

Municipal Board of Appeals Application

Municipality: _____ Borough Township

Site Address: _____ Tax Parcel: _____

City: _____ State: _____ Zip Code: _____

Zoning District: _____ Lot Size: _____

Property Owner(s): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Applicant(s): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Type of Appeal

- Appeal from an order, requirement decision, or determination of the Building Code Official or Zoning Officer.
- Variance from the provisions of the zoning ordinance.
- Request to authorize use by special exemption.
- Challenge the validity of the zoning ordinance.
- Appeal with reference to any floodplain or flood hazard conditions.
- Appeal from a decision from the Municipal governing body on a special encroachment permit.

Provision(s) of the Ordinance being appealed (cite specific article, section, and subsection):

1. _____

2. _____

3. _____

Applicant Certification

As the applicant, I certify that all information contained within this application is accurate to the best of my knowledge and I understand that my failure to appeal at the public hearing in front the municipal board of appeals will result in the dismissal of my application. I understand that it will be necessary to reapply and resubmit all required fee should the application be dismissed.

Applications for a variance from the provisions of the zoning ordinance must specifically address the requirements of Section 910.2 of the PA Municipalities Planning Code, which stipulates that no variance shall be granted until the applicant has established, and the Zoning Hearing Board has made all of the following findings (A through E), where relevant in a given case:

- A. **Unnecessary hardship due to unique physical circumstances.** That there are unique physical circumstances or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
- B. **Unique physical circumstances hinder property development.** That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformance with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- C. **Unnecessary hardship not created by appellant.** That the unnecessary hardship has not been created by the appellant.
- D. **Character of the neighborhood will not change.** That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
- E. **Appeal represents the least modification possible.** That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The following must be submitted to be considered a complete application:

- A plot plan must accompany the application indicating the arrangement of existing and proposed uses on the site, including property lines, setback lines, uses on adjacent properties, abutting streets, existing buildings and proposed buildings on the site by use and height, points of access to the site, internal driveways, parking area layout indicating number of parking spaces, signage, areas of earth moving with grade of finished slope noted, means of disposing of storm water, and proposed landscaping.
- A written narrative including information on the grounds for appeal and reasons both with respect to law and fact for granting the appeal, special exception or variance. If a hardship is claimed, state the specific hardship.
- Application fee required my the municipality.

Signature of Applicant or Authorized Agent

Print Name of Applicant or Authorized Agent

Address

Date: