



# Chester County Law Reporter

(USPS 102-900)

The Official Legal Publication for Chester County

Vol. 72

WEST CHESTER, PENNSYLVANIA, AUGUST 22, 2024

No. 34

## TABLE OF CONTENTS

### 72 CHESTER COUNTY REPORTS

#### Stauffer et al. v. Zoning Hearing Bd. of Charlestown Twp.

*Zoning – Land use appeal – Scope of appeal – Use variance – Burden of proof – De minimis variance . . . . .* 218 (2024)

**Classified Ads. . . . . 9**  
*Meeting Space - West Chester*

**Legal Notices**  
**See Table of Contents. . . . .1**

# Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania, Composed of Chester County, Officially Designated by the Rule Thereof as the Legal Periodical for the Publication of Legal Notices*

Owned and Published by  
**CHESTER COUNTY BAR ASSOCIATION**  
15 West Gay Street, 2nd Floor, West Chester, Pennsylvania 19380

[www.chescobar.org](http://www.chescobar.org)  
[lawreporter@chescobar.org](mailto:lawreporter@chescobar.org)

Telephone: 610/692-1889 Fax: 610/692-9546

**Richard Meanix, Editor**

*Assistant Editor*

Patrick M. McKenna, Esquire  
Richard Meanix, Chairperson-Publications Committee

Subscription Rate \$50.00 for CCBA Members; \$70.00 for Nonmembers CCBA  
Periodicals Postage Paid at West Chester, Pennsylvania

POSTMASTER: Send address changes to  
Chester County Law Reporter, 15 West Gay Street, 2nd Floor, West Chester, PA 19380

The **CHESTER COUNTY LAW REPORTER** is published every Thursday. **The Deadline for submission of all notices is 12:00 noon on Tuesday, 10 days prior to the following Thursday publication.** Notices must be submitted in typewritten form OR form provided by the Office of the **Law Reporter** and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

Copyright ©2024 CCBA — All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form by electronic, mechanical, photocopy, or any other means without the prior written permission of the copyright holder.

---

---

## 2024 CCBA Officers

Donald Lynn, *President*  
James Doyle, *Vice President*  
Curt Norcini, *Treasurer*  
Bob Burke, *Secretary*  
Brian L. Nagle,  
*Immediate Past President*

## Executive Director

Gregory Nardi

## 2024 CCBA Directors

Jennifer Fink (2024)  
Kelly Jurs (2024)  
Hon. Analisa Sondergaard (2024)  
Patrick Gallo (2025)  
Max O'Keefe (2025)  
Andrea Cardamone (2026)  
Rosanna Chiple (2026)  
Wesley Legg (2026)

## 2024 YLD Division

Ryan Jennings, *Chair*  
Lauren Nehra, *Chair-Elect*  
Amanda M. V. Grant, *Immediate Past Chair*

**Stauffer et al. v. Zoning Hearing Bd. of Charlestown Twp.**

Zoning – Land use appeal – Scope of appeal – Use variance – Burden of proof –  
De minimis variance

1. In a land use appeal, where a complete record was created before the zoning hearing board and the court of common pleas has not accepted any additional evidence, the scope of review is limited to a determination of whether the zoning hearing board abused its discretion or committed an error of law.
2. A zoning hearing board abuses its discretion when its findings are not supported by substantial evidence, that is, such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.
3. An error of law is committed if the board erroneously interpreted or misapplied the law to the facts.
4. The court cannot substitute its interpretation of the evidence for that of the zoning hearing board.
5. When the record contains substantial evidence, the court is bound by a zoning hearing board's finding that results from resolutions of credibility rather than a capricious disregard of evidence.
6. The zoning hearing board is free to reject even uncontradicted testimony it finds lacking in credibility, including expert testimony. A reviewing court may not substitute its interpretation of evidence for that of the zoning hearing board.
7. When a zoning hearing board fails to issue a written decision which contains findings of fact and conclusions of law based on an application of those facts, the trial court is empowered to remand a zoning appeal to the zoning hearing board for further proceedings.
8. Because a variance should be granted in exceptional cases only, the applicant's burden of proof is heavy. The reasons for granting a variance must be substantial, serious, and compelling.
9. The party seeking a variance bears the burden of proving that unnecessary hardship will result if the variance is denied and that the proposed use will not be contrary to the public interest.
10. Section 910.2 of the Pennsylvania's Municipalities Planning Code sets forth five standards, all of which must be met as prerequisites to the grant of variance relief.
11. Application of the de minimis doctrine to use variance requests should be rare and limited to extraordinary situations.
12. In Pennsylvania and at common law, decisions changing the law are retroactive and are usually applied to all subsequent cases, even if they were pending on appeal when the decision was announced.
13. In a dimensional variance case, a variance is not warranted where the hardship is related to the landowner's desired use of the land, rather than the land itself.

14. Applicants applied to the zoning hearing board requesting a variance to permit the construction of a detached garage on their property. The zoning hearing board denied the applicants' variance request. On appeal, the Court *Held*, that the decision of the zoning hearing board was affirmed and denied the appeal.

P.McK.

C.C.P. Chester County, Civil Action – Zoning, No. 2023-07517-ZB; W. Herbert Stauffer and Janet L. Stauffer v. Zoning Hearing Board of Charlestown Township

David J. Scaggs for appellants

Mark P. Thompson and Melissa A. Rheinstadter for Township

Verwey, J., July 10, 2024:-

W. HERBERT STAUFFER and  
JANET L. STAUFFER  
Appellants

v.

ZONING HEARING BOARD OF  
CHARLESTOWN TOWNSHIP  
Appellees

IN THE COURT OF COMMON PLEAS  
CHESTER COUNTY, PENNSYLVANIA

NO. 2023-07517-ZB

LAND USE APPEAL

**DECISION**

Before the court is the appeal of W. Herbert Stauffer and Janet L. Stauffer (Appellants) from the Decision and Order of the Zoning Hearing Board of Charlestown Township, Chester County, Pennsylvania (ZHB), dated September 28, 2023 (Decision), which denied their application for variances (Application) to construct a detached garage on a section of their property located at 6 Primrose Lane in Charlestown Township, UPI No. 35-4-138.13 (Property). Upon review of the record, consideration of the briefs, and for the reasons set forth herein, the ZHB’s Decision denying the Application is affirmed.

**BACKGROUND AND PROCEDURAL HISTORY**

The Property consists of 3.2 acres and is improved with a two-story, single-family dwelling and an attached three car garage. The proposed two-bay, 24’ x 23’ garage and additional 11’ x 24’ storage area would contain a woodworking room, a gardening room, a powder room, a slop sink, and storage. Appellants have resided at the Property for over twenty-seven years. The Property is located in the FR – Farming Residential District and partially in the SSC-Steep Slope Conservation District. Specifically, 1.53 acres or 47.2% of the Property, consists of Steep Slopes and Very Steep Slopes as defined by the Zoning Ordinance.<sup>1</sup> More than half of the proposed garage would be located in areas of Very Steep Slopes and Steep Slope. Appellant’s surveyor testified that the proposed garage would encroach 110 square feet into areas of Steep Slope or 0.4% of the total area of Steep Slopes on the Property, and 707 square feet into areas of Very Steep Slope or 8.7% of the total area of Very Steep Slope.

On June 12, 2023, Appellants submitted the Application seeking variance relief to construct the garage in the areas of the Property located in the SSC-Steep Slope Conservation District. Appellants requested variances from Sections 27-1203.1.C.(1) and 27-1203.2.C.(1) of the Zoning Ordinance (Ordinance), which prohibit structures within areas of Very Steep Slope and Steep Slope; Sections 27-1203.1.C.(2) and §27-

---

<sup>1</sup> Section 27-1202 of the Zoning Ordinance defines Areas of Steep Slopes as areas characterized by a change in elevation from 15-25% over a distance or contour, and Areas of Very Steep Slopes as areas characterized by a change in elevation greater or equal to 25% over a distance or contour.

1203.2.C.(2) of the Ordinance, which prohibit cutting and filling in areas of Very Steep Slope, and Sections 27-1203.1.C.(4) and 27-1203.2.C.(4) of the Ordinance, which prohibit removal of topsoil in areas of Very Steep Slope.

A public hearing was held before the ZHB on August 29, 2023. During the hearing, the parties submitted testimony and exhibits that were admitted into the record. At the conclusion of the hearing, the ZHB voted to deny the Application. On August 30, 2023, the solicitor for the ZHB issued correspondence confirming the ZHB's decision and advising that a written decision would be forthcoming. On September 27, 2023, Appellants filed the within appeal from the letter notice. On September 29, 2023, following receipt of the written Decision<sup>2</sup> the day before, which included findings of fact and conclusions of law, Appellants filed an Amended Notice of Appeal.

The return of record was filed on October 29, 2023 by William R. Hagner, Esquire, “[a]ttorney for the Charlestown Township Zoning Hearing Board.” On October 20, 2023, Melissa Rheinstader, Esquire, filed an entry of appearance as “[a]ttorney for Charlestown Township Zoning Hearing Board.” On November 22, 2023, Appellants filed a memorandum of law. On December 19, 2023, Mark P. Thompson filed an entry of appearance as “[a]ttorney for Charlestown Township Zoning Hearing Board.” On December 22, 2023, a memorandum of law setting forth an incorrect caption<sup>3</sup> and purporting to be filed by Charlestown Township (Township) was filed. Township did not file a notice of intervention as mandated by MPC § 1004-A, 53 P.S. § 11004-A. Although no attorney filed an entry of appearance on behalf of the Township, the memorandum of law filed in its name was filed by the attorneys who had entered their appearance on behalf of the ZHB. Based on the error in captioning and it appearing that the document was incorrectly identified, coupled with Appellants failure to raise any objection, the court shall treat the memorandum of law as being that of the ZHB for purposes of this appeal.

### **STANDARD OF REVIEW**

In a land use appeal, where a complete record was created before the zoning hearing board and the court of common pleas has not accepted any additional evidence, the scope of review is limited to a determination of whether the ZHB abused its discretion or committed an error of law. *Bd. of Supervisors of Upper Southampton Twp. v. Zoning Hr'g Bd. of Upper Southampton Twp.*, 555 A.2d 256, 258 (Pa.Cmwlt. 1989); *Herr v. Lancaster Co. Planning Comm'n*, 625 A.2d 164, 167 (Pa.Cmwlt. 1993); *Rouse/Chamberlain, Inc. v. Bd. of Supervisors of Charlestown Twp.*, 504 A.2d 375, 376 (Pa.Cmwlt. 1986). A zoning hearing board abuses its discretion when its findings are not supported by substantial evidence; that is, such relevant evidence as a

<sup>2</sup> Two typographical errors were corrected when the Decision was filed with the Returned Record.

<sup>3</sup> The caption incorrectly listed the intervenor/appellee as being the Board of Supervisors of Willistown Township (Willistown). Willistown was not a party to this matter before the ZHB nor on appeal.

reasonable mind might accept as adequate to support a conclusion. *POA Co. v. Findlay Twp. Zoning Hr'g Bd.*, 713 A.2d 70, 75 (Pa. 1998); *Eltoron, Inc. v. Zoning Hr'g Bd. of City of Aliquippa*, 729 A.2d 149, 152 n.6 (Pa.Cmwth. 1999). An error of law is committed if the board erroneously interpreted or misapplied the law to the facts.

In addition, the court cannot substitute its interpretation of the evidence for that of the zoning hearing board. *Taliaferro v. Darby Twp. Zoning Hr'g Bd.*, 873 A.2d 807, 811 (Pa.Cmwth. 2005). When the record contains substantial evidence, the Court is bound by a zoning hearing board's finding that results from resolutions of credibility rather than a capricious disregard of evidence. *Id.* However, when a zoning hearing board fails to issue a written decision which contains findings of fact and conclusions of law based on an application of those facts, the trial court is empowered to remand a zoning appeal to the zoning hearing board for further proceedings. *Lando v. Springettsbury Township Zoning Board of Adjustment*, 286 A.2d 924, 927 (Pa.Cmwth. 1972).

### DISCUSSION

Appellants contend the ZHB's findings were not supported by substantial evidence, and the ZHB therefore erred in denying variance relief. Because a variance should be granted in exceptional cases only, the applicant's burden of proof is heavy. *Williams v. Salem Twp.*, 500 A.2d 922, 936-37 (Pa. Cmwth. 1985). The reasons for granting a variance must be substantial, serious, and compelling. *Girsh Appeal*, 263 A.2d 395, 397 (Pa. 1970). The party seeking a variance bears the burden of proving that unnecessary hardship will result if the variance is denied and that the proposed use will not be contrary to the public interest. *Id.*

The Ordinance defines a private garage, such as that proposed by Appellants, as "[a]n accessory use or part of a permitted principal building used for the storage of motor vehicles owned and used by the owner, residents, employees or visitors of such permitted principal building." Ord. § 27-202. The additional uses of that structure, i.e., garage and a storage area containing a woodworking room, a gardening room, a powder room, a slop sink, and storage, all fall within the Ordinance definition of an accessory use. Ord. § 27-202 ("A use which is clearly incidental to, and customarily found in connection with, a particular permitted principal use.").

The SSC District permits, as a conditional use in areas of very steep slopes, "[a]ccessory uses customarily incidental to any of the foregoing: accessory structures to any uses permitted in Subsection 1A ... ." Ord. §27-1203.1.B(4). The proposed garage and associated uses are not accessory to any of the permitted principle uses allowed in very steep slopes in the SSC District. See Ord. § 27-1203.1.A (Permitted Principal Uses); Ord. § 27-1203.1.B(4) (uses and structures accessory to any uses permitted in very steep slopes).<sup>4</sup> Therefore, the proposed accessory uses are prohibited in areas of very steep slopes within the SSC District. Ord. § 27-1203.1.C (Prohibited Uses and

---

<sup>4</sup> The record does not support a finding that the residential use located on the Property was in existence prior to the effective date of the Ordinance sections governing the SSC District, which was adopted June 10, 1979. Ord. § 27-1203 Use Regulations.

Activities); *see also In re Costco Wholesale Corp.*, 49 A.3d 535 (Pa. Cmwlth. 2012) (relief to permit an accessory gasoline filling station denied because it was not listed as being permitted).

Appellants appear to concede that the proposed accessory use is not permitted in areas of steep slopes within the SSC District. A liberal reading of section 27-1203.2.B(6) might offer an opportunity for relief as a conditional use accessory to the existing residence. However, such relief, if applicable, would not resolve the underlying prohibitions as it only addresses 0.4% of the proposed structure.

Because the accessory uses sought by Appellants are prohibited, a “use variance” is required and is subject to the same analysis applied in cases involving principle uses. *Ray v. Zoning Hearing Bd. for Murrysville*, No. 1163 C.D. 2015, 2016 WL 1705072, at \*6 (Pa.Cmwlth. 2016) (unpublished) (affirming denial of use variance where the trial court found, *inter alia*, that a use variance was required to allow a prohibited accessory use). Pennsylvania’s Municipalities Planning Code (MPC) sets forth five standards, all of which must be met as prerequisites to the grant of variance relief. Section 910.2 of the MPC provides:

(a) The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The board may by rule prescribe the form of application and may require preliminary application to the zoning officer. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

- (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 particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning 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 zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the applicant.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in



which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

53 P.S. § 10910.1(a). These requirements have also been adopted by the Township. Ord. § 27-1904.B. Appellants sought relief in the form of a de minimis variance or, failing that, a variance subject to the requirements of the MPC and Ordinance. Each shall be addressed in turn.<sup>5</sup>

### **De Minimis Variance**

Appellants argue that because the proposed garage encroaches into the area of very steep slopes and steep slopes by less than ten percent, they are entitled to a de minimis variance. Appellants position rests on the assumption that what they seek is a dimensional rather than a use variance. Appellants mistakenly represent that the accessory garage “is a permitted use by right in this zoning district.” Appellant’s Brief at 11 (unnumbered pages). Based on the court’s plenary review of the legal issues presented, it is clear that an accessory garage, as proposed by Appellants, is not permitted in the SSC District. See Ord. § 27-1203.1.A (Permitted Principal Uses); Ord. § 27-1203.1.B(4) (uses and structures accessory to any uses permitted in very steep slopes); Ord. § 27-1203.1.C (Prohibited Uses and Activities). Therefore, the ZHB was correct in concluding that the proposal was a use rather than dimensional deviation. Decision at 8 ¶7.

Appellants cite *Eleven Waves, LLC v. Zoning Hearing Bd. of the Twp. of Bethlehem*, 263 A.3d 55, 2021 WL 3502773 (Pa.Cmwth. 2021) (unpublished), in support of their position that the proposed variance is dimensional. The unpublished opinion in *Eleven Waves* is easily distinguished from the present case. The central issue for the *Eleven Waves* Court with regard to whether the proposed variance should be subject to a dimensional or use analysis, was the fact that the proposed use was *permitted* in the zoning district. In the present case, the proposed use is not permitted in the SSC District. See Ord. § 27-1203.1.A (Permitted Principal Uses); Ord. § 27-1203.1.B(4) (uses and structures accessory to any uses permitted in very steep slopes); Ord. § 27-1203.1.C (Prohibited Uses and Activities).

---

<sup>5</sup> Appellants describe the steep slopes involved in this matter as being manmade. The ZHB did not find that this position was supported by competent evidence. The court finds no abuse of discretion in this conclusion. *Susquehanna Rheems Holdings, LLC v. W. Donegal Twp. Zoning Hearing Bd.*, No. 1394 C.D. 2017, 2018 WL 3520284, at \*20 (Pa.Cmwth. 2018) (unpublished) (“The ZHB is free to reject even uncontradicted testimony it finds lacking in credibility, including expert testimony ... A reviewing court may not substitute its interpretation of evidence for that of the ZHB.”)

Appellant's reliance on *Pohlig Builders, LLC v. Zoning Hearing Bd. of Schuylkill Twp.*, 25 A.3d 1260, 1267 (Pa.Cmwlt. 2011) is likewise misplaced. The *Pohlig* court utilized a "hybrid" variance analysis where the applicant's proposed use was permitted in the zoning district, but constrained by "steep slope regulations" set forth in the township's ordinance. *Pohlig* is distinguishable because the regulations in that matter do not appear to be part of a zoning district such as the SSC District in the present matter.

Historically in Pennsylvania, "the de minimis doctrine has never been applied in the case of a use variance, and established law blatantly rejects its application in these instances." *Coyle v. City of Lebanon Zoning Hearing Bd.*, 135 A.3d 240, 246 (Pa.Cmwlt. 2016) (citations omitted) (reversing trial court's decision finding that zoning hearing board could grant a de minimis use variance). The law regarding the application of the doctrine changed with the Commonwealth Court's decision in *Soland v. Zoning Hearing Board of East Bradford Twp.*, 311 A.3d 1208 (Pa.Cmwlt. 2024), which was decided after the briefs were filed and while this matter was pending.<sup>6</sup>

In *Soland* the applicants owned a property on which were located a number of historic structures. The primary residential structure was designated as a class I historic resource. A tenant house located on the property was designated as a class II historic resource. The township's ordinance permitted a bed and breakfast (B&B) estate use in an owner occupied class I historic resource. The applicants sought variance relief to permit them to use the tenant house, an unoccupied class II historic resource, as a B&B estate use.

The Court noted that the requested variance was more "technical than substantial" and the proposed use was in keeping with the "*intent and spirit* of the adaptive reuse of historic structures." *Id.* at 1214 (italics in original). Based on its analysis the Court concluded that the variance "poses no adverse effect on the public interest." *Id.* Based on the specific facts of the case in *Soland*, the Court concluded that,

[a]pplication of the de minimis doctrine to use variance requests would, and should, be rare and limited to extraordinary situations like the one at bar. As discussed above, this case presents such circumstances. Accordingly, we reverse the decision of the trial court and reinstate that of the ZHB with respect to the de minimis use variance.

*Id.* Although the law has changed, Appellants are still not entitled to a de minimis variance.

Unlike *Soland*, the present matter involves a request for a variance to allow a use not otherwise permitted in the SSC District. In addition, the zoning hearing board

---

<sup>6</sup> "In Pennsylvania and at common law, decisions changing the law are retroactive and are usually applied to all subsequent cases, even if they were pending on appeal when the decision was announced." *Waratuke v. W.C.A.B. (Handee Marts)*, 687 A.2d 1219, 1221 (Pa.Cmwlt. 1997) (affirming order finding that petition was time barred based on retroactive application of appellate decision).

---

[72 Ches. Co. Rep. **Stauffer et al. v. Zoning Hearing Bd. of Charlestown Twp.**

---

in *Soland* had concluded that the proposed variance was “in keeping with the intent and spirit of the Ordinance.” *Id.* In the present matter, the ZHB concluded that the Ordinance serves,

[t]o protect and preserve natural resources and to restrict use, and structures at or near bodies of water, places of steep slope and other areas of geological or topographic features other areas ... the purpose of this Part is to expand upon the community development objectives associated with environmental protection and the preservation of the natural resources expressed in Part I, and to complement the provisions of Part 15 relating to open space. The provisions of this Part are designed to encourage the sensitive treatment of hillsides and their related soil and vegetation resources in effort to minimize adverse environmental impacts.

Decision at 8, ¶7. The court finds no error in this conclusion of law as it is directly supported by the Ordinance.

Section 27-102.1.A states that the purpose of the Ordinance is, in pertinent part, “preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.” It also serves “[t]o protect and preserve natural resources, and to restrict use and structures at or near bodies of water, places of steep slope and other areas of hazardous geological or topographic features.” Ord. §27-102.1.D. More specifically, the purpose of the SSC District is to protect steep slopes and very steep slopes from, *inter alia*, “excessive grading, land form alteration and extensive vegetation removal;” and “avoid potential hazards to property and the disruption of ecological balance which may be caused by increased runoff, flooding, soil, erosion and sedimentation, blasting and ripping of rock, and landslide and soil failure.” Ord. §27-1201.1.A-B. The SSC District is also meant to “encourage the use of steep and very steep slopes for open space and other uses which are compatible with the preservation of natural resources and protection of critical environmental areas.” Ord. §27-1201.1.C.

The proposed accessory garage use would be at odds with the stated purpose of the Ordinance and the SSC District. Because the proposed accessory garage use is neither permitted in the SSC District nor consistent with the intent and spirit of the Ordinance, the holding in *Soland* does not support a reversal of the ZHB’s denial of Appellants’ request for a de minimis use variance.

### **Hardship Variance**

The Appellants argument that the ZHB erred in not finding that they sustained their burden of showing a hardship is against the weight of the evidence and law in this case. Appellants already have an accessory garage attached to their home. N.T. 14:20, 15:1. They desire to construct a second accessory garage on their Property, but even if this

were “a dimensional variance case, a variance is not warranted where the hardship is related to the landowner's desired use of the land, rather than the land itself.” *Eleven Waves*, 2021 WL 3502773 \*5 (citations omitted) (emphasis added).

The present matter is similar to that in the case *In re: Boyer*, 960 A.2d 179 (Pa. Cmwlth. 2008), where an applicant sought a variance to place an accessory pool which was prohibited in an area of significant slope on her property. In reversing the grant of variance relief, the Commonwealth Court concluded that, like the present matter, the applicant was making reasonable use of her property and therefore did not require the accessory pool to make use of the property. The zoning code at issue did not burden all dimensionally compliant uses on the applicant's property, just the one she had chosen. The Court found that the applicant failed to establish the hardship necessary for the grant of variance and reversed the trial court.

Like the applicant in *Boyer*, Appellants do not require the second accessory use, in this case a garage, in order to make use of their Property as they are already making reasonable use of it. The Ordinance in this case does not burden all dimensionally compliant uses, only the one that Appellants have chosen. The ZHB's conclusion that there was insufficient evidence to support the requested variance is free of error and must be affirmed. *Id.*

After consideration of the foregoing, and for all of the reasons stated, we enter this

### **ORDER**

AND NOW, this 10th day of July, 2024, upon consideration of the record and briefs submitted by the parties, it is hereby ORDERED and DECREED that the September 28, 2023, Decision of Zoning Hearing Board of Charlestown Township is AFFIRMED.

BY THE COURT:

/s/ Anthony T. Verwey, J.

**TABLE OF CONTENTS**  
**LEGAL NOTICES**

Orphans' Court Audit List (**1st Publication of 2**) . . . . . 2  
Dissolution Notice . . . . . 3  
Withdrawal Notice . . . . . 3  
Estate Notice **1st Publication**. . . . . 3  
Estate Notice **2nd Publication**. . . . . 5  
Estate Notice **3rd Publication**. . . . . 6  
Fictitious Name Notice . . . . . 8  
Personal Estate Notice (**1st Publication of 3**) . . . . . 8

Chester County Court of Common Pleas  
Orphans' Court Division

**CALL OF THE AUDIT LIST**

THE HONORABLE THOMAS P. MCCABE COURTROOM 12

WEDNESDAY, SEPTEMBER 04, 2024 09:00 AM

**ALICE S. COOKE**

**1517-1173**

**CALL OF THE AUDIT LIST**

**FIRST AND FINAL ACCOUNT**

LAUREN A. NEHRA

JAMES C. DALTON, ADMINISTRATOR DBN-CTA

**DONALD JOHN BELFIE SR.**

**1520-0520**

**CALL OF THE AUDIT LIST**

**FIRST AND FINAL ACCOUNT**

**PRO SE**

DONALD JOHN BELFIE, JR., ADMINISTRATOR

**MARGARET J. COPENHAVER**

**15-23-0789**

**CALL OF THE AUDIT LIST**

**FIRST AND FINAL ACCOUNT**

H. CHARLES MARKOFSKI, JR,

SHIRLEY K. BYRD, EXECUTOR

H. CHARLES MARKOFSKI, JR.

BARRY L. COPENHAVER, EXECUTOR

H. CHARLES MARKOFSKI, JR.

BRIAN S. COPENHAVER, EXECUTOR

**NOTICES**

*Please note: All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser unless otherwise specified. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. The use of the word "solicitor" in the advertisements is taken verbatim from the advertiser's copy and the Law Reporter makes no representation or warranty as to whether the individual or organization listed as solicitor is an attorney or otherwise licensed to practice law. The Law Reporter makes no endorsement of any advertiser in this publication nor is any guarantee given to quality of services offered.*

**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN that the directors and shareholders of **CIP CAPITAL, INC.**, a Pennsylvania corporation, with an address of 5 Great Valley Parkway Suite 210, Malvern, Pennsylvania 19355 (Chester County), have approved a proposal that the corporation voluntarily dissolve and is now engaged in winding up and settling affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

**WITHDRAWAL NOTICE**

NOTICE IS HEREBY GIVEN that **CIP CAPITAL L.P.**, a foreign limited partnership organized under the laws of the State of Delaware, received a Certificate of Authority/Foreign Registration in Pennsylvania on October 22, 1993, and will surrender its Certificate of Authority/Foreign Registration to do business in Pennsylvania.

The address of its principal office is: 5 Great Valley Parkway Suite 210, Malvern, Pennsylvania 19355 (Chester County). Its last registered office in this Commonwealth was located at: 5 Great Valley Parkway Suite 210, Malvern, Pennsylvania 19355 (Chester County) and the last registered office shall be deemed for venue and official publication purposes to be located in Chester County, Pennsylvania.

**WITHDRAWAL NOTICE**

NOTICE IS HEREBY GIVEN that **CIP CAPITAL MANAGEMENT INC.**, a foreign business corporation incorporated under the laws of the State

of Delaware, received a Certificate of Authority/Foreign Registration in Pennsylvania on October 14, 1993, and will surrender its Certificate of Authority/Foreign Registration to do business in Pennsylvania. The address of its principal office is: 5 Great Valley Parkway Suite 210, Malvern, Pennsylvania 19355 (Chester County).

Its last registered office in this Commonwealth was located at: 5 Great Valley Parkway Suite 210, Malvern, Pennsylvania 19355 (Chester County) and the last registered office shall be deemed for venue and official publication purposes to be located in Chester County, Pennsylvania.

**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**

**BAADE**, Nicholas Eugene, late of West Goshen Township. Brian Baade, 326 McIntosh Rd, West Chester, PA 19382, Executor.

**BALDWIN**, John R., late of East Bradford Township. Monica M. Driscoll Baldwin, 410 Lake George Circle, West Chester, PA 19382, care of MARITA M. HUTCHINSON, Esquire, 1250 Fieldstone Dr., West Chester, PA 19382, Administratrix. MARITA M. HUTCHINSON, Esquire, 1250 Fieldstone Dr., West Chester, PA 19382, atty.

**BENNER**, Suzanne Elizabeth, late of Cochranville. Joanne White, 4614 Harwich Road, Harrisburg, PA 17109 and Amy Wade, 234 High Street, Atglen, PA 19310, Executrices.

**BENNETT**, Nancy Gene, a/k/a Nancy G. Bennett and Mrs. Walter Bennett, late of West Chester. Robin L. Rickert, 817 S. New St., West Chester, PA 19382, Executor.

**BOWMAN**, Jean Clarice, a/k/a Jean C. Bowman, late of East Whiteland Township. Thomas J. Collins, care of HANNAH E. TRAVAGLINI, Esquire, 30 S. 17th St., Philadelphia, PA 19103-4196, Executor. HANNAH E. TRAVAGLINI, Esquire, Duane Morris LLP, 30 S. 17th St., Philadelphia, PA 19103-4196, atty.

**BUCKLEY**, Alice B., late of Cochranville, West Fallowfield Township. Linda McCabe, care of DAN-

IEL F. MONAHAN, Esquire, 535 N Church St., Suite 170, West Chester, PA 19380, Executrix. DANIEL F. MONAHAN, Esquire, Brandywine Estate and Elder Law, 535 N Church St., Suite 170, West Chester, PA 19380, atty.

**BURGER**, Carolyn S., late of Kennett Township. Sharon E. Bois, care of LOUIS N. TETI, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executrix. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

**CANNON**, Luke J., a/k/a Luke Cannon, late of East Goshen Township. Lenore Marie Savant, care of APRIL L. CHARLESTON, Esquire, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Executrix. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

**CARLSON**, Robert T., late of East Whiteland Township. Jeffrey L. Darlin, 21 Kent Ave., Oceanview, DE 19970, care of STEPHANIE P. KALOGREDIS, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executor. STEPHANIE P. KALOGREDIS, Esquire, Lamb McErlane PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**COCHRAN**, Dorothy J., late of Elk Township. Mary Alice K. Avgiris, care of PETER E. BORT, Esquire, 101 Lindenwood Dr., Ste. 225-G, Malvern, PA 19355, Administratrix. PETER E. BORT, Esquire, Bort Law, 101 Lindenwood Dr., Ste. 225-G, Malvern, PA 19355, atty.

**COVERT**, David Lewis, a/k/a David L. Covert, late of Valley Township. Janet L. Fowlkes, 426 Prospect Ave., Downingtown, PA 19335, care of KRISTEN R. MATTHEWS, Esquire, 14 E. Welsh Pool Rd., Exton, PA 19341, Administratrix. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 14 E. Welsh Pool Rd., Exton, PA 19341, atty.

**EPSTEIN**, Richard G., late of East Goshen Township. Scott Hulnick, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, atty.

**FARROW**, Judith V., late of Tredeffrin Township. Douglas L. Kaune, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor.

**GALLAGHER**, Joseph E., late of East Whiteland Township. Patricia A. D'Antonio, care of PHILIP G.

CURTIN, Esquire, 1231 Lancaster Ave., Berwyn, PA 19312-1244, Executrix. PHILIP G. CURTIN, Esquire, Philips, Curtin & DiGiacomo, 1231 Lancaster Ave., Berwyn, PA 19312-1244, atty.

**GIULIANO**, Raymond A., late of Londonderry Township. Ray J. Giuliano, care of WINIFRED MORAN SEBASTIAN, Esquire, PO Box 381, 208 East Locust Street, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, PO Box 381, 208 East Locust Street, Oxford, PA 19363, atty.

**HARRISON**, Betty Kenworthy, late of Honey Brook. Linda M. Jones, PO Box 190, Honey Brook, PA. 19320, Executrix.

**KENOSIAN**, Arlene O'Neal, a/k/a Arlene Kenosian and Arlene O. Kenosian, late of Tredeffrin Township. David Kenosian, care of APRIL L. CHARLESTON, Esquire, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Executor. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

**KING**, Thomas A., a/k/a Thomas Alan King, late of Uwchlan Township. Sharon A. King, care of CHRISTOPHER M. BROWN, Esquire, 1240 West Chester Pike, Ste. 210, West Chester, PA 19382, Executrix. CHRISTOPHER M. BROWN, Esquire, Law Offices of Christopher M. Brown, PLLC, 1240 West Chester Pike, Ste. 210, West Chester, PA 19382, atty.

**KIRK**, Francis J., a/k/a Frank J. Kirk, late of Tredeffrin Township. Francis J. Kirk and Kristen Kirk Mayoock, care of KRISTEN R. MATTHEWS, Esquire, 14 E. Welsh Pool Rd., Exton, PA 19341, Executors. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 14 E. Welsh Pool Rd., Exton, PA 19341, atty.

**LANGFORD, III**, George, a/k/a George Langford, late of Tredeffrin Township. Alexander Langford, 21 Highwood Rd., Bloomfield, CT 06002, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

**MELOTTI**, Peter Morris, late of Malvern. Nicole M Melotti, 386 Quigley Drive, Malvern, PA, 19355, Executrix.

**MOORE**, Francoise F, a/k/a Francoise Moore, late of West Whiteland Twp. Philip J Moore, 50 Rosemary Lane Glenmoore PA 19343, care of GEORGE M NIKOLAOU, Esquire, 166 Allendale Rd King of Prussia PA 19406, Executor. GEORGE M NIKOLAOU, Esquire, Nikolaou Law Offices, 166



Allendale Rd King of Prussia PA 19406, atty.

**MORTON**, Reginald Thomas, a/k/a RT Morton, late of Downingtown. Brandi Morton, 102 Highland Avenue, Coatesville, PA 19320, Administrator.

**SMITH**, William S., late of Tredyffrin Township. D. Bradley Smith, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, Executor. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, atty.

## 2nd Publication

**BLADES**, Herbert, late of Pennsbury Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**BOYD**, Ruth Anne, late of East Fallowfield Township. Gary B. Boyd, 35 Horizon Drive, Coatesville, PA 19320, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**COZZONE**, Judith E, a/k/a Judith E Byers, late of Honey Brook Township. Shawn L Byers, care of GARY E THOMPSON, Esquire, 882 South Matlack Street, Suite 101, West Chester PA 19382, Executor. GARY E THOMPSON, Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester PA 19382, atty.

**EVANGELISTA**, Dorothy B., a/k/a Dorothy Bracken Evangelista, late of West Goshen Township. Maryanne B. Quinn and Maryanne Q. Hancock, care of MARGARET E. W. SAGER, Esquire, 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executrices. MARGARET E. W. SAGER, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

**FARKAS**, William J, late of Downingtown. Elaine Allen, 225 Ashland Avenue, Secane PA 19018-2008, Executrix.

**FARROW**, Franklin C., a/k/a Franklin Creveling Farrow, Jr., late of Tredyffrin Township. Douglas L. Kaune, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor.

**GREEN**, Anna J., late of Oxford. David Green, care of IRA D. BINDER, Esquire, 227 Cullen Rd,

Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

**JONES**, Suzanne L., a/k/a Suzanne Lucille Jones, late of Kennett Township. John Hales Jones, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**LEWIS**, Howard B., late of East Goshen Township. Howard B. Lewis, Jr. and Julie Anne Palminteri, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, Pennsylvania 19382-2928, Executors. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, Pennsylvania 19382-2928, atty.

**LYNCH**, Thomas Archer, late of Honey Brook Township. Michael Joseph Browne, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**MANUEL**, Lewis E., late of Kennett Square. Vicki Manuel, 253 South Thistle Down, Kennett Square, PA 19348, care of DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, Administrator. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**MARCOCCI**, Carol A., a/k/a Carol Anne Marcocci, late of West Whiteland Township. Stephanie Colona, 203 Templin Rd., Glenmore, PA 19343, care of JENNIFER FELD, Esquire, 312 Huntington Court, West Chester, PA 19380, Executrix. JENNIFER FELD, Esquire, 312 Huntington Court, West Chester, PA 19380, atty.

**MELRATH**, Virginia C., late of Oxford. Susan Melrath, care of IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

**MILLER**, Katherine F., late of Tredyffrin Township. Allyson Andrisani, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executor. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

**MOORE, JR.**, Lewis Robert, a/k/a Robert Moore, Jr., late of Borough of Downingtown. Robert A. Moore, care of BRUCE W. LAVERTY, Esquire, 1398 Wilmington Pike, Suite B, West Chester PA 19382, Administrator. BRUCE W. LAVERTY, Esquire, La-

verty, Abele & Russell, LLC, 1398 Wilmington Pike, Suite B, West Chester PA 19382, atty.

**OLSAVSKY**, Michael, late of West Goshen Township. Adam Olsavsky, 1920 Gilpin Ave., Wilmington, DE 19806, care of JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, Administrator. JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, atty.

**PHOUTHAVONGSA**, Somkiet, late of Franklin Township. Kitthiphong Phouthavongsa, 120 Scroggy Rd., Oxford, PA 19363, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

**POTTER**, Stephen, a/k/a Stephen Dodds Potter, late of East Goshen Township. Stacey Willits McConnell, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**RUARK**, Barbara A., late of West Caln Township. Kay L. Thoensen and Nancy Habecker, care of J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, Co-Executrices. J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, atty.

**RUSSELL**, Cheryl A., a/k/a Cheryl A. Heim, late of Upper Oxford Township. William S. Russell, Jr., care of STEVEN M. ZELINGER, Esquire, 1650 Market St., Ste. 3600, Philadelphia, PA 19103, Administrator. STEVEN M. ZELINGER, Esquire, Steven M. Zelinger, LLC, 1650 Market St., Ste. 3600, Philadelphia, PA 19103, atty.

**STELLER**, Carole Grace, a/k/a Carole A. Steller, late of Kennett Square. William S. Steller, 111 Gideon Drive, Kennett Square, PA 19348, care of KEVIN A. POLLOCK, Esquire, 100 Federal City Road, Building C, Suite 104, Lawrence, NJ 08648-1664, Executor. KEVIN A. POLLOCK, Esquire, The Pollock Firm LLC, 100 Federal City Road, Building C, Suite 104, Lawrence, NJ 08648-1664, atty.

**TIERNEY**, Eugene C, late of Phoenixville. David Tierney, 109 Shallow Springs Court, Exton, PA 19341, Administrator.

**VAN BOVEN**, Mary Hart, a/k/a Mary Elizabeth Hart Van Boven, late of Phoenixville Borough. Carol Honebrink Lavoritano, 738 S. Latches Ln., Merion Station, PA 19066, Executrix.

### 3rd Publication

**ANDERSON**, Kevin Earl, late of City of Coatesville. Laura R. Anderson, 2820 Fox Place, Nampa, ID 83687, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**ESTATE OF JOHN S. BLAZIK**, late of Thornbury Township, Chester County, Pennsylvania, deceased.

Letters Testamentary of the Estate of the above named, John S. Blazik, deceased, having been granted to the undersigned on July 18th, 2024, all persons having claims or demands against the Estate of the said decedent are requested to make known the same, and all persons indebted to the said decedent to make payment without delay to the undersigned Executrix or Counsel:

Victoria A. Blazik, Executrix  
3 Pensacola Place  
Barnegat, NJ 08005  
FRANK W. HAYES, Esquire  
Hayes & Romero  
31 South High Street  
West Chester, PA 19382

**BLEVINS**, Virgil, late of West Grove. Peggy Swanson, care of WILLIAM E. HOWELL III, Esquire, 110 E. State St., Suite 1, Kennett Square PA 19348, Executrix. WILLIAM E. HOWELL III, Esquire, Law Office of William E Howell, 110 E. State St., Suite 1, Kennett Square PA 19348, atty.

**BURGER**, Shirley Ann, a/k/a Shirley I. Burger, late of West Whiteland Township. Krista Ciarrocchi, 605 Chinook Drive, Downingtown, PA 19335, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**COCOZZA**, Joan A., late of Schuylkill Township. Christina Coccozza, 260 W. 7 Stars Rd., Phoenixville, PA 19460, care of JOSEPH J. FIANDRA, Esquire, 426 N. Easton Rd., Front, Glenside, PA 19038, Executrix. JOSEPH J. FIANDRA, Esquire, Joseph J. Fiandra, LLC, 426 N. Easton Rd., Front, Glenside, PA 19038, atty.

**FARKAS**, Joyce Carol, a/k/a Joyce C. Farkas, late of Exton. Jeffrey Edward Farkas, 27 Manor Lane, Morris Plains, NJ, 07950, Personal Representative.

**GOTHIE, SR.**, Joseph A., late of East Goshen Township. Joseph A. Gothie, Jr., care of KARYN L.

SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executor. KARYN L. SEACE, CELA, Esquire, Seace Elder Law, PLLC, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**HANSEN**, Kyle B., a/k/a Kyle Hansen and Kyle Brandon Hansen, late of Warwick Township. Rosemary K. Kuhlmann, care of SUPRIYA G. PHILIPS, Esquire, P.O. Box 444, Pottstown, PA 19464, Administratrix. SUPRIYA G. PHILIPS, Esquire, Wolf, Baldwin, & Associates, P.C., P.O. Box 444, Pottstown, PA 19464, atty.

**HANSON**, Dolores M., late of Uwchlan Township. John J. Hanson, care of ZACHARY D. BURLEY, Esquire, CPA, 623 N. Pottstown Pike, Exton, PA 19341, Executor. ZACHARY D. BURLEY, Esquire, CPA, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

**HUBERTY**, Barbara G, late of West Brandywine. Edward J Huberty, 434 Freedom Blvd, West Brandywine, PA 19320, Executor.

**IZYKOWSKI**, Barbara A, a/k/a Barbara Izykowski, late of West Chester, East Goshen Township. Stephen J. Izykowski, 3 Woodsvie Drive, Garnet Valley, PA 19060 and Joseph E. Izykowski, 107 Shallow Springs Court, Exton, PA 19341, care of JOHN L. CARR, Esquire, 800 Avondale Road - Suite 3D - Wallingford, PA 19086, Executors. JOHN L. CARR, Esquire, 800 Avondale Road - Suite 3D - Wallingford, PA 19086, atty.

**KOBESKI**, Joseph Allen, a/k/a Joseph A. Kobeski, late of East Marlborough Township. Jena E. Kobeski, care of JOSEPH G. CARUSO, Esquire, 300 Colonial Dr., Wallingford, PA 19086, Executrix. JOSEPH G. CARUSO, Esquire, 300 Colonial Dr., Wallingford, PA 19086, atty.

**LANDON**, Ronald A., late of West Brandywine Township. Nancy L. Norton, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, Pennsylvania 19382-2928, Executor. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, Pennsylvania 19382-2928, atty.

**LESTER**, Shirley H., late of Kennett Square. James R. Lester, 100 Winding Lane, Kennett Square PA 19348, care of WILLIAM E. HOWELL III, Esquire, 110 E. State St., Suite 1, Kennett Square PA 19348, Executor. WILLIAM E. HOWELL III, Esquire, 110 E. State St., Suite 1, Kennett Square PA 19348, atty.

**LINDGREN**, Amy Fairfax, a/k/a Amy Lindgren,

late of Kennett Township. Lucy Leboutillier, 204 Green Valley Rd., West Chester, PA 19381, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administratrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**MICHALES**, Marilyn M., late of West Whiteland Township. Laurie E. Cordisco, care of EDWARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executrix. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

**SHAW**, Donald A., late of West Whiteland Township. Clare Patricia Shaw, care of ANDREW J. BELLWOAR, Esquire, 126 West Miner Street, West Chester, PA 19382, Executor. ANDREW J. BELLWOAR, Esquire, Bellwoar Kelly LLP, 126 West Miner Street, West Chester, PA 19382, atty.

**UMBERGER**, Elizabeth B, late of East Pikeland. Max Umberger, 1002 Country Way Chester Springs, PA 19425, care of FRANCIS C. MILLER, Esquire, 21 W Washington St, Suite D West Chester, PA 19380, Administrator. FRANCIS C. MILLER, Esquire, Miller Law Office, 21 W Washington St, Suite D West Chester, PA 19380, atty.

**WAGNER**, Patricia A, late of Oxford. Michael Peterson, 134 Jackson School Rd Oxford, PA 19363, care of FRANCIS C. MILLER, Esquire, 21 W Washington St, Suite D West Chester, PA 19380, Administrator. FRANCIS C. MILLER, Esquire, Miller Law Offices, 21 W Washington St, Suite D West Chester, PA 19380, atty.

**WAGNER, III**, Robert D, late of Oxford. Michael Peterson, 134 Jackson School Rd Oxford, PA 19363, care of FRANCIS C MILLER, Esquire, 21 W Washington St Suite D West Chester, PA 19380, Administrator. FRANCIS C MILLER, Esquire, Miller Law, 21 W Washington St Suite D West Chester, PA 19380, atty.

**WU**, Hsiu-Mei, late of West Goshen Township. Hsin-Feng Wu, 418 Longview Dr., West Chester, PA 19380, care of DENNIS C. VONDRAN, JR., Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administrator. DENNIS C. VONDRAN, JR., Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**YOUNG**, George W., late of Honey Brook. Helena M. Fulmer, 673 Lilac Drive, New Providence, PA 17560, care of WILLIAM J. LUTTRELL, III, Esquire, 11 S. Olive St., 2nd Fl., PO Box 1081, Media,

PA 19063, Executor. WILLIAM J. LUTTRELL, III, Esquire, 11 S. Olive St., 2nd Fl., PO Box 1081, Media, PA 19063, atty.

999 West Chester Pike, Suite 201  
West Chester, PA 19382  
610-430-1427  
rmorton@rmlaw.com

**ZOROVICH**, Zelmira, late of Pocopson Township. Janet Z. Charlton, 527 Windy Hill Ln., West Chester, PA 19382, care of JENNIFER POPELACK, Esquire, 100 N. Independence Mall West, Ste. 5A NW, Philadelphia, PA 19106, Executrix. JENNIFER POPELACK, Esquire, Mattioni, LTD., 100 N. Independence Mall West, Ste. 5A NW, Philadelphia, PA 19106, 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*

**Restored Lights N More**, with its principal place of business at 1600 Telegraph Road, Honey Brook, PA 19344. The application has been (or will be) filed on: Thursday, August 8, 2024. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Nisa Hertzog, 1600 Telegraph Road, Honey Brook, PA 19344.

---

### 1st Publication of 3

#### PERSONAL ESTATE NOTICE

ESTATE of SHIRLEY J. GREENDA. Grenda, late of Honey Brook Borough, deceased.

ROGER A. HARTZ, son of Raymond Walter Hartz and Eleanor Jane Rample, is hereby placed on Notice that a Petition has been filed with the Chester County Register of Wills requesting to limit the time for appeal of probate. A return date has been set for September 3, 2024 with a hearing on that date at 1:30 p.m. in Courtroom 1. Any objections to the petition should be made by Roger A. Hartz in writing to the Register of Wills, Chester County, on or before September 3, 2024. Any questions regarding this Notice should be addressed to Administrator & Attorney: Rick Morton, Esq.