



Township of Falls

188 Old Lincoln Highway
Fairless Hills, PA 19030

www.fallstwp.com

(215) 949-9000

Fax: (215) 949-9015

APPLICATION FOR ZONING ORDINANCE APPEAL

Application is hereby made to request a:

Dimensional Variance

Use Variance

Special Exception

Applicant/Contact Information

Name _____ Phone _____

Address _____

Attorney Information _____

Property Information

Location _____

Tax Parcel Number _____ Present Zoning _____

Owner _____

Request Information

The Purpose of this request is to _____

Applicable Section(s) of the Zoning Ordinance requiring this appeal _____

Has this or similar request been made previously? (If yes, give details) _____

I hereby affirm that the attached statements/plans are true and correct to the best of my knowledge and belief. I HAVE READ AND UNDERSTAND THE ATTACHED INSTRUCTIONS.

Date _____ Signature of Applicant _____

Date _____ Signature of Attorney _____

If the Applicant is not the owner of the property, the owner must sign below.

I am the owner of the property pertaining to this appeal and I am aware of this application.

Date _____ Signature of Owner _____

INSTRUCTIONS FOR ZONING HEARING BOARD APPLICATION

Application must be fully completed and legible.

Date: 2nd Tuesday of each month at 7:00 p.m.

Location: Falls Township Building, 188 Lincoln Highway, Fairless Hills, PA 19030
located in the public meeting
All applicants MUST be present.

Due Date: Paperwork must be received in Township building by NOON three (3) weeks prior to the meeting. Fee must be paid at that time. Checks or money orders payable to "Falls Township".

Fees: Residential -- \$300.00 flat fee

Commercial -- \$1,000.00 **plus** cost of advertising, engineering, secretarial services, postage and other normal expenses. The commercial applicant will be invoiced after the hearing for these additional costs.

****** ALL ZONING HEARING BOARD FEES ARE NON-REFUNDABLE ******

INSTRUCTIONS

Submit ten (10) sets of the following:

- The application – completed, signed and dated
- A copy of the hardship letter addressed to ZHB members (see pg. 4)
- A legible site plan (including street names) must be submitted indicating the locations, dimensions, and setbacks of all existing and proposed structures on the property
- Impervious surface and building coverage calculation form
- Any other documentation relative to the application.

Commercial Applicants: YOU MUST BRING PROOF OF NEIGHBOR NOTIFICATION TO THE HEARING.

Please Note: There is a thirty (30) day appeal period before release of the permit. All fees must be paid prior to obtaining the permit.

HARDSHIP REQUIREMENTS

The Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the appellant. The Board may grant a variance, provided the following findings are made where relevant in a given case.

1. that there are unique physical circumstances or conditions; there is no possibility that the property can be developed for any use permitted within the district or districts or in accordance with the provisions related to the district in which the property is located in strict conformity with the provisions of this chapter, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
2. that because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. that such unnecessary hardship has not been created by the appellant.
4. that the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
5. that the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modifications possible of the regulation at issue.
6. that the variance will not be contrary to the public health, safety, morals and general welfare.

NON-RESIDENTIAL NOTICE OF HEARING

A. Upon the filing with the Board of an appeal or of an application for any matter within its jurisdiction, the Board shall fix a reasonable time and place for a public hearing thereon, and shall:

1. Provide public notice, written notice to the applicant and post the building or lot in question, as provided by the Pennsylvania Municipalities Planning Code, as amended.

2. Mail notice thereof to every resident or association of residents of the Township who shall have registered, in writing, their names and addresses for this purpose with the Zoning Hearing Board or the Township Manager on or after January 1 of the calendar year when said public hearing is held but prior to the conclusion of any such public hearing. Any such registration of name(s) effected prior to January 1 of any calendar year in which a public hearing is held by the Zoning Hearing Board will not be recognized as a registration for the purpose of this section.

3. Mail notice thereof to the owner or owners, if their residence is known, or to the occupier or occupiers of every lot abutting the lot that is the subject of the application.

B. Notices herein required shall state the location of the building or lot and the general nature of the question involved.

C. The notice required in Subsection A(3) herein, for an application involving a nonresidential use or an application involving a nonresidential zoning district, shall be mailed by the applicant.

For an application involving a residential use or a residential zoning district, the notice shall be mailed by the Township.

D. The Township Zoning Officer, in his or her discretion, may elect to mail the notice required in Subsection A(3) herein to additional property owners.

SAMPLE LETTER/ NOTICE
(For Commercial Applicants Only)

Proof of neighbor notification shall include the notification letter/notice, a list of owner's names and addresses, and an affidavit or certificate of mailing stating the notice was mailed or hand delivered. This documentation shall be presented to the Zoning Hearing Board solicitor at the hearing.

Date

Neighbor
[Address]

RE: [Property Address of variance request]

I, the undersigned _____ have made application to the Falls Township Zoning Hearing Board to allow _____ at the _____ above property location which is not in conformance with the Falls Township Zoning Code.

This application will be heard at a public hearing to be held at the Falls Township Municipal Complex, Public Meeting Room, 188 Lincoln Highway, Fairless Hills, PA 19030 on _____ beginning at 7:00 p.m. Anyone wishing to comment on this application may do so at the public hearing on the above date.

Application and plans are on file with the Township and may be examined at the Municipal Building, 188 Lincoln Highway, Suite 100, Fairless Hills, PA 19030, Code Enforcement Department, Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.

Very truly yours,

[signature]

Applicant's Name