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: Hucaluk Property Management, LLC
Address: 6005 Snapdragon Court
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:

- ☐ **Use**
- ☐ **Height**
- ☐ **Existing Building**
- ☐ **Occupancy**
- ☐ **Other:** (describe) _____
- ☐ **Lot Area**
- ☒ **Yards**
- ☐ **Proposed Building**

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

Tax Parcel Number: 02-051-004

Location: 5526 Hulmeville Road - Bensalem, PA

Lot Size: 2.7729 Acres

Present Use: Auto repairs and sales

Proposed Use: Auto repairs and sales

Present Zoning Classification: L-I Light Industrial District

Present Improvement upon Land: Buildings used in connection with business in addition to existing residential use and garage.

Deed recorded at Doylestown in Deed Book 7054 Page 0845

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):

Section 232-533(3).a and Section 232-593

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

Variances to allow construction of proposed building with the required setback.

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.

The proposed building additions are required in connection with business operations and the irregular-shaped parcel renders the ability to construct impossible without relief from the setback provisions. Relief, if granted, will not adversely affect 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

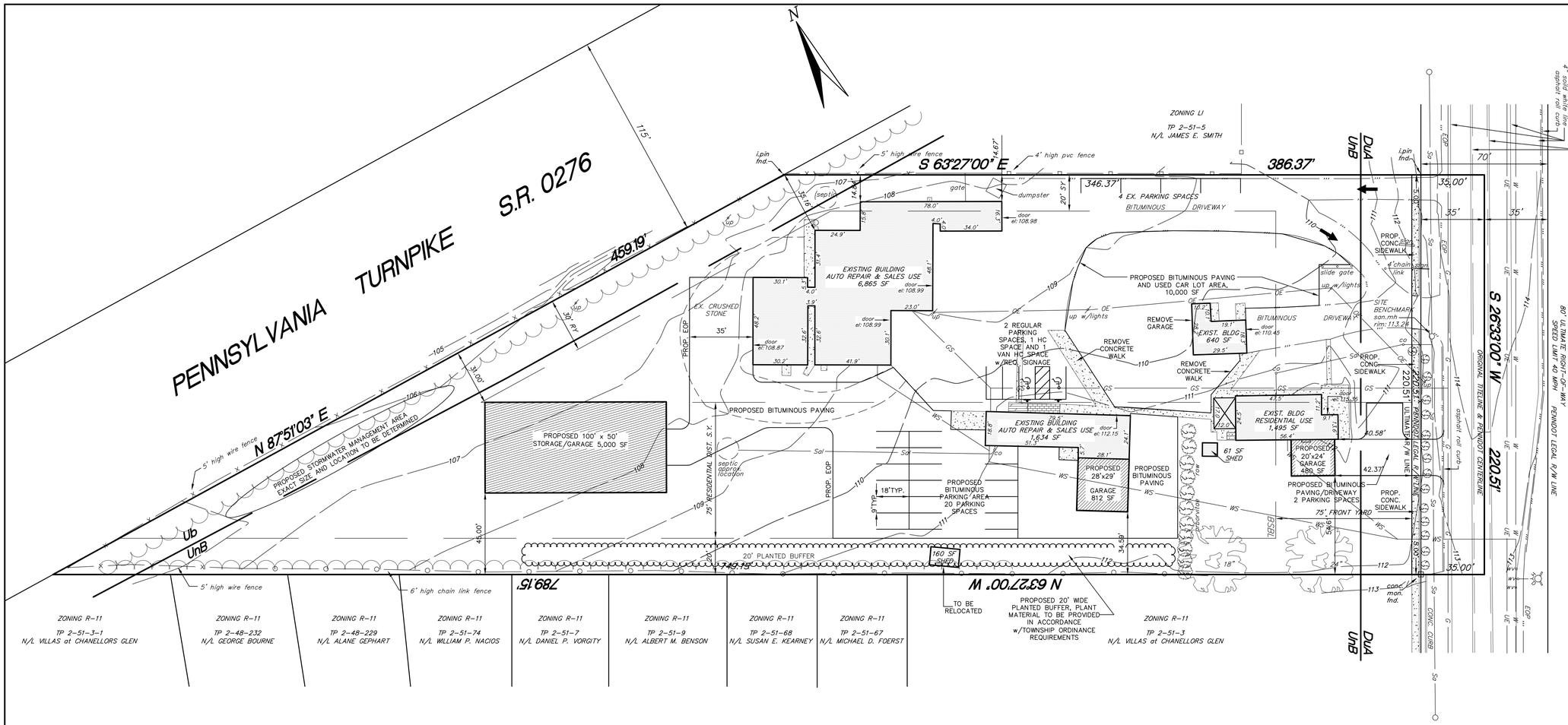
9/22/15
Date

Sworn to and subscribed before me this

22nd day of September 2015

Notary Public

My commission expires: _____



General Notes and Summary

1. Tax Parcel: 2-51-4

2. Gross Site Area = 2.9753 Acres (To Title Line)
Site Area = 2.7982 Acres (To PennDOT ROW); Site Area = 2.7729 Acres (To Ultimate ROW)

3. Owner of Record and Applicant:Hucaluk Property Management, LLC
5526 Hulmeville Road
Bensalem, PA 19020

4. Zoning: L-I Light Industrial District
Existing Use: Automobile sales and repairs; single family residential
Proposed Use: Automobile sales and repairs - Permitted by Right
Proposed Use: Used Car Lot - Permitted by Right
Proposed Use: Residential - Existing non conforming use.

Required/Permitted	Provided
a. Lot Area - 15,000 SF min.	2.7729 Acres
b. Lot Width at BSBL - 75 ft. min.	220.51 ft.
c. Impervious Coverage - 55% max.	54.0%
d. Building Coverage - 35% max	13.7%
d. Front Yard - 75 ft. min.	40.58 ft. *
e. Side Yard - 20 ft. min.	14.64 ft. *
Side Yard - 75 ft. min from residential district	34.59 ft. ** From property line.
f. Rear Yard - 30 ft. min.	31.0 ft.
g. Building Height - 40 ft. max.	Less than 40 ft.
h. Open Space - None Required.	None

* Existing non-conforming. ** Variance required.

5. Required Parking
Single Family Dwelling Use - 2 spaces per dwelling; Provided 2.
Motor Vehicle Repair Shop Use - 1 space per employee plus 2 spaces per service bay.
Total employees = 3 requires 3 spaces. Service bays = 5 requires 10 spaces. Total = 13 spaces
Used Car Lot Use - 1 space per employee plus 1 space per 1,000 SF of lot area.
Total employees = 1 requires 1 spaces. Lot area = 10,000 SF requires 10 spaces.
Total = 11 spaces
Total Required = 26 spaces
Provided Parking - 30 spaces including 2 handicap accessible spaces.
Proposed 5,000 SF garage is included in Motor Vehicle Repair use.

6. Property boundary determined from field survey by Eastern/Chadrow Associates, Inc and various plans, deeds and information of record. Title Report by First American Title Insurance Company File # ASA-3137, Deed of property, Instrument #2012049130, State Highway Plans provided by PennDOT district 6 records retention unit, King of Prussia, PA for State Route 513.

7. Datum of Topography - U.S.C. & G.S.
Benchmark taken from above mentioned State Highway Improvement Plans sheets 68 and 69, Federal aid project number OAW-XO61-102. BM Elevation 115.05 feet Box cut top of concrete wall northeast side of Pennsylvania Turnpike.

8. The property is serviced with public sanitary sewer service provided by the Bucks County Water and Sewer Authority and an on lot septic system. The existing single family dwelling is serviced with public sewer and the existing auto repair and sales buildings are serviced with onsite septic system. Public water service is provided by Aqua Water Company.

9. There are no floodplains located on the site based on FEMA Flood Insurance Rate Map number 42017C0438 F effective date May 18, 1999

10. The site is located in the Neshaminy Creek Watershed Management District C. On lot stormwater management shall be provided.

11. Based on the PNDI search results performed on January 6, 2015 no potential impacts were identified.

12. The onsite Soils are classified as UnB - Urban Land Duffield Complex, 0% to 8% slopes, Ub - Udorthents, loamy and DuA - Duncannon silt loam, 0% to 8% slopes.

13. These drawings indicate the approximate location of existing subsurface utilities in the vicinity of the project and are not guaranteed for accuracy and/or completeness. Pennsylvania Act 187 as amended requires that contractors determine the location of all utility, sewerage and water lines before commencing construction.
PA One Call 1-800-242-1776 Serial # 20142951780.

List of Subdivision and Land Development Ordinance Waivers

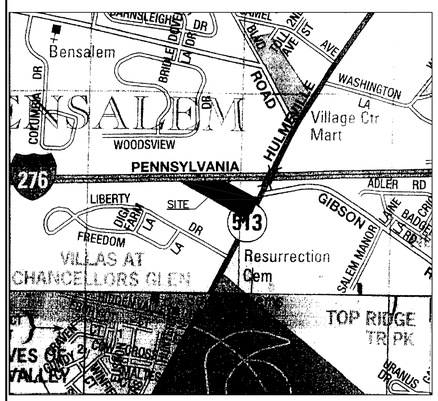
The owner respectfully requests the following waivers from the Bensalem Township Subdivision and land development ordinance:

1. Section 201-104(b)(1) - Street right of way, cartway widths and other street standards: To not require road widening, or curbing along the property frontage of Hulmeville Road SR 0513.
2. Section 201-112(h) - To permit parking within 15 feet of a property line.
3. Section 201-112(i) - To not require curb in the parking area.

List of Zoning Ordinance Variances

The owner respectfully requests the following variances from the Bensalem Township Zoning Ordinance:

1. Section 232-593 - Yard adjacent to residence district: To permit the construction of a 20' x 24' attached garage, 28' x 29' attached garage and a portion of a 50' x 100' detached garage within the required 75' yard as measured from the rear of the 20' buffer yard.
2. Section 232-533(3)a. - Area requlations: To permit the construction of a 20' x 24' attached garage with in the required front yard setback.



LOCATION MAP
SCALE: 1"=800'

STOP–CALL BEFORE YOU DIG!

PENNSYLVANIA ONE CALL SYSTEM, INC.
SERIAL No.20142951780

LEGEND

- +100.2 — EXISTING SPOT ELEVATION
- 100 — EXISTING CONTOUR
- EXISTING MONUMENT
- UTILITY POLE
- CONCRETE CURB
- W — EXISTING WATERLINE
- SS — EXISTING SANITARY SEWER
- SY — EXISTING STORM SEWER
- EXISTING MANHOLE
- EXISTING TYPE 'M' INLET
- EXISTING TYPE 'C' INLET
- EXISTING FIRE HYDRANT
- WS — EXISTING WATER SERVICE
- SA — EXISTING SANITARY LATERAL
- CONCRETE SIDEWALK OR PAD
- WV — WATER VALVE
- EDGE OF PAVING
- TREE ROW
- UE — EXISTING UNDERGROUND ELECTRIC
- OE — EXISTING OVERHEAD WIRES
- G — EXISTING GASLINE
- GS — EXISTING GAS SERVICE

ACT 187 USERS LIST FOR BENSALEM TOWNSHIP

	USER	ADDRESS	TELEPHONE
1.	AMERICAN TELEPHONE & TELEGRAPH CO.	OPER. MGR., PORTER & HIGH STS., POTTSTOWN, PA. 19464	215-326-6604 215-687-7512
2.	BUCKS COUNTY WATER & SEWER AUTH.	1275 ALMSHOUSE ROAD WARRINGTON, PA 18976	215-343-2538 EXT. 128
3.	PA. DEPT. OF TRANSPORTATION	SUPT. JOHN MURPHY, 229 N. BROAD ST., DOYLESTOWN, PA. 18901	215-345-6060
4.	BELL ATLANTIC – PA.	1260 VIRGINIA DR., FORT WASHINGTON, PA. 19034	1-800-242-1776
5.	AQUA PENNSYLVANIA, INC.	762 LANCASTER AVE., BRYN MAWR, PA. 19010	1-800-242-1776
6.	PECO ENERGY	400 PARK AVE., WARMINSTER, PA. 18974 (133) IF CALLING OUT OF STATE	215-800-242-1776 215-412-391-4000
7.	OXFORD VALLEY CABLEVISION	P.O. BOX 445, BENSALEM, PA. 19020	215-638-7770
8.	MEENAN OIL CO., INC.	113 MAIN ST., TULLYTOWN, PA. 19007 EMERGENCY	215-943-3500 215-943-7611

SKETCH PLAN OF FEASIBILITY
5526 HULMEVILLE ROAD
BENSALEM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA
MADE FOR
HUCALUK PROPERTY MANAGEMENT, LLC

SCALE: 1"=30' 0 30 60 90 31 AUGUST 2015

EASTERN/CHADROW ASSOCIATES, INC.
339 E. STREET ROAD • WARMINSTER, PA. 18974 • (215) 672-8671 FAX (215) 672-6765
EST. 1967

E-2405-SP