



## South Heidelberg Township Zoning Hearing Board

### APPLICATION TO THE ZONING HEARING BOARD SUBMISSION CHECKLIST

- Required Documents.** The following documents are to be submitted as part of the Zoning Hearing Board Application
  - Six (6) copies of the application
  - Six (6) copies of the Plan of Real Estate affected, including location and size of lot, size improvements now erected and proposed to be erected thereon, or other changes desired.
  - Six (6) copies of all other documents, submittals or information attached to the application.
  
- Payment.** All fees relating to the application must be paid with the application. Fees are as follows:
  - Residential Zoning Application Filing Fee: \$1,000.00
  - Non-Residential Zoning Application Filing Fee: \$2,000.00
  - Checks are made payable to: South Heidelberg Township**
  
- Submission.** The required documents along with payment are to be delivered to the Township Building located at:

South Heidelberg Township  
555A Mountain Home Road  
Sinking Spring PA 19608  
Hours: 8:00am – 5:00pm Monday through Friday

**The Application will not be processed unless all documents in the quantity identified above are submitted along with the application fee.**



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### APPLICATION TO THE ZONING HEARING BOARD HEARING OVERVIEW & REQUIREMENTS

1. **Hearing Date Notification.** Once the application has been reviewed the Zoning Hearing Board Solicitor will schedule a date and time for the Zoning Hearing Board to meet to conduct a hearing on the proposed zoning relief. The applicant will be notified of the date and time of the Hearing.
2. **Hearing Property Posting & Notification.** A placard will be posted on the property of the parcel identified on the application at least one week prior to the meeting. In addition, all adjoining property owners will be notified of the Zoning Application to include the date, time and location of the Hearing.
3. **Appearance at Hearing.** The applicant must be present at all hearings; otherwise the petition will be dismissed unless postponed by the Zoning Hearing Board at the discretion of the Board.
4. **Proof of Authority.** At all hearings, proof of the authority of the Applicant to make the application to the Board, must be presented to the Zoning Hearing Board, whether the applicant's interest be as owner, tenant, purchaser or in any other capacity.
5. **Public Meeting.** All meetings of the Zoning Hearing Board shall be open to the public.
6. **Permitting Requirements.** No decision by the Zoning Hearing Board shall relieve any applicant from the responsibility of obtaining any required permits in the manner prescribed by the Zoning Ordinance.



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References in this Application to the Zoning Ordinance refer to the Southwestern Berks County Zoning Ordinance, as amended. References in this Application to the Subdivision Ordinance refer to the Subdivision and Land Development Ordinance of South Heidelberg Township, as amended. References in this Application to the MPC refer to the Pennsylvania Municipalities Planning Code, 53 P.S. §10101, et. seq.

### TO THE ZONING HEARING BOARD:

1. Date: \_\_\_\_\_, 20\_\_\_\_
2. Type of Application (check one or more, as applicable):
  - 1. Substantive challenge to the validity of the Zoning Ordinance or Subdivision Ordinance [Section 909.1(a)(1) of the MPC; Sections 902.1, 902.6 of the Zoning Ordinance]
  - 2. Appeal from a determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the Application therefor, the issuance of any cease and desist Order, or the registration or refusal to register any nonconforming use, structure or lot. [Section 909.1(a)(3) of the MPC; Sections 800.2, 807 of the Zoning Ordinance]
  - 3. Appeal from a determination by the Township Engineer or the Zoning Officer with reference to the administration of flood plain provisions in the Zoning Ordinance or the Subdivision Ordinance [Section 909.1(a)(4) of the MPC; Sections 902.1, 902.6 of the Zoning Ordinance]
  - 4. Application for a variance from the terms of the Zoning Ordinance. [Section 909.1(a)(5) of the MPC; Section 902.4 of the Zoning Ordinance]
  - 5. Application for special exception under the Zoning Ordinance. [Section 909.1(a)(6) of the MPC; Section 902.5 of the Zoning Ordinance]
  - 6. Appeal 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. [Section 909(a)(7) of the MPC; Sections 902.1, 902.6 of the Zoning Ordinance]
  - 7. Appeal from a determination of the Zoning Officer under Section 916.2 of the MPC (preliminary opinion of the Zoning Officer). [Section 909.1 (a)(8) of the MPC; Sections 902.1, 902.6 of the Zoning Ordinance]
  - 8. Appeal from a determination of the Zoning Officer or Township Engineer in the administration of any provision of the Zoning Ordinance or Subdivision Ordinance with reference to sedimentation and erosion control and storm water management insofar as the



