



# BENSALEM TOWNSHIP

Building and Planning Department  
2400 Byberry Road • Bensalem PA 19020  
215-633-3644 • FAX 215-633-3653

**Exhibit Z-4**

## Zoning Hearing Board

**Appeal Number:** \_\_\_\_\_

### Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

**Check applicable item(s):**

- Certification of Non-Conforming Use
- Application for Validity Challenge
- Administrative Officer in refusing my application for a building permit dated: \_\_\_\_\_
- Special Exception
- Variance from the terms of the Zoning Ordinance of the Township of Bensalem

**Appellant Name:** James J Olewnik

**Address:** 624 Birch Avenue  
Bensalem, PA 19020

**Phone No.** \_\_\_\_\_

**Owner's Name:** Patricia Grady

**Address:** 616 Birch Ave  
Bensalem, PA 19020

**Phone No.** \_\_\_\_\_

**Attorney Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone No.** \_\_\_\_\_

**Interest of appellant, if not owners (agent, lessee, etc.):** \_\_\_\_\_

Relative of owner

\_\_\_\_\_

\_\_\_\_\_

**1. Application relates to the following:**

Check items if applicable:

- |                          |                   |                                     |                   |
|--------------------------|-------------------|-------------------------------------|-------------------|
| <input type="checkbox"/> | Use               | <input checked="" type="checkbox"/> | Lot Area          |
| <input type="checkbox"/> | Height            | <input type="checkbox"/>            | Yards             |
| <input type="checkbox"/> | Existing Building | <input type="checkbox"/>            | Proposed Building |
| <input type="checkbox"/> | Occupancy         |                                     |                   |
| <input type="checkbox"/> | Other: (describe) | <u>Lot Width</u>                    |                   |
- 
- 

**2. Brief description of Real Estate affected:**

Tax Parcel Number: 02-060-067

Location: 616 Birch Avenue

Lot Size: Existing 75 & 120, 9,000 SF Prop 70.5 x 120, 8,460 SF

Present Use: Residence

Proposed Use: Residence

Present Zoning Classification: R-1

Present Improvement upon Land: 1½ story dwelling

Deed recorded at Doylestown in Deed Book 1839 Page 1068

**3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.**

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**4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:**

Date Determination was made: \_\_\_\_\_

Your statement of alleged error of Zoning Administrative Office: \_\_\_\_\_

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5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

Sec. 232-153. - Area regulations. (a) lot area & (b) lot frontage and width

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

We desire a variance for increasing the existing nonconforming of the lot area from 9000 SF to 8460 SF which is less than the 12000 SF required an decreasing the lot width from 75' to 70.5' which is less than the 80' required.

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

We believe the Zoning Hearing Board could grant this variance under §232-781(e)(4) & §232-781(e)(5) that the variance, if authorized, will not alter the essential character of the neighborhood and will represent the minimum variance that will afford relief.

