



MUNICIPALITY OF NORRISTOWN

A HOME RULE MUNICIPALITY
235 EAST AIRY STREET
NORRISTOWN, PENNSYLVANIA 19401-5003
(610) 272-8080
WWW.NORRISTOWN.ORG

FAX:

FINANCE: (610) 270-0445
ADMINISTRATION: (610) 275-0687
PUBLIC WORKS: (610) 279-3603
PLANNING: (610) 270-2892
CODE/BLDG.: (610) 279-7548

File No. 34-26

APPLICATION TO THE ZONING HEARING BOARD
(Please print or type)

- 1. Application for: [X] Variance from Section See "Attachment-A"
Special Exception from Section
[X] Interpretation (Explain) "

2. Name and Address of Applicant: Frank Venezia
409 Old Gulph Rd, Penn Valley, PA Phone #. 941-993-2628
19072

3. Name and Address of Property Owner: (same as applicant)

4. Address of Property: 2636 West Wood Street

5. Zoning Classification of Property: R2 Residential District

6. Present Use of Property: Vacant - Parking lot

7. Proposed Use of Property: R2 Residential

8. Reasons Application Should Be Granted: See "Attachment-A"

9. Description of Improvements and/or Use: General Construction Thereof: 5 detached garages;
4 twin dwellings; 1 single family detached dwelling

10. The Undersigned do(es) hereby make application to the Zoning Hearing Board as indicated and affirms that the information contained herein is true and correct.

Signed [Signature] (Applicant) Date 8-20-20

Signed _____ (Owner) Date _____

\$ 1,110.00 Filing Fee Received, Date _____ By: _____

(FILING FEE IS NON-REFUNDABLE)

Jayne Musonye, Zoning Officer

ATTACHMENT 'A'

Application to the Zoning Hearing Board
26-36 West Wood Street
Norristown, PA

A. Variance Requested

1. **§320-41A. - A use variance is requested to permit both twin dwellings and a single-family dwelling.**

Below are excerpts from the Municipality of Norristown's Code of Ordinances, Chapter 320 – Zoning.

§320-11. Block - That portion of the street situated between two street intersections, not including alleys, and shall include all properties located within that section on both sides of the street.

§320-41A. Permitted uses. A building may be erected or used or occupied by any of the following purposes and no other as per the following. To determine allowable housing types on each block (see § 320-11 for definition of "block"), not less than three residential buildings of the same housing type from the list below must currently exist on the block. For the purpose of this district, two individual twin dwelling units sharing a common wall shall constitute a single building, and a rowhouse group of three or more individual dwelling units shall also constitute a single building. All other housing types, or those housing types listed below that comprise two or fewer buildings on the block, are not permitted, and shall be considered nonconforming on the block on which they are located.

- (1) Single-family detached dwelling.*
- (2) Twin dwelling.*
- (3) Duplex dwelling provided that the dwelling was designed and originally constructed as such.*
- (4) Rowhouse dwelling.*

We interpret the definition of "Block", as it pertains to the subject property, as being that portion of West Wood Street between Powell Street and Locust Street.

This block contains the following uses.

<u>Tax Map ID</u>	<u>Address</u>	<u>Land Use Description</u>
13-065-001	36 West Wood Street	Parking Lot
13-065-002	34 West Wood Street	Parking Lot
13-065-003	32 West Wood Street	Parking Lot
13-065-004	30 West Wood Street	Parking Lot
13-065-005	28 West Wood Street	Parking Lot
13-065-006	26 West Wood Street	Parking Lot

13-065-007	1221 Powell Street	Hospital, Medical facility
13-068-053	1301 Powell Street	Apartments

We conclude that less than three residential buildings of both single-family detached dwellings and twin dwellings currently exist on the block; therefore, a variance is required for both uses.

B. Interpretations Requested

The applicant submitted a Use Registration Form to the Municipality of Norristown and then subsequently received a report from Khaled R. Hassan, PE of Pennoni dated July 13, 2020.

We request the following interpretations.

1. **§320-231 & §320-262.A.(3) An interpretation that the five (5) foot setback is not applicable to accessory use structures when twin dwellings are permitted.**

Below are excerpts from the Municipality of Norristown's Code of Ordinances, Chapter 320 – Zoning.

§ 320-231 Setbacks for accessory buildings. No accessory building shall be located within the required front yard setback or closer than five feet to a rear or side lot line.

§ 320-262.A.(3) Residential parking and garages. Garages facing an alley shall be setback a minimum of 10 feet from the edge of the alleyway and five feet from the side yard property line.

Comment #14 of the Pennoni report states "... The five (5) foot setback from the side yard may not apply since this project is proposing twins."

We conclude that the attached garages, with no side yard, are compliant with zoning on lots that permit twin dwellings. Should it be determined by the Zoning Hearing Board that zero setback does violate the provisions of the Zoning Ordinance, then in lieu of this interpretation, we would then request a side yard setback variance of zero feet for the garages on Lots 1-4, in lieu of the required 5 foot setback.

2. **§320-42.A An interpretation that a 12.0 foot front yard setback is required along West Wood Street and that a 18.9 foot front yard setback is required along Locust Street.**

Below is an excerpt from the Municipality of Norristown's Code of Ordinances, Chapter 320 – Zoning.

§ 320-42.A Dimensional criteria. Front yard. Unless otherwise noted, each property shall have one front yard, and in the case of a corner lot two front yards. Distance shall be determined by measuring from the curblineline of the street to the front facade of the principal building, excluding bay windows, stoops or other similar projections, on the property immediately to the right or to the left. Either measurement may be used and shall constitute the required build-to line, but in no case shall be less than five feet (six feet along principal arterial roads). On corner lots, the front facade shall constitute the facade that is facing the greater of the two streets (as determined by road classification or traffic volume if both roads are the same classification). When bordered by vacant property on one side, the front yard setback established from the adjoining developed property shall apply. For a property that is bordered on both the left and right by vacant property, the front yard shall be as follows:

- (1) Single-family detached dwelling: minimum 25 feet but not to exceed 30 feet.*
- (2) Twin and duplex dwelling: 20 feet but not to exceed 25 feet.*
- (3) Rowhouse dwelling: 10 feet but not to exceed 15 feet.*

In determining the front yard setback, one is required to evaluate those properties "immediately to the right or to the left" and furthermore "the front yard setback established from the adjoining developed property shall apply".

West Wood Street - Front Yards

<u>Tax Map ID</u>	<u>Address</u>	<u>Front Yard Setback</u>
13-065-007	1221 Powell Street	12.0 feet
13-064-056	100 W. Wood Street	15.5 feet

Locust Street - Front Yards

<u>Tax Map ID</u>	<u>Address</u>	<u>Front Yard Setback</u>
13-065-056	100 W. Wood Street	18.9 feet
13-065-018	1220 Locust Street	12.25 feet

We conclude that the proposed front yard setback along West Wood Street of 17 feet is compliant with zoning since it exceeds the existing adjacent front yard setback of 12.0 feet. We further conclude that the proposed front yard setback along Locust Street of 20.25 feet is compliant with zoning since it exceeds the existing adjacent front yard setback of 18.9 feet.

