

Warrington Township



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January 24, 2022

MEMO TO: Board of Supervisors

THRU: Barry P. Lubert, Township Manager

FROM: Warrington Township Zoning Hearing Board, Frank Shelly, Chairperson

DATE: January 25, 2022

RE: Warrington Township Zoning Hearing Board 2021 Annual Report

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Christian Jones
Doreen Curtin

Solicitor
Zoning Officer
Deputy Zoning Officer
Assistant Zoning Officer

Meetings Held, 12

January 25, 2021	February 22, 2021	March 22, 2021
April 26, 2021	May 24, 2021	June 28, 2021
July 26, 2021	August 24, 2021	September 27, 2021
October 25, 2021	November 22, 2021	December 20, 2021

Applications Carried forward from 2020 - 6 (5 residential and one non-residential)

Total Applications Received in 2021 – 32

Residential – 30

Non-residential - 2

Total Hearings Concluded - 31

Withdrawals - 4

Continuances 1

Appeals - 0

Carried forward to 2022 - 3

HEARINGS

Residential

Brought forward from 2020 – 5

Applications – 30

Hearings Concluded – 29

Withdrawn – 3 (one from 2020; two from 2021)

Continuance to 2022 - 1

Carried to 2022 – 3

WT ZHB 20-09 (Rodgers)

This was an application initiated and opened in 2020 and finally completed in 2021. The applicant requested a special exception to construct an accessory apartment in the loft area of an existing barn. In addition to the special exception, the applicant also requested variances to allow the accessory apartment to be located in a building other than the principal residence and to allow the apartment to be occupied by persons not related to the property owners. There was substantial participation from adjoining property owners. After lengthy testimony over several meetings, the Zoning Hearing Board voted unanimously to deny all relief.

WT ZHB 20-17 (Shihadeh)

This was an application for a variance to retain existing excess impervious area on a property after subdividing a portion of the property, creating a new lot. The variance was granted with the conditions that the applicant provides adequate stormwater management facilities to control stormwater runoff from an additional 1,700 sf of impervious area, and that the applicant grant an easement on his property for emergency vehicle access and restricting parking within the easement area.

WT ZHB 20-27 (Cardamone)

The applicants requested numerous variances to enable construction of a five-lot major subdivision on 15 acres in the RA Zoning District near the intersection of Stump Road and Pickertown. The Zoning Hearing Board granted ten (10) variances by a vote of 4-0 enabling applications for Conditional Use and Land Development to be submitted. Details of the variances requested, variances granted, and the conditions imposed by the Zoning Hearing Board may be found in the Decision and Order.

WT ZHB 20-28 (Shimp)

The applicant requested a variance to allow 30.3 percent impervious cover where 25 percent is otherwise permitted. Relief was granted with the condition that the applicant comply with the requirements of the Township Engineer regarding stormwater management.

WT ZHB 20-29 (Braccia)

The applicant requested a variance for excess impervious cover to enable construction of a detached garage and driveway. The requested relief was granted with the condition that the applicant prepare a stormwater management plan to control runoff from all impervious areas on the site in excess of 15 percent.

WT ZHB 29-30 (Ball)

The application was withdrawn at the applicant's request.

WT ZHB 21-02 (McFadden)

Withdrawn at the applicant's request.

WT ZHB 21-03 (Starkey)

The applicant requested a variance for excess impervious area on a flag lot with a very long driveway. The Zoning Hearing Board granted the requested relief on the condition that the applicant must install a structural Stormwater Best Management Practice subject to the approval of the Township Engineer and provide measures for perpetual maintenance.

WT ZHB 21-04 (Rudnet)

The applicant requested a variance for excess impervious cover to enable construction of a pool with a large deck. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-05 (Viola)

The applicant requested a variance for excess impervious cover to enable construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-06 (Fallon)

The applicant requested variances for excess impervious cover and a variance to allow a pool to be in a front yard on a property with three front yards. The Zoning Hearing Board granted the variances with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-07 (Kristiansen)

The applicant requested variances to allow operation of a child daycare for up to 12 children and to allow more than one principal use on the property; a residence, and the proposed daycare. A private educational use requires a minimum of ten acres, but the property contains only 1.6 acres. The relief was granted.

