



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: 2016-504

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):

RECEIVED

JUN 14 2016

BENSALEM TOWNSHIP
BUILDING AND PLANNING

- 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: JOHN KENNEDY

Address: 1823 BYBERRY RD.

Phone No. 215-397-6754

Owner's Name: JOHN AND MARILYN KENNEDY

Address: 1823 BYBERRY RD.
BENSALEM PA. 19020

Phone No. 215-397-6754

Attorney Name: _____

Address: _____

Phone No. _____

Interest of appellant, if not owners (agent, lessee, etc.): _____

1. Application relates to the following:

Check items if applicable:

- | | | | |
|--------------------------|-------------------|--------------------------|-------------------|
| <input type="checkbox"/> | Use | <input 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 | | |

Other: (describe) 6'-00" FENCE LOCATED BEYOND
THE FRONT BUILDING SETBACK LINE

2. Brief description of Real Estate affected:

Tax Parcel Number: 2-45-9
Location: 1823 BYBERRY RD.
Lot Size: 75,004.58 SQ. FT. 205.09' x 425.78 x 109.65'
Present Use: RA 485.3'
Proposed Use: RA.
Present Zoning Classification: RA
Present Improvement upon Land: INSTALLING 48'-00" OF FENCE
Deed recorded at Doylestown in Deed Book _____ Page _____

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

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: _____

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):

232-583(d)(2) FENCES LOCATED BEYOND THE FRONT SETBACK LINE SHALL NOT EXCEED 4' IN HEIGHT

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

INSTALL A 6'-00" FENCE TO STOP NOISE, EXHAUST, AND HEAD LIGHTS FROM CARS ON NEW GALLOWAY RD. INSTALLED BY TOWNSHIP.

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.

A 4'-00" FENCE WOULD NOT GIVE US RELIEF FROM THE HEAD LIGHTS, NOISE, AND EXHAUST FROM THE NEW ROAD.

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.

