

**IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT**

|                                    |   |                                  |
|------------------------------------|---|----------------------------------|
| OWPH DEVCO, LLC,                   | : | No. 8 WAL 2026                   |
|                                    | : |                                  |
| Petitioner                         | : |                                  |
|                                    | : |                                  |
| v.                                 | : | Petition for Allowance of Appeal |
|                                    | : | from the Order of the            |
|                                    | : | Commonwealth Court               |
|                                    | : |                                  |
|                                    | : |                                  |
| MONROEVILLE MUNICIPAL COUNCIL AND  | : |                                  |
| ZONING HEARING BOARD, MUNICIPALITY | : |                                  |
| OF MONROEVILLE,                    | : |                                  |
|                                    | : |                                  |
| Respondents                        | : |                                  |

|                                    |   |                                  |
|------------------------------------|---|----------------------------------|
| OWPH DEVCO, LLC,                   | : | No. 9 WAL 2026                   |
|                                    | : |                                  |
| Petitioner                         | : |                                  |
|                                    | : |                                  |
| v.                                 | : | Petition for Allowance of Appeal |
|                                    | : | from the Order of the            |
|                                    | : | Commonwealth Court               |
|                                    | : |                                  |
|                                    | : |                                  |
| MONROEVILLE MUNICIPAL COUNCIL AND  | : |                                  |
| ZONING HEARING BOARD, MUNICIPALITY | : |                                  |
| OF MONROEVILLE,                    | : |                                  |
|                                    | : |                                  |
| Respondents                        | : |                                  |

**ORDER**

**PER CURIAM**

**AND NOW**, this 29th day of September, 2026, the Petition for Allowance of Appeal is **GRANTED**. The issue, as stated by petitioner, is:

Whether the Commonwealth Court erred in holding that no deemed approval of a variance application occurred pursuant to Section 908(9) of the Pennsylvania Municipalities Planning

Code (the “MPC”), 53 Pa. Stat. § 10908(9), when a zoning hearing board issued its denial of variance application by the extended deadline to which the property owner had agreed but failed to issue any written findings, conclusions, or other explanation until more than a month after that deadline had passed.