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

YES  NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

6-14-16

Date

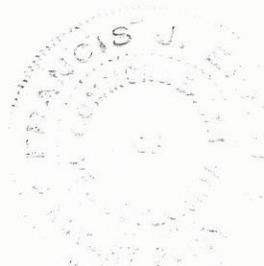
Sworn to and subscribed before me this

14 day of June 2016

Notary Public

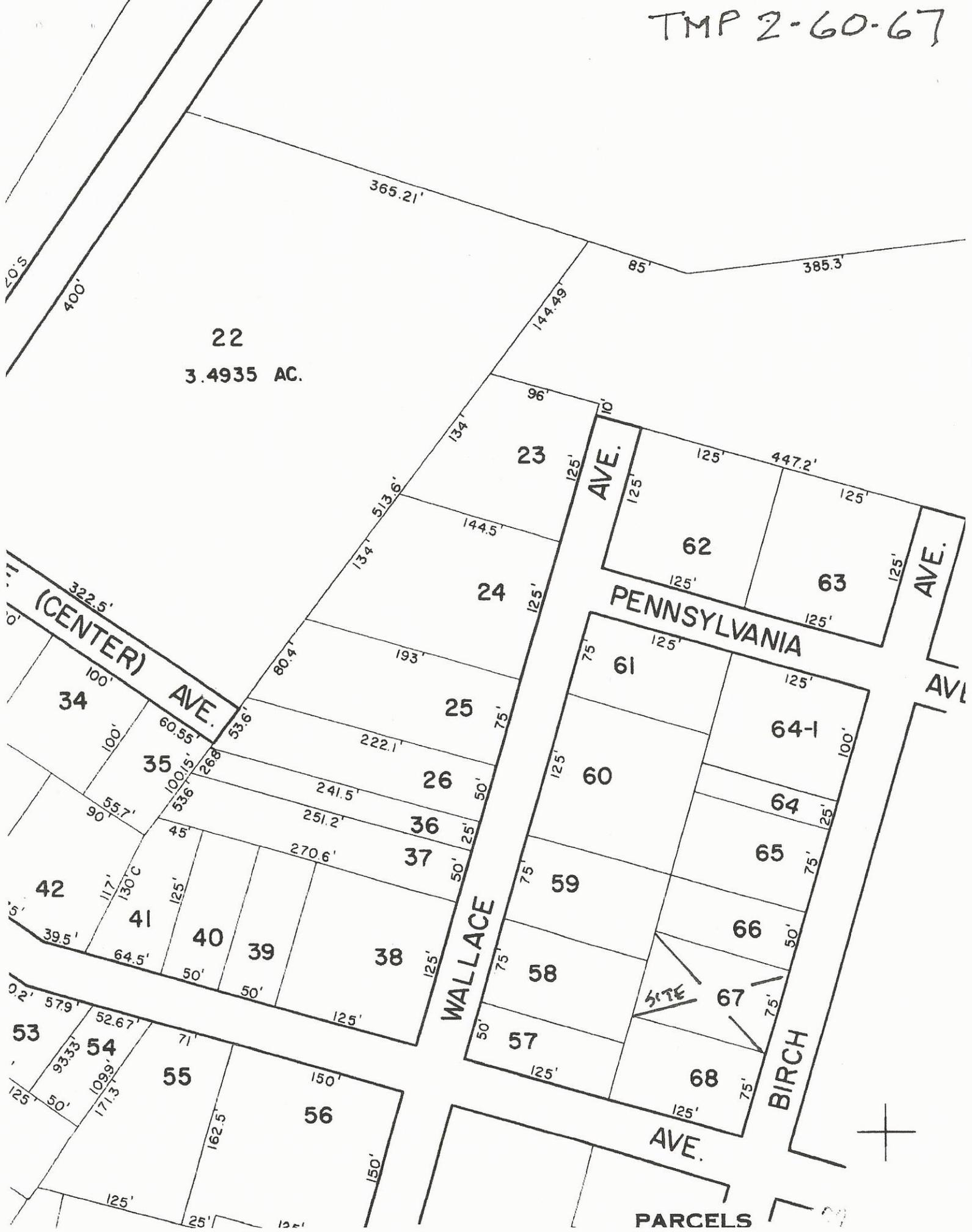
My commission expires:

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
FRANCIS J. ERNST, Notary Public  
Bensalem Twp., Bucks County  
My Commission Expires November 16, 2016



TMP 2-60-67

22  
3.4935 AC.



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## M E M O R A N D U M

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**To:** Mr. Matthew Takita, Director of Building and Planning

**FROM:** Harold W. Gans, P.E., P.L.S., Township Engineer

**DATE:** May 18, 2015

**RE:** Lot Line Change Plan  
James J. & Kathleen E. Olewnik - 624 Birch Avenue  
Patricia Grady – 616 Birch Avenue  
TMP #02-060-066 & 02-060-067  
File No. 907.3058.00

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### A. APPLICATION

Pursuant to Section 201-83 of the Code of the Township of Bensalem, we received and reviewed the above referenced Lot Line Change plan. The application consisted of a single sheet plan prepared by Joseph F. Hamill, Jr., P.L.S. The plan is dated April 19, 2016 with no revisions.

### B. DISCUSSION

The subject parcels are located on the westerly side of Birch Avenue and are located in an R-1 Residential District (a note on the plan incorrectly indicates an R-2 district). The subject parcels are adjacent to each other. James J. and Kathleen E. Olewnik are the owners of 624 Birch Avenue, TMP #02-060-066 and Patricia Grady is the owner of 616 Birch Avenue, TMP #02-060-067. Both parcels are existing, non-conforming as to area, lot width and front yard setback, and each includes a single-family dwelling.

**C. CHAPTER 232 – ZONING**

The plan proposes the shifting of the common lot line 4.5' to the west. This will result in the Grady property (TMP#02-060-067) reduction in area by 540 sq. ft. resulting in a total area of 8,460 sq. ft. and will reduce the lot width from 75' to 70.5'. Since these reductions increase the existing non-conformity, the applicant needs to request a zoning variance for lot width and area. [Sections 252-153 (a) & 232-153 (b)]. The result of the lot line shift will affect the Olwenik property by increasing the lot width to 54.5' and the lot area will increase by 540 sq. ft. to 6,540 sq. ft.

**D. CHAPTER 201 – SUBDIVISION**

Concrete monuments should be placed at the new corner locations of the new lot line. [Section 2301-138]

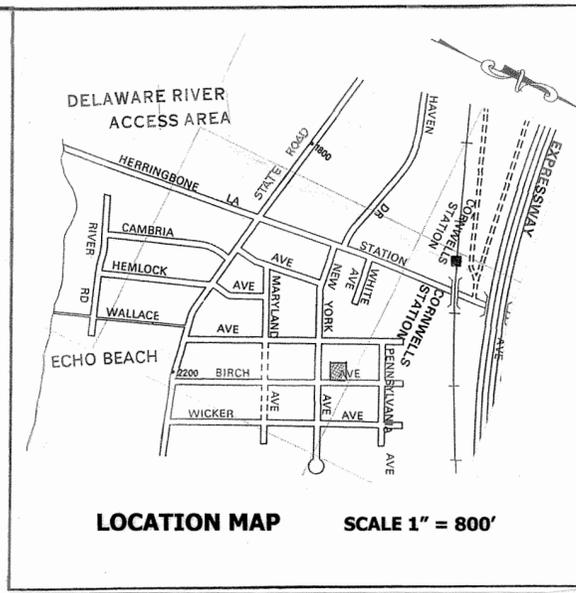
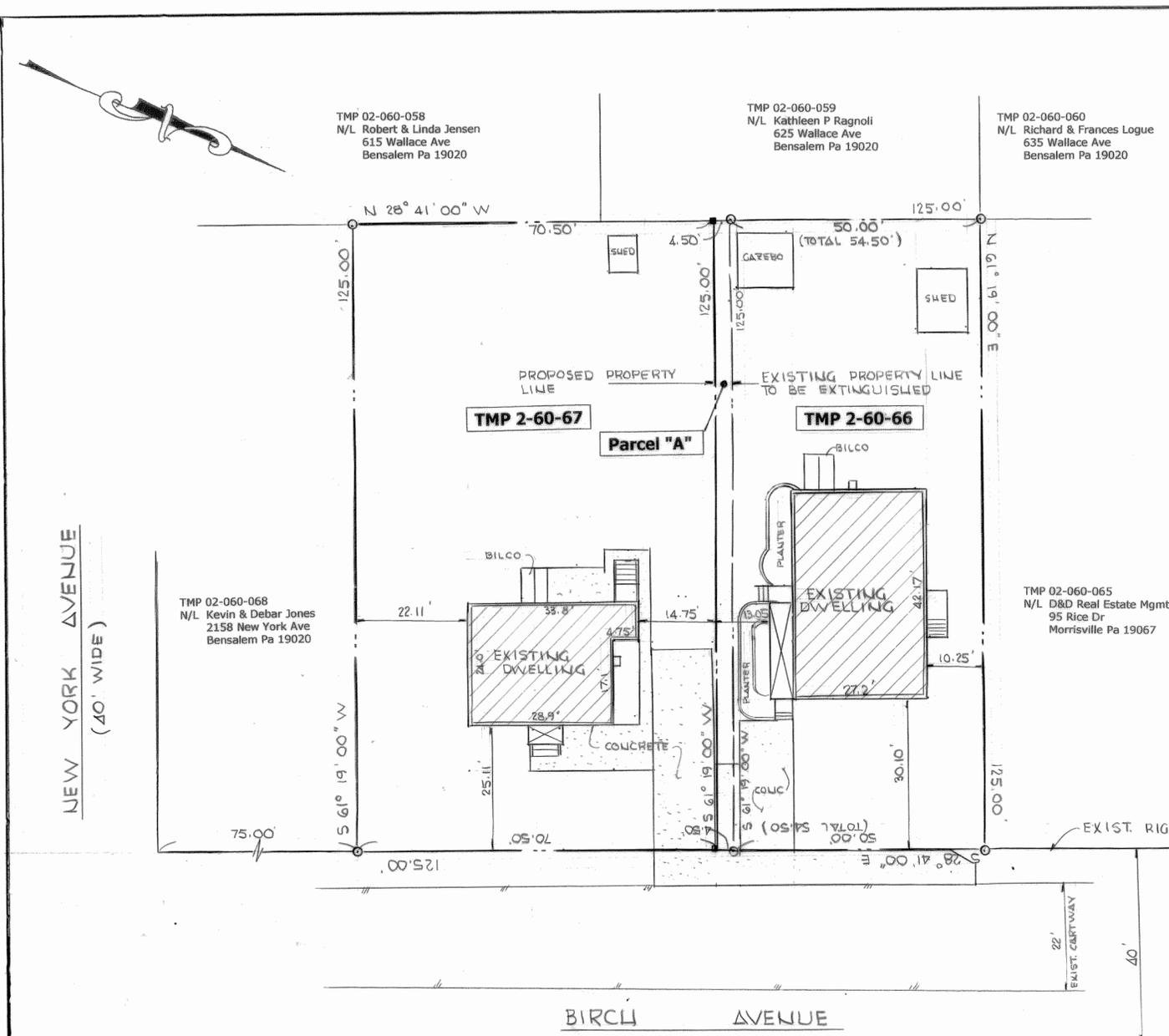
**E. SUMMARY**

