

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

NOTICE IS HEREBY GIVEN that the Pottstown Borough Zoning Hearing Board ("Board") will conduct its annual reorganization meeting on March 15, 2022, at 6:30 p.m. in the Council Meeting Room, 3<sup>rd</sup> Floor, Pottstown Borough Hall, 100 E. High Street, Pottstown, Pennsylvania.

Immediately after its reorganization meeting, on March 15, 2022, commencing at 7:00 p.m. the Board will hold a public hearing on the Application of Pottstown Living in Faith Together ("Applicant") requesting a special exception pursuant to Chapter 27, Sections 319.6 and A319.1 of the Pottstown Borough Zoning Ordinance.

The Applicant proposes to utilize the property located at 163 N. Charlotte Street, Pottstown, Pennsylvania for offices and an adult day care center.

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

RECEIVED FEB 15 2022



## Borough of Pottstown

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

### 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**

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

IN RE:

**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.

\_\_\_\_\_ as attorney for Pottstown LIFT

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.

2/10/22

Date

\_\_\_\_\_  
Signature

934 E. High St., P.O. Box696

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

## **INFORMATION FOR PERSONS APPEARING BEFORE THE ZONING HEARING BOARD**

The Zoning Hearing Board is an independent branch of the local government that consists of residents of the Borough of Pottstown, appointed to the Board by Borough Council, one of whom serves as its chairperson. An attorney, who is called the Solicitor, represents the Board.

The members of the Zoning Hearing Board are not permitted to communicate, either directly or indirectly, with the applicant, or his or her representatives, or any other person interested in the application, except at the time of the hearing. Similarly, the Zoning Hearing Board is not permitted to review any written material other than that submitted with the application at the time of the hearing.

Although the Zoning Hearing Board is not required to follow the formal rules of evidence at its hearings, it conducts a formal hearing, similar to a court proceeding. A court stenographer is present to make a record of the hearing.

The applicant and any other person who has been recognized by the Zoning Hearing Board as a party to the proceedings have the right to be represented by legal counsel at the hearing. Neither the Zoning Hearing Board nor its Solicitor may provide legal advice to participants at the hearing. Likewise, neither the Zoning Hearing Board nor its Solicitor will attempt to represent or assist a party in the presentation of the case.

It is the burden of the applicant to prove his or her case and to submit evidence that supports the application. It is not the responsibility of the Zoning Hearing Board to gather evidence or information for the applicant. The Board, as a quasi-judicial body, may only hear and receive evidence that is given under oath and that is subject to cross-examination, or other evidence submitted at the time of the hearing that it deems credible.

The Zoning Hearing Board does not write the Borough Ordinances, nor does it have the power or jurisdiction to address all issues that may be raised at a zoning hearing. The Zoning Hearing Board does not have any enforcement powers. Rather, it can be considered to be the judicial branch of the local government for zoning matters that is separate and distinct from the Borough administration.

Zoning Hearing Board of  
Borough of Pottstown

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>Pottstown Living in Faith Together ("LIFT")</u> | _____         |
|              | Name   | Name          |
|              | <u>934 E. High St.</u>                             | _____         |
|              | Address  | Address       |
|              | <u>Pottstown, PA 19464</u>                         | _____         |
|              | Address  | Address       |
|              | _____  | _____         |
|              | Email Address                                      | Email Address |
|              | <u>6103237700</u>                                  | _____         |
|              | (Phone)  | (Phone)       |

**Applicant's Attorney:**

Paul A. Prince

|   |               |
|---|---------------|
| _____   | Name          |
| <u>934 E. High St., P.O. Box 696, Pottstown, PA 19464</u> | Address       |
| _____   | Address       |
| <u>pap@princeandkurtas.com</u>                            | Email Address |
| _____   | Email Address |
| <u>610-323-7700</u>                                       | Phone         |
| _____   | 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) \_\_\_\_\_ 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 <sup>319 (6)</sup> \_\_\_\_\_ 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): Paul Desch
- B. Date purchased: 06/03/2013
- C. Deed Book 5876 Page 02370.1 (Attach copy of Deed)
- D. Equitable Owner(s): Pottstown LIFT
- E. Date of Agreement: \_\_\_\_\_

2. The land is located as follows:

- A. Name of street providing primary access: Charlotte
- B. Address: 183 N. Charlotte St.
- C. Which side of street: west
- D. Identify nearest street intersection and approximate distance and direction: Union Alley - 2'

3. The land is configured as follows:

- A. Width at street (frontage): 64'
- B. Approximate average width: 60' 8.5"
- C. Approximate average depth: 47'6"
- D. Lot / parcel size: 5800 sq.'

4. Present improvements on the land are:

3 story building

5. Present use is:

empty - awaiting LIFT

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

7. Improvements being proposed:

conversion into offices and an adult day care facility on the second floor to begin with as well as a LIFT office.

Plans depicting the existing building (w/o proposed alterations but with addl. floor supports) are attached.

8. Proposed use:

The building will be totally rehabbed providing elevator service, sprinklers and modern utilities and facilities to enable

an office and intake on the first floor and other gathering and sleeping facilities on the second floor as needed.

**Specific Information about this application / appeal:**

(Set forth in complete detail what relief you are seeking from the Zoning Hearing Board; a brief summary of the necessary facts to be proved at the hearing; what law or legal theories pertain; what hardships will be shown; which provisions of ordinances or maps are being challenged; what official determination, action or failure to act is being appealed, etc. Attach additional sheets if necessary).

This is a special exception application for an adult day care use that is authorized in the TTN district within which the property lies. Testimony will be offered confirming our intended compliance with Attachment 4 of the Zoning Ordinance as regards adult day care facilities. The only sign will identify the building as Pottstown LIFT; staff will be present at all times; the center will operate ten months out of the year; Dick Frantz is devising the renovation in accordance with the Borough Code as well as all safety codes; and all staff meetings will, if larger than 3 persons, be held on the 3rd fl. in the new LIFT office. Off street parking is available behind the building off of Union Alley. The program does not allow walk-ins with all clients transported to the facility by LIFT. The property is surrounded principally by parks and apartment buildings such that its appearance will be consistent with its surroundings.

**By signing this application, the applicant(s) certifies as follows:**

1. The applicant(s) is the owner of the land in question, he/she has attached a plot plan showing the location, lot size, dimensions, north point, scale, adjoining owners, existing buildings and improvements, and proposed buildings and improvements.
2. The applicant(s) has received and read the document entitled "Information for Persons Appearing Before the Zoning Hearing Board".
3. All the information and statements in this application and any documents or plans filed in this matter are true and correct to the best of the applicant's knowledge, information and belief and applicant(s) understands this verification is made subject to the penalties of 18 PA C.S.A. Section 4904 (relating to unsworn falsifications to authorities).

|  |                       |
|--|-----------------------|
| <u>Paul Desch</u><br><u>Paul Desch</u> | <u>GEORGE C. BELL</u> |
| Property Owner (Print)                 | Agent (Print)         |
| <u>Paul Desch</u>                      | <u>[Signature]</u>    |
| Owner's Signature                      | Agent's Signature     |
| Date                                   | Date 2/9/22           |

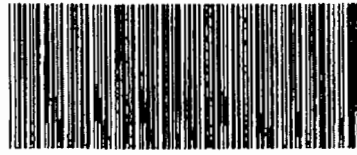




RECORDER OF DEEDS  
MONTGOMERY COUNTY  
*Nancy J. Becker*

One Montgomery Plaza  
Swede and Airy Streets ~ Suite 303  
P.O. Box 311 ~ Norristown, PA 19404  
Office: (610) 278-3289 ~ Fax: (610) 278-3869

**DEED BK 5876 PG 02366 to 02370.1**  
INSTRUMENT # : 2013063041  
RECORDED DATE: 06/13/2013 02:12:55 PM



2931257-0012P

**MONTGOMERY COUNTY ROD**

**OFFICIAL RECORDING COVER PAGE**

Page 1 of 6

|                                  |  |
|----------------------------------|--|
| <b>Document Type:</b> Deed       | <b>Transaction #:</b> 2894983 - 1 Doc(s) |
| <b>Document Date:</b> 06/03/2013 | <b>Document Page Count:</b> 4            |
| <b>Reference Info:</b>           | <b>Operator Id:</b> agiudice             |

|   |                                   |
|---|-----------------------------------|
| <b>RETURN TO:</b> (Wait)<br>MAUGER & METER<br>240 KING ST<br>P O BOX 698<br>POTTSTOWN, PA 19464 | <b>PAID BY:</b><br>MAUGER & METER |
|---|-----------------------------------|

**\* PROPERTY DATA:**  
Parcel ID #: 16-00-03784-00-7  
Address: 163 N CHARLOTTE ST  
  
PA  
Municipality: Pottstown Borough (100%)  
School District: Pottstown

**\* ASSOCIATED DOCUMENT(S):**

|                                   |                     |
|-----------------------------------|---------------------|
| <b>CONSIDERATION/SECURED AMT:</b> | <b>\$0.00</b>       |
| <b>TAXABLE AMOUNT:</b>            | <b>\$102,862.90</b> |
| <b>FEES / TAXES:</b>              |                     |
| Recording Fee:Deed                | \$78.00             |
| Affidavit Fee                     | \$1.50              |
| State RTT                         | \$1,028.63          |
| Pottstown Borough RTT             | \$514.31            |
| Pottstown School District RTT     | \$514.32            |
| Rejected Document Fee             | \$10.00             |
| <b>Total:</b>                     | <b>\$2,146.76</b>   |

DEED BK 5876 PG 02366 to 02370.1  
Recorded Date: 06/13/2013 02:12:55 PM

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



*Nancy J. Becker*

**Nancy J. Becker**  
Recorder of Deeds

**PLEASE DO NOT DETACH**

**THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT**

NOTE: If document data differs from cover sheet, document data always supersedes.  
\*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Digitally signed 02/08/2022 by montgomery.county.rod@kofile.com

**Certified and Digitally Signed**

Validation may require Adobe Windows Integration

eCertified copy of recorded # 2013063041 (page 1 of 6)  
Montgomery County Recorder of Deeds



RECORDER OF DEEDS  
MONTGOMERY COUNTY

2013 JUN -6 PM 1:48

**PREPARED BY:** Nicolas F. Meter, Esquire  
Mauger & Meter  
240 King Street, P.O. Box 698  
Pottstown, PA 19464  
610/323-4100

**RETURN TO:** Nicolas F. Meter, Esquire  
Mauger & Meter  
240 King Street, P.O. Box 698  
Pottstown, PA 19464  
610/323-4100

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
16-00-03784-00-7 POTTSTOWN  
163 N CHARLOTTE ST  
STEVENS BARRY M & CAROL  
B 002 U 066 L 4326 DATE: 06/06/2013

\$10.00  
JG

**PREMISES:** 163 North Charlotte Street  
Borough of Pottstown  
Montgomery County, Pennsylvania

**PARCEL NO.:** 16-00-03784-00-7

# INDENTURE

**THIS INDENTURE**, made the *31* day of *June*, in the year  
Two Thousand Thirteen (2013).

**BETWEEN,**

**CAROL STEVENS, Widow**

**"Grantor"**

*AZ*  
*EW*

A  
N  
D

**PAUL DESCH,**

**"Grantee"**

## NOW THIS INDENTURE

**WITNESSETH** that the said Grantor, for and in consideration of the sum of **ONE (\$1.00)** Dollar-----lawful money of the United States of America, unto Grantor well and truly paid at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained and sold, aliened, enfeoffed, given, surrendered, remised, leased and released, confirmed, quitclaimed and conveyed and by these presents do grant, bargain and sell, alienate, quitclaimed and conveyed, enfeoff, give, surrender, remise, lease and release, confirm, quitclaim and convey unto the said Grantee, his heirs and assigns,



**ALL THAT CERTAIN** two story manufacturing building, now occupied by the Ferro Phos Company, Situate at 161 and 163 North Charlotte Street, Second Ward of the Borough of Pottstown, Montgomery County, Pennsylvania, bounded and described as follows, to wit:

**BEING** at a point on the Westerly property line of Charlotte Street (40 feet wide), said point being Northwardly 75.75 feet from the Northwesterly property line intersection of Charlotte Street and Walnut Street (50 feet wide); thence along the Westerly side of Charlotte Street North 15 degrees 07 minutes East 64.46 feet to the Southerly side of Union Alley (20 feet wide); thence along said alley North 74 degrees 45 minutes West 90 feet to a corner of lands now or late of A. G. Wagner; thence by the said lands and parallel to Charlotte Street South 15 degrees 07 minutes West 63.88 feet to a corner of lands now or about to be conveyed to Paul S. Gilbert; thence by a line passing 12 inches clear of the Southerly wall of the brick building now occupied by the Ferro Phos Company South 74 degrees 26 minutes East 90 feet to the place of **BEGINNING**.

**BEING** Parcel Number #16-00-03784-00-7

**BEING** the same premises Krepps Britto Company, Robert W. Rowland, Linda Krepps, Roy Krepps, Alan Britto by Deed dated 12/16/1983 and recorded 12/28/1983 in Montgomery County in Deed Book 4726 Page 707 conveyed unto Barry M. Stevens and Carol Stevens, his wife, in fee.

**AND** the said Barry M. Stevens died on March 26, 2013.

**TOGETHER** with all and singular the buildings and improvements, ways, waters, watercourses, rights, liberties, hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining; and the reversions and remainders, rents, issues, and profits thereof, and all the estate, right, title, interest, property, claim, and demand whatsoever of the same Grantor in law, equity or otherwise, howsoever, of in and to the same and every part thereof.

**TO HAVE AND TO HOLD** the same messuages or tenements and other buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, his heirs, successors and assigns, to and for the only proper use and behoof of the said Grantee, his heirs, successors and assigns forever.

**AND THE SAID** Grantor, her heirs, executors and administrators do by these presents, covenant, grant and agree to and with the said Grantee, his heirs, successors and assigns that she, the said Grantor, her heirs all and singular, the hereditaments and premises herein above described and granted or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, his heirs, successors and assigns against her the said Grantor, and her heirs and against all and every other person or 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 defend.



**IN WITNESS WHEREOF**, the said parties to these presents have hereunto set their hands and seals. Dated the day and year first above written.

*Carol Stevens*  
**CAROL STEVENS**

Commonwealth of Pennsylvania :  
: SS.  
County of Montgomery :

On this, the *3rd* day of *June*, 2013, before me the undersigned officer, personally appeared the above-named, **CAROL STEVENS, Widow**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that She executed the same for the purposes herein contained.

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

My Commission Expires:

*Donna J. Tholan*  
Notary Public

NOTARIAL SEAL  
DONNA J. THOLAN, NOTARY PUBLIC  
DOUGLASS TOWNSHIP, BERKS COUNTY  
MY COMMISSION EXPIRES JULY 5, 2013



# DEED

**CAROL STEVENS, Widow**

**TO**

**PAUL DESCH**

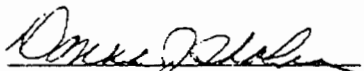
**PREMISES: 163 N. Charlotte Street  
Borough of Pottstown  
County of Montgomery, Pennsylvania**

**RECORD & RETURN TO:**

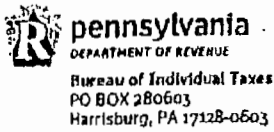
Nicolas F. Meter, Esquire  
Mauger & Meter  
240 King Street, P.O. Box 698  
Pottstown, PA 19464

The address of the above named  
Grantee is

163 N. Charlotte Street  
Pottstown, PA 19464

  
On Behalf of the Grantee





REALTY TRANSFER TAX STATEMENT OF VALUE

RECORDER'S USE ONLY

Table with recorder's use only fields: State Tax Paid, Book Number, Page Number, Date Recorded

See reverse for instructions.

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed.

A. CORRESPONDENT - All inquiries may be directed to the following person:

Name: Nicolas F. Meter, Mailing Address: P.O. Box 698, City: Pottstown, State: PA, ZIP Code: 19464

B. TRANSFER DATA

Grantor(s)/Lessor(s): Carol Stevens, Mailing Address: 163 N. Charlotte Street, City: Pottstown, State: PA, ZIP Code: 19464

C. Date of Acceptance of Document

Grantee(s)/Lessee(s): Paul Desch, Mailing Address: 248 Walnut Street, City: Pottstown, State: PA, ZIP Code: 19464

D. REAL ESTATE LOCATION

Street Address: 163 North Charlotte Street, City, Township, Borough: Pottstown Borough, County: Montgomery, School District: Pottstown, Tax Parcel Number: 16-00-03784-00-7

E. VALUATION DATA - WAS TRANSACTION PART OF AN ASSIGNMENT OR RELOCATION? [ ] Y [ ] N

Table with valuation data: 1. Actual Cash Consideration (0.00), 2. Other Consideration (+0.00), 3. Total Consideration (=0.00), 4. County Assessed Value (63,890.00), 5. Common Level Ratio Factor (x1.61), 6. Fair Market Value (=102,862.90)

F. EXEMPTION DATA

1a. Amount of Exemption Claimed (0), 1b. Percentage of Grantor's Interest in Real Estate (100%), 1c. Percentage of Grantor's Interest Conveyed (100%)

Check Appropriate Box Below for Exemption Claimed.

- Will or intestate succession, Transfer to a trust, Transfer from a trust, Transfer between principal and agent/straw party, Transfers to the commonwealth, Transfer from mortgagor to a holder of a mortgage in default, Corrective or confirmatory deed, Statutory corporate consolidation, merger or division, Other

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

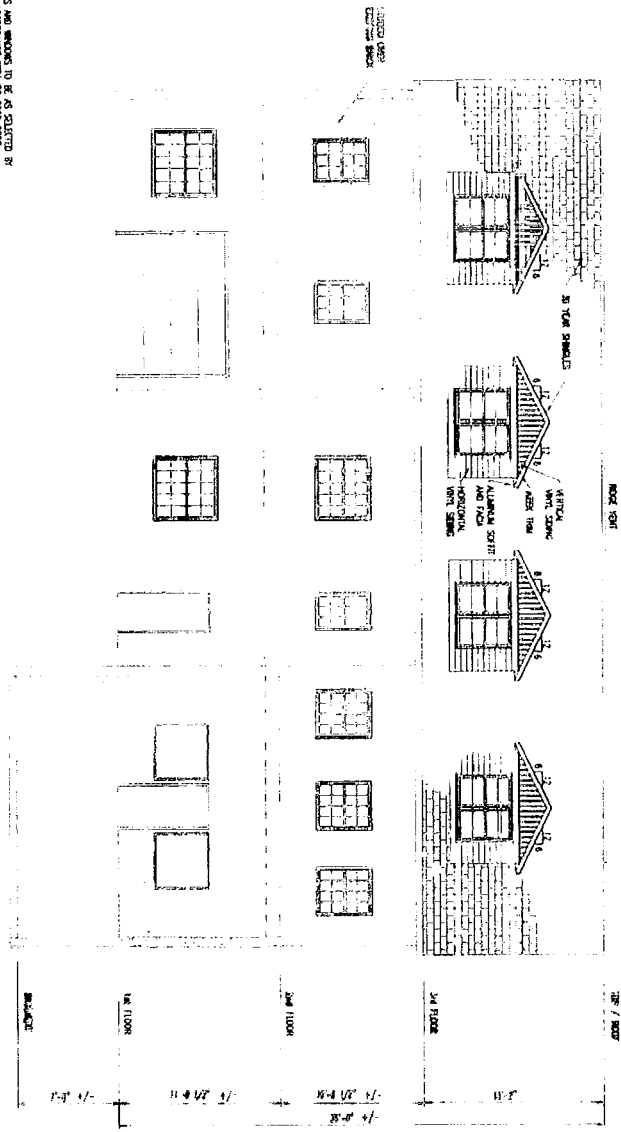
Signature of Correspondent or Responsible Party, Date: 6/12/13

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



NOTE:  
ALL DOORS AND WINDOWS TO BE AS SHOWN OR  
OTHER IN ACCORDANCE WITH THE 2008 CODE.

FRONT ELEVATION - CHARLOTTE STREET  
SCALE: 1/4" = 1'-0"



S-7

PROJECT TITLE:  
PAUL DESCH PROPERTY  
CHARLOTTE STREET WAREHOUSE  
PITTSBURGH, PA  
BUILDING REPAIRS & RENOVATIONS

DRAWING TITLE:  
FRONT ELEVATION - CHARLOTTE ST.

|               |                                       |
|---------------|---------------------------------------|
| SCALE:        | 1/4" = 1'-0"                          |
| DATE:         | 12/10/13                              |
| DRAWN BY:     | TLZ                                   |
| CHECKED BY:   | NO.1                                  |
| DESIGNED FOR: | INSULATED EXTERIOR INSULATION SYSTEMS |
| DATE:         | 12/24/13                              |
| BY:           | TLZ                                   |
| BY:           | CRJ                                   |

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THOMAS L. ZEKLER, P.E., INC.  
P.E. Registered Professional Engineer  
Pittsburgh, Pa. 15222  
(412) 667-2000  
www.thomazekler.com

Structural Engineering, Design and Drafting Services for Industry, Business, Home

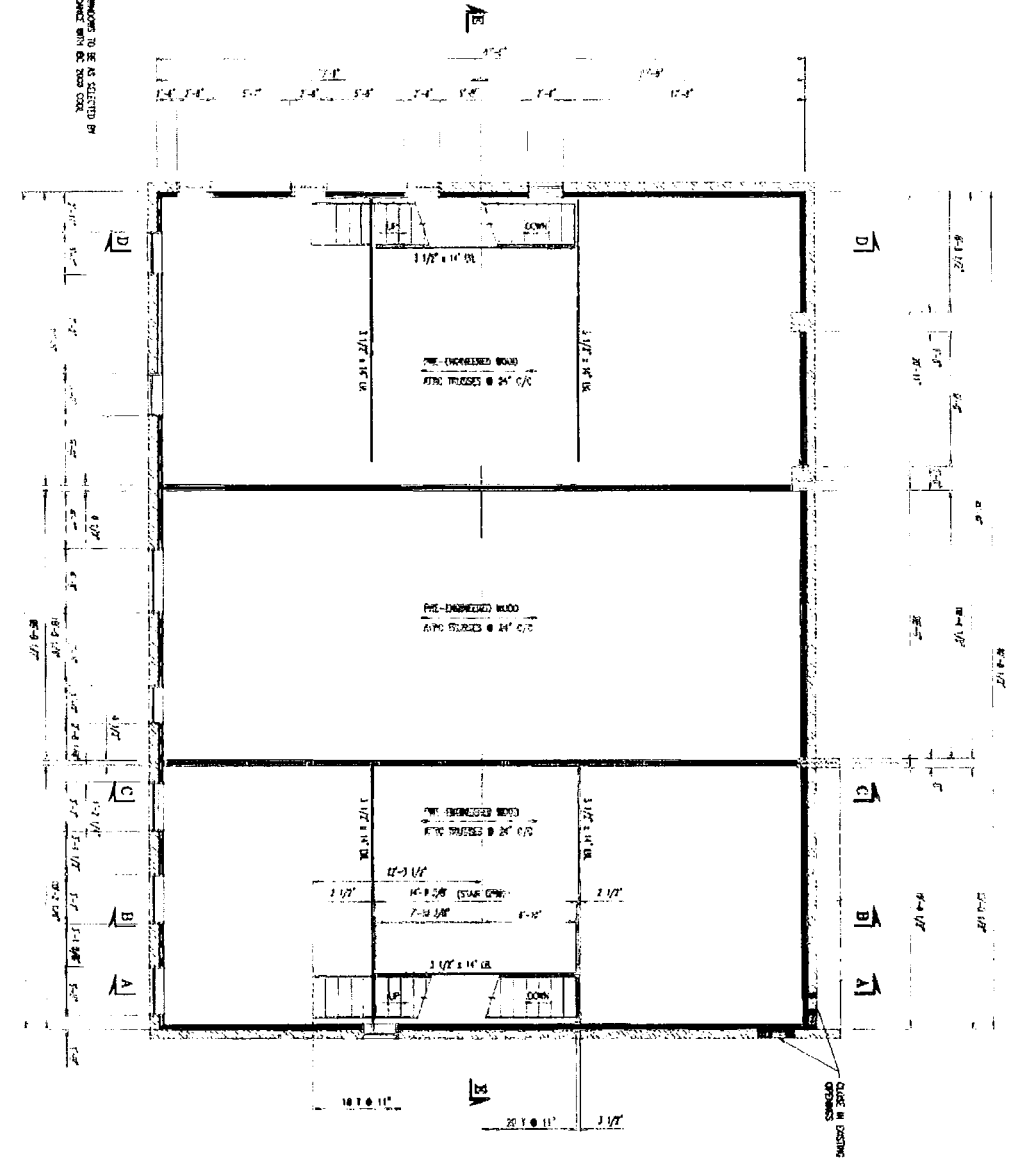
SEALED

SCALE: 1/4" = 1'-0"





ALL WORK AND MATERIALS TO BE AS SHOWN BY OWNER IN ACCORDANCE WITH ALL CODES.



