

[61 Ches. Co. Rep. **Board of Supervisors of Sadsbury Twp. v. Zoning Hearing Bd. of Sadsbury Twp.**

Board of Supervisors of Sadsbury Twp. v. Zoning Hearing Bd. of Sadsbury Twp.
Zoning appeal – Use variances – Standard of review – Factors for consideration

1. On appeal from a Zoning Hearing Board decision, the standard of review of a trial court is whether the Zoning Hearing Board made an error of law or abused its discretion.
2. An abuse of discretion is determined by whether the Zoning Hearing Board made a reasonable application of the facts as presented in the case.
3. In order for a variance to be granted, an applicant must show that: (a) an unnecessary hardship will result if the variance is denied due to the unique physical circumstances or conditions of the property; (b) because of such physical circumstances or conditions the property cannot be developed in strict conformity with the provisions of the zoning ordinance and a variance is necessary to enable the reasonable use of the property; (c) the hardship is not self-inflicted; (d) granting the variance will not alter the essential character of the neighborhood nor be detrimental to the public welfare; and (e) the variance sought is the minimum variance that will afford relief.
4. The reasons for granting a variance must be substantial, serious and compelling, and the party seeking the variance bears the burden of proving unnecessary hardship and absence of injury to the public interest.
5. The court does not sit as a super zoning hearing board so as to impose its own preferences on local municipalities.
6. Applicant church received use variances to construct signs on its property, including a free-standing LED changeable copy message sign. The township appealed. The trial Court Held that the zoning hearing board's decision was reversed and the variances were denied.

P.McK.

C.C.P. Chester County, Civil Action – Zoning Appeal, No. 2012-05095-ZB;
Board of Supervisors of Sadsbury Township v. Zoning Hearing Board of Sadsbury Township

Mark P. Thompson for Township
Jeffrey R. Sommer for Zoning Hearing Board
Tunnell, J., June 19, 2013:-

Board of Supervisors of Sadsbury Twp. v. Zoning Hearing Bd.
of Sadsbury Twp.

265 (2013)]

IN THE COURT OF COMMON PLEAS
OF CHESTER COUNTY, PENNSYLVANIA

BOARD OF SUPERVISORS OF	:
SADSBURY TOWNSHIP,	:
Appellant	: CIVIL ACTION
	:
v.	: ZONING APPEAL
	:
ZONING HEARING BOARD OF	:NO. 2012-05095-ZB
SADSBURY TOWNSHIP,	:(consolidated with No. 2012-07483)
Appellee	:

Opinion

The Board of Supervisors of Sadsbury Township appeals from the Decision and Order of the Zoning Hearing Board of Sadsbury Township issued on July 2, 2012 granting the Application of Gateway Grace Community Church (the “Applicant”) for variances from Sections 1404 and 1410 of the Sadsbury Township Zoning Ordinance (herein “Zoning Ordinance”). The original Applicant, Gateway Grace Community Church, has not filed a Notice of Intervention as would ordinarily be required under the Pennsylvania Municipalities Planning Code (herein “MPC”) and is not participating in this appeal.

The court took no additional evidence.

The standard of review of this court is whether the Zoning Hearing Board made an error of law or abused its discretion. *Valley View Civic Assoc. v. Zoning Hearing Board of Adjustment*, 462 A.2d 637, 640 (Pa. 1983). See also, *Allegheny W. Civic Council, Inc. v. Zoning Hearing Board of Adjustment of the City of Pittsburgh*, 689 A.2d 225, 227 (Pa 1997). An abuse of discretion is determined by whether the Zoning Hearing Board made a reasonable application of the facts as presented in this case. See, *Valley View Civic Assoc.*, 462 A.2d at 640.

The facts of the case indicate that the Applicant is the legal owner of an improved lot located at 160 Cowan Road, Parkesburg, Sadsbury Township, Pennsylvania, specifically Chester County Tax Parcel No. 37-2-16-E (herein the “Property”). The Applicant sought a use variance for its land in order to place a sign on the front face of a church building. It also sought a variance in order to install a free-standing electronic message board sign on the property.

It should be noted that the Applicant is allowed under Sadsbury Township’s regulations to install a free-standing message board sign that was not

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electronic, meaning that someone from the Church would have to go out on a routine basis and replace by hand the various letters that make up the sign's message in order to inform the community of events (much akin to a movie theater's signs for movies currently playing). There is no limitation to how often the message could be changed. The Applicant agreed as a condition, if it were given permission to put up an electronic sign (as opposed to the permitted sign that was done by hand), that the LED message would only change once daily and that the sign would be turned off between the hours of 11:00 p.m. and 6:00 a.m. In other words, other than the electronic portion of the sign, this sign would do no more, and arguably considerably less, sign clutter than the hand-lettered sign already permitted.

The Applicant sought variances from the signage requirements of the Sadsbury Township Zoning Ordinance. Section 910.2 of the Pennsylvania Municipalities Code ("PaMPC"), 53 P.S. Section 10910.2 and Section 115-85 of the Ordinance provide the legislative basis for granting a variance. An applicant must show that: (1) an unnecessary hardship will result if the variance is denied due to the unique physical circumstances or conditions of the property; (2) because of such physical circumstances or conditions the property cannot be developed in strict conformity with the provisions of the zoning ordinance and a variance is necessary to enable the reasonable use of the property; (3) the hardship is not self-inflicted; (4) granting the variance will not alter the essential character of the neighborhood nor be detrimental to the public welfare; and (5) the variance sought is the minimum variance that will afford relief. *Arter v. Philadelphia Zoning Hearing Board of Adjustment*, 916 A.2d 1222 (Pa.Cmwlth. 2007). The reasons for granting a variance must be substantial, serious and compelling, and the party seeking the variance bears the burden of proving unnecessary hardship and absence of injury to the public interest. *Valley View Civic Association v. Zoning Board of Adjustment*, 501 Pa. 550, 462 A.2d 637 (1983).

The Ordinance already allows for the usage of both a hand-lettered sign that must be manually changed every time a new message is put up, along with separate temporary signs that can be put out to advertise further upcoming events. It may seem almost silly to allow all of that but not allow one electronic sign with LED lights instead. Not only would this allow the Church to change the sign from inside the building, but it removes the clutter of signage that would happen if temporary signs and a hand-lettered sign were allowed instead. This prompts the court to consider whether *Hertzburg v. Zoning Board of Adjustment of the City of Pittsburgh*, 554 Pa. 249, 721 A.2d 43 (1998) is applicable.

The *Hertzburg* case discusses a relaxed standard that allows for a dimensional variance within reason, but does not speak at all to any relaxed standard for

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use variances. While it is arguable that using an electronic message board sign is ultimately no different than a hand-lettered sign, the problem here turns on the fact that the electronic sign, if allowed, would mean an increase in size from what is currently permitted under the Ordinance. Section 1404 of the Zoning Ordinance allows only one sign of up to 24 square feet in the Rural Residential District. The Applicant proposed two signs with a combined size of 168 square feet. In *Society Created to Reduce Urban Blight v. Zoning Board of Adjustment of the City of Philadelphia (Appeal of Keystone)*, 771 A.2d 874, 877 (Pa. Cmwlth.), *alloc. denied*, 786 A.2d 991, (Pa. 2001), the court observed: “While *Hertzburg* eased the requirements for granting a variance for dimensional requirements . . . ‘free-fire zones’ for which variances could be granted when the party seeking the variance merely articulated a reason that it would be financially ‘hurt’ if it could not do what it wanted to do with the property . . .” In that case, the Commonwealth Court held that a variance to increase the size of a sign from 1,500 square feet to 2,400 square feet so it could be seen from the road was not justified, stating that: “requiring a larger sign just means that the lot on which the sign is located is too far from the road.” *Id.* at 878. In this case, no severe unnecessary hardship was articulated because even using the *Hertzburg* standard, no compelling reason exists to warrant the grant of even a dimensional variance, given how much larger the proposed size of the new signage is, as demonstrated in the case just referenced.

Section 1410 of the Ordinance prohibits a “sign that contains a display using light emitting diodes”. It is clear from this language that a sign with LED lights used to create messages falls under this umbrella. A variance from this restriction could not really be construed as a dimensional variance, but must be a use variance no matter how arguably small the difference from one use to the next may be. It might be argued that for all parties involved an unnecessary hardship is incurred by making the Applicant use a small hand-lettered sign that must be changed every time a new message is created as well as temporary signage to additionally inform the community of events. It might be easier to simply allow one larger sign that can constantly change messages without any of the hassle would decrease hardship; the gap between the two methods constitutes the unnecessary part of that hardship. Therefore, the elements that need to be established to grant a use variance, an admittedly high standard, have simply not been met here to allow the use of an LED sign.

This court does not sit as a super zoning hearing board so as to impose its own preferences on local municipalities. *Kadi v. Zoning Hearing Board of Lynn Township*, 73 Pa.Cmwlth. 295, 457 A.2d 1042 (1983). Ultimately, while it might seem that granting the variance hurts no one, helps the Applicant in its pursuit of being as efficient as possible and also helps the community to stay informed in a more streamlined manner, this court concludes that the Zoning Hearing Board committed an error of law in granting a dimensional variance with regard to Ordinance

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Section 1404 and an error of law in granting a use variance for Ordinance Section 1410.

An appropriate order follows.

BY THE COURT:

Date: 6/19/13

/s/ Mark L. Tunnell, J.

Board of Supervisors of Sadsbury Twp. v. Zoning Hearing Bd.
of Sadsbury Twp.

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IN THE COURT OF COMMON PLEAS
OF CHESTER COUNTY, PENNSYLVANIA

BOARD OF SUPERVISORS OF	:
SADSBURY TOWNSHIP,	:
Appellant	: CIVIL ACTION
	:
v.	: ZONING APPEAL
	:
ZONING HEARING BOARD OF	:NO. 2012-05095-ZB
SADSBURY TOWNSHIP,	:(consolidated with No. 2012-07483)
Appellee	:

ORDER

AND NOW, this 19th day of June, 2013, upon consideration of the record and the parties’ briefs, it is hereby ORDERED and DECREED that the appeal of the Board of Supervisors of Sadsbury Township is GRANTED, the April 19, 2012 Decision and Order of the Zoning Hearing Board of Sadsbury Township is REVERSED, and Gateway Grace Community Church is hereby DENIED variances from Sections 1404 and 1410 of the Sadsbury Township Zoning Ordinance.

BY THE COURT:

/s/ Mark L. Tunnell, J.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 2013-06225**

NOTICE IS HEREBY GIVEN that the name change petition of Ian Francis Yakob was filed in the above-named court and will be heard on September 23, 2013, at 9:30 AM, in Courtroom 10 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: June 28, 2013

Name to be changed from: Ian Francis Yakob to: Ian Yakob Francis

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 13-04340**

NOTICE IS HEREBY GIVEN that the name change petition of Christopher Colin Phillips was filed in the above-named court and will be heard on July 29, 2013, at 9:30 AM, in Courtroom 17 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: May 7, 2013

Name to be changed from: Christopher Colin Phillips to: Christopher Phillips Bannan

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION LAW
NO. AD-13-0037**

NOTICE IS HEREBY GIVEN that the name change petition of Kimberly Barbara Mockabee was filed in the above-named court and will be heard on August 5, 2013, at 11:30 AM, in Courtroom 16 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: May 3, 2013

Name to be changed from: Kimberly Barbara Mockabee to: Alice Kimberly Keslick

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for a business organization known as CAELU Corporation, pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

HARTMAN UNDERHILL & BRUBAKER,
LLC, Solicitors
390 E. Main Street, Suite 200
Ephrata, PA 17522

BUSINESS CORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State for DAVISON SCHMELZER CONSTRUCTION, INC., a corporation organized under the Pennsylvania Business Corporation Law of 1988.

MILLER, TURETSKY, RULE & MCLENNAN, P.C., Solicitors

3770 Ridge Pike, Collegeville, PA 19426

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on July 5, 2013 for Saint Christopher's Episcopal Church of Oxford, Pennsylvania, in accordance with the provisions of the Pennsylvania Corporation Law of 1988.

The purpose or purposes for which it was organized are: Religious Worship.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on June 25, 2013 for Tosco's Brick Oven Pizza, Inc., in accordance with the provisions of the Pennsylvania Corporation Law of 1988.

The purpose for which it was organized are: Own and manage restaurant business.

ROBERT M. ROMAIN, Solicitor

Baer Romain, LLP

1288 Valley Forge Road, Ste. 63

P.O. Box 952

Valley Forge, PA 19482-0952

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

BISHOP, Charles Leon, late of West Bradford. Robert D. Bishop, care of J. PHILIP COLAVINCENZO, Esquire, 255 College Avenue, Beaver, PA 15009, Executor. J. PHILIP COLAVINCENZO, Esquire, 255 College Avenue, Beaver, PA 15009, atty.

