

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

Docket No. 26-05

Applicants: 2583 State Road Realty Associates LLC
2900 Black Lake Place
Philadelphia, PA 19154

Owner: Same as Applicants

Subject Property: Tax Parcel No. 51-013-009-004 for property known as 1707 Stout Drive

Requested Relief: The Applicant is seeking the following variances from the Warwick Township Zoning Ordinance (“Ordinance”): §195-10 to allow more than one principal use on the Subject Property; and §195-16.F(3)(b) to permit 32 parking spaces rather than the required 39 parking spaces based on a prior zoning approval and as required by the Ordinance.

Hearing History: An Application was filed in Warwick Township on June 30, 2026. The hearing was held on August 4, 2026 at the Warwick Township Administration Building.

Appearances: John McShea, IV, Esquire
Eastburn and Gray
60 East Court Street
P.O. Box 1389
Doylestown, PA 18901

Parties: None

Mailing Date: September 2, 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 equitable 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 August 4, 2026 hearing:

Board Exhibits:

B-1 Application with attachments received by Warwick Township on June 30, 2026.

B-2 Proof of Publication from the Intelligencer for advertising notice on July 19, 2026 and July 26, 2026. Public Notice advertising hearing scheduled for August 4, 2026 at 7:00 pm and confirmation from the Intelligencer

B-3 Letter dated July 13, 2026 to Applicant's attorney, Julie Von Spreckelsen, Esquire from Vicki L. Kushto, Esquire advising of the hearing date

B-4 Resident mailing certification dated July 20, 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 July 20, 2026

B-6 Letter dated July 21, 2026, revised from Michael Martin, Esquire

Applicant Exhibits:

A-1 Deed

A-2 Aerial Photograph

A-3 Site Plan

A-4 Floor Plan

A-5 Parking Analysis

A-6 CV of Gregory Richardson

A-7 2024 ZHB Decision

4. The Subject Property is located in the LI Limited Industrial Zoning District. The Subject Property consists of approximately 2.9 acres and currently includes a warehouse, office and associated parking.

5. Mr. McShea presented a summary of the Application as follows:

The Subject Property contains a warehouse with approximately 20,000 square foot warehouse, 1,600 square foot office and 30 existing parking spaces. The Subject Property has been used for an H3 use since 2024. The Applicant received prior Zoning Hearing Board approval in Docket No. 24-08 ("Prior Decision") which permitted 30 parking spaces instead of the 54 parking spaces required by the Ordinance. At the time of the Prior Decision, the office space existed within the warehouse but is not currently being used. The office space contains a kitchen, 6 offices, and bathrooms.

Applicant would like to lease the office space to a low impact tenant. The Ordinance would require 9 parking spaces for the office use. The Subject Property currently contains 30 parking spaces and the Applicant can relocate a dumpster and create 2 more spaces. The Subject Property contains 2 street frontages and there is no room to include more parking spaces.

6. Mr. McShea presented the testimony of Kyle Collin which can be summarized as follows:

Mr. Collin is the general counsel of the Applicant. Mr. Collin reviewed and described the following Exhibits: Exhibit A1 is the Deed for the Subject Property; Exhibit A2 is a google aerial of the Subject Property which shows the current conditions; Exhibit A3 is a site plan which shows the current layout of the site. There are 27 parking spaces located off of Stout Drive and there are 3 spaces located off of Sycamore Drive. There is an area off Sycamore Drive where the dumpsters are currently located and can be moved to create 2 more parking spaces.

Applicant stores equipment for long terms in the warehouse. Typically when the equipment is going to be picked up, employees will show up the night before a job, load the equipment that they need and return in the morning to pick up the trucks.

Applicant confirmed that Exhibit A7 is the Prior Decision. Applicant uses the warehouse in the same way as it was described during the prior hearing. If anyone is present there is typically only 1 employee and 1 car present at the Subject Property. No one works there permanently. As was the case when the Prior Decision was issued, there is still no viable place to put additional parking. The Subject Property contains two street frontages and the required setbacks and water lines prevent further expansion.

Applicant would like to rent the existing office space to a low impact tenant that does not have customers. The ideal tenant would operate Monday through Friday from 8 am to 5 pm. This would provide a presence at the Subject Property. The office use is permitted by right in the applicable Zoning District. Exhibit A4 shows the current layout of the office space. The office space would be leased with no exterior or interior renovations.

Applicant appeared before the Board of Supervisors and the Board indicated that they would remain neutral on the Application if Applicant agreed to restrict the tenant to having no more than 9 employees and Applicant has agreed to this condition.

7. Mr. McShea presented the testimony of Greg Richardson, PE which can be summarized as follows:

Mr. Richardson is a civil engineer who specializes in traffic engineering. Exhibit A6 is his curriculum vitae and it is up to date and current. Mr. Richardson was accepted by the Board as an expert.

Mr. Richardson prepared a parking analysis which is Exhibit A5. He utilized the Township's Ordinances and the Parking Generation Manual to determine the parking needs for the Subject Property. Applicant has 32 total parking spaces available for both the warehouse and office use. The Ordinance would require 51 parking spaces for the warehouse and 9 parking spaces for the office use for a total of 60 parking spaces.

Based on the Parking Generation Manual the warehouse use would require 10 parking spaces and the office use would require 4 parking spaces for a total of 14 parking spaces. Based on this analysis, it is Mr. Richardson's opinion that Applicant has more than adequate parking for the warehouse and office use. It is also his opinion that there will be no adverse impacts if the variances are granted and there will be no overflow of parking onto the adjacent streets.

8. There was no public comment and no one requested party status.

9. The Board of Supervisors by letter dated July 21, 2026 (revised) indicated that it would remain neutral on the Application with the condition that the Applicant limit the new office tenant to 9 employees. Exhibit B-6.

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 LI Limited Industrial Zoning District. The proposed use of the Subject Property as a H3 warehouse and an F3 office are permitted uses.

5. The uses meet all of the area and bulk requirements of the Zoning Ordinance.

6. The Board concludes that the Subject Property contains unique physical characteristics including the fact that it has 2 street frontages.

7. The Board concludes that because of these unique physical conditions, the Subject Property cannot be developed in strict conformity with the Zoning Ordinance and the variances requested are necessary to enable the reasonable use of the Subject Property.

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

9. The Board concludes, with the conditions imposed, 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, with the conditions imposed, the proposed use will have a very low impact on the surrounding uses and neighbors.

11. The Board concludes, with the conditions imposed, that 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.

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: from §195-10 to allow two principal uses on the Subject Property a H3 Warehouse and F3 Office; and §195-16.F(3)(b) to permit 32 parking spaces instead of the 39 parking spaces based on prior zoning approval and as required by the Ordinance **subject to the following condition:** Applicant shall limit the office tenant to no more than nine (9) employees.

The relief contained herein granted is subject to compliance with all other applicable governmental ordinances and regulations, including obtaining the proper permits.

ZONING HEARING BOARD OF
WARWICK TOWNSHIP

By: /s/ Kevin Wolf
Kevin Wolf, Chairman

/s/ Matthew Manz
Matthew Manz

/s/ Dave Mullen
Dave Mullen

NOTICE TO APPLICANT

You have the right to appeal this Decision to the Court of Common Pleas of Bucks County. Such an appeal must be taken within thirty (30) days of the date the Decision was issued and mailed to you as stated above.