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May 21, 2026

Kaitlyn Pufnock
16 Loni Court
Hatfield, PA 19440

**Re: Hilltown Township Zoning Hearing Board
Kaitlyn T. Pufnock; Appeal No. 2026-004**

Dear Ms. Pufnock:

Please find enclosed herewith a copy of the Decision of the Hilltown Township Zoning Hearing Board dated May 20, 2026 in the above-captioned matter. The original of this Decision is being retained by the Township for its file.

Thank you for your attention to this matter.

Very truly yours,
Grim, Biehn & Thatcher



KELLY L. EBERLE

KLE/ben

Encl.

cc: Hilltown Township Manager (w/encl.)

HILLTOWN TOWNSHIP ZONING HEARING BOARD

In Re: Kaitlyn Pufnock

Appeal No. 2026-004

A hearing was held in the above matter on Wednesday, May 6, 2026, at 7:00 p.m. at the Hilltown Township Municipal Building. Notice of the hearing was published in The Intelligencer advising that all parties in interest might appear and be heard. In addition, the property was posted, and written notice was provided to neighboring property owners as required by the Zoning Ordinance.

The matter was heard before Stephen C. Yates, Chairman, D. Brooke Rush, and Matthew Knox. In addition, Kelly L. Eberle, the Board Solicitor, was in attendance, as was the Board stenographer. Applicant was present, and Scott Payne of Scott Payne Custom Pools testified on Applicant's behalf. No other individuals requested party status.

The following exhibits were admitted and accepted into evidence:

Zoning Hearing Board's Exhibits

- B-1 Proof of Publication
- B-2 Posting Certification
- B-3 Letter with Enclosure dated April 7, 2026 to Neighboring Property Owners from K. Eberle

Applicant's Exhibits

- A-1 Application with all attachments (including deed and plan)
- A-2 Packet of Letters from the Neighbors
- A-3 Color Renderings

No other documentary evidence was submitted or received by the Hilltown Township Zoning Hearing Board. After weighing the credibility of the testimony and documents offered,

the Hilltown Township Zoning Hearing Board renders its Decision on the above Application as more fully set forth below.

I. FINDINGS OF FACT

1. The Applicant is Kaitlyn Pufnock (“Applicant”).
2. The subject property is the real property located at 16 Loni Court, Hilltown Township and more specifically identified as Bucks County Tax Parcel No. 15-022-202-016 (“Property”).
3. The Property is located in the RR-Rural Residential Zoning District.
4. The Property has a lot area of 56,888 square feet and is improved with a single-family dwelling and related improvements including an uncovered deck off the rear of the dwelling with a small impervious patio located underneath the deck.
5. The existing impervious surface coverage on the Property is 13.65%.
6. Applicant wishes to install an in-ground swimming pool and a shed in the rear yard.
7. As proposed, the pool itself consists of approximately 756 square feet while the decking, pool equipment, and coping totals approximately 1,205 square feet. The proposed shed is approximately 216 square feet.
8. The proposed improvements will result in a total impervious surface coverage of 17.51% on the Property.
9. The Hilltown Township Zoning Ordinance §160-26 Table of Performance Standards (Bulk and Area) allows a maximum impervious surface ratio of 15% for properties in the RR Zoning District.
10. Accordingly, Applicant requests a variance from Zoning Ordinance §160-26 to permit an impervious surface ratio of 17.51% rather than the maximum permitted 15% in connection

with the construction and installation of an in-ground swimming pool and a detached accessory building.

11. Scott Payne of Scott Payne Custom Pools, who is responsible for the design and installation of the proposed improvements, testified that without a variance and with only 600 square feet of available impervious surface remaining on the Property, Applicant would be limited in her ability to construction said any similar improvements.

II. DISCUSSION

Applicant requests a variance from Zoning Ordinance §160-26 to permit an impervious surface ratio of 17.51% rather than the maximum permitted 15% in connection with the construction and installation of an in-ground swimming pool, detached accessory building, and related improvements.

In considering applications for a variance, this Board is required to apply the provisions of Section 10910.2 of the Municipalities Planning Code. The Board has the authority to grant a variance if it finds that an applicant has met its burden of proof for the following five elements: first, that the property has unique physical circumstances, peculiar to the property, and not generally created by the Zoning Ordinance; second, that an unnecessary hardship exists, due to the uniqueness of the property, resulting in an applicant's inability to develop or have any reasonable use of the property; third, that the applicant did not create the hardship; fourth, that the grant of a variance will not alter the character of the neighborhood or be a detriment to the public welfare; and fifth, that the variance is the minimum necessary to afford relief. 53 P.S. § 10910.2(a). In the case of *Hertzberg vs. Zoning Board of Adjustment of the City of Pittsburgh*, 721 A. 2d 43 (S. Ct. – 1998), the Supreme Court of Pennsylvania held that the grant of a dimensional variance is of lesser

moment than the grant of a use variance, and the proof required to establish unnecessary hardship is lesser when a dimensional variance, as opposed to a use variance, is sought.

Based on the above, the Board finds that the Applicant has shown the existence of a hardship, not self-created, and unique and peculiar to the Property that requires the grant of a variance from Zoning Ordinance §160-26 to permit an impervious surface ratio of 17.51%, rather than a maximum of 15% in connection with the construction and installation of an in-ground swimming pool with a detached accessory building, and other related improvements in the rear yard. Additionally, the Board finds that the variance, with the conditions imposed in the Order, would not be injurious to the health, safety, and welfare of the surrounding community and constitutes the minimum relief necessary to afford Applicant the opportunity to reasonably use the Property.

DECISION AND ORDER

AND NOW, this 20th day of May, 2026, the Hilltown Township Zoning Hearing Board hereby grants the zoning relief requested conditioned as follows:

1. The construction and installation of the in-ground swimming pool, detached accessory building, and related improvements shall be done in conformity with the exhibits and testimony presented before the Board.

2. Applicant shall otherwise comply with all other Township, County, and/or State laws regarding construction and use.

The Hilltown Township Zoning Hearing Board deems the foregoing conditions necessary and warranted under the Hilltown Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

HILLTOWN TOWNSHIP ZONING HEARING BOARD

By: DocuSigned by:
Stephen Yates
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Stephen C. Yates, Chairman

By: DocuSigned by:
Brooke Rush
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D. Brooke Rush

By: Signed by:
Matthew Knox
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Matthew Knox

GRIM, BIEHN & THATCHER

By: DocuSigned by:
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Kelly L. Eberle, Solicitor
104 South Sixth Street
Perkasie, PA 18944

Date of Mailing: 5/21/26