The plan is in position for Lot Line change consideration by the Bensalem Township Council.

If you have any questions, please contact me.

cc: Honorable Mayor Joseph DiGirolamo  
Ms. Loretta Alston, Bensalem Planning Commission  
Mr. Michael Roedig, Bucks County Planning Commission  
Ms. Debbie McBreen, Bensalem Clerk  
Ms. Danielle Kimmel, Bensalem Finance Department  
James J. & Kathleen E. Olewnik - 624 Birch Avenue, Bensalem, PA 19020  
Ms. Patricia Grady, 616 Birch Avenue, Bensalem, PA 19020  
J.F. Hamill Land Surveying, 3626 Hulmeville Road, Bensalem PA 19020

HWG:tar



**Owners' Statement of Intent:** **Grantors**  
 I **Patricia Grady**, have laid out our land, situated in the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania, certain lots according to this plan which is intended to be recorded.  
 Witness our hand and seal this \_\_\_\_\_ Day of \_\_\_\_\_, 201\_\_

Commonwealth of Pennsylvania: \_\_\_\_\_  
 County of Bucks : ss  
 On the \_\_\_\_\_ Day of \_\_\_\_\_, 201\_\_, before me the Subscriber, a Notary Public of Pennsylvania, personally appeared **Patricia Grady**, who acknowledged this Plan to be the Official Plan of Lots shown thereon, situated in the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania and desired this plan to be recorded according to law.  
 Notary Public \_\_\_\_\_  
 My Commission expires \_\_\_\_\_

**Owners' Statement of Intent:** **Grantees**  
 We **James J & Kathleen E Olewnik**, have laid out our land, situated in the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania, certain lot according to this plan which is intended to be recorded and consolidated with our existing parcel.  
 Witness our hand and seal this \_\_\_\_\_ Day of \_\_\_\_\_, 201\_\_

Commonwealth of Pennsylvania: \_\_\_\_\_  
 County of Bucks : ss  
 On the \_\_\_\_\_ Day of \_\_\_\_\_, 201\_\_, before me the Subscriber, a Notary Public of Pennsylvania, personally appeared **James J & Kathleen E Olewnik**, who acknowledged this Plan to be the Official Plan of Lots shown thereon, situated in the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania and desired this plan to be recorded according to law.  
 Notary Public \_\_\_\_\_  
 My Commission expires: \_\_\_\_\_

**Approval of Municipality:**  
 Approved by resolution of the Bensalem Township Council, County of Bucks, Commonwealth of Pennsylvania, at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

Approved by the Bensalem Township Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

Reviewed by the Bucks County Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

BCPC# \_\_\_\_\_  
 Reviewed by the Bensalem Township Engineer on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

TMP 02-061-224  
 N/L Dennis & Maureen & Vicki Jenkins  
 2212 New York Ave  
 Bensalem Pa 19020

TMP 02-061-224-01  
 N/L Daniel & Deirdre Lock  
 619 Birch Ave  
 Bensalem Pa 19020

TMP 02-061-225  
 N/L James & Dorothy McKinnell  
 631 Birch Ave  
 Bensalem Pa 19020

**Notes:**

- Being Bucks County Tax Parcel No. 02-060-066 and 02-060-067.
- TMP 02-060-066 being Lots #14 and 16 and TMP 02-060-067 being Lots #8, 10 & 12 on a Final Plan of Cornwells Manor, Section 1, Block L made by Edward Pickering, Jr., Registered Surveyor, dated August 1, 1923, recorded at Doylestown in Plan Book 1 Page 155.
- Owner of Record:  
 TMP 02-060-066 James J & Kathleen E Olewnik  
 624 Birch Avenue  
 Bensalem, PA 19020  
 Deed Record 2238 Page 0012  
 TMP 02-060-067 Patricia Grady  
 616 Birch Ave  
 Bensalem, PA 19020  
 Land Record 1839 Page 1068
- Plan was made without the benefit of a title report. Property subject to all deed restrictions and or easements recorded or unrecorded.
- Existing dwellings are serviced by Public Water & Sanitary Sewer located in Birch Avenue.
- There is no new construction at this time.
- Field Location of existing conditions made March 31, 2016 & April 15, 2016.

**Zoning Information:**

Zoned R-2 Residential District  
 Lot Area 12,000 SF min.  
 Lot Width 80.00 Ft min.  
 Building Area 30% max.  
 Impervious Areas 40% max.  
 Front Yard 35 Ft min.  
 Side Yard 12 Ft min.  
 Aggr. Side Yard 30 Ft min.  
 Rear Yard 30 Ft min.  
 Building Height 35 Ft max.

**Area Summary:**

**TMP 02-060-066**  
 Lot Area Deeded 6,250.00 SF  
 Ult. R.O.W.: 6,000.00 SF  
 + Parcel A 540.00 SF  
 Total 6,540.00 SF  
 Building Coverage: 1,487 SF 22.74%  
 Impervious Coverage: 1,837 SF 28.1%  
**TMP 02-060-067**  
 Lot Area Deeded 9,375.00 SF  
 Ult. R.O.W.: 9,000.00 SF  
 - Parcel A 540.00 SF  
 Total 8,460.00 SF  
 Building Coverage: 808 SF 9.55%  
 Impervious Coverage: 1,788 SF 21.14%

**811** Know what's below. Dial 8-1-1 before you dig. 1-800-242-1776 From outside Pennsylvania www.paonecall.org

NO.	DATE	REVISION	DRAWN	CHECKED

**Lot Line Change Plan Between**  
**James J & Kathleen E Olewnik & Patricia Grady**  
 624 Birch Avenue, TMP 2-060-066 and  
 616 Birch Avenue, TMP 2-060-067  
 Bensalem Township, Bucks Co., PA

**Joseph F. Hamill Jr., PLS**  
 Land Surveying & Consulting LLC  
 3636 Hulmeville Road, Bensalem, PA 19020  
 215-639-7307 Fax 215-639-2855  
 E-mail HamillSurvey@verizon.net

PROJECT NO. 160306  
 SCALE 1" = 20'  
 DATE 4-19-16  
 DRAWN BY JH  
 CHECKED BY  
 DRAWING NO. S-1