

# State County

## **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: 2024-0163

#### 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	
☐ Administrat	Administrative Officer in refusing my application for a building permit dated:	
Special Exc	Special Exception	
X Variance fr	om the terms of the Zoning Ordinance of the Township of Bensalem	
Appellant Name:	Purvi, LLC	
Address:	1752 Wellington Drive, Langhorne PA 19047	
Phone No.	(215) 431-1752	
E-Mail Address:	judgejudy61@hotmail.com	
Owner's Name: Address:	Same as above	
Phone No.		
E-Mail Address:		
Attorney Name:	Michael J. Meginniss, Esquire	
Address:	680 Middletown Blvd.	
	Langhorne, PA 19047	
Phone No.	215-750-0110 / mmeginniss@begleycarlin.com	
Interest of appellant, if not owners (agent, lessee, etc.): Owner		

### 1. Application relates to the following: Check items if applicable: X TX Lot Area Use X Height **Yards Proposed Building Existing Building** X $\Box$ Occupancy Other: (describe) 2. Brief description of Real Estate affected: 02-010-001-001 Tax Parcel Number: Location: 2277 Old Lincoln Hwy, Bensalem Lot Size: 4.63 acres Present Use: Hotel and surface parking lot Proposed Use: Restaurant drive-thru, surface parking lot and hotel Present Zoning Classification: HC- Highway Commercial Present Improvement upon Land: Existing building (hotel) with parking and auto sales Deed recorded at Doylestown in Deed Book 1505 Page 2347 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:

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

Date Determination was made:

Your statement of alleged error of Zoning Administrative Office:

1.	Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired): 1) Section 232-380(14)c 2.) Section 232-409(3)a 3) Section 232-586(c)(3).	
-		
Applicant	Action desired by appellant or applicant (statement of relief sought or special exception or variance desired): is the owner of the at issue property and wishes to construct a Hilton Hotel and Quick Service Restaurant to replace the	
currently as the pe only .54 s parking s	existing hotel. Applicant needs three specific variances to include; construction on a lot size of 5.03 instead of 7.5 acres, as well rmission to construct a five story hotel in HC-1 district. Applicant also seeks a de minimis variance on a front yard setback of square feet to permit 74.46 when 75 feet is required. Additionally, to accommodate the hotel, Applicant is required to have 197 paces. Applicant seeks a variance to allow 182 spaces. The property could offer a higher end option among the current hotel the surrounding area and is a replacement of existing hotel and auto sales store. The proposed relief will not negatively impact unding property nor be contrary to the health, safety and welfare of the community.	
	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.	
are set	riances from 1) Section 232-380(14)c to permit Applicant to build a 5 story hotel/motel on a lot with an ea of 5.03 acres instead of the required 7.5 acres 2.) Section 232-409(3)a to permit a front yard tback for a drive-thru restaurant of 74.46 feet instead of the required 75 feet. 3) Section 232-586(c)(3)to rmit 182 parking spaces instead of the required 197 spaces.	
4.	Has previous appeal or application for special exception or variance been filed in connection with these premises?	
	X YES NO	
S	pecifications of errors must state separately the appellant's objections to the action of the zoning dministrative 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.		
	ppellant's or Owner's Signature  Date 1/17/24  SIGNED COPY OF THIS APPLICATION IS REQUIRED UPON SUBMISSION OF DOCUMENTS	
Sw	vorn to and subscribed before me this	
17th day of January 2024		
	tary Public y commission expires:	
Commony	vealth of Pennsylvania - Notary Seal abeth R. Gold, Notary Public Bucks County	
My commission expires September 7, 2027 Commission number 1214655		

Member, Pennsylvania Association of Notaries

day of December

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CHANDRAKANT PATEL AND USHA C. PATEL, husband and wife,

(hereinafter called the "Grantor ").

of the one part, and

وادا

PURVI, L.L.C., a Pennsylvania limited liability company

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

Hitheriti, That in consideration of SEVEN HUNDRED FIFTY THOUSAND (\$750,000.00)

Dollars.

In hand paid the receipt whereof is hereby acknowledged, the said Grantor do hereby grant and convey unto the said Grantee, its successors and assigns.

ALL THAT CERTAIN lot or tract of land, Hereditaments and Appurtenances, SITUATS in the Township of Bensalem, County of Bucks and State of Pennsylvania, according to a Survey and Plan made thereof by Pickering, Corts and Summerson, Civil Engineers and Surveyors, Woodbourne Road, R.D. #1, Langhorne, Penna.

BEGINNING at a point on the Southerly side of the Lincoln Righway, present Route \$281 (as originally laid out 50 feet wide); said point being in the middle of the Poquessing Creek and in the dividing line between the City of Philadelphia and the County of Bucks, thence from the point of beginning and along the original Southerly side of said highway, North 82 degrees 10 minutes East 586.67 feet to a corner of remaining land of Margaret M. Fleischut which is about to be conveyed, thence by said land from which this is taken the three following courses and distances, viz: (1) South 7 degrees 33 minutes East 158.07 feet to a corner, thence (2) North 82 degrees 16 minutes East 16.65 feet to a corner, thence (3) South 22 degrees 37 minutes East 206.32 feet to a point in the middle of the Old Lincoln Righway (at this point 33 feet wide); thence along the middle thereof, South 39 degrees 49 minutes West 87.72 feet to an angle, thence still along the middle thereof, South 65 degrees 36 minutes West 49 feet to a point in the middle of the Poquessing Creek being also in the dividing line between the City of Philadelphia and the County of Bucks, thence running partly up the middle of said creek along said dividing line by its various courses for a distance of 955 feet more or less to the place of beginning.

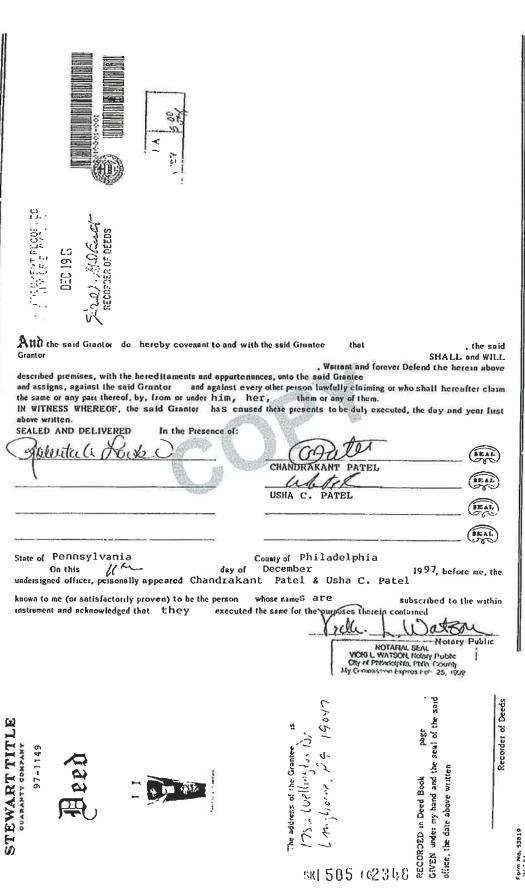
BEING the same premises which Joseph Fleischut and Margaret Fleischut, husband and wife, by Indenture bearing date the 12th day of September, A.D. 1995 and recorded in the Office of the Recorder of Deeds &c., in and for the County of Bucks, aforesaid, in Land Record Book 1130 page 195, granted and conveyed unto Chandrakant Fatel and Usha C. Patel, husband and wife, in fee.

BEING PARCEL NO. 2-10-1-1.

