



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: 2020-2997

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):

RECEIVED

SEP 10 2020

BENSALEM TOWNSHIP
BUILDING AND PLANNING

- 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: Wicker Avenue, LLC

Address: 617 Wicker Avenue, Bensalem, PA 19020

Phone No. (215) 321-8600

E-Mail Address: rsacco@saccolawfirm.com

Owner's Name: Wicker Avenue, LLC

Address: 617 Wicker Avenue, Bensalem, PA 19020

Phone No. (215) 321-8600

E-Mail Address: rsacco@saccolawfirm.com

Attorney Name: Russell P. Sacco

Address: 57 S. Main Street

Yardley, PA 19067

Phone No. (215) 321-8600

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

1. Application relates to the following:

Check items if applicable:

- | | |
|---|--|
| <input type="checkbox"/> Use | <input checked="" 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 checked="" type="checkbox"/> Other: (describe) | Appellant is seeking to build a residential home on an existing, non-conforming residential lot. |

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-061-234

Location: 617 Wicker Avenue, Bensalem, PA 19020

Lot Size: 6,250 sq. feet

Present Use: Residential

Proposed Use: Residential Home

Present Zoning Classification: R-1

Present Improvement upon Land: Vacant - trailer recently removed

Deed recorded at Doylestown in Deed Book _____ Page Instrument No. 2019021897

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: August 20, 2020

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):
Section 232-153(a), 232-153(b) and 232-153(e)(2)

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

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).
See attached

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.

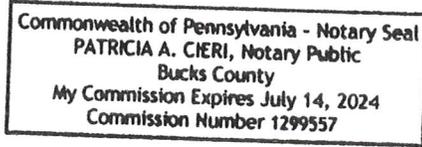

Appellant's or Owner's Signature

9/9/20
Date

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

Sworn to and subscribed before me this
9th day of September 200 2020

Notary Public
My commission expires: Patricia A. Cieri
7/14/2024



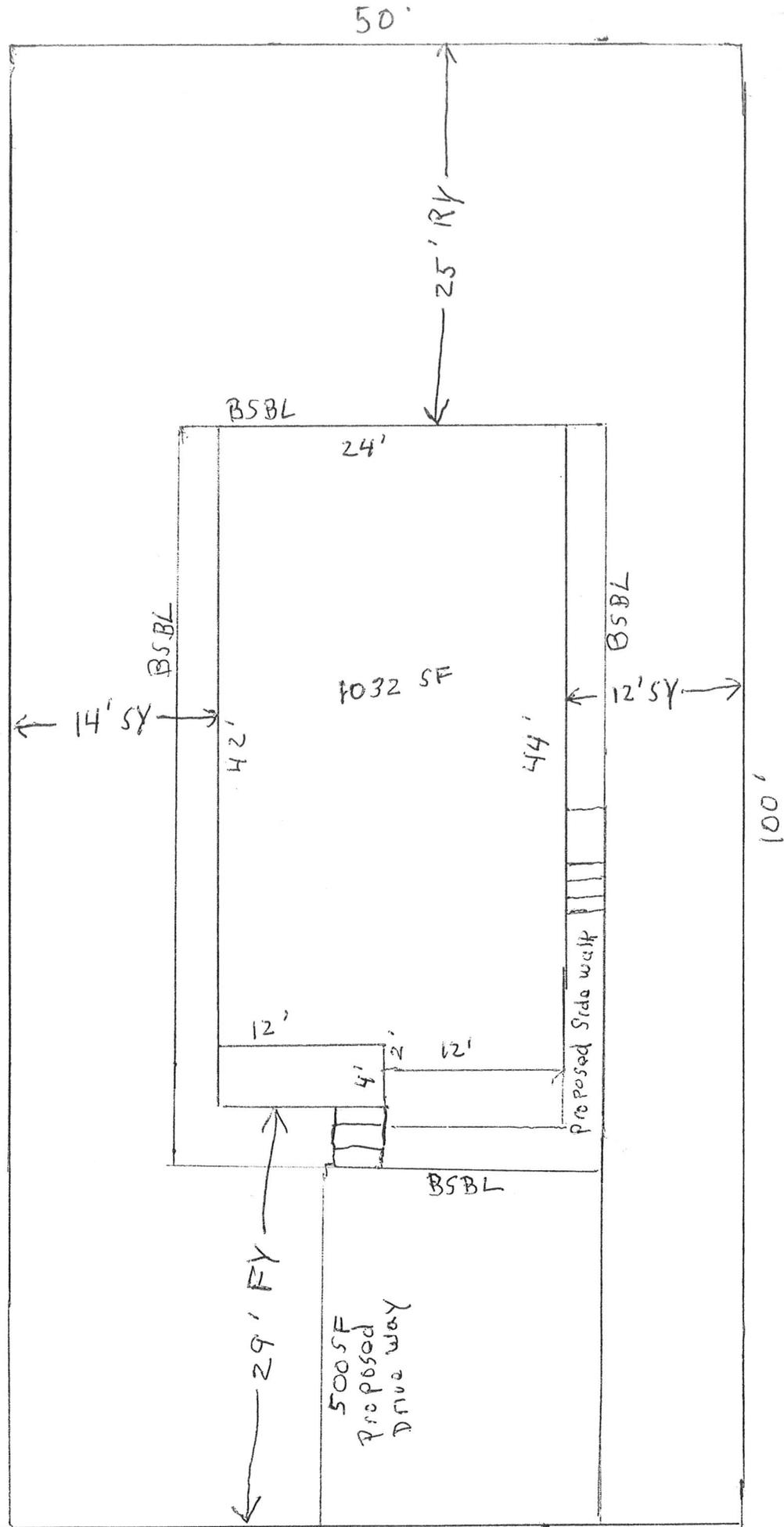
ADDITIONAL PAGES TO BENSLEM ZONING HEARING BOARD APPLICATION -617 Wicker Avenue

2. Tax Map Parcel Number 02-061-234 is an existing, non-conforming lot in Bensalem Township's R-1 Residential zone. The lot and its current dimensions were in existence prior to the adoption of Sections 232-153 (a), 232-153 (b), and 232-153(e)(2) of the Bensalem Township Zoning Ordinance. The lot area totals 6,250 square feet and the lot has 50 feet of street frontage. The applicant is requesting that the Bensalem Township Zoning Hearing Board recognize and acknowledge that the lot is an existing, non-conforming lot and approve the construction of a single-family dwelling on the lot.

In the alternative, the applicant is seeking a variance from Section 232-153 (a) to permit the construction of a single-family dwelling on a lot totaling 6,250 square feet. The applicant is seeking a variance from Section 232-153(b) to permit the construction of a single-family dwelling on a lot with street frontage of 50 feet. The Applicant is also seeking a variance from Section 232-153(e)(2) to permit side yards of 20 feet in aggregate width, with one side yard of 9 feet and the other side yard of 11 feet.

3. The appellant is requesting that the Board acknowledge and recognize the lot as an existing, non-conforming lot since the lot and its current dimensions were in existence prior to the enactment of Section 232-153(a) and 232-153 (b) of the Bensalem Township Zoning Ordinance.

In the alternative, variances from Section 232-153(a), Section 232-153(b) and Section 232-153(e)(2) are warranted. Due to the unique physical conditions of the lot, namely the size and narrowness, there is no possibility that the property can be developed in strict conformity with the zoning ordinance. Variances from Sections 232-153(a), 232-153(b) and 232-153(e)(2) are necessary to enable the reasonable use of the property. Without said variances, a single-family dwelling could not be constructed on the property. The unnecessary hardships, specifically the size of the lot and lot frontage, were not created by the appellant. In addition, the granting of the variances will not alter the essential character of the neighborhood nor will it impair the use or development of the adjacent properties. To the contrary, many of the single-family dwellings in the vicinity of the subject lot were constructed on lots that are identical in size and have the same 50-foot street frontage. The requested variances represent the minimum variances necessary that will permit the appellant to construct a single-family dwelling in accordance with the remaining requirements of the Bensalem Township Zoning Ordinance.





BENSALEM TOWNSHIP

Building and Planning Department
Office 215-633-3644 - Fax 215-633-3753

Kenneth V. Farrall

Director of Building and Planning
2400 Byberry Road - Bensalem, PA 19020

8/24/2020

WICKER AVENUE LLC
57 S MAIN STREET
YARDLEY, PA 19067

Project:	ZONING FOR SINGLE FAMILY HOME
Project Address:	617 WICKER AVE BENSALEM, PA 19020
Tax Parcel:	02061234
Permit Number:	2020-2691
Permit Status:	APPLICATION DENIED

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,

Russell Benner
Township Engineer
RB/lva

Enclosures

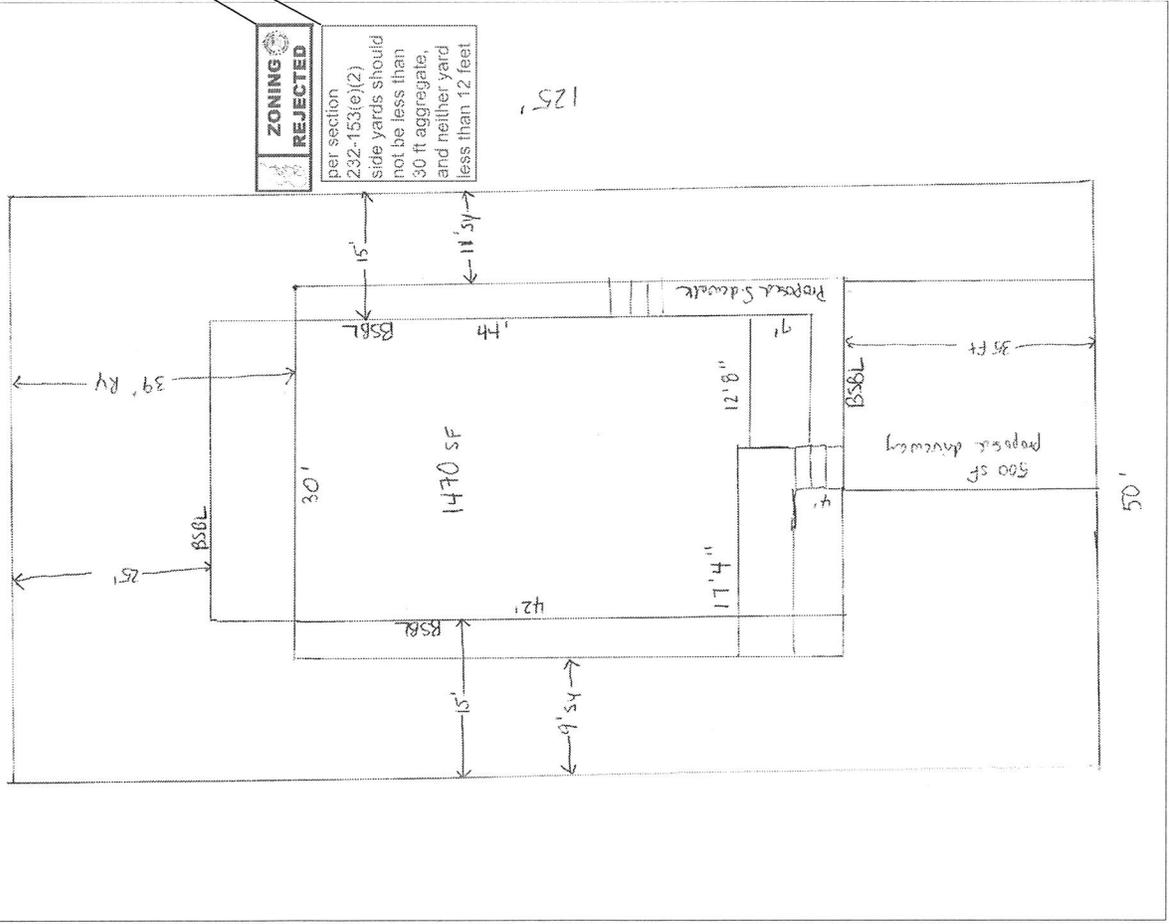
CC: WICKER AVENUE LLC, RUSSELL P SACCO
57 SOUTH MAIN STREET
YARDLEY, PA 19067

RSACCO@SACCOLAWFIRM.COM

E-mail Address

Author: rbenner Subject: ZONING REJECTED Date: 8/20/2020 4:15:51 PM

Author: rbenner Subject: Text Box Date: 8/20/2020 4:22:20 PM
per section 232-153(e)(2) side yards should not be less than 30 ft aggregate, and neither yard less than 12 feet



ZONING REJECTED
per section 232-153(e)(2) side yards should not be less than 30 ft aggregate, and neither yard less than 12 feet



Bucks County Parcel & Floodplain Viewer

Home Bucks County



-74.947 40.072 Degrees

