

Zoning Hearing Board Monthly Minutes

January 3, 2023

In Attendance: Joanne Fields, Harry Kramer, Joanne Redding, George Seymour, Al Champion, Tom Panzer, and Kenneth Farrall

1. Open meeting with the Pledge of Allegiance
 - a. Led by Joanne Redding
2. Statement of Rules and Procedures
 - a. Issued by Tom Panzer
3. Approval of Last Month's Minutes-December 1, 2022
 - a. Motion to Approve
 - i. Harry Kramer
 - b. Second Motion to Approve
 - i. George Seymour
 - c. Vote to Approve Last Month's Minutes-December 1, 2022
 - i. 5/5 Ayes
4. Reorganization of the Board
 - a. Chairperson—Joanne Redding
 - i. Nomination by George Seymour
 - ii. Second Nomination by Joanne Fields
 - iii. Vote for Joanne Redding as Chairperson for the Zoning Board-5/5 Ayes
 - b. Vice Chairperson—Al Champion
 - i. Nomination by George Seymour
 - ii. Second Nomination by Harry Kramer
 - iii. Vote for Al Champion as Vice Chairperson for the Zoning Board-5/5 Ayes
 - c. Secretary—George Seymour
 - i. Nomination by Harry Kramer
 - ii. Second Nomination by Joanne Fields
 - iii. Vote for George Seymour as Secretary for the Zoning Board- 5/5 Ayes
 - d. Meeting Dates
 - i. Motion to Accept
 1. George Seymour
 - ii. Second Motion to Accept
 1. Harry Kramer
 - iii. Vote to accept Meeting Dates
 1. 5/5 Ayes
 - e. Solicitor—Tom Panzer
 - i. Nomination by Harry Kramer
 - ii. Second Nomination by George Seymour
 - iii. Vote for Tom Panzer, Esquire as Solicitor for the Zoning Board-5/5 Ayes
 - f. Court Reporter—Kim Bursner
 - i. Nomination by George Seymour

- ii. Second Nomination by Al Champion
 - iii. Vote for Kim Bursner as the Court Reporter for the Zoning Board-5/5 Ayes
 - g. Clerk and fee—Nicole Austin
 - i. Nomination by Joanne Fields
 - ii. Second Nomination by Harry Kramer
 - iii. Vote for Nicole Austin as the clerk for the Zoning Board and fee -5/5 Ayes
 - h. Official Publication—Bucks County Courier Times
 - i. Motion for the Bucks County Courier Times as the official Publication for the Zoning Board
 - 1. Motion
 - a. Harry Kramer
 - 2. Second Motion
 - a. Al Champion
 - ii. Vote for the Bucks County Courier Times as the official publication for the Zoning Board
 - 1. 5/5 Ayes
5. Extension Request for Jake Fox
 - a. Appeal Number 2019-4526
 - b. Location: 3969 Mulberry Avenue
 - c. Tax Parcel: 02-005-358 and 02-005-359
 - d. Request: Extension of variances for lot width, front yard setback and side yard setback.
 - e. Summary
 - i. Jacob Rudnitsky was sworn in. Mr. Rudnitsky is requesting an extension of the variances approved by the Zoning Board in 2020. Mr. Rudnitsky is the new owner of the property and is willing to conform to the previous approval granted to the previous property owner. The interior layout will be different. The exterior layout will stay the same as originally presented and approved.
 - f. Motion to Close Testimony
 - i. Motion to Close
 - 1. Harry Kramer
 - ii. Second Motion to Close
 - 1. Al Champion
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - g. Motion to Approve the request for an extension of variances for lot width, front yard setback and side yard setback
 - i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approved
 - 1. Al Champion
 - iii. Vote to Approve the request for an extension of variances for lot width, front yard setback and side yard setback.
 - 1. 5/5 Ayes
6. Hearing for David Nieves Jr.

- a. Appeal Number: 2022-4167
 - b. Location: 2653 Oakley Avenue
 - c. Tax Parcel: 02-032-160
 - d. Request: Variance for proposed pole barn to be greater than 25% of the primary dwelling.
 - e. Exhibits:
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting on the Premise
 - f. Summary
 - i. Mr. David Nieves Jr. was sworn in. Mr. Nieves stated that he would like to extend on a present fixture on his property. The fixture was built in the 1950s. He would like to make it ten (10) feet wider, ten (10) feet deeper, and 20 feet longer. A colored copy of the packet was supplied to the Board by Ken Farrall. George Seymour asked what the total height would be. Mr. Nieves stated the fixture will be 14 feet to the peak. His plans are to tear down the original structure and build a new one in its place. The dimensions will be 14 feet by 20 feet with an awning and patio. There will be no utilities at this time. It will be strictly a garage to store cars only. The Board and Mr. Nieves agreed that the garage will not be used for commercial or a separate residence. It will have one (1) garage door. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.
 - g. Motion to Close Testimony
 - i. Motion to Close
 - 1. Harry Kramer
 - ii. Second Motion to Close
 - 1. George Seymour
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - h. Motion to Approve a variance for a proposed pole barn to be greater than 25% of the primary dwelling with the conditions of no utilities except electricity, cannot exceed a height of 14 feet and cannot be bigger than 30 feet by 40 feet.
 - i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approve
 - 1. George Seymour
 - iii. Vote to Approve a variance for a proposed pole barn to be greater than 25% of the primary dwelling with the conditions of no utilities except electricity, cannot exceed a height of 14 feet and cannot be bigger than 30 feet by 40 feet.
 - 1. 5/5 Ayes
7. Hearing for Jose A. Sr. and Alma Nidia Rodriguez
- a. Appeal Number: 2022-4170

