BENSALEM TOWNSHIP

Building and Planning Department
2400 Byberry Road • Bensalem PA 19020
215-633-3644 • FAX 215-633-3653

Zoning Hearing Board

Exhibit Z-4

8/12/2021

Appeal Number: 2021-3270

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: Jack Lyons, Daniel Morrin
Address: 1700 Byberry Rd.
Bensalem, Pa. 19020
Phone No. 215-638-2900
E-Mail Address:

Owner's Name: JD Part. Rty. LP
Address: 1700 Byberry Rd.
Bensalem, Pa. 19020
Phone No. 215-638-2900
E-Mail Address:

Attorney Name: Edward Rudolph
Address: Seven Neshaminy Interplex
Suite 200
TREVOSE, PA 19053
Phone No. 215-633-1890 erudolph@rudolphclarke.com

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

1. **Application relates to the following:**

Check items if applicable:

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

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

Tax Parcel Number: #02-045-058 & #02-033-105

Location: 1700 Byberry Rd. & 1682 Byberry Rd.

Lot Size: Existing Lot Line Change - 50,372 SF - 1.156 Acres; 36,440 SF 0.836 Acres
- 66,711 SF 1.531 Acres; 20,141 SF 0.461 Acres

Present Use: Business; Residence

Proposed Use: Business; Residence

Present Zoning Classification: LI Light Industrial Zoning District // RA Rural District

Present Improvement upon Land: No development or improvements are proposed.

Deed recorded at Doylestown in Deed Book 4283 / 4204 Page 11640 / 1555 (1700 / 1682)

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: _____

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):

#3. ZO Section 232-111(d)(1)
#4. ZO Section 232-111(e)(2)a

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

Variance

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.

Appellant owns both properties, better suited that the 1700 property has larger parcel for buffer.

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.

Appellant's or Owner's Signature John W Lyons Date 8-10-21

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

Sworn to and subscribed before me this

10th day of August 200 2021

Notary Public

My commission expires: Shirley Dixon 9/13/24

Commonwealth of Pennsylvania - Notary Seal
SHIRLEY DIXON - Notary Public
Bucks County
My Commission Expires Sep 13, 2024
Commission Number 1295878

YOUR GOALS. OUR MISSION.

MEMORANDUM

TO: Mr. Ken Farrall, Director of Building and Planning

FROM: Russell G. Benner, P.E., T&M Associates

DATE: July 28, 2021

RE: **Lot Line Change Plan Review**
1700 Byberry Road
TMP #02-045-058 and #02-033-105
Bensalem Township, Bucks County, PA
File No. BENS R 1300

A. APPLICATION

As requested by the Township, we have completed our review of the following information:

1. Subdivision and Land Development Application, date stamped received by the Township June 7, 2021
2. 2-sheet plan set prepared by Cavanaugh's Surveying Services dated May 20, 2021 with no revisions. This set includes a Lot Line Change Plan and an Existing Features Plan.
3. Fire Rescue Department Review letter dated June 9, 2021. The plan is in compliance with their regulations.
4. Traffic Safety Unit Land Development Application Review letter dated June 8, 2021. They do not foresee any traffic issues at this time.

B. DISCUSSION

The site consists of two parcels as follows:

1. Tax Map Parcel ID 02-045-058 is 50,372 square feet and is 1700 Byberry Road. This parcel is located in the L-I Light Industrial Zoning District. The following existing features are located on this parcel:
   a. block & brick office/warehouse building with associated parking
   b. a fuel pump on a concrete pad
   c. an access drive
2. Tax Map Parcel ID 02-033-105 is 36,440 square feet and is 1682 Byberry Road. This parcel is located in the R-A Rural District. The following existing features are located on this parcel:
   a. a two-story stone & frame single family dwelling with covered porch
   b. a detached frame garage
   c. an asphalt driveway

Byberry Road is a Township Road and is classified as a Collector Road (60' R.O.W).

There are no floodplains on the site per FEMA FIRM Panel 502J dated March 16,2015.

The plan proposes to convey a 16,339 square foot area of land (Parcel A) from TMP 02-033-105 to TMP 02-045-058.

No development or improvements are proposed as part of this application.

The existing building at 1700 Byberry Road is non-conforming in regard to front, side and rear yard setbacks. The proposed lot consolidation will not increase these existing non-conformities.

The existing dwelling at 1682 Byberry Road is non-conforming in regard to the minimum lot area and front yard setback. The proposed lot consolidation will increase the lot area nonconformity and will cause the lot width, side yard and impervious cover to no longer comply.

We have reviewed the plan for compliance with the Zoning Ordinance (ZO) and the Subdivision and Land Development Ordinance (SLDO). We offer the following comments for your consideration. Ordinance sections are quoted in Italic text and our comments are provided in upright text.

C. CHAPTER 232 – ZONING

1. In accordance with ZO Section 232-111(a)(1), *an R-A lot shall have a net lot area of not less than one acre per family for every building hereafter erected or used in whole or in part as a dwelling.*

   The existing lot area of 1682 Byberry Road (TMP 02-033-105) is currently 36,440 square feet, which is an existing non-conformity since it is less than the required one acre (43,560 sf). The proposed lot line change will reduce the lot area from 36,440 sf to 20,101 sf. Since this is increasing the non-conformity, zoning relief will be required.

2. In accordance with ZO Section 232-111(b)(1), *each lot shall have a width at the building setback line of not less than 150 feet, subject to the provisions of Article XV.*

   The existing lot width of 1682 Byberry Road (TMP 02-033-105) is currently 218 feet which complies with the required lot width of 150 feet. The proposed lot line change will reduce the lot width from 218 to 114.6 feet. Since the proposed lot width does not comply, zoning relief will be required.

   The record plan should also note that the existing properties are currently serviced by public water and sewer to confirm the provisions of Article XV do not apply to this application.

3. In accordance with ZO Section 232-111(d)(1), *not more than 25 percent of the net lot area may be covered by impervious cover including the building area.*

   The existing impervious cover of 1682 Byberry Road (TMP 02-033-105) is currently 17.8% which complies with the maximum permitted 25%. The proposed lot line change will increase the impervious cover from 17.8% to 32.2%. Since the proposed impervious cover will exceed the maximum permitted 25%, zoning relief will be required.

4. In accordance with ZO Section 232-111 (e)(2)a, *two side yards shall be provided, not less than 50 feet in aggregate width and neither less than 20 feet; except that in the case of a corner lot the frontage on both streets shall be considered front yards.*

   The existing side yard aggregate width of 1682 Byberry Road (TMP 02-033-105) is currently 146.1 feet which complies with the required aggregate side yard setback of 50 feet. The proposed lot line change will reduce the aggregate side yard from 146.1 to 49.6 feet. Since the proposed aggregate side yard does not comply, zoning relief will be required.

D. CHAPTER 201 – SUBDIVISION AND LAND DEVELOPMENT

1. In accordance with SLDO Section 201-41(d)(1), *the preliminary plan shall provide... citation to the deed book and page number in the office of the County Recorder of Deeds.*

   Revise the plan to reference the deed book and page numbers.

2. In accordance with SLDO Section 201-41(d)(2), *the preliminary plan shall provide... complete name and address of landowner; name of developer, if different from landowner; and the names and owners of all adjacent tax parcels, with the tax parcel numbers, land use and zoning classifications and present use.*

   Revise the record plan to address the following:
   a. Clarify that the J D Parts is the owner of both properties
   b. Revise the adjacent property labels to include current land uses

3. In accordance with SLDO Section 201-41(d)(7), *the preliminary plan shall provide... all existing streets, including streets of record (recorded but not constructed) in or adjoining the tract, including names, right-of-way widths and cartway widths.*

   Dimension the cartway for Byberry Road (full and half width).

4. In accordance with SLDO Section 201-41(d)(10), *the preliminary plan shall provide... location and level data...*

   Provide a site benchmark and associated elevation.

5. In accordance with SLDO Section 201-41(d)(11)a., *the preliminary plan shall provide... the location and width of all proposed and existing... easements, with a statement of any conditions governing their use...*

   Provide any existing easement information for the site or provide a note to state that there are no existing easements.

6. In accordance with SLDO Section 201-41(d)(15), *a wetland certification must be placed on the plan. This certification will either state that there are no wetlands or that there are wetlands on the site. The person who conducted the study shall sign the certification.*

   Provide a wetland certification on the plan.

7. In accordance with SLDO Section 201-62(d)(2)c., *An applicant shall be required to submit the final plan and make application to the following agencies for permits and/or approval where applicable: sewage planning module.*

   The applicant shall submit proof of submission of a Sewage Facilities Planning Module Application Mailer to determine if an Act 537 Planning Module will be required.

8. In accordance with SLDO Section 201-83(a), *the plan as submitted shall conform generally to the requirements of a subdivision plan except that existing utilities need be shown only in the area of the parcels affected by the lot line change.*

Revise the plans to show all existing utilities in the area of the proposed lot line change or provide a note stating that there are no existing utilities that would be affected by the proposed lot line change.

9. In accordance with SLDO Section 201-109(a), *General utility easements with a minimum width of 20 feet shall be provided as necessary for utilities.*

   If existing utilities affected by the proposed lot line change are identified in accordance with section 201-83(a) above, the applicant shall provide the required utility easements in order to demonstrate compliance with this section of the ordinance.

10. In accordance with SLDO Section 201-138(a), *concrete monuments shall be placed at each change in direction of a boundary, at each intersection corner and on each side of each street at all angle points...and at the beginning and end of curves*

    Show and label any existing monuments on the record plan. Revise the plan to provide concrete monuments where existing monuments do not exist.

E. General Comments

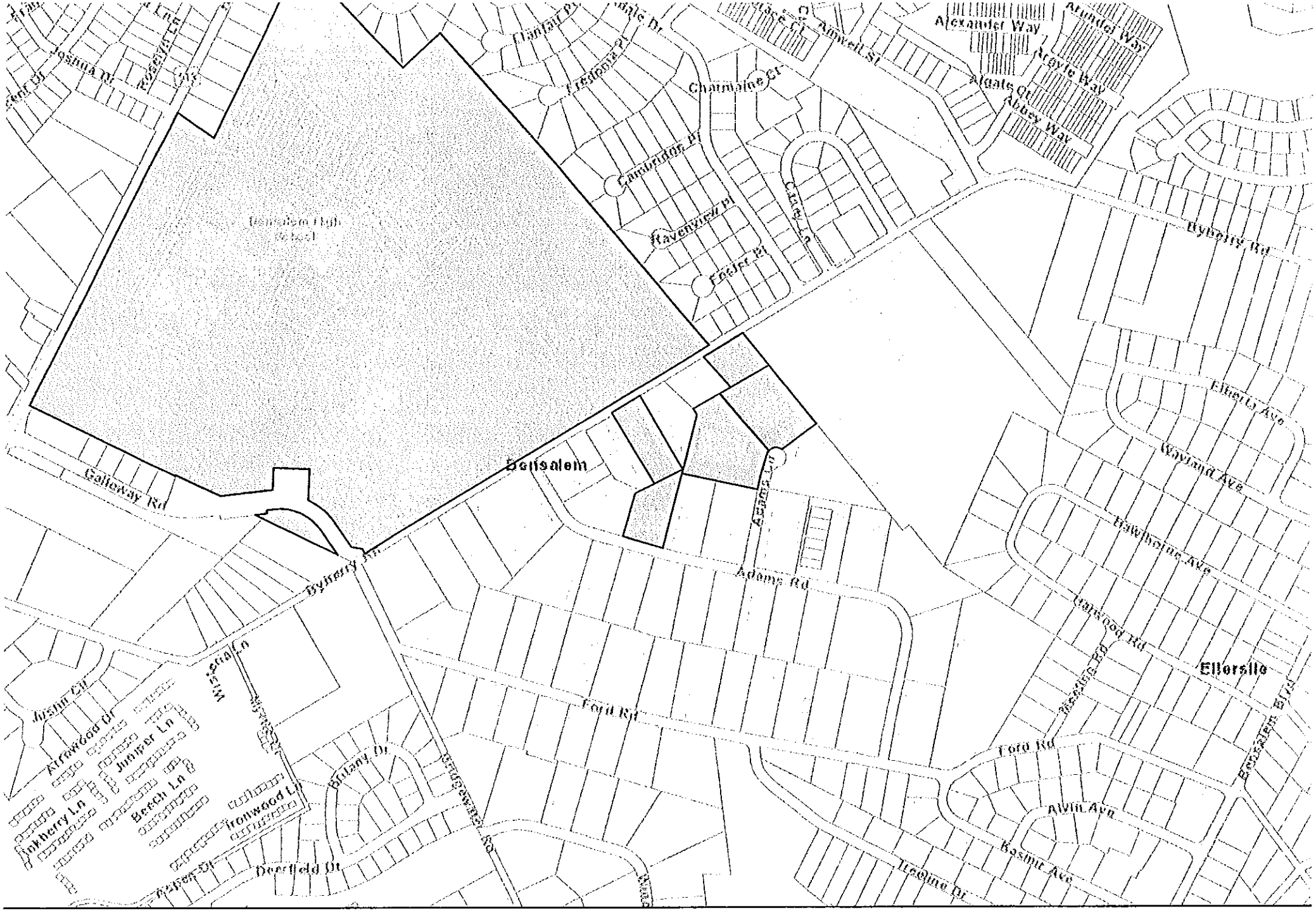
1. Remove the reference to "approved" on the Township Engineer signature block.

2. The plan title block references 20 scale. The plan view appears to be 30 scale. Please clarify.

Please contact me at this office with any questions regarding this review.

cc: Honorable Mayor Joseph DiGirolamo
Loretta Alston, Bensalem Planning Commission
Debbie McBreen, Bensalem Council Clerk
Danielle Kimmel, Bensalem Township Finance Department
Michael Roedig, Bucks County Planning Commission
Edward Rudolph, Esquire, Rudolph Clarke, LLC
Joseph Pizzo, Esquire, Rudolph Clarke, LLC
Jack Lyons, Applicant
1700 Byberry Road, Bensalem, PA 19020
Daniel Morrin, Owner
1700 Byberry Road, Bensalem, PA 19020
Patrick Cavanaugh, Applicant's Engineer (Cavanaugh_patrick@verizon.net)

G:\Projects\BENS\R1300\Correspondence\1700 Byberry Rd Lot Line Change Review mlw 7-28-2021.docx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Chamblee Dr
Cambridge Pl
Ravenview Pl
Foster Pl
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Galloway Rd
Bellsalem
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Bybarry Dr
Ford Rd
Ellerslie
Waylend Ave
Hawthorne Ave
Oakwood Rd
Jessica Dr
Alvin Ave
Rosmie Ave
Tregline Dr
Bevanlee Blvd
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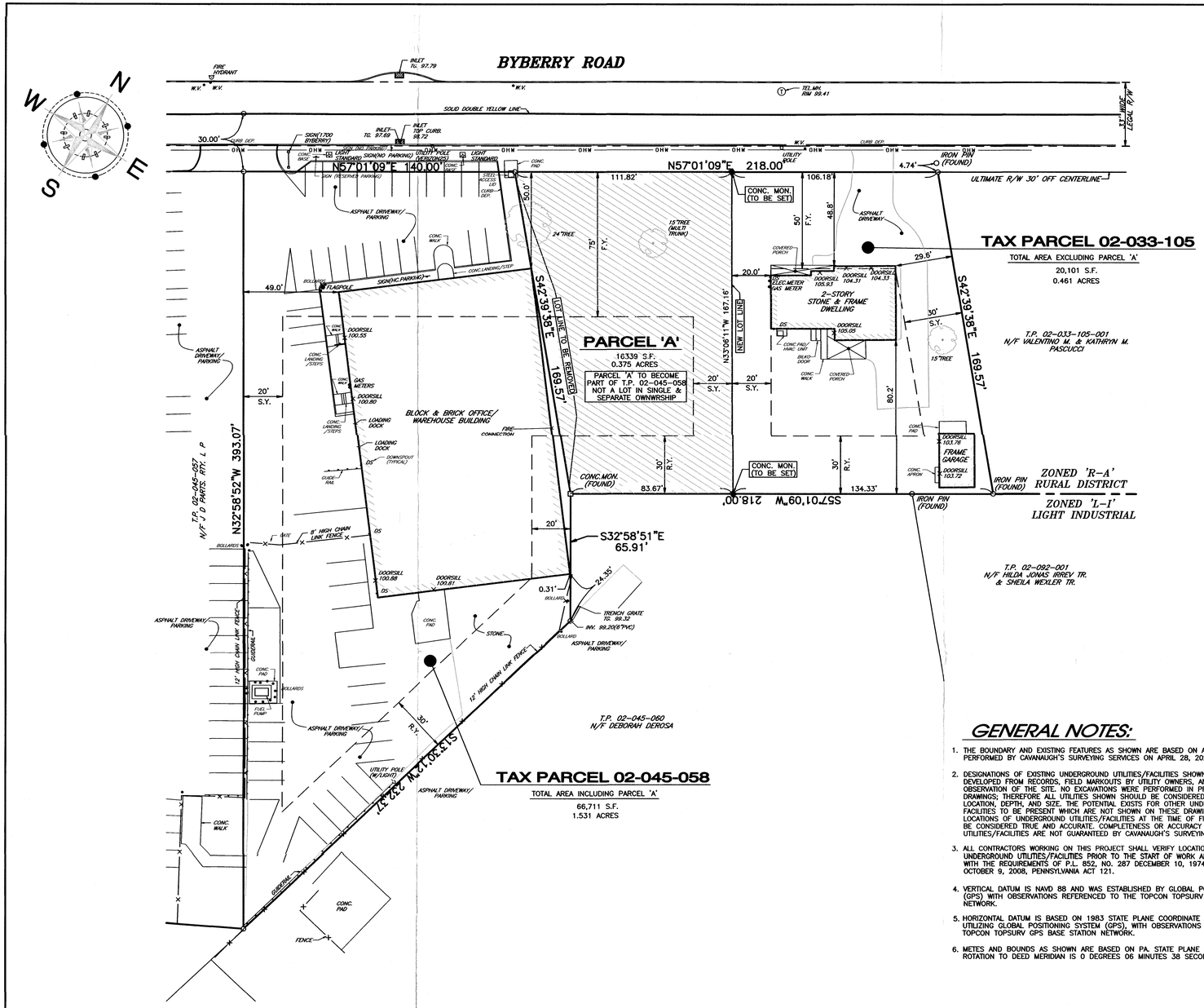

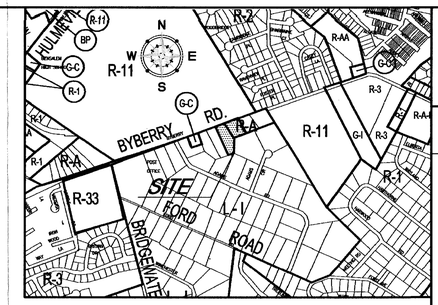

LOCATION MAP

SCALE: 1"= 800'±

800' 0' 800' 1600'
SCALE IN FEET

ZONING DATA: (T.P. 02-033-105)

'R-A' RURAL DISTRICT
USE: SINGLE FAMILY DETACHED

DESCRIPTION	REQUIRED	*EXISTING*	PROPOSED
MIN. LOT AREA	43,560 S.F.	*36,440 S.F.*	20,101 S.F.
MIN. LOT WIDTH @ B.S.L.	150'	*218'*	114.6'
MIN. FRONT YARD	50'	*48.8'*	48.8'
MIN. SIDE YARD	20' (50' AGG.)	*29.6' (146.1 AGG.)*	20.0' (49.6' AGG.)
MIN. REAR YARD	30'	*80.2'*	80.2'
MAX. IMPERVIOUS SURFACE	25%	*17.8%*	32.2%
MAX. BUILDING COVERAGE	20%	*8.3%*	15.0%

PROPOSED IMPERVIOUS CALCULATIONS: (T.P. 02-033-105)

DESCRIPTION	PROPOSED
HOUSE/COVERED PORCHES	2506 S.F.
GARAGE	518 S.F.
DRIVEWAY	3244 S.F.
WALKS/CONC.PADS	204 S.F.
	6472 S.F. TOTAL

6472 S.F. / 20,101 S.F. = 32.2% IMPERVIOUS
3024 S.F. / 20,101 S.F. = 15.0% BUILDING COVERAGE

GENERAL NOTES:

1. THE BOUNDARY AND EXISTING FEATURES AS SHOWN ARE BASED ON A FIELD SURVEY PERFORMED BY CAVANAUGH'S SURVEYING SERVICES ON APRIL 28, 2021.
2. DESIGNATIONS OF EXISTING UNDERGROUND UTILITIES/FACILITIES SHOWN HEREON HAVE BEEN DEVELOPED FROM RECORDS, FIELD MARKOUTS BY UTILITY OWNERS, AND/OR ABOVE GROUND OBSERVATION OF THE SITE. NO EXCAVATIONS WERE PERFORMED IN PREPARATION OF THESE DRAWINGS; THEREFORE ALL UTILITIES SHOWN SHOULD BE CONSIDERED APPROXIMATE IN LOCATION, DEPTH, AND SIZE. THE POTENTIAL EXISTS FOR OTHER UNDERGROUND UTILITIES/ FACILITIES TO BE PRESENT WHICH ARE NOT SHOWN ON THESE DRAWINGS. ONLY THE VISIBLE LOCATIONS OF UNDERGROUND UTILITIES/FACILITIES AT THE TIME OF FIELD SURVEY SHALL BE CONSIDERED TRUE AND ACCURATE. COMPLETENESS OR ACCURACY OF UNDERGROUND UTILITIES/FACILITIES ARE NOT GUARANTEED BY CAVANAUGH'S SURVEYING SERVICES.
3. ALL CONTRACTORS WORKING ON THIS PROJECT SHALL VERIFY LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES/FACILITIES PRIOR TO THE START OF WORK AND SHALL COMPLY WITH THE REQUIREMENTS OF P.L. 852, NO. 287 DECEMBER 10, 1974 AS LAST AMENDED ON OCTOBER 9, 2008, PENNSYLVANIA ACT 121.
4. VERTICAL DATUM IS NAVD 88 AND WAS ESTABLISHED BY GLOBAL POSITIONING SYSTEM (GPS) WITH OBSERVATIONS REFERENCED TO THE TOPCON TOPSURV GPS BASE STATION NETWORK.
5. HORIZONTAL DATUM IS BASED ON 1983 STATE PLANE COORDINATE SYSTEM ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEM (GPS), WITH OBSERVATIONS REFERENCED TO THE TOPCON TOPSURV GPS BASE STATION NETWORK.
6. METES AND BOUNDS AS SHOWN ARE BASED ON PA. STATE PLANE COORDINATE SYSTEM. ROTATION TO DEED MERIDIAN IS 0 DEGREES 06 MINUTES 38 SECONDS CLOCKWISE.

ZONING DATA: (T.P. 02-045-058)

'L-I' LIGHT INDUSTRIAL
USE: MANUFACTURING

DESCRIPTION	REQUIRED	*EXISTING*	PROPOSED
MIN. LOT AREA	15,000 S.F.	*50,372 S.F.*	66,711 S.F.
MIN. LOT WIDTH @ B.S.L.	75'	*152.8'*	252'
MIN. FRONT YARD	75'	*50.0'*	50.0'
MIN. SIDE YARD	20'	*0.08'*	0.31'
MIN. REAR YARD	30'	*24.4'*	24.4'
MAX. IMPERVIOUS SURFACE	55%	*89.9%*	67.9%
MAX. BUILDING COVERAGE	35%	*31.8%*	24.0%

PROPOSED IMPERVIOUS CALCULATIONS: (T.P. 02-045-058)

DESCRIPTION	PROPOSED
BUILDING	16,012 S.F.
DRIVEWAY/WALKS/ STEPS/LANDINGS/CURB	29,297 S.F.
	45,309 S.F. TOTAL

45,309 S.F. / 66,711 S.F. = 67.9% IMPERVIOUS
16,012 S.F. / 66,711 S.F. = 24.0% BUILDING COVERAGE

PENNSYLVANIA ONE CALL SYSTEM, INC.
925 Irwin Run Road
West Mifflin, Pennsylvania
15122 - 1078

BEFORE YOU DIG ANYWHERE IN PENNSYLVANIA! CALL 1-800-242-1776
NON-MEMBERS MUST BE CONTACTED DIRECTLY
PA LAW REQUIRES THREE WORKING DAYS NOTICE TO UTILITIES BEFORE YOU EXCAVATE, DRILL, BLAST OR DEMOLISH

OWNERS CERTIFICATION OF INTENT

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF BENSALEM
COUNTY OF BUCKS

ON THE _____ DAY OF _____, 20___, BEFORE ME THE SUBSCRIBER, A NOTARY PUBLIC OF THE COMMONWEALTH OF PENNSYLVANIA,

PERSONALLY APPEARED _____

_____ KNOWN TO ME (OR SATISFACTORILY PROVEN)

TO BE THE PERSONS NAMED WHO ARE SUBSCRIBED TO THE FOREGOING PLAN, AND ACKNOWLEDGED THAT THEY ARE THE REGISTERED OWNERS OF THE DESIGNATED PLAN, THAT ALL NECESSARY APPROVAL OF THE PLAN HAS BEEN OBTAINED AND IS ENDORSED THEREON, AND THAT THEY DESIRE THE FORGOING PLAN BE RECORDED ACCORDING TO LAW.

WITNESS MY HAND AND NOTORIAL SEAL, THE DAY AND YEAR AFORESAID.

_____
(NOTARY PUBLIC)

MY COMMISSION EXPIRES THE _____ DAY OF _____ 20___.

APPROVAL OF THE TOWNSHIP COUNCIL

APPROVED BY THE BENSALEM TOWNSHIP COUNCIL THIS
_____ DAY OF _____ 20___.

_____ (PRESIDENT)
_____ (VICE PRESIDENT)
_____ (SECRETARY)
_____ (MEMBER)
_____ (MEMBER)

REVIEWED BY THE BUCKS COUNTY PLANNING COMMISSION

B.C.P.C. NO. _____

THIS LOT LINE CHANGE PLAN WAS REVIEWED BY THE BUCKS COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____ 20___.

_____
(CHAIRMAN)

_____
(EXECUTIVE DIRECTOR)

CERTIFICATION FOR RECORDING

TOWNSHIP ENGINEER:

REVIEWED & APPROVED BY THE BENSALEM TOWNSHIP ENGINEER ON THE _____DAY OF _____, 20___.

_____
(TOWNSHIP ENGINEER)

SURVEYOR'S CERTIFICATION:

I, PATRICK A. CAVANAUGH HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, THAT THIS PLAN CORRECTLY REPRESENTS A SURVEY COMPLETED UNDER MY SUPERVISION ON APRIL 28, 2021, THAT ALL THE MARKERS SHOWN HEREON ACTUALLY EXIST, AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

_____
SIGNATURE

RECORDING:

RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS IN AND FOR THE COUNTY OF BUCKS IN DOYLESTOWN, PENNSYLVANIA IN PLAN BOOK NO. _____, PAGE NO. ___, ON _____ 20___.

_____
RECORDER OF DEEDS

SHEET 1 OF 2

REVISION	SCALE: 1"= 20'	TOTAL AREA: AS-SHOWN
	DATE: MAY 20, 2021	
	PROJECT NO.: 2021-04027	

OWNER:
J D PARTS, RTY. L.P.
1700 BYBERRY ROAD
BENSALEM, PA. 19020-4532

SCALE: 1"= 20'

LOT LINE CHANGE PLAN

TAX PARCELS 05-045-058, 02-033-105
1700 BYBERRY ROAD
1682 BYBERRY ROAD

BENSALEM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

Cavanaugh's
SURVEYING SERVICES
PATRICK CAVANAUGH, PLS
28 EAST OAKLAND AVENUE
DOYLESTOWN, PENNSYLVANIA 18901
(215) 348-9413 FAX 348-1670
CELL 267-614-0473 ~ CSS-SURVEYOR.COM

COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL
PATRICK A. CAVANAUGH
SURVEYOR
SU-51056-E

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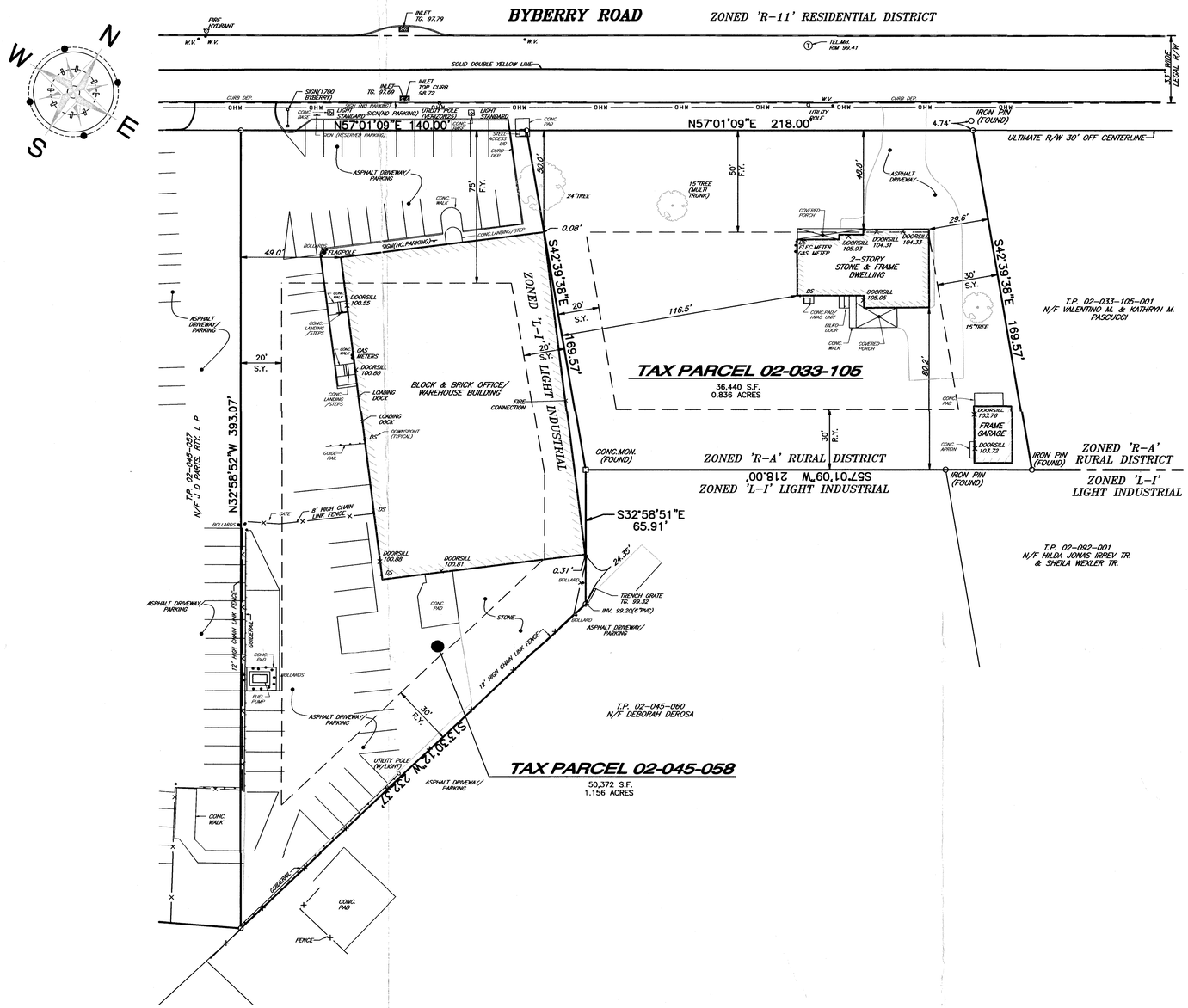

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NON-MEMBERS MUST BE CONTACTED DIRECTLY
PA LAW REQUIRES THREE WORKING DAYS NOTICE TO UTILITIES BEFORE YOU EXCAVATE, DRILL, BLAST OR DEMOLISH

GENERAL NOTES:

1. THE BOUNDARY AND EXISTING FEATURES AS SHOWN ARE BASED ON A FIELD SURVEY PERFORMED BY CAVANAUGH'S SURVEYING SERVICES ON APRIL 28, 2021.
2. DESIGNATIONS OF EXISTING UNDERGROUND UTILITIES/FACILITIES SHOWN HEREON HAVE BEEN DEVELOPED FROM RECORDS, FIELD MARKOUTS BY UTILITY OWNERS, AND/OR ABOVE GROUND OBSERVATION OF THE SITE. NO EXCAVATIONS WERE PERFORMED IN PREPARATION OF THESE DRAWINGS; THEREFORE ALL UTILITIES SHOWN SHOULD BE CONSIDERED APPROXIMATE IN LOCATION, DEPTH, AND SIZE. THE POTENTIAL EXISTS FOR OTHER UNDERGROUND UTILITIES/ FACILITIES TO BE PRESENT WHICH ARE NOT SHOWN ON THESE DRAWINGS. ONLY THE VISIBLE LOCATIONS OF UNDERGROUND UTILITIES/FACILITIES AT THE TIME OF FIELD SURVEY SHALL BE CONSIDERED TRUE AND ACCURATE. COMPLETENESS OR ACCURACY OF UNDERGROUND UTILITIES/FACILITIES ARE NOT GUARANTEED BY CAVANAUGH'S SURVEYING SERVICES.
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5. HORIZONTAL DATUM IS BASED ON 1983 STATE PLANE COORDINATE SYSTEM ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEM (GPS), WITH OBSERVATIONS REFERENCED TO THE TOPCON TOPSURV GPS BASE STATION NETWORK.
6. METES AND BOUNDS AS SHOWN ARE BASED ON PA. STATE PLANE COORDINATE SYSTEM. ROTATION TO DEED MERIDIAN IS 0 DEGREES 06 MINUTES 38 SECONDS CLOCKWISE.

ZONING DATA: (T.P. 02-033-105)

'R-A' RURAL DISTRICT
USE: SINGLE FAMILY DETACHED

DESCRIPTION	REQUIRED	EXISTING
MIN. LOT AREA	43,560 S.F.	36,440 S.F.
MIN. LOT WIDTH @ B.S.L.	150'	218'
MIN. FRONT YARD	50'	48.8'
MIN. SIDE YARD	20' (50' AGG.)	29.6' (146.1' AGG.)
MIN. REAR YARD	30'	80.2'
MAX. IMPERVIOUS SURFACE	25%	17.8%
MAX. BUILDING COVERAGE	20%	8.3%

EXISTING IMPERVIOUS CALCULATIONS: (T.P. 02-033-105)

DESCRIPTION	EXISTING
HOUSE/COVERED PORCHES	2506 S.F.
GARAGE	518 S.F.
DRIVEWAY	3244 S.F.
WALKS/CONC.PADS	204 S.F.

6472 S.F. TOTAL

6472 S.F. / 36,440 S.F. = 17.8% IMPERVIOUS
3024 S.F. / 36,440 S.F. = 8.3% BUILDING COVERAGE

ZONING DATA: (T.P. 02-045-058)

'L-I' LIGHT INDUSTRIAL
USE: MANUFACTURING

DESCRIPTION	REQUIRED	EXISTING
MIN. LOT AREA	15,000 S.F.	50,372 S.F.
MIN. LOT WIDTH @ B.S.L.	75'	152.8'
MIN. FRONT YARD	75'	50.0'
MIN. SIDE YARD	20'	0.08'
MIN. REAR YARD	30'	24.4'
MAX. IMPERVIOUS SURFACE	55%	89.9%
MAX. BUILDING COVERAGE	35%	31.8%

EXISTING IMPERVIOUS CALCULATIONS: (T.P. 02-045-058)

DESCRIPTION	EXISTING
BUILDING	16,012 S.F.
DRIVEWAY/WALKS/ STEPS/LNDINGS/CURB	29,297 S.F.

45,309 S.F. TOTAL

45,309 S.F. / 50,372 S.F. = 89.9% IMPERVIOUS
16,012 S.F. / 50,372 S.F. = 31.8% BUILDING COVERAGE

SHEET 2 OF 2

REVISION	SCALE: 1" = 30'	TOTAL AREA: AS SHOWN
	DATE: MAY 20, 2021	PROJECT NO.: 2021-04027

OWNER:
J. D. PART. RTY. L.P.
1700 BYBERRY ROAD
BENSALEM, PA. 19020-4532

30' 0' 30'
1" = 30'
SCALE:

EXISTING FEATURES

TAX PARCELS 05-045-058, 02-033-105
1700 BYBERRY ROAD
1682 BYBERRY ROAD
BENSALEM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

Cavanaugh's
SURVEYING SERVICES
PATRICK CAVANAUGH, PLS
28 EAST OAKLAND AVENUE
DOYLESTOWN, PENNSYLVANIA 18901
PHONE 215-674-0473
CELL 267-614-0473 ~ CSS-SURVEYOR.COM

COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL
PATRICK A. CAVANAUGH
SURVEYOR
SU-51056-E

C:\Users\Owner\CSS-Survey Dropbox\Projects Main\Project Files\2021\2021-04027 Starzman Byberry Road\STARZMAN-BYBERRYRD-LOTLINECHANGE-05-20-21.pro

BUCKS COUNTY RECORDER OF DEEDS

55 East Court Street
Doylestown, Pennsylvania 18901
(215) 348-6209

Instrument Number - 2005147180
Recorded On 11/9/2005 At 7:47:53 AM * Total Pages - 5
* Instrument Type - DEED
Invoice Number - 98282 User - NMS
* Grantor - RUTECKI, HENRY W
* Grantee - J D PART RTY L P
* Customer - CROSS KEYS ABSTRACT / ED SLIKER
* FEES

STATE TRANSFER TAX	$3,690.00
RECORDING FEES	$46.50
BENSALEM SCHOOL DISTRICT REALTY TAX	$1,845.00
BENSALEM TOWNSHIP	$1,845.00
TOTAL	$7,426.50

K-53619

This is a certification page

DO NOT DETACH

This page is now part of this legal document.

RETURN DOCUMENT TO:
CROSS KEYS ABSTRACT / ED SLIKER

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office of Bucks County, Pennsylvania.

THE RECORDERS OFFICE OF BUCKS COUNTY, PA.

Edward R. Gudknecht
Recorder of Deeds

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

0315A6

Book: 4704 Page: 1555

Prepared by: Cross Keys Abstract & Assurance, Inc.
1094 Second Street Pike
Richboro, Pa 18954

Return to: Cross Keys Abstract & Assurance, Inc.
1094 Second Street Pike
Richboro, Pa 18954

CPN# Parcel #s 2-33-105

CKA K556129

Fee Simple Deed

This Deed,

made on **September 30, 2005,** between,

Henry W. Rutecki,

hereinafter called the Grantor(s), of the one part, and

JD Partners Realty, L.P., a Pennsylvania Limited Partnership,

hereinafter called the Grantee(s), of the other part.

Witnesseth, that in consideration of **Three Hundred Sixty Nine Thousand dollars & no cents, ($369,000.00)** in hand paid, the receipt whereof is hereby acknowledged, the said Grantor(s) do(es) hereby grant and convey unto the said Grantee(s), his/her/their heirs and assigns,

ALL THAT CERTAIN lot or parcel of land, Hereditaments and Appurtenances, SITUATE in Bensalem Township, County of Bucks and State of Pennsylvania, being Parcel I as laid out on a Plan of Lots known as Section 2, Bridgewater Industrial Park, recorded in and for the said County of Bucks in Plan Book 102 page 40 on the 8th day of November, 1972, bounded and described according to a Plan made by Benjamin C. Queen, Registered Land Surveyor, Fairless Hills, Penna., on the 3rd day of March, 1975, as follows, to wit:

BEGINNING at a corner of lands of Section 2 Bridgewater Industrial Park in the middle of the Byberry Road (T-323, 33 feet wide), said point being North 57 degrees, 7 minutes, 47 seconds East, 1,688.84 feet along the middle of said Byberry Road from the middle of Bridgewater Road (33 feet wide); thence along the said middle of Byberry Road, North 57 degrees, 7 minutes, 47 seconds East, 218 feet to a corner of lands now or late of Edward W. Rutecki; thence along the said lands, South 42 degrees, 33 minutes East, 200 feet to a corner in line of lands of the said Section 2, Bridgewater Industrial Park; thence along said lands, South 57 degrees, 7 minutes, 47 seconds West, 218 feet to a corner; thence still by said lands, North 42 degrees, 33 minutes West, 200 feet to the middle of the said Byberry Road and place of beginning.

CONTAINING 0.986 Acres of land, more or less.

BEING the same premises which Henry W. Rutecki, by Indenture dated February 26, 1996 and recorded in the Recorder of Deeds, in and for the County of Bucks, aforesaid, in Land Record Book 1190 page 2317 &c., granted and conveyed unto Henry W. Rutecki, in fee.

BEING Parcel #2-33-105.

And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s) that he/she/they, the said Grantor(s), his/her/their heirs and assigns, SHALL and WILL, warrant and forever defend the herein above described premises, with the hereditaments and appurtenances, unto the said Grantee(s), his/her/their heirs and assigns, against the said Grantor(s) and against every other person lawfully claiming or who shall hereafter claim the same or any part thereof, by, from or under him/her/them or any of them.

In witness whereof, the said Grantor(s) has/have caused these presents to be duly executed the day and year first above written.

Sealed and delivered in the presence of:

Henry W. Rutecki Seal
Henry W. Rutecki

_____ Seal

_____ Seal

_____ Seal

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
MARIANNE M. KESSLER, Notary Public
Northampton Twp., Bucks County
My Commission Expires October 11, 2008

State of **Pennsylvania**
County of **Bucks**

On this **September 30, 2005**, before me, the undersigned officer, personally appeared **Henry W. Rutecki**, 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.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
MARIANNE M. KESSLER, Notary Public
Northampton Twp., Bucks County
My Commission Expires October 11, 2008

_____
Notary Public

DEED

File No. **K556129**

Parcel No. **Parcel #s 2-33-105**

Grantor: **Henry W. Rutecki**

Grantee: **JD Partners Realty, L.P., a Pennsylvania Limited Partnership**

I certify the address of the Grantee to be, and mail tax bill to: **1700 Byberry Road**
Bensalem, PA 19020

Premises: **1682 Byberry Road & 1700 Byberry Road, Bensalem Township, Bucks County, Pennsylvania**

Return document to: **Cross Keys Abstract & Assurance, Inc., 1094 Second Street Pike, 2nd Floor, Richboro, Pennsylvania 18954**

BUCKS COUNTY RECORDER OF DEEDS

55 East Court Street
Doylestown, Pennsylvania 18901
(215) 348-6209

Instrument Number - 2005012187
Recorded On 1/27/2005 At 11:07:46 AM * Total Pages - 6
* Instrument Type - DEED
Invoice Number - 35143 User - KLJ
* Grantor - LYONS, JOHN W
* Grantee - J D PART RTY L P
* Customer - SULLIVAN & SULLIVAN
* FEES

RECORDING FEES	$46.50
TOTAL	$46.50

This is a certification page

DO NOT DETACH

This page is now part of this legal document.

RETURN DOCUMENT TO:
SULLIVAN & SULLIVAN

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office of Bucks County, Pennsylvania.

THE RECORDERS OFFICE OF BUCKS COUNTY, PA.

Edward R. Gudknecht
Recorder of Deeds

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

01009A

Book: 4283 Page: 1640

THIS INDENTURE made the 20th day of January in the year of our Lord two thousand five (2005)

BETWEEN John W. Lyons and Daniel F. Morrin, co-partners t/a JD PARTNERS REALTY (hereinafter called the Grantor), of the one part, and

JD Partners Realty, L.P. (hereinafter called the Grantee) of the other part,

WITNESSETH That the said Grantor for and in consideration of the sum of ONE ($1.00) DOLLAR lawful money of the United States of America, unto it well and truly paid by the said Grantee, 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,

ALL THAT CERTAIN lot or piece of ground situate in the Township of Bensalem, County of Bucks, Commonwealth of Pennsylvania, described according to a Final Plan of Bridgewater Industrial Park Section 2 made by Benjamin C. Queen, Registered Land Surveyor dated June 23, 1982 and recorded in the Office of the Recorder of Deeds in and for the County of Bucks at Doylestown, Pennsylvania, in Plan Book 102 page 40 as follows, to wit:

BEGINNING at a point on the Southeasterly side of Byberry Road said point being at the distance of 569.89 feet measured South 57 degrees 07minutes 47 seconds East along the Southeasterly side of Byberry Road from its point of intersection with the Northeasterly side of Adams Road (50 feet wide); thence extending from said point of beginning North 57 degrees 07 minutes 47 seconds East along the Southeasterly side of Byberry Road 140.00 feet to a point; thence extending South 42 degrees 33 minutes East 169.57 feet to a point; thence extending South 32 degrees 52 minutes 13 seconds East 65.91 feet to a point; thence extending South 13 degrees 36 minutes 50 seconds West 232.37 feet to a point; thence extending North 32 degrees 52 minutes 13 seconds West 393.07 feet to the first mentioned point and place of beginning.

CONTAINING 1.251 acres of land.

BEING Lot No. 32 as shown on the above mentioned Plan.

COUNTY TAX PARCEL NO. 02-045-058

BEING THE SAME PREMISES WHICH Bucks County Industrial Development Authority by Deed recorded April 20, 2000 in Land Record Book 2040 page 761, granted and conveyed unto JD Partners Realty, in fee.

This is a conversion of a Pennsylvania General Partnership into a Pennsylvania Limited Partnership in which there is no change of ownership percentages and the business conducted by the Limited Partnership is the same as was conducted by the General Partnership.

TOGETHER with all and singular the buildings and 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 revisions and remainders, rents, issues and profits thereof; and all the estate, right, title interest, property, claim and demand whatsoever of the said Grantor, as well at law as in equity, of, in and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground described with the buildings and improvements, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, to and for the only proper use and behoof of the said Grantee.

Under and subject as aforesaid.

AND the said Grantor, their heirs and assigns do covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it the said Grantor and their heirs and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it the said Grantor, their heirs and assigns, from and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will

WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hands and seals. Dated the day and year first above written.

SEALED AND DELIVERED

In the presence of us:

_____

_____

_____ (SEAL)
John W. Lyons, co-partner

_____ (SEAL)
Daniel F. Morrin, co-partner

TOGETHER with all and singular the buildings and 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 revisions and remainders, rents, issues and profits thereof; and all the estate, right, title interest, property, claim and demand whatsoever of the said Grantor, as well at law as in equity, of, in and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground described with the buildings and improvements, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, to and for the only proper use and behoof of the said Grantee.

Under and subject as aforesaid.

AND the said Grantor, their heirs and assigns do covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it the said Grantor and their heirs and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it the said Grantor, their heirs and assigns, from and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will

WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hands and seals. Dated the day and year first above written.

SEALED AND DELIVERED

In the presence of us:

_____ _____(SEAL)
John W. Lyons, co-partner

_____ _____(SEAL)
Daniel F. Morrin, co-partner

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF BUCKS

On this, the 20th day of January, 2005, before me, a Notary Public for the Commonwealth of Pennsylvania, residing in the County of Bucks, the undersigned Officer, personally appeared John W. Lyons and Daniel F. Morrin, co-partners t/a JD Partners Realty, known to me (satisfactorily proven) to be the person whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

I hereunto set my hand and official seal.

Notary Public

Notarial Seal
Eileen McGinnis, Notary Public
Middletown Twp., Bucks County
My Commission Expires Aug. 20, 2006
Member, Pennsylvania Association Of Notaries

The address of the within Grantee is: c/o 1700 Byberry Road, Bensalem, PA 19020

DEED

John W. Lyons and Daniel F. Morrin, co-Partners t/a JD Realty Partners

TO

J D PARTNERS REALTY, L. P.

REV-183 EX (6-96)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
DEPT. 280603
HARRISBURG, PA 17128-0603

REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

RECORDER'S USE ONLY
State Tax Paid
Book Number
Page Number
Date Recorded

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name: Francis J. Sullivan, Esq.
Telephone Number: Area Code 215-579-7700
Street Address: 403 Executive Drive
City: Langhorne
State: PA
Zip Code: 19047

B TRANSFER DATA

Date of Acceptance of Document:

Grantor(s)/Lessor(s): John W. Lyons and Daniel F. Morrin co-partners
Street Address: 1700 Byberry Road
City: Bensalem
State: PA
Zip Code: 19020

Grantee(s)/Lessee(s): JD Partners Realty, L. P.
Street Address: 1700 Byberry Road
City: Bensalem
State: PA
Zip Code: 19020

C PROPERTY LOCATION

Street Address: 1700 Byberry Road, Lot 32
City, Township, Borough: Bensalem Township
County: Bucks
School District: Bensalem
Tax Parcel Number: 02-045-058

D VALUATION DATA

1. Actual Cash Consideration	2. Other Consideration	3. Total Consideration
1.00	+	= 1.00
4. County Assessed Value	**5. Common Level Ratio Factor**	**6. Fair Market Value**
$143,200.00	x 32.26	= $4,619,632.00

E EXEMPTION DATA

1a. Amount of Exemption Claimed	1b. Percentage of Interest Conveyed
$4,619,632.00	100%

Conversion of General Partnership to a Limited Partnership, see below

2. **Check Appropriate Box Below for Exemption Claimed**

- ☐ Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number)
- ☐ Transfer to Industrial Development Agency.
- ☐ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____.
- ☐ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☑ Other (Please explain exemption claimed, if other than listed above.) See attached

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Date
	1-20-05

This is a conversion of a Pennsylvania General Partnership (owned equally by John W. Lyons and Daniel F. Morrin t/a JD Partners Realty) into a Pennsylvania Limited Partnership (JD Partners Realty, L. P. with John W. Lyons and Daniel F. Morrin being the equal limited partners and JD Realty Partners, LLC being the General Partner in which John W. Lyons and Daniel F. Morrin are equal members) in which there is no change of ownership percentages and the business conducted by the Limited Partnership is the same as was conducted by the General Partnership. See Exton Plaza Associates v. Commonwealth of Pennsylvania, 763 A.2d 521 (2000).