2ND FLOOR PLAN - NEW WORK  
SCALE 1/4" = 1'-0"

S-4

PROJECT TITLE:  
PAUL DESCH PROPERTY  
CHARLOTTE STREET WAREHOUSE  
POTTSTOWN, PA  
BUILDING REPAIRS & RENOVATIONS

DRAWING TITLE:  
2nd FLOOR PLAN - NEW WORK

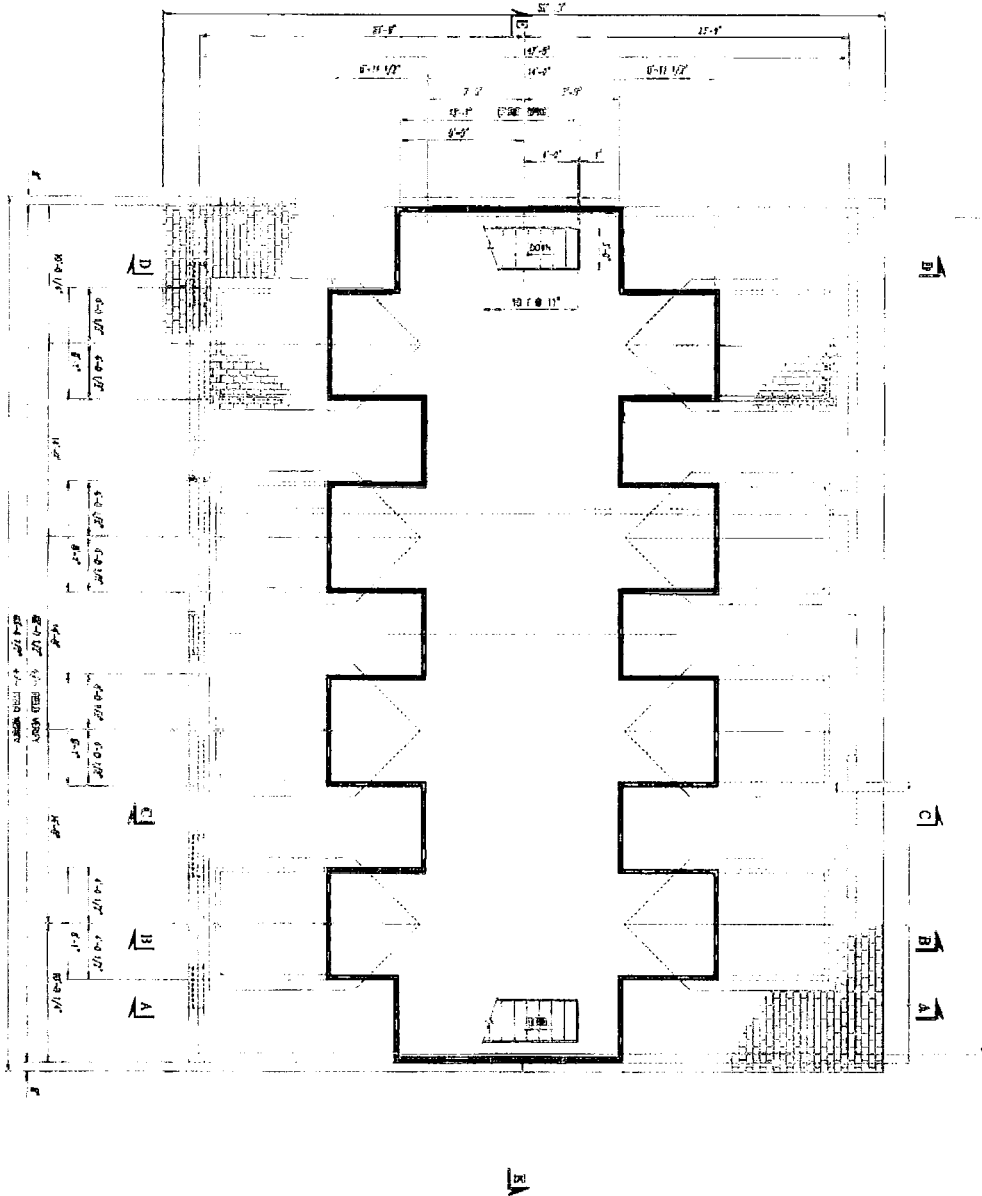
|                        |                     |                   |                          |          |     |
|------------------------|---------------------|-------------------|--------------------------|----------|-----|
| SCALE:<br>1/4" = 1'-0" | DATE:<br>12/10/15   | DESIGN BY:<br>TLZ | ISSUED FOR (HARD REVIEW) | 12/26/15 | TLZ |
| DATE:<br>12/10/15      | DESIGNED BY:<br>TLZ | CHECKED BY:       | DATE:                    | BY:      | CSB |
| REVISIONS              |                     |                   |                          |          |     |

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THOMAS L. ZINKLER, P.E., INC.  
Professional Engineering, Surveying and Mapping Services For Industry, Business, Marine

SCALE

3RD FLOOR PLAN  
SCALE: 1/4" = 1'-0"



|     |  |                        |                               |   |   |   |
|-----|--|------------------------|-------------------------------|---|---|---|
| S-5 | PROJECT TITLE:<br>PAUL DESCH PROPERTY<br>CHARLOTTE STREET WAREHOUSE<br>POTTSTOWN, PA<br>BUILDING REPAIRS & RENOVATIONS | SCALE:<br>1/4" = 1'-0" |                               |   | THOMAS L. ZICKLER, P.E., INC.<br>278 Southwood Drive<br>Pottstown, PA 19368<br>(610) 486-1100<br>Fax: (610) 486-1101<br>www.thomaszickler.com | SEAL  |
|     | DRAWING TITLE:<br>3rd FLOOR PLAN   | DATE:<br>12/10/15      | ISSUED FOR: <u>WHS REPAIR</u> | DATE: <u>11/20/15</u>                       |   | Structural Engineering, Sealer<br>and Drafting Services For<br>Industry, Business, Home |
|     |  | DRAWN BY:<br>T.L.Z.    | CHECKED BY:<br>T.L.Z.         | REVISIONS<br>NO. DESCRIPTION DATE BY C.O.D. |   |   |

## Attachment 4 – Additional Adult Day Care requirements

### **SECTION A319. Special Exceptions.** (Amended by Ord. 2136, 5/11/2015; and by Ord. 2138, 6/8/2015)

The following uses shall be permitted by the Zoning Hearing Board as special exceptions where an applicant shall meet or exceed the following regulations and criteria:

- A. An adult day care shall register and maintain at all times with the Code Enforcement Officer accurate information regarding its location, together with the general type of services provided, maximum number of residents, and identity and contact information for any sponsoring government agency.
- B. All floors above grade shall have a direct means of escape to ground level.
- C. No bedroom shall be occupied by more than two persons.
- D. An adult day care shall be adequately supervised by a staff qualified by the sponsoring government agency on a twenty-four-hour-per-day basis.
- E. Any employee or staff meeting shall be limited to a maximum of three persons per day.
- F. An adult day care shall maintain at all times any and all required federal, state, and local licenses and certifications.
- G. An adult day care shall comply with all other Borough Ordinances.
- H. An adult day care home shall maintain all approved systems for sewage disposal and water supply.
- I. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
- J. No sign shall identify the use.
- K. No kitchen facilities shall be located in any bedroom.
- L. An adult day care must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare; and maintain the appearance of a single-family home compatible with the surrounding neighborhood.
- M. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

Pottstown Living in Faith Together, LL  
934 E. High Street  
Pottstown, PA 19464

DATE February 9, 2022

PAY TO THE ORDER OF

Borough of Pottstown

\$ 1,500 <sup>00</sup>/<sub>100</sub>

One Thousand - Five Hundred Dollars Even

DOLLARS

Key Bank

George C. Bell  
Robert Rettinger

FOR

Zoning Application



George C. Bell

Details on this check

**ADULT DAY-CARE CENTER**

Any dwelling, building, or portion thereof which provides for supervised care to persons who a) are not family, b) are primarily over age 60, and c) need daily assistance because of their physical health, Alzheimer's disease, developmental handicap, and/or physical handicap. This use may involve occasional overnight stays of less than a total of 60 hours per week per person. This use shall not include persons who need oversight because of behavior that is criminal or violent.

[Added by Ord. 2136, 5/11/2015]

*Borough of Pottstown, PA  
Tuesday, February 15, 2022*

## Chapter 27. Zoning

### PART 3. DISTRICTS

#### § 319. Traditional Town Neighborhood (Conservation).

[Ord. 1968, 9/8/2003, § 319; as amended by Ord. 2042, 8/13/2007]

1. Intent: To preserve and enhance historic neighborhoods that are predominantly residential, but also have a small number of stores and offices mixed in with the housing.

2. Permitted Uses.

Dwelling – apartment/condominium (minimum 2,400 sf on ground floor)

Dwelling – single-family detached

Dwelling – single-family semidetached

Municipal parks, playgrounds, and other such municipal buildings and uses deemed appropriate and necessary by the Borough Council.

[Added by Ord. 2110, 5/13/2013]

3. Conditional Uses (See Conditional Uses — Sections 400-401).

Cemetery

Church

Child care facility

Dwelling – single-family attached

Massage therapy center

[Added by Ord. No. 2183, 4/8/2019]

School

Social club

Utility company operational facility

Uses of the same general character as those listed in this chart, with the same or lesser impact on the community as determined by Borough Council

4. Accessory Uses.

Garage – private

Greenhouse

Home occupation

Municipal or civic accessory use/structure

[Added by Ord. 2067, 12/14/2009, § 4]

Outdoor dining area (by conditional use)

[Added by Ord. No. 2187, 7/8/2019]

- Parking lot
- Solar energy equipment  
[Added by Ord. 2064, 7/13/2009, § 3]
- Storage shed (maximum 120 square feet)
- Swimming pool

5. Existing Building Conditional Uses (See Section 402).

Any existing nonresidential building:

Office (except client-based social service provider)

Office (except client-based social service provider) on first floor, and dwelling – apartment/condominium on upper floors

Any existing nonresidential building with a minimum of 1,500 square feet on the ground floor of the principal building:

Direct retail direct service restaurant – nonalcoholic

Any existing nonresidential building consisting of two or more stories with a minimum of 2,500 square feet (existing on the date of enactment of this amendment) on the ground floor of the principal building:

[Amended by Ord. 2085, 9/12/2011]

Apartment/condominium

Any existing dwelling – apartment/condominium building:

Office (except client-based social service provider), solely, or with apartment/condominium on upper floors

6. Special Exceptions (see Section A319).

[Amended by Ord. 2136, 5/11/2015; and by Ord. 2138, 6/8/2015]

Adult day care

Bed-and-breakfast/tourist home

Boarding home

Group home

Personal care home

## POTTSTOWN CODE

ing Board in interpreting the zoning map or deciding any appeal shall abide by the following standards:

- A. The zoning district boundary lines are intended to follow lot lines or be parallel or perpendicular thereto, or to be along the centerlines of alleys, streets, rights-of-way or water courses unless such boundary lines are fixed by dimensions as shown on the zoning map.
- B. Where zoning district boundary lines are so indicated that they approximately follow lot lines such lot lines shall be construed to be such boundary lines.
- C. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary line, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.
- D. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of the zoning district boundary line, the boundary line shall be determined in a reasonable manner considering the history of uses of property and the history of zoning ordinances and amendments in the Borough of Pottstown as well as all other relevant facts.
- E. The floodplain and airport districts are overlay districts, the maps of which are available for inspection in the office of the Zoning Officer.

### **SECTIONS A302 through A318.**

No additional regulations

### **SECTION A319. Special Exceptions. [Amended by Ord. 2136, 5/11/2015; and by Ord. 2138, 6/8/2015]**

The following uses shall be permitted by the Zoning Hearing Board as special exceptions where an applicant shall meet or exceed the following regulations and criteria:

1. Adult Day Care
  - A. An adult day care shall register and maintain at all times with the Code Enforcement Officer accurate information regarding its location, together with the general type of services provided, maximum number of residents, and identity and contact information for any sponsoring government agency.
  - B. All floors above grade shall have a direct means of escape to ground level.



ZONING

27 Appendix A3

**Borough of Pottstown**

**APPENDIX A3  
DISTRICTS**

**SECTION A300. Establishment of Districts.**

The Borough of Pottstown is divided hereby into zoning districts. The boundaries of said zoning districts are established hereby as shown on the map in the office of Pottstown's Zoning Officer and listed immediately below:

|                                 |     |                               |
|---------------------------------|-----|-------------------------------|
| Conservation (Overlay District) | NR  | Neighborhood Residential      |
|                                 | TTN | Traditional Town Neighborhood |
|                                 | D   | Downtown                      |
| Gateway<br>(Overlay District)   | NB  | Neighborhood Business         |
|                                 | DG  | Downtown Gateway              |
|                                 | GE  | Gateway East                  |
|                                 | GW  | Gateway West                  |
|                                 | P   | Park                          |
| Contemporary                    | FO  | Flex-Office                   |
|                                 | HB  | Highway Business              |
|                                 | HM  | Heavy Manufacturing           |
| Special Overlay District        |     | Floodplain                    |
|                                 |     | Airport                       |

**SECTION A301. Zoning Map.**

The official map on file in the Office of the Zoning Officer is declared hereby to be a part of this Article and shall be known and may be cited as the "Pottstown Borough Zoning Map."

**SECTION A301.1. Interpretation of the Zoning Map.**

1. Where, due to the scale, lack of detail or illegibility of the zoning map, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary, as shown thereon, the Zoning Officer shall make an interpretation of said map upon request of any person. Any person aggrieved by any such interpretation may appeal such interpretation to the Zoning Hearing Board. The Zoning Officer and the Zoning Hear-

## ZONING

- C. No bedroom shall be occupied by more than two persons.
  - D. An adult day care shall be adequately supervised by a staff qualified by the sponsoring government agency on a twenty-four-hour-per-day basis.
  - E. Any employee or staff meeting shall be limited to a maximum of three persons per day.
  - F. An adult day care shall maintain at all times any and all required federal, state, and local licenses and certifications.
  - G. An adult day care shall comply with all other Borough Ordinances.
  - H. An adult day care home shall maintain all approved systems for sewage disposal and water supply.
  - I. All off-street parking spaces shall be a minimum of five feet from the property line and screened from adjoining properties.
  - J. No sign shall identify the use.
  - K. No kitchen facilities shall be located in any bedroom.
  - L. An adult day care must be built, maintained, and operated so as to avoid potential or actual adverse influences and impacts upon surrounding properties and the general health, safety, and welfare; and maintain the appearance of a single-family home compatible with the surrounding neighborhood.
  - M. The applicant shall present a safety and security plan, and the Zoning Hearing Board, at its discretion, shall attach to any approval any other conditions ensuring appropriate security measures to protect the health, safety, and welfare of the staff, lodgers, and surrounding community.
2. Bed-and-Breakfast/Tourist Home
- A. Any building or structure used as a bed-and-breakfast/tourist home shall be no less than 2,000 square feet but no more than 3,500 square feet.
  - B. Rooms smaller than 150 square feet shall not be used for lodging guests.
  - C. All floors above grade shall have a direct means of escape to ground level.
  - D. No lodging room shall be occupied by more than two persons.