

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 7:00 p.m. in the Council Meeting Room, 3rd Floor, Pottstown Borough Hall, 100 E. High Street, Pottstown, Pennsylvania, upon Application of Rut Row Properties, LLC ("Applicant") for a variance to Chapter 27, Section 319.5 of the Pottstown Borough Zoning Ordinance.

The Applicant owns the property located at 71 Beech Street, Pottstown, Pennsylvania on which is located a two-unit dwelling and a separate one-story building. The one-story building was formerly used as a direct retail business. Applicant intends to use the one-story building for either direct service or direct retail. The one-story building is approximately 920 square feet. Section 319.5 of the Ordinance requires such buildings to be a minimum of 1500 square feet. The property is located in the Traditional Town Neighborhood Zoning District.

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, 2nd 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



Borough of Pottstown

Borough Hall, 100 East High Street
Pottstown, Pennsylvania 19464-9525

Z # 12-21

RECEIVED JUL 30 2021

ZONING APPLICATIONS

FEES:

SINGLE FAMILY RESIDENTIAL
\$750.00
MULTI-FAMILY RESIDENTIAL
\$1500.00
COMMERCIAL- \$1500.00

****Checks made payable to the Borough of Pottstown****

What you need to submit:

6 Paper Copies & 1 Digital Each Consisting of the following:

- 1) Completed application
- 2) Deed of the property
- 3) Plan/drawing with exact measurements
- 4) Plot plan showing placement of building on property and off street parking

Please note:

Only completed submissions will be accepted

7 12-21
RECEIVED JUL 30 2021

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)	<u>Curt Rutledge c/o Rut Row Properties</u>	_____
	Name	Name
	<u>71 Beech Street Pottstown PA 19464</u>	_____
	Address	Address
	_____	_____
	Address	Address
	<u>rutrowproperties@gmail.com</u>	_____
	Email Address	Email Address
	<u>484-366-1161</u>	_____
	(Phone)	(Phone)

Applicant's Attorney:

Name

Address

Email Address

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)

1. A variance is requested to Chapter 27, Section(s) 319.5
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): Rut Row Properties
- B. Date purchased: 10/27/2020
- C. Deed Book _____ Page _____ (Attach copy of Deed)
- D. Equitable Owner(s): _____
- E. Date of Agreement: 10/27/2020

2. The land is located as follows:

- A. Name of street providing primary access: Beech Street
- B. Address: 71 Beech Street Pottstown PA 19464
- C. Which side of street: York Street
- D. Identify nearest street intersection and approximate distance and direction: corner of Beech and York

3. The land is configured as follows:

- A. Width at street (frontage): _____
- B. Approximate average width: _____
- C. Approximate average depth: _____
- D. Lot / parcel size: 920 square feet

4. Present improvements on the land are:

5. Present use is:

Vacant

6. Zoning District: **NR TTN D NB DG GE GW P FO HB HM**

7. Improvements being proposed:

8. Proposed use:

