

WHITEMARSH TOWNSHIP
ZONING HEARING BOARD AGENDA
JANUARY 7, 2026
6:30 PM

___ Behr ___ Doran ___ Nester ___ Tone ___ Weinstein

1. CALL TO ORDER

2. ELECTION OF CHAIR

3. ELECTION OF VICE-CHAIR

4. APPOINTMENT OF ZONING HEARING BOARD SOLICITOR

5. APPOINTMENT OF ZONING HEARING BOARD SECRETARY

6. 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.*

7. ZONING HEARING BOARD APPLICATIONS

- **ZHB #2025-46:** Sara J. McMenamain; 4034 Kottler Drive, Lafayette Hill, PA 19444; Parcel # 65-00-06823-00-6; Block 022F, Unit 019; AA – Residential; The Applicant is proposing to raze the existing home on the Property and construct a new home. The following relief is requested: **Variance from Section 116-49.C.** to allow a front yard setback on Hain Drive (this is a corner lot) of 40’ whereas a minimum of 50’ is required. **Variance from Section 116-169.A.** to allow an impervious ground coverage of 25%, whereas a maximum of 12% is permitted given the Property’s location in the AA – Residential District with a Steep Slope Ratio of 34.5%. ***[Please note: this hearing was concluded on December 22, 2025, but continued to January 7, 2026 for a decision to be voted upon.]***
- **ZHB #2025-47:** BHC Northwest Psychiatric Hospital; attn: Jessica Becker, CEO; 7170 Lafayette Avenue, Fort Washington, PA 19034; Parcel # 65-00-00868-50-7; Block 055, Unit 048; B – Residential District; Institutional Overlay District; Floodplain Conservation Overlay District; Riparian Corridor Conservation Overlay District (RCCD); The Applicant is proposing to install some flood mitigation improvements on the site of the Brooke Glen Behavioral Hospital at the Property Location. The following relief is requested: **Variance from Section 116-165.B.** in order to construct the proposed improvements and floodproof the existing building to meet the provisions set forth in Sections 116-204.A. & B.; **Variance from Section 116-176.** as the dimensional requirements are not met by the existing building structure and the proposed improvements are restricted to the existing building structure and/or the existing courtyard fence locations; **Variance from Sections 116-259. and 116-260.** since the existing building and proposed improvement are located within the Riparian Corridor Conservation Overlay District.; **Variance from Section 116-259.A.** since the existing building and proposed improvement do not meet the RCCD setback requirements. ***[Please note: this was to be a rescheduled hearing; originally scheduled for December 10, 2025. By email dated December 24, 2025, the applicant’s attorney has requested a further continuance to February 11, 2026.]***
- **ZHB #2025-48:** John Menken c/o Amee 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. *[Please note: this is a rescheduled hearing; originally scheduled for December 10, 2025.]*

- **ZHB #2025-52:** Marguerite Koller Stokes; 2283 Mulberry Drive, Lafayette Hill, PA 19444; Parcel # 65-00-08245-00-6; Block 003C, Unit 037; B – Residential; The Applicant is proposing to construct a single-story addition to her home. The following relief is requested: **Variance from Section 116-202.B.** to allow a minimum side yard setback of 6' and an aggregate side yard setback of 21' whereas a minimum of 10' and an aggregate of 25' are required. The setbacks of this section may be used because the home was originally built before June 23, 1966; its original date of construction is 1957. ; **Variance from Section 116-169.A.** to allow an impervious ground coverage of 26.6%, whereas a maximum of 24% is permitted given the Property's location in the B – Residential District with a Steep Slope Ratio of 49%.
- **ZHB #2025-53:** OnSite Ventures LLC c/o Edmund J. Campbell, Esq.; 29 Germantown Pike, Plymouth Meeting, PA 19462; Parcel # 65-00-04474-00-6; Block 041, Unit 008; VC-2 – Village Commercial District Sub-district 2; The Applicant is proposing to change an existing legal nonconforming use to another nonconforming use. The following relief is requested: **Special Exception under Section 116-192.** to change an existing nonconforming full-service automotive repair business to an automobile detailing business with a reduced and limited scope of automobile repair services.

8. 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 #2025-46
SUMMARY

APPLICANTS: Sara J. McMenamin

PROPERTY LOCATION: Parcel # 65-00-06823-00-6
Block 022F, Unit 019
4034 Kottler Drive
Lafayette Hill, PA 19444

ZONING DISTRICT: AA – Residential

SUMMARY OF RELIEF REQUEST:

The Applicants are proposing to raze the existing home on the Property and construct a new home. The following relief is requested:

1. **Variance from Section 116-49.C.** to allow a front yard setback on Hain Drive (this is a corner lot) of 40' whereas a minimum of 50' is required.
2. **Variance from Section 116-169.A.** to allow an impervious ground coverage of 25%, whereas a maximum of 12% is permitted given the Property's location in the AA – Residential District with a Steep Slope Ratio of 34.5%.

PRIOR DECISION:

ZHB 99-27: Variances for shed installation.

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: 2025-46

Applicant/Appellant: Sara J. McMenamin
Address: 6 Summit Court, Plymouth Meeting, PA 19462
Phone #: [REDACTED] Cell Number: [REDACTED] E-Mail: [REDACTED]

Owner: Sara J. McMenamin
Address: 6 Summit Court, Plymouth Meeting, PA 19462
Phone #: [REDACTED] Cell Number: [REDACTED] E-Mail: [REDACTED]

Location of the Property Involved: 4034 Kottler Drive, Lafayette Hill, PA 19444
Block #: 022F Unit #: 019 Parcel #: 65-00-06823-00-6

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):

We are requesting variance from Section 116-49-C of the Whitemarsh Township Zoning Code in order to encroach into the front yard set back by 10 feet. We are requesting variance from Section 116-169.A of the Whitemarsh township code to allow impervious ground coverage of 25% (continued on attached)

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

See attachment The existing impervious coverage on the property is non-conforming under the current Whitemarsh Township code. The proposed project will continue to exceed the allowable impervious coverage; however, it will result in a net reduction (continued on attached)

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:

- 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: 11/19/2025

Sara J. McMenamin
Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

Nature of Application

(continued from application)... exceeding the maximum allowed in the AA-Residential District of 12% given the property's slope.

Grounds for Appeal

(continued from application)... of total impervious area compared to the existing condition.

Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444

Appeal to Zoning Hearing Board
Grounds for Appeal

To Whom It May Concern,

This property has been in our family for generations and was originally owned by my grandfather. We are seeking approval to construct a new single-family residence on the existing lot while preserving the character and spirit of the property as it has been maintained for decades.

Due to the unique characteristics of our lot, we are being held to different zoning standards than the surrounding properties. The current requirement that the new home be located within the ultimate right-of-way creates a practical hardship, as compliance would result in the proposed structure being situated too close to both the existing pool and a mature sycamore tree estimated to be approximately 100 years old.

Constructing the home within the standard setbacks would encroach upon the critical root zone of the sycamore, risking damage to the tree's extensive root system. Such disturbance could lead to the tree's decline and, over time, create potential structural hazards for the home itself due to soil destabilization or root loss. The property contains this significant sycamore tree, which is classified as a "protected tree" under §116-69 of the Whitemarsh Township Code due to its diameter at breast height (DBH) exceeding six inches. Preservation of this tree is consistent with the Township's environmental and conservation goals.

Granting the requested variance would allow the home to be positioned safely away from both the pool and the protected sycamore tree. This adjustment would preserve a significant natural and historical feature of the property, promote safety, and uphold the spirit and intent of the Township's zoning ordinance by balancing responsible development with environmental stewardship.

This will serve as our permanent residence, and our goal is to continue our family's legacy by creating a home that honors the property's history while ensuring its long-term safety, sustainability, and alignment with the character of the surrounding community.

Thank you for your consideration.


Sara J. McMenamin

RECEIVED
OCT 24 2025

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

Prepared By and Return to:

Marybeth O. Lauria, Esquire
Lauria Law LLC
3031C Walton Road, Suite 310
Plymouth Meeting, PA 19462
Phone: 215-461-4610

This transaction is exempt from any transfer tax liability in that it is a transfer of division in kind for no or nominal actual consideration of property passed by Mother to Daughter.

DEED

THIS INDENTURE, made this 8th day of October in the year two thousand and twenty-five (2025).

BETWEEN JENNIFER S. McMENAMIN, (hereinafter called the Grantor), of the one part, and **SARA J. McMENAMIN** (hereinafter called the Grantee), of the other part,

WITNESSETH THAT said Grantor for and in consideration of the sum of [REDACTED] lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto said Grantee, her heirs and assigns, in Fee Simple,

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Situate in Whitmarsh Township, County of Montgomery, Commonwealth of Pennsylvania, described according to a Plan called Wissahickon Village made for Whitmarsh Valley Homes, Inc., by Barton and Martin, Engineers, Philadelphia, dated the Thirtieth day of March A.D. 1954 and revised the Twenty-fourth day of May A.D. 1955 and which plan is recorded in the Office for the Recorder of Deeds, at Norristown, Montgomery County, Pennsylvania in Plan Book A-2-57 as follows, to wit:

BEGINNING at a point on the Southeasterly side of Kottler Drive (fifty-feet wide) at the distance of Six hundred seventy-five and seventy one-hundredths feet measured North forty-three degrees forty eight minutes twelve seconds East from a point of curve; which point of curve is Three hundred eight and thirty-three one-hundredths feet measured in a Northeasterly direction on the arc of a circle curving to the right having a radius of Three hundred feet from a point of tangent on the Easterly side of Kottler Drive; which point is Two hundred twenty-five and thirty-eight one-hundredths feet measured North fifteen degrees four minutes fifty-eight seconds West from the Northwesterly terminus of a radial round corner connecting the Easterly side of Kottler Drive with the Northwesterly side of Crescent Avenue (sixty feet wide); thence extending along the Southeasterly side of Kottler Drive North forty-three degrees forty-eight minutes twelve seconds East One hundred fifty feet to a point of curve; thence on the arc of a circle on a line curving to the right having a radius of twenty feet the arc distance of Thirty-one and forty-two one-hundredths feet to a point on the Southwesterly side of Hain Drive (sixty feet wide); thence extending along the same South forty-six degrees eleven minutes forty-eight seconds East One hundred forty-seven feet to a point; thence leaving Hain Drive and extending South forty-three degrees forty-eight

minutes twelve seconds West along Lot No. 40 on said Plan One hundred seventy feet to a point; thence extending North forty-six degrees eleven minutes forty-eight seconds West along Lot No. 30 on said Plan One hundred sixty-seven feet to a point on the Southeasterly side of Kottler Drive the first mentioned point and place of beginning.

BEING known as Lot No. 41 on said Plan.

BEING ASSESSMENT PARCEL NUMBER 65-00-06823-00-6.

UNDER AND SUBJECT to certain restrictions as now appear of record.

BEING the same premises which Jennifer S. McMenamain, as Executrix of the Estate of Robert E. Sague by Deed dated September 10, 2025, and recorded in Montgomery County in Deed Book 6414 Page 00701, on September 15, 2025, conveyed unto Jennifer S. McMenamain, in Fee Simple.

WHEREAS, Margaret M. Sague died on June 8, 2021, whereby title to the property was vested solely in Robert E. Sague.

WHEREAS, Robert E. Sague died on December 3, 2024, whereby title to the property has passed pursuant to his Last Will and Testament.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appearances, whatsoever unto the hereby granted premises belonging, or in any wise 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 said Grantor, as well as law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the buildings and improvements thereon erected, and the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns to and for the only proper use and behoof of the said Grantee, her heirs and assigns forever, in Fee Simple.

UNDER AND SUBJECT, as aforesaid.

AND the said Grantor, for herself, her heirs, executors and administrators do, by these presents, covenant, grant and agree, to and with the said Grantee, her heirs and assigns that they the said Grantor, and her heirs all be singular the hereditaments and premises herein above described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, against them, the said Grantor, and her heirs, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them or any of them shall and will **SUBJECT AS AFORESAID WARRANT** and forever **DEFEND**.

THE LAW FIRM OF LAURIA LAW LLC HAS ACTED AS SCRIVENER ONLY AND HAS NOT SEARCHED THE TITLE TO THE PREMISES HEREIN CONVEYED.

IN WITNESS WHEREOF, the said Grantor has/have caused the presents to be duly executed dated the day and year first above written.

**Sealed and Delivered
In the presence of us:**

Wm. D. McM...
WITNESS

Jennifer S. McM...
JENNIFER S. McMENAMIN

I hereby certify that I reside at 6 Summit Court, Plymouth Meeting, PA 19462 and I am the Grantee identified in this Deed, and execute the same on behalf of the Grantee.

Sara J. McM...
SARA J. McMENAMIN, Grantee

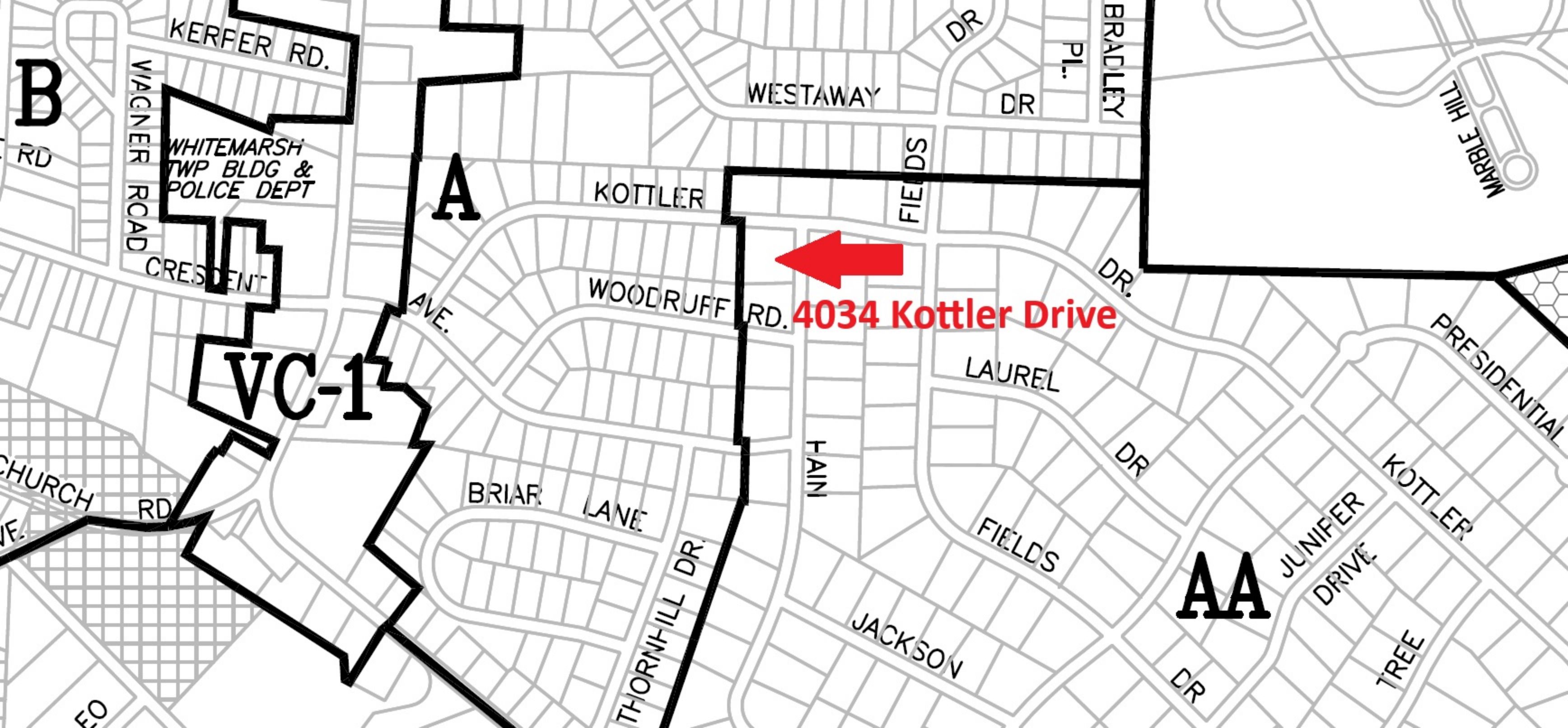
ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
:
: SS
COUNTY OF MONTGOMERY :

On this, the 8TH day of October, 2025, before me a Notary Public for the Commonwealth of Pennsylvania, personally appeared **JENNIFER S. McMENAMIN** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for purposes therein contained.

Blair Rosen
NOTARY PUBLIC

Commonwealth of Pennsylvania - Notary Seal
Blair Rosen, Notary Public
Bucks County
My Commission Expires November 16, 2026
Commission Number 1277419



B

WHITEMARSH
TWP BLDG &
POLICE DEPT

A

VC-1

AA



4034 Kottler Drive



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: November 4, 2025
To: Charles L. Guttenplan, AICP - Director of Planning and Zoning
From: Krista Heinrich, P.E., Township Engineer
Reference: 4034 Kottler Drive
ZHB#2025-46
G&A Project No. 2025-01088

In reference to the above-mentioned property, we have reviewed the plans prepared by the applicant and offer the following comments for your consideration.

The applicants are requesting zoning relief to demolish and reconstruct a dwelling, resulting in a total impervious surface coverage of approximately 6,828 square feet. The calculations indicate that the steep slope ratio for this property is approximately 33%, and therefore the maximum impervious coverage for the lot is 12%.

The proposed improvements would result in a total impervious surface coverage of 25%, which is greater than the allowable amount of 12%.

There are no engineering objections to, or environmental impacts associated with the proposed increase in impervious surface or disturbance of steep slopes.

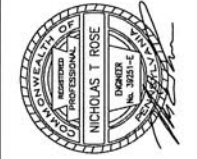
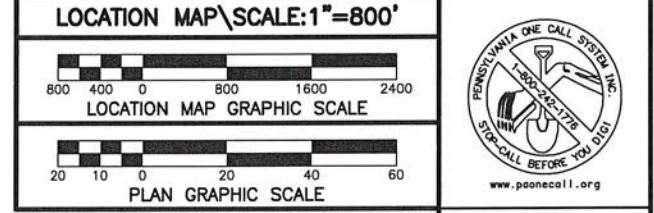
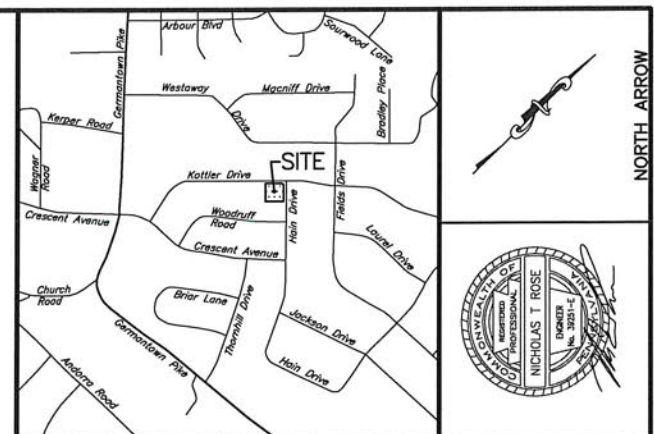
Please note, the applicant will require an Earth Disturbance Permit as required by Ordinance Section 58-13(A)(5), since the area of earthmoving will exceed 1,200 square feet.

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

STEEP SLOPES

	SLOPES 8%-15% (8,947 SF 25.4%)
	SLOPES 15%-25% (2,136 SF 7.8%)
	SLOPES > 25% (356 SF 1.3%)

DISTURBANCE CALCULATIONS:
 436 SF OF THE 8-15% SLOPES WILL BE DISTURBED.
 (436 SF/TOTAL OF 8947 SF = 4.9%)
 255 SF OF THE 15-25% SLOPES WILL BE DISTURBED.
 (255 SF/TOTAL OF 2136 SF = 11.9%)



- GENERAL NOTES:**
- OWNER:
ROBERT E. SAGLE
MARGARET M. SAGLE
4034 KOTTLER DRIVE
LAFAYETTE HILL, PA 19444
 - PROPERTY INFORMATION:
TAX BLOCK 22F UNIT 19
TAX PARCEL #65-00-06823-00-6
DEED BOOK 4359 PAGE 542
SITE ADDRESS:
4034 KOTTLER DRIVE
LAFAYETTE HILL, PA 19444

TRACT AREA TO EXISTING R.O.W. = 28,304 SF (0.6498 ACRES)
TRACT AREA TO ULTIMATE R.O.W. = 27,328 SF (0.6273 ACRES)
 - BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM DEEDS AND PLANS OF RECORD AND FROM A FIELD SURVEY PERFORMED BY PROTRACT ENGINEERING, INC. IN SEPTEMBER 2025.
 - PROTRACT ENGINEERING, INC. DOES NOT GUARANTEE THE ACCURACY OF LOCATIONS FOR EXISTING SUBSURFACE UTILITY STRUCTURES SHOWN ON THE PLANS, NOR DOES PROTRACT ENGINEERING, INC. GUARANTEE THAT ALL SUBSURFACE STRUCTURES ARE SHOWN. TO COMPLY WITH ACT 187 THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES BEFORE THE START OF WORK.

5. ZONING DATA: AA - RESIDENTIAL DISTRICT
 EXISTING USE: SINGLE-FAMILY DETACHED DWELLING

REGULATIONS	REQUIRED	EXISTING	PROPOSED
MIN LOT AREA	30,000 SF	27,328 SF*	27,328 SF*
MIN LOT WIDTH @ BLDG	135 FT	164 FT	164 FT
MIN FRONT YARD	50 FT	45.6 FT*	40.0 FT**
MIN SIDE YARD (EACH)	25 FT	61.5 FT	61.2 FT
MIN REAR YARD	50 FT	72.7 FT	78.3 FT
MAX BUILDING HEIGHT	35 FT	< 35 FT	< 35 FT
MAX BUILDING COVERAGE	15 %	9.4 %	9.3 %
MAX IMPERVIOUS COVERAGE	12 %	25.7 %*	25.0 %**

* EXISTING, NON-CONFORMING CONDITION
 ** ZONING VARIANCE REQUIRED

6. LOT COVERAGE BREAKDOWN:

EXISTING COVERAGE	EXISTING	PROPOSED
EXIST. DWELLING	2,175 SF	
EXIST. SHEDS	1,363 SF	
EXIST. DRIVE	1,774 SF	
EXIST. PATIO	188 SF	
EXIST. POOL	810 SF	
EXIST. POOL DECKING	1,295 SF	
EXIST. CONC./WALKWAY	393 SF	
TOTAL EXIST. IMPERVIOUS	7,018 SF = 25.7 %	
EXIST. TO BE REMOVED		
EXIST. DWELLING TBR	(2,175 SF)	
EXIST. DRIVE TBR (PORTION)	(1,000 SF)	
EXIST. PATIO TBR	(188 SF)	
EXIST. CONC./WALKWAY TBR	(288 SF)	
TOTAL EXIST. IMPERVIOUS TBR	(3,651 SF) = (13.4 %)	
PROPOSED NEW COVERAGE		
PROP. DWELLING	2,157 SF	
PROP. DRIVE	1,304 SF	
TOTAL PROP. NEW IMPERVIOUS	3,461 SF = 12.7 %	
NET DECREASE IN IMPERVIOUS	(190 SF)	

- SOILS DATA WAS OBTAINED FROM THE USDA/NRCS SOIL SURVEY OF MONTGOMERY COUNTY PA, VERSION 20, SEPTEMBER 4, 2025. SOILS ON SITE ARE CLASSIFIED AS FOLLOWS:
 U=U8 - URBAN LAND - BUFFIELD COMPLEX, 0 TO 8 PERCENT SLOPES
 Ur=U - URBAN LAND - GLENGLEIGH COMPLEX, 8 TO 25 PERCENT SLOPES
- SITE IS OUTSIDE THE FEMA 100-YEAR FLOODPLAIN AS SHOWN ON FLOOD MAP PANEL NO. 42091003780, PREPARED FOR MONTGOMERY COUNTY PA, DATE EFFECTIVE MARCH 2, 2018.

No.	Date	Description	By
1	10-3-25	BASE/DWG	EMS/NTR

City	County	Block	Sheet
WHITEMARSH	MONTGOMERY	10-3-25	1 of 1

SITE PLAN
 PREPARED FOR
4034 KOTTLER DRIVE

ProTract
 Engineering, Inc.
 64 East Moreland Avenue, P.O. Box 68
 Hatboro, Pennsylvania 19040
 Phone (215)442-9250
 Fax (215)442-9250



Tax Parcel 65-00-06820-00-9
 Tax Block 22F Unit 20
 N/L Ernest & Marianne Felici

Tax Parcel 65-00-13147-00-9
 Tax Block 22F Unit 43
 N/L John Gannone & Sara Benton

Tax Parcel 65-00-13150-00-6
 Tax Block 22F Unit 44
 N/L Matthew J. Markow

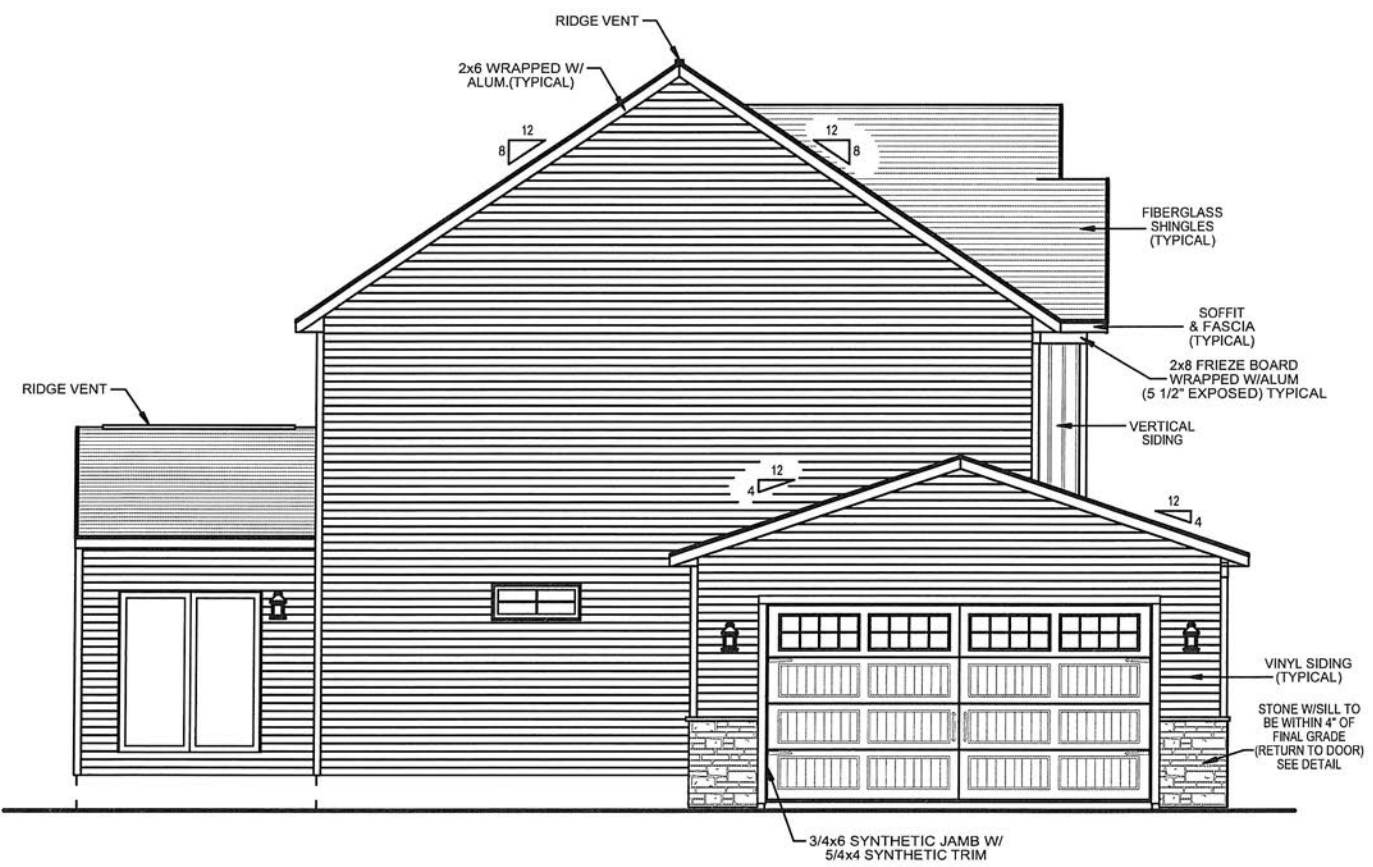
FOR STRUCTURE ONLY



30-SEP-2025

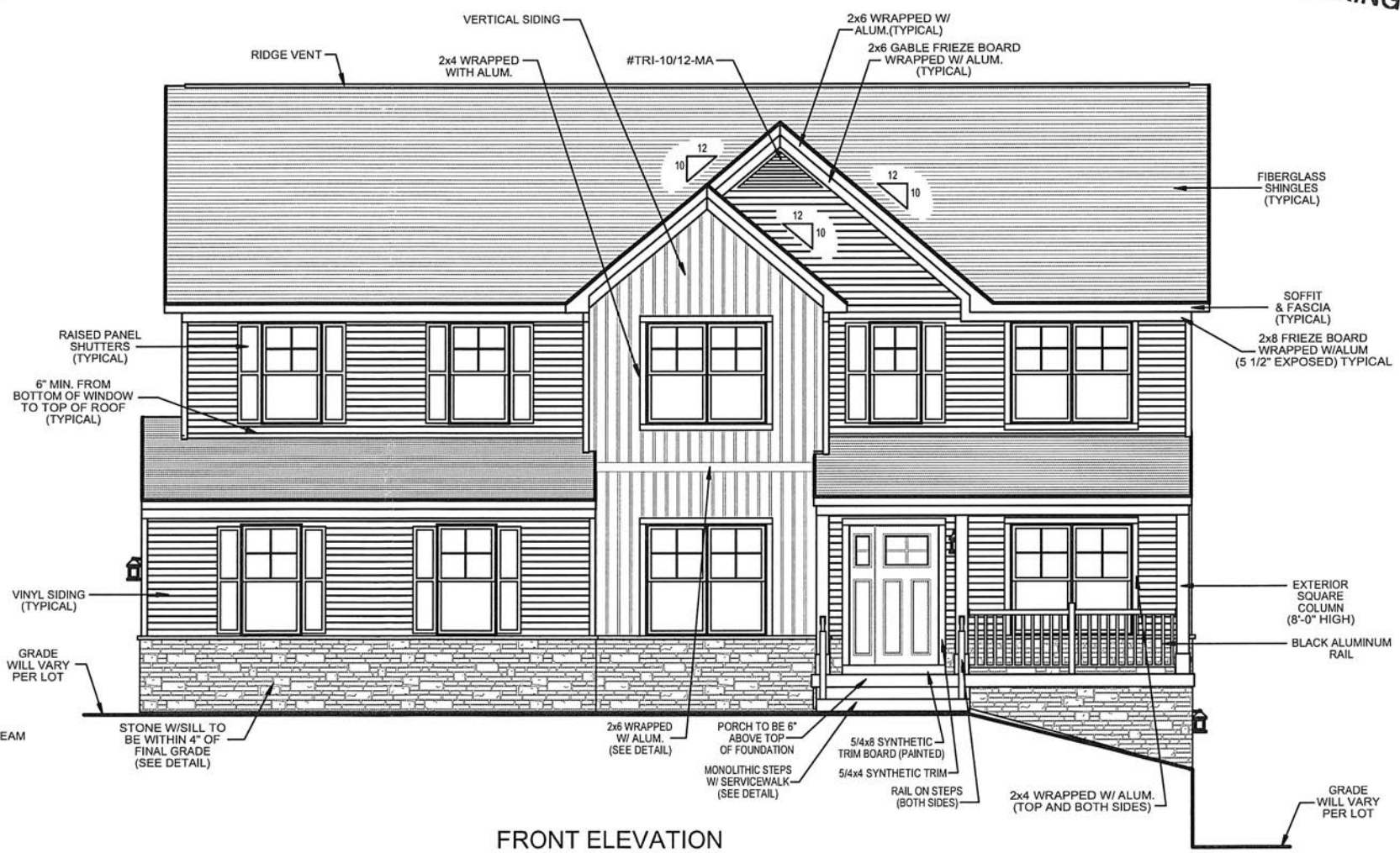


BH Design Build, Inc
 3335 Morgantown Rd
 PO Box 7
 Mohnton, PA 19540
 p. 610.628.0441
 www.bhdesignbuild.com



LEFT ELEVATION
 SCALE: 1/8" = 1'-0"

RECEIVED
 OCT 24 2025
 WHITEMARSH TOWNSHIP
 ZONING & ENGINEERING



FRONT ELEVATION
 SCALE: 1/8" = 1'-0"

NOTE:
 BOTTOM OF PORCH BEAM TO BE 100" ABOVE TOP OF FOUNDATION

REV. NO.	DATE	REMARKS

DRAWING TITLE: FRONT & LEFT ELEVATIONS	
MODEL: BEACON POINTE	JOB ID: D+B 1
CUSTOMER: MCMENAMIN / REMYSZEWSKI	DRAWN BY: T.A.C.
LOCATION: 4034 KOTTLER DRIVE	DATE: 09/25/2025

SHEET NO.
 ELV

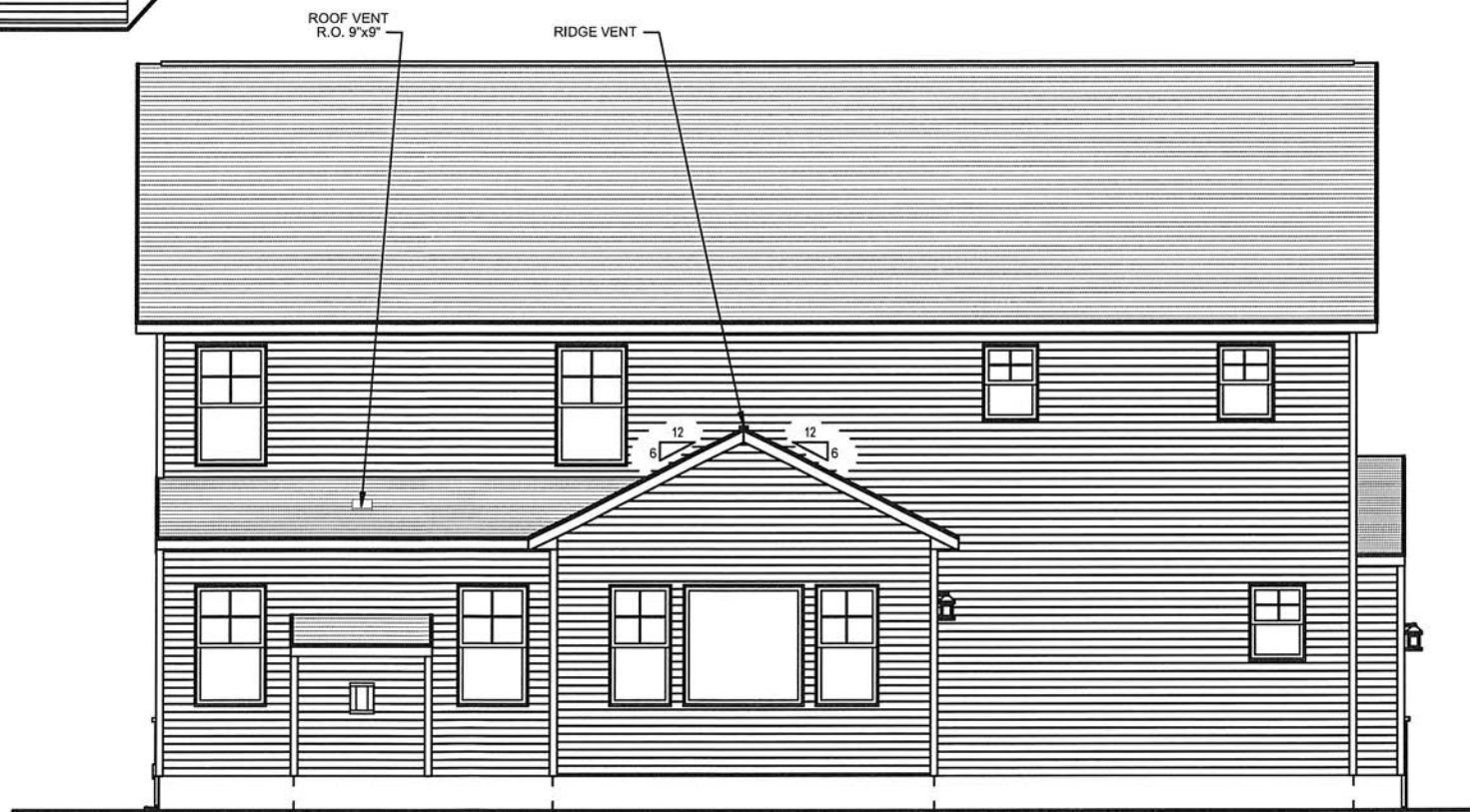
FOR STRUCTURE ONLY



30-SEP-2025



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



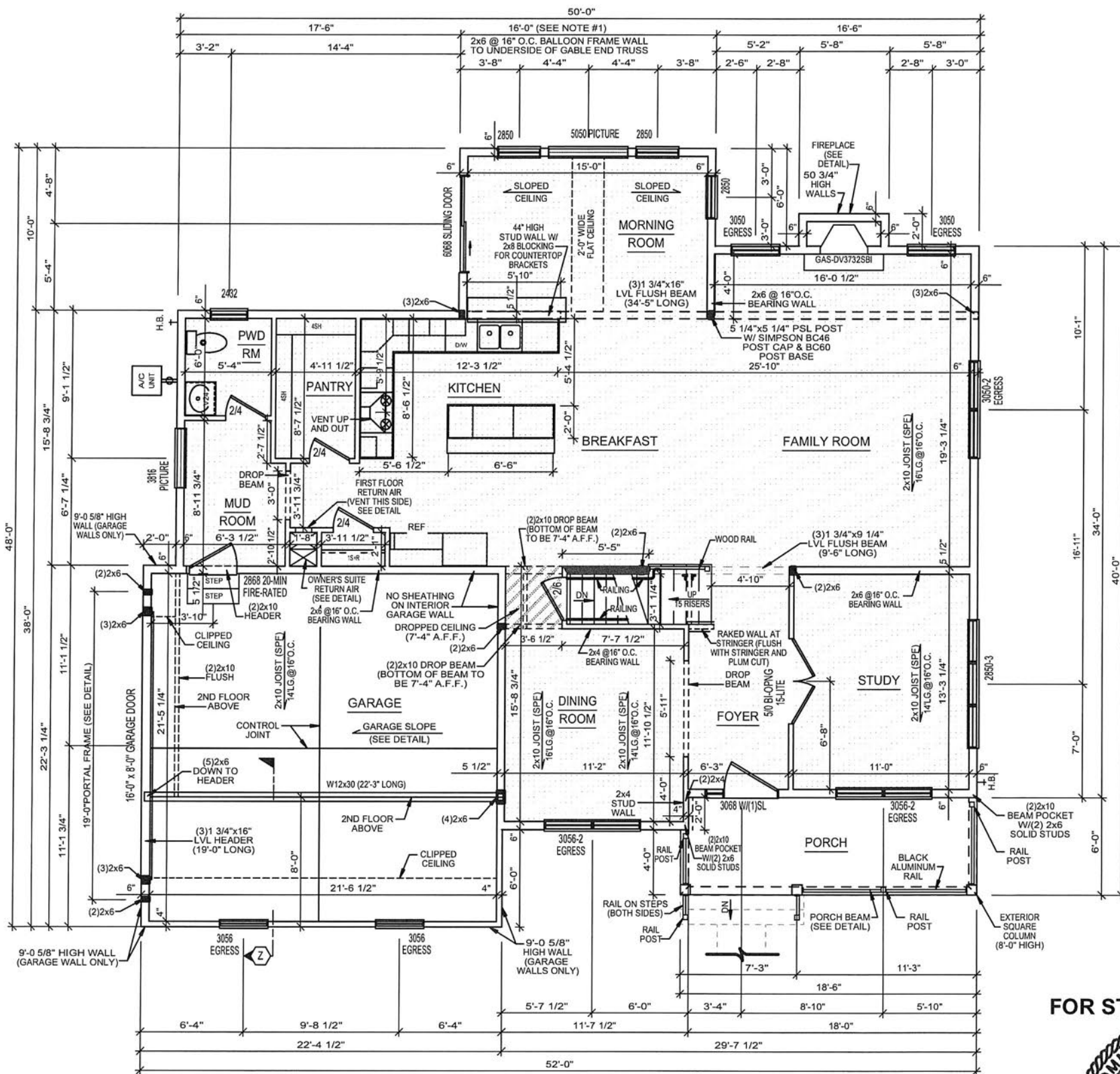
BH Design Build, Inc

3335 Morgantown Rd
PO Box 7
Mohnton, PA 19540
p. 610.628.0441
www.bhdesignbuild.com

REV. NO.	DRAWN BY	CHECKED BY	DATE	REMARKS

DRAWING TITLE: RIGHT & REAR ELEVATIONS	
MODEL: BEACON POINTE	JOB ID: D+B 1
CUSTOMER: McMENAMIN / REMYSZEWSKI	DRAWN BY: T.A.C.
LOCATION: 4034 KOTTLER DRIVE	DATE: 09/25/2025

SHEET NO.
ELV



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

MI WINDOW R.O.M.O. SCHEDULE			
LABEL	WIDTH	HEIGHT	QTY
2432	28	38	1
2850	32	60.25	3
2850-3	95.25	60.25	1
3050 EGRESS	36.25	60.25	2
3050-2 EGRESS	72.25	60.25	1
3056 EGRESS	36.25	66	2
3056-2 EGRESS	72.25	66	2
3816 PICTURE	44	18	1
5050 PICTURE	60	60.25	1
NOTE: REFER TO ELEVATIONS FOR GRILLE PATTERNS			

EXTERIOR DOOR R.O.M.O. SCHEDULE			
LABEL	WIDTH	HEIGHT	QTY
16'-0" x 8'-0" GARAGE DOOR	194	97	1
2868 20-MIN FIRE-RATED	34.875	82.5	1
3068 W(1)SL	54	82.5	1
6068 SLIDING DOOR	72	80	1
NOTE: REFER TO ELEVATIONS FOR GRILLE PATTERNS			

INTERIOR DOOR R.O.M.O. SCHEDULE			
LABEL	WIDTH	HEIGHT	QTY
2/4	30	83	3
2/6	32	83	1
5/0 BI-OPNG 15-LITE	63	83	1

STAIR AND RAIL NOTES
(9 FT. FIRST FLOOR OPEN TREADS)

- 9 1/2" TREADS (ROUGH CUT)
- 15 RISER SET
- TOTAL RISE= 119 1/8"
- TOTAL RUN= 136 1/2"
- (5) OPEN TREADS (OAK) AND RISERS (YELLOW PINE)
- OVERALL WD. 43 3/4"
- OSB-R 89 1/2"
- REMAING TREADS (OAK) AND RISERS (YELLOW PINE)
- OVERALL WD. 36"
- NO CARPET ON STAIRS
- STAIR ENTIRE TREAD AND PAINT ENTIRE RISER
- STAIR RAILING TO BE CONTINUOUS ON ONE SIDE (REFER TO PLAN)
- NOTE TO FRAMER: ADD ADDITIONAL STUD AT END OF FULL WALL AFTER STAIR INSTALL AND BEFORE DRYWALL

FRAMING NOTES: 9'-1 1/8" FIRST FLOOR WALLS

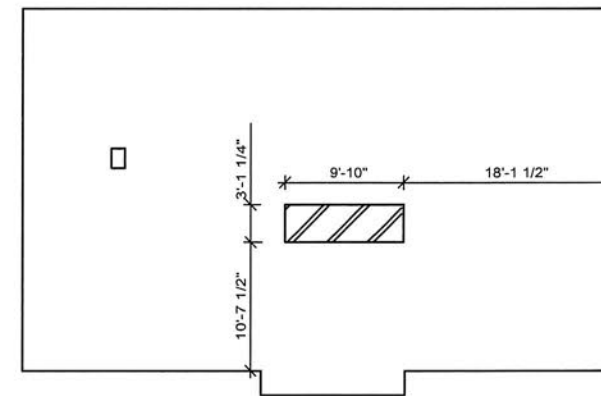
- FIRST FLOOR CEILING HEIGHT TO BE 9'-1 1/8"
- TOP OF WINDOW TO BE 6'-11 3/8" A.F.F. (UNLESS NOTED)
- SECOND FLOOR CEILING HEIGHT TO BE 8'-1 1/8"
- TOP OF WINDOW TO BE 6'-11 3/8" A.F.F. (UNLESS NOTED)
- BOTTOM OF INTERIOR DROP BEAMS TO BE 7'-11 3/8" A.F.F. UNLESS NOTED (FIRST FLOOR ONLY)
- OVERSIZED BASE AND CASING (FIRST FLOOR ONLY)
- ALL ROOF TRUSSES TO BE DESIGNED FOR 20 PSF LIVE LOAD ON PORTION OF BOTTOM CHORD PER IRC CODE
- INSTALL FLASHING BETWEEN FRAMING AND CONCRETE FLATWORK
- ACCESS PANEL IN GARAGE TO BE COVERED WITH 5/8" FIRE-RATED DRYWALL
- INSTALL 3/4" OSB FIRESTOPS AT STAIRWELL AND RETURN AIR CHASE AS REQUIRED
- ANY MULTIPLE-STUD SUPPORT POST UNDER ANY STEEL/WOOD BEAM, IS TO HAVE A CONTINUOUS HORIZONTAL PLATE ACROSS THE TOP OF ALL STUDS WITH A KING STUD ON EACH SIDE OF BEAM
- REFER TO RESCHECK FOR INSULATION VALUES

DRYWALL NOTES

DRYWALL STEEL OR LVL BEAM AND PIPE COLUMN IN GARAGE WITH 5/8" FIRE-RATED DRYWALL

PORCH COLUMN NOTE:

- (2)2x4 TREATED STRUCTURAL POST
- FASTENED (2)2x4 TOGETHER W/ SIMPSON SDW22300 SCREWS 3" LONG @6" O.C.
- POST TO BE MECHANICALLY FASTENED AT PORCH BEAM W/SIMPSON BCS2-2/4 AND AT THE PORCH SLAB W/SIMPSON ABW44Z



STAIRWELL OPENING PLAN

- EXTERIOR DIMENSIONS SHOWN ARE FROM OUTSIDE RIM BOARD.
- STAIRWELL OPENING DIMENSIONS ARE FROM INSIDE DOUBLE HEADER TO INSIDE OF DOUBLE HEADER.
- REFER TO FLOOR PLAN FOR CLIPPED CEILING LOCATIONS WITH 6'-10" MINIMUM CLEARANCE (ROUGH-CUT)
- HATCH PATTERN DESIGNATES STAIRWELL OPENING

FOR STRUCTURE ONLY



30-SEP-2025

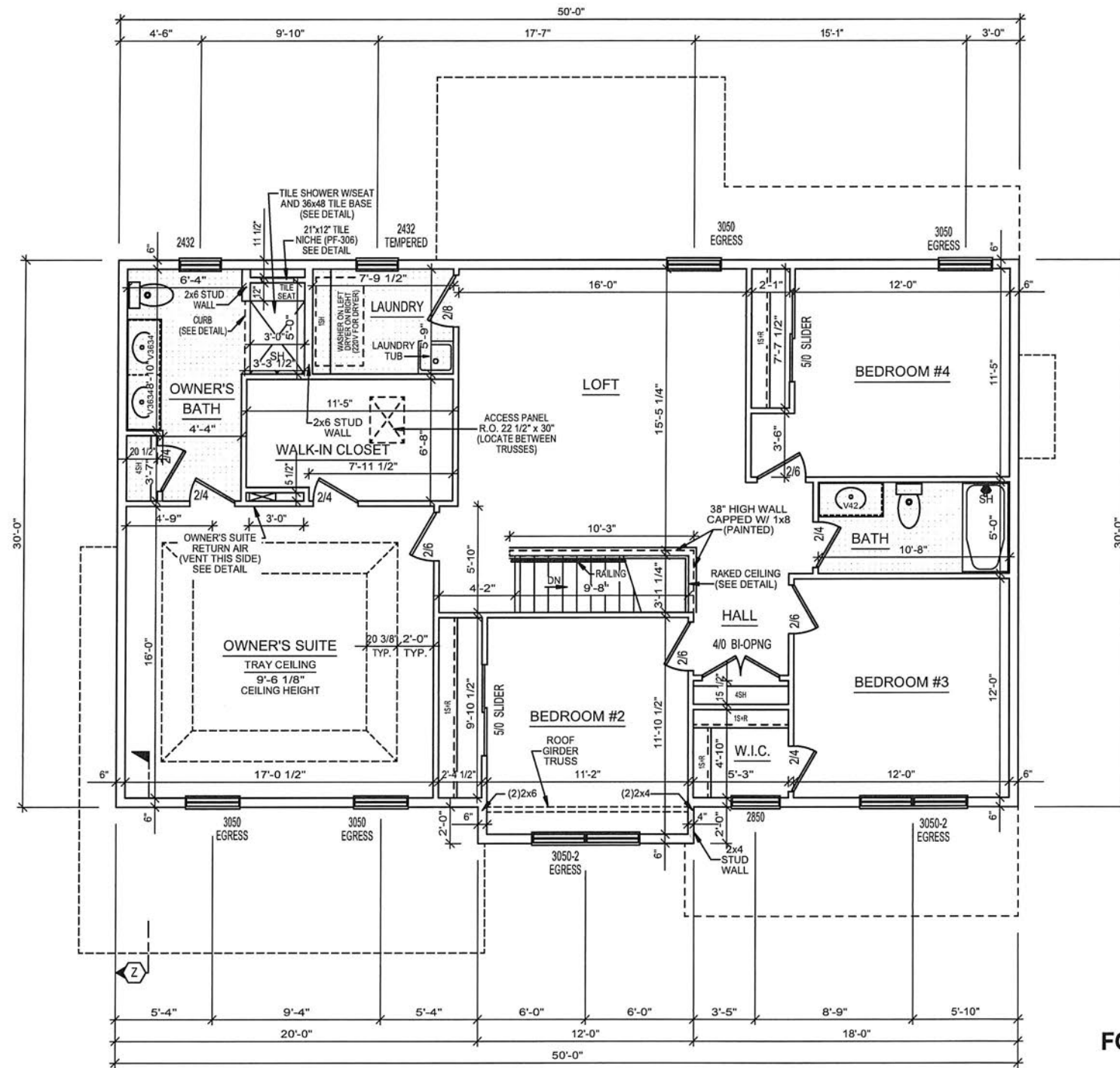


BH Design Build, Inc

3335 Morgantown Rd
PO Box 7
Mohnton, PA 19540
p. 610.628.0441
www.bhdesignbuild.com

REV. NO.	DRAWN BY	CHECKED BY	DATE	REMARKS

DRAWING TITLE:	FIRST FLOOR PLAN
MODEL:	BEACON POINTE
CUSTOMER:	McMENAMIN / REMYSZEWSKI
LOCATION:	4034 KOTTLER DRIVE
JOB ID:	D+B 1
DRAWN BY:	T.A.C.
DATE:	09/25/2025



MI WINDOW R.O.M.O. SCHEDULE			
LABEL	WIDTH	HEIGHT	QTY
2432	28	38	1
2432 TEMPERED	28	38	1
2850	32	60.25	1
3050 EGRESS	36.25	60.25	4
3050-2 EGRESS	72.125	60.25	2

NOTE: REFER TO ELEVATIONS FOR GRILLE PATTERNS

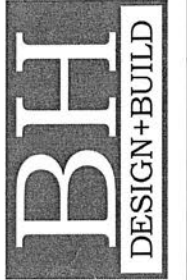
INTERIOR DOOR R.O. SCHEDULE			
LABEL	WIDTH	HEIGHT	QTY
2/4	30	83	5
2/6	32	83	4
2/8	34	83	1
4/0 BI-OPNG	51	83	1
5/0 SLIDER	60	83	2

SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

FOR STRUCTURE ONLY



30-SEP-2025



BH Design Build, Inc

3335 Morgantown Rd
PO Box 7
Mohnton, PA 19540
p. 610.628.0441
www.bhdesignbuild.com

REV. NO.	DRAWN BY	CHECKED BY	DATE	REMARKS

DRAWING TITLE: SECOND FLOOR PLAN	JOB ID: D+B 1	DATE: 09/25/2025
MODEL: BEACON POINTE	DRAWN BY: T.A.C.	
CUSTOMER: MCMENAMIN / REMYSZEWSKI		
LOCATION: 4034 KOTTLER DRIVE		

SHEET NO.
2FP







WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 99-27

Robert and Margaret Sprague
Sague

First Hearing 9/1/99 Decided 9/1/99 Copy Mailed 9/2/99

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

1. The Variance required by Section 116-24.E(3)(a) of the Whitemarsh Township Code to allow a shed to be located in the Hain Drive front yard of the property located at 4034 ~~Hain~~ Drive is hereby ~~granted~~ / denied. *KOTLER #2*
2. The Variance required by Section 116-24(b)(18) to allow a shed 20' by 12 feet on the property is hereby granted.

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. Baer
Andrew G. Ginter
James P. Jones
John A. Armitage IV

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.

My name is Sara McMenammin and I am the granddaughter of the late – but very fondly remembered – Bob and Peggy Sague. I wanted to introduce myself, along with my fiancé, Adam, and share the news about some exciting changes that are coming to the Sague family home on Kottler Drive.

4034 Kottler Drive has been a very special place to our entire family for many years. From summer picnics by the pool, Monday-night spaghetti dinners with Gram, Christmas gatherings, and everything in between, this home has always been a foundation in my life. Earlier this year, our family worked together to lovingly clear out the house, sorting through mementos from my grandparents' 50 years of life on Kottler Drive. Once the house was emptied, the question that remained was: *What's next?*

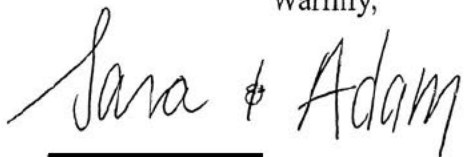
Adam and I are thrilled to share that we have purchased the house and will be keeping it in the Sague family. We are getting married in December, and as we begin this next chapter, we feel incredibly grateful for the opportunity to build our future – and eventually start our own family – here. The existing structure will be demolished, and we plan to build a new home that is better suited to the lot and today's needs. Construction will begin in January, and throughout the entire process, we want to be respectful, communicative neighbors. As part of the project, we will be going before the Township Zoning Board on December 10th to request two variances:

1. Setback variance – We are requesting permission to shift the new house four feet closer to Hain Drive compared to the existing structure. Under the current zoning ordinance, the house would be required to move six feet farther back toward the pool and 70+ year old Sycamore tree, which is not practical. In total, this results in a 10-foot variance from the standard setback requirement.
2. Impervious coverage variance – Although the new house will have less impervious coverage than the current structure, the township's steep-slope rules significantly limit the allowable coverage to 12%. Because of this, we are requesting a variance to allow the same impervious coverage that already exists on the lot, without increasing it.

We are truly excited to join this wonderful community and, although we don't personally have a snowplow, we look forward to carrying on my Grandparent's legacy of being warm, helpful and friendly neighbors.

If you have any questions, concerns, or would like to see the plans, please don't hesitate to reach out to us – call, text, email, stop by – we'd love to chat! Thank you in advance for your support. We're looking forward to making this our home and being your new neighbors.

Warmly,



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DEC 22 2025

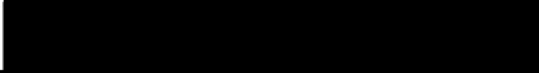
WHITEMARSH TOWNSHIP
PLANNING & ENGINEERING

Sara McMenammin – cell: [REDACTED] – e-mail: [REDACTED]
Adam Remyszewski – cell: [REDACTED] – e-mail: [REDACTED]

Congratulations!

4032 Kottler Dr.

From:



To:



Cc:



Date: Tuesday, November 25, 2025 at 10:32 AM EST

Hi Sara & Adam,

Congratulations Neighbors!

When we first moved in and Maryanne was in the hospital giving birth to our son during a heavy snowstorm....to our surprise when we returned, Bob had the driveway plowed! One of many WOW Sague moments!

It goes without saying that we truly loved Bob and Peggy and miss them dearly as Bob would sometimes watch Ernie trying to get something mechanical working, then walk over with a smile and say "What are you trying to do?"....then he would solve my problem!And it was always great to see the growing and ever expanding Sague Family enjoy the homestead with the many parties, life-milestone events, etc.

Please know that during your building process if you need anything....we mean anything...please do not hesitate to ask! Most winter weeks we are not here from Thursday thru Sunday night ...and during the spring/summer from Wednesday night thru sometimes Monday was we are at our Fenwick Island Delaware home....however you should always see one car in driveway.

Also...Thanks for sharing your exciting plans, and trust us, feel free to remove any trees that may or may not be on our property!

Sara/Adam, please know we would be happy to accept any deliveries or if you guys need a place to just warm up, use the facilities (bathroom, internet, grab a bite etc) please stop in....we can even leave you a key so you have entrance when we are not home...no worries...honest! It would be our small way of honoring Bob & Peggy and your efforts for keeping the Sague Family Kottler Drive legacy going!

All the best to you both and we are here to help you whenever needed.

Ernie & Maryanne Felici



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WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

Neighborhood

4035 Kottler Dr.

From: Frederick Miller [REDACTED]

To: [REDACTED]

Cc: [REDACTED]

Date: Sunday, November 30, 2025 at 06:12 PM EST

Hi Sara and Adam,

So excited to know that the house will stay in the Sague family. Your grandparents were the best in the world. If there was snow, we never had to worry because we knew Bob would be there to clear it out of the driveway within minutes. Don't worry about the snow! We've got it!

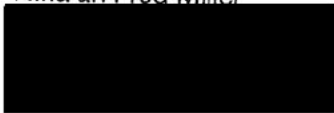
Steven and John and my 2 sons, Stuart and Jeffrey, were buddies through the years with some of the other boys in the neighborhood. In fact, you might have met them at Bob's funeral. Although they live in North Jersey, they couldn't imagine not attending his funeral.

I was talking to Jen last week and she said you are going to keep the corner as it was, celebrating different holidays and occasions. Always looked forward to see what Bob was going to have there.

If there are any problems with getting the variances, please let us know. We would be happy to help in any way we can.

So, in short, welcome to the neighborhood. So looking forward to meeting both of you. If you see 2 cars in the driveway (4035 Kottler), stop by.

Nina and Fred Miller



[Sent from the all new AOL app for iOS](#)

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DEC 22 2025
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



2 People

4039 Woodruff Rd.

iMessage
Wed, Nov 26 at 9:51AM



Hi Sara and Adam,

This is Matt Markow from next door at 4039 Woodruff. I got your letter and just wanted to say welcome to the neighborhood. Looking forward to meeting you in person. Congratulations on the house and your wedding. Have a great thanksgiving.



The sender and other recipients are not in your contact list.

Report Spam

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DEC 22 2025
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



iMessage



ZHB APPEAL #2025-47
SUMMARY

APPLICANT: BHC Northwest Psychiatric Hospital; attn: Jessica Becker, CEO

PROPERTY LOCATION: Parcel # 65-00-00868-50-7
Block 055, Unit 048
7170 Lafayette Avenue
Fort Washington, PA 19034

ZONING DISTRICTS: B – Residential District
Institutional Overlay District
Floodplain Conservation Overlay District
Riparian Corridor Conservation Overlay District (RCCD)

SUMMARY OF RELIEF REQUEST:

The Applicant is proposing to install some flood mitigation improvements on the site of the Brooke Glen Behavioral Hospital at the Property Location. The following relief is requested:

1. **Variance from Section 116-165.B.** in order to construct the proposed improvements and floodproof the existing building to meet the provisions set forth in Sections 116-204.A. & B.
2. **Variance from Section 116-176.** as the dimensional requirements are not met by the existing building structure and the proposed improvements are restricted to the existing building structure and/or the existing courtyard fence locations.
3. **Variance from Sections 116-259. and 116-260.** since the existing building and proposed improvement are located within the Riparian Corridor Conservation Overlay District.
4. **Variance from Section 116-259.A.** since the existing building and proposed improvement do not meet the RCCD setback requirements.

