

**ZONING HEARING BOARD OF DOYLESTOWN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**Docket No.:** Z-4-25

**Applicants:** Michael & Barbara Strayline  
15 Old New Road  
Warrington, PA 18976

**Owners:** Same.

**Subject Property:** Tax Parcel No. 09-040-004, which is located at the address of the Applicants set forth above.

**Requested Relief:** During the hearing held, June 26, 2025, the Applicants amended the application to reduce the scope of relief requested. Applicants reduced the size of the proposed utility storage building to 24' x 24' and eliminated all relief except for the following:

1. A variance from §175-16.H(3)(d)[2], to permit the accessory structure without complying with all setback requirements (20 feet from the rear lot line); and,
2. A variance from §175-39, to reduce the rear yard setback to 20 feet, where 50 feet is required.<sup>1</sup>

**Hearing History:** The application was filed in Doylestown Township on April 10, 2025. Hearings were held on May 22, 2025 and June 26, 2025 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

**Appearances:** Applicants, *Pro Se*

**Mailing Date:** August 11, 2025

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<sup>1</sup> The above represents an amendment to the original application. Through its application, Applicants, originally sought the following. Applicants seek to construct a 26 ft x 26 ft utility storage building to be located 20 feet from the rear lot line. The building will create greater than the 20% impervious surface coverage permitted. Applicants seek a variance from §175-16.H(3)(d)[2]&[4] of the Doylestown Township Zoning Ordinance ("Ordinance") to permit the Accessory Structure without complying with all setback requirements and without complying with impervious surface coverage limitations. Applicants further seek a variance from §175-38 of the Ordinance establishing the 20% maximum impervious coverage and §175-39 to reduce the rear yard setback to 20 feet where 50 feet is required.

## DECISION

### FINDINGS OF FACT:

1. The Zoning Hearing Board of Doylestown Township met the requirements of the Zoning Ordinance, the Municipalities Planning Code, and other relevant statutes as to legal notice of the hearing held.

2. The Applicants are the Owners of the Subject Property and therefore possessed of the requisite standing to make application to this Board.

3. The Subject Property is located in the R-1, Residential Zoning District of Doylestown Township. The lot area is 24,307 square feet. The property accommodates the Applicant's single-family dwelling (1,400 square feet), customary residential improvements, and three (3) accessory storage buildings (sheds) measuring 10' x 12'; 8' x 8'; and 12' x 8', respectively.

4. Applicants seek to remove the three existing sheds (total square footage of 280 square feet combined) and in place of the three smaller sheds, construct a 24' x 24' utility storage building. Applicants seek a variance from §175-16.H(3)(d)[2], to permit the accessory structure without complying with all setback requirements. The Applicant also seeks a variance from §175-39, to reduce the rear yard setback to 20 feet, where 50 feet is required. Applicant otherwise complies with the setback requirements for the accessory structure, having amended the application and amended the plan consistent with Exhibit A-2.

5. The amendment to the application removes the request for impervious surface coverage relief.

6. §175-16.H(3)(d)[2] provides that structures, such as storage sheds, bath houses, detached garages and provided greenhouses, provided that they do not exceed 20 feet in height and that they meet the following requirements:

...

[2] Structures with a floor area of more than 144 square feet shall meet the setback requirement for principal buildings for the applicable zoning district.

*See, Ordinance §175-16.H(3)(d)[2].*

7. The setback requirements for the principal buildings in the applicable zoning district is found at §175-39 which provides that for a single-family detached dwelling (Use B1) within the R-1 Zoning District, the lot area is a minimum of 40,000 square feet. Front yard setback is 50 feet. Side yard setback is 25 feet each. Rear yard setback is 50 feet.

8. Lot area is a lawful preexisting nonconformity and remains unaffected by the application. Front yard setback is unaffected by the application. Side yard setback is in compliance (see Exhibit A-2). Rear yard setback relief is requested to permit 20 feet instead of the 50 feet required. Impervious surface coverage is in compliance.

9. Applicant seeks to consolidate all household storage, including pool furniture and equipment, and lawn maintenance equipment into one building.

10. The Applicant has established that the size of the structure, at the reduced size of 24' x 24' is reasonable given the property in question, and especially with Applicant removing the three existing storage sheds scattered throughout the rear yard of the property.

11. To further mitigate any impact, the Zoning Hearing Board did impose certain conditions.

12. No one spoke in opposition to the application.

13. Doylestown Township took no position with regard to this application.

#### **CONCLUSIONS OF LAW:**

1. The Subject Property has been developed and used consistent with the requirements of the Ordinance. The Board makes this observation while acknowledging that the lot size at 24,307 square feet is undersized as compared to the 40,000 square foot lot size required.

2. The Applicant has presented evidence of sufficient factors to warrant the grant of the dimensional variance requested under the relaxed variance standard applicable to dimensional variance cases, as articulated by the Pennsylvania Supreme Court, in *Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh*, 554 Pa. 249, 721 A.2d. 43 (1998).

3. The competent evidence presented leads the Board to conclude that, if the variance relief is granted, there will be no negative impacts upon surrounding properties or uses.

4. The evidence establishes that the relief sought by the Applicant is the minimum variance necessary.

5. The variance sought will not alter the essential character of the neighborhood or district in which the Subject Property is located.

6. Accordingly, the Doylestown Township Zoning Hearing Board determined, by a 2-0 vote, to GRANT the Applicants' request for relief, as is set forth hereafter.

## ORDER

Upon consideration and after hearing, the Zoning Hearing Board of Doylestown Township hereby GRANTS relief from the Doylestown Township Zoning Ordinance to facilitate construction of a 24' x 24' foot utility storage building to be located 20 feet from the rear lot line. The amendments to the application include removing the impervious surface coverage variance requests and reducing the size of the structure from 26' x 26' to 24' x 24'.

The relief granted is as follows:

1. A variance from §175-16.H(3)(d)[2], to permit the accessory structure without complying with all setback requirements; and,
2. A variance from §175-39, to reduce the rear yard setback to 20 feet, where 50 feet is required.

The relief granted is subject to the following conditions:

1. Applicant must remove the three existing sheds shown on the plan submitted with the application.
2. The placement of the accessory structure must be consistent with the amended plan as submitted (Exhibit A-2) incorporated herein by reference and the impervious surface calculations (Exhibit A-1).
3. Applicant must plant a row of arborvitae or other evergreen (plant height at least 4-6 feet) in order to screen the structure from the rear property. The landscape plan is to be reviewed and approved by Doylestown Township.
4. Applicant must comply in all other respects with all other applicable governmental ordinances and regulations, including obtaining permits for the proposed 24' x 24' structure.

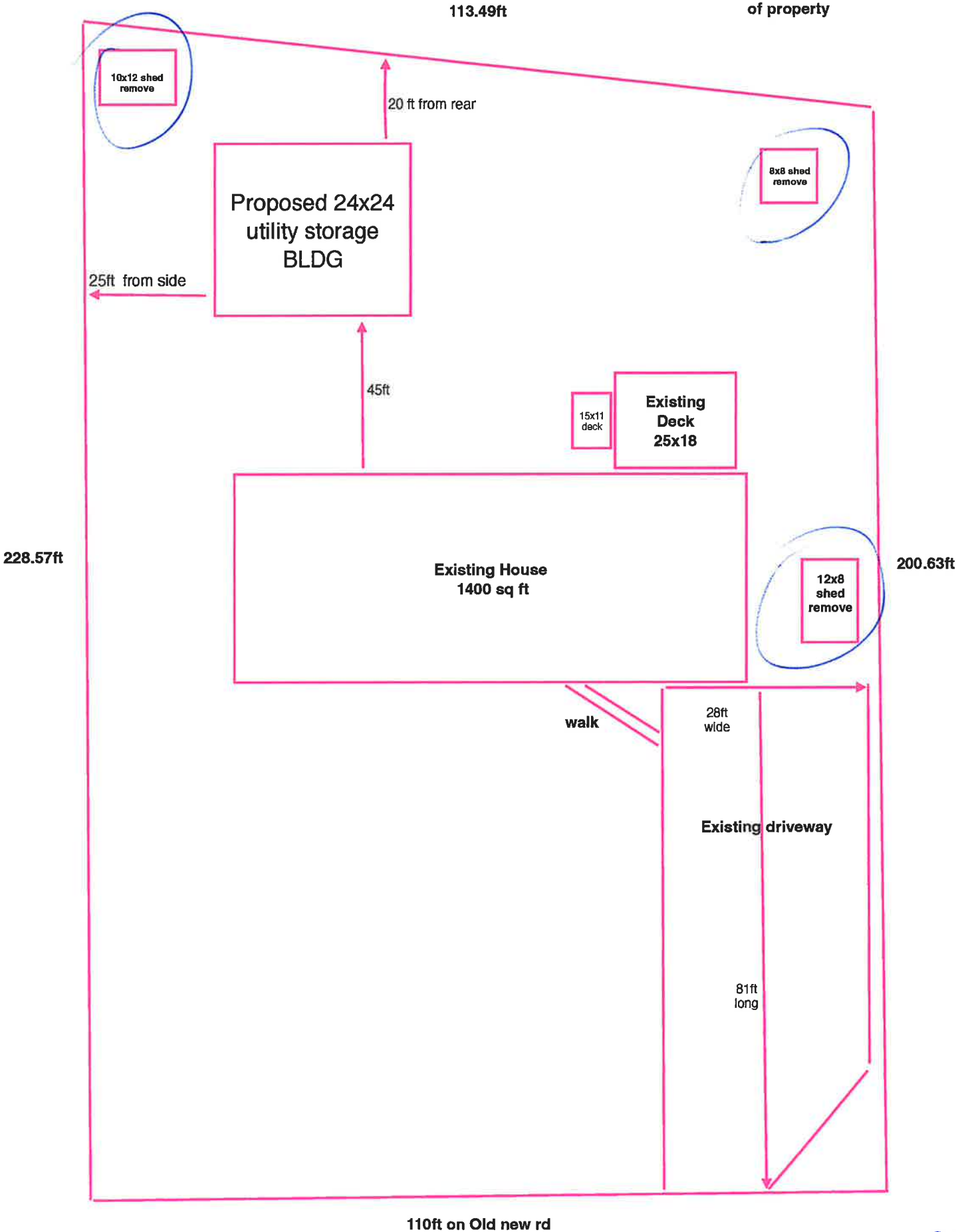
### **ZONING HEARING BOARD OF DOYLESTOWN TOWNSHIP**

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By: /s/ William J. Lahr  
William J. Lahr, Chairman

/s/ Samuel Costanzo  
Samuel Costanzo, Secretary

Proposed set back for the Accessory building is 20ft from rear and 25ft side of property



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