

WHITEMARSH TOWNSHIP
ZONING HEARING BOARD AGENDA
March 4th, 2026
6:30 PM

___ Behr ___ Doran ___ Nester ___ Tone ___ Weinstein

1. CALL TO ORDER

2. ANNOUNCEMENTS & CORRESPONDENCE

- *Applicants are requested not to remove signs after the hearing at this time; Township staff will remove them once the hearing is completed.*

3. ZONING HEARING BOARD APPLICATIONS

- **ZHB #2025-48:** John Menken c/o Ameer S. Farrell, Esq.; 5211 Militia Hill Road; Blue Bell, PA 19422; Parcel # 65-00-07864-00-9; Block 045, Unit 037; CLI – Campus-Type Limited Industrial District; The Applicant is proposing to use the lower level of the building at the Property Location for his generator business; the upper level will continue to be used for offices. The following relief is requested: **Special Exception under Section 116-120.G.** to permit the Proposed Use as a use of the same general character as those permitted under Section 116-120, or a **Variance in the alternative from Section 116-120.** to permit the Proposed Use.; **Variance from Section 116-120.G.** to permit outdoor storage as accessory to the Proposed Use.; **Variance from Section 116-24.E.(3)(a) to the extent required,** to permit an accessory use in the front yard and/or forward of the front principal building plane.; **Variance from Section 116-33.A. to the extent required,** to permit a fence in excess of 4'-0" in the front yard to provide necessary screening of the outdoor storage area, when combined with an associated evergreen landscape buffer.; **Variances from Sections 116-121.D. and 116-33.A. to the extent required** to permit the improvements in the front yard, if the retaining walls, fence, screening and outdoor storage area are determined to be structures as defined in the Zoning Code. *[This case was originally continued from the January 7th, 2026 meeting to March 4th, 2026. However, the case has been withdrawn by letter dated February 26, 2026 from the applicant's attorney.]*
- **ZHB #2026-01:** Maurice D. & Normal J. Baloche; 4140 Redwood Rd, Lafayette Hill, PA 19444; Parcel 65-00-09553-00-3; Block 022E, Unit 010; A – Residential; The Applicants are proposing to add an addition consisting of a second garage. The following relief is requested: **Variance from Section 116-202.B.** to allow the garage addition to have a front yard setback on Redwood Road of 26', whereas a minimum of 40' is required. (This is a corner property with two front yards.) This is the applicable section for dimensional requirements since the house was built prior to June 23, 1966; it was originally constructed in 1954.
- **ZHB #2026-02:** Lauren Gilliano & Shayne Coyne; 424 Ridge Pike, Lafayette Hill, Pa 19444; Parcel # 65-00-09937-00-6; Block 003A, Unit 039; B – Residential; The Applicants constructed a tree house for their children. The following relief is requested: **Variance from Section 116-24.E.(3)(a)** to allow an accessory structure (tree house) to remain in the front yards of Ridge Pike & Oakwyn Road. Accessory uses allowed in the front yard listed in this section do not include said use.
- **ZHB #2026-03:** W.B. Homes Land Acquisitions, LP c/o Justin B. Strahorn; 488 Bethlehem Pike, Fort Washington, PA 19034; Parcel 65-00-00856-00-6; Block 055, Unit 05; VC-1 Village Commercial Subdistrict 1 Floodplain Conservation Overlay District Riparian Corridor Conservation Overlay District; The Applicant is proposing to develop the property with 17 townhouse units and convert an existing home into two apartments. The following relief is requested: **Variance from Section 116-291.B.(3)** to allow a maximum building length of 130 feet whereas a maximum of 120 feet is allowed. **Variance from Section 116-295.** to allow a front yard of 4.5 feet for the existing home and 30.25 feet for townhouse unit #17, whereas this section requires a minimum of 40% and a maximum of 80% of the building façade to be 10 feet from the ultimate right-of-way, with the remaining façade setback further. This requirement applies to sites between 2 and 5 acres (the Property is 3.21 acres). **Variance from Section 116-259.A.** to allow a setback of 7 feet from the boundary of the Riparian Corridor Conservation

Overlay District whereas a minimum of one-half of the applicable setback distance is required (rear yard setback in this case).

- **ZHB #2026-04:** Villanova University in the State of Pennsylvania; 601 Washington Street, Villanova, PA 19085 Parcel # 65-00-12679-00-9; Block 011, Unit 041; SM-MU Spring Mill Mixed Use District; TDO-1 Transit Friendly Design Overlay 1; Floodplain Conservation Overlay District; Riparian Corridor Conservation Overlay District; The Applicant is proposing to install certain signage on its boathouse (currently under renovation following land development approval). The following relief is requested: **Variance from Section 116-327.B.(2)** to allow two signs along the Washington Street frontage whereas a maximum of one sign is allowed, and to allow a proposed total sign area of 59 square feet where a maximum of 35 square feet is allowed; **Variance from Section 116-327.B.(6)** to allow the riverfront sign to be 35 square feet where a maximum of 12 square feet is allowed.
- The Ordinances, applications, plans, and any explanatory material are available for examination by the public at the Whitemarsh Township Municipal Building, 616 Germantown Pike, Lafayette Hill, PA 19444, Monday thru Friday between the hours of 8:30A.M. and 4:30P.M. The public is invited to attend and be heard. Persons with a disability who wish to attend the public hearing and require an auxiliary aid, service, or other accommodation to participate in the hearing should contact Whitemarsh Township at 610-825-3535.

4. ADJOURNMENT

PUBLIC PARTICIPATION

It is the practice of the Zoning Hearing Board to hear public comment and entertain questions on each application at the public meeting. However, any person or entity who wishes to obtain formal party status in any application before the Zoning Hearing Board shall fill out a 'Request for Entry of Appearance as a Party' form, available on the Township website or at the public meeting. The completed form should be presented to the Board when the application is called by the Chair for consideration at the public hearing. A determination will be made at the public hearing as to whether party status will be granted. Party status will be generally explained at the public meeting, but those who have more specific questions regarding party status should consult with an attorney.

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
REQUEST FOR ENTRY OF APPEARANCE AS A PARTY

I request to be granted party status in Application No. _____

Applicant: _____

Please print name, address, phone number, and email address below:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Please sign below:

ZHB APPEAL #2025-48
SUMMARY

APPLICANT: John Menken c/o Ameer S. Farrell, Esq.

PROPERTY LOCATION: Parcel # 65-00-07864-00-9
Block 045, Unit 037
5211 Militia Hill Road
Blue Bell, PA 19422

ZONING DISTRICTS: CLI – Campus-Type Limited Industrial District

SUMMARY OF RELIEF REQUEST:

The Applicant is proposing to use the lower level of the building at the Property Location for his generator business; the upper level will continue to be used for offices. The following relief is requested:

1. **Special Exception under Section 116-120.G.** to permit the Proposed Use as a use of the same general character as those permitted under Section 116-120, or a **Variance in the alternative from Section 116-120.** to permit the Proposed Use.
2. **Variance from Section 116-120.G.** to permit outdoor storage as accessory to the Proposed Use.
3. **Variance from Section 116-24.E.(3)(a) to the extent required,** to permit an accessory use in the front yard and/or forward of the front principal building plane.
4. **Variance from Section 116-33.A. to the extent required,** to permit a fence in excess of 4'-0" in the front yard to provide necessary screening of the outdoor storage area, when combined with an associated evergreen landscape buffer.
5. **Variances from Sections 116-121.D. and 116-33.A. to the extent required** to permit the improvements in the front yard, if the retaining walls, fence, screening and outdoor storage area are determined to be structures as defined in the Zoning Code.

PRIOR DECISIONS:

ZHB 2002-39: Withdrawn; relief requested unknown.
ZHB 1999-26: Variance for setback of a building addition.
ZHB 1990-11: Variances for manufacturing use, dimensional variances for building; variance & special exceptions for parking.
ZHB 1989-24: Variances for manufacturing use, dimensional variances for building; variance & special exceptions for parking.

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

Amee S. Farrell
Direct Dial: (610) 941-2547
Direct Fax: (610) 684-2010
Email: afarrell@kaplaw.com
www.kaplaw.com

February 26, 2026

VIA ELECTRONIC MAIL

Charles L. Guttenplan
Director of Planning and Zoning
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444-1821

RE: Zoning Application #2025-48 – 5211 Militia Hill Road

Dear Charlie:

The Applicant in the above noted application has elected not to proceed with the purchase of this property. Kindly mark ZHB Application #2025-48 as withdrawn. Accordingly, we will not be in attendance at the upcoming March 4, 2026 continued hearing.

Please do not hesitate to contact me with any questions.

Sincerely,



Amee S. Farrell

ASF:asf

Enclosures

cc: Michael E. Furey, Esquire (mike@fbpclaw.com)
Sam S. Auslander, Esquire (sauslander@eckellsparks.com)

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: _____

Applicant/Appellant: John Menken

Address: c/o Ameer S. Farrell, Esquire - 910 Harvest Dr. Box 3037 Blue Bell, PA 19422

Phone #: (610) 941-2547

Cell Number: _____

E-Mail: afarrell@kaplaw.com

Owner: Erik Hanson and Mark Hanson

Address: PO Box 772 Blue Bell PA 19422

Phone #: _____

Cell Number: _____

E-Mail: ehanson2015@gmail.com

Location of the Property Involved: 5211 Militia Hill Road

Block #: 045

Unit #: 037

Parcel #: 65-00-07864-00-9

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitmarsh Township Zoning Code which is (are) relied upon):

See Attached Addendum

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):

**Attach additional sheets if necessary

See Attached Addendum

Legal Counsel (if represented): Ameer S Farrell, Esquire - Kaplin Stewart

Address: 910 Harvest Drive PO Box 3037 Blue Bell, PA 19422

Phone #: (610) 941-2547

E-Mail: afarrell@kaplaw.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

I am (We are)

Owner(s) of Legal Title

Owner(s) of Equitable Title

Tenant(s) with permission of Owner(s) of Title
(Enclose letter attesting to same)

Date: 10/24/25


Signature of Applicant/Appellant:

By: Ameer S. Farrell, Esquire - Counsel for Appellant

Signature of Applicant/Appellant:

Kaplin Stewart Meloff Reiter & Stein, PC
Union Meeting Corporate Center
910 Harvest Drive
Post Office Box 3037
Blue Bell, PA 19422
Amee S. Farrell, Esquire
Identification No. 93338
(610) 941-2547
afarrell@kaplaw.com

Attorneys for Applicant

BEFORE THE ZONING HEARING BOARD
OF WHITEMARSH TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

In the Matter of:

Premises:

John Menken

5211 Militia Hill Road
TMP 65-00-07864-00-9

ADDENDUM TO ZONING HEARING BOARD APPLICATION

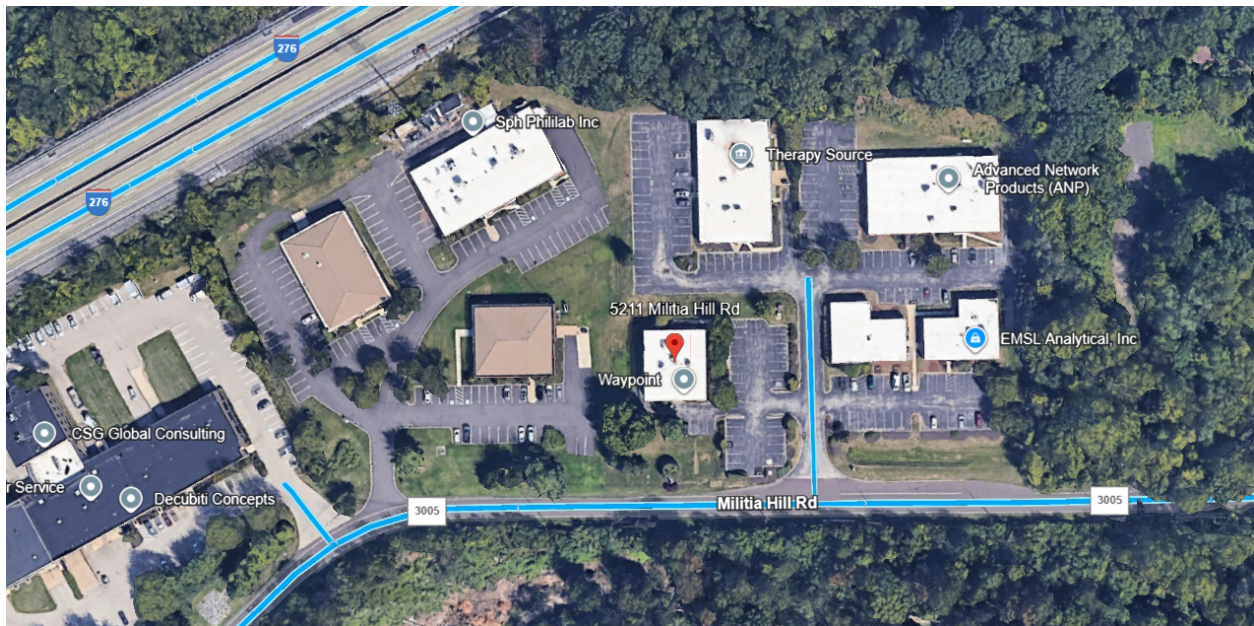
John Menken (“**Menken**”), by and through his attorney Amee S. Farrell, hereby files this addendum to the Whitemarsh Township Zoning Hearing Board application seeking the within zoning approvals related to the property located at 5211 Militia Hill Road, and in support thereof states as follows:

1. **Applicant.** Applicant Menken is the equitable owner of the property located at 5211 Militia Hill Road by virtue of an Agreement of Sale, dated October 23, 2025, a redacted copy of which is included herewith at **Exhibit “A”** and incorporated herein by reference.

2. **Description of Property – Existing Conditions.** The property at issue, known generally as 5211 Militia Hill Road, Whitemarsh, is further described as Montgomery County Tax Parcel No. 65-00-07864-00-9 (“**Property**”). The Property is an approximately 0.99 acre parcel with frontage along Militia Hill Road. The Property is improved with a 2-story industrial/office building (“**Existing Building**”) and is surrounded by similarly situated structures in what is known generally as the Whitemarsh Business Campus (“**Campus**”). The

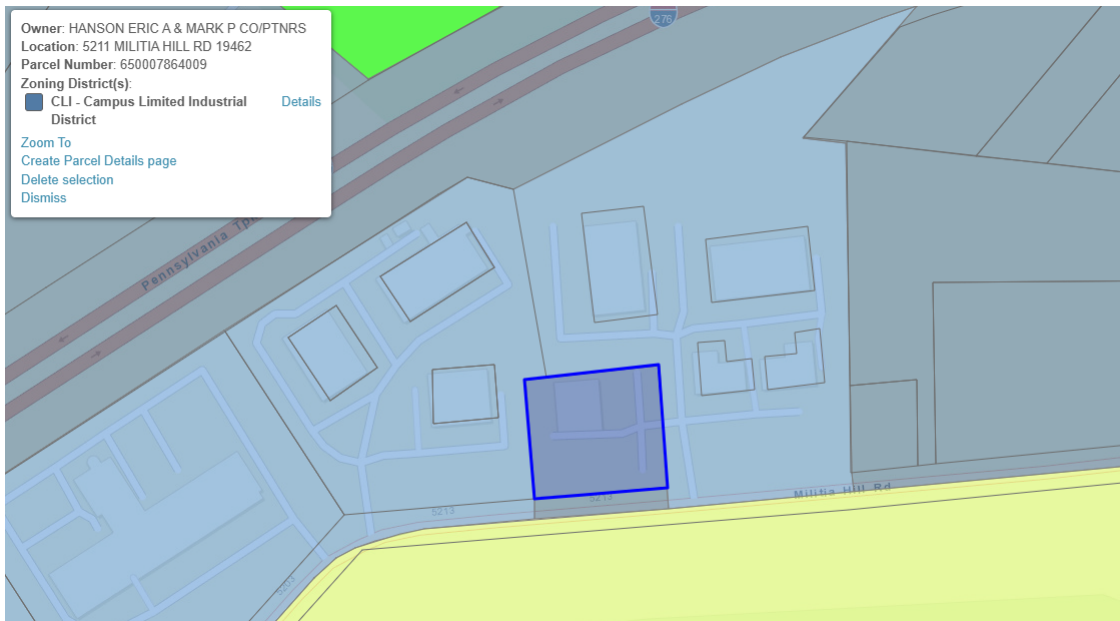
Property takes access via a shared driveway onto Militia Hill Road which serves several structures in the Campus.

The Existing Building is developed within existing grades such that both levels of the building have direct exterior access to the adjoining parking lot and circulation drives. The Existing Building is approximately 5,236 s.f. (+/-) per level. A loading area fronting on Militia Hill Road with overhead door/loading access provides direct access to the lower level industrial/storage area. The second level office space is accessed via a stairway and accessible ramp from the parking area.





3. **Zoning.** According to the Whitmarsh Township Zoning Code and associated Zoning Map (collectively, “**Zoning Code**”), the Property is located in the CLI – Campus Limited Industrial District (“**CLI-District**”).



4. **Proposed Improvements.** Menken proposes to maintain the Existing Improvements and utilize the lower level of the Existing Improvements in connection with his business, Menken Generators (“**Proposed Use**”). The upper level of the Existing Building will continue to be utilized as office space. Menken will utilize the lower level to store and prepare

commercial and residential generators and associated equipment for installation. Although generators will not be manufactured on site, they will be fitted, calibrated, and prepared for installation within the lower level of the building. Additionally, Menken proposes an approximately 3,500 s.f. outdoor storage yard adjacent to the loading area, in order to store generator foundation/concrete pads, and associated decorative block and stone. Stone is stored in bags, rather than loose, and is stacked in pallet systems. The maximum height of any stored material is six feet (6'-0"). Menken also proposes to store trailers used to transport the generators and associated material to installation sites within the outdoor storage area (collectively "**Outdoor Storage**"). The proposed Outdoor Storage area is as generally indicated on the enclosed sketch, included herewith as **Exhibit "B"** and incorporated herein by reference, and will be supplemented with more detailed materials depicting the design, layout, and screening of the area at the hearing on the matter. The Outdoor Storage will be fully enclosed by a fence and retaining walls, together with an evergreen landscape screen designed to screen it entirely from view from Militia Hill Road and surrounding properties.

Although the CLI-District permits a range of manufacturing, fabricating, assembly, and/or processing uses, the Zoning Officer has determined that the Proposed Use does not sufficiently involve such fabricating and assembly to satisfy the provisions of §116-120.C, and accordingly, that a special exception – for a use of the same general character – is required. Additionally, although the use provisions of §116-120.C do not preclude outdoor storage in connection with allowable manufacturing uses, the special exception allowance of §116-120.G does contain an outdoor storage restriction, thus further requiring a variance to permit the outdoor storage.

5. **Relief Requested.** In order to carry out the Proposed Use, Menken requests the following:

a. A special exception under of §116-120.G to permit the Proposed Use as a use of the same general character as those permitted under §116-120, or a variance in the alternative from §116-120 to permit the Proposed Use;

b. A variance from §116-120.G to permit outdoor storage as accessory to the the Proposed Use;

c. To the extent required, a variance from §116-24.E(3)(a) to permit an accessory use in the front yard and/or forward of the front principal building plane;

d. To the extent required, a variance from §116-33.A, to permit a fence in excess of 4'-0" in the front yard to provide necessary screening of the outdoor storage area, when combined with an associated evergreen landscape screen; and

e. To the extent required, if the retaining walls, fence, screening, and outdoor storage area are determined to be structures as defined in the Zoning Code, variances from §§116-121.D and §116-33.A to permit the improvements within the front yard.

6. **Grounds for Relief.** Menken requests the within approvals to permit reasonable and appropriate use of the Property, consistent with the existing conditions of the property, surrounding uses, and the general intent of the Zoning Code.

Respectfully Submitted,



AMEE S. FARRELL, ESQUIRE
Attorney for Applicant

AGREEMENT OF SALE

This Agreement of Sale ("Agreement") is made and entered into as of the ^{23rd} day of October 2025 ("Effective Date"), by and between Eric Hanson and Mark Hanson (collectively, "Seller") and John Menken or his assignee ("Buyer"). Seller and Buyer may also be referred to as a ("Party") and collectively shall be referred to as the ("Parties").

1. Property:

Seller agrees to sell and Buyer agrees to purchase all that certain parcel of land, building, and improvements located thereon, known as Tax Parcel #: 65-00-07864-009, consisting of approximately .99 acres, located at 5211 Militia Hill Road, Plymouth Meeting, PA 19462 ("Property"). The sale includes all of Seller's right, title, and interest in and to any all property attached to or essential to the operation of the Property and any and all plans, permits, approvals and other rights of Seller in connection therewith (collectively, "Personal Property"). A list of the Personal Property included in the sale is attached hereto as Exhibit "A".

Excluded from the sale are the items listed on Exhibit "B" hereto .

2. Purchase Price:

Subject to the terms and conditions set forth in this Agreement, Seller shall sell, convey, transfer, and deliver to Buyer, and Buyer shall purchase from Seller, the Property and included Personal Property pursuant to Section 1 above. [REDACTED]

3. Deposit:

[REDACTED]

[REDACTED]

This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, understandings, negotiations, and discussions, whether oral or written, of the Parties, relating to the subject matter hereof.

19. Amendments:

This Agreement may be amended or modified only by a written agreement signed by the Parties.

20. Waiver:

No waiver of any term, provision, or condition of this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or construed as, a further or continuing waiver of any such term, provision, or condition, or of any other term, provision, or condition of this Agreement.

21. Headings:

The headings in this Agreement are for reference only and shall not affect the interpretation of this Agreement.

22. Binding Effect:

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, successors, and permitted assigns.

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, successors, and permitted assigns.

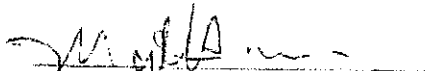
22. AS-IS SALE. The Property is being sold by Seller, and purchased by Buyer "AS-IS, WHERE-IS, WITH ALL FAULTS."

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the Effective date of this Agreement.

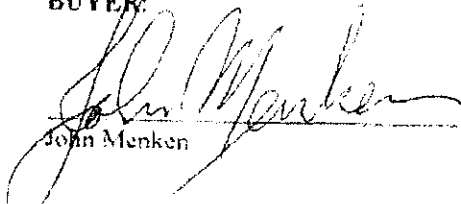
AGREED TO AND ACCEPTED BY:

SELLER:


Eric Hanson


Mark Hanson

BUYER:


John Menken



The parcel layer is currently enabled [Enable the districts layer](#)

Owner: HANSON ERIC A & MARK P CO/PTNRS
Location: 5211 MILITIA HILL RD 19462
Parcel Number: 650007864009
Zoning District(s):
 CLI - Campus Limited Industrial District [Details](#)

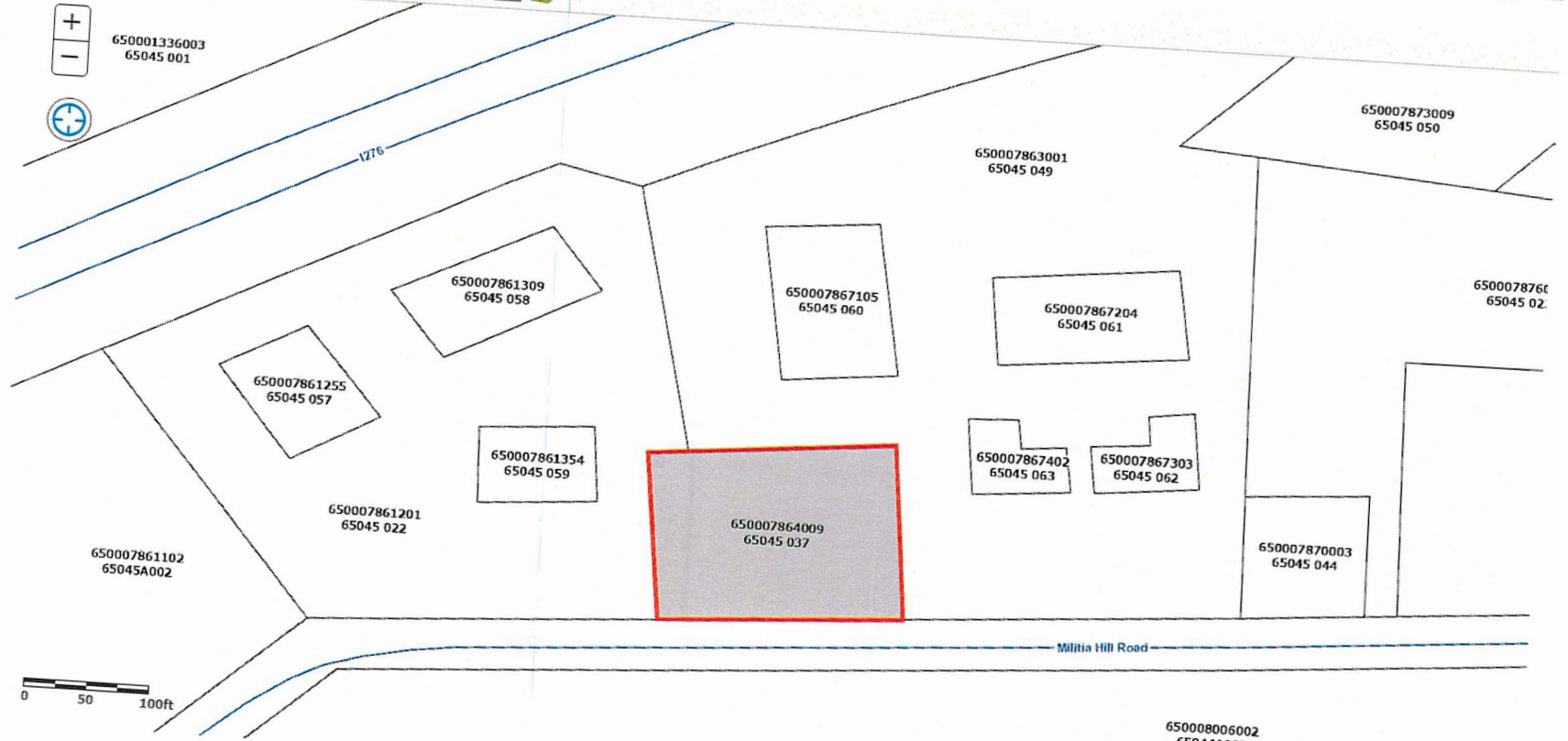
Zoom To
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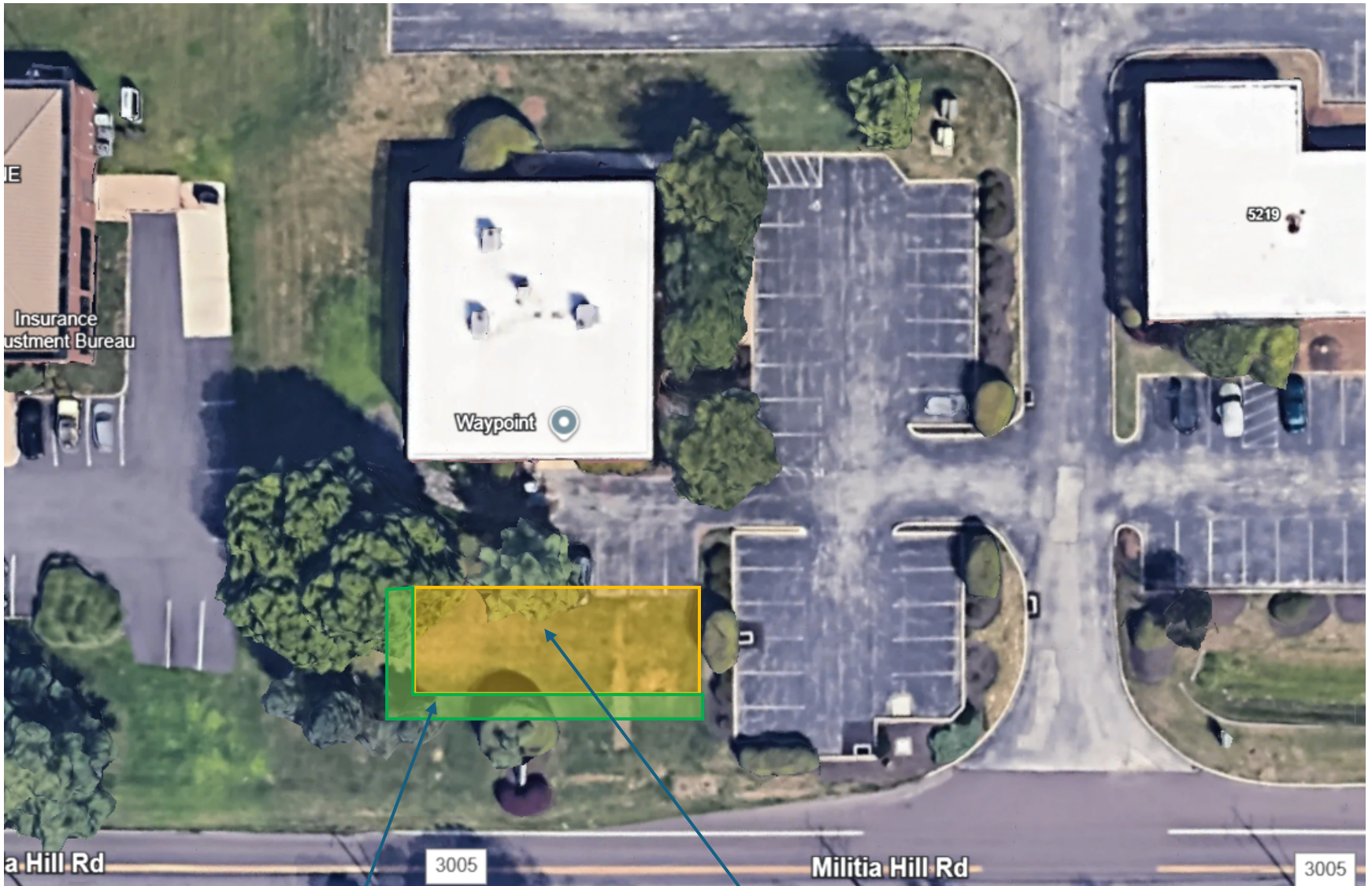


PARID: 650007864009
HANSON ERIC A & MARK P CO/PTNRS



650001336003
65045 001





Variable width evergreen landscape screen

Approximately 3,500 s.f. (85' x 41') storage area on crushed stone, with retaining wall and fencing

WHITEMARSH TOWNSHIP

ZONING HEARING BOARD

APPLICATION 89-24 of Datatech, Inc.

First Hearing Date 5/1/89

Date Decided 5/1/89

Copy Mailed 5/2/89

The Zoning Hearing Board decided the above application at a public hearing as follows:

1. The Variance from Section 116-121(B) of the Whitemarsh Township Code to allow the proposed ~~electronics~~ manufacturing use on a lot located at 5211 Militia Hill Road is hereby granted / ~~denied~~.

2. The Variance from Section 116-121(B) to allow a proposed building on the lot which invades the rear yard setback by 40 feet is hereby granted / ~~denied~~.

3. The Variance from Section 116-121(D) to allow the proposed building to be set back from a Residential District by less than 150 feet is hereby granted / ~~denied~~.

4. The Variance from Section 116-123 to allow 2 parking spaces to be located within 50 feet of a Residential District is hereby granted / ~~denied~~.

5. The Variance from Section 116-121(D) to allow use of the lot without a 50 foot landscaping screen on its perimeter is hereby granted / ~~denied~~. *This shall apply to the north and east sides only.*

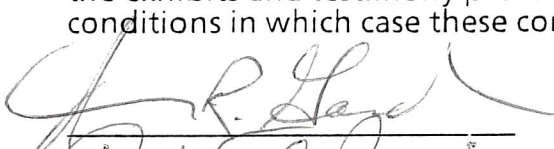
6. The Special Exception in accordance with Section 116-123 to allow 2 parking spaces to be located within 150 feet of a Residential District is hereby granted / ~~denied~~.

7. The Special Exception in accordance with Section 116-123 to allow the parking area to cover more than 25% of the lot is hereby granted / ~~denied~~.

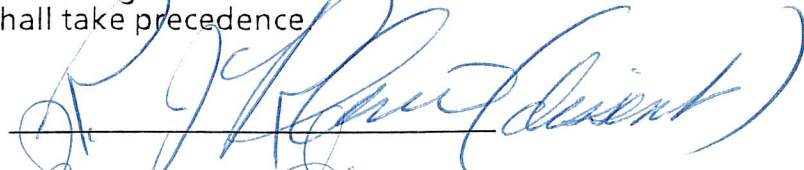
8. The Special Exception in accordance with Section 116-123 to allow parking spaces to be located within the front yard is hereby granted / ~~denied~~.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

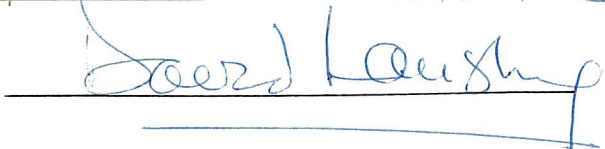
1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.



Robert A. Bacine



Donald K. Laushup



Donald K. Laushup

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 180 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same.

WHITEMARSH TOWNSHIP

ZONING HEARING BOARD

APPLICATION 90-11 of Datatech Enterprises, Inc.

First Hearing Date 3/6/90

Date Decided 3/6/90

Copy Mailed 3/7/90

The Zoning Hearing Board decided the above application at a public hearing as follows:

1. The Variance from Section 116-121(B) of the Whitemarsh Township Code necessary to allow the proposed manufacturing use on a lot located at 5211 Militia Hill Road is hereby granted / ~~denied~~.

2. The Variance from Section 116-121(B) to allow a proposed building on the lot which invades the rear yard setback by 40 feet is hereby granted / ~~denied~~.

3. The Variance from Section 116-121(D) to allow the proposed building to be set back from a Residential District by less than 150 feet is hereby granted / ~~denied~~.

4. The Variance from Section 116-122 to allow use of the lot without a 50 foot landscaping screen on its perimeter is hereby granted / ~~denied~~. This shall apply to the north and east sides only.

5. The Variance from Section 116-123 to allow 2 parking spaces to be located within 50 feet of a Residential District is hereby granted / ~~denied~~.

6. The Special Exception in accordance with Section 116-123 to allow 2 parking spaces to be located within 150 feet of a Residential District is hereby granted / ~~denied~~.

7. The Special Exception in accordance with Section 116-123 to allow parking spaces to be located within the front yard is hereby granted / ~~denied~~.

8. The Special Exception in accordance with Section 116-123 to allow the parking area to cover more than 25% of the lot is hereby granted / ~~denied~~.

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.

J. Carter Brewer ABSTAIN

[Signature] - dissent
Robert A. Beane

[Signature]

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 180 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same.

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 99-26

Eric and Mark Hanson

First Hearing 9/1/99 Decided 10/11/99 Copy Mailed 10/12/99

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

1. The Variance required by Section 116-121.D of the Whitmarsh Township Code to allow an addition to be constructed on the side of the building located at 5211 Militia Hill Road which will encroach into the required side yard by 8 feet is hereby granted / ~~10~~.

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 Township engineer must approve any intrusion of the structure into the detention basin.

3. A landscaping plan to provide some visual buffer for the structure must be submitted to the Shade Tree Commission for review and approval.

Donna L. Linn

Robert W. Bascine

John A. ...

Marion N. ...

John Ambrose

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 30 days following the copy mailing date set out above.

Section 116-223 of the Whitmarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.

THOMAS J. SPEERS
ATTORNEY AT LAW
651 West Germantown Pike
PLYMOUTH MEETING, PENNSYLVANIA 19462

PHONE
(610) 941-2636

FAX
(610) 941-2638

January 7, 2003

VIA FAX: 610-825-9416

Mr. Joseph Leis, Zoning Officer
Whitemarsh Township
616 E. Germantown Pike
Lafayette Hill, PA 19444

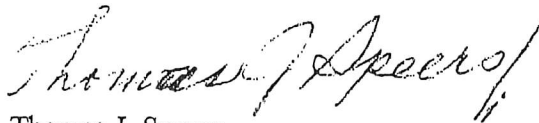
Re: 5211 Militia Hill Road
Eric A. Hanson and Mark P. Hanson, Co-Partners
Application #ZHB-2002-26
My file #0890

Dear Mr. Leis:

Please be advised that my clients have requested that the application scheduled for tonight's hearing be withdrawn.

We thank you for your consideration in this matter and if you have any questions, please do not hesitate to contact me.

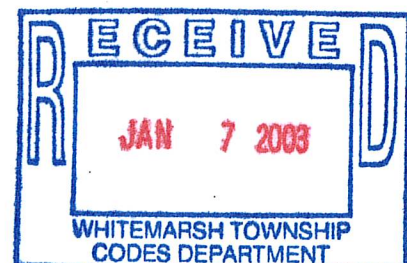
Sincerely,



Thomas J. Speers

TJS:jv

cc: Mr. Chuck Powers, Grant Hanson Associates, Inc.



**WHITEMARSH TOWNSHIP
ZONING HEARING BOARD**

**Menken Generators, LLC
5211 Militia Road
TMP. 65-00-07864-00-9**

January 7, 2025, at 6:30 p.m.

EXHIBIT LIST

- A-1** Zoning Application and Addendum (Application Dated Oct. 24, 2025, and Revised Addendum Submitted Nov. 5, 2025)
- A-2** Redacted Agreement of Sale Dated October 23, 2025
- A-3** Michael Pilko, CV
- A-4** Aerial and Existing Conditions Photos
- A-5** Proposed Site Plan Dated Jan. 6, 2026
- A-6** Menken Generators Brochure and United Inspection Agency, Inc. Letter
- A-7** 5225 Militia Hill Road Illustrative Photos

Exhibit A-1

Zoning Hearing Board Application Checklist

- Application (sheet titled, "Appeal to Zoning Hearing Board")
- Code Enforcement Letter/Denial Letter (if applicable) N/A
- Site Plan Illustrative Plan and Aerial Enclosed
- Photos (2 or 3 of existing conditions) See Addendum
- Elevation Drawing (if applicable) N/A
- Floor Plan (if applicable) N/A
- Letters of Support (Optional; may be submitted at *any time* prior to hearing)

Request from Township:

- Zoning Map
- Tax Map
- Prior Zoning Hearing Board Decisions
- Engineering Review Letter (if applicable, Township requests after submission)

**ALL APPLICATION PACKETS MUST BE COLLATED;
SIX PACKETS REQUIRED**

Clearly identify packet with original signatures.

If full size plans are being submitted, we require two full size and four reduced scale.

Kaplin Stewart Meloff Reiter & Stein, PC
Union Meeting Corporate Center
910 Harvest Drive
Post Office Box 3037
Blue Bell, PA 19422
Amee S. Farrell, Esquire
Identification No. 93338
(610) 941-2547
afarrell@kaplaw.com

Attorneys for Applicant

BEFORE THE ZONING HEARING BOARD
OF WHITEMARSH TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

In the Matter of:

Premises:

John Menken

5211 Militia Hill Road
TMP 65-00-07864-00-9

ADDENDUM TO ZONING HEARING BOARD APPLICATION

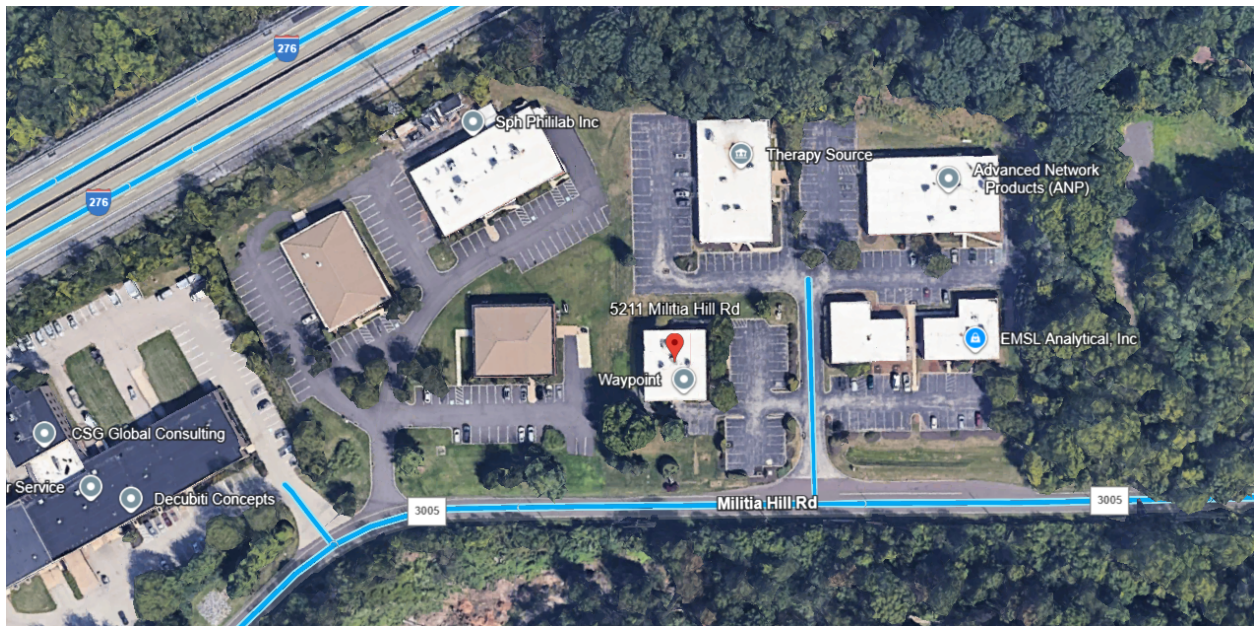
John Menken (“**Menken**”), by and through his attorney Amee S. Farrell, hereby files this addendum to the Whitemarsh Township Zoning Hearing Board application seeking the within zoning approvals related to the property located at 5211 Militia Hill Road, and in support thereof states as follows:

1. **Applicant.** Applicant Menken is the equitable owner of the property located at 5211 Militia Hill Road by virtue of an Agreement of Sale, dated October 23, 2025, a redacted copy of which is included herewith at **Exhibit “A”** and incorporated herein by reference.

2. **Description of Property – Existing Conditions.** The property at issue, known generally as 5211 Militia Hill Road, Whitemarsh, is further described as Montgomery County Tax Parcel No. 65-00-07864-00-9 (“**Property**”). The Property is an approximately 0.99 acre parcel with frontage along Militia Hill Road. The Property is improved with a 2-story industrial/office building (“**Existing Building**”) and is surrounded by similarly situated structures in what is known generally as the Whitemarsh Business Campus (“**Campus**”). The

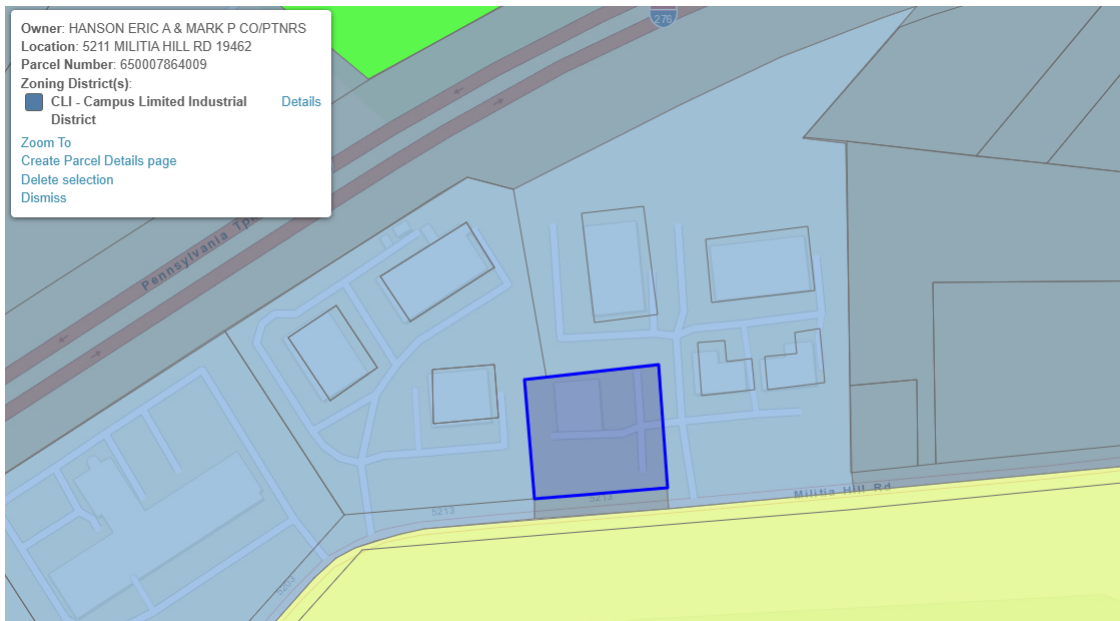
Property takes access via a shared driveway onto Militia Hill Road which serves several structures in the Campus.

The Existing Building is developed within existing grades such that both levels of the building have direct exterior access to the adjoining parking lot and circulation drives. The Existing Building is approximately 5,236 s.f. (+/-) per level. A loading area fronting on Militia Hill Road with overhead door/loading access provides direct access to the lower level industrial/storage area. The second level office space is accessed via a stairway and accessible ramp from the parking area.





3. **Zoning.** According to the Whitmarsh Township Zoning Code and associated Zoning Map (collectively, “**Zoning Code**”), the Property is located in the CLI – Campus Limited Industrial District (“**CLI-District**”).



4. **Proposed Improvements.** Menken proposes to maintain the Existing Improvements and utilize the lower level of the Existing Improvements in connection with his business, Menken Generators (“**Proposed Use**”). The upper level of the Existing Building will continue to be utilized as office space. Menken will utilize the lower level to store and prepare

commercial and residential generators and associated equipment for installation. Although generators will not be manufactured on site, they will be fitted, calibrated, and prepared for installation within the lower level of the building. Additionally, Menken proposes an approximately 3,500 s.f. outdoor storage yard adjacent to the loading area, in order to store generator foundation/concrete pads, and associated decorative block and stone. Stone is stored in bags, rather than loose, and is stacked in pallet systems. The maximum height of any stored material is six feet (6'-0"). Menken also proposes to store trailers used to transport the generators and associated material to installation sites within the outdoor storage area (collectively "**Outdoor Storage**"). The proposed Outdoor Storage area is as generally indicated on the enclosed sketch, included herewith as **Exhibit "B"** and incorporated herein by reference, and will be supplemented with more detailed materials depicting the design, layout, and screening of the area at the hearing on the matter. The Outdoor Storage will be fully enclosed by a fence and retaining walls, together with an evergreen landscape screen designed to screen it entirely from view from Militia Hill Road and surrounding properties.

Although the CLI-District permits a range of manufacturing, fabricating, assembly, and/or processing uses, the Zoning Officer has determined that the Proposed Use does not sufficiently involve such fabricating and assembly to satisfy the provisions of §116-120.C, and accordingly, that a special exception – for a use of the same general character – is required. Additionally, although the use provisions of §116-120.C do not preclude outdoor storage in connection with allowable manufacturing uses, the special exception allowance of §116-120.G does contain an outdoor storage restriction, thus further requiring a variance to permit the outdoor storage.

5. **Relief Requested.** In order to carry out the Proposed Use, Menken requests the following:

a. A special exception under of §116-120.G to permit the Proposed Use as a use of the same general character as those permitted under §116-120, or a variance in the alternative from §116-120 to permit the Proposed Use;

b. A variance from §116-120.G to permit outdoor storage as accessory to the the Proposed Use;

c. To the extent required, a variance from §116-24.E(3)(a) to permit an accessory use in the front yard and/or forward of the front principal building plane;

d. To the extent required, a variance from §116-33.A, to permit a fence in excess of 4'-0" in the front yard to provide necessary screening of the outdoor storage area, when combined with an associated evergreen landscape screen; and

e. To the extent required, if the retaining walls, fence, screening, and outdoor storage area are determined to be structures as defined in the Zoning Code, variances from §§116-121.D and §116-33.A to permit the improvements within the front yard.

6. **Grounds for Relief.** Menken requests the within approvals to permit reasonable and appropriate use of the Property, consistent with the existing conditions of the property, surrounding uses, and the general intent of the Zoning Code.

Respectfully Submitted,



AMEE S. FARRELL, ESQUIRE
Attorney for Applicant

EXHIBIT A-2

AGREEMENT OF SALE

This Agreement of Sale ("Agreement") is made and entered into as of the ^{23rd} day of October 2025 ("Effective Date"), by and between Eric Hanson and Mark Hanson (collectively, "Seller") and John Menken or his assignee ("Buyer"). Seller and Buyer may also be referred to as a ("Party") and collectively shall be referred to as the ("Parties").

1. Property:

Seller agrees to sell and Buyer agrees to purchase all that certain parcel of land, building, and improvements located thereon, known as Tax Parcel #: 65-00-07864-009, consisting of approximately .99 acres, located at 5211 Militia Hill Road, Plymouth Meeting, PA 19462 ("Property"). The sale includes all of Seller's right, title, and interest in and to any all property attached to or essential to the operation of the Property and any and all plans, permits, approvals and other rights of Seller in connection therewith (collectively, "Personal Property"). A list of the Personal Property included in the sale is attached hereto as Exhibit "A".

Excluded from the sale are the items listed on Exhibit "B" hereto .

2. Purchase Price:

Subject to the terms and conditions set forth in this Agreement, Seller shall sell, convey, transfer, and deliver to Buyer, and Buyer shall purchase from Seller, the Property and included Personal Property pursuant to Section 1 above. [REDACTED]

3. Deposit:

[REDACTED]

[REDACTED]

This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, understandings, negotiations, and discussions, whether oral or written, of the Parties, relating to the subject matter hereof.

19. Amendments:

This Agreement may be amended or modified only by a written agreement signed by the Parties.

20. Waiver:

No waiver of any term, provision, or condition of this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or construed as, a further or continuing waiver of any such term, provision, or condition, or of any other term, provision, or condition of this Agreement.

21. Headings:

The headings in this Agreement are for reference only and shall not affect the interpretation of this Agreement.

22. Binding Effect:

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, successors, and permitted assigns.

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, successors, and permitted assigns.

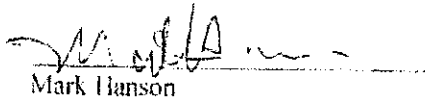
22. AS-IS SALE. The Property is being sold by Seller, and purchased by Buyer "AS-IS, WHERE-IS, WITH ALL FAULTS."

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the Effective date of this Agreement.

AGREED TO AND ACCEPTED BY:

SELLER:


Eric Hanson


Mark Hanson

BUYER:

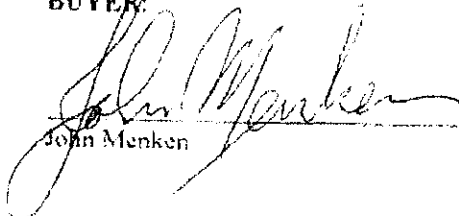

John Menken

EXHIBIT A-3

Over 45 Years of
Client Driven Solutions

RHJ ASSOCIATES, P.C.
ARCHITECTS • PLANNERS • DESIGNERS



Michael J. Pilko, AIA, FARA, NCARB
President

Professional Experience

Mr. Pilko has been practicing architecture since 1999. He has been involved in the design and construction of all aspects of commercial real estate including new development, asset repositioning, capital improvements and tenant planning. Project types include Office, Retail, Industrial Distribution, Health Care and Science Technology.

Professional Registration

AK, AZ, CA, CO, CT, DE, FL, GA, IL, IA, MD, MI, NC, NJ, NY, OH, PA, SC, TN, TX, VA, WA

Recognitions

PA Council of the Society of American Registered Architects, Special Recognition Award
Office Building - 300 Evergreen Drive, Concordville, PA
PA Council of the Society of American Registered Architects, Special Recognition Award
Daddy-O Restaurant Hotel - 4401 Long Beach Blvd., Brant Beach, NJ
Syracuse University School of Architecture - William J. Slivers Prize, Honorable Mention

Professional Affiliations

AIA - American Institute of Architects
SARA - Society of American Registered Architects, Fellow, PA Council Past President
NCARB - National Council of Architectural Registration Boards
MEA - Mid-Atlantic Employers Association

Education

Syracuse University - Bachelor of Architecture Degree
Community College of Philadelphia, Goldman Sachs 10,000 Small Businesses

King of Prussia, PA
860 First Ave, Suite 9A
King of Prussia, PA 19406
610.337.4555

Mount Laurel, NJ
303 Fellowship Rd, Suite 212
Mount Laurel, NJ 08054
856.252.0040

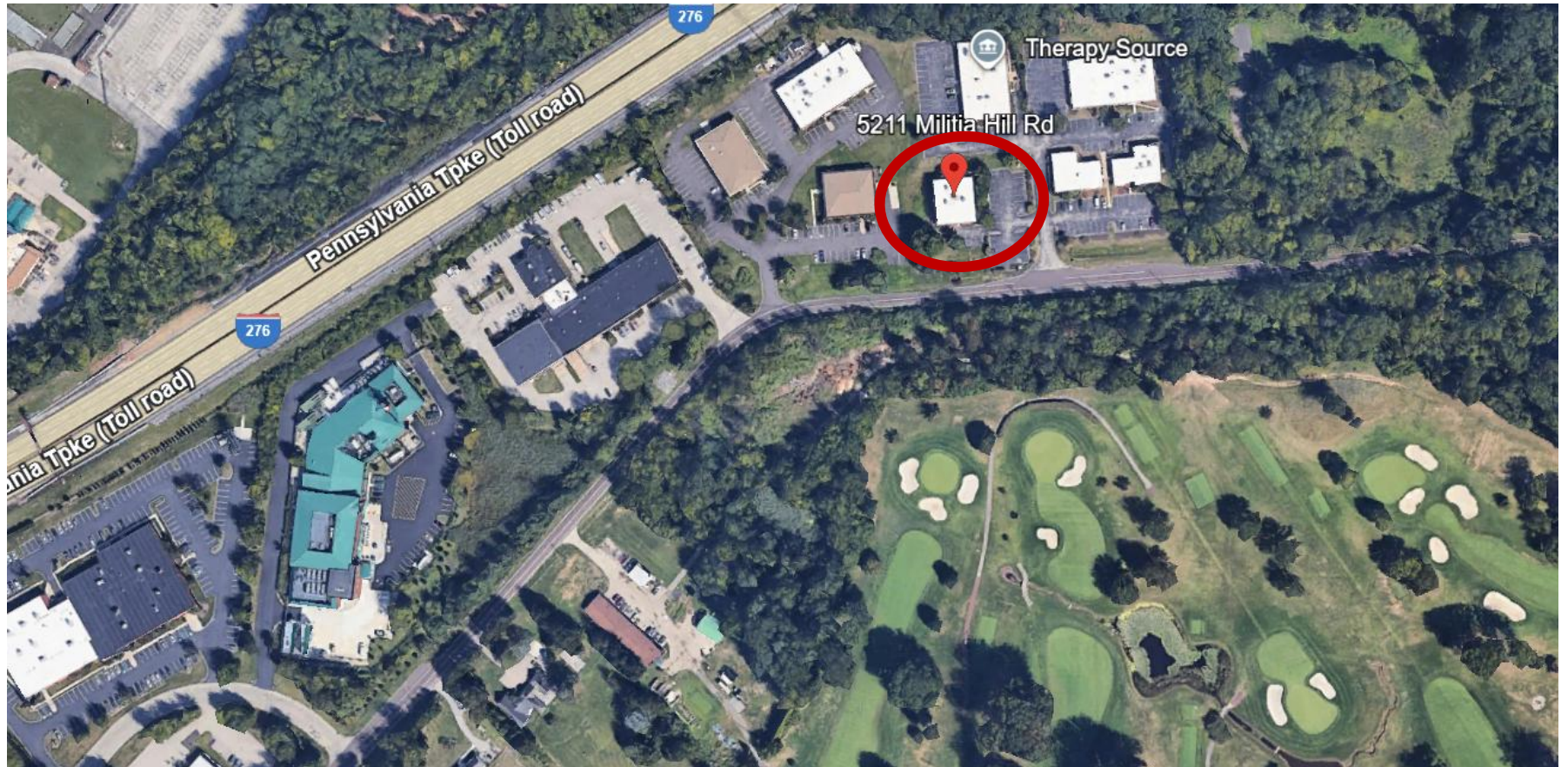
Philadelphia, PA
123 S. Broad St, Suite 1140
Philadelphia, PA 19109
215.279.5845

Wilmington, DE
3316 S. Rockfield Dr
Wilmington, DE 19810
302.482.2269

www.rhjassoc.com

EXHIBIT A-4

5211 Militia Hill Road (TMP 65-00-07864-00-9)



5211 Militia Hill Road (TMP 65-00-07864-00-9)



John Menken
Whitemarsh Township Zoning Hearing Board

5211 Militia Hill Road (TMP 65-00-07864-00-9)



John Menken
Whitemarsh Township Zoning Hearing Board

5211 Militia Hill Road (TMP 65-00-07864-00-9)



4

John Menken
Whitemarsh Township Zoning Hearing Board

5211 Militia Hill Road (TMP 65-00-07864-00-9)



John Menken
Whitemarsh Township Zoning Hearing Board

5211 Militia Hill Road (TMP 65-00-07864-00-9)



John Menken
Whitemarsh Township Zoning Hearing Board

EXHIBIT A-5

EXHIBIT A-6

Why **KOHLER**?

Kohler generators stand out as the best on the market due to their unmatched reliability, innovative technology, and exceptional customer support. With a history dating back over a century, Kohler has consistently delivered top-tier power solutions, earning a reputation for durability and performance. Their commitment to continuous innovation ensures that Kohler generators provide the most advanced features and peace of mind to customers, making them the preferred choice for discerning individuals and businesses alike.



Call or email today



267-934-2669

john@menkengenerators.com

Dear Neighbor & Friend,

As the owner of Menken Generators, I'm proud of the reputation we've built based on our core values: **integrity**, **reliability**, and **excellence**. We understand the importance of a dependable power solution, and we're committed to ensuring that your home or business never has to worry about interruptions.

Our 24/7 service and maintenance are designed to keep your generator in peak condition, with a team that is responsive, professional, and always ready to resolve any issues. We take pride in our integrity, ensuring honest communication and swift resolutions. Your peace of mind is our top priority.

Our customer support team is always available to assist with any questions, troubleshooting, or technical guidance. We believe in building lasting relationships, rooted in trust and a commitment to excellence in everything we do.

Thank you for trusting Menken Generators. We are dedicated to providing the highest level of service and continuing to evolve with your needs.

Gratefully,

John Menken
Owner
Menken Generators

Menken Generators



*Uninterrupted
Peace of Mind*



KOHLER
GENERATORS
Certified Titanium Dealer

menkengenerators.com

Menken Generators White Glove Installations

Our expert team handles every detail of your generator installation—from permits to coordination with local utilities—ensuring a smooth, hassle-free process.



We use the latest technology and adhere to top industry standards for safe, efficient, and customized installations.

The Menken Generator Difference

We go above and beyond to ensure the safety, durability and reliability of your generator.



Decorative Block Foundation:

Elevates your generator 12" off the ground for added protection from dirt, debris, rain, and critters.

Absorbent Glass Mat Battery

(AGM): We use Absorbent Glass Mat batteries for greater reliability and longer life, saving you money over time.

Surge Protection: Protect your home and generator from damaging overvoltage spikes with comprehensive surge protection.

Natural Gas & Propane Filtration System: We install filters to prevent debris in natural gas and propane lines, safeguarding your motor from damage.



Update home to code: We ensure your home's electrical system is up to code, with proper load calculations, bonding, and grounding for added safety.





UNITED INSPECTION AGENCY, INC.
716 N. Bethlehem Pike
Suite 300
Lower Gwynedd, PA 19002
Phone: 215-542-9977
Fax: 215-540-9721
www.unitedinspectionagency.com



To Whom It May Concern,

United Inspection Agency began working with Preferred Generators, LLC (dba Menken Generators) since 2024, and our company has found their work to be outstanding, compliant with the National Electrical Code and open to any suggestions that will improve the safety of their work. If you have any questions, please feel free to contact us directly.

Thank you,

A handwritten signature in black ink, appearing to read "Jay Halferty".

Jay Halferty
United Inspection Agency
716 N Bethlehem Pk
Suite 300
Lower Gwynedd, PA 19002
Phone: 215-542-9977
Fax: 215-540-9721
www.unitedinspectionagency.com
info@unitedinspectionagency.com

EXHIBIT A-7

5225 Militia Hill Road



5225 Militia Hill Road



John Menken
Whitemarsh Township Zoning Hearing Board

5225 Militia Hill Road



John Menken
Whitemarsh Township Zoning Hearing Board

5225 Militia Hill Road



John Menken
Whitemarsh Township Zoning Hearing Board

ZHB APPEAL #2026-01
SUMMARY

APPLICANTS: Maurice D. & Norma J. Baloché

PROPERTY LOCATION: Parcel # 65-00-09553-00-3
Block 022E, Unit 010
4140 Redwood Rd
Lafayette Hill, PA 19444

ZONING DISTRICT: A – Residential

SUMMARY OF RELIEF REQUEST:

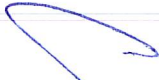
The Applicants are proposing to add an addition consisting of a second garage. The following relief is requested:

Variance from Section 116-202.B. to allow the garage addition to have a front yard setback on Redwood Road of 26', whereas a minimum of 40' is required. (This is a corner property with two front yards.) This is the applicable section for dimensional requirements since the house was built prior to June 23, 1966; it was originally constructed in 1954.

PRIOR DECISION:

ZHB #2023-07: Variances for setbacks related to screen porch.

Respectfully Submitted,



Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 2026-01

Applicant/Appellant: Maurice D. & Norma J. Baloché
Address: 4140 Redwood Rd., Lafayette Hill PA 19444
Phone #: _____ Cell Number: (609) 206-9274 E-Mail: papabaloché@yahoo.com

Owner: Maurice D. & Norma J. Baloché
Address: 4140 Lafayette Hill PA 19444

Phone #: Redwood Rd Cell Number: (609) 206-9274 E-Mail: papabaloché@yahoo.com
(609) 238-1525 ornabaloché@yahoo.com

Location of the Property Involved: 4140 Redwood Rd, Lafayette Hill PA 19444
Block #: 022E Unit #: 010 Parcel #: 65-00-09553-00-3

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

To construct a garage addition
Variance from Section 116-202-B to allow a garage addition
to be set back from the front yard 26' whereas a maximum of
40' is required. This is a corner property and the front yard is facing

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed): Redwood Road,
**Attach additional sheets if necessary

I technically have 2 front yards. The location
of the garage addition is the only place for it to be
built.

Legal Counsel (if represented): _____
Address: _____
Phone #: _____ E-Mail: _____

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

RECEIVED
JAN 13 2026

I am (We are)

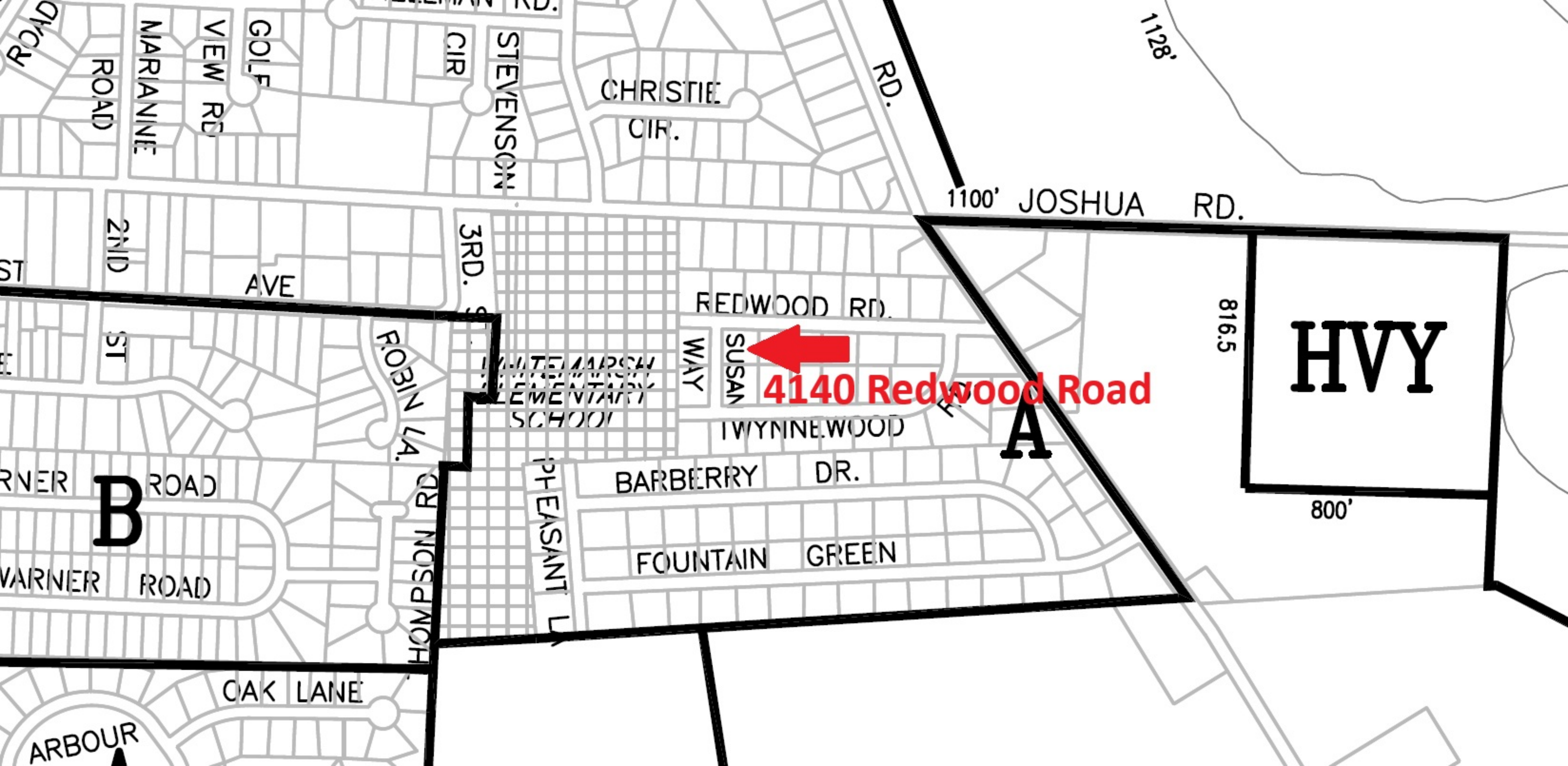
- Owner(s) of Legal Title
- Owner(s) of Equitable Title
- Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING
Date: 1/12/2026

Maurice D. Baloché
Signature of Applicant/Appellant:

Norma J. Baloché
Signature of Appellant/Appellant:

ORIGINAL



4140 Redwood Road

HVY

A

B

WHITE MARSH
ELEMENTARY
SCHOOL

1100' JOSHUA RD.

1128'

816.5

800'

RD.

CHRISTIE
CIR.

STEVENSON
CIR.

GOLF
VIEW RD

MARIANNE

ROAD

AVE

REDWOOD RD.

WAY
SUSAN

TWYNNWOOD

BARBERRY DR.

FOUNTAIN GREEN

ROBIN LA.

HOMPSON RD.

PH EASANT L

OAK LANE

ARBOUR



650006346006
65022
051

650009577006
65022E006

650009574009
65022E005

650009547009
65022E012

65001
650

650009580003
65022E007

650009550006
65022E011

4140 Redwood Road

650011929003
65022E020

650009553003
65022E010

650011932009
65022E021

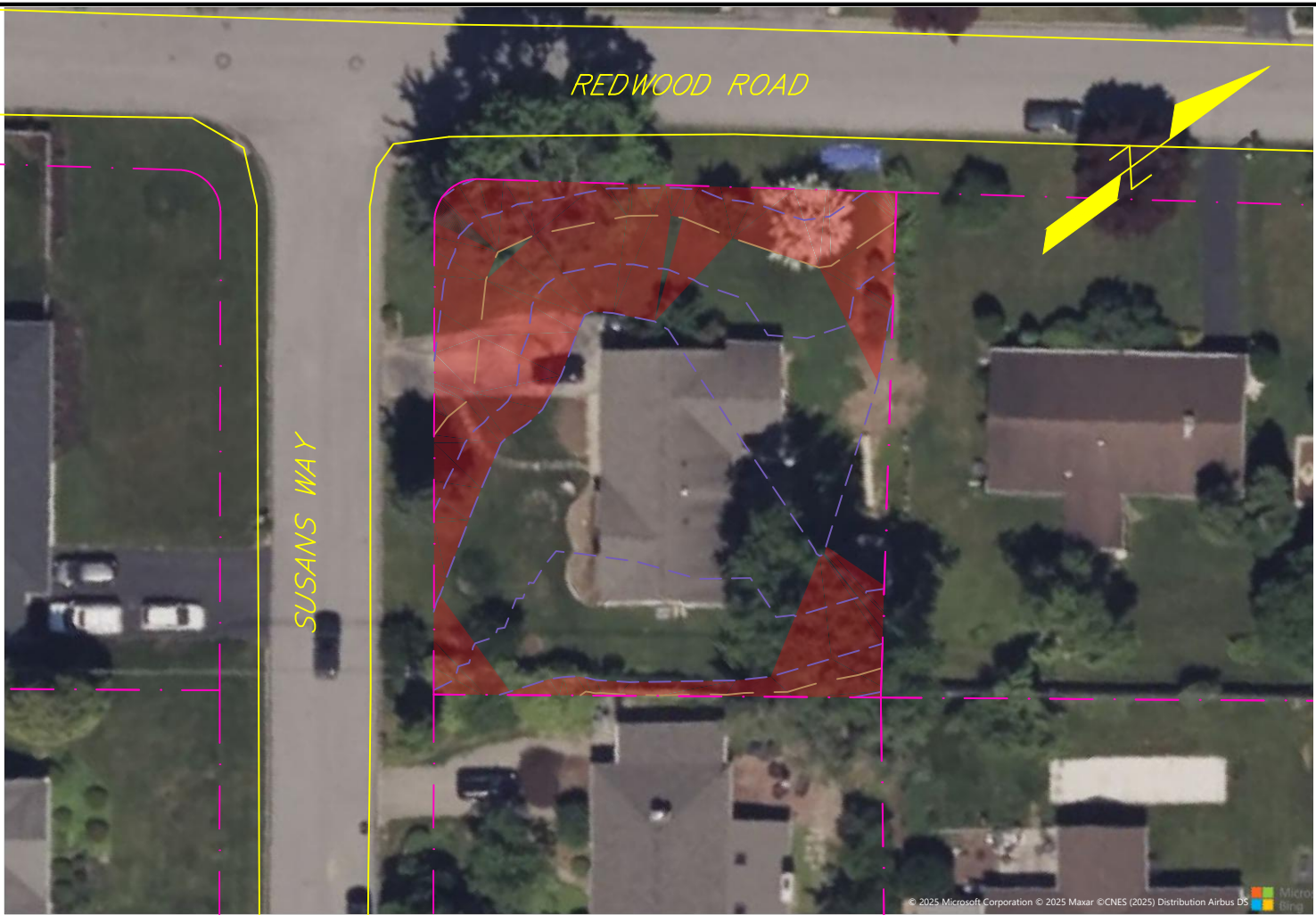
650009556009
65022E009

Susans Way

Twymwood Road

650011935006
65022E022

650011911003
65022E024



MAXIMUM IMPERVIOUS GROUND COVER (PER LOT) – STEEP SLOPE RATIO

TABLE §116-169A – STEEP SLOPE OVERLAY

DISTRICT	15% TO 50%	50% TO 75%	75% OR MORE
AAAA	0.08	0.07	0.06
AAA	0.09	0.09	0.08
AA	0.12	0.11	0.10
A	0.18	0.17	0.16
B	0.24	0.22	0.19

ZONING DISTRICT	A
LOT AREA (SF)	12,864
AREA WITH SLOPES > 8% (SF)	5,040
STEEP SLOPE RATIO (% SLOPES >8%)	39
MAX. IMPERVIOUS COVERAGE (%)	0.18

NOTE:
 DEPICTION OF EXISTING FEATURES ARE BASED ON INFORMATION GATHERED FROM TAX MAPS, AERIAL PHOTOGRAPHY, AND FIELD INSPECTIONS. NO TOPOGRAPHIC OR BOUNDARY SURVEY WAS PERFORMED AS PART OF THIS PROJECT.

STEEP SLOPE AREA DEPICTED WITHIN DWELLING OMITTED FROM CALCULATION.

GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES
 65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901 • (215) 345-4330

STEEP SLOPE ANALYSIS
TMP #65-00-09553-003
4140 REDWOOD ROAD
LAFAYETTE HILL, PA 19444

DRAWN BY: CMK	JOB NO.: 22-01088-01	DATE: 11/14/2025	SCALE: 1"=40'
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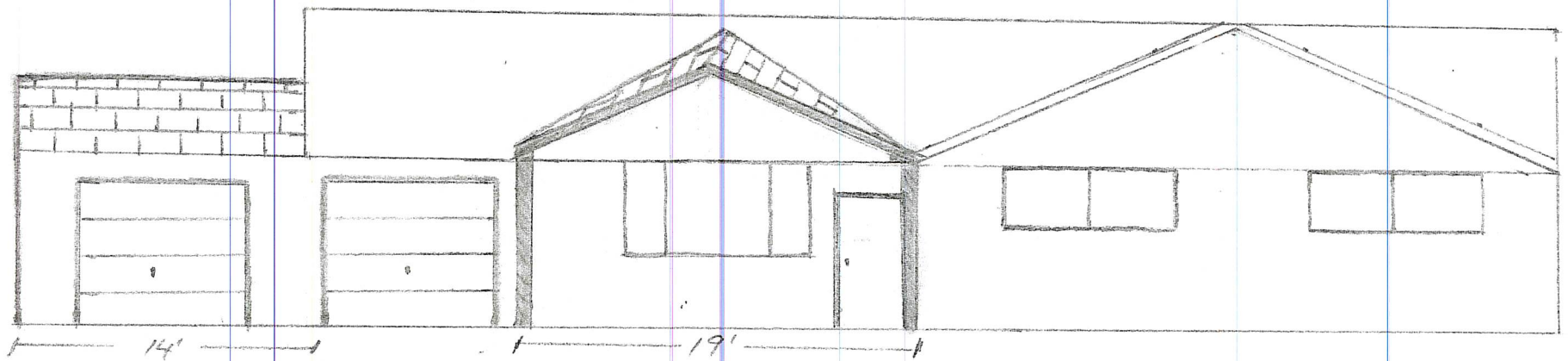
WHITEMARSH TOWNSHIP, MONTGOMERY COUNTY

Proposed Addition (Garage)

Maurice D Balocke
4140 Redwood Rd
Lafayette Hill, PA 19444

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JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



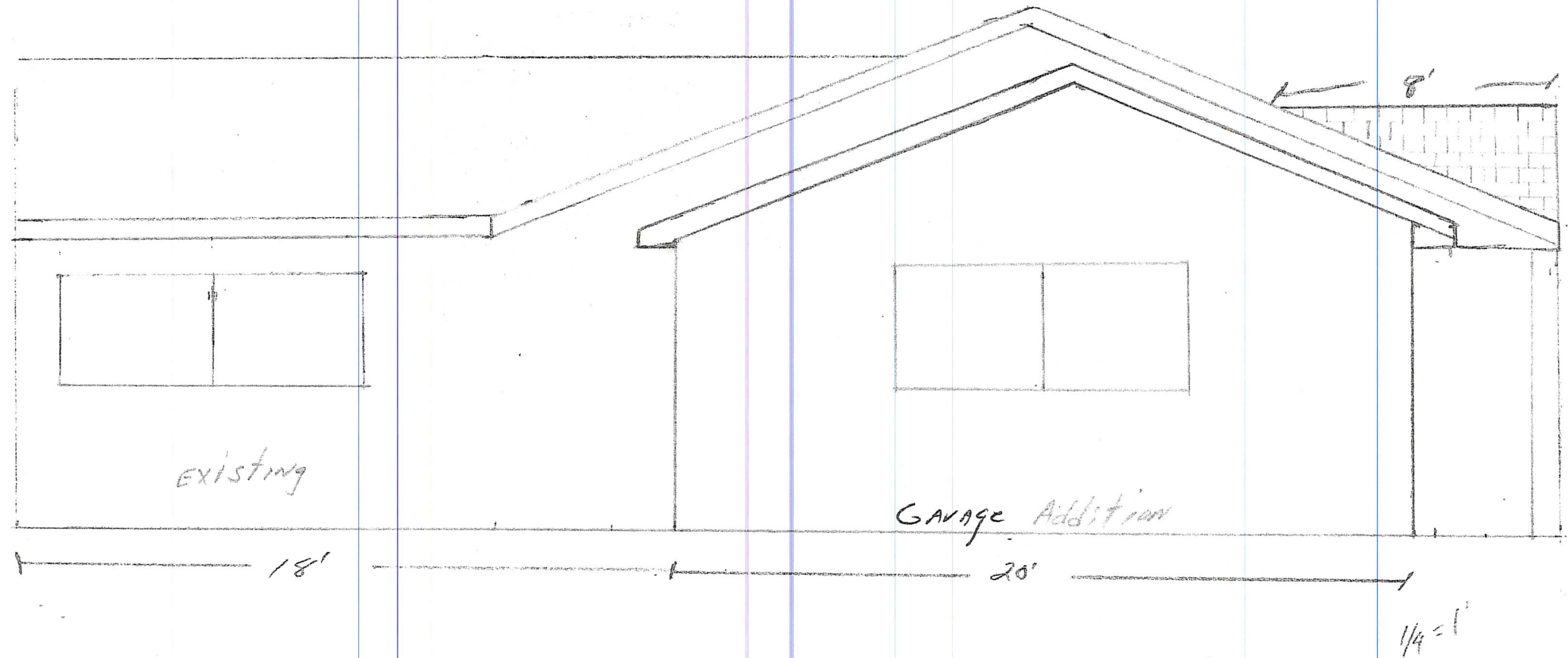
1/8"

Propose Addition (Garage)

Maurice D. Baloché
4140 Redwood Rd
Lafayette Hill, PA 19444

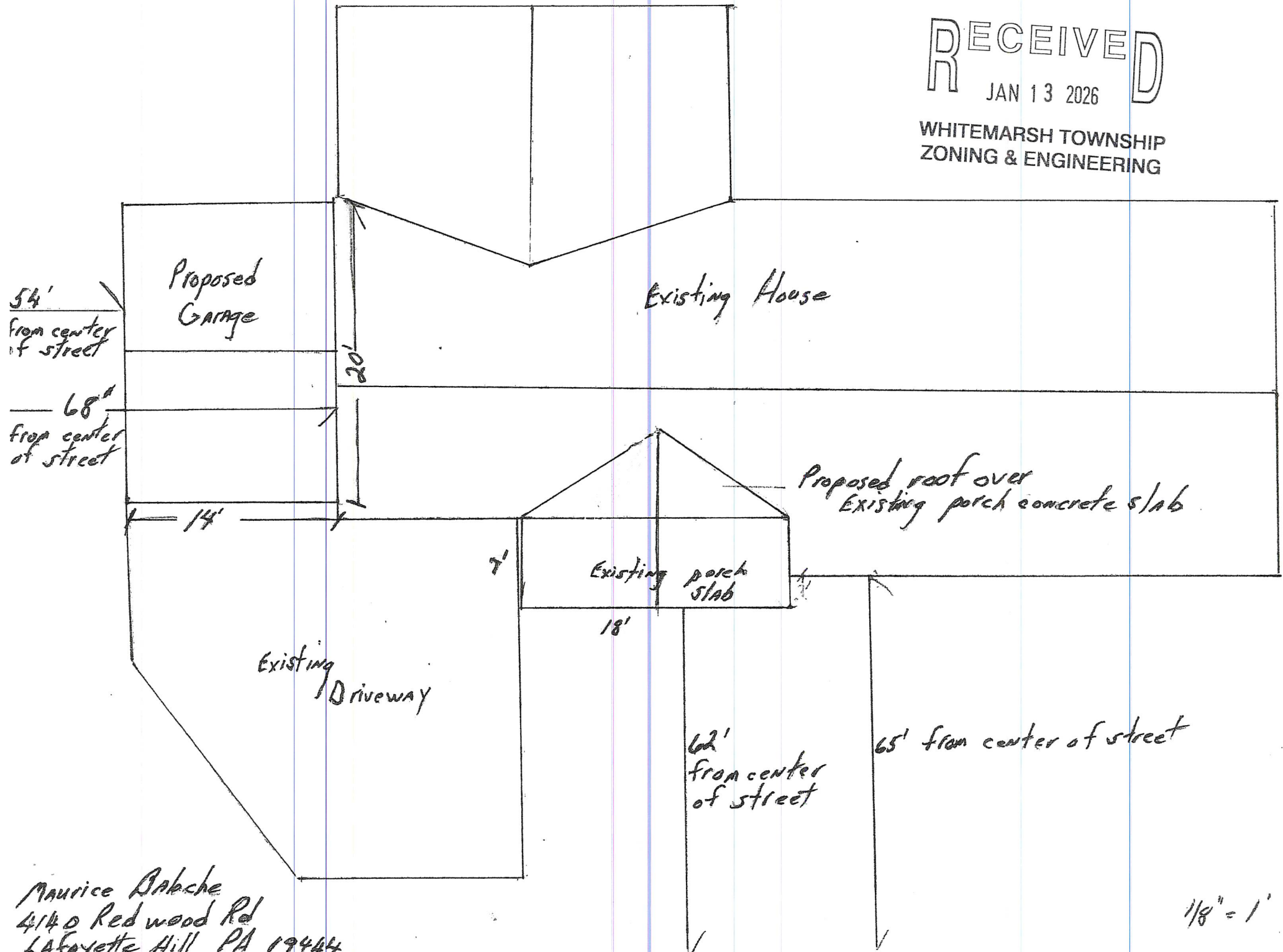
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JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



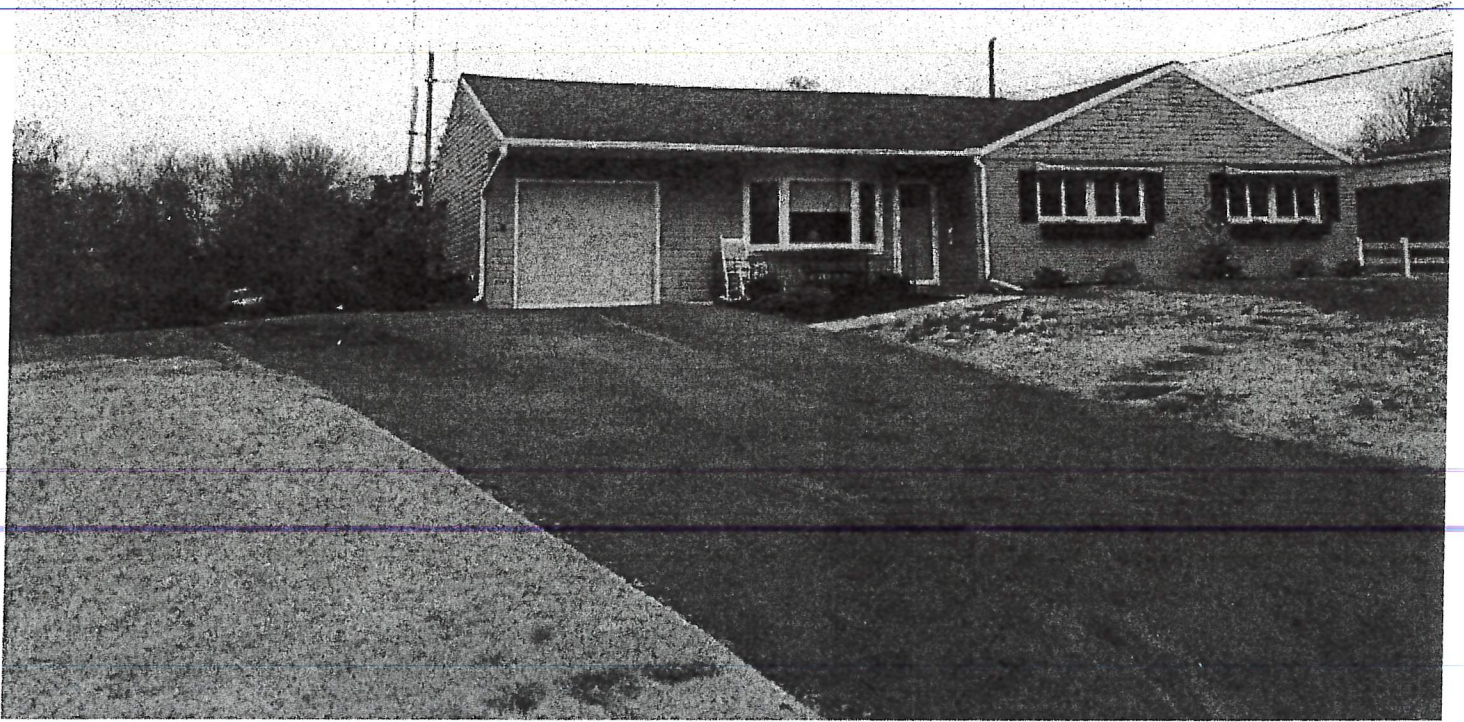
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JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



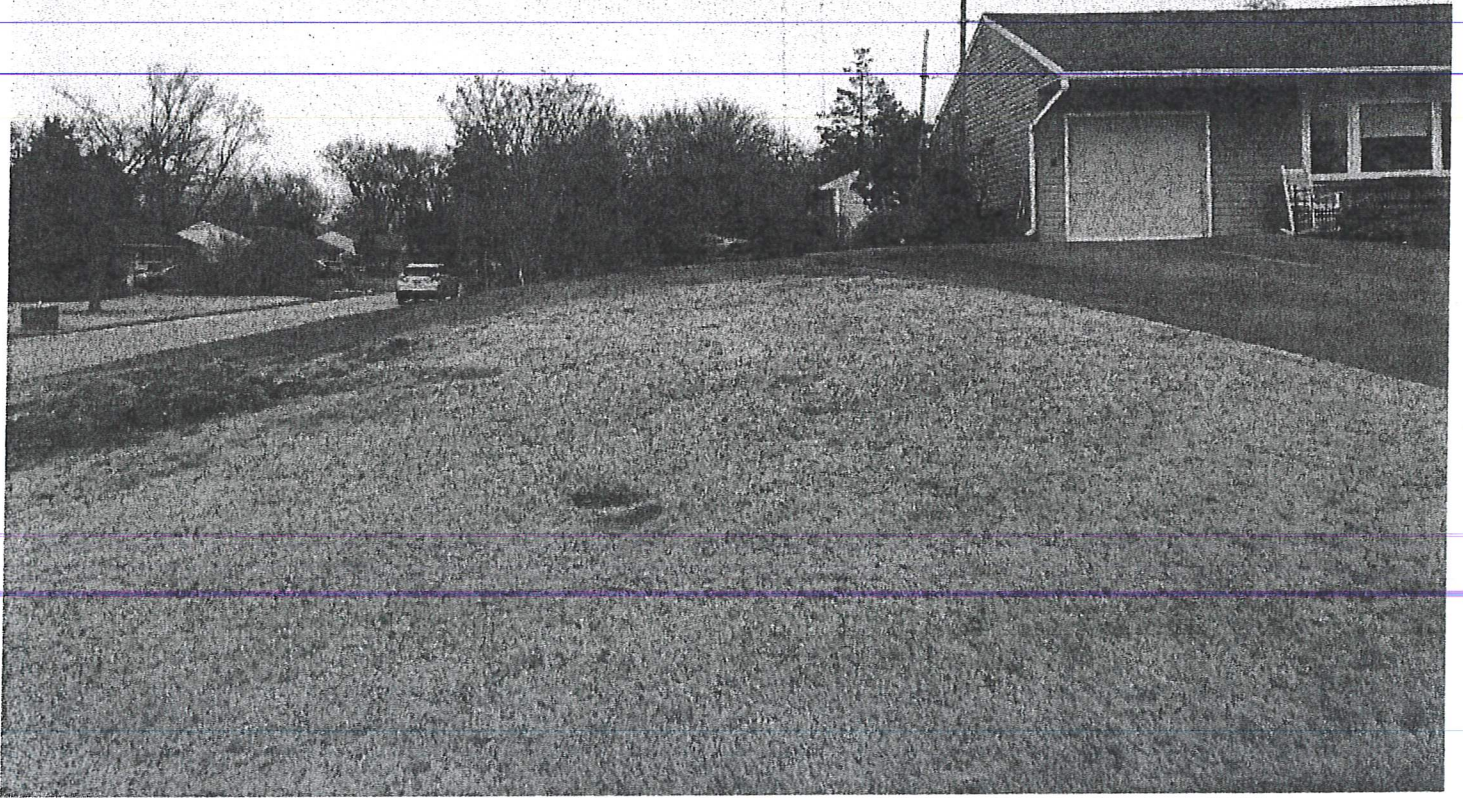
Maurice Dabche
4140 Redwood Rd
Lafayette Hill PA 19444

1/8" = 1'



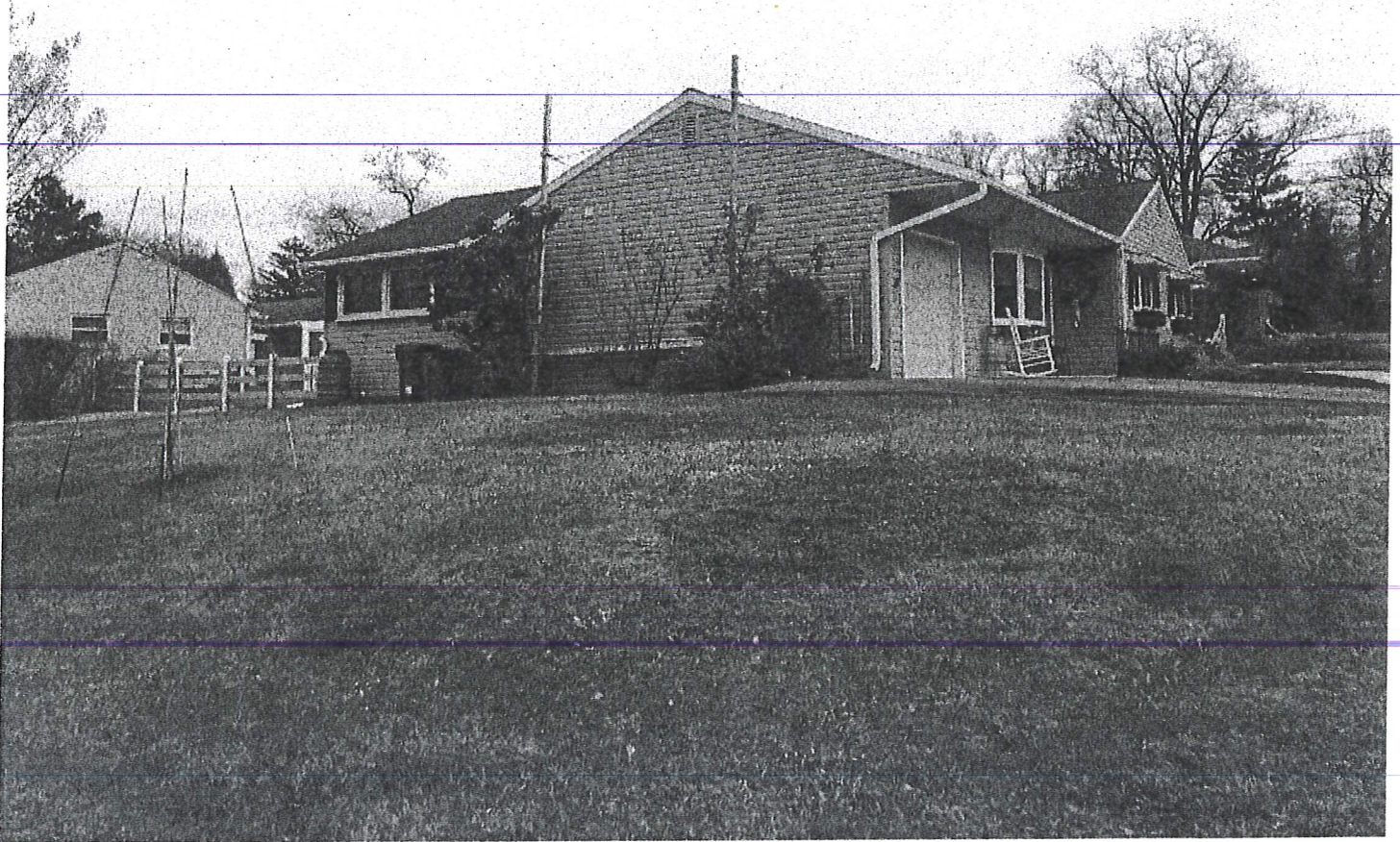
RECEIVED
JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



RECEIVED
JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



RECEIVED
JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



RECEIVED
JAN 13 2026

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

FUREY & BALDASSARI, P.C.