BURKE, Mary Frances, a/k/a Mary Burke and Mary F. Burke, late of Londonderry Township. Terry Anne Bernardo, care of JOHN F. MC KENNA, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, Executrix. JOHN F. MC KENNA, Esquire, Mac Elree Harvey LTD., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

CHANDLER, Jeannette P., late of Caln Township. Sandra L. Powers, care of JOSEPH G. CARUSO, Esquire, 1500 JFK Boulevard, Ste. 1205, Philadelphia, PA 19102, Executrix. JOSEPH G. CARUSO, Esquire, 1500 JFK Boulevard, Ste. 1205, Philadelphia, PA 19102, atty.

CRAIG, Norman L., late of Tredyffrin. Barbara H. Craig, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19335-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, Ltd., 460 E. King Road, Malvern, PA 19335-3049, atty.

FLEMING, Liza A., late of Pottstown. Carol F. Ehrhart, 3536 Echo Valley Road, Mount Joy, PA 17552, Executor. KURT A. GARDNER, Esquire, Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522, atty.

FOLEY, Dolores P., a/k/a Dolores Foley, late of Uwchlan Township. Judith Reinhart, care of NANCY W. PINE, Esquire, 104 S. Church Street, West Chester, PA 19382, Executrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church Street, West Chester, PA 19382, atty.

FORD, Marian Jane, late of Honey Brook. Tracy L. Olsen and James R. Ford, Jr., care of ROBERT S. SUPPLEE, Esquire, 329 South High Street, West Chester, PA 19382-3336, Executors. ROBERT S. SUPPLEE, Esquire, Robert S. Supplee, P.C., 329 South High Street, West Chester, PA 19382-3336, atty.

KLEIN, Kenneth C., late of Thornbury Township. Jennifer L. Klein Kearns, care of JOSEPH A. BELLINGHIERI, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, Executrix. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

LACOURSE, Cynthia Ann, a/k/a Cynthia A. LaCOURSE, late of Pocopson Township. Arthur J. LaCOURSE, care of JOSEPH P. CORCORAN III, Esquire, 341 Militia Hill Road, Ft. Washington, PA 19034, Executor. JOSEPH P. CORCORAN III, Esquire, 341 Militia Hill Road, Ft. Washington, PA 19034, atty.

LASH, Harry H., late of North Coventry Township. James A. Koch, care of JACK F. WOLF, Esquire, P.O. Box 444, Pottstown, PA 19464, Executor. JACK F. WOLF, Esquire, Wolf, Baldwin & Assoc., P.O. Box 444, Pottstown, PA 19464, atty.

MENKINS, John R., late of Charlestown Township. Susan D. Clements, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executrix. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

PETERSON, Willie M., late of Coatesville. Carla Dorsey, care of EDWARD GERARD CONROY, Esquire, P.O. Box 885, West Chester, PA 19381-0885, Executrix. EDWARD GERARD CONROY, Esquire, P.O. Box 885, West Chester, PA 19381-0885, atty.

SEIBERT, Joan M., late of Devon. Thomas J. Seibert, care of LOUIS J. PETRIELLO, Esquire, Petriello & Royal, LLP, Esquire, 526 Township Line Road, Suite 200, Blue Bell, PA 19422, Executor. PETRIELLO & ROYAL, LLP, 526 Township Line Road, Suite 200, Blue Bell, PA 19422, atty.

2nd Publication

BISHOP, Mary D., a/k/a Mary Bishop, late of West Whiteland Township. Ner R. Bishop, 229 Aberdeen Avenue, Exton, PA 19341, Executor. DANTE W. RENZULLI, JR., Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, atty.

BUSH, Charles A., a/k/a Charles Arthur Bush late of New London Township. Frank B. Bush, II, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 East Locust Street, Oxford, PA 19363, atty.

BRYSON, Margaret S., late of Upper Oxford Township. Susan B. Orth, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, Executrix. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

CARPOLETTI, Phyllis A. Edward J. Carpoletti, 625 Baron DeKalb Road, Wayne, PA 19087, Executor. H. GRAHAM MCDONALD, Esquire, 1725 Spruce Street, Philadelphia, PA 19103, atty.

EACHUS, Wilbert H., late of Brandywine Township. Jeffrey A. Eachus, 189 Kaolin Road, Thorndale, PA 19320, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, 3460 Lincoln Highway, Thorndale, PA 19320, atty.

JEFKE, Milda, late of Schuylkill Township. Maruta Jefke, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Administrator. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

JOHNSON, Sarah Louise, a/k/a Sarah Lou Johnson, late of Willistown Township. ERIC T. JOHNSON, Esquire, 111 Foxhall Lane, Narbeth, PA 19072, Executor. ERIC T. JOHNSON, Esquire, 111 Foxhall Lane, Narbeth, PA 19072, atty.

KOROPEY, Ulana, late of East Goshen Township. Roman J. Korohey, care of LAMB MCERLANE PC, Esquire, 14 South Bryn Mawr Avenue, Suite 210, Bryn Mawr, PA 19010, Executor. LAMB MCERLANE PC, 14 South Bryn Mawr Avenue, Suite 210, Bryn Mawr, PA 19010, atty.

LAUB, William F., late of East Goshen Township. Janet R. Laub, 1117 Merrifield Drive, West Chester, PA 19380, Executrix. **EDWARD L. PERKINS**, Esquire, **GIBSON & PERKINS, P.C.**, 100 West Sixth Street, Suite 204, Media, PA 19063, atty.

MCMASTER, Ruth R., late of East Caln Township. Nancy M. Sponenbergh, care of **CARRIE WOODY**, Esquire, 110 West Front Street, Media, PA 19063, Executrix. **CARRIE WOODY**, Esquire, **Woody & Falkenbach**, 110 West Front Street, Media, PA 19063, atty.

MERTZ, Mary Ellen, late of South Coventry Township. Barbara G. Balmer, care of **ANDREW H. DOHAN**, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. **ANDREW H. DOHAN**, Esquire, **Lentz, Cantor & Massey, LTD.**, 460 E. King Road, Malvern, PA 19355-3049, atty.

NAKATA, Roy, late of East Goshen Township. Hiroko S. Nakata, care of **ROBERT S. SUPPLEE**, Esquire, 329 South High Street, West Chester, PA 19382-3336, Executrix. **ROBERT S. SUPPLEE**, Esquire, **Robert S. Supple, P.C.**, 329 South High Street, West Chester, PA 19382-3336, atty.

NIXON, Ruth C., late of Willistown. Susaquehanna Trust & Investment Co., care of **MARY R. LASOTA**, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. **MARY R. LASOTA**, Esquire, **Klein, Head & Head, LLP**, 218 West Miner Street, West Chester, PA 19382, atty.

PICKWICK, Adamae C., late of East Brandywine Township. Susan J. Massimini and Barbara A. Di Ottavio, 31 Hastings Court, Downingtown, PA 19335, Executrices. **JANET M. COLLITON**, Esquire, **Colliton Law Associates, P.C.**, 790 E. Market Street, Ste. 250, West Chester, PA 19382-4806, atty.

ROBERTS, Anna L., late of Kennett Square. Clifford O. Hineman, 7 Buttonwood Drive, Chadds Ford, PA 19317 and Suzanne H. Jenkins, 629 Norristown Road, Horsham, PA 19044, Executors. **JOHN R. TWOMBLY, JR.**, Esquire, **Law Office of John R. Twombly**, 224 E. Street Road, Suite 1, Kennett Square, PA 19348, atty.

RODRIGUEZ, Alicia, a/k/a Alicia Medina, late of Valley Township. Raymond Rodriguez, care of **ASHLEY H. KAZMAN**, Esquire, 1101 Market Street, Ste. 2820, Philadelphia, PA 19107-2993, Executor. **ASHLEY H. KAZMAN**, Esquire, **LIPSKY and BRANDT**, 1101 Market Street, Ste. 2820, Philadelphia, PA 19107-2993, atty.

SAUNDERS, Mary Helen, late of Willistown Township. Patricia Saunders Petchel, 2902 Cornell Court, Newtown Square, PA 19073, Executrix.

SMITH, Charles L., late of Chester County. **SAMUEL A. GOODLEY, JR.**, Esquire, 7 Center Street, P.O. Box 474, Intercourse, PA 17534, Executor. **SAMUEL A. GOODLEY, JR.**, Esquire, **Byler, Goodley & Winkle, P.C.**, 7 Center Street, P.O. Box 474, Intercourse, PA 17534, atty.

VANDERVEER, John Prodost, III, a/k/a John P. Vanderveer, late of Tredyffrin Township. **NANCY W. PINE**, 104 S. Church Street, West Chester, PA 19382, Administratrix. **NANCY W. PINE**, Esquire, **Pine & Pine, LLP**, 104 S. Church Street, West Chester, PA 19382, atty.

WILKINS, Herndon D., late of Caln Township. Jeffrey M. Wilkins, care of **L. PIERRE TEILLON, JR.**, Esquire, 100 Four Falls, Ste. 300, West Conshohocken, PA 19428, Executor. **L. PIERRE TEILLON, JR.**, Esquire, **Heckscher, Teillon, Terrill & Sager, P.C.**, 100 Four Falls, Ste. 300, West Conshohocken, PA 19428, atty.

WINEMAN, Helen S., late of Westtown Township. Kelly S. Wineman, care of **JANET M. COLLITON**, Esquire, 790 E. Market Street, Ste. 250, West Chester, PA 19382-4806, Executrix. **JANET M. COLLITON**, Esquire, **Colliton Law Associates, P.C.**, 790 E. Market Street, Ste. 250, West Chester, PA 19382-4806, atty.

ZEARFOSS, John E., Jr., late of Pennsbury Township. Mary Zearfoss Chapman, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **L. PETER TEMPLE**, Esquire, **Larmore Scarlett LLP**, P.O. Box 384, Kennett Square, PA 19348, atty.

3rd Publication

BRANDL, Joanne M., late of Uwchlan Township. Kristin Brandl Weiler, care of TIMOTHY B. BARNARD, Esquire, 218 West Front Street, P.O. Box 289, Media, PA 19063, Executor. TIMOTHY B. BARNARD, Esquire, 218 West Front Street, P.O. Box 289, Media, PA 19063, atty.

CLOSE, Dorothy Delaney, late of Honey Brook Township. Susan S. Sleichter, P.O. Box 303, Wagontown, PA 19376, Executrix.

DEPUY, Robert Edwin, late of Kennett Square. SCUDDER G. STEVENS, 120 N. Union Street, P.O. Box 1156, Kennett Square, PA 19348 and Margaret Depuy Swan, 24220 Swan Lane, Onancock, VA 23471, Executors. SCUDDER G. STEVENS, Esquire, 120 N. Union Street, P.O. Box 1156, Kennett Square, PA 19348, atty.

DISALVO, John A., late of East Caln Township. Mary A. DiSalvo, care of BRUCE W. LAVERTY, Esquire, 701 East Lancaster Avenue, Suite B, Downingtown, PA 19335, Executrix. BRUCE W. LAVERTY, Esquire, Laverty Law Offices, LLC, 701 East Lancaster Avenue, Suite B, Downingtown, PA 19335, atty.

DUNN, Monica P., late of Oxford Borough. Maureen A. Schroeder, care of MICHAEL A. CLEMENTE, Esquire, 121 Ivy Lane, King of Prussia, PA 19406, Administratrix. MICHAEL A. CLEMENTE, Esquire, Robert P. Snyder & Associates, 121 Ivy Lane, King of Prussia, PA 19406, atty.

FARRELL, Mary H., late of East Coventry Township. Michael A. Latzes, care of MARTIN I. KLEINMAN, Esquire, 3 Parkway, Ste. 1320, 1601 Cherry Street, Philadelphia, PA 19102, Executor. MARTIN I. KLEINMAN, Esquire, 3 Parkway, Ste. 1320, 1601 Cherry Street, Philadelphia, PA 19102, atty.

GURAL, Richard P., late of Phoenixville. Marilyn N. Gural, 50 Horseshoe Pointe Drive, Phoenixville, PA 19460, Executrix. MARK C. CLEMM, Esquire, Morris and Clem, 527 Plymouth Road, Suite 416, Plymouth Meeting, PA 19462, atty.

HARTRANFT, Douglas M., late of Pottstown. Elizabeth M. Yoder, 1623 Farmington Avenue, Pottstown, PA 19464, Executrix. GREGORY W. PHILIPS, Esquire, Yergey.Daylor.Allebach.Scheffey.Picardi, 1129 High Street, P.O. Box 776, Pottstown, PA 19464, atty.

HUBER, Ella W., a/k/a Ella Mae Huber, late of East Bradford Township. Ellen H. Kramer, 1122 Yankee Drive, Downingtown, PA 19335, Executor. JOSEPH R. POLITO, JR., Esquire, 127 E. Chestnut Street, West Chester, PA 19380, atty.

JONAS, Lore, a/k/a Lore Wronker Jonas, late of Kennett Square. Susan Jonas, 1605 Stony Run Drive, Wilmington, DE 19803, Executrix. DENISE NORDHEIMER, Esquire, 1601 Concord Pike, Suite 52, Wilmington, DE 19803, atty.

KWIATKOWSKI, Francis G., a/k/a Frank G. Kwiatkowski, late of West Goshen Township. Stephen E. Wenzel, Vice President, Susquehanna Trust & Investment Company, 1570 Manheim Pike, P.O. Box 3300, Lancaster, PA 17604-3300, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

MILLER, Earl G., late of New Garden Township. Marlene B. Doherty, 168 Sharp Road, Avondale, PA 19311 and Mark Rzucidlo, 2606 Homeville Road, Cochranville, PA 19330, Executors. WILLIAM J. GALLAGHER, Esquire, Mac Elree Harvey, LTD., 211 E. State Street, Kennett Square, PA 19348, atty.

MILLER, Dorothy H., late of East Coventry Township. Thomas M. Miller, Jr., 114 Barton Drive, Spring City, PA 19475, Executor. JAMES C. KOVALESKI, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 East High Street, Pottstown, PA 19464-5426, atty.

MURPHY, Rosamond C., late of Downingtown. Kevin Murphy, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, Valocchi & Fischer, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

NARCISI, Ida, late of Berwyn. Louis R. Narcisi, 28 Leopard Road, Berwyn, PA 19312, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

ROOT, Betty J., late of New Garden Township. Kelly M. Root, care of DAVID B. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. DAVID B. MYERS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

RUGER, Herbert William, late of Caln Township. Carol Adams, care of MICHELLE C. BERK, Esquire, 400 Maryland Drive, Suite 200, Fort Washington, PA 19034, Executor. MICHELLE C. BERK, Esquire, Law Offices of Michelle C. Berk, P.C., 400 Maryland Drive, Suite 200, Fort Washington, PA 19034, atty.

THOMSON, Elizabeth M., a/k/a Betty Thomson, late of Honey Brook. Robert Kent Thomson, 1740 Horseshoe Pike, Glenmoore, PA 19343, Executor. RANDY HOPE STEEN, Esquire, 403 S. Bonsall Road, Coatesville, PA 19320, atty.

ZEARFOSS, Robert N., a/k/a Robert Newell Zearfoss, late of Pennsbury Township. JOSEPH A. BELLINGHERI, Esquire, 17 W. Miner Street, P.O. Box 660, West Chester, PA 19382, Executor. JOSEPH A. BELLINGHERI, Esquire, Mac Elree Harvey, Ltd., 17 W. Miner Street, P.O. Box 660, West Chester, PA 19382, atty.

FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

Aslan's Painting, with its principal place of business at 331 Gwynedd Court, Exton, PA 19341.

The application has been (or will be) filed on: June 10, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Asparslan Yakar, 331 Gwynedd Court, Exton, PA 19341. This was filed in accordance with 54 Pa.C.S. 311.

PERFORMANCE ADVERTISING AND MARKETING, with its principal place of business at 273 Hendrickson Lane, West Grove, PA 19390.

The application has been (or will be) filed on: April 1, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Harry D. Barr Jr., 273 Hendrickson Lane, West Grove, PA 19390.

Wild Goose Events, with its principal place of business at 293 Barnsley Road, Oxford, PA 19363.

The application has been (or will be) filed on: July 5, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Jesse Johnson, 293 Barnsley Road, Oxford, PA 19363.

Innovation Offroad, with its principal place of business at 502 Jeroma Lane, West Chester, PA 19382.

The application has been (or will be) filed on: June 25, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Zachary Huberty, 502 Jeroma Lane, West Chester, PA 19382.

