

NEW HOPE BOROUGH
GENERAL INSTRUCTIONS AND APPLICATION FOR
ZONING HEARING BOARD APPEALS

1. All information requested on the attached application must be furnished with supporting documents.
2. The legal advertisement of the public 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. The applicant or his or her representative must be present at the hearing. Otherwise, the petition will be dismissed, unless continued by the Zoning Hearing Board.
4. Indicate under Section 1 the nature of your appeal or request to the Board. For each block checked in Section 1, provide all information requested in applicable Sections 12 through 16.
5. The following must accompany all applications:
 - a. A filing fee and a continuance fee in accordance with the fee schedule in effect at the time of application.
 - b. Sixteen (16) copies of the following:
 - (1) The completed application.
 - (2) A plot plan drawn to scale showing the 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.
 - (3) All previous Zoning Hearing Board decisions concerning the property.
 - (4) A deed, lease, or agreement of sale or other document that establishes the authority of the applicant to seek relief from the Zoning Hearing Board.
 - (5) Any other documents necessary to support the requested relief.
 - c. A list of all properties within one hundred (100) feet of the property in question including those located opposite the property across an adjoining road or street. This list shall be made on the form provided and shall include the tax map and parcel number of each property and the name and mailing address for each property.
6. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters.
 - a. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to sections 609.1 and 916.1(a)(2) of the Pennsylvania Municipalities Planning Code, as amended.
 - b. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.

the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

d. 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.

d. 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, as amended.

e. 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, as amended.

f. 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.

g. Appeals from the zoning officer's determination under section 916.2 of the Pennsylvania Municipalities Planning Code, as amended.

h. Appeals from the determination 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 Article V or VII applications, as specified in the Pennsylvania Municipalities Planning Code, as amended.

7. All meetings of the Zoning Hearing Board are open to the public.

8. No decision by the Zoning Hearing Board relieves the applicant from the responsibility for obtaining required permits in the manner prescribed by the Zoning Ordinance or other ordinances of the Borough.

ZONING HEARING BOARD OF NEW HOPE BOROUGH

APPLICATION

Sixteen copies of this application, including all plans and drawings, must be submitted to the Zoning Officer together with the application and continuance fees. No application will be accepted without an adequate plan of the subject premises.

DOCKET NUMBER _____ Address _____
(ASSIGNED BY BOROUGH)

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 §909.1(a) of the Pennsylvania Municipalities Planning Code.

2. Name and Address of Owner of Property: _____

E-mail Address _____ Telephone Number _____

3. Name and Address of Applicant: _____

E-mail Address _____ Telephone Number _____

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

(Attach documents in support of your authority to file 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 buildings 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.

Written order is attached _____

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 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 New Hope Borough Zoning Ordinance. **[If more than one exception is requested, list ordinance references on separate page(s).]**

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 New Hope Borough Zoning Ordinance. **[If more than one variance is requested, list the ordinance references on separate page(s).]**

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

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

b. _____ I am represented by _____, Esquire

Address: _____

Phone Number: _____ E-mail Address _____

IN CONNECTION WITH THIS APPLICATION.

18. Verification – I verify that the statements made in the foregoing Zoning Hearing Board Application are true and correct to the best of my knowledge and belief. The Undersigned understands that false statements made herein are subject to the penalties of 18 Pa. CSA Section 4904, relating to unsworn falsification to authorities.

Date _____

Applicant

Applicant

19. Acceptance – **(To be completed by Borough)**

Date received _____

Zoning Officer

20. List of Properties – (To be completed by Applicant)

The following is a list of names and addresses of all persons owning properties that adjoin or are located across a public road from the subject premises and all other properties within a 100 ft radius of the property lines of the property in question.

Tax Map Number of Property

Name & Address of Owner(s) of Property

