

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – FEBRUARY 18, 2014

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on February 18, 2014. Chairman Bamburak called the meeting to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Paul Bamburak, Chairman
 Jerry Gruen, Vice Chairman
 Anthony Zamparelli, Secretary
 Keith DosSantos, Member
 Mark Moffa, Member

Others: Robert Habgood, Code Enforcement Officer
 Mark Eisold, Township Engineer
 Timothy Duffy, Zoning Hearing Board Solicitor
 Kristin Tyler, Supervisor Liaison

APPEAL #14-1687 – PETER ORRIN

The Application submitted was marked as Exhibit A-1. The Notice of Disapproval from the Township sent to Mr. Orrin dated 12/27/13 was marked as Exhibit A-2. An impervious surface breakdown was marked as Exhibit A-3. A two-page Site Plan was marked as Exhibit A-4. Notice of the Hearing was published in the Advance, and the Proof of Publication was marked as Exhibit B-1. Exhibit B-2 was the Proof of Posting of the property. Exhibit B-3 is a copy of the form letter sent to property owners with the listing of the properties to whom the Notice was sent. Mr. Duffy stated these publications and postings satisfy the requirements of posting and notice under the MPC and the Township Zoning Ordinance.

Mr. Peter Orrin was sworn in and stated he purchased the property at 605 S. Dove Road. He stated he would like to construct a 17 by 16 concrete patio to the rear of the first unit. He stated he is living in the first unit and is renting the second unit. He stated he wants to increase the rear recreational area for his family. There is currently no patio. Mr. Bamburak stated this will encroach into the setback, and Mr. Orrin agreed.

Mr. Gruen asked if there will be a roof or will he enclose it, and Mr. Orrin stated he will not.

Mr. Zamparelli asked about the impervious surface, and Mr. Habgood stated for this lot the permitted impervious surface is 48%.

Mr. Moffa asked about the setback. Mr. Habgood stated 45' is what the Ordinance requires now; however, when the development was built, they were allowed 25'. He stated the encroachment is into the rear yard plus an increase to the existing non-conformity. Mr. Habgood stated he is looking for a setback of 10' from the property line.

There was no one present in the audience wishing to speak on this matter.

Mr. Gruen moved and Mr. DosSantos seconded to approve the Variance with the Condition that he will not put on a roof over the patio or enclose it as a sunroom in the future.

Mr. Orrin agreed to this Condition, and the Motion carried unanimously.

APPEAL #14-1688 – WESLEY AND JULIE SCHEIRING

The Application submitted was marked as Exhibit A-1. A Site Plan was marked as Exhibit A-2. Exhibit B-1 is the Proof of Publication in the Advance. Exhibit B-2 is the Proof of Posting of the property. Exhibit B-3 is the proof of mailing that being the form letter and all the addresses to which that letter was mailed. Mr. Duffy stated that the Notices and the Postings comply with the Notice requirements under the MPC and the Township Zoning Ordinance. Exhibit B-4 is the Decision issued by the Zoning Hearing Board dated 5/31/12 on Appeal #11-1604 and #11-1604A as Amended. Exhibit B-5 is an Order and Stipulation entered in the Court of Common Pleas of Bucks County on Appeal #12-05947-34.

Mr. Wesley Scheiring and Ms. Julie Scheiring were present and were sworn in. Mr. Scheiring stated they live at 1417 N. River Road.

Mr. Bamburak stated they are requesting permission to build a cantilever deck for their air conditioner. Mr. Schering agreed and added that they need to elevate the air conditioning units because they are in a flood zone. He stated they already have their Permits for the installation of the air conditioning units from the prior Variances; but the location they chose is not sufficient so they had to move them and build this platform.

Mr. Scheiring was asked how high off the grade the platform will be, and Mr. Scheiring stated it is approximately 9'. He stated to get above elevation it is 13" above 3' off the first floor so it is approximately 6'. Mr. Scheiring was asked for further clarification; and he stated he needs it 3' above the first floor, but this is approximately 3' above grade itself so it is approximately 6' above grade.

Mr. Gruen asked why they need 8' and asked the size of the unit, and Mr. Scheiring stated there are two units for the house as one is for the first floor and the other is for the second.

There was no one present in the audience wishing to speak on the Application, and Testimony was closed.

Mr. DosSantos moved, Mr. Gruen seconded and it was unanimously carried to approve the Variance as requested.

There being no further business, Mr. DosSantos moved, Mr. Moffa seconded and it was unanimously carried to adjourn the meeting at 7:50 p.m.

Respectfully Submitted,

Anthony Zamparelli, Secretary