

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

**Docket No.** 20-02

**Applicant:** Warwick TVC-ARC, LP  
c/o Thomas Verrichia  
329 S. Main Street, Suite B  
Doylestown, PA 18901

**Owner:** Same.

**Subject Property:** Tax Parcel Nos. 51-003-089-003 and 51-003-090 which are collectively located on York Road and bordered by Meyer Way and Meetinghouse Road.

**Requested Relief:** Applicant proposes to construct a 38,133 square foot Tractor Supply Company store on the subject property. In conjunction with the construction, Applicant seeks to construct a two sided monument sign of forty (40) square feet, rather than the permitted maximum of twelve (12) square feet, and two projecting wall signs of 125 square feet each, rather than the maximum permitted 10 square feet each. Applicant requests variances from §195-97.B(4)(b)[2] and §195-97.B(4)(b)[3], of the Warwick Township Zoning Ordinance (“Ordinance”) to permit the additional signage.<sup>1</sup>

**Hearing History:** The application was filed in Warwick Township on February 25, 2020. The hearing was held on June 8, 2020 at the Warwick Township Administration Building, 1733 Township Greene, Jamison, PA 18929.<sup>2</sup>

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<sup>1</sup> During the course of the hearing, correspondence from the Township Solicitor was read into the record. The letter contained conditions on the Township remaining neutral on the application, but requesting that the wall sign facing York Road be reduced from the proposed 125 square feet to 75 square feet. (See Exhibit ZHB-8). Applicant has agreed to that condition.

<sup>2</sup> Applicant was provided with an Act 15 notice, among other things, notifying Applicant that the hearing timeframes under MPC §908(1.2) were tolled or suspended as a result of the COVID-19 emergency declaration. Applicant further signed a waiver of the first hearing timeframes to accommodate the stay at home orders and social distancing protocols of the COVID-19 health emergency.

**Appearances:** Applicant by: Julie L. Von Spreckelsen, Esq.  
Eastburn & Gray, P.C.  
470 Norristown Road, Suite 302  
Blue Bell, PA 19422

Warwick Township by: Mary Eberle, Esq.  
Grim Biehn & Thatcher  
104 S. 6th Street  
P.O. Box 215  
Perkasie, PA 18944

**Mailing Date:** July 7, 2020

## **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 VC 2, Village Center Zoning District of Warwick Township.

4. The Subject Property is known as Warwick Village Commons and has three street frontages: York Road, Meetinghouse Road, and Meyer Way. The frontage along York Road is 889 feet. The frontage along Meetinghouse Road is 661.3 feet. The frontage along Meyer Way is 520.6 feet. The Applicant proposes a non-rectangular building on an oddly shaped lot.

5. The property comprises 14.5 acres total, with the undeveloped portion of the property being 11.86 acres.

6. Property Owner, on behalf of Tractor Supply Company, proposes a monument sign of 40 square feet, rather than the permitted maximum of 12 square feet, and two projecting signs of 125 square feet each, rather than the maximum permitted 10 square feet each to support the 38,133 square foot Tractor Supply Company store to be constructed on the property.

7. The details of constructing the Tractor Supply Company store, have been addressed through the conditional use process, and a subsequent Land Use Appeal, at Bucks County Common Pleas No. 2018-04140 (Exhibit ZHB-7), which has been resolved by entry of a Court Order dated November 12, 2019, based upon a Stipulation and Agreement dated October 21, 2019 by and between Warwick TVC-ARC, LP and the Warwick Township Board of Supervisors.

8. The present request for relief was not addressed through the Court Order.

9. The distance from York Road to the York Road façade of the proposed Tractor Supply Company store where the projecting wall sign will be located is 403.8 feet.

10. The distance from Meetinghouse Road to the Meyer Way façade of the proposed Tractor Supply Company store where the projecting wall sign will be located is 242.7 feet.

11. The distance from Meyer Way to the Meyer Way façade of the proposed Tractor Supply Company store where the projecting wall sign will be located is 428.8 feet.

12. No wall signage is proposed for the Meetinghouse Road façade or for the rear façade facing the proposed adjacent multi-family dwelling development. The two proposed projecting wall signs will face York Road and the Wawa at Meyer Way.

13. The Applicant asserts that due to the distance from the street to the building façade, and the size of the building, the sign variances are necessary and appropriate.

14. No one spoke in opposition to the application.

15. Warwick Township remained neutral, but requested a reduction in the York Road façade sign. (See Exhibit ZHB-8).

### **CONCLUSIONS OF LAW:**

1. The Subject Property is being developed consistent with the requirements of the Ordinance, and the parameters of land development plans as well as the aforementioned Stipulation and Court Order. (See Exhibit ZHB-7).

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, especially in light of the reduction for the projecting wall sign along the building wall facing the York Road frontage.

4. The variance sought will not alter the essential character of the neighborhood or district in which the Subject Property is located. The Board is mindful that the monument sign variance request is consistent with the monument sign variance granted for the adjacent and corresponding Wawa development.

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

6. Accordingly, the Warwick Township Zoning Hearing Board determined, unanimously, to grant the Applicant's request for relief, as amended, as is set forth hereafter.

**ORDER**

Upon consideration and after hearing, the Warwick Township Zoning Hearing Board hereby GRANTS Applicant’s request for sign relief from the Warwick Township Zoning Ordinance, as modified by the present Order, on the Subject Property, as follows:

1. a variance from §195-97.B(4)(b)[2], to construct a two sided monument sign of forty (40) square feet, rather than the permitted maximum of twelve (12) square feet; and
2. a variance from §195-97.B(4)(b)[3], to construct two projecting wall signs to exceed the maximum permitted 10 square feet each, to permit the wall sign facing Meyer Way to be 125 square feet and to allow the sign facing York Road to be reduced from the proposed 125 square feet to an approved 75 square feet.

The relief herein granted is subject to compliance with the following conditions:

1. The wall sign facing York Road shall be reduced from the proposed 125 square feet to the approved 75 feet.
2. The proposed signs shall be constructed and placed substantially in compliance with the plan set and graphic depictions submitted in conjunction with the present request for zoning relief (Exhibits A6 – A8).
3. 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.