

UPPER CHICHESTER TOWNSHIP ZONING HEARING BOARD
APPLICATION INSTRUCTIONS

A. General Instructions

Applicants who have a request to make of the Zoning Hearing Board must: 1) submit a complete application; 2) pay the applicable fee; and 3) present their request to the Zoning Hearing Board at a public hearing. The hearing will be scheduled by the Zoning Hearing Board and the applicant will be notified in advance of the date and time of the hearing. Reasonable efforts will be made to resolve scheduling conflicts. Some cases may require more than one hearing.

Notice of the hearing will be posted prominently on the property and published in a newspaper. The public, particularly neighbors of the property, will be given the opportunity to ask questions and present testimony at the hearing. You should be prepared to answer questions from the Board and from the public.

The zoning hearing is a formal judicial proceeding. A stenographer (court reporter) will record the hearing and prepare a transcript. The testimony, documents and plans presented at the hearing form the basis for the Zoning Hearing Board's decision. If you eventually appeal the Zoning Hearing Board's decision to the Court of Common Pleas, or higher courts, the record of the Zoning Hearing will also be considered by the judge who will decide your case.

A COMPLETE WELL-ORGANIZED PRESENTATION TO THE ZONING HEARING BOARD WILL HELP YOUR CASE.

If you are applying for a variance or special exception, please read ecode www.ecode360.com/UP1263 (Article III Administration Section 505-13) of the Upper Chichester Township Zoning Ordinance, respectively, before completing the application or preparing for the hearing.

COMPLETE APPLICATIONS MUST BE RECEIVED BY NOON THE FIRST FRIDAY OF THE MONTH.

B. Completing the Application for Special Exception or Variance

1. All information requested must be completed. No application will be considered to have been filed unless the information on the application is complete and the correct fee has been paid.
2. If you are represented by an attorney, the attorney's information should be filed in/on the application. You are not required to be represented by an attorney.
3. The property affected by this application must be posted with notice by the Zoning Officer. Therefore, the location of the property must be described clearly so that the Zoning Officer can find the property to post the notice.
4. The application must specify whether you are seeking special exception, variance, an appeal from a decision of the Zoning Officer or some other permission or combination of permits. If the application is for something other than a special exception or variance, the exact permission requested must be explained in the application.
5. A plot plan of the affected property must accompany the application. If the location of any structure(s) on the property will be an issue, see Section D below for the "Items required at the Time of Hearing" list for more detail about the plans you may need to bring to the hearing.
6. All required reviews will be mailed to you at the address you fill in on the form as the address of the petitioner.
7. You must submit eight (8) copies of your application in addition to the original. All copies are to be signed by applicant.

C. Fees

Fees are determined by the approved Fee Schedule, approved by the BOC annually.

D. Items Required at Time of Hearing

THE FOLLOWING ITEMS MUST BE PRESENTED TO THE ZONING HEARING BOARD AT THE TIME OF THE HEARING. ALL ITEMS PRESENTED WILL BECOME PART OF THE TOWNSHIP FILE AND **WILL NOT** BE RETURNED TO YOU. IF YOU DO NOT HAVE ALL OF THE ITEMS LISTED BELOW AT THE TIME OF THE HEARING, YOU SHOULD REQUEST A CONTINUANCE BEFORE THE TIME FOR THE SCHEDULED HEARING OR THE BOARD MAY CONTINUE THE HEARING UNTIL ALL OF THE ITEMS ARE SUBMITTED.

1. CERTIFIED RETURN CARDS: Please submit the signed returned Certified Mailing cards you received from the residents you sent letters to.
2. SURVEY PLAN: It is required that the applicant attach to each application a detailed and clearly legible plot plan of the subject property and properties within a 500' (five hundred feet) radius drawn to scale, and a sketch plot plan including structures.

3. EVIDENCE OF LEGAL NON-CONFORMITY: For those applicants who are requesting an extension of a legal non-conformance, evidence, or testimony establishing the length of time in existence and legality of the existing non-conformity.
4. ALL COMMUNICATIONS SHALL BE DIRECTED TO THE OFFICE LIAISON OR ZONING OFFICER at 8500 Furey Road, Upper Chichester, PA 19061 prior to the meeting.

To view the Upper Chichester Township Zoning Ordinance, please visit us at www.upperchichester.org

CHECK LIST

Completed Application must contain the following Items:

- _____ Eight (8) copies of the Original Zoning Hearing Application
- _____ Application Fee
- _____ Eight (8) copies of the Copy of either Proof of Ownership or Lease Agreement
- _____ Eight (8) Copies of Plot Plans
- _____ Eight (8) copies of the Zoning Permit Application Form from Zoning Officer

At the time of the Zoning hearing board meeting, the completed application must contain the additional following items:

- _____ Copy of Letter sent to Adjacent Property Owners
- _____ Listing of Adjacent Property Owner Names and Addresses
- _____ Notification of Adjacent Property Owners by Certified Mail (Green & White Slips)
- _____ Subdivision Plans

Fees – To be included with the application

1. When the property involved is located in a residential zone and is not larger than one-half acre, a payment of expenses of five hundred dollars (\$500.00) shall be made by the applicant upon the filing of the application. Said amount shall be for the purpose of paying expenses associated with the application. Unused amounts will be refunded to the applicant.
2. When the property involved in the application is in a non-residential zone and the application involves an addition to the existing structure, the applicant shall make a prepayment of expenses of seven hundred fifty dollars (\$750.00). Said payment shall be to compensate for expenses associated with processing the application. Unused amounts will be refunded to the applicant.
3. When an application is made involving either residential or non-residential property and the relief requested is the development of such property, as defined in the Pennsylvania Municipalities Planning Code, or such other relief as is within the jurisdiction of the Board under such code, including any request to expand a non-confirming use, the applicant shall make a pre-payment of expenses of seven hundred fifty dollars (\$750.00) for the first acre and one hundred dollars (\$100.00) for each additional acre or part thereof involved in the application. Said payment shall be for the expenses associated with the processing of the application. Unused amounts will be refunded to the applicant.

The expenses referred to in the above-referenced paragraphs hereof include, but are not limited to, one-half of the cost of the Court Reporter's appearance fee and the full cost of a copy of the Notes of Testimony of the hearing if the applicant wants a copy, advertising costs and such other reasonable and necessary costs involved in the application as are incurred by the Township. There will be a \$125.00 fee for the use of the building and administration services, this fee will be charged for the first hearing. For all subsequent hearings, this fee will be reduced to \$75.00, except when requested by the Zoning Hearing Board.

The failure of the applicant to deposit the fees described hereof shall constitute a failure on the part of the applicant to submit a completed application to the Township. Upon such failure to pay such fees, the Township shall promptly reject such application and give its reasons therefore, in writing, to the applicant.