ATTORNEYS AT LAW
1043 S. PARK AVENUE
AUDUBON, PA 19403

MICHAEL E. FUREY
mike@fbplaw.com

JOSEPH J. BALDASSARI*
joe@fbplaw.com

*also member of NJ bar

(610) 666-7500
fax (610) 666-7200

May 9, 2023

Maurice and Norma Baloche
4140 Redwood Road
Lafayette Hill, PA 19444

RE: Whitemarsh Township Zoning Hearing Board
Application of Maurice and Norma Baloche, No. 2023-07

Dear Applicants:

Enclosed herewith please find a true and correct copy of the Decision and Order of the Whitemarsh Township Zoning Hearing Board pursuant to the vote rendered at its meeting on May 3, 2023. Please note that your application was granted, subject to conditions as recited in the Decision and Order.

You are also hereby advised that all parties have thirty (30) days from the issuance of the Board's Decision and Order to file an appeal to the Court of Common Pleas of Montgomery County.

Sincerely,



MICHAEL E. FUREY
Solicitor for the Whitemarsh Township
Zoning Hearing Board

MEF/js
Enclosure

cc: Charles Guttenplan, Zoning Officer (w/enclosure)
Sean Kilkenny, Esquire (w/enclosure)

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

DECISION AND ORDER

APPLICATION NO.: 2023-07

APPLICANT: Maurice and Norma Baloche
Block 022E, Unit 010
4140 Redwood Road
Lafayette Hill, PA 19444
A-Residential District

HEARING DATE: 05/03/23

VOTE: 05/03/23

WRITTEN DECISION: 05/08/23

COPY MAILED: 05/09/23

The Applicants propose to screen a portion of the existing deck on the Property.

After completion of a public hearing on the above-referenced Application, pursuant to public notice as required by law, the Zoning Hearing Board of Whitemarsh Township decided and orders as follows:

1. A variance from Section 116-24.E(3)(c) of the Zoning Ordinance, so as to permit the existing shed on the Property to be 14 feet from the enclosed deck, rather than the 15 feet required, is **GRANTED**.
2. A variance from Section 116-194.A of the Zoning Ordinance, so as to permit an increase of an existing nonconformity, further reducing the nonconforming rear yard setback from 27 feet to 25 feet, rather than the 30 feet required, is **GRANTED**.
3. A variance from Section 116-202.B of the Zoning Ordinance, so as to permit a 25 foot rear yard setback, rather than the 30 feet required, is **GRANTED**.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development permitted by this Decision shall conform to the exhibits and testimony presented by the Applicants, unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.
2. The Applicants shall apply for and obtain all permits required by the Township Codes in a timely manner.

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.

The Board reserves the right to issue Findings of Facts and Conclusions of Law in the event of an appeal.

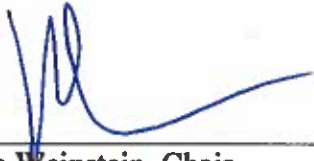
Section 116-223 of the Zoning Ordinance provides as follows:

Expiration of granted appeals. Unless otherwise specified by the Board, all approvals granted by the Zoning Hearing Board shall automatically expire 365 days after the date of the decision unless: (1) the applicant has acted upon the approval by obtaining the required permit(s) and paying the prescribed fees for same, or (2) the Zoning Hearing Board decision is on appeal to the courts, at which point, the approval, if upheld on appeal, shall expire 365 days after final determination on appeal.

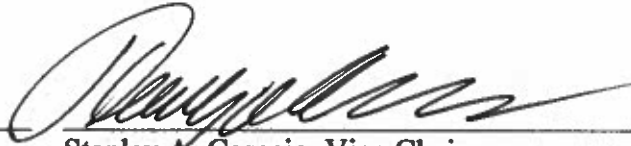
The Zoning Hearing Board may extend the expiration date of approvals for a 180 day period upon request by the applicant, provided that the applicant is, in the opinion of the Zoning Hearing Board, diligently pursuing governmental and/or regulatory approvals as required. Requests for extensions shall be in writing and submitted to the Zoning Hearing Board at least 30 days before any applicable expiration date. Only one (1) extension may be provided for any application.

No. 2023-07

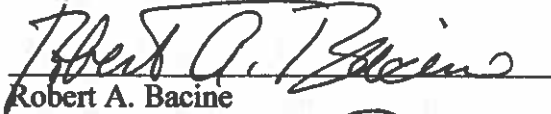
WHITEMARSH TOWNSHIP ZONING HEARING BOARD:



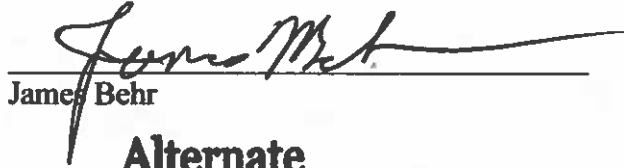
Marc Weinstein, Chair



Stanley A. Casacio, Vice Chair

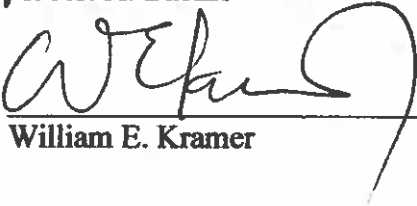


Robert A. Bacine



James Behr

Alternate



William E. Kramer

Gregory Nester

ZHB APPEAL #2026-02
SUMMARY

APPLICANTS: Lauren Gilliano & Shane Coyne

PROPERTY LOCATION: Parcel # 65-00-09937-00-6
Block 003A, Unit 039
424 Ridge Pike
Lafayette Hill, PA 19444

ZONING DISTRICT: B – Residential

SUMMARY OF RELIEF REQUEST:

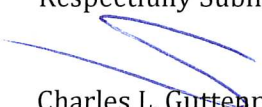
The Applicants constructed a tree house for their children. The following relief is requested:

Variance from Section 116-24.E.(3)(a) to allow an accessory structure (tree house) to remain in the front yards of Ridge Pike & Oakwyn Road. Accessory uses allowed in the front yard listed in this section do not include said use.

PRIOR DECISIONS:

None

Respectfully Submitted,



Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: _____

Applicant/Appellant: Lauren Gilliano & Shane Coyne
Address: 424 Ridge Pike Lafayette Hill, PA 19444
Phone #: 610-348-0007 Cell Number: 610-731-7758 E-Mail: Lejohnso30@gmail.com

Owner: Lauren Gilliano & Shane Coyne
Address: 424 Ridge Pike Lafayette Hill, PA 19444
Phone #: 610-348-0007 Cell Number: 610-731-7758 E-Mail: Lejohnso30@gmail.com

Location of the Property Involved: 424 Ridge Pike Lafayette Hill, PA 19444
Block #: 003A Unit #: 039 Parcel #: 65-00-09937-00-b

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

See Attached

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):

**Attach additional sheets if necessary

Only location available on the property based on the positioning of the trees.

Legal Counsel (if represented): _____

Address: _____

Phone #: _____

E-Mail: _____

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

RECEIVED
JAN 22 2026
I am (We are)

Owner(s) of Legal Title

Owner(s) of Equitable Title

Tenant(s) with permission of Owner(s) of Title
(Enclose letter attesting to same)

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

Date: 01/22/2026

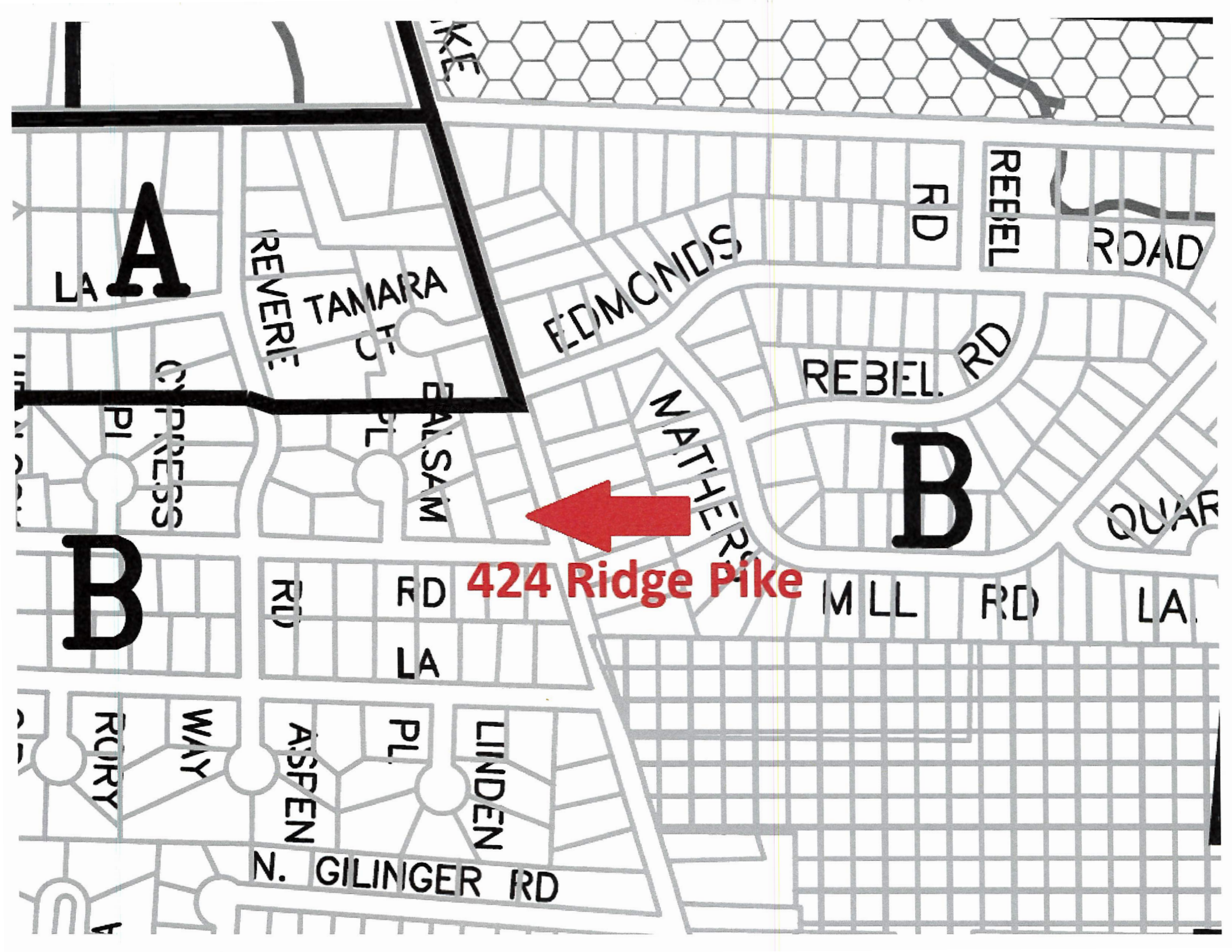
Lauren Gilliano

Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

To allow a tree house to remain in the front yards, the following relief is being requested:

Variance from Section 116-24.E.(3)(a) to allow an accessory structure (tree house) to remain in the front yards of Ridge Pike & Oakwyn Road.



424 Ridge Pike



LA **A**

B

B

REVERIE
TAMARA
CT

EDMONDS

RD

REBEL

ROAD

REBEL RD

NATHERS

QUAR

RD

RD

LA

MILL RD

RD

LA

RORY

WAY

ASPEN

PL

LINDEN

N. GILINGER RD

650009739006
65031A075

650009736009
65031A076

650009733003
65031A078

Ridge Pike

650009934009
65003A038

424 Ridge Pike

650009937006
65003A039

650008524006
65003A040

Oakwyn Road

650000244006
65003A041

650008557009
65003A076

650008554003
65003A075









1/5/2026

To Whom It May Concern,

I am writing to express my support for my neighbor's treehouse located on our street and within our community.

The treehouse has been built and maintained in a safe, responsible, and visually appropriate manner. It does not create a disturbance, pose a safety concern, or negatively impact surrounding properties. On the contrary, it contributes positively to the sense of family, creativity, and community that makes our neighborhood a great place to live.

As a nearby resident, I have not experienced any issues related to noise, privacy, or property use. The structure is well cared for and blends appropriately with the residential environment. It is clearly intended for family enjoyment.

I respectfully ask the Township to take this perspective into consideration and allow the treehouse to remain. Community features such as this can add charm and character while fostering a safe and enjoyable environment for children and families.

Thank you for your time and consideration.

Sincerely,
Melissa & Nick Colucci

A handwritten signature in cursive script, appearing to read "Melissa & Nick Colucci".

2224 Oakwyn Road
Lafayette Hill, PA 19444-2235
December 8, 2025

TO: Whitemarsh Twp. Zoning Board

RE: Tree House at 424 Ridge Pike, Lafayette Hill, PA

We are the next-door neighbors to the above-mentioned tree house. We consider it a beautiful, positive addition to our neighborhood. It was constructed by two retired engineers. Watching the boys that live at 424 Ridge Pike play in their tree house is a delight.

We believe that the owner of 424 Ridge Pike attempted "to do the right thing" with the township before the house was built. They spoke with the township concerning the need for a permit, and were told no permit was needed. Now after considerable time and money was expended on the tree house, they are told they need to have a zoning hearing. Considering what this property looked like before the new owners moved in, the township should thank the new owners for eliminating the eyesore that this property presented to everyone that drove past it on Ridge Pike. For years the former owner allowed the property to deteriorate. The township should welcome these new residents with thanks, not a zoning hearing.

Very truly yours,

Fredda Savett

Steven Savett



-
ZHB APPEAL #2026-03
SUMMARY
AMENDED

APPLICANT: W.B. Homes Land Acquisitions, LP c/o Justin B. Strahorn

PROPERTY LOCATION: Parcel # 65-00-00856-00-6
Block 55, Unit 05
488 Bethlehem Pike
Fort Washington, PA 19034

ZONING DISTRICT: VC-1 Village Commercial Sub-district 1
Floodplain Conservation Overlay District
Riparian Corridor Conservation Overlay District

SUMMARY OF RELIEF REQUEST:

The Applicant is proposing to develop the property with 17 townhouse units and convert an existing home into two apartments. The following relief is requested:

1. **Variance from Section 116-291.B.(3)** to allow a maximum building length of 130 feet whereas a maximum of 120 feet is allowed.
2. **Variance from Section 116-295.** to allow a front yard of 4.5 feet for the existing home and 30.25 feet for townhouse unit #17, whereas this section requires a minimum of 40% and a maximum of 80% of the building façade to be 10 feet from the ultimate right-of-way, with the remaining façade setback further. This requirement applies to sites between 2 and 5 acres (the Property is 3.21 acres).
3. **Variance from Section 116-259.A.** to allow a setback of 7 feet from the boundary of the Riparian Corridor Conservation Overlay District whereas a minimum of one-half of the applicable setback distance is required (rear yard setback in this case).

PRIOR DECISIONS:

None

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: _____

Applicant/Appellant: W.B. Homes Land Acquisitions, LP c/o Justin B. Strahorn
Address: 404 Sumneytown Pike, North Wales, PA 19454
Phone #: 267-640-7714 **Cell Number:** 267.640.7714 **E-Mail:** justins@wbhomesinc.com

Owner: Joanne C Marano Trust
Address: 488 S. Bethlehem Pike - Fort Washington, PA 19034
Phone #: _____ **Cell Number:** _____ **E-Mail:** maranosgarden@msn.com

Location of the Property Involved: 488 Bethlehem Pike
Block #: 55 **Unit #:** 5 **Parcel #:** 65-00-00856-00-6

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

Variations are being requested from the following sections in order to facilitate the reasonable development of the 17 town homes and related improvements depicted on the attached site plan.

- 1) Zoning Ordinance 116-291.B(3) - Building Massing - Maximum length 120 Ft.
- 2) Zoning Ordinance 116-295 - Front yard - 40 - 80% of building facade within ten feet of the ultimate right-of-way

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):

****Attach additional sheets if necessary**

The Applicant requests Variations from each of the two (2) Zoning Ordinance provisions cited above. Evidence will be presented at the Public Hearing to establish entitlement to the requested relief, thereby enabling reasonable use of the subject property as depicted on the attached Site Plan. The cited regulations would impose unnecessary hardship if strictly enforced upon this physically unique parcel.

Legal Counsel (if represented): Joseph Kuhls, Esq.
Address: 352 N Easton Road, Glenside, PA 19038
Phone #: 484-684-4203 **E-Mail:** jckuhls@kuhlslaw.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:



I am (We are)

- Owner(s) of Legal Title
- Owner(s) of Equitable Title
- Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING
Date: 12/22/2025

Justin B. Strahorn

Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

ORIGINAL

February 10, 2026

Charles Guttenplan, AICP
Whitemarsh Township
Director of Planning and Zoning
616 Germantown Pike
Lafayette Hill, PA 19444
cguttenplan@whitemarshtwp.org

Re: Application of W.B. Homes Land Acquisitions, LP

I am the listed Attorney-of-Record on the above-named Application to the Whitemarsh Township Zoning Hearing Board. As such, I am authorized to amend that Application to request, in its entirety, Variances from the following three (3) sections of the Zoning Ordinance to facilitate the reasonable development of the seventeen (17) townhomes and related improvements depicted on the Plan submitted as part of the original Application:

1. §116-291.B(3), Building Massing maximum length of 120 feet;
2. §116-295, Front Yard requirement for 40%-80% of building facades to be 10 feet from ultimate right-of-way; and
3. §116-259.A to allow a setback of seven (7) feet from the boundary of the Riparian Corridor Conservation District.

You will note that #3 above is the only point of relief not already listed on the original application form submitted to your office on December 29, 2025.

If there are any questions, please do not hesitate to call me; and thank you, as always, for your kind assistance.

We look forward to seeing you at the Public Hearing on March 4.

Sincerely,


Joseph C. Kuhls

A
FORT
WASHINGTON
STATE PARK

VC-1
BETHLEHEM

SANDY

488 Bethlehem Pike



PK

VC

FORT

4CR-H

650000868507
65055 048

650000868003
65055 044

650000865006
65055 003

650000859003
65055
004

488 Bethlehem Pike

Bethlehem Pike

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65055 005

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65055 006

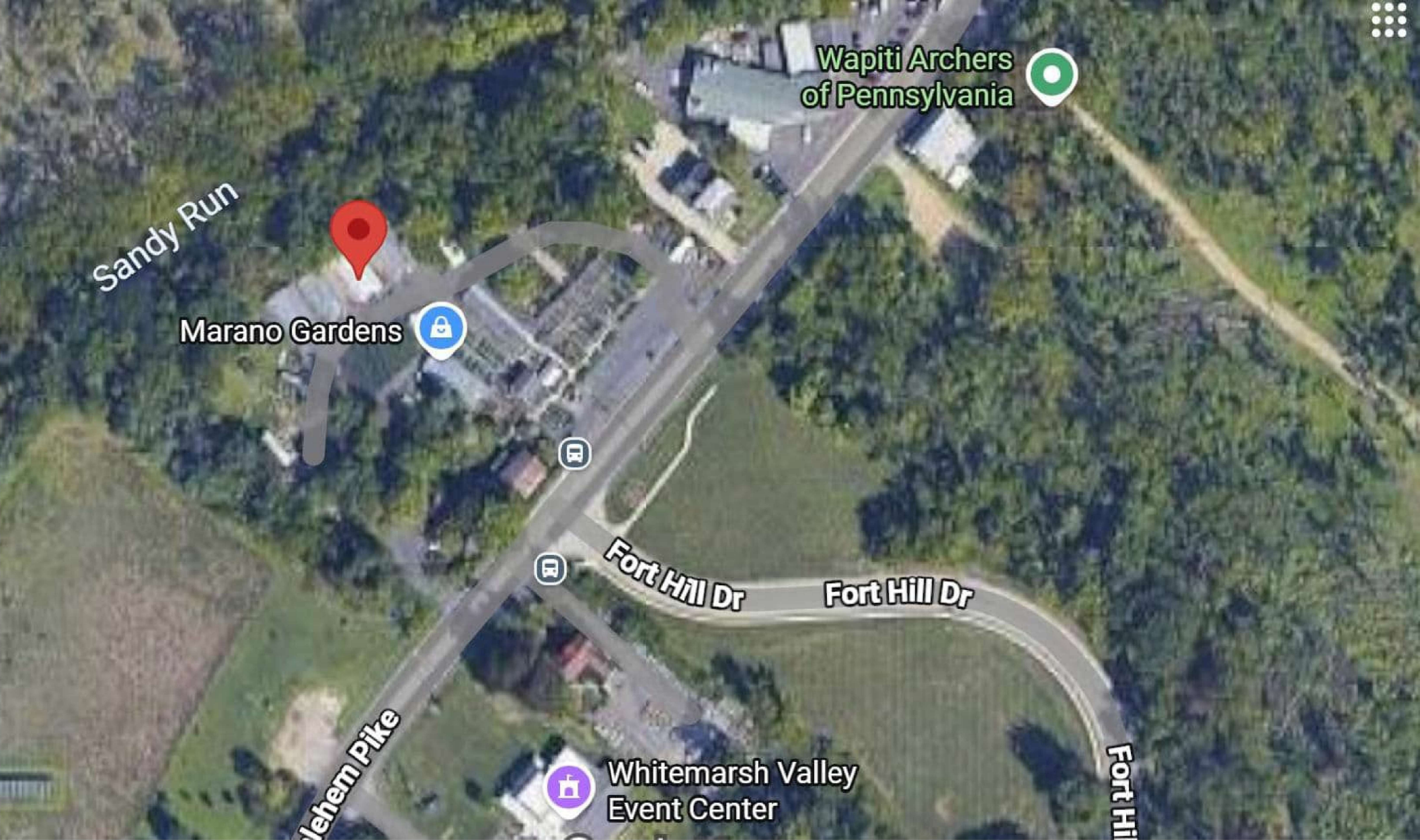
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65056 006

650000655009
65056 008





Sandy Run

Marano Gardens

Wapiti Archers of Pennsylvania

Lehem Pike

Fort Hill Dr

Fort Hill Dr

Fort Hill

Whitemarsh Valley Event Center

PLAN LEGEND

EXISTING (EX) FEATURES

- O.I.P. (F) Iron Pin / Pipe (Found)
- C.M. (F) Concrete Monument (Found)
- Tract Boundary
- R/W Centerline
- R/W Line (Legal / Dedicated)
- Zoning District Boundary
- Riparian Corridor Conservation District
- FEMA 100 Year Flood Plain (Floodplain Conservation District)
- Ex Topographic Contours
- Ex Fence Line
- Ex Tree Drip Line
- Ex Deciduous Tree
- Ex Coniferous Tree
- Ex Mailbox
- Ex Sign
- Ex Utility Pole & O.H. Wires

(RCCD) RIPARIAN CORRIDOR CONSERVATION OVERLAY

ZONE 1:
Min. width of 25'-ft. from each defined edge of the watercourse to the edge of the watercourse.

ZONE 2:
Min. width of 50'-ft. from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the one-hundred-year floodplain, or 25'-ft. beyond the outer edge of a wetland along the stream, whichever is greater. (Total min. width of Zones 1 and 2 = 150'-ft. plus the width of the stream).

SITE IMPERVIOUS:

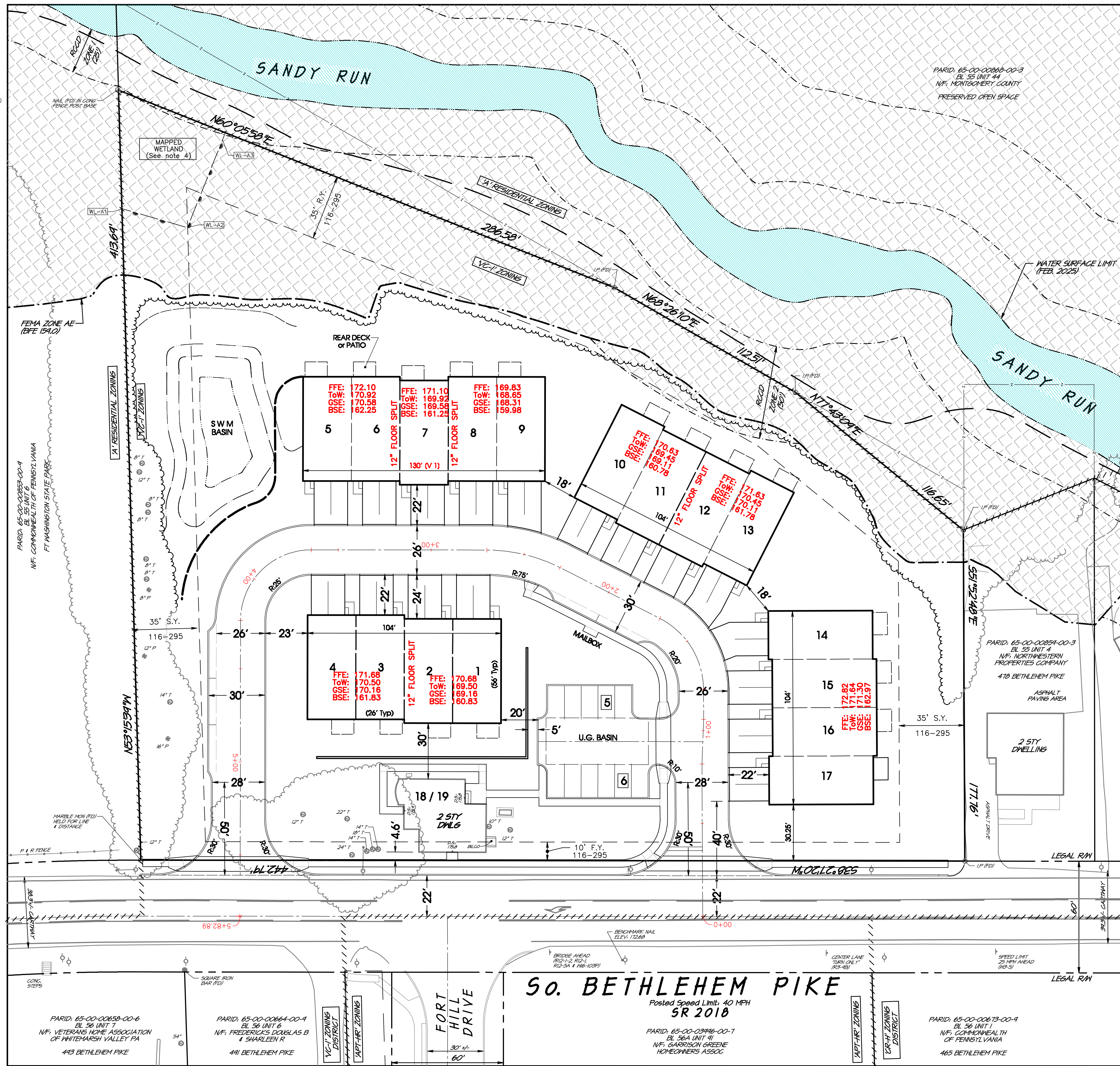
EXISTING SITE:

- Buildings: 13,505 Sq. Ft.
- Hardscape: 2,124 Sq. Ft.
- Asphalt Paving: 1,530 Sq. Ft.
- Stone Paving: 52,326 Sq. Ft.
- SITE TOTAL: 69,485 Sq. Ft.**

PROPOSED SITE:

- Buildings: 28,289 Sq. Ft.
- Hardscape: 4,736 Sq. Ft.
- Asphalt Paving: 25,354 Sq. Ft.
- Stone Paving: 0 Sq. Ft.
- SITE TOTAL: 58,378 Sq. Ft.**

POST-DEV CHANGE: -11,107 Sq. Ft.



GENERAL PLAN NOTES

EXISTING FEATURES and SURVEY NOTES:

- A field metes and bounds survey was performed by Charles E. Shoemaker, Inc. under the supervision of Keith A. Houser, PLS, and plan prepared by Woodrow & Associates, Inc. Survey performed without the benefit of a full Title Report. Bearings shown reflect a rotation of +8 Deg 34 Min. 39 Sec. from Deed Bearing Basis to match Pennsylvania South Zone 3702 State Plane Coordinate Bearing Basis. Survey prepared during the month of August 2025.
- A topographic and existing features survey was performed for this site by Charles E. Shoemaker, Inc. and plan prepared by Woodrow & Associates, Inc. below. Site Benchmark is the top of cut nail in utility pole in front of the subject Property having an elevation of 172.68'. Survey prepared during the month of August 2025.
- This plan was prepared utilizing the following references:
 - Tax maps and deeds of record as obtained from the Recorder of Deeds online resources.
 - Existing Soils classifications and mapping has been plotted from maps obtained from the USDA Web Soil Survey website (<http://websoilsurvey.sc.egov.usda.gov/>) unless otherwise noted.
 - Aerial imagery used for base plan reference provided by NeoMap, Inc. Imagery from flight dated February 22, 2025, updated July 21, 2025.
 - Plan entitled Plan of Properties of Francis C. Spohn & Elmer E. Dungan Estate by C. Raymond Weir, Registered Surveyor dated October 30, 1931, last revised December 30, 1953.
 - Plan entitled Boundary Retracement & As-Built Plan Fort Washington Garden Mart prepared for Joseph C. & Joanne C. Marano by Robert E. Blue Consulting Engineers, P.C. dated October 09, 2000, last revised October 20, 2000.
 - A property Wetlands and Alluvial Soils investigation was performed on site by VW Consultants, LLC on November 10, 2025. A pocket of Mapped Wetlands was field located at the NW corner of the site, and areas of Waters and Alluvial Soils were found to be entirely offsite (See plan).
 - This project tract is illustrated on Community Panel Number 42091-C-0289-G, effective date March 2, 2015 as prepared by the Federal Emergency Management Agency. This site is primarily located within Flood Plain Zone 'X' (areas determined to be outside the 0.2% annual chance floodplain), with limited areas along Sandy Run identified as Special Flood Hazard Area Zone AE with a Base Flood Elevation (BFE) of 159 Ft.
 - All persons digging on this site shall comply with the requirements of Section 5 of PA Act 287 as amended by PA Act 181. State law requires a three (3) business day notice prior to any digging (does not include state holidays or weekends). Dial 8-1-1 or go to www.paonecall.org.
 - Existing subsurface utility information illustrated on these plans were based upon visual field locations obtained as part of site survey operations. The information provided is representative of subsurface conditions only at locations and depths where such information was available. There is no expressed or implied agreement that subsurface utility connections exist between explored locations. Accordingly, utility information shown should not be relied upon for construction purposes. It is incumbent upon the contractor to verify subsurface utilities prior to excavation.
 - Subject property is zoned 'VC-1' Village Commercial District 1 with Recreational District Overlay as noted on the official Zoning Map.
 - Public Water Service: Provided by Aqua Pennsylvania via 8" D.I. Main within Bethlehem Pike.
 - Public Sanitary Sewer: None. Project Site is currently served by private on-site septic system.
 - Legal right(s)-of-way width are per deed reference, recorded plan, and PennDOT Highway data.
 - Ultimate right-of-way width for Bethlehem Pike is derived from Township SLDD, Section 105-29 C(2). Bethlehem Pike is classified as an Arterial street, noting a required right-of-way width as recommended by the Pennsylvania Department of Transportation or the Montgomery County Roads and Bridges Department, whichever is applicable.
 - Permanent removal of topsoil from the land within the Township shall be prohibited. This prohibition shall not be construed to prohibit an owner of land in removing topsoil for the purpose of construction of a building and the regrading of the land surrounding the building following construction.

ZONING and SITE DATA SCHEDULE

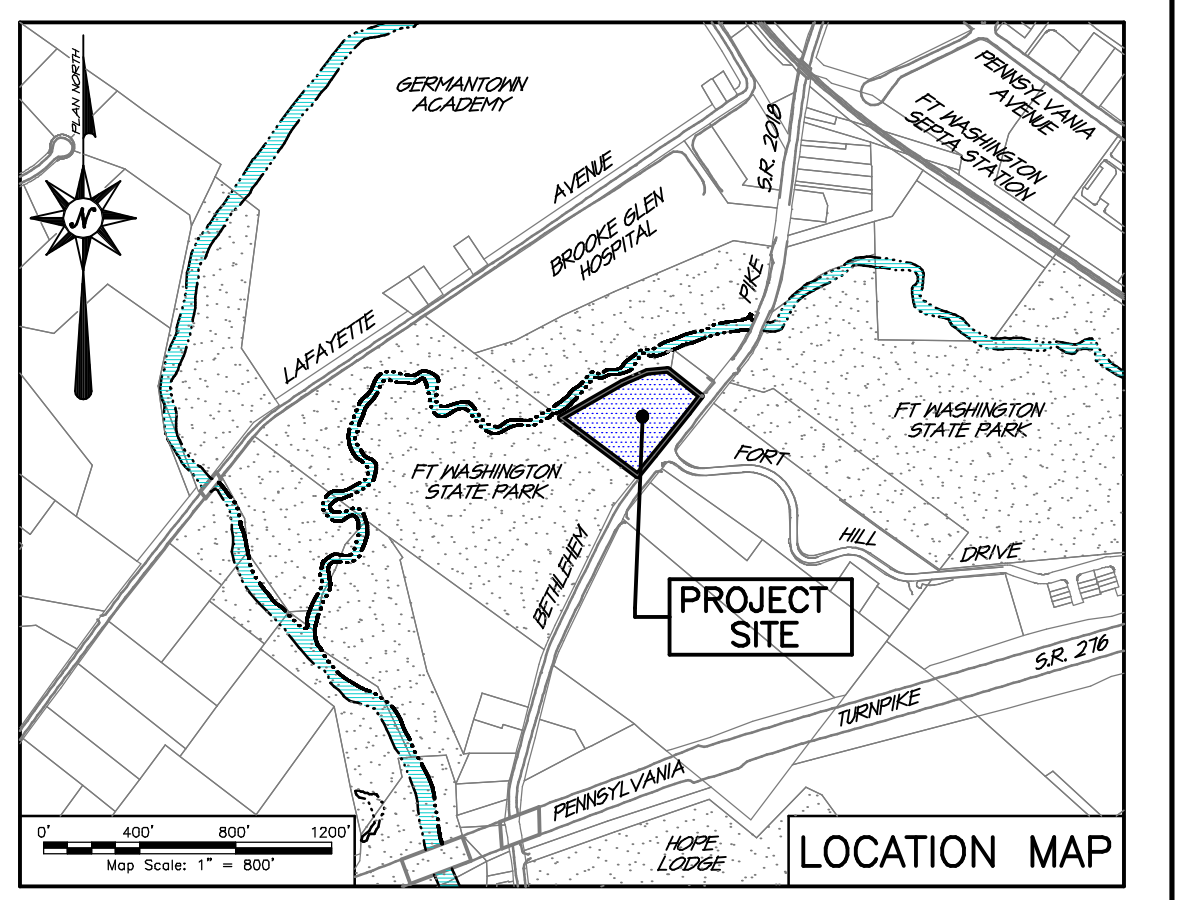
Zoning District: VC-1 VILLAGE COMMERCIAL DISTRICT

Item	Section	Requirement	PLAN PROVIDED
Permitted Use	116-290.B	(1) Townhomes By Conditional Use	TOWNHOMES EX HISTORIC DWLG [1]
(Max) Bldg Massing (Length)	116-291.B(3)	120 Ft.	130 Ft. (Bldg Max) [V 1]
(Max) Density	116-292.D	8 DU/Acre	5.90 DU/Acre 19 Units
(Max) Bldg Footprint	116-294.2	8,000 Sq. Ft.	<8,000 Sq. Ft.
(Max) Bldg Height	116-294.4	3 Stories / 42 Ft.	3 Stories / <42 Ft.
(Max) Bldg Coverage	116-294.6	40 %	18.9± %
(Max) Impervious Coverage	116-294.7	65 %	41.7± %
(Min) Vegetated Open Space	116-294.9	35 %	58.3± %
(Min) Lot Width @ BSL	116-294.10	100 Ft.	443± Ft.
(Min) Street Frontage	116-294.11	50 Ft.	443± Ft.
(Min) Bldg Separation	116-294.12	15 Ft.	> 15 Ft.
(Min) Front Yard	116-295 [3]	40-80% of Bldg Facade w/in 10 Ft. of Ult RW	4.5 Ft. Ex Bldg [V 2]
(Min) Side/Rear Yard	116-295 [3]	35 Ft. to Residential	>35 Ft.
(Min) Parking Setback	116-296.A 116-296.B 116-296.C 116-296.D	0 Ft. to Nonresidential 20 Ft. to Residential 10 Ft. to R/W 10 Ft. to Bldg	> 0 Ft. > 20 Ft. > 10 Ft. > 10 Ft.
Required Parking Quantity	116-184.A	2 Spaces per 2 DU [4]	34 Driveway Space 5 Garage Spaces 11 Lot Spaces 5 Street Spaces 84 TOTAL SPACES

[1] Existing Dwelling built 1804 (per County Records)
 [2] Requirement for Uses provided by Conditional Use.
 [3] For Lots 2 to 5 Acres in area.
 [4] 2 per dwlg unit (single family, townhome, attached square feet); 1.5 per dwlg unit in apartment and multifamily dwellings

CONCEPT A7 - 11/03/25
CONCEPT LAYOUT STATISTICS

TRACT AREA:	3.21 Acres
TOTAL DWLG UNITS:	19 UNITS
PARKING SPACES (DWLG):	38 SPACES
PARKING SPACES (GUEST):	11 SPACES
TRACT BUILDING COVERAGE:	18.9± %
TRACT IMPERVIOUS COVERAGE:	41.7± %
PARKING SPACES (TOTAL):	84 SPACES



REVISIONS

SEAL

PROJECT SERIAL NUMBER FOR DESIGN: 20252041580 (07/23/2025)

Pennsylvania 811
 A Utility Based System for Pennsylvania's Infrastructure

Parcel Information:
 N/F: MARANO JOANNE C TRUST
 65-00-00856-00-6 Block 55 Unit 5
 D.B.: 5447 Pgs: 2337
 488 BETHLEHEM PIKE
 TRACT AREA: 140,243.63 Sq. Ft. 3.2196 Ac.

Applicant:
W.B. HOMES
 c/o Chris Canavan
 404 Summeytown Pike
 North Wales, PA 19454
 (215) 699-0800

Scale in Feet (1" = 30')

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WOODROW & ASSOCIATES, INC.
 MUNICIPAL / CIVIL CONSULTING ENGINEERS
 1108 North Bethlehem Pike / Suite 5 - Lower Gwynedd - PA 19002
 Phone: (215) 242-2948 Web: www.woodrowinc.com

CONCEPT DEVELOPMENT LAYOUT PLAN

Layer List:
 CPT-Layout-A7-1

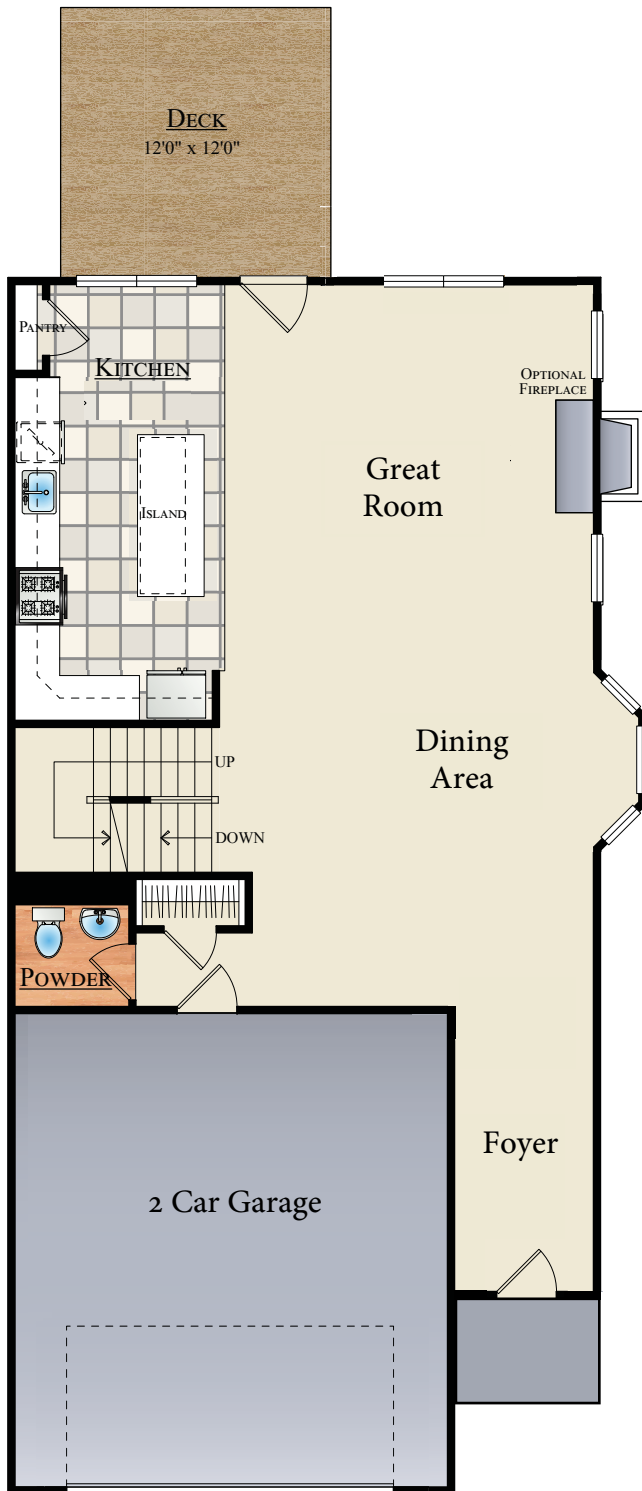
Job No:
 25-0712 D

Plan Date:
DECEMBER 03, 2025

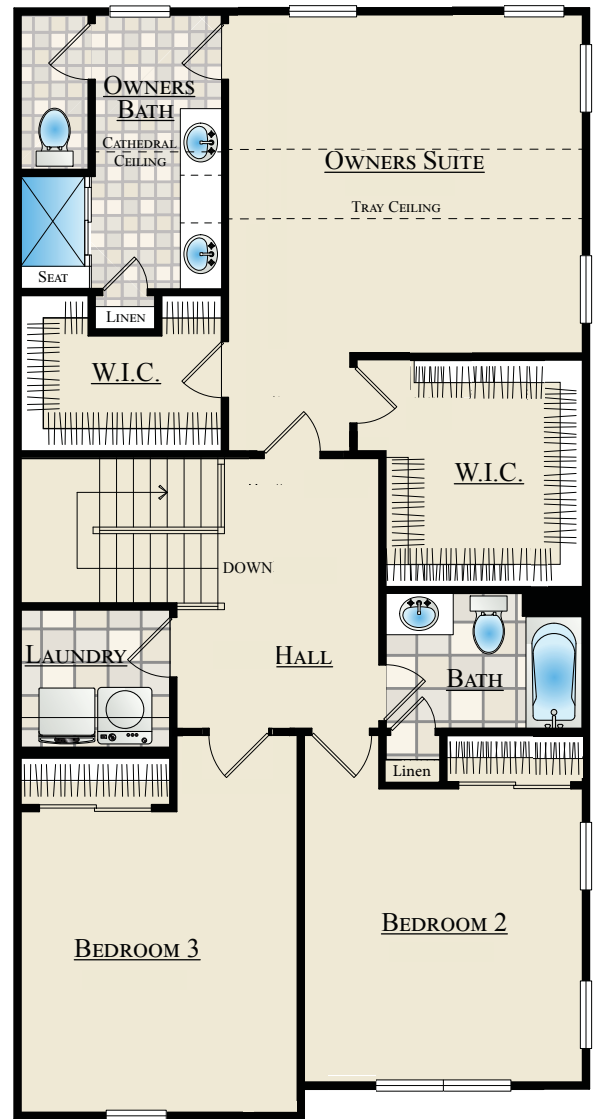
Sheet No:
1 of 1

Print Date: Dec 3, 2025 11:22:00 AM
 File Name: C:\2025\25-0712\25-0712.dwg
 Plot Scale: 1" = 30.00'

Marano Gardens



FIRST FLOOR PLAN



SECOND FLOOR PLAN





BRIDGE
WEIGHT
LIMIT
15
TONS
GOO
AHEAD

AG



Marano Gardens





GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

401 Plymouth Road, Suite 150
Plymouth Meeting, PA 19462
(610) 489-4949
Fax (610) 489-8447
www.gilmore-assoc.com

MEMORANDUM

Date: February 27, 2026
To: Charles L. Guttenplan, AICP - Director of Planning and Zoning
From: Krista Heinrich, P.E., Township Engineer
Reference: 488 S. Bethlehem Pike
ZHB#2026-03
G&A Project No. 2022-01088

In reference to the above-mentioned property, we have reviewed the plans prepared by Woodrow & Associates, Inc. and offer the following comments for your consideration. The plans propose the construction of 17 Townhome Units and associated improvements on the subject property.

The applicants are requesting zoning relief from Section 116-259.A. to allow a setback of 7 feet from the boundary of the Riparian Corridor Conservation Overlay District whereas a minimum of one-half of the applicable setback distance is required (rear yard setback in this case). There are no proposed improvements shown within the Riparian Corridor or Floodplain Conservation Overlay Districts.

There are no engineering objections to, or environmental impacts associated with the request for Zoning relief. Please note, the applicant has submitted a Sketch plan as part of the Subdivision & Land Development process, which was reviewed. We anticipate a Preliminary Plan Submission in the near future.

Should you have any questions or need further information regarding this matter, please do not hesitate to contact me at this office.

ZHB APPEAL #2026-04
SUMMARY

APPLICANT: Villanova University in the State of Pennsylvania

PROPERTY LOCATION: Parcel # 65-00-12679-00-9
Block 011, Unit 041
601 Washington Street
Villanova, PA 19085

ZONING DISTRICT: SM-MU Spring Mill Mixed Use District
TDO-1 Transit Friendly Design Overlay 1
Floodplain Conservation Overlay District
Riparian Corridor Conservation Overlay District

SUMMARY OF RELIEF REQUEST:

The Applicant is proposing to install certain signage on its boathouse (currently under renovation following land development approval). The following relief is requested:

1. **Variance from Section 116-327.B.(2)** to allow two signs along the Washington Street frontage whereas a maximum of one sign is allowed, and to allow a proposed total sign area of 59 square feet where a maximum of 35 square feet is allowed.
2. **Variance from Section 116-327.B.(6)** to allow the riverfront sign to be 35 square feet where a maximum of 12 square feet is allowed.

PRIOR DECISIONS:

ZHB 89-15: Special exception for outdoor storage of cinders.

ZHB 96-04: Special exceptions for outdoor storage, fencing and trailers.

Unknown Case in 2000: Withdrawn

ZHB 00-27: Variances for certain development in the floodplain and for parking and parking layout.

ZHB 00-52: Modifications to decision in ZHB 00-27.

ZHB 02-22: Variances necessary to allow subdivision of the property.

ZHB 2022-51: Withdrawn

ZHB 2019-21: Various relief to allow 270 unit multi-family development DENIED.

ZHB 2024-44: Various relief to allow boathouse renovation and construction of auxiliary boathouse.

Respectfully Submitted,



Charles L. Guttenplan, AICP

Director of Planning and Zoning/Zoning Officer

HRMM&L

**HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC**

www.HRMML.com
Lawyers@HRMML.com

J. Edmund Mullin
Steven H. Lupin
Carl N. Weiner
Mark F. Hirsforth
Steven A. Hann
Steven B. Barrett
Christen G. Pionzio
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Bernadette A. Kearney
Paul G. Mullin
John J. Iannozzi
William G. Roark
Kevin M. McGrath LL.M.
Lisa A. Shearman, LL.M.
Robert J. Iannozzi Jr.
Sean E. Cullen LL.M.
Michael S. Gill
Ron L. Woodman
Amy C. Quigg
John S. Han
Steven J. English
Dantelle M. Yacono
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Celso L. Lette, Jr.
J. Braun Taylor
Mark A. Umansky
Gabriela A. Amado
Grace C. Gelone
Rylie M. Eisenhardt
Delia R. Morales

OF COUNSEL:
Senator John C. Rafferty Jr.
Noah Marlier
Kathleen A. Maloles

LANSDALE
1684 S. Broad Street
Suite 230
Post Office Box 1479
Lansdale, PA 19446-5422
Phone 215-661-0400
Fax 215-661-0315

PHILADELPHIA
123 S. Broad Street
Suite 2102
Philadelphia, PA 19109

33648-0002

January 20, 2026

Charles L. Guttenplan, AICP
Director of Planning & Zoning/Zoning Officer
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444-1821

**Re: Whitemarsh Township Zoning Hearing Board Application
Villanova University in the State of Pennsylvania ("Applicant")
601 Washington Street, TPN 65-00-12679-00-9 ("Subject Property")**

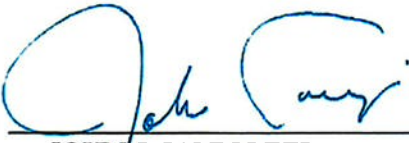
Dear Charlie:

Applicant has authorized the law firm of Hamburg, Rubin, Mullin, Maxwell & Lupin to represent it before the Whitemarsh Township Zoning Hearing Board. Enclosed is a check in the amount of \$500.00 representing the application fee, as well as the following materials in reference to the Application, compiled in four packets: (1) Application and Addendum; (2) Zoning Exhibit Plan; (3) Elevations; (4) Aerial of Subject Property; (5) Zoning Map; (6) Tax Map; (7) Prior Zoning Hearing Board Decisions; and (8) Deed for the Subject Property.

Please advise if there is any information that you require in addition to what is included. Please provide me with all meeting and hearing dates so that I may attend. Thank you for your attention and assistance.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 
JOHN J. IANNOZZI

Enclosures
cc: John Camusi (via email)

{04215371;v1 }

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: _____

Applicant/Appellant: Villanova University in the State of Pennsylvania

Address: 800 Lancaster Avenue, Villanova, PA 19085

Phone #: 610-519-4592 **Cell Number:** 215-783-7314 **E-Mail:** john.camusi@villanova.edu

Owner: Villanova University in the State of Pennsylvania

Address: 800 Lancaster Avenue, Villanova, PA 19085

Phone #: 610-519-4592 **Cell Number:** 215-783-7314 **E-Mail:** john.camusi@villanova.edu

Location of the Property Involved: 601 Washington Street

Block #: 011 **Unit #:** 041 **Parcel #:** 65-00-12679-00-9

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

See Attached.

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):

****Attach additional sheets if necessary**

See Attached.

Legal Counsel (if represented): John J. Iannozzi, Esquire

Address: 1684 South Broad Street, PO Box 1479, Lansdale, PA 19446

Phone #: 215-661-0400 **E-Mail:** jiannozzi@hrmml.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

I am (We are)

Owner(s) of Legal Title

Owner(s) of Equitable Title

Tenant(s) with permission of Owner(s) of Title
(Enclose letter attesting to same)

Date: January 21, 2026

John Iannozzi - authorized agent
Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

Whitemarsh Township Zoning Hearing Board
Addendum to Application

Applicant: Villanova University in the State of Pennsylvania

Subject Property: 601 Washington Street (Tax Parcel Number: 65-00-12679-00-9)

Villanova University in the State of Pennsylvania (“Applicant”) is the record owner of the property located at 601 Washington Street, further identified as Tax Parcel Number 65-00-12679-00-9 (“Subject Property”). The Subject Property is 9.03 acres and located within Whitemarsh Township’s Heavy Industrial District (HVY), Floodplain Conservation Overlay District (FL PL), Riparian Corridor Conservation Overlay District (RCCD), Riverfront Development Overlay District – Subdistrict 1 (RDD-1), and Transit-Friendly Design Overlay (TDO) District (collectively, “Districts”).

The Applicant has received Land Development Approval, Conditional Use Approval, and Zoning Hearing Board Approval for the renovation of the existing building for use as a boathouse for the Villanova University Rowing Team and the construction of an auxiliary boathouse building, parking, landscaping, stormwater management, and other site related improvements on the Subject Property (collectively “Project”). Under this Application, Applicant is requesting two point of zoning relief (“Zoning Relief”) pertaining to signage, from the Whitemarsh Township Zoning Ordinance (“Zoning Ordinance”):

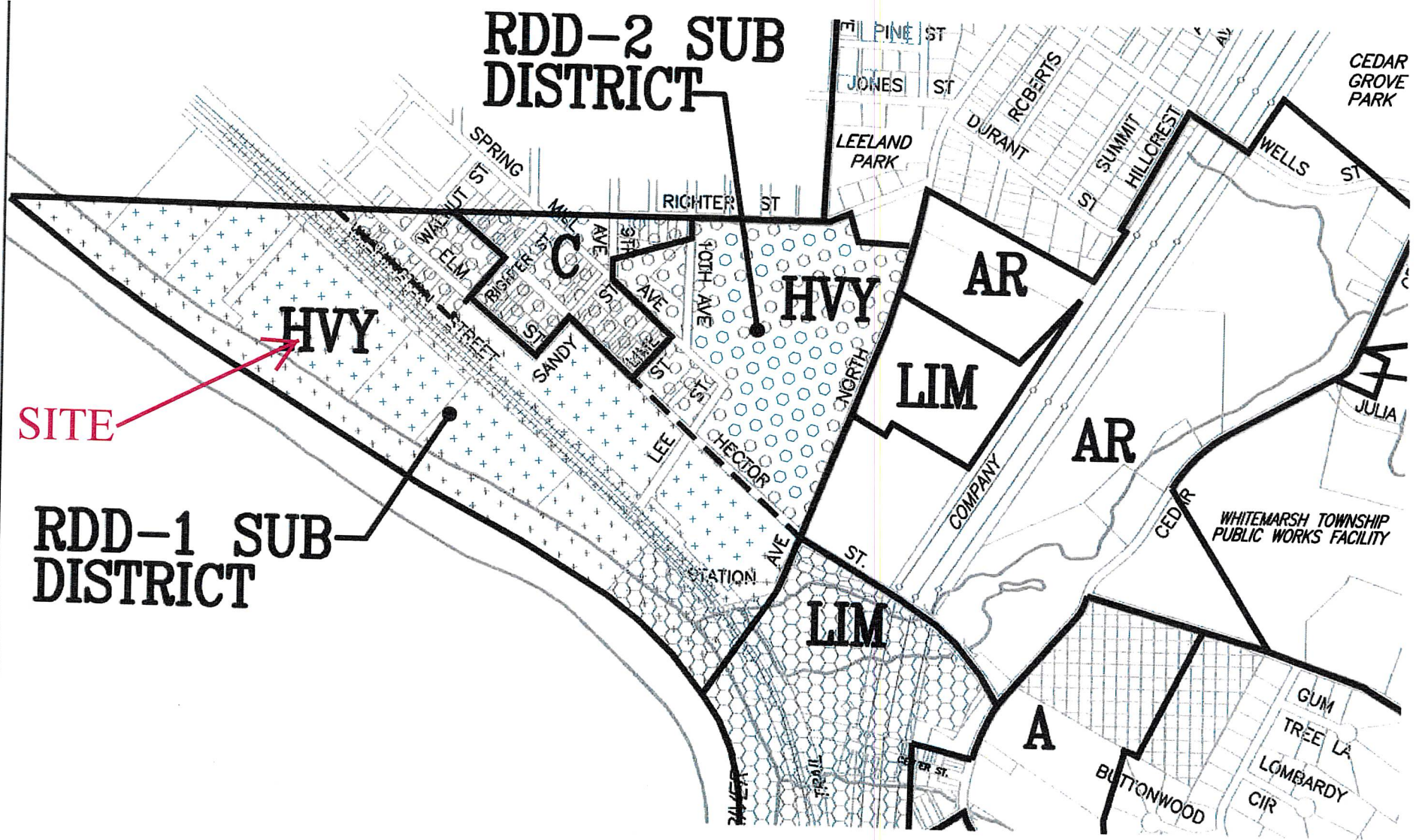
1. **A variance from §116-327.B.(2)** to allow two signs along the Washington Street frontage where a maximum of one sign is allowed, and to allow for a proposed total sign area of 59 square feet where a maximum of 35 square feet is allowed.
2. **A variance from §116-327.B.(6)** to allow the riverfront sign to be 35 square feet where a maximum of 12 square feet is allowed.

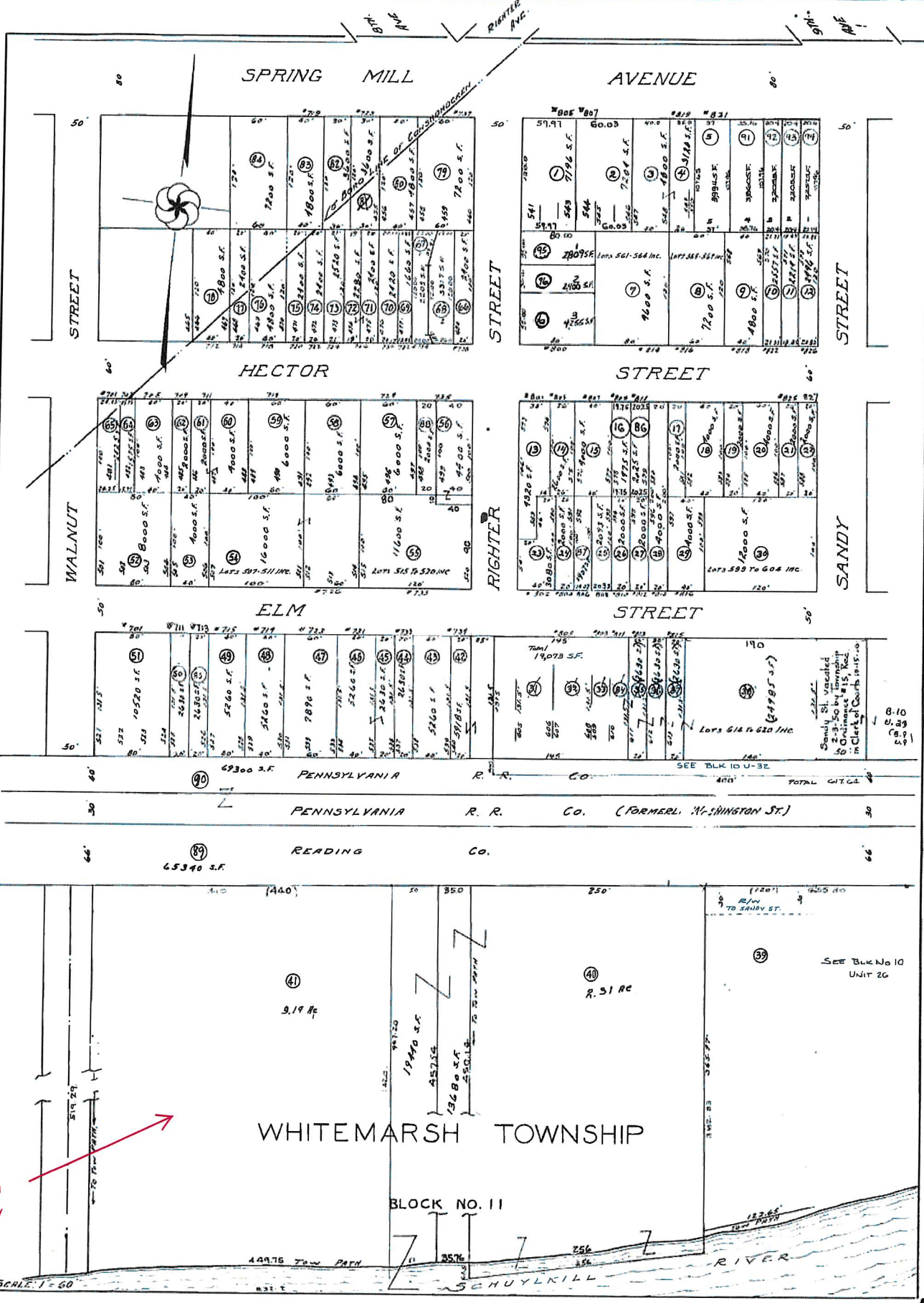
The proposed signage is necessary for proper boating and vehicle identification and circulation of the boathouse. A literal enforcement of the Zoning Ordinance pertaining to the above-referenced sign regulations results in an unnecessary hardship being inflicted upon the Applicant. Specifically, the unique physical characteristics and conditions of the Subject Property, being located along the highly foliated Schuylkill River bank, create a hardship necessitating the proposed signage on the boathouse facing the River. Similarly, the boathouse is setback far from Washington Street. This creates a hardship, which necessitates the proposed signage to properly distinguish the boathouse from the other boathouses along the road. Applicant asserts that the proposed signage promotes safer boating and traffic circulation for the Subject Property and the surrounding area. Additionally, Applicant’s proposed signage is consistent with the spirit, purpose and intent of the Zoning Ordinance. Applicant’s requested relief will not substantially injure or detract from the use of neighboring properties or from the character of the Districts. Applicant’s requested relief is the minimum relief needed to afford the Applicant relief, and represents the least modification of the Zoning Ordinance. To that end, the requested Zoning Relief is necessary to create safer boating and traffic circulation along the Schuylkill River and Washington Street.

RDD-2 SUB DISTRICT

SITE

RDD-1 SUB DISTRICT





SITE

WHITEMARSH TOWNSHIP

BLOCK NO. 11

SCHUYLKILL RIVER

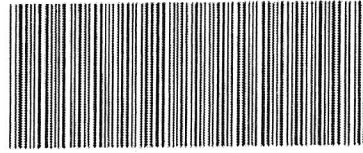
SCALE: 1" = 60'



RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6321 PG 02873 to 02880
INSTRUMENT # : 2023016707
RECORDED DATE: 04/05/2023 12:34:11 PM



6207738-0021T

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 8

Document Type: Deed
Document Date: 03/30/2023
Reference Info:

Transaction #: 6748599 - 1 Doc(s)
Document Page Count: 7
Operator Id: ahelfer

RETURN TO: (Simplifile)
Commonwealth Land Title Philadelphia Commercial -
1700 Market St Ste 2100 PA 19103
1700 MARKET ST STE 2110
PHILADELPHIA, PA 19103
(215) 568-9690

PAID BY:
COMMONWEALTH LAND TITLE PHILADELPHIA
COMMERCIAL - 1700 MARKET ST STE 2100 PA 19103

*** PROPERTY DATA:**
Parcel ID #: 65-00-12679-00-9
Address: 601 WASHINGTON ST

Municipality: PA
Whitemarsh Township (100%)
School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$11,500,000.00
TAXABLE AMOUNT: \$0.00
FEES / TAXES:

Recording Fee:Deed	\$86.75
Additional Pages Fee	\$6.00
Affordable Housing Pages	\$6.00
State RTT	\$115,000.00
Whitemarsh Township RTT	\$57,500.00
Colonial School District RTT	\$57,500.00
Total:	\$230,098.75

DEED BK 6321 PG 02873 to 02880
Recorded Date: 04/05/2023 12:34:11 PM

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.



Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION

PREPARED BY:

Edmund J. Campbell, Jr., Esq.
Campbell Rocco Law, LLC
2201 Renaissance Boulevard, 3rd Floor
King of Prussia, PA 19406
(610) 992-5885

UPON RECORDING, RETURN TO:

Commonwealth Land Title Insurance Company
1700 Market Street
Suite 2100
Philadelphia, PA 19103
Attn: Theresa Solitario
(215) 665-3434

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
65-00-12679-00-9 WHITEMARSH TOWNSHIP
601 WASHINGTON ST
601 WASHINGTON STREET ASSOC LP
B 011 L U 041 3326 04/04/2023

\$15.00
JH

PHI 223099

Tax Parcel No. 65-00-12679-00-9
601 Washington Street, Whitemarsh Township, Montgomery County, Pennsylvania

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is dated as of March 30, 2023, and to be effective as of April 3, 2023 (the "Effective Date").

BETWEEN

601 WASHINGTON STREET ASSOCIATES, L.P., a Pennsylvania limited partnership, with a mailing address of 2201 Renaissance Boulevard, Suite 410, King of Prussia, PA 19406 ("**Grantor**"),

AND

VILLANOVA UNIVERSITY IN THE STATE OF PENNSYLVANIA, an institute of higher education, with a mailing address of 800 Lancaster Avenue, Villanova, PA 19085 ("**Grantee**"),

WITNESSETH, that the said Grantor, for good and valuable consideration of the sum of **ELEVEN MILLION FIVE HUNDRED THOUSAND AND 00/100 Dollars (\$11,500,000.00)** lawful money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, ratified and confirmed, and by these presents does grant, bargain and sell, ratify and confirm unto the said Grantee, its successors and assigns,

ALL THAT CERTAIN land described in Exhibit A, attached.

BEING the same premises which Larchwood Partners, a Pennsylvania general partnership, by Deed dated 02/17/1999 and recorded 2/22/1999, in the County of Montgomery, PA, as Deed Book 5260 Page 684, conveyed unto 601 Washington Street Associates, L.P., a Pennsylvania limited partnership, in fee.

TOGETHER with all and singular the buildings, improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the Grantor, its successors and assigns, in law, equity or otherwise, of, in and to the same, and every part thereof.

UNDER AND SUBJECT only to the matters set forth on Exhibit B attached hereto (the "Permitted Exceptions").

TO HAVE AND TO HOLD the lot or piece of ground above described, with the improvements thereon erected, hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances, unto the Grantee, its successors and assigns to and for the only proper use and behalf of the Grantee, its successors and assigns, forever.

UNDER AND SUBJECT as aforesaid.

THE GRANTOR, for itself and its successors and assigns, does by these presents covenant, grant and agree to and with the Grantee, its successors and assigns, that it, the Grantor and its successors and assign, all and singular the hereditaments and premises hereinabove described and granted, or mentioned, and intended so to be, with the appurtenances, unto the Grantee, its successors and assigns, against it, the Grantor and its successors and assign, and against all and every other person or persons whomsoever, lawfully claiming or to claim the same, or any part thereof, by through or under Grantor, but not otherwise,

SHALL AND WILL SPECIALLY WARRANT AND FOREVER DEFEND.

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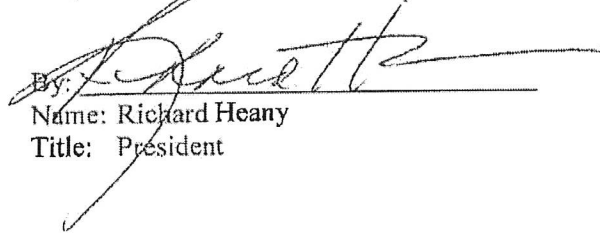

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed as of the day and year first above written and to be effective as of the Effective Date.

GRANTOR:

ATTEST/WITNESS:

601 WASHINGTON STREET ASSOCIATES, L.P.,
a Pennsylvania limited partnership

By: 601 Washington Street Associates Acquisition
Corporation, its General Partner



By: _____
Name: Richard Heany
Title: President

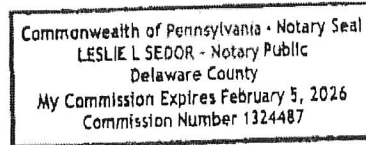
STATE OF Pennsylvania :
 COUNTY OF Delaware : SS.

On this the 30th day of March, 2023, before me, a Notary Public in and for the above State and County, the undersigned officer, personally appeared Richard Heany, personally known to me or satisfactorily proven to be the President of 601 Washington Street Associates Acquisition Corporation, the General Partner of 601 Washington Street Associates, L.P., a Pennsylvania limited partnership, whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes described therein in his capacity as the President of said company, for the uses and purposes set forth herein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Leslie L Sedor
 Notary Public

My Commission Expires: 2.5.2026



I hereby certify that the correct address of the Grantee herein is:

800 Lancaster Avenue
 Villanova, PA 19085

On behalf of the Grantee: *Richard Heany*

Exhibit A

Legal Description of the Property

ALL THAT CERTAIN tract of land with buildings and improvements thereon erected, SITUATE in the Township of Whitemarsh, County of Montgomery, Commonwealth of Pennsylvania, described in accordance with a survey prepared by Momence Survey Group, Inc., Bryn Mawr, Pennsylvania, dated May 14, 1998, File No. 98023.

BEGINNING at an old pipe on the South side of Washington Street (50 feet wide) said pipe marking the Northwest corner of the about to be described tract of land, said pipe being located North 85 degrees 30 minutes 00 seconds East 139.20 feet measured along the South side of Washington Street from its intersection with the East side of Jones Street (50 feet wide, not open); thence from said beginning point along the Southerly side of Washington Street North 85 degrees 30 minutes 00 seconds East 672.27 feet to an old pipe; thence leaving Washington Street by land now or formerly of FCC Acquisition Corporation South 4 degrees 30 minutes 00 seconds East, 467.20 feet to a point on or near the high water mark of the Schuylkill River; thence along a tie line near the shore line of the Schuylkill River South 74 degrees 8 minutes 41 seconds West 739.38 feet to a point; thence leaving the Schuylkill River by land now or formerly of Hale Pump and land now or formerly of Anthony G. Biddle, Jr., North 5 degrees 43 minutes 00 seconds West 490.14 feet to a point of curve; thence still by land now or formerly of Anthony G. Biddle, Jr., along a line curving to the right in a Northeasterly direction having a radius of 145.05 feet and an arc distance of 143.45 feet and a chord of North 22 degrees 36 minutes 55 seconds East 137.68 feet to the first mentioned point and place of beginning.

Being the same premises which Larchwood Partners, a Pennsylvania general partnership, by Deed dated 2-17-1999 and recorded 2-22-1999, in the County of Montgomery, PA, as Deed Book 5260 page 684, conveyed unto 601 Washington Street Associates, L.P., a Pennsylvania limited partnership, in fee.

ALSO DESCRIBED AS:

ALL THAT CERTAIN tract of land with buildings and improvements thereon, erected, SITUATE in the Township of Whitemarsh, County of Montgomery, Commonwealth of Pennsylvania, described in accordance with a survey prepared by Valley Land Services, LLC, Bethlehem, Pennsylvania, dated November 9, 2022, and updated March 21, 2023, Job No: V220349.

Beginning at a Pin and Cap set along the southerly right of way line of Washington Street, at the northeasterly corner of the lands n/f Dan Lepore & Sons. Thence,

- 1) along said right of way of Washington Street, North 76 degrees 24 minutes, 10 seconds East a distance of 672.27 feet to a pin and cap set at the northwesterly corner of the lands n/f Whitemarsh Boat Club, LLC. Thence,

- 2) along the westerly line of said Whitemarsh Boat Club, LLC, a South 13 degrees 35 minutes 50 seconds East passing through a Pin and Cap set at 449.19 feet, for a total a distance of 467.20 feet to a point along the northerly edge of the Schuylkill River. Thence,
- 3) along the said northerly line of the Schuylkill River, subtended by a tie line of South 65 degrees 02 minutes 51 seconds West a distance of 739.38 feet to a point at the southeasterly corner of aforementioned lands of Dan Lepore & Sons. Thence,
- 4) along the easterly line of said Dan Lepore & Sons, North 14 degrees 48 minutes 50 seconds West passing over a Pin and Cap set at 24.96 feet, for a total distance of 490.14 feet to a point. Thence,
- 5) with a curve turning to the right, having a radius of 145.05 feet, an arc length of 143.81 feet, with a delta angle of 56 degrees 48 minutes 18 seconds, with a chord bearing of North 13 degrees 35 minutes 17 seconds East, with a chord length of 137.99 feet to the point of beginning.

Exhibit B**Permitted Exceptions**

1. Possible rights of the United States of America, the Commonwealth of Pennsylvania, the public and other riparian owners between high and low water marks of Schuylkill River.
2. Subject to the laws and authority of the Federal and State Governments, their political subdivisions and agencies to regulate commerce and navigation over part of the premises extending beyond the high-water mark of the Schuylkill River; and to exert governmental title and ownership in the area lying beyond the original low water mark.
3. Title to that portion of the premises, if any, in the Berm Bank adjacent to the Schuylkill River, is excepted from this insurance.
4. Rights granted to The Bell Telephone Company of Pennsylvania in Deed Book 1293 page 528.
5. Right of Way between John J. Regan and Wilmer C. Swartley co-partners trading as Philadelphia Steel and Iron Company and Philadelphia Suburban Water Company, dated 8/23/1948 and recorded 10/27/1948 as in Deed Book 1957 page 560.
6. Rights granted to Philadelphia Electric Company in Deed Book 3632 page 77.
7. Rights granted to PECO Energy Company as in Deed Book 5205 page 13.
8. Conditions disclosed by ALTA/NSPS Land Title Survey of 601 Washington Street for Villanova University, prepared by Valley Land Services, LLC, dated November 9, 2022, last revised March 21, 2023, Job No. V220349, including the following: a) utilities as shown; b) chain link fence appears to cross over property line; c) water meters; d) cleanouts; e) electric meters; f) transformers; g) trailer; h) shipping containers; i) manholes; j) water manholes; k) water meter pit; l) reinforced concrete pipes.
9. Environmental Covenant by and between 601 Washington Street Associates, L.P. and Commonwealth of Pennsylvania Department of Environmental Protection dated 12/20/2022 and recorded 4/3/2023 in Deed Book 632 page 145.

DECISION
WHITEMARSH TOWNSHIP
ZONING HEARING BOARD

APPLICATION 89-15 of J. C. Brogan, Inc.

First Hearing Date 4/5/89 Date Decided 4/5/89 Copy Mailed 4/6/89

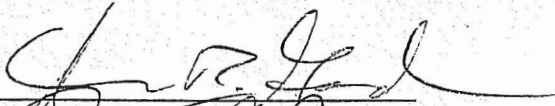
The Zoning Hearing Board decided the above application at a public hearing as follows:

1. The Special Exception in accordance with Section 116-166(B) of the Whitemarsh Township Code necessary to allow the outdoor storage of cinders ~~and~~ ~~at the site~~ for roads on the property located at 601 Washington Avenue is hereby granted / ~~denied~~.

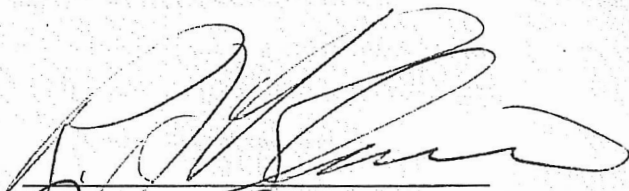
THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

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.

a. *The cinders shall result only from the burning of coal elsewhere.*



Robert A. Bacine



Anne J. J. J.

David Lansing (absent)

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 180 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same.

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 96-04

J.C. Brogan, Inc.

First Hearing 4/10/96 Decided 4/10/96 Copy Mailed 4/11/96

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

- 1. The Special Exception in accordance with Section 116-166.B(5) of the Whitemarsh Township Code required to allow the storage of *top soil, bark mulch, modified stone, railroad and landscaping ties* is hereby granted / ~~denied~~.
- 2. The Special Exception in accordance with Section 116-166.B necessary to allow the storage areas to be fenced is hereby granted / ~~denied~~.
- 3. The Special Exception in accordance with Section 116-166.B necessary for the storage of *storage trailers* is hereby granted / ~~denied~~.

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.

Gordon W. Porter

John E. McCarty

Richard J. Blaine

Doree Deas

Bob Bacine (absent)

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 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.



KAPLIN·STEWART·MELOFF·REITER & STEIN

LAW OFFICES / A PROFESSIONAL CORPORATION

Neil Andrew Stein
Direct Dial: (610) 941-2469
Direct Fax: (610) 260-1240
Email: nstein@kaplaw.com

350 SENTRY PARKWAY
BUILDING 640
P. O. BOX 3037
BLUE BELL, PA
19422

(610) 260-6000
FAX (610) 260-1240

July 24, 2000

VIA FACSIMILE TO (610) 825-9416 AND MAIL

Joseph T. Leis, Director of Zoning and Building
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444

900 DUDLEY AVENUE
SUITE 250
CHERRY HILL, NJ
08002

(856) 486-1044
FAX (856) 486-1074

Re: Application of Oreland Sheet Metal Co. to the Whitemarsh Township
Zoning Hearing Board

Dear Joe:

Thank you for your inquiry concerning the above-captioned application. This will confirm that the Application had previously been withdrawn, after several continuances.

Please feel free to call me if you have any questions and thank you for your assistance in this matter.

Very truly yours,

Neil Andrew Stein

nas/

cc: Cecil C. Lewis, Vice President
Robert E. Blue, Jr., P.E., President

TWO PENN CENTER PLAZA
SUITE 200
PHILADELPHIA, PA
19102

(215) 567-3120

www.kaplaw.com

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 00-27

O'Neill Properties Group, L.P.

First Hearing 9/11/00 Decided 9/11/00 Copy Mailed 9/12/00

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

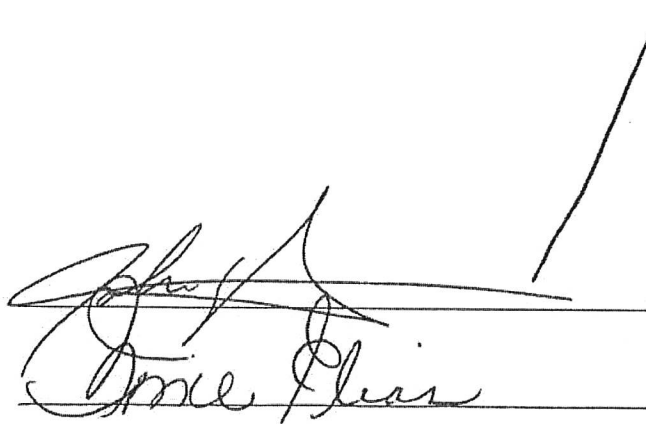
1. A variance is granted from Section 116-166.A to allow a paved parking lot in the Floodway.
2. The Variance required from Section 116-165 of the Whitemarsh Township Code to allow fill, construction of a building and an impervious parking lot on a lot to be created at 701 Washington Street in the Floodplain Conservation District is hereby granted / [REDACTED].

[REDACTED]

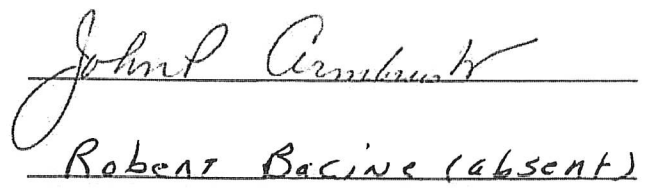
3. The Variance from Section 116-184.F of the Code necessary to allow _____ parking spaces within 10 feet of a structure is hereby granted / [REDACTED].
4. The Variance required from Section 116-184.D to allow a total of **362** parking spaces for the proposed use is hereby granted / [REDACTED].
5. A variance is granted from Section 116-184.E to reduce or eliminate required parking strips and to allow the dimensions of parking areas to exceed 150 feet.

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 request to reduce the size of parking spaces was withdrawn. All parking spaces shall be 10 by 20 feet.
3. The ground floor beneath the building shall be used only for parking, elevators, stairs, ingress and egress because that level is located in a flood plain.



Anne Blair



Robert Bacine (absent)

Gordon Gerber (absent)

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 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 00-52

O'Neill Properties Group, L.P.

First Hearing 1/3/01 Decided 1/3/01 Copy Mailed 1/4/01

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

Decision 00-27 is modified in its entirety as follows:

1. The Variance required from Section 116-165 of the Whitemarsh Township Code to allow construction of a building and a parking lot at 601 Washington Street in the Floodplain Conservation District and to place fill in the Floodplain is hereby granted / ~~denied~~.
2. The Variance from Section 116-165.B(4) of the Code necessary to allow impervious paving in the Floodplain Conservation District is hereby granted / ~~denied~~.
3. The Variance from Section 116-184.E of the Code necessary to reduce or eliminate parking strips and to allow the dimension of a parking area to exceed 150 feet is hereby granted / ~~denied~~.
4. The Variance required from Section 116-184.F to allow parking under the building within 10 feet of a structure is hereby granted / ~~denied~~.

5. A Variance from Section 116-166.A to allow a paved parking lot in the Floodway is allowed

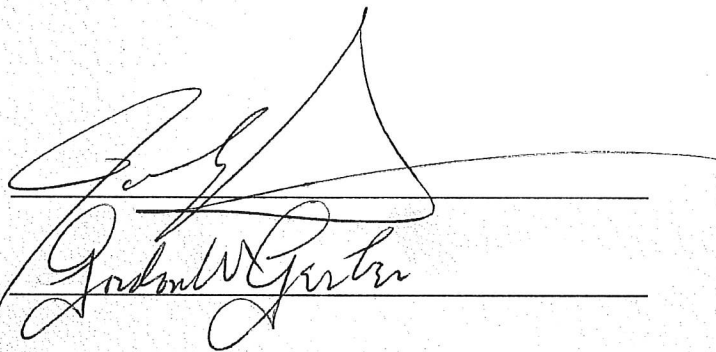
THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

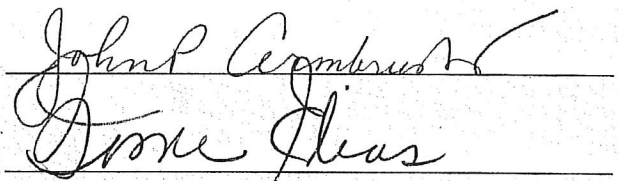
1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.

2. All parking spaces shall be 10 by 20 feet

3. The ground floor beneath the building shall be used only for parking, elevators, stairs, ingress and egress because that level is located in a flood plain.

Mr. Bacine recused himself.





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 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 02-22
Oreland Sheet Metal Co.

First Hearing 7/8/02 Decided 7/8/02 Copy Mailed 7/9/02

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

1. The Variance required from Section 116-31 of the Whitemarsh Township Code to allow a subdivision of the property at 610 Washington Street to allow only **20** feet of street frontage on one of the newly created lots is hereby granted / ~~denied~~.
2. The Variance required from Section 116-148.B(4) of the Code to allow one or more ^{EXISTING} structures to intrude to the front lot line of the required front yard on one of the newly created lots is hereby granted / ~~denied~~.



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 property shall be used only for manufacturing purposes.

3. Applicant agrees to provide the river bank buffer described in the Whitemarsh Township Planning Commission minutes for June 25, 2002.

Board Member Kapusnick dissents

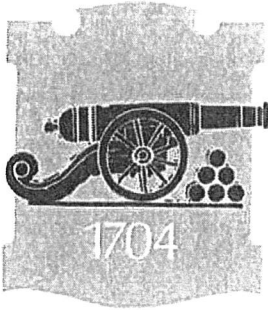
Gordon W. Ginter
Doree Pleas

[Signature]
ROBERT BACINE (RECUSED)

Mary-ellen Antal (absent)

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 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.



Whitemarsh TOWNSHIP

616 GERMANTOWN PIKE - LAFAYETTE HILL, PA 19444-1821
TEL: 610-825-3535 FAX: 610-825-9416

VIA FAX: 610-260-1240

January 8, 2004

Neil Andrew Stein, Esquire
Kaplin, Stewart, Meloff, Reiter & Stein
P.O. Box 3037
350 Sentry Parkway, Building 640
Blue Bell, PA 19422

Reference: **ZHB # 2002-51**
Oreland Sheet Metal c/o Neil Andrew Stein
601 Washington Street, Conshohocken

Dear Mr. Stein:

This letter is to advise you that at the Zoning Hearing Board meeting held on Wednesday, January 7, 2004 the Board recognized your request to withdraw the above referenced application.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. T. Leis', is written over the typed name.

JOSEPH T. LEIS
Zoning Officer

JTL/tb
FAX & U.S. Mail

G:\JOE\2002 ZHB\Summary\Applicant\2002-51 withdrawal.doc

Neil Andrew Stein
Direct Dial: (610) 941-2469
Direct Fax: (610) 260-1240
Email: nstein@kaplaw.com

December 29, 2003

VIA TELECOPIER TO (610) 825-9416 AND MAIL

Joseph T. Leis, Director of Zoning and Building
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444

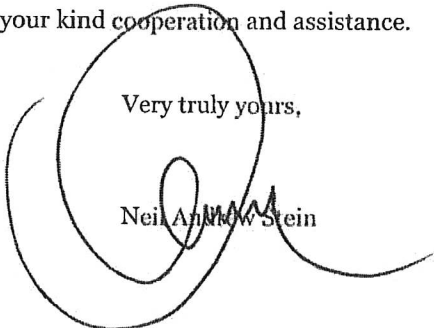
**Re: Application of Oreland Sheet Metal Co. to the Whitemarsh Township
Zoning Hearing Board - ZHB #2002-51**

Dear Joe:

Confirming our telephone conversation, please consider the above-captioned Application to be withdrawn, without prejudice to the Applicant's right to re-file at a later date.

Thank you for your kind cooperation and assistance.

Very truly yours,


Neil Andrew Stein

nas/

FUREY & BALDASSARI, P.C.

ATTORNEYS AT LAW
1043 S. PARK AVENUE
AUDUBON, PA 19403

MICHAEL E. FUREY
JOSEPH J. BALDASSARI*

(610) 666-7500
fax (610) 666-7200

*also member NJ bar

November 14, 2019

601 Washington Street Associates, LP
201 King of Prussia Road, Suite 501
Radnor, PA 19087

RE: Whitemarsh Township Zoning Hearing Board
Application of 601 Washington Street Associates, LP No. 2019-21

Dear Applicant:

Please note that at the public meeting on November 13, 2019, the Whitemarsh Township Zoning Hearing Board voted to deny the above-referenced Application.

The Board will issue Findings of Fact, Conclusions of Law, Decision and Order within forty-five (45) days. All parties will have thirty (30) days from the issuance of the Board's Findings of Fact, Conclusions of Law, Decision and Order to file an appeal to the Court of Common Pleas of Montgomery County.

Sincerely,



MICHAEL E. FUREY
Attorney for the Zoning Hearing Board
Whitemarsh Township

MEF/js
Enclosure

cc: Charles Guttenplan, Zoning Officer
Sean Kilkenny, Esquire
Edmund J. Campbell, Esquire

FUREY & BALDASSARI, P.C.

ATTORNEYS AT LAW
1043 S. PARK AVENUE
AUDUBON, PA 19403

MICHAEL E. FUREY
mike@fbpclaw.com

(610) 666-7500
fax (610) 666-7200

JOSEPH J. BALDASSARI*
joe@fbpclaw.com

*also member of NJ bar

November 13, 2024

John Iannozzi, Esquire
HRMM&L
1684 S. Broad Street
PO Box 1479
Lansdale, PA 19446-5422

RE: Whitemarsh Township Zoning Hearing Board
Application of Villanova University, No. 2024-44

Counsel:

Enclosed herewith please find a true and correct copy of the Decision and Order of the Whitemarsh Township Zoning Hearing Board pursuant to the vote rendered at its meeting on November 6, 2024. Please note that the application was granted, subject to conditions as recited in the Decision and Order.

You are also hereby advised that all parties have thirty (30) days from the issuance of the Board's Decision and Order to file an appeal to the Court of Common Pleas of Montgomery County.

Sincerely,



MICHAEL E. FUREY
Solicitor to the Whitemarsh Township
Zoning Hearing Board

MEF/js
Enclosure

cc: Charles Guttenplan, Zoning Officer (w/enclosure)
Sean Kilkenny, Esquire (w/enclosure)

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

DECISION AND ORDER

APPLICATION NO.:	2024-44	FIRST HEARING DATE:	11/06/24
APPLICANT:	Villanova University	VOTE:	11/06/24
	in the State of Pennsylvania	WRITTEN DECISION:	11/12/24
	Block 011, Unit 041	COPY MAILED:	11/13/24
	601 Washington Street		
	Conshohocken, PA 19428		
	HVY – Heavy Industrial District		
	RDD-1 – Riverfront Development Overlay District Subdistrict 1		
	Floodplain Conservation Overlay District		
	Riparian Corridor Conservation Overlay District		

The Applicant proposes to renovate a portion of the existing building on the property for use as a boathouse for the Villanova University Rowing Team. The remainder of the existing building will be demolished. The Applicant also proposes to construct an auxiliary boathouse building, parking, landscaping, stormwater management, and other site related improvements on the property.

After completion of a public hearing on the above-referenced Application, pursuant to public notice as required by law, the Zoning Hearing Board of Whitemarsh Township decided and orders that the following approvals and relief are **GRANTED**:

1. A special exception under Section 116-166.A.(1) of the Zoning Ordinance, so as to permit the use of an existing dock and boat ramps located in the floodway of the Floodplain Conservation Overlay District.
2. A special exception under Section 116-166.B.(1) of the Zoning Ordinance, so as to permit the construction of a rain garden basin in the floodway fringe of the Floodplain Conservation Overlay District.
3. A variance from Section 116-165.B of the Zoning Ordinance, so as to permit the construction of structures associated with the project within the Floodplain Conservation Overlay District.
4. A variance from Section 116-281.A.(3)(a) of the Zoning Ordinance, so as to permit a front yard setback of 204 feet for the proposed renovated boathouse, and 248 feet for the auxiliary boathouse building, rather than the 10 foot minimum front yard setback and an average 20 foot front yard setback.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development permitted by this Decision shall substantially conform to the exhibits and testimony presented by the Applicant, unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.
2. The Applicant shall apply for and obtain all permits required by the Township Codes in a timely manner.
3. The Applicant shall comply with all requirements of the Township Engineer as set forth in the Township Engineer Memo dated October 31, 2024, marked as Exhibit T-4. The Applicant shall further comply with all requirements of the Township Engineer regarding the application for an Earth Disturbance Permit, and the installation and maintenance of stormwater controls.

The Board determines that the Applicant presented expert evidence and testimony to carry the burden of proof for the Board to determine that:

No special exception has been granted in the floodplain fringe that will cause any increase in the flood elevation of the one-hundred-year-frequency recurrent interval flood by more than one foot at any point. No special exception has been granted in the floodway that will cause any increase in flood levels during the one-hundred-year flood. The special exceptions have been granted as the objective criteria of the applicable ordinances have been met, and the approvals are not contrary to the health, safety, and welfare of the community.

No variance has been granted in the floodplain fringe that will cause any increase in the flood elevation of the one-hundred-year-frequency recurrent interval flood by more than one foot at any point. No variance has been granted in the floodway that will cause any increase in flood levels during the one-hundred-year flood. The project does not involve prohibited activities in the floodplain. There is good and sufficient cause for granting the variances. As a result of unique physical circumstances and conditions related to the property, there is no possibility of developing the property with the water-related uses proposed in strict conformity with the provisions of the applicable ordinances. The failure to grant the variances would result in unnecessary hardship to the Applicant. The granting of the variances will not result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, additional public expense, create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations. The variances involve the least modification necessary to provide relief. Reasonable conditions and safeguards have been imposed in this Decision and Order to protect the public health, safety, and welfare, and to achieve the objectives of the applicable ordinances.

The Applicant is on notice that certain relief from floodplain regulations may result in increased premium rates for flood insurance and/or may increase the risks to life and property. The development of the property in the floodplain is entirely at the risk of the Applicant.

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.

The Board reserves the right to issue Findings of Fact and Conclusions of Law in the event of an appeal.

Section 116-223 of the Zoning Ordinance provides as follows:

Expiration of granted appeals. Unless otherwise specified by the Board, all approvals granted by the Zoning Hearing Board shall automatically expire 365 days after the date of the decision unless: (1) the applicant has acted upon the approval by obtaining the required permit(s) and paying the prescribed fees for same, or (2) the Zoning Hearing Board decision is on appeal to the courts, at which point, the approval, if upheld on appeal, shall expire 365 days after final determination on appeal.

The Zoning Hearing Board may extend the expiration date of approvals for a 180 day period upon request by the applicant, provided that the applicant is, in the opinion of the Zoning Hearing Board, diligently pursuing governmental and/or regulatory approvals as required. Requests for extensions shall be in writing and submitted to the Zoning Hearing Board at least 30 days before any applicable expiration date. Only one (1) extension may be provided for any application.

No. 2024-44

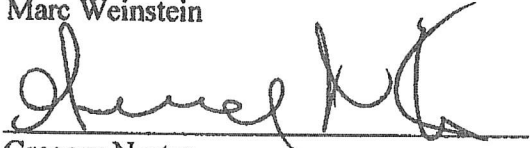
WHITEMARSH TOWNSHIP ZONING HEARING BOARD:



James Behr, Chair



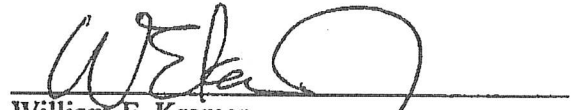
Marc Weinstein



Gregory Nester

Not Present

Robert A. Bacine, Vice Chair



William E. Kramer