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same relate to development not involving Applications under the Subdivision Ordinance.  
[Section 909.1(a)(9) of the MPC; Section 902.1, 902.6 of the Zoning Ordinance]

### 3. Applicant(s):

A. Name(s): \_\_\_\_\_

B. Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

C. Email Address: \_\_\_\_\_

D. Telephone Number: \_\_\_\_\_

E. Legal Status of Applicant(s) (check one):

Owner(s) of legal title. [Attach copy of Deed]

Owner(s) of equitable title.

Tenant(s) with permission from owner of legal title. [Complete attached Consent of Owner form]

Other (describe) \_\_\_\_\_

### 4. Attorney, if any, for Applicant(s):

A. Name: \_\_\_\_\_

B. Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

C. Email Address: \_\_\_\_\_

D. Telephone Number: \_\_\_\_\_



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**5. Owner(s) of legal title of subject property [if other than Applicant]:**

A. Name: \_\_\_\_\_

B. Mailing Address: \_\_\_\_\_

\_\_\_\_\_

C. Email Address: \_\_\_\_\_

D. Telephone Number: \_\_\_\_\_

**6. Subject Property:**

A. Present Zoning District Classification(s): \_\_\_\_\_

B. Number and Street Address: \_\_\_\_\_

C. Location, with reference to nearby intersections or prominent features:

\_\_\_\_\_

\_\_\_\_\_

D. Tax Parcel No.: \_\_\_\_\_

E. Dimensions:

(1) Area: \_\_\_\_\_

(2) Frontage: \_\_\_\_\_

(3) Depth: \_\_\_\_\_

F. Size, construction and use of existing improvements, or use of land, if unimproved:

\_\_\_\_\_

\_\_\_\_\_



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7. Describe the proposed improvements, additions, uses and/or other development of the subject property to be made under the Application, including the size of the same and the materials and general construction thereof.
  
  
  
  
  
  
  
  
  
  
8. Describe the manner in which proposed improvements, additions, uses and/or other development differ from that permitted as of right.
  
  
  
  
  
  
  
  
  
  
9. State the factual and legal grounds believed to support the Application, including citations to specific Sections of the Zoning Ordinance, Subdivision Ordinance or other Ordinances or Acts relied upon.
  
  
  
  
  
  
  
  
  
  
10. Has any previous Application (including a previous challenge, Appeal or Petition) been filed concerning the subject matter of this Application or the Subject Property?  Yes  No If yes, what was the nature and determination of the prior action(s)?
  
  
  
  
  
  
  
  
  
  
- 11. List the names and addresses of all owners and occupiers of every lot adjacent to the subject property, including properties immediately opposite streets and roads from the subject property.**



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12. If this is an appeal of the procedure by which an ordinance has been adopted, set forth the procedural questions or alleged defects in the process of enacted or adopted to be decided by this Application.
  
13. If this is an Appeal from one or more determinations of the Zoning Officer or Township Engineers, set forth the legal and/or factual issues to be decided by this Application, including any interpretations requested.
  
14. If this is a Variance or Special Exception request (or both), set forth the provisions of the Zoning Ordinance from or under which the variance or special exception is being requested.

If more space is required in order to answer any of the questions in this Application, attach additional sheets and make reference on those additional sheets to the specific question or questions answered on each sheet.

I/We hereby certify that the above information is true and correct to the best of my/our knowledge, information and belief.

Applicant(s):

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## CONSENT OF OWNERS(S) OF LEGAL TITLE

[To be completed if the Applicant(s) is/are not the owner(s) of legal title of the subject property.]

I/We hereby represent and acknowledge that I/we am/are the owner(s) of legal title of the subject property of this Application, and that I/we hereby consent to the filing of this Application by the Applicant(s) named herein.

Owner(s) of Legal Title

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

South Heidelberg Township • 555A Mountain Home Road, Sinking Spring, PA 19608 • 610-678-9652

### TO BE COMPLETED BY THE TOWNSHIP OFFICE:

Application No. \_\_\_\_\_ Date Filed: \_\_\_\_\_ Time Filed: \_\_\_\_\_ Fee Paid: \_\_\_\_\_