

**FALLS TOWNSHIP
ZONING HEARING BOARD
JULY 11, 2017**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:30 p.m.

Members present: Al Brooks, Scott D’Oria, Colin Henderson, Dan Miles, Doug Molle

Members absent: None

Also present: Ed Neubauer, Code Enforcement Officer; Thomas Bennett, Zoning Officer/CCEO representing the Township; Keith Bidlingmaier, Esquire, ZHB Solicitor; Karen Browndorf, Court Stenographer

Petition #1: CONTINUED FROM 6-13-17 -- Jodi Riemenschneider, 235 Collingswood Road, Fairless Hills, PA 19030; TMP #13-016-020; Zoned: NCR. Requesting dimensional variances to construct a garage which encroaches into the rear and side yard setbacks, which does not meet the minimum distances between buildings, which is over the allowable building coverage and which is over the allowable maximum impervious coverage. Section 209-20 and Table 1.

Atty. Bidlingmaier states that this matter was continued from the June 13, 2017 meeting which was properly advertised in the Bucks County Courier Times. We will incorporate from the last meeting ZHB Exhibits 1 through 8 which were marked previously. We will mark ZHB Exhibits 9 – 11.

Chairman Miles states that at the last meeting, a request had been made to clean up the property.

Ms. Riemenschneider states her understanding was the shipping container was to remain until the garage is built. She produces pictures which document the property has been cleaned up, but showing the shipping container is still at the property (marked as Exhibit A-1).

Atty. Bidlingmaier explains that the Zoning Hearing Board does not have the authority to address the shipping container because it might be in conflict with other Township laws, regulations or ordinances.

Chairman Miles asks if the Township has issued a citation for the shipping container.

Mr. Bennett responds no; they have received a citation to remove the trash and debris. He continues that his understanding is the shipping container will contain the contents from the old garage during the construction of the new garage.

Board Questions

Member D’Oria asks what you are doing to improve the impervious surface area of the home.

Mrs. Riemenschneider states they have added nothing new – all the impervious surface coverage has been there for a long time. We are not adding any more impervious coverage.

Member Brooks asks what is going to be stored in the garage.

Mrs. Riemenschneider states motorcycles and a 1985 Ford that is going to be restored.

Member Brooks asks how long before the garage is complete.

Mr. Riemenschneider states we have to clean out the garage and rip it down. He is unsure how long that will take.

Member Brooks asks about the disposal of all the stuff in the yard.

Mr. Riemenschneider states it went to the scrap yard.

No public comment.

Chairman Miles states that before a motion is made, he wants to make it clear that this Board is not making a determination on the shipping container. It is a Township / Code Enforcement issue. This petition is about the garage, not the shipping container.

Mrs. Riemenschneider states she understands.

Member Henderson makes a motion that the application of Jodi Riemenschneider for dimensional variances from Section 209-20 and Table 1 of the Falls Township Zoning Ordinance be GRANTED to construct a garage which encroaches into the rear and side yard setbacks, which does not meet the minimum distance between buildings, which is over the allowable building coverage, and which is over the allowable maximum impervious coverage at the property located at 235 Collingswood Road, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony provided to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 4-1, D’Oria dissenting. Motion carries.

Petition #2: Ellwood Merk, 73 W. Tyburn Road, Fallsington, PA 19054; TMP #13-024-023; Zoned: HD. Requesting a dimensional variance to construct a three-season room which encroaches into the front yard setback. Section 209-20 and Table 1.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 9.

Shawn Kenyon presents the application. He states Ellwood Merk is his uncle who would like to add this three-season room to his property so he can relax and enjoy his property. We would like to install a ramp because it is hard for him to get up and down the steps.

No Board questions.

No public comment.

Member Molle makes a motion that the application of Ellwood Merk for a dimensional variance from Section 209-20 and Table 1 of the Falls Township Zoning Ordinance be GRANTED to construct a three-season room which encroaches into the front yard setback at the property located at 73 W. Tyburn Road, Fallsington, 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 5-0. Motion carries.

Petition #3: Werner Heiseler, 200 Winding Way, Morrisville, PA 19067; TMP #13-030-298; Zoned: NCR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C.(3).

Atty. Bidlingmaier marks ZHB Exhibit 1 – 8.

Werner Heiseler presents the application. We would like to place a 6 ft. privacy fence in an area where I have trees that are 8 to 10 feet high. We will take those trees down to install the fence. We are doing this for security and privacy.

Board Questions

Member Henderson asks if it's in the sight triangle.

Mr. Neubauer states it is not.

Chairman Miles asks the distance from the proposed fence to the sidewalk.

Mr. Heiseler states that the fence will be installed behind where the trees are now – approximately 4-1/2 feet from the sidewalk.

No public comment.

Member Henderson makes a motion that the application of Warren Heiseler for a dimensional variance from Section 209-37.C(3) of the Falls Township Zoning Ordinance be GRANTED to erect a fence in the secondary front yard at the property located at 200 Winding Way, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Petition #4: Debra Brown, 329 Thornridge Drive, Levittown, PA 19054; TMP #13-019-611; Zoned: NCR. Requesting a dimensional variance to construct an addition which encroaches into the side yard setback. Section 209-20 and Table 1.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Debra Brown presents the application. I would like to construct a screened in porch so I can sit outside without the bats and bugs. I want to build on this side of the house and am encroaching 5 ft. into the side yard setback.

No Board comment.

No public comment.

Member Henderson makes a motion that the application of Debra Brown for a dimensional variance from Section 209-20 and Table 1 of the Falls Township Zoning Ordinance be GRANTED to construct an addition which encroaches into the side yard setback at the property located at 329 Thornridge Drive, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Hearing adjourned 7:30 p.m.