



BOROUGH OF CONSHOHOCKEN

ZONING HEARING BOARD

AGENDA

January 11th, 7:00 PM

This meeting is being held using a Go to Meeting platform and will be recorded.

The public is asked to please keep their phones on mute at all times. There will be time for public comment that will be announced by the Zoning Hearing Board Chairman. During the meeting, you may submit written comments by e-mailing them to Zoning@conshohockenpa.gov. Please provide your name, address and property reference.

1. Call to Order
2. Re-organization Meeting for Zoning Hearing Board
3. Appearance of Property

PETITIONER: Jarred Frey
PREMISES INVOLVED: 236 W. 6th Ave., Conshohocken, PA 19428
Borough Residential 1

PETITIONER: Steven Borkowski
PREMISES INVOLVED: 209 E. 12th Ave., Conshohocken, PA 19428
Borough Residential 1

PETITIONER: Seven Tower Bridge Development, LLC
PREMISES INVOLVED: 110 and 181 Washington St., Conshohocken, PA 19428
Specially Planned District 2

**** Persons who submitted an entry of appearance application for a specific property will be called upon at the appropriate time.

4. Public Comment – (state your name, address and property reference)
5. Announcements/Discussion
6. Adjournment

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING NOTICE

JANUARY 11th, 2021 ZONING HEARING BOARD MEETING TO OCCUR VIA REMOTE MEANS

ZONING HEARING Z-2020-19

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on January 11th, 2021 at 7:00 p.m. prevailing time via remote means. The public is encouraged to participate as set forth below.

This meeting will be held using a Go-To-Meeting Platform. To the extent possible, members of Conshohocken Zoning Hearing Board and Borough staff/professionals will participate via both video and audio. (INSTRUCTIONS ON SECOND PAGE)

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Jarred Frey
236 W. 6th Ave., Conshohocken, PA 19428

PREMISES INVOLVED: 236 W. 6th Ave., Conshohocken, PA 19428
Borough Residential 1

OWNER OF RECORD: Jarred Frey
236 W. 6th Ave., Conshohocken, PA 19428

The Petitioner is requesting variances from Borough Zoning Code Sections 27-811 and 27-1005.F to permit the construction of an accessory structure (garage) in excess of 350 square feet and 35% building coverage on the property.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING HEARING REMOTE SESSION ACCESS INSTRUCTIONS

The public is encouraged to participate as follows:

Audio Feed Participation: You may dial-in to access the audio feed of the meeting. All participants (whether listening or providing comments) must use this method of audio participation, even those using Go-To-Meeting to access the video feed. To access audio, please use the below number and access code/ password information.

We ask that you please always keep your phones on mute, unless giving a public comment as set forth in the Public Comment section below.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/972846509>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 972-846-509

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/972846509>

If you have already downloaded the Go-To-Meeting application, the link will redirect you to the application itself. Please follow the instructions.

It is recommended that you download the application in advance of the meeting time. If you attempt to sign in prior to the start of the meeting, the Go-To-Meeting application will inform you that the meeting has not started. Please close the application and log back in at the time of the meeting (7:00 PM).

Public Comment: There will be a designated time on the agenda for public comment. Those with public comment shall state their name and address. Prior to the start of the meeting, you may submit written comments by e-mailing them to Bmyrsiades@conshohockenpa.gov. Similarly, during the meeting, you may submit written comments by e-mailing them to bmyrsiades@conshohockenpa.gov.

Public comments submitted in this manner will be read by a member of Borough Administration during the public comment period. Because the actual time of the public comment period is determined by the pace of the meeting, please submit all comments as soon as possible, whether before or during the meeting. Written comments shall include the submitting person's name, address, and property in question.

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.



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Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

The Borough of Conshohocken Zoning Hearing Board Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z-2020-19.

Applicant: Jarred Frey - 236 W. 6th Ave.

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than January 6th, 2021)

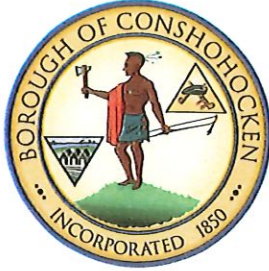
MAIL:

Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St. - Suite 200
Conshohocken, PA 19428

E-MAIL:

zoning@conshohockenpa.gov

RECEIVED



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: _____
Date Submitted: _____
Date Received: _____

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

27-811 accessory structures and 27-1005.F *

** Application amended on 12/22/2020 to request variance from 27-1005.F*

3. Address of the property, which is the subject of the application:

236 W 6th Ave Conshohocken PA

4. Applicant's Name: Jarred Frey

Address: 236 W 6th Ave

Phone Number (daytime): 717 579 8964

E-mail Address: jarred.w.frey@gmail.com

5. Applicant is (check one): Legal Owner ; Equitable Owner ; Tenant .

6. Property Owner: same as applicant

Address: _____

Phone Number: _____

E-mail Address: _____

7. Lot Dimensions: 50' x 140' Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Home residence w/ 1600 sqft single family rancher w/ a 12'x12'
shed and a 17'x20' carport

10. Please describe the proposed use of the property.

removal of shed w/ conversion of carport to enclosed garage w/ electric

11. Please describe proposal and improvements to the property in detail.

removal of 12x12 shed and removal of walls and roof of carport
expand footprint of carport to 20'x28'
erect detached garage 20x28x15 w/ electric

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

Squr footage of old shed + carport combined, is close to that of proposed garage. Additionally a large number of surrounding homes have similar or larger detached garages. Lastly the proposed garage is well within impervious and building coverage requirements

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: 140x50 lot requesting carport conversion to garage

b. How the Zoning Ordinance unreasonably restricts development of the property: Accessory structure on a 140x50' lot should be larger than 350sqft

c. How the proposal is consistent with the character of the surrounding neighborhood. many surrounding homes have similar or larger detached garages

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

to meet the sqft + storage of current structures in addition to providing safe + secure parking

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

c. Please describe in detail the reasons why the requested relief should be granted.

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: _____


b. Address: _____

c. Phone Number: _____

d. E-mail Address: _____

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.


Applicant


Legal Owner
11/18/20

Date

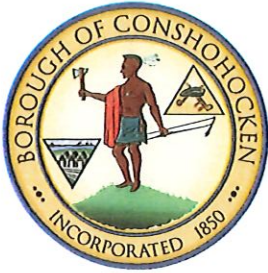
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 18th day of November, 2020.


Notary Public

(Seal)
Commonwealth of Pennsylvania - Notary Seal
DOROTHY MAE HODGES, Notary Public
Montgomery County
My Commission Expires August 9, 2024
Commission Number 1300093



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

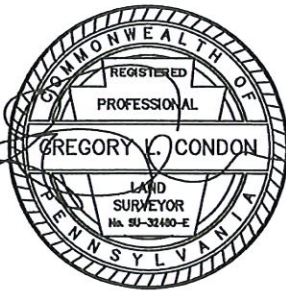
MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



EXISTING DWELLING AREA= 1,838 SQ. FT.

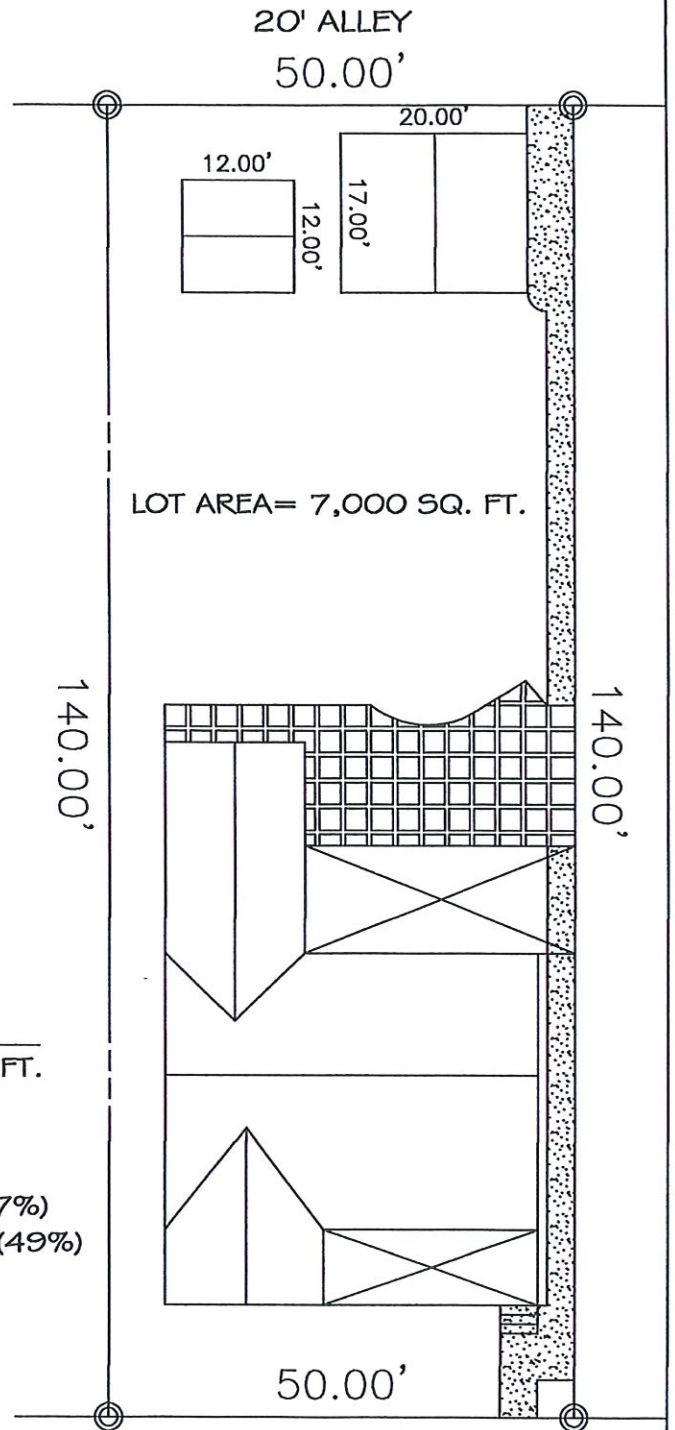
PROPOSED GARAGE AREA=616 SQ.FT.

TOTAL PROPOSED BUILDING AREA= 2,454 SQ. FT.

(PERCENT OF BUILDING COVERAGE= 35%)

EXISTING IMPERVIOUS AREA= 3,313 SQ. FT (47%)

PROPOSED IMPERVIOUS AREA= 3,445 SQ. FT (49%)



W. 6th AVENUE
BUILDING PERMIT PLAN

FOR LOT LOCATED AT

236 W. SIXTH AVENUE

CONSHOHOCKEN BOROUGH , MONTGOMERY COUNTY, PA

SCALE 1' = 20'

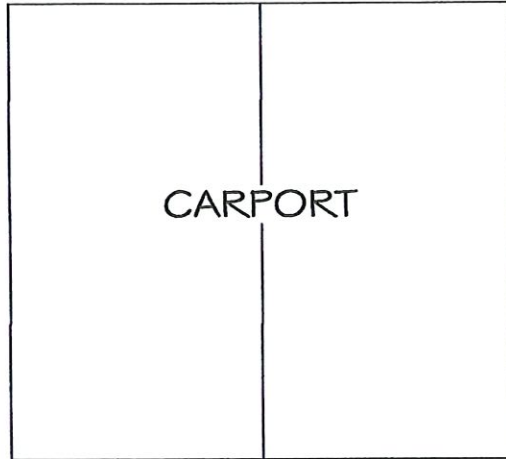
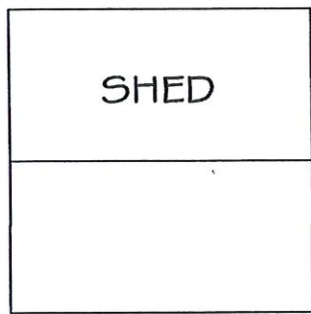
NOVEMBER 9, 2020

BISCON
AERO

60 MAPLEWOOD DR. SUITE A
ETTERS, PA 17319
(717)938-3591

20' ALLEY

50.00'



EXISTING GARAGE AREA DETAIL



BISCON
AERO

60 MAPLEWOOD DR. SUITE A
ETTERS, PA 17319
(717)938-3591

CONSHOHOCKEN BOROUGH , MONTGOMERY COUNTY, PA
NO SCALE NOVEMBER 9, 2020

20' ALLEY

50.00'

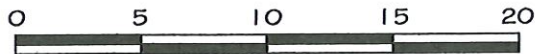
28'

PROPOSED GARAGE

22'

616 Sq. Feet

PROPOSED GARAGE

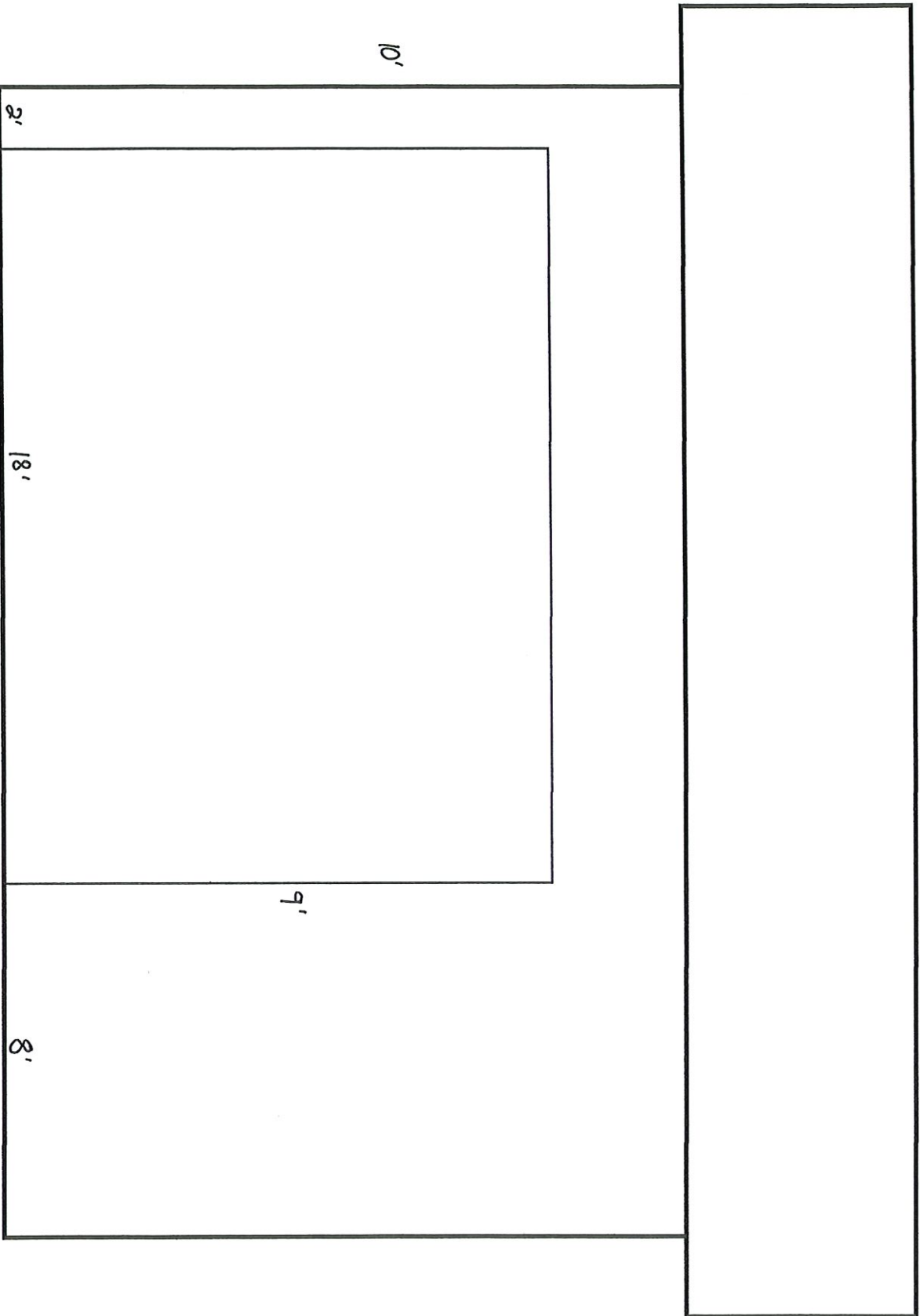


BISCON
AERO

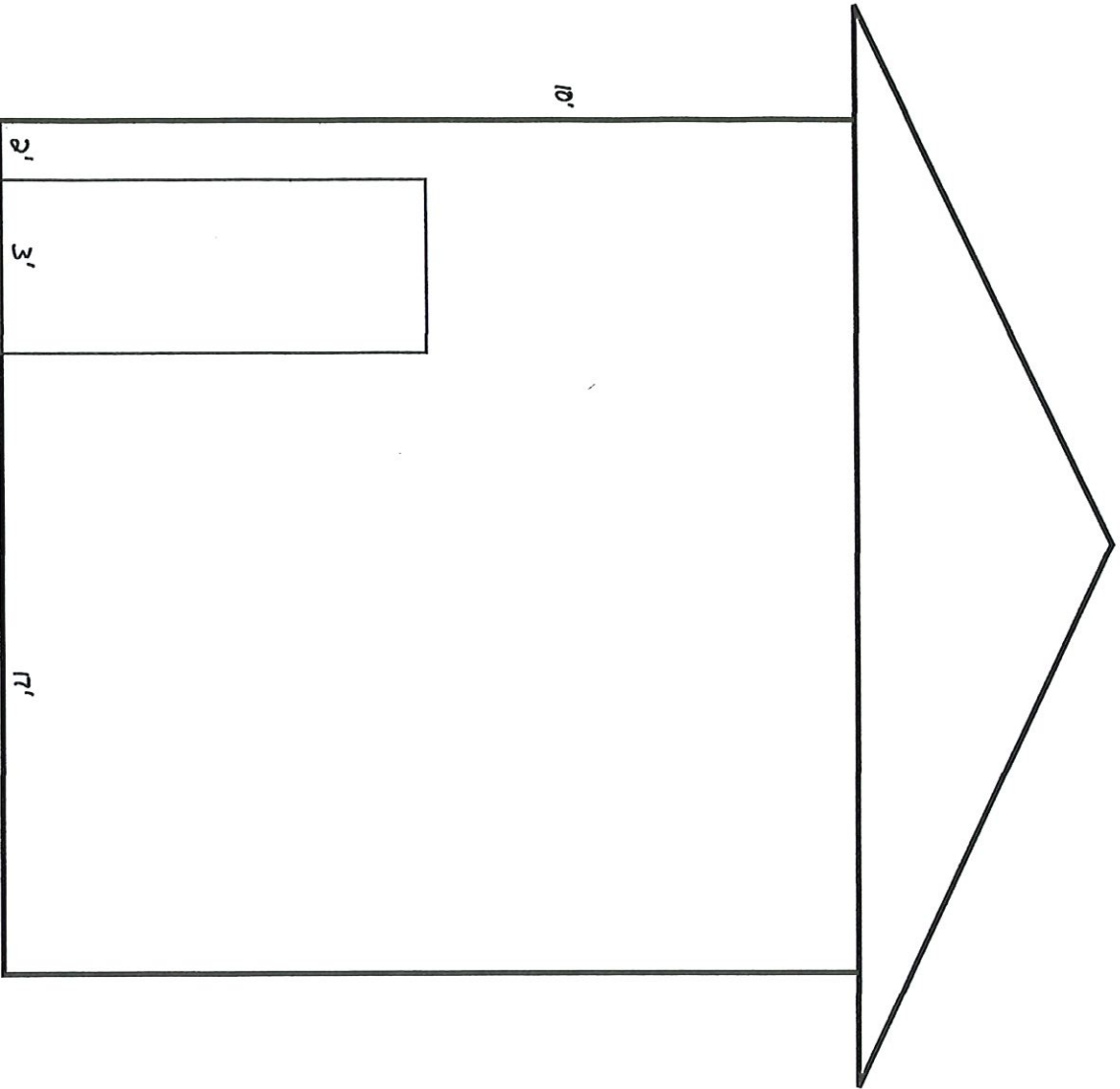
60 MAPLEWOOD DR. SUITE A
ETTERS, PA 17319
(717)938-3591

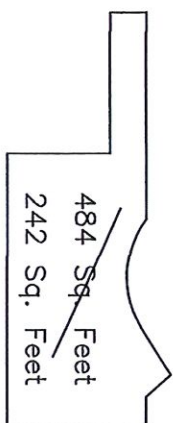
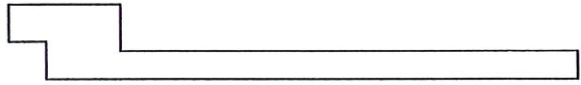
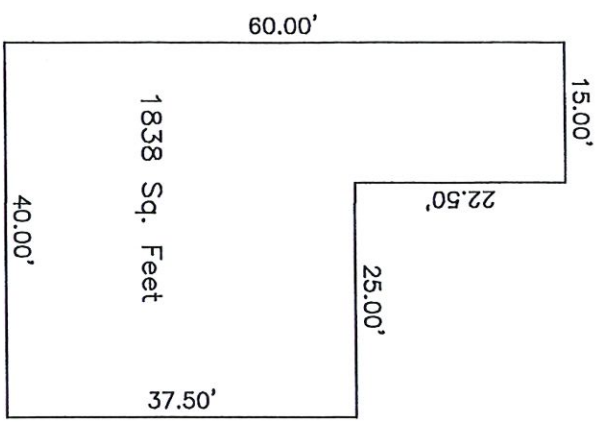
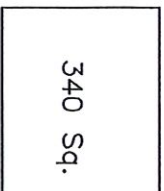
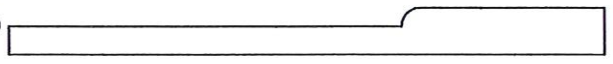
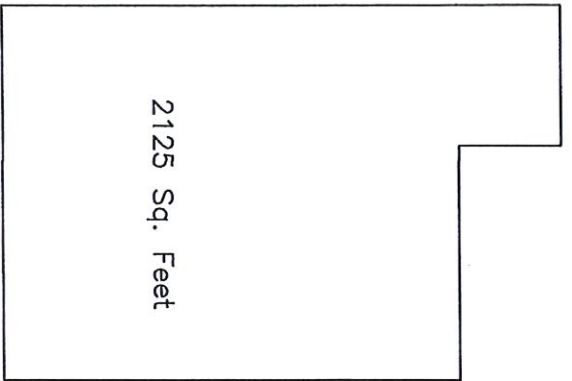
CONSHOHOCKEN BOROUGH , MONTGOMERY COUNTY, PA
NO SCALE NOVEMBER 9, 2020

Alley View



Profile Man Door View





Prepared by: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

Return to: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

File No. AAF7777
Parcel ID No. 05-00-08760-00-1

This Indenture, made the 21st day of September, 2015,

Between

IAN TUMMINIA

(hereinafter called the Grantor), of the one part, and

JARRED W. FREY

(hereinafter called the Grantee), of the other part,

Witnesseth, that the said Grantor for and in consideration of the sum of **Three Hundred Forty-Two Thousand And 00/100 Dollars (\$342,000.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

ALL THAT CERTAIN lot or piece of land situate in Conshohocken Borough, County of Montgomery, Commonwealth of Pennsylvania, bounded and described as follows, viz:

BEGINNING at a stake on the Northeasterly side of Sixth Avenue, at the distance of sixty feet southeasterly from the southeast side of Wood Street, a corner of this and land about to be conveyed unto James Williams and Mary, his wife: thence north easterly, parallel with Wood Street one hundred and forty feet to the southwesterly side of an alley twenty feet wide; thence along said side of said alley southeasterly fifty feet to a point stake; thence southwesterly parallel with Wood Street one hundred and forty

feet to Sixth Avenue aforesaid and along the said side thereof Northwesterly fifty feet to the place of beginning.

BEING the same premises which Barbara J. Travaline, by Deed dated July 27, 2010, and recorded August 9, 2010, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 5776, Page 287, granted and conveyed unto Ian Tumminia, in fee.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, the said grantor, 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 above, with the 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 and assigns, to and for the only proper use and behoof of the said Grantee, his heirs and assigns, forever.

And the said Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, his heirs and assigns, that he, the said Grantor, and his heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his heirs and assigns, against him, the said Grantor, and his heirs, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, it, or any of them, shall and will

Warrant and Foreber Defend.

In Witness Whereof, the party of the first part has hereunto set his hand and seal. Dated the day and year first above written.

Sealed and Delibered
IN THE PRESENCE OF US:



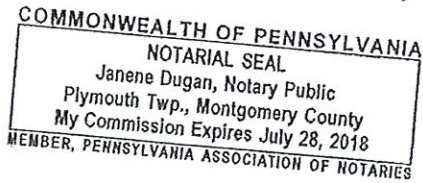
{SEAL}

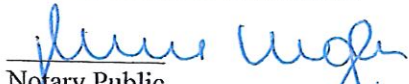
Ian Tumminia

Commonwealth of Pennsylvania } ss
County of Montgomery }

On this the 21st day of September, 2015, before me, the undersigned Notary Public, personally appeared **Ian Tumminia**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

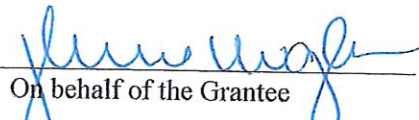
IN WITNESS WHEREOF, I hereunto set my hand and official seal.




Notary Public
My commission expires 6/28/18

The address of the above-named Grantee is:

236 W. 6th Avenue, Conshohocken, PA 19428


On behalf of the Grantee

Re: 236 W 6th Ave - Zoning Application

Jarred W Frey <jarredwfrey@gmail.com>

Tue 12/22/2020 11:37 AM

To: Zoning <Zoning@conshohockenpa.gov>

Cc: Bobbi Jo Myrsiades <bmyrsiades@conshohockenpa.gov>

Eric

Thanks again for the call and all the info. I would like to amend my application and **include an additional variance from the permitted building coverage (code section 27-1005.F) to permit the increase from 37.3% to 40.4%. This would be the equivalent of a garage of 22x32' and ver similar to that of multiple neighbors. Thanks again Eric, and if u think this will surely be denied please let me know what u think my best course of action would be. Have a great holiday season.**

Jarred Frey

On Dec 22, 2020, at 08:39, Zoning <Zoning@conshohockenpa.gov> wrote:

Hi Jarred,

I am prepping for a call at 9. I will give you a call after my meeting.

Eric Johnson, PE
Pennoni
Zoning Officer

Borough of Conshohocken
400 Fayette St. - Suite 200
Conshohocken, PA 19428
(484) 243-6073
zoning@conshohockenpa.gov
www.conshohockenpa.gov

From: Jarred W Frey <jarredwfrey@gmail.com>
Sent: Tuesday, December 22, 2020 8:29 AM
To: Zoning <Zoning@conshohockenpa.gov>
Cc: Bobbi Jo Myrsiades <bmyrsiades@conshohockenpa.gov>
Subject: Re: 236 W 6th Ave - Zoning Application

Eric

Thanks for the info. I just left u a vm. I'll do whatever needed to get this processed but I would def like to discuss as I'm not sure how this happened. The proposed garage was made 22x28 to meet the 35% rule. So if we are already over 35% and applying for a variance I can change the size, correct? Thanks for ur help.

Jarred

On Dec 21, 2020, at 14:10, Zoning <Zoning@conshohockenpa.gov> wrote:

Hello Jarred,

I have reviewed your zoning application and determined that in addition to the requested variance for the size of the garage, you will also need to seek a variance for building coverage on the lot. Per the zoning code definition of building coverage, covered porches are considered part of the building. Therefore, the covered porch to the rear of the dwelling is part of the building coverage.

Existing building coverage:

- Main building: 2,125 SF (1838 SF + 287 SF covered porch) This building area is consistent with the area breakdown page included in the application.
- Carport: 340 SF
- Shed: 144 SF
- Total: 2,609 SF (37.3% of lot area)

Proposed building coverage:

- Main building: 2,125 SF
- garage: 616 SF
- Total: 2,741 SF (39.2%) - Net increase 132 SF.

Since the building coverage is over the maximum permitted 35%, any increase will require a variance.

If you reply back to me acknowledging that you would like to amend the application to include variance from the permitted building coverage (code section 27-1005.F) to permit the increase from 37.3% to 39.2%, I will process all the paperwork and we will be set for the hearing.

Thank you,

Eric Johnson, PE
Pennoni
Zoning Officer

Borough of Conshohocken

400 Fayette St. - Suite 200
Conshohocken, PA 19428
(484) 243-6073
zoning@conshohockenpa.gov
www.conshohockenpa.gov



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MAYOR
Yaniv Aronson

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Karen Tutino, Member

MEMORANDUM

Stephanie Cecco
Borough Manager

Date: December 29, 2020
To: Stephanie Cecco, Brittany Rogers
From: Eric P. Johnson, PE
Re: 236 W. 6th Ave – Jarred Frey
Zoning Determination

History of the Site:

236 West 6th Ave is a 7,000 square-foot (SF) lot located in the Borough Residential 1 (BR-1) Zoning District. The property is developed with a single-family residential dwelling with a covered porch on the front and the rear of the dwelling, patio, shed, and a 340 SF carport accessed from the rear alley. The existing building coverage on the lot, comprised of the dwelling, covered porches, shed, and carport is 37.3%.

Current Request:

The applicant is proposing to demolish the existing shed and carport roof structure, expand the existing carport foundation, and construct a new 22'x32' (704 SF) garage. The proposed garage will require zoning relief from the maximum permitted accessory structure size and maximum permitted building coverage on the property.

Please note, the applicant's original Zoning Hearing Board application only requested relief from the maximum permitted accessory structure size to construct a 22'x28' (616 SF) garage and the applicant believed the proposal complied with the maximum permitted building coverage. However, in reviewing the application, a determination was made that the proposed garage would also need relief from the maximum permitted building coverage on the property. The applicant amended the application to request a variance from the maximum building coverage on the property and noted that since he is already required to seek the additional relief, he has increased the size of the proposed garage to 704 SF.

Zoning Determination:

Section 27-811.C limits the size of an accessory structure to 350 SF. The proposed garage is 704 SF; therefore, a variance is required.

Section 27-811.B requires an accessory structure to be setback a minimum of 3 feet from the side lot line and 5 feet from the edge of the alley cartway. If permitted, the proposed garage should meet the minimum setback requirements.

Section 27-1005.F limits the maximum permitted building coverage on a lot to 35%. The existing building coverage on the lot is non-conforming at 37.3% and the proposed garage would increase the coverage to 40.4%, requiring a variance.



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Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING NOTICE

JANUARY 11th, 2021 ZONING HEARING BOARD MEETING TO OCCUR VIA REMOTE MEANS

ZONING HEARING Z-2020-18

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on January 11th, 2021 at 7:00 p.m. prevailing time via remote means. The public is encouraged to participate as set forth below.

This meeting will be held using a Go-To-Meeting Platform. To the extent possible, members of Conshohocken Zoning Hearing Board and Borough staff/professionals will participate via both video and audio. (INSTRUCTIONS ON SECOND PAGE)

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Steven Borkowski
209 E. 12th Ave., Conshohocken, PA 19428

PREMISES INVOLVED: 209 E. 12th Ave., Conshohocken, PA 19428
Borough Residential 1

OWNER OF RECORD: Steven Borkowski
209 E. 12th Ave., Conshohocken, PA 19428

The Petitioner is requesting a variance from the Borough Zoning Code Section 27-809 to permit a fence within the front yard of the property.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING HEARING REMOTE SESSION ACCESS INSTRUCTIONS

The public is encouraged to participate as follows:

Audio Feed Participation: You may dial-in to access the audio feed of the meeting. All participants (whether listening or providing comments) must use this method of audio participation, even those using Go-To-Meeting to access the video feed. To access audio, please use the below number and access code/ password information.

We ask that you please always keep your phones on mute, unless giving a public comment as set forth in the Public Comment section below.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/972846509>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 972-846-509

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/972846509>

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Public Comment: There will be a designated time on the agenda for public comment. Those with public comment shall state their name and address. Prior to the start of the meeting, you may submit written comments by e-mailing them to Bmyrsiades@conshohockenpa.gov. Similarly, during the meeting, you may submit written comments by e-mailing them to bmyrsiades@conshohockenpa.gov.

Public comments submitted in this manner will be read by a member of Borough Administration during the public comment period. Because the actual time of the public comment period is determined by the pace of the meeting, please submit all comments as soon as possible, whether before or during the meeting. Written comments shall include the submitting person's name, address, and property in question.

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

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James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

The Borough of Conshohocken Zoning Hearing Board Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z-2020-18.

Applicant: Steven Borkowski - 209 E. 12th Ave.

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than January 6th, 2021)

MAIL:

Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St. - Suite 200
Conshohocken, PA 19428

E-MAIL:

zoning@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: _____
Date Submitted: _____
Date Received: _____

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

Section 27-809

3. Address of the property, which is the subject of the application:

209 East 12th Ave

4. Applicant's Name: Steven C Burkowski

Address: 209 East 12th Ave

Phone Number (daytime): 610 574-8299

E-mail Address: Steve@CaparoInsurance.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Steven C Burkowski

Address: 209 East 12th Ave

Phone Number: 610-574-8299

E-mail Address: Steve@CaparoInsurance.com

7. Lot Dimensions: 581sf/ Zoning District: BR-1

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Residential single family home

10. Please describe the proposed use of the property.

Residential single family home

11. Please describe proposal and improvements to the property in detail.

Install a fence in front of my house. The fence will be approx. 15' past the front door of my house.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

My neighbor does not have a problem with fence. The fence is the same type of fence he has. I would like to have the fence to keep my dog from getting into the street.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: HP

b. How the Zoning Ordinance unreasonably restricts development of the property:

I am not trying to develop the property, simply try to add a fence for aesthetics & for my dog.

c. How the proposal is consistent with the character of the surrounding neighborhood. My neighbor has a fence around his property.

I plan to install a matching fence.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

Borough Zoning Code Section 27.809

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

The zoning code permits me to build a wall in my front yard but can not install a fence. I feel as though a fence is better suited for the neighborhood. I don't want to build a wall but if that is my only option, I may be forced to.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

c. Please describe in detail the reasons why the requested relief should be granted.

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: _____

b. Address: _____

c. Phone Number: _____

d. E-mail Address: _____

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.


Applicant


Legal Owner

11/12/20
Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 12 day of November, 20 20


Notary Public

(Seal)

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Jane M. Santino-Rowe, Notary Public
Conshohocken Boro, Montgomery County
My Commission Expires July 28, 2021
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

September 14, 2020

Steven C. Borkowski
209 East 12th Avenue
Conshohocken, PA 19428

**Re: 209 East 12th Avenue
ZONING ENFORCEMENT NOTICE**

Conshohocken Borough is in receipt of your Building Permit Application #20-00875 for the construction of a fence at the referenced property. Per our email correspondence and as observed by the Borough inspector, the fence was installed within the front yard of the property without a permit. Per the Borough Zoning Code Section 27-809, a fence is not permitted between the front wall of a principal structure and the legal right-of-way of the street toward which the wall is oriented. Therefore, the fence located in front yard of the property constitutes a zoning violation.

Before **October 14, 2020**, you must correct the referenced zoning violation or seek a variance from the Zoning Hearing Board.

YOU HAVE THE RIGHT TO APPEAL TO THE ZONING HEARING BOARD WITHIN 30 DAYS OF RECEIPT OF THIS NOTICE.

YOUR FAILURE TO COMPLY WITH THIS NOTICE WITHIN THE TIME SPECIFIED UNLESS EXTENDED BY APPEAL TO THE ZONING HEARING BOARD CONSTITUTES A VIOLATION OF THE ZONING ORDINANCE WHICH MAY RESULT IN A JUDGEMENT AGAINST YOU OF \$500.00 PLUS ALL COURT COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE BOROUGH. EACH DAY THAT THE VIOLATION CONTINUES MAY CONSTITUTE A SEPARATE VIOLATION.

If you have any questions or concerns, please feel free to contact the undersigned at 484-243-6073 or zoning@conshohockenpa.gov.

Sincerely,

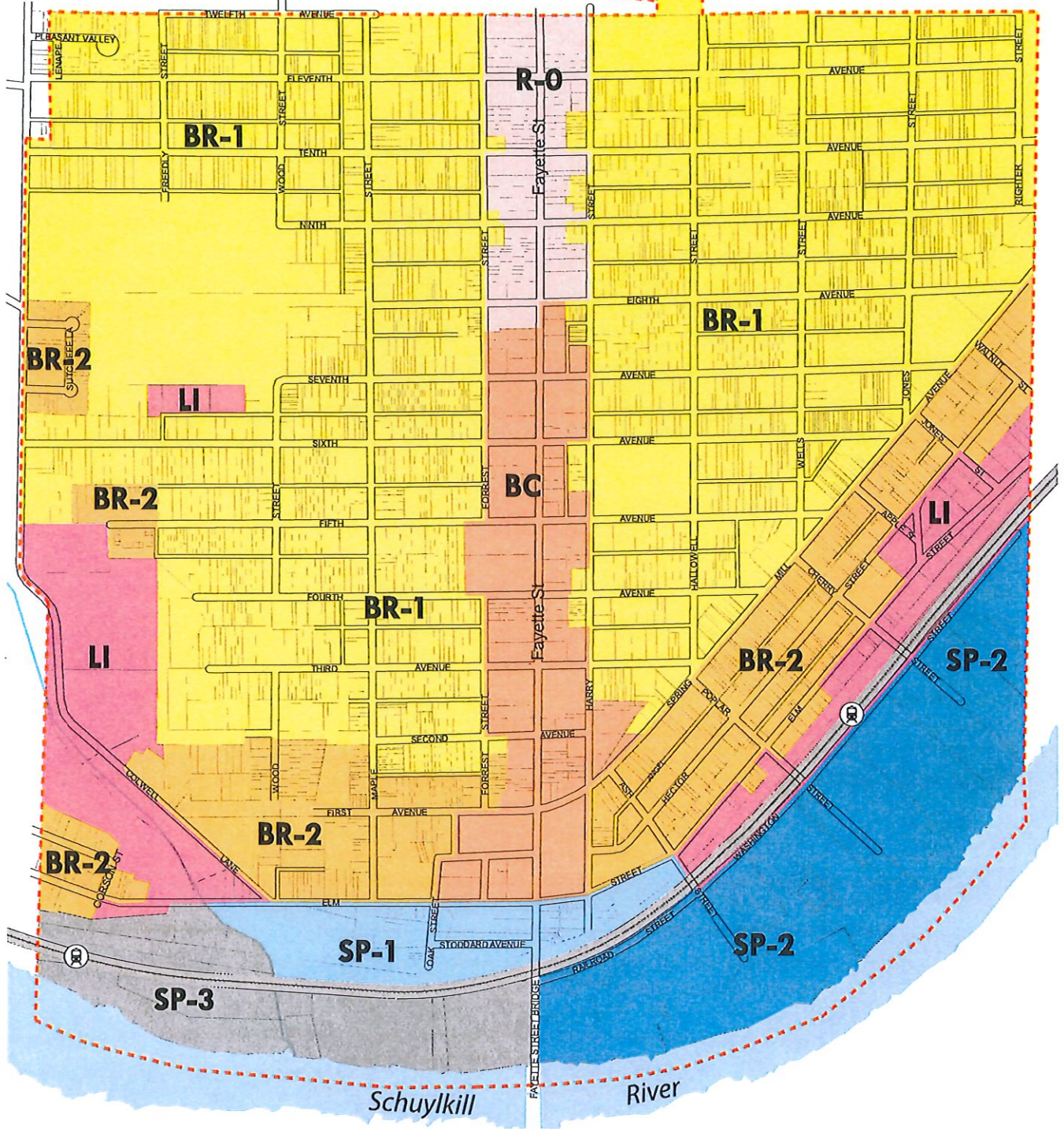
Eric P. Johnson, PE
Zoning Officer
PENNONI ASSOCIATES INC.

cc: Ray Sokolowski (via email) Michelle Summers (via email) Chris Small (via email)



Borough of Conshohocken Zoning Map

400 Fayette Street, Ste. 200
Conshohocken, PA 19428



Zoning

- | | | |
|--|---|--|
|  Residential Office |  Borough Residential 1 |  Specially Planned District 1 |
|  Borough Commercial |  Borough Residential 2 |  Specially Planned District 2 |
|  Light Industrial |  Age Qualified Housing |  Specially Planned District 3 |



0 350 700 Ft

Lot Information

Lot Size 5181 SF
 Lot #
 Remarks
 Remarks
 Remarks

Residential Card Summary

Card 1
 Land Use Code 1101
 Building Style BUNGALOW
 Number of Living Units 1
 Year Built 1956
 Year Remodeled 2020
 Exterior Wall Material ALUM/VINYL
 Number of Stories 1
 Square Feet of Living Area 1,044
 Total Rms/Bedrms/Baths/Half Baths 6/3/1/
 Basement FULL
 Finished Basement Living Area
 Rec Room Area
 Unfinished Area
 Wood Burning Fireplace
 Pre Fab Fireplace
 Heating CENTRAL
 System HOT WATER
 Fuel Type OIL
 Condo Level
 Condo/Townhouse Type
 Attached Garage Area
 Basement Garage No. of Cars 1

Permits

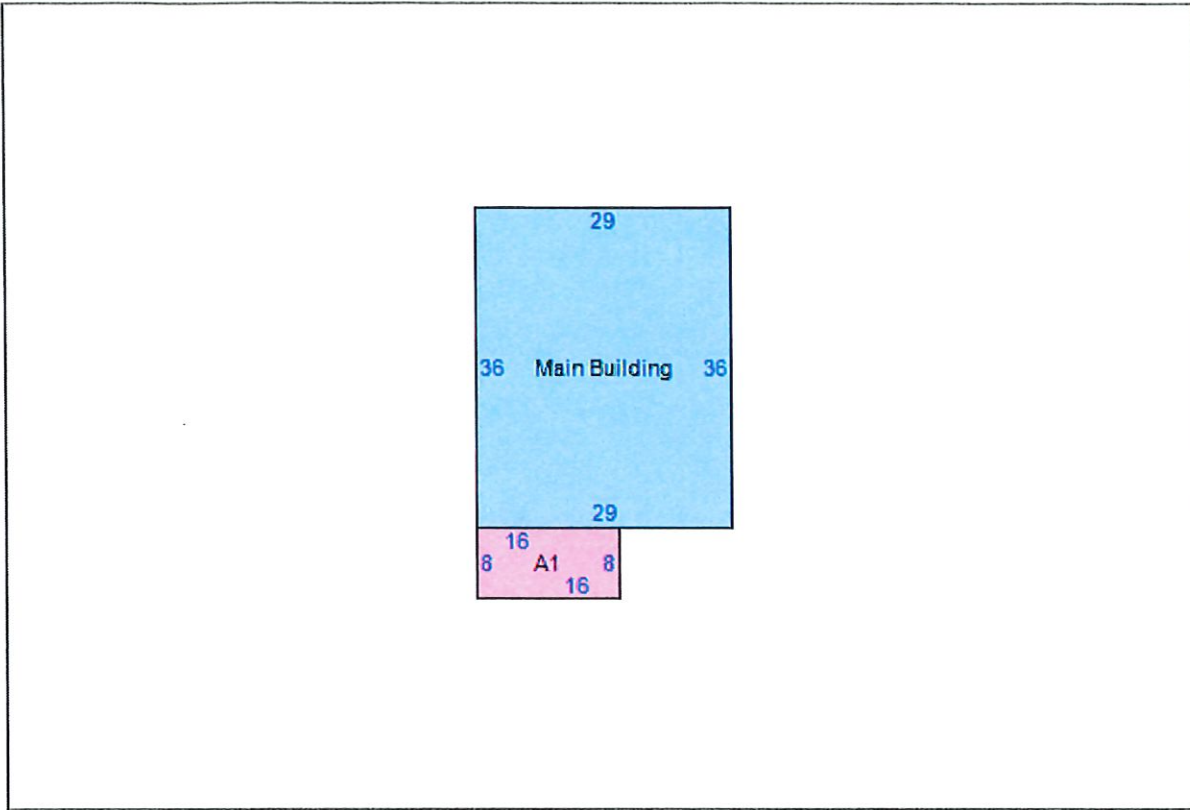
Permit Date 04-JUN-2020
 Permit Number 20-00429
 Amount
 Purpose RENOVATION/ALTERATIONS
 Notes RENOVATE RESIDENCE, UPDATE KITCHEN & BATHROOM
 Notes
 Notes
 Status CLOSED

Assessment History

Appraised Value	Assessed Value	Restrict Code	Effective Date	Reason	Notice Date
93,710	93,710			O	16-MAY-97
	93,710		01-JAN-98	REASSESSMENT	
	5,300		01-JAN-87		

PARID: 050011416009
BORKOWSKI STEVEN C

209 E TWELFTH AVE



Printed on Thursday, October 29, 2020, at 12:26:57 PM EST

- Profile
- Accessory Structures
- Assessment Breakdown
- Assessment History
- Commercial
- Lot
- Map**
- Permits
- Photos
- Residential
- Sales
- Sketch
- Splits and Combinations

PARID: 050011416009
 BORKOWSKI STEVEN C



Steve,

Please share with Borough, Zoning, Etc.

I am in favor of the fence in the front yard located at 209 E12th Ave. Conshohocken. It does not take away from the neighborhood and there is no negative impact.

I am the neighbor across the street.

Robert Ratoskey
1201 Hallowell Street
Conshohocken PA 19428

December 21, 2020

To Whomever It May Concern,

My name is Troy Gilchrist and I live at 225 E. 12th Avenue.

The purpose of this letter is to communicate my support for the fence at the front of the property for my neighbor Steve Borkowski at 211 E. 12th Ave, Conshohocken.

Based on the orientation of my house, we were able to install fencing on the 12th Avenue side of the street and keeping the fence line consistent through the two properties would cause no aesthetic issues.

Thank you,

A handwritten signature in black ink, appearing to read 'Troy', followed by a long horizontal flourish.

Troy Gilchrist



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

MEMORANDUM

Stephanie Cecco
Borough Manager

Date: December 29, 2020

To: Stephanie Cecco, Brittany Rogers

From: Eric P. Johnson, PE

Re: 209 E. 12th Ave – Steven Borkowski
Zoning Determination

History of the Site:

209 East 12th Ave is a 5,181 square-foot (SF) lot located in the Borough Residential 1 (BR-1) Zoning District. The property is developed with a single-family residential dwelling and driveway from the rear alley. In or around August 2020, the property owner installed a fence in the front yard of the property without the required permit from the Borough. The Borough Codes department notified the property owner that a permit was required for the installation of a fence and the application paperwork was filed with the Borough. On September 14, 2020 the permit was denied, and a Zoning Enforcement Notice issued to the property owner for a fence installed in the front yard of the property in violation of Section 27-809 of the Borough Zoning Code. Within the required timeframe, the applicant submitted a Zoning Hearing Board Application seeking a variance to allow the previously installed fence to remain.

The fence located in the front yard of 209 E 12th Ave is in line with the fence located on the abutting property, 225 E. 12th Ave, which was approved and permitted in 2017. The distinction between the fence located on 225 E. 12th Ave and 209 E 12th Ave is the orientation of the house on 225 E. 12th Ave faces the side lot line, thus effectively making the fence running along 12th Avenue a side yard fence. See the attached photos provided for clarification.

Current Request:

The applicant is seeking a variance from Section 27-809 to allow the previously installed fence in the front yard of the property to remain.

Zoning Determination:

Section 27-809 states that no fences are permitted within the yard between the front wall of a principal structure and the legal right-of-way of the street toward which the wall is oriented. The fence is located within the yard between the front wall of the house and the East 12th Avenue property frontage; therefore, a variance is required for the fence to remain.





BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

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James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING NOTICE

JANUARY 11th, 2021 ZONING HEARING BOARD MEETING TO OCCUR VIA REMOTE MEANS

ZONING HEARING Z-2020-20

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on January 11th, 2021 at 7:00 p.m. prevailing time via remote means. The public is encouraged to participate as set forth below.

This meeting will be held using a Go-To-Meeting Platform. To the extent possible, members of Conshohocken Zoning Hearing Board and Borough staff/professionals will participate via both video and audio. (INSTRUCTIONS ON SECOND PAGE)

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Seven Tower Bridge Development, LLC
110 Washington St., Conshohocken, PA 19428

PREMISES INVOLVED: 110 and 181 Washington St., Conshohocken, PA 19428
Specially Planned District 2 Zoning District

OWNER OF RECORD: Seven Tower Bridge Development, LLC /
Brandywine Realty Trust
110 and 181 Washington St., Conshohocken, PA 19428

The Petitioner is requesting variances from the Borough Zoning Code Sections 27-2109.5 and 27-2109.6 to permit the installation of a monument sign at the property entrance from Washington Ave.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

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Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/972846509>

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The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.



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Office of the Borough Manager

Zoning Administration

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James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

The Borough of Conshohocken Zoning Hearing Board Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z-2020-20.

Applicant: Seven Tower Bridge Development, LLC. - 110/181 Washington St.

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than January 6th, 2021)

MAIL:

Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St. - Suite 200
Conshohocken, PA 19428

E-MAIL:

zoning@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2000-20
Date Submitted: 12-21-2000
Date Received: 12-22-2000

1. Application is hereby made for:

Special Exception Variance

Appeal of the decision of the zoning officer

Conditional Use approval Interpretation of the Zoning Ordinance

Other _____

2. Section of the Zoning Ordinance from which relief is requested:

27-2109.5 and 27-2109.6

3. Address of the property, which is the subject of the application:

Six Tower Bridge Development, LLC
181 Washington Street, Conshohocken, PA

4. Applicant's Name: Seven Tower Bridge Development, LLC

Address: 110 Washington Street, Conshohocken, PA

Phone Number (daytime): 610-834-3185

E-mail Address: epulverflatt@otpcorp.com / ecastleman@otpcorp.com

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Seven Tower Bridge Development, LLC/Brandywine Realty Trust

Address: See above.

Phone Number: 610-834-3185

E-mail Address: epulverflatt@otpcorp.com / ecastleman@otpcorp.com

7. Lot Dimensions: 3.03 Acres Zoning District: SP-2

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

Please see addendum.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Please see addendum.

10. Please describe the proposed use of the property.

Please see addendum.

11. Please describe proposal and improvements to the property in detail.

Please see addendum.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

Please see addendum.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: Please see addendum.

b. How the Zoning Ordinance unreasonably restricts development of the property:

Please see addendum.

c. How the proposal is consistent with the character of the surrounding neighborhood. Please see addendum.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

Please see addendum.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

Not applicable.

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

Not applicable.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

Not applicable.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

Not applicable.

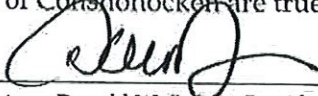
c. Please describe in detail the reasons why the requested relief should be granted.

Not applicable.

16. If the applicant is being represented by an attorney, please provide the following information.

- a. Attorney's Name: Ross Weiss, Esquire
Cozen O'Conner, 200 Four Falls Corporate Center, Suite 400
- b. Address: West Conshohocken, PA 19428
- c. Phone Number: 610-941-2361
- d. E-mail Address: rweiss@cozen.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.



Applicant Donald W. Pulver, President

Seven Tower Bridge Development, LLC

Legal Owner

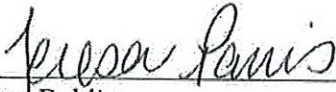
December 18, 2020

Date

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 18th day of December, 2020.



Notary Public

(Seal)

Commonwealth of Pennsylvania - Notary Seal
TERESA PARRIS, Notary Public
Montgomery County
My Commission Expires April 16, 2022
Commission Number 1282713



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



December 18, 2020

Ross Weiss

Direct Phone 610-941-2361
Direct Fax 877-295-6883
rweiss@cozen.com

VIA HAND DELIVERY AND EMAIL

Eric Johnson
Zoning Officer
Conshohocken Borough
400 Fayette Street, Suite 200
Conshohocken, PA 19428

Re: Application of Seven Tower Bridge Development, LLC ("Seven Tower Bridge") for Signage on the Property of Brandywine TB II, L.P. ("Six Tower Bridge") to the Borough of Conshohocken Zoning Hearing Board

Dear Eric:

Enclosed please find the following:

- A. Two checks made payable to the Borough of Conshohocken in the amount of \$500 and \$1,500, respectively, representing the filing fee and the escrow;
- B. An original of the Application to the Conshohocken Zoning Hearing Board with Addendum and the following Exhibits:
 - 1. Aerial Site plan.
 - 2. Deeds for Seven Tower Bridge and Six Tower Bridge.
 - 3. Six Tower Bridge Application Approval Letter (to be delivered prior to Zoning Hearing).
 - 4. Proposed signage plan.
 - 5. Prior Signage Zoning Decisions.

We are respectfully requesting placement on Borough Council's Wednesday, January 6, 2021 Agenda and on the Zoning Hearing Board's Monday, January 11, 2021 Agenda.

LEGAL497177131

Eric Johnson
December 18, 2020
Page 2

Please confirm that the Application is complete in an email or let me know if anything is missing.
Also, please confirm the above meeting dates.

Very truly yours,

COZEN O'CONNOR



By: Ross Weiss

RW/ngd
Enclosure

cc: Ellen Pulver Flatt
Elizabeth Castleman
Jeff Carson
Kevin Bergmaier
Jennifer Stark
Kevin McMahon
Olin Honore
Keleaf Johnson
William Connor
Michael Gahagen



www.brandywinerealty.com

555 East Lancaster Avenue | Radnor, PA 19087 | t 610-832-7700

December 18, 2020

Donald W. Pulver, President
Seven Tower Bridge Development, LLC
Two Tower Bridge
One Fayette Street, Suite 450
Conshohocken, PA 19428

Re: Application of Seven Tower Bridge Development, LLC for Signage on the
Property of Brandywine TB II, LP And Brandywine TB VI, LP ("Brandywine")

Dear Don:

I have reviewed the above application for Seven Tower Bridge Development, LLC to place a free-standing monument sign on our property. I am writing to confirm that Brandywine approves the placement of an approximate 7' x 7' sign at the location shown on the Exhibits to the Application. In addition, you are authorized to file the Application for Seven Tower Bridge Development, LLC as the Applicant on behalf of Brandywine as the Owner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff DeVuono', with a long horizontal line extending to the right.

Jeff DeVuono
Executive Vice President +
Senior Managing Director

ADDENDUM

APPLICATION OF SEVEN TOWER BRIDGE DEVELOPMENT, LLC ("SEVEN TOWER BRIDGE") FOR SIGNAGE ON THE PROPERTY OF BRANDYWINE TB II, L.P. (SIX TOWER BRIDGE)

BACKGROUND

Seven Tower Bridge is seeking variances for signage relief for its ten-story 260,000 square foot office building and parking garage (with 818 parking spaces) along the Schuylkill River and adjacent to the Fayette Street Bridge. Seven Tower proposes to place one (1) internally illuminated, double-faced freestanding monument sign with 49 sq. ft. of copy designed within a 7' tall structure on the property of Six Tower Bridge.

RELIEF REQUESTED

- A. Seven Tower Bridge and Six Tower Bridge are located in the SP-2 Zoning District. S27-2109 - Signs Permitted in the Specialty Plan Districts (SP-1, SP-2 and SP-3) in subsections 5 and 7 limit the size of signs for property (75 sq. ft. max. wall sign/36 sq. ft. max. freestanding sign), quantity (only 1 per property) and height (8' freestanding sign).
- B. The freestanding monument sign's placement identifies the access drive to the front of the Seven Tower Bridge building, its respective parking garage and tenants within the overall structure. This sign is 49 sq. ft. with a total height of 7 feet. We are seeking relief against quantity (1 sign per property), height (8' permitted) and exposure (36 max. sq. ft. permitted).
- C. The freestanding monument for Seven Tower Bridge will be on the property of Six Tower Bridge. A variance from section 21-2109.6 for an off-premises sign is also requested.
- D. Seven Tower Bridge received a variance in 2020 for temporary signage relief to allow for 988 sq. ft. of cumulative temporary banner exposure along the Fayette Street Bridge and the Eight Tower Bridge parking garage.
- E. On December 14, 2020, Seven Tower Bridge applied on behalf of "Hamilton Lane" for building signage, which was approved unanimously by the Borough's ZHB.

EXHIBITS

1. Aerial Site plan.
2. Deeds for Seven Tower Bridge and Six Tower Bridge.
3. Six Tower Bridge Application Approval Letter.
4. Proposed signage plan.
5. Prior Signage Zoning Decisions.

BASIS FOR RELIEF

- A. Applicant's property is located adjacent to the Schuylkill River and the Fayette Street Bridge at a grade substantially below the level of the bridge. The proposed freestanding sign is needed in order to direct persons coming to the Seven Tower Bridge site, including, but not limited to visitors, clients, contractors, deliveries and prospective tenants. Due to the location of Seven Tower Bridge's property below the bridge level and away from major roads, signage must be installed on Washington Street to deliver information at a height and size that is visible to passing motorists. The freestanding sign affords access and identification to the property off of Washington Street.
- B. The unique location of the Seven Tower Bridge property adjacent to the Schuylkill River, below the Fayette Street Bridge and without street frontage on Washington Street creates a hardship that was not created by Seven Tower Bridge and will not endanger the health, safety and welfare of the community. In fact, it will benefit the community by better identifying the Seven Tower Bridge location.
- C. The relief requested is the minimal relief necessary to adequately direct the public to the Seven Tower Bridge site.
- D. The relief requested is de minimis.
- E. Seven Tower Bridge is located in a commercial area of the Borough where many signs have been erected on buildings to direct the travelling public to the various locations.
- F. There are several existing office buildings in the vicinity of Seven Tower Bridge, as well additional office buildings currently under construction in Conshohocken.
- G. The pandemic has altered the leasing landscape in Conshohocken.

5

RECORDED

2019 OCT 15 P 1:15

PREPARED BY:

David M. Scolnic, Esquire
Hangley Aronchick Segal Pudlin & Schiller
One Logan Square, 27th Floor
Philadelphia, PA 19103

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-11848-20-7 CONSHOHOCKEN
FAYETTE ST
SEVEN TOWER BRIDGE ASSOCIATES \$15.00
B 017 U 051 L 2208 DATE: 10/15/2019 JE

RECORD AND RETURN TO:

Alan D. Koiser
Commonwealth Land Title Insurance Company
1700 Market Street, Suite 2110
Philadelphia, PA 19103

PHI 190780
Commonwealth Land Title Insurance Company
1700 Market Street
Suite 2100
Philadelphia, PA 19103

Tax Parcel No.: 05-00-11848-20-7

SPECIAL WARRANTY DEED

THIS INDENTURE made this *4th* day of *October*, 2019, to be effective as of *October 11*, 2019, between SEVEN TOWER BRIDGE ASSOCIATES, a Pennsylvania limited partnership (hereinafter called the "Grantor"), having an address at Two Tower Bridge, One Fayette Street, Suite 450, Conshohocken, PA 19428 and SEVEN TOWER BRIDGE DEVELOPMENT, LLC, a Delaware limited liability company (hereinafter called the "Grantee"), having an address at Two Tower Bridge, One Fayette Street, Suite 450, Conshohocken, PA 19428.

WITNESSETH, that the said Grantor, for ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, and intending to be legally bound, has conveyed, granted, bargained, sold, released and confirmed, and by these presents does convey, grant, bargain, sell, release and confirm unto the said Grantee, its successors and assigns:

ALL THAT CERTAIN lot or piece of ground, with the buildings and improvements thereon erected, situate, lying and being in the County of Montgomery, Commonwealth of Pennsylvania, as more fully described in Schedule I attached hereto and made a part hereof.

TOGETHER with all and singular the buildings, improvements, streets, alleys, passages, ways, waters, water-courses, rights, liberties, privileges, 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 it, the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground above described, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances unto the said Grantee, its successors and

OK

|

assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

UNDER AND SUBJECT to all covenants, conditions, restrictions, easements and rights of way of record to the extent valid, subsisting and enforceable, including, but not limited to, that certain Declaration of Environmental Covenant containing Activity and Use Limitations recorded on March 10, 2010 with the Recorder of Deeds for Montgomery County, Deed Book 5760, pages 02086-02098.

AND the said Grantor, for itself and its successors, does by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that it, the said Grantor and its successors, 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, its successors and assigns, against it, the said Grantor and its successors, 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 it, them, or any of them, shall and will, **SUBJECT** as aforesaid, **WARRANT** and forever **DEFEND**.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed as of the day and year first above written.

GRANTOR:

SEVEN TOWER BRIDGE ASSOCIATES,
a Pennsylvania limited partnership

By: Seven Oliver Building Partner, L.P. its general partner

By: Seven Oliver Tower Associates, its general partner

By: Seven Oliver Tower Corporation, its general partner

By: 

Donald W. Pulver
President

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF Philadelphia : SS

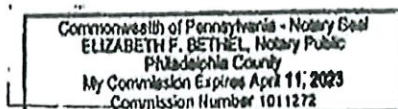
On this, the 4th day of October, 2019, before me, the undersigned officer, personally appeared Donald W. Pulver who acknowledged himself to be the President of Seven Oliver Tower Corporation, a corporation which is the general partner of Seven Oliver Tower Associates, a limited partnership, which is the general partner of Seven Oliver Building Partner, L.P., a limited partnership, which is the general partner of Seven Tower Bridge Associates, a limited partnership, and that he, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as the general partner of Seven Oliver Tower Associates, a limited partnership, as the general partner of Seven Oliver Building Partner, L.P., a limited partnership, as the general partner of Seven Tower Bridge Associates, a limited partnership, by himself as President.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Notary Public

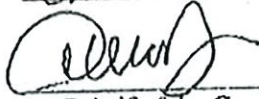
(NOTARIAL SEAL)

My Commission Expires



The address of the within-named Grantee is:

Two River Building, Inc
Fayette St. Ste 450
Christchurch, PA 15423

A handwritten signature in black ink, appearing to be "D. L. ...", written over a horizontal line.

On Behalf of the Grantee

Schedule I to
Special Warranty Deed

Legal Description of Property

PARCEL NO. 1

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon.

SITUATE in the Borough of Conshohocken, Montgomery County, Commonwealth of Pennsylvania, described in accordance with a Record Plan for Seven Tower Bridge Associates, L.P., prepared by Pennoni Associates, Inc., West Chester, Pennsylvania, dated June 17, 2009, to wit:

COMMENCING at a point on the centerline of Fayette Street, said point being under the overhead bridge structure of said Fayette Street and measured from a point also on the centerline of said Fayette Street, South 41 degrees 00 minutes 00 seconds West 180.52 feet to the point of beginning, the property then continuing along property now or formerly owned by Eight Tower Bridge Development Associates for the following Two (2) Courses:

1. South 51 degrees 45 minutes 34 seconds East for 325.49 feet;
2. South 58 degrees 40 minutes 13 seconds East 349.21 feet;

Thence along property now or formerly owned by Six Tower Bridge Associates, the following Three (3) Courses and Distances:

1. South 61 degrees 36 minutes 59 seconds East 5.15 feet;
2. South 18 degrees 23 minutes 35 seconds West 68.23 feet;
3. South 36 degrees 36 minutes 00 seconds West 150.50 feet;

Thence the following Eight (8) Courses and distances:

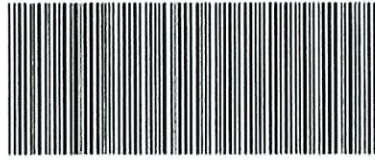
1. North 65 degrees 08 minutes 31 seconds West 22.42 feet;
2. North 58 degrees 45 minutes 00 seconds West 40.00 feet;
3. North 48 degrees 10 minutes 00 seconds West 200.00 feet;
4. North 54 degrees 45 minutes 00 seconds West 238.20 feet;
5. North 43 degrees 15 minutes 00 seconds West 215.30 feet;
6. North 43 degrees 15 minutes 00 seconds West 13.65 feet;
7. North 41 degrees 00 minutes 00 seconds East 149.99 feet;



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 5877 PG 01177 to 01185.2
INSTRUMENT # : 2013065219
RECORDED DATE: 06/19/2013 10:47:32 AM



2937825-0017.

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 11

Document Type: Deed
Document Date: 06/17/2013
Reference Info:

Transaction #: 2902468 - 3 Doc(s)
Document Page Count: 8
Operator Id: thordije

RETURN TO: (Simplifile)
Land Services USA
1835 Market St., Suite 420
Philadelphia, PA 19103
(215) 563-5468

PAID BY:
LAND SERVICES USA

*** PROPERTY DATA:**

Parcel ID #: 05-00-11848-00-9
Address: 181 WASHINGTON ST

Municipality: PA
Conshohocken Borough
(100%)
School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$10.00
TAXABLE AMOUNT:
\$19,402,818.00
FEES / TAXES:
Recording Fee:Deed \$78.00
Affidavit Fee \$1.50
Additional Pages Fee \$8.00
Affordable Housing Pages \$16.00
State RTT \$71,732.22
Conshohocken Borough RTT \$35,866.10
Colonial School District RTT \$35,866.11
Total: \$143,567.93

DEED BK 5877 PG 01177 to 01185.2
Recorded Date: 06/19/2013 10:47:32 AM

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.



