



# BENSALEM TOWNSHIP

Building and Planning Department  
2400 Byberry Road • Bensalem PA 19020  
215-633-3644 • FAX 215-633-3853

ADJ

Exhibit Z-4

## Zoning Hearing Board

Appeal Number: 2016-483

### 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: BRIAN KINNIRY

Address: 1685 POINT DRIVE  
BENSALEM, PA

Phone No. 215-757-4887

Owner's Name: SAME

Address: "

Phone No. "

Attorney Name: N/A

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) POOL INSTALLATION W/ ASSOCIATED  
PAVER PATIO & FENCING

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-052-221  
Location: 1685 POINT DRIVE  
Lot Size: 6000 SF  
Present Use: RESIDENTIAL  
Proposed Use: SAME  
Present Zoning Classification: RZ  
Present Improvement upon Land: EXISTING HOUSE, DRIVEWAY & PATIO  
Deed recorded at Doylestown in Deed Book 1931 Page 516

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: \_\_\_\_\_

Your statement of alleged error of Zoning Administrative Office: \_\_\_\_\_

N/A

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):

SEC. 232-167(d)(1) - MAX. IMPERVIOUS COVER - 45%  
SEC. 232-588(a) - MIN. POOL TO PROP. LINE - 10'

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

(SEE VARIANCE REQUEST LIST ON PLAN)  
APPLICANT IS SEEKING RELIEF OF A 10' RY SETBACK TO  
A PROPOSED POOL PROVIDING 5.3'. APPLICANT ALSO  
IS PROPOSING TO EXCEED THE MAX. IMP. COVER OF 45% TO 51.3%

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.

APPLICANT SHOULD RECEIVE THE NECESSARY RELIEF  
DUE TO HAVING TO ADHERE TO THE SETBACK & COVERAGE  
REQ'S OF A 7500 SF LOT (REQ'D MIN. IN 2) TO A LOT OF ONLY

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

YES  NO

6000 SF  
(APPLICANT CLAIMS A  
UNDER-SIZED LOT HARDSHIP)

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.

3/3/16

Date

Sworn to and subscribed before me this

3 day of March 2016

Notary Public

My commission expires:

Dec 8 2016

COMMONWEALTH OF PENNSYLVANIA  
Notary Seal  
Steve Steinhilber, Notary Public  
Bensalem Twp., Bucks County  
My Commission Expires Dec. 8, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**EROSION AND SEDIMENT CONTROL NOTES:**

1. EROSION HEIGHTS MUST NOT EXCEED 35 FEET. STOCKPILE HEIGHTS MUST NOT EXCEED 20 FEET.
2. THE OPERATOR/CONTRACTOR SHALL MAINTAIN THE APPROVED EROSION AND SEDIMENT CONTROL PLAN PROPERLY AND COMPLETELY IMPLEMENTED.
3. IMMEDIATELY UPON DISCOVERING UNDESIRABLE CIRCUMSTANCES THAT POTENTIAL FOR ACCCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE OPERATOR SHALL IMMEDIATELY APPROPRIATE BEST MANAGEMENT PRACTICES (BMP) TO ELIMINATE THE POTENTIAL FOR ACCCELERATED EROSION AND/OR SEDIMENT POLLUTION. THE OPERATOR SHALL ASSURE THAT EROSION AND SEDIMENT CONTROL PLAN HAS BEEN PREPARED, APPROVED BY THE BUCKS COUNTY CONSERVATION DISTRICT AND IS BEING IMPLEMENTED AND MAINTAINED FOR ALL SOIL.
4. ANCHOR PILES SHALL BE SPACED AND BORED AS NECESSARY TO PREVENT THE EROSION AND SEDIMENT CONTROL PLAN FROM COLLAPSE. ALL PILING OF SEDIMENT LOADS MUST BE THROUGH THE SEDIMENT CONTROL PLAN AS A PART OF THE EROSION AND SEDIMENT CONTROL PLAN.
5. ALL APPROVED EROSION AND SEDIMENT CONTROL PLAN MUST BE AVAILABLE ON THE PROJECT SITE AT ALL TIMES.
6. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED, MAINTAINED AND OPERATIONAL BEFORE SITE DISTURBANCE BEGINS WITHIN THE TRIBUTARY AREAS OF THOSE BASINS.
7. AFTER FINAL SITE WORK IS COMPLETED, TEMPORARY EROSION AND SEDIMENT BARRIERS MUST BE REMOVED. AREAS DISTURBED DURING THE REMOVAL OF THE BARRIERS MUST BE STABILIZED IMMEDIATELY. AT LEAST SEVEN (7) DAYS BEFORE STARTING ANY FURTHER SITE ACTIVITY, THE OPERATOR SHALL NOTIFY ALL CONTRACTORS INVOLVED IN THAT ACTIVITY, THE LANDOWNER, ALL APPROPRIATE MUNICIPAL OFFICIALS, THE EROSION AND SEDIMENT CONTROL PLAN REVIEWER AND THE BUCKS COUNTY CONSERVATION DISTRICT TO A PRE-CONSTRUCTION MEETING. AT LEAST THREE (3) DAYS BEFORE STARTING ANY FURTHER SITE ACTIVITY, ALL CONTRACTORS INVOLVED IN THAT ACTIVITY SHALL NOTIFY THE BUCKS COUNTY CONSERVATION DISTRICT BY E-MAIL AND TELEPHONE TO DETERMINE ANY UNDESIRABLE SITES LOCATIONS.
8. IMMEDIATELY AFTER EACH DISTURBANCE ACTIVITY CEASES, THE OPERATOR SHALL STABILIZE ANY AREAS DISTURBED BY THE ACTIVITY. STABILIZATION OPERATIONS SHALL BE APPLIED AT SPECIFIED RATES, DISTURBED AREAS THAT ARE AT FINISHED GRADE AND WHICH WILL BE REOCCUPIED WITHIN ONE YEAR MUST BE STABILIZED IN ACCORDANCE WITH TEMPORARY VEGETATIVE STABILIZATION SPECIFICATIONS.
9. DISTURBED AREAS THAT ARE AT FINISHED GRADE AND WHICH WILL BE REOCCUPIED WITHIN ONE YEAR MUST BE STABILIZED IN ACCORDANCE WITH PERMANENT VEGETATIVE STABILIZATION SPECIFICATIONS.
10. AN AREA SHALL BE CONSIDERED TO HAVE ACHIEVED FINAL STABILIZATION AND REOCCUPANCY UPON 70% PERMANENT VEGETATION OR OTHER PERMANENT AND VEGATATIVE COVER WITH A DENSITY SUFFICIENT TO RESIST ACCELERATED SURFACE EROSION AND SEDIMENTATION CHARACTERISTICS OF SURROUNDING AREAS AND OTHER MOVEMENTS.
11. UPON THE INSTALLATION OF TEMPORARY SEDIMENT BARRIERS, A QUALIFIED SITE REPRESENTATIVE SHALL CONDUCT AN IMMEDIATE INSPECTION OF THE RESERVOIR, WHEREUPON THE BUCKS COUNTY CONSERVATION DISTRICT SHALL BE NOTIFIED BY WRITING THAT THE RESERVOIR IS BEING MAINTAINED.
12. AT STRIPMIN OPERATIONS, A 50-FOOT BUFFER SHALL BE MAINTAINED. ON SURFACE CLEANING, 500 YARDS BUFFER AND OPERATIONS, EQUIPMENT TRACKS SHOULD BE MAINTAINED. ACTIVITY SHOULD BE STOPPED LOCAL, BURNING CLEANED BRUSH, DISCHARGING DRAINWATER FROM TRUCKS, WELDING PIPE SECTIONS, REWELDING AND MAINTAINING EQUIPMENT SHOULD BE AVOIDED WITHIN BUFFER ZONE.
13. UPON A SITE BEING STABILIZED, ALL EROSION AND SEDIMENT BARRIERS MUST BE MAINTAINED PROPERLY. A MAINTENANCE SCHEDULE INCLUDING INSPECTIONS OF ALL EROSION CONTROL BARRIERS AT LEAST EVERY FORTY (40) DAYS AND ON A WEEKLY BASIS. ALL PREVENTATIVE AND MAINTENANCE WORK, INCLUDING CLEANOUT, REPAIR, REPLACEMENT, REPAIRING, RE-SEEDING, RE-PAVING AND RE-INSTALLING SHALL BE IMMEDIATELY REPORTED TO THE BUCKS COUNTY CONSERVATION DISTRICT BY E-MAIL AND TELEPHONE. REPAIRS, REPLACEMENTS, RE-SEEDING, RE-PAVING AND RE-INSTALLING SHALL BE IMMEDIATELY REPORTED TO THE BUCKS COUNTY CONSERVATION DISTRICT BY E-MAIL AND TELEPHONE.
14. ALL SOILS, ROCKS AND WASTES MUST BE REMOVED FROM THE SITE AND RECYCLED IN ACCORDANCE WITH THE BUCKS COUNTY ORDINANCE 17.01.01. ALL WASTES MUST BE RECYCLED IN ACCORDANCE WITH THE BUCKS COUNTY ORDINANCE 17.01.01. ALL WASTES MUST BE RECYCLED IN ACCORDANCE WITH THE BUCKS COUNTY ORDINANCE 17.01.01. ALL WASTES MUST BE RECYCLED IN ACCORDANCE WITH THE BUCKS COUNTY ORDINANCE 17.01.01.

**SEEDING NOTES:**

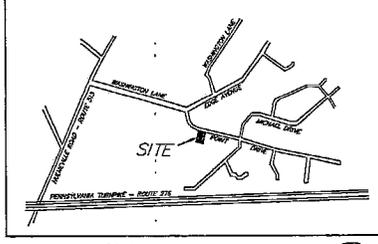
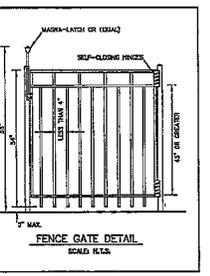
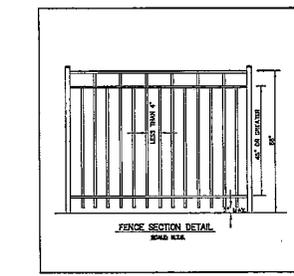
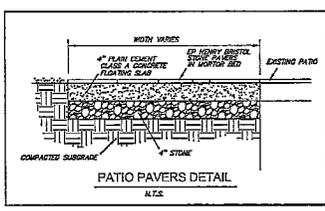
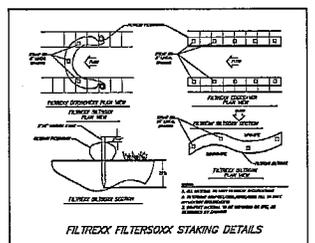
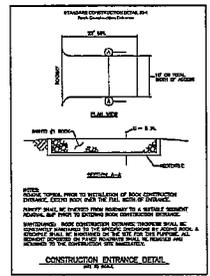
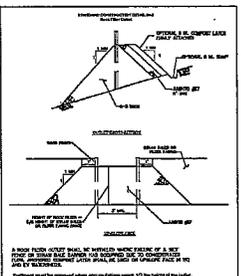
1. ESTABLISHMENT OF TEMPORARY VEGETATIVE COVER:
  - A. ANY DISTURBED AREAS SHALL IMMEDIATELY RECEIVE A TEMPORARY SEEDING. IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER, THE DISTURBED AREA SHALL BE RESEED.
  - B. A SEEDING PLAN INCLUDING ADDITIONAL TO SOIL TESTS RECOMMENDATIONS, IF SOIL TESTING IS NOT FEASIBLE, SHALL BE SUBMITTED TO THE BUCKS COUNTY CONSERVATION DISTRICT FOR REVIEW AND APPROVAL. THE SEEDING PLAN SHALL BE SUBMITTED TO THE BUCKS COUNTY CONSERVATION DISTRICT FOR REVIEW AND APPROVAL. THE SEEDING PLAN SHALL BE SUBMITTED TO THE BUCKS COUNTY CONSERVATION DISTRICT FOR REVIEW AND APPROVAL.
  - C. SEEDING SHALL BE PERFORMED AT THE RATE OF 50 POUNDS PER ACRE (ONE POUND PER 100 SQUARE FEET). OPTIMUM SEEDING DATES ARE FROM MAY 15 TO AUGUST 15 TO OCTOBER 15. SEEDING SHALL BE PERFORMED AT THE RATE OF 50 POUNDS PER ACRE (ONE POUND PER 100 SQUARE FEET). OPTIMUM SEEDING DATES ARE FROM MAY 15 TO OCTOBER 15. SEEDING SHALL BE PERFORMED AT THE RATE OF 50 POUNDS PER ACRE (ONE POUND PER 100 SQUARE FEET). OPTIMUM SEEDING DATES ARE FROM MAY 15 TO OCTOBER 15.
  - D. PREPARATION AND APPLICATION:
    1. WORK LINE AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF FOUR INCHES WITH A DISC, PRODUCTION HARROW OR OTHER SIMILAR EQUIPMENT. THE FINAL HARROWING OR DISCHING OPERATION SHOULD BE ON THE GENERAL CONTOUR, CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEEDING IS PROVIDED.
    2. SEEDING SHOULD BE PERFORMED JUST BEFORE SEEDING, IF TRAFFIC WILL BE ON THE SOIL, THE AREA MUST BE RETILLED AND FINISHED AS ABOVE.
    3. APPLY SEED UNIFORMLY BY HAND, DISCING (CENTRIFUGAL SEEDER), DRILL, CULTIVATOR SEEDER OR HYDROSEEDER (INCLUDING SEED AND FERTILIZER). HYDROSEEDING WHICH ARE ALLOWED MAY BE LEFT ON ALL SURFACES.
    4. WHERE FERTILIZER IS USED WITH A CULTIVATOR TYPE SEEDER OR HYDROSEEDER IS USED, THE SEEDING SHOULD BE PERFORMED FOLLOWING SEEDING OPERATIONS WITH A ROLLER OR LIGHT DRAG. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
  - E. MULCHING:
    1. MULCH SHALL BE APPLIED AT A MINIMUM RATE OF 2 TONS PER ACRE WITHIN 48 HOURS AFTER SEEDING IS COMPLETED.
    2. LIQUID MULCH PRODUCTS SHALL BE ONE OF THE FOLLOWING: EMULSIFIED ASPHALT - CLASS 64 OR 64, APPLY AT A MINIMUM RATE OF 1.0 GALLON PER 100 SQUARE FEET. SOLID MULCH SHALL BE APPLIED AT A RATE OF 20 POUNDS PER 100 SQUARE FEET.
    3. PREPARATION AND APPLICATION: MULCH SHALL BE BROUGHT TO PROPER GRADE PRIOR TO APPLICATION OF FERTILIZER. MULCH SHALL BE TESTED FOR pH AND NUTRIENT CONTENT AND SHALL BE APPLIED AS DEMANDS TO BRING THE pH TO 6.0. MULCH SHALL BE WORKED INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES. TILLAGE SHALL BE PROVIDED ONLY IF NECESSARY TO WORK WITHOUT DAMAGING THE SOIL STRUCTURE. LESS THAN FIELD CAPACITY. TOPSOIL SHALL BE UNIFORMLY DISTRIBUTED TO A DEPTH OF FOUR INCHES WITH A DISC, PRODUCTION HARROW OR OTHER SIMILAR EQUIPMENT. THE FINAL HARROWING OR DISCHING OPERATION SHOULD BE ON THE GENERAL CONTOUR, CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEEDING IS PROVIDED.

**II. TOPSOILING**

1. TOPSOIL SHALL BE FRANKS, LOAMY, FREE OF DEBRIS, COLLECTIBLE WEEDS AND STONES AND SHALL NOT CONTAIN TOXIC SUBSTANCES THAT MAY BE HARMFUL TO PLANT GROWTH. THE ACCEPTABLE RANGE FOR TOPSOIL SHALL BE 1.0 TO 1.5 AND SOLUBLE SALTS SHALL NOT EXCEED 8 MILLIGRAMS PER CENTIMETER. TOPSOIL MULCH 12 INCH OFF SITE SHALL HAVE A MINIMUM ORGANIC MATTER CONTENT OF 2% FULVIC, ORGANIC MATTER CONTENT MAY BE REFINED BY ADDITIVE.
2. PREPARATION AND APPLICATION: TOPSOIL SHALL BE BROUGHT TO PROPER GRADE PRIOR TO APPLICATION OF FERTILIZER. TOPSOIL SHALL BE TESTED FOR pH AND NUTRIENT CONTENT AND SHALL BE APPLIED AS DEMANDS TO BRING THE pH TO 6.0. MULCH SHALL BE WORKED INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES. TILLAGE SHALL BE PROVIDED ONLY IF NECESSARY TO WORK WITHOUT DAMAGING THE SOIL STRUCTURE. LESS THAN FIELD CAPACITY. TOPSOIL SHALL BE UNIFORMLY DISTRIBUTED TO A DEPTH OF FOUR INCHES WITH A DISC, PRODUCTION HARROW OR OTHER SIMILAR EQUIPMENT. THE FINAL HARROWING OR DISCHING OPERATION SHOULD BE ON THE GENERAL CONTOUR, CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEEDING IS PROVIDED.

**III. ESTABLISHMENT OF PERMANENT VEGETATIVE COVER**

1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED, MAINTAINED AND OPERATIONAL BEFORE SITE DISTURBANCE BEGINS WITHIN THE TRIBUTARY AREAS OF THOSE BASINS.
2. SEEDING SHALL BE PERFORMED AT THE RATE OF 50 POUNDS PER ACRE (ONE POUND PER 100 SQUARE FEET). OPTIMUM SEEDING DATES ARE FROM MAY 15 TO OCTOBER 15. SEEDING SHALL BE PERFORMED AT THE RATE OF 50 POUNDS PER ACRE (ONE POUND PER 100 SQUARE FEET). OPTIMUM SEEDING DATES ARE FROM MAY 15 TO OCTOBER 15.
3. PREPARATION AND APPLICATION:
  1. WORK LINE AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF FOUR INCHES WITH A DISC, PRODUCTION HARROW OR OTHER SIMILAR EQUIPMENT. THE FINAL HARROWING OR DISCHING OPERATION SHOULD BE ON THE GENERAL CONTOUR, CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEEDING IS PROVIDED.
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  4. WHERE FERTILIZER IS USED WITH A CULTIVATOR TYPE SEEDER OR HYDROSEEDER IS USED, THE SEEDING SHOULD BE PERFORMED FOLLOWING SEEDING OPERATIONS WITH A ROLLER OR LIGHT DRAG. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
  5. WHERE MULCH IS NOT USED AND SOIL NUTRIENT IS DEFICIENT, NEW SEEDING SHALL BE RESEED THREE (3) DAYS WITH A MINIMUM OF 10 MILLIGRAMS PER CENTIMETER. TOPSOIL SHALL BE UNIFORMLY DISTRIBUTED TO A DEPTH OF FOUR INCHES WITH A DISC, PRODUCTION HARROW OR OTHER SIMILAR EQUIPMENT. THE FINAL HARROWING OR DISCHING OPERATION SHOULD BE ON THE GENERAL CONTOUR, CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEEDING IS PROVIDED.



**NOTES**

1. BOUNDARY AND TOPOGRAPHY SURVEY PERFORMED BY THIS OFFICE ON APRIL 14, 2016. THE PROPERTY WAS THEN RESURVEYED AND UPDATED ON DECEMBER 26, 2016.
2. SERTONAL - DISTRICT 223-588(A) - ELEVATION 1030.000
3. TOTAL LOT AREA IS 6600 SQ FT LEGAL RIGHT-OF-WAY.

**SURVEYOR'S CERTIFICATION**

THIS IS TO STATE THAT THIS PLAN REPRESENTS A FIELD SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTATION SHOWN THEREON EXIST AS LOCATED AND THAT THE DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

TRACEY J. BORUSIEWICZ  
REGISTERED PROFESSIONAL LAND SURVEYOR  
DATE: \_\_\_\_\_

**Zoning Variances Requested:**

Applicant is requesting a variance from Section 222-588(a) requiring a minimum setback from any new pool to the property lines no less than 10'. The Applicant is providing more than 10' on both side yards (13.3' & 16.7') and needs relief to allow a 5.3' setback in the rear yard. This allows the pool to have a minimum clearance distance from the existing rear of the house of 10'.

Applicant is requesting a variance from Section 222-677(d)(1) requiring a maximum impervious cover of no more than 45% of the lot area. The Applicant is proposing new pavers all around the new pool and it causes a total impervious coverage of 61.3% of the lot area exceeding the maximum allowable by 6.3%.

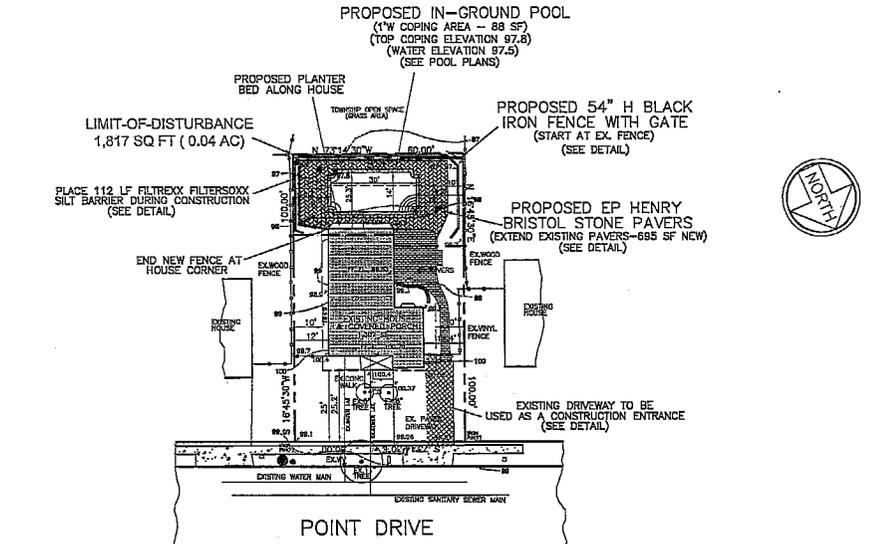
**Zoning: R-2 Residential District**

	REQUIRED	EXISTING	PROPOSED
Min. Lot Area:	7,600 S.F.	6,000 S.F. +	6,000 S.F. +
Max. Building Coverage:	40%	21.8%	21.8%
Max. Impervious Surface Coverage:	45%	36.5%	61.3%*
Min. Lot Width @ Street Line:	75'	60'	60'
Max. Building Height:	35'	<35'	<35'
Min. Yards:			
Front:	25.2'	25.2'	25.2'
Side:	5' min/20' avg.	1274.4'	1274.4'
Rear:	35'	25.3'	25.3'
Min. Setback from PL to Pool:	10'	—	16.7' & 13.3' on sides 5.3' on rear setback*

\* Existing Non-Conformity  
\* Variance Required

**Impervious Calculations:**

	Existing	Proposed
Driveway:	1,307 S.F. (21.8%)	1,307 S.F. (21.8%)
Bituminous Drive:	572 S.F.	572 S.F.
Walks & Steps:	39 S.F.	39 S.F.
Pavers:	383 S.F.	1073 S.F.
Pool Coping:	—	88 S.F.
<b>Total:</b>	<b>2,297 S.F. or 38.3%</b>	<b>3,080 S.F. or 61.3%</b>



REvised 02/23/18 AS PER TWP REVIEW

OWNER / APPLICANT: **BRIAN KINNEY**  
1885 POINT DRIVE  
BENSALEM TOWNSHIP, BUCKS COUNTY, PA.

PREPARED FOR: **BORUSIEWICZ**  
SURVEYORS AND SITE PLANNERS  
32 COATES STREET  
BRIDGEPORT, PA 19405

FILE NO: B23207 DATE: 1/8/2016 SCALE: 1" = 20 FEET SHEET NO: 1 OF 1



# 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

March 10, 2016

Brian Kinniry and Juli Smith  
1685 Point Dr.  
Bensalem, PA 19020

<b>Project:</b>	<b>INGROUND POOL</b>
<b>Project Address:</b>	<b>1685 POINT DR BENSALEM, PA 19020</b>
<b>Tax Parcel:</b>	<b>02-052-2221</b>
<b>Property Owner:</b>	<b>SAME AS ADDRESSED</b>
<b>Permit Status:</b>	<b>APPLICATION DENIED</b>

## 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,

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

Email address

HWG/lva  
Enclosures

# Summary of Comments on BRIAN KINNIRY - 1685 POINT DR - POOL PLAN 022316 Model (1)

Page: 1

Author: rgans Subject: ZONING REJECTED Date: 3/10/2016 11:51:33 AM

Author: rgans Subject: Text Box Date: 3/10/2016 11:55:02 AM

The proposed impervious surface coverage of 51.3% exceeds the allowable 45% [ Section 232-167(d)(1)]

**PROPOSED IN-GROUND POOL**  
 10' x 18' x 5' (180" x 216" x 60")  
 1817 SQ FT (EQ. AC)

**PROPOSED 54" H BLACK IRON FENCE WITH GATE**  
 (SEE DETAIL)

**PROPOSED 6" HENRY BRICKS STONE PAVING**  
 (SEE DETAIL)

**LIMIT OF DISTURBANCE**  
 1817 SQ FT (EQ. AC)

**POINT DRIVE**

**LOCATION MAP**

**ZONING INFORMATION**

**Zoning Requested:** R-1

**Zoning: (As Residential District)**

Category	Area	Value	Value	Value
Impervious Surface	Pool	1817	1817	1817
	Deck	0	0	0
	Other	0	0	0
	Total	1817	1817	1817
Total Impervious Surface	Pool	1817	1817	1817
	Deck	0	0	0
	Other	0	0	0
	Total	1817	1817	1817

**Impervious Calculated:**

Category	Area	Value	Value	Value
Total Impervious Surface	Pool	1817	1817	1817
	Deck	0	0	0
	Other	0	0	0
	Total	1817	1817	1817

**BRUN KINNIRY**  
 1685 POINT DRIVE  
 LAND ACQUISITION & HOME PLAN

**BORSTEWICZ**  
 ENGINEERS AND ARCHITECTS  
 1000 W. 10TH ST. SUITE 100  
 DENVER, CO 80202



# 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

February 3, 2016

Brian Kinniry and Juli Smith  
1685 Point Dr.  
Bensalem, PA 19020

<b>Project:</b>	<b>INGROUND POOL</b>
<b>Project Address:</b>	<b>1685 POINT DR BENSALEM, PA 19020</b>
<b>Tax Parcel:</b>	<b>02-052-2221</b>
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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.

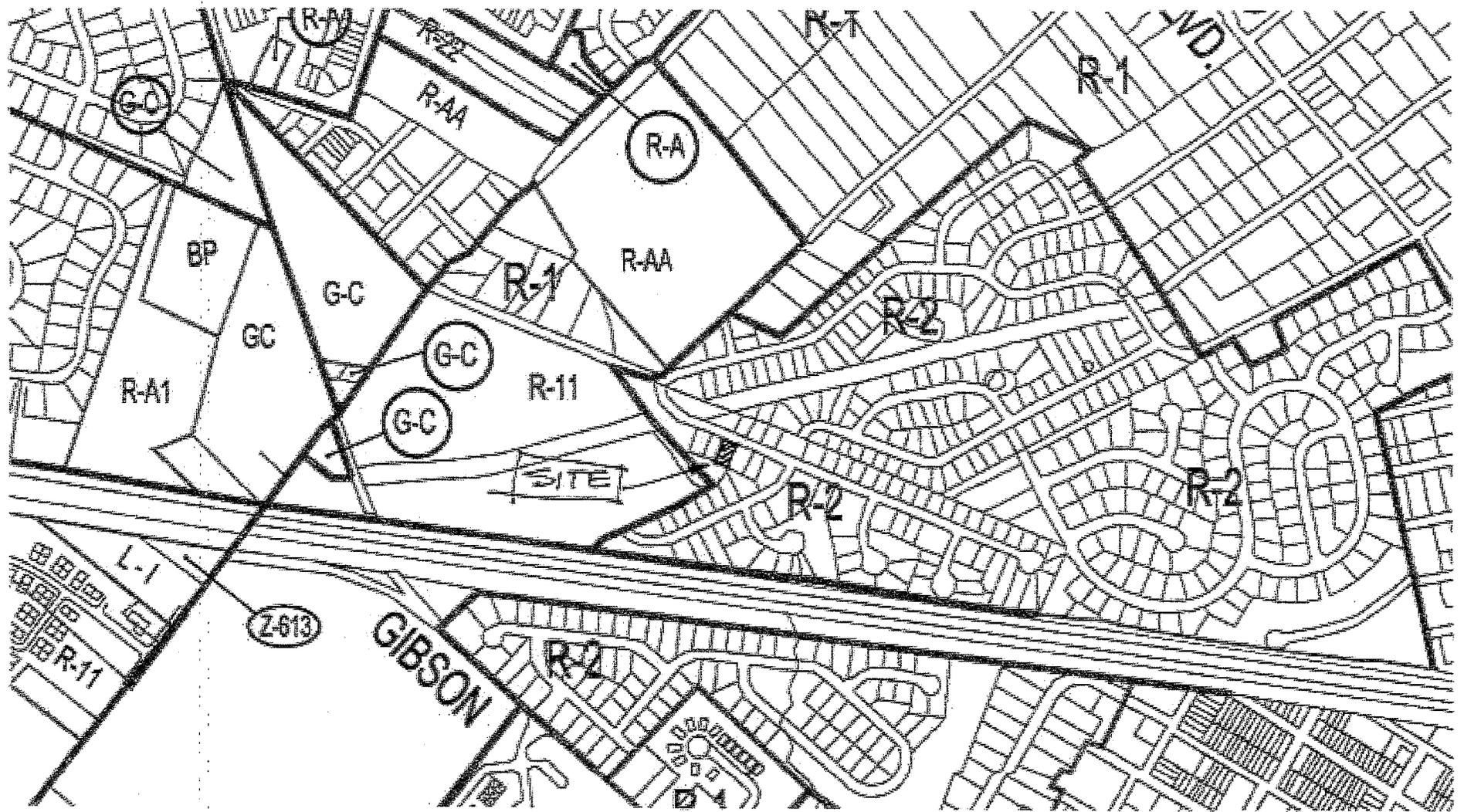
Respectfully,

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

Email address

HWG/lva  
Enclosures





# EXHIBIT A

Kinniry, Brian M.  
418780R

ALL THAT CERTAIN piece of parcel of ground situate in Bensalem Township, Bucks County, Pennsylvania and described according to a Plan known as Salem Point, Section 3, made for Bensalem Development Corp., by W.S. Miller, Engineer, dated April 8, 1976 said Plan being recorded in the Office of the Recorder of Deeds for Bucks County in Plan Book 144 page 20, as follows, to wit:

BEGINNING at a point on the Southwesterly side of Point Drive (50 feet wide) said point being at the distance of 215.43 feet measured North 73 degrees 14 minutes 30 seconds West along the Southwesterly side of Point Drive from the point of intersection with the Northwesterly side of Michael Drive (50 feet wide); thence extending from said point of beginning South 16 degrees 45 minutes 30 seconds West 100.00 feet to a point; thence extending North 73 degrees 14 minutes 30 seconds West 60.00 feet to a point; thence extending North 16 degrees 45 minutes 30 seconds East 100.00 feet to a point on the Southwesterly side of Point Drive; thence extending South 73 degrees 14 minutes 30 seconds East along the Southwesterly side of Point Drive 60.00 feet to the first mentioned point and place of beginning.

BEING Lot #198 as shown on the above mentioned Plan.

BEING County Parcel Number 2-52-221



Below is an image looking up towards the rear of my property from the line of the woods behind my property.

The yellow line illustrates my property line and the amount of open space that the rear of my yard property backs up to

