



# 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:

2020-2236

### 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: Muhammad Shafiq

Address: 1091 Kings Av.  
Bensalem, PA 19020

Phone No. 215 666-5500

E-Mail Address: Shafiq1122@gmail.com

Owner's Name: Muhammad Shafiq

Address: 1091 Kings Av.  
Bensalem, PA 19020

Phone No. 215-666-5500

E-Mail Address: shafiq1122@gmail.com

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 type="checkbox"/> Use                     | <input type="checkbox"/> Lot Area          |
| <input type="checkbox"/> Height                  | <input checked="" 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: 02031101  
Location: 1091 Kings Av.  
Lot Size: \_\_\_\_\_  
Present Use: Residential  
Proposed Use: Residential  
Present Zoning Classification: R2  
Present Improvement upon Land: Fence  
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.

N/A

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made: NO

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):

232-584 (3) > 232-584(d)(5) <

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

I have fence for years installed by previous owner. I want my fence as it is, it mandatory to keep the privacy of swimming pool I have.

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.

I have swimming pool, so I want to have fence for privacy.

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 *[Signature]* Date 7/20/20

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

Sworn to and subscribed before me this 20<sup>TH</sup> day of JULY 2020

Commonwealth of Pennsylvania - Notary Seal  
Robert M. Cocca, Notary Public  
Bucks County  
My commission expires: November 4, 2023  
Commission number: 1028335  
Member, Pennsylvania Association of Notaries

Notary Public *Robert M. Cocca*  
My commission expires: 11/04/2023

Commonwealth of Pennsylvania - Notary Seal  
Robert M. Cocca, Notary Public  
Bucks County  
My commission expires November 4, 2023  
Commission number 1028335  
Member, Pennsylvania Association of Notaries



**RE: 1091 kings avenue**

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**From:** Nearon, Quinton [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)

**To:** shafiq1122@gmail.com

**Date:** Tuesday, June 30, 11:19 AM

1091 kings ave.pdf 171 KB

Sorry I haven't been in touch with you but we have been to the above property regarding the fence permit.

attached is a picture showing the issues that I will explain below. They are as follows:

1. The fence is over the property line (right of way) of Kings Avenue. the fence will need to be relocated so that it is out of the right of way. If need be we can mark with paint the right of way area so you know how much must be relocated.
2. The location of the fence violates the township vision obstruction section 232-584(3)
3. Fence within front yard of Kings Avenue is over 4 ft. in height which is violation of section 232-583(d)(3)
4. Fence within front yard does not have open slots which is in violation of section 232-583(d)(5)c

Items 2 through 4 require a variance to be obtained OR the issues corrected to meet township requirements.

Below is a link if you prefer to apply for a variance from the township zoning hearing board.

You can find Bensalem Township Zoning Hearing Board Appeal at this website.

[http://www.bensalempa.gov/uploads/2/4/9/3/24936441/zoning\\_hearing\\_board\\_appeal.pdf](http://www.bensalempa.gov/uploads/2/4/9/3/24936441/zoning_hearing_board_appeal.pdf)

Quinton Nearon

Principal Inspector

T&M Associates

Bensalem Township Engineering Dept.

Phone# 215-633-3652

[qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)

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**From:** Shafiq Bajwa [shafiq1122@gmail.com](mailto:shafiq1122@gmail.com)

**To:** Nearon, Quinton [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)

**Date:** Tuesday, June 30, 11:57 AM

Hi quinton

Can you please mark down , so we can relocate the fence .

Thank you  
Shafiq  
215-666-5500

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**From:** Nearon, Quinton [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)  
**To:** Shafiq Bajwa [shafiq1122@gmail.com](mailto:shafiq1122@gmail.com)  
**Date:** Tuesday, June 30, 3:26 PM

I will have it painted tomorrow.

If you plan on applying for a variance you should contact Loretta Alston at 215-633-3646

Quinton Nearon  
Principal Inspector  
T&M Associates  
Bensalem Township Engineering Dept.  
Phone# 215-633-3652  
[qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)

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**From:** Shafiq Bajwa [shafiq1122@gmail.com](mailto:shafiq1122@gmail.com)  
**To:** Nearon, Quinton [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)  
**Date:** Tuesday, June 30, 3:41 PM

Hi quinton

Just painted , I will relocate it.

I am just wondering this fence is there for years,

Thank you for your time,

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**From:** Nearon, Quinton [qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)  
**To:** Shafiq Bajwa [shafiq1122@gmail.com](mailto:shafiq1122@gmail.com)  
**Date:** Wednesday, July 1, 12:12 PM  
1091 kings right of way mark.jpg 4.4 MB

1091 kings right of way mark2.jpg 3.8 MB

1091 kings clear sight triangle limit hulmeville road.jpg 3.4 MB

1091 kings clear sight triangle limit hulmeville road2.jpg 5.2 MB

1091 kings clear sight triangle limit kings ave.jpg 4.3 MB

The areas are painted for your reference. I am attaching pictures and each picture is labeled to assist you.

Regarding the right of way issue, there are two paint lines on either side of the fence. The fence cannot extend past that imaginary line towards Kings Avenue.

Regarding the clear sight triangle there is a lot of fence that needs to be removed. I would suggest that you apply for a variance as I stated previously since the existing pool does need to be enclosed as required, and at that time the height and open fence requirement can be incorporated into that zoning appeal.

You can find Bensalem Township Zoning Hearing Board Appeal at this website.

[http://www.bensalempa.gov/uploads/2/4/9/3/24936441/zoning\\_hearing\\_board\\_appeal.pdf](http://www.bensalempa.gov/uploads/2/4/9/3/24936441/zoning_hearing_board_appeal.pdf)

Quinton Nearon

Principal Inspector

T&M Associates

Bensalem Township Engineering Dept.

Phone# 215-633-3652

[qnearon@bensalempa.gov](mailto:qnearon@bensalempa.gov)

1091 kings right of way mark dot jpg

1091 kings right of way mark2 dot jpg

1091 kings clear sight triangle limit hulmeville road dot jpg

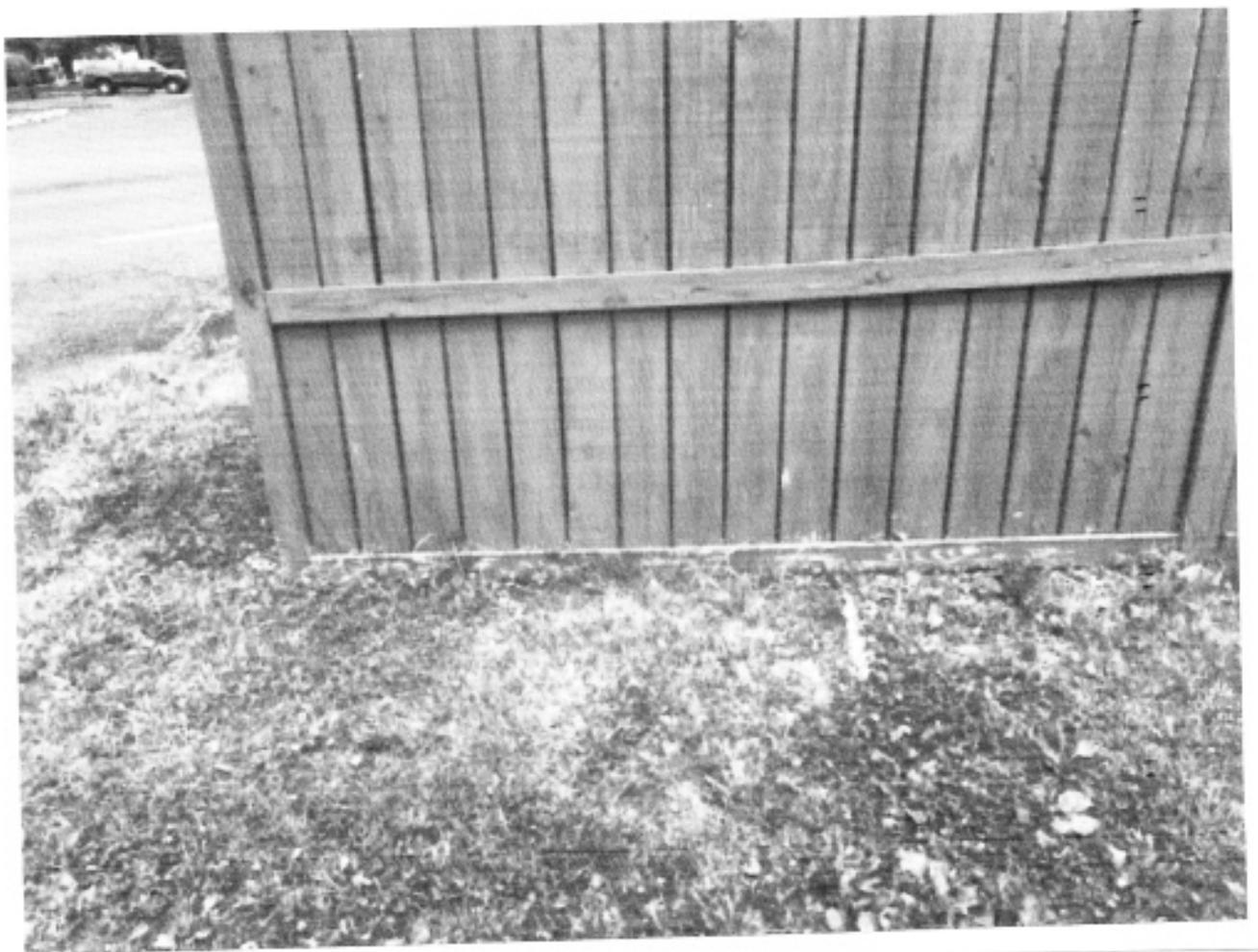
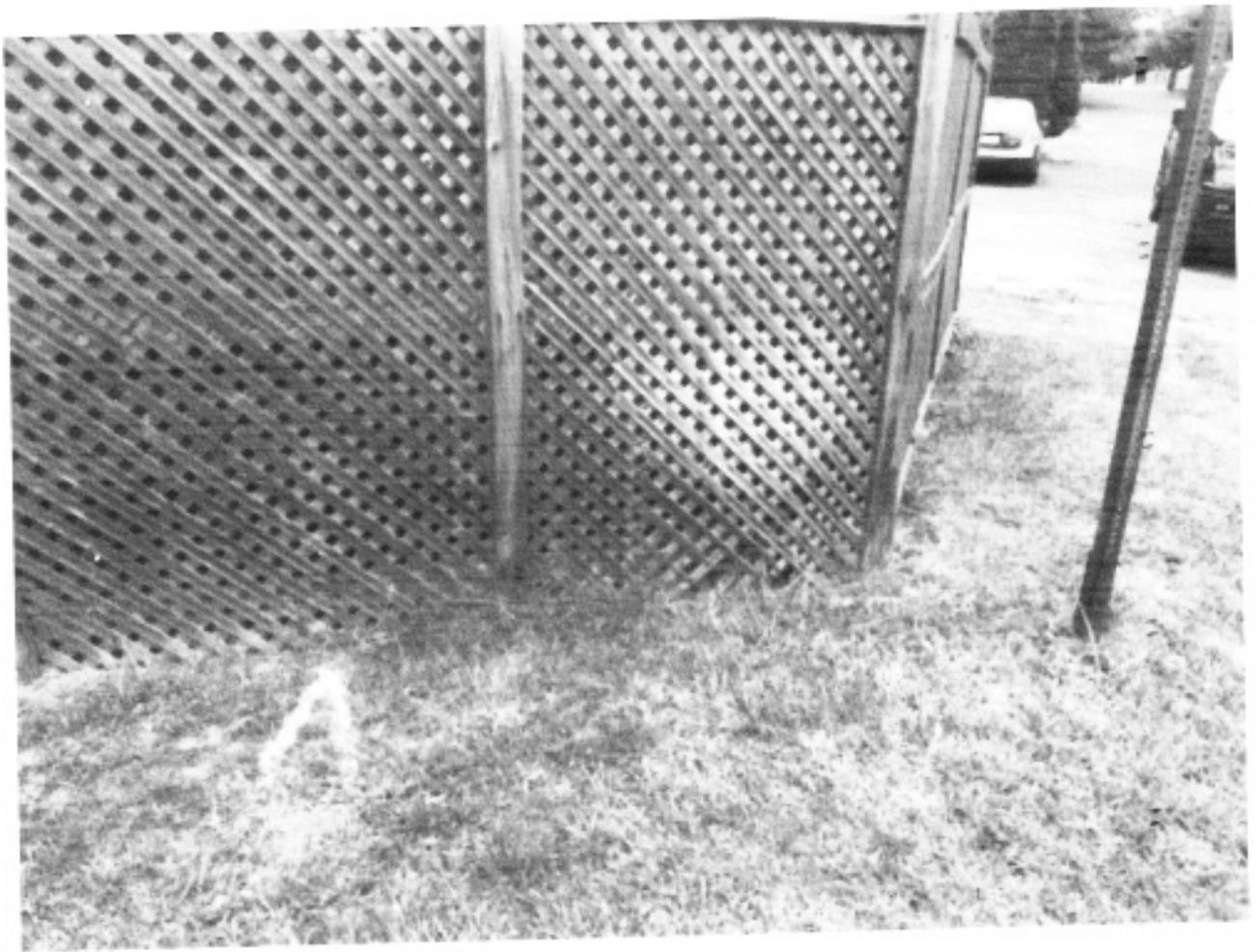
1091 kings clear sight triangle limit hulmeville road2 dot jpg

1091 kings clear sight triangle limit kings ave dot jpg

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5 Emails





**BUCKS COUNTY RECORDER OF DEEDS**  
55 East Court Street  
Doylestown, Pennsylvania 18901  
(215) 348-6209

Instrument Number - 2020026283  
Recorded On 5/1/2020 At 12:39:25 PM

\* Total Pages - 6

\* Instrument Type - DEED  
Invoice Number - 1074304      User - TLF  
\* Grantor - CROSSLAND, JAMES J  
\* Grantee - SHAFIQ, MUHAMMAD  
\* Customer - MBA ABSTRACT INC

**\* FEES**

STATE TRANSFER TAX	\$2,350.00
RECORDING FEES	\$85.75
BENSALEM SCHOOL	\$1,175.00
DISTRICT REALTY TAX	
BENSALEM TOWNSHIP	\$1,175.00
TOTAL PAID	\$4,785.75

Bucks County UPI Certification  
On May 1, 2020 By SHY

This is a certification page  
**DO NOT DETACH**  
This page is now part  
of this legal document.

RETURN DOCUMENT TO:  
MBA ABSTRACT INC

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



*Robin M. Robinson*

Robin M. Robinson  
Recorder of Deeds

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

16A148



1 of 2

Prepared by and Return to:

MBA Abstract Inc.  
2337 Philmont Ave  
Suite 103  
Huntingdon Valley, PA 19006  
File No. MBA-10805  
UPI # 02-031-101

CERTIFIED PROPERTY IDENTIFICATION NUMBERS  
02-031-101- - BENSALEM TWP  
CERTIFIED 05/01/2020 BY SHY

**This Indenture**, made the 30th day of April, 2020,

**Between**

**JAMES J. CROSSLAND AND JENNIFER L. CROSSLAND**

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

**MUHAMMAD SHAFIQ AND VISHAL MALIK**

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

**Witnesseth**, that the said Grantors for and in consideration of the sum of **Two Hundred Thirty-Five Thousand And 00/100 Dollars (\$235,000.00)** lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, as joint tenants with the right of survivorship

ALL THAT CERTAIN messuage and lot of land, situate in the Township of Bensalem, County of Bucks and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the Hulmeville Road in the line of the Easterly side of King Avenue; thence along said Hulmeville Road, North 28 degrees 08 minutes East, 197.5 feet to a corner of George Wildman's land; thence by the same, South 24 degrees 45 minutes East, 234.5 feet to a corner of land of Kata L. Lippincott; thence by the same South 69 degrees 44 minutes West, 158.2 feet to a point in the Easterly side of Kings Avenue; thence by the same, North 24 degrees 45 minutes West, 103.2 feet to the place of beginning.

EXCEPTING AND RESERVING THEREOUT THEREFROM, all that certain messuage and lot of land, situate in the Township of Bensalem, County of Bucks and Commonwealth of Pennsylvania, which Charlotte M. Simons, widow and Frances E. Yeagle and Melvin R. Yeagle, her husband, granted and conveyed unto Melvin B. Sergeant and Mary Ellen Sergeant, his wife, by deed dated July 14, 1948, recorded in Deed Book 871, Page 576, bounded and described according to a Survey thereof made by John P. Taylor on June 14, 1948, as follows, to wit:

BEGINNING at a point in the middle of the Hulmeville Road adjoining other land of the parties of the first part hereto, from which this is taken, said point being distant 80.13 feet Northeast from the intersection of Kings Avenue and the Hulmeville Road; thence by said other land of the parties of the first part hereto, South 35 degrees 26 minutes East, 53.15 feet to an angle; thence still by the same, South 23 degrees 26 minutes East, 106.38 feet to a point; thence North 69 degrees 49 minutes East, 84.2 feet to a point; thence North 24 degrees 45 minutes West, 234.5 feet to the middle of the Hulmeville Road, aforesaid; thence along the same, South 28 degrees 08 minutes West, 117.37 feet to the place of beginning.

PARCEL NO. 02-031-101

BEING the same premises which Kathleen C. Frehafer, Executrix under the Will of Patricia H. Clawges, deceased by Deed dated 10/20/1997 and recorded 10/29/1997 in the Office of the Recorder of Deeds in and for the County of Bucks in Land Record Book 1478, Page 1355, granted and conveyed unto Robert S. Warburton and James J. Crossland and Jennifer L. Cunningham, husband and wife as tenants by the entirety.

AND ALSO BEING the same premises which Robert S. Warburton and James J. Crossland and Jennifer L. Cunningham, nka Jennifer L. Crossland by Deed dated 01/27/2003 and recorded 02/27/2003 in the Office of the Recorder of Deeds in and for the County of Bucks in Land Record Book 3152, Page 1499, granted and conveyed unto James J. Crossland and Jennifer L. Crossland, husband and wife as tenants by the entirety.

AND THE SAID James J. Crossland and Jennifer L. Crossland have since been divorced from the bonds of matrimony pursuant to Final Decree of divorce recorded 11/14/2019 to 2019-61353.

**Grantee herein is prohibited from conveying the captioned property for any sale price for a period of 30 days from the date of the short sale closing date. After the 30 day period, Grantee is further prohibited from conveyancing the property for a sale price greater than \$282,000.00 until 90 days from the short sale closing. These restrictions shall run with the land and are not personal to the Grantee.**

**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 them, the said grantors, 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 Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

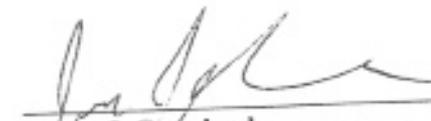
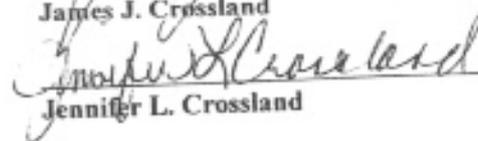
And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that they, the said Grantors, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against them, the said Grantors, and their heirs, 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 Foreber Defend.**

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

**Sealed and Delivered  
in the Presence of Us:**

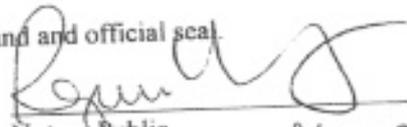
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
James J. Crossland (SEAL)  
  
\_\_\_\_\_  
Jennifer L. Crossland (SEAL)

Commonwealth of Pennsylvania }  
County of Montgomery } ss

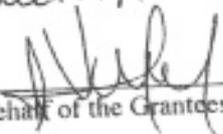
On this, the 30th day of April, 2020, before me, the undersigned Notary Public, personally appeared **James J. Crossland and Jennifer L. Crossland**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public  
My commission expires May 8, 2022

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

1091 Kings Ave  
Bensalem, PA 19020

  
\_\_\_\_\_  
On behalf of the Grantees

Commonwealth of Pennsylvania - Notary Seal  
REGINA PINOVSKY - Notary Public  
Bucks County  
My Commission Expires May 8, 2022  
Commission Number 1245765

**Deed**

UPI # 02-031-101

James J. Crossland and Jennifer L. Crossland

TO

Muhammed Shafiq and Vishal Malik

MBA Abstract Inc.  
2337 Philmont Ave  
Suite 103  
Huntingdon Valley, PA 19006