John Kennedy
Appellant's or Owner's Signature

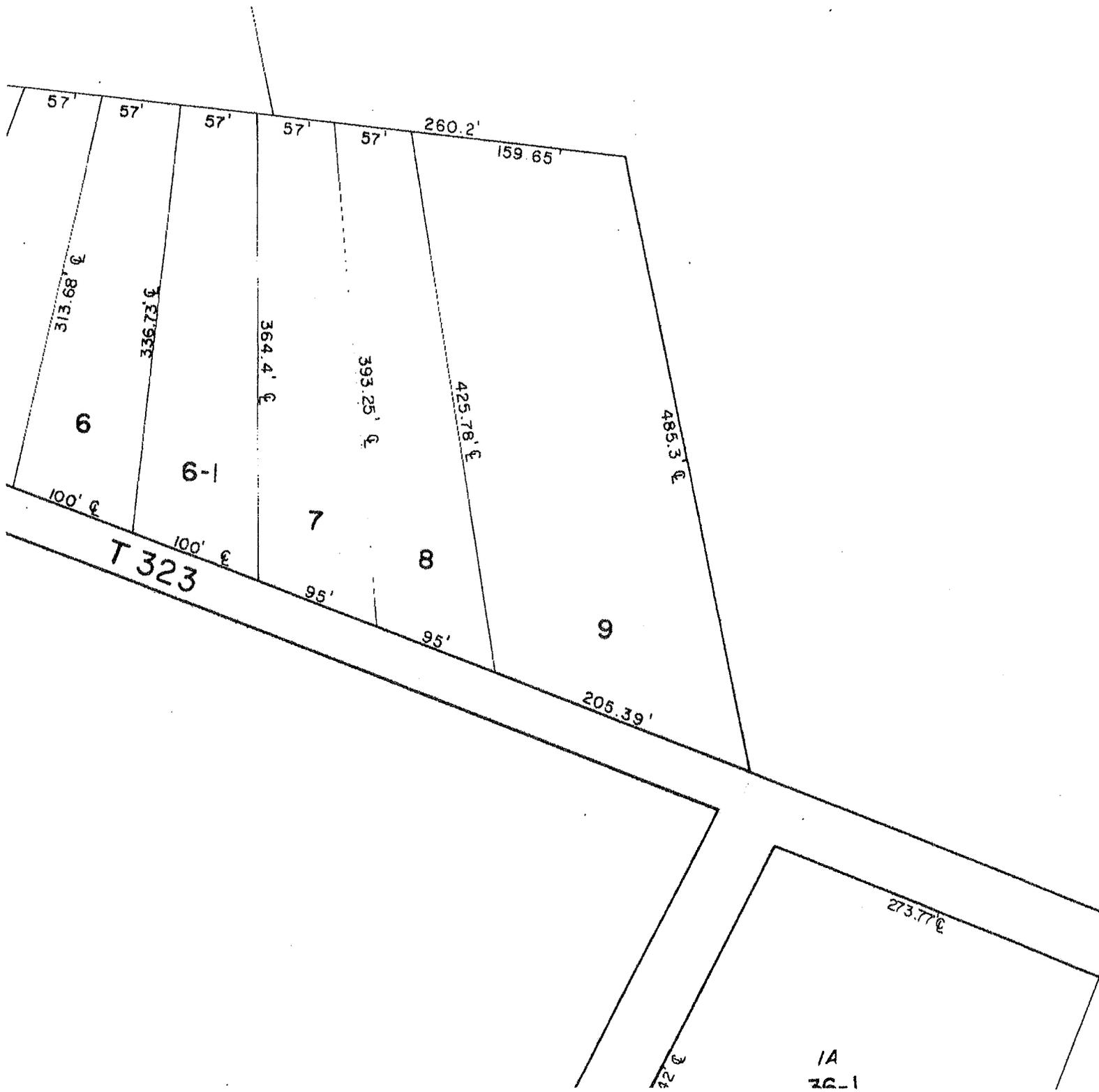
6/13/2016
Date

Sworn to and subscribed before me this
13 day of June 200-2016

Notary Public Linda L. Holzshu
My commission expires: _____

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Linda L. Holzshu, Notary Public
Bensalem Twp., Bucks County
My Commission Expires June 14, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

2-45-9



2001 JAN -2 AM 11:58

000231

101494-SU THIS DOCUMENT RECORDED IN CONJUNCTION WITH PA.

DEED

JAN -2 01

Edward R. Gulick, Jr. RECORDER OF DEEDS

DORIS MAE EVERLY AND JOSEPH F. PLUNKETT, III - ADMINISTRATORS OF THE ESTATE OF JOSEPH F. PLUNKETT, JR., DECEASED

TO

JOHN M. KENNEDY and MARILYN M. KENNEDY

RECORDED in Deed Book page GIVEN under my hand and the seal of the said office, the said office, the date above written.

Recorder of Deeds

State of _____ County of _____ On this, the _____ day of _____, 2001, before me, _____ the undersigned Officer, personally appeared _____ of _____ a corporation, and that he/she as such being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself(herself) as IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

B.C.B.O.A. Registry 5.00



The address of the above-named Grantee is 5976 Michael Ave. Beavertown, Pa. 19020

On behalf of the Grantee

John M. Kennedy

BK2197P60251

1400



BENSALEM TOWNSHIP

Building and Planning Department

Office 215-633-3644 • Fax 215-633-3753

Matthew K. Takita

Director of Building and Planning

2400 Byberry Road • Bensalem, PA 19020

June 13, 2016

JOHN AND MARILYN KENNEDY
1823 BYBERRY RD
BENSALEM, PA 19020

Project:	FENCE
Project Address:	1823 BYBERRY RD BENSALEM, PA 19020
Tax Parcel:	02-045-009
Property Owner:	SAME AS ADDRESSED
Permit Status:	APPLICATION DENIED

Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING. The attached sheets show what was found during the review and this information is required to complete the permit application for the above referenced project.

The review process utilizes Adobe Acrobat allowing reviewers to make their comments directly on the plan pages. These comments are tracked throughout the review and a printed summary serves as the basis for a rejection on the project until required changes have been made. The attached sheets will show an image of the plan page including its associated comments with connector lines. Only those pages of the plans that require a revision have been generated and included.

You are required to resubmit plans with revisions and will need to burn the **complete** set of plans with revisions to a new disc. Return it to the Building & Planning Department. You are to include a summary list of **all** changes that were made to the plans including those required by the Township. For each change made to the plans, note the sheet number, drawing title, and a brief description of the change made. Please label the disc with the project address, date and revision number to distinguish it from any earlier submissions.

It is our intent that you receive as few rejections as possible and provide reviewers a more efficient method for completing the review by utilizing the comments summary. The print dialog box should include the following summary options:

- Layout - Document and comments with connector lines on single pages
- Font Size - Large font size
- Include - all comments
- **Clear** - the checkbox to NOT include pages containing no comments

It is possible that upon receipt of the revised plans, additional items for compliance may be required. This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

You have the right to appeal this rejection letter. Applications for the Zoning Hearing Board can be obtained from the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully,

Matthew K. Takita, A.I.A., M.C.P.
Director of Building and Planning

jken212057@aol.com
Email address

MKT/lva
Enclosures

cc: asfencing@yahoo.com

Summary

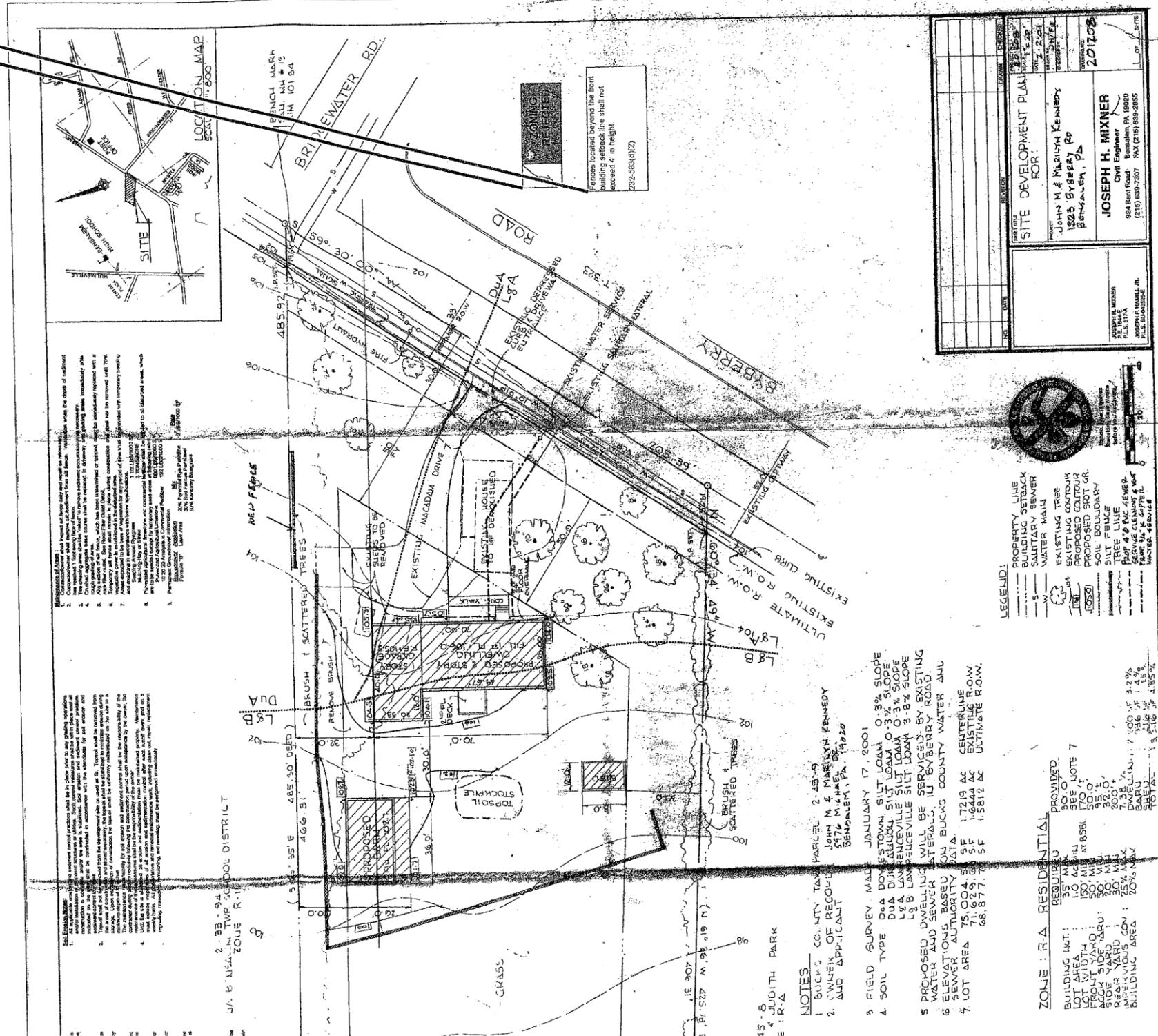
Page: 1

Author: mtakita

Author: mtakita

Fences located b

232-583(d)(2)



