

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1846-09

First Hearing: November 19, 2009

Appeal of Clearwire US, LLC

Decided: November 19, 2009

Property Address: 945 Jolly Road
Blue Bell, PA 19422

Copy Mailed: November 20, 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 XVIII, Section 160-111, to allow the establishment of a telecommunications facility including 1 microwave dish antenna at a height of 164 ft. and 3 microwave panel antennae at a height of 160 ft. to be attached to the existing 157 ft. PECO transmission tower at the subject property is hereby GRANTED.
2. The variance from the terms of Article XXVIII, Section 160-201.A, to allow the establishment of a telecommunications facility as a principal use including 1 microwave dish antenna and 3 microwave panel antennae to be attached to the existing PECO transmission tower increasing the maximum permitted height from 50 ft. to 164 ft. at the subject property is hereby GRANTED.
3. The variance from the terms of Article XXVIII, Section 160-201.B, to allow the establishment of a telecommunications facility as a principal use including 1 microwave dish antenna and 3 microwave panel antennae to be attached to the existing PECO transmission tower increasing the maximum permitted height from 50 ft. to 164 ft. at the subject property is hereby GRANTED.

APPLICATION 1846-09 - Appeal of Clearwire US, LLC

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. The Appellant shall remove the dish and panel antennae within 30 days after the use is terminated.

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1847-09

First Hearing: November 19, 2009

Appeal of Paul & Valentina Sznoluch

Decided: November 19, 2009

Property Address: 902 Surrey Drive
Blue Bell, PA 19422

Copy Mailed: November 20, 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 V, Section 160-21, to allow a second floor addition over the existing detached garage reducing the minimum required rear yard setback from 22 ft. to 10 ft. for a detached accessory structure over 10 ft. high at the subject property is hereby GRANTED.
2. The variance from the terms of Article XXVIII, Section 160-204.D, to allow a second floor addition over the existing detached garage reducing the minimum required rear yard setback from 22 ft. to 10 ft. for a detached accessory structure over 10 ft. high at the subject property is hereby GRANTED.

APPLICATION 1847-09 - Appeal of Paul & Valentina Sznoluch

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.

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1848-09

First Hearing: November 19, 2009

Appeal of Mark T. Roberts & Delores M. Mihalich

Decided: November 19, 2009

Property Address: 1557 Sullivan Drive
Blue Bell, PA 19422

Copy Mailed: November 20, 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 VII, Section 160-30, to allow the use of the Appellants' home as a hobby woodworking shop instead of a single family dwelling at the subject property is hereby **WITHDRAWN BY APPELLANT**

APPLICATION 1848-09 - Appeal of Mark T. Roberts & Delores M. Mihalich

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.

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1849-09

First Hearing: November 19, 2009

Appeal of Saint Miriam - a Parish Community

Decided: November 19, 2009

Property Address: 475 Norristown Road
Unit 1
Blue Bell, PA 19422

Copy Mailed: November 20, 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 XXII, Section 160-142, to allow a church use at the subject property is hereby WITHDRAWN.
2. The special exception under the terms of Article XXII, Section 160-142.G.(5), to allow a church as a lawful and legitimate use not otherwise specifically provided for under Article XXII on the subject property is hereby GRANTED.

APPLICATION 1849-09 - Appeal of Saint Miriam - a Parish Community

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.

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION 1850-09

First Hearing: November 19, 2009

Appeal of Elmer E. & Heather L. Heiland

Decided: November 19, 2009

Property Address: 1525 Pulaski Drive
Blue Bell, PA 19422

Copy Mailed: November 20, 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 VII, Section 160-34, to allow a 16 ft. by 28 ft. attached garage with a second floor bedroom and bathroom in the side yard reducing the minimum required side yard from 25 ft. to 9 ft. and the minimum required aggregate side yards from 60 ft. to 44 ft. at the subject property is hereby GRANTED.
2. The variance from the terms of Article XXVIII, Section 160-203, to allow a 16 ft. by 28 ft. attached garage with a second floor bedroom and bathroom in the side yard reducing the minimum required side yard from 25 ft. to 9 ft. at the subject property is hereby GRANTED.

APPLICATION 1850-09 - Appeal of Elmer E. & Heather L. Heiland

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.

