

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

ADMINISTRATIVE CORRECTION

Docket No.: Z-4-26

Applicants: Michael & Laurie Weiler
210 Nicklaus Drive
Doylestown, PA 18901

Owners: Same.

**Subject
Property:** Tax Parcel No. 09-020-045, which is located at the address of the Applicants set forth above.

**Requested
Relief:** Applicants seek to construct an in-ground swimming pool on the residential lot. In order to construct the pool as proposed, Applicants request a variance from §175-27.D(6) of the Doylestown Township Zoning Ordinance ("Ordinance") to disturb steep slopes in excess of that permitted by Ordinance, and a variance from §175-38 to increase impervious surface coverage to 62.4%, where a maximum of 20% impervious surface coverage is permitted by Ordinance.

**Hearing
History:** The application was filed in Doylestown Township on January 29, 2026. Hearing were held on March 26, 2026 and April 23, 2026 at the Doylestown Township Building, 425 Wells Road, Doylestown, PA 18901.

Appearances: Applicants, *Pro Se*

Mailing Date: June 8, 2026¹

¹ The Written Decision was originally issued June 8, 2026. The Zoning Hearing Board granted the requested relief consistent with the testimony and evidence provided during the hearings held. Pursuant to Applicants' request, the Zoning Hearing Board issues the present Administrative Correction to address a typo in the impervious surface coverage granted with the application.

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")

A-1: Aerial Photo

A-2: Revised Plan

A-3: Aerial Photo

A-4: Lot Calculations

4. The Subject Property is located in the R-1, Residential Zoning District of Doylestown Township. The lot area is 18,596 square feet. The property accommodates the Applicants' single family dwelling with customary residential amenities.

5. Applicants seek to construct an in-ground swimming pool on the residential lot. In order to construct the pool as proposed, Applicants request a variance from §175-27.D(6) of the Doylestown Township Zoning Ordinance ("Ordinance") to disturb steep slopes in excess of that permitted by Ordinance, and a variance from §175-38 to increase impervious surface coverage to 62.4%, where a maximum of 20% impervious surface coverage is permitted by Ordinance.

6. The lot size of the Property is nonconforming.

7. Applicants testified that the lot size and existing features, including the steep slopes and flood easement line, cause the need for relief for reasonable improvements.

8. Applicants testified that the proposed project is consistent with the neighborhood.

9. Applicants moved the proposed pool closer to the home and flush with exiting patio to minimize the relief needed.

10. Applicants reduced the decking around the pool to 4 feet by the sun shelf and 2 feet everywhere else.
11. Applicants removed steps and wall to also reduce the relief.
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 variances from the Doylestown Township Zoning Ordinance to facilitate the construction of an in-ground swimming pool on the residential lot:

1. from §175-27.D(6), to disturb steep slopes in excess of that permitted by Ordinance; and,
2. from §175-38 to increase impervious surface coverage to 62.4%, where a maximum of 20% impervious surface coverage is permitted by Ordinance.

The relief granted is subject to the following conditions:

1. 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.
2. To the extent required, Applicants are to have prepared a professionally sealed Stormwater Plan controlling runoff in accordance with Township regulations.
3. The plan is to be reviewed by the Township Engineer at Applicants' expense. Applicants are to modify the plan as requested by the Township.
4. A \$2,000.00 escrow is to be posted.
5. A Professional Services Agreement is to be signed by Applicants.
6. 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.
7. The Plan is to be implemented after review and approval by the Township Engineering and Zoning Officer.
8. 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.
9. The Stormwater Operation and Maintenance Agreement shall be prepared by the Township Solicitor for the Owners' review and execution.

10. Construction of the pool shall be consistent with testimony provided by Applicants during the hearings held and further subject to the plans provided.
11. 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.
12. 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

/s/ Richard Gaver
Richard Gaver