

**FALLS TOWNSHIP
ZONING HEARING BOARD
MAY 14, 2024**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:30 p.m

Members present: Aaron Mackey, Lolain Striluk, Chris Kilmer (Alt), William Kiernan, Nastasha Raisley

Members absent: Robert McTague

Also present: Keith Bidlingmaier, ZHB Solicitor; Matthew Takita, Zoning Officer; Ed Neubauer, Code Enforcement; Karen Browndorf, Court Reporter

Atty. Bidlingmaier states the Board has received a letter requesting a continuance until June 10, 2024 of Petition #3 (Progroup Properties, LLC) at 95 Lower Morrisville Road, Levittown.

Member Mackey makes a motion to approve the continuance.

Member Kiernan seconds the motion.

All in favor 5-0. Motion carries – petition is continued until June 10, 2024.

Atty. Bidlingmaier states the Board has received a letter requesting continuance until June 10, 2024 of Petition #4 (14 (One) Steel Road Morrisville LLC) at 14 N. Steel Road, Morrisville, PA 19067.

Member Mackey makes a motion to approve the continuance.

Member Raisley seconds the motion.

All in favor 5-0. Motion carries – petition is continued until June 10, 2024.

Petition #1: Glen and Jodi Musse, 401 Austin Drive, Fairless Hills, PA 19030; TMP #13-007-045; Zoned: NCR. Requesting dimensional variances to allow an addition to increase the surface coverage to 2,943 sq. ft. instead of the allowable 2,822 sq. ft. and to allow a front yard setback of 21 ft. instead of the required 25 ft. Section 209-20.F and Table 1.

Jodi Musse gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Jodi Musse presents the application and states we are asking to build into the front yard setback as well as exceeding impervious surface by 121 sq. ft. (4% over the impervious surface allowance). We are removing a 9' x 20' front porch and replacing it with a 12' x 20' addition. This will not impede any sight vision and will be appealing to the eye. With the location of the existing sewer, there is no other feasible location to put another bathroom, and we intend to move the washer into the location as well.

Member Mackey asks about the existing porch, footers, and impervious coverage.

Chairman Striluk asks if they are removing the entire front porch (just half to build the addition).

Public Comment

Kathleen Bird Zebrowski, 363 Austin Drive, (next door neighbor where addition is being built) expresses her concern with their fence between the houses and requests a stipulation to keep the fence where it is now and not have it extended to the front of the addition. She is seeking clarification on how far the fence can be extended once the addition is built.

Discussion occurs about how far the fence can be extended. Matthew Takita states the fence can extend up to the front of the house. The front yard setback is 25 feet, and a fence can be installed up to that setback line without the need for a zoning variance.

Jodi Musse says they have no plans on moving the fence.

No other Board questions.

No other public comment.

Member Mackey makes a motion the application of Glen and Jodi Musse requesting dimensional variances from Section 209-20.F and Table 1 of the Falls Township Zoning Ordinances be GRANTED to allow an addition to increase the surface coverage to 2,943 sq. ft. instead of the allowable 2,822 sq. ft. and to allow a front yard setback of 21 ft. instead of the required 25 ft. at the property located at 401 Austin Drive, Fairless Hills, PA 19030, 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 5-0. Motion carries.

Petition #2: Christopher and Joanna Thompson, 736 S. Olds Boulevard, Fairless Hills, PA 19030; TMP #13-016-417; Zoned: NCR. Requesting a dimensional variance to install a pool with a separation distance of 7 ft. from the existing deck which is less than the required 10 ft. Section 209-46.E.

Christopher and Joanna Thompson get sworn in.

Atty. Bidlingmaier marks ZHB Exhibit 1 – 7.

Joanna Thompson presents the application and states the permit was for the pool and the distance from the deck. Our original plan for the pool had to be changed because the power lines were not 10 ft. from the pool so we switched it. I was a little confused by the rejection letter.

Matthew Takita explains the ordinance requires a separation distance between a pool and any accessory structures within the backyard. The pool deck that is attached to the pool is 7' 4" from the rear property line. That deck complies with zoning; it only needs to be 6 ft. from the property line. The only concern we have is the actual separation distance from the pool with what they are calling an open patio slab containing a gazebo. The separation distance is required to be 10 ft. But because they have electrical wires, the electrical code requires the pool be 10 ft. from those wires, which forced them to push this pool closer to the house.

Chairman Striluk asks if the pool was there first.

Ms. Thompson says no the gazebo was there first.

No other Board comment.

No public comment.

Member Mackey makes a motion the application of Christopher and Joanna Thompson requesting a dimensional variance from Section 209-46.E of the Falls Township Zoning Ordinances be GRANTED to install a pool with a separation distance of 7 ft. from the existing deck which is less than the required 10 ft. at the property located at 736 S. Olds Boulevard, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Raisley seconds the motion.

All in favor 5-0. Motion carries.

Hearing adjourned 7:30 p.m.