

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

**Docket No.** 18-04

**Applicant:** Steven Janeski  
1700 Meetinghouse Road  
Hartsville, PA 18974

**Owner:** Same.

**Subject Property:** Tax Parcel No. 51-003-065-013, which is located at the address of the Applicant set forth above.

**Requested Relief:** The Applicant seeks to place a 12 x 24 foot accessory structure closer to the street line than the front building line of the primary structure on the Subject Property. Applicant seeks a variance from §196-16.B(12)(j) of the Warwick Township Zoning Ordinance ("Ordinance").

**Hearing History:** The application was filed in Warwick Township on June 26, 2018. The hearing was held on August 7, 2018 at the Warwick Township Administration Building, 1733 Township Greene, Jamison, PA 18929.

**Appearances:** Applicant, Pro Se'

**Mailing Date:** September 17, 2018

## DECISION

### FINDINGS OF FACT:

1. The Zoning Hearing Board of Warwick 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 Applicant is the Owner of the Subject Property and therefore possessed of the requisite standing to make application to this Board.

3. The Subject Property is located in the R-1, Residential Zoning District of Warwick Township. The property is on the order of 56,316 square feet (approximately 228 square feet by 247 square feet). The property is improved by a single-family dwelling with an attached covered patio, driveway and accessory walkways. The lot has frontage, the entire width of the property, along Meetinghouse Road, but takes access to the existing dwelling by way of a lane perpendicular to Meetinghouse Road. The house sits to the rear of the property as seen from Meetinghouse Road and is oriented toward the lane. The practical side yard of the property faces Meetinghouse Road (technically a front yard). The actual rear yard is densely covered with vegetation.

4. The Applicant seeks to place a 12' x 24' shed to the practical rear aspect of the house, within the legal front yard adjacent to Meetinghouse Road, but not within the front yard setback, and closer to the street line than the front building line of the primary structure (technically the side of the dwelling).

Applicant explained placement of the shed as the optimal placement to reduce destruction of existing vegetation, and at the same time minimize view of the shed from the street line. To further reduce the visual impact of the shed, Applicant intends to design the shed to match the existing single-family dwelling.

The Applicant's testimony is consistent with the site plan submitted by the Applicant during the course of the hearing. That plan is attached hereto and incorporated by reference.

5. No one spoke in opposition to the application.

6. Warwick Township took no position with regard to this application.

**CONCLUSIONS OF LAW:**

1. The use of the Subject Property as a single-family detached home is permitted by right within the R-1, Residential Zoning District of Warwick Township.

2. The Subject Property is technically a corner property, requiring compliance with the front yard setback requirements along two frontages, to wit, Meetinghouse Road and the private lane. As a practical matter, the practical front yard is along the private lane.

3. The setback between Meetinghouse Road and the existing dwelling is on the order of 152 feet.

4. Applicant seeks to place the shed 155 feet from the lane and 132 feet from Meetinghouse Road. The Applicant testified to existing wooded area to the "rear" of the shed, essentially perpendicular to Meetinghouse and parallel to the private lane. Further, Applicant testified to landscaping to be placed parallel to Meetinghouse Road.

5. Applicant's desired placement of the 12' x 24' accessory structure closer to the street line of Meetinghouse Road than the primary structure on the Subject Property, requires a variance from §196-16.B(12)(j) of the Ordinance.

6. The competent evidence presented leads the Board to conclude that, if the requested variance relief is granted, there will be no negative impacts upon surrounding properties or uses. Germane to this Conclusion, is the size of the Subject Property, Applicant's thoughtful placement of the shed in conjunction with preserving existing natural resources, along with creating additional buffer and screening. The Board is also mindful that the Applicant is burdened with two front yards as a matter of law.

7. The Board concludes and the evidence establishes that the relief sought by the Applicant is the minimum relief necessary. The Board is mindful that the Applicant has been working within the confines of the natural contours of the property.

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

9. The Applicant has presented evidence of sufficient factors to warrant the grant of the dimensional variance requested.

10. Accordingly, the Warwick 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 Warwick Township Zoning Hearing Board hereby GRANTS a variance from §196-16.B(12)(j) of the Warwick Township Zoning Ordinance to permit placement of the 12 x 24 foot accessory structure closer to the street line than the front building line of the primary structure on the Subject Property, as viewed from Meetinghouse Road, consistent with the Site Plan provided by the Applicant during the course of the hearing, attached hereto, and incorporated by reference herein.

The relief herein granted is subject to compliance with all other applicable governmental ordinances and regulations.