Prepared by and Return to:
 Megan E. King, Esquire
 Brandywine Realty Trust
 555 East Lancaster Avenue, Suite 100
 Radnor, PA 19087

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
 05-00-11848-00-9 CONSHOHOCKEN BOROUGH
 181 WASHINGTON ST
 SIX TOWER BRIDGE ASSOCIATES & BRANDYWINE TB VI, L.P.
 B 017 L U 035 4336 06/19/2013 AR

Tax Parcel No. 05-00-11848-00-9
 Six Tower Bridge/181 Washington Street

THIS INDENTURE Made the 17th day of June in the year Two Thousand Thirteen (2013)

Between

SIX OLIVER TOWER ASSOCIATES, a Pennsylvania limited partnership (hereinafter called the **Grantor**), of the one part, and

BRANDYWINE TB VI, L.P., a Pennsylvania limited partnership (hereinafter called the **Grantee**), of the other part,

Witnesseth, That the said **Grantor**, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, lawful money of the United States of America, unto it well and truly paid by the said **Grantee**, at or before the sealing and delivery, hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said **Grantee**, its Successors and Assigns, an undivided 36.97% interest, said 36.97% interest being all of Grantor's right, title and interest, as tenant in common, in

All that certain lot or parcel of land with the buildings and improvements thereon erected located at 181 Washington Street in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof.

Being Tax Parcel No. 05-00-11848-00-9.

Being the same premises which Six Tower Bridge Associates, by Deed dated April 16, 2013 and recorded on April 22, 2013 in the Office of the Montgomery County Recorder of Deeds in Deed Book 5870, Page 01817 to 01828.2, as Instrument No.2013042455, granted and conveyed unto Six Oliver Tower Associates, a Pennsylvania limited partnership, and Brandywine TB VI, L.P., as tenants in common.



Also Being the same premises which Six Oliver Tower Associates and Brandywine TB VI, L.P., by Deed of Confirmation of even date herewith and to be recorded immediately prior to this Deed, granted and conveyed unto Six Oliver Tower Associates, a Pennsylvania limited partnership, and Brandywine TB VI, L.P., as tenants in common.

Under and subject to the covenants, conditions, easements and agreements still validly existing of record.

Together with all and singular the Buildings, Improvements, Ways, Streets, Alleys, Passages, Waters, Water-courses, Rights, Liberties, Privileges, 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 it, the said **Grantor**, in law as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lots or pieces of ground described above with the buildings and improvements thereon erected, Hereditaments and Premises hereby granted, or mentioned and intended so to be, with the Appurtenances, unto the said **Grantee**, its Successors and Assigns, to and for the only proper use and behoof of the said **Grantee**, its Successors and Assigns, forever, an undivided 36.97% interest, said 36.97% interest being all of Grantor's right, title and interest, as tenant in common.

Pursuant to Section 303(g) of the Pennsylvania Land Recycling and Environmental Remediation Standards Act ("Act 2"), 35 P.S. § 6026.303(g), and to the extent applicable, Section 512 of the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. § 6020.512 and Section 405 of the Pennsylvania Solid Waste Management Act, 35 P.S. § 6018.405, notice is hereby provided that concentrations of several metals, volatile organic compounds ("VOCs") and semi-volatile organic compounds ("SVOCs") were detected in certain groundwater samples collected from the property located at 181 Washington Street in the Borough of Conshohocken, Pennsylvania ("the Property") described more fully in this Deed; and concentrations of several metals, polychlorinated biphenyls, VOCs and SVOCs were detected in certain soil samples collected at the Property. Notwithstanding the above-described constituents identified in soil and groundwater, attainment with Act 2 non-residential Statewide Health Standards was demonstrated for the Property. This demonstration of attainment was made in the "Final Report - Statewide Health Standard Report, Tower Bridge North," dated November 3, 1998 (the "Final Report"). The Final Report was approved by the Pennsylvania Department of Environmental Protection ("PADEP") by letter dated December 24, 1998. PADEP also approved a non-use aquifer determination for the groundwater underlying the Property in a letter dated May 13, 1998. PADEP's approval of the Final Report conferred statutory cleanup liability protection pursuant to Act 2 on, inter alia, the current owner and future owners of the Property for the constituents identified in the Final Report. Additional information regarding the environmental conditions at the Property, including information about the above-described constituents identified and their approximate surface area size and location, can be found in the Final Report



which may be viewed at PADEP's Southeast Regional Office, 2 East Main Street, Norristown, PA 19401.

Under and subject as aforesaid.

And the said **Grantor**, for itself and its Successors, does by these presents, covenant, grant and agree, to and with the said **Grantee**, its Successors and Assigns, that it the said **Grantor** and its Successors, 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**, its Successors and Assigns, against it the said **Grantor** and its Successors, and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them, or any of them, shall and will, **SUBJECT AS AFORESAID, WARRANT and forever DEFEND.**

In Witness Whereof the party of the one part, **Grantor** herein, has caused these presents to be duly executed, under seal, the day and year first above written.

SIX OLIVER TOWER ASSOCIATES, a
Pennsylvania limited partnership

By: Six Oliver Tower Corporation, a Pennsylvania
corporation, general partner

By: 

Name: Donald W. Pulver

Title: President

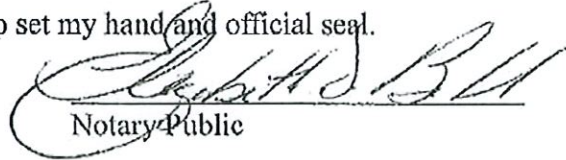


COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Philadelphia : ss.

ON THIS, the 18th day of June, 2013, before me, the undersigned officer, personally appeared **DONALD W. PULVER**, who acknowledged himself to be the President of **SIX OLIVER TOWER CORPORATION**, a Pennsylvania corporation, general partner of **SIX OLIVER TOWER ASSOCIATES**, a Pennsylvania limited partnership, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as President.

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


Notary Public

(NOTARIAL SEAL)

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
ELIZABETH F. BETHEL, Notary Public
City of Philadelphia, Phila. County
My Commission Expires April 11, 2015

The address of the above-named **Grantee** is:

c/o Brandywine Realty Trust
555 East Lancaster Avenue, Suite 110,
Radnor, PA 19087


On behalf of the **Grantee**



DEED

SIX OLIVER TOWER ASSOCIATES, a Pennsylvania limited partnership,

TO

BRANDYWINE TB II, L.P. a Pennsylvania limited partnership,
a 36.97% interest as tenant in common

Premises: Six Tower Bridge, 181 Washington Street in the Borough of Conshohocken, County
of Montgomery, Commonwealth of Pennsylvania.

Tax Parcel No. 05-00-11848-00-9

After recording, please return to:

Megan E. King, Esquire
Brandywine Realty Trust
555 East Lancaster Avenue, Suite 100
Radnor, PA 19087



Exhibit "A" to Deed



Exhibit "A" to Deed

SIX TOWER

Description and Recital

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon, SITUATE in the Borough of Conshohocken, Montgomery County, Commonwealth of Pennsylvania, described in accordance with a 6 Tower Adjustment Plan for Seven Tower Bridge Associates, L.P., prepared by Pennoni Associates, Inc., West Chester, Pennsylvania, dated January 26, 2010, to wit:

BEGINNING at a point on the Southerly sideline of Washington Street, (50 feet wide) (having been widened 20 feet to the Southerly side), as shown on the aforementioned Plan; thence, from said point of beginning, the following seven (7) courses and distances:

(1) South 18 degrees 50 minutes 34 seconds West, a distance of 167.29 feet to a point;

(2) Along the arc of a circle, curving to the right, having a radius of 30.00 feet, an arc distance of 39.04 feet, to a point;

(3) South 67 degrees 15 minutes 35 seconds East, a distance of 108.39 feet to a point;

(4) South 18 degrees 50 minutes 29 seconds West, a distance of 6.41 feet to a point;

(5) South 84 degrees 48 minutes 12 seconds East, a distance of 186.03 feet to a point;

(6) North 04 degrees 44 minutes 23 seconds East, a distance of 1.89 feet to a point;

(7) South 84 degrees 50 minutes 25 seconds East, a distance of 40.05 feet to a point; thence along the Westerly sideline of Ash Street (50 feet wide), South 02 degrees 39 minutes 19 seconds West, a distance of 71.62 feet to a point; thence the following fourteen (14) courses and distances:

(1) North 85 degrees 02 minutes 10 seconds West, a distance of 30.89 feet to a point;

(2) North 4 degrees 57 minutes 50 seconds East, a distance of 4.76 feet to a point;

(3) North 85 degrees 02 minutes 10 seconds West, a distance of 27.80 feet to a point;

(4) South 4 degrees 57 minutes 50 seconds West, a distance of 4.76 feet to a point;

(5) North 85 degrees 02 minutes 10 seconds West, a distance of 118.33 feet to a point;

(6) South 4 degrees 57 minutes 50 seconds West, a distance of 2.24 feet to a point;

(7) North 85 degrees 02 minutes 10 seconds West, a distance of 43.90 feet to a point;

(8) South 4 degrees 57 minutes 50 seconds West, a distance of 18.00 feet to a point;

(9) North 85 degrees 02 minutes 10 seconds West, a distance of 18.00 feet to a point;

(10) South 4 degrees 57 minutes 50 seconds West, a distance of 272.97 feet to a point;

(11) South 85 degrees 02 minutes 10 seconds East, a distance of 16.72 feet to a point;



SIX TOWER

(12) South 12 degrees 08 minutes 15 seconds West, a distance of 16.72 feet to a point;

(13) South 78 degrees 10 minutes 35 seconds East, a distance of 56.36 feet to a point;

(14) South 5 degrees 58 minutes 39 seconds West, a distance of 33.91 feet to a point; thence along the Northerly high water title line of the Schuylkill River, the following five (5) courses and distances:

(1) North 75 degrees 13 minutes 39 seconds West, a distance of 74.07 feet to a point;

(2) North 59 degrees 43 minutes 39 seconds West, a distance of 254.00 feet to a point;

(3) North 76 degrees 23 minutes 39 seconds West, a distance of 55.00 feet to a point;

(4) North 80 degrees 53 minutes 39 seconds West, a distance of 100 feet to a point;

(5) North 65 degrees 08 minutes 13 seconds West, a distance of 20.71 feet to a point; thence along a common boundary line with 7 Tower Bridge, the following four (4) courses and distances:

(1) North 36 degrees 42 minutes 48 seconds East, a distance of 150.50 feet to a point; (North 36 degrees 36 minutes 0 seconds on 7 Tower Deed)

(2) North 18 degrees 30 minutes 23 seconds East, a distance of 68.23 feet to a point; (North 18 degrees 23 minutes 35 seconds East on 7 Tower Deed)

(3) North 61 degrees 30 minutes 11 seconds West, a distance of 5.15 feet to a point; (North 61 degrees 36 minutes 59 seconds West on 7 Tower Deed)

(4) North 58 degrees 33 minutes 25 seconds West, a distance of 73.81 feet to a point; (North 58 degrees 40 minutes 23 seconds West on 7 Tower Deed)

Thence along a common boundary with 8 Tower Bridge, the following three (3) courses and distances:

(1) North 32 degrees 31 minutes 55 seconds East, a distance of 116.98 feet to a point;

(2) North 75 degrees 03 minutes 16 seconds West, a distance of 35.25 feet to a point;

(3) North 18 degrees 50 minutes 38 seconds East, a distance of 208.96 feet to a point on the Southerly right-of-way line of Washington Avenue;

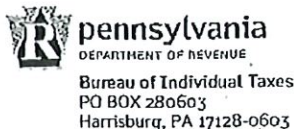
Thence the following course and distance along the Southerly right-of-way line of Washington Avenue, along the arc of a circle, curving to the left, having a radius of 2,581.77 feet, an arc distance of 242.35 feet to a point, said point being the first mentioned point and place of beginning.

Tax ID / Parcel No. 05-00-11848-00-9

Being the same premises which Six Tower Bridge Associates, a Pennsylvania limited partnership by Deed of Confirmation dated 2/9/2010 and recorded 3/3/2010 in Montgomery County in Deed Book 5760 Page 314 conveyed unto Six Tower Bridge Associates, a Pennsylvania limited partnership, in fee.



REV-183 EX (04-10)



REALTY TRANSFER TAX STATEMENT OF VALUE

See reverse for instructions.

RECORDER'S USE ONLY table with fields: State Tax Paid \$71,732.22, Book Number 5877, Page Number 01177, Date Recorded 06/19/2013 10:47:32 AM

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: David M. Scolnic, Esq., Hangley Aronchick Segal Pudlin & Schiller; Telephone Number: (215) 496-7046; Mailing Address: One Logan Square, 27th Floor; City: Philadelphia; State: PA; ZIP Code: 19103

B. TRANSFER DATA

Grantor(s)/Lessor(s): Six Oliver Tower Associates; Mailing Address: Two Tower Bridge, One Fayette Street, Suite 450; City: Conshohocken; State: PA; ZIP Code: 19428

C. Date of Acceptance of Document

Grantee(s)/Lessee(s): Brandywine TB II, L.P.; Mailing Address: 555 E Lancaster Ave, Suite 110; City: Radnor; State: PA; ZIP Code: 19087

D. REAL ESTATE LOCATION

Street Address: 181 Washington Street; City, Township, Borough: Conshohocken; County: Montgomery; School District: Colonial; Tax Parcel Number: 05-00-11848-00-9

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

Table with 3 columns: 1. Actual Cash Consideration (10.00), 2. Other Consideration (+0.00), 3. Total Consideration (= 10.00); 4. County Assessed Value (12,051,440.00), 5. Common Level Ratio Factor (X 1.61), 6. Fair Market Value (= 19,402,818.00)

F. EXEMPTION DATA

Table with 3 columns: 1a. Amount of Exemption Claimed (0.00), 1b. Percentage of Grantor's Interest in Real Estate (36.97), 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, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation.
Transfer from mortgagor to a holder of a mortgage in default.
Corrective or confirmatory deed.
Statutory corporate consolidation, merger or division.
Other (Please explain exemption claimed.)

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: Six Oliver Tower Associates; By: Six Oliver Tower Corporation; Signature: Donald W. Pulver; Date: 6/17/13; Title: President

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



ADDENDUM TO REALTY TRANSFER TAX STATEMENT OF VALUE

GRANTOR: SIX OLIVER TOWER ASSOCIATES

GRANTEE: BRANDYWINE TB II, L.P.

PROPERTY: 181 WASHINGTON STREET, CONSHOHOCKEN, MONTGOMERY COUNTY

DATE OF ACCEPTANCE OF DOCUMENT: JUNE 17, 2013

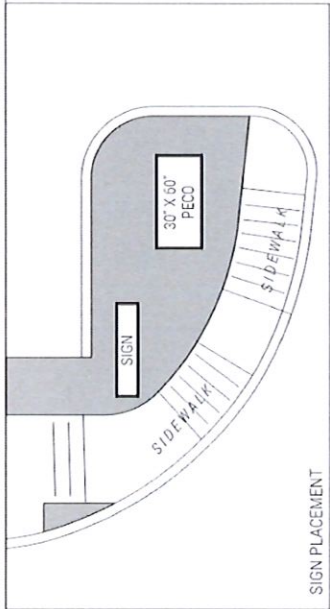
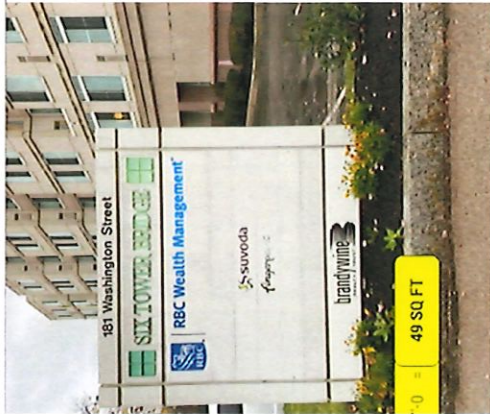
The Grantor is transferring to Grantee its 36.97% interest in the Property. The transfer tax is being paid on the computed value. The assessed value for the entire 100% of the Property is \$12,051,440.00.

Computed value is $\$12,051,440.00 \times 1.61 \text{ CLR} = \$19,402,818.00$

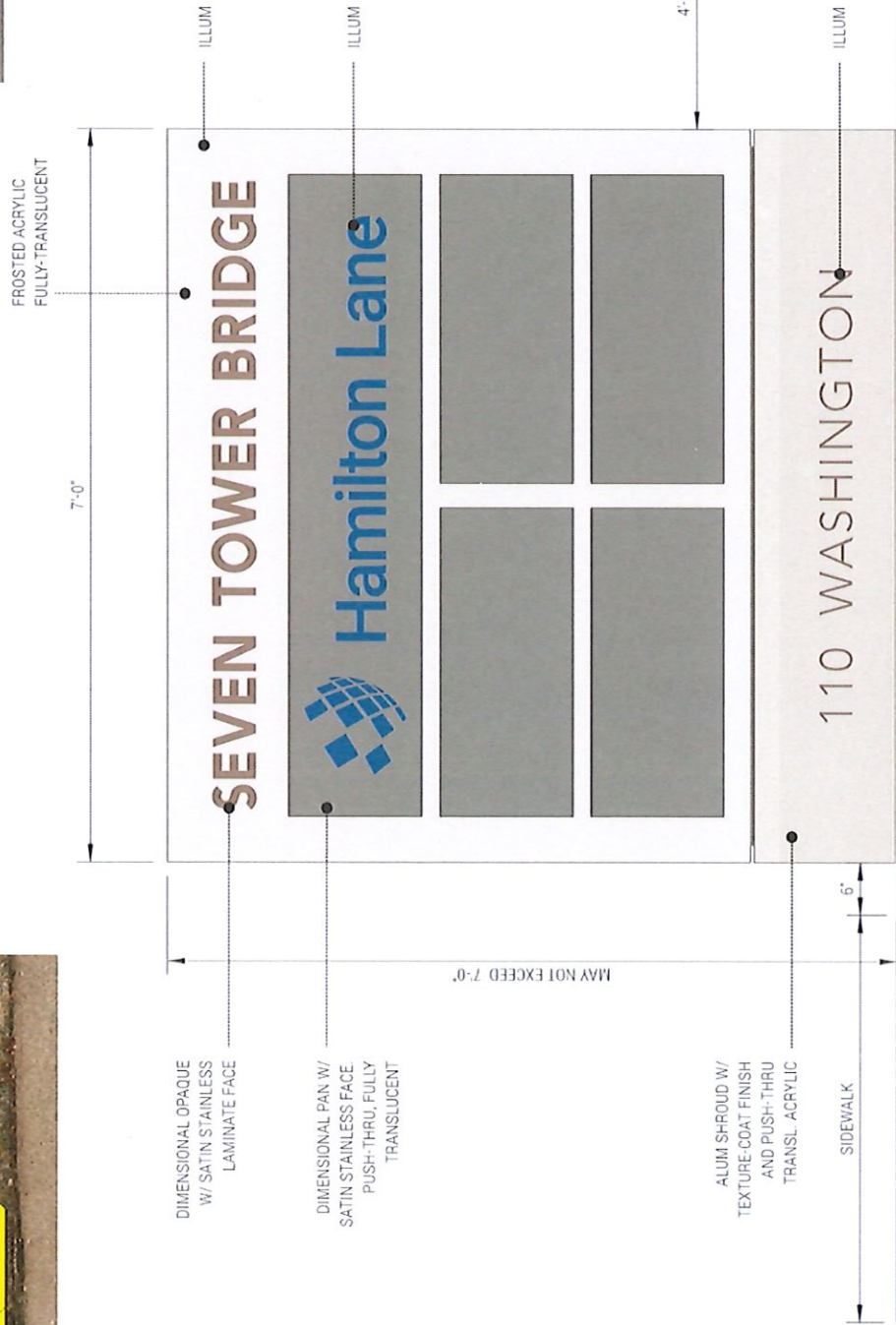
$\$19,402,818.00 \times 36.97\% = \$7,173,221.80$

Transfer tax due on $\$7,173,221.80 = \$143,464.44$





Elizabeth Castleman/Ell
 Address: 7 TB, Constr
 File Loc / Scans / D.R.,
 1 D/F int-illum mon
 per supplied:



- DIMENSIONAL OPAQUE W/ SATIN STAINLESS LAMINATE FACE
- DIMENSIONAL PAN W/ SATIN STAINLESS FACE PUSH-THRU, FULLY TRANSLUCENT
- ALUM SHROUD W/ TEXTURE COAT FINISH AND PUSH-THRU TRANSL ACRYLIC

CITY SIGNAL
Sales: Jeff I
 424 Caredean Dr., Hors
 215-442-1323 jeff@

Date: 11.03.20;
 Date: 11.04.20;
 Date: 11.05.20;
 Date: 11.09.20;
 Date: 11.12.20;
 Date: 11.23.20;
 Date: 12.02.20;
 Date: 12.03.20;
 Date: 12.07.20;
 Date: 12.09.20;
 Date: 12.15.20;
 Date: 12.16.20;
 Date: 12.18.20

7'-0" X 7'-0" = 49 SQ FT

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

**IN RE: APPLICATION OF
SEVEN TOWER BRIDGE ASSOCIATES/ESTHER PULVER**

REGARDING

**161 WASHINGTON STREET
(SEVEN TOWER BRIDGE)**

DECISION OF THE BOARD

I. HISTORY

On or about August 4, 2016, Seven Tower Bridge Associates/Esther Pulver (hereinafter called "Applicant"), filed the within Appeal seeking Variances from the terms of Sections 27-2109(3), 27-2109(5), and 27-2109(6), of the Borough of Conshohocken Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance"), seeking permission to erect off-premises real estate signs advertising the sale or rental of a building or property exceeding seventy-five (75) square feet on one (1) side or one-hundred fifty (150) square feet on two sides and exceeds forty (40) feet in height for the property located at 161 Washington Street, Conshohocken, Pennsylvania (hereinafter called "Subject Property").

After notice was duly given and advertised, a hearing was held on said Appeal at Borough Hall on September 6, 2016 at 8:00 p.m.

