

**APPEAL PETITION TO
THE ZONING HEARING BOARD OF EXETER TOWNSHIP**

Revised 1/22

Instructions In Preparing Appeal:

- (A) All applicable questions should be fully answered.
- (B) If you need more space, use blank sheets, but give your answers with paragraph numbers corresponding with this form.
- (C) Photos or other exhibits may be attached to your appeal if you desire.
- (D) Petition must be filed with the Zoning Hearing Board in duplicate originals. Original signatures must appear on both copies. Two sets of plans shall be submitted, (8-1/2" x 11" or 11" x 17" for easy copying).
- (E) Petition must be signed and affidavit must be executed by all petitioners before a Notary Public or District Justice.
- (F) Submit a check with the application, made payable to "Exeter Township" in the amount of:

- | | | |
|----|--------------|---|
| 1. | \$900.00 - | Residential Request for Variance, Special Exception or
Appeal of Zoning Officer Action |
| 2. | \$2,000.00 - | Commercial/Industrial Request for Variance, Special Exception or
Appeal of Zoning Officer Action |
-

- 1. Provide full names, addresses and telephone numbers of petitioners:
Mr. Wilson Shirk
295 Pineview Road
Denver, Pa. 17517
(717) 336-3950

- 2. Do you own property covered by appeal? If not, who does?
Yes

3. Check the type of relief you are seeking:
- () Appeal from incorrect decision of administration official.
- (x) Request for variance from Zoning Ordinance.
- () Request for special exception, which is expressly provided for in the Zoning Ordinance.
4. Provide brief description and location of the real estate covered by appeal including the improvements built on it and the present use of the property:
- a) Tax Map Identification Number: 43532510464152
- b) Street Address: yet to be assigned Between 4525 & 4555 Painted Sky Rd.
- c) Parcel Size: 0.478 acre
- d) Present Improvements on Parcel: none
- e) Present Use of Property: vacant
5. Present zoning of property: Urban Residential
6. Deed Book and Page Number (latest) where the deed is recorded in the Berks County Courthouse: 2020046157
7. Answer either part of this question:
- a. If a variance or exception is requested, give the sections of the Zoning Ordinance from which relief is desired and the nature of the relief you want.
- Section 390-18.E Area, yard and Height regulations specifically, minimum required side yard setback to permit one side to be 17.18 ft. vs. the required 25 ft. from a property line

b. If this is an appeal from the ruling of an administrative official, state the ruling, which has been made against you and why you feel the ruling, is incorrect.

8. Describe your intentions for the property if the relief you request is granted and the reasons why you feel you should be granted relief.

Refer to attached narrative

9. List all adjoining property owners' names, addresses and telephone numbers of the subject property.

Refer to attached narrative

10. Attach to this application a plan of the premises covered by the appeal. Include the following:

- a. Lot dimensions
- b. Locations of any buildings or structures currently on property; proposed buildings or structures if relief is granted
- c. Any easements or rights-of-way
- d. Distances between buildings or structures
- e. Distances from buildings or structures to all property lines
- f. Streets (including right-of-way width)

THIS PETITION is executed by petitioners this 28th day of November, 2022.

Wilson Z Shirk

Signature of Applicant

Wilson Z Shirk / self

Print Name and Title

EP

Signature of Applicant

EP

Print Name and Title

STATE OF PENNSYLVANIA
COUNTY OF ~~BERKS~~ Lebanon

Wilson Z Shirk

Print name(s) of applicant(s)

Being duly sworn according to law, depose and say that the facts set forth in the foregoing Appeal Petition are true and correct to the best of their knowledge, information and belief.

Wilson Z Shirk

Signature of Applicant

Wilson Z Shirk / self

Print Name and Title

EP

Signature of Applicant

EP

Print Name and Title

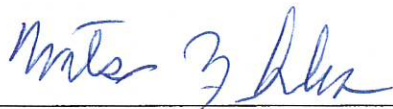
SWORN TO AND SUBSCRIBED before me this 28th day of November, 2022 EP

Elizabeth Pedersen

Notary with Seal Below

Please list any legal or other representation below, so that all parties will be notified of Hearing date:

"Applicant(s) hereby authorize the Exeter Township Board of Supervisors, the Exeter Township Planning Commission and other Township Officials to view and inspect the property which is subject of this Application at any time during the pendency of said Application and the construction related thereto."



Signature of Applicant



Signature of Applicant



Surveying, Land Planning & Design Services

200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610
(484) 336-6454; www.otm-surveying.com

Thursday, November 10, 2022

PROJECT NARRATIVE AND ZONING RELIEF
PROPERTY OF WILSON Z. SHIRK

This property located on the North side of Painted Sky Road in the Township of Exeter, Berks County, Pennsylvania is currently a 0.478 acre vacant lot owned by Mr. Wilson Z. Shirk. The site is located within the Urban Residential zoning district and the existing neighborhood consists of single family detached home utilizing public sewer facilities and on site wells.

The subject parcel is intended to be developed with one single family detached dwelling utilizing public sewer facilities and an on-site well.
The property is currently non-conforming to the current zoning ordinance requirements relative to both Lot width and Lot area.

REQUESTED RELIEF

Relief of section 390-18.E of the Exeter Township Zoning Ordinance, specifically as it relates to the required side yard setbacks. The ordinance currently requires a one side setback of 25 ft. from a property line with a total required setback of 50 ft.

This application requests relief in order to provide a one side setback of 17.18 ft. with a total sideyard setback of 49.77 ft.

The relief is necessary in order to adequately construct the dwelling, providing a driveway that meets the current municipal requirements regarding grades and to provide the necessary stormwater management system as required by the Stormwater Management Ordinance.

The requested relief represents the minimum required relief necessary for development & use of the property under the current requirements of the underlying zoning district

ADJOINING PROPERTY OWNER LISTING

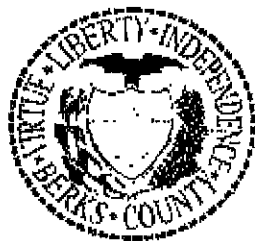
Robert L. and Koehline Rosenberg
4525 Painted Sky Road
Reading, Pa. 19606-9518

Stephen A. Cipollone
4555 Painted Sky Road
Reading, Pa. 19606-9518

Josephine M. Tripodi
1322 S. Broad Street
Philadelphia, Pa. 19146-4807

Stephen F. and Theresa L. Skobel
4540 Painted Sky Rd
Reading, PA 19606-9041

-w B

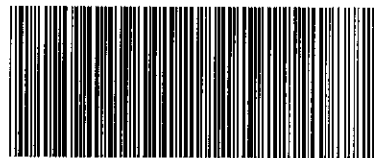


Mary Kozak
Berks County Recorder of Deeds

Berks County Services Center 3rd Floor
633 Court Street
Reading, PA 19601
Office: (610) 478-3380 ~ Fax: (610) 478-3359
Website: www.countyofberks.com/recorder

INSTRUMENT # 2020046157

RECORDED DATE: 12/03/2020 01:30:07 PM



4968463-0016/

Document Type: DEED

Transaction #: 5648180
Document Page Count: 3
Operator Id: llaboy

PARCEL ID(s): (See doc for additional parcel #'s)
43532510464152

SUBMITTED BY:
Wyomissing Abstract, LLC
1100 BERKSHIRE BLVDSUITE 100

WYOMISSING, PA 19610
(610) 372-8201

*** PROPERTY DATA:**

Municipality: EXETER TOWNSHIP
School District: EXETER

** PLEASE SEE DOCUMENT OR INDEX FOR ADDITIONAL PROPERTY DATA

CONSIDERATION/SECURE AMT: \$40,000.00
TAXABLE AMOUNT: \$40,000.00

FEES / TAXES:

RECORDING FEES: DEED	\$14.75
AFFORDABLE HOUSING FEE	\$11.50
RECORDS IMPROVEMENT FUND	\$5.00
JUDICIAL FEE	\$40.25
WRIT TAX	\$0.50
PARCEL ID FEE	\$10.00
STATE RTT	\$400.00
EXETER TOWNSHIP	\$200.00
EXETER SD	\$200.00
Total:	\$882.00

INSTRUMENT #: 2020046157

Recorded Date: 12/03/2020 01:30:07 PM

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



Mary Kozak
Recorder of Deeds

OFFICIAL RECORDING COVER PAGE

Page 1 of 4

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:
Wyomissing Abstract, LLC
925 Berkshire Boulevard, Suite 100
Wyomissing, Pa 19610
(610) 898-6210
11436-WA

Return To:
WILSON Z. SHIRK *295 Pineview Rd*
~~PAINTED SKY ROAD a/k/a 4545 PAINTED SKY ROAD~~
~~READING, PA 19606~~ *Denver, Pa 17517*

Premises:
PAINTED SKY ROAD a/k/a 4545 PAINTED SKY ROAD
EXETER TOWNSHIP
43
Parcel ID: ~~45-5325-10-46-4152~~

This Deed, made this *2nd* day of ^{*November*}~~*October*~~, 2020
Between,

STEPHEN M. PIPER and LORRAINE R. PIPER, husband & wife
(hereinafter called "Grantors"), of the one part, and

WILSON Z. SHIRK (hereinafter called the "Grantee"), of the other part.

Witnesseth, That in consideration of \$40,000 and other Good and Valuable
Consideration

in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey
unto the said Grantee, his heirs and assigns,

See Attached Exhibit A

Exhibit A

ALL THAT CERTAIN lot or piece of ground situate in **Exeter Township**, Berks County, Pennsylvania, bounded and described as follows:

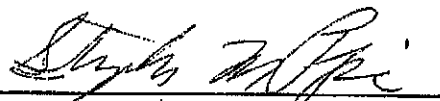
BEGINNING at an iron spike in the center line of Painted Sky Road, formerly Neversink Road, running from Gibraltar Road to the Reading Culvert, a distance of 143' 7" measured from an iron spike in the corner of other lands of Elizabeth Ann Ebright and Harry A Spatz and in the Easterly line of lands now or late of Lola Schmidt; thence at right angles to said road in a northerly direction, a distance of 221' 1" to an iron pipe in line of lands now or late of A. J. Stratton; thence along said line of lands in an Easterly direction making an interior angle of 95 degrees 52 minutes a distance of 100' 1" to an iron pipe in the corner of lands about to be conveyed to Richard A. Parzanese and Dawn E. Parzanese, his wife; thence along said line of lands a distance of 231' 4" to an iron spike in the center of the above mentioned public road; thence along said road in a Westerly direction a distance of 100' 0" to the place of Beginning.

BEING THE SAME PREMISES WHICH STEPHEN M. PIPER, by Deed dated 2/26/2013 and recorded 3/18/2013 in the Office for the Recorder of Deeds in and for the COUNTY of BERKS, and COMMONWEALTH of PENNSYLVANIA in Instrument No. 2013010842, granted and conveyed unto STEPHEN M. PIPER and LORRAINE R. PIPER, his wife.

THE ACTUAL CONSIDERATION IS : \$ 40,000.00

And the said Grantors doth hereby covenant to and with the said Grantee that they, the said Grantors, their successors, SHALL and WILL, Warrant and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee, his heirs, against the said Grantors and against every other person lawfully claiming or who shall hereafter claim the same of any part thereof, by, from or under him, her or any of them.

IN WITNESS WHEREOF, the said Grantors have caused these presents to be duly executed, the day and year first above written.


STEPHEN M. PIPER


LORRAINE R. PIPER

State of Florida

County of Sumter

ON this, the ^{1st} ~~2nd~~ day of ~~October~~ ^{November}, 2020, before me the undersigned officer, personally appeared **STEPHEN M. PIPER and LORRAINE R. PIPER, husband & wife** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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




Notary Public

☒ by means of
physical presence or
☐ online notarization

Grantee Mailing Address:
295 Pineview Rd
Denver, Pa 17517

