

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

Docket No.: Z-19-25

Applicants: Dwayne & Paula Kovacs
52 Hillcrest Drive
Doylestown, PA 18901

Owners: Same.

**Subject
Property:** Tax Parcel No. 09-026-040, which is located at the address of the Applicants set forth above.

**Requested
Relief:** Applicants seek to demolish an existing two car garage attached to the existing single-family dwelling, and replace it with a larger attached garage. In order to facilitate the construction plans, Applicants seek the following relief from the Doylestown Township Zoning Ordinance ("Ordinance"): (1) a variance from §175-38, to allow impervious surface coverage of 22.9% where 20% is the maximum permitted; and (2) from §175-39, to allow one side yard setback of 19.41 feet where 25 feet is required.

**Hearing
History:** The application was filed in Doylestown Township on November 25, 2025. Hearings were held on February 26, 2026, March 26, 2026 and April 23, 2026 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

Appearances: Applicants by: Gavin Laboski, Esq.
Laboski Law
314 W. Broad Street, Suite 124
Quakertown, PA 18951

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: Waiver of Deadlines under Ordinance and MPC

- A-1: Letter dated February 23, 2026
- A-2: Plan dated September 27, 1979
- A-3: Existing Plan dated September 25, 2025, revised March 3, 2026
- A-4: Proposed Plan dated September 25, 2025, revised March 3, 2026
- A-5: Floor Plan dated September 25, 2025, revised March 3, 2026
- A-6: Existing Features Plan dated August 11, 2025
- A-7: Existing Site Plan dated September 29, 2025, revised April 20, 2026
- A-8: Conceptual Front Elevation Photo
- A-9: Conceptual Right Side Elevation
- A-10: Bucks County Parcel Viewer Aerial Photo

4. The Subject Property is located in the R-1, Residential Zoning District of Doylestown Township. The lot area is 47,124 square feet. The property accommodates the Applicant's single family dwelling with customary residential amenities.

5. Applicants seek to demolish an existing two car garage attached to the existing single-family dwelling, and replace it with a larger attached garage. In order to facilitate the construction plans, Applicants seek the following relief from the Doylestown Township Zoning Ordinance ("Ordinance"): (1) a variance from §175-38, to allow impervious surface coverage of 22.9% where 20% is the maximum permitted; and (2) from §175-39, to allow one side yard setback of 19.41 feet where 25 feet is required.

6. Applicants testified that existing impervious is nonconforming at 22%.

7. Applicants testified that this was the only possible location based on the existing features of the Property as there is no room to expand on the other side of the house and it would have to connect to the driveway.

8. The proposed project is an increase of impervious surface area of 411 square feet resulting in an impervious surface ratio of 22.9%.

9. Applicants reduced the proposed side yard setback relief request to 19.41 feet.

10. Applicants testified that the garage is for personal use and not associated with their business.

11. Applicants testified that the garage was needed for personal vehicles and equipment.

12. No one spoke in opposition to the application.

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

14. 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 requested variances from the Doylestown Township Zoning Ordinance to facilitate the demolition of an existing two car garage attached to the existing single-family dwelling, and replace it with a larger attached garage:

1. from §175-38, to allow impervious surface coverage of 22.9% where 20% is the maximum permitted; and,
2. from §175-39, to allow one side yard setback of 19.41 feet where 25 feet is required.

The relief granted is subject to the following conditions:

1. The garage cannot be used for any commercial purpose or associated with Property Owners' business.
2. To the extent required, 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.
3. To the extent required, Applicants are to have prepared a professionally sealed Stormwater Plan controlling runoff in accordance with Township regulations.
4. The Plan is to be reviewed by the Township Engineer at Applicants' expense. Applicants are to modify the plan as requested by the Township.
5. A \$2,000.00 escrow is to be posted.
6. A Professional Services Agreement is to be signed by Applicants.
7. 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.
8. The Plan is to be implemented after review and approval by the Township Engineering and Zoning Officer.
9. 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.

10. The Stormwater Operation and Maintenance Agreement shall be prepared by the Township Solicitor for the Owners' review and execution.
11. Construction of the garage shall be consistent with testimony provided by Applicants during the hearings held and further subject to the plans provided.
12. 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.
13. 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