

ERECTED INTO A TOWNSHIP IN 1733
TOWNSHIP OF WORCESTER
AT THE CENTER POINT OF MONTGOMERY COUNTY
PENNSYLVANIA

1721 Valley Forge Road, Post Office Box 767 Worcester, PA 19490

Zoning Hearing Board
Application Information Packet

Dear Applicant:

We are providing you with a blank Zoning Hearing Board Application. If you require relief from the Zoning Hearing Board, you must fill out this application and return it to the Township Administration Office at 1721 Valley Forge Road.

The Applicant is responsible for providing accurate information in this application, and you must specifically identify the relief you are requesting. For example, if you are requesting a variance from a specific provision of the Zoning Ordinance, you must identify the Section(s) from which you require a variance. If you are seeking a special exception, you must identify the Section(s) of the Zoning Ordinance, which allows for the specific special exception.

The information provided in your application will be filed and copies will be provided to the Zoning Hearing Board. The Solicitor from the Zoning Hearing Board will use your application to advertise your request. If you have not provided sufficient information, the advertisement might be insufficient, and under those circumstances, the Zoning Hearing Board might not be able to grant your relief.

You are not required to meet with our Zoning Officer when you file your application. However, we encourage you to do so. If you meet with our Zoning Officer and review the relief you are requesting, they might be able to provide you with additional suggestions, which could ultimately help you. The Zoning Officer is not responsible for providing you legal advice. They will however make themselves reasonably available to you and/or your attorney.

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1. All information requested on the application must be furnished with supporting documents.
2. The Applicant, or an attorney authorized to practice law in the Commonwealth of Pennsylvania representing the Applicant, must be present at the hearing. Individual Applicants need not be represented by an attorney, but it is strongly recommended that Applicants consult with an attorney experienced in land use issues for guidance on how to proceed. Individual Applicants may represent themselves, but they may not be represented by anyone else who is not an attorney authorized to practice law in the Commonwealth of Pennsylvania. Applicants may call witnesses to explain their application and cross-examine others who offer testimony. If the Applicant wishes an Agent holding a valid Power or Attorney to appear for the Applicant, the Agent under the Power of Attorney must be represented by an attorney authorized to practice law in the Commonwealth of Pennsylvania. All entities (corporations, LLC's, Trusts, Associations, etc.) must be represented by an attorney authorized to practice law in the Commonwealth of Pennsylvania. If the Applicant fails to appear for the hearing as noted above, the application may be dismissed unless postponed by the Zoning Hearing Board upon cause shown or upon their motion.
3. Only the legal owner of record, an equitable owner pursuant to a valid Agreement of Sale, or a tenant with a leasehold interest with written permission from the owner, can be an applicant with standing to file an application and proceed with the application at a hearing.
4. At all hearings, proof of title to the property affected must be available to the Zoning Hearing Board, whether the applicant's interest be as owner, equitable owner, or tenant.
5. All applications must be accompanied by ten (10) copies of each document, as follows:
 - a. Plot Plans of the real estate affected, indicating the location and size of the improvements now erected and/or proposed to be erected thereon. The applicant shall provide an engineered As-Built Plan, or a reasonably exact dimensional sketch, showing the location, dimensions and area of the property; and the existing and proposed buildings, driveway access, parking, sidewalks and other pedestrian areas.
 - b. Proof of ownership
 - i. Deed.
 - ii. Agreement of Sale, or other evidence of Equitable Ownership

- iii. Lease with written permission from the Owner to file the Application
- c. Detailed Plans.
 - i. Show the floor plan of the residence, labeled as to room type, room sizes, and the relationship of the existing building to the new construction.
 - ii. If the application does not involve building construction, the nature of the request should be illustrated on a plat plan of the property.
- d. A statement of the precise Variance, or Special Exception requested, for instance:
 - “I wish to encroach 4.5 feet into the 15-foot side yard setback”, or
 - “I wish to increase the impervious coverage from 12.3% to 19.5%, or
 - “I wish to change the use of the property from residential/office to day care center.”
- e. A list of all property owners within 500 feet of the property which is the subject of the Application (if on the same street), and within 150 feet of the subject property, (if not on the same street), showing the name and address of the owner of each property so located.
- f. A filing fee and escrow deposit as designated within the Township Fee Schedule.
 - i. ***Submit separate checks payable to “Worcester Township” for the Application Fee and the Escrow Deposit.***

Note: No application will be accepted by the Zoning Officer until all of the above documentation and fees have been submitted.

- 6. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
 - (1) Substantive challenges to the validity of any land use ordinance, except those to be brought before the Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code.
 - (2) Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order, or the registration or refusal to register any nonconforming use, structure or lot.
 - (3) Appeals from a determination by a municipal engineer or the Zoning Officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
 - (4) Applications for variances from the terms of the Zoning Ordinance and flood hazard ordinance, or such provisions within a land use ordinance pursuant to Section 910.2 of the Pennsylvania Municipalities Planning Code.

- (5) Applications for special exceptions under the Zoning Ordinance or flood plain or flood hazard ordinance, or such provisions within a land use ordinance, pursuant to Section 912.1 of the Pennsylvania Municipalities Planning Code.
 - (6) Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of the Zoning Ordinance.
 - (7) Appeals from the Zoning Officer's determination regarding a Preliminary Opinion
 - (8) Appeals from certain determinations of the Zoning Officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving Subdivision and Land Development Applications or Planned Residential Development Applications.
- 7. No decision by the Zoning Hearing Board relieves any applicant from the responsibility of obtaining any required permits in the manner prescribed by the Zoning Ordinance(s) or State law.
 - 8. After the hearing and end of the appeals period, please forward to the Township Treasurer a written request for a refund of all monies left in your Escrow Account, if an escrow is required.
 - 9. All meetings of the Worcester Township Zoning Hearing Board are open to the public.

Application Deadline: 30 Days before hearing date
Regular Hearing Date: 1st Tuesday of every month

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Zoning Hearing Board Application

1. Date of Application: _____

2. Classification of Appeal (Check one or more, if applicable)

- a. Appeal from the Zoning Officer's Determination _____
- b. Request for Variance _____
- c. Request for Special Exception _____
- d. Challenges to the Validity of the Zoning Ordinance _____
- e. Request for other relief within the Jurisdiction of the Zoning Hearing Board as established in Section 909.1(a) of the Pennsylvania Municipalities Code

3. Applicant:

- a. Name: _____
- b. Mailing Address: _____
- c. Telephone Number: _____
- d. Email Address: _____
- e. Are you the owner of legal title? Yes ___ No ___
If not the legal owner of title, set forth the names and addresses of all legal owners: _____
- f. If you are not the legal owner of title, are you the equitable owner pursuant to an Agreement of Sale? Yes ___ No ___
- g. If you are not the legal or equitable owner, are you a tenant with a valid lease and written permission from the owner to proceed with the application? Yes ___ No ___

Please attach Deed to the Property, and if applicable, an Agreement of Sale to prove equitable ownership, or a copy of a Lease with written permission of the Owner allowing a Tenant to apply for necessary relief. (All financial information may be redacted from the documents submitted. All personally identifying confidential information such as social security numbers, etc. must be redacted from the documents prior to submission.

4. Applicant's attorney, if any:

- a. Name: _____
- b. Mailing Address: _____
- c. Telephone Number: _____

d. Email Address: _____

5. Property Details:

a. Present Zoning Classification: _____

b. Present Land Use: _____

c. Location (Street Address): _____

d. Parcel #: _____

e. Lot Dimensions:

i. Area: _____

ii. Frontage: _____

iii. Depth: _____

f. Water and Sewer Service to the Property (Check one or more, if applicable)

i. Public Water _____

ii. Public Sewer _____

iii. Private Water _____

iv. Private Sewer _____

g. Size, construction, and use of existing improvements; use of land, if unimproved:

(Please submit as an attachment)

6. Proposed Use(s):

a. Proposed use(s) and construction: Please provide size, construction and proposed use(s) including 10 copies of the Plot Plan showing improvements both existing and proposed.

(Please submit as an attachment)

7. Legal grounds for appeal (Cite specific sections of Pennsylvania Municipalities Planning Code, Zoning Ordinance, and/ or other Acts or Ordinances). All sections that apply must be listed and which relief is required and an explanation provided.

a. If you are appealing from the action of the Zoning Officer, please complete the following:

i. The action taken was: _____

ii. The date the action taken was: _____

iii. The foregoing action was in error because: _____

b. If you are challenging the validity of a land use ordinance, please complete the following:

i. The Ordinance challenged is as follows: _____

ii. The Ordinance challenged is invalid because: _____

c. If you are requesting a Special Exception, please complete the following:

i. Nature of Special Exception sought is: _____

ii. The Special Exception is allowed under Article _____, Section _____, Subsection _____ of the Worcester Township Zoning Ordinance.

iii. The property in question meets Special Exception requirements in the following way(s): _____

d. If you are requesting a Variance, please complete the following:

i. Nature of Variance sought is: _____

ii. The Variance is from Article _____, Section _____, Subsection _____ of the Worcester Township Zoning Ordinance.

iii. The nature of the unnecessary hardship justifying this request for a Variance is: _____

(Please submit an attachment as needed with additional information)

8. Has any previous appeal been filed concerning the subject matter of this appeal? (Check one)

a. Yes ___

b. No ___

If yes, elaborate: **(Please submit as an attachment)**

9. Provide a list of names and addresses of properties situated in the vicinity of the subject property as per Township Code Section 150-224.

CERTIFICATION

I (We) hereby certify that the above (and enclosed) information is true and correct to the best of my (our) knowledge, information or belief.

Signature

Printed Name

Signature

Printed Name

Applicant

Notary Public

Zoning Officer