**ZONING HEARING BOARD OF  
WARWICK TOWNSHIP**

/s/ Kevin J. Wolf  
Kevin J. Wolf

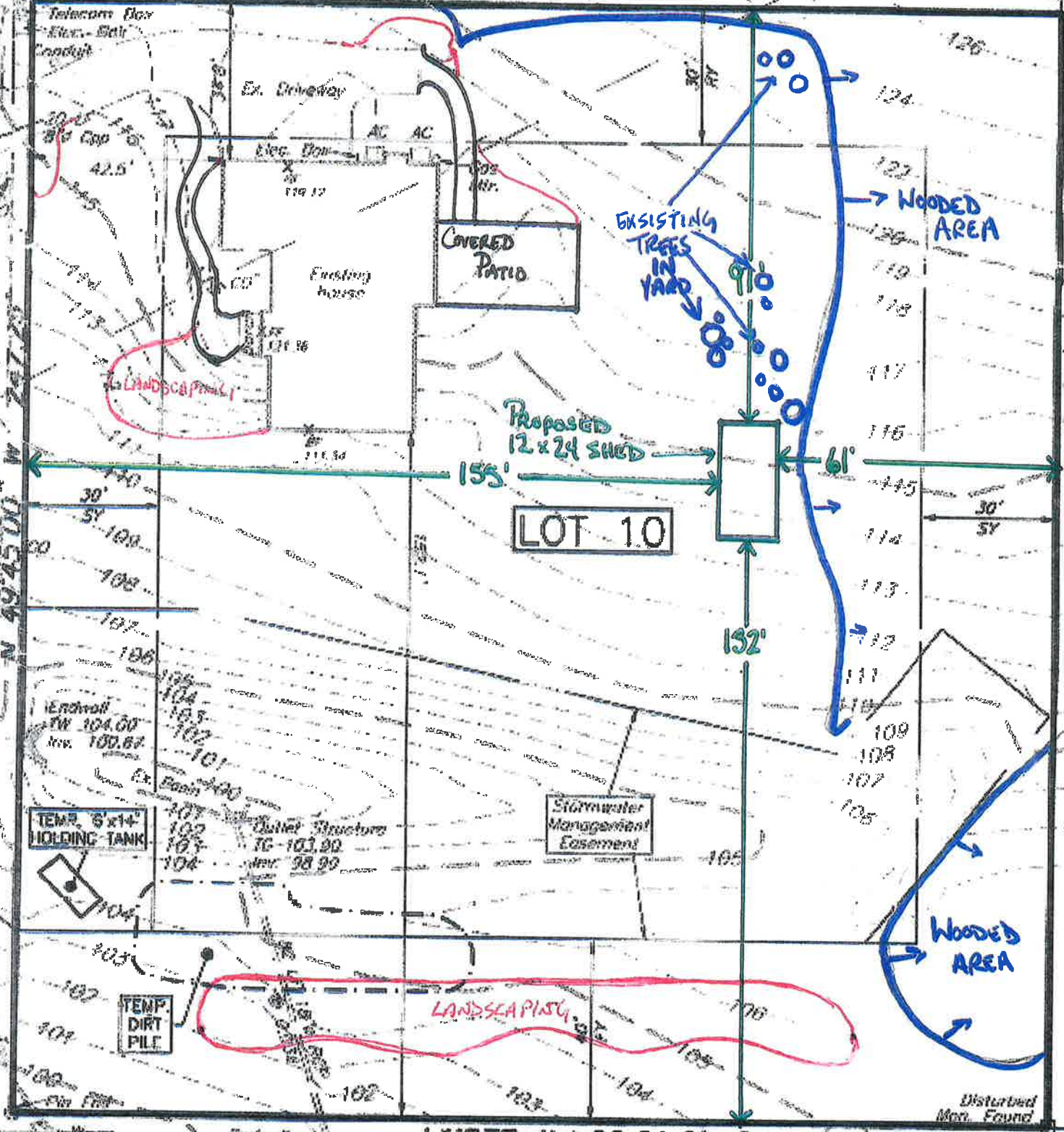
/s/ Dave Mullen  
Dave Mullen

/s/ Lorraine Sciuto-Ballasy  
Lorraine Sciuto-Ballasy

**IMPORTANT NOTE:** Pursuant to §195-115 and §195-116 of the Warwick Township Zoning Ordinance, variances or special exceptions granted by the Zoning Hearing Board shall expire one (1) year from the date of the Decision, unless the applicant or owner or successor in interest has commenced construction within that time. Construction will be deemed commenced upon the issuance of a building and/or zoning permit for the approved use.

N 40°15'00" E 228.71'

1" = 30'



1" = 30'  
 Proposed shed = GREEN  
 Existing trees = BLUE  
 Landscaping = RED

Meetinghouse Road