

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

Docket No.: Z-6-25

Applicant: Boundless Investments LLC
2603 Heron Point
Jamison, PA 18929

Owners: Same.

Subject Property: Tax Parcel No. 09-007-007, which is located at 3775 Bristol Road, Doylestown, PA 18901.

Requested Relief: Applicant seeks to demolish existing buildings on site, subdivide the property into three (3) lots, and place a single-family dwelling on each lot. Applicant seeks a variance from §175-17.C and §175-39 of the Doylestown Township Zoning Ordinance ("Ordinance") to permit two of the resulting lots at less than the 40,000 square foot minimum lot area; from §175-38 to permit impervious surface coverage of greater than the 20% permitted on one of the lots, and to permit greater than 20% impervious surface coverage on the combined three lots.

Hearing History: The application was filed in Doylestown Township on April 15, 2025. The hearings were held on June 26, 2025 and July 24, 2025 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901

Appearances: Applicant by: Bryce H. McGuigan, Esquire
Begley, Carlin & Mandio, LLP
680 Middletown Boulevard
Langhorne, PA 19047

Mailing Date: September 8, 2025

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. During the hearings held, the Zoning Hearing Board marked the following exhibits:

ZHB-1: Application with exhibits filed April 15, 2025.

ZHB-2: Legal notices establishing first hearing, June 26, 2025.

ZHB-3: Doylestown Township Zoning Ordinance.

ZHB-4: May 5, 2025 Waiver of Hearing Requirement from Applicant.

ZHB-5: May 15, 2025 Letter from Doylestown Township Board of Supervisors.

ZHB-6: Revised Plan Packet dated March 12, 2025.

3. The Applicant is the Owner of the Subject Property and therefore possessed of the requisite standing to make application to this Board.

4. The Subject Property is located in the R-1, Residential Zoning District of Doylestown Township. The lot area is 137,400 square feet. The Subject Property accommodates the Applicant's single-family dwelling and barn with customary residential amenities.

5. Applicant seeks to demolish existing buildings on site, subdivide the property into three (3) lots, and place a single-family dwelling on each lot. Applicant seeks a variance from §175-17.C and §175-39 of the Doylestown Township Zoning Ordinance ("Ordinance") to permit two of the resulting lots at less than the 40,000 square foot minimum lot area; from §175-38 to permit impervious surface coverage of greater than the 20% permitted on one of the lots, and to permit greater than 20% impervious surface coverage on the combined three lots.

6. Applicant's revised plan moved stormwater management onto the Subject Property and out of the right-of-way, reducing the need for additional zoning relief.

7. Applicant overdesigned the stormwater management on the Subject Property to help with stormwater management in the area.

8. The proposed dwellings are consistent with the character of the neighborhood.

9. Applicant proposes an increased buffering along property line in accordance with the revised plan to address neighbors' concerns.

10. Applicant proposes to permit impervious surface coverage of 22.1% on Lot 1, and to permit 20.6% impervious surface coverage on the combined three lots.

11. Applicant also proposes to permit Lot 2 to have a 36,655 square foot lot area and Lot 3 to have a 37,631 square foot lot area.

12. No one spoke in opposition to the application.

13. Doylestown Township was in support of the application as the proposal would benefit the residents of the Township with the installed bike/hike trail on the Subject Property.

CONCLUSIONS OF LAW:

1. The Subject Property has been developed and used consistent with the requirements of the Ordinance.

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 with conditions, 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. The Board concludes that there are unique physical characteristics involved with the Subject Property that cause an unnecessary hardship which is not self-created by the Applicant and prohibits use of the Subject Property in strict compliance with the provisions of the Zoning Ordinance.

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

ORDER

Upon consideration and after hearing, the Zoning Hearing Board of Doylestown Township hereby GRANTS the following relief from the Doylestown Township Zoning Ordinance in order to demolish existing buildings on site, subdivide the property into three (3) lots, and place a single-family dwelling on each:

1. From §175-17.C and §175-39 to permit Lot 2 to have a 36,655 square foot lot area and Lot 3 to have a 37,631 square foot lot area; and,
2. From §175-38 to permit impervious surface coverage of 22.1% on Lot 1, and to permit 20.6% impervious surface coverage on the combined three lots.

The relief granted is subject to the following conditions:

1. Construction of the project shall be consistent with the testimony provided by Applicant during the hearings held and further subject to the plans provided.
2. Applicant is to provide a post-construction "As-Built" Plan to confirm for Doylestown Township that the project was develop[ed] without need for additional zoning relief.
3. Applicant must include a zoning clause or disclosure/disclaimer in its contracts with the potential purchasers providing notice that if the design of the dwelling is done to the full footprint as shown on the ZHB-6 revised plan, then the property is at its maximum impervious surface ratio and no other improvements or reasonable accommodations can be made to the property without seeking zoning relief, which is not guaranteed. This statement must be approved and deemed acceptable by the Township Solicitor and evidence of the execution and acknowledgment of the same shall be provided before a Use and Occupancy permit can be issued.
4. Applicant must comply in all other respects with all other applicable governmental ordinances regulations including obtaining a building permit.

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ZONING HEARING BOARD OF DOYLESTOWN TOWNSHIP

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

/s/ Samuel Costanzo
Samuel Costanzo, Secretary