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: 2014-395

Township of Bensalem, Bucks County, Pennsylvania
AMENDED **Notice of Appeal**

RECEIVED
JUN 23 2014
BENSALEM TOWNSHIP
BUILDING AND PLANNING

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: April 14, 2014
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

Appellant Name: Gregory and Kathleen DiPaolo
Address: 3026 Century Lane
Bensalem, PA 19020
Phone No. [redacted]

Owner's Name: Gregory and Kathleen DiPaolo
Address: 3026 Century Lane
Bensalem, PA 19020
Phone No. [redacted]

Attorney Name: Catherine Anne Porter, Esquire
Address: 301 South State Street
Newtown, PA 18940
Phone No. [redacted]

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

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

Check items if applicable:

- ☒ **Use**
- ☐ **Lot Area**
- ☐ **Height**
- ☐ **Yards**
- ☒ **Existing Building**
- ☐ **Proposed Building**
- ☐ **Occupancy**
- ☒ **Other:** (describe) **Issuance of 3 Notices of Violation dated April 14, 2014**

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

Tax Parcel Number: 02-034-003

Location: 3026 Century Lane

Lot Size:

Present Use: residential

Proposed Use:

Present Zoning Classification: residential

Present Improvement upon Land:

Deed recorded at Doylestown in Deed Book 4003 Page 0527

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: April 14, 2014

Your statement of alleged error of Zoning Administrative Office: We are in compliance of all Bensalem Township Ordinances and these Notices were issued in error. We have lived on the property for many years and have been in contact with the Township over other administrative issues and these items were never raised before.

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):

See attached Notice citing Sectionn 232-58

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

Dismissal and revocation of the 3 Notices of Violation

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.

These notices were issued in error, were untimely or the issues have been waived by the Township.

We are prejudiced and will suffer a hardship if they are enforced now.

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.

[redacted]

June 19, 2014

Appellant's or Owner's Signature — Date

Catherine Anne Porter, Esquire
Attorney for Appellants

Sworn to and subscribed before me this

19th day of June 20 14

[redacted]

Notary Public

My commission expires: October 31, 2017

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Elaine M. Shields, Notary Public
Newtown Boro, Bucks County
My Commission Expires Oct. 31, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

The Bensalem Township Zoning Ordinance you are currently violating:

SECTION 232-58
FLOODPLAIN REGULATIONS

Rear Deck	Built on the rear of dwelling and existed at time of occupancy. Did not obtain approval from Zoning or obtain variance since it has been placed within the floodway and floodplain.
Grading	Aerial photograph shows grading within floodway and floodplain which was not approved by the Township Engineer and Zoning.
Accessory Structures	Structures placed on property without permits or approval from Zoning and are located within floodplain as well as front yard setback.
Paving/Stone	Installed without permits and appears to be located within floodway.
Screened Gazebo	Constructed without permits and is located within the floodway.

Additionally, the following items remain outstanding from your initual occupancy inspection:

- The driveway must be paved per Township regulations.
- An as-built plan is required to be submitted for the driveway configuration, rear deck, jacuzzi, service walk configuration, and additional stoned areas.
- Splashblocks must be installed after final grading.
- Water valve must be set at proper height after final grading is completed.
- Cleanouts must be set at proper height after final grading is completed.

To abate said violation(s) you must:

REMOVE CONSTRUCTION WITHIN THE FLOODPLAIN AND FLOODWAY AND OBTAIN APPROVAL FROM THE ZONING HEARING BOARD FOR CONSTRUCTION/IMPROVEMENTS WITHIN THE FLOODPLAIN AND FLOODWAY.

This listing of violation(s) may not represent all violations presently occurring on the property. Other violations may appear upon application for required permits or upon further investigation and the Township reserves the right to take any and all action authorized to enforce its Ordinances as to all violations.

Respectfully,

[redacted]

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

91 7199 9991 7033 6430 8989

Certified and Regular Mail

MKT/jmr

Enclosures