



## WARRINGTON TOWNSHIP ZONING HEARING BOARD MINUTES FOR THE FEBRUARY 26, 2018 MEETING

The regular meeting of the Warrington Township Zoning Hearing Board was called to order at 7:00 p.m. on February 26, 2018 at the Township Building located at 852 Easton Road, Warrington PA, 18976.

**Pledge of Allegiance:** The meeting opened with a pledge to the flag.

**Introduction of Members:** The members present were as follows:

Frank Shelly, Chair	Present
Janice DeVito, Vice-Chair	Excused
Kevin Lawlor, Member	Present
Dennis Gordon, Member	Present
Thomas Watkins, Member	Present
Thomas E. Panzer, Esq., Solicitor	Present
Roy W. Rieder, P.E., Zoning Officer	Present

**Stenographic Record:** A stenographic record of the meeting will provide a record of the proceedings. Copies of the stenographic record may be purchased from Blum-Moore Reporting Services Inc.

### Approval of Minutes

Mr. Gordon made a motion, seconded by Mr. Shelly to approve the minutes of January 22, 2018. The motion passed 3-0-1 with Mr. Lawlor abstaining.

### Hearing #1 – Application WT 17-26, Albert Sulaj

**Subject Property: 2358 Lower Barness Rd**

**TMP: 50-024-029-002**

**Zoning: R2**

This was a continuation of the December 18, 2018 hearing. Mr. Sulaj appeared again on his own behalf accompanied by John Shihadeh. Mr. Shihadeh testified concerning the measurements he had taken and the calculations of impervious area. Mr. Shihadeh also presented a revised plan dated February 13, 2018 which clarified the site plan and showed the right-of-way lines used to determine the impervious area ratio. Mr. Sulaj stated that his property is directly across the street from Titus Elementary School and allowing the additional impervious area will enable Mr. Sulaj to park all of his vehicles on his property without causing

congestion on Barness Road by avoiding interference with bus traffic or parents delivering or picking up students.

After hearing the testimony and deliberating, Mr. Gordon made a motion to grant the needed variance Mr. Watkins seconded. The motion passed unanimously.

**Hearing #2 – Application WT 18-04, Bryan Partyka**

**Subject Property: 515 Cornell Drive**

**TMP: 50-026-140**

**Zoning: R1-C**

Mr. Partyka appeared on his own behalf accompanied by Brian Stover, his landscaper. Mr. Partyka began explaining that the purpose of the application was to provide living space and restroom facilities for his handicapped daughter. According to the site plan submitted, a pool, a covered deck, an outdoor living area, a shed containing restroom facilities and storage space, and an accessible walkway from the pool area to the driveway were proposed for construction. During the course of the testimony, Mr. Partyka, stated that the decks and the pool were already in place despite the fact that the site plan indicated that they were only proposed. As a result, it was not possible to determine which areas were in compliance with the zoning ordinance and which areas required zoning relief in order to allow permitting and construction.

The Board asked Mr. Partyka to return with revised plans reflecting actual existing conditions and proposed conditions with the areas clearly defined and tabulated. Mr. Partyka indicated that he was unable to attend the next meeting of the Board on March 26. He would be able to attend the April 23 meeting. Mr. Panzer informed Mr. Partyka that the hearing must be continued within 45 days as required by the Municipalities Planning Code. Mr. Panzer asked Mr. Partyka if he would waive the 45-day limit, and Mr. Partyka agreed. He also agreed to provide a waiver of the 45-day limit in writing.

The hearing is continued until April 23, 2018. No further notices will be given.

**Hearing #3 – Application WT 18-05, Daniel and Patricia Tourish**

**Subject Property: 106 Equestrian Court**

**TMP: 50-010-017-005**

**Zoning: R2**

Mr. and Mrs. Tourish appeared on their own behalf accompanied by Stephen Fahs, their contractor. Mrs. Tourish testified that they had unknowingly installed a shed without a permit and that the shed exceeded the maximum allowable size for sheds. As a result, the structure is required to conform to the building setback lines. Relocating the structure to meet the required 35-foot rear yard setback would require the structure to be in the center of the rear yard. Mrs. Tourish also testified that the pool she was proposing was not out of character with

other pools in the vicinity and presented signed letters from neighboring residents indicating that they had no objection to either the excess impervious area or to the location of the structure.

There appeared to be an inaccuracy on the site plan prepared by the surveyor for the pool company. After discussion and deliberation, Mr. Gordon made a motion, seconded by Mr. Lawlor, to grant the variance for up to 4,671 square feet of impervious cover (22.3 percent) and to grant the required dimensional variances to allow the structure to remain in its current position. The motion passed unanimously.

### **2017 Annual Report**

Mr. Shelly stated that the 2017 Annual Report of the Warrington Township Zoning Hearing Board was acceptable as written and would be presented to the Warrington Township Board of Supervisors.

### **Comment**

Following the closure of the hearings, Shirley A. Yannich, Chair of the Warrington Township Board of Supervisors, spoke to the Board to inform them that the Board of Supervisors and the Warrington Township Planning Commission were holding a joint workshop on March 1, 2018 at 7:00 PM to discuss zoning. She urged the members of the Board to attend or to watch the videos of the meeting. She also informed the Board that township staff had contacted the Bucks County Planning Commission to begin the process of re-writing the zoning ordinance and the subdivision and land development ordinance. She requested the Board to take an active role in this endeavor.

### **Adjournment**

The meeting adjourned at 9:00 PM.

### **Next Meeting**

The next meeting is scheduled for March 26, 2018.