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: Chipotle Mexican Grill
Address: PO Box 182566
Columbus, OH 43218-2566
Phone No. 614-318-2482
E-Mail Address: licensing@chipotle.com

Owner's Name: Steven Muchnick, 2307 Street Road Associates LLC
Address: 6055 Sheaff Lane
Fort Washington, PA 19034
Phone No. 215-901-2244 office
E-Mail Address: shmselective@aol.com

Attorney Name: N/A
Address: 

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

MAY 16 2019
BENSALEM TOWNSHIP BUILDING AND PLANNING DEPARTMENT
1. Application relates to the following:

Check items if applicable:

☐ Use ☐ Lot Area
☐ Height ☐ Yards
☐ Existing Building ☐ Proposed Building
☐ Occupancy
☒ Other: (describe) signage allowed

2. Brief description of Real Estate affected:

Tax Parcel Number: 02039194
Location: 2307 Street Road, Bensalem, PA19020
Lot Size: 40' x 65' / 2600 s/f
Present Use: Chipotle Mexican Grill
Proposed Use: Chipotle Mexican Grill
Present Zoning Classification: GC - general commercial
Present Improvement upon Land: Restaurant
Deed recorded at Doylestown in Deed Book N/A Page

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

Only having one sign on the building limits the marketing and availability of Chipotle to traffic on the rear side of the building.
The building was existing before Chipotle moved in and prior tenants have had the same challenge of not being seen by traffic on the side and rear of the building, even thought there is parking and access drives there.

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

Date Determination was made: 05/09/2019
Your statement of alleged error of Zoning Administrative Office: We wish to seek a variance to the sign code which limits us to one wall sign. The building is accessible by vehicle from the north side wall as well as the rear east wall, and having signage on these elevations will not negatively impact any residential properties as the surrounding area is all commercial. Strictly enforcing the sign code would cause an unnecessary burden on Chipotle and it's customers to navigate them to the site efficiently and safely.

Additionally there are numerous nearby commercial properties (Friendly's, Subway, Wells Fargo) with signage like what we are seeking
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):
2009 UCC Section 403.62a(b).

2. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):
Allow a wall sign on the north and west elevations that face parking and access roads to help customers locate Chipotle efficiently and safely.

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.
If a potential customer can't see the sign on the front of the building it can present a safety issue of driving around trying to locate the store and the building is situated in an entirely commercial area with no residential properties nearby.

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 deposite 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: 5/14/2019

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

Sworn to and subscribed before me this

14th day of May, 2019

Notary Public: [Signature]

My commission expires: April 24, 2022
5/9/2019

2307 (TWO) STREET RD ASSOC LLC
6055 SHEAFF LANE
FT WASHINGTON, PA 19054

Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING. The attached sheets lists the reason for rejection and this information is required to complete the permit application for the above referenced project. This letter shall also serve as a formal rejection of your building permit application pursuant to 2009 UCC Section 403.62a(b).

You are required to resubmit plans with revisions and will need to send a new complete set of plans. Return it to the Building & Planning Department. You are to include a summary list of all changes that were made to the plans including those required by the Township. For each change made to the plans, note the sheet number, drawing title, and a brief description of the change made. Please label the disc with the project address, date and the revision number to distinguish it from any earlier submissions.

It is possible that upon receipt of the revised plans, additional items for compliance may be required. This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

You have the right to appeal this rejection letter. Applications for the Zoning Hearing Board can be obtained from the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully,

Dennis Mordan
Township Engineer
DM/Iva

Enclosures
These signs not permitted

Note: Remove & dispose of existing pylon sign

For section 232-714(b)(2)(v) wall signs are only permitted on sides of the building providing a public entrance facing a public street.

Location of pylon sign with dimensions and offsets from right-of-way and property lines required.
These signs not permitted

-Per section 232-714(b)(2)v wall signs are only permitted on sides of the building providing a public entrance facing a public street
-Location of pylon sign with dimensions and offsets from right-of-way and property lines required
1. CHANNEL LETTERS "CHIPOTLE" AND PEPPER LOGO
   
   LETTER TYPE: Face-Lit pan channel letters
   DEPTH: 3" (76.2 mm)
   
   0.040" Pre-finished white aluminum
   ILLUMINATION: White Scan V180 HB Mini LEDs
   MOUNTING: Mount flush to face of cabinets with 10 "bolts" ended screws as req.

2. BROWN & RED REVERSE PAN CABINETS
   
   CABINET TYPE: Halo-Lit reverse pan
   DEPTH: 2 5/8" (66.7 mm)
   
   FACE: 0.090" Aluminum
   RETURNS: Top & Bottom: 2 1/2" x 1" Alum. angle
   @ Ends/Corner: (one-piece) 0.063" Alum. hot glue and Versilock to face
   
   BACK: 150 Clear lexan w/ perimeter angle clips for rev. pan attachment
   ILLUMINATION: White Scan V180 HB Mini LEDs
   MOUNTING: Mount to backer panel via 1 1/2" x 1/8" alum. sq. tube "pecker bars" using self drilling screws as req.

3. WHITE BACKER PANEL
   
   FACE: 1/8" Aluminum
   Attachment to frame via Versilock adhesive
   
   Note: Face overhangs ends of frame typ.
   RETURNS: Top & Bottom: See "Frames"
   @ Ends/Corner: (one-piece) 0.063" Alum. hot glue and Versilock to face
   
   BACK: N/A
   FRAME: 1" x 2" x 1/8" Aluminum rec. tube
   LIFT POINTS: Drill hole and Versilock 3/8" steel nut to bottom of frame then install 3/8" bolt
   MOUNTING: Mount to existing fascia w/ 3/8" fasteners through face/frame (Heyco caps required in panel face)

4. ELECTRICAL
   
   PRIMARY: 120V power supply mounted inside cabinet's internal raceway (leave 9" pigtail on back of backer panel)
   SECONDARY: 12V LED wire leads jumped on from cabinet side of cabinets
   
   POWER DISCONNECT: Toggle switch on cabinet return
   
   ELECTRICAL HOOK-UP: Final electrical connection of sign is by others

5. COLOR SPECIFICATIONS
   
   P.T.M. PMS #484C "Roasted Red" (Nuance)
   P.T.M. PMS #462SC "Adobe Brown" (Nuance)
   P.T.M. White
   
   NOTE: Paint all exposed fasteners and Heyco caps to match adjacent finish

6. ILLUMINATION RENDERING
   
   SCALE: N.T.S.

7. END SECTION
   
   SCALE: N.T.S.
FABRICATION SPECIFICATIONS FOR (1) DIF ILLUMINATED Pylon SIGN:

1. CABINET FRAME: DF Custom fab, 1 1/2" alum. sq. tube (1.125 wall) frame w/ C.A.M. cut 1/4"thk. alum. radius ends. 0.060 Aluminum returns glued to frame and 2" Retainers for face attachment.

2. FACE TYPE: Pan formed faces w/ embossed graphics
   ILLUMINATION: Sloan SignBox II White LED's

3. PIPES: 8" Schedule 40 steel pipe (Bottom) and 8" Sch. 40 Steel pipe (Top)
   PRIMARY ELECTRICAL: 120V electrical to sign and final hook up is by others
   SECONDARY ELECTRICAL: 120V LED power supplies as needed
   POWER DISCONNECT: Toggle switch on side cabinet return

4. MOUNTING: Pipe is set in concrete foundation w/ rebar cage as req.- Cabinet slides onto pipe and is welded in field
   NOTE: Concrete foundation is by ADCON

PAINT COLORS AND FINISHES:

1. P.T.M. PMS #4625C "Adobe Brown" (Nuance)
2. P.T.M. MAP "Black" (Nuance)
3. Acrylic cast vinyl #2100-3664 "Roasted Red" graphics
4. Acrylic cast vinyl #2100-3663 "Adobe Brown" graphics
**Plan View (Bracket Option A Shown)**

**Scale:** 3" = 1'-0"

**Face View (Bracket Option A Shown)**

**Scale:** 3" = 1'-0"

**Panel Mounting Hole Detail**

**Scale:** 3" = 1'-0"

**Bracket Options**

**Scale:** N.T.S.

**Specifications for (1) Non-Illuminated SF "Pick-Up" Blade Sign**

1. **Face Panel:** 1/8" Aluminum
2. **Graphics:** 1/8" Aluminum flat-cut-outs
3. **Bracket:** Bracket "A": 1 1/8" x 1 1/4" Aluminum angle
   Bracket "B": C.A.M. Routed and break-formed 1/8" aluminum (see Sheet #1, 1)
4. **Hardware:** Blade-to-bracket: Each sign ships with:
   - (2) McMaster-Carr #933220A144 1/4" x #3-32 hex washers
   - (2) McMaster-Carr #930318A116 #6 flat washers
   - (2) McMaster-Carr #935730A130 #8-32 hex nuts
   - (2) Toggle #1C polypropylene hollow-wall toggle anchors
   - (2) Stafast #CW075010-HD #14 x 2" Socket Head multi-purpose screws w/ flat washers
5. **Mounting:** Attachment to wall or ceiling w/ hardware as req.

**Colors and Finishes**

- #T.M.S. PMS 484 C "Roasted Red" (Nontoxic)
- Paint MAP White
- Black Oxide (Factory coated)
SPECIFICATIONS FOR:
(1) "PICK-UP" BLADE SIGN CEILING MOUNT BRACKET "B"

BRACKET: C.A.M. Routed and break-formed 1/8" aluminum

COLORS AND FINISHES
P.T.M. PMS #484C "Roasted Red" (Nuance)
Friendly’s Restaurant has signage on 3 elevations plus a freestanding pole sign; same as Chipotle wishes to pursue.

Friendly’s is located at 2369 Street Road, Bensalem PA 19020
Wells Fargo is also nearby, and also has wall signs on three elevations plus a freestanding sign of their own:

Wells Fargo location is 2349 Street Road, Bensalem PA 19020
Nearby Subway and AutoZone also have more than one wall sign plus a freestanding sign:

Subway, 2376 Street Road, Bensalem PA 19020

AutoZone 2320 Street Road, Bensalem, PA 19020
Map showing locations of these businesses in relation to Chipotle, which is marked as 2307 Street Road on the image below: