



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: Samarpan Hindu Temple

Address: 6515 Bustleton Avenue
Philadelphia, PA 19149-2906

Phone No. _____

Owner's Name: - Same as Applicant -

Address: _____

Phone No. _____

Attorney Name: Thomas R. Hecker, Esquire & Nathan D. Fox, Esquire

Address: Begley, Carlin & Mandio, LLP
680 Middletown Boulevard - Langhorne, PA 19047

Phone No. _____

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

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 | |
| <input checked="" type="checkbox"/> Other: (describe) <u>See attached</u> | |

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-036-008

Location: 2746 Mechanicsville Road - Bensalem, PA

Lot Size: 8.10 acres

Present Use: Former Swim Club

Proposed Use: Hindu Temple

Present Zoning Classification: RA-1 - Residential District

Present Improvement upon Land: _____

Deed recorded at Doylestown in Deed Book Instrument No. 2014009381

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

N/A

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

Date Determination was made: N/A

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):

See attached Addendum

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

Variances in accordance with the attached Addendum.

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.

See attached Addendum.

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.

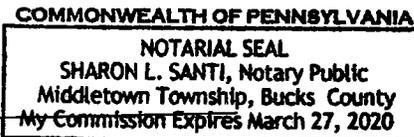
Appellant's or Owner's Signature (Attorney)

Date 5-9-16

Sworn to and subscribed before me this

9th day of May 2016

Notary Public
My commission expires: _____



**BENSALEM TOWNSHIP
ADDENDUM TO ZHB APPEAL
OF
SAMARPAN HINDU TEMPLE**

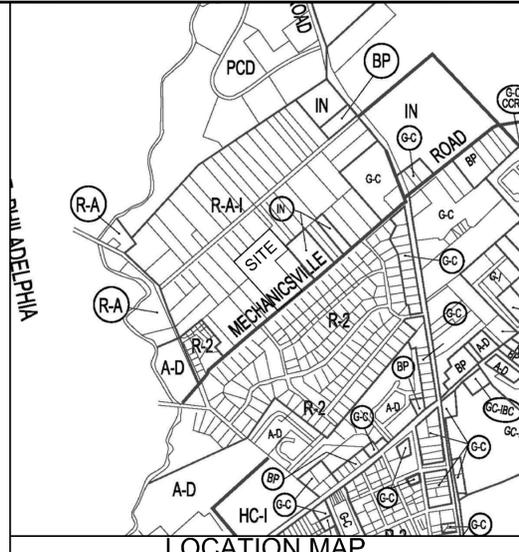
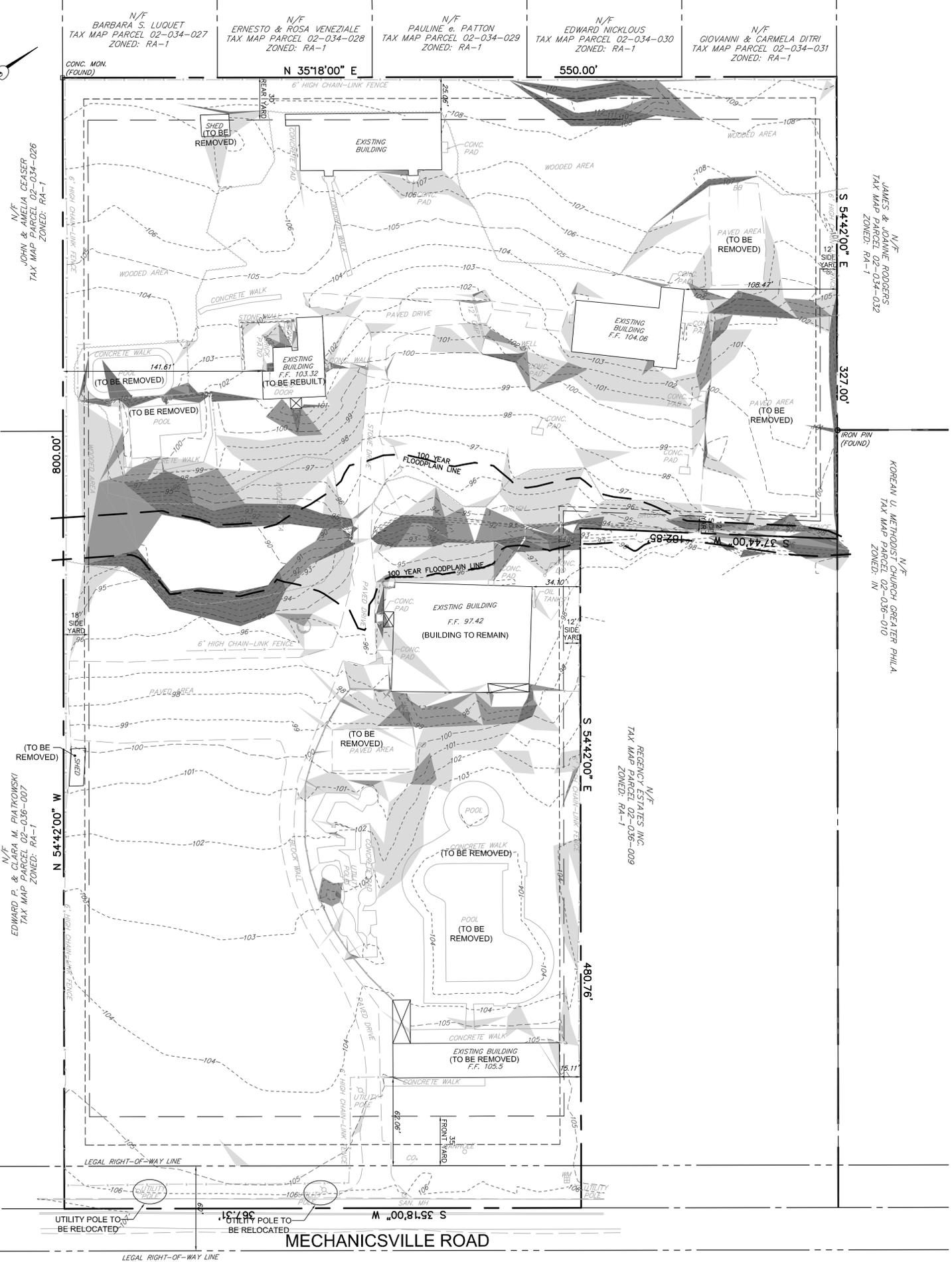
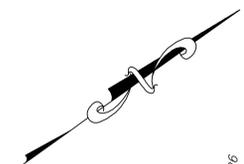
The following variances are requested:

- Section 232-58 To permit a floodplain disturbance of 34% instead of the allowable 0%.
- Section 232-59.(a)(2).a.1 To allow a steep slope disturbance of 50% for the 8-15% slopes instead of the allowable 40%.
- Section 232-59.(a)(2).a.2 To allow a steep slope disturbance of 35% for the 15-25% slopes instead of the allowable 30%.
- Section 232-125.(d) To allow an impervious surface of 39.85% instead of the allowable 35%.
- Section 232-781.(b)(1) Variance from the one (1) year timeframe relative to the use variance to extend the use variance previously granted by the Zoning Hearing Board to allow the applicant to proceed with the dimensional variance relief request and, if approved, development of the parcel.

The applicant is entitled to the relief requested because:

- The unique physical circumstances or conditions, including the irregularity, narrowness or shallowness of the lot, size or shape, or exceptional topographical or other physical conditions peculiar to the particular property in that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district where the property is located, because the property does contain existing steep slopes and an existing flood area which was not created by the applicant.
- Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance in that the authorization of the variances requested is therefore necessary to enable to reasonable use of the property for a Hindu Temple as in accordance with the previously granted use variance.
- The unnecessary hardship was not created by the appellant.

- The variances, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- The variances, if authorized, represent the minimum variances that will afford relief and will represent the least modification possible to the regulation at issue.



LOCATION MAP
SCALE: 1"=1,000'

ZONED: RA-1, RESIDENTIAL DISTRICT

REQUIREMENT	SECTION	REQUIRED	EXISTING
MINIMUM LOT AREA	232-125.(c)	20,000 SF	341,859 SF
MINIMUM LOT FRONTAGE	232-125.(b)	80 FT.	367.31 FT.
MINIMUM FRONT YARD	232-125.(e)(1).a	35 FT.	62.06 FT.
MINIMUM SIDE YARD	232-125.(e)(2).a	12 FT./30 AGG.	15.11 FT./156.72 FT.
MINIMUM REAR YARD	232-125.(e)(3).a	30 FT.	25.06 FT.*
MAXIMUM IMPERVIOUS SURFACE RATIO	232-125.(d)	35%	23.68%
MAXIMUM BUILDING COVERAGE	232-125.(c)	30%	5.85%
MAXIMUM BUILDING HEIGHT	232-125.(f)	35 FT.	<35 FT.

* INDICATES AN EXISTING NON-COMPLIANCE

GENERAL NOTES:

- PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- LOCATION OF UNDERGROUND UTILITIES AND INFORMATION SHOWN OBTAINED BY FIELD LOCATIONS AND THE PENNSYLVANIA ONE CALL SYSTEM. LOCATIONS ARE ONLY APPROXIMATE.
- NO PORTION OF THE SITE IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN BOUNDARY AS IDENTIFIED ON FEMA MAP 42017C0502F, EFFECTIVE DATE MAY 18, 1999.

SERIAL NO.
CALL BEFORE YOU DIG!
PENNSYLVANIA LAW REQUIRES
3 WORKING DAYS NOTICE FOR
CONSTRUCTION PHASE AND 10 WORKING
DAYS IN DESIGN STAGE-STOP CALL
PENNSYLVANIA ONE CALL SYSTEM, INC.
1-800-242-1776

NOT VALID WITHOUT AN EMBOSSED
SEAL OR SIGNATURE IN RED INK.

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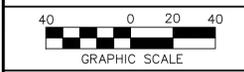
ROYERSFORD OFFICE
P.O. BOX 86
ROYERSFORD, PA 19388
PHONE: (717) 489-9449
FAX: (717) 489-9449

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EXISTING PARCEL INFO:
T.M.P. No. 02-036-008
DEED BOOK: 2587 PAGE No. 1053
CURRENT ZONING: RA-1
OWNER OF RECORD:
SAMARPAN HINDU TEMPLE
2746 MECHANICSVILLE ROAD
BENSALEM, PA 19020

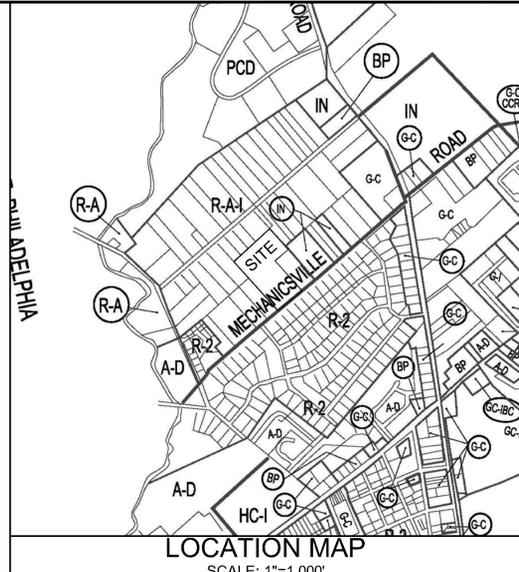
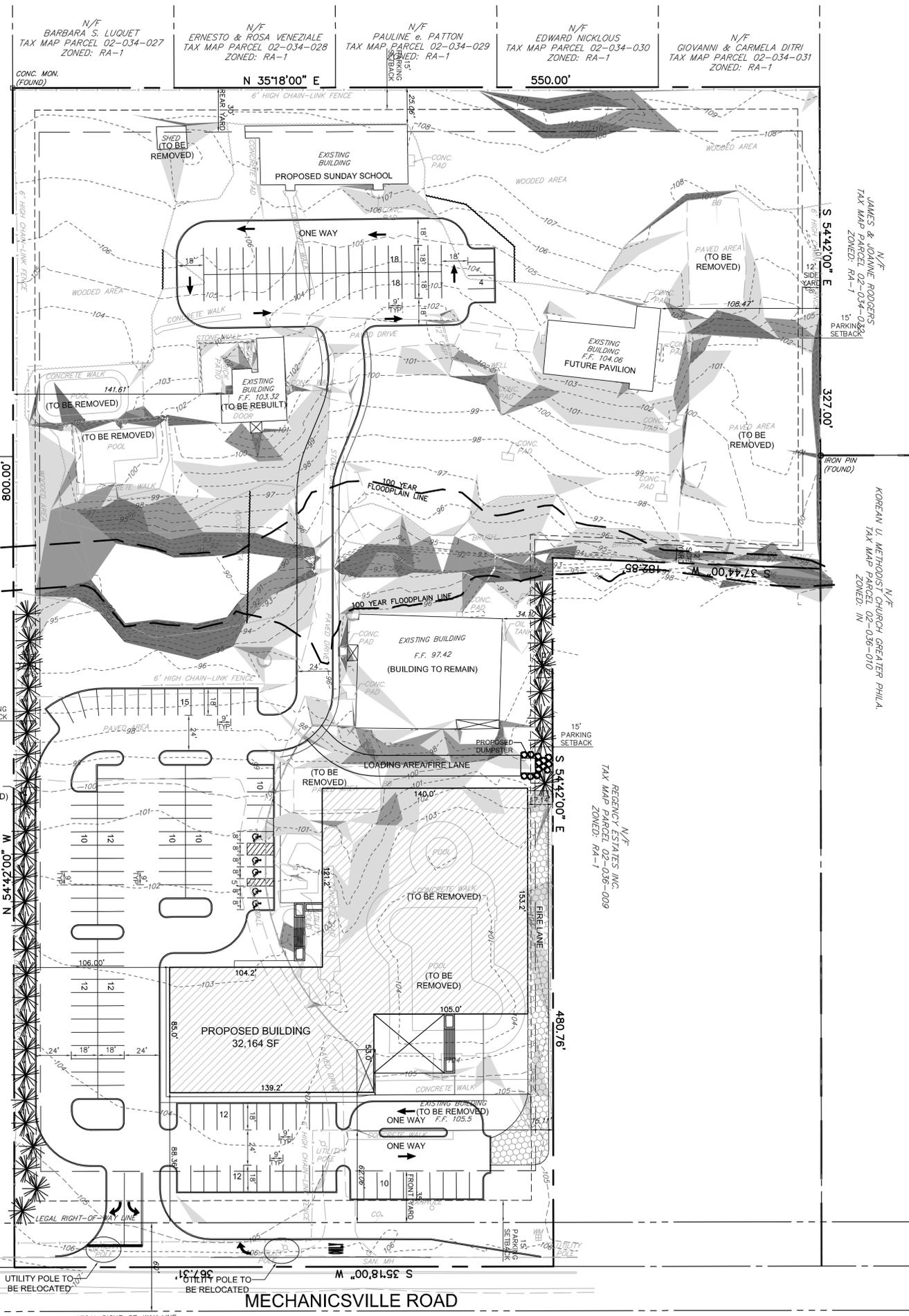
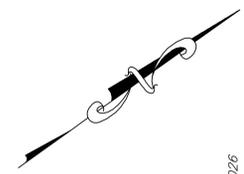
APPLICANT:
SAME AS ABOVE



EXISTING FEATURES PLAN
2746 MECHANICSVILLE ROAD

BENSALEM TOWNSHIP
BUCKS COUNTY, PA

DRAWN BY: H.A.D. CHECKED BY:
SCALE: 1"=40' PROJECT No:
PLAN DATE: APR. 14, 2016 SHEET No: 1 of 2



CALL BEFORE YOU DIG!
 PENNSYLVANIA LAW REQUIRES
 3 WORKING DAYS NOTICE FOR
 CONSTRUCTION PHASE AND 10 WORKING
 DAYS IN DESIGN STAGE-STOP CALL
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ZONED: RA-1, RESIDENTIAL DISTRICT

REQUIREMENT	SECTION	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	232-125.(g)	20,000 SF	341,859 SF	341,859 SF
MINIMUM LOT FRONTAGE	232-125.(b)	80 FT.	367.31 FT.	367.31 FT.
MINIMUM FRONT YARD	232-125.(e)(1).a	35 FT.	62.06 FT.	88.36 FT.
MINIMUM SIDE YARD	232-125.(e)(2).a	12 FT./30 AGG.	15.11 FT./156.72 FT.	17.14 FT./123.14 FT.
MINIMUM REAR YARD	232-125.(e)(3).a	30 FT.	25.06 FT.*	25.06 FT.*
MAXIMUM IMPERVIOUS SURFACE RATIO	232-125.(d)	35%	23.68%	39.85%
MAXIMUM BUILDING COVERAGE	232-125.(c)	30%	5.85%	14.2%
MAXIMUM BUILDING HEIGHT	232-125.(f)	35 FT.	<35 FT.	<35 FT.

* INDICATES AN EXISTING NON-CONFORMITY

- GENERAL NOTES:
- PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
 - LOCATION OF UNDERGROUND UTILITIES AND INFORMATION SHOWN OBTAINED BY FIELD LOCATIONS AND THE PENNSYLVANIA ONE CALL SYSTEM. LOCATIONS ARE ONLY APPROXIMATE.
 - NO PORTION OF THE SITE IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN BOUNDARY AS IDENTIFIED ON FEMA MAP 420170502F, EFFECTIVE DATE MAY 18, 1999.

THE FOLLOWING VARIANCES FROM THE BENSLEM TOWNSHIP ZONING ORDINANCE ARE BEING REQUESTED:

SECTION	VARIANCE
232-58	TO PERMIT A FLOODPLAIN DISTURBANCE OF 34% INSTEAD OF THE ALLOWABLE 0%.
232-59(a)(2)a.1	TO ALLOW A STEEP SLOPE DISTURBANCE OF 50% FOR THE 8-15% SLOPES INSTEAD OF THE ALLOWABLE 40%.
232-59(a)(2)a.2	TO ALLOW A STEEP SLOPE DISTURBANCE OF 36% FOR THE 15-25% SLOPES INSTEAD OF THE ALLOWABLE 30%.
232-125.(d)	TO ALLOW AN IMPERVIOUS SURFACE OF 39.85% INSTEAD OF THE ALLOWABLE 35%.

THE FOLLOWING VARIANCE FROM THE BENSLEM TOWNSHIP ZONING ORDINANCE WAS PREVIOUSLY GRANTED:

SECTION	VARIANCE
232-124	TO PERMIT THE USE OF CHURCH.

PARKING REQUIREMENTS

DESCRIPTION	SECTION	REQUIREMENT
CHURCH ONE (1) OFF STREET PARKING SPACE EACH FOUR SEATS PROVIDED FOR PATRON USE, OR AT LEAST ONE (1) OFF-STREET PARKING SPACE FOR EACH 40 SQUARE FEET OF GROSS FLOOR AREA INTENDED TO BE USED FOR SERVICE OF PATRONS, GUESTS OR MEMBERS, WHICHEVER REQUIRES THE GREATER NUMBER OF OFF-STREET PARKING SPACES, PLUS ONE (1) ADDITIONAL SPACE FOR EACH FULL-TIME EMPLOYEE.	232-586.(c)(3)	5,000* SF/40 + 10 EMPLOYEES = 135 SPACES
COMMUNITY FACILITY ONE (1) OFF STREET PARKING SPACE EACH 200 SQUARE FEET OF GROSS FLOOR AREA INTENDED TO BE USED FOR SERVICE TO PATRONS, GUESTS OR MEMBERS, PLUS ONE (1) ADDITIONAL SPACE FOR EACH FULL-TIME EMPLOYEE.	232-586.(c)(3)	5,000* SF/200 + = 25 SPACES

* REMAINING BUILDING SQUARE FOOTAGE USAGE IS CORRELATED WITH USES LISTED ABOVE. THEREFORE NO ADDITIONAL PARKING WOULD BE REQUIRED.

TOTAL PROPOSED PARKING SPACES	TOTAL REQUIRED PARKING SPACES=160
REGULAR PARKING SPACES 160	
HANDICAPPED SPACES 6	
TOTAL PARKING SPACES 166	

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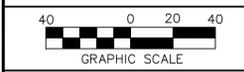
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 OWNER OF RECORD:
 SAMARPAN HINDU TEMPLE
 2746 MECHANICSVILLE ROAD
 BENSLEM, PA 19020

APPLICANT:
 SAME AS ABOVE



SKETCH PLAN
 2746 MECHANICSVILLE ROAD

BENSLEM TOWNSHIP
 BUCKS COUNTY, PA

DRAWN BY: H.A.D. CHECKED BY:
 SCALE: 1"=40' PROJECT NO: 5447
 PLAN DATE: APR. 14, 2016 SHEET NO: 2 OF 2

Natural Resources Disturbance Inventory

NATURAL RESOURCE	% OF RESOURCE TO BE PROTECTED	% OF RESOURCE PERMITTED TO BE DISTURBED	TOTAL AREA OF NATURAL RESOURCE (AC)	TOTAL AREA OF REQUIRED RESOURCE PROTECTION (AC)	ACTUAL AREA OF RESOURCE PROTECTED (AC)	ACTUAL AREA OF RESOURCE PROTECTED (%)	ACTUAL AREA OF RESOURCE DISTURBED (AC)	ACTUAL AREA OF RESOURCE DISTURBED (%)
FLOODPLAINS	100%	0%	0.545	0.545	0.269	66%	0.186	34%
WETLANDS	100%	0%	0.000	0.000	0.000	0%	0.000	0%
WETLAND BUFFER	80%	20%	0.000	0.000	0.000	0%	0.000	0%
STEEP SLOPES:								
8%-10%	60%	40%	0.790	0.474	0.395	50%	0.395	50%
15%-25%	70%	30%	0.267	0.187	0.174	65%	0.094	35%
25% OR MORE	85%	15%	0.272	0.231	0.231	85%	0.041	15%
WOODLANDS:								
ENVIRONMENTALLY SENSITIVE	80%	20%	0.631	0.396	0.759	91%	0.072	9%
ALL OTHERS	50%	50%	0.895	0.448	0.842	94%	0.053	6%

Natural resource chart treats each resource irrespective of other resources, the site capacity calculations utilize the resource with the highest protection ratio in the case of overlap.

Legend