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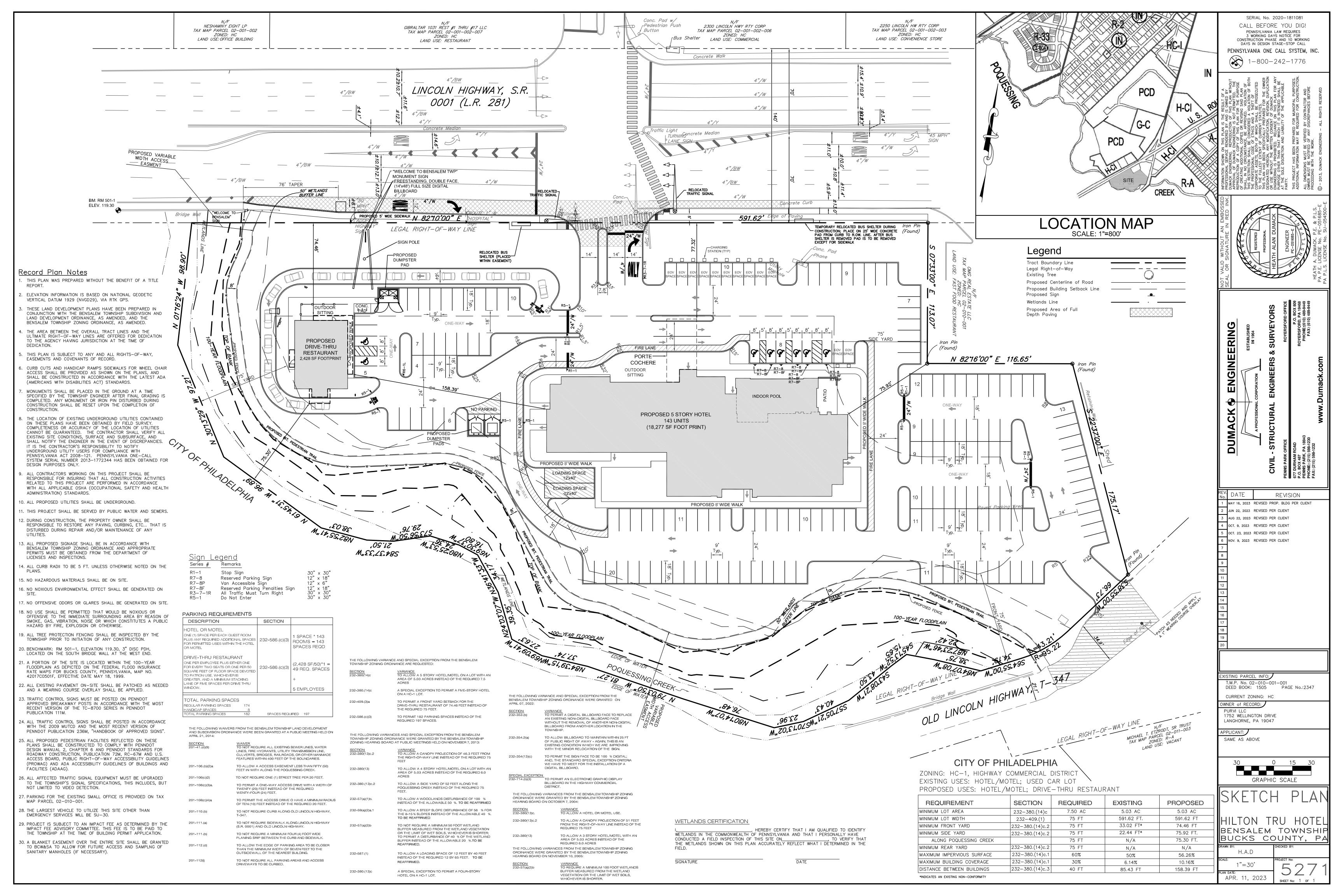


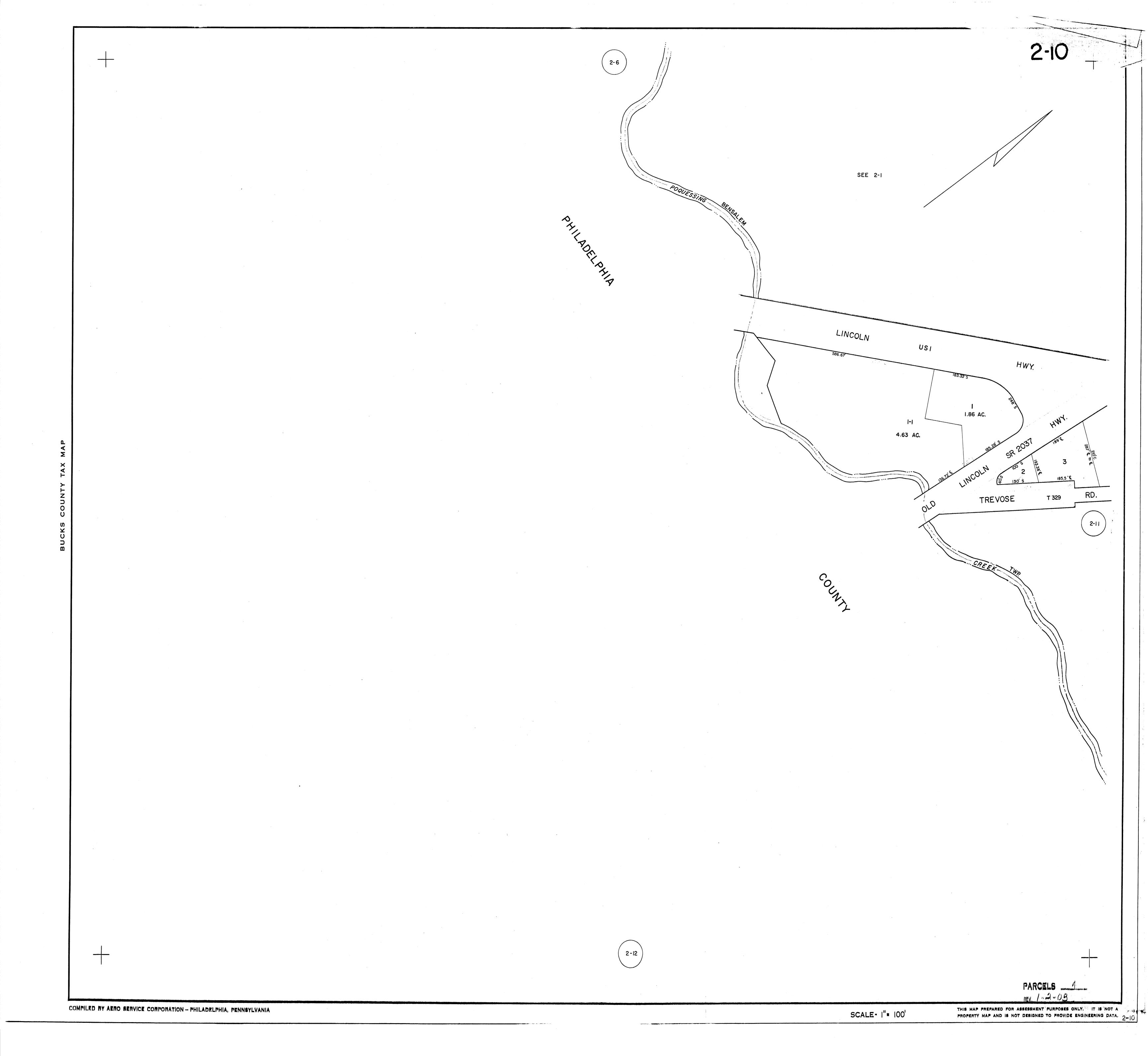
Form No. 53819

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JEFFREY P. GARTON DOUGLAS C. MALONEY THOMAS J. PROFY, IV\*† FRANCIS X. DILLON JOHN A. TORRENTE STEVEN M. JONES MICHAEL J. MEGINNISS BREANDAN Q. NEMEC\* BRENDAN M. CALLAHAN\* **BRADLEY R. CORNETT\*** SEAN M. GRESH BRYCE H. McGUIGAN\* TRACY L. CASSEL-BROPHY\* CHRIS LITTLE SIMCOX\* BRENDAN G. CORRIGAN^ KIMBERLY N. BARRON CHLOE M. BOUDAZIN CHELSEY D. JACKMAN

\*Member of PA & NJ Bars †Master of Laws (Taxation) ^Member of PA & NY Bars



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January 17, 2024

VIA EMAIL - kfarrall@bensalempa.gov and HAND DELIVERY

Bensalem Township Building and Planning Department 2400 Byberry Road Bensalem, PA 19020 ATTN: Ken Farrall, Director

RE: Purvi, LLC - 2277 Old Lincoln Highway - TMP No. - 02-010-001-001

Dear Mr. Farrall:

Please accept for filing on behalf of Purvi, LLC the enclosed application for variances on the above-referenced property. Accordingly, enclosed please find thirteen (13) copies of the Application and Plan, with related documents, along with our firm's check in the amount of \$200.00 representing the filing fee.

In the event anything further is required, please let me know.

As always, thank you for your consideration.

Very truly yours,

Michael J. Meginniss

MJM/erg Enclosures

cc(w/enc): Loretta V. Alston (via email - lalston@bensalempa.gov)