



LOWER POTTS GROVE TOWNSHIP

2199 Buchert Road, Pottstown, PA 19464 610-323-0436 Fax: 610-323-3824
www.lowerpottsgrove.org

APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD

1. APPEAL IS MADE THIS _____ DAY OF _____, 20____, BY THE UNDERSIGNED. APPELLANT HEREWITH APPLIES FOR RELIEF FROM THE FOLLOWING SECTIONS OF THE LOWER POTTS GROVE TOWNSHIP ZONING ORDINANCE:

A VARIANCE §250-_____, §250-_____, §250-_____

A SPECIAL EXCEPTION §250-_____, §250-_____, §250-_____

AN INTERPRETATION §250-_____, §250-_____, §250-_____

APPEAL OF ZONING OFFICER'S DECISION, LETTER DATED _____, 20_____.

IF APPEAL DOES NOT CONCERN AN APPLICATION FOR A VARIANCE, SPECIAL EXCEPTION OR INTERPRETATION, STATE THE NATURE OF THE REQUEST BEING MADE.

2. APPELLANT INFORMATION APPELLANT IS THE OWNER EQUITABLE OWNER TENANT

NAME _____

ADDRESS _____

TELEPHONE # _____ EMAIL _____

(BUSINESS CELL)

LEGAL COUNSEL INFORMATION

NAME _____

ADDRESS _____

TELEPHONE # _____ EMAIL _____

(BUSINESS CELL)

3. PROPERTY INFORMATION

OWNER NAME _____

OWNER ADDRESS _____

TELEPHONE # _____ EMAIL _____

(HOME WORK CELL)

PROPERTY ADDRESS _____

TAX PARCEL ID 42-00-_____ ZONING DISTRICT _____ TOTAL AREA, SQ. FT. _____

PRESENT USE _____

UTILITIES: PUBLIC WATER PUBLIC SEWER WELL WATER SEPTIC SYSTEM

IS ANY PART OF YOUR PROPERTY IN A FLOODPLAIN? YES NO

APPEAL TO ZONING HEARING BOARD

PROPERTY ADDRESS _____

4. **PROPOSED USE.** WHAT IS THE PROPOSED USE FOR THE PROPERTY? LIST NATURE OF NORMAL BUSINESS OPERATIONS (HOURS OF OPERATION, # OF EMPLOYEES, BUSINESS EQUIPMENT TO BE USED OR STORED ON SITE, EXPLOSIVE/TOXIC MATERIALS, ETC.).

5. **PROPOSED IMPROVEMENTS.** PROVIDE ACCURATE DESCRIPTION OF PROPOSED BUILDING(S), STRUCTURES OR ADDITIONS, PARKING SPACES OR OTHER IMPROVEMENT(S) INTENDED TO BE MADE UNDER THIS APPEAL. IF NO IMPROVEMENTS → N/A

6. **STATE THE REASON(S) WHY THIS REQUESTED RELIEF SHOULD BE GRANTED (IF A VARIANCE IS BEING REQUESTED, INCLUDE THE SPECIFIC HARDSHIP AND WHY THE VARIANCE SHOULD BE GRANTED)**

7. **CERTIFICATION FOR APPELLANT**

I HEREBY CERTIFY THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS AUTHORIZED AGENT AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THIS JURISDICTION.

I _____ HEREBY STATE THE ABOVE FACTS AND STATEMENTS, INCLUDING ANY ATTACHMENTS ARE TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE. I FURTHER UNDERSTAND THAT ANY FALSIFICATION OF INFORMATION OR AN INCOMPLETE APPLICATION MAY BE CONSIDERED REASON TO REJECT THE APPLICATION AND THAT THE FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF PA CONS. STAT. 4904 RELATING TO UN-SWORN FALSIFICATION TO AUTHORITIES.

DATE _____ SIGNATURE _____ (SEAL)

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF MONTGOMERY:

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20 ____.

_____ MY COMMISSION EXPIRES _____

NOTARY PUBLIC

8. **OWNER ACKNOWLEDGEMENT TO BE SIGNED BY THE OWNER, IF THE OWNER IS NOT THE APPELLANT.**

I ACKNOWLEDGE THAT THE APPELLANT HAS MADE APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD.

DATE _____ SIGNATURE _____

TOWNSHIP USE ONLY BELOW THIS LINE

FEE RESIDENTIAL \$750.00* NON-RESIDENTIAL (OTHER) \$1,500.00 APPLICATION NO. _____

RECEIVED BY _____ DATE _____

COPY: ZHB SOLICITOR TWP. MANAGER
ZONING HEARING BOARD (4) FILE (ORIGINAL)

APPEAL TO ZONING HEARING BOARD

PROPERTY ADDRESS _____

*RESIDENTIAL IS FOR SINGLE-FAMILY RESIDENTIAL DWELLING, ADDITION, OR RESIDENTIAL STRUCTURE.

NOTICE TO THE APPELLANT

ITEMS TO BE SUBMITTED WITH THE APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD

APPLICATIONS MUST BE FILED THIRTY (30) DAYS PRIOR TO THE ZONING HEARING MEETING. ALL MATERIALS MUST BE RECEIVED ON OR BEFORE THE SUBMISSION DEADLINE. THE APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL ITEMS HAVE BEEN SUBMITTED AND DEEMED COMPLETE BY THE ZONING OFFICER.

- ONE (1) COMPLETE ORIGINAL APPLICATION SIGNED BY THE APPELLANT AND NOTARIZED.
 - SIX (6) COPIES OF ABOVE-MENTIONED APPLICATION.
 - ELECTRONIC COPY OF ALL PLANS -- PDF FORMAT, VIA AN EMAIL SENT TO THE ZONING OFFICER OR TOWNSHIP SECRETARY.
 - ONE (1) COMPLETED LIST OF ALL LANDOWNERS WITHIN 500 FEET OF REAL ESTATE AFFECTED BY THE APPEAL.
 - STAMPED AND PRE-ADDRESSED ENVELOPES (NO RETURN ADDRESS) FOR ALL LANDOWNERS SHOWN IN AFOREMENTIONED LIST.
 - CHECK PAYABLE TO LOWER POTTSBORO TOWNSHIP FOR THE APPLICABLE FEE. (CREDIT CARD NOT ACCEPTED)
 - SEVEN (7) COPIES OF THE DEED & AGREEMENT OF SALE (FOR EQUITABLE OWNER) OR LEASE AGREEMENT (FOR TENANT).
 - SEVEN (7) COPIES OF THE PLOT PLAN WHICH INCLUDES:
 - _____ DIMENSIONS OF THE LOT IN QUESTION AND ANY OTHER ADJACENT LOTS OWNED BY THE SAME OWNER OR SAME APPLICANT
 - _____ DIMENSIONS OF THE EXISTING BUILDINGS ON THE PROPER INCLUDING HEIGHT
 - _____ DIMENSIONS OF ANY PROPOSED BUILDING ON THE PROPERTY INCLUDING HEIGHT
 - _____ REAR, SIDE AND FRONT YARD SETBACKS ON EXISTING BUILDING AND PROPOSED BUILDINGS
 - _____ QUANTITY AND LOCATION OF OFF-STREET PARKING
 - SEVEN (7) COPIES OF THE INTERIOR BUILDING LAYOUT, EXISTING AND PROPOSED, AS APPROPRIATE.
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GENERAL INFORMATION

- a) WHO CAN FILE AN APPEAL WITH THE ZONING HEARING BOARD?
 - CHALLENGES, REQUEST FOR INTERPRETATIONS AND APPEALS MAY BE FILED BY THE LANDOWNER AFFECTED, AN OFFICER OR AGENCY OF THE MUNICIPALITY OR ANY PERSON AGGRIEVED.
 - A REQUEST FOR A VARIANCE OR SPECIAL EXCEPTION MAY BE FILED BY ANY LANDOWNER OR ANY TENANT WITH THE PERMISSION OF THE LANDOWNER
 - THE BOARD WILL ALSO, GENERALLY ACCEPT AN APPEAL FROM A PERSON WHO HAS SIGNED AN AGREEMENT OF SALE TO BUY A PROPERTY WHICH IS THE SUBJECT OF THE APPEAL.
- b) AN APPLICANT WHO PURPORTS TO FILE AN APPEAL ON BEHALF OF A PROPERTY OWNER WITHOUT THE ATTENDANCE OF THE PROPERTY OWNER AT THE HEARING, RUNS A RISK OF THE APPEAL BEING DENIED.
- c) THE ZONING HEARING BOARD DOES NOT REQUIRE THAT AN APPLICANT BE REPRESENTED BY AN ATTORNEY. IT IS UP TO THE APPLICANT TO DETERMINE WHETHER HE WANTS TO BE REPRESENTED BY AN ATTORNEY AT THE ZONING HEARING. PLEASE NOTE: NON-LEGAL REPRESENTATIVES OF THE APPLICANT'S ARE NOT PERMITTED TO PRESENT THE APPLICANT'S CASE.
- d) THE MEMBERS OF THE ZONING HEARING BOARD CANNOT BE CONTACTED BY THE APPLICANT OR ANYONE ON BEHALF OF THE APPLICANT BECAUSE THE BOARD SITS IN A JUDICIAL CAPACITY. THE BOARD CAN ONLY TAKE INFORMATION PRESENTED TO THE BOARD AT THE TIME OF THE HEARING. HOWEVER, THE APPLICANT IS ENCOURAGED TO DISCUSS THEIR PROPOSAL WITH THEIR IMMEDIATE NEIGHBORS.

APPEAL TO ZONING HEARING BOARD

PROPERTY ADDRESS _____

- e) THERE ARE THREE MEMBERS OF THE ZONING HEARING BOARD WITH THREE MEMBERS REQUIRED FOR A QUORUM. WHEN TWO MEMBERS ARE PRESENT, THE APPLICANT MAY WISH TO ALLOW THE ALTERNATE MEMBER TO HEAR THE CASE OR CONSIDER CONTINUING THE CASE UNTIL THE FULL BOARD IS PRESENT BECAUSE THE APPLICANT'S RELIEF CANNOT BE GRANTED IF THERE IS A TIE VOTE.

- f) FOR STANDARDS FOR VARIANCES AND SPECIAL EXCEPTIONS SET FORTH IN SECTION 250-225 – 250-228 OF THE LOWER POTTS GROVE ZONING ORDINANCE.