



Borough of Pottstown

Borough Hall, 100 East High Street
Pottstown, Pennsylvania 19464-9525

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

_____ 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.

Date

Signature

Address

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) _____ | _____ |
| Name | Name |
| _____ | _____ |
| Address | Address |
| _____ | _____ |
| Address | Address |
| _____ | _____ |
| Email Address | Email Address |
| _____ | _____ |
| (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:

Type of Proceeding(s): (check all that applies)

_____1. A variance is requested to Chapter 27, Section(s) _____ of the Zoning Ordinance.

_____2. A variance is requested to Part 3, Section 314 relating to uses permitted in a Floodplain Overlay District.

_____3. A variance is requested to Part 3, Section 315 relating to uses permitted in an Airport Overlay District.

_____4. A special exception is requested as allowed in Chapter 27, Section _____ of the Zoning Ordinance.

_____5. This is an appeal from the determination of the Zoning Officer with respect to the granting, denial or failure to act on an application for a permit.

_____6. This is an appeal from an enforcement notice issued pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code. (Attach a copy of the enforcement notice)

_____7. This is a substantive challenge to the validity of a land use ordinance or map, or a provision thereof. (The customary written challenge should be filed with this application).

_____8. This is a challenge to the validity of a land use ordinance raising procedural questions or alleging defects in the process of adoption. (The customary written challenge should be filed with this application)

_____9. Any other appeal from a determination by an officer, body or agency of the Borough charged with the administration of any land use ordinance or application thereunder, to the extent that determination is appealable to the Zoning Hearing Board under the Municipalities Planning Code.

The Status of the Applicant(s) is: (check one)

_____A. A person who has an interest in land, the use or development of which is prohibited or restricted by an ordinance or map, or a provision thereof. (Landowner must attach a plot plan as set forth in #8 below).

_____B. A person affected by a use or development permitted on the land of another by an ordinance or map, or a provision thereof.

General Information about the Land:

1. The land involved belongs to:

- A. Record Owner(s): _____
- B. Date purchased: _____
- C. Deed Book _____ Page _____ (Attach copy of Deed)
- D. Equitable Owner(s): _____
- E. Date of Agreement: _____

2. The land is located as follows:

- A. Name of street providing primary access: _____
- B. Address: _____
- C. Which side of street: _____
- D. Identify nearest street intersection and approximate distance and direction: _____

3. The land is configured as follows:

- A. Width at street (frontage): _____
- B. Approximate average width: _____
- C. Approximate average depth: _____
- D. Lot / parcel size: _____

4. Present improvements on the land are:

5. Present use is:

6. Zoning District: **NR TTN D NB DG GE GW P FO HB HM**

7. Improvements being proposed:

8. Proposed use:

Specific Information about this application / appeal:

(Set forth in complete detail what relief you are seeking from the Zoning Hearing Board; a brief summary of the necessary facts to be proved at the hearing; what law or legal theories pertain; what hardships will be shown; which provisions of ordinances or maps are being challenged; what official determination, action or failure to act is being appealed, etc. Attach additional sheets if necessary).

By signing this application, the applicant(s) certifies as follows:

1. The applicant(s) is the owner of the land in question, he/she has attached a plot plan showing the location, lot size, dimensions, north point, scale, adjoining owners, existing buildings and improvements, and proposed buildings and improvements.
2. The applicant(s) has received and read the document entitled "Information for Persons Appearing Before the Zoning Hearing Board".
3. All the information and statements in this application and any documents or plans filed in this matter are true and correct to the best of the applicant's knowledge, information and belief and applicant(s) understands this verification is made subject to the penalties of 18 PA C.S.A. Section 4904 (relating to unsworn falsifications to authorities).

Property Owner (Print) Agent (Print)

Owner's Signature Date Agent's Signature Date