At the hearing, the following Exhibits were introduced and admitted:

P-1 -- Public Notice of the Case.

A-1 -- Application with Addendum and Exhibits.

A-2 -- Deed.

A-3 – Prior Decisions.

A-4 – Additional Building Wall Signs.

II. FINDINGS OF FACT

1. The Subject Property is located at 161 Washington Street, Conshohocken, Pennsylvania in the Specially Planned 2 Zoning District.
2. The Subject Property is owned by Eight Tower Bridge Development Association of One Fayette Street, Suite 450, in Conshohocken.
3. The Applicant was represented by Ross Weiss, Esquire.
4. The Applicant is requesting three (3) variances from the terms of the Zoning Ordinance.
5. Mr. Weiss called Mr. Jeff Carson to testify. Mr. Carson testified to the following:
 - a. Mr. Carson is affiliated with City Signs.
 - b. The Application is to permit Seven Tower Bridge to use existing and new sign structures on the premises of Eight Tower Bridge to advertise for Seven Tower Bridge.
 - c. Seven Tower Bridge is a to-be-constructed 250,000 square foot office building with a 818-space parking garage.
 - d. Seven Tower Bridge will be located between Eight Tower Bridge and the Schuylkill River.
 - e. Eight Tower Bridge is an existing 345,000 square foot office building with a 1,200-space parking garage.
 - f. Eight Tower Bridge currently has signage.

- g. Eight Tower Bridge also currently has a banner sign on its parking garage and identifying signage on a pole (hereinafter referred to as "pole sign") on the property adjacent to the Fayette Street bridge.
- h. The pole sign and the banner sign are currently on opposite sides of the Eight Tower Bridge property.
- i. The pole sign consists of two (2) banners, each measuring two (2) feet by seven (7) feet.
- j. The pole sign banners are double-sided.
- k. The banner sign on the parking garage is six (6) feet by twenty-two (22) feet, measuring 132 square feet.
- l. The existing pole sign banners will be replaced by new banners of the same dimensions on the same pole structure.
- m. The existing pole sign banners identify the marketing and development of Eight Tower Bridge; the signage "points" to the property.
- n. The proposed pole sign banners will be similar in design and content to the existing banners, but changed to reference Seven Tower Bridge.
- o. The Fayette Street bridge is elevated above the Seven Tower Bridge property.
- p. Zoning relief was requested roughly ten (10) years ago to allow for the construction of the pole sign and the installation of the existing banner sign. At the time, the signage was to advertise Eight Tower Bridge, the same property on which the signs were placed.
- q. The proposed pole sign would occupy the existing structure and sign frames.

- r. The proposed banner sign would now advertise Seven Tower Bridge and be moved to a different side of the Eight Tower Bridge parking garage.
- s. The Eight Tower Bridge banner sign will be removed if permission for the Seven Tower Bridge banner sign is granted.
- t. Relief is needed as the 132 square foot banner sign exceeds the permitted seventy-five (75) square feet.
- u. Relief is needed as these signs are now off-premises advertising for Seven Tower Bridge being placed on Eight Tower Bridge.
- v. Authorization for the placement of the signs has been received from the owner of Eight Tower Bridge.
- w. Zoning relief has been granted for other projects to exceed the maximum sign size.
- x. Mr. Carson was previously qualified as an expert in signage.
- y. The geographical nature of the property being low-lying and below the Fayette Street bridge creates a hardship. The property is basically obscured from view. The signage allows easy identification of the development through reuse of the existing signage visible from the Fayette Street bridge. The challenges of the topography for this site exceed similar challenges presented by other sites in the area.
- z. The signage is important during the pre-construction and construction phase to generate interest from tenants.
- aa. The signage is important to aide visitors and workers in finding the site.

- bb. Eight Tower Bridge and its garage obstruct the view of Seven Tower Bridge from the Fayette Street bridge, Harry Street, and Washington Street.
 - cc. The requested relief is an extension of the previous relief granted.
 - dd. There is no record of problems caused by this signage.
 - ee. The proposed signage could be no smaller in size. The size is optimal for visibility from the surrounding roadways.
 - ff. The size of the proposed signage is the most realistic and smallest amount possible.
 - gg. The proposed signage is consistent with other signs in the area.
 - hh. The proposed signage has no detrimental effect.
 - ii. The location of the proposed signage is optimal for traffic and visibility.
 - jj. Without the proposed signage, it would be easy for a visitor to miss the location of Seven Tower Bridge.
 - kk. The signage is unable to strictly conform to the Zoning Ordinance due to the inherent physical circumstances and conditions.
 - ll. There has been no difficulty in maintaining the existing signage.
 - mm. No signage is mounted on the Fayette Street bridge.
 - nn. There will no direct illumination of the signs.
6. Mr. Weiss called Mr. Donald W. Pulver to testify. Mr. Pulver testified to the following:
- a. Mr. Pulver is the developer of the Tower Bridge buildings in both Conshohocken and West Conshohocken.
 - b. It is Mr. Pulver's belief that the signage aided visitors in locating the building.

- c. The Seven Tower Bridge site has a great riverfront location but is obscured by its placement below the Fayette Street bridge.
- d. Once the building is erected to its full fourteen (14) stories, it will be visible from the Fayette Street bridge. But, until construction is completed, its existence will be unknown.
- e. The signage is most important during the construction phase. It's the only way to identify the site.
- f. The Seven Tower Bridge site is primarily accessed by easements from the other surrounding office building properties.
- g. The signage is also important to advertising during the lease-up period to ensure occupancy.
- h. The signage should be in place until the building is about 80 percent (80%) rented.
- i. The building plans have been fully approved; the foundation has already been constructed with assistance from an RACP grant.
- j. The building and the site have been kept in conformity with all zoning and building rules.
- k. The building will most likely require at least four (4) years to reach 80 percent (80%) leasing.
- l. The signage is best suited on the Eight Tower Bridge due to the heavy construction area on Seven Tower Bridge.
- m. The signage should be erected immediately to aid in leasing the property. Early leasing supports the financing of the construction.

7. When originally approved, the signage was on-premises advertising, per the Zoning Ordinance, as it advertised for Eight Tower Bridge. The change in the content of the advertising to advertising for Seven Tower Bridge changes the signage to off-premises advertising.
8. Temporary signs would be more appropriate for the relief requested.
9. Three (3) years from the issuance of the Certificate of Occupancy or six (6) years from the date of this Decision would be accepted by the Applicant.
10. No public comment was offered.

III. DISCUSSION

The Applicant is requesting three (3) variances from the terms of Sections 27-2109(3), 27-2109(5), and 27-2109(6).

Section 27-2109 is titled "Signs Permitted in the Specially Planned Districts (SP-1, SP-2 and SP-3)" and states the following:

- "1. Official street and traffic signs and any signs required by law.
2. Incidental signs for the convenience and safety of the public (for example, signs identifying parking areas, telephones, rest rooms, etc.) Each sign not to exceed four square feet in size and containing no advertising.
3. Real estate sign for advertising the sale or rental of the building or property upon which the sign is erected, provided that the total area on any one side of such signs on any one street frontage of any property in single or separate ownership shall not exceed 75 square feet.
4. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith, provided that the total area on any one side of such sign shall not exceed two square feet and shall be spaced at intervals of not less than 100 feet of street frontage or property line.

5. One freestanding sign or wall sign per building. The sign may be illuminated, either directly or indirectly. The total area of the sign shall not exceed the linear footage of the building's front facade or 75 square feet whichever is less. Corner properties are allowed one additional freestanding or wall sign provided its total area does not exceed the linear frontage of the building's facade for the side on which the sign is placed or 75 square feet, whichever is less.
6. Billboards defined in this Chapter as an off-premises sign may be constructed in the SP-3 Specially Planned District Three only. The following regulations shall apply:
 - A. An off-premises sign may be double-faced with two advertising surfaces. However, both surfaces shall be the same size and shape. The maximum area per side is 150 square feet.
 - B. The maximum height for off-premises signs erected on the ground is 40 feet.
 - C. Rooftop signs are expressly prohibited.
 - D. No portion of the supporting structure shall be visible above any advertising display area.
 - E. Signs must be at least 50 feet from the ultimate right-of-way line.
 - F. Signs may not be erected within 1,000 feet of each other in any direction.
 - G. Signs may not be attached to a bridge.
 - H. All off-premises signs shall be erected on permanent footings and support structures designed by a registered structural engineer.
 - I. A sign permit is required. The applicant for a sign permit shall present a written statement from the owner of the property, duly authorized, that the applicant has the right to use the property to erect a sign as well as maintain the sign during the time that the sign is erected. The owner must further verify in writing that it will, at its sole cost and expense, cause the sign to be removed at such time as there is no further use of the sign.
 - J. The applicant, at his sole expense, shall remove any off-premises sign, if the sign remains without bona fide advertisement, which shall include nonrental of the sign space, for 90 days, or if the right to use the property has expired for any reason whatsoever.
7. One Tenant Identification Sign per Development. Such sign shall not exceed eight feet in height or 36 square feet in total area. One such sign shall be permitted at

each vehicular entrance to the development. The area of such signs shall be exclusive of the permitted area of all other signs.”

In a request for a variance, the Board is guided by Section 27-611 of the Ordinance and Section 910.2 of the Pennsylvania Municipalities Planning Code (hereinafter called “MPC”). An applicant for a variance has the burden of establishing that a literal enforcement of the provisions of the Ordinance will result in an unnecessary hardship as that term is defined by law, including court decisions, and that the allowance of the variance will not be contrary to the public interest. Section 27-611 of the Ordinance and Section 910.2 of the MPC permit the Board to grant a variance where it is alleged that the provisions of the Ordinance inflict unnecessary hardship upon the Applicant and when the Board can make certain prescribed findings where relevant in a given case.

The requested variances are dimensional in nature. In such situations, the Supreme Court of Pennsylvania has stated, “the owner is asking only for a reasonable adjustment of the zoning regulations in order to utilize the property in a manner consistent with the applicable regulations.” See Hertzberg v. Zoning Board of Adjustment of City of Pittsburgh, 721 A.2d 43, 47 (Pa. 1998). Thus, the Pennsylvania Supreme Court has stated, the level “of proof required to establish unnecessary hardship is indeed lesser.” See id. at 48.

As the testimony and evidence presented to the Board in this case have shown, the Project appears to attempt to accommodate both a positive use of the Property with minimal relief being requested.

As a result of all the above, the Application meets the requirements of “unnecessary hardship” required under the MPC. See id. The Board, upon thorough and deliberate review of the materials submitted and testimony offered, has determined that the proposed variances are appropriate in consideration of the unique characteristics of the Property.

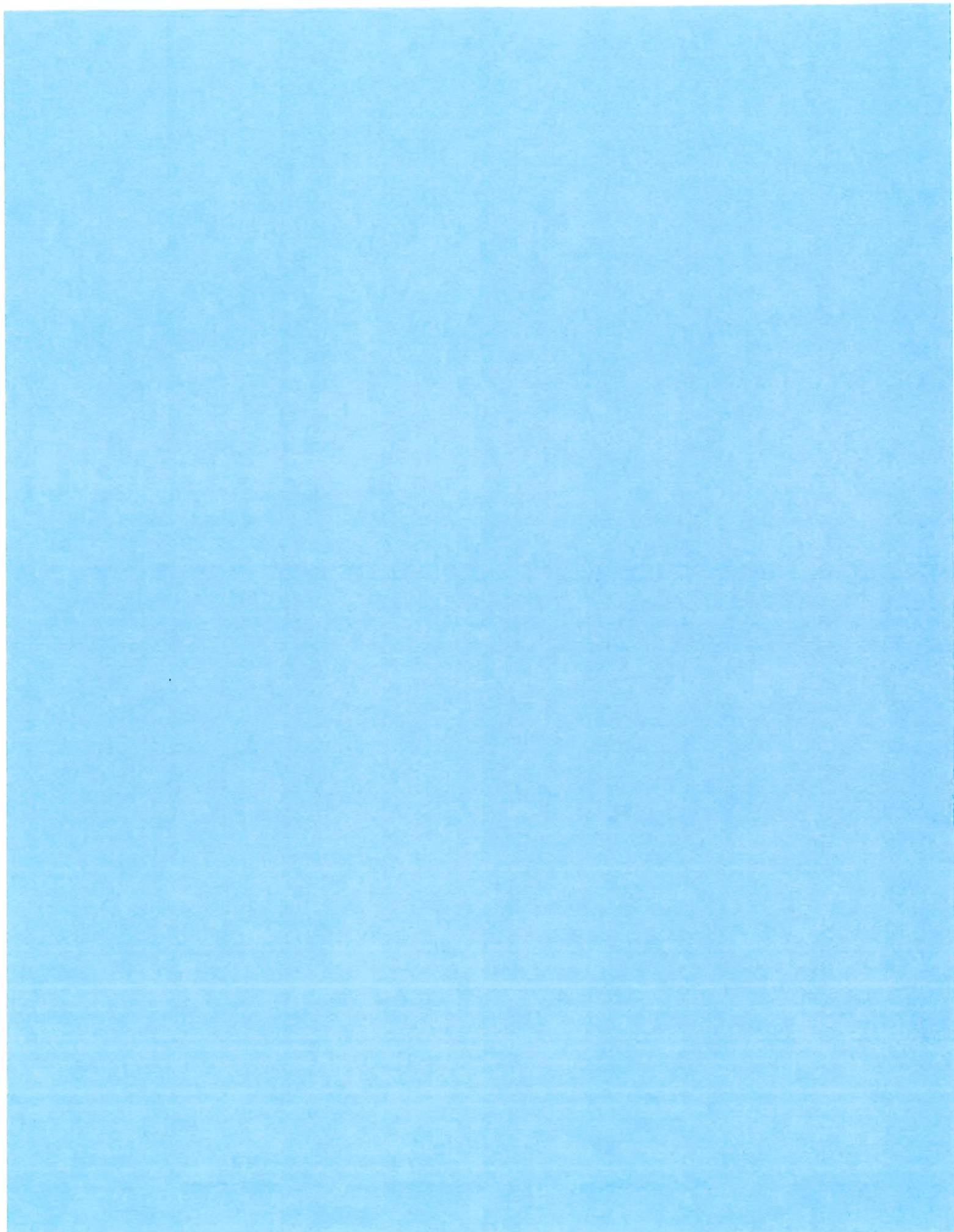
The requested variances will not adversely affect the public interest.

IV. CONCLUSIONS OF LAW

From the facts presented, it is the judgment of the Board that Applicant shall be granted the requested variances. The Applicant has proven an unnecessary hardship unique or peculiar to the property and that the variances are not contrary to the public interest. Accordingly, the Board is able to make the following relevant findings under Section 910.2 of the MPC and Section 27-611 of the Zoning Ordinance:

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 property, and that the unnecessary hardship is due to such condition, and not the circumstances or conditions generally created by the provisions of the 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 Ordinance and that the authorization for the variances are therefore necessary to enable the reasonable use of the Subject Property;
3. That the variances will not alter the essential character of the neighborhood or district in which the Subject Property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, or be detrimental to the public welfare;
4. That the unnecessary hardship has not been created by the Applicant; and,

5. That the variances will represent the minimum variances that will afford relief and will represent the least modification possible.



BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: APPLICATION OF
OLIVER TYRONE PULVER CORP.

REGARDING

TWO TOWER BRIDGE
1 FAYETTE STREET, CONSHOHOCKEN, PA 19428

DECISION OF THE BOARD

I. History of the Case:

By application dated June 24, 2014 (the "Application"), Oliver Tyrone Pulver Corp. (the "Applicant") is seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of variances from Sections 27-2108, 27-2108.1.1.1 and 27-2108.1.2 (each a "Variance," and collectively, the "Variances") all from the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance"). The property is presently zoned Borough Commercial ("BC"), which (i) permits only one sign per side of the building (whereas the Applicant requests two); (ii) limits the size of wall signs to 35 square feet (whereas the Applicant intends to exceed the sign size limitations); and (iii) limits the size of monument signs to 35 square feet, with a 25% increase for each additional tenant (whereas the Applicant intends to exceed the sign size limitations).¹

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 27-611.1.A.

¹ The Applicant also requested relief under Section 27-2108.1 regarding the maximum height of the monument sign. However, the proposed monument sign is 9.4 feet high, and the maximum permissible height is 12 feet. Therefore, no relief under Section 27-2108.1 is required with respect to the monument sign.

A public hearing ("Hearing") was held before the Board on the evening of August 4, 2014, at 7:30 pm prevailing time, at the Fellowship House, 515 Harry Street, in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was given for the public hearing. After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Oliver Tyrone Pulver Corp., and Six Oliver Town Assoc. is the owner of the Property. Said Applicant was represented by Ross Weiss, Esquire ("Weiss"), counsel to the Applicant. Weiss indicated the Applicant would present the testimony of two (2) witnesses, Barry Rodenstein, on behalf of Brixmor, a tenant of the Property ("Rodenstein"), and Jeff Carson, on behalf of City Sign ("Carson"). Weiss provided the Board with a packet of exhibits that were admitted as A-A through A-P.

2. The property involved, Two Tower Bridge, 1 Fayette Street (the "Property"), consists of a commercial office building and detached parking structure. The Property is presently zoned BC.

3. The Applicant, through its counsel, testified that it wished to install building signage benefiting Brixmor on the North and South elevations of the building as well as new monument signage (collectively, the "Signs"). Currently, the Zoning Ordinance (i) permits only one sign on each side of the building (whereas the Applicant requests two), (ii) limits the size of wall signs to 35 square feet (whereas the Applicant intends to exceed the sign size limitations), and (iii) limits the size of monument signs to 35 square feet with an increase of 25% for each additional tenant (whereas the Applicant intends to add signage for an additional tenant that will exceed the permissible size).

Sce Sections 27-2108, 27-2108.1.1; 27-2108.1.2. As a result, all of the Signs require relief from the Zoning Ordinance (the "Proposed Relief").

4. Rodenstein testified that Brixmor, a real estate entity owning shopping centers throughout the country, has a regional office located at the Property. The building on the property consists of 80,000 square feet, and Rodenstein indicated that Brixmor occupies 32,000 square feet there. He also stated that Brixmor has almost 200 employees in Conshohocken. Rodenstein stated that the current signage at the Property was inadequate.

5. The Chairman of the Board, Rick Barton (the "Chairman") asked the members of the Board, the Zoning Officer and the Zoning Solicitor for questions of Rodenstein.

a) Janis B. Vacca ("Vacca") asked whether customers had complained that they had difficulty finding the Property due to the inadequate signage. Rodenstein stated that all of the surrounding office buildings look similar and that when describing the Property versus the neighboring buildings, it is hard for customers to find the small monument sign and indicated that there is no signage bearing the address of the Property.

b) The Chairman asked about Brixmor's current signage on the building. Weiss indicated that the next witness would speak to the signage.

6. The Chairman asked the public for any questions for Rodenstein. There were no questions. Weiss called Carson as his next witness.

7. Carson's qualifications were presented and the Board accepted him as a sign expert. Carson testified that he met with the Applicant as well as representatives of

Brixmor to develop the Signs. Carson, using an aerial photo admitted as Exhibit A-C, oriented the Board and the public to the Property. Carson indicated that the Property is bordered to the south by Elm Street, to the east by Harry Street, and to the north by 1st Avenue. He also stated that the Property consists of both the office building and a detached parking garage. The office building and the parking structure are separated by an unopened portion of East Hector Street. The main entrance to the office building is off of the unopened portion of East Hector Street. Carson testified that the Property has four (4) sides with street frontage, including the side fronting the driveway or alley. Carson also pointed out an existing historic, trailblazer sign that exists in front of the office building.

8. Carson further testified with respect to the existing signage on the Property. He indicated that Wells Fargo Advisors, another tenant of the Property, has two (2) letter sets (wall signs) on the exterior of the building, as illustrated in Exhibit A-E. The Wells Fargo Advisors signs are located on the north and south sides of the building, respectively, the same sides of the building for the proposed wall signs. The Wells Fargo Advisors signs are 3 feet by 21 feet, for a total of 126 cumulative square feet. The current monument sign, Carson stated, is 30 square feet of exposure and does not include an address.

9. Carson also testified with respect to the proposed Signs. He indicated that the proposed monument sign would be a total exposure of 38 square feet and include identification signs for Brixmor, Wells Fargo Advisors and an address identifier. The total monument sign would be 82 square feet, but 43 square feet of that area constitutes the shroud of the sign. The overall height of the monument sign would be 9 feet 4 inches,

which is compliant with the Zoning Ordinance. With respect to the proposed monument sign, the Applicant requested relief for an additional 8 square feet of copy space. The location of the proposed monument sign is the same location as the existing monument sign. The proposed wall signs, on the other hand, would be located on the HVAC screening on the roof of the building. On the south side of the building, where a Wells Fargo Advisors wall sign already exists, the Applicant is requesting 154 and one half square feet of face lit LED-illuminated letters for the Brixmor wall sign. Carson, referring to Exhibit A-I, indicated that an identical wall sign is also proposed for the north side of the building, where the other Wells Fargo Advisors wall sign also presently exists.

10. Next, Carson walked through several other exhibits showing signage on other office buildings located in the Borough. In particular, he discussed Exhibit A-P which portrayed letters for NextDocs located at Six Tower Bridge along the Schuylkill River. Carson testified that the NextDocs signs are identically the same as the proposed wall signs for Brixmor. Located on both the east and south sides of the building, Carson testified that the NextDocs signs are also illuminated.

11. Carson concluded his testimony by stating that the property is suitable for the Proposed Relief and that the Proposed Relief would not substantially injure or detract from the use of the neighboring properties. Weiss also indicated that the Signs had been submitted to the Design Review Committee ("DRC") for approval. Carson testified that the DRC recommended approval of the Signs with the condition, among others, that the base of the monument sign be surrounded by landscaping (the "Landscaping Condition").

