

TOWNSHIP OF MIDDLETOWN

DELAWARE COUNTY, PENNSYLVANIA

(610) 565-2700

FAX (610) 566-3640

**27 N. PENNELL ROAD
PO BOX 157, LIMA, PA. 19037-0157**

ZONING HEARING BOARD APPLICATIONS

FILING GUIDELINES AND INSTRUCTIONS

ATTACHED YOU WILL FIND THE NECESSARY APPLICATION FORMS FOR FILING AN APPEAL TO THE MIDDLETOWN TOWNSHIP ZONING HEARING BOARD.

THE ZONING HEARING BOARD IS AN INTERPRETIVE, QUASI-JUDICIAL PANEL CONSISTING OF FIVE CITIZENS OF MIDDLETOWN TOWNSHIP APPOINTED BY TOWNSHIP COUNCIL, TO HEAR REQUESTS FOR SPECIAL EXCEPTIONS AND VARIANCES FROM ZONING ORDINANCE REQUIREMENTS AS WELL AS OTHER TYPES OF ZONING APPEALS.

THE ZONING HEARING BOARD MEETS ON THE FOURTH (4TH) WEDNESDAY OF EACH MONTH. COMPLETED APPLICATIONS MUST BE FILED WITH THE ZONING OFFICER NO LATER THAN TWENTY (20) DAYS PRIOR TO THE DATE OF THE MEETING EACH MONTH FOR INCLUSION ON THAT MONTH'S HEARING LIST.

AT THE CONCLUSION OF A HEARING, THE ZONING HEARING BOARD HAS, BY LAW, FORTY-FIVE (45) DAYS IN WHICH TO RENDER ITS DECISION ON AN APPLICATION. TYPICALLY, DECISIONS ARE MADE AT THE MEETING SUBSEQUENT TO THE ONE AT WHICH THE HEARING WAS CONCLUDED.

THE TOWNSHIP IS REQUIRED TO PROVIDE PUBLIC NOTICE OF EACH HEARING. THIS IS ACCOMPLISHED BY PUBLISHING A LEGAL NOTICE IN THE DELAWARE COUNTY DAILY TIMES ON TWO OCCASIONS PRIOR TO THE HEARING. IN ADDITION, A NOTICE IS POSTED ON THE SUBJECT PROPERTY AND NEARBY RESIDENTS ARE NOTIFIED BY MAIL OF THE NATURE OF THE APPLICATION AND THE DATE AND TIME OF THE HEARING.

ANY INTERESTED PARTY MAY APPEAR AT THE HEARING TO ASK QUESTIONS OF WITNESSES REGARDING DETAILS OF THEIR APPLICATION AND TO MAKE ANY COMMENT APPROPRIATE TO THE MATTER BEING HEARD. IN ADDITION, EACH APPLICATION IS REVIEWED BY TOWNSHIP COUNCIL AT A PUBLIC MEETING FOR THE PURPOSE OF DETERMINING WHETHER COUNCIL WISHES TO APPEAR AT THE HEARING TO PRESENT ITS POSITION RELATIVE TO THE APPLICATION.

A NON-REFUNDABLE APPLICATION FEE OF \$300.00 FOR PROPERTY USED AS A SINGLE FAMILY DWELLING; OR \$500 FOR PROPERTY USES OTHER THAN SINGLE FAMILY DWELLING MUST ACCOMPANY EACH APPLICATION TO OFFSET SOME OF THE TOWNSHIP'S EXPENSES IN PROCESSING THE APPLICATION AND CONDUCTING A HEARING. CHECKS TO BE MADE PAYABLE TO "TOWNSHIP OF MIDDLETOWN". ** IF A SECOND OR SUBSEQUENT HEARING DATE(S) ARE REQUIRED TO CONCLUDE A HEARING, THE APPLICANT SHALL PAY \$150.00 IN ADVANCE OF EACH ADDITIONAL HEARING DATE TO COVER THE COST OF THE CONTINUING HEARING UNLESS THE ADDITIONAL HEARING DATE(S) IS SCHEDULED SOLELY FOR THE CONVENIENCE OF THE ZONING HEARING BOARD.