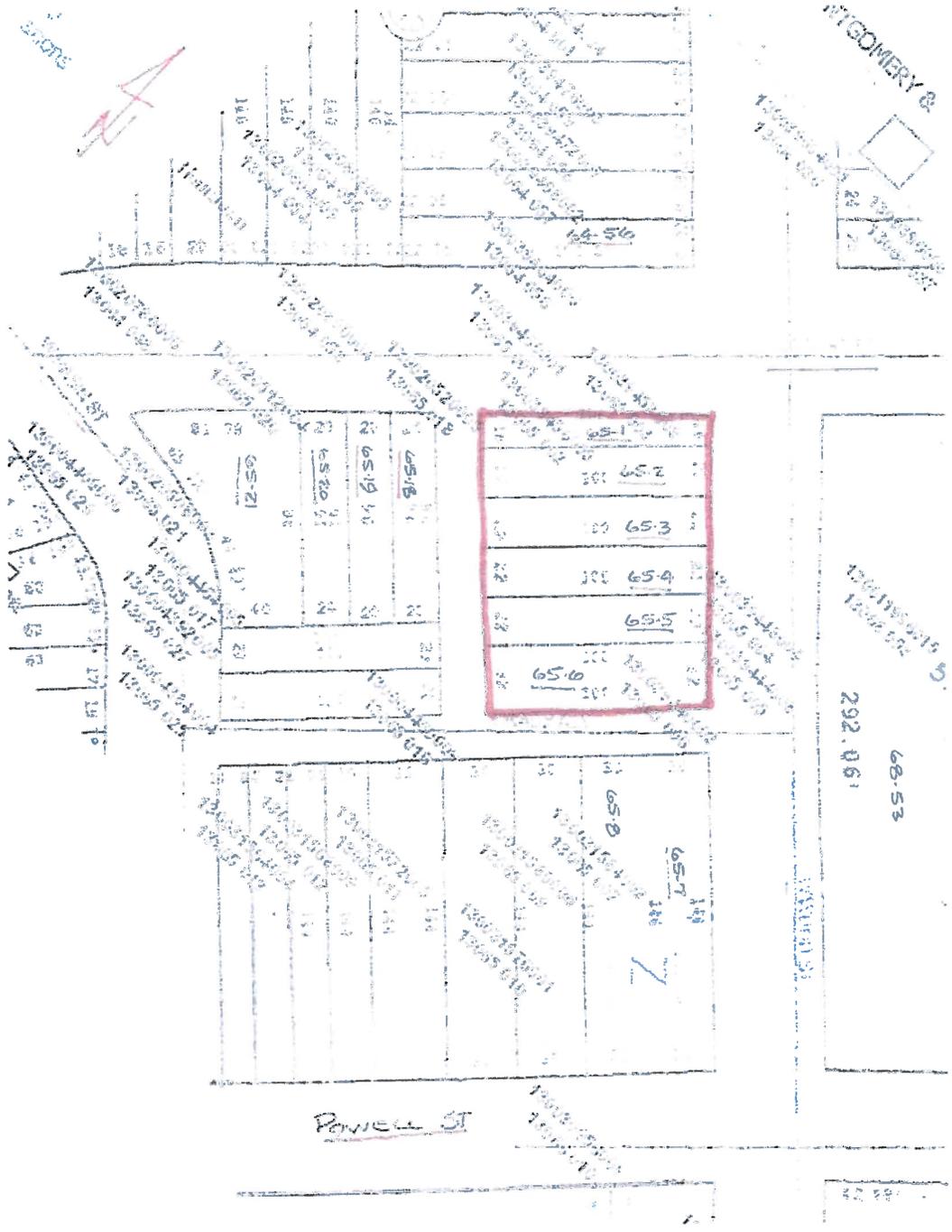
- 3. §320-42.B.(1) - An interpretation that the default minimum lot areas of 2,500 sf and 3,000 sf for twin dwellings and single-family detached dwellings, respectively, apply to the subject property.**

Below is an excerpt from the Municipality of Norristown's Code of Ordinances, Chapter 320 – Zoning.

§ 320-42.B.(1) Dimensional criteria. Area, width, yard, height and impervious coverage. Unless otherwise noted, the following dimensional standards shall be established by taking the median value of the same permitted housing types on the block as determined by § 320-41A. Nonconforming housing types may not reduce lot area or width but shall otherwise conform to § 320-(3), (4), (5) and (6) below.

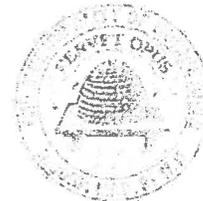
- (1) Lot area. Shall be the established median value of the same housing type on the block and shall constitute the minimum allowable lot area but in no case shall be less than 3,000 square feet per single-family detached dwelling, 2,500 square feet per twin dwelling unit, 3,500 square feet per duplex building, and 2,000 square feet per interior and 2,500 square feet per corner rowhouse unit.*

We conclude, as outlined in Variance Request #1, that no other uses of the same type exist on the block; therefore, the default minimum lot areas of 2,500 sf and 3,000 sf for twin dwellings and single-family detached dwellings, respectively, apply to the subject property. Should it be determined by the Zoning Hearing Board that the lot areas do violate the provisions of the Zoning Ordinance, then in lieu of this interpretation, we would then request a lot area variance for Lots 1-4 of 2,525 square feet, in lieu of the required 2,800 square foot requirement as cited in Comment #4 of the Pennoni report.



MUNICIPALITY OF NORRISTOWN
235 East Airy Street
Norristown, PA 19401
Phone- 610-270-0451
Fax- 610-270-2892
www.norristown.org
planning@norristown.org

MUNICIPALITY OF NORRISTOWN USE REGISTRATION FORM



*Instructions: Please print or type when answering questions.

Also note that this is not an application to the Zoning Hearing Board. This form is to register the proposed Use. The "next steps" to be taken will be outlined in the response.

Date: 6.12.2020

Property Address: 26, 28, 30, 32, 34 & 36 W. Wood Street

Property Owner Name: Frank Venezia

Property Owner Street Address: 409 Old Gulph Road

City: Penn Valley State: PA Zip: 19072

Phone Number: 941-993-2628 Email Address: JVE newcenturybuilders.net

Applicant Name (if different from above): (same)

Applicant Street Address: "

City: " State: " Zip: "

Phone Number: " Email Address: " Fax Number: "

Is this an ownership change? Yes No

Current Use of Property: Parking Lot

Proposed Use of Property: Residential - Single Family Detached and Twin dwellings

Is this an application for a business? Yes No

Is this a new business? Yes No

Business Name: N/A Doing Business As (DBA): "

Business Mailing Address (if different from above): "

City: " State: " Zip: "

Description of Business: "

Is there existing off-street parking? Yes No

Number of Employees: N/A

Is this business relocating to Norristown from a different municipality? Yes No N/A

My home or business is a: (Please check all that apply) N/A

Corner property Row home Detached dwelling Semi-detached dwelling

Does your proposed use involve any new construction? Yes No

(You must include a sketch plan with accurate dimensions including lot size, building dimensions, location of structures, where the proposed construction will be, and any other information that you may find relevant)

Are you replacing an existing structure? Yes No

If Yes, will the new structure be the same size as the old one? Yes No *N/A*

If No, you must include a sketch as stated in the previous question.

Are you adding/removing apartments or rooms? Yes No

(If yes, please provide a sketch showing the requirements stated in the new construction question)

Does your proposed use involve erecting a fence? Yes No

How high is the fence? _____ (Please include sketch of where it will be on your property and its height)

Does your proposed use involve signs? Yes No

(If yes, you must include a sketch showing size of the sign, where it will go on the building, and state if it is lit, rotating, or free standing, etc.)

Please use the additional space to state anything that you think will help us in making a determination.

Construct four (4) twin dwelling and one (1) single family detached dwelling. Each unit will have one (1) garage parking stall plus one (1) exterior paved parking stall

"I hereby certify that the statements contained herein are true and correct to the best of my knowledge. I further certify that I am authorized by the owner to make the foregoing application, and that, before I accept any permit for which this application is made, the owner shall be made aware of all the conditions of the permit. I understand that if I knowingly make any false statement herein, I am subject to such penalties as may be prescribed by law."

Applicant Signature: *[Signature]*

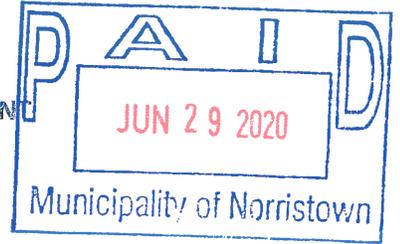
IMPORTANT NOTE FOR PROPERTY OWNERS AND APPLICANTS:

The following may not pertain to everyone. It will only pertain to individuals or parties that will need to seek some type of relief from their proposed Use. The following is for information purposes only. The formal zoning determination from the Planning department will clearly state if you need to seek relief. If you desire to seek relief and make a formal application before the Zoning Hearing Board or Municipal Council, upon the Planning Department's receipt of said application will you be notified if you are in compliance with Resolution 14-103. If found to be in compliance of 04-103, your application will be accepted and you may appear before the Zoning Hearing Board or Municipal Council. If you (or the property owner) are not in compliance with 04-103, your application will be denied.

As per Resolution 04-103, if as a result of this zoning application, an individual or party desires to seek relief before either the Zoning Hearing Board or Municipal Council, then said individual or party must be in compliance with all of the Municipal laws, Resolutions, Ordinances, Rules and Regulations to be entitled for any special relief, assistance or special ruling and/or legislation.

What the above means: If the property owner or the applicant are in violation of any Municipal law or regulation, they may not go before the Zoning Hearing Board or Municipal Council until they are in compliance with this law or regulation. Example: If an individual owes rental fees to the Municipality through the Building and Code department and needs to seek a Special Exception for another property that they own within the Municipality, this individual will not be able to seek relief until all rental fees are paid in full.