12. The Chairman asked the members of the Board, the Zoning Officer and the Zoning Solicitor for questions of Carson.

a) Cardamone asked about the conditions imposed by the DRC in addition to the Landscaping Condition. Carson indicated that one of the conditions was that the sight triangle at the sign be cleared (the "Sight Condition") and that the historical marker be moved (the "Historic Condition" and, together with the Sight Condition and the Landscaping Condition, the "DRC Conditions"). Carson indicated that the historical marker could remain in its present position, but that it would be more visible if it were moved further north on Fayette. The Applicant agreed to comply with all of the DRC Conditions.

b) Vacca asked about the existing monument sign. Carson confirmed that the existing monument sign is 30 square feet and that the proposed monument sign is 38 square feet of copy area. The shroud itself is 82 square feet. The shroud increases the height so that the sign is visible off the ground as the roadbed at the location of the monument sign is above the monument sign. Vacca also asked about the proposed wall signs. Carson confirmed that the wall signs would be located on the north and south sides of the building, respectively. Carson indicated that the south side wall sign would face an entirely commercial area and that the north side wall sign would face the retail and office buildings along Fayette Street. Carson also confirmed that all of the other signs shown as examples, except for the Keystone sign, are also illuminated. Vacca also asked about the neighboring buildings directly across the street. Carson indicated that direct neighbors are the Borough offices, Worley Parson and the Mercy Health System. Carson confirmed that no residential properties are located directly across the street. Carson stated that the wall signs would be lit whenever it is dark.

c) The Chairman next asked whether any zoning relief was required for the existing Wells Fargo Advisors. Carson stated he could not be sure, but assumed some relief was required because the signs exceed the allowable square footage.

d) Zoning Solicitor Katherine E. Missimer, Esquire ("Missimer") asked about the NextDocs signs on Exhibit A-P and whether the NextDocs signs are in the same location as the proposed wall signs. Carson stated that the NextDocs signs are face lit letters on the HVAC screen assembly.

e) Zoning Officer Christine Stetler ("Stetler") asked whether the Applicant had applied to the Historic and Museum Commission regarding the movement of the historical marker. The Applicant indicated that they had made initial contact, but that they would pursue the discussion. Stetler also asked about the height of the monument sign, stating that the shroud would be included in the calculation of the height. Carson stated that even with the inclusion of the shroud, the height is still only 9 feet 4 inches. Carson did confirm that zoning relief was necessary because the proposed monument sign did exceed the allowable size. Stetler asked Carson to confirm what zoning district the other signs he presented were located in. Carson stated that his example signage was mainly located in the Business Commercial district, but that riverfront signage is actually zoned SP-1 and SP-2. Stetler also stated that the NextDocs sign is in the SP district.

13. The Chairman next asked for public questions. There were no questions. Weiss briefly clarified the fact that the exemplary signs utilized in the Applicant's testimony were indeed located in Specially Planned districts, but that they served as good examples because the Signs at the Property would be part of the same community of

buildings. He also stated that this building is unique because it has four (4) sides, with three (3) fronting streets, and the Zoning Ordinance permits one sign per street frontage. With regard to the unnecessary hardship purported to be relieved by the Proposed Relief, Weiss stated that the Property was unique because the main entrance was not located on a public street, but located between the parking garage and the building.

14. The Chairman then requested statements from the public for or against the Proposed Relief. There were no public statements.

15. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant wishes to install one monument sign and two (2) wall signs. Currently, the Zoning Ordinance for the BC district (i) permits only one sign on each side of the building (whereas the Applicant requests two); (ii) permits wall signs that do not exceed 35 square feet (whereas the Applicant requests that two wall signs measuring 154 and one half feet be permitted); and (iii) permits monument signs no more than 35 square feet, with an increase of 25% for each additional tenant (whereas the Applicant requests a monument sign totaling 82 square feet with 38 square feet of copy area). See Sections 27-2108; 27-2108.1.1; 27-2108.1.2. Thus, the Applicant is seeking a Variance for the 154 and one half square foot wall signs, a Variance to permit multiple wall signs on the same side of the building; and a Variance to permit the monument sign to be 82 square feet. See Zoning Ordinance section 27-2108; 27-2108.1.1; 27-2108.1.2.

Section 27-611 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict[s] unnecessary hardship upon the applicant." See id.

at 27-611.1.A. Unnecessary hardship is to be determined to be present when the Board determines, as applicable, that:

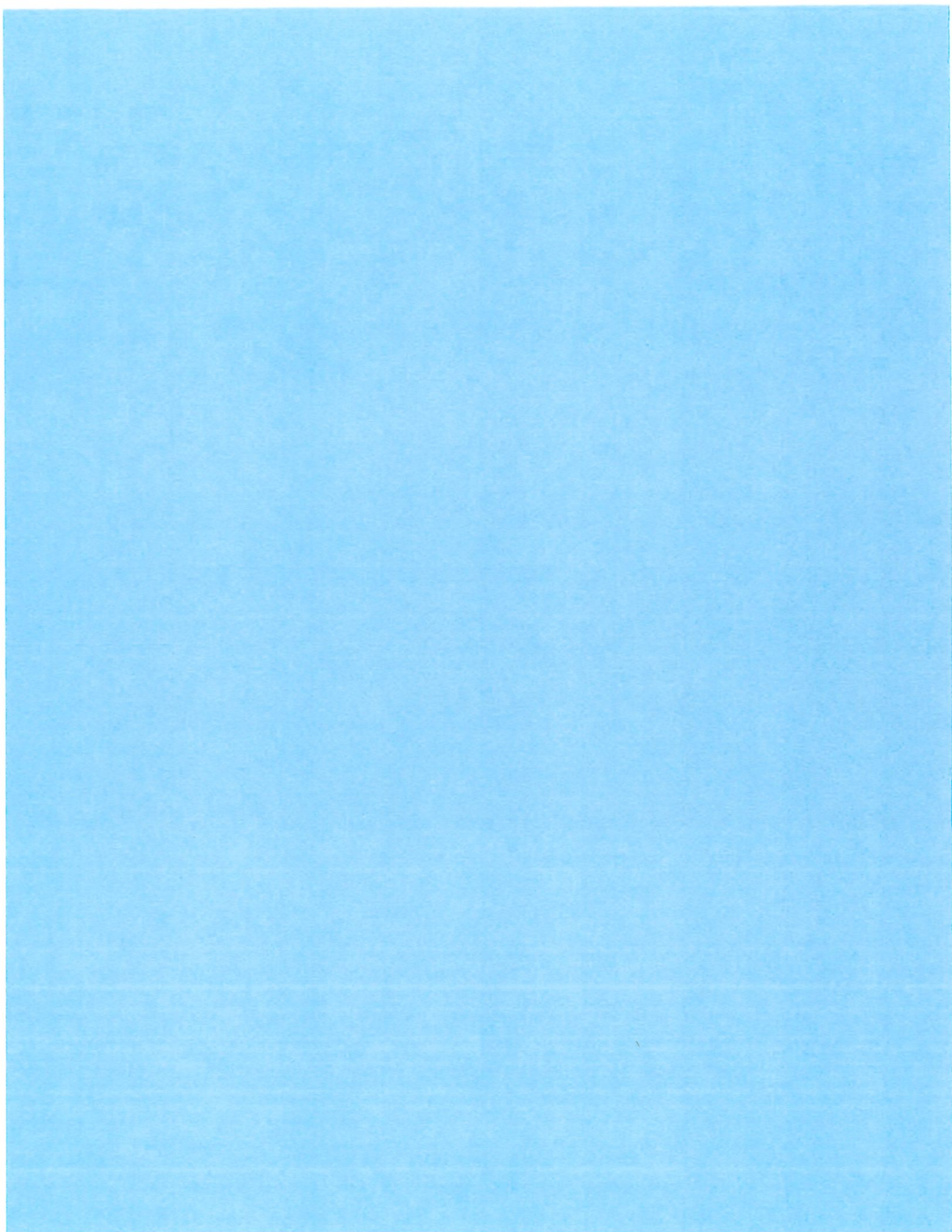
- a) there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and thus the variance is necessary to enable reasonable use of the property;
- c) the unnecessary hardship has not been created by the applicant;
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 27-611. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 27-611 and the MPC standards for a variance, see MPC, at 53 P.S. §10910.2, as well as the testimony and evidence submitted, and questions raised by fellow Board members.

The Board is also convinced that, as the testimony and evidence presented at the Hearing have shown, the location, topography and the dimensional nature of the Property are of such a "unique physical . . . condition" that it is difficult to provide adequate signage for the Property within the confines of the Zoning Ordinance. See id. at 6.11.

As a result, the Board has agreed to grant the Proposed Relief in order to permit the Signs, as proposed, subject to the DRC Conditions.



BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

**IN RE: APPLICATION OF
OLIVER TYRONE PULVER CORP.**

REGARDING

**SIX TOWER BRIDGE
181 WASHINGTON STREET**

DECISION OF THE BOARD

I. History of the Case:

By application dated March 20, 2012 (the "Application"), the Applicant is seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of three (3) variances from Section 27-2109.5 regarding (a) the prohibition against more than one (1) wall sign or monument sign on any building in the Specially Planned-2 ("SP-2") District as detailed in the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance") and (b) a total square footage for any such sign of no more than seventy five (75) square feet, both relating to real property located at 181 Washington Street, Conshohocken, Pennsylvania and also known as Six Tower Bridge (collectively, the "Property").

The Applicant is requesting that it be permitted to add two (2) wall signs (each a "Wall Sign", and collectively, the "Wall Signs"), as detailed in Exhibits P-3A and P-3B, to the building at the Property (the "Building"), in addition to the existing monument sign at the site (the "Variances" or "Proposed Relief"). One (1) of the proposed Wall Signs exceeds the seventy five (75) square foot cap on wall signage. See Exhibit P-3B, P-3D.

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 27-611.1.A.

A public hearing ("Hearing") was held before the Board on the evening of May 7, 2012 at 7:00 pm prevailing time, at the Borough Hall in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was given for the public hearing. After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Oliver Tyrone Pulver Corp., the owner of the Property. Said Applicant was represented by Ross Weiss, Esquire, counsel to the Applicant.
2. The Property involved is a commercial office building at 181 Washington Street, in Conshohocken, Pennsylvania. The Property is also known as Six Tower Bridge, and is presently zoned SP-2.
3. The Applicant, through its counsel, testified that it wished to add the Wall Signs to the Building, as noted on Exhibits P-3B and P-3D, so as to assist in making it easier to identify the location of a newly obtained tenant, a company called Nextdocs. There are two (2) Wall Signs being proposed. The first is on the northern face of the Building and is a non-illuminated, dimensional lettered sign "Nextdocs", which is sixty five (65) square feet in size (the "Northern Wall Sign"). On the eastern face of the Building, the Applicant proposes to put up an internally illuminated, channel lettered sign also stating "Nextdocs" and measuring one hundred nineteen square (119) feet in size (the "Eastern Wall Sign"). As the Eastern Wall Sign is proposed to be in excess of seventy five (75) square feet, relief is also required for the size of said sign.

4. The Applicant noted that the Building is located in a basin like portion of the Borough, and thus visibility is difficult for visitors attempting to locate the address. The Applicant also noted that the Board has previously granted relief to surrounding buildings for this same issue.

5. The Applicant presented Jeff Carson, of City Sign, Inc., to testify regarding the proposed signage. Carson was qualified as an expert witness during the hearing and testified as to the size, illumination and location of the signs as being necessary to increase the visibility of the Building in a safe and appropriate manner, so that the Building can be located more easily.

6. Applicant presented examples of similar type signage in the nearby area. See Exhibits P-3G and P-3I.

7. Applicant entered into the record a letter of support for the Proposed Relief from the landlord of the Property. See Exhibit A-9.

8. Currently, the Zoning Ordinance for SP-2 only permits an applicant either one (1) wall sign or one (1) monument sign at any given building. See Section 27-2109.5. Further, wall signs are not to exceed a total of seventy five (75) square feet. As a result, the addition of the two (2) proposed Wall Signs, one (1) of which exceeds seventy five (75) square feet, while maintaining the existing monument sign, requires relief from the Zoning Ordinance.

9. The Applicant argued that the addition of the Wall Sign would make the Property much more visible from the major roadways as invitees attempted to locate the Property.

10. Under questioning, Applicant advised that only the Eastern Wall Sign would be illuminated, with internal illuminating letters.

11. The Applicant also presented Dave Bogardis, of Nextdocs, to testify as to the plans of the proposed tenant. Bogardis testified that Nextdocs intended to commence a lease for one and one half (1 ½) floors, totaling 30,000 square feet, on July 1, 2012. Bogardis also advised that Nextdocs intended to bring seventy (70) employees to the site, and expected to grow (and thereby employ additional employees) over the near term, with hours of 9 am until 5 pm for the vast majority of the employees.

12. Bogardis testified that he was concerned that it would be difficult for customers to locate Nextdocs without the Wall Signs being contemplated.

13. Carson testified that he believed that the Wall Signs being proposed represented the minimum amount of relief necessary to effectively improve the ability to locate the Building through signs on the walls at the site.

14. No one testified for, or against, the Proposed Relief.

15. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant wishes to add two (2) Wall Signs to the Building, in addition to the existing monument sign, one of which will exceed seventy five (75) square feet, thereby violating Section 27-2109.5, which only permits one (1) monument or wall sign per building for a maximum square footage of seventy five (75) feet. See Section 27-2109.

Thus, the Applicant is seeking the three (3) Variances so that the location of the Applicant will be more apparent from the surrounding roadways.

Section 27-611 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict[s] unnecessary hardship upon the applicant." See id. at 27-611.1.A. Unnecessary hardship is to be determined to be present when the Board determines, as applicable, that:

- a) there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and thus the variance is necessary to enable reasonable use of the property;
- c) the unnecessary hardship has not been created by the applicant
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 27-611. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 27-611 and the MPC standards for a variance, see MPC, at 53 P.S. §10910.2, as well as the testimony and evidence submitted, and the questions raised by fellow Board members. The Board believes that unnecessary hardship is present in this matter, as it is difficult to locate the Building or any other building located in that

portion of the Borough, as noted by the prior relief granted by this Board for other nearby buildings.

As a result, the Board has agreed to grant the Proposed Relief in order to permit the Eastern Wall Sign and the Northern Wall Sign, provided each is built and maintained in conformity with the exhibits, including but not limited to Exhibit P-3B and P-3D, as well as the testimony at the Hearing, and further is within all other applicable Borough codes and regulations relating to the Wall Signs at the Property (the "Conditions").

The Board believes the Proposed Relief represents the minimum variance necessary to accommodate the Applicant's vision while representing the least modification possible to the Ordinance's regulations. See Zoning Ordinance Section 27-611.

Thus, the Board holds that the Application meets the requirements of "unnecessary hardship" required under the MPC for a variance, see id., and grants the Proposed Relief from Zoning Ordinance Section 27-2109.5 for the Eastern Wall Sign and the Northern Wall Sign, subject to the Conditions detailed herein.

IV. Conclusions of Law:

1. The matter was properly presented before the Board.

2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Zoning Ordinance and the MPC.

3. The Zoning Ordinance and the MPC both permit the Board to grant Variances from Zoning Ordinance Section 27-2109.5 for the Proposed Relief, as well as to restrict such Variance to the Conditions imposed by the Board.

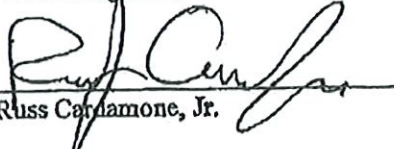
ORDER

The Board grants the Applicant's request for the Variance to the Zoning Ordinance Section 27-2109.5 for the construction and placement of the Northern and Eastern Wall Signs, subject to the Conditions, and in accordance with the provisions of this Opinion.

CONSHOHOCKEN ZONING HEARING BOARD¹


Richard Barton, Chairman


Vivian Angelucci


Russ Cardamone, Jr.

¹ Janis Vacca and Gregory F. Scharff did not participate in the hearing or rendering of a decision regarding this Application.



D

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN
IN RE: APPLICATION OF
WASHINGTON ST. ASSOCIATES II, LP, and KYNETIC (AKA NRG, LLC)

REGARDING

225 WASHINGTON STREET

DECISION OF THE BOARD

I. **History of the Case:**

By application dated August 29, 2011 (the "Application"), the Applicant is seeking zoning relief ("Proposed Relief") from the Zoning Hearing Board (the "Board"), in the nature of one variance Section 27-2109.5 (the "Variance") regarding wall signs on the commercial building (the "Building") located at 225 Washington Street, Conshohocken, Pennsylvania (the "Property") to allow for four (4) wall signs to be placed, one on each side of the Building, all as further detailed in Exhibits P-5R through P-8R (the "Proposed Signage"), all from the Conshohocken Borough Code (together with all amendments thereto, the "Borough Code"). The Borough Code prohibits walls signage of more than seventy five (75) square feet, and the Proposed Signage ranges in size from one hundred seventy four (174) square feet to between three hundred (300) and four hundred (400) square feet depending on the side of the Building.

The property is presently zoned Specially Planned District Two ("SP-2").

The Borough Code permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 27-611.1.A.

A public hearing ("Hearing") was held before the Board on the evening of October 2, 2010, at 7:30 pm prevailing time, at the Borough Hall in Conshohocken,

Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was given for the public hearing. After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is collectively, Washington St. Associates II, LP, the owner of the Property, and Kynetics¹, the proposed tenant of the Property ("Tenant"). Said Applicant was represented by Edmund Campbell, Jr., Esquire, counsel to the Applicant.

2. The Building involved is the commercial building located 225 Washington Street, Conshohocken, Pennsylvania, which has been subject to the redevelopment of the waterfront area in the Borough. The Property is presently zoned SP-2.

3. The Applicant, through its counsel, testified that the Proposed Signage it wished to install was comprised of four (4) wall signs, two hundred forty four (244) square feet each on the east and west sides of the Building, one hundred seventy four (174) square feet on the south side of the Building, and between three hundred (300) and four hundred (400) square feet on the north side of the Building, all as noted on Exhibits P-5R through P-8R. The Proposed Signage would highlight the tenants four (4) brands, "Kynetic", "Fanatics," "Shop Runners" and "Rue La La" on each side of the Building, all as noted on the Exhibits P-5R through P-8R. The Applicant testified that the Proposed Signage was necessary for the corporate branding the Applicant was seeking to achieve.

Currently, the Borough Code for SP-2 permits wall signs of up to seventy five (75) square feet² total on a building, unless said building is a corner property. See

¹ The Application notes the co-Applicant as "NRG", however at the Hearing, counsel for the Applicants noted that NRG had changed its name to "Kynetic".

Section 27-2109.5. The Building presently has other signs, including two previously approved by the Board via variance. As a result, the Proposed Signage requires relief from the Borough Code.

4. Representatives of the Tenant testified that it wished to have a national headquarters at the Property. The Applicant expected thirty (30) to forty (40) non-employees a day to enter the Building, as well as approximately one hundred (100) to one hundred thirty (130) employees initially³.

5. Counsel for the Applicant stated that the unnecessary hardship requesting to be relieved was that, due to the unique physical characteristics of the Property, including the location of the site in terms of access from and to the major thoroughfares, as well as the size of the development upon the Property, the Proposed Signage was needed to direct individuals to, and around, the site to effectively locate the Tenant. In light of the desire to convert a formerly industrial property into a commercial office use, as Borough Council encouraged for this Property, it was necessary to take extra efforts to increase the visibility of the site and its tenants. Such increased visibility, the Applicant contended, requires signs and advertising in excess of those permitted in SP-2.

6. Jeff Carson, of City Sign, Inc., testified for the Applicant. Mr. Carson noted the difficult location of the Property, and the need for corporate branding required the size and LED illumination of the Proposed Signage as detailed in the Exhibits.

7. The Applicant presented Saj Cherian, Vice President of Kynetic, to detail the intended use of the Building. At present, Mr. Cherian advised, Kynetic intended to

² The Proposed Signage are not all attached but are four (4) different names and separately mounted on the walls of the Building. At the Hearing, the Board determined to treat each side as a single wall sign, and thus, considered the Application to be a request for four (4) walls signs.

³ The Applicant noted that it expects to ultimately have two hundred (200) employees on site.

lease the third floor of the Property, but expected to grow significantly over time, as the company was making the location its national headquarters. Mr. Cherian also stressed that the additional signage was necessary for the corporate branding that the company was seeking. Mr. Cherian also advised that the company, as an internet based company, intended to be a 24/7 operation.

8. The Board questioned the need for the size, and quantity of the Proposed Signage, and both Mr. Cherian and counsel for the Applicant stressed the unique physical characteristics of the location as well as the need to both identify and brand the site.

9. Paul McConnell, President of Borough Council, testified in favor of the Proposed Relief.

10. No one testified against the Proposed Relief.

11. The Board finds that the matter was properly advertised pursuant to the Borough Code and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant wishes to install four (4) wall signs, one on each of the sides of the Building. The signs on the east and west sides of the Building will be two hundred forty four (244) square feet each, one hundred seventy four (174) square feet on the south side of the Building, and between three hundred (300) and four hundred (400) square feet on the north side of the Building, all as noted on Exhibits P-5R through P-8R. The Proposed Signage would highlight the tenant's four (4) brands, "Kynetic", "Fanatics," "Shop Runners" and "Rue La La" on each side of the Building, all as noted on the Exhibits. The Tenant intends to have its national headquarters at the site and use the Proposed Signage to create corporate branding of the site.

Currently, the Borough Code for SP-2 permits wall signs up to seventy five (75) square feet in the aggregate. See Section 27-2109.5. Thus, the Applicant is seeking the Variance to allow the Proposed Signage up to the four hundred (400) square footage as applicable and as noted above. See Section 27-2109.5.

Section 27-611 of the Borough Code permits the Board to grant a variance when the "Borough Code inflict[s] unnecessary hardship upon the applicant." See id. at 27-611.1.A. Unnecessary hardship is to be determined to be present when the Board determines, as applicable, that:

- a) there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Borough Code and thus the variance is necessary to enable reasonable use of the property;
- c) the unnecessary hardship has not been created by the applicant
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 27-611. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 27-611 and the MPC standards for a variance, See MPC, at 53 P.S. §10910.2, as well as the testimony and evidence submitted, and questions raised by fellow Board members. The Proposed Relief concerns the Board as it increases the

altering of the appearance and configuration of properties in that district by permitting even more signage on the Building—where already two (2) prior variances have been granted by the Board. While the Board has previously granted relief of this nature to this Property and, as the Applicant noted during the Hearing, to other buildings in the surrounding area, the Board is concerned that the impact of the advertising and signage will ultimately overwhelm the residential nature that Borough Council intended when it approved the development of the site by Washington St. Associates II, LP, the owner. Nonetheless, the Board is also swayed by the commitment made by the Tenant to the Borough and the site (including its commitment to making it a national headquarter), the quality of the Proposed Signage, the reality of the difficulty of the visibility of the location and the fact that no residents voiced opposition to this further increase in signage.

The Board is also convinced that, as the testimony and evidence presented at the Hearing have shown, the location, topography and the dimensional nature of the Property are of such a “unique physical . . . condition” that it is difficult to achieve the corporate branding the proposed tenant desires within the confines of the Borough Code. See id. at Section 27-611.

As a result, the Board has agreed to grant the Proposed Relief in order to permit the Proposed Signage, not to exceed two hundred forty four (244) square feet each on the east and west sides of the Building, one hundred seventy four (174) square feet on the south side of the Building, and between three hundred (300) and four hundred (400) square feet on the north side of the Building, and in conformity with the detailed plans noted as Exhibits P-5R through P-8R, and subject to the following conditions: (a) the

block area on the south side of the Building shall be painted prior to the installation of the Proposed Signage; (b) the Proposed Signage shall each be deemed as one sign for each side of the Building; and (c) the Applicant shall conform with the detailed plans presented to the Board as Exhibits P-5R through P-8R for the specific entities noted thereon (collectively, the "Conditions").

The Board believes the Proposed Signage represent the minimum variance necessary to accommodate the Applicant's vision while representing the least modification possible to the Ordinance's regulations. See Section 27-611.

Thus, the Board holds that the Application meets the requirements of "unnecessary hardship" required under the MPC for a variance, See id., and grants the Proposed Relief from Borough Code Section 27-2109.5 for the Proposed Signage, subject to the Conditions detailed herein. The Board wishes to stress however, that the granting of the Proposed Relief, as limited and detailed herein, does not, by any means, create or grant open ended permission to modify the Borough Code by variance for the Property.

IV. Conclusions of Law:

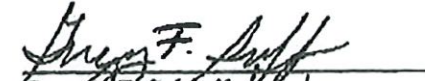
1. The matter was properly presented before the Board.
2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Borough Code and the MPC.
3. The Borough Code and the MPC both permit the Board to grant the Variance from Borough Code Section 27-2109.5 for the Proposed Relief, as well as to restrict such variances to the Conditions imposed by the Board.

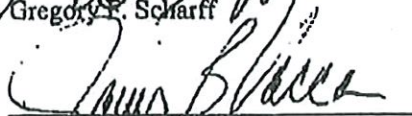
ORDER

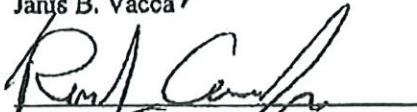
The Board grants the Applicant's request for the Variance to the Borough Code Section 27-2109.5 for the placement of the Proposed Signage, subject to the Conditions, and in accordance with the provisions of this Opinion.

CONSHOHOCKEN ZONING HEARING BOARD


Vivian Angelucci


Gregory F. Scharff


Janis B. Vacca


Russ Cardamone, Jr.

Dissenting in the Opinion:


Richard Barton, Chairman

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

**IN RE: APPLICATION OF
JACOBS ENGINEERING GROUP, INC.**

REGARDING

**3 TOWER BRIDGE
2 ASH STREET**

DECISION OF THE BOARD

I. History of the Case:

By application dated October 10, 2010 (the "Application"), the Applicant is seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of one (1) variance from Section 27-2109.5 regarding the prohibition against more than one (1) wall sign or monument sign on any building in the Specially Planned-2 ("SP-2") District as detailed in the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance") relating to real property located at 2 Ash Street, Conshohocken, Pennsylvania and also known as 3 Tower Bridge (collectively, the "Property").

The Applicant is requesting that it be permitted to add a wall sign (the "Wall Sign"), as detailed in Exhibit A-3 to the building at the Property (the "Building"), in addition to the existing monument sign at the site (the "Variance" or "Proposed Relief"). See Exhibit A-1.

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 27-611.1.A.

A public hearing ("Hearing") was held before the Board on the evening of December 6, 2010, at 7:00 pm prevailing time, at the Borough Hall in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was given for the public hearing. After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Jacobs Engineering Group, Inc., the tenant of the Property. Said Applicant was represented by Gary Walter, Jr., Esquire, counsel to the Applicant.
2. The Property involved is a commercial office building at 2 Ash Street, in Conshohocken, Pennsylvania. The Property is also known as Three Tower Bridge, and is presently zoned SP-2.
3. The Applicant, through its counsel, testified that it wished to add the Wall Sign to the Building, as noted on Exhibit A-3, so as to assist in making it easier to identify the location of Jacobs Engineering. The Wall Sign is proposed to be 74.4 square feet, which size is permitted in SP-2.
4. The Applicant noted that Jacobs employs some 340-350 employees at the location, and has been at the site for approximately fifteen (15) years. It is the sole tenant for the site.
5. The Applicant gave two reasons regarding the unnecessary hardship necessitating the Proposed Relief. First, despite the fifteen (15) years at the site, it is still difficult to find the Building—Google and other similar Internet mapping services direct people to a location two (2) blocks away, at Washington and Ash streets. Second, the

Applicant has recently undergone a re-branding of its company so that it will have a consistent look/identification at its various locations throughout the United States. The proposed Wall Sign is in keeping with its new logo look.

6. Applicant presented examples of similar type signage in the nearby area. See Exhibits A-6, A-7 and A-8.

7. Applicant entered into the record a letter of support for the Proposed Relief from the landlord of the Property. See Exhibit A-9.

8. Currently, the Zoning Ordinance for SP-2 only permits an applicant either one wall sign, or one monument sign at any given building. See Section 27-2109.5. As a result, the addition of the Wall Sign, while maintaining of the monument sign, requires relief from the Zoning Ordinance.

9. The Applicant argued that the addition of the Wall Sign would make the Property much more visible from the major roadways as invitees attempted to locate the Property.

10. Under questioning, Applicant advised that the Wall Sign would be illuminated, with internal and external lighting that would not impact beyond the Property line.

11. No one testified for, or against, the Proposed Relief.

12. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant wishes to add the Wall Sign to the Building, in addition to the existing monument sign, thereby violating Section 27-2109.5, which only permits one monument or wall sign per building. See Section 27-2109.

Thus, the Applicant is seeking the Variance so that the location of the Applicant will be more apparent from the surrounding roadways. In addition, the Applicant is undergoing a major re-branding of its business, and the proposed Wall Sign, as noted on Exhibit A-6, will be in keeping with such efforts. See Exhibits A-1 A-2, A-6; See Zoning Ordinance section 27-2109.5.

Section 27-611 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict[s] unnecessary hardship upon the applicant." See id. at 27-611.1.A. Unnecessary hardship is to be determined to be present when the Board determines, as applicable, that:

- a) there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and thus the variance is necessary to enable reasonable use of the property;
- c) the unnecessary hardship has not been created by the applicant
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 27-611. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 27-611 and the MPC standards for a variance, see MPC, at 53 P.S. §10910.2, as well as the testimony and evidence submitted, and the questions raised by fellow Board members. The Board believes that unnecessary hardship is present in this matter, as it is difficult to locate the Building, as exemplified by the testimony relating to Google and other such services mis-locating the Building.

As a result, the Board has agreed to grant the Proposed Relief in order to permit the Wall Sign, provided such is built and maintained in conformity with the exhibits, including but not limited to Exhibit A-6, as well as the testimony at the Hearing, and further is within all other applicable Borough codes and regulations relating to the Wall Sign at the Property (the "Conditions").

The Board believes the Proposed Relief represents the minimum variance necessary to accommodate the Applicant's vision while representing the least modification possible to the Ordinance's regulations. See Zoning Ordinance Section 27-611.

Thus, the Board holds that the Application meets the requirements of "unnecessary hardship" required under the MPC for a variance, see id., and grants the Proposed Relief from Zoning Ordinance Section Section 27-2109.5 for the proposed Wall Sign, subject to the Conditions detailed herein.

IV. Conclusions of Law:

- 1. The matter was properly presented before the Board.**
- 2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Zoning Ordinance and the MPC.**
- 3. The Zoning Ordinance and the MPC both permit the Board to grant the Variance from Zoning Ordinance Section 27-2109.5 for the Proposed Relief, as well as to restrict such Variance to the Conditions imposed by the Board.**

ORDER

The Board grants the Applicant's request for the Variance to the Zoning Ordinance Section 27-2109.5 for the use of the Wall Sign, subject to the Conditions, and in accordance with the provisions of this Opinion.

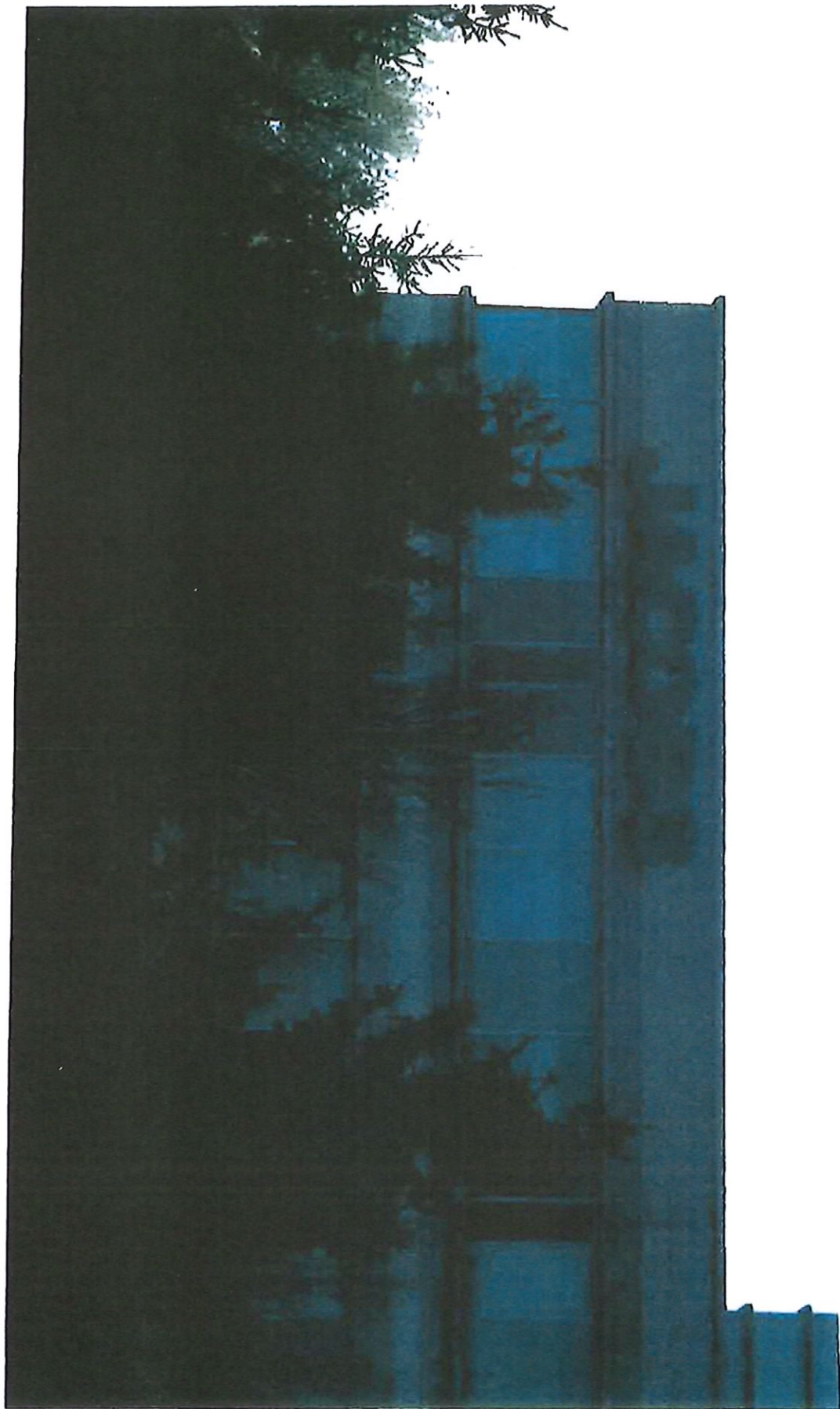
CONSHOHOCKEN ZONING HEARING BOARD

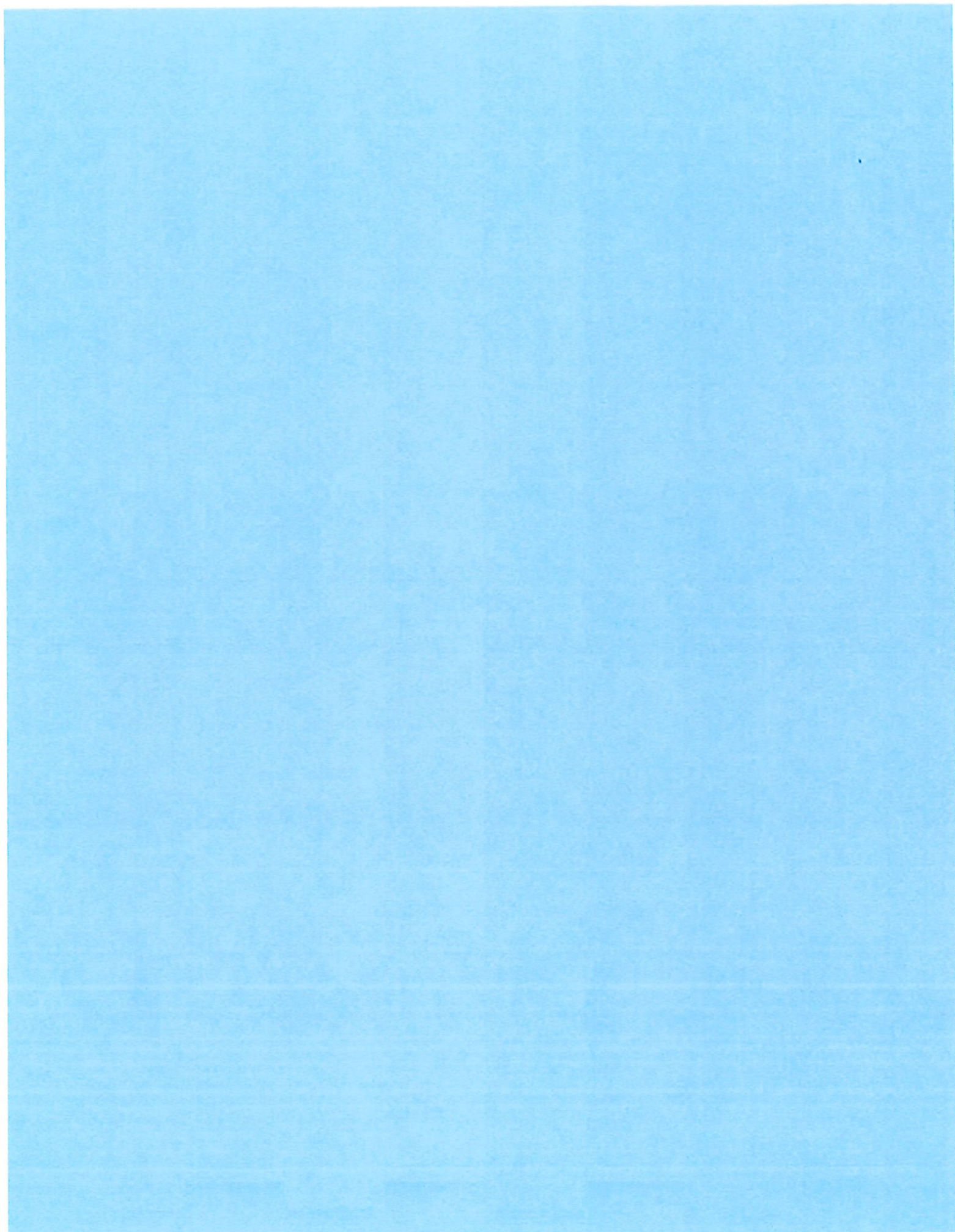
Richard Barton, Chairman

Vivian Angelucci

Henry Jaffe

Janis B. Vacca





COPY

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN
IN RE: APPLICATION OF SEVEN TOWER BRIDGE ASSOCIATES
PZ-2007-19

DECISION OF THE BOARD

I. History of the Case:

By Application dated August 24, 2007 (the "Application"), the Applicant is seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of variances from the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance") for the real property located at 110 Washington Street, Conshohocken, Pennsylvania (the "Property"). The Property is presently zoned Specially Planned District Two ("SP-2"). The Applicant is seeking zoning relief from the Board in the nature of one (1) variance under Section 17.5.G.2.C regarding flood proofing, one (1) variance under Section 15.5.B.4. regarding the minimum building setback requirement, one (1) variance under Section 15.6.B.4 regarding the types of foundation plantings which may be used at the site. Finally, the Applicant requested an interpretation of Section 17.5.C.3 regarding construction within 50 feet of the riverbank and Section 17.5.E.5., regarding paved roads, driveways, and parking lots. The interpretation the Applicant requests regards whether these Sections were applicable to the proposed project and if they indeed were applicable, the Applicant requested a variance from these Sections.

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See id. at Section 6.11.A.

A public hearing was held before the Board on the evening of October 1, 2007, at 7:45 p.m. prevailing time, at the Borough Hall in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issues and rendered a decision. Due notice was given for the public hearing. After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Seven Tower Bridge Associates. The owner of the property is R. and J. Holding Company. Said Applicant was represented by Ross Weias, Esquire, counsel to the Applicant.
2. The property involved includes the commercial property at 110 Washington Street, Conshohocken, Pennsylvania. The Property is presently zoned SP-2.
3. The Property has been the subject of three prior Decisions by the Board: July 11, 1995; June 18, 1998; and May 20, 1999.
4. The Applicant presented the testimony of Michael Kissinger, a Registered Professional Engineer with Pennoni Associates, Inc.
5. Mr. Kissinger testified that the Applicant wished to construct an office building and associated parking facility on the property.
6. No member of the public spoke in favor or in opposition to the Application.
7. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipal Planning Code ("MPC").

III. Discussion:

The Applicant is seeking zoning relief from the Board in order to construct an office building and associated parking facility. This Property has been the subject of three (3) prior Decisions of the Board. The first was on July 11, 1995. The second was on June 18, 1998. The third occurred on May 20, 1999.

The relief sought by the Applicant has been detailed above.

Section 6.11 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict[s] unnecessary hardship upon the applicant." See id. at 6.11.A. Unnecessary hardship is to be determined to be present when the Board determines, as applicable, that:

- a) there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and thus the variance is necessary to enable reasonable use of the property;
- c) the unnecessary hardship has not been created by the applicant;
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 6.11. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 6.11 and the MPC standards for a variance, see MPC, at 53 P.S.

§10910:2, as well as the testimony and evidence submitted, and questions raised by fellow Board members.

One of the roles of the Board is to balance the often conflicting property rights of property owners in the Borough. The Board takes this responsibility very seriously.

IV. Conclusions of Law:

1. The matter was properly presented before the Board.
2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Zoning Ordinance and the MPC.
3. The Zoning Ordinance and the MPC both permit the Board to grant the variances from the Zoning Ordinance Sections.

ORDER

The Board grants the Applicant's requests for variances to the Zoning Ordinance Sections 17.5.G.2.C and 15.6.B.4. The Board has determined that relief from Section 15.5.B.4 is not necessary as the proposed building is not located within the floodplain. The Board has determined that Conditional Use approval from the Conshohocken Borough Council under Sections 17.5.C.3 and 17.5.E. is required for construction of the walking trail and installation of utilities.

CONSHOHOCKEN ZONING HEARING BOARD

Arnold Martinelli, Chair


Vivian Angelucci

Gregory F. Scharff


Jennifer Oehler


Richard Barton

COPY

BEFORE THE ZONING HEARING BOARD OF CONSHOHOCKEN

IN RE: APPLICATION OF SEVEN TOWER BRIDGE ASSOCIATES

REGARDING

110 WASHINGTON STREET

DECISION OF THE BOARD

I. History of the Case:

By application dated October 15, 2007 (the "Application"), the Applicant is seeking zoning relief from the Zoning Hearing Board (the "Board"), in the nature of several variances (each a "Variance" and collectively, the "Variances") from 20.11.A.2., which requires all parking spaces which are designated for use by people with disabilities to be at least twenty (20) feet in length and thirteen (13) feet in width, all from the Conshohocken Borough Zoning Ordinance of 2001 (together with all amendments thereto, the "Zoning Ordinance") and all for real property located at 110 Washington Street, in the Specially Planned District Two ("SP-2") of Conshohocken (the "Property").

The Applicant is requesting that it be granted the Variances so that it may develop parking at the site which includes spaces designated for use by people with disabilities which measure eight (8) feet in width by eighteen (18) feet in length in the enclosed parking lot, and eight (8) feet in width by twenty (20) feet in length in the outside parking lot (the "Proposed Relief").

The Zoning Ordinance permits the Board to grant a variance when failure to do so would "inflict unnecessary hardship" upon an applicant. See *id.* at Section 6.11.A.

A public hearing was held before the Board on the evening of November 5, 2007, at 7:30 pm prevailing time, at the Borough Hall in Conshohocken, Pennsylvania. At the conclusion of the hearing, the Board discussed the issue and rendered a decision. Due notice was given for the public hearing.

