

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

Docket No.: Z-14-25

Applicants: Karim A. Donarum & Michael J. Pozderec
82 Turkey Lane
Furlong, PA 18925

Owners: Same.

**Subject
Property:** Tax Parcel No. 09-022-127-002, which is located at the address of the Applicants set forth above.

**Requested
Relief:** Applicants seek to construct an H-3 Residential Accessory Structure (pool house) and sought the following variances:

1. §175-38 and §175-16H(3)(d)(4) to permit a maximum impervious surface ratio of 0.307, where a maximum ratio of 0.20 is permitted;
2. §175-39, §175 -16H(3)(d)(2), and §175-16H(3)(d)(6) to permit a side yard setback of 6.91 feet, where a minimum of 25 feet is required; and,
3. §175-17(f)(1), regarding minimum setbacks to permit a setback of 6.91 feet for an accessory structure.

**Hearing
History:** The application was filed in Doylestown Township on November 7, 2025. Hearings were held on December 15, 2025, February 26, 2026, and April 23, 2026 at the Doylestown Township Municipal Building, at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

Appearances: Applicants by: David Shafkowitz, Esq.
350 S. Main Street
Doylestown, PA 18901

Karen & Ken Ross *Pro Se*
84 Turkey Lane
Furlong, PA 18925

Roderick Parsons *Pro Se*
80 Turkey Lane
Furlong, PA 18925

Mailing Date: June 8, 2026

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 hearings 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 with attachments
- ZHB-2: Legal advertisement, proof of publication and posting for Hearings held
- ZHB-3: Doylestown Township Zoning Ordinance (the "Ordinance")
- ZHB-4: Amended Relief Letter #1 dated December 9, 2025
- ZHB-5: Amended Relief Letter #2 dated February 20, 2026 and further Revised on February 26, 2026

- A-1: Deed
- A-2: Photos of Pool and Patio
- A-3: Aerial Photo
- A-4: Bucks County Board of Assessment Records
- A-5: Historical Satellite Imagery
- A-6: Site Plan and Floor Plan dated October 31, 2025
- A-7: Site Plan dated November 24, 2025
- A-8: Aerial Photo
- A-9: Amended Plan dated February 5, 2026

4. Roderick Parsons, of 80 Turkey Lane, and Karen & Ken Ross, of 84 Turkey Lane, requested and were granted party status without objection.

5. The Subject Property is located in the R-1, Residential Zoning District of Doylestown Township. The lot area is 57,871 square feet. The property accommodates the Applicant's single family dwelling with customary residential amenities.

6. Applicants seek to construct an H-3 Residential Accessory Structure (pool house) within 9.1 feet of the side lot line. §175-39 of the Doylestown Township Zoning Ordinance requires a 25 foot side yard in the R-1 residential zoning district. Applicants seek a variance from §175-39 to permit the encroachment.

7. Applicants testified that this was the best and most efficient layout for use of the proposed pool house.

8. Applicants testified that the hardship is the existing features on the Property.
9. Applicants testified that the existing septic system/field, steep slopes and mature trees prevents the proposed pool house from being moved to a location in compliance with the Ordinance.
10. Applicants testified that the pool was not being altered at all by this project.
11. Closest point of the propose pool house and patio is 6.91 feet from the side property line.
12. Applicant testified that the proposed pool house is purely accessory and will not have a kitchen or be used as an apartment.
13. The proposed pool house will not be higher than 19 feet.
14. Any bathrooms in the propose pool house would need Department of Health approval.
15. Karen and Ken Ross testified that Applicants were addressing all of their concerns and were not in opposition.
16. No one spoke in opposition to the application.
17. Doylestown Township took no position with regard to this application.
18. Applicants agreed to the conditions imposed by the Board.

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 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 facilitate the construction of an H-3 Residential Accessory Structure (pool house):

1. from §175-38 and §175-16H(3)(d)(4) to permit a maximum impervious surface ratio of 0.307, where a maximum ratio of 0.20 is permitted;
2. from §175-39, §175-16H(3)(d)(2), and §175-16H(3)(d)(6) to permit a side yard setback of 6.91 feet, where a minimum of 25 feet is required; and,
3. from §175-17(f)(1), regarding minimum setbacks to permit a setback of 6.91 feet for an accessory structure.

The relief granted is subject to the following conditions:

1. The Pool House can never have a kitchen nor be used as an apartment or dwelling.
2. Applicants must comply with the Bucks County Board of Health regulations and requirements related to any improvements, i.e. bathrooms, associated with the Pool House.
3. Applicants must prepare an Erosion and Sedimentation Control Plan to the satisfaction of the Township professionals and staff as well as the Bucks County Conservation District if required.
4. Applicants are to have prepared a professionally sealed Stormwater Plan controlling runoff in accordance with Township regulations and the plan should not increase any stormwater directed at the neighboring property, 84 Turkey Lane, downslope.
5. The Plan is to be reviewed by the Township Engineer at Applicants' expense. Applicants are to modify the plan as requested by the Township.
6. A \$2,000.00 escrow is to be posted.
7. A Professional Services Agreement is to be signed by Applicants.
8. The posted escrow may or may not cover all charges. If professional fees exceed the escrow, Applicants are responsible to pay the balance. Any unused balance will be returned to the Applicants.

9. The plan is to be implemented after review and approval by the Township Engineering and Zoning Officer.
10. A blanket easement over the parcel shall be provided to the Township for access for maintenance, inspection and to insure the permanent nature of the stormwater facility.
11. The Stormwater Operation and Maintenance Agreement shall be prepared by the Township Solicitor for the Owners' review and execution.
12. Construction of the Pool House shall be consistent with testimony provided by Applicants during the hearings held and further subject to the plans provided.
13. Applicants are to provide a post-construction "As-Built" Plan to confirm for Doylestown Township that the project was developed without need for additional zoning relief.
14. Applicants must comply with all other applicable rules, regulations and governmental ordinances.

**ZONING HEARING BOARD
OF DOYLESTOWN TOWNSHIP**

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

/s/ Samuel Costanzo
Samuel Costanzo

/s/ Richard Gaver
Richard Gaver