Municipality of Norristown
 DEPARTMENT OF PLANNING AND MUNICIPAL DEVELOPMENT
PAYMENT FORM



DATE: 6/26/2020

PAYEE: Joseph Catherine Venezia

AMOUNT: 50.00

Check # 209 Cash _____ Credit _____

PROPERTY ADDRESS/PROJECT: 26, 28, 30, 32, 34, 36 W Wood St

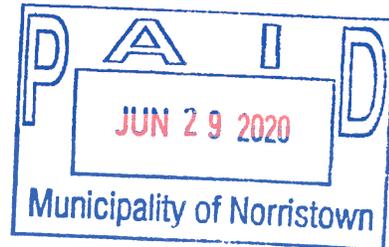
Check Applicable Purpose	Fund	Account
<input checked="" type="checkbox"/> Use Registration Application	01	361.308.600
<input type="checkbox"/> ZHB Application	01	361.308.600
<input type="checkbox"/> Subdivision/Land Development Application Fee	01	361.308.700
<input type="checkbox"/> Subdivision/Land Development Escrow Fee	17	210-101100
<input type="checkbox"/> Subdivision/Land Development – Letter of Credit	See Jayne	
<input type="checkbox"/> Zoning Ordinance/SALDO	01	361.308.800
<input type="checkbox"/> Bid Specs	01	361.308.800
<input type="checkbox"/> Annual Sign Assessment	01	321.305.700
<input type="checkbox"/> Refund (attach relevant documentation)	361 - 308600	

NOTES:

Received By:

Planning Department Staff

Finance Department Staff



Date Received (date stamp)

Municipality of Norristown
DEPARTMENT OF PLANNING AND MUNICIPAL DEVELOPMENT
PAYMENT FORM

DATE: 8/21/2020

PAYEE: Frank Venezia

AMOUNT: 1110.00

Check # 1809 Cash _____ Credit _____

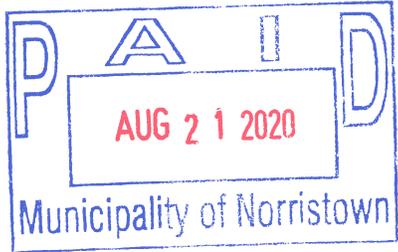
PROPERTY ADDRESS/PROJECT: 26-36 W. Wood Street

Check Applicable Purpose	Fund	Account
<input checked="" type="checkbox"/> Use Registration Application	01	361.308.600
<input checked="" type="checkbox"/> ZHB Application	01	361.308.600
<input type="checkbox"/> Subdivision/Land Development Application Fee	01	361.308.700
<input type="checkbox"/> Subdivision/Land Development Escrow Fee	17	210-101100
<input type="checkbox"/> Subdivision/Land Development – Letter of Credit	See Jayne	
<input type="checkbox"/> Zoning Ordinance/SALDO	01	361.308.800
<input type="checkbox"/> Bid Specs	01	361.308.800
<input type="checkbox"/> Annual Sign Assessment	01	321.305.700
<input type="checkbox"/> Refund (attach relevant documentation)	361 - 308600	

NOTES: ZHB Application

Received By: 
 Planning Department Staff


 Finance Department Staff



Date Received (date stamp)

Printed: 08/21/2020 15:39:44 EDT

TRANSACTION SUMMARY

TRANSACTION TYPE: SALE

PAYMENT ITEM

REFERENCE NUMBER

AMOUNT

Zoning Hearing Fees / 01-361-308600 MAIL

ZHB APP, 26-36 W WOOD ST

\$1,110.00

Total: \$1,110.00

Transaction Number:

20234563630483304

Date Processed:

08/21/2020 15:39:42 EDT

Transaction Type:

PAPER CHECK

Check Number:

1020

Cardholder Name:

JOSEPH VENEZIA CONSULTING LLC

General Fund - Municipality of Norristown PA

235 E Airy Street

Norristown, PA 19401

610 272-8080

Zoning Hearing Fees / 01-361-308600 MAIL

\$1,110.00

Total:

\$1,110.00

I agree to pay above total amount according to the card issuer agreement & understand this convenience fee will be charged to allow my payment via credit card.

Signature: _____

Printed Name: _____

Phone: _____