After the conclusion of the hearing, the Board found as follows:

II. Findings of Fact:

1. The Applicant is Seven Tower Bridge Associates, equitable owner of the Property. Said Applicant was represented by Ross Weiss, Esquire, counsel to the Applicant.
2. The property involved is located at 110 Washington Street in Conshohocken, Pennsylvania. The Property is presently zoned SP-2.
3. The Applicant through its counsel, testified that it wished to develop a portion of the Property into a parking lot. Portions of the parking lot would be enclosed (the "Enclosed Lot") and other portions would be outside (the "Outside Lot", and collectively with the Enclosed Lot, the "Project"). In order to do so, the Applicant needed to fulfill the Zoning Ordinance requirement that at least two percent (2%) of all parking spaces for the Project be set aside for people with disabilities (the "Accessible Spaces"). Further, each such Accessible Space must fulfill the requirements of Section 20.11.A.2.C regarding the size of parking spaces for people with disabilities.
4. The Applicant requested relief pursuant to Section 6.11 of the Zoning Ordinance from 20.11.A.2.c, which requires all Accessible Spaces be at least twenty (20)

feet in length and thirteen (13) feet in width.¹

5. The Applicant offered John A. Nawn, P.E. as a traffic engineer for the Project (the "Applicant's Traffic Engineer") and Michael Kiesinger, P.E. as a design engineer (the "Applicant's Design Engineer" and collectively with the Applicant's Traffic Engineer, the "Engineers").

6. The Applicant, through its counsel and the Engineers, testified that the Project intended to comply with the Zoning Ordinances requirements as to number of Accessible Spaces, however due to the configuration of the development of the site, needed relief as to (i) the width of each such Accessible Space, regardless of whether the space was indoors or outside, from thirteen (13) feet to eight (8) feet; and (ii) the length Accessible Space in the Enclosed Lot, from twenty (20) feet to eighteen (18) feet.

7. Applicant's Engineers testified it was difficult to build the Accessible Spaces with the thirteen (13) foot width, and though they were still looking at trying to accommodate the Zoning Ordinance, it would be much more practical in the larger scheme of the Project, if they were permitted to reduce the width to eight (8) feet. Further, upon questioning from the Board and Christine Stefler (the "Zoning Officer"), the Applicant acknowledged that it still had to comply with the Americans with Disabilities Act (the "ADA") as such related to the five (5) foot aisles/islands required to abut the Accessible Spaces.

¹ It should be noted that the Application initially requested relief solely as to the length of the Parking Spaces in the Enclosed Lot (Applicant requested relief to permit the length to be reduced from twenty (20) feet to eighteen (18) feet). At the Hearing, the Applicant requested that the Application be amended to add approval to (1) permit the reduction of the width of the Accessible Spaces in the Enclosed Lot and Outside Lot from thirteen (13) feet to eight (8) feet.

8. The Applicant's Engineers also testified that the full twenty (20) foot length in the Enclosed Lot would be extremely difficult as it would impact the aisle width, which was limited already (though in conformity with the Zoning Ordinance) due to the configuration of the Enclosed Lot; permitting eighteen (18) foot length for the Accessible Spaces would allow a standardizing of length for all parking spaces—though reserved for people with disabilities and those which were not—throughout the Enclosed Lot.

9. Applicant's Traffic Engineer testified that of the sixteen (16) Accessible Spaces, the fourteen (14) in the Enclosed Lot needed relief from the twenty (20) foot length requirement of 20.11.A.2. (and instead be allowed to be only eighteen (18) feet in length) and all the Accessible Spaces need relief to reduce their width from thirteen (13) feet to eight (8) feet.

10. Joseph Januzelli, Building Coded Officer for the Borough, testified that neither the ADA, nor the American National Standards Institute standards ("ANSI") have a minimum length requirement.

11. James R. Watson, Borough Engineer, testified, similar to Mr. Januzelli, that the various applicable codes did not have a required length for Accessible Parking, however, he felt eighteen (18) feet was an "absolute" minimum.

12. Counsel for the Board, David Nasatir (the "Board Solicitor") noted that if the Zoning Ordinance were more stringent than the ADA or ANSI, the Board could loosen those requirements provided it did not dilute the requirements to the point they were less stringent than the ADA or ANSI.

13. There were no other parties to testify for or against the Applicant.

14. The Board finds that the matter was properly advertised pursuant to the Zoning Ordinance and the Pennsylvania Municipalities Planning Code ("MPC").

III. Discussion:

The Applicant intends to develop 813 parking spaces, and pursuant to the Zoning Ordinance, will include sixteen (16) spaces reserved for use by people with disabilities. Pursuant to its plans, the Applicant wishes to obtain the following Variances from Section 20.11.A.2.c:

(a) relief to permit the reduction of the width of all sixteen (16) of the Accessible Spaces from thirteen (13) feet to eight (8) feet regardless of whether said spaces are in the Enclosed Lot or Outside Lot;

(b) relief to permit the length of the fourteen (14) Accessible Spaces in the Enclosed Lot to be reduced from twenty (20) feet to eighteen (18) feet;

Applicant argues this is a *de minimus* reduction in size to accommodate both the intent of providing access to individuals with disabilities with the dimensional layout of the proposed building and configuration of the Property.

Section 6.11 of the Zoning Ordinance permits the Board to grant a variance when the "Zoning Ordinance inflict(s) unnecessary hardship upon the applicant." See *id.* at 6.11.A. Unnecessary hardship is determined to be present when the Board determines, as applicable, that:

- a) that there are unique physical circumstances or conditions to the property;
- b) there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and thus the variance is necessary to enable reasonable use of the property;

- c) that the unnecessary hardship has not been created by the applicant;
- d) the granting of the variance, if authorized would not alter the essential character of the neighborhood; and
- e) the granting of the variance, if authorized will represent the minimum variance to afford the relief and represent the least modification possible to the regulation in issue.

Id. at Section 6.11. See also MPC, at 53 P.S. §10910.2.

The Board has reviewed the Proposed Relief carefully in connection with the requirements of Section 6.11 and the MPC standards for a variance. See MPC, at 53 P.S. §10910.2. As the testimony and evidence presented at the hearing have shown, the reduction in the length of the Accessible Spaces in the Enclosed Lot, from twenty (20) feet to eighteen (18) feet, appears to be of a minimal nature so as to not intrude upon the essential character of the SP-2 portion of the Borough, nor unreasonably intrude upon the restrictions imposed upon under the Zoning Ordinance, and likely reduces the danger of a parked vehicle protruding into a tight parking aisle.

As far as the reduction in the width for all the Accessible Spaces, the Board is inclined to grant this Variance as well. The Board believes that the ADA requirement of a five (5) foot island/side aisle-way adjacent to any such Accessible Space, will grant any user of that space sufficient room to maneuver in getting out of, or into, their vehicle. The Board suspects that Borough Council may have intended that the thirteen (13) foot parking width required of an Accessible Space as inclusive of the five (5) foot island/aisle-way when it approved the Zoning Ordinance

As a result of the above, the Board grants each of the requested Variances, provided the Project is developed in conformity with the plans and specifications delivered to the Board as part of the Applicant's Application or presented at the hearing.

IV. Conclusions of Law:

1. The matter was properly presented before the Board.
2. The matter was properly advertised and the hearing both timely and appropriately convened in accordance with the provisions of both the Zoning Ordinance and the MPC.
3. The Zoning Ordinance and the MPC both give the Board the necessary discretion to determine whether or not the Variances may be granted for proposed Project.

ORDER

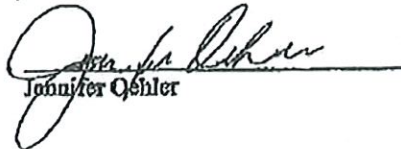
For the reasons stated herein, the Board grants the Applicant's request for the Variances to the Zoning Ordinance all as detailed herein.

CONSHOHOCKEN ZONING HEARING BOARD²

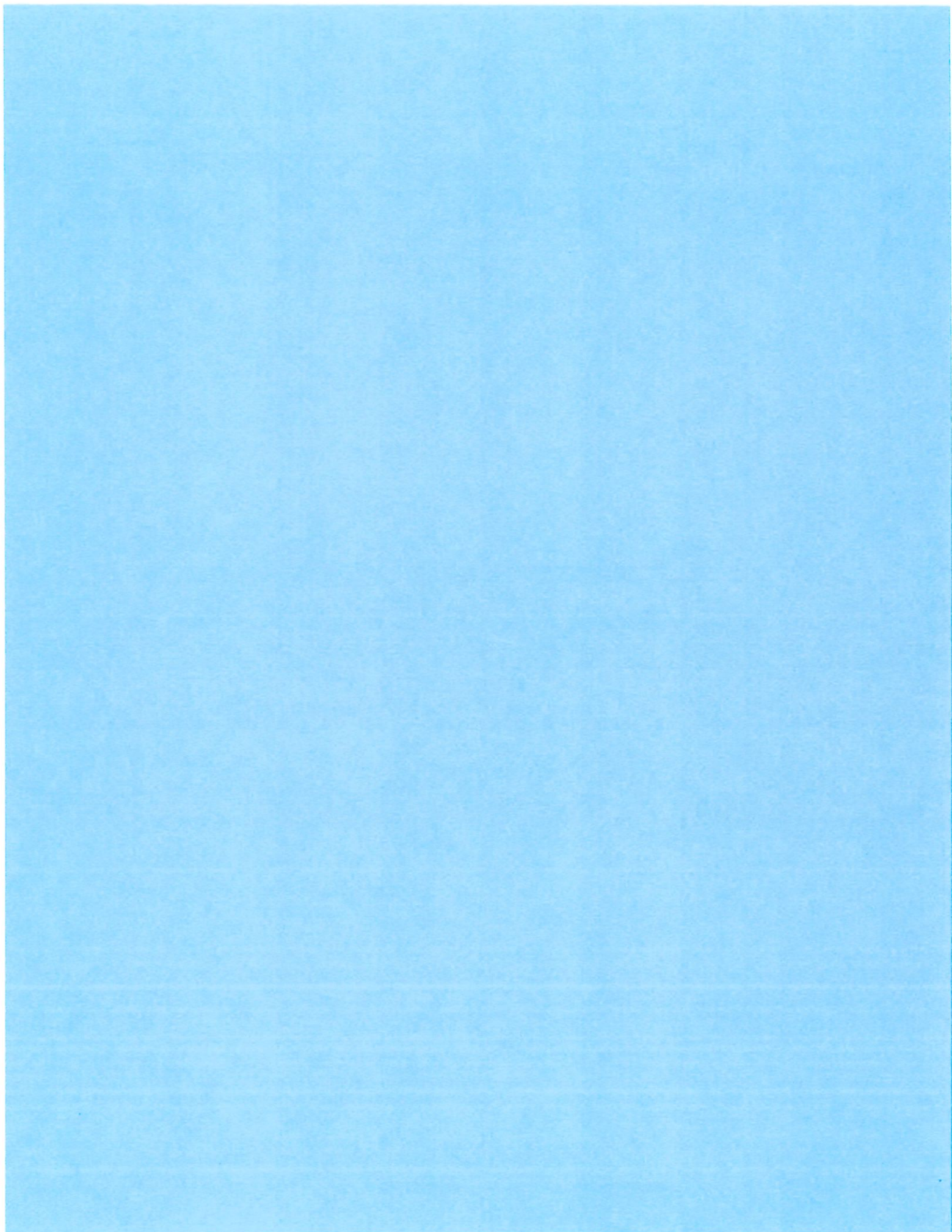

Arnold Martinelli, Chairman

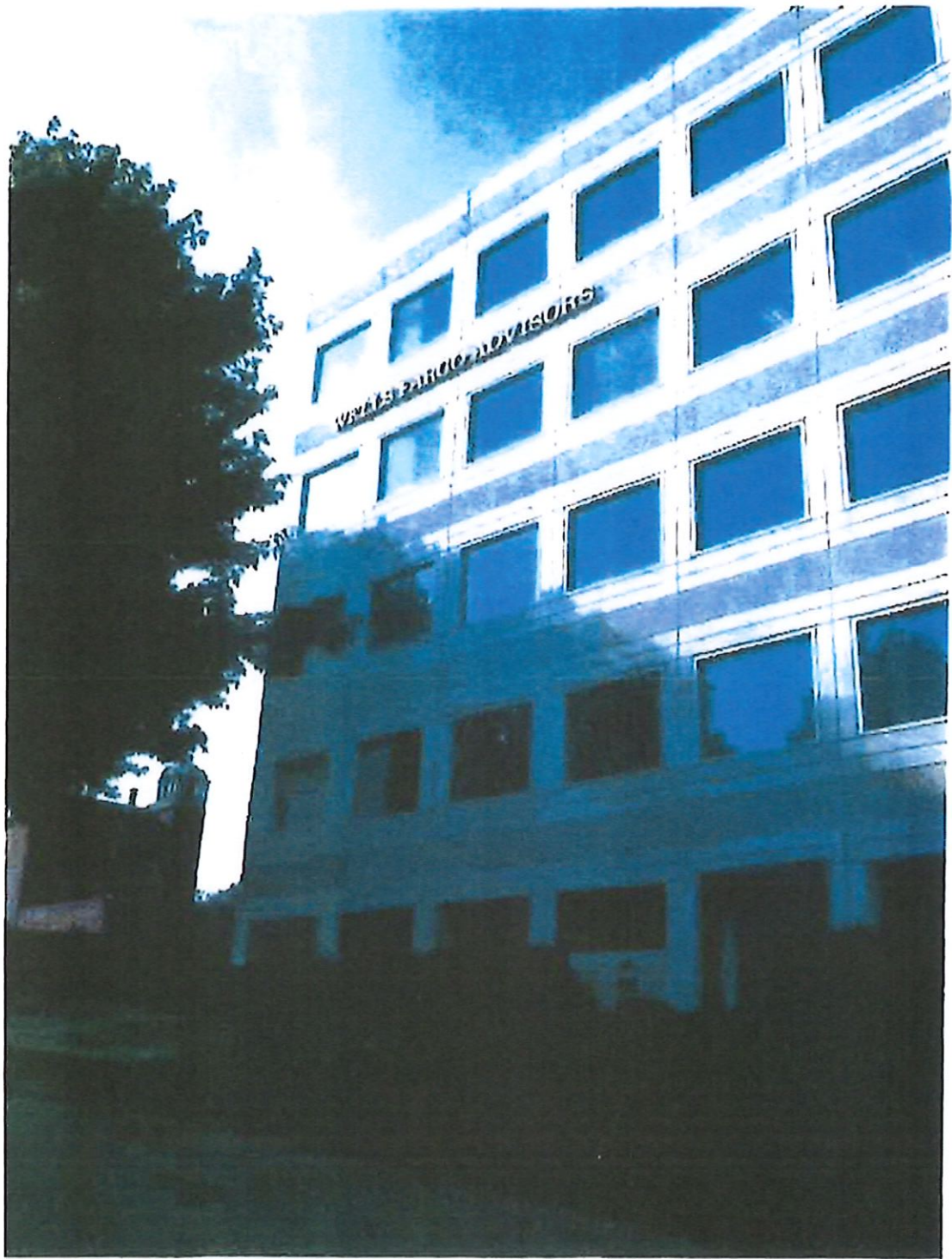

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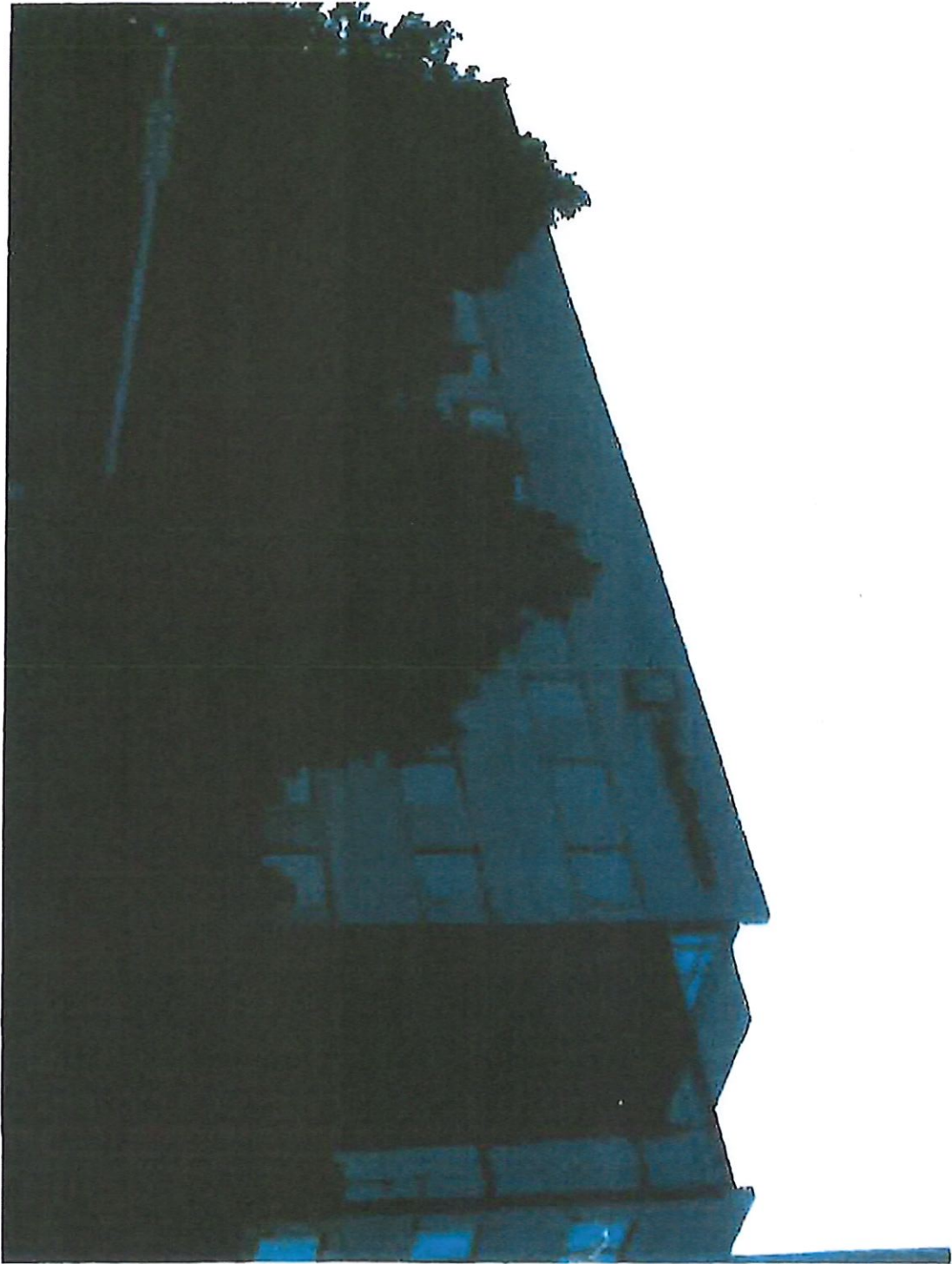
² Zoning Board Member Richard Barton did not attend the Hearing or participate in this decision.



















BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Senior Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

MEMORANDUM

Stephanie Cecco
Borough Manager

Date: December 28, 2020

To: Stephanie Cecco, Brittany Rogers

From: Eric P. Johnson, PE

Re: 110 and 181 Washington Street – Seven Tower Bridge / Six Tower Bridge
Zoning Determination

History of the Site:

Seven Tower Bridge is a 10-story 260,000 square-foot office building with accompanying parking garage that is approaching the end of construction at 110 Washington Street. The Seven Tower Bridge property is located along the Schuylkill River and adjacent to the Fayette Street bridge; and is accessed via an easement across the Six Tower Bridge (181 Washington Street) property. Earlier this year, the applicant was granted zoning relief to allow for the installation of a temporary banner sign and temporary pole mounted sign on both the 110 Washington Street (Seven Tower Bridge) and 161 Washington Street (Eight Tower Bridge) properties identifying the new development. The temporary signage is required to be removed twelve months after the issuance of the first occupancy permit or December 31, 2022, whichever occurs first. In December 2020, the applicant was granted zoning relief to allow the installation of three (3) building mounted tenant signs. The Six Tower Bridge and Seven Tower Bridge properties are located in the SP-2 Zoning District.

Current Request:

The applicant proposes to install a 7'x7' (49 square-foot) monument sign at the Washington Street driveway entrance to the Seven Tower Bridge development. The sign would be located on the Six Tower Bridge property. The applicant is seeking variances from Borough Code Sections 27-2109.5 and 27-2109.6.

Zoning Determination:

Section 27-2109.5 permits one (1) freestanding sign or wall sign per building, with a maximum sign size of 75 square feet. Section 27-2109.7 allows a tenant identification sign at the vehicle entrance to the property; however, the sign area is limited to 36 square feet. The applicant has previously received a variance to allow for the installation of three (3) wall signs on the property. The proposed monument sign would be the fourth sign for the Seven Tower Bridge development. A variance is required for the proposed monument sign.

Section 27-2109.6 defines an off-premises sign as a billboard in the SP-1, SP-2, and SP-3 Districts, and only permits billboards in the SP-3 District. The proposed monument sign is located on the Six Tower Bridge

property and therefore is located off-premises. A variance is required to permit the Seven Tower Bridge sign on the Six Tower Bridge property.

Section 27-2105.B and C state that no sign shall be placed in such a position to endanger traffic on the street or pedestrians using a public sidewalk by obstructing a clear view. The proposed monument sign maybe located within the required clear sight triangle for vehicles exiting the site driveway onto Washington Street. Additional information will need to be provided by the applicant demonstrating to the satisfaction of the Borough that the minimum required sight distances are provided and that the sign will not endanger traffic or pedestrians.

A note on the signage plan included in the application indicates that the tree adjacent to the proposed monument sign would be removed. The tree is likely a required street tree that was part of a previously approved Land Development. Therefore, removal of the tree may require revision of the approved Land Development plan.