

**GENERAL INSTRUCTIONS FOR
ZONING HEARING BOARD APPLICATIONS
OF BUCKINGHAM TOWNSHIP**



- 1) All information on application must be furnished with supporting documents in order for the Application to be considered complete. In addition, the Applicant must provide a copy of deed, lease, agreement of sale, or other document, which establishes the authority of the applicant to seek relief from the Zoning Hearing Board. **All applicants must make an appointment to submit and review the application with the Zoning Officer.**
- 2) Legal advertising of the hearing scheduled by the Board to consider your application will be based exclusively upon the information contained in the application. Any omissions or inaccuracies will be the sole responsibility of the applicant.
- 3) Applicant must be present at the hearing in order to answer questions Board members may have concerning the Application. Otherwise the Application will be dismissed unless postponed by the Zoning Hearing Board upon cause shown or upon its own motion.
- 4) At all Hearings, proof of title to the property affected must be available to the Zoning Hearing Board, whether the applicant's interest is as owner, tenant, purchaser, or in other capacity.
- 5) Indicate under paragraph one (1) of the application, the nature of your appeal or request to the Board. For each block checked, provide all information requested in applicable sections 12 through 16.
- 6) **The Following must accompany all applications in order for the Application to be considered complete:**
 - a) A filing fee and applicable escrow fee in accordance with fee schedule in effect at the time of application (see Exhibit "A").
 - b) Ten (10) copies of the completed application form (13 copies for curative amendment) *do not include the 3 instruction pages – only the 7 application form pages need to be copied*, plus Ten (10) copies of all required documents, including proof of title, plot plan drawn to scale, showing real estate affected, indicating the location and size of all improvements now erected and the location and size of all proposed improvements to be erected thereon, and an aerial photograph of the parcel (i.e. Google Earth or other available source.) Signed and sealed plans are strongly encouraged when pursuing dimension variances.

- 7) The Zoning Hearing Board has the following powers:
 - a) To hear and decide appeals from a decision or determination of any administrative official in the enforcement of the Zoning Ordinance and amendments thereto. Such appeals must be made within 30 days after the date of the decision.
 - b) To grant, upon application in specific cases, Special Exceptions to the terms of the Zoning Ordinance and amendments thereto, where such a Special Exception is authorized by the Zoning Ordinance for the district within which the subject premises lies; where the use and/or premise conform to the standards and criteria set forth by the Zoning Ordinance as prerequisites for the grant of such Special Exception; and where public interest will not be unduly injured by the grant of such Special Exception. The burden of proof shall be upon the applicant to show that the Special Exception requested is one authorized by the Zoning Ordinance for the subject premises and proposed use. The burden of proving that the grant of such Special Exception would be contrary to the public interest shall be upon those opposing the grant of such a Special Exception.
 - c) To authorize, upon appeal in specific cases such Variance from the terms of the Zoning Ordinance and amendments thereto as will not be contrary to the public interest. The Board may only grant such a Variance where, owing to special conditions, a literal enforcement of the Zoning Ordinance will result in unnecessary hardship so that the Ordinance will be observed and substantial justice done. The burden of proof of the “unnecessary hardship” as defined by law shall rest on the applicant. The circumstances must be unique and applicable to the applicant’s particular property and no other. The possibility of applicant’s earning a greater financial return if a variance were granted does not in itself constitute sufficient reason for such a variance.
- 8) All meetings of the Zoning Hearing Board are open to the public.
- 9) No decision by the Zoning Hearing Board relieves any applicant from the responsibility of obtaining any required permits in the matter prescribed by the Zoning Ordinance(s).
- 10) The following is a list of fees for which the applicant will be responsible, in accordance with the fee schedule in effect at the time of application:
 - a) Filing Fee.
 - b) Continuance Fees: 25% of original fee and costs of posting and notices.
Continuance meaning an applicant petitioning the ZHB for their case to be moved from a scheduled meeting date to a future meeting resulting in the requirement of new postings and new public notices.
Supplement Fees: of ½ of the original filing fee will be required if the ZHB must spend more than six meeting hours (total) hearing an appeal.
 - c) Court reporter fee: ½ to be divided by the number of cases being heard at each hearing.

EXHIBIT "A"
Per current Fee Schedule Resolution

Zoning Hearing Board

- | | |
|---|---|
| a. Residential | \$ 750 plus \$100 escrow due at time of application to cover half the costs of the court reporter. |
| b. Commercial, Industrial and pending or prospective Land Development application. | \$1,500 plus \$300 escrow due at time of application to cover half the costs of the court reporter. |
| c. Pending or prospective Subdivision application | \$4,000 plus \$1,000 escrow due at time of application to cover half the costs of the court reporter. |
| d. Challenge to Validity of Zoning Ordinance or Map | \$25,000 |
| e. Continuance Fees: 25% of original fee and costs of posting and notices.
<i>Continuance means an applicant petitions the ZHB for their case to be moved from a scheduled meeting date to a future meeting resulting in the requirement of new postings and new public notices.</i> | |
| f. Supplemental fees of ½ the original filing fee will be required if the ZHB must spend more than six meeting hours (total) hearing an appeal. | |

ZONING HEARING BOARD OF BUCKINGHAM TOWNSHIP



Ten (10) copies of this application, including all plans and drawings, must be submitted to the Zoning Officer together with the application fee. No application will be accepted without an adequate plan of the subject premises.

Fee: \$ _____

Check # _____

CALENDAR NUMBER _____

Court Reporter Fee: \$ _____

Assigned by Township

Check # _____

1. The undersigned applicant hereby (check appropriate letter(s)):

- a. _____ appeals from a determination of the Zoning Officer.
- b. _____ requests a special exception.
- c. _____ requests a variance.
- d. _____ challenges the validity of a zoning ordinance or map.
- e. _____ requests other relief within the jurisdiction of the Zoning Hearing Board as established in Section 909.1(a) of the Pennsylvania Municipalities Planning Code.

2. Name and address of owner of property: _____

Email: _____ Telephone Number: _____

3. Name and address of applicant: _____

Email: _____ Telephone Number: _____

4. If applicant is not the owner, state applicant's authority to bring this application:

(attach documents in support of said authority to this application)

5. Address of property: _____

6. Attach plot plan of property drawn to scale indicating location and size of improvements both proposed and presently existing and including a compass reference.

7. Tax Parcel Number of property: _____

8. Present zoning classification of property: _____

9. Present use of property: _____

10. Describe the building and other improvements located on the property: _____

11. State the size of the property: _____

12. **If you are appealing from a determination of the Zoning Officer, complete the following:**

a. The action taken was: _____

b. The date action was taken: _____

c. Attach a copy of any written order issued by the Zoning Officer in connection with this matter.

d. The foregoing action was in error because: _____

e. If you allege the existence of a non-conforming use, state the nature of such use and the date on which it began:

13. If you are challenging the validity of a zoning ordinance or map, complete the following:

a. Identify the provision of the ordinance or map which you believe to be invalid:

b. The challenge is ripe for decision because: _____

c. The provision challenged is invalid because: _____

14. If you are requesting a special exception, complete the following:

a. Nature of special exception sought is: _____

b. The special exception is allowed under Article _____ Section _____
Subsection _____ of the Buckingham Township Zoning Ordinance.

Note: If more than one exception is requested, list ordinance references on a separate page.

c. The reason for the request is: _____

15. If you are requesting a variance, complete the following:

a. Nature of variance sought is: _____

b. The variance is from Article _____ Section _____ Subsection _____

of the Buckingham Township Zoning Ordinance.

Note: If more than one variance is requested, list ordinance references on a separate page.

c. The nature of the unique circumstances and the unnecessary hardship justifying this request for a variance is: _____

16. If you are requesting other relief within the jurisdiction of the Zoning Hearing Board, complete the following:

a. The nature of the relief sought: _____

b. If you are requesting relief from a determination of a Township official, attach a written copy of that determination and state the reason the determination was in error, including reference to applicable statutes or ordinances:

17. By filing this application, applicant agrees to reimburse Buckingham Township for all costs incurred by the Township in the processing of this application to the extent that those costs exceed the filing fee.

18. Check one:

a. _____ I **am not** represented by an attorney in connection with this application.

b. _____ I **am** represented by _____,
Esquire in connection with this application.

Attorney's address: _____

Attorney's E-Mail address: _____

Attorney's telephone number: _____

Applicant Signature

Applicant Signature

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

The undersigned, being duly sworn according to law, deposes and says that he/she is the above-named applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and that the foregoing facts are true and correct.

Applicant Signature before Notary

Applicant Signature before Notary

Sworn to and subscribed

Before me on this ____ day

of _____, 20____.

Notary Public

Date Application Received: _____

Zoning Officer

ZONING TABLE
 (Applicant completes this)
Complete All Information That Applies to Application

Description	Required by Zoning Ordinance	Existing	Proposed	Zoning Ordinance Section for which relief is requested
Zoning District				
Use				
Maximum Tract Size				
Minimum Lot Area				
Minimum lot width at street line				
Minimum lot width at the building setback line				
Maximum building coverage (Square feet and %)				
Maximum impervious surface on lot (Square feet and %)				
Maximum impervious surface permitted on lot after issuance of the initial occupancy permit (Square feet and %)				
Maximum floor area ratio				
Minimum Front Yard				
Minimum Side Yard (each)				
Minimum Rear Yard				
B10 Structures* Maximum Side Yard Intrusion				
B10 Structures* Maximum Rear Yard Intrusion				
If Garage, Minimum Front Yard				
Parking				