

## ZONING HEARING BOARD CHECKLIST

**A Zoning Appeal shall include the following:**

1. The **Notice of Appeal Form** (complete, legible, and signed).
2. The **Application Fee** (cash or check).
3. A copy of the **Denied Permit or a Decision of the Zoning Officer** (if applicable).
4. **Sketches** of any proposed buildings. The sketches shall **Show Dimensions** and provide a **Description** of the construction type.
5. A complete list of the **Names and Mailing Addresses** of all **Property Owners** located within 500 feet of all sides of the Applicant's property (including across public roads).
6. A plot plan **Sketch of the Subject Property**. The plot plan sketch shall be drafted to scale, shall have a North arrow, and shall show the following:
  - a) The outside dimensions and shape of the property.
  - b) The location of public roads and their names.
  - c) The location, dimensions, and identification of all buildings and structures, present or proposed.
  - d) The location of adjoining lots and the names of the owners of these lots.
  - e) The location of all wells.
  - f) The location of all septic systems.
  - g) The location of all streams, ponds and wetlands (including the required riparian buffers).
  - h) The location of all neighboring wells or septic systems, if relevant.
  - i) The yard setbacks (in feet).
  - j) The subdivision name and lot number (if applicable).
  - k) Driveways and private parking areas.

**PROVIDE 7 COPIES OF THE NOTICE OF APPEAL AND OTHER REQUIRED INFORMATION. EACH NOTICE OF APPEAL AND OTHER REQUIRED INFORMATION SHALL BE PLACED IN SEPARATE INDIVIDUAL PACKETS.**

# **BUSHKILL TOWNSHIP ZONING HEARING BOARD**

## **APPEAL PROCEDURE**

### **A. FORMS TO BE COMPLETED AND INFORMATION SUBMITTED**

1. Zoning Permit Application (if applicable).
2. Plot Plan.
3. Notice of Appeal (attached).
4. Appeal information (form attached).

### **B. ZONING HEARING BOARD FEE**

1. Commercial           **\$1,500.00**
2. Residential           **\$750.00**

### **C. MISCELLANEOUS INFORMATION**

1. **ALL APPLICANTS ARE NOTIFIED THAT APPLICATIONS FOR HEARINGS BEFORE THE ZONING HEARING BOARD OF BUSHKILL TOWNSHIP ARE ONLY CONSIDERED FILED WITH THE TOWNSHIP WHEN THEY ARE PERSONALLY DELIVERED TO THE TOWNSHIP IN COMPLETED FORM AND WITH THE REQUIRED FILING FEE. DELIVERY IN ANY OTHER MANNER SHALL NOT BE CONSIDERED BY THE ZONING HEARING BOARD AS BEING "FILED" AND SHALL NOT BE ACCEPTED. INCOMPLETE APPLICATIONS OR APPLICATIONS DELIVERED WITHOUT THE PROPER FILING FEE WILL BE REJECTED.**
2. All information required must be submitted and all fees must be paid no later than 4:00 PM on the cutoff date, the Friday three weeks and three days prior to the next available hearing date. Hearings will be held the second Monday of each month.
3. The cost of the original transcript of the hearing shall be paid by the Board if requested by the Board. If the appellant wishes to obtain a copy of a transcript, the appellant is required to purchase it from the stenographer.

DO NOT WRITE IN THIS SPACE. FOR OFFICIAL USE ONLY.

Submission Date: \_\_\_\_\_ Appeal Number: \_\_\_\_\_

Fee Paid: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

## BUSHKILL TOWNSHIP ZONING HEARING BOARD

### NOTICE OF APPEAL

I/We \_\_\_\_\_

of \_\_\_\_\_

Request that a determination be made by the Zoning Hearing Board on the application made

to, or interpretation made by, the Zoning Officer on \_\_\_\_\_ or  
other matter which should properly come before the Board.

SECTION	**TYPE OF REQUEST	DESCRIPTION

\*\*Variance, Special Exception, Relief with Respect to Nonconformities; Favorable Interpretation

The description of the property involved in this appeal is as follows:

Location: \_\_\_\_\_

Lot Size: \_\_\_\_\_ Zoning District: \_\_\_\_\_



## APPEAL INFORMATION FORM

Please answer the following questions which apply to your appeal. The purpose of this information is to assist both you and the Zoning Hearing Board with a quick and efficient review of your application. **Please type or print clearly.**

1. What is the full name and address of the owner of the premises, which is the subject of this appeal?

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

2. If the appellant is other than the owner, what is the full name and mailing address of the applicant, and the specific interest of the appellant in the subject property (e.g. agent for the owner, equitable interest, agreement of sale, etc.) Please attach proof of interest or a written statement from the property owner giving you permission to represent their interest before the Board.

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**INTEREST:** \_\_\_\_\_

3. What is the exact location of the property in question? Please include the county tax map number:

**ADDRESS:** \_\_\_\_\_

**TAX MAP NO.:** \_\_\_\_\_

4. Has any previous application or appeal been filed in connection with these premises?

**YES**

**NO**

If YES, please list the name and appeal number under which it was filed:

**NAME:** \_\_\_\_\_

**APPEAL:** \_\_\_\_\_

5. What is the applicant's interest in the premises? (Owner, Agent, Lessee, Contractor, etc.)

**INTEREST:** \_\_\_\_\_

6. What was the date of the acquisition of the subject premises by the owner?

**DATE:** \_\_\_\_\_

7. What are the exact dimensions of the premises (i.e. the length of the front, sides, and rear property lines)?

**DIMENSIONS:** \_\_\_\_\_

8. What is the size/area of the premises?

**SQ. FT or ACRES:** \_\_\_\_\_

9. Please describe the dimensions (height, width, and depth) and the type of construction (materials used) for the proposed building or structure.

**DIMENSIONS:** \_\_\_\_\_

**TYPE OF CONSTRUCTION:** \_\_\_\_\_

10. What is the specific nature of the present legal use being made of the property?

**PRESENT LEGAL USE:** \_\_\_\_\_

11. What is the approximate cost of the work involved? **COST:** \_\_\_\_\_

12. Upon what grounds do you base this appeal?

1.  **Special Exception Use.** Section 110.E.4 of the Bushkill Township Zoning Ordinance. The Board shall hear and decide requests for all special exceptions filed with the Board in writing by any landowner (or any tenant with the permission of such landowner), as provided in this Ordinance and in accordance with such standards and criteria contained in this Ordinance and the procedures in Article 16. Conditions. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes and intent of this Ordinance.
2.  **Appeal of a Decision by the Zoning Officer.** Section 110.E.1 of the Bushkill Township Zoning Ordinance. The Board shall hear and decide appeals where it is alleged by the appellant (a person affected or any agency of the Township) that the Zoning Officer has failed to follow prescribed procedures, or has misinterpreted or misapplied any valid provision of this Ordinance.
3.  **Variances.** Section 110.E.3 of the Bushkill Township Zoning Ordinance  
The Board shall hear requests for variances filed with the Board in writing by any landowner (or any tenant with the permission of such landowner). **Standards:** The Board may grant a variance only within the limitations of State law. (As of 1994, the PA Municipalities Planning Code provided that all of the following findings must be made, where relevant in a given case:



**ANSWER NUMBERS 13 THROUGH 18 FOR VARIANCE REQUEST**

13. Are there unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of the lot's size or shape, or exceptional topographical or other physical conditions peculiar to the subject property?

**CONDITION:** \_\_\_\_\_

14. Do the conditions stated in question Number 13 prevent the possibility that the property can be developed within the strict conformity of the Zoning Ordinance?

**YES (Explain):** \_\_\_\_\_

\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_

\_\_\_\_\_

15. Has the applicant created this hardship?

**YES (Explain):** \_\_\_\_\_

\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_

\_\_\_\_\_

16. Will the character of the neighborhood be altered by the granting of this variance?

**YES (Explain):** \_\_\_\_\_

\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_

\_\_\_\_\_

17. Is the requested variance the minimum variance needed to afford relief from the Zoning Ordinance?

**YES (Explain):** \_\_\_\_\_

\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_  
\_\_\_\_\_

18. Is the proposed use of the property permitted in the Zoning District it is located within?

**YES (Explain):** \_\_\_\_\_  
\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_  
\_\_\_\_\_

19. Will the specific intended use of the premises generate any nuisance characteristics such as noise, dust, odor, etc.?

**YES (Explain):** \_\_\_\_\_  
\_\_\_\_\_

**NO (Explain):** \_\_\_\_\_  
\_\_\_\_\_

20. How many employees will be employed and what are the hours of operation (if applicable).

**EMPLOYEES:** \_\_\_\_\_ **HOURS:** \_\_\_\_\_

21. What landscape/buffer is planned, if any?

**BUFFER:** \_\_\_\_\_  
\_\_\_\_\_

22. What are the characteristics of the uses or structures on properties abutting the subject premises (e.g. single-family residential dwelling, church, etc.)?

**ABUTTING USES:** \_\_\_\_\_  
\_\_\_\_\_

23. Which water and sewer facilities are available on the property? (on-lot or public)

\_\_\_\_\_

**NOTE:** A plot plan of the subject property is required to be submitted with this application. The plot plan must be drawn to a scale and show all property lines, the location of the structures on the property (both existing and proposed), and the distances to property lines of all proposed improvements.

**I HEREBY CERTIFY THAT ALL OF THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ANY ATTACHMENTS SUBMITTED HEREWITH ARE TRUE TO THE BEST OF MY KNOWLEDGE.**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name of Applicant)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(E-Mail Address, If Applicable)

\_\_\_\_\_

If you are going to be represented by an attorney at the time of the hearing before the Zoning Hearing Board, please provide the following:

**Name of the Attorney:** \_\_\_\_\_

**Name of the Firm:** \_\_\_\_\_

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

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

## Plot Plan is Required

All items must be shown that are applicable. If item is not applicable put N/A next to item.

1. Show Property Lines.
2. Show the House with following: Footage from Street, Left Side Property Line, Right Side Property Line, Rear Property Line, from Septic and from Drain Field.
3. Show the Septic System.
4. Show the Drain Field.
5. Show the Well with the following: Footage from House, from Septic System, and from Drain Field.
6. Show the Garage **with** the following: Footage from House, from Well, from Septic System, and from Drain Field.
7. Show any Sheds with the following: Footage from House and Footage from closest Property Line.
8. Show any Streams with the following: Footage from Closest Building and closest Property Line and the required riparian buffer.
9. Show the Proposed New Structure or Structures with the following: Footage to all Existing Structures and Dimensions of New Structure.
10. Show any Barn or Barns with the Footage from all Property Lines.
11. Show all Existing Structures and Footage from all Property Lines.
12. Show Driveways and driveway length.
13. Show Trees.
14. Show a North Arrow
15. Show any Pool and the distance from House and nearest property line.
16. Show Fences and include the lengths.
17. Show Deck and include size.
18. Show any sensitive or restricted areas, for example: wetlands or utility easements.