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www.LimerickPA.org

APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD

1. **APPEAL** IS MADE THIS _____ DAY OF _____, 20____, BY THE UNDERSIGNED. APPELLANT HERewith APPLIES FOR RELIEF FROM THE FOