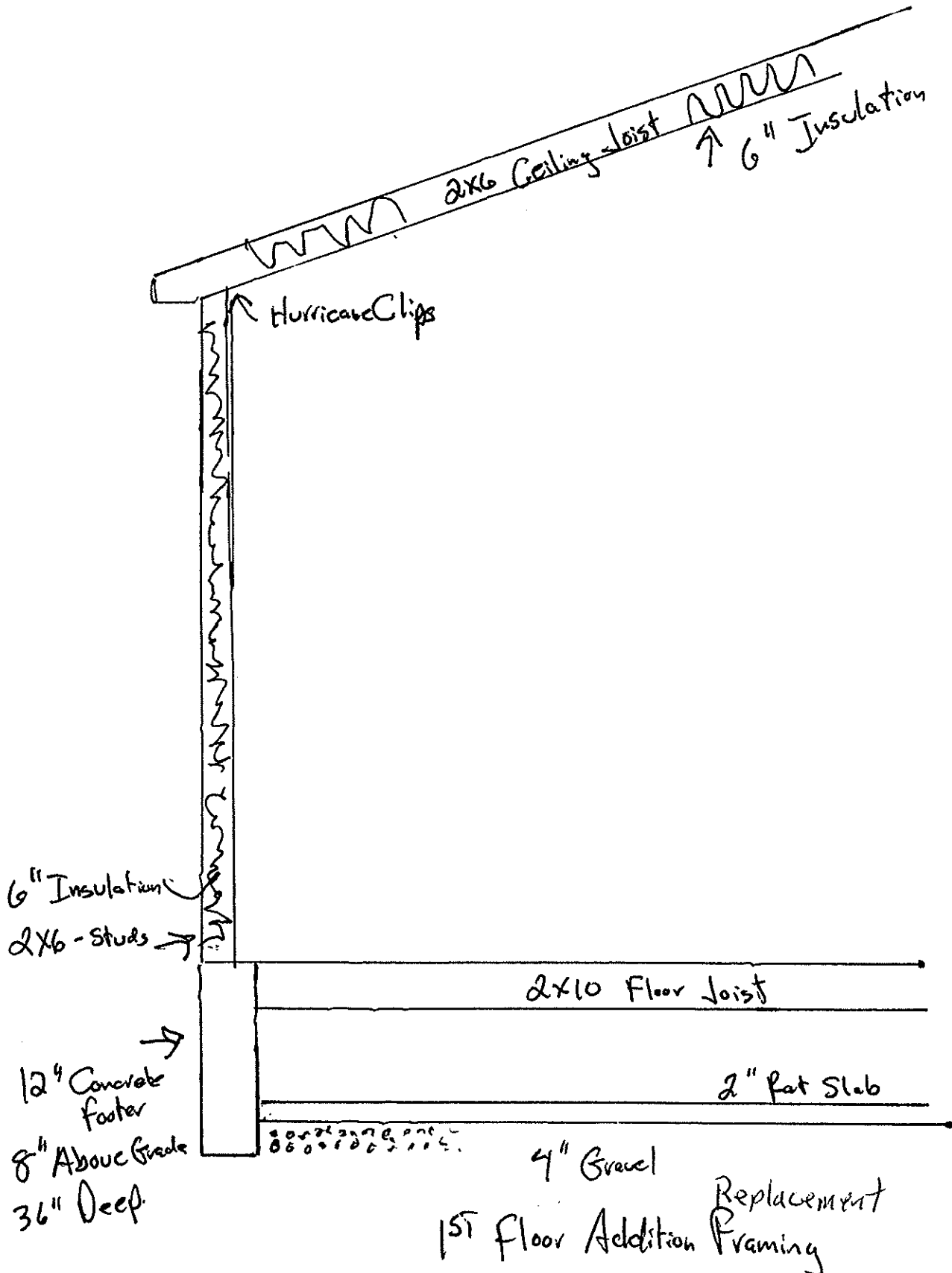
141 Jacobs - Site Plan.

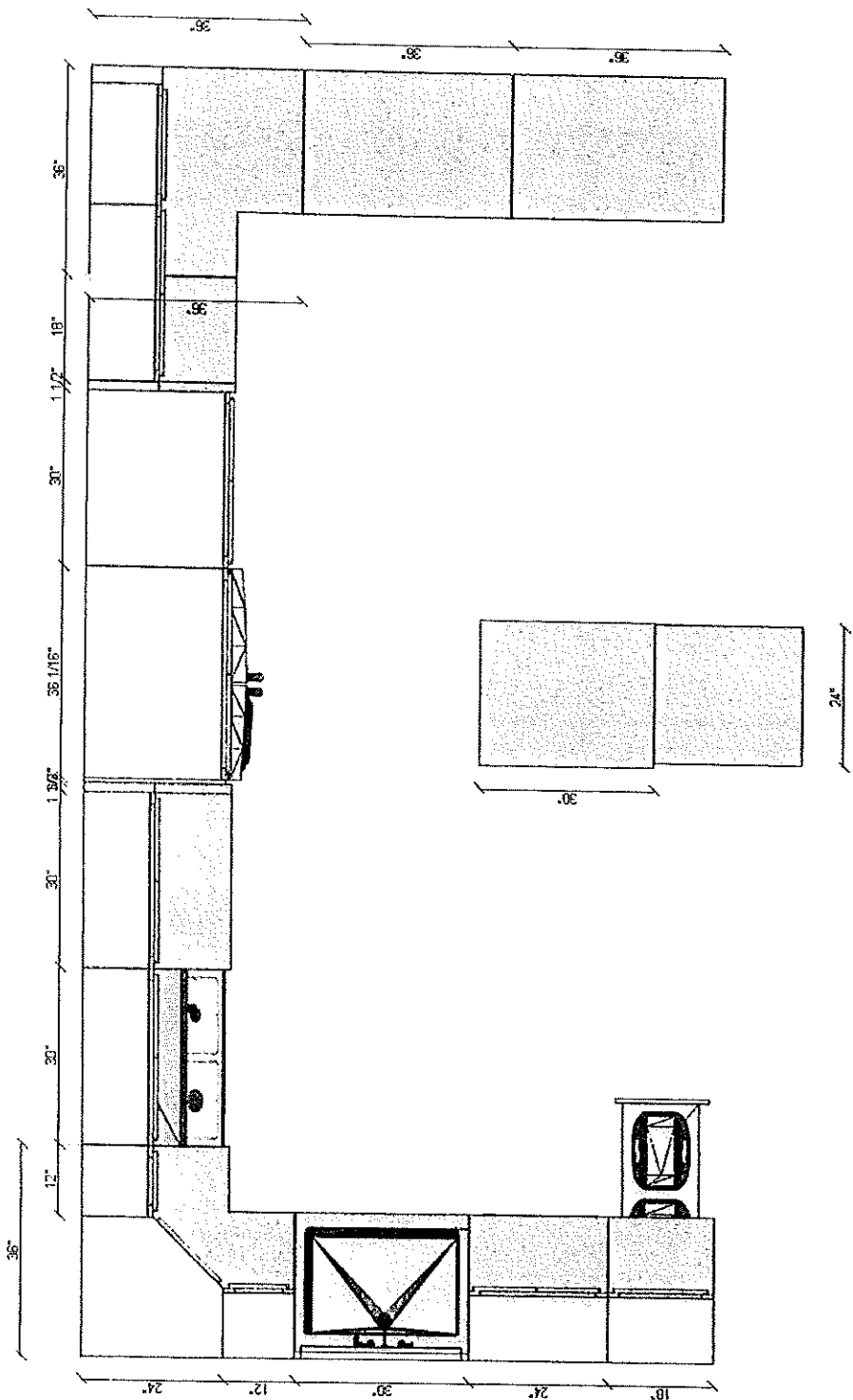
Front

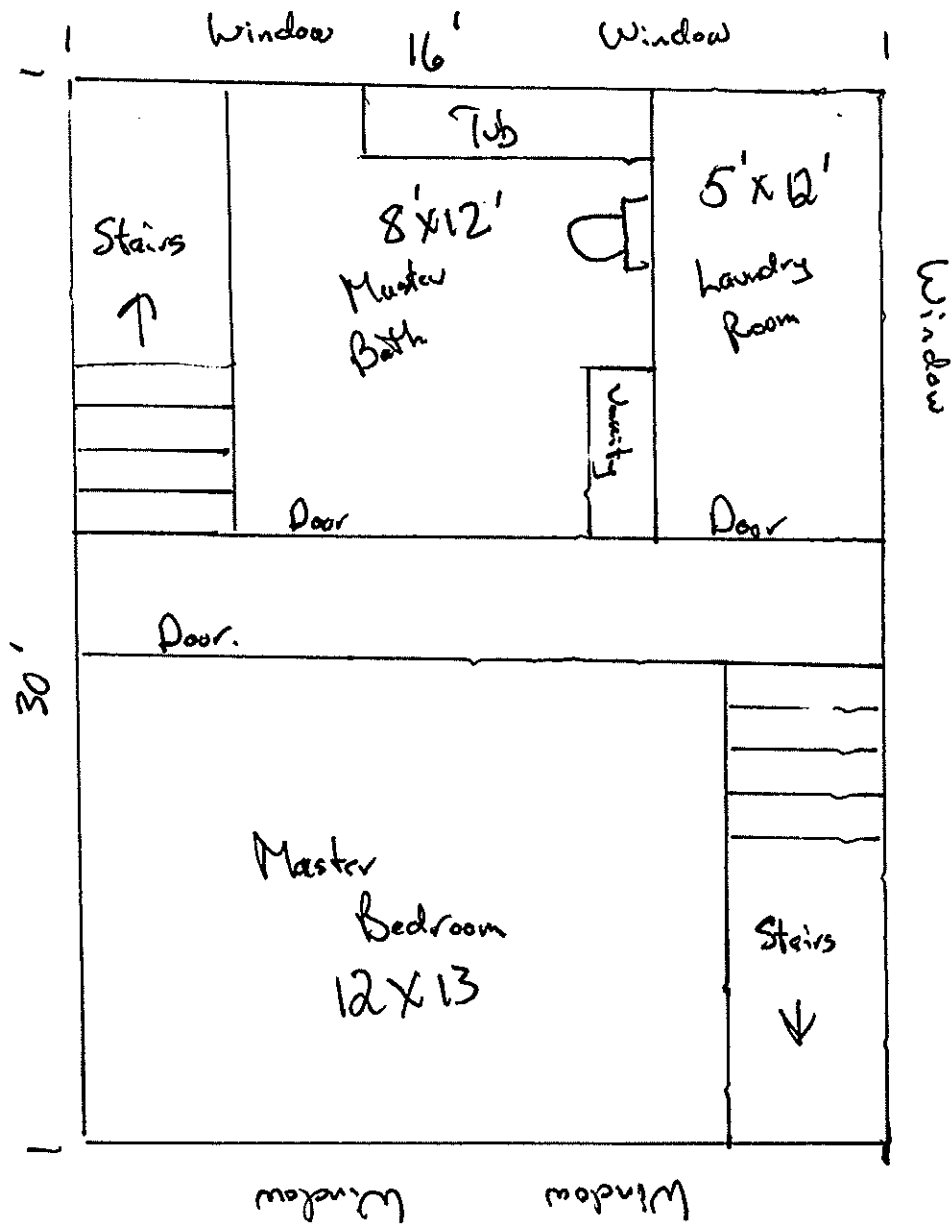


141 Jacobs - 1st Floor

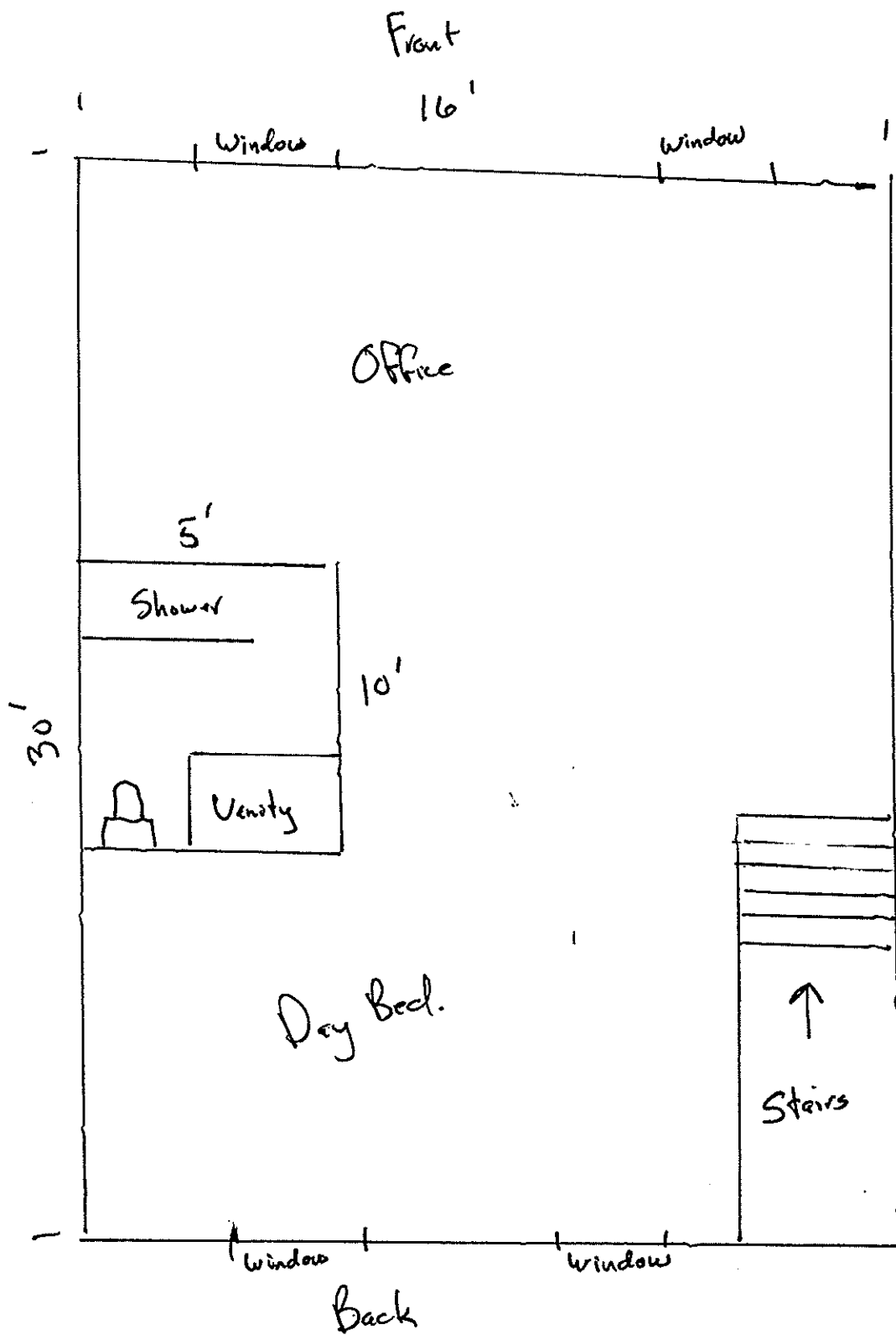
141 Jacobs St.



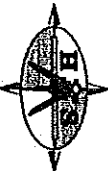
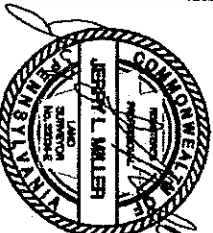




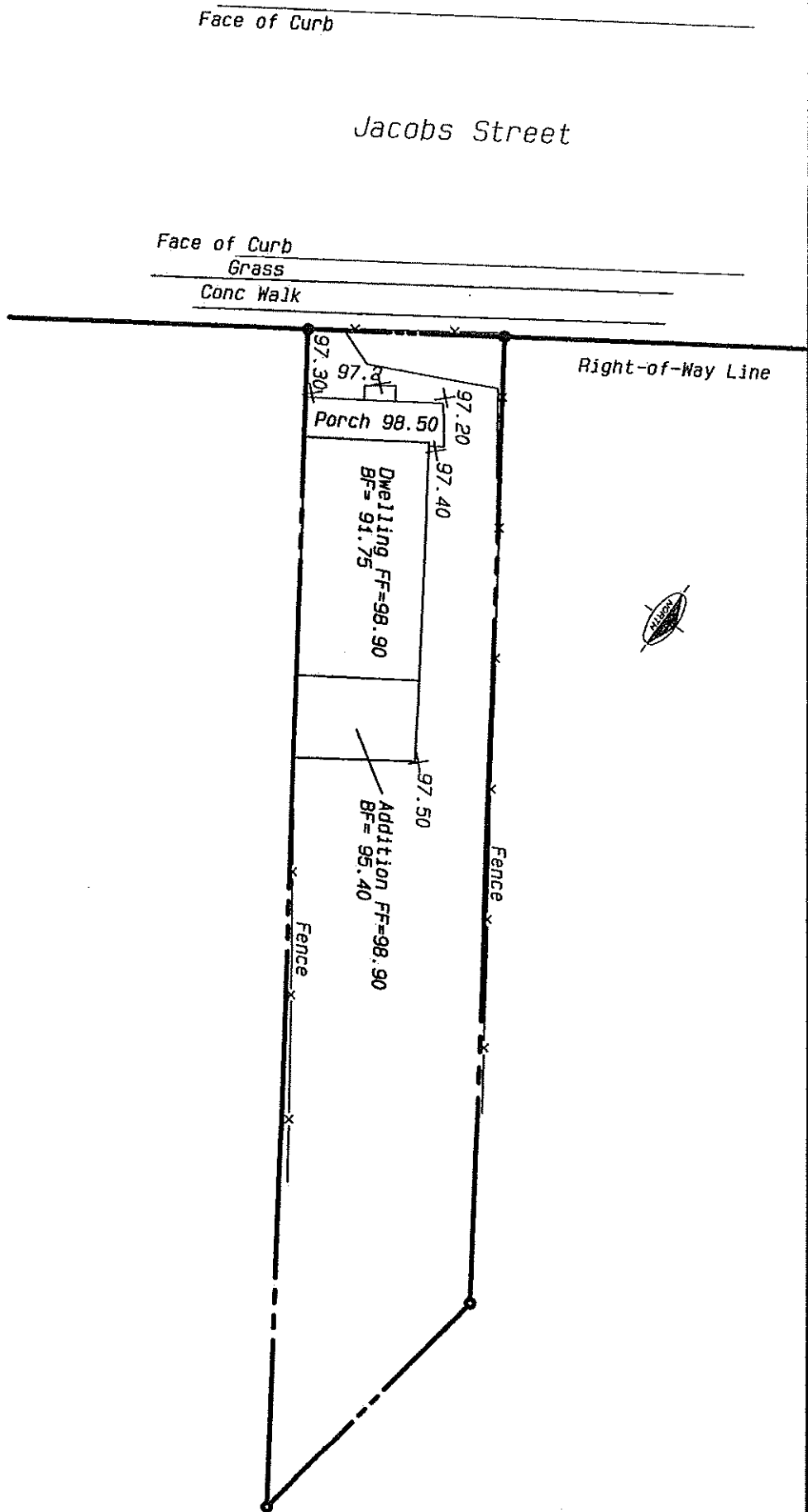
141 Jacobs - 2nd Floor.



141 Jacobs 3rd Floor.

DATE: 09-28-21	SKETCH OF PROPERTY MADE FOR: LARRY HUGH & ROSE MARIE MCCREADY SITTING IN: UPPER PROVIDENCE TOWNSHIP MONTGOMERY COUNTY, PA. N.B.P.	SITE ADDRESS: 141 JACOBS STREET MONT CLARE, PA 19453 PAR ID 61-00-02701-00-1	PREPARED BY:  HOPKINS AND SCOTT INC. PROFESSIONAL LAND SURVEYORS 207 FRANKLIN AVENUE PHOENIXVILLE, PA. 19450 Phone: 610-933-1754 Fax: 610-933-0288	
SCALE: 1"=20'				
SHEET 1 OF 1				
DRAWN BY: jhm				

NOTE: ELEVATIONS OBTAINED BY GPS READINGS AND ARE NAVD REFERENCED TO PA SOUTH STATE PLANE COORDINATE SYSTEM.



ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name LARRY HUGH & ROSE MARIE MCCREADY				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 141 JACOBS STREET				Company NAIC Number:	
City MONT CLARE		State Pennsylvania		ZIP Code 19453	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) COUNTY PAR ID 61-00-02701-00-1					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>40.137587</u> Long. <u>-75.507622</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>2A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>N/A</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number UPPER PROVIDENCE TOWNSHIP 42079			B2. County Name MONTGOMERY		B3. State Pennsylvania
B4. Map/Panel Number 42091C0219	B5. Suffix G	B6. FIRM Index Date 03-02-2016	B7. FIRM Panel Effective/ Revised Date 03-02-2016	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 98.5
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input checked="" type="checkbox"/> FIS Profile <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 141 JACOBS STREET			Policy Number:
City MONT CLARE	State Pennsylvania	ZIP Code 19453	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PA SOUTH STATE PLANE COOR. Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	91.8	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
b) Top of the next higher floor	95.4	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	<input type="checkbox"/> feet	<input type="checkbox"/> meters
d) Attached garage (top of slab)	N/A	<input type="checkbox"/> feet	<input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	98.9	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	97.2	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	97.4	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	97.2	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☒ Check here if attachments.

Certifier's Name
JERRY MILLER

License Number
SU032024E

Title
LAND SURVEYOR

Company Name
HOPKIN AND SCOTT INC

Address
207 FRANKLIN AVENUE

City
PHOENIXVILLE

State
Pennsylvania

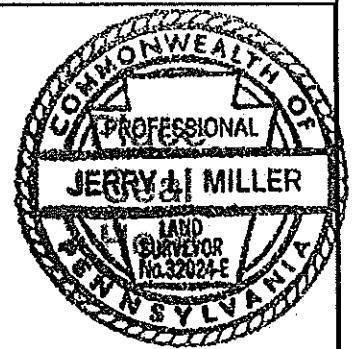
ZIP Code
19460

Signature

Date
09-28-2021

Telephone
(610) 933-1754

Ext.



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

ELEVATIONS OBTAINED BY GPS OBSERVATIONS NAVD 1988 DATUM, REFERENCED TO PA SOUTH STAE PLANE CORRDINATE SYSTEM. THE DWELLING ADDITION SLAB IS AT ELEVATION 95.40 THE FIRST FLOOR ELEVATION OF THE DWELLING IS 98.90. SEE ATTACHED PLOT PLAN.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 141 JACOBS STREET			Policy Number:	
City MONT CLARE	State Pennsylvania	ZIP Code 19453	Company NAIC Number	
SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)				
<p>For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.</p> <p>E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).</p> <p>a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.</p> <p>b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the LAG.</p> <p>E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.</p> <p>E3. Attached garage (top of slab) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.</p> <p>E4. Top of platform of machinery and/or equipment servicing the building is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.</p> <p>E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown. The local official must certify this information in Section G.</p>				
SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION				
The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.				
Property Owner or Owner's Authorized Representative's Name				
Address	City	State	ZIP Code	
Signature	Date	Telephone		
Comments				
<input type="checkbox"/> Check here if attachments.				

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 141 JACOBS STREET			Policy Number:
City MONT CLARE	State Pennsylvania	ZIP Code 19453	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ ☐ feet ☐ meters Datum _____
- G10. Community's design flood elevation: _____ ☐ feet ☐ meters Datum _____

Local Official's Name	Title
-----------------------	-------

Community Name	Telephone
----------------	-----------

Signature	Date
-----------	------

Comments (including type of equipment and location, per C2(e), if applicable)

☐ Check here if attachments.

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 141 JACOBS STREET			Policy Number:
City MONT CLARE	State Pennsylvania	ZIP Code 19453	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

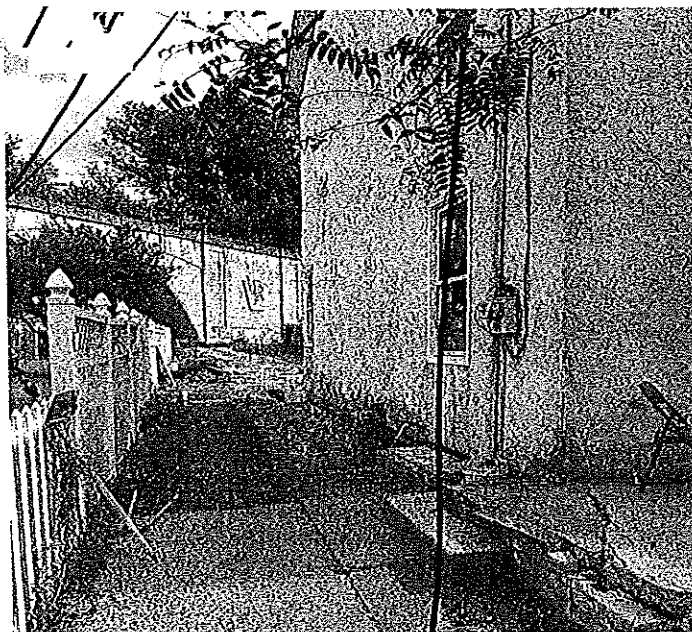


Photo One

Photo One Caption LEFT SIDE OF BUILDING LOOKING FRONT TO BACK

Clear Photo One

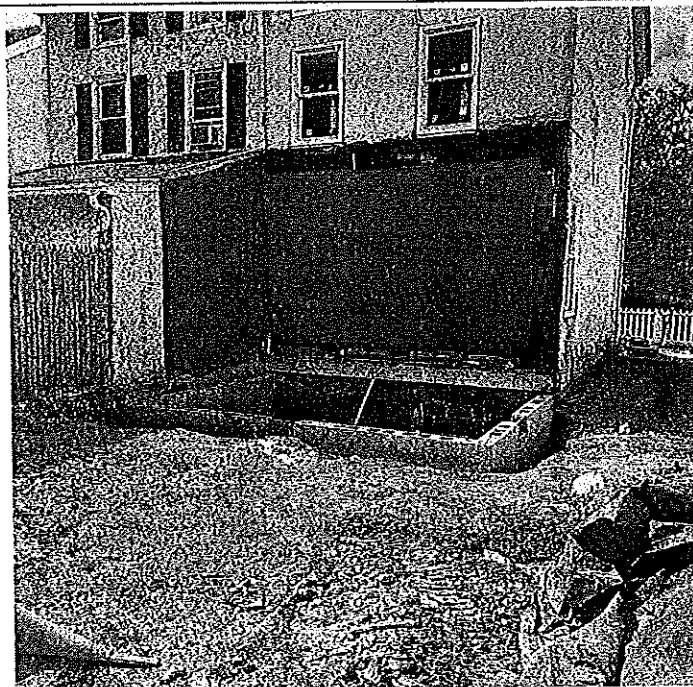


Photo Two

Photo Two Caption REAR OF BUILDING

Clear Photo Two

ELEVATION CERTIFICATE**BUILDING PHOTOGRAPHS**

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.**FOR INSURANCE COMPANY USE**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
141 JACOBS STREET

Policy Number:

City
MONT CLAREState
PennsylvaniaZIP Code
19453

Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

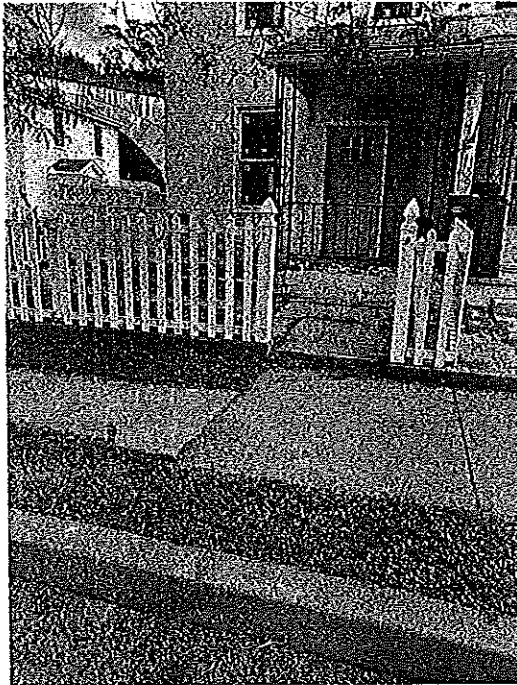


Photo Three

Photo Three Caption FRONT OF BUILDING FROM STREET

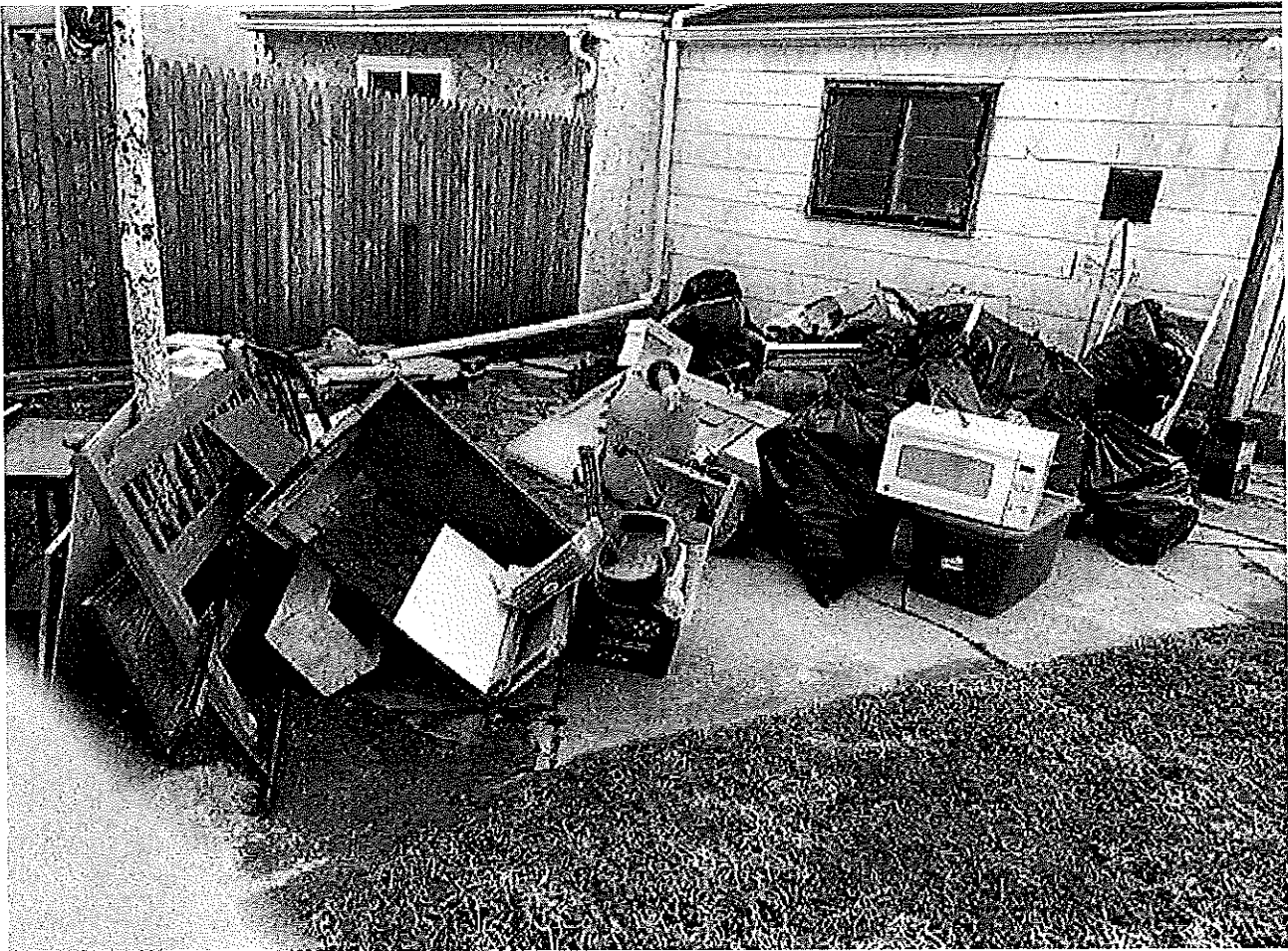
Clear Photo Three

Photo Four

Photo Four

Photo Four Caption

Clear Photo Four



F

11/1/2021

Matthew Light

1286 Black Rock Road
Phoenixville, PA 19460

Dear Mr. Light,

Thank you very much for the time this Monday morning to explain the issues with my contractor's permit request.

