

**FALLS TOWNSHIP
ZONING HEARING BOARD
JULY 10, 2018**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:40 p.m.

Members present: Al Brooks, Scott D’Oria, Bill Kiernan, Dan Miles

Members absent: Colin Henderson, Doug Molle

Also present: Ed Neubauer, Code Enforcement Officer; Melissa Haxwell, Code Enforcement Officer; Cliff Bidlingmaier, ZHB Solicitor; Karen Browndorf, Court Stenographer

Petition #4: Arsen Drobakha, CONT’D FROM 6/12/18 and 5/8/18 -- 1497 Old Bristol Pike, Morrisville, PA 19067; TMP #13-040-056; Zoned: MHC. Use variance to allow the expansion of the pre-existing non-conforming use to permit the storage of up to five automobiles in an area not to exceed 1,500 square feet. Section 209-18.

Chairman Miles states that the Board has received a letter from the applicant’s attorney withdrawing this petition.

Member Brooks makes a motion to withdraw the application of Arsen Drobakha.

Member Kiernan seconds the motion.

All in favor 4-0. The application is withdrawn.

Petition #5: PF Langhorne LLC, 100 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-004-085; Zoned: HC. Requesting variances in connection with the construction of a 7,151 sq. ft. Patient First building, specifically (1) Section 209-23.G -- front, side and rear yard setbacks; (2) Section 209-23.H(2) -- parking within the first 30 ft. adjacent to any street line and 10 ft. adjacent to any lot line; (3) Section 209-42.B(1) – dense plant material no less than 4 feet in height shall be provided and maintained between the off-street parking area and any lot line on street line; (4) Section 209-42.H(9) – amount of parking spaces; (5) Section 209-42.I – designated loading space; and (6) Section 209-42.E – maximum width of commercial driveway.

Chairman Miles states that there is an issue with the quarter mile neighbor notification and that the applicant has requested a continuance.

Member Brooks makes a motion that this application is continued until August 14, 2018.

Member Kiernan seconds the motion.

All in favor 4-0. The application is continued until August 14, 2018.

Petition #1: Barbara Vandermiller, 152 Elderberry Drive, Levittown, PA 19054; TMP #13-026-063; Zoned: NCR. Requesting a dimensional variance to erect a fence in the front yard. Section 209-37.C.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5.

Barbara Vandermilller presents the application. Her mother has Alzheimers' disease and we are requesting a fence so that we can keep her safe when she is outside.

Board questions center on the placement of the fence (the whole front yard), the type of fencing (black chain link), the length of time the fence would be erected (unsure, not sure how long her mother will live), and the Township park on the side of her house.

Discussion occurs among the Board members, the applicant and fencing company about exactly where the fence will be placed. Board members suggest a solution other than fencing in the entire front yard.

No public comment.

Member Brooks makes a motion that the application of Barbara Vandermilller for a dimensional variance from Section 209-37.C of the Falls Township Zoning Ordinance be GRANTED to erect a fence connecting it from the corner of the home to the existing Township fence to allow a complete enclosure into the secondary front yard at the property located at 152 Elderberry Drive, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

All in favor 4-0. Motion carries.

Petition #2: Sebastian Compagnucci, 59 Walnut Avenue, Morrisville, PA 19067; TMP #13-038-005; Zoned: NCR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

Sebastian Compagnucci presents the application and states they would like to install a 5 ft. picket fence to secure the property for their dog.

Member D'Oria asks if there are any sight triangle issues (possibly driveway side – fence will be 3 ft. off the sidewalk to correct that).

No public comment.

Member D'Oria makes a motion that the application of Sebastian Compagnucci for a dimensional variance from Section 209-37.C of the Falls Township Zoning Hearing Board be GRANTED to erect a fence in the secondary front yard at the property located at 59 Walnut Avenue, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Brooks seconds the motion.

All in favor 4-0. Motion carries.

Petition #3: April Deputy, 76 Buttonwood Lane, Levittown, PA 19054; TMP #13-022-081; Zoned: NCR. Requesting a dimensional variance to erect a pool (swim spa) which encroaches into the minimum distance allowed between the water's edge and the principal structure and which encroaches into the minimum distance allowed from an accessory building or structure. Section 209-46.E.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

April Deputy presents the application and states she purchased the property last year. We applied for a permit for a hot tub, but found the size meets the definition of a pool. We were rejected and have applied for a variance.

Board questions center on the cover for the tub (locking cover like a smaller hot tub) and placement of tub in the sewer easement (no).

Member D’Oria makes a motion that the application of April Deputy for a dimensional variance from Section 209-46.E of the Falls Township Zoning Ordinances be GRANTED to erect a pool (swim spa) which encroaches into the minimum distance allowed between the water’s edge and the principal structure and which encroaches into the minimum distance allowed from an accessory building or structure at the property located at 76 Buttonwood Lane, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Brooks seconds the motion.

All in favor 4-0. Motion carries.

Hearing adjourned 7:40 p.m.