

# 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: Dennis Haerberle

Address: 2629 Woodsvlew Drive  
Bensalem, PA 19020

Phone No. 703-304-7804

Owner's Name: Dennis Haerberle

Address: 2629 Woodsvlew Dr  
Bensalem, PA 19020

Phone No. 703-304-7804

Attorney Name: \_\_\_\_\_

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

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

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: 2-48-144

Location: 2629 Woodsvlew Drive

Lot Size: 131.09' x 160.58' x 39.70' x 188.59'

Present Use: Residential

Proposed Use: \_\_\_\_\_

Present Zoning Classification: R1, Residential District

Present Improvement upon Land: House, Garage, Deck

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

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):

Section 232-588(a) and Section 201-109(c)

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

See attached page.

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 attached page.

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.

*[Handwritten Signature]*

9/14/16

Appellant's or Owner's Signature

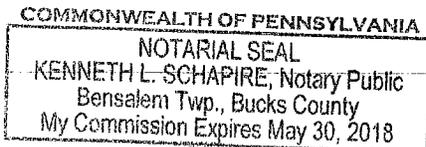
Date

Sworn to and subscribed before me this

17th day of Sept, 2016

Notary Public *[Handwritten Signature]*

My commission expires: \_\_\_\_\_



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

I desire to be given relief from zoning ordinance Section 232-588(a) and Section 201-109(c), such that the board gives permission for a fence to be built through a portion of the easement at the back of the property.

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.

In order to build a reasonable fence in the back of the property, without cutting off a significant portion of that area, relief from the easement noted section 6 is necessary. Building a fence that avoids the easement area would leave approximately 1/3 of the back yard outside of the fence. The easement extends a large bit further into this property than the neighboring properties as can be seen on the plot plan. The purpose of the desired fence is to give the owners dogs a place to run without risk of running away or injury. An injury has already occurred using a leash line attached to the deck when one of the dogs attempted to chase a squirrel. This would not have occurred if there was a physical barrier as opposed to a leash. All adjoining property owners have given their approval for the building of this fence. This includes 2627, 2631, 2633 and 2635 Woodsvew Drive.

**JONATHAN J. TABAS**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
PENNSYLVANIA PLS # 29279-E  
MAILING ADDRESS: 275 West Street Road #600, Feasterville, PA 19053-0600  
Voice: 215-752-2000 e-Mail: AcreSurvey@hotmail.com

SURVEY REPORT

TO: Megan Edwards & Dennis Haeberle

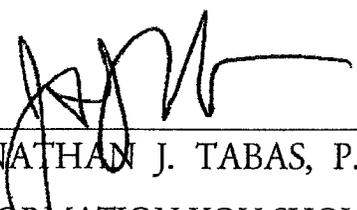
On April 30, 2016, I completed a boundary survey of the premises described below. Property corners and lot lines were located and marked with permanent and temporary markers. This survey was made for the purpose of physically delineating property boundary lines. The responsibility for this survey is limited to the current matter and initial use for which it was made.

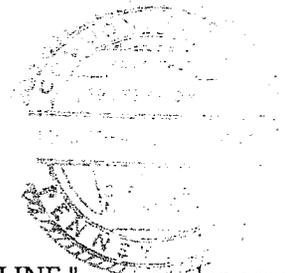
COUNTY PARCEL NUMBER 2-48-144

PREMISES: 2629 Woodsvie Road, Bensalem 19020  
Lot 41, Woods at Neshaminy Valley  
Bensalem Township, Bucks County, PA

ENCROACHMENTS: There were no apparent encroachments at the time of survey.

NOTATION: Found steel pins at property corners and set wood stakes on side and rear property lines. Natural Resources Protection Easement occupies rear of property. See Plot Plan, attached.

  
\_\_\_\_\_  
JONATHAN J. TABAS, P. L. S.

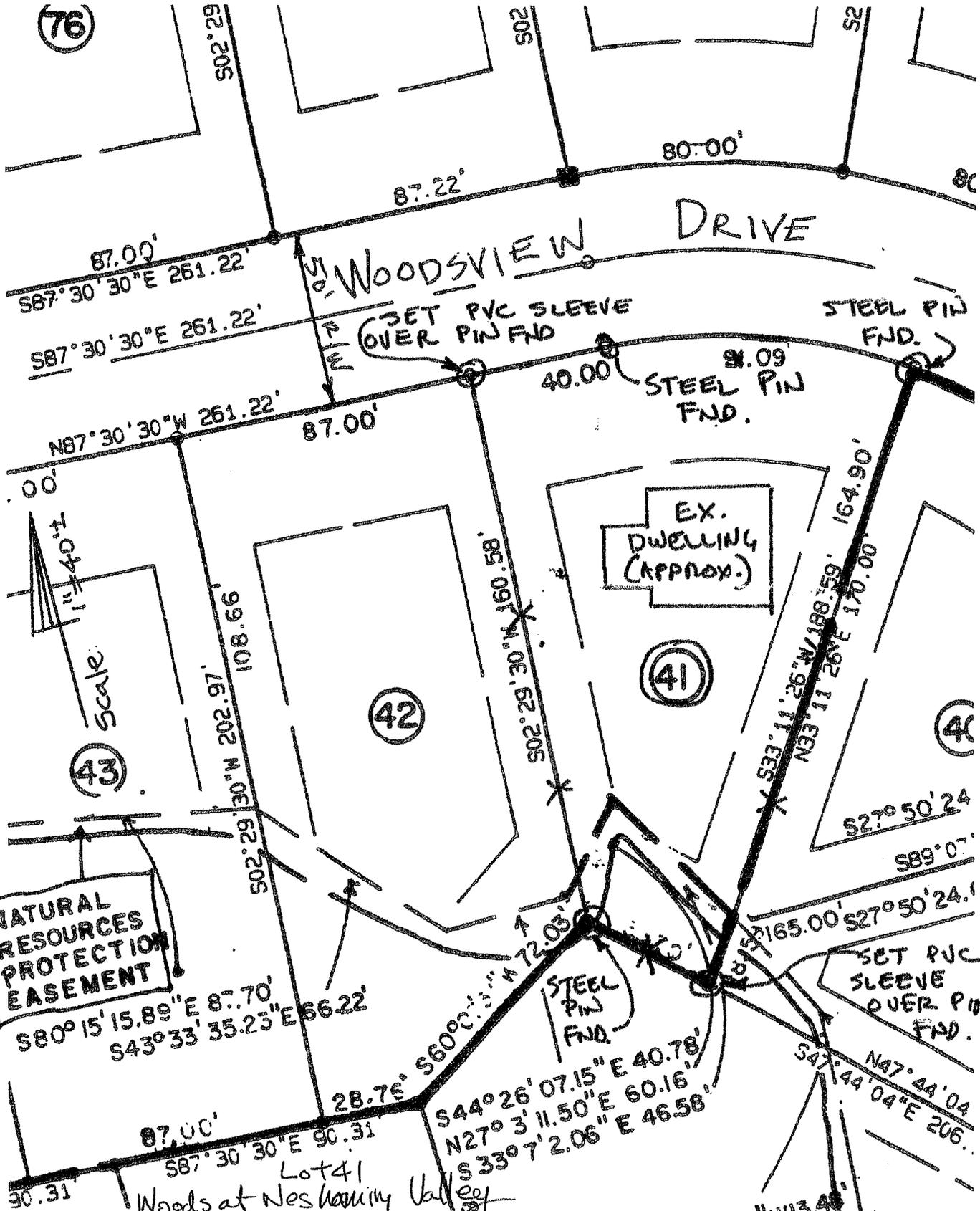


INFORMATION YOU SHOULD KNOW ABOUT THIS SURVEY:

- 1) Permanent markers are located at lot corners. Wooden stakes, marked "PROP. LINE," were set along property lines. You may string a line between corner markers and line stakes to see where the property line is located.
- 2) Markers on the front property line are located on the street right-of-way. The property owner has the responsibility to maintain the area between the curb and the front property line.
- 3) You can make survey markers easier to find in the future by encasing them in concrete or by installing a larger pipe around the pin or next to the stake. Corner markers are considered permanent and can be easily relocated and verified in the future without any additional protection. You may contact me to relocate and verify markers or reset a lost marker, or for additional services, without the expense of a complete resurvey. Additional charges may be incurred for services rendered.
- 4) Property is subject to easements and restrictions of record (refer to your Title Insurance Policy). It is recommended that all improvements be located entirely within property lines. Landscaping should be planted to allow for future growth.
- 5) This survey is based upon the deed description and the subdivision plan of record. No responsibility can be assumed for errors, revisions and/or changes not shown in these documents.

*Please check out our other family business:  
The Pink Daisy, [www.thepinkdaisy.com](http://www.thepinkdaisy.com)*

(76)



NATURAL  
RESOURCES  
PROTECTION  
EASEMENT

TAX PARCEL 2-48-144  
 SURVEY DATE: 30 MAY 2016  
 by JONATHAN TABAS, P.E., P.L.S.  
 LAW & HORNE, PA 19053  
 215-752-2000  
 www.aerialandsurveyor.com

Survey & Plan of  
 2629 WOODVIEW DRIVE  
 BENSLEM TWP., BUCKS Co.  
 PENNSYLVANIA 19020



PHILADELPHIA, PA | BETHLEHEM, PA | WILMINGTON, NJ

PERSONNEL

- Anthony F. Naccarato, PE, SECB  
President
  - Mark W. Lunden, PE, SECB  
Vice President
  - Dennis V. Mordan, PE, SECB  
Vice President
  - Margaret A. Hart  
Chief Estimator/Office
  - Paul P. Panzarino, PE
  - Scott M. Bauer, PE, SE, SECB, LEED AP
  - Michael E. Herrmann, PE
- BOARDS
- William F. O'Donnell, PE  
Member
  - Peter A. Naccarato, PE  
Member

July 7, 2016

Mr. Dennis Haeberle  
2629 Woodsvew Drive  
Bensalem, PA 19020

**RE: 2629 Woodsvew Drive – Fence (#2016-71520)  
File No. 0907.0079.01**

We have reviewed your fence permit submission with a plan received 6-3-16. The submission has been rejected for the following reasons:

1. The proposed fence is located within the Natural Resources Easement. This is in violation of Section 232-588(a).
2. Nothing is permitted to be placed, planted or set within an easement. Easements are to be kept as lawn. [Section 201-109(c)]

Based on the above listed zoning deficiency, your permit has been rejected. In order to proceed with this application, you are required to obtain a variance from the Bensalem Township Zoning Hearing Board. Applications for appeals to the Zoning Hearing Board can be obtained in the Building and Planning Department located in the Bensalem Township Municipal Complex at 2400 Byberry Rd, Bensalem Township.

If you have any questions, please contact me at 215-633-3652 or [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov).

O'Donnell & Naccarato, Inc.  
Bensalem Township Engineer

Quinton Nearon  
Bensalem Township Engineering Inspector

Dennis V. Mordan, P.E.  
Principal/Director of Engineering Operations

QN:DVM:tar

cc: Matthew Takita, Director of Building and Planning, Bensalem Township  
Via email [dwhstout@gmail.com](mailto:dwhstout@gmail.com)

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2629 Woodview Dr  
2-48-144

