

#### **BENSALEM TOWNSHIP**

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

LINCONIA IMPROVEMENT ASSOCIATION

#### CHECK OFF LIST FOR ZONING HEARING BOARD APPEAL

The items listed below are requirements of the application process for the Zoning Hearing Board.

Check off the items that accompany this appeal. If item is deemed not applicable put N/A in place of a check mark. If any box is not marked with either a check mark or N/A, the application will be considered incomplete and will not be accepted.

-	10.7 4 Cea 11									
X	13 copies of Appeal (pages 4 thru 6)	-								
X	13 copies of Plot Plan									
	13 copies of Zoning Officers rejection									
X	13 copies of Tax Map									
X	13 copies of deed									
	13 copies of agreement of sale or lease agreement									
X	13 copies of detailed plan of proposed structure									
	13 copies of deed searches if your application is for certification of non-conforming use									
X	13 copies of exhibits which would include but are not limited to pictures, diagrams, and changes.									
X	Application must be notarized. Original must be submitted.									
M	Applications and all required material as described must be placed in packet form as follows:									
X	submit copy of application and plan(s) on a disc in .pdf file format or email same to									
	Appeal									
	Plot plan									
	Zoning officers rejection									
	Tax map	20000								
	Deed									
	Agreement of sale or lease agreement if applicable									
	Detailed plan of proposed structure									
	Deed searches, if applicable									
	Exhibits									
	Notify all adjoining owners by certified mail. Township will provide a list of adjoining properties. to be notified)	10000								

The Zoning Hearing Board Clerk is not authorized to fill out your Zoning hearing Board application, correlate the above items or answer technical questions. If you are not sure how to go about appealing to the zoning hearing board, it is advised that you obtain an attorney to help you.

Attached to this checklist is the appeal and instructions on how to fill out the appeal form.

Plot plans may be hand drawn as long as all information is accurate. It must contain all pertinent zoning information. It must contain the names, addresses and tax parcel numbers of all adjoining owners.

To obtain the Zoning Officers rejection notice you must first submit an application or occupancy permit. You will receive your rejection notice in the mail.



#### BENSALEM TOWNSHIP

2-20-2024 **Building and Planning Department** 2400 Byberry Road • Bensalem PA 19020

Exhibit Z-4

#### Zoning Hearing Board

215-633-3644 • FAX 215-633-3653

**Appeal Number:** 

2024-0493

#### 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:** Address: Phone No. COMCAST. NET E-Mail Address: Owner's Name: Address: Phone No. E-Mail Address: **Attorney Name:** Address: Phone No. Interest of appellant, if not owners (agent, lessee, etc.):

Check it	ems if applicable:
	Use Lot Area
	Height Yards
	Existing Building Proposed Building
	Occupancy
	Other: (describe)
2. Brief	description of Real Estate affected:
Tax Pard	cel Number: 2-7-1/6-1
Location	KAY & CEISAR AVES.
Lot Size:	5902 SF
Present	Use: VACANT LAND
Propose	d Use: SINGLE FAMILY HOME
Present	Zoning Classification: R-Z
Present	Improvement upon Land: NOME
Deed re	corded at Doylestown in Deed Book <u>6340</u> Page <u>1044</u>
	is an appeal to challenge, provide statement and/or basis for challenge to the validity of the g ordinance.
D / D	is an Appeal from action of the Zoning Administrative Officer then complete the following:
Your sta	etermination was made:/
THAT	PARCEL WILL REQUIRE VARIANCE FOR SETBACK ON SINE YARD
FACI	NG CEDAR AVE AND VARIANCE FOR SQUARE FOOTAGE. R-Z
2011	ING REGUIRES 25' FRONT & SINE SET BACK FOR CORNER
LOT	T AND 7500 SQUARE FOOTAGE.

1. Application relates to the following:

<ol> <li>Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):</li> </ol>
SECTION 232-167 AREA REGULATIONS (9) LOT AREA (e) YARDS
Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):
REQUESTING RELIEF FROM SIDE YARD SCHBACKS (10'VSZS') AS WALL AS RELIEF FOR SQUARE FOOTAGE (5,902 VS 7,500)
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.
LINCONIA PARK IS A UNIQUE SECTION OF BENSHUM TOWNSHIP
WHERE MOST LOTS/STRUCTURES DO NOT CONFORT TO ZONING THE
WHERE MOST LOTS STRUCTURES NO NOT CONFORM TO ZONING. THE  CHARLET WITH THE METHRALHOOD.  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.
The Plays 2/2/24
Appellant's or Owner's Signature Date
A SIGNED COPY OF THIS APPLICATION IS REQUIRED UPON SUBMISSION OF DOCUMENTS

200 2024

Day of February

Day anarg

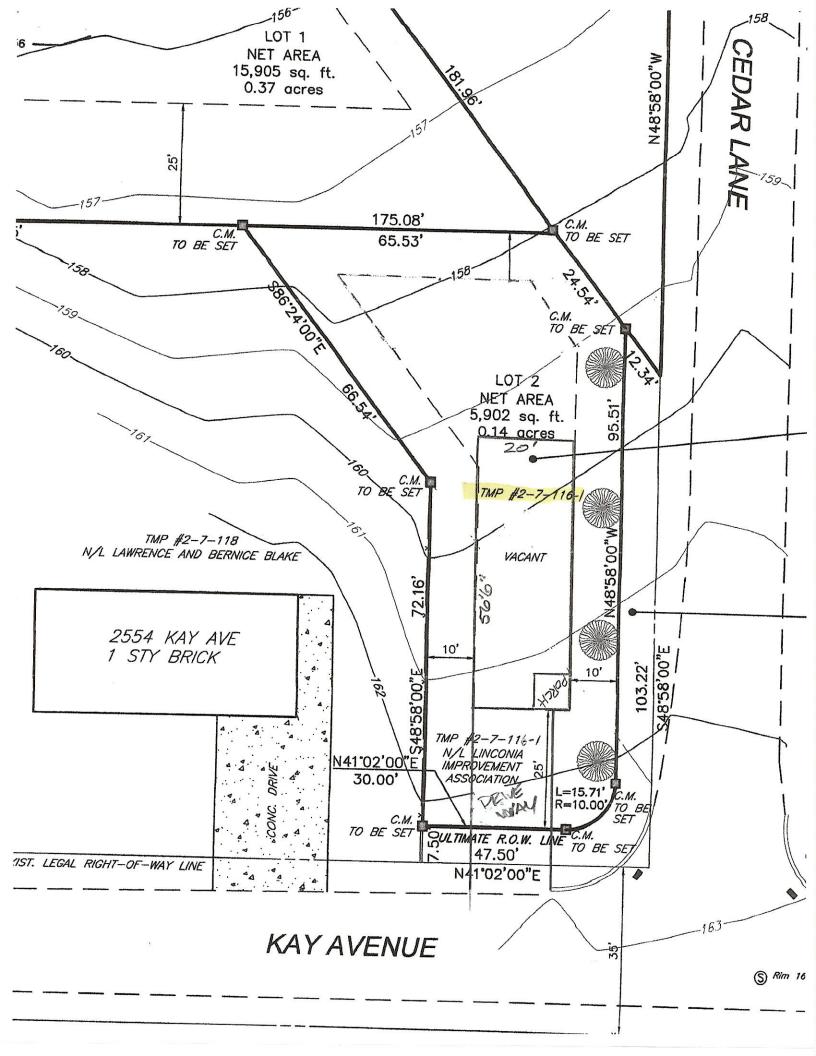
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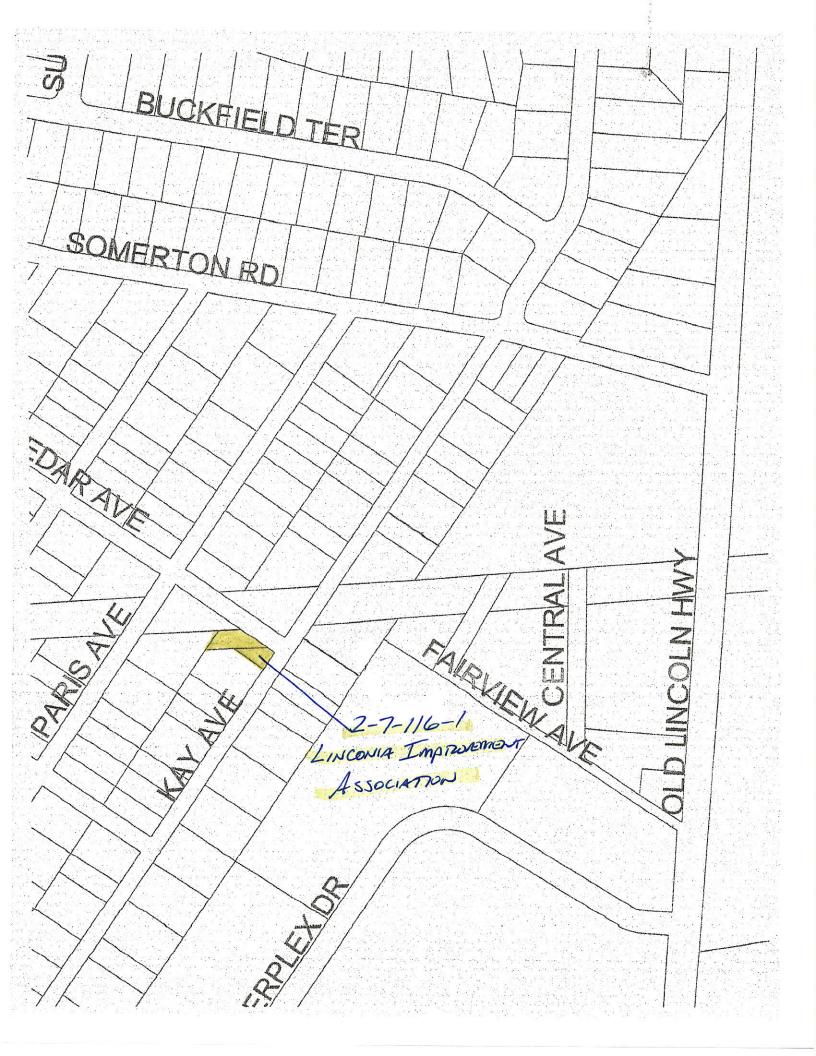
My commission expires: January 17, 2026 Commonwealth of Pennsylvania - Notary Seai DAYANARA L GUERRERO - Notary Public **Bucks County** My Commission Expires January 17, 2026 Commission Number 1410704

Sworn to and subscribed before me this

My commission expires:

6





#### **BUCKS COUNTY RECORDER OF DEEDS**

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

Instrument Number - 2010011829 Recorded On 2/18/2010 At 3:30:27 PM

\* Total Pages - 5

\* Instrument Type - DEED

Invoice Number - 355199

User - SMC

- \* Grantor SQUIRE HOME BLDR L L C
- \* Grantee LINCONIA IMP ASSN
- \* Customer SIMPLIFILE LC E-RECORDING

*	FEES	

Luno	
STATE TRANSFER TAX	\$140.22
RECORDING FEES	\$60.00
BENSALEM SCHOOL	\$70.11
DISTRICT REALTY TAX	
BENSALEM TOWNSHIP	\$70.11
TOTAL PAID	\$340.44

This is a certification page

#### DO NOT DETACH

This page is now part of this legal document.

RETURN DOCUMENT TO: DIRECT ABSTRACT, INC. 272 TITUS AVENUE
SUITE 216 WARRINGTON, PA 18976

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



Edward R. Gudknecht Recorder of Deeds

zpe o p. Holtracat

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

Prepared by and Return to:

Linconia Improvement Association

po Box 203 F Trevose pa 19053

UPI#2-7-116-1

CERTIFIED PROPERTY IDENTIFICATION NUMBERS

02-007-116--001 - BENSALEM TWP

CERTIFIED 02/18/2010 BY JQ

This Indenture, made the 30th day of December, 2009,

Between

SQUIRE HOME BUILDERS, LLC

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

#### LINCONIA IMPROVEMENT ASSOCIATION

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

Witnesseth, that the said Grantor for and in consideration of the sum of One Dollar 00/100 (\$1.00) 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 THOSE CERTAIN lots or parcels of ground Situate in Bensalem Township, Bucks County, Pennsylvania, being that portion of lands PECO Energy Company to be conveyed to Squire Home Builders, LLC, as shown on, and generally described in accordance with "Preliminary-Final Lot Line Change Plan of TMP #2-7-115, TMP #2-7-116, TMP #2-7-117" prepared by TEI Consulting Engineers, Inc., 720 Second Street Pike, Southampton, PA, last revised May 29, 2008, said Plan being recorded in the Bucks County Recorder of Deeds on August 6, 2008 in Plan Book 364 Page 73 and being bounded and described as follows, to wit:

BEGINNING at a point on the Southwesterly side of Cedar Lane right-of-way (35 feet wide) being a corner on line dividing this parcel to be conveyed to Squire Home Builders, LLC (Being part of Lot 2 on said plan) and the lands now or late of Linconia Improvement Association (TMP 2-7-117), thence continuing along the same North 86 degrees 24 minutes 00 seconds West 144.88 feet to a point a corner of land also to be conveyed to Squire Home Builders, LLC (Lot 1 on said plan), thence extending along the same North 41 degrees 02 minutes 00 seconds East 65.53 feet to a point a corner on line dividing this parcel to be conveyed to Squire Home Builders, LLC and the remaining lands of PECO Energy Company (2-7-116) being the Southerly right-of-way line of PECO Energy Company's transmission line right-of-way, thence extending along the said Southerly right-of-way line South 86 degrees 24 minutes 00 seconds East 36.88 feet to a point a corner on the Cedar Lane right-of-way (35 feet wide) thence continuing along the same South 48 degrees 58 minutes 00 seconds East 85.11 feet to the first mentioned point and place of beginning.

BEING Tax Parcel 2-7-116-1 which is to be consolidated to existing Linconia Improvement Association Parcel 2-7-117 as indicated on approved said Plan.

BEING part of the same premises which PECO Energy Company, by Deed dated October 30, 2008, and recorded March 23, 2009, in the Office of the Recorder of Deeds in and for the County of Bucks, Pennsylvania, in Book 6039, Page 1440, granted and conveyed unto Squire Home Builders, LLC, in fee.

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 anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, 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 above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

And the said Grantor, for itself, its successors and assigns, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that it, the said Grantor, and its successors and assigns, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said Grantor, and its successors and assigns, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, shall and will

Warrant and Forever Defend.

in Witness Whereof, the party of the first pa	art has caused its common and corporate seal t	to he
affixed to these presents by the hand of its	President, and the same to be duly attested by	W ita
Secretary. Dated the day and year first above written		y its
•		

ATTESTED: SQUIRE HOME BUILDERS, LLC {SEAL} Commonwealth of Pennsylvania } ss County of Bucks AND NOW, this 30 day of December, 2009 before me, the undersigned Notary Public, appeared Thomas P. Hughes, who acknowledged himself/herself to be the managing member of Squire Home Builders, LLC, a corporation, and he/she, as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as managing member. IN WITNESS WHEREOF, I hereunder set my hand and official seal. Notary Public My commission expires NOTARIAL SEAL Samantha A Dickerson NOTARY PUBLIC Twp of Warrington, Bucks County My Commission Expires 07/07/2013

The precise residence and the complete post office address of the above-named Grantees is:

10 Box 203 F Trevole 11 A 19053

On behalf of the Grantees

REV-183 EX (6-96)



COMMONWEAITH OF PENNSYLVANIA DEPARTMENT OF REVENUE BUREAU OF INDIVIDUAL TAXES DEFT. 280603 HARRISBURG, PA 17128-0603

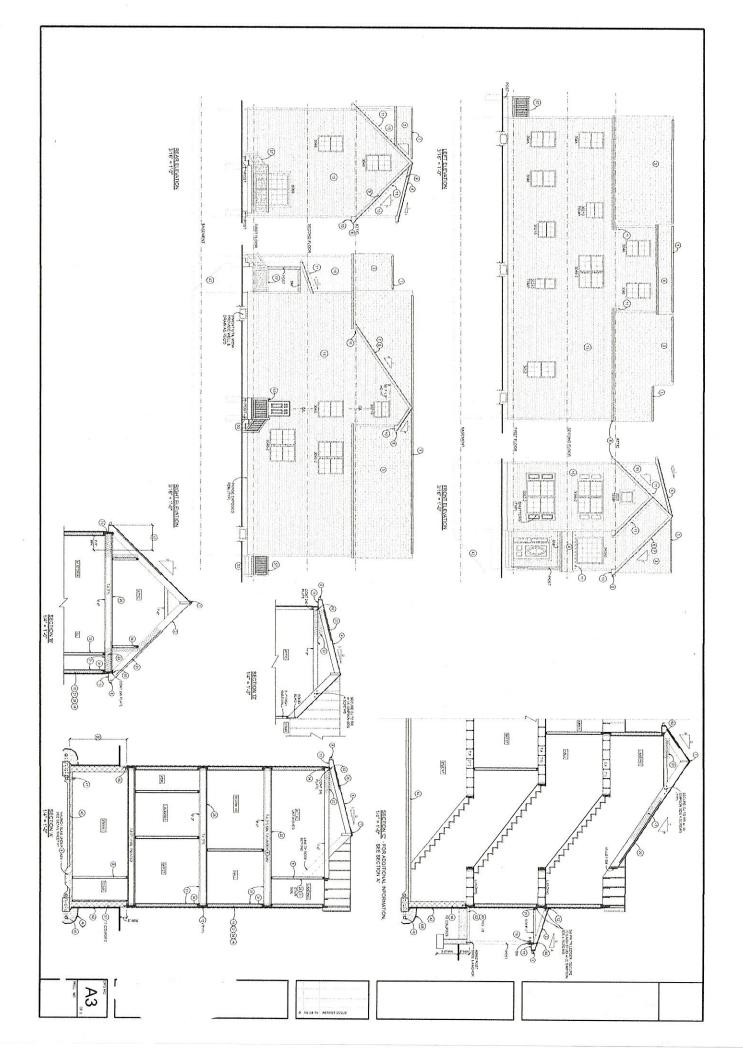
#### REALTY TRANSFER TAX STATEMENT OF VALUE

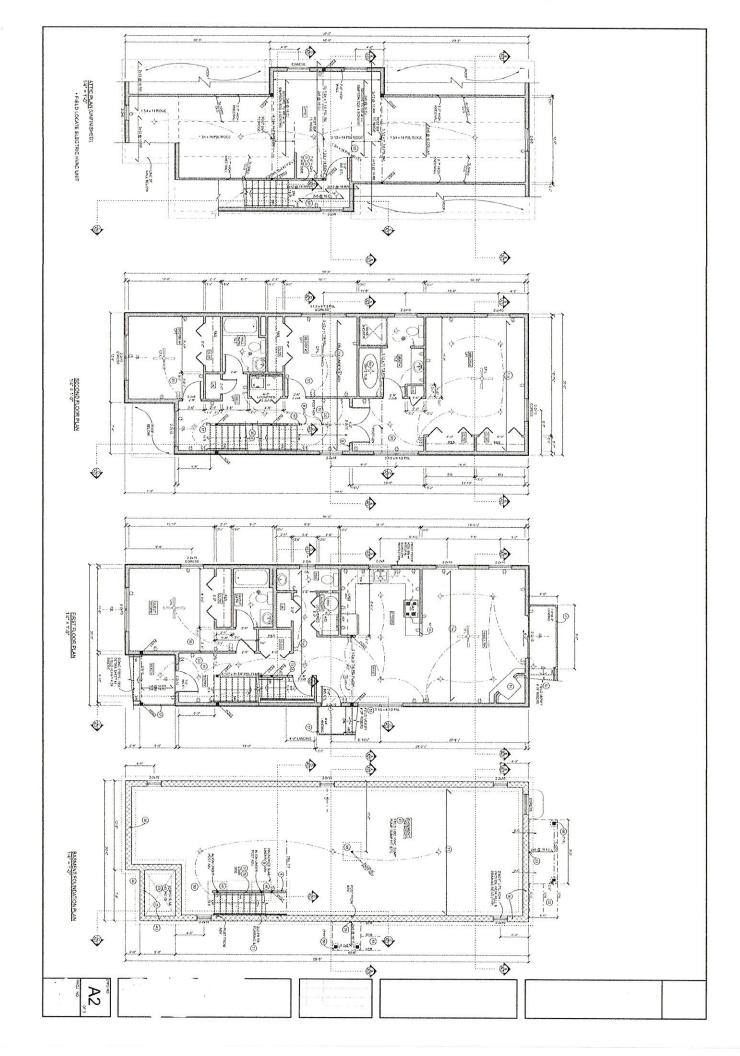
RECORDER'S USE ONLY
State Tax Paid
HU.22
Book Number
Page Number
Date Recorded

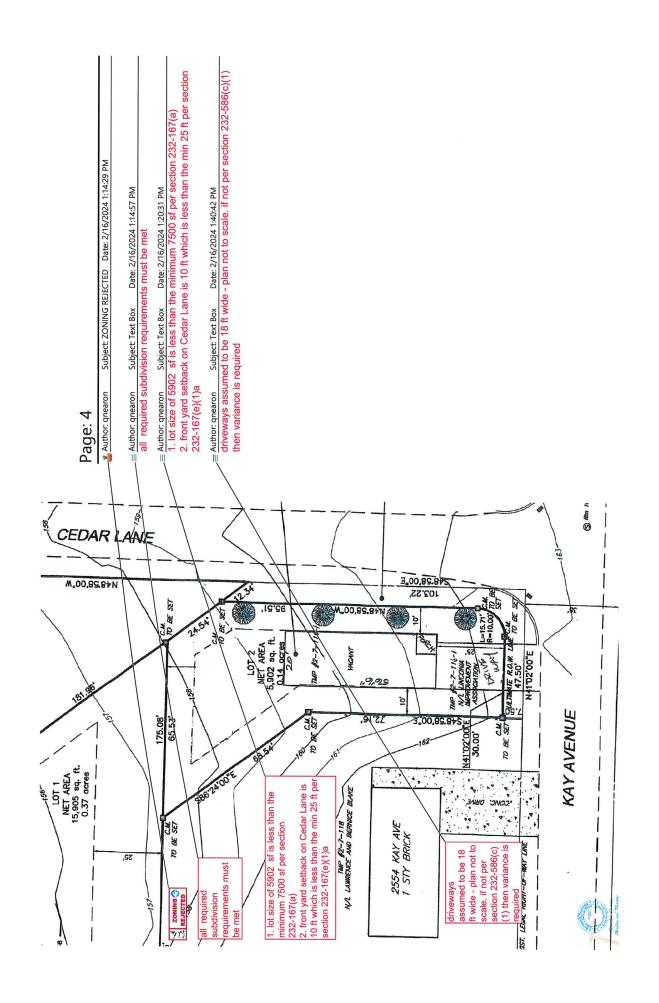
See Reverse for Instructions

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 CORRESPON	BEITT - All			the following pers Telephone Number:							
Linconia Improvemer	nt Association			Area Code ( )							
reet Address		City		State	Zip Code						
Parcel 2-7-116-1		Bei	nsalem	PA	, 19020						
TRANSFER D	ATA	Trun Thou	Date of Acceptance	of Document 12/3	0/09						
antor(s)/Lessor(s) Squire H	lome Builders	, LLC	Grantee(s)/Lessee(s)	Linconia Improvem	ent Association						
reet Address			Street Address	1 203 E							
134 Redstone Drive			1 10 -	ox-203F							
ty	State	Zip Code	Trevose	State	19053						
Warrington	PA	18976	T / work	per	1 1035						
PROPERTY L	OCATION		To: X 1: 0								
7-116	1 (000	address assigned	City, Township, Boro	The state of the s							
∠ - 1 . 11 (a)	1 (100	School District	Bensalem 1	Tax Parcel Number							
		Bensalem	10.53	2-7-116-1							
Bucks	DATA	Delisalem		24-110-1							
VALUATION	DAIA	2. Other Consideration		3. Total Consideration							
. Actual Cash Consideration		- 4	A. Verally	V 940 40							
1.00 County Assessed Value		5. Common Level Ratio	actor	6. Fair Market Value	= 1.00						
	100	× 10.31		Specifical Control of	\$14,021.60						
\$1,360.00	DATA	10.31	A Visit	1- \$14,021.0							
E EXEMPTION  a. Amount of Exemption Claime		1b. Percentage of Intere	st Conveyed								
a. Amount of Examples come	1.301 A	100%	•								
. Check Appropriate Box	Below for Exemp	tion Claimed									
Will or intestate succe	ession	(Name of D	ecedent)	(Estate File Nu	mberj						
Transfer to Industrial	Development Age	ncy.									
Transfer to a trust 14	ttach complete co	py of trust agreement i	dentifying all benefi	ciaries.)							
Transfer between pri	ncipal and agent.	(Attach complete copy	of agency/straw par	rty agreement.)							
		nited States and Instrum ation, attach copy of re		edication, condemnation or	in lieu of condemnation.						
☐ Transfer from mortgo	igor to a holder o	f a mortgage in default	. Mortgage Book N	umber, Po	age Number						
Corrective or confirm	atory deed. (Atta	ch complete copy of the	prior deed being o	orrected or confirmed.)							
Statutory corporate	consolidation, mer	ger or division. (Attach									
X Other (Please explain	tay bak	d on Fait 1	shove.) This is	a bonafide sale at a	transfer						
to due		V. 1)	40.24 70 C	junty and 17	10.22 to 1'ta						
Inder penalties of law, I de and belief, it is true, corre	clare that I have e t and complete.		nt, including accom	panying information, and	to the best of my knowl						
Signature of Correspondent o	Responsible Party			D	ste /2 /- /2						







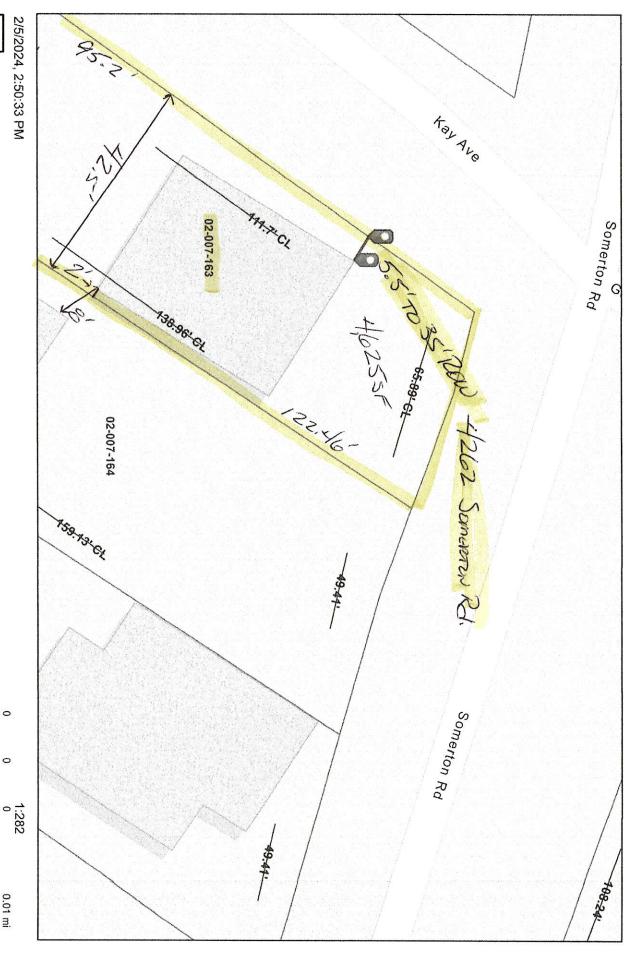
PROPOSED AVG.	EXISTING AVG.	2384 Linconia Avenue	4233 Master Avenue	4351 Master Avenue	4308 Master Avenue	2504 Kay Avenue	2505 Paris Avenue	4421 Cedar Lane	4408 Cedar Lane	2565 Buffalo Avenue	4448 Cedar Lane	4486 Cedar Lane	4262 Somerton Road	**EXISTING	PROPOSED AVG.	Kay & Cedar	Paris & Cedar	Linconia & Charles V Ellzy	*SUBJECT PARCELS			
17.5 Feet	10.12 Feet	13.5 Feet	3 feet	13.5 Feet	17 Feet	15 Feet	13 Feet	3 Feet	5 Feet	10 Feet	10 Feet	13 Feet	5.5 Feet		17.5 Feet	17.5 Feet	17.5 Feet	17.5 feet		Net Of 35 Feet R.O.W.	Side Street Setback	Corner Parcel
10 Feet	2.62 Feet	6 Feet	-4.5	6 Feet	9.5 Feet	7.5 Feet	5.5 Feet	-4.5 Feet	-2.5 Feet	2.5 Feet	2.5 Feet	5.5 Feet	-2 Feet		10 Feet	10 Feet	10 Feet	10 Feet		Net Of 50 feet R.O.W.	Side Street Setback	Corner Parcel
7,010 SF	6,058 SF	5,581 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	6,293 SF	5,853 SF	4,625 SF		7,010 SF	7,034 SF	5,400 SF	8,596 SF		Net Of 35 Feet R.O.W.	Square Footage	Corner Parcel
5,672 SF	4,802 SF	4,400 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	5,000 SF	4,680 SF	3,541 SF		5,672 SF	5,902 SF	4,409 SF	6,705 SF		Net Of 50 Feet R.O.W.	Square Footage	Corner Parcel
82.33 Feet	23.42 Feet	16 Feet	25 Feet	19 Feet	15 Feet	27 Feet	65 Feet	20 Feet	20 Feet	19 Feet	25 Feet	22 Feet	8 Feet		82.33 Feet	37 Feet	60 Feet	150 Feet		Closest Home	Distance To	Density
		YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES			N O	N O	N O		Issues	Zonina	Other

<sup>\* &</sup>quot;Subject Parcels" are deeded to 50 feet Right Of Way

surface, stormwater management, driveway with offstreet parking etc. Density around proposed homes is much less than neighborhood on average. side street and square footage of subject parcels, ALL other building and zoning codes to be met or exceeded including all other setbacks, impervious parcels is larger than existing with only Paris & Cedar being less than existing due to PECO ROW clipping corner of lot. Relief is sought for setback on Spreadsheet shows proposed homes would be setback further than all existing homes, 7.38 feet on average. Average square footage of subject NOTE: Spreadsheet compares corner parcels of similar size and less than 7500sf required in R-2. There are several other larger corner properties in the To accurately compare and contrast existing homes with proposed homes on subject parcels, adjustment is made for 35' ROW vs 50' ROW. neighborhood that exceed R-2 required square footage but have less of a setback on side street than proposed homes including 2606 Buffalo,

2611 Linconia, 2612 Paris and 2464 Kay.

<sup>\*\* &</sup>quot;Existing" are deeded to 35 feet Right Of Way



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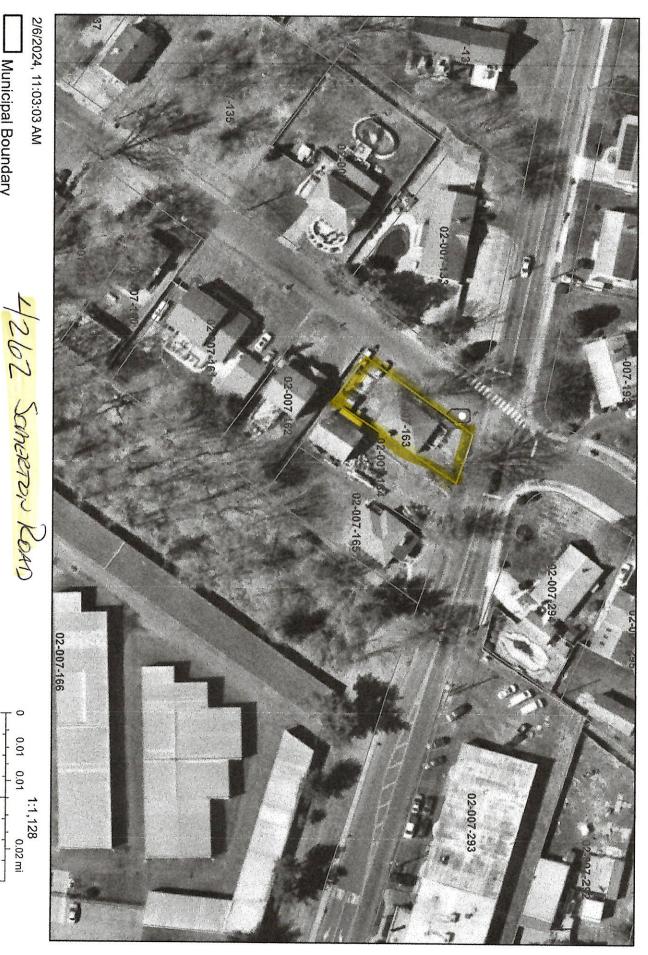
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0.01 km

0.01 mi

Municipal Boundary

Parcel Annotation



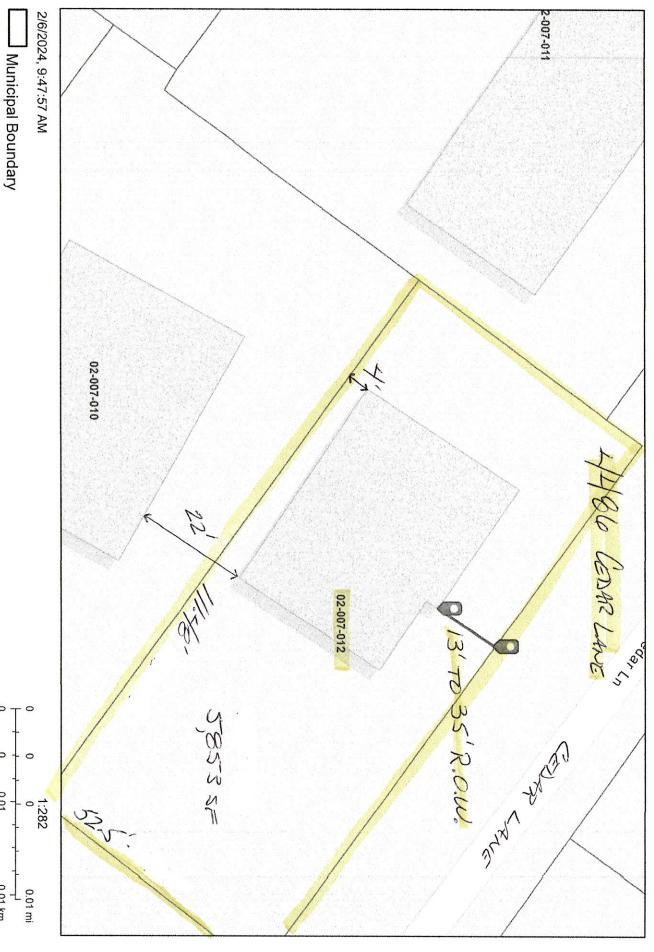
Bucks County Bars Contributors, City of Philadelphia, Bucks County, PA, data pa gov, New Jersey Office of GIS, @ OpenStreeMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METUNASA, USGS, EPA, NPS, US Census Bureau, USDA, Esri Community Maps Contributors, City of Philadelphia, Bucks County, PA, data.pa.gov, New Jersey Office of GIS, © OpenStreetMap, Microsoft, Esri,

