

**POTTSTOWN BOROUGH ZONING HEARING BOARD**  
**LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the Pottstown Borough Zoning Hearing Board will conduct a hearing on September 1, 2021, at 7:30 p.m. in the Council Meeting Room, 3<sup>rd</sup> Floor, Pottstown Borough Hall, 100 E. High Street, Pottstown, Pennsylvania, upon Application of 401 Industrial Park, LLC ("Applicant").

The Applicant owns the property located at 401 W. High Street, Pottstown, Pennsylvania ("Subject Property") located in the Gateway West (GW) zoning district of the Borough.

Applicant proposes to allow the use of approximately 9,000 square feet in the rear of the Subject Property for a second vehicle parking/repossession use and seeks any required zoning relief for the addition of this use, including relief from Sections 334.2 and 500.1 and such other sections of the zoning ordinance as may be required. The use will include a storage shed which will encroach on the 15 foot side yard setback. Applicant requests relief from Section, 334.4, 334.5 of the zoning ordinance.

Applicant proposes outside storage of inventory, vehicles and equipment and seeks relief from Section 334.2 of the zoning ordinance.

One of the tenants on the property, SSE Enterprises, LLC, proposes to install fourteen (14) storage containers of unspecified size on the property. Applicant requests relief from Sections 334 and 507.6.b of the zoning ordinance.

Copies of the Application may be examined by the public at the Pottstown Borough Licensing and Inspections Department, Pottstown Borough Hall, 100 E. High Street, 2<sup>nd</sup> Floor, Pottstown, Pennsylvania during regular business hours, 7:30 a.m. to 4:00 p.m., Monday through Friday.

At the time of the hearing, any affected persons or parties will be given an opportunity to be heard. Any party may be represented by legal counsel at the hearing. The Board reserves the right to conduct any other business that may come before it.

POTTSTOWN BOROUGH ZONING  
HEARING BOARD

Robert E. Johnson, Chairman

R. Kurtz Holloway, Esquire, Solicitor

LAW OFFICES  
**YERGEY•DAYLOR•ALLEBACH•SCHEFFEY•PICARDI**

1129 EAST HIGH STREET  
P. O. BOX 776  
POTTSTOWN, PENNSYLVANIA 19464-0776  
TELEPHONE (610) 323-1400  
FAX (610) 323-4660  
[www.vdasp.com](http://www.vdasp.com)

DAVID L. ALLEBACH, JR.  
JAMES D. SCHEFFEY  
KENNETH E. PICARDI  
GREGORY W. PHILIPS  
JUDITH L. WATTS  
JAMIE V. OTTAVIANO

SHERWOOD L. YERGEY  
LANE H. DAYLOR (1942-2009)

RECEIVED JUL 30 2021

Kenneth E. Picardi Esquire  
EMAIL: [KEPicardi@vdasp.com](mailto:KEPicardi@vdasp.com)

July 30, 2021

**VIA E-MAIL AND HAND DELIVERY**

[WStokes@pottstown.org](mailto:WStokes@pottstown.org)

Winter Stokes, Zoning Officer  
Zoning/Planning Administrator  
Borough of Pottstown, L&I  
100 High Street  
Pottstown, PA 19464

**RE: 401 Industrial Park, LLC – ZHB Application**

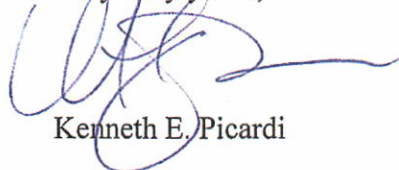
Dear Ms. Stokes:

Enclosed please find the following documents:

- Original and six (6) copies of Zoning Application with Deed, drawing and aerial photograph attached;
- Check payable to the Borough of Pottstown in the amount of Fifteen Hundred Dollars (\$1,500.00); and
- Entry of Appearance form.

If you have any questions or require additional information to process this Application, please let me know.

Very truly yours,



Kenneth E. Picardi

KEP/tpf

Enclosures

cc: Mr. William Grill, President

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

IN RE: 401 Industrial Park, LLC

**ENTRY OF APPEARANCE**

To The Zoning Hearing Board:

1. Please enter my appearance in this action

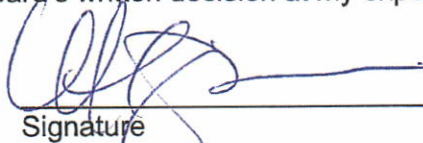
\_\_\_\_\_ as a party under Section 908(3) of the Municipalities Planning Code.  
 x  as attorney for 401 Industrial Park, LLC

2. I do/~~do~~-not wish a copy of the transcript at my expense.

3. I do/~~do~~-not wish a copy of the Board's written decision at my expense.

7/30/21

Date

  
\_\_\_\_\_  
Signature

Kenneth E. Picardi, Esquire  
1129 E. High St., P.O. Box 776

\_\_\_\_\_  
Address

Pottstown, PA 19464  
\_\_\_\_\_

For Zoning Hearing Board Use Only

1. Was the person questioned about standing? \_\_\_\_\_
2. Was there an objection to standing? \_\_\_\_\_
3. Was the person "affected" by the application? \_\_\_\_\_
4. Was the person granted status as a party? \_\_\_\_\_

\_\_\_\_\_  
Signature

File No. \_\_\_\_\_  
Date Fully Completed Application  
Received \_\_\_\_\_  
Date of First Advertised  
Hearing \_\_\_\_\_  
Amount of Fees Paid \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_

(DO NOT WRITE ABOVE THIS LINE)

**ZONING HEARING BOARD  
BOROUGH OF POTTSTOWN, PA 19464**

**APPLICATION / APPEAL**

Applicant(s)	Mr. Bill Grill, President 401 Industrial Park, LLC	_____
	Name	Name
	401 West High Street	_____
	Address	Address
	Pottstown, PA 19464	_____
	Address	Address
	billgrillsse@gmail.com	_____
	Email Address	Email Address
	(484) 459-5057	_____
	(Phone)	(Phone)

**Applicant's Attorney:**

_____	Kenneth E. Picardi, Esq.
	Name
_____	P.O. Box 776, Potts., PA 19464
	Address
_____	kepicardi@ydasp.com
	Email Address
_____	(610) 323-1400
	Phone

**Request for Hearing:**

In accordance with the provisions of Section 905 of the Borough of Pottstown Zoning Ordinance, a hearing before the Zoning Hearing Board is requested in which the applicant(s) will seek an adjudication of the matter(s) indicated below:

**Type of Proceeding(s): (check all that applies)** §334.2

§334.4

1. A variance is requested to Chapter 27, Section(s) §334.5+§507.6B of the Zoning Ordinance.

2. A variance is requested to Part 3, Section 314 relating to uses permitted in a Floodplain Overlay District.

3. A variance is requested to Part 3, Section 315 relating to uses permitted in an Airport Overlay District.

4. A special exception is requested as allowed in Chapter 27, Section \_\_\_\_\_ of the Zoning Ordinance.

5. This is an appeal from the determination of the Zoning Officer with respect to the granting, denial or failure to act on an application for a permit.

6. This is an appeal from an enforcement notice issued pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code. (Attach a copy of the enforcement notice)

7. This is a substantive challenge to the validity of a land use ordinance or map, or a provision thereof. (The customary written challenge should be filed with this application).

8. This is a challenge to the validity of a land use ordinance raising procedural questions or alleging defects in the process of adoption. (The customary written challenge should be filed with this application)

9. Any other appeal from a determination by an officer, body or agency of the Borough charged with the administration of any land use ordinance or application thereunder, to the extent that determination is appealable to the Zoning Hearing Board under the Municipalities Planning Code.

**The Status of the Applicant(s) is: (check one)**

A. A person who has an interest in land, the use or development of which is prohibited or restricted by an ordinance or map, or a provision thereof. (Landowner must attach a plot plan as set forth in #8 below).

B. A person affected by a use or development permitted on the land of another by an ordinance or map, or a provision thereof.

**General Information about the Land:**

1. The land involved belongs to:
  - A. Record Owner(s): 401 Industrial Park, LLC
  - B. Date purchased: November 25, 2015
  - C. Deed Book 5991 Page 1772 (Attach copy of Deed)
  - D. Equitable Owner(s): \_\_\_\_\_
  - E. Date of Agreement: \_\_\_\_\_
  
2. The land is located as follows:
  - A. Name of street providing primary access: West High Street
  - B. Address: 401 West High Street, Pottstown, PA 19464
  - C. Which side of street: North
  - D. Identify nearest street intersection and approximate distance and direction: Berks Street
  
3. The land is configured as follows:
  - A. Width at street (frontage): 395.12
  - B. Approximate average width: 375
  - C. Approximate average depth: 620
  - D. Lot / parcel size: 5.38 acres
  
4. Present improvements on the land are:  
25,000 square foot commercial building, detached building, and 2 accessory sheds.
  
5. Present use is:  
Business/Commercial
  
6. Zoning District: NR TTN D NB DG GE **GW** P FO HB HM
  
7. Improvements being proposed:  
1 accessory shed (200 sq. ft.)
  

---

8. Proposed use:
  - (a) Vehicle parking/repossession lot
  
  - (b) 14 storage containers for tools, equipment, inventory, etc.
  
  - (c) outdoor storage for inventory, motor vehicles, and heavy equipment.