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# 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

**XX** Variance from the terms of the Zoning Ordinance of the Township of Bensalem

**Appellant Name:** OAK RIDGE INVESTMENTS, INC.,

**Address:** 7998 New Falls Road, Levittown, PA 19055

**Phone No.** \_\_\_\_\_

**Owner's Name:** SAME AS APPELLANT

**Address:** \_\_\_\_\_

**Phone No.** \_\_\_\_\_

**Attorney Name:** Edward F. Murphy, Esquire, Wisler Pearlstine, LLP

**Address:** P.O. Box 1186, Newtown, PA 18940

**Phone No.** \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

1. Application relates to the following:

Check items if applicable:

- Use XX Lot Area
- Height  Yards
- Existing Building  Proposed Building
- Occupancy
- XX  other: **Density**

2. Brief description of Real Estate affected:

Tax Parcel Number: 2-61-184

Location: Hopkins Avenue east of intersection with Williams Street

Lot Size: 14,250 square feet

Present Use: Vacant

Proposed Use: Two single family detached dwellings.

Present Zoning Classification: R-2 Residential

Present Improvement upon Land: Vacant

Deed recorded at Doylestown in Deed Book \_\_\_\_\_

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: \_\_\_\_\_

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 Outline of Relief Required and Reasons Justifying Grant Thereof attached hereto and incorporated herein by reference.**
  
6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired): **See Outline of Relief Required and Reasons Justifying Grant Thereof attached hereto and incorporated herein by reference.**
  
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 Outline of Relief Required and Reasons Justifying Grant Thereof attached hereto and incorporated herein by reference.**
  
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.

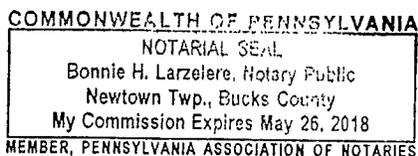
\_\_\_\_\_  
A

1/5/15  
Date

Sworn to and subscribed before me

this 5<sup>th</sup> day of Jan., 20145

Notary Public  
My commission expires



**OUTLINE OF RELIEF REQUESTED  
AND REASONS JUSTIFYING GRANT THEREOF**

1. Owner/Appellant desires to subdivide the subject Property which currently contains 14,250 square feet and which Property fronts on a paper street known as Hopkins Avenue into two single family detached dwelling building lots, all in accordance with the Zoning Variance Plan attached hereto and incorporated herein by reference.

2. Pursuant to the Zoning Variance Plan, each of the proposed single family detached dwelling building lots would contain 7,125 square feet and would be otherwise fully conforming with all of the area and design requirements for all single family detached dwelling lots located in the R-2 Residential Zoning District in which the Property is located.

3. In support of the proposed subdivision of the Property as described in the Zoning Variance Plan, the Owner/Appellant would respectfully request the Bensalem Township Zoning Hearing Board consider the grant of the following relief:

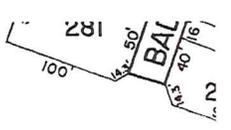
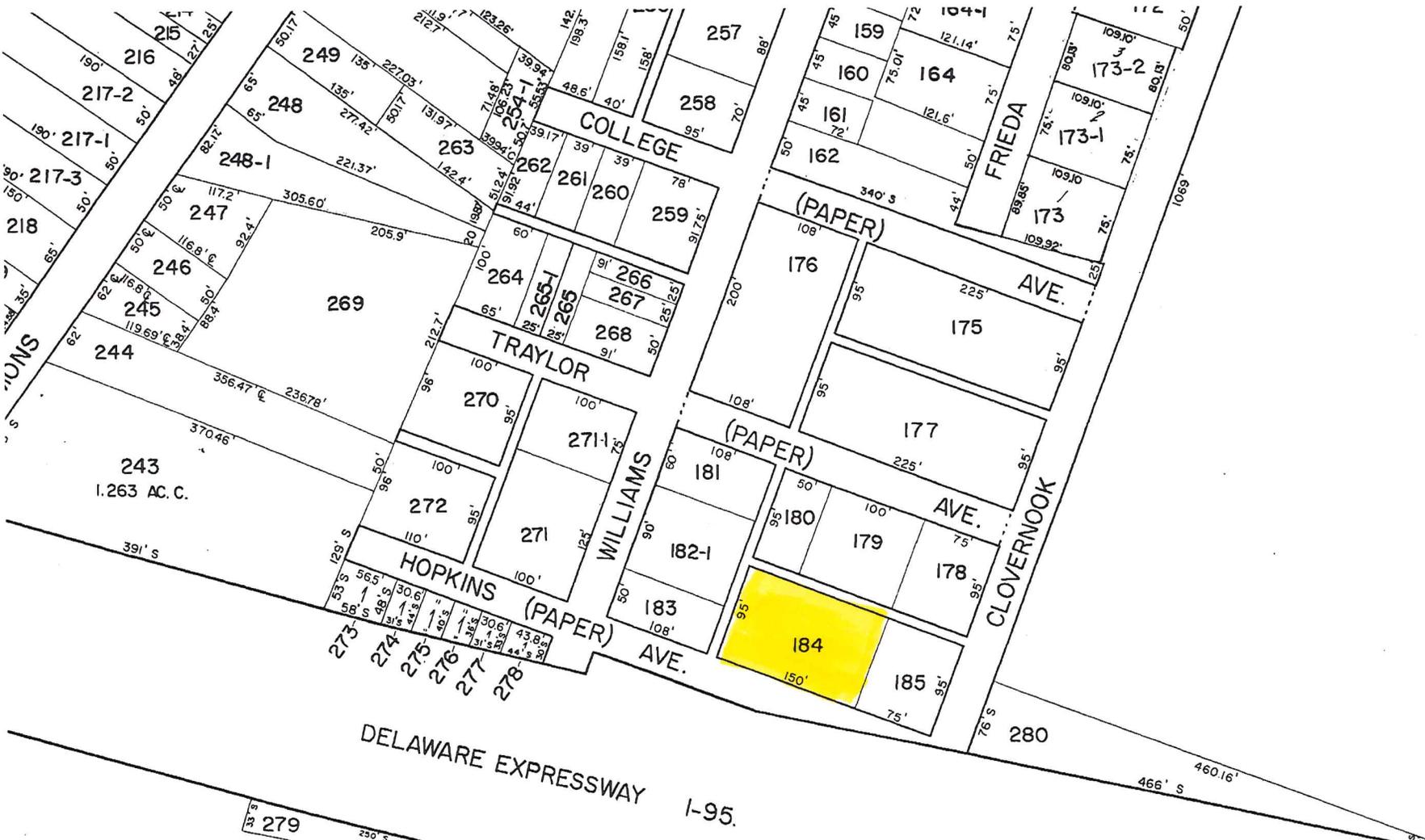
a. A variance is requested from the provisions of Section 232-167.A of the Bensalem Township Zoning Ordinance so as to permit proposed Lots 1 and 2 to maintain

an area of 7,125 square feet in lieu of the minimum lot size of 7,500 square feet otherwise required;

b. A variance is requested from the provisions of Section 232-167.g of the Bensalem Township Zoning Ordinance so as to permit a density exceeding 5.81 dwelling units per acre when less than 4 lots are being created by the proposed subdivision. The creation of Lots 1 and 2 would result in a density of 6.11 dwelling units per acre.

4. Owner/Appellant believes and therefore avers that the requested relief, if authorized, will not alter the essential character of the neighborhood or zoning district in which the Property is located nor substantially nor permanently impair the appropriate use or development of adjacent properties nor be detrimental to the public welfare.

5. Owner/Appellant believes and therefore avers that the variances, if authorized, represent the minimum variances which will afford relief to the Owner/Appellant and further represent the least modifications possible to the regulations at issue.







# 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 24, 2015

Jon Geftman  
7988 New Falls Road  
Levittown, PA 19055

<b>Project:</b>	2 NEW HOMES
<b>Project Address:</b>	Clovernook Ave Bensalem, PA 19020
<b>Tax Parcel:</b>	02-061-184
<b>Property Owner:</b>	Oak Ridge Investments, Inc.
<b>Permit Status:</b>	Application Denied

## Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING, [Section 232-167(a)]. 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 COMBINED.pdf

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Page: 1

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 Number: 1 Author: rgans Subject: LAND ALTERATION REJECTED Date: 2/10/2015 9:44:25 AM

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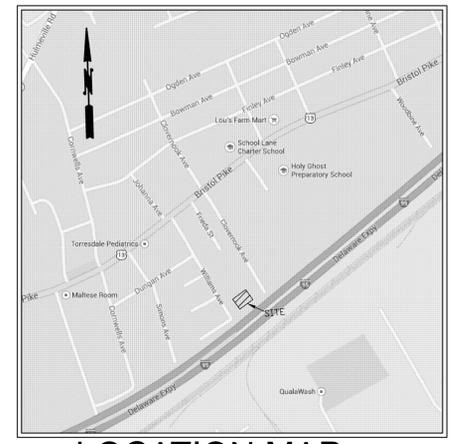
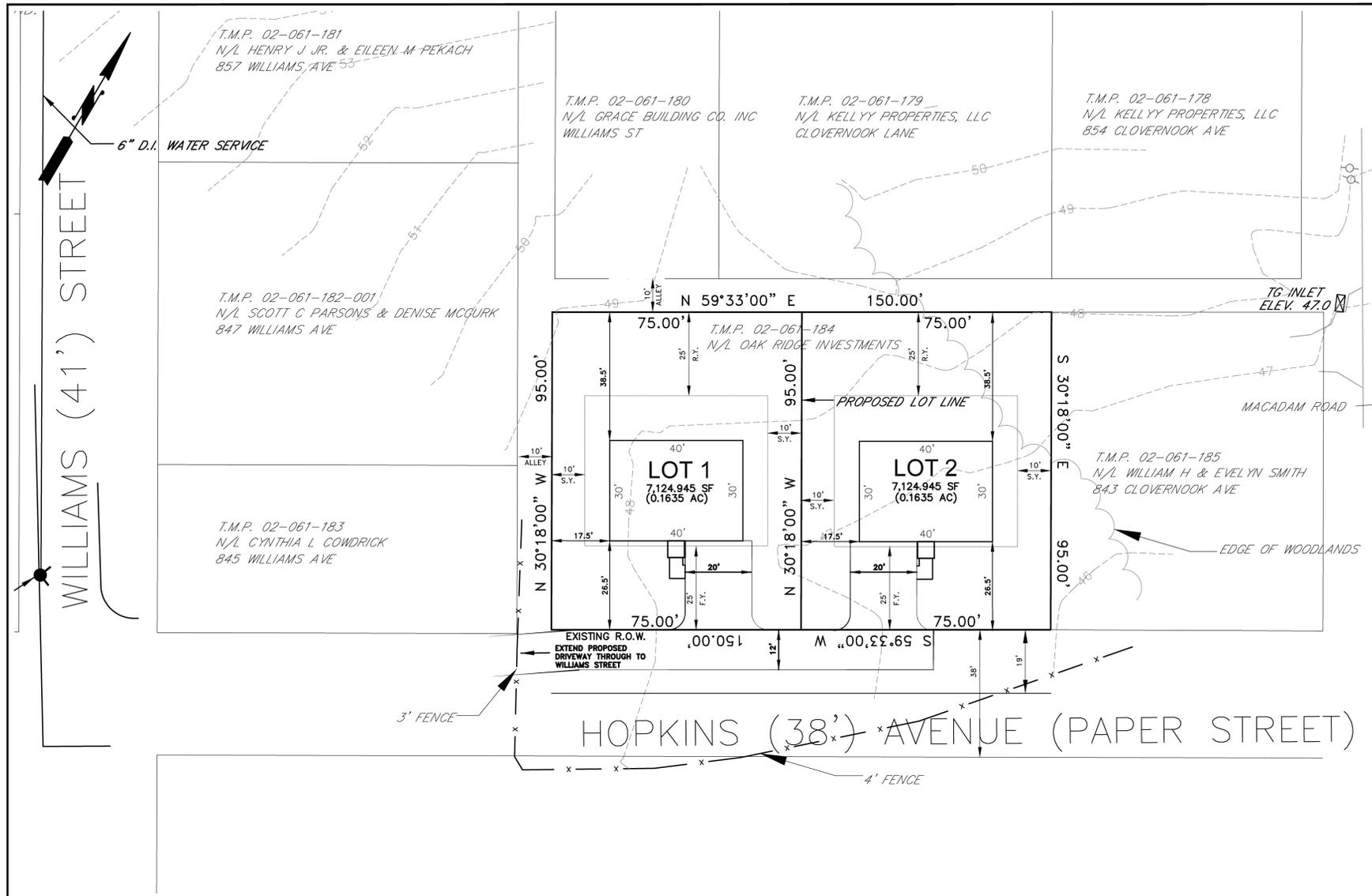
 Number: 2 Author: rgans Subject: Text Box Date: 2/10/2015 9:45:35 AM  
Grading and E&S plans must be submitted

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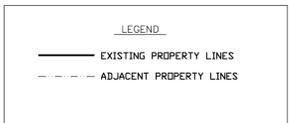
 Number: 3 Author: rgans Subject: ZONING REJECTION Date: 2/24/2015 9:00:16 AM

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 Number: 4 Author: rgans Subject: Text Box Date: 2/24/2015 9:04:33 AM  
The lot areas of 7124.945 SF are less than the required 7500 SF  
[Section 232-167(a)]



**LOCATION MAP**  
SCALE: 1" = 800'



**SITE AREA**  
14,249.89 SF or 0.3271 Acres

ZONING TABLE				
ZONING DISTRICT: R-2 RESIDENTIAL DISTRICT				
USE: SINGLE FAMILY DETACHED DWELLING (USE 1)				
DESCRIPTION	REQUIRED	EXISTING LOT	PROPOSED LOT #1	PROPOSED LOT #2
MINIMUM NET LOT AREA (SF)	7,500	14,249.89	7,124.945	7,124.945
MINIMUM LOT FRONTAGE & WIDTH (FT.)	75	150	75	75
MAXIMUM BUILDING AREA (%)	40%	0%	16.84%	16.84%
MAXIMUM IMPERVIOUS COVER (%)	45%	0%	25.22%	25.22%
MINIMUM FRONT YARD (FT.)	25	N/A	26.50	26.50
MINIMUM SIDE YARD (FT.)	9	N/A	17.50	17.50
MINIMUM AGGREGATE SIDE YARD (FT.)	20	N/A	38.40	35.00
MINIMUM REAR YARD (FT.)	25	N/A	38.50	38.50
MAXIMUM HEIGHT (FT.)	35	N/A	<35	<35
MAXIMUM DENSITY (DU/AC)	5.81*	N/A	6.11	6.11

\* REFER TO NOTE NO.5

IMPERVIOUS SURFACE BREAKDOWN		
DESCRIPTION	PROPOSED LOT #1	PROPOSED LOT #2
DRIVEWAY	542.73	542.73
WALK	54.01	54.01
HOUSE	1200.00	1200.00
TOTAL	1796.74	1796.74
PROPOSED NET LOT AREA (SF)	7,124.945	7,124.945
PROPOSED IMPERVIOUS SURFACE RATIO (%)	25.22	25.22

REQUESTED VARIANCES		
NO.	ZONING SECTION	DESCRIPTION
1	232-167.A	TO CREATE LOTS WITH AREAS OF LESS THAN 7,500 SQUARE FEET. THE PROPOSED LOTS CONTAIN AN AREA OF 7,124.945 SQUARE FEET.
2	232-167.g	TO PERMIT A DENSITY EXCEEDING 5.81 DWELLING UNITS PER ACRE WHEN LESS THAN FOUR LOTS ARE BEING CREATED BY A SUBDIVISION. CREATING 2 LOTS RESULTS IN A DENSITY OF 6.11

**NOTES**

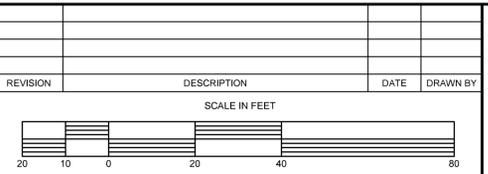
- EXISTING UNDERGROUND UTILITY LOCATIONS WERE PLOTTED FROM UTILITY COMPANY PLANS SUPPLIED TO US IN ACCORDANCE WITH PA ACT 121 (2008) OR BY PHYSICAL SURVEY LOCATIONS. ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE ONLY. CONTRACTORS ARE REQUIRED BY PA ACT 121 TO VERIFY THE EXACT LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING EXCAVATION ACTIVITIES. PENNSYLVANIA ONE CALL SYSTEMS, INC., PHONE NO. 1-800-242-1778
- TOPOGRAPHIC AND BOUNDARY DATA SHOWN ON THIS PLAN IS BASED UPON A FIELD SURVEY PERFORMED BY TRI-STATE ENGINEERS & LAND SURVEYORS, INC. ON NOVEMBER 4, 2014. BENCHMARK=IRON PIN FOUND ON CORNER OF T.M.P.02-061-271-001 ELEV.=56.2. ELEVATIONS ARE SHOWN BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAV88).
- SITE IS DESIGNATED ZONE X, AREAS DETERMINED TO BE OUTSIDE OF 500 YEAR FLOODPLAIN AS SHOWN ON F.E.M.A FLOOD INSURANCE RATE MAP OF BUCKS COUNTY, COMMUNITY PANEL 504 OF 532, MAP NO. 42017C0504F, EFFECTIVE MAY 18, 1999. REFERENCE BENCH MARK RM=504-2.
- PER Z.O. SECTION 232-56.1-WOODLANDS SHALL BE DEFINED TO COMPRISE OF ONE OR MORE ACRES OF WOODED LAND WHERE THE LARGEST TREES MEASURE AT LEAST SIX INCHES DIAMETER AT BREAST HEIGHT OR 4.5 FEET FROM THE GROUND. THE PROPOSED SITE WOULD NOT BE SUBJECT TO THE WOODLAND DISTURBANCE REGULATIONS SINCE THE SITE AREA IS LESS THAN 1 ACRE IN SIZE.
- Z.O. SECTION 232-167(g) STATES THAT IN NO EVENT SHALL THERE BE PERMITTED MORE THAN 2.8 DWELLING UNITS PER ACRE EXCEPT THAT IN THE CASE WHERE FOUR LOTS OR LESS ARE BEING CREATED BY A SUBDIVISION OF LAND ALONG AN EXISTING STREETS, THE MAXIMUM DENSITY SHALL BE 5.81 DWELLING UNITS PER ACRE.

**NOTES:**  
ALL DOCUMENTS PREPARED BY TRI-STATE ENGINEERS & LAND SURVEYORS, INC. ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY TRI-STATE ENGINEERS & LAND SURVEYORS, INC. FOR THE SPECIFIC PURPOSE INTENDED WILL BE THE OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO TRI-STATE ENGINEERS & LAND SURVEYORS, INC. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS TRI-STATE ENGINEERS & LAND SURVEYORS, INC. FROM ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

**Pennsylvania One Call System, Inc.**  
SERIAL NO. 20142952186  
Call Before You Dig  
in Pennsylvania  
1-800-242-1776  
State Law Requires  
Construction Phase: Three working Days Notice  
Design Phase: Ten working Days Notice  
Facility Owners: Member of One Call System

**Owner of Record:**  
OAK RIDGE INVESTMENTS  
7998 NEW FALLS ROAD  
LEVITOWN, PA 19055  
**Applicant:**  
OAK RIDGE INVESTMENTS  
7998 NEW FALLS ROAD  
LEVITOWN, PA 19055

Job No.	Date:	Scale:
14-10005	12/4/14	1"= 20'
Acreage	No. of Lots	
0.3271 Acres	1	
Designed By:	Drawn By:	Checked By:
L.Y.	RF	L.Y.



**TRI-STATE ENGINEERS & LAND SURVEYORS, INC.**  
CIVIL ENGINEER • MUNICIPAL ENGINEERS • LAND SURVEYORS • LAND PLANNERS • LANDSCAPE ARCHITECT  
801 WEST STREET ROAD, FEASTERTVILLE, PENNSYLVANIA 19053  
PHONE: 215-357-5950 FAX: 215-357-2836



**ZONING EXHIBIT**  
**FOR**  
**TMP 02-061-184**  
**BENSALEM TOWNSHIP**  
**BUCKS COUNTY PENNSYLVANIA**

**SHEET**  
**1 OF 1**