

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

Docket No.: Z-9-2025

Applicants: Christopher & Elizabeth Baia
116 Trotter Road
Egg Harbor, NJ 08234

Owners: Same.

**Subject
Property:** Tax Parcel No. 09-017-012, which is located at 1850 Turk Road,
Doylestown, PA 18901.

**Requested
Relief:** Applicants seek to construct a single-family residential dwelling with associated improvements on the subject 1.82 acre unimproved property. The lot is a flag lot. Applicants seek the following variances from the Doylestown Township Zoning Ordinance ("Ordinance") to facilitate access to the lot: (1) §175-27.D(5)(b), to permit a 10% protection ratio of stand-alone woodland, where 100% is required for woodlands located outside of the other resource areas; and (2) §175-27.D(6)(b)[1], to permit 0% protection ratio for steep slopes between 15% to 24%, where 60% is required to be preserved.

**Hearing
History:** The application was filed in Doylestown Township on June 11, 2025. The hearing was held on July 24, 2025 and August 28, 2025 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

Appearances: Applicants by: Kellie McGowan, Esq.
Obermayer Rebmann Maxwell & Hippel
2003 S. Easton Road, Suite 304
Doylestown, PA 18901

Township by: Elizabeth H. Naughton, Esq.
CGBAG Law
Seven Neshaminy Interplex, Suite 215
Trevose, PA 19053

Mailing Date: October 13, 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. The Applicants are the Owners of the Subject Property and therefore possessed of the requisite standing to make application to this Board.

3. During the hearings held, the following exhibits were marked and admitted:

- ZHB-1: Application filed June 11, 2025 with attachments
- ZHB-2: Legal advertisement, proof of publication and posting for hearings held
- ZHB-3: Doylestown Township Zoning Ordinance (the "Ordinance")
- ZHB-4: July 21, 2025 Waiver of Hearing Requirements Letter

- A-1: August 28, 2025 Letter to ZHB Amending the Application
- A-2: Revised Plan dated August 28, 2025 prepared Carroll Engineering Corporation
- A-3: Bucks County Parcel Viewer Aerial
- A-4: CV of John Koutsouros, P.E.
- A-5: Minor Subdivision Record Plan
- A-6: Overall Phasing Plan for Summerhill Village

4. The Township, through its Solicitor Elizabeth H. Naughton, Esq., participated and was in support of the application.

5. The Subject Property is located in the R-2, Residential Zoning District of Doylestown Township. The lot area is 1.82 acres. The property is currently unimproved.

6. Applicants seek to construct a single-family residential dwelling with associated improvements on the subject 1.82 acre unimproved property. The lot is a flag lot. Applicants seek the following variances from the Doylestown Township Zoning Ordinance ("Ordinance") to facilitate access to the lot: (1) §175-27.D(5)(b), to permit a 10% protection ratio of stand-alone woodland, where 100% is required for woodlands located outside of the other resource areas; and (2) §175-27.D(6)(b)[1], to permit 0% protection ratio for steep slopes between 15% to 24%, where 60% is required to be preserved.

7. Applicants presented John Koutsouros, P.E. who was accepted by the Board as an expert.

8. The Subject Property is a flag lot and irregularly shaped.

9. An easement across the neighboring property was on the original plan, but never recorded nor executed.

10. Applicants are unable to access the Subject Property without the need for zoning relief.

11. The Floodplain extends the entire width and front of the Subject Property.

12. A pervious product is being utilized on the driveway to minimize impervious impact.

13. Neighboring property owner, Dominic Gervasio, of 1870 Turk Road was in attendance and confirmed representations made by Applicants.

14. Two (2) members of the public, Arthur Zapolski and Alice Brittain, spoke generally in opposition to any development including the Application, during public comment.

15. Doylestown Township supported this application.

CONCLUSIONS OF LAW:

1. The Subject Property is unimproved.

2. 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.

3. The evidence establishes that the relief sought by the Applicants is the minimum variance necessary.

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

5. The Applicants have 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).

6. Accordingly, the Doylestown Township Zoning Hearing Board determined, unanimously, 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 the following variances from the Doylestown Township Zoning Ordinance to construct a single-family residential dwelling with associated improvements on the subject 1.82 acre unimproved property:

1. §175-27.D(5)(b), to permit a 10% protection ratio of stand-alone woodland, where 100% is required for woodlands located outside of the other resource areas; and
2. §175-27.D(6)(b)[1], to permit 0% protection ratio for steep slopes between 15% to 24%, where 60% is required to be preserved.

The relief granted is subject to the following conditions:

1. Applicants shall exhaust all reasonable means to utilized the original intended easement on the neighboring property as reflected on the subdivision plan (Exhibit A-5);
2. Construction and development of the project shall be consistent with testimony provided by Applicants during the hearing held and further subject to the plans provided;
3. Applicants are to provide a post-construction "As-Built" Plan to confirm for Doylestown Township that the project was developed without the need for additional zoning relief;
4. Applicants must comply with the Bucks County Water and Sewer Authority regulations and DEP planning module approval;
5. Applicants must get Fire Marshal approval as applicable;
6. Applicants must get approval from the Township Floodplain Administrator with regards to encroachments in the floodplain;
7. No specimen or significant trees may be removed within the area of disturbance to the satisfaction of the Township Landscape Architect;
8. Comply with DEP Stream encroachment requirements;
9. Applicants must secure proposed driveway easement before proceeding with the project;

10. Applicants must comply with the building permit process, including preparing an erosion and sedimentation control plan to the satisfaction of the Township professionals and staff; and,
11. Applicants must comply with all other applicable rules, regulations and governmental ordinances.

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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