- 1. Construction shall conform to all applicable codes and regulations.
- 2. The zoning area shall be "R-1" (Single-Family Residential).
- 3. The zoning area shall be "R-1" (Single-Family Residential).
- 4. The zoning area shall be "R-1" (Single-Family Residential).
- 5. The zoning area shall be "R-1" (Single-Family Residential).
- 6. The zoning area shall be "R-1" (Single-Family Residential).
- 7. The zoning area shall be "R-1" (Single-Family Residential).
- 8. The zoning area shall be "R-1" (Single-Family Residential).
- 9. The zoning area shall be "R-1" (Single-Family Residential).
- 10. The zoning area shall be "R-1" (Single-Family Residential).

- 1. FIELD SURVEY MADE JANUARY 17, 2001
- 2. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 3. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 4. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 5. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 6. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 7. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 8. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 9. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE
- 10. SOIL TYPE: DUA DOWNSLOAN SILT LOAM 0-3% SLOPE

ZONE: R-A RESIDENTIAL	REQUIRED	PROVIDED
BUILDING HGT:	35' MAX	30' 0"
LOT AREA:	1.0 AC MIN	SEE NOTE 7
FRONT YARD:	50' MIN	50' 0"
REAR YARD:	20' MIN	32' 0"
REAR YARD:	30' MIN	32' 0"
IMPERVIOUS COVER:	20% MAX	20% MAX
BUILDING AREA:	70% MAX	70% MAX

- PROPERTY LINE
- SEWER
- WATER MAIN
- EXISTING TREE
- PROPOSED OUTDOOR
- PROPOSED SHOT GR.
- SOIL BOUNDARY
- TREE LIME
- PROP. 4" PVC SEWER
- PROP. 4" PVC WATER
- WATER SERVICE

SITE DEVELOPMENT PLAN
FOR:
JOHN M. & MARGARET KENNEDY
1325 BYBERRY RD
BIRMINGHAM, AL

JOSEPH H. MIXNER
Civil Engineer
924 Barr Road - Birmingham, AL 35202
(215) 639-7307 FAX (215) 639-2855

Summary of Comments on COMBINED.pdf

Page: 1

 Author: mtakita Subject: Zoning Rejected Date: 6/10/2016 3:17:31 PM

 Author: mtakita Subject: Text Box Date: 6/10/2016 3:19:36 PM

Fences located beyond the front building setback line shall not exceed 4' in height.

232-583(d)(2)