DF Young, with its principal place of business at 1235 Westlakes Drive, Suite 255, Berwyn, PA 19312.

The application has been (or will be) filed on: June 26, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Daniel F. Young, Incorporated, 1235 Westlakes Drive, Suite 255, Berwyn, PA 19312.

Elias Construction, with its principal place of business at 1436 Telegraph Road, West Chester, PA 19380.

The application has been (or will be) filed on: June 19, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Elias Zouras, Custom Builder, Inc., 1436 Telegraph Road, West Chester, PA 19380.
JOHN A. SALING, Solicitor
442 North High Street
West Chester, PA 19380

My Aunties' Candies, with its principal place of business at 1419 Price Lane, Downingtown, PA 19335.

The application has been (or will be) filed on: June 27, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Rebecca J. Powell, 1419 Price Lane, Downingtown, PA 19335.

Cal-Lily Enterprises, Inc., with its principal place of business at 829 Shadebrush Ridge, West Chester, PA 19382.

The application has been (or will be) filed on: July 8, 2013.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Lorraine A. Risko, 829 Shadebrush Ridge, West Chester, PA 19382.

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Pennsylvania Department of State in Harrisburg, PA on May 8, 2013, for the purpose of incorporating the non-profit corporation, International Women's Coalition, Inc. under the Pennsylvania Non-Profit Corporation Law of 1988, as amended.

The corporation has been formed for the following purposes: to further charitable purposes and to strengthen and support the global work for women's rights and women's empowerment within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986.

THE LAW OFFICES OF JULIE D. LATHIA,
Solicitor
212 West Gay Street
West Chester, PA 19380

1st Publication**COURT OF COMMON PLEAS
CHESTER COUNTY****CIVIL DIVISION – NO. 12-09224****COMPLAINT IN MORTGAGE FORECLOSURE**

U.S. Bank National Association, as Trustee, for the GSAMP Trust 2006-HE6 Mortgage Pass-Through Certificates, Series 2006-HE6, PLAINTIFF vs. Louise P. Richards and John H. Richards, Jr., Defendants. TO: Louise P. Richards, Defendant, whose last known address is 4481 Cemetery Road, Parkesburg, PA 19365. TAKE NOTICE THAT PLAINTIFF, U.S. Bank National Association, as Trustee, for the GSAMP Trust 2006-HE6 Mortgage Pass-Through Certificates, Series 2006-HE6, filed a Complaint in Mortgage Foreclosure, endorsed with a Notice to Defend against you, in the CCP Chester County, PA docketed to No. 12-09224, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 4481 Cemetery Road, Parkesburg, PA 19365, whereupon your property would be sold by the Sheriff of Chester County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a Judgment may be entered against you without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CHESTER COUNTY BAR ASSOCIATION**LAWYER REFERRAL SERVICE**

15 West Gay St., 2nd Fl.

West Chester, PA 19381

610-429-1500

Mark J. Udren, Stuart Winneg, Lorraine Gazzara Doyle, Sherri J. Braunstein, Salvatore Carollo, Paige M. Bellino, Harry B. Reese, Kassia Fialkoff, Elizabeth Wassall, Agnes Mombrun, Elana F. Flehinger and Katherine E. Knowlton, Attys. For Plaintiff
Udren Law Offices, P.C., 111 Woodcrest Rd., Ste 200
Cherry Hill, NJ 08003-3620
856-669-5400

NOTICE

MARTHA E. VON ROSENSTIEL, P.C.
Martha E. Von Rosenstiel, Esquire / No. 52634
Heather Riloff, Esquire / No. 309906
649 South Avenue, Suite 7
Secane, PA 19018
(610) 328-2887
Attorneys for Plaintiff

CITADEL FEDERAL CREDIT UNION
520 Eagleview Blvd
Exton, PA 19341
Plaintiff

v.

CANDACE D. VOLLMER AND JOSEPH A. VOLLMER
410 Bianca Circle
Downingtown, PA 19335
Defendants

COURT OF COMMON PLEAS O
CHESTER COUNTY

NO.

CIVIL ACTION – MORTGAGE FORECLOSURE**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO

LAWYER REFERRAL SERVICE
CHESTER COUNTY BAR ASSOCIATION
15 W. GAY STREET
WEST CHESTER, PA 19380
610-429-1500