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Municipal Boundary

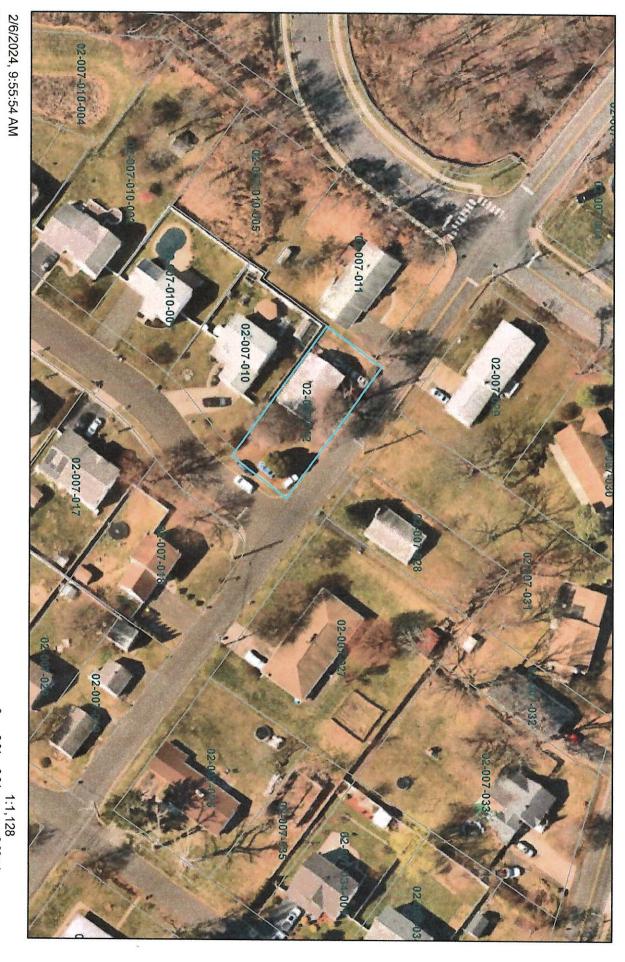


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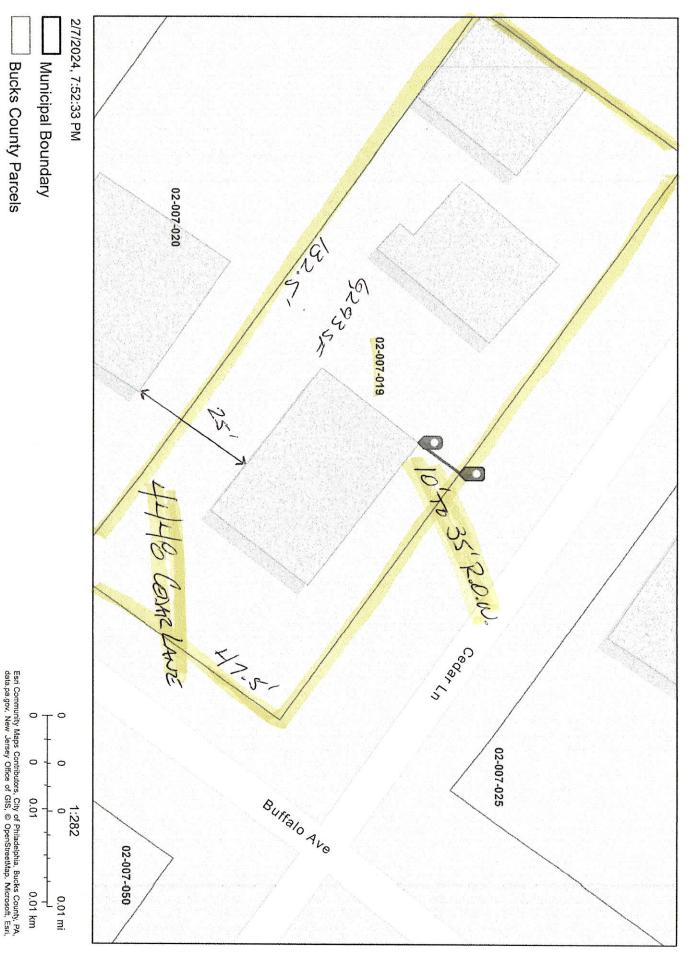
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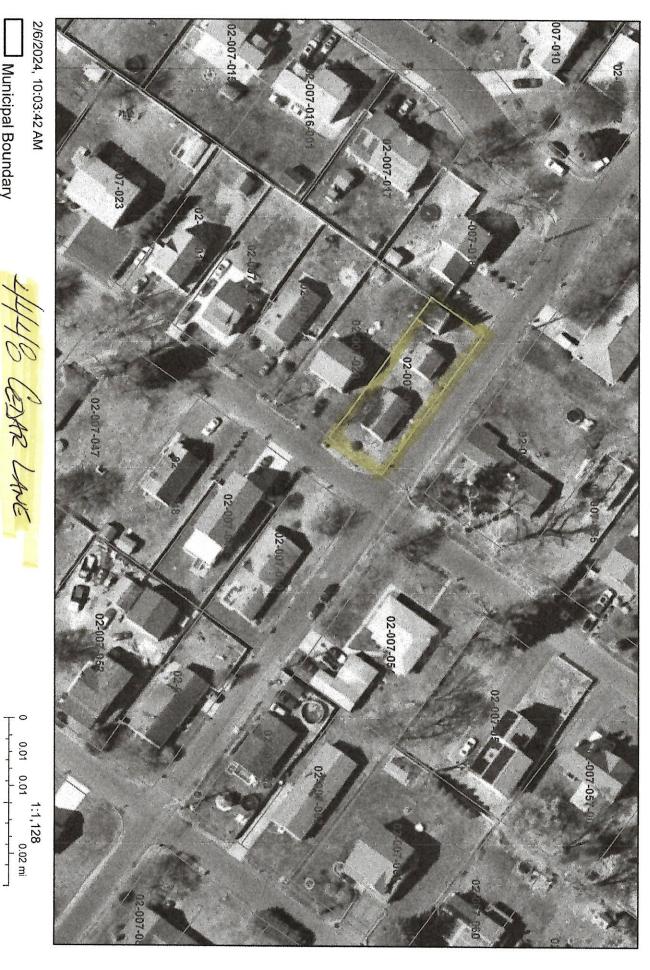
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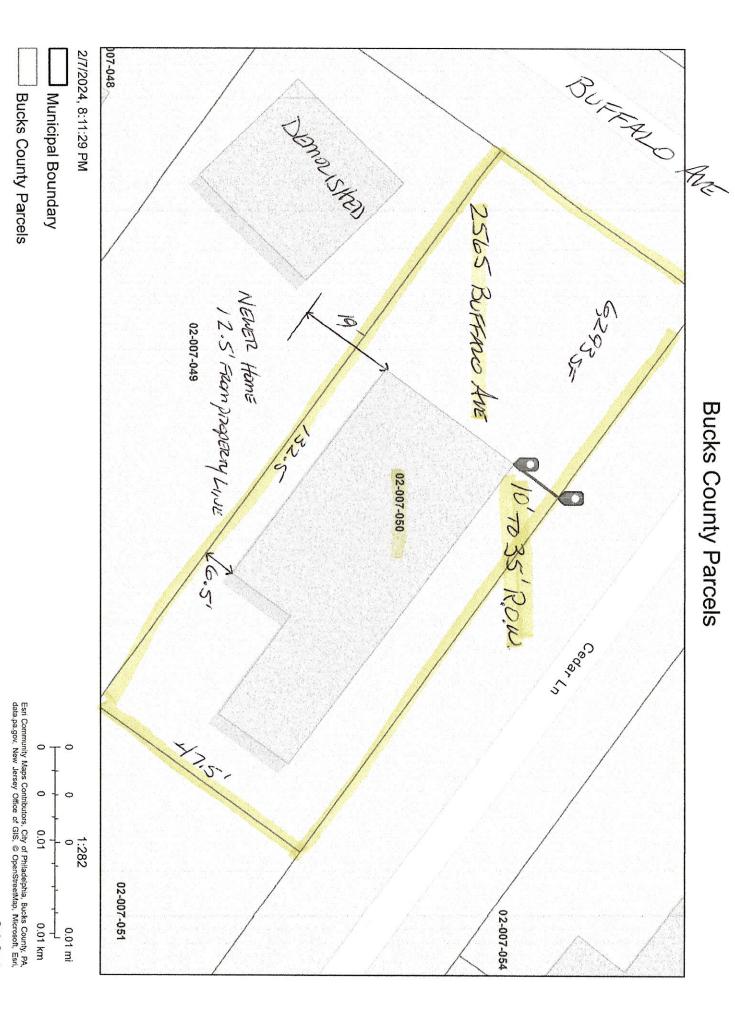
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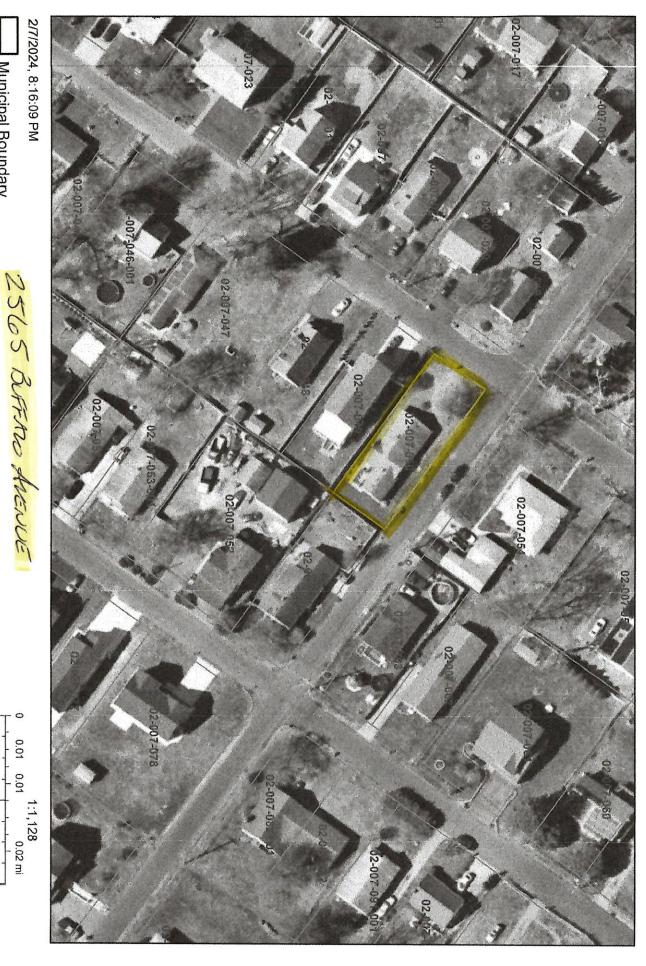
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Municipal Boundary



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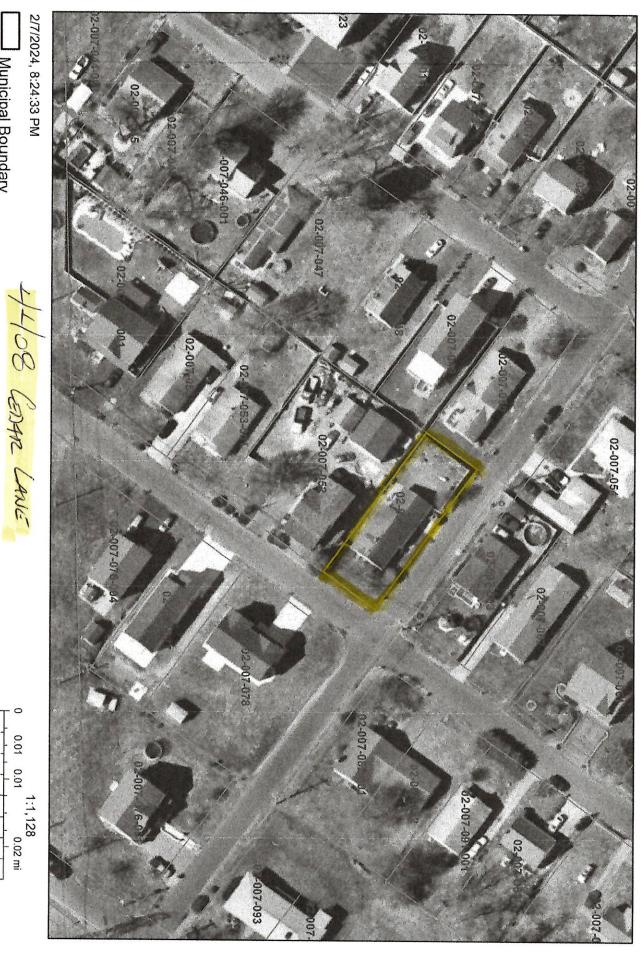
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Municipal Boundary



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Municipal Boundary



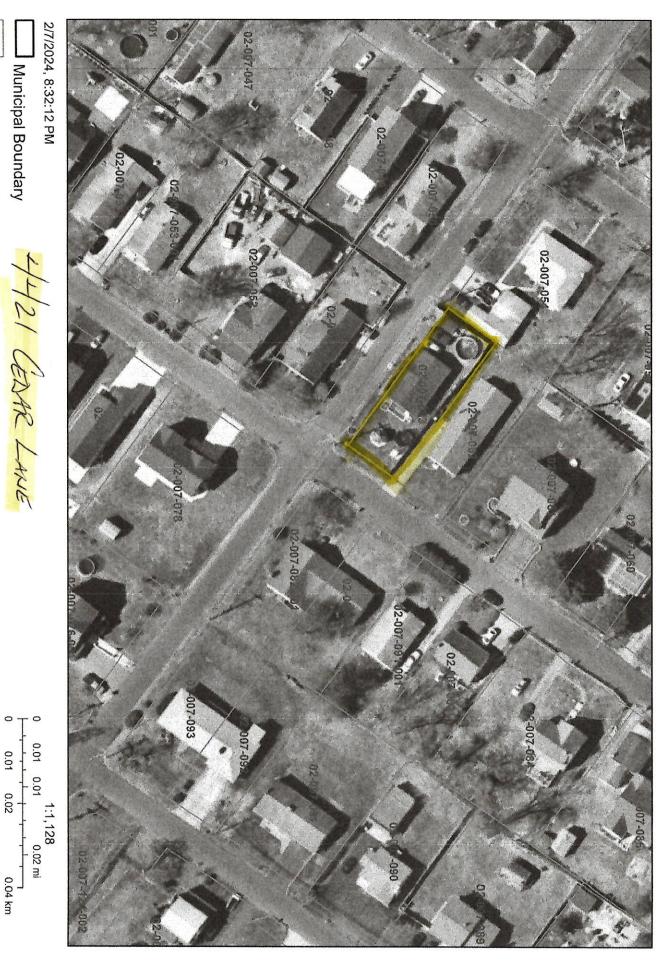
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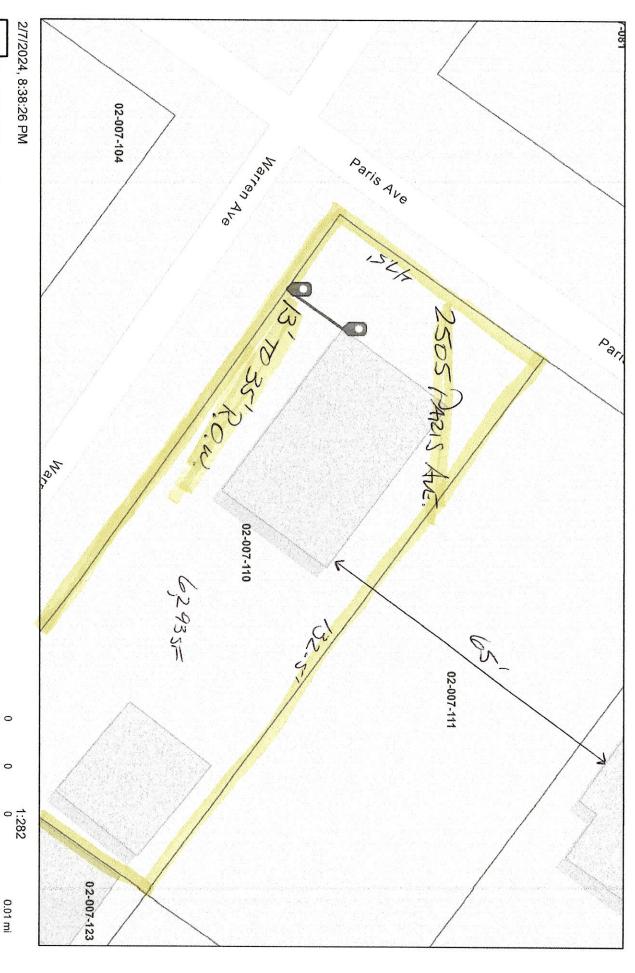
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**Bucks County Parcels** 

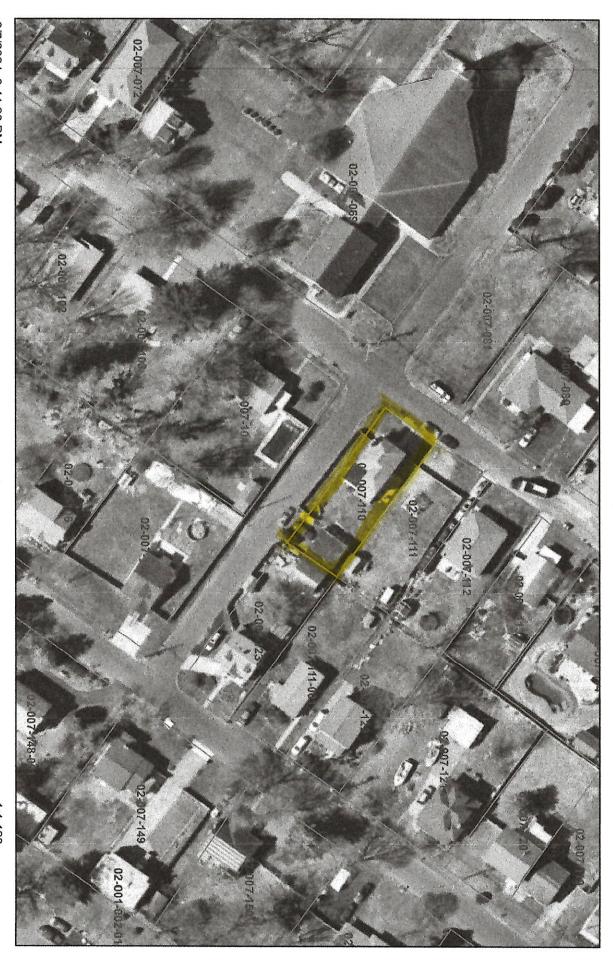
Municipal Boundary



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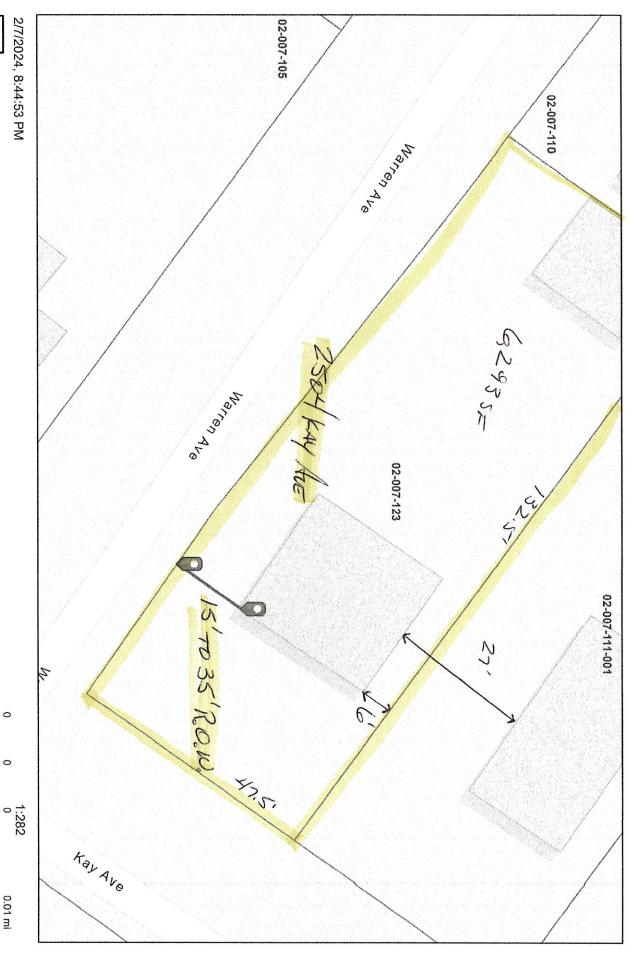
Municipal Boundary



2/7/2024, 8:41:26 PM Municipal Boundary **Bucks County Parcels** 2505 PARIS AVENUE

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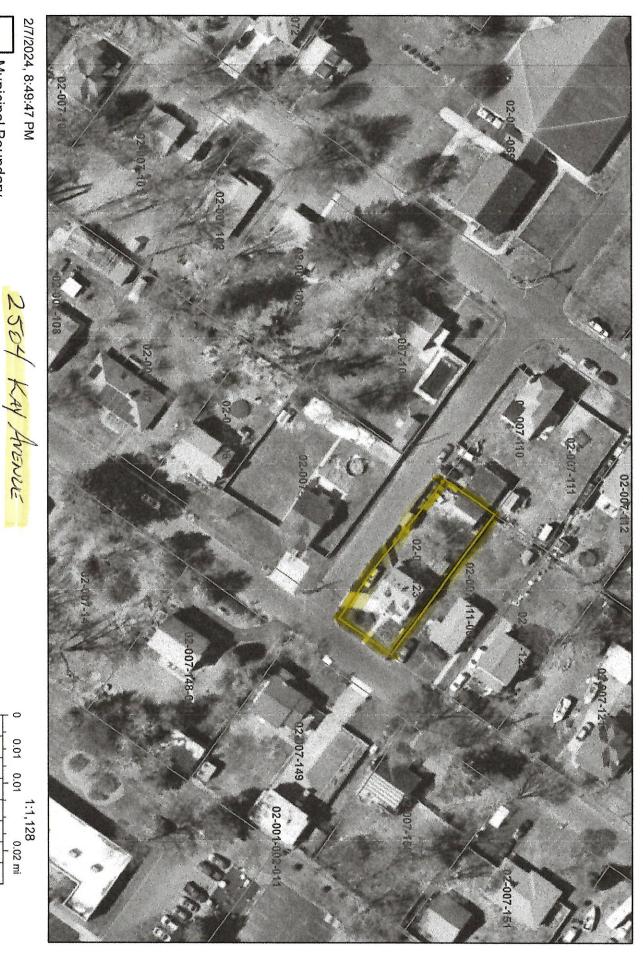
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Municipal Boundary



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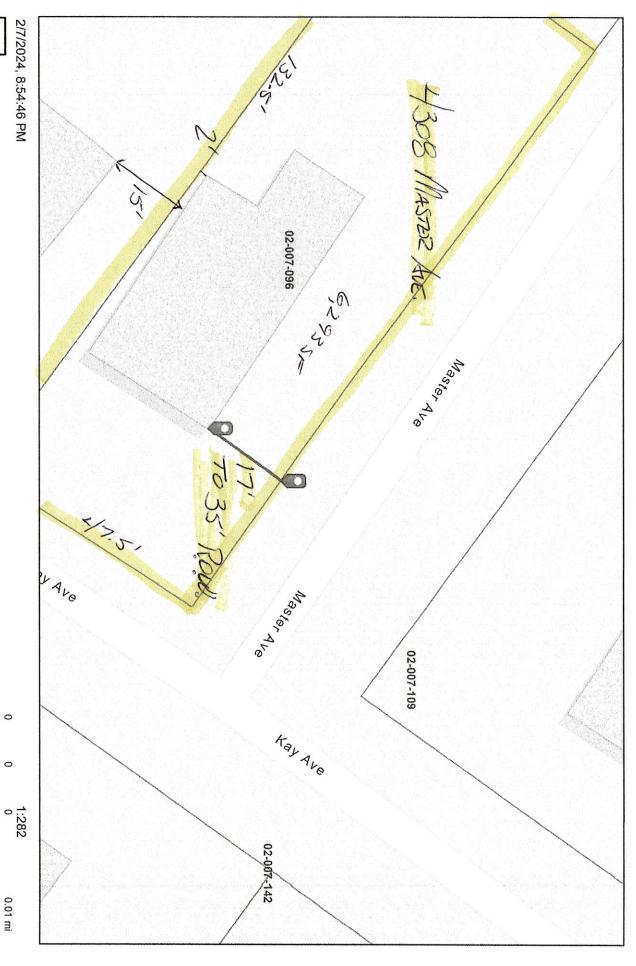
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Municipal Boundary



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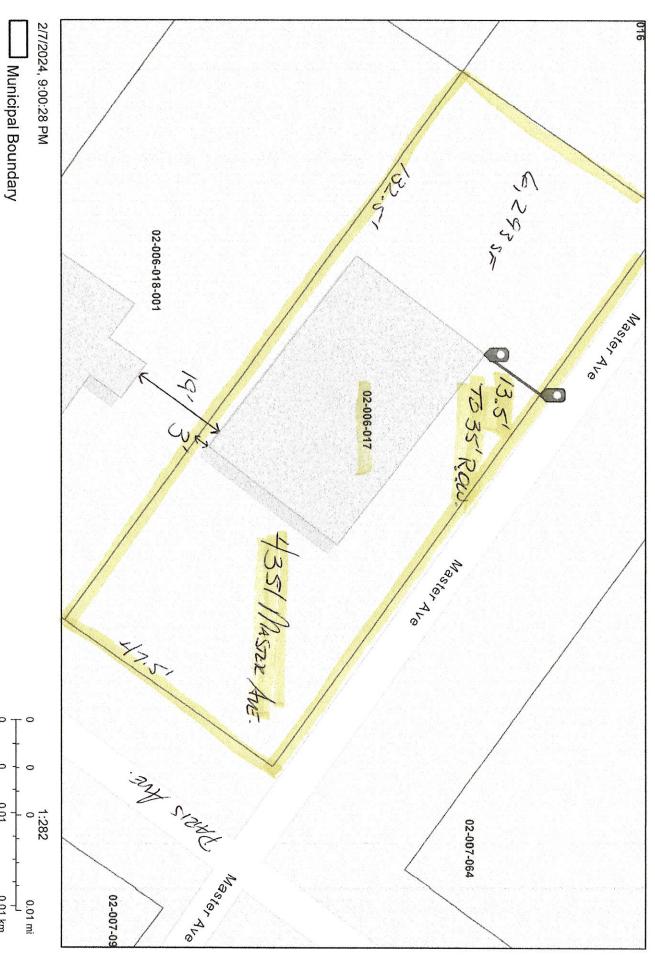
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Municipal Boundary

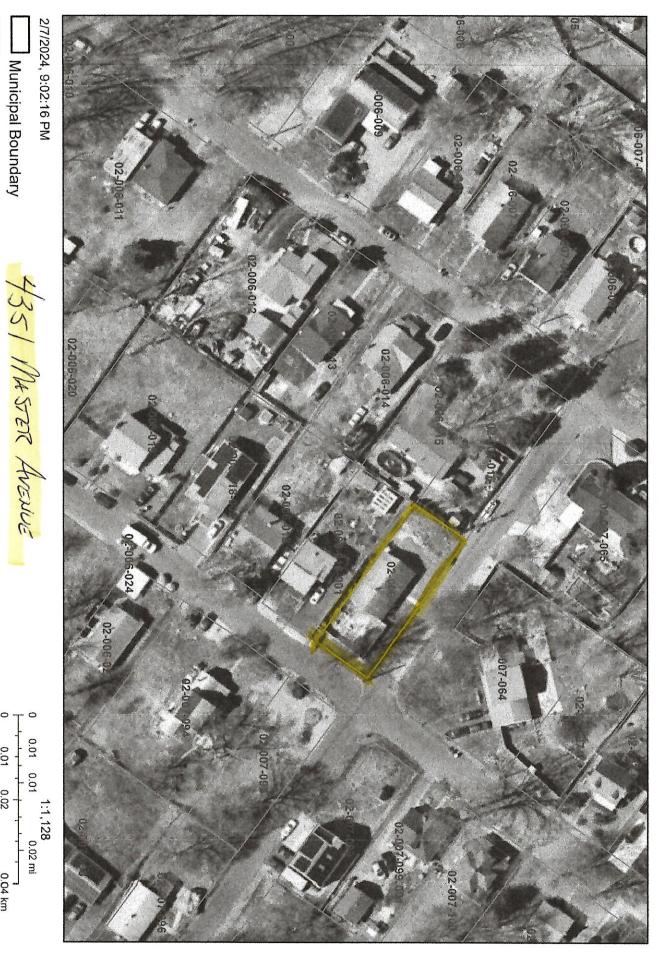
4308 MASTER AMENUE



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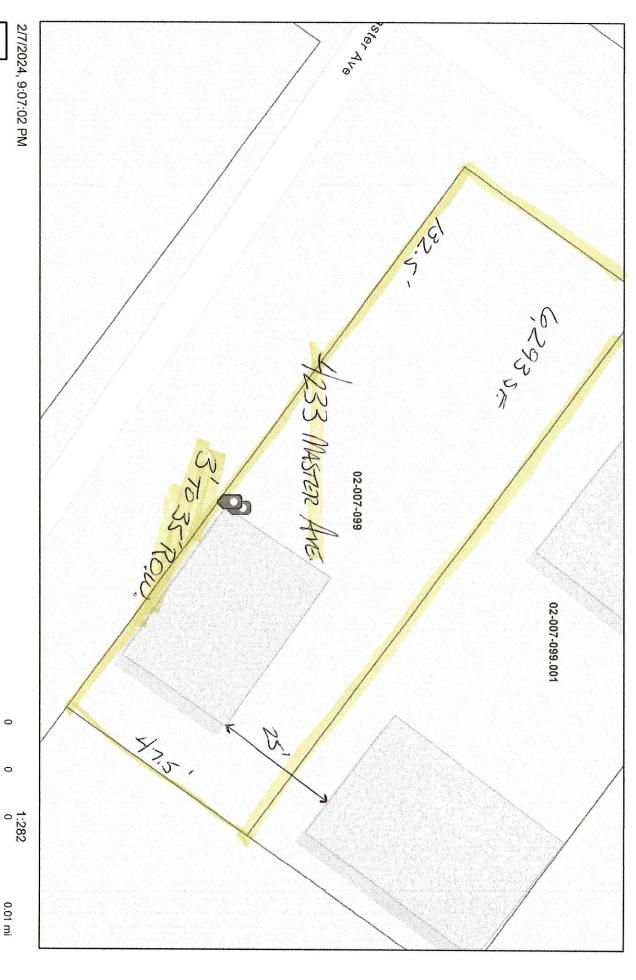
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Municipal Boundary



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Municipal Boundary

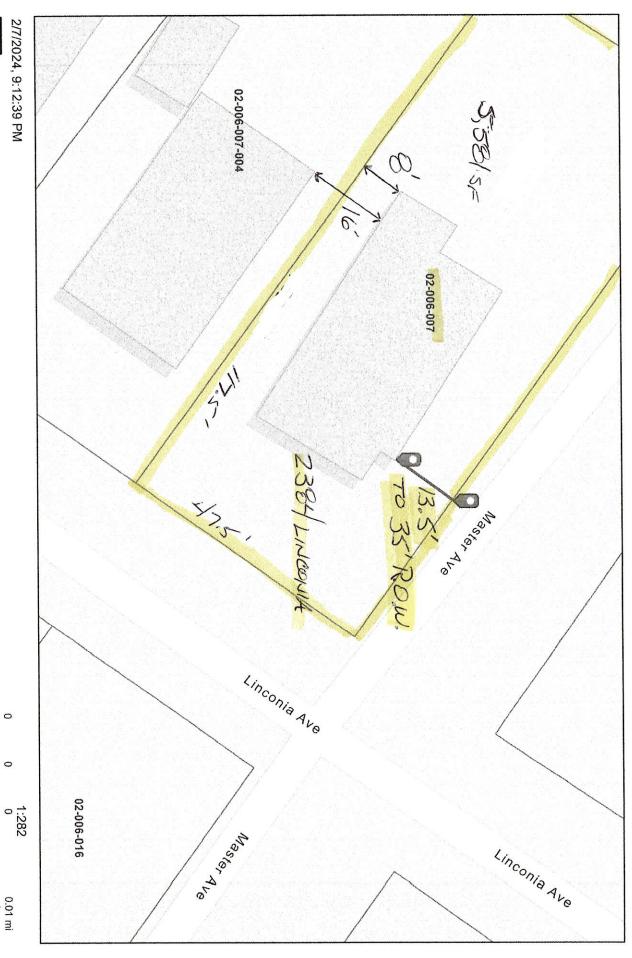


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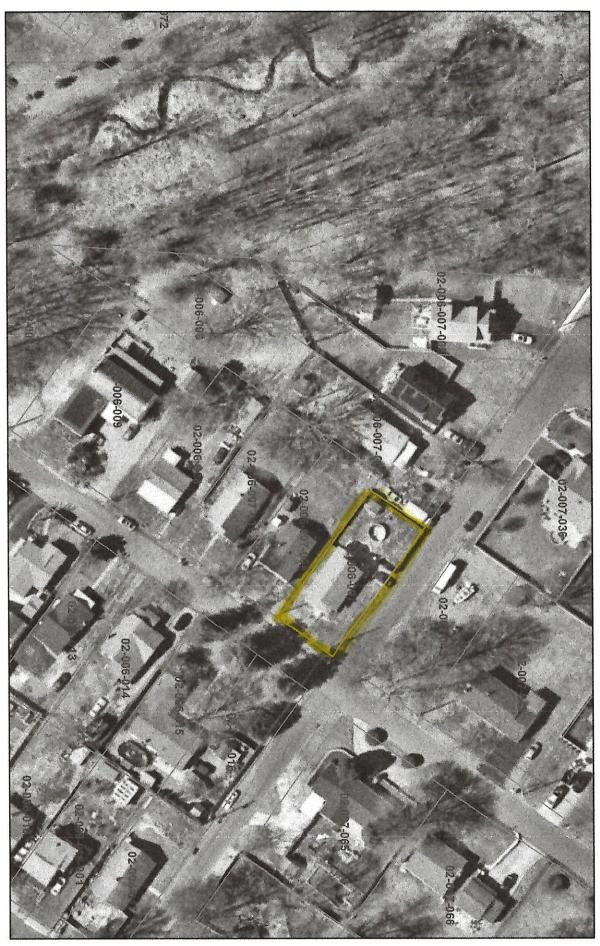
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Municipal Boundary



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Municipal Boundary

Municipal Boundary

Bucks County Parcels

238-1 LINIONIA AVENUE



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