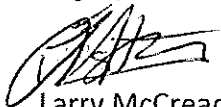
In order to correct what he previously submitted, I have enclosed two photos that show that a previous extension was on the property. It was in unsalvageable condition, as the floors, roof, walls and foundation were all damaged. No **new** extension is to be added, but in order to match the attached property, an additional 18-24" is needed.

In addition to the improvements as per my contractor's drawings, we plan on moving **all** utility and electrical maintenance equipment from the basement to higher floors and attic. We also plan to attach an emergency generator to our electrical system in order to maintain sump pump operations to protect the property in subsequent flooding events. While our property is just outside of the surveyed flood plain, I understand the risks involved due to its location near the river.

Attached is a resubmitted, and correctly filled out permit form. My contractor has been instructed by me to cease any and all work until such time as the permit is approved. As my family is in temporary housing awaiting completion of our new residence, I would greatly appreciate any expedience that you can apply to my request.

Should anyone on your team like to visit or inspect the property at any time, I am happy to make it available at your convenience.

Regards,



Larry McCready
141 Jacob St, Mont Clare, PA



DCG Contracting

81 Bishop Drive
Aston, Pa 19014

Residential & Commercial
610-804-2132

Larry McCreedy
21 Letitia Ln
Media PA 19063

January 10, 2021

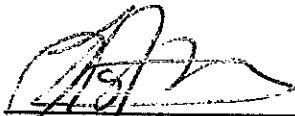
DCG Contracting will supply the necessary labor and material to complete the following projects:

Job: 141 Jacobs

- 1) Clean out and Demo Entire Inside of Building
- 2) Tear Down Rear Addition
- 3) Rebuild and Extend Rear Addition
- 4) Replace Exterior Window Doors and Siding
- 5) Replace All Electric
- 6) Replace All Plumbing
- 7) Replace Heating and Air Conditioning
- 8) Drywall Spackle and Paint Entire Interior
- 9) Install New Staircases
- 10) Install 3 New Bathrooms
- 11) Install New Interior Doors and Trim
- 12) Install New Kitchen
- 13) Install New Exterior Deck
- 14) Install New Roof and Gutters (both houses)
- 15) Install and Extend Front Porch Roofs (both houses)
- 16) Redo Front Concrete work

Cost: \$87,750.00

** Removal of all trash and debris will be the responsibility of the contractor.
** The Contractor will also make sure all construction areas are cleaned



Customer



David C. Glackin
DCG Contracting
LIC #: PA053459

Matthew Light

From: Geoffrey Grace
Sent: Friday, November 12, 2021 12:55 PM
To: LHUGHM@gmail.com
Cc: Matthew Light
Subject: Building Permit Application 141 Jacobs Street

Sir—

As we've discussed, we will must deny your building permit application submitted for an addition and other work to 141 Jacobs Street based on the requirements of the Floodplain Conservation District sections noted below.

Per the elevation certificate submitted, the addition will be constructed in the floodplain (Base Flood Elevation: 98.9 feet, slab for addition to be constructed at 95.4 feet). The property owner may apply for a variance from any of the sections noted below. As we've discussed, it is recommended that you consult with an attorney. It should also be noted that the sections listed below may not constitute all of the areas where the proposed addition does not comply with our ordinance. Any application should be fully reviewed by the applicant's attorney.

Section 182-27.2.C requires the submission of a specific plan set. The applicant will need to revise the plans to meet the requirements of this section or apply for a variance.

The project as submitted lists a cost of \$105,000 and based on our recent Assessed Value Calculation, the house has a value of \$183,770 (this is assessed value and does not include land value). The proposed improvement exceeds 50% of the market value and therefore constitutes a substantial improvement as defined by our ordinance and requires full compliance with the Floodplain Conservation District (Article II), as reference in **Section 182-28.2.C**. *50% or more*

Any Residential Structure must meet the floodproofing requirements of **Section 182-28.3**. Any new structure permitted by special exception or variance shall comply with **Section 182-32.F**. *above 1' flood elev. regulation Flood elevation*

Please let Matt Light know if you would like to pick up the plans submitted with the application or if he may dispose of them.

If you have any further questions, please reach out as convenient.

G.

Geoffrey Grace, AICP
Director of Planning / Zoning Officer
Upper Providence Township
1286 Black Rock Road
Phoenixville Pennsylvania 19460
(610) 933-9179 x162
(610) 983-0355, (fax)
ggrace@uprov-montco.org



Rooted in history, growing in promise

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