

# APPLICATION FOR HEARING BEFORE THE PEACH BOTTOM TOWNSHIP ZONING HEARING BOARD

**1. APPLICANT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

**2. PROPERTY OWNER : (If other than applicant):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Relationship to Applicant: \_\_\_\_\_

**3. PROPERTY AT ISSUE:**

Address an/or location: \_\_\_\_\_

Date purchased or obtained interest in property: \_\_\_\_\_

Lot Size: Width: \_\_\_\_\_ Depth: \_\_\_\_\_ Area (square feet): \_\_\_\_\_

Zoning District of Property: \_\_\_\_\_

Dates of any previous applications: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Do Not Write In This Space	Case #
<u>Checklist</u>	_____
<b>Action Taken</b>	<b>Date</b>
Application Filed.....	_____
Fee Paid.....(\$ 800.00)	_____
Receipt Issued.....	_____
Hearing Scheduled For.....	_____
Notice of Hearing Mailed to Applicant .....	_____
Adjoining Property Owners.....	_____
Notice Posted on Property.....	_____

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**4. APPLICANT MUST ATTACH THE FOLLOWING FOR THE APPLICATION TO  
BE COMPLETE:**

**A.** A site plan depicting the whole parcel. It must show the size and location of the lot, the location of all buildings and proposed facilities including access drives, parking areas and all streets within 200 feet of the lot, and the use of each building within 200 feet of the lot.

**B.** List of names and addresses of all adjoining landowners.

**C.** Present deed, sales agreement or lease.

APPLICANT REQUESTS A HEARING BEFORE THE ZONING HEARING BOARD FROM AN ADVERSE DECISION OF THE ZONING OFFICER ON THE FOLLOWING MATTERS:

\_\_\_\_\_ Special Exception \_\_\_\_\_ Variance \_\_\_\_\_ Ordinance Interpretation  
(Complete the following sections as applicable)

### SPECIAL EXCEPTION

Ordinance Section(s) at issue: \_\_\_\_\_

The proposed use at the proposed location is proper and appropriate because:

A. The proposed use is in harmony with the appropriate development of the zone as follows: \_\_\_\_\_

\_\_\_\_\_

B. The use of adjacent land will not be discouraged nor value impaired by the location, nature, or height of buildings, walls and fences as follows:

\_\_\_\_\_

C. The use will have proper location with respect to existing and future streets, and will not create traffic congestion as follows:

\_\_\_\_\_

D. Proper accommodations as required by the Zoning Ordinance will be made for water, drainage, and sewer as follows:

\_\_\_\_\_

E. Meets, or will meet the specific standards of Section \_\_\_\_\_ of the Zoning Ordinance as follows: \_\_\_\_\_

\_\_\_\_\_

### VARIANCE

Ordinance Section (s) at issue: \_\_\_\_\_

Nature of Variance(s) sought (refer to each Zoning Ordinance section and state how and or by what magnitude you wish to vary from each): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

An unnecessary hardship exists as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The standards for a variance can be met as follows:

A. There are unique physical circumstances or conditions, the property cannot reasonably be used in strict conformity with the provisions of the Zoning Ordinance as follows: \_\_\_\_\_  
\_\_\_\_\_

B. Because of those physical circumstances or conditions, the property cannot reasonably be used in strict conformity with the provisions of the Zoning Ordinance as follows: \_\_\_\_\_  
\_\_\_\_\_

C. The unnecessary hardship has not been created by the Applicant as follows: \_\_\_\_\_  
\_\_\_\_\_

D. The variance will not alter the essential character of the neighborhood, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare as follows: \_\_\_\_\_  
\_\_\_\_\_

E. The variance will represent the minimum variance which will afford relief and will represent the least modification possible of the regulation at issue as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### **ORDINANCE INTERPRETATION**

Date of Zoning Officer's decision: \_\_\_\_\_ Ordinance Section(s) at issue: \_\_\_\_\_ Nature of error or improper interpretation (Provide details of how the interpretation is in error referring to specific Zoning Ordinance Section: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that I have provided the Township with the names and addresses of all neighbors as required by the Zoning Ordinance, and that the information set forth herein is true and accurate. It is also my understanding that fees per the resolution (attached) adopted July 1, 2002 will be charged to the applicant for reasonable costs incurred by the Township.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

# HEARING APPLICATION INSTRUCTIONS

1. The **Application Form** must be filled out completely with full answers to every statement and question. The application **may not** be signed by the agent or attorney, but **must** be signed by the lessee, owner, or owners.
2. The **filing fee** required in the amount of \$ 800.00 , must be paid at the time of filing application. This fee only partially covers the extra cost to the municipality of investigating and processing the application through its various stages. **Fees** per the resolution adopted July 5, 2017 **will be charged** to the applicant for reasonable costs incurred by the Township.
3. **Information required** for the special permit or variance application. Each application for a special permit or variance must be accompanied by the information below and must be submitted on 8 ½ x 11- inch paper.
  - a. **Site Plan:** include location and use of open spaces and structures and other improvements on lot. Must be drawn to scale of 1 inch = 20 feet for lots less than ½ acre and to a scale of 1 inch = 40 feet for larger lots.
  - b. **Ground Floor Plans** and elevations of proposed structures.
  - c. **Names and addresses** of adjoining property owners and such others' as the Zoning Officer may require.
  - d. **Additional information** required by the Zoning Officer for special uses.
4. **Photographs required** for special permit or variance application. Photographs of the property involved, not over 8 ½ x 11 inches, but of adequate size to illustrate the condition of the property under discussion are always helpful and may be requested as exhibits with this application.
5. When all listed requirements are met, **file application, plans, and other exhibits** with the **Zoning Officer** and pay-filing fee. Make all checks payable to **Peach Bottom Township**. The application must be complete in every respect, with **all** questions and demands answered before the application is considered complete.

## **SECTION 450 REFERRAL TO PLANNING COMMISSION**

All applications for a type-of-use variance shall be referred to the Planning Commission for a report.

The Chairman of the Planning Commission shall insure that a copy of its report is delivered to the Township Secretary for inclusion in the permanent record of the application, to the Zoning Officer and to the Zoning Hearing Board.

### **RESOLUTION No. 2017-01**

**II. ZONING HEARING BOARD AND ZONING FEES.** The following fees shall be paid at the time of making an appeal or application to the Zoning Hearing Board or the Supervisors:

A. For a use certificate - \$40.00 plus \$25.00 for each inspection in excess of one together with all legal and engineering fees incurred by the Township in reviewing the Application.

B. For a special exception, for a zoning interpretation or for a  
a variance other than a validity variance \$800.00

C. For an amendment other than a curative amendment \$800.00

D. For a validity variance, a curative amendment, or a  
challenge to the validity of any provision of the  
Zoning Ordinance \$2,000.00

E. Upon completion of the hearing, or if the hearing lasts more than one day, periodically during the course of the hearing, the appellant or applicant shall be billed for the reasonable expenses incurred by the Township in connection with the hearing (for advertising the hearing, stenographic charges, administrative charges, compensation to members of the Zoning Hearing Board or Board of Supervisors which hears the action) in excess of the initial deposit and shall promptly pay such excess amount.

F. The payment of the fees set forth above shall be a prerequisite to the validity of any permit, variance, ruling or decision issued in favor of an applicant pursuant to any processing initiated before the Zoning Hearing Board or Board of Supervisors. In the event any payment by check is not honored and is returned to the Township, any permit, variance ruling or decision issued in favor of applicant shall be void and shall not be reinstated until the Township has received payment in full plus an additional administrative charge of fifty (\$50.00) dollars.