- b. Location: 2469 and 2459 Forrest Avenue
- c. Tax Parcel: 02-032-047
- d. Request: Variance for frontage, lot width, side yard setbacks, accessory structure setback and fence height, to subdivide the lot.
- e. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificate of Services
 - iii. A3-Drawing
 - iv. B1-Letter to the Applicant
 - v. B2-Proof of Publication in the Bucks County Courier Times
 - vi. B3-Proof of Posting on the Premise
- f. Summary
 - i. Mr. Michael Meginniss, Esquire mentioned some administrative issues regarding Certificates of Service. The property is an abnormally large lot that was created over 50 years ago. The lot has two (2) separate dwellings, two (2) separate addresses, separate utilities billed and two (2) separate driveways; however both dwellings have the same tax parcel number. The applicant wishes to subdivide the property. The applicant's intention for the second dwelling is his daughter and her family to purchase the dwelling and move into the dwelling. There is no intention to change the functionality of the property. Jose Rodriguez was sworn in. He and his wife are the owners of the property. The property was purchased November 12, 2015. He and his wife reside in 2469 Forrest Avenue with his wife, daughter, son-in-law, and grandkids. 2459 Forrest Avenue is the address of the other dwelling on the property and is being used for storage. Applicant stated the homes were built in 1965 by a man with two (2) daughters and built a house for each of them. The one daughter could not sell due to no subdivision and the other daughter did not want to sell her house. The applicant purchased after the one sister died and the other sister sold the entire property. Joanne Redding asked the applicant if they would consider removing the garage to lessen the amount of variance because that created a hardship. George Seymour asked if there is electricity in the garage. Applicants stated the garage does not have electricity and is willing to remove the garage. John Richardson was sworn in to explain the subdivision. Mr. Richardson received confirmation from the sewer company that each house has a separate connection. There is a four (4) foot fence in the front. The applicant had a company come out and install the steel fence to replace the six (6) foot fence that was damaged. The applicant assumed the company he hired would have taken care of anything needed to complete the project they would hire them to do. The fences on the side of the houses were installed prior to purchase of the property. The applicant is willing to do whatever is needed to be within compliance. Fence and garage variance was withdrawn. No further questions or comments from the Board. No one from the audience came forward in favor or opposition to the applicant's request.
- g. Motion to Close Testimony

- i. Motion to Close
 - 1. Al Champion
 - ii. Second Motion to Close
 - 1. Harry Kramer
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - h. Motion to Approve request for variances for frontage, lot width, side yard setbacks, accessory structure setbacks and **Removal of Garage**. Special Exception is granted due to two (2) separate dwellings exist on the same property.
 - i. Motion to Approve
 - 1. Al Champion
 - ii. Second to Approve
 - 1. Harry Kramer
 - iii. Vote to Approve request for variances for frontage, lot width, side yard setbacks, accessory structure setbacks and **Removal of Garage**. Special Exception is granted due to two (2) separate dwellings exist on the same property.
 - 1. 5/5 Ayes
- 8. Hearing for A & G Realty Corp.
 - a. Appeal Number: 2022-4172
 - b. Location: 2583 State Road
 - c. Tax Parcel: 02-065-023
 - d. Request: Variance for sign to be 25-feet from property line and variance for sign area greater than 50 square feet.
 - e. Attorney: Michael Meginniss
 - f. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting
 - vi. B4-Amended Application
 - g. Summary
 - i. Mr. Meginniss addressed some administrative issues such as withdrawing the square footage variance. The property is an elongated flag lot. There is not a structure built on this lot at this time. The company stores cranes on the property. General Counsel for the company is Kyle Colin. The company rents out crane operations on the property for the last year and a half. The sign the applicant wishes to erect is a non-digital, black vinyl advertisement with the company's name, address and telephone number printed on it. No questions and comments from the Board. No one from the audience came forward in favor or opposition of the request.
 - h. Motion to Close Testimony
 - i. Motion to Close

1. Harry Kramer
 - ii. Second Motion to Close
 1. Al Champion
 - iii. Vote to Close Testimony
 1. 5/5 Ayes
 - i. Motion to Approve request for variance for a sign to be 25 feet from the property line.
 - i. Motion to Approve
 1. Harry Kramer
 - ii. Second Motion to Approve
 1. Al Champion
 - iii. Vote to Approve request for variance for a sign to be 25 feet from the property line
 1. 5/5 Ayes
9. Correspondence
 - a. None
10. Adjournment
 - a. Motion to Adjourn
 - i. Harry Kramer
 - b. Second Motion to Adjourn
 - i. Al Champion
 - c. Vote to Adjourn
 - i. 5/5 Ayes