



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: Xin Fan

Address: 1075 Cornwells Ave
Bensalem PA 19020

Phone No. 215-265-1238

E-Mail Address: beisasolar@gmail.com

Owner's Name: Xin Fan and Simone Chen

Address: 1075 Cornwells Ave
Bensalem PA 19020

Phone No. 215-265-1238

E-Mail Address: beisasolar@gmail.com

Attorney Name: ZHEN H. JIN, Esq.

Address: 115 Independence Mall E, Suite 751
Philadelphia PA 19106

Phone No. 215-625-2930

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

1. Application relates to the following:

Check items if applicable:

- | | | | |
|-------------------------------------|-------------------|--------------------------|-------------------|
| <input checked="" 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 type="checkbox"/> | Other: (describe) | | |

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-061-058

Location: 1075 Cornwells Ave

Lot Size: See Tax map attached.

Present Use: Residential

Proposed Use: Residential.

Present Zoning Classification: R-A.

Present Improvement upon Land: Single Family

Deed recorded at Doylestown in Deed Book 6853 Page 1917

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:

1. 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 232-166

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

Variance to permit the applicant to keep existing ducks and chickens for personal medical therapy.

3. 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.

Section 232-166, as the use is private medically related and will be limited duration to the existing life span of existing livestock.

4. 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.

Fan x m

Appellant's or Owner's Signature

Date

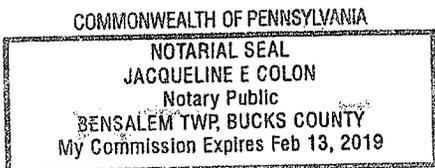
A SIGNED COPY OF THIS APPLICATION IS REQUIRED UPON SUBMISSION OF DOCUMENTS

Sworn to and subscribed before me this

13th day of October 20 16

Jacqueline E Colon
Notary Public

My commission expires: 2/13/19





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

NOTICE OF VIOLATION

July 26, 2016

XIN FAN & CHEN FAN
1075 CORNWELLS AVE
BENSALEM, PA 19020

Property:	1075 CORNWELLS AVE BENSALEM, PA 19020
Violation:	FARM ANIMALS
Tax Parcel No.:	02-061-058
Owner of Record:	same as addressed

Dear Sir or Madam:

You are hereby notified that you are violating the Code of the Township of Bensalem Pennsylvania. as amended.

The Section or Sections of the Zoning Ordinance, which you have violated, and an explanation of the violation(s) are listed on the second page of this Notice.

Failure to either commence action to correct or remove the violation within the time first specified below or to completely correct or remove the violation(s) by the second date specified below, unless an appeal of the Notice of Violation has been filed with the Zoning Hearing Board, constitutes a violation of the Code of the Township of Bensalem Pennsylvania. Violations of the Code may result in the initiation of a civil enforcement proceeding before a District Justice where the District Justice may impose a fine of not more than Five Hundred (\$500.00) dollars plus all court costs, including the Township's attorney's fees, incurred as a result of such action.

Each day that the violation(s) continues shall constitute a separate violation and may be subject to a daily fine. The Township may also initiate other appropriate action at law or in equity, which may be necessary to enforce the provisions of the Code.

Please be advised that you have the right to appeal this Notice of Violation and/or Cease and Desist Order in writing to the Bensalem Township Zoning Hearing Board within thirty (30) days, if you believe a misinterpretation or misapplication of the Zoning Ordinance has been ascertained.

Appeals to the Zoning Hearing Board shall be made by the filing of an appropriate application for such appeal as provided by the Bensalem Township Building and Planning Department, which application shall include payment of all required fees.

You must comply with this Notice of Violation promptly and must commence action to correct or remove the violation(s) noted below no later than **Immediately**. The violation(s) must be completely corrected or removed no later than **August 11, 2016**

The Bensalem Township Zoning Ordinance provisions you are currently violating:

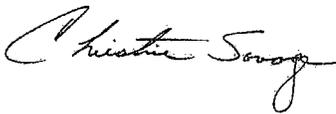
Section 232-166 Use regulations

To abate said violation(s) you must:

**Chicken, Roosters and ducks are not permitted in a R-2 Zoning district.
Remove all from property.**

This listing of violation(s) may not represent all violations presently occurring on the property. Other violations may appear upon application for required permits or upon further investigation and the Township reserves its rights to take any and all action authorized to enforce its Ordinances as to all violations.

Respectfully,



Christine Savage
Housing Code Administrator
215-633-3650

91-7199-9991-7034-8882-4891
Certified & Regular Mail

CS/lva
Enclosures



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

NOTICE OF VIOLATION

August 2, 2016

XIN FAN AND SIMEI CHEN
1075 CORNWELLS AVE
BENSALEM, PA 19020

PROPERTY IN VIOLATION:	1075 CORNWELLS AVE BENSALEM, PA 19020
TAX PARCEL No.	02-061-058
OWNER OF RECORD:	SAME AS ADDRESSED

Dear Sir/Madam:

Please be advised that the property identified above is in violation of the following Bensalem Township Code(s):

Ordinance 2011-01, 2009 International Property Maintenance Code, Chap 3, Section 302, s/s 302.1 Sanitation s/s 302.4 Weeds, s/s 302.8 Motor vehicles and s/s 302.2 grading and drainage.

Act 45, Pennsylvania State Uniform Construction Code, specifically: **Chapter 403, Section 403.62(a) Permit requirements and exemptions.**

To eliminate the above noted violation(s) you must:

- Remove illegal trailer/vehicle from the property.
- Cut all high grass, weeds and overgrowth on the property.
- Remove all trash and debris on property including logs, wood, metals, bins filled with rocks etc.
- Apply for and obtain permits for enlarged canopy.
- Drain all stagnant water from the pond.
- Cease blocking the flow of water on the natural swale going thru your property
- Remove all chicken and duck coops.

You must comply with this Notice of Violation promptly and must commence action to correct or remove the above listed violation(s) no later than **IMMEDIATELY**. All violation(s) must be completely corrected or removed no later than **AUGUST 18, 2016**. Failure to comply by the date set forth will result in immediate court action without further notice, which may include the filing of a non-traffic summary citation with the District Court. If a non-traffic summary citation is filed with the District Court, and you are found guilty of the violation, the District Justice may impose fines of \$1,000.00 per day that the violation exists in accordance with the code. You are also subject to the possibility of further proceedings, legal and otherwise, in order to abate said violation(s).

You have the right to appeal this notice and should consult an attorney at once to determine how and where such an appeal must be taken, as well as the timeframe in which to appeal. You are hereby advised that should the violation(s) remain unchanged, and your failure to appeal this notice could result in a waiver by you of defenses to this notice and the loss of money or property or certain rights important to you.

Any deficiencies and/or hazardous conditions not recognized or noted by the inspector do not imply approval of same. Failure to correct this violation may result in further legal action. Any questions regarding this notice or the information provided should be directed to the Township Code Administrator who signed this Notice of Violation.

Respectfully,

Handwritten signature of Christine Savage in cursive.

Christine Savage
Housing Code Administrator
(215) 633-3650

91-7199-9991-7034-8882-4730
Certified and regular mail

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

301.3 Vacant structures and land. All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of **ten inches (10")**. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the

property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

PERMIT AND INSPECTION PROCESS FOR RESIDENTIAL BUILDINGS

§ 403.61. Residential buildings.

This subchapter and §§ 403.62--403.66 apply to municipalities electing to enforce the Uniform Construction Code under § 403.102 (relating to municipalities electing to enforce the Uniform Construction Code) and third-party agencies.

§ 403.62. Permit requirements and exemptions.

(a) An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a residential building or erect, install, enlarge, alter, repair, remove, convert or replace an electrical, gas, mechanical or plumbing system regulated by the Uniform Construction Code shall first apply to the building code official and obtain the required permit under § 403.62a (relating to permit application).

(b) An emergency repair or replacement of equipment may be made without first applying for a permit if a permit application is submitted to the building code official within 3 business days of the repair or replacement.

(c) A permit is not required for the exceptions listed in § 403.1(b) (relating to scope) and the following construction if the work does not violate a law or ordinance:

(1) The following building construction, replacement or repairs:

(i) Fences that are no more than 6 feet high.

(ii) Retaining walls that are not over 4 feet in height measured from the lowest level of grade to the top of the wall unless the wall supports a surcharge.

(iii) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.

(iv) Sidewalks and driveways that are 30 inches or less above adjacent grade and not placed over a basement or story below it.

(v) Exterior or interior painting, papering, tiling, carpeting, flooring, cabinets, counter tops and similar finishing work.

(vi) Prefabricated swimming pools that are less than 24 inches deep.

DEED

Grantor: Ruth M. Brady, widow

TO

Grantee: Xin Fan and Bo Chen

PREMISES

1075 Cornwells Avenue
Bensalem Township
Bucks County, PA

The address of the above named Grantee is:

Certified by: _____

TW File # 3542740
File # 1365CT

Prepared By:
Quest Abstract Corporation
2101 Fanshawe Street
Philadelphia, PA 19149

Return To:
Quest Abstract Corporation
2101 Fanshawe Street
Philadelphia, PA 19149

TW File # 3542740
File # 1365CT

Tax ID / Parcel No. 02-061-058

This Indenture Made this 22nd day of July, 2011

Between

Ruth M. Brady, widow

(hereinafter called the Grantor),

AND

Xin Fan and Bo Chen

(hereinafter called the Grantee),

Witnesseth That the said Grantor for and in consideration of the sum of One hundred twenty five thousand dollars and zero cents (\$125,000.00) lawful money of the United States of America, unto Grantor well and truly paid by the said Grantee and at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee and Grantee's heirs, successors and assigns,

ALL THAT CERTAIN lot or tract of ground, Situate in Bensalem Township, County of Bucks and State of Pennsylvania, described according to a Survey made by Edward Pickering, 3rd, Registered Surveyor, Woodbourne, Bucks County, Pennsylvania, as follows, to wit:-

BEGINNING at the intersection of the Northeasterly side of Cornwells Avenue (38 feet wide) with the Southeasterly side of Finley Avenue (40 feet wide) and extending thence along the said side of Finley Avenue, North 71 degrees 2 minutes

Fee Simple Deed

30 seconds East, 90 feet to a corner of land of E. Ray Simons, thence along the line of said land, South 18 degrees 57 minutes 30 seconds East, 125 feet to a corner, thence continuing by said land and along remaining land of Ralph Simons, from which is taken, and along other land of E. Ray Simons and by land of Jeremiah Hambling, North 71 degrees 2 minutes 30 seconds East, 208.93 feet to a corner of land of John Knight, thence along the line of said land, South 22 degrees 17 minutes East 227.02 feet to a corner in line of land of the William Walton Estate, thence by the same, South 44 degrees 47 minutes 30 seconds West, 19 feet to a corner of other land of Ralph Simons, thence by said land, South 42 degrees 3 minutes 30 seconds West, 58.8 feet to a corner of land of Frank Tochterman, thence by said land, South 52 degrees 45 minutes West, 18.56 feet to a rear corner of land of John Whyte, thence by the same and land of Emile Nebel, North 11 degrees 10 minutes West 100 feet to a corner, thence still by Nebel's land, South 52 degrees 45 minutes West, 95.93 feet to another corner of remaining land of Ralph Simons aforesaid, thence by the same the 2 following courses and distances, viz: (1) North 20 degrees 27 minutes West, 93.5 feet to a corner, thence (2) South 71 degrees 2 minutes 30 seconds West, 140 feet to a corner on the Northeasterly side of Cornwells Avenue aforesaid and thence along the said side thereof North 20 degrees 27 minutes West 232 feet to the place of beginning.

EXCEPTING THEREOUT AND THEREFROM ALL THAT CERTAIN lot or tract of ground, Situate in Bensalem Township, County of Bucks, State of Pennsylvania, shown on a survey by Joseph Race, Registered Surveyor, Bristol, Pennsylvania, dated 7/19/1954, for Albert J. Brady,

BEGINNING at a point 140 feet North 71 degrees 2 minutes 30 seconds East from another point which is 211.99 feet South 20 degrees 27 minutes East from the intersection of the Northeasterly side of Cornwells Avenue (38 feet wide) with the Southeasterly side of Finley Avenue (40 feet wide) and extending North 71 degrees 2 minutes 30 seconds East 94.03 feet to a point, thence South 18 degrees 57 minutes 30 seconds East, 83.36 feet to a corner of land now or late of Emile Nebel, thence along said land now or late of Emile Nebel South 52 degrees 45 minutes West 95.93 feet to another corner of land now or late of Ralph Simons, thence by the same land of Ralph Simons North 20 degrees 27 minutes West 113.51 feet to the point and place of beginning.

ALSO EXCEPTING THEREOUT AND THEREFROM ALL THAT CERTAIN lot or tract of ground, Situate in the Township of Bensalem, County of Bucks and State of Pennsylvania, described according to a Plan made by Joseph Race, Registered Surveyor on 7/19/1954, as follows, to wit:

BEGINNING at a point formed by the intersection of the Southeast side of Finley Avenue (40 feet wide) and the Northeast side of Cornwells Avenue (35 feet wide); thence North 71 degrees 2 minutes 30 seconds East along Finley Avenue 90 feet; thence South 18 degrees 57 minutes 30 seconds East 125 feet to a point; thence

TW File # 3542740
File # 1365CT

South 71 degrees 2 minutes 30 seconds West 86.74 feet to a point on the
Northeast side of Cornwells Avenue; thence along same North 20 degrees 27
minutes West 145.04 feet to the point and place of beginning.

Tax ID / Parcel No. 02-061-058

Being part of the same premises which John McIntyre and Catherine McIntyre by
Deed dated 11/07/1952 and recorded 11/10/1952 in Bucks County in Deed Book
1072 Page 88 conveyed unto Albert J. Brady and Ruth M. Brady, in fee.

And the said Albert J. Brady died ___/___/___, whereby title vested into Ruth
M. Brady by tenants by the entirety

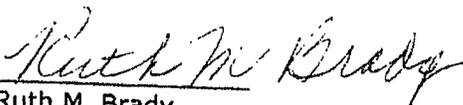
Together with all and singular improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor and Grantor's heirs, successors and assigns, as well at law as in equity, of, in, and to the same.

To have and to hold the said lot(s) or piece(s) of ground above described with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee and Grantee's heirs, successors and assigns to and for the only proper use and behoof of the said Grantee and Grantee's heirs, successors and assigns, forever,

And the said Grantor and Grantor's heirs, successors and assigns do by these presents, covenant, grant and agree, to and with the said Grantee and Grantee's heirs, successors and assigns, that the said Grantor and Grantor's heirs, successors and assigns all and singular the Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said Grantee and Grantee's heirs, successors and assigns, against the said Grantor and Grantor's heirs, successors and assigns all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under Grantor and Grantor's heirs, successors and assigns shall and will WARRANT and forever DEFEND.

In Witness Whereof, the said Grantor has caused these presents to be duly executed dated the day and year first above written.

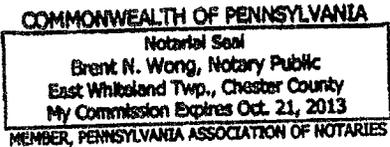
Sealed and Delivered
IN THE PRESENCE OF US


Ruth M. Brady

COMMONWEALTH OF PENNSYLVANIA)
SS)
COUNTY OF Philadelphia)

On this, the 29 day of July, A.D. 2011,
before me, a notary public the undersigned officer, personally appeared
Ruby M. Bredy
known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged that he/she/they executed
the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.



[Signature]
Notary Public

My Commission Expires: _____

