

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

Docket No.: Z-12-25

Applicant: Triumph Development Group LLC
2324 Second Street Pike, Suite 20
Newtown, PA 18940

Owners: Same.

Subject Property: Tax Parcel No. 09-009-039, which is located at 651 N. Shady Retreat Road, Doylestown, PA 18901.

Requested Relief: Applicant seeks to develop the subject property with ten (10) townhomes (Use B-4 Single-Family Attached Dwelling Units). Applicant proposes to preserve an existing historic dwelling on site. To facilitate the proposed development, Applicant seeks the following variances from the Doylestown Township Zoning Ordinance: (1) from §175-16.B(4)(d)[4], to permit a total site width of 271.7 feet for the area encompassing the B-4 Single-Family Attached Dwelling Units, where a minimum site width of 300 feet is required; (2) from §175-54, to permit a gross site area of 3.85 acres, where a minimum gross site area of ten (10) acres is required; and, (3) from §175-21.C, to permit a buffer yard of 10 feet along a portion of the southern property line, where 30 feet is required.

Hearing History: The application was filed in Doylestown Township on September 10, 2025. The hearing was held on October 20, 2025 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

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

John Sandklev, *Pro Se*
406 Mahogany Court
Doylestown, PA 18901

Albert Janik, *Pro Se*
408 Mahogany Court
Doylestown, PA 18901

Stephen Polensky, *Pro Se*
407 Mahogany Court
Doylestown, PA 18901

Mailing Date: December 4, 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. Board Secretary, Samuel Costanzo, recused himself and left the meeting before presentation by the Applicant.

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

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

ZHB-1: Application with attachments and addendum

ZHB-2: Legal advertisement, proof of publication and posting for Hearings held

ZHB-3: Doylestown Township Zoning Ordinance (the "Ordinance")

A-1: Redacted Agreement of Sale

A-2: Aerial View Photographs

A-3: Street View Photographs

A-4: Sketch Plan prepared by Holmes Cunningham dated August 2025

5. The following parties requested and were granted party status without objection:

a. John Sandklev, 406 Mahogany Court

b. Albert Janik, 408 Mahogany Court

c. Stephen Polensky, 407 Mahogany Court

6. The Subject Property is located in the R-2b, Residential Zoning District of Doylestown Township. The lot area is 3.85 acres. The property accommodates the Applicant's historic single-family dwelling with customary residential amenities.

7. Applicant seeks to develop the subject property with ten (10) townhomes (Use B-4 Single-Family Attached Dwelling Units). Applicant proposes to preserve an existing historic dwelling on site. To facilitate the proposed development, Applicant seeks the following variances from the Doylestown Township Zoning Ordinance: (1) from §175-16.B(4)(d)[4], to permit a total site width of 271.7 feet for the area encompassing the B-4 Single-Family Attached Dwelling Units, where a minimum site width of 300 feet is required; (2) from §175-54, to permit a gross site area of 3.85 acres, where a minimum gross site area of ten (10) acres is required; and, (3) from §175-21.C, to permit a buffer yard of 10 feet along a portion of the southern property line, where 30 feet is required.

8. The existing single-family dwelling is considered historic by Doylestown Township and therefore worthy of preservation and restoration.

9. Applicant presented the sketch plan to the Planning Commission at two meetings and the Township staff at a separate meeting, and therefore developed the proposed plan with that input.

10. Preserving the historic structure and the encumbrance by natural resources are physical characteristics of the Subject Property that drive the request for relief.

11. The open space required under the Ordinance for this Subject Property is .766 acres and the proposed plan leaves 1.7 acres open.

12. The gross site is 3.85 acres but after subtracting the natural resources, the net buildable site is 2.11 acres when 10 is required.

13. Applicant proposes higher end luxury units.

14. Applicant did not request any relief from the impervious surface requirements of the Ordinance, although it strikes the board that additional zoning relief may be needed under the proposed plan.

15. The Protestant Parties spoke generally in opposition to the application with regards to the site being too small.

16. Applicant agreed to the conditions imposed by the Board.

17. 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.
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 Applicant 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 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).
6. Applicant agreed to the conditions imposed by the Board.
7. Accordingly, the Doylestown Township Zoning Hearing Board determined, unanimously, 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 ONLY the following variances from the Doylestown Township Zoning Ordinance to develop the subject property with one (1) single-family and nine (9) townhomes (Use B-4 Single-Family Attached Dwelling Units)*:

1. from §175-16.B(4)(d)[4], to permit a total site width of 271.7 feet for the area encompassing the B-4 Single-Family Attached Dwelling Units, where a minimum site width of 300 feet is required;
2. from §175-54, to permit a gross site area of 3.85 acres, where a minimum gross site area of ten (10) acres is required; and,
3. from §175-21.C, to permit a buffer yard of 10 feet along a portion of the southern property line, where 30 feet is required.

*This grant of relief does not approve any plan nor grant relief from any impervious requirements under the Doylestown Township Zoning Ordinance relative to the tract or the newly created lots therein, as Applicant did not make that request in its application. Any need for additional relief would have to come back before the Zoning Hearing Board.

The relief granted is subject to the following conditions:

1. Applicant must proceed through land development process.
2. Applicant must include a zoning clause or disclosure/disclaimer in its contracts with the potential purchasers providing notice that the design of the development may be 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.
3. Applicant must comply in all other respects with all other applicable governmental ordinances regulations including obtaining a building permit.

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Thomas E. Panzer, Esq.
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ZONING HEARING BOARD OF DOYLESTOWN TOWNSHIP

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

/s/ Richard Gaver
Richard Gaver