WT ZHB 21-08 (Castagna)

The applicant requested variances to allow excess impervious area for the construction of a pool and to permit an otherwise non-conforming shed to remain in place. The Zoning Hearing Board granted the

relief with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-09 (Gallagher)

The applicant requested a variance to allow an encroachment into the rear yard setback and to allow impervious area greater than 15 percent of lot area. The Zoning Hearing Board granted the variances with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-10 (Webb Construction Group)

The applicant requested a special exception to construct a single-family dwelling on an existing, vacant, non-conforming lot and a variance to allow a small encroachment into a required setback. The Zoning Hearing Board granted the requested relief.

WT ZHB 21-11 (Rathore/Tilney)

The applicant requested a special exception to expand a non-conforming dwelling on a non-conforming house. The house was constructed prior to any zoning ordinance in Warrington Township, and the proposed expansion is to the rear of the existing house no affecting any other properties. Relief was granted.

WT ZHB 21-12 (Dunn)

The application was withdrawn at the request of the applicant.

WT ZHB 21-13 (Imszennik)

The applicant requested a variance for excess impervious area to enable construction of a pool and deck. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-14 (Medina)

The applicant requested a variance for excess impervious cover in order to construct a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-15 (Morrison)

The applicant requested a special exception for an accessory apartment and a variance to allow the apartment to be located in a building other than the principal dwelling. The Zoning Hearing Board denied all relief because the applicant failed to demonstrate a hardship caused by the irregularity of the property.

WT ZHB 21-16 (Braverman)

The applicants requested a variance for excess impervious cover to allow installation of hardscaping between a previously permitted pool and the dwelling. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-17 (DeSantis)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-18 (Vabischevich)

The applicant requested a special exception to expand a non-conforming house on a non-conforming lot and a variance to allow excess impervious cover. The Zoning Hearing Board granted the special exception. They also granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-19 (Parish)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-20 (Obchinetz)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be

prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-21 (Paladugu/Mandava)

The applicant requested a variance to allow a covered deck to encroach into the rear-yard setback. The Zoning Hearing Board granted the variance with no conditions.

WT ZHB 21-22 (Yanonne)

The applicant requested a variance to allow an existing deck to be covered. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-23 (Omni Construction Group)

Continued until 2022 and carried forward.

WT ZHB 21-24 (Budhavarapu)

The applicant requested a variance to allow a proposed sunroom to encroach 12 feet into the rear yard setback. Relief was denied.

WT ZHB 21-26 (Maurizio/Borak)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-27 (Hanichak)

The applicant requested a dimensional variance to enable an addition to encroach into the side yard setback. The variance was granted.

WT ZHB 21-28 (Pucillo)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-29 (Wolinsky)

The applicant requested a variance to allow excess impervious cover for construction of a pool. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection

of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

WT ZHB 21-30 (Abbonizio)

Carried forward to 2022.

WT ZHB 21-31 (Pajollari)

Carried forward to 2022.

WT ZHB 21-32 (Fialkowski)

Carried forward to 2022.

Non-residential

Applications received in 2021 - 2

Withdrawn (from 2020) – 1

Hearings Concluded - 2

Continuance - 0

WT ZHB 20-20 (382 Easton Road, LLC)

The application was withdrawn at the request of the applicant.

WT ZHB 21-01 (G.D.L. Corporation)

The applicant requested a post-construction variance for impervious cover. An error in the design plans resulted in excess impervious cover. The site had been over-designed regarding stormwater management so there was sufficient capacity for the excess impervious area. The requested relief was granted by a vote of 4-0.

WT ZHB 21-15 (Star Penn Pool)

The applicant requested a variance for excess impervious cover in order to provide shaded outdoor rest area for his employees and to modify the front façade of the building to bring it more into compliance with the requirements in the WV zoning district. The Zoning Hearing Board granted the variance with the conditions that the applicant design and install a structural stormwater Best Management Practice (BMP) subject to the review, approval and inspection of the Township Engineer and execute a stormwater maintenance agreement and easement to be prepared by the Township Solicitor and be filed with the Bucks County Recorder of Deeds, all at the applicants' expense.

Hearings scheduled for 2022

WT ZHB 21-30 (Abbonizio)

WT ZHB 21-31 (Pujollari)

WT ZHB 21-32 (Fialkowski)

Hearings continued to 2022

WT ZHB 21-23 (Omni Construction Group)

Appeals resolved – 2

WT 19-06 (WaWa, Inc., 532, 538, 550 Easton Road)

WT ZHB 20-04 (Hedenus)

Appeals pending –

19-09 Prime Development Group, LP, 892 Warrington Avenue

Additional information for each case may be found on the Zoning Hearing Board's minutes or in the Decisions and Orders for each individual case.