

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

Docket No. 25-09

Applicants: Karl and Mary Knapp
2551 Meetinghouse Road
Jamison, PA 18929

Owner: Same

Subject Property: Tax Parcel No. 51-010-058 for property known as 2551 Meetinghouse Road

Requested Relief: The Applicant is seeking the following variances from the Warwick Township Zoning Ordinance (“Ordinance”): §195-19B and §195-16(B)(12)(b)[1] to allow a proposed garage to be located in front of the existing dwelling’s building line and two feet from the side property line where seven feet is required.

Hearing History: An Application was filed in Warwick Township on December 17, 2025. The hearing was held on February 3, 2026 at the Warwick Township Administration Building.

Appearances: John McShea, Esquire
Eastburn and Gray, PC
60 East Court Street
Doylestown, PA 18901

Parties: None.

Mailing Date: March 3, 2026

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 is therefore possessed of the requisite standing to make application to this Board.

3. The following exhibits were marked and admitted during the February 3, 2026 hearing:

Board Exhibits:

B-1 Application with attachments received by Warwick Township on December 17, 2025.

B-2 Proof of Publication from the Intelligencer for advertising notice on January 20, 2026 and January 27, 2026. Public Notice advertising hearing scheduled for February 3, 2026 at 7:00 pm and confirmation from the Intelligencer

B-3 Letter dated January 13, 2026 to Applicant's attorney, John McShea, Esquire from Vicki L. Kushto, Esquire advising of the hearing date

B-4 Resident mailing certification dated January 15, 2026 sent by Tom Jones, Warwick Township Zoning Officer and copy of list of property owners notified

B-5 Property Posting Certification by Tom Jones, Zoning Officer dated January 16, 2026

Applicant Exhibits:

A-1 Deed

A-2 CV of Jeffrey Harris

A-3 Bucks County GIS Map

A-4 Aerial Photograph

A-5 Site Plan

4. The Subject Property is located in the RA Residential-Agricultural Zoning District. The Subject Property consists of approximately 2.5 acres and currently includes a single family home.

5. Mr. McShea presented a summary of his arguments, the Application and the testimony as follows:

The Applicants have resided at the Subject Property for 43 years. They are proposing to add a sunroom onto the front of the house and a separate detached garage. Mr. McShea explained Exhibits A-1 through A-5. Exhibit A-5 the Site Plan shows the hardship for this Application. The lot is long, narrow and non-conforming. The existing home is set back approximately 800 feet from the road. The existing improvements restrict the location of the proposed detached garage including a transformer that requires a 10 foot setback.

There is a stormwater pipe that runs from the back deck and wraps around to the rear of the existing home. In addition, if the garage were placed behind the house, the driveway would have to be extended adding a large amount of additional impervious coverage. The proposed garage is so close to the side property line because of the existing transformer and the fact that the Applicant does not want to construct the garage in front of the proposed sunroom addition.

The neighboring homes are much closer to the road so the impact on them will be minimal. Applicant spoke to the neighbors on both sides and neither object so there will be no adverse impacts.

6. The Board discussed with the Applicant the concern that a side yard setback of only two feet would not be enough to allow for grading without going onto the neighboring property. A discussion was had regarding the need for a temporary construction easement from the neighbor. Following further discussion, the Applicant agreed that the proposed garage could be built with a four foot setback instead of a two foot setback.

7. Mr. Nicholas Morabito is a neighbor who resides at 2511 Meetinghouse Road. He expressed interest in the Application as a neighbor but did not voice any objections.

8. There was no other public comment.

9. The Board of Supervisors did not express a position regarding the Application.

CONCLUSIONS OF LAW:

1. Section 910.2 of the Pennsylvania Municipalities Planning Code requires that an applicant demonstrate all of the following in order to be entitled to a variance: (1) there are unique physical circumstances or conditions peculiar to the Property that impose an unnecessary hardship; (2) because of such unique physical circumstances or conditions, there is no possibility that the Property can be developed in strict conformity with the Zoning Ordinance and that the variance is therefore necessary to enable the reasonable use of the Property; (3) such unnecessary hardship has not been created by applicant; (4) the variance will not alter the essential character of the neighborhood; and (5) the variance represents the minimum variance that will afford relief. (53 P.S. §10910.2).

2. The burden on the applicant seeking a variance is a heavy one, and the reasons for granting the variance must be substantial, serious, and compelling. *Pequea Township v. ZHB of Pequea Township*, 180 A.3d 500 (Pa. Cmwlth. 2018) (citations and internal quotations omitted).

3. The hardship must relate to the property and not the person. *Id.*

4. The Subject Property is within the RA Residential-Agricultural Zoning District. The current use of the Subject Property is as a B1 Single Family Dwelling.

5. A B1 Single Family Dwelling use is a permitted use within the RA Residential-Agricultural Zoning District.

6. The Board concludes that the Subject Property has unique physical conditions including that it is non-conforming, the lot is long and narrow, the existing house is set far back on the lot and the existing improvements affect where any new improvements can be located.

7. The Board concludes that because of the unique physical conditions there is no possibility that the Subject Property can be developed in strict conformity with the Ordinance and a variance is necessary to allow reasonable use of the Subject Property.

8. The Board concludes that the hardship was not created by the Applicant.

9. The Board concludes that the granting of the variances will not alter the essential character of the neighborhood or district in which the Subject Property is located.

10. The Board concludes that the proposed use will have a very low impact on the surrounding uses and neighbors.

11. The Board concludes that, given the Applicant's agreement to increase the side yard setback to four feet, the variances being requested are the minimum variances that will afford relief.

12. The Board concludes that the Applicant has presented evidence of sufficient factors to warrant the grant of the variances.

13. Accordingly, the Warwick Township Zoning Hearing Board determined, by a majority vote, to grant the Applicant's request for variances.

ORDER

Upon consideration and after the hearing, the Zoning Hearing Board of Warwick Township hereby GRANTS the following variances from the Warwick Township Zoning Ordinance for the Subject Property: variance from §195-19B and 195-16(B)(12)(b)[1] to allow a proposed garage to be located in front of the existing dwelling's building line and four feet from the side property line.

