

POTTSTOWN BOROUGH ZONING HEARING BOARD
LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Pottstown Borough Zoning Hearing Board will conduct a hearing on December 16, 2021, at 7:00 p.m. in the Council Meeting Room, 3rd Floor, Pottstown Borough Hall, 100 E. High Street, Pottstown, Pennsylvania, upon Application of James Swahl for a variance to Chapter 27, Section 320.2 B (1) and B (2) of the Pottstown Borough Zoning Ordinance.

The Applicant proposes to lease a portion of the first floor of the premises located at 344 E. High Street, Pottstown, Pennsylvania for use as a personal services spa business. The Applicant will continue to utilize the other portion of the first floor as part of his residence. The proposed mixed residential and nonresidential uses do not comply with the Zoning Ordinance since part of the residence will be in the front of the first floor, and the nonresidential use will not occupy more than 50% of the first floor.

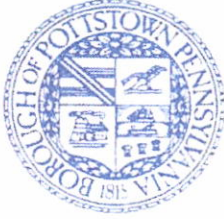
Copies of the Application may be examined by the public at the Pottstown Borough Licensing and Inspections Department, Pottstown Borough Hall, 100 E. High Street, 2nd Floor, Pottstown, Pennsylvania during regular business hours, 7:30 a.m. to 4:00 p.m., Monday through Friday.

At the time of the hearing, any affected persons or parties will be given an opportunity to be heard. Any party may be represented by legal counsel at the hearing. The Board reserves the right to conduct any other business that may come before it.

POTTSTOWN BOROUGH ZONING
HEARING BOARD

Robert E. Johnson, Chairman

R. Kurtz Holloway, Esquire, Solicitor



Borough of Pottstown

7 18-21
RECEIVED NOV 12 2021

Borough Hall, 100 East High Street
Pottstown, Pennsylvania 19464-9325

ZONING APPLICATIONS

FEES:

SINGLE FAMILY RESIDENTIAL

\$750.00

MULTI-FAMILY RESIDENTIAL

\$1500.00

COMMERCIAL- \$1500.00

****Checks made payable to the Borough of Pottstown****

What you need to submit:

6 Paper Copies & 1 Digital Each Consisting of the following:

- 1) Completed application
- 2) Deed of the property
- 3) Plan/drawing with exact measurements
- 4) Plot plan showing placement of building on property and off street parking

Please note:

Only completed submissions will be accepted

BEFORE THE ZONING HEARING BOARD
OF THE BOROUGH OF POTTSTOWN
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE:

ENTRY OF APPEARANCE

To The Zoning Hearing Board:

1. Please enter my appearance in this action

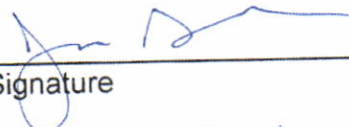
X

_____ as a party under Section 908(3) of the Municipalities Planning Code.
_____ as attorney for _____

2. I do/do not wish a copy of the transcript at my expense.

3. I do/do not wish a copy of the Board's written decision at my expense.

11-12-21
Date


Signature

344 E High St

Address

Pottstown, PA 19464

For Zoning Hearing Board Use Only

1. Was the person questioned about standing? _____

2. Was there an objection to standing? _____

3. Was the person "affected" by the application? _____

4. Was the person granted status as a party? _____

Signature

INFORMATION FOR PERSONS APPEARING BEFORE THE ZONING HEARING BOARD

The Zoning Hearing Board is an independent branch of the local government that consists of residents of the Borough of Pottstown, appointed to the Board by Borough Council, one of whom serves as its chairperson. An attorney, who is called the Solicitor, represents the Board.

The members of the Zoning Hearing Board are not permitted to communicate, either directly or indirectly, with the applicant, or his or her representatives, or any other person interested in the application, except at the time of the hearing. Similarly, the Zoning Hearing Board is not permitted to review any written material other than that submitted with the application at the time of the hearing.

Although the Zoning Hearing Board is not required to follow the formal rules of evidence at its hearings, it conducts a formal hearing, similar to a court proceeding. A court stenographer is present to make a record of the hearing.

The applicant and any other person who has been recognized by the Zoning Hearing Board as a party to the proceedings have the right to be represented by legal counsel at the hearing. Neither the Zoning Hearing Board nor its Solicitor may provide legal advice to participants at the hearing. Likewise, neither the Zoning Hearing Board nor its Solicitor will attempt to represent or assist a party in the presentation of the case.

It is the burden of the applicant to prove his or her case and to submit evidence that supports the application. It is not the responsibility of the Zoning Hearing Board to gather evidence or information for the applicant. The Board, as a quasi-judicial body, may only hear and receive evidence that is given under oath and that is subject to cross-examination, or other evidence submitted at the time of the hearing that it deems credible.

The Zoning Hearing Board does not write the Borough Ordinances, nor does it have the power or jurisdiction to address all issues that may be raised at a zoning hearing. The Zoning Hearing Board does not have any enforcement powers. Rather, it can be considered to be the judicial branch of the local government for zoning matters that is separate and distinct from the Borough administration.

Zoning Hearing Board of
Borough of Pottstown

File No. _____
Date Fully Completed Application
Received _____
Date of First Advertised
Hearing _____
Amount of Fees Paid \$ _____ Receipt No. _____

(DO NOT WRITE ABOVE THIS LINE)

**ZONING HEARING BOARD
BOROUGH OF POTTSTOWN, PA 19464**

APPLICATION / APPEAL

Applicant(s)	James Swahl	_____
	Name	Name
	344 E High Street	_____
	Address	Address
	Pottstown, PA 19464	_____
	Address	Address
	jameswahl@comcast.net	_____
	Email Address	Email Address
	610-764-4811	_____
	(Phone)	(Phone)

Applicant's Attorney:

Name

Address

Email Address

Phone

Request for Hearing:

In accordance with the provisions of Section 905 of the Borough of Pottstown Zoning Ordinance, a hearing before the Zoning Hearing Board is requested in which the applicant(s) will seek an adjudication of the matter(s) indicated below: