

## **DECISION AND ORDER**

### **WHITPAIN TOWNSHIP ZONING HEARING BOARD**

#### **APPLICATION 1837-09**

First Hearing: September 17, 2009

Appeal of Lago D'Argento, LLC

Decided: September 17, 2009

Property Address: 1220 Wentz Road  
Blue Bell, PA 19422

Copy Mailed: September 18, 2009

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

1. The variances from the terms of Article XXVIII, Section 160-209 A. & B. (formerly Section 160-200 A. & B.) to allow Lots 4 and 5 to have direct access to Wentz Road instead of access over the newly created local residential street (Silverlake Lane at the subject property are hereby GRANTED.
2. The variances from the terms of Article XXIX, Sections 160-224 & 160-225 (formerly Sections 160-207 & 160-208) to continue the existing non-conforming use, i.e., the continued use of the existing dwelling as two (2) residential apartments at the subject property are hereby GRANTED.

**APPLICATION 1837-09 - Appeal of Lago D'Argento, 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 post and rail wire mesh fence on the perimeter of the property shall be removed.
4. The trees on the property shall be examined by an expert and a report shall be submitted to the Township Shade Tree Commission regarding the disposition of all trees.

**DECISION AND ORDER**

**WHITPAIN TOWNSHIP ZONING HEARING BOARD**

**APPLICATION 1841-09**

First Hearing: September 17, 2009

Appeal of Stephen M. Masucci & Olesya Fedoryshin

Decided: September 17, 2009

Property Address: 982 Sunset Drive  
Blue Bell, PA 19422

Copy Mailed: September 18, 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 160-17 to allow the removal of an existing screened porch within the side yard and the construction of a new 20 ft. by 16 ft. porch roof reducing the minimum required side yard from 45 ft. to 39 ft. at the subject property is hereby GRANTED.
2. The variance from the terms of Article XXVIII, Section 160-203 to allow the removal of an existing screened porch within the side yard and the construction of a new 20 ft. by 16 ft. porch roof reducing the minimum required side yard from 45 ft. to 39 ft. at the subject property is hereby GRANTED

**APPLICATION 1841-09 - Appeal of Stephen M. Masucci & Olesya Fedoryshin**

**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.