PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Zoning Hearing Board of the Township of Maidencreek, Berks County, Pennsylvania will hold a public hearing on Monday, July 29, 2019 at 6:00 P.M. at the Maidencreek Township Building located at 1 Quarry Road, Blandon, PA 19510 for the purpose of considering the application submitted by Debra A. Kutz-Zuchowski ("Applicant"), 269 Spirit Court, Blandon, Maidencreek Township, PA ("Property") in the R Zoning District for an appeal of a Notice of Violation from Section 220-109 requiring permits for erection of accessory structures on Township property.

Any interested person may attend the hearing and persons affected by the Application may be heard. All persons wanting to review the Application and attachments at the Township Building may do so by making an appointment with the Township Secretary during normal business hours and may photocopy the Application upon payment of costs to the Township.

If you require special accommodations in order to attend the public hearing, please call Maidencreek Township at (610) 926-4920. The Township will make every reasonable attempt to accommodate you.

Joan E. London, Esquire
Maidencreek Township
Zoning Hearing Board Solicitor

WOLF BALDWIN and Associates
ATTORNEYS-AT-LAW

All Correspondence to Pottstown Office

800 E. High Street
P.O. Box 444
Pottstown, PA 19464
Phone: 610-323-7436
Fax: 610-970-1595

606 Court Street
Suite 203
Reading, PA 19601
Phone: 610-374-2400

13 W. Miner Street
West Chester, PA 19382
Phone: 610-436-8300

www.wolfbaldwin.com

Jack F. Wolf (Retired)

Bruce L. Baldwin
Levi S. Wolf
Charles D. Garner
Andrew J. Monastra
Daniel E. McCabe
Jessica R. Grater
Matthew T. Hovey
Julie J. Marburger
Faye C. Cautin

Of Counsel
Allan L. Sodomsky

June 27, 2019

VIA EMAIL ONLY

Joan E. London, Esquire
Kozloff Stoudt Attorneys
2640 Westview Drive
Wyomissing, PA 19610

RE: Zoning Appeal - Debra Kutz-Zuchowski
269 Spirit Court
Our File No. 2018-0797

Dear Joan:

As you are aware, I represent the Applicants in the above-referenced zoning appeal which had been filed pro se. Please accept this letter as a formal amendment to the Zoning Appeal that was filed with the Township on November 16, 2018. The basis for the appeal is to appeal the Violation Notice issued by Terrence J. Naugle dated November 6, 2018. I hereby withdraw our request for variance, special exception and conditional use as originally requested in the Zoning Application. I understand a hearing will be scheduled on this matter in late July. Would you please provide me a copy of the Notice when it has been prepared. If you have any questions, please feel free to contact me. Thank you.

Very truly yours,
WOLF, BALDWIN & ASSOCIATES, P.C.

By:

Charles D. Garner, Jr.

CDG/pm

cc: Ms. Debra Kutz-Zuchowski (via email only)
Gene Orlando, Esquire (via email only)

MAIDENCREEK TOWNSHIP ZONING HEARING BOARD

NOTICE OF APPEAL OR APPLICATION
(To be filed in triplicate with plot plan attached.)

APPEAL NO. _____

DATE 11-16-18

Appeal is hereby made by the undersigned (check one)

( ) from the action of the Zoning Officer in refusing my application for a Zoning Permit on _____, 20 .

( ) for a Variance from the terms of the Zoning Ordinance of Maidencreek Township.

(✓) for a Special Exception from the terms of the Zoning Ordinance of Maidencreek Township.

(✓) for a Conditional Use from the terms of the Zoning Ordinance of Maidencreek Township.

( ) for a Rezoning from the terms of the Zoning Ordinance of Maidencreek Township.

( ) from the action of the Building Inspector in refusing my application for a Building Permit on _____, 20 .

Name of Property Owner Debra Kutz-Zuchowski

Name of Applicant Debra Kutz-Zuchwski

Location of Property 269 Spirit Ct Blandon PA 19510

Address of Applicant 269 Spirit Ct Blandon PA 19510

Interest of Applicant in property if not owner (agent, lessee, equitable, etc.) _____

Attorney (if any) Charles Garner

1. Application relates to:

Use (✓) Lot Area ( ) Yards ( ) Height ( ) Existing Building ( )
Proposed Building ( ) Area Classification ( )
Other ( ) _____

2. Description of Real Property and Location: use of land locked property next to my property 40' wide x 600ft to creek

(a) Lot Size
(b) Present Use
(c) Present Zoning Classification
(d) Present Existing Improvements

3. Date Building Inspector or Zoning Officer made his determination 11-6-18

Statement of alleged error or Building or Zoning Officer Great Valley Consultants

4. Action desired by applicant permission to use landlocked property owned by Maidencreek Township for personal use

5. Reasons applicant believes the Board should approve the desired action (ei. To section or sections of the ordinance under which you believe the desired action may be allowed, and note specifically whether or not a hardship is being claimed) Area of 40'x 60ft next to my property has been maintained by me for 21 years. land is landlocked. Maidencreek Township has made no attempt to maintain this area of land for 21 years.