**IN ADDITION TO THE APPLICATION FEE, THE APPLICANT SHALL REIMBURSE THE TOWNSHIP FOR ADVERTISING, ENGINEERING, LEGAL OR OTHER SIMILAR EXPENSES INCURRED BY THE TOWNSHIP IN EXCESS OF THE APPLICATION FEE.

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ZONING HEARING BOARD FILING INSTRUCTIONS

1. PROVIDE EIGHT (8) COPIES OF A COMPLETED BUILDING PERMIT APPLICATION FORM (WHEN APPLICABLE). IN MOST INSTANCES THE BUILDING PERMIT APPLICATION WILL HAVE ALREADY BEEN DISAPPROVED BY THE ZONING OFFICER.
2. PROVIDE EIGHT (8) COPIES OF A COMPLETED ZONING HEARING BOARD APPLICATION (YELLOW FORM). PLEASE NOTE THAT THE SIGNATURES ON THIS APPLICATION ARE REQUIRED TO BE NOTARIZED.
3. IN CASES WHEN THE APPLICANT IS THE EQUITABLE OWNER OF THE PROPERTY, A COPY OF A VALID AGREEMENT OF SALE OR LEASE SHALL ACCOMPANY THE OTHER APPLICATIONS TO PERFECT THE APPLICANT'S STANDING.
4. PROVIDE EIGHT (8) SETS OF PLOT PLANS WHICH SHALL INCLUDE THE FOLLOWING INFORMATION:
 - A. THE LOCATION, DIMENSIONS AND PROPOSED USE OF ALL BUILDINGS AND STRUCTURES AS WELL AS THE DISTANCE OF ALL BUILDINGS AND STRUCTURES TO THE PROPERTY LINES. THE ZONING DISTRICT DESIGNATION AND A NORTH ARROW SHOULD BE NOTED ON THE PLAN.
 - B. THE LOCATION AND DIMENSION OF ANY CURBING, SIDEWALKS, AND STORM WATER MANAGEMENT FACILITIES.
 - C. THE LOCATION, SIZE, ARRANGEMENT, AND CAPACITY OF ALL AREAS TO BE UTILIZED FOR MOTOR VEHICLE ACCESS, PARKING, LOADING AND UNLOADING.
 - D. THE LOCATION, DIMENSIONS, AND ARRANGEMENT OF AREAS DEVOTED TO BUFFER AREAS, LANDSCAPED PLANTING STRIPS, AND LAWN AND TREE AREAS PROVIDED FOR SCREENING OR ORNAMENTAL PURPOSES.
 - E. THE LOCATION, DIMENSION AND SIZE OF ALL SIGNS, EXISTING AND PROPOSED, AS WELL AS WHETHER SUCH SIGNS ARE TO BE ILLUMINATED.
 - F. THE PERTINENT ADDITIONAL INFORMATION AND DATA THAT WILL ENABLE THE ZONING HEARING BOARD TO JUDGE THE CHARACTER OF THE SUBJECT PROPERTY AND ITS RELATIONSHIP TO THE NEIGHBORHOOD.
 - G. IN MOST CASES, PHOTOGRAPHS OF THE PROPERTY ARE HELPFUL TO SHOW AREAS AND FEATURES THAT CANNOT EASILY BE DEPICTED ON PLANS. AS ANY PHOTOGRAPHS SUBMITTED BECOME PART OF THE OFFICIAL RECORD OF THE PROCEEDINGS, THEY CANNOT BE RETURNED TO THE APPLICANT. IF YOU CHOOSE TO PRESENT PHOTOGRAPHIC EVIDENCE TO SUPPORT YOUR APPLICATION, THEY DO NOT NEED TO BE PRESENTED IN ADVANCE, BUT CAN BE INTRODUCED AT THE HEARING.