PRIOR DECISIONS:

ZHB 2009-11: Variances to allow second floor extensions.

ZHB 2000-44: Withdrawn; relief requested unknown.

ZHB 1986-28: Special exception to add mechanical room and variance to construct in the floodplain.

ZHB 1971-12: Special exception to build a psychiatric hospital.

ZHB 1961-01: Variances to allow construction of garden apartments and related improvements; denied.

ZHB 1959-03: Special Exception to allow construction of a swim club; denied.

Respectfully Submitted,



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

Charlie Guttenplan

From: Stoll, Andrew R. <AStoll@foxrothschild.com>
Sent: Sunday, December 7, 2025 9:20 AM
To: Brunner, George; Mike@fbpclaw.com; Charlie Guttenplan
Subject: Re: Whitemarsh ZHB

Mike:

I hope all is well. I represent the Applicant in connection with the below discussed ZHB Application. I have just recently been retained, but had an opportunity to confer with my client, and this email shall confirm the Applicant's agreement to an extension of MPC deadlines to hold a hearing on the Application up to and including January 7, 2026. My understanding is that a hearing would be held on the aforementioned date.

I am in the process of obtaining a copy of the Application that was filed. If your schedule allows, perhaps we could connect and discuss the Application later this week. Please let me know if that is possible.

Best,
Drew Stoll

Andrew R. Stoll
Partner

Fox Rothschild LLP

📍 Warrington

📞 (215) 918-3589

✉️ astoll@foxrothschild.com

October 8, 2025

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

Re: Appeal to Zoning Hearing Board Application
Universal Health Services, Inc., Brooke Glen Behavioral Hospital
Brooke Glen Hospital Flood Mitigation Project
7170 Lafayette Avenue, Fort Washington, PA 19034

Dear Mr. Guttenplan:

Geosyntec Consultants, Inc. is pleased to submit an Appeal to Zoning Hearing Board Application on behalf of Universal Health Services, Inc. (UHS) for the proposed flood mitigation improvements at 7170 Lafayette Avenue, Fort Washington, PA in Whitemarsh Township (Township) and Montgomery County. This project was previously approved for a Land Development Waiver for Grading Permit by the Whitemarsh Township Planning Commission at the 4 December 2024 meeting (SLD #04-24). As part of this application, Geosyntec has prepared this letter in response to provision comments received on the Zoning Ordinance Compliance Review Letter dated 25 November 2024. The property is located within the B-Residential District and is subject to an Institutional Overlay District, which governs its permitted uses). Portions of the property and the proposed project improvements are also within the Floodplain Conservation Overlay District and the Riparian Corridor Conservation Overlay District (RCCD).

The property has experienced multiple flooding events in the recent years and is in the Federal Emergency Management Agency (FEMA) Region 3 located in Zone AE and along Sandy Run, upstream of the confluence of Wissahickon Creek and Sandy Run and downstream from any lettered cross-section for Sandy Run (i.e., outside of the permitted floodway). The proposed flood mitigation solution will not alter current land-use or the existing buildings and will include a floodplain obstruction wall and building floodproofing elements in the vicinity of the existing development. The proposed floodplain obstruction wall is sited to be constructed at the location of an existing fence on-site and the building floodproofing elements will consist of waterproofed flood barriers to be installed along the existing building to protect the structure from flooding. The anticipated limits of disturbance during construction is less than one acre. A letter of map revision (LOMR) application was submitted to FEMA and approved on 24 June 2025 (Case No. 24-03-0912P), effective 7 November 2025.

Six (6) complete sets of all application materials are submitted with payment of \$1,200.00 for Appeal to Zoning Hearing Board to the Township Building. An electronic copy has been sent to Mr. Guttenplan and Ms. Samantha Zrillo.

RESPONSE TO PROVISION COMMENTS AND REQUESTS FOR VARIANCES

Provision comments are presented in *italicized type*, with the Applicant's response immediately following in regular type; requested variances are presented in **bold type**.

Comment 1: §116-33.D. Structures shall not be permitted in the Ultimate Right-of-Way except where a property owner executes, and the Board of Supervisors approves, a Hold-Harmless Agreement and it is recorded against the property. The Ultimate Right-of-Way must be clearly shown on the plan to determine if any part of the proposed improvements are within said area.

Response 1: Proposed improvements are restricted to the existing building structures and courtyard fence locations currently at the property. Therefore, proposed structures associated with the project are not within the Ultimate Right-of-Way and a variance from this provision will not be needed. See revised Site Plans depicting the Ultimate Right-of-Way. A variance is not requested for §116-33.D.

Comment 2: §116-164.C. In the Floodplain Conservation District, no development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying improvements which have been approved by all appropriate local, state and federal authorities as required. Additionally, compliance is required with Chapter 101 of the Whitmarsh Township Code, 'Floodplain Management'.

Response 2: A post-project hydraulic analysis has been completed and no impacts to flood elevations has been calculated. The analysis will be submitted to the Township in the form of a "No-Rise" report package which will include an Engineering "No-Rise" Certification statement following the Federal Emergency Management Agency's (FEMA's) *Procedures for "No-Rise" Certification for Proposed Developments in the Regulatory Floodway* guidance. Therefore, a variance is not requested for §116-164.C.

Comment 3: §116-165.B. This section allows certain uses in the Floodplain Conservation District provided they do not require structures. We understand that the applicant will seek a variance to allow the construction of structures within the Floodplain Conservation District.

Response 3: **The Applicant requests a variance from provision §116-165.B. in order to construct the proposed improvements and floodproof the existing building to meet the provisions set forth in §116-204.A. & B.**

Comment 4: §116-176. This section lists the dimensional requirements in the Institutional Overlay District. A zoning compliance chart shall be added to the plans to show these requirements and what the existing conditions are.

Response 4: **The Applicant requests a variance from provision §116-176 as the dimensional requirements are not met by the existing building structure and the proposed improvements are restricted to the existing building structure and/or the existing courtyard fence locations.**

Comment 5: §116-204.A. & B. These sections discuss how floodproofing requirements apply depending upon what percentage the improvements are of the market value of the property. The appropriate requirements shall be met for the proposed improvements, including if applicable, the provisions of Chapter 101, Floodplain Management.

Response 5: The project's proposed improvements (i.e., floodproofing measures) meet the requirements set forth in §116-204.A. & B. As noted above, no impacts to flood elevations were calculated in the post-project hydraulic analysis which will be submitted to the Township in a "No-Rise" report package. A variance is not requested for §116-204.A. & B.

Comment 6: § 116-258.A.(1). The Riparian Corridor Conservation District is an overlay district that applies to the streams, wetlands, and water bodies, and the land adjacent to them. The plan should be revised to clearly outline the outer edge of Zone 1 and Zone 2 as described below:

Water Feature Surface

Perennial streams. All perennial streams identified in the Soil Survey (Perennial streams are shown as solid lines on the Soil Survey maps.)

Minimum Corridor Width

Zone 1: Minimum width of 25 feet from each defined edge of the watercourse at bank full flow, measured perpendicular to the edge of the watercourse. Zone 2: Minimum width of 50 feet 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 feet beyond the outer edge of a wetland along the stream, whichever is greater. (Total minimum width of Zones 1 and 2 = 150 feet plus the width of the stream.)

Response 6: The revised Site Plans depict the Zone 2 boundary based on the corrected effective 100-year floodplain which has been approved by FEMA and will be effective on 7 November 2025. The Zone 1 boundary is not shown on the Site Plans because the project is located outside of Zone 1. A variance is not requested for §116-258.A.(1).

Comment 7: §116-259. / §116-260. Any use or activity not authorized within § 116-259. is prohibited within the Riparian Corridor Conservation District. A variance is required for the proposed improvements.

Response 7: **The Applicant requests a variance from provisions §116-259 and §116-260 since the existing building and proposed improvement are located within the floodplain.**

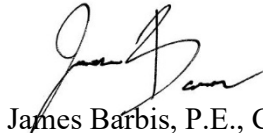
Comment 8: §116-259.A. This section requires a setback equal to at least ½ of the setback applicable on the specific portion on the lot on which it's located. Verification shall be provided that this setback has been met for all proposed improvements.

Response 8: **The Applicant requests a variance from provision §116-259.A. since the existing building and proposed improvement do not meet the setback requirements.**

CLOSING

Geosyntec trusts that this response to comments letter provides the necessary information requested by the Township and the requested variances. If you have any questions regarding the information presented in this letter, please do not hesitate to contact James Barbis at (215) 407-2726 or James.Barbis@Geosyntec.com. Additionally, the necessary Application contact information is provided below as well, for your reference.

Sincerely,



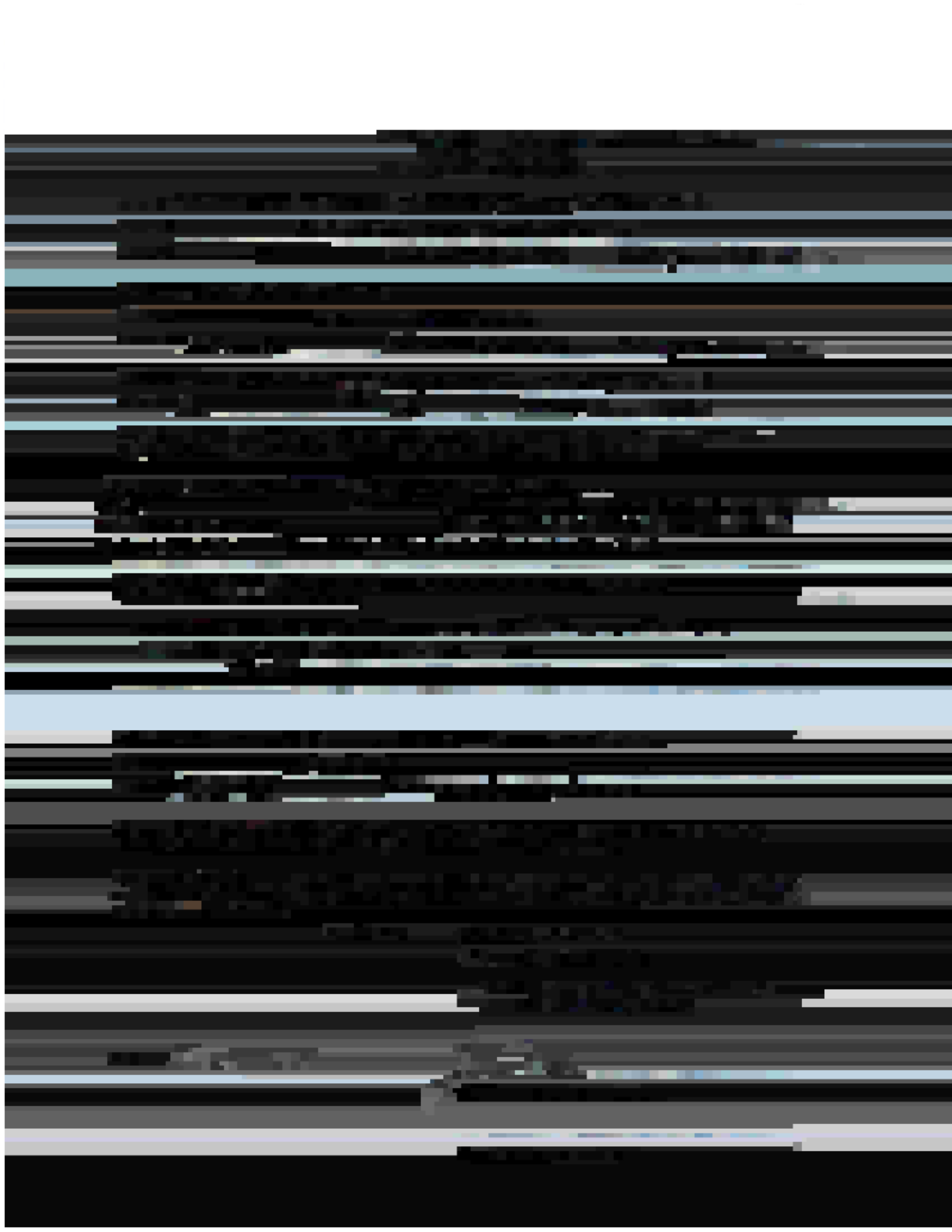
James Barbis, P.E., CFM
Principal Engineer
Geosyntec Consultants, Inc.

Applicant contact information:

Jessica Becker, CEO
Brooke Glen Hospital
Universal Health Services, Inc.
7170 Lafayette Avenue
Fort Washington, PA 19034
Office: 215-641-5353
Cell: 832-995-6240
Email: Jessica.Becker@uhsinc.com

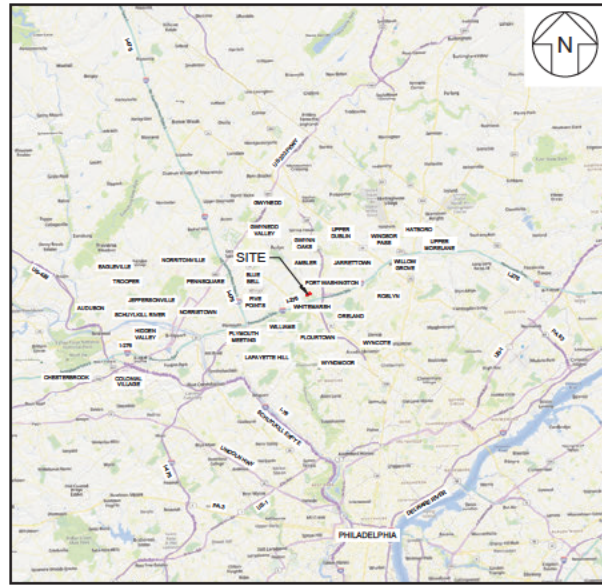
cc: Samantha Zrillo, Township Planner
Krista Heinrich, Township Engineer

**Appeal to Zoning Hearing Board
Application**



Site Plan

BROOKE GLEN BEHAVIORAL HOSPITAL UNIVERSAL HEALTH SERVICES FLOOD MITIGATION 7170 LAFAYETTE AVE FORT WASHINGTON, PENNSYLVANIA PROJECT NO. TXW9793A JULY 2024



SOURCE: BING MAPS

VICINITY MAP

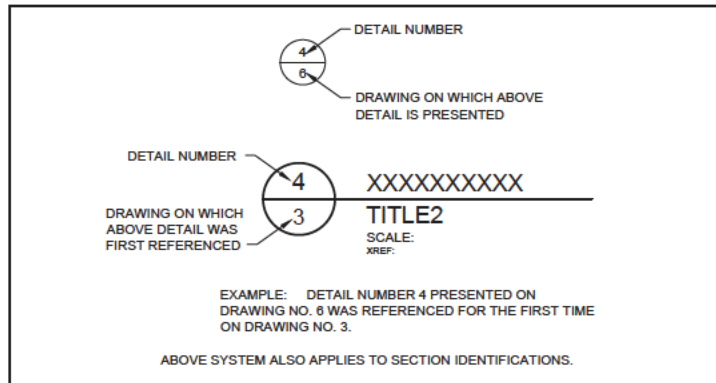
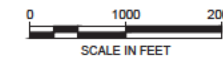


DRAWING LIST TABLE			
DRAWING NUMBER	DRAWING TITLE	LATEST REVISION	DATE
1	COVER SHEET	1	9/29/2025
2	EXISTING CONDITIONS	1	9/29/2025
3	PROPOSED CONDITIONS	1	9/29/2025
4	EROSION AND SEDIMENT CONTROL PLAN	0	7/17/2024
5	DETAILS (SHEET 1 OF 2)	0	7/17/2024
6	DETAILS (SHEET 2 OF 2)	0	7/17/2024



SOURCE: BING MAPS

LOCATION MAP



DETAIL IDENTIFICATION LEGEND

PREPARED FOR:



UNIVERSAL HEALTH SERVICES, INC.
367 SOUTH GULPH ROAD,
KING OF PRUSSIA
PENNSYLVANIA, 19406, USA

PREPARED BY:

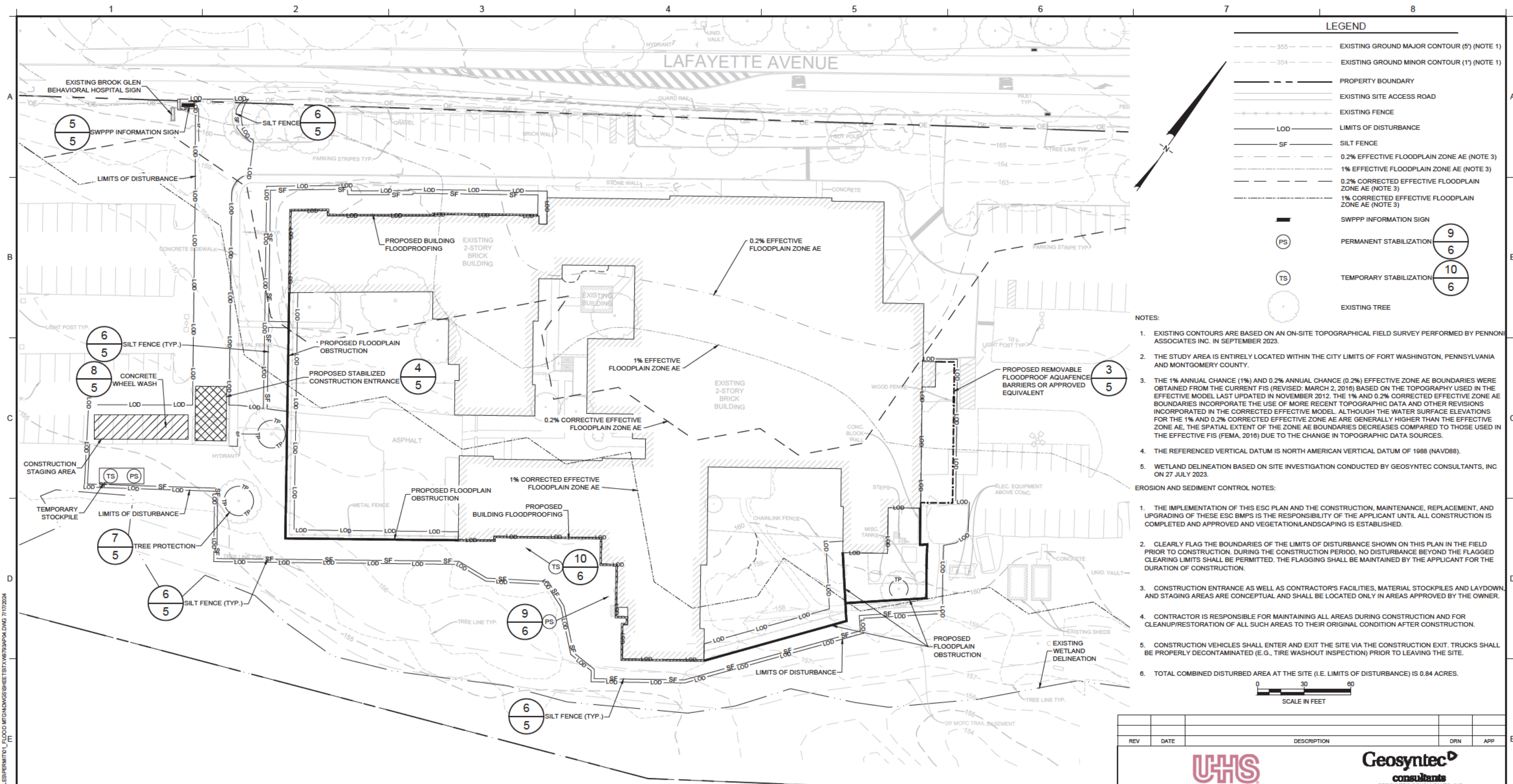


GEOSYNTEC CONSULTANTS, INC.
930 HARVEST DRIVE, SUITE 220
BLUE BELL, PENNSYLVANIA, 19422
PHONE: 512.451.4003

△	09/29/2025	DRAWING REVISIONS TO DRAWINGS 1, 2, AND 3	JVV	JB
REV	DATE	DESCRIPTION	DRN	APP
UNIVERSAL HEALTH SERVICES, INC. 367 SOUTH GULPH ROAD KING OF PRUSSIA, PENNSYLVANIA, 19406, USA		GEOSYNTEC CONSULTANTS, INC. 930 HARVEST DRIVE, SUITE 220 BLUE BELL, PENNSYLVANIA, 19422 PHONE: 512.451.4003		
TITLE: COVER SHEET				
PROJECT: UNIVERSAL HEALTH SERVICES FLOOD MITIGATION				
SITE: BROOKE GLEN BEHAVIORAL HOSPITAL				
THIS DRAWING MAY NOT BE ISSUED FOR PROJECT TENDER OR CONSTRUCTION, UNLESS SEALED.		DESIGN BY: NHVB		DATE: JULY 2024
James D. Barbis 2025.09.29 16:13:16 -0400'		DRAWN BY: AM		PROJECT NO.: TXW9793A
SIGNATURE		CHECKED BY: BK		FILE: TXW9793AP01
09/29/2025		REVIEWED BY: JB		DRAWING NO.: 1 of 6
DATE		APPROVED BY: JB		

PERMIT DRAWING, NOT FOR CONSTRUCTION

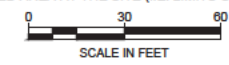
C:\GEOA\ACCDC038\GEOSYNTEC\UHS\BROOKE GLEN\PROJECT FILES\PERMITS\FLOOD MITIGATION\SHEETS\TXW9793AP01.DWG 9/29/2025



LEGEND	
---	EXISTING GROUND MAJOR CONTOUR (5') (NOTE 1)
---	EXISTING GROUND MINOR CONTOUR (1') (NOTE 1)
---	PROPERTY BOUNDARY
---	EXISTING SITE ACCESS ROAD
---	EXISTING FENCE
---	LIMITS OF DISTURBANCE
---	SILT FENCE
---	0.2% EFFECTIVE FLOODPLAIN ZONE AE (NOTE 3)
---	1% EFFECTIVE FLOODPLAIN ZONE AE (NOTE 3)
---	0.2% CORRECTED EFFECTIVE FLOODPLAIN ZONE AE (NOTE 3)
---	1% CORRECTED EFFECTIVE FLOODPLAIN ZONE AE (NOTE 3)
---	SWPPP INFORMATION SIGN
PS	PERMANENT STABILIZATION
TS	TEMPORARY STABILIZATION
○	EXISTING TREE

- NOTES:
- EXISTING CONTOURS ARE BASED ON AN ON-SITE TOPOGRAPHICAL FIELD SURVEY PERFORMED BY PENNON ASSOCIATES INC. IN SEPTEMBER 2023.
 - THE STUDY AREA IS ENTIRELY LOCATED WITHIN THE CITY LIMITS OF FORT WASHINGTON, PENNSYLVANIA AND MONTGOMERY COUNTY.
 - THE 1% ANNUAL CHANCE (1%) AND 0.2% ANNUAL CHANCE (0.2%) EFFECTIVE ZONE AE BOUNDARIES WERE OBTAINED FROM THE CURRENT FIS (REVISED: MARCH 2, 2016) BASED ON THE TOPOGRAPHY USED IN THE EFFECTIVE MODEL LAST UPDATED IN NOVEMBER 2012. THE 1% AND 0.2% CORRECTED EFFECTIVE ZONE AE BOUNDARIES INCORPORATE THE USE OF MORE RECENT TOPOGRAPHIC DATA AND OTHER REVISIONS INCORPORATED IN THE CORRECTED EFFECTIVE MODEL. ALTHOUGH THE WATER SURFACE ELEVATIONS FOR THE 1% AND 0.2% CORRECTED EFFECTIVE ZONE AE ARE GENERALLY HIGHER THAN THE EFFECTIVE ZONE AE, THE SPATIAL EXTENT OF THE ZONE AE BOUNDARIES DECREASES COMPARED TO THOSE USED IN THE EFFECTIVE FIS (FEMA, 2016) DUE TO THE CHANGE IN TOPOGRAPHIC DATA SOURCES.
 - THE REFERENCED VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 - WETLAND DELINEATION BASED ON SITE INVESTIGATION CONDUCTED BY GEOSYNTEC CONSULTANTS, INC ON 27 JULY 2023.

- EROSION AND SEDIMENT CONTROL NOTES:
- THE IMPLEMENTATION OF THIS ESC PLAN AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, AND UPGRADING OF THESE ESC BMPs IS THE RESPONSIBILITY OF THE APPLICANT UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED AND VEGETATION/LANDSCAPING IS ESTABLISHED.
 - CLEARLY FLAG THE BOUNDARIES OF THE LIMITS OF DISTURBANCE SHOWN ON THIS PLAN IN THE FIELD PRIOR TO CONSTRUCTION. DURING THE CONSTRUCTION PERIOD, NO DISTURBANCE BEYOND THE FLAGGED CLEARING LIMITS SHALL BE PERMITTED. THE FLAGGING SHALL BE MAINTAINED BY THE APPLICANT FOR THE DURATION OF CONSTRUCTION.
 - CONSTRUCTION ENTRANCE AS WELL AS CONTRACTOR'S FACILITIES, MATERIAL STOCKPILES AND LAYDOWN, AND STAGING AREAS ARE CONCEPTUAL AND SHALL BE LOCATED ONLY IN AREAS APPROVED BY THE OWNER.
 - CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL AREAS DURING CONSTRUCTION AND FOR CLEANUP/RESTORATION OF ALL SUCH AREAS TO THEIR ORIGINAL CONDITION AFTER CONSTRUCTION.
 - CONSTRUCTION VEHICLES SHALL ENTER AND EXIT THE SITE VIA THE CONSTRUCTION EXIT. TRUCKS SHALL BE PROPERLY DECONTAMINATED (E.G., TIRE WASHOUT INSPECTION) PRIOR TO LEAVING THE SITE.
 - TOTAL COMBINED DISTURBED AREA AT THE SITE (I.E. LIMITS OF DISTURBANCE) IS 0.84 ACRES.

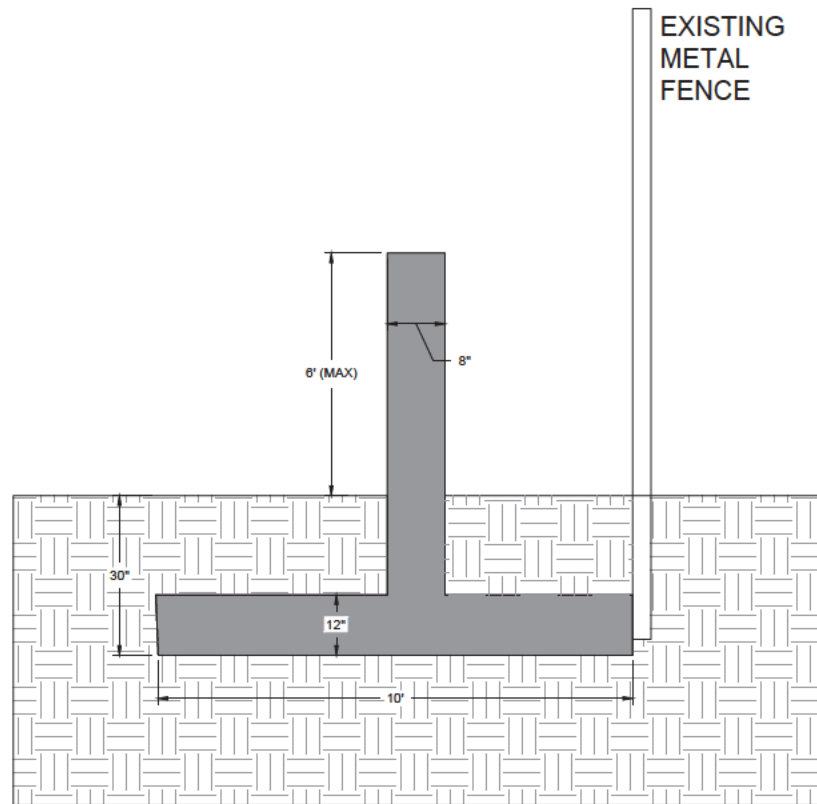


- SWPPP PHASE I ACTIVITIES:**
- PRIOR TO ANY WORK INCLUDING DEMOLITION, CLEARING, GRADING OR INSTALLATION OF SEDIMENT CONTROL MEASURES, THE APPLICANT MUST SCHEDULE A PRE-CONSTRUCTION MEETING ON-SITE WITH THE ASSIGNED INSPECTOR FROM THE MONTGOMERY COUNTY CONSERVATION DISTRICT. THE INSPECTOR'S CONTACT INFORMATION WILL BE FOUND ON THE PERMIT.
 - ONCE THE INSPECTOR HAS DETERMINED THE MEASURES ARE PROPERLY INSTALLED, CONSTRUCTION MAY BEGIN. MOST PLANS REQUIRE ADDITIONAL INSPECTIONS THAT MUST BE SCHEDULED BY THE APPLICANT IN ACCORDANCE WITH THE PLAN, PERMIT, AND GUIDANCE GIVEN AT THE PRE-CONSTRUCTION MEETING.
 - POST REQUIRED CONSTRUCTION SITE NOTICE AT THE ENTRANCE TO THE PROJECT SITE PRIOR TO EARTH DISTURBING ACTIVITIES.
 - BEFORE CONSTRUCTION ACTIVITIES COMMENCE, INSTALL REQUIRED PERIMETER CONTROL SILT FENCE ALONG THE DOWN GRADIENT PERIMETER OF THE SITE AS REQUIRED PRIOR TO EARTH DISTURBING ACTIVITIES.
 - INSTALL STABILIZED CONSTRUCTION ENTRANCE AS REQUIRED PRIOR TO EARTH DISTURBING ACTIVITIES.
 - CONDUCT PROPOSED DEMOLITIONS. STOCKPILE SOIL ON-SITE AS NEEDED AND PROVIDE PERIMETER CONTROLS AROUND STOCKPILE AREAS AND STABILIZE THE STOCKPILED MATERIAL.

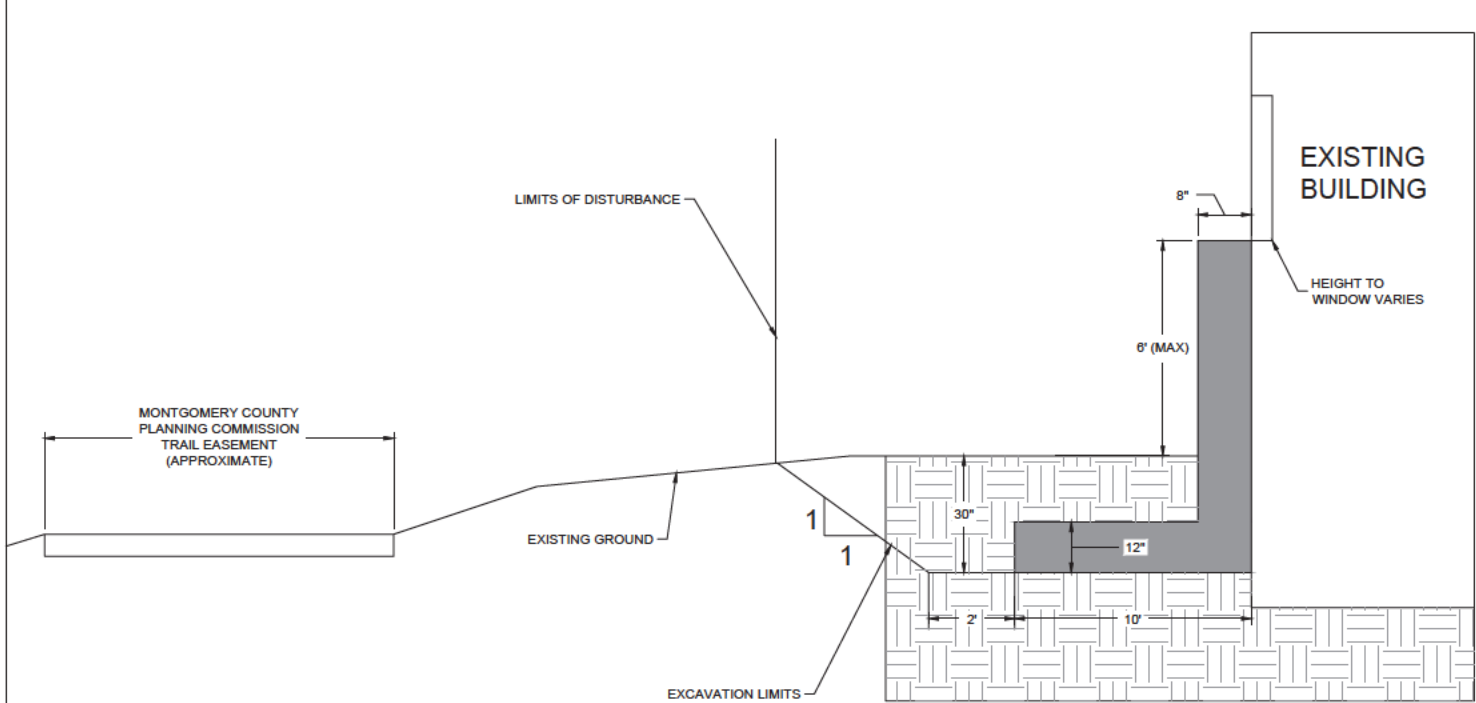
- SWPPP PHASE II ACTIVITIES:**
- CONSTRUCT PROPOSED FLOODPLAIN OBSTRUCTION, BUILDING FLOODPROOFING, AND FLOODPROOF BARRIER ELEMENTS. AS WORK PROGRESSES, ENSURE THAT ADEQUATE DOWN GRADIENT PROTECTIVE MEASURES ARE PROPERLY INSTALLED BEFORE SOIL IS DISTURBED.
 - TEMPORARILY SEED OR STABILIZE, THROUGHOUT CONSTRUCTION, DENUDED AREAS THAT WILL BE INACTIVE FOR 14 DAYS OR MORE.
 - PERMANENTLY STABILIZE AREAS TO BE VEGETATED AS THEY ARE BROUGHT TO FINAL GRADE.
 - REMOVE TEMPORARY CONSTRUCTION PARKING/STAGING AREA AND PERMANENTLY STABILIZE THE AREA.
 - REMOVE ALL OTHER STORMWATER BMPs AND EROSION/SEDIMENTATION CONTROLS UPON PERMANENT FINAL STABILIZATION OF THE SITE.
 - ONCE THE APPLICANT BELIEVES THE PROJECT IS COMPLETE AND ALL DISTURBED AREAS HAVE BEEN STABILIZED, A FINAL INSPECTION MUST BE SCHEDULED WITH THE MONTGOMERY COUNTY CONSERVATION DISTRICT. INSPECTION STAFF WILL NOT PASS THE FINAL INSPECTION UNTIL ALL AREAS ARE COMPLIANT. ONCE COMPLIANT, THE PERMIT WILL BE FINALIZED AND CLOSED.

REV	DATE	DESCRIPTION	DRN	APP
<small>UNIVERSAL HEALTH SERVICES, INC. 367 SOUTH GULPH ROAD KING OF PRUSSIA, PENNSYLVANIA, 19406, USA</small>		<small>GEOSYNTEC CONSULTANTS, INC. 930 HARVEST DRIVE, SUITE 220 BLUE BELL, PENNSYLVANIA, 19422 PHONE: 512.451.4003</small>		
TITLE: EROSION AND SEDIMENT CONTROL PLAN				
PROJECT: UNIVERSAL HEALTH SERVICES FLOOD MITIGATION				
SITE: BROOKE GLEN BEHAVIORAL HOSPITAL				
<small>THIS DRAWING MAY NOT BE ISSUED FOR PROJECT TENDER OR CONSTRUCTION, UNLESS SEALED.</small>		<small>DESIGN BY: OB</small>		<small>DATE: JULY 2024</small>
		<small>DRAWN BY: AM</small>		<small>PROJECT NO: TXW9793A</small>
<small>SIGNATURE</small> <small>07/17/2024</small> <small>DATE</small>		<small>CHECKED BY: BK</small>		<small>FILE: TXW9793AP04</small>
<small>APPROVED BY: JB</small>		<small>REVIEWED BY: JB</small>		<small>DRAWING NO: 4 OF 6</small>

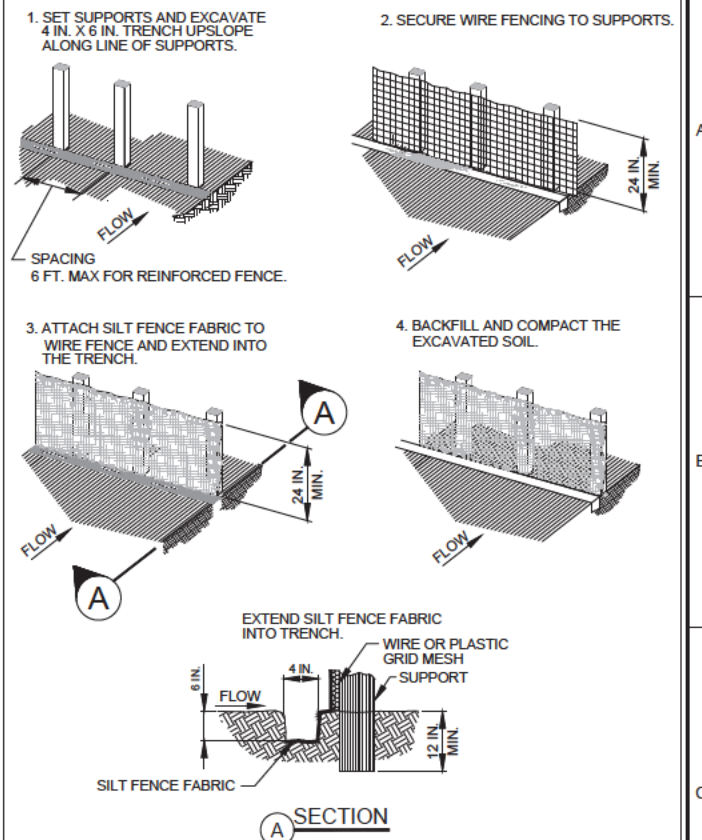
PERMIT DRAWING, NOT FOR CONSTRUCTION



1 DETAIL
3 FLOODPLAIN OBSTRUCTION



2 DETAIL
3 BUILDING FLOODPROOFING



NOTE:
1. SEE SPECIFICATION SECTION NO. 02361-SILT FENCES.

SF — SF — SILT FENCE
SYMBOL

6 DETAIL
4 SILT FENCE



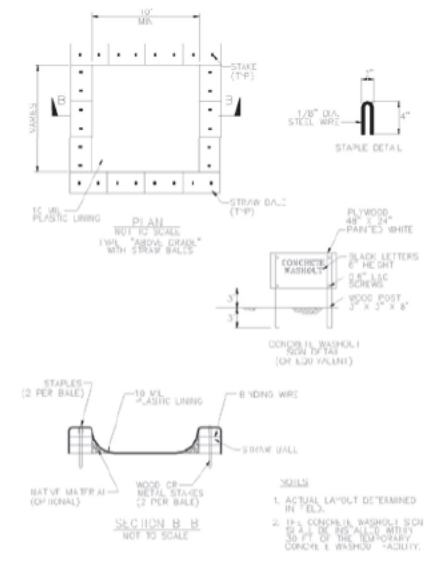
NOTE:
THE PROPOSED AQUAFENCE FLOOD BARRIER IS A FEMA COMPLIANT NON-RESIDENTIAL DRY FLOODPROOFING SOLUTION OPTION. APPROVED EQUIVALENT ALTERNATIVE MAY BE USED, IF NEEDED. APPROXIMATE HEIGHT OF 2.5 FT RECOMMENDED.

3 DETAIL
3 AQUAFENCE FLOOD BARRIER



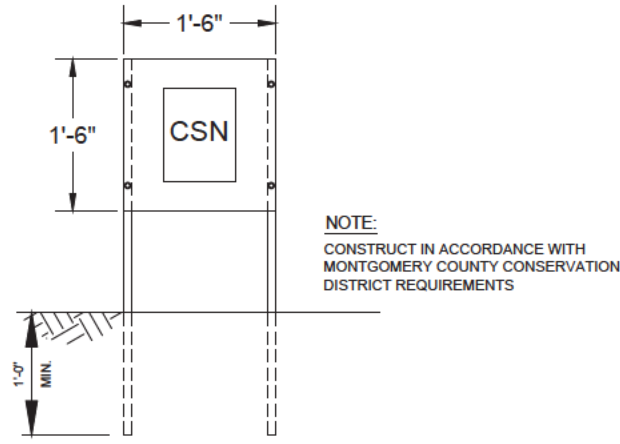
NOTE:
PRE-CONSTRUCTED RUMBLE PAD MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. ACCUMULATED MATERIALS SHOULD BE CLEANED FROM THE PAD DAILY (OR MORE OFTEN, IF NECESSARY) AND PROPERLY DISPOSED.

4 DETAIL
4 PROPOSED CONSTRUCTION ENTRANCE



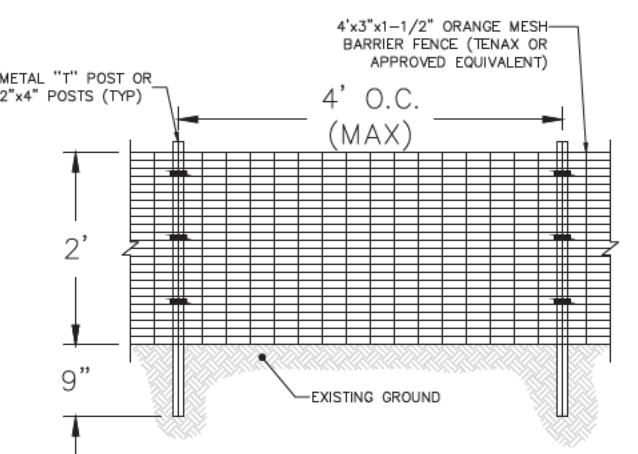
CONCRETE WASHOUT
Note: If portable concrete washout unit is used, manufacturer details will be added to the SWPPP.

8 DETAIL
4 CONCRETE WHEEL WASH



NOTE:
CONSTRUCT IN ACCORDANCE WITH MONTGOMERY COUNTY CONSERVATION DISTRICT REQUIREMENTS

5 DETAIL
4 SWPPP INFORMATION SIGN



7 DETAIL
4 TREE PROTECTION

PERMIT DRAWING, NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP

UNIVERSAL HEALTH SERVICES, INC.
367 SOUTH GULPH ROAD KING OF PRUSSIA, PENNSYLVANIA, 19406, USA

GEOSYNTEC CONSULTANTS, INC.
930 HARVEST DRIVE, SUITE 220
BLUE BELL, PENNSYLVANIA, 19422
PHONE: 610.451.4003

TITLE: DETAILS (SHEET 1 OF 2)

PROJECT: UNIVERSAL HEALTH SERVICES FLOOD MITIGATION

SITE: BROOKE GLEN BEHAVIORAL HOSPITAL

DESIGN BY: OB	DATE: JULY 2024
DRAWN BY: AM	PROJECT NO: TXW9793A
CHECKED BY: BK	FILE: TXW9793AP03
REVIEWED BY: JB	DRAWING NO: 5 OF 6
APPROVED BY: JB	

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Digitally signed by James D. Barbis
Date: 2024.07.25 11:54:51 -0400

SIGNATURE:

DATE: 07/17/2024

REGISTERED PROFESSIONAL ENGINEER
JAMES DOUGLAS BARBIS
FE087655
PENNSYLVANIA

C:\GEO\ACC\DCS\GEO\DRY\ITEM\U.H.SVCS_BROOKE_GLEN\PROJECT FILES\PERMITS\1_FLOOD MITIGATION\SHEETS\TXW9793AP03.DWG 7/17/2024

SEEDING/VEGETATION REQUIREMENTS NOTES:

1. CONSIDERATION MUST BE GIVEN TO ANTICIPATED CLIMATE AND SEASONAL CONDITIONS WHEN PLANTING SEED.
2. SEED SHALL BE FREE OF WEEDY SPECIES AND APPROPRIATE FOR SITE SOILS AND REGIONAL CLIMATE. SEED AND MULCH IMMEDIATELY AFTER TOPSOIL IS APPLIED AND FINAL GRADE IS REACHED.
3. THE SITE HAS ACHIEVED FINAL STABILIZATION ONCE ALL AREAS ARE COVERED WITH A STAND OF GRASS WITH A MINIMUM OF 70 PERCENT DENSITY OVER THE ENTIRE VEGETATED AREA, OR GREATER IN ACCORDANCE WITH THE GENERAL PERMIT REQUIREMENTS.
4. VEGETATED AREAS MUST BE WATERED, FERTILIZED, AND RESEEDED AS NEEDED TO ACHIEVE THIS REQUIREMENT.
5. THE VEGETATIVE DENSITY MUST BE MAINTAINED THROUGH PROJECT COMPLETION TO BE CONSIDERED STABILIZED. AREAS PROTECTED BY EROSION CONTROL BLANKETS ARE NOT PERMANENTLY STABILIZED UNTIL THE APPLICABLE GENERAL PERMIT REQUIREMENT FOR FINAL VEGETATIVE DENSITY IS ACHIEVED.
6. RIP-RAP, MULCH, GRAVEL, DECOMPOSED GRANITE OR OTHER EQUIVALENT PERMANENT STABILIZATION MEASURES MAY BE EMPLOYED IN LIEU OF VEGETATION BASED ON SITE-SPECIFIC CONDITIONS, DESIGN AND GOVERNING AUTHORITY APPROVAL.
7. ALL SEEDED AREAS SHALL BE INSPECTED REGULARLY TO CONFIRM THAT A HEALTHY STAND OF GRASS IS MAINTAINED.

PERMANENT SEEDING, SOD OR MULCHING NOTES:

1. PERMANENT STABILIZATION SHALL BE ACCOMPLISHED IN ALL DISTURBED AREAS BY COVERING THE SOIL WITH PAVEMENT, VEGETATION, OR OTHER FORMS OF SOIL STABILIZATION.
2. THE CONTRACTOR IS REQUIRED TO INITIATE PERMANENT SOIL STABILIZATION MEASURES IMMEDIATELY UPON REACHING FINAL GRADE. FOR THOSE AREAS NOT AT FINAL GRADE THAT WILL NOT BE DISTURBED FOR GREATER THAN 14 DAYS, THE CONTRACTOR SHOULD INITIATE TEMPORARY STABILIZATION PER THE TEMPORARY SEEDING OR STABILIZATION NOTES.
3. THE CONTRACTOR HAS 7 DAYS FROM INITIATION OF STABILIZATION TO COMPLETE SOIL PREPARATION, SEEDING, MULCHING, AND ANY OTHER REQUIRED ACTIVITIES RELATED TO THE PLANTING AND ESTABLISHMENT OF VEGETATION. THE CONTRACTOR ALSO HAS 7 DAYS FROM INITIATION OF STABILIZATION TO COMPLETELY INSTALL NON-VEGETATED MEASURES, IF UTILIZED.
4. SOILS MUST BE PREPARED BEFORE INSTALLATION OF SOD OR SEED.
5. AT THE COMPLETION OF GROUND-DISTURBING ACTIVITIES, THE ENTIRE SITE MUST HAVE PERMANENT VEGETATIVE COVER MEETING VEGETATIVE DENSITY REQUIREMENTS IN THE GENERAL PERMIT, IN ALL AREAS NOT COVERED BY HARDSCAPE (STONE, PAVEMENT, ETC.).
6. SEEDED AREAS SHALL BE PROTECTED WITH STRAW MULCH, HYDRAULIC MULCH OR A ROLLED EROSION CONTROL PRODUCT. STRAW MULCH MUST BE TACKIFIED OR CRIMPED BY DISC OR OTHER MACHINERY, AND ROLLED EROSION CONTROL PRODUCTS MUST BE INSTALLED PER MANUFACTURER RECOMMENDATIONS.
7. FINAL SITE STABILIZATION IS ACHIEVED WHEN PERENNIAL VEGETATIVE COVER PROVIDES PERMANENT STABILIZATION WITH A UNIFORM DENSITY GREATER THAN 70 PERCENT OVER THE ENTIRE AREA TO BE STABILIZED BY VEGETATIVE COVER. THIS AREA IS EXCLUSIVE OF AREAS THAT ARE COVERED WITH ROCK (CRUSHED GRANITE, GRAVEL, ETC.).

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DETAIL
PERMANENT STABILIZATION (PS)




TEMPORARY SEEDING OR STABILIZATION NOTES:

1. THE CONTRACTOR IS REQUIRED TO, AT A MINIMUM, INITIATE SOIL STABILIZATION MEASURES IMMEDIATELY WHENEVER ANY CLEARING, GRADING, EXCAVATING OR OTHER EARTH DISTURBING ACTIVITIES HAVE PERMANENTLY CEASED ON ANY PORTION OF THE SITE, OR TEMPORARILY CEASED ON ANY PORTION OF THE SITE AND WILL NOT LIKELY RESUME FOR A PERIOD EXCEEDING 14 CALENDAR DAYS.
2. THE CONTRACTOR HAS 7 DAYS FROM INITIATION OF STABILIZATION TO COMPLETE SOIL PREPARATION, SEEDING, MULCHING, AND ANY OTHER REQUIRED ACTIVITIES RELATED TO THE PLANTING AND ESTABLISHMENT OF VEGETATION. THE CONTRACTOR ALSO HAS 7 DAYS FROM INITIATION OF STABILIZATION TO COMPLETELY INSTALL NON-VEGETATED MEASURES, IF UTILIZED.
3. ALL DISTURBED AREAS MUST BE STABILIZED TEMPORARILY WITH THE USE OF FAST-GERMINATING ANNUAL GRASS/GRAIN VARIETIES APPROPRIATE FOR SITE SOIL AND CLIMATE CONDITIONS. MULCH IS REQUIRED FOR ALL SEEDING APPLICATIONS AND MUST INCLUDE A SUITABLE FORM OF MULCH ANCHORING TO MINIMIZE MOVEMENT OF MULCH BY WIND OR WATER.
4. ALTERNATIVE STABILIZATION MEASURES TO SEEDING, SUCH AS ANCHORED MULCH APPLICATION (WITHOUT SEEDING), MAY BE UTILIZED DURING PERIODS WHEN VEGETATIVE GROWTH IS UNLIKELY (E.G. WINTER MONTHS).
5. IT IS NOT ACCEPTABLE TO ALLOW BARE SOIL TO REMAIN EXPOSED AT ANY TIME DURING THE YEAR, REGARDLESS OF WEATHER/TEMPERATURE/SITE CONDITIONS.
6. ALTERNATIVE STABILIZATION MEASURES INCLUDE, BUT ARE NOT LIMITED TO: ANCHORED STRAW/HAY MULCH, WOOD CELLULOSE FIBER MULCH, SPRAY-ON SOIL GLUES/BINDERS, AND ROLLED EROSION CONTROL PRODUCTS.
7. ROLLED EROSION CONTROL PRODUCTS (NETS, BLANKETS, TURF REINFORCED MATS) AND VEGETATED AREAS NOT MEETING REQUIRED VEGETATIVE DENSITIES FOR FINAL STABILIZATION MUST BE INSPECTED WEEKLY. RILING, RUTTING AND OTHER SIGNS OF EROSION INDICATE THE SPECIFIED EROSION CONTROL DEVICE IS NOT FUNCTIONING OR INSTALLED PROPERLY AND/OR ADDITIONAL EROSION CONTROL DEVICES ARE WARRANTED.

10
4

DETAIL
TEMPORARY STABILIZATION (TS)

PERMIT DRAWING, NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP
 				
UNIVERSAL HEALTH SERVICES, INC. 367 SOUTH GULPH ROAD KING OF PRUSSIA, PENNSYLVANIA, 19406, USA				
GEOSYNTEC CONSULTANTS, INC. 930 HARVEST DRIVE, SUITE 220 BLUE BELL, PENNSYLVANIA, 19422 PHONE: 610.451.4003				
TITLE: DETAILS (SHEET 2 OF 2)				
PROJECT: UNIVERSAL HEALTH SERVICES FLOOD MITIGATION				
SITE: BROOKE GLEN BEHAVIORAL HOSPITAL				
THIS DRAWING MAY NOT BE ISSUED FOR PROJECT TENDER OR CONSTRUCTION, UNLESS SEALED.		DESIGN BY: OB DATE: JULY 2024		
 Digitally signed by James D. Barbis Date: 2024.07.25 11:56:33 -0400		DRAWN BY: AM PROJECT NO.: TXW9793A		
SIGNATURE 07/17/2024 DATE		CHECKED BY: BK FILE: TXW9793AP03		
		REVIEWED BY: JB DRAWING NO.:		
		APPROVED BY: JB 6 OF 6		

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Photos



Western building perimeter at beginning of main courtyard fence looking southeast.



Southwestern corner of main courtyard fence looking northwest.



Southern building perimeter looking northwest at end of main courtyard fence.

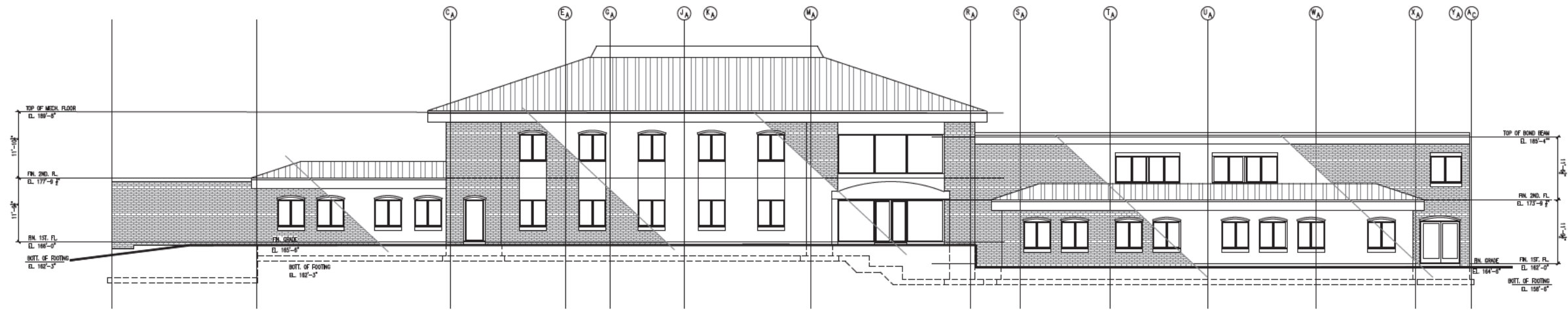


Southern building perimeter at beginning of small courtyard fence looking northeast.

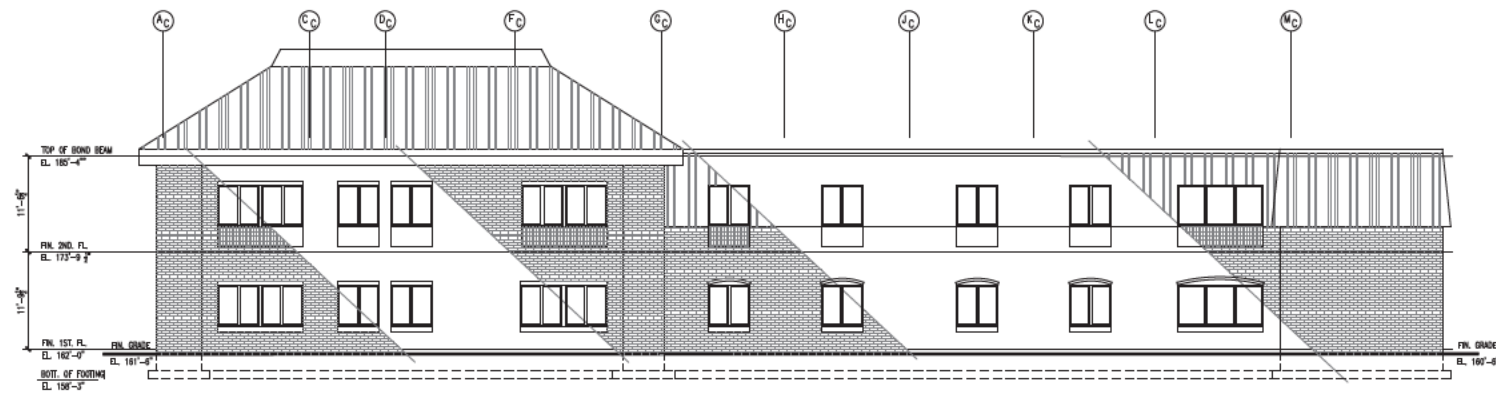


Southeastern corner of small courtyard fence looking southwest.

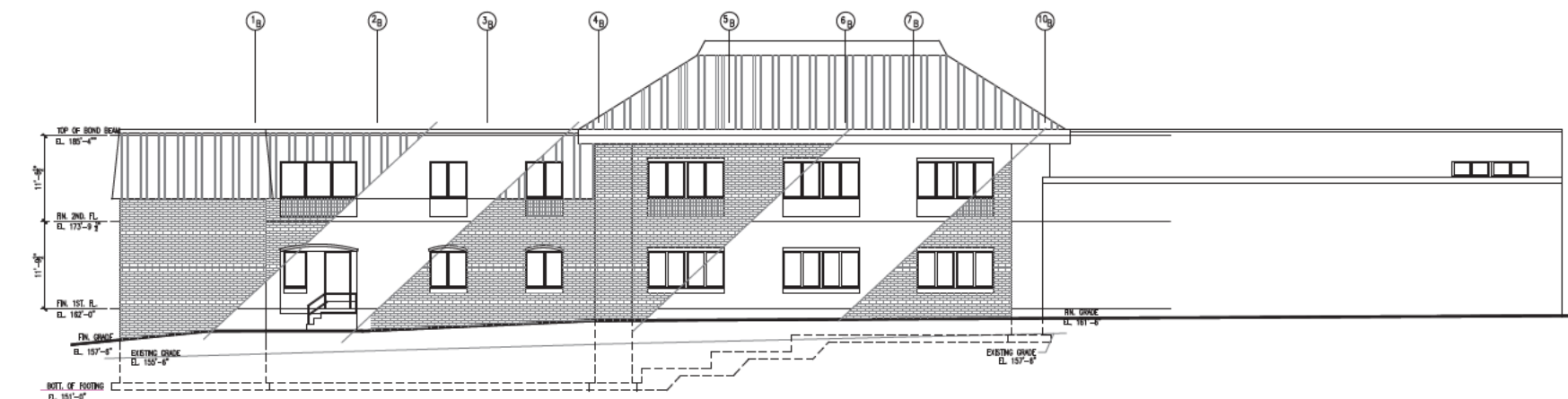
Elevation Drawing



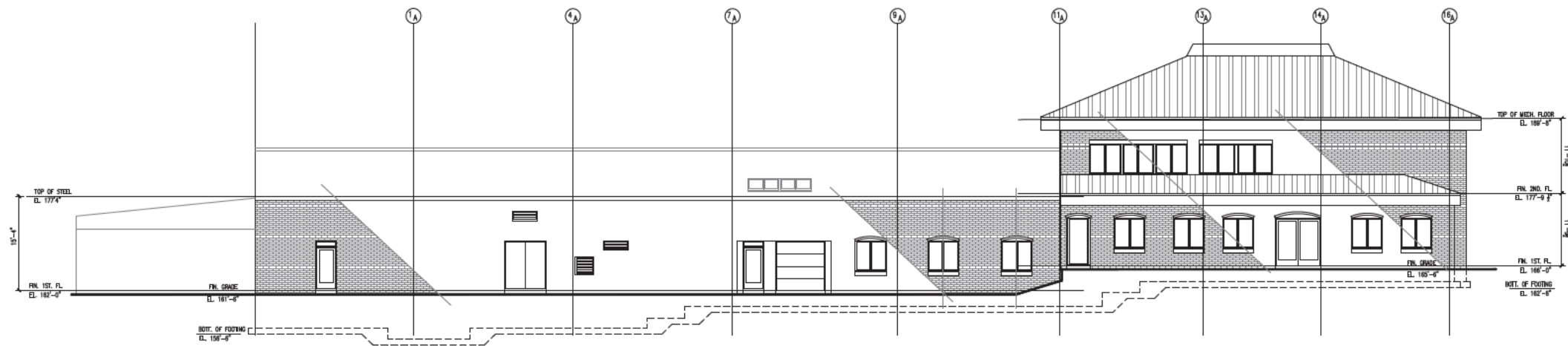
NORTH ELEVATION - BUILDING A



NORTH ELEVATION - BUILDING C



EAST ELEVATION - BUILDING B



EAST ELEVATION - BUILDING A

Scale

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 Architects | Interior Design | Planning | Management Consulting
 2200 N. 15th St., Suite 1000
 Phoenix, Arizona 85016
 Phone: 602.495.1000
 Fax: 602.495.1001
 www.AHAdams.com

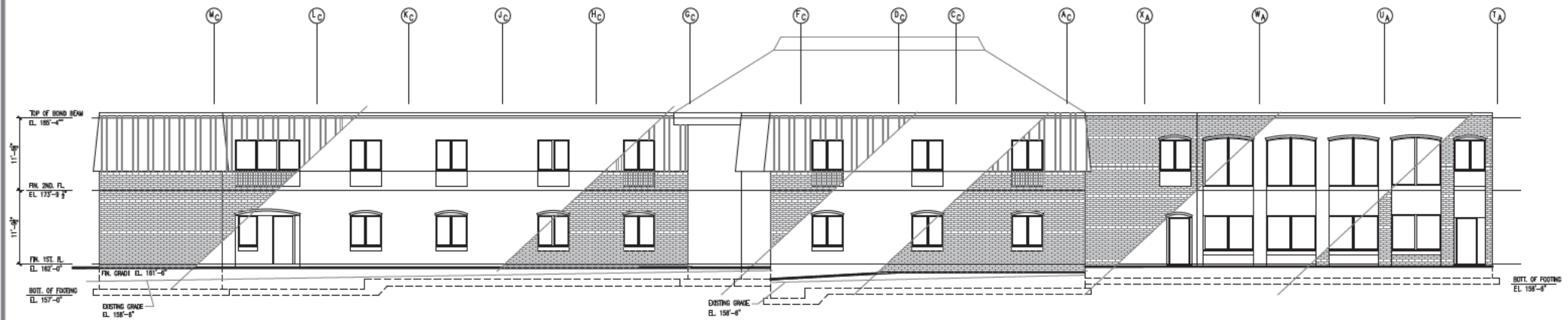
Project No. 180304
 Date: 08/20/18
 Drawing No. AE201

Additional/Revisions/Systems Upgrades:
 Brooke Glen Behavioral Hospital
 Maricopa County
 Williamsen Township
 7170 Lafayette Avenue
 Fort Washington, Pennsylvania 19034

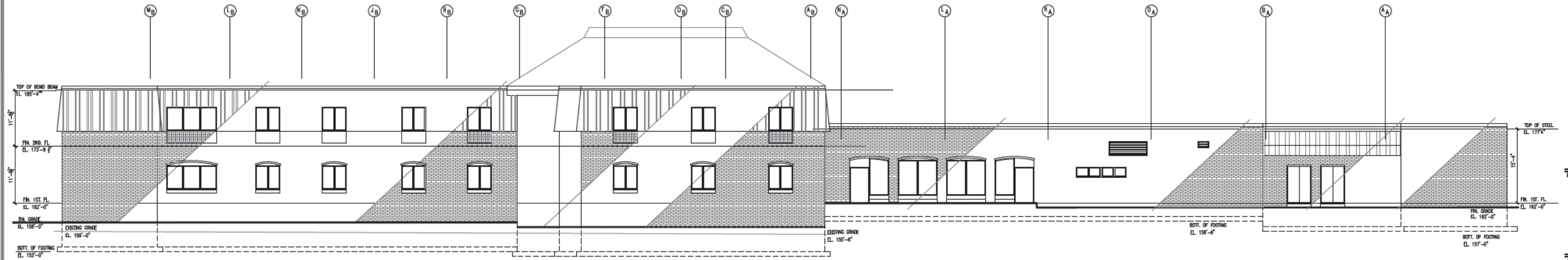
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 Drawing No. AE201

Existing Building Elevations
 Buildings A, B & C

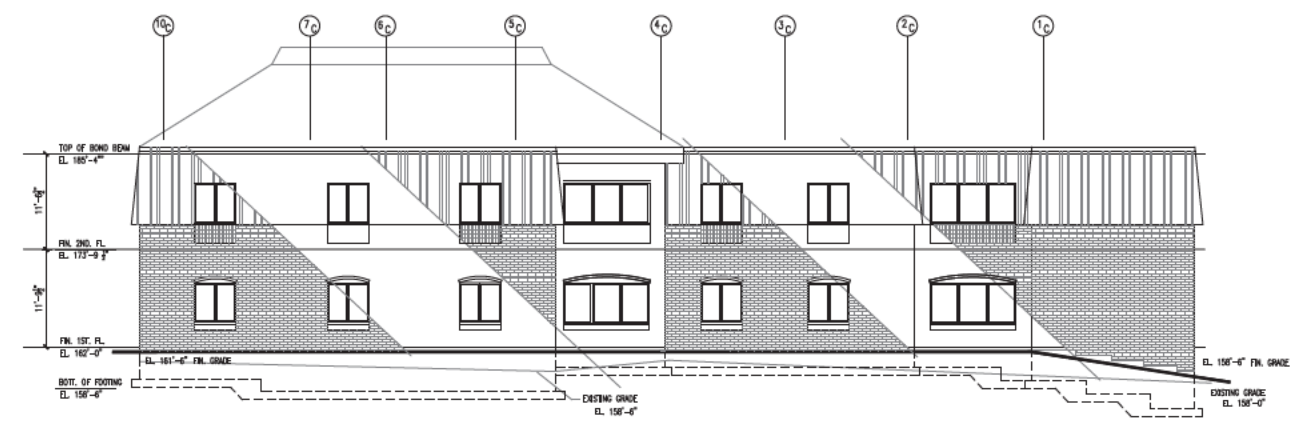
AE201



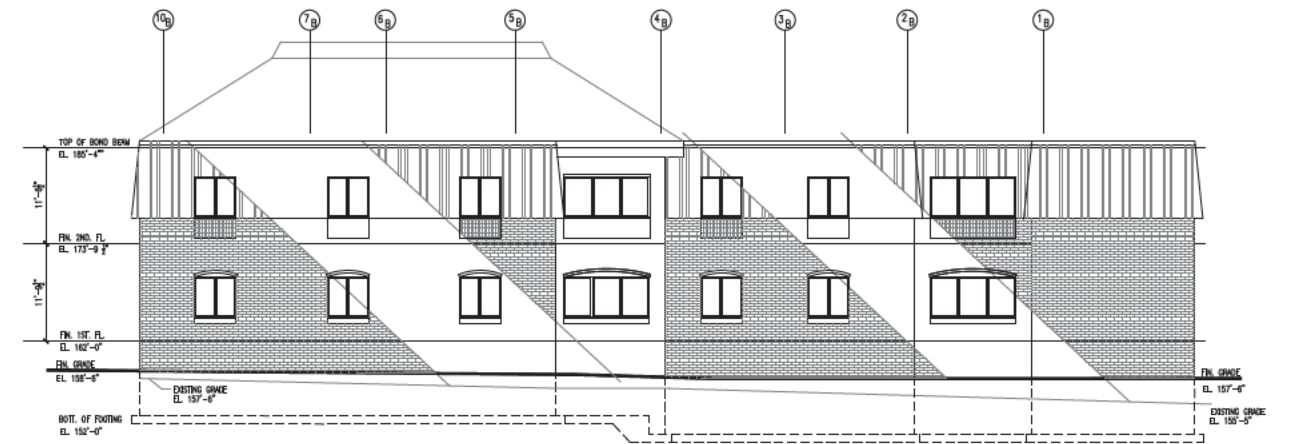
SOUTH ELEVATION - BUILDING A & C



SOUTH ELEVATION - BUILDING B



WEST ELEVATION - BUILDING C



WEST ELEVATION - BUILDING B

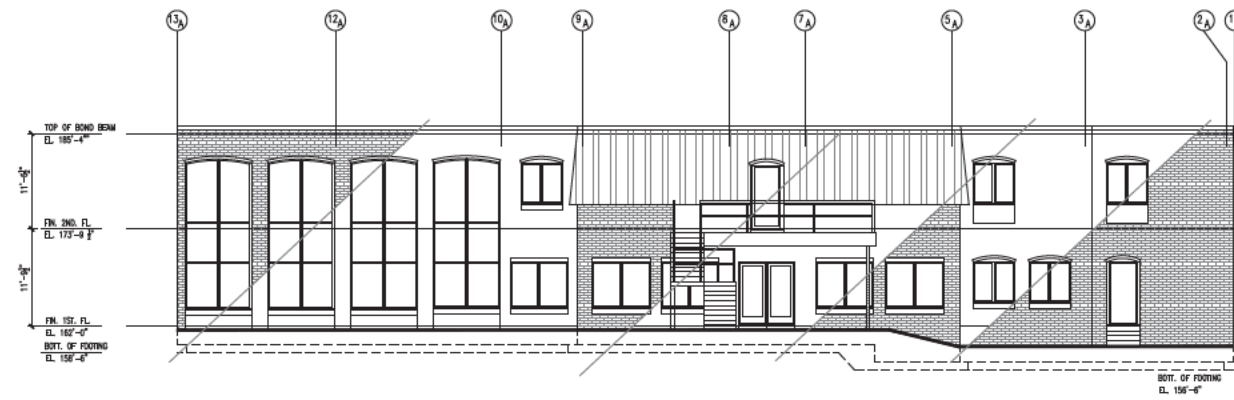
AH Adams & Company
 Architects | Interior Design | Planning | Management Consulting
 1000 N. 15th St., Suite 1000
 Fort Washington, PA 19041
 Phone: 610-338-8800
 Fax: 610-338-8801
 www.AHAdams.com

Project No.	180201
Client	Brooke Glen Behavioral Hospital
Location	Wilmington, Delaware
Project Name	Existing Building Elevations

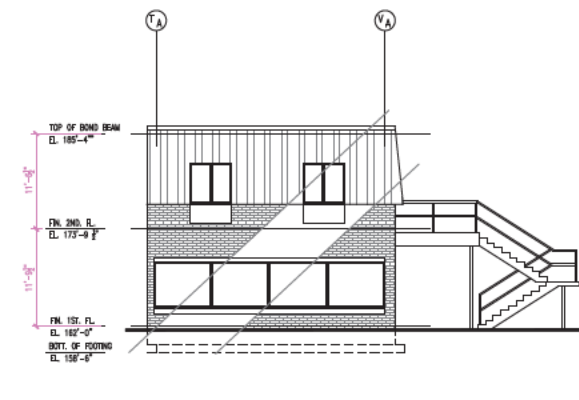
Additional Services/Systems Upgrades:
 Brooke Glen Behavioral Hospital
 Wilmington County
 Wilmerseth Township
 7170 Lafayette Avenue
 Fort Washington, Pennsylvania 19034

Project No.	180201
Client	Brooke Glen Behavioral Hospital
Location	Wilmington, Delaware
Project Name	Existing Building Elevations

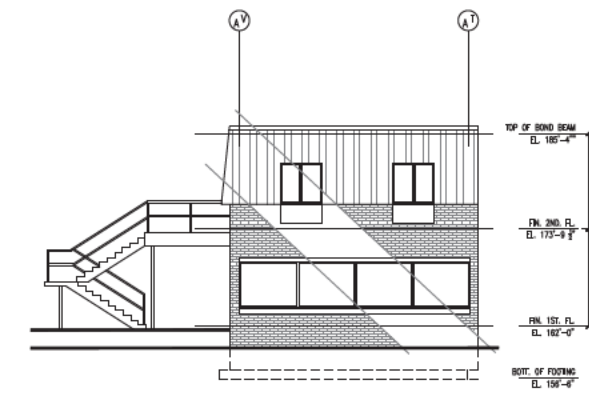
Existing Building Elevations
 Buildings A, B & C



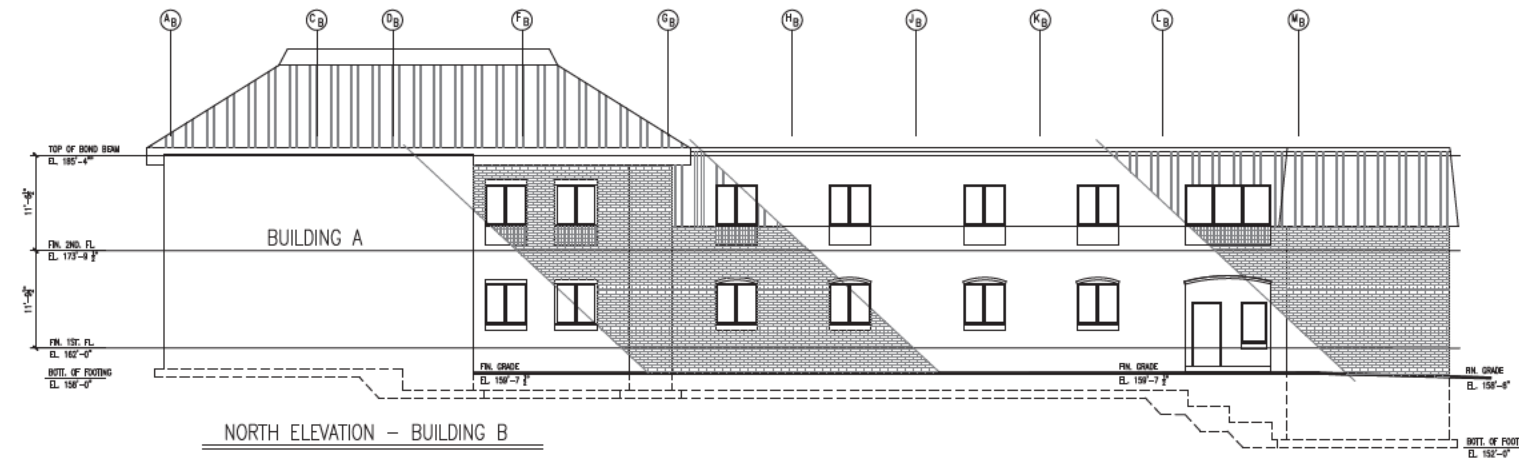
WEST ELEVATION - BUILDING A



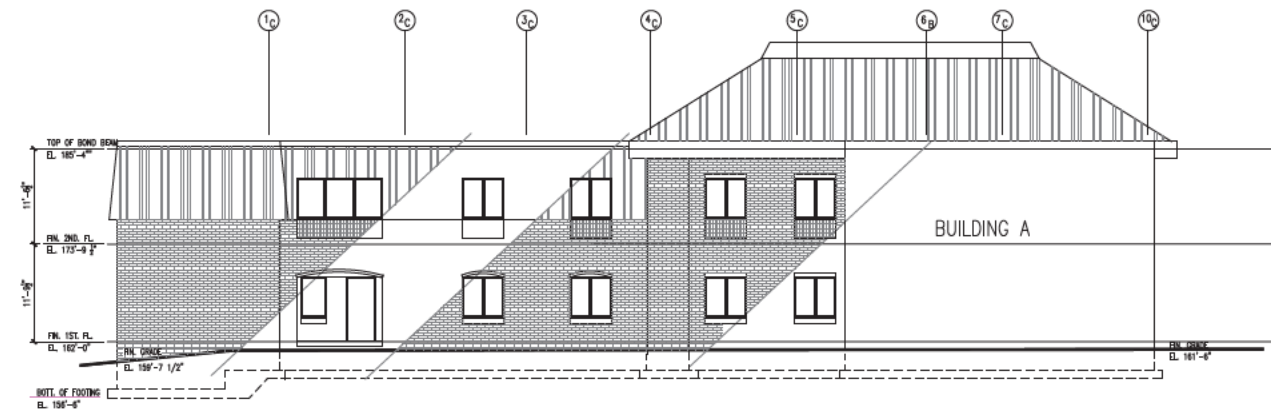
NORTH ELEVATION - BUILDING A



SOUTH ELEVATION - BUILDING A



NORTH ELEVATION - BUILDING B



EAST ELEVATION - BUILDING C

AH Adams & Company
 Architects | Interior Design | Planning | Management Consulting
 200 N. 15th St., Suite 1000
 Fort Washington, PA 19054
 Phone: 610.338.8800
 Fax: 610.338.8801
 www.aHAD.com

Project No.	AE203
Client	Brooke Glen Behavioral Hospital
Location	Wilmington, Delaware
Project Name	Existing Building Elevations

Additional Services/Systems Upgrades:
 Brooke Glen Behavioral Hospital
 Montgomery County
 Wilmerseth Township
 7170 Lafayette Avenue
 Fort Washington, Pennsylvania 19054

Project No.	AE203
Client	Brooke Glen Behavioral Hospital
Location	Wilmington, Delaware
Project Name	Existing Building Elevations

Existing Building Elevations
 Buildings A, B & C

Zoning Map

TOWNSHIP

PENNSYLVANIA

VC-1
CR-H

B

7170 Lafayette Ave.

HOLLYWOOD
PD.

SUMMIT AVE.

CREEK

B

AVE.

LAFFAYETTE AVE.

VC-1

CR-H

FORT

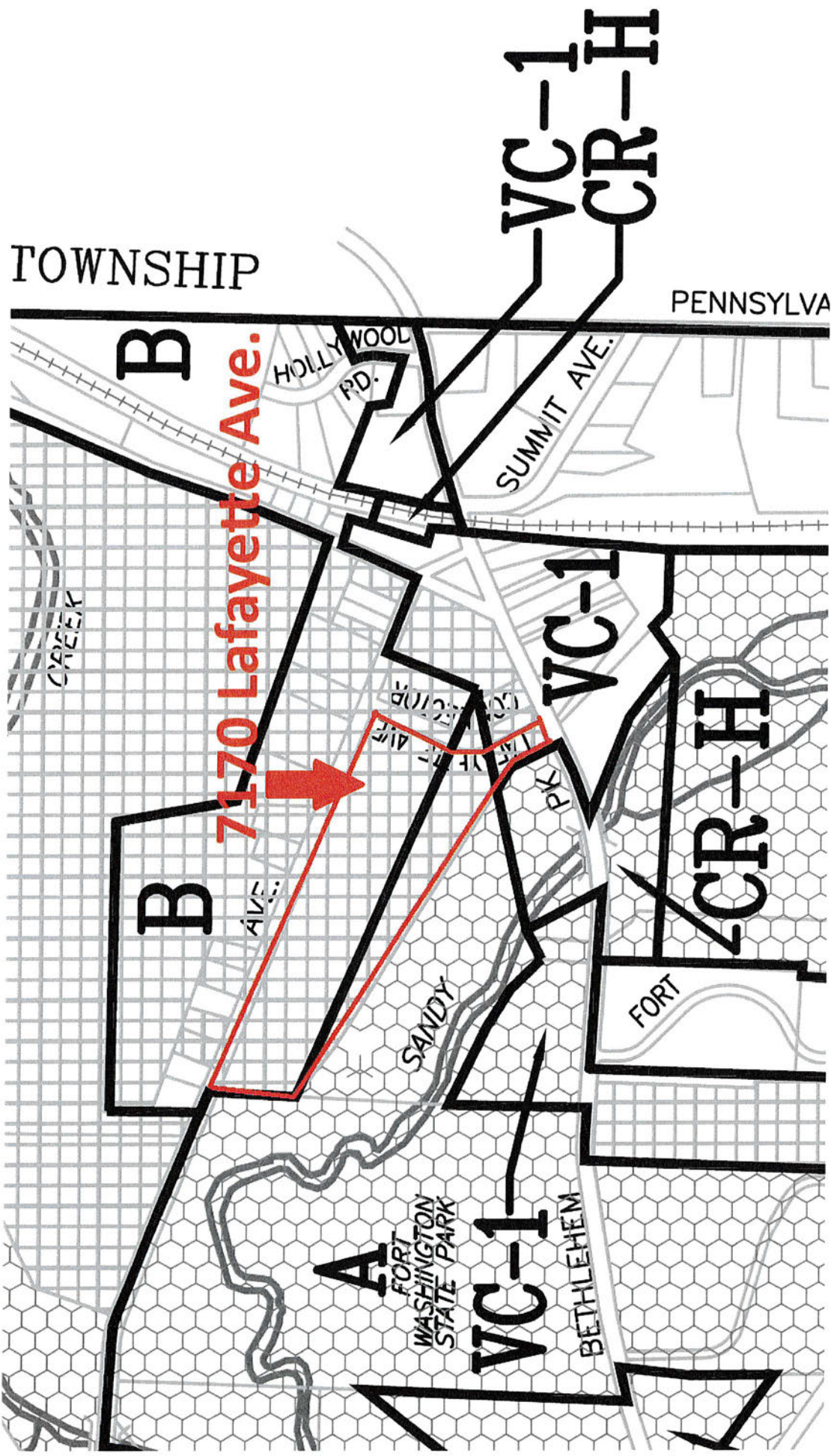
SANDY

A

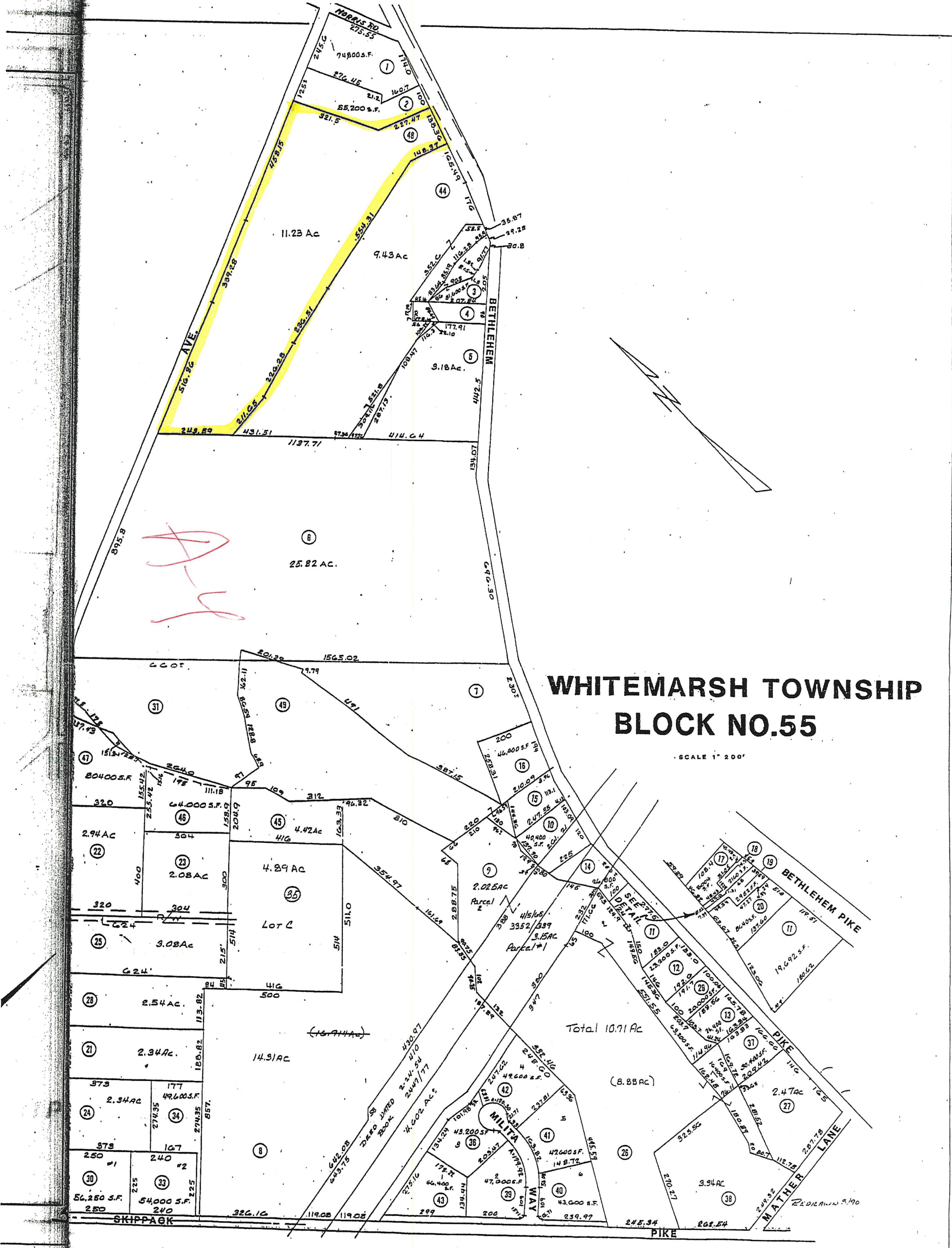
FORT
WASHINGTON
STATE PARK

VC-1

BETHLEHEM



Tax Map



WHITEMARSH TOWNSHIP BLOCK NO. 55

SCALE 1" = 200'

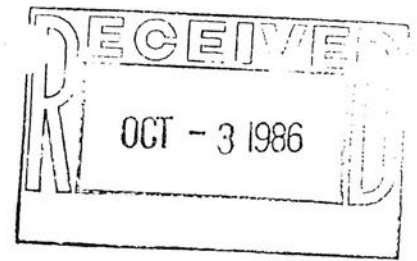
Prior Zoning Hearing Board Decisions

Description for Parcel: 0000868507

ZHB # 1959-03, SWIM CLUB, DENIED
ZHB # 1961-01, 2-STORY APT BLDNG, DENIED
ZHB # 1971-12, SPECIAL EXCEPTION NWSTRN
ZHB # 1986-28, ADDITION IN FLOOD PLAIN
ZHB # 2000-44, NORTHWESTERN, WITHDRAWN
ZHB # 2009-11, BHC ADDITION

DECISION

WHITEMARSH TOWNSHIP
ZONING HEARING BOARD



APPLICATION 86-28 of Northwestern Institute of Psychiatry

First Hearing Date 10/1/86 Date Decided 10/1/86 Copy Mailed 10/2/86

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

1. The Special Exception required to allow construction of a mechanical room addition to the buildings located on the south side of Lafayette Avenue, west of Morris Road, in accordance with Section 116-175 of the Whitemarsh Township Code is hereby granted / ~~denied~~.

2. The Board determines that the proposed addition ~~is~~ is not an extension of a nonconforming use or building allowed by Section 116-194 so that the addition may be located in a Flood Plain Conservation district.

3. The Variance required to allow construction of the addition in a Flood Plain Conservation district, a use not allowed there by Section 116-165, 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.

Note: The Board determines that the proposed modification from the 1 1/2 foot freeboard above the 100 year flood elevation is justified in accordance with the criteria set out by the Commonwealth of Pennsylvania

[Signature]

[Signature]

[Signature]

Richard Kline (abstains)

Henry m. Iler (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.



BY:.....

Appeal No. 12-71

Applicant: Northwestern Mental Health Center

Order

I. Findings of Fact

1. Applicant is the equitable owner of the 11.5 acre tract (known as the Dungan tract), having frontage on the north-westerly side of Bethlehem Pike and the southeasterly side of Lafayette Avenue. The subject tract lies in three zoning districts: A Residential, B Residential, and CR-H Commercial Retail.

2. Applicant proposes to construct and operate a psychiatric hospital to accommodate approximately 150 patients; the principal building would contain approximately 80,000 square feet of floor area in two stories, and provision is made for 108 parking spaces for employees and 87 parking spaces for visitors.

3. Although development of the subject tract has long been impeded by problems with surface water runoff, the applicant is prepared to build the proposed facilities in a manner which will sufficiently control the problem.

4. Applicant's proposal should not unduly burden or disrupt the existing traffic pattern on the highways in the area of the subject tract.

5. Applicant proposes an on-site sanitary sewage disposal plant to accommodate the facility to be built on the subject tract.

6. Applicant currently operates at another site a unique psychiatric hospital which has been severely criticized by state officials because the physical plant is in very poor condition; however, the state has been reluctant to terminate the operation because the hospital has performed an extremely useful purpose and is well staffed.

7. The patients in applicant's existing facility have proved no menace or nuisance to ^{the} neighborhood in which the hospital is located.

8. The testimony of the experts in mental health and various police officers made it clear that there is a genuine need

RECEIVED
APR 24 2009

BY:.....

for preservation of the facility of applicant and the community.

II. Discussion

Applicant is seeking a special exception to build the proposed psychiatric hospital under §33-501,C,3 of the Zoning Ordinance which provides that the following are permitted when authorized as a special exception:

"Medical and surgical hospital, medical centers, and sanitarium other than for contagious diseases, provided any such use is not prejudicial to the public health or welfare; rest or convalescent homes."

The bulk of the proposed facility will be located in the portion of the property which is zoned for residential use, making a special exception necessary.

For many years the owners of the subject tract have been frustrated in their efforts to develop it because of the serious problem that exists with storm water. The site is located on the periphery of a flood plain, and much of the soil on the subject tract was described by an expert as being "wet" or "saturated," because it absorbs very little surface water runoff. The Wissahickon Valley Water Shed Association which has made invaluable contributions to the Township over the years, relating to the flooding problem in the area of the subject site, has traditionally opposed the development of the tract because of the surface runoff problem. Applicant has worked very closely with the Association and has made a considerable effort to plan its facilities to be consistent with the recommendation of the Association.

Among the engineering features which applicant is proposing is to build the principal structure upon the land which is most saturated so that the impervious nature of the building will not seriously add to the runoff problem since the soil is virtually impervious in its present state; the parking areas have been divided by vegetation strips which the Association has recommended to curb the runoff; additionally, diversion trenches to retain the water within the property are also planned. The Sandy Run Creek is badly polluted, and since public sewers are not available at the site, sewage disposal has always presented a problem; the proposed sanitary sewage plant with tertiary treatment would solve this problem to the satisfaction of the Association since the plant's effluent would actually upgrade the quality of the creek. Considering the efforts made by the applicant, the Association, making it clear that it was not concerned with the use but only the effect on the water shed from the physical development, recommended approval of the plan.

Interestingly enough, the Association went beyond recommending approval of the present plan; its executive director testified that development as a purely residential site, which is possible



with no zoning applications required, would actually be less desirable than the proposed facility.

There was considerable testimony at the hearing concerning traffic problems in the general area. Perhaps the single largest contributor to the congestion is the movement of students to and from Germantown Academy which is nearby. In addition, there are normal difficulties with commuters at peak hours. While the traffic which will be generated by applicant's facility will be an additional factor, it is the judgment of the Board that it will not unreasonably burden the existing road network. The peak hours of traffic movement to and from the hospital do not coincide with either the peak commuter hours or the time when the movement of students to and from Germantown Academy is greatest. It has long been a principal in Pennsylvania that in determining whether a project is consistent with the general welfare of the community it is not any increase in traffic which creates a problem; in order to deny a special exception on this basis, the anticipated increase in traffic "...must be of such character that it bears a substantial relation to the health and safety of the community." Archbishop O'Hara's Appeal, 389 Pa. 35 (1957), at page 54.

In considering the other standards which are relevant to any application for a special exception, the Board has concluded that applicant's proposal has substantial merit, and the special exception should be granted. The highly laudatory comments of the state and county mental health officials, the comment on the remarkable assistance rendered to area communities by the police officers, and the comments of several area residents make it clear that this is a unique institution, providing an invaluable aid to not only Whitemarsh Township but a good portion of Montgomery County and surrounding communities. It was characterized as the only psychiatric hospital which will freely admit patients in the entire area; this it was explained means that in every other psychiatric institution (excepting, of course, the Norristown State Hospital which apparently is not well qualified to handle the type of patient using applicant's facilities) patients can come in only on physicians' referrals, but at Northwestern people who are in desperate states, often in the middle of the night, are admitted at the request of police who have no other place to turn. The hospital has given police officials extensive courses in treating people who are troubled.

Although the site is one which presents problems as above discussed and the Board acknowledges that the various concerns that were voiced at the hearing of the citizens relating to traffic, storm sewage, and sanitary sewage disposal are genuine, the applicant in its presentation proposed resolution of the various problems which are sufficient for the grant of a special exception. The Board feels that the general welfare of the community will be served and the interests of the immediate neighbors protected by the imposition of a number of conditions as a part of its order.

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APR 24 2009

BY:.....

Order

The special exception requested by applicant is hereby granted, under and subject to the following conditions:

1. The portion of land zoned CR-H Commercial Retail shall not at any time be used for any commercial development or otherwise than in conjunction with the proposal contained in the subject's application, and applicant will impose a deed restriction on this portion of the tract, satisfactory to the Township Solicitor to accomplish this purpose.

2. If as a result of the traffic generated by the proposed development a traffic signal is required at the intersection of Morris and Lafayette Roads, the expense of the installation of the signal shall be borne by applicant.

3. The following traffic provision shall be made:

(a) As shown on the plan, there shall be two driveways onto Lafayette Road, and both shall be adequate to handle two-way traffic.


(b) A deceleration lane shall be constructed on Lafayette Road along the entire border of the property or as the Township Engineer and Planning Commission shall direct.

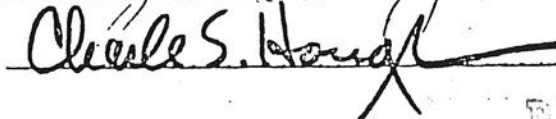
(c) A driveway to Bethlehem Pike should be provided, adequate to handle two-way traffic, with a deceleration lane along the Bethlehem Pike frontage, to be approved by the Township Engineer and the Planning Commission.

4. The property shall be developed in strict accordance with the plans and testimony presented at the hearing, especially in regard to all matters relating to surface water runoff, and at the time of application for a building permit evidence shall be submitted to the Building Inspector that the final plans have been reviewed by the Wissahickon Valley Water Shed Association and a professional engineer satisfactory to the Building Inspector/^{certifies} that the final plans relating to surface water runoff are adequate.

5. All setbacks from any public road shall be computed from the ultimate right-of-way adopted by the Township Supervisors.

Whitemarsh Township Zoning Hearing Board





Board member William H. Potterton, Jr. dissents.



Date: August 19, 1971

BY:.....

1961-01

NOTICE OF PUBLIC HEARING

Before Zoning Board of Adjustment
of Whitemarsh Twp., Montg. Co., Pa.

A hearing will be held on the application of.....
LEONARD POLIS, WARREN S. DUNGAN, & EMMA H. DUNGAN

The property involved is LAND FRONTING ON LAFAYETTE ROAD AND
BETHLEHEM PIKE IN FORT WASHINGTON, PA.

The applicant requests A VARIANCE FROM THE REQUIREMENTS OF THE
WHITEMARSH TOWNSHIP ZONING ORDINANCE TO CONSTRUCT (14)
TWO-STORY GARDEN-TYPE APARTMENTS WITH ON-SITE PARKING AND
SEWAGE FACILITIES, INCLUDING A SEWAGE TREATMENT PLANT.

All interested persons may appear at such hearing.

PLACE WHITEMARSH TOWNSHIP BUILDING

TIME 8 P.M.

DATE JANUARY 31, 1961

By Order of Zoning Board of Adjustment,

2113# 1961-01

1961-01

December 7, 1961

Mr. Philip Dechert
c/o Philco Corporation
"C" & Tioga Streets
Philadelphia, Pa.

Re: Leonard Polis -
Warren S. Dungan -
Zoning Board of Adjustment.

Dear Phil:

Attached herewith is photocopy of the opinion and order of Judge Groshens, dated December 4, 1961, wherein the Court dismissed the appeal and affirmed the decision in favor of the Board of Adjustment, by its order dated March 2, 1961.

After you have read the contents of the order, would you be kind enough to mail same to the other two members of the Board; thereafter, it will be retained as part of the Board of Adjustment files on the subject case.

Very truly yours,

WILLARD E. HARGREAVES,
Secretary-Treasurer

WEH:MC
c.c. Lester Haines
~~James A. Talone~~
William E. Lightkep
Files.

2HB#
1961-01

1959-3

To Whom It May Concern:

May 1, 1958

The Whitmarsh Township Zoning Board of Adjustment will meet on Wednesday May 21, 1958, at 8:00 P.M. in the Township Building, Joshua Road and First Avenue, Lafayette Hill, Pa. to hear the following petitions:

ANDORRA NURSERIES, INC.
(Continuance of previous hearing)

An appeal on the decision of the Building Inspector on the denial of a building permit, which application did not conform to the Whitmarsh Township Zoning Ordinance. Lot #2 of Section 36 of plot plan filed, located at Spring Mill Road and Corson Road.

WARREN S. DUNGAN
(Continuance of previous hearing)

Special exception to erect a swimming pool, tennis courts and private club house for restaurant in residential zoning district, on property bound by Lafayette Avenue, Bethlehem Pike and Fort Washington Park

EDWARD W. HELLER

Special exception to convert a private residence into a nursing home at the Northwest corner of Bethlehem Pike and Mathers Road.

CHARLES A. WYNN, JR.

Special exception to erect car port with lesser side yard than minimum requirements at 432 Aspen Way.

All persons in interest and others may appear and be heard.

ZONING BOARD OF ADJUSTMENT

Philip Dechert, Chairman

Michael J. Laputka, Secretary

2HB
1959-03

1959-3

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

WARREN S. DUNGAN : TERM, 1959

VS. :

WHITEMARSH TOWNSHIP ZONING : NO.
BOARD OF ADJUSTMENT :

RETURN OF THE BOARD OF ADJUSTMENT
OF WHITEMARSH TOWNSHIP

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the members of the Board of Adjustment of White-
marsh Township, Montgomery County, Pennsylvania, do hereby
make a return of the proceedings in the above entitled matter
for a review of the decision of the Board of Adjustment relative
to the claim of the appellant for a variance or special
exception to the terms of the Zoning Ordinance in connection
with a tract of land located on Bethlehem Pike and Lafayette
Avenue, Whitemarsh Township, and we submit herewith the
following:

ZHB
1959-03

1959-3

Handwritten notes:
Addition made to
Warren S. Dungan
July 15 1916
M. Tolson

LAW OFFICES
ELMER L. MENGES
NATIONAL BANK BUILDING
AMBLER, PENNA.
MI. 6-6800

March 22, 1962

Mr. Willard E. Hargreaves, Secretary
Township of Whitemarsh
Township Building - Joshua Road
Lafayette Hill, Pennsylvania

Dear Willard:

Re: Warren S. Dungan

I return to you herewith your file on the Warren S. Dungan appli-
cation for a swim club.

While this matter was appealed to the Common Pleas Court and the
matter has never been disposed of, I am inclined to think that it
never will be pressed by the appellant.

Yours very truly,

Elmer L. Menges

ELM: gp
Enclosure

ZHB
1959-03

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

DECISION AND ORDER

APPLICATION NO.: 2009-11

FIRST HEARING DATE: 06/03/09

APPLICANT: BHC Northwest
Psychiatric Hospital
Block 055, Unit 048

CONT'D HEARING DATE: 06/08/09

DECISION: 06/08/09

COPY MAILED: 06/09/09

7170 Lafayette Avenue
Fort Washington, PA 19034
A - Residential Zoning District
B - Residential Zoning District
INST - Institutional Overlay District
VC-I - Village Commercial Zoning District

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. The request for special exception under §116-194 of the Zoning Ordinance to permit the construction of two (2) second floor extensions of the existing buildings on the property and install a concrete walkway connecting the structures is **NOT NECESSARY**.
2. A variance from §116-194 of the Zoning Ordinance to permit the construction of two (2) second floor extensions of the existing buildings on the property and install a concrete walkway connecting the structures is **GRANTED**.
3. A variance from §116-57(H) to permit the expansion of impervious coverage from the existing 40.21% to 41.95% is **GRANTED**.
4. A variance from §116-184 to permit parking as provided and proposed by the applicant of 160 spaces is **GRANTED**.
5. Variances from Sections 116-258, 116-259 and 116-260 to permit the piers supporting the proposed second floor additions to be located in the Riparian Corridor Conservation District are **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 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.


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

Section 116-223 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.


WHITEMARSH TOWNSHIP ZONING HEARING BOARD:



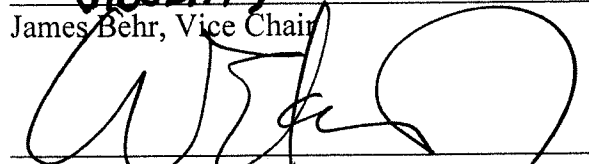
Jack Cohen, Chair

(ABSENT)

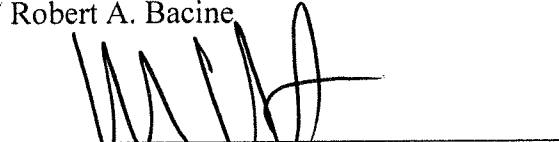
James Behr, Vice Chair




Robert A. Bacine



William E. Kramer



Marc Weinstein



Randi Rubin Goldstein



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

65 E. Butler Avenue, Ste 100
New Britain, PA 18901
(215) 345-4330
Fax (215) 345-8606
www.gilmore-assoc.com

MEMORANDUM

Date: November 4, 2025

To: Charles L. Guttenplan, AICP - Director of Planning and Zoning

From: Krista Heinrich, P.E., Township Engineer

Reference: 7170 Lafayette Avenue
ZHB #2025-47
G&A Project No. 2021-01088

In reference to the above-mentioned property, we have reviewed the application prepared by the applicant and offer the following comments for your consideration.

There are no engineering objections to the location of the proposed floodproofing measures being constructed in the Floodplain or Riparian Corridor Conservation Districts.

The granting of any relief should be conditioned that:

1. Any new construction must be in full compliance with Chapter 101 'Floodplain Management' of the Whitemarsh Township Code.
2. In accordance with Section 101-32(F) of the Township Code, the applicant is hereby notified that (1) The granting of any variance may result in increased premium rates for flood insurance. (2) Such variances may increase the risks to life and property.

Please note, the applicant will require an Earth Disturbance Permit as required by Ordinance Section 58-13(A)(5), since the area of earthmoving will exceed 1,200 square feet. Additionally, the applicant was required to obtain an Earth Disturbance Permit as a condition of a waiver of the granting of a waiver of the Land Development process. These comments are only in reference to impacts of the proposed features within the Floodplain and Riparian Corridor Conservation Districts and do not reflect engineering considerations related to the Subdivision and Land Development, Chapter 58 and or any other aspect of the Township Code.

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

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

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 Whitemarsh 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

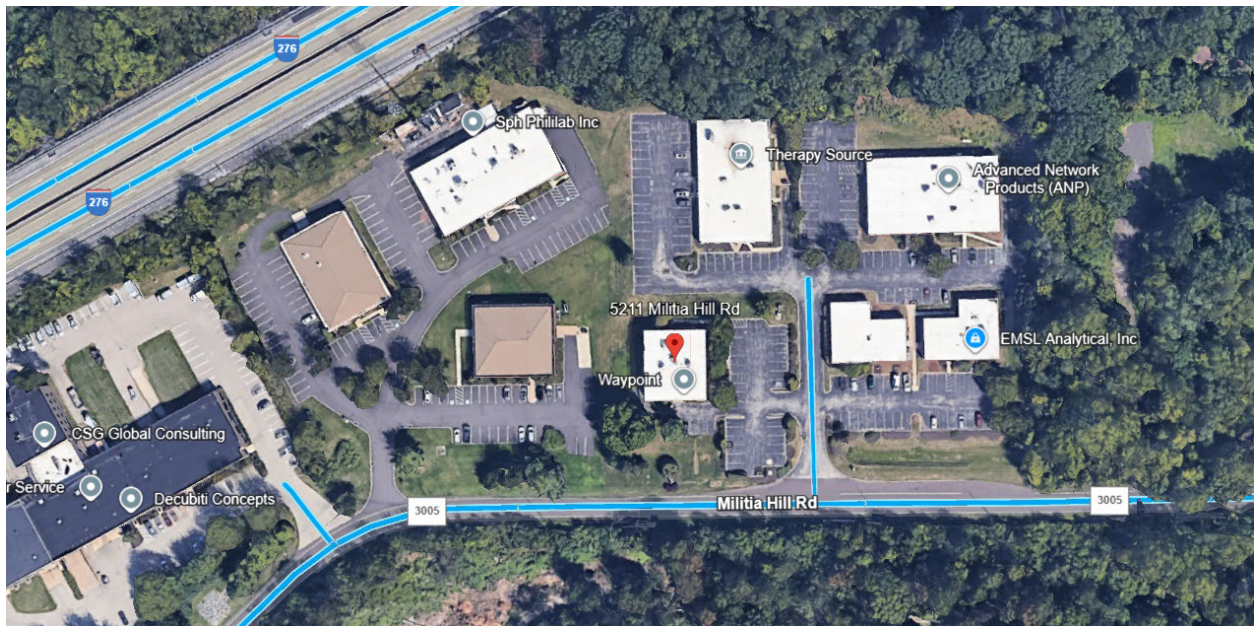
John Menken (“**Menken**”), by and through his attorney Amee S. Farrell, hereby files this addendum to the Whitemarsh Township Zoning Hearing Board application seeking the within zoning approvals related to the property located at 5211 Militia Hill Road, and in support thereof states as follows:

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

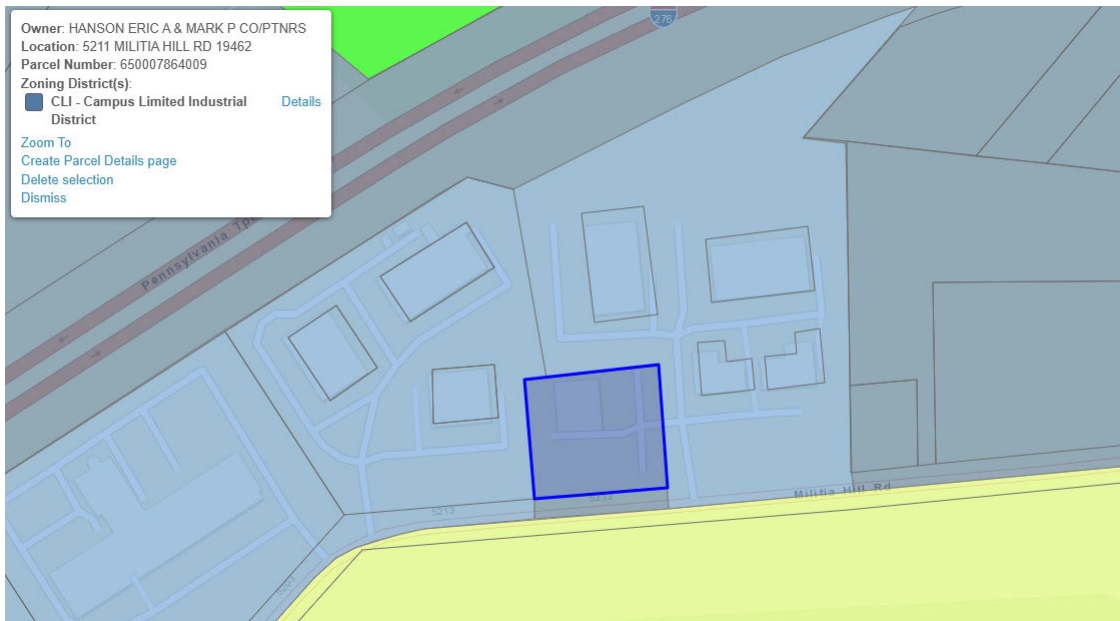
Property takes access via a shared driveway onto Militia Hill Road which serves several structures in the Campus.

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.

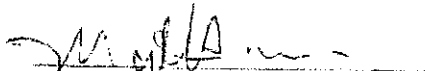
22. AS-IS SALE. The Property is being sold by Seller, and purchased by Buyer "AS-IS, WHERE-IS, WITH ALL FAULTS."

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

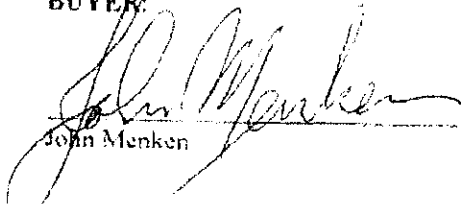
AGREED TO AND ACCEPTED BY:

SELLER:


Eric Hanson


Mark Hanson

BUYER:


John Menken



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



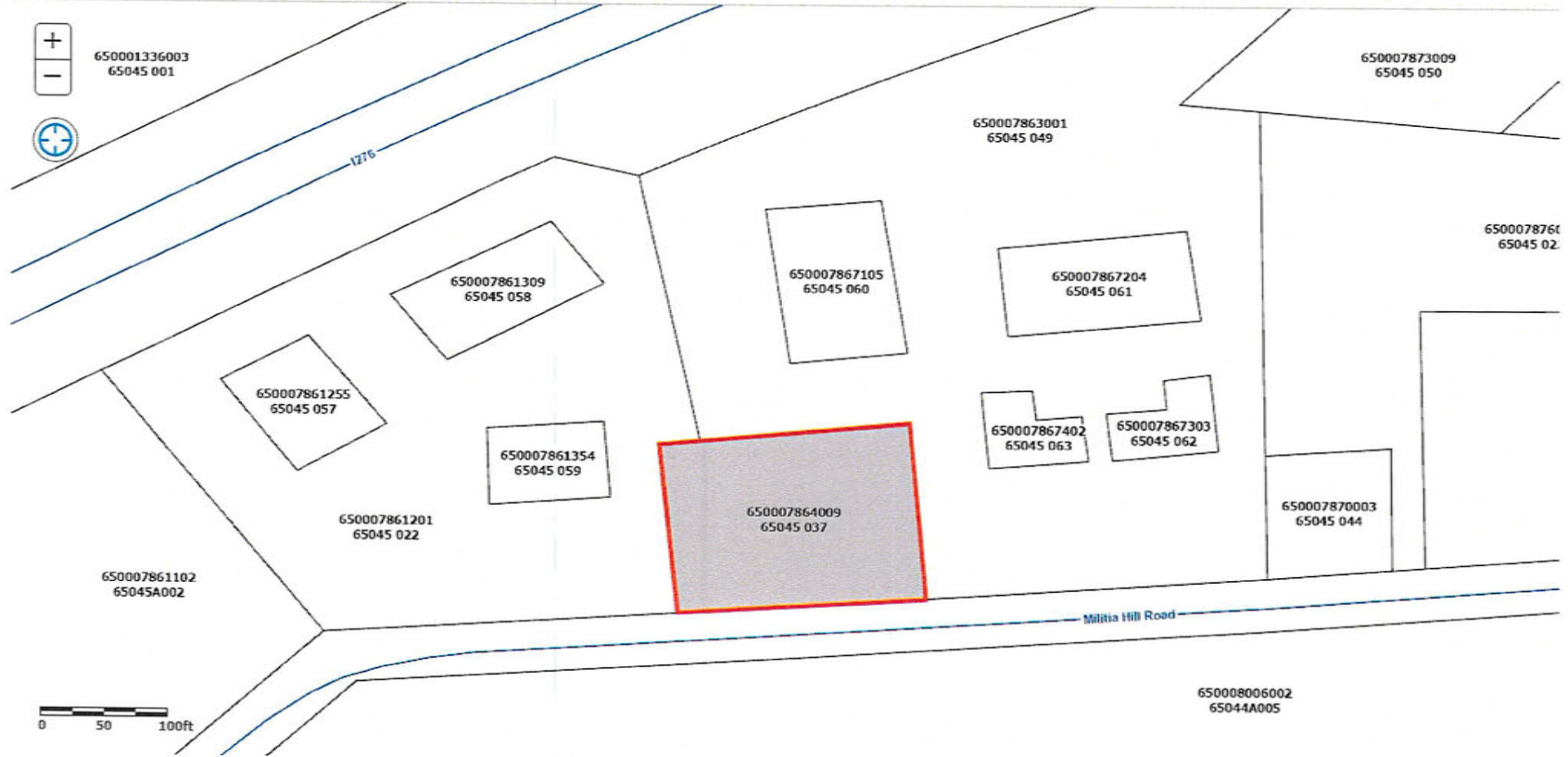
Owner: HANSON ERIC A & MARK P CO/PTNRS
Location: 5211 MILITIA HILL RD 19462
Parcel Number: 650007864009
Zoning District(s):
■ CLI - Campus Limited Industrial [Details](#)
District
Zoom To
[Create Parcel Details page](#)
[Delete selection](#)
[Dismiss](#)

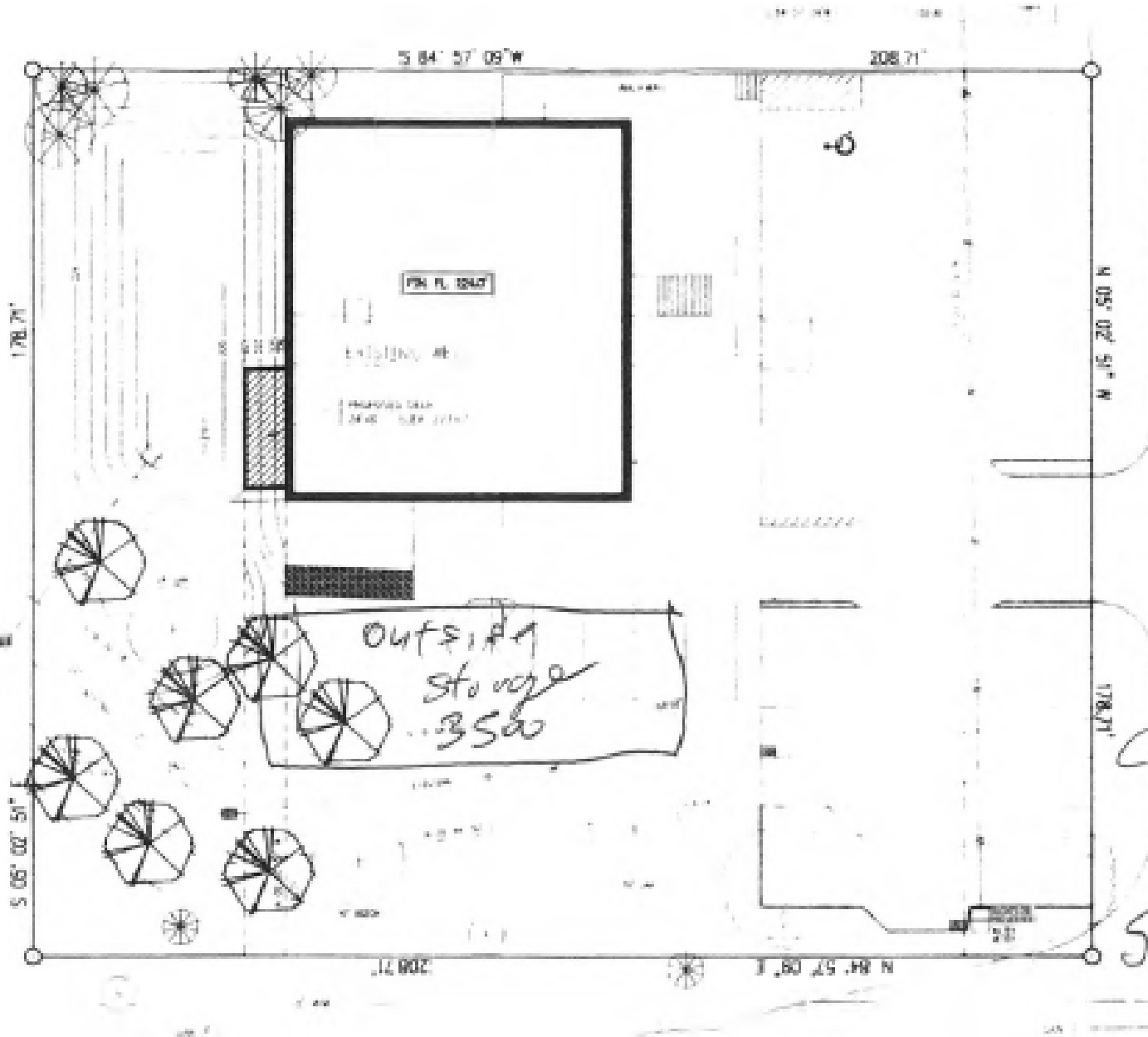


PARID: 650007864009
HANSON ERIC A & MARK P CO/PTNRS

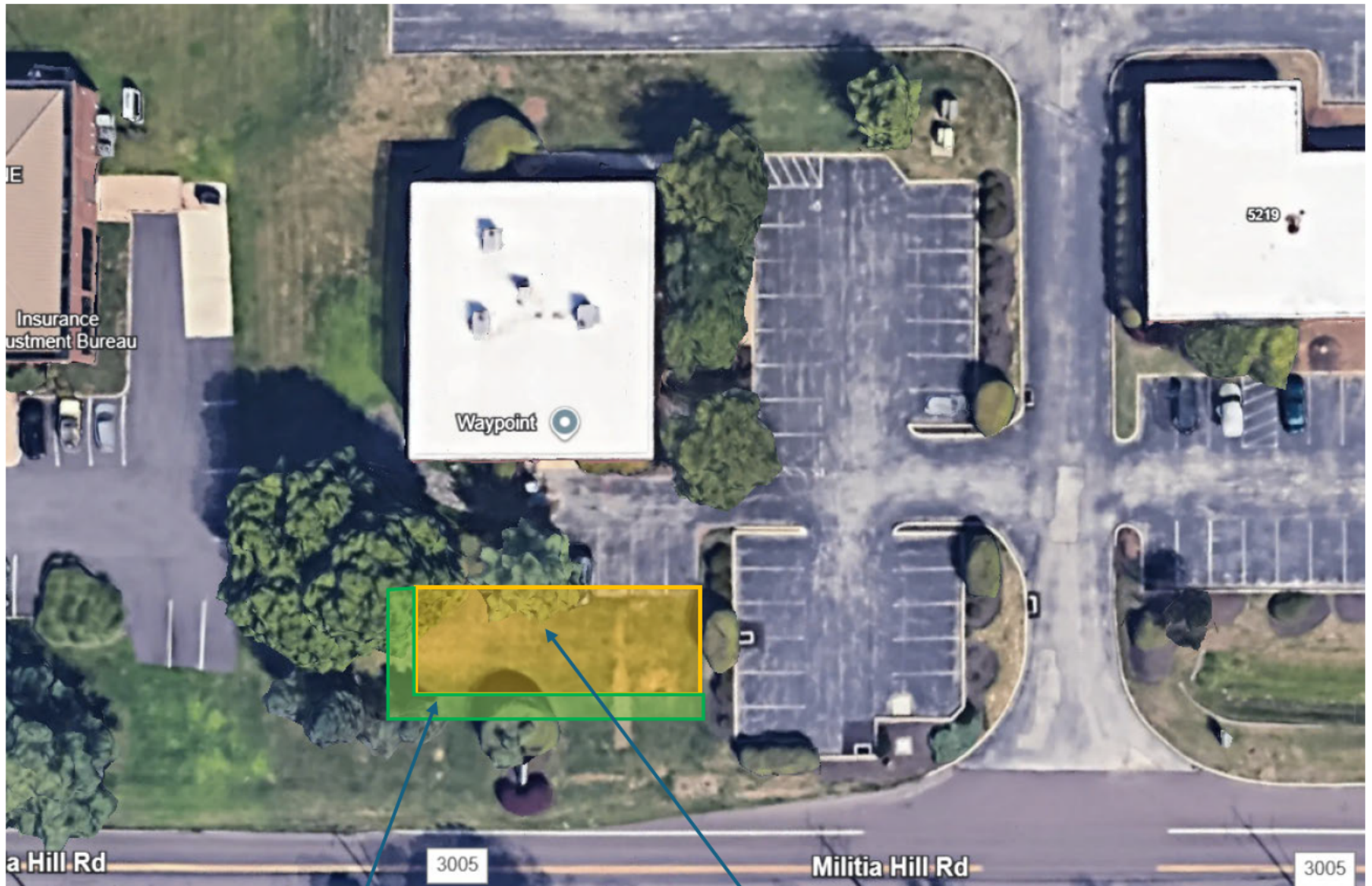


650001336003
65045 001





MILITIA HILL ROAD



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

John R. Lloyd
Robert A. Bacine

James J. [unclear] (Chairman)
Thomas [unclear]

David [unclear]

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

R. J. Blair - dissent
Robert A. Basine

Gene Elias

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 Elias
Robert W. Boccia

[Signature]
Michael A. Gorton

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

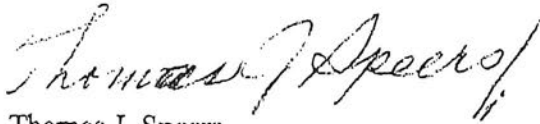
Re: 5211 Militia Hill Road
Eric A. Hanson and Mark P. Hanson, Co-Partners
Application #ZHB-2002-26
My file #0890

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.



ZHB APPEAL #2025-52
SUMMARY

APPLICANT: Marguerite Koller Stokes

PROPERTY LOCATION: Parcel # 65-00-08245-00-6
Block 003C, Unit 037
2283 Mulberry Drive
Lafayette Hill, PA 19444

ZONING DISTRICT: B – Residential

SUMMARY OF RELIEF REQUEST:

The Applicant is proposing to construct a single-story addition to her home. The following relief is requested:

1. **Variance from Section 116-202.B.** to allow a minimum side yard setback of 6' and an aggregate side yard setback of 21' whereas a minimum of 10' and an aggregate of 25' are required. The setbacks of this section may be used because the home was originally built before June 23, 1966; its original date of construction is 1957.
2. **Variance from Section 116-169.A.** to allow an impervious ground coverage of 26.6%, whereas a maximum of 24% is permitted given the Property's location in the B – Residential District with a Steep Slope Ratio of 49%.

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: MARGUERITE STOKES (KOLLER)
Address: 2283 MULBERRY LANE, LAFAYETTE HILL, PA 19444
Phone #: _____ Cell Number: 610-476-6412 E-Mail: MMSTOK@AOL.COM

Owner: MARGUERITE KOLLER STOKES
Address: 2283 MULBERRY LANE, LAFAYETTE HILL, PA 19444
Phone #: _____ Cell Number: 610-476-6412 E-Mail: MMSTOK@AOL.COM

Location of the Property Involved: 2283 MULBERRY LANE, LAFAYETTE HILL, PA 19444
Block #: 003C Unit #: 037 Parcel #: 65-00-08245-00-6

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):

- VARIANCE FROM SEC. 116-57.D. TO ALLOW A MIN. SIDE YARD OF 6' AND AN AGGREGATE SIDE YARD OF 21' WHEREAS A MIN. OF 10' AND 25' ARE REQUIRED (RESPECTIVELY).
- VARIANCE FROM SEC. 116-119.A. TO ALLOW AN IMPERVIOUS GROUND COVERAGE OF 26.6%; A MAX. OF 24% IS PERMITTED GIVEN THE PROPERTY'S LOCATION IN THE B RESIDENTIAL

GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed): DISTRICT AND HAVING A STEEP SLOPE RATIO OF 49%.
**Attach additional sheets if necessary

I HAVE LIVED IN THE TOWNSHIP FOR OVER 40 YEARS, AND HAVE RAISED MY 9 KIDS HERE. I AM ELDERLY WITH INCREASING HEALTH CHALLENGES I WANT TO BE ABLE TO STAY IN MY HOME BUT SOON WILL BE UNABLE TO GO UPSTAIRS. I NEED A BEDROOM AND FULL BATHROOM ON THE FIRST FLOOR. THEN I CAN STAY IN MY HOME SO MY KIDS AND GRANDKIDS ALWAYS HAVE A PLACE TO GATHER IN WHITEMARSH.

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:

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)

ORIGINAL

Date: 11-25-2025
RECEIVED
NOV 25 2025

Marguerite Stokes
Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

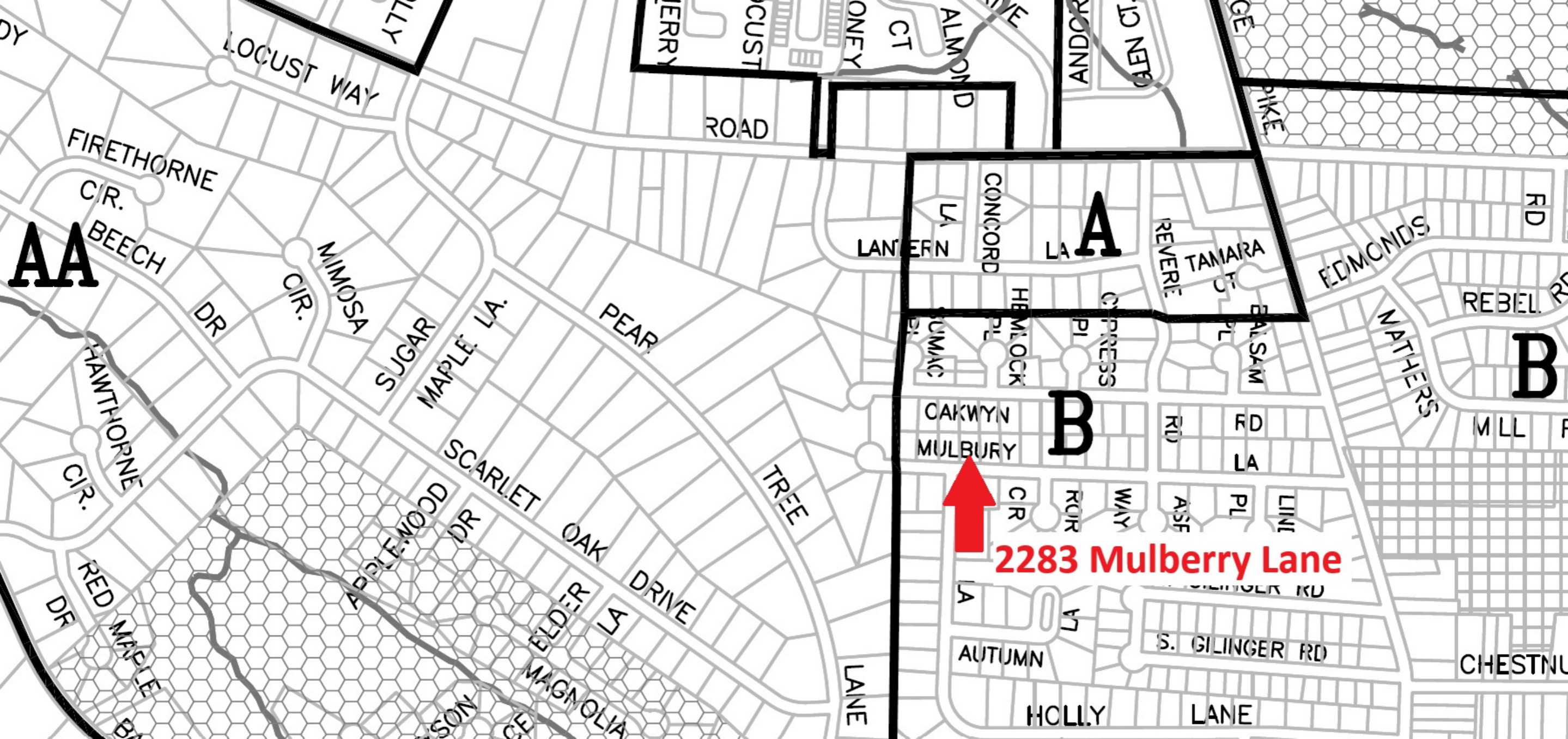
Nature of Application:

To build an addition, the following relief is requested:

- **Variance from Section 116-57.D.** to allow a minimum side yard of 6' and an aggregate side yard of 21', whereas a minimum of ~~12'~~^{10'} and ~~30'~~^{25'} are required (respectively).
- **Variance from Section 116-169.A.** to allow an impervious ground coverage of 26.6%; a maximum of 24% is permitted given the property's location in the B-Residential District and having a Steep Slope Ratio of 49%.

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WHITEMARSH TOWNSHIP
ZONING & ENGINEERING



AA

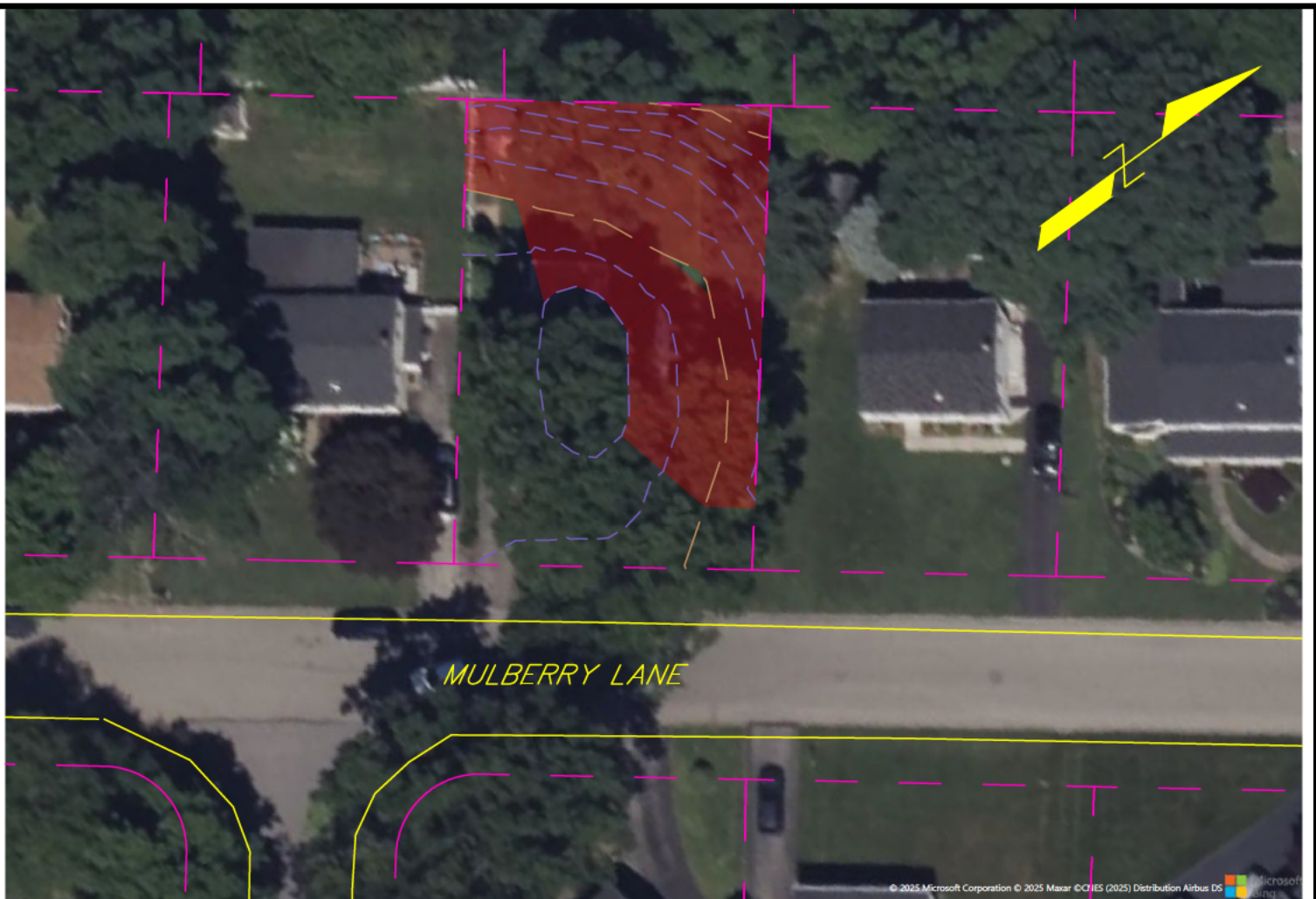
A

B

B

2283 Mulberry Lane





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	B
LOT AREA (SF)	7,987
AREA WITH SLOPES > 8% (SF)	3,890
STEEP SLOPE RATIO (% SLOPES >8%)	49
MAX. IMPERVIOUS COVERAGE (%)	0.24

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.

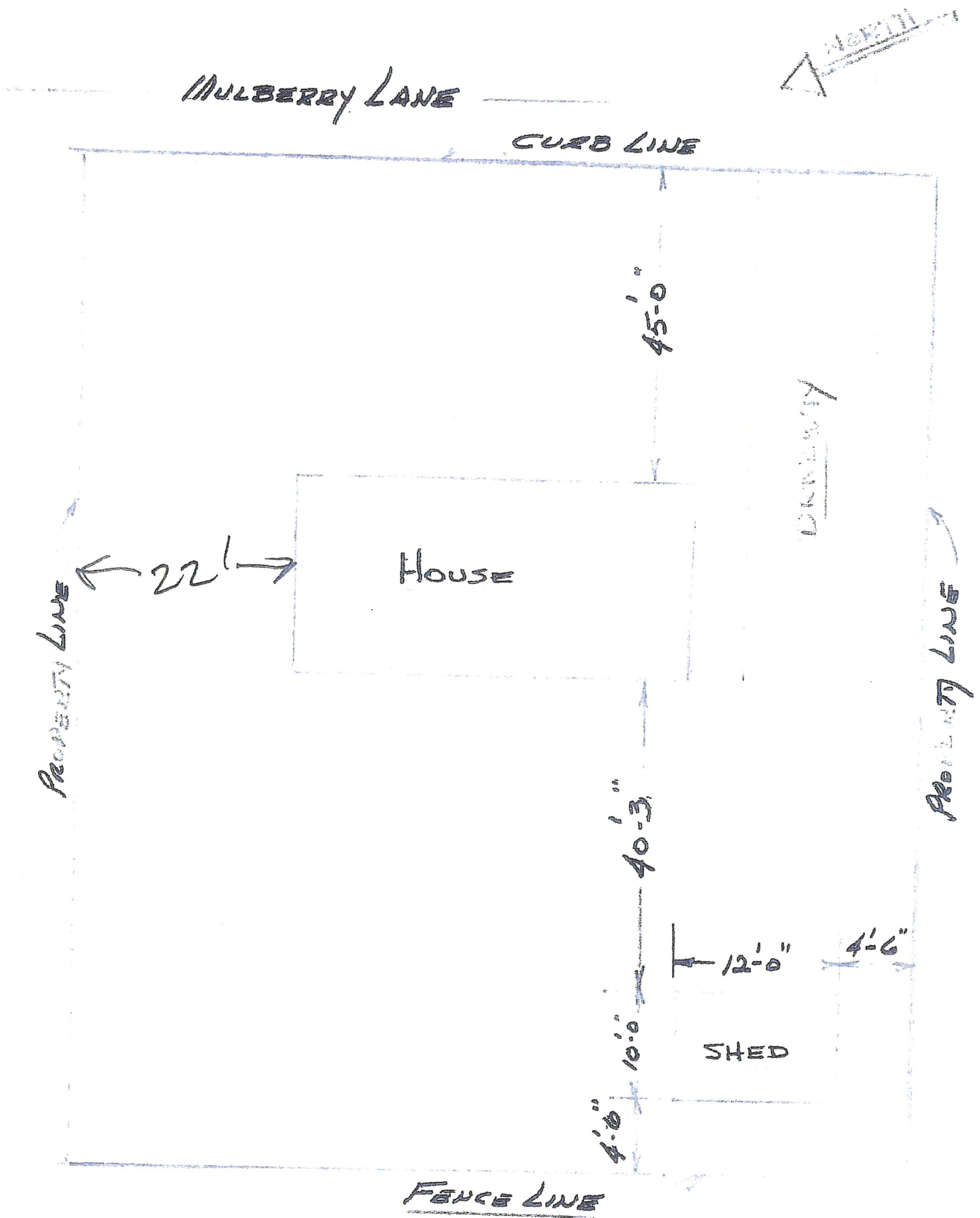
G & A GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES
 65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901 • (215) 345-4330

STEEP SLOPE ANALYSIS
TMP #65-00-08245-006
2283 MULBERRY LANE
LAFAYETTE HILL, PA 19444

DRAWN BY: CMK	JOB NO.: 22-01088-01	DATE: 11/7/2025	SCALE: 1"=40'
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WHITEMARSH TOWNSHIP, MONTGOMERY COUNTY

2283 Mulberry Ln



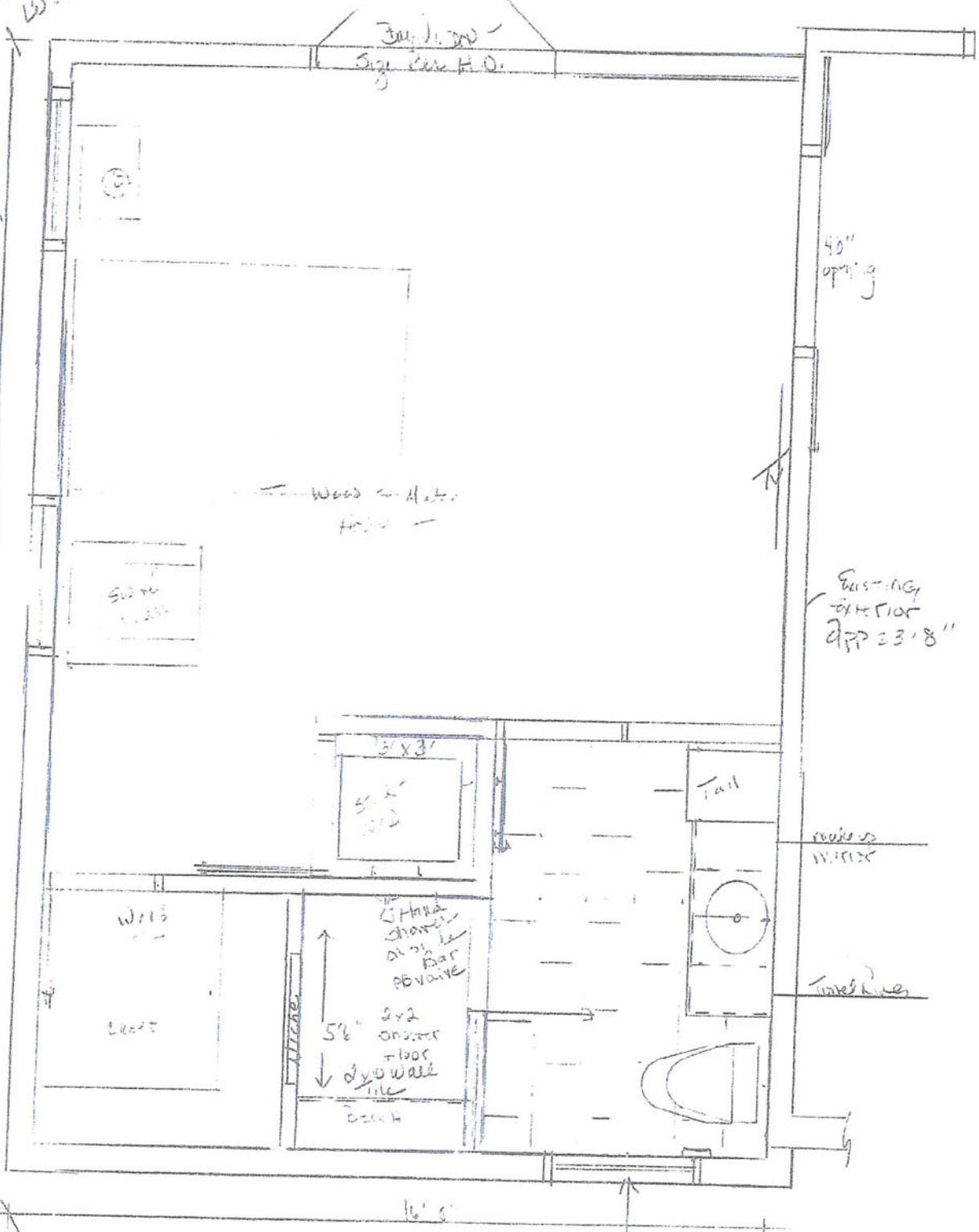
2283 MULBERRY LANE
LAFAYETTE HILL, PA.

WHITMARSH TOWNSHIP
ZONING & ENGINEERING

RECEIVED
NOV 25 2025

1/2 F
Window
Location

9'
3'0"
5'3"
3'0"
24'0"

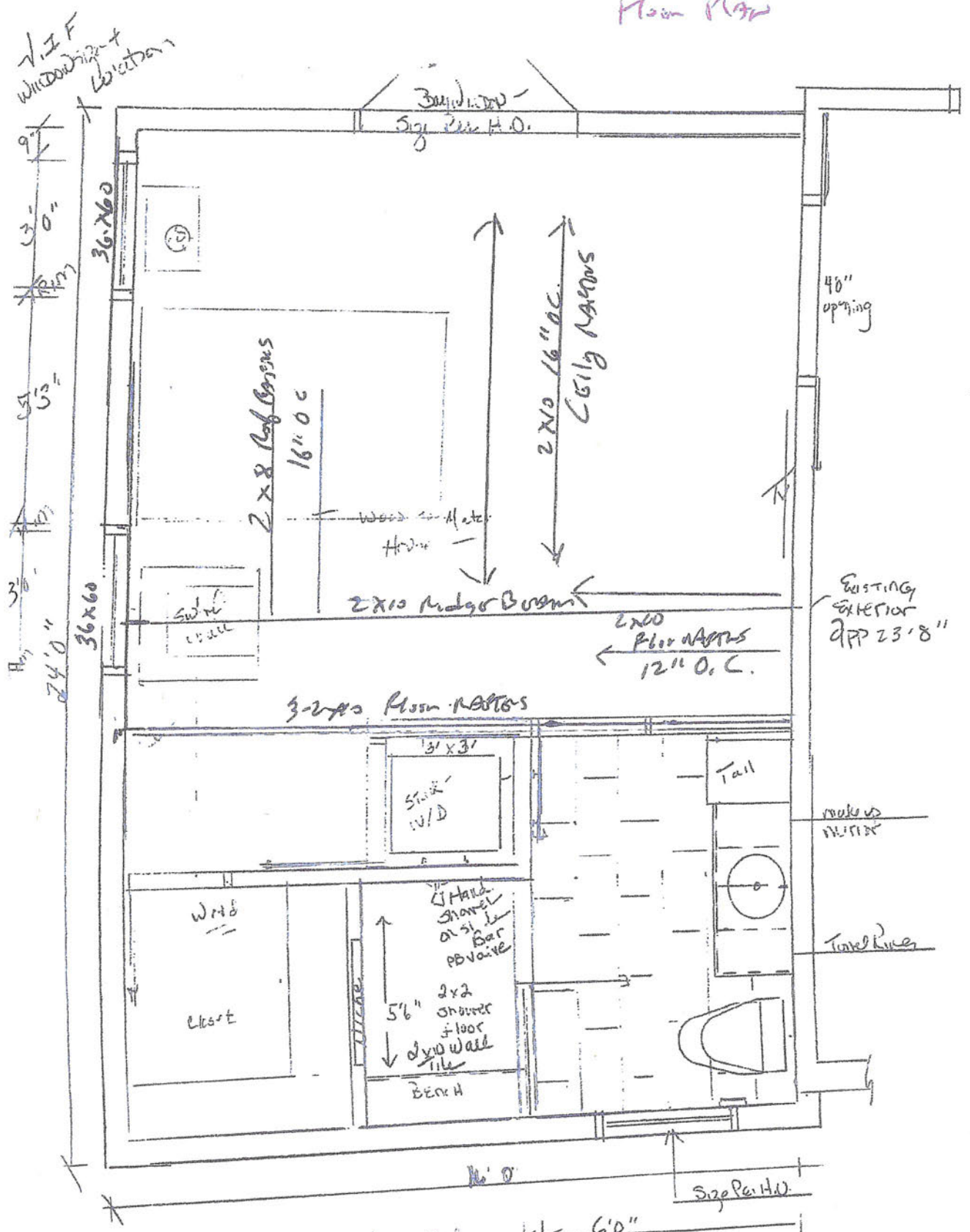


Estimate
of the floor
app 23' 8"

STOKES
2283 MULBERRY LN
Lafayette Hill Pa
19444
610-476-6412

Anthony DeGusillo

Flour Plan

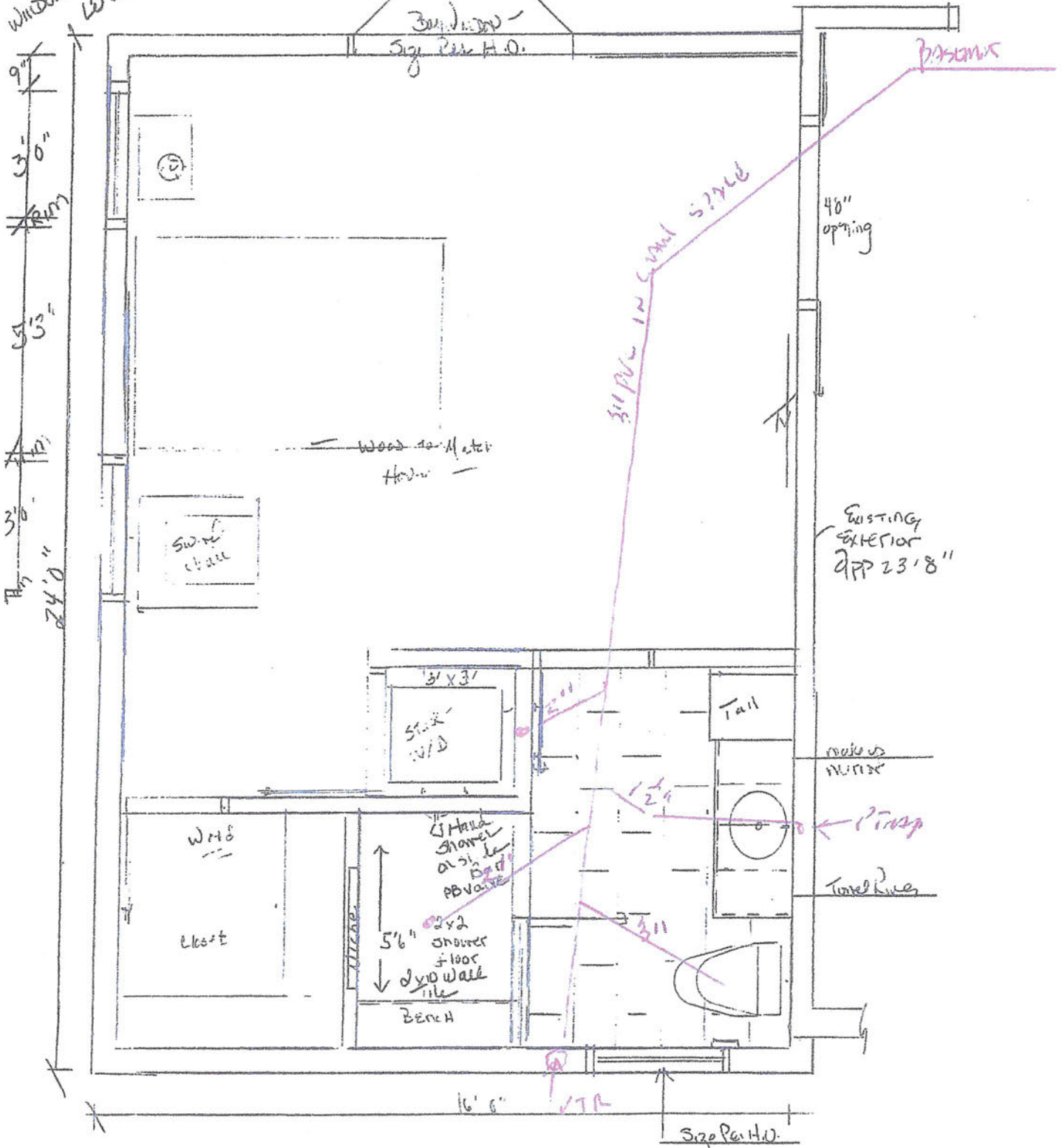


STOKES
 2283 Mulberry Ln
 Lafayette Hill Pa
 19444
 610. 476-6412

Anthony Dejesu

Plumbing Plan

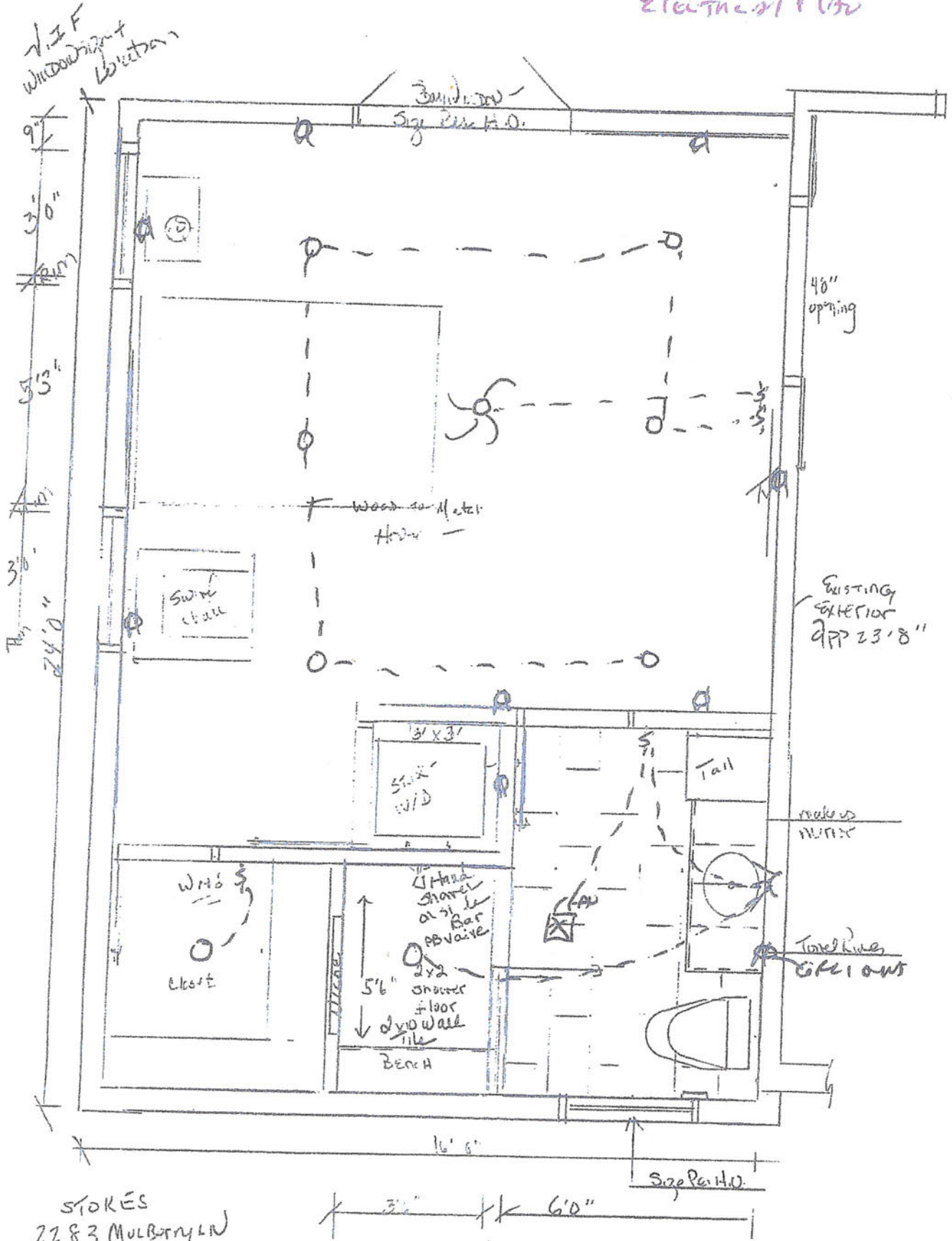
1/2" F
Window Sill
Location



STOKES
2283 Mulberry LN
Lafayette Hill Pa
19444
610-476-6412

James Deagles III

Electrical Plan



STOKES
 2283 MULBERRY LN
 LAFAYETTE Hill Pa
 19444
 610. 476-6412

Norman D. Dugan III

ZHB APPEAL #2025-53
SUMMARY

APPLICANT: OnSite Ventures LLC c/o Edmund J. Campbell, Esq.

PROPERTY LOCATION: Parcel # 65-00-04474-00-6
Block 041, Unit 008
29 Germantown Pike
Plymouth Meeting, PA 19462

ZONING DISTRICTS: VC-2 – Village Commercial District Sub-district 2

SUMMARY OF RELIEF REQUEST:

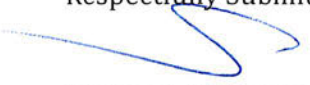
The Applicant is proposing to change an existing legal nonconforming use to another nonconforming use. The following relief is requested:

Special Exception under Section 116-192. to change an existing nonconforming full-service automotive repair business to an automobile detailing business with a reduced and limited scope of automobile repair services.

PRIOR DECISIONS:

ZHB 85-47: Variance for expansion for office associated with auto repair service business (denied).
ZHB 79-21: Variances for garage expansion and building coverage.

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: OnSite Ventures LLC

Address: 10 Meadows Lane, Wilmington, DE 19807

Phone #: 610-639-8126

Cell Number: _____

E-Mail: joe@onsitedetailing.net

Owner: George G. Lare

Address: 29 Germantown Pike, Plymouth Meeting, PA 19462

Phone #: 610-825-2936

Cell Number: _____

E-Mail: gregsauto1@verizon.net

Location of the Property Involved: 29 Germantown Pike

Block #: 65041

Unit #: 008

Parcel #: 65-00-04474-00-6

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):

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): Edmund J. Campbell, Jr.

Address: 2201 Renaissance Blvd., Third Floor, King of Prussia, PA 19406

Phone #: 610-992-5885

E-Mail: ecampbell@campbellroccolaw.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: 12/4/25

RECEIVED
DEC 05 2025


Signature of Applicant/Appellant:
Edmund J. Campbell, Jr., Esquire

Authorized Representative

Signature of Applicant/Appellant:

WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

ADDENDUM TO SPECIAL EXCEPTION APPLICATION

of

OnSite Ventures LLC

c/o

Edmund J. Campbell, Jr., Esquire
Campbell Rocco Law
2201 Renaissance Blvd., Third Floor
King of Prussia, PA 19406
(610) 992-5885

I. Overview

The Applicant, OnSite Ventures LLC (“OnSite”), is in the automotive detailing business. OnSite is the equitable owner of property located at 29. E. Germantown Pike in the Plymouth Meeting section of Whitmarsh Township (the “Property”) pursuant to an agreement of sale (the “Agreement of Sale”) with the current owner, George Lare. A redacted copy of the Agreement of Sale is attached as an exhibit.

The Property is located in the Township’s VC-2 Village Commercial District 2 and in the Plymouth Meeting Historic District. The Property’s current owner, George Lare operates a full-service automotive repair business under the name “Greg’s Automotive Services”. Automotive repair is not permitted in the VC-2 zoning district, however the existing auto-repair is pre-existing and a lawfully permitted non-conforming use. OnSite requests a special exception pursuant to §116-192 of the Township’s Zoning Ordinance to permit a change from one nonconforming use to another nonconforming use. As described in more detail below, OnSite’s proposed use will be less intense than the existing full service auto-repair use.

II. Current Non-Conforming Use

The Property’s current owner operates “Greg’s Automotive Services” at the Property. The Property is comprised of approximately 11,800 square feet. The automotive repair services are provided in a small building, approximately 2,100 square feet in size (the “Building”). The Property has approximately 30 parking spaces. The Building has three automotive repair “bays”. A full range of repair services provided at the Property include, but are not limited to:

- Computer diagnostics
- Gas Engine Specialists
- Engine rebuilding and repair
- Transmission repair and rebuilds
- Brake services / new brakes
- Tune-ups
- Oil lubrication
- Shocks and struts
- Air conditioning and cooling systems
- Exhausts and mufflers
- Tire repair

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WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

- Batteries
- Belts and hoses replacement
- State Inspections

III. Proposed Use

OnSite proposes to use the Property for automotive detailing and limited automotive repair services. Only one of the three automotive bays will be used for automotive repair and those automotive repair services will be more limited in nature than the existing services provided by Greg's Automotive Services. For example, OnSite will not rebuild engines and transmissions. The automotive repair services provided will be limited in nature to such things as oil changes, brakes and inspections. The scope of general automotive services to be provided will be more limited. The amount of general automotive repair services will be reduced by at least two thirds because only one of the three existing bays will continue to be used for such purposes.

OnSite will use the two other bays for automotive detailing. Automotive detailing is the core of OnSite's business. Automotive detailing primarily involves cleaning and restoration of the interior of a vehicle, including vacuuming and cleaning carpets, seats and mats. Leather features are cleaned and conditioned. Windows, vents and consoles are cleaned. In addition to these interior automotive detailing services, OnSite will polish and wax vehicle exteriors, clean wheels, tires and exterior trim.

OnSite does not paint vehicles. OnSite does not repair vehicle body damage.

OnSite will provide detailing services to any make and model automotive, however OnSite's business generally involves providing detailing services to "higher end" and "luxury" model automobiles.

Detailing each automotive takes between 2 to 5 hours depending on the detailing services required. OnSite anticipates providing detailing services to 3 to 5 vehicles per day. On average there will be 2 to 4 employees at the Property each day. Hours of operation will be 9 am to 5 pm, Monday through Friday, with more limited hours on weekends.

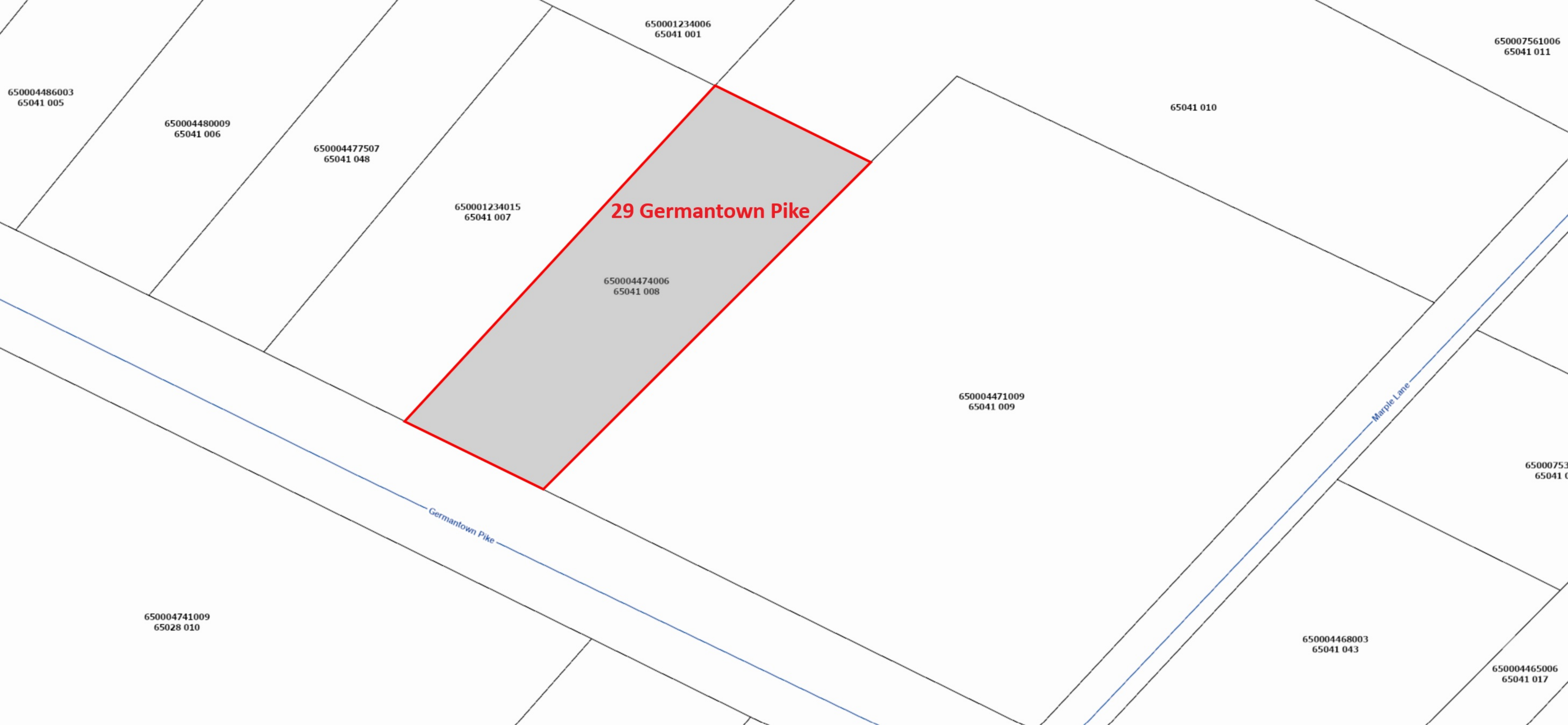
OnSite provides automotive dealerships across the Delaware Valley with automotive detailing personnel. OnSite has a fleet of six vans that are driven to customers to provide detailing services. These vans are typically parked/headquartered in Wilmington, Delaware and from that location provide mobile automotive detailing services across the Delaware Valley. One or two of these mobile automotive detailing vans may be parked at the Property to serve clients in the area. These vans will typically be housed inside the Building overnight.

Given the small number of employees on site and the length of time it takes to detail an automotive, OnSite's proposed detailing use will have no impact on traffic or vehicle congestion. The proposed use will likely have significantly less vehicular traffic than the existing full-service automotive repair business at the Property.

OnSite's business will not result in noise, smoke, dust, fumes gases, heat, odor, glare or vibration that will in anyway impact the immediate neighborhood.

OnSite detailing services will create limited trash and waste. Trash and waste will be picked up by a routine trash service. OnSite does not use hazardous materials or chemicals. There are no hazardous waste materials created as a result of the detailing services provided.

OnSite proposes no changes to the physical layout of the Property. The exiting Building's exterior will be updated. Attached please find a rendering of a concept showing the updated exterior. OnSite may add a side door to the Building as indicated on the rendering. The existing parking spaces provide more than adequate parking for the proposed use. The height of the building will not change. There is an existing "monument" sign along Germantown Pike. OnSite will update this sign consistent with Township's signage requirements. OnSite would like to place a wall sign on the front façade of the Building. A concept of this plan is shown on the renderings provided. This signage will also comply with the Township's signage requirements.



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29 Germantown Pike

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Marple Lane

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Germantown Pike

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AGREEMENT OF SALE

THIS AGREEMENT OF SALE (this "**Agreement**") is made as of the 11th day of November, 2025 (the "**Effective Date**") by and between GEORGE G. LARE, an individual, ("**Seller**") and ONSITE VENTURES LLC, a Pennsylvania limited liability company, or its permitted assignee or nominee ("**Purchaser**").

WITNESS:

1. **SALE OF PREMISES.** Seller agrees to sell and convey to Purchaser, and Purchaser agrees to purchase from Seller, all of Seller's right, title and interest in and to that certain real property located at 29 Germantown Pike, being Tax Parcel # 65-00-04474-00-6, located in Whitemarsh Township (the "**Township**"), Montgomery County, Pennsylvania, and all improvements located there on and all easements, appurtenances and rights thereto (the "**Premises**").

2. **PAYMENT TERMS.** The purchase price (the "**Purchase Price**") for the Premises shall be [REDACTED] payable as follows:

(a) [REDACTED] (together with any and all interest accrued thereon, the "**Deposit**") delivered by Purchaser to Commonwealth Land Title Insurance Company (the "**Title Company**") within two (2) business days after the Effective Date.

(b) The balance of the Purchase Price, subject to adjustments pursuant to this Agreement, paid by wire transfer of immediately available funds, to Seller at Closing.


(c) Unless and until disbursed as provided herein, the Deposit shall be held in an interest bearing, escrow or trust account by the Title Company. Unless Purchaser has exercised its right to terminate this Agreement pursuant to **Section 8** below prior to the expiration of the Due Diligence Period (defined below), in which event the Deposit shall be refunded to Purchaser, the Deposit shall be non-refundable to Purchaser except in the event of a default by Seller (pursuant to Section 7(a) below) or unless any provision of this Agreement shall specifically permit the Deposit to be refunded to Purchaser, provided that the Deposit shall be credited to the Purchase Price if, as and when Closing occurs.

3. **CONDITION OF TITLE.** Seller shall convey fee simple title to the Premises to Purchaser in a condition which is good and marketable and free and clear of all mortgages, liens, judgments, assessments, restrictions, riparian and other ownership rights of the Commonwealth of Pennsylvania and/or the Township of Whitemarsh, encumbrances, easements, leases or tenancies, claims or rights of use or possession, and other title objections made by Purchaser in accordance with the terms set forth herein, including any lien or future claim for materials or labor supplied in improvement of the Premises, and insurable by the Title Company at regular rates, subject to the Permitted Exceptions (defined below).

(a) During the Due Diligence Period, Purchaser shall obtain a title commitment to issue an owner's policy from the Title Company, in such form and with such endorsements as Purchaser may require (the "**Title Commitment**"). Purchaser shall be solely

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the day and year first-above written.

SELLER:

 11-11-25

GEORGE G. LARE

PURCHASER:

ONSITE VENTURES LLC, a Pennsylvania
limited liability company

By: _____
Name: Demetri Kyranakis
Title: Authorized Signatory

By: _____
Name: Joseph Narke
Title: Authorized Signatory


IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the day and year first-above written.

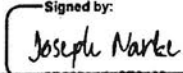
SELLER:

GEORGE G. LARE

PURCHASER:

ONSITE VENTURES LLC, a Pennsylvania limited liability company

Signed by: 
By: _____
Name: Demetri Kyranakis
Title: Authorized Signatory

Signed by: 
By: _____
Name: Joseph Narke
Title: Authorized Signatory



MONTGOMERY COUNTY PENNSYLVANIA

HOME PROPERTY SEARCH CONTACT US

PARID: 650004474006
LARE GEORGE G

29 GERMANTOWN PKE



Record Navigator

1 of 18

Return to Search Results

Actions

Buffer Search

- Profile
- Accessory Structures
- Assessment Breakdown
- Assessment History
- Commercial
- Hearing Details
- Homestead
- Lot
- Map**
- Permits
- Photos
- Residential
- Sales
- Sketch
- Splits and Combinations

29 E Germantown Pike
Plymouth Meeting, Pennsylvania
Google Street View
May 2025 See more dates

Share



Whitemarsh Elementary Cycles Plymouth Meeting
E Germantown Pike

Search Google Maps

29 E Germantown Pike
Plymouth Meeting, Pennsylvania
Google Street View
May 2025 See more dates

Share



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Google Maps





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HC-178

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HC-190

We, the members of the Whitemarsh Township Zoning Hearing Board, do hereby make the following findings of fact, conclusions and decision based upon the testimony and exhibits presented at the public hearings of this appeal:

I. FINDINGS OF FACT

1. Applicants are and have been since 1973 the legal owners of the subject property located at 29 Germantown Pike, Plymouth Meeting, Pennsylvania.
2. On May 26, 1941, Whitemarsh Township adopted its first zoning ordinance which zoned as B Residential the district in which the subject property is located. This property has remained zoned B Residential since that time.
3. The property contains a house fronting on Germantown Pike and built in approximately 1840.
4. The house was used as a residence until March or April of 1973.
5. The property also contains a building to the rear of the lot used by Applicants for automobile body repairs since May, 1973 (hereinafter referred to as the "garage").
6. The garage was used for automobile body repairs as far back as 1941 and has been continuously so used until the present with only a two or three month interruption in 1973.
7. Around September, 1972, Whitemarsh Township issued a certificate certifying that the property was a legal non-conforming use.

8. For some period beginning after 1943 and until 1973, the house was used in varying degrees for storage of some auto parts and business records as well as for residential purposes. After 1973, some auto parts continued to be stored in the house.
9. The first floor of the garage has an area of 1584 square feet with a useful second floor area of 308 square feet.
10. The house, with a first floor area of 748 square feet, and the garage together cover 19.8% of the lot.
11. The existing garage touches the lot lines on the east and west sides of the property.
12. The lot is non-conforming in being only 59 feet wide since Section 33-1002 requires lots in a B Residential District to be 80 feet wide.

II. CONCLUSIONS

The Board is satisfied that Applicants' auto body repair shop located in the garage at the rear of the subject property is a legal non-conforming use. The Board has before it a sworn affidavit of a prior owner of the property that such use existed in 1941, a certificate from the Township confirming its non-conforming status and unrebutted testimony that such use of the garage has been continuous to date with only one interruption of two or three months.

On the other hand, the Board remains unconvinced that the house has ever achieved the legal non-conforming status of the garage. The record contains no testimony at all with respect to any non-residential use of the property which predates 1943, two years following the date in which the property was zoned B Residential. Further, the only testimony concerning the 1943 date was that of William Riker, who had been told by his father that the latter began operating an automobile repair shop on the premises in 1943. Nothing was said about

the use of the house in or prior to that year. Mr. Riker further testified that a few car parts had been kept in the house along with car inspection records and some personal tools. However, there was no testimony as to when such storage began. The storage could not have predated May, 1941 since Mr. Riker's father was not in the auto body repair business on the property prior to 1943. Finally, the Board does not feel that the incidental use made of the house as described by Mr. Riker would have constituted a non-conforming use of any part of the house.

Section 33-2105.B.1 of the Whitemarsh Zoning Code allows the extension of a non-conforming use provided:

"That the area of the structure housing such use shall not be increased by more than a total of twenty-five (25) percent of the area of said structure existing on the date the use first became non-conforming."

The Code obviously allows only the structure housing the non-conforming use to be used in calculating the 25%. Since the house is not part of the legal non-conforming use, its area cannot be used in the calculation of the allowable expansion.

Applicants have requested the Board to allow the combination of the areas of both floors of the garage in determining the allowable expansion of the use. One portion of the garage has a small second floor or storage area which contains some 308 square feet. If this is added to the first floor area, the expansion of the building can be 77 square feet larger than if the area of the first floor alone is used. To this end, Applicants argue that the words "area of said structure" quoted in Section 33-2105.B.1 above mean the total of the areas of all floors of the structure excluding the basement.

This interpretation by Applicants is based upon Section 33-200 of the Code which first states that the word "building" includes the word "structure" and then, in subsection "F", defines "Building Area" as follows:

"Building Area. The aggregate of the maximum horizontal cross-section areas of all buildings on a lot above ground level ..."

While this definition does speak of an "aggregate" of "areas", the Board does not understand the definition to mean total areas of all floors in one building. What is being totaled is the areas of more than one building rather than the areas of more than one floor. In the sense in which the Board sees it, "Building Area" is that portion of a lot's area covered by all buildings on the lot. Here, Section 33-210 5.B limits our examinations to only the building containing the non-conforming use, i. e. , the garage.

Normally, the maximum horizontal cross-section area of a building would be that of its first floor. Certainly, that is true of the garage in this case. Only if another floor were cantilevered out from the first floor would the other floor be considered in determining "Building Area" and then only the area of that floor would be used, not the total areas of all floors.

If the Board's interpretation of the above definition were intended by the Code, Applicants argue, the term "Building Coverage" would be used since this term is used in that sense as the title of Code Sections specifying percent of allowable lot coverage for many of the Township's zoning districts. See, e.g., Section 33-602. However, Applicants ignore Code Sections such as 33-103.B and 33-1104.B where "Building Area" is used as a section title for the same kind of limiting clause. Finally, and completely refuting Applicants' argument, Section 33-1108.A reads:

"Building Area. The maximum building coverage shall be 20% of the area being developed hereunder." (Emphasis supplied)

It is clear from this language that the Whitemarsh Code uses the terms "Building Coverage" and "Building Area" interchangeably and as interpreted by the Board.

In summary, the Board feels that "area of said structure" as used in Section 33-2105.B means the maximum area of the lot covered by the structure in which the non-conforming use exists. In this case, the area would be that of the first floor of the garage which is 1584 square feet. The maximum expansion allowed is 25% of 1584 or 396 square feet.

Nothing in the Code precludes the Applicants from razing the entire garage and rebuilding it 396 square feet larger except that Section 33-2105 requires the new building to meet the setback and coverage requirements of Section 33-1002 for a B Residential District. The garage is already non-conforming in that it does not meet the side yard setback requirement of a minimum of 12 feet on each side with an aggregate of 30 feet nor the rear yard requirement of 30 feet. Indeed, the existing garage touches the lot lines on both sides and is only 12 feet from the rear of the lot. If the Board required the newly expanded building of almost 2,000 square feet to meet the setback requirement, the garage would reach about 60 feet further toward the front of the lot than at present. In the interest of keeping this commercial use more toward the rear of the lot, the Board will grant the necessary variance so that the expanded building can parallel the side lot lines at a distance no closer than one foot on each side with the rear wall of the building parallel to the rear lot line at a distance of 12 feet.

The Board also notes that the existing house and garage already cover 19.8% of the lot so that any expansion of the garage must necessarily exceed the 20% lot coverage limitation of Section 33-1002. The Applicants must either tear down the house or receive a variance in order to expand the garage at all. If Applicants tear down the house as seems to be their intention, no variance is necessary. However, should the Applicants be precluded by law or act of any agency or governmental entity from removing the house, the Board grants to Applicants a variance in order to allow a total lot coverage by house and expanded garage of 23%.

The Board feels that the variances granted provide the minimal relief necessary to allow Applicants' non-conforming use to expand by 25% yet still keep this commercial use in a less conspicuous position at the rear of the property. There was no evidence presented that this would in any way be detrimental to the health, welfare or safety of the citizens of Whitemarsh Township.

Finally, Applicants have asked the Board to review the refusal by the Board of Historic Architectural Review (HAR Board) to recommend to the Township supervisors that a certificate of appropriateness be issued which would allow the razing of the house located on Applicants' property. Applicants base their request for review by this Board upon Section 9-107 of the Whitemarsh Township Historic District Ordinance which faithfully echos Section 4(d) of the Pennsylvania Historic Districts Act (53 P.S. 8004(d)). Section 9-107 reads as follows:

"Any person aggrieved by failure of the agency charged by law or by local ordinance to issue a permit for such building changes by reason of the disapproval of the Board of Supervisors may appeal therefrom in the same manner as appeals from decisions of the agency charged by law or by local ordinance with the issuance of permits for such building changes."

It is apparent from the above language and from Section 9-104 of the Whitemarsh Ordinance and provisions of the Pennsylvania Act found at 53 P.S. 8003 and 8004(a), (b), and (c) that the HAR Board has only an advisory role in determining whether or not a certificate of appropriateness shall be issued. It is obvious that the actual decision as to whether such a certificate should be issued is reserved for the Board of Supervisors who consider the advice of the HAR Board. Since the Zoning Hearing Board has no testimony before it that the Whitemarsh Board of Supervisors has yet made this decision, it is clear that a review by any body is not yet appropriate.

Further, we direct the Applicants' attention to First Presbyterian Church of York v. City Council of York, 25 Pa C 154,360A.2d 257

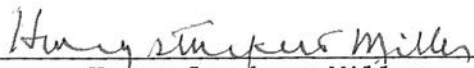
(1976) where it is clear that the procedure in trying to get a certificate of appropriateness would include a hearing before the HAR Board followed by appropriate action of the Board of Supervisors with any appeal then being made to the Court of Common Pleas and not the the local Zoning Hearing Board. As a result, this Board cannot decide nor review Applicants' application for a certificate of appropriateness to raze the house.

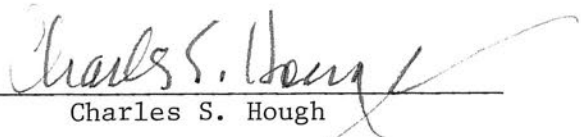
III. DECISION

In view of the above facts and conclusions, the decision of this Board is as follows:

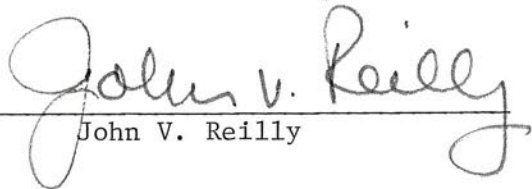
1. The house located on Applicants' property does not have the status of a legal non-conforming use for any part of an automobile body repair operation.
2. The garage at the rear of Applicants' property does have the status of a legal non-conforming use for the purposes of automobile body repairs.
3. The areas of the first and second floors of the garage cannot be combined in order to determine the expansion of the non-conforming use allowed by law.
4. The garage may be expanded by 396 square feet which is 25% of the first floor area of the garage.
5. The existing garage may be razed and rebuilt in an expanded form subject to the conditions set out in this Decision.
6. A variance is granted to allow the expanded garage to be built with its sides parallel to and no closer than one foot from the side lot lines of the subject property.

7. The rear wall of the expanded garage shall be parallel to and 12 feet from the rear lot line of the subject property.
8. A variance is granted to allow 23% of the lot area to be covered by the existing house and the garage as expanded.
9. No parking shall be allowed within 50 feet of the legal right-of-way of Germantown Pike.
10. The parking area shall be covered with crushed stone with any grading to be first approved by the Township Engineer.
11. A fence and/or dense shrubbery sufficient to screen the parking area and as approved by the Shade Tree Commission shall be installed along the east and west lot lines of the property.
12. The existing sign shall be redesigned subject to the approval of the Board of Historic Architectural Review.


Henry Stuckert Miller


Charles S. Hough

DATE January 23, 1980


John V. Reilly

WHITEMARSH ZONING HEARING BOARD

IN RE: JOSEPH PELLIZZERI
Application 85-47

FINDINGS OF FACT

1. Applicant operates an automobile body shop on a lot in the Township zoned B Residential.
2. The body shop operation is a legal nonconforming use.
3. Applicant began his body shop operation thirteen years ago with the capacity to service three-four cars in a building which also contained an office.
4. Five months prior to the hearing on this matter, Applicant completed the demolition of the original building and its replacement with a building that can accommodate six cars but contains no office.
5. The new 2,000 square feet building is 25% larger than the prior building, the maximum expansion of a legal nonconforming use allowed by the Whitemarsh Township Code.
6. Applicant's proposed office addition would be a 15% expansion of the existing 2,000 square feet building.
7. The proposed expansion complies with all requirements of the Code except the 25% limit on expansion of nonconforming uses set out in Section 116-194.

DISCUSSION

Applicant admits that Section 116-194 of the Whitemarsh Township Code does not allow an expansion of its legal nonconforming use beyond 25%. Applicant also admits that he has expanded his nonconforming use the full 25% prior to this application. Applicant requests a variance to allow yet another expansion amounting to 15% of the already expanded building. The proposed expansion would house administrative offices of the operation. Applicant seemingly admits that he cannot meet the normal standard of hardship required for a variance because, in fact, he is "operating a business that is presently viable on the site". To

avoid this flaw in his variance argument, Applicant relies on Jenkintown Towing Service v. Zoning Hearing Board of Upper Moreland Township, 67 Commonwealth Ct. 183 (1982).

That case provides three criteria which must be met before there can be a variance from the maximum allowed expansion of a legal nonconforming use. They are:

1. The expansion must involve a modernization essential to the continued viability of the business.
2. The expansion must not be detrimental to the public welfare.
3. The expansion must be the minimum variance required to accomplish Applicant's goal.

The last two criteria would have to be met for any variance. The first, even if different from the normal hardship requirement, is fatal to Applicant's request.

The entirety of Applicant's proof in support of meeting that first criterion consists of the following testimony from Applicant.

As to whether the present size of the building causes him problems in operating: "It makes it a little tight. It could be more efficient if it was larger, naturally." NT - 8

As to what it is like to meet customers in the present building: "It would be noisy, dusty, very aggravating, very unbusinesslike. It's a very unprofessional look to have to meet your clients that way." NT - 9

As to why he wants the office addition: "I want it to be safe for my customers, more of a professional atmosphere so that I can conduct business in a professional way." NT - 9

As to why the office can't be placed within the existing building: "Because it would cut down on square footage of what I was allowed to do as far as working space and equipment and that would just definitely defeat the whole purpose of the original construction." NT - 9, 10 "... it's a very poor environment to have an office. It would cut down on working space and defeat the whole purpose of the construction of the auto operation itself. It

would take up at least one bay, if not more, and it would be like defeating the whole purpose of the construction." NT - 26, 27

Nothing in this testimony convinces this Board that the office expansion is a modernization essential to the continued viability of the business. The words emphasized are determinative. The office addition might be more efficient, comfortable and "professional" but hardly required to allow this business to survive.

This is clear from the fact that Applicant used to have an office but chose to delete it when he recently expanded the building to its maximum legal extent. It is impossible to believe that office space would have been neglected if it were essential to the body shop's viability.

It seems probable that Applicant could take the space along an outside wall devoted to one service bay, isolate it from the dust and noise of the rest of the operation and use it as an office. True, he might be able to service only five cars at a time rather than the existing six, but even five cars is a 25-67% increase over the three-four cars he could service formerly. Thus, even if the office were an absolute necessity for his business, Applicant could maintain it within the existing building and still have a substantial increase in its ability to work on cars.

CONCLUSION

For the reasons set out above, the expansion is neither necessary for Applicant's business nor justified by law. The request for variance is denied.