6. Has a previous appeal been filed in connection with these premises? no

7. List names and addresses of all adjoining property owners and all property owners and/or residents within 1000 feet of the location of applicant's property.

8. Attach 3 scale copies of a plot plan of the real estate affected and in question here, indicating its location, North point, scale, adjoining owners, distances, lot size, size and location of improvements now existing and the size and location of proposed improvements, show site location insert, and indicate any other changes desired or information required by the Zoning Hearing Board.

9. The undersigned being the legal or equitable owner of certain real estate, which is the subject of a zoning application which is being submitted to the Township of Maidencreek simultaneously herewith, in consideration of the Township of Maidencreek processing the aforesaid plan, agree to pay to the aforesaid Township, within thirty (30) days from the date of the Township invoice, all costs that the Township has incurred, in processing the said zoning application.

I hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith are true and correct to the best of my knowledge, information and belief.

Date 11-6-18 Debra Kutz-Zuchowski
Applicant

Witness:

THIS APPLICATION MUST BE ACCOMPANIED WITH A CHECK IN THE AMOUNT OF $ _____
MADE PAYABLE TO: MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS.

This appeal is related to Property Maintenance Code
302.1 Sanitation
305.1 Accumulation of Rubbish

3. Date Building Inspector or Zoning Officer made his determination 11-6-18

Statement of alleged error or Building or Zoning Officer Great Valley Consultants

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Date 11-6-18 Debra Kutz-Zuchowski
Applicant

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MADE PAYABLE TO: MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS.

This appeal is related to Property Maintenance Code
302.1 Sanitation
305.1 Accumulation of Rubbish

GREAT VALLEY CONSULTANTS
75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323
PHONE: (610) 375-8822
1-800-733-4821
FAX: (610) 375-8977

November 6, 2018

CERTIFIED MAIL/RETURN RECEIPT
AND FIRST CLASS MAIL

Ms. Debra Ann Kutz
269 Spirit Court
Blandon, PA 19510

Re: Maidencreek Township, Berks County, PA
Property Maintenance Violations
269 Spirit Court
GVC No. 3026-007

NOTICE OF VIOLATION

Dear Ms. Kutz:

Great Valley Consultants (GVC) is the Building Code Official and the Zoning Officer for the Township of Maidencreek. We have also been appointed as the Property Maintenance Code Official by the Township. You are the owner of the Berks County tax parcel ID No. 541120904093, also known as 269 Spirit Court, Blandon (Maidencreek Township), PA 19510, and are the owner of the property, the trash, and debris described in this Notice.

The Township has received a complaint about the condition of the property at 269 Spirit Court. We visited the property on October 23, 2018 and found debris, old toys, several old five (5) gallon plastic cans, wheel barrels, old boxes, fencing, old boxes and firewood. The trash and debris are a violation of the 2000 International Property Maintenance Code as adopted by the Township of Maidencreek on July 12, 2001 by Ordinance No. 179, Section 302.1 and 305.1 ("Property Maintenance Code") which states:

302.1 Sanitation - All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

305.1 Accumulation of Rubbish - All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or debris.

You are in violation of the Property Maintenance Code and all structures, items of personal property, trash debris and other items mentioned herein must be cleaned up and begin the removal immediately upon receipt of the Notice and all items must be removed within twenty-one (21) days from the receipt of this Notice. It appears that some of these items may be beyond your property Boundary and on property owned by the Township. To the extent that any such items or property are on Township Property, you must remove

it immediately. Be advised that to the extent this trash, debris or property deposited by you is on Township Property, you are also trespassing and may be subject to additional legal proceedings and fines if not removed promptly.

Failure to comply with this Notice may result in a Citation being issued and possible fines imposed.

We also note that you have the right to appeal the Property Maintenance Violation to the Board of Appeals, provided that a written application for appeal is filed within twenty (20) days within receipt of this letter. The written application for appeal is to be submitted to the Township of Maidencreek.

Should you have any questions, please contact this office.

Sincerely,

TERRENCE J. NAUGLE, RA
Zoning Officer / Building Code Official

TJN:FP/lam
Enclosures
cc: Ms. Diane Hollenbach, Township Manager
Eugene Orlando, Township Solicitor