

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1838-09

First Hearing: August 20, 2009

Appeal of Sprint/Nextel/Sprint Spectrum L.P.

Decided: August 20, 2009

Property Address: (640), 648 Skippack Pike
Blue Bell, PA 19422

Copy Mailed: August 21, 2009

At a public hearing of the above application, the Zoning Hearing Board decides and orders as follows:

1. The variance from the terms of Article XIX, Section 160-119 to permit the construction and operation of a microwave dish antenna on the existing water tower at a height of 121 ft. at the subject property is hereby GRANTED.
2. The variance from the terms of Article XIX, Section 160-120 to increase the maximum height of the microwave dish antenna from 40 ft. to 121 ft. at the subject property is hereby GRANTED.
3. The variance from the terms of Article XXVIII, Section 160-201.A to increase the maximum height of the microwave dish antenna from 50 ft. to 121 ft. at the subject property is hereby GRANTED.

APPLICATION 1838-09 - Appeal of Sprint/Nextel/Sprint Spectrum L.P.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.
2. The Applicant shall obtain a grading permit if required by the Township Engineering Department.
3. Microwave dish shall be removed within six (6) months after cessation of use or termination of lease.

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the copy mailing date set out above.

Section 116-241. *Expiration of Special Exceptions and Variances.* of the Whitpain Township Zoning Ordinance of 1950, as amended, Chapter 160 of the Code of the Township of Whitpain provides that unless otherwise specified by the Board, a special exception or variance shall expire if the Applicant fails to obtain a building permit or use and occupancy permit, as the case may be, within six (6) months from the date of authorization thereof.

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1839-09

First Hearing: August 20, 2009

Appeal of F.C. Haab Co., Inc.

Decided: August 20, 2009

Property Address: 1933 Morris Road
Blue Bell, PA 19422

Copy Mailed: August 21, 2009

At a public hearing of the above application, the Zoning Hearing Board decides and orders as follows:

1. The special exception from the terms of Article XXII, Section 160-142.G.5 to allow two tenants to use the property as an office use in addition to the existing tenant, Reit Fuel Oil Company, at the subject property is hereby GRANTED.

APPLICATION 1839-09 - Appeal of F.C. Haab Co., Inc.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.
2. The Applicant shall obtain a grading permit if required by the Township Engineering Department.

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the copy mailing date set out above.

Section 116-241. *Expiration of Special Exceptions and Variances.* of the Whitpain Township Zoning Ordinance of 1950, as amended, Chapter 160 of the Code of the Township of Whitpain provides that unless otherwise specified by the Board, a special exception or variance shall expire if the Applicant fails to obtain a building permit or use and occupancy permit, as the case may be, within six (6) months from the date of authorization thereof.