

RESIDENT/ PROPERTY OWNER NOTICE
WHITPAIN TOWNSHIP ZONING HEARING BOARD

Whitpain Township Zoning Hearing Board will hold a public meeting on Thursday, September 18, 2025, at 7:00 p.m. at the Whitpain Township Building, 960 Wentz Road, Blue Bell, Pennsylvania, 19422 in order to hear and possibly render decision(s) on the following new matter:

2376-23 – 28 Skippack Pike, LLC for property located at 48 W. Skippack Pike, Ambler, PA, requests a one-year extension of the zoning approval granted August 17, 2023 and further extended on September 19, 2024, relating to its proposed single bank drive-thru location. This property is located in the C-Commercial Zoning District.

This notice is being mailed to you in accordance with the Township's Zoning Ordinance, including Section 160-240, that requires the mailing or serving notice to the owners or occupiers, if known, of every lot on the same street within 500ft of the property that is the subject of the hearing or, if not on the same street, within 150ft of the subject property.

Copies of the application, exhibits, site plans or other materials received by the Township in connection with the above matter are on file with the Zoning Officer at the Township Building. Paper copies may be requested in writing from the Township at a cost as permitted by law. Applications and plans are also available for review on the Township's website at www.whitpaintownship.org. All hearings will be held in-person and, unless an accommodation has been granted, all applicants, witnesses and individuals seeking to be a party to the proceeding or any individual wanting to provide public comment must be present to participate. Therefore, be advised that only testimony, evidence and public comment made before the Zoning Hearing Board may be considered as part of each hearing. Persons who wish to attend or participate in the above-referenced hearings and require an auxiliary aid, service or other accommodation, please contact the Township ADA Coordinator at 610-277-2400 or send an email to buildingandzoning@whitpaintownship.org within five days of the hearing.

Members of the public who wish to be considered a party to the proceedings may contact Whitpain Township at 610-277-2400 or send an email to buildingandzoning@whitpaintownship.org to request information about the procedure. The Zoning Hearing Board determines at the hearing who may participate in the hearing as a party in accord with Section 908(3) of the Pennsylvania Municipalities Planning Code hereafter referred to as the "MPC." The MPC permits party status to any person or persons "affected" by the Application. Having taxpayer status and/or township resident status alone is not enough to obtain party status; however a person whose property or business abuts the property that is the subject of the Application is typically deemed to

be affected and sufficient for party status. Ultimately, it is the Zoning Hearing Board that makes the party status determination after reviewing the request.

You need not be a party in order to provide comment on an application. The Zoning Hearing Board will hear public comment on each application prior to closing the hearing. Following the close of the hearing, the Zoning Hearing Board will render a decision, unless it deems that additional time is required for consideration and deliberation, in which case it will continue the public meeting to an announced date and time for that purpose.

**ZONING HEARING BOARD
OF WHITPAIN TOWNSHIP**

RECEIVED

Case: ZHB #2376-23



AUG 15 2025

WHITPAIN TOWNSHIP

Whitpain Township
960 Wentz Road
Blue Bell, PA 19422
610.277.2400

Codes@WhitpainTownship.org

Code Enforcement Department
Zoning Hearing Board Application

1. Required Information:

Applicant/Attorney Name: 28 SKIPPACK PIKE, LLC
Applicant is: ☒ Owner ☐ Equitable Owner ☐ Attorney
Applicant Address: 580 W. GERMANTOWN PIKE, SUITE 200, PLYMOUTH MEETING, PA 19462
Phone: 610-825-8400 Email: AFREIMUTH@WISPEARL.COM
Subject Property Address: 48 W. SKIPPACK PIKE, AMBLER, PA 19002


2. Application Type (select all that apply):

☐ Variance ☐ Appeal of the determination of Zoning Officer ☐ Appeal from a Zoning Enforcement Notice
☐ Special Exception ☒ Request to extend a previously granted variance or special exception prior to expiration
☐ Other: _____

3. Description of Project and Relief Request in Detail (required):

SEE ATTACHED ADDENDUM.

4. Signatures:

Applicant:  Date: 08/15/2025
ANDREW R. FREIMUTH, ESQ., ATTORNEY FOR APPLICANT
Property Owner: _____ Date: _____

For Office Use Only

Fee: <u>\$ 300.⁰⁰</u>	Zoning District: <u>C</u>
Article: _____	Section: _____
Article: _____	Section: _____
Article: _____	Section: _____
Article: _____	Section: _____
Article: _____	Section: _____
Reviewed By: <u>TD</u>	Review Date: <u>8/18/25</u>

Addendum

By decision of the Zoning Hearing Board dated August 17, 2023 for Application No. 2376-23, the Applicant, 28 Skippack Pike, LLC, was granted a variance to allow for stacking of seven (7) vehicles for a proposed drive-through as opposed to the minimum stacking of eight (8) vehicles required by the Whitpain Township Zoning Ordinance. At its September 19, 2024 meeting, the Zoning Hearing Board granted a one (1) year extension of the variance. A copy of the decision letter has been submitted with the Application. The Applicant is requesting an additional extension of the variance for a period of one (1) year from its current date of expiration (currently, August 17, 2025) to August 17, 2026. Since receiving relief from the Zoning Hearing Board, the Applicant has been actively seeking a tenant through the reputable regional brokerage firm of MSC Retail. The tenant space with the drive-through is prime space and critical to the continued revitalization of the shopping center. As a result, the Applicant has been thoughtful and measured with regard to potential tenants, while continuing to creatively and aggressively market the space. The Applicant is making this request for an extension of the variance to allow more time to secure a proper tenant for the shopping center who will be in keeping with not only the redevelopment of the shopping center itself, but the anticipated revitalization of Broad Axe Village.



519 Swede Street • Norristown, PA 19401
(484) 679-8150

PATRICK M. HITCHENS, ESQUIRE
Direct Dial: 484-602-9284
patrick@skilkennylaw.com

October 15, 2024

SENT VIA EMAIL ONLY (jgarrity@wispearl.com and afreimuth@wispearl.com)

28 Skippack Pike, LLC
580 W Germantown Pike, Suite 200
Plymouth Meeting, PA 19462

James Garrity, Esq.
Andrew Freimuth, Esq.
Wisler Pearlstine, LLP
460 Norristown Road, Suite 110
Blue Bell, PA 19422

RE: Whitpain Township Zoning Hearing #2376-23
Subject Property – 40 W Skippack Pike
Approval of Extension

Dear Mr. Garrity and Mr. Freimuth:

As the solicitor to the Whitpain Township Zoning Hearing Board, please allow this letter to serve as formal confirmation that at its September 19, 2024, hearing night, the Zoning Hearing Board approved an extension for the variances previously granted in Hearing 2376-23. This extension shall be to August 17, 2025, after which time the relief shall expire if Applicant fails to obtain a use and occupancy permit or a building permit as applicable or unless an additional extension is granted by the Board in their discretion. No further Decision and Order will be issued in this matter and all conditions and requirements of the prior approval remain in effect. Should you have any questions or concerns, please contact either me or Travis DeCaro, Whitpain Township Zoning Officer.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. M. Hitchens', is written over the typed name.

Patrick M. Hitchens, Esq.

PMH/

cc: Travis DeCaro, Zoning Officer
Anne Ryan, Secretary to Zoning Hearing Board

DECISION AND ORDER
WHITPAIN TOWNSHIP ZONING HEARING BOARD

Application No. 2376-23

Hearing Date(s): August 17, 2023

Appeal Of: 28 Skippack Pike, LLC

Decided: August 17, 2023

Property Address:
40 W. Skippack Pike
Ambler, PA 19002
Parcel No. 66-00-06148-00-5

Copy Mailed: August 18, 2023

After completion of a public hearing on the above referenced Application, the Zoning Hearing Board of Whitpain Township decided as follows:

1. a variance from Section 160-192.B.(1)(j) to allow for stacking of seven (7) vehicles for proposed single bank drive-through as opposed to the minimum eight vehicles is hereby GRANTED.

THIS DECISION AND ORDER IS SUBJECT TO THE FOLLOWING STANDARD CONDITIONS:

1. All use and development permitted by this Decision shall conform to the exhibits and testimony presented by the Applicant(s), unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.

2. The approvals granted herein apply only to the proposed construction or development as shown in the exhibits and shall not apply to any other uses or structures.

3. The Applicant(s) shall comply with all requirements of Whitpain Township Code including, but not limited to, all building codes, fire codes, and other zoning provisions to the extent relief was not granted herein or by subsequent Order, and the Subdivision and Land Development Ordinance (SALDO) to the extent applicable.

4. The Applicant(s) shall submit, if required by any law, regulation, or ordinance, all plans, and shall apply for and obtain all permits required for the proposed construction.

5. Unless otherwise stated in this Decision and Order, any and all relief granted herein shall expire within one (1) year of the date of this decision if Applicant(s) fails to obtain a use and occupancy permit or a building permit as applicable in accordance with Section 160-241 of the Whitpain Township Zoning Ordinance.

THIS DECISION AND ORDER IS ALSO SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

No Special conditions.

BY: WHITPAIN TOWNSHIP
ZONING HEARING BOARD



Kyle Speece, Chair



Kent Conway, Vice-Chair



Marie Golson, Secretary

Absent

Dana DiSandro, Member

Absent

Amy McAndrew, Member

THIS DECISION AND ORDER OF THE WHITPAIN TOWNSHIP ZONING HEARING 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 FORTH ABOVE.