



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: 2016-482

Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

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

RECEIVED

FEB 22 2016

BENSALEM TOWNSHIP
BUILDING AND PLANNING

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: Philadelphia Christian Center

Address: 2990 Street Road
Bensalem, PA 19020

Phone No. _____

Owner's Name: - Same as Applicant -

Address: _____

Phone No. _____

Attorney Name: Thomas R. Hecker, 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 checked="" type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy | |
| <input checked="" type="checkbox"/> Other: (describe) | <u>Impervious surface, buffer yards and parking</u> |

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-035-009 and 02-035-008-001

Location: 2990 Street Road - Bensalem, PA

Lot Size: Approximately 6 Acres combined

Present Use: Religious with related ministries

Proposed Use: Religious with related ministries

Present Zoning Classification: 02-035-009 (Lot 1) - IN - Institutional
02-035-008-001 (Lot 2) - RA-1 - Residential

Present Improvement upon Land: Church and related parking

Deed recorded at Doylestown in Deed Book Lot 1 - Instrument No. 19981178650000
Lot 2 - Instrument No. 20130416350000

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): Regarding Lot 1, Article VII, Section 232-357(2) 232-357(3)(b)(c), 232-592(3) and 232-593. As to Lot 2, Section 232-124 and 232-125(d).

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

See attached List

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.

Granting of the relief will allow the construction of a one-story, multi-purpose building to accommodate a gymnasium for the Church youth, as well as related parking without adversely affecting the health, welfare or safety of the community.

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

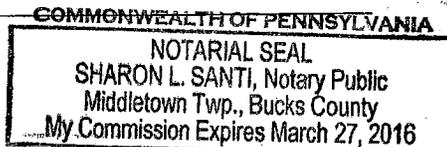
Date 2-9-16

Sworn to and subscribed before me this

9th day of February 2016

Notary Public

My commission expires:



**VARIANCE LIST FOR ZHB APPEAL
OF
PHILADELPHIA CHRISTIAN CENTER**

The following variances from the Bensalem Township Zoning Ordinance are requested:

LOT 1

<u>Section:</u>	<u>Variance:</u>
232-357(2)	To permit a maximum impervious surface coverage of 66% which exceed the allowable 40%
232-357(3)(b)(c)	To permit a side yard of 68.5 feet and a rear yard of 10' in lieu of the 75' and 100' yards required respectfully
232-592(3)	To permit the elimination of buffer yard requirement between the IN-Institution and RA-1-Residential Districts
232-593	To permit the elimination of the required 75' setback between the IN-Institution and RA-1-Residential Districts

LOT 2

<u>Section:</u>	<u>Variance:</u>
232-124	To permit parking on Lot 2 as an accessory use to the Church use on Lot 1
232-125(d)	To permit impervious surface coverage of 38% which is greater than the allowable 35%



PHILADELPHIA, PA | BETHLEHEM, PA | MOUNTAINSIDE, NJ

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M E M O R A N D U M

TO: Mr. Matthew Takita, Director of Building and Planning

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

DATE: January 27, 2016

RE: Philadelphia Christian Center
Preliminary & Final Land Development (Zoning Only)
TMP #2-35-9 & 2-35-8-001
File No. 0907.3054.00

A. APPLICATION

Pursuant to Sections 201-43 and 201-63 of the Code of the Township of Bensalem, we received and reviewed the application for the above referenced preliminary and final and land development. The application consisted of a single sheet plan- entitled "Zoning Plan", Sheet C-1.0 as prepared by Knudsen Engineering, Inc. and the plan is dated January 7, 2016. Also submitted was a copy of the deed for Lot No. 1 for the proposed development.

B. DISCUSSION

The subject parcel includes two lots, Lot No. 1 has frontage on Street Road and contains 3.965 acres. This lot is the site of the Philadelphia Christian Center. Lot No. 2 has frontage on Murray Avenue and contains 2.133 acres. This lot includes an existing residential dwelling.

Lot No.1 is in the IN – Institutional Zoning District and Lot 2 is in the R-A-1 Residential District.

The plans propose a one story office addition of 3,700 sq. ft. and a separate stand-alone, one story multi-purpose building of 11,750 sq. ft. Lot 2 will include a new parking lot.

Although the application indicated a preliminary and final land development submission, only the zoning plan was submitted at this time. Therefore, for that reason only a zoning review will be provided.



C. CHAPTER 232 – ZONING

The plan as presented will require the following zoning variances:

1. Lot No. 1
 - a) Permitting a maximum impervious surface coverage of 66% which exceeds the allowable 40%.
 - b) Permitting a side yard of 68.5 feet and a rear yard of 10' in lieu of the 75' and 100' yards required respectfully. [Section 232-357 (3)(b)(c)]
 - c) Permitting the elimination of buffer yard requirement between the IN institution and RA-1 residential districts.
 - d) Permitting the elimination of the required 75' setback between the institution and RA-1 districts. [Section 232-593]
2. Lot No. 2:
 - a) Permit parking on Lot 2 as an accessory use to the church use on Lot 1. [Section 232-124]
 - b) Permitting impervious surface coverage of 38% which is greater than the allowable 35%. [Section 232-125 (d)]

D. SUMMARY

The applicant needs to take the necessary steps to appear before the Zoning Hearing Board and request the above listed zoning variances.

If you have any questions, please contact me.

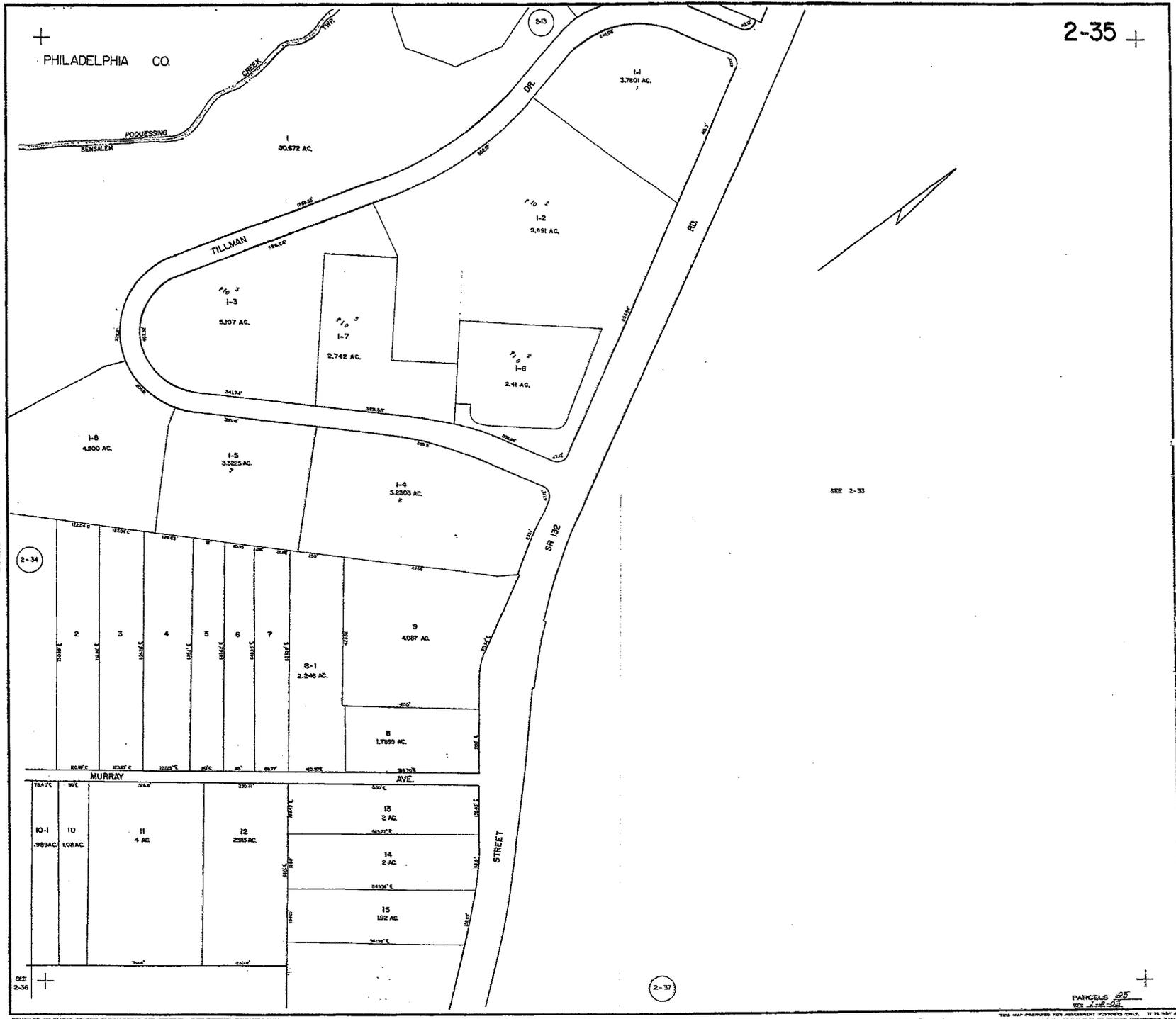
cc: Honorable Mayor Joseph DiGirolamo
Ms. Loretta Alston, Bensalem Planning Commission
Mr. Michael Roedig, Bucks County Planning Commission
Thomas Hecker, Esquire
Mr. Richard Knudsen, P.E., Knudsen Engineering, Inc., 955 Horsham Road, Suite 201, Horsham, PA 19044

HWG:tar

PHILADELPHIA CO

2-35 +

BUCKS COUNTY TAX MAP



ZONING INFORMATION (LOT 1)

Owner of Record/Applicant: Philadelphia Christian Center
2990 Street Road
Bensalem, PA 19020
Telephone: (215) 639-7000

Tax Parcel No. 2-35-9
Zoning District: "IN" Institutional
Use: Church and Child Care Center (Permitted Uses)

Table with 3 columns: Dimensional Requirements, Existing, Proposed, Zoning Requirements "IN" District. Rows include Lot Area, Lot Width, Building Area, Impervious Coverage, Building Height, Woodland Area, Building Setbacks, and Buffer Yards.

BUILDING DATA

Table with 3 columns: Building Data, Existing, Proposed. Rows include Existing Church (Lower Level), Existing Church (Ground Floor), Existing Church (Upper Level), Proposed Multi-Purpose Building, Proposed Office Addition, Total Building Area, and Total Building Coverage.

ZONING INFORMATION (LOT 2)

Owner of Record/Applicant: Philadelphia Christian Center
2990 Street Road
Bensalem, PA 19020
Telephone: (215) 639-7000

Property Address: 2926 Murray Avenue
Bensalem, PA 19020

Tax Parcel No. 02-035-008-01
Zoning District: "R-A-1" Residential District
Use: Accessory Parking/Garage

Table with 3 columns: Dimensional Requirements, Existing, Proposed, Zoning Requirements "R-A-1" District. Rows include Lot Area, Lot Width, Building Area, Impervious Coverage, Building Height, Woodland Area, Building Setbacks, and Buffer Yards.

BUILDING DATA

Table with 3 columns: Building Data, Existing, Proposed. Rows include Existing Residence and Existing Garage.

ZONING INFORMATION (Lots 1 & 2 Combined)

Owner of Record/Applicant: Philadelphia Christian Center
2990 Street Road
Bensalem, PA 19020
Telephone: (215) 639-7000

Tax Parcel No. 2-35-9/02-035-008-01
Zoning District: "IN" Institutional/"R-A-1" Residential
Use: Church and Child Care Center (Permitted Uses)/Accessory Parking/Garage

Table with 3 columns: Dimensional Requirements, Existing, Proposed, Zoning Requirements "IN" District. Rows include Lot Area, Lot Width, Building Area, Impervious Coverage, Building Height, Woodland Reduction, and Building Setbacks.

PARKING DATA

Table with 3 columns: Parking Data, Existing, Proposed, Required (See Note 1). Rows include Standard (9'x18'), On-Site Existing, On-Site New, Off-Site Shared Parking, Handicap Spaces (On-site), and Total Parking.

Notes: 1. Required parking is based on Church Auditorium seating of 730 seats with one space per four seats plus one additional space for each full-time employee. 730 seats/4sp per seat + 6 full-time employees equals 188 spaces.

Existing Non-Conformities

The following are existing conditions not in conformance with the requirements of the Zoning Ordinance of Bensalem Township, Bucks County, PA, Chapter 232.

Article VII, Section 232-357(1) Lot Area and Width
The lot area equals 3,965 acres which is less than the minimum required lot area of four (4) acres. This condition exists due to the additional right-of-way granted for Street Road.

Article VII, Section 232-357(2) Maximum Building Area and Impervious Cover
The existing impervious lot coverage is 49 percent which exceeds the maximum permitted coverage of 40 percent of net lot area.

Article VII, Section 232-357(3) Yards
The existing building addition encroaches into the required front and side yards, reducing the front yard to 36 feet and the side yard to 72 feet (51 feet at canopy).

Article VII, Section 232-358(3)(c) Handicapped Regulations
Dimensions for handicapped parking stalls are provided in accordance with the requirements of the Americans with Disabilities Act (ADA).

Article VII, Section 232-358(6)(a) Children Day Activity Regulations
Child care is provided for up to 60 children for which a lot area equal to nine (9) acres is required. The existing lot area is 3,965 acres.

Article VII, Section 232-358(6)(b) Children Day Activity Regulations
The existing building is regularly occupied by children and is within 175 feet of Street Road Right-of-Way.

Article XIII, Section 232-586(c)(3) Parking Space Requirements
Parking is provided at a rate of one (1) space for each 4 seats provided for patron use, plus one (1) space per full time employee and not at the rate of one (1) space per 40 s.f. which governs.

Article XIII, Section 232-592(1) Buffer Yard and Planting Strip
No buffer is provided along the boundary abutting a residential district.

Existing Conditions

The following are existing conditions not in conformance with the requirements of the Bensalem Township Subdivision and Land Development Ordinance, Chapter 201.

Article VI, Section 201-112(h)
Existing parking is located within 10 feet of property lines which is less than the required 15 feet setback.

Article VI, Section 201-112(h)
Existing parking is located within 4 feet of property lines which is less than the required 15 feet setback.

Article XIII, Section 201-112(i) Parking Space Requirements
Portions of the existing parking area do not have curbs.

Variations Granted

The following variations from the requirements of the Zoning Ordinance of Bensalem Township, Bucks County, PA, Chapter 232, were granted by the Bensalem Township Zoning Hearing Board on 6/6/1996.

Article VII, Section 232-357(2) Maximum Building Area and Impervious Cover
The proposed impervious lot coverage of 52.1 percent is permitted to exceed the maximum permitted coverage of 40 percent of net lot area.

Article VII, Section 232-357(3) Yards
The proposed building addition is permitted to encroach into the required side yard, reducing the side yard to 55 feet.

Article XIV, Section 232-714(7) General requirements-Location of Signs
The proposed sign is permitted to have red LED Digital display and be located within the 75' setback requirement from the legal right-of-way.

Article XIV, Section 232-716(2)a,2. Permanent Signs
The proposed sign is permitted to be within the required 10' setback from the legal right-of-way.

Article XIV, Section 232-716(2)d.1. Permanent Signs
The area of the proposed sign is permitted to be 80 square feet per side which is greater than the allowable 40 square feet per side.

Article XIV, Section 232-716(2)e.2. Permanent Signs
The proposed sign is permitted to extend 10' above the street level of Street Road.

Waivers Granted

The following waivers from the requirements of the Bensalem Township Subdivision and Land Development Ordinance Chapter 201 have been granted by the Bensalem Township Council on 10/7/1996.

Article VI, Section 201-112(d)
A waiver is granted to reduce the distance between an internal driveway and the corner of the building to be 1.5' in lieu of the 10 foot minimum required.

Article VI, Section 201-112(h)
A waiver is granted to permit parking within 10 feet of the property lines rather than the 15 feet minimum required.

Variations Requested (Lot 1)

The following variations from the requirements of the Zoning Ordinance of Bensalem Township, Bucks County, PA, Chapter 232, are requested from the Bensalem Township Zoning Hearing Board.

Article VI, Section 232-357(2) - A variance is requested to permit maximum impervious coverage of 66% which exceeds the 40% maximum permitted.

Article VII, Section 232-357(3)b - A variance is requested to permit a side yard of 68.5 feet and a rear yard of 10 feet in lieu of the 75 feet and 100 foot minimum yards required, respectively.

Article VII, Section 232-592(3) - A variance is requested to permit elimination of the Buffer Yard between properties of common ownership.

Variations Requested (Lot 2)

The following variations from the requirements of the Zoning Ordinance of Bensalem Township, Bucks County, PA, Chapter 232, are requested from the Bensalem Township Zoning Hearing Board.

Article V, Section 232-114 - A variance is requested to permit parking as an accessory use to the church use on Lot 1.

Article V, Section 232-125(d) - A variance is requested to permit maximum impervious coverage of 38% which exceeds the 35% maximum permitted.

Waivers Requested (Lot 1)

The following waivers from the requirements of the Bensalem Township Subdivision and Land Development Ordinance Chapter 201 are requested from the Bensalem Township Council.

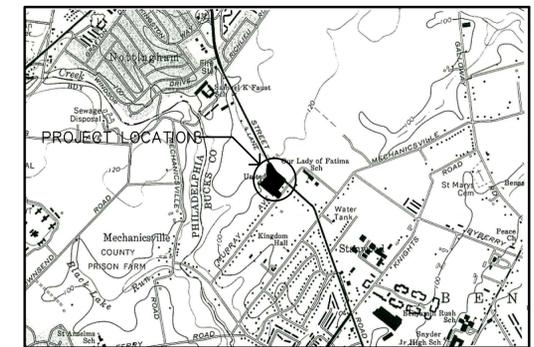
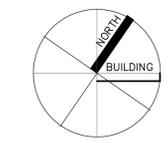
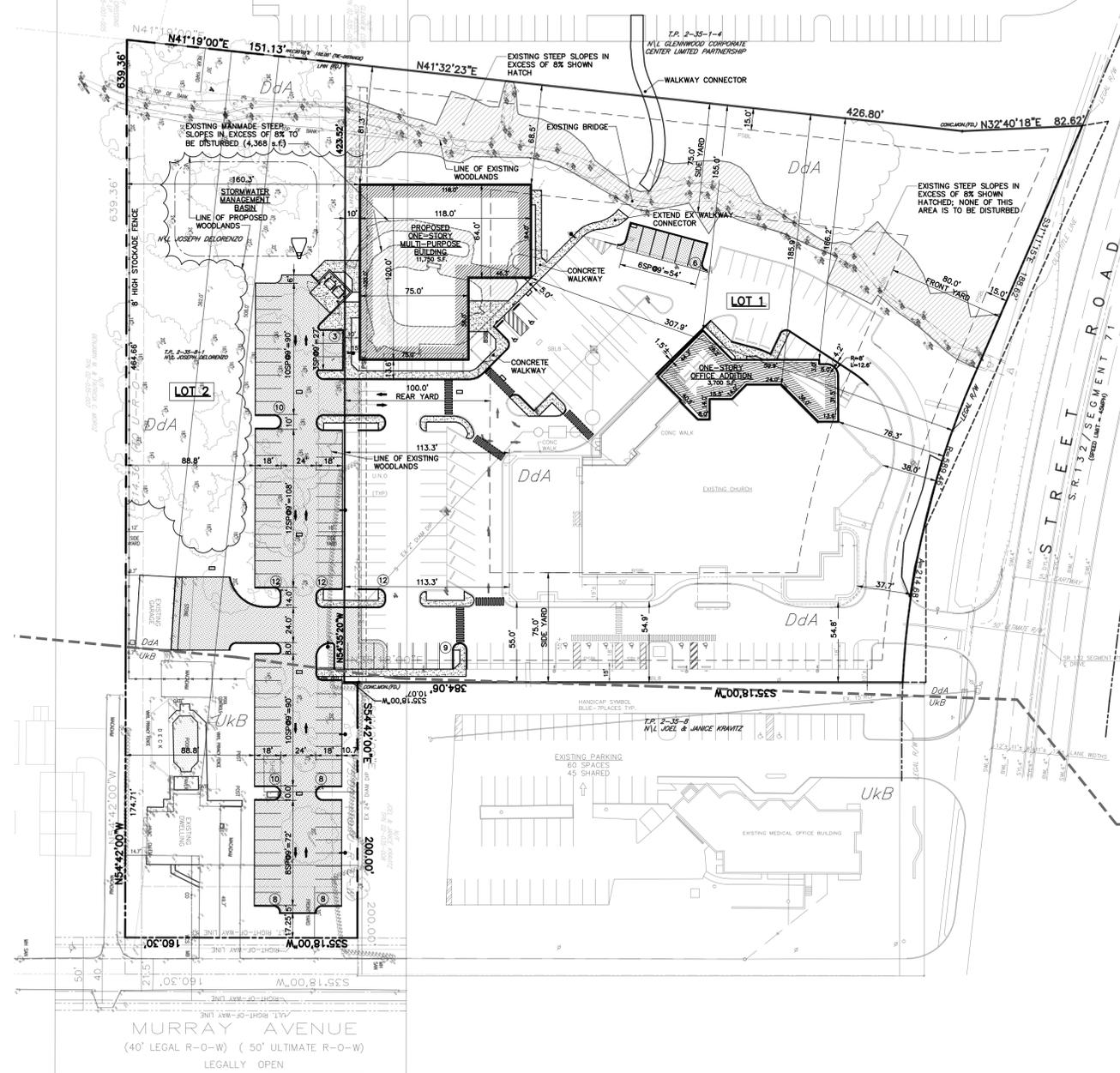
Article VI, Section 201-112(d) - A waiver is requested to reduce the distance between an internal driveway and the corner building wall to be 1.5' in lieu of the 10 foot minimum required.

Article VI, Section 201-112(h) - A waiver is requested to permit parking up to the property line where such line is common to the properties owned by the applicant.

Waivers Requested (Lot 2)

The following waivers from the requirements of the Bensalem Township Subdivision and Land Development Ordinance Chapter 201 are requested from the Bensalem Township Council.

Article VI, Section 201-112(h) - A waiver is requested to permit parking up to the property line where such line is common to the properties owned by the applicant.



Property Location: Latitude: 40.114706 N, Longitude: -74.957452 W



Scale: 1" = 2000'

State of Pennsylvania, County of Bucks

On the _____ day of _____, 20____, before me the subscriber, a notary public of the Commonwealth of Pennsylvania, residing in _____, personally appeared _____ who acknowledged this plan to be the official plan of the highways and the property shown thereon situate in the Township of Bensalem, Bucks County, Pennsylvania, and desired this plan to be recorded according to law.

Witness my hand and notarial seal the day and year aforesaid

Notary Public

My commission expires _____

Recorded this _____ day of _____, 20____, in the office for the recording of deeds, etc., in and for the County of Bucks in Doyestown, Pennsylvania, in Plan Book No. _____ Page _____

Recorder

I hereby certify that this plan represents a survey made by me, that the monuments shown hereon exist as located and that all dimensional and geodetic details are correct.

Dated _____ Surveyor

I hereby certify that _____ is the registered owner of the land herein subdivided or developed and that I do hereby adopt this plan.

(Title)

Submitted herewith are a complete set of construction improvement plans marked sheet _____ through _____ which form a part of this application being dated _____ and last revised _____

Owner

Approved by the Bensalem Township Council this _____ day of _____, 20____

Chairman Secretary

Reviewed and approved by the Bensalem Township Planning Commission on the _____ day of _____, _____ A.D.

Chairman Secretary

Reviewed by the Bucks County Planning Commission on the _____ day of _____, _____ A.D.

Chairman Executive Director

Reviewed by the Bensalem Township Engineer on the _____ day of _____, _____ A.D.

Engineer

Notes:

- 1. Boundary and Topographical Survey - The boundary and topography for the property located at 2926 Murray Avenue are based upon a survey prepared by McNeil Land Surveying LLC, dated July 10, 2015. The boundary and topography for the property located at 2990 Street Road are based upon a survey prepared by Gilmore and Associates dated 2/5/1996.
2. Woodlands - Woodland locations shown on the plans were obtained from a Survey Conducted by McNeil Land Surveying, LLC dated July 10, 2015.
3. Floodplain Information - No floodplain areas existing on the property (Lots 1 and 2) per FEMA Flood Insurance Rate Map (FIRM) Number 42017C0502J Bucks County, PA Panel 502 of 532, March 16, 2015.
4. Wetlands - No wetlands exist on the property (Lots 1 and 2) per Del Val Soil & Environmental Consultants Analysis performed on May 21, 2015.
5. Steep Slopes - The steep slopes information shown for the property located at 2926 Murray Avenue are based upon a survey prepared by McNeil Land Surveying LLC, dated July 10, 2015. The steep slopes information shown for the property located at 2990 are based upon a survey prepared by Gilmore and Associates dated 2/5/1996. No slopes in excess of 8% are affected by the proposed construction except for manmade steep slopes as shown on plan.
6. Soils Information - Information on soils including their extent shown on the plans and soils information such as physical properties, suitability and engineering properties is based on the Soil Survey of Luzerne County, PA, prepared by the U.S. Department of Agriculture Soil Conservation Service.

A detailed listing of soils on this property and their engineering properties is provided on the Erosion Control Plans.

SOIL TYPE LIST
DdA Doyestown Silt Loam - 0 to 3 percent slopes
UkB Urban Land-Chester Complex - 0 to 8 percent slopes



Revisions table with columns: No., Date, Description.

Scale 1"=50'

Project No. 1243

Date 01.07.2016

Sheet No. C1.0

Sheet 1 of 1

Zoning Plan
Project For: Philadelphia Christian Center
2990 Street Road
Bensalem Township
Bucks County, Pennsylvania

Knudsen Engineering, Inc.
Civil and Structural Engineers
968 Hopeman Road
Northham, PA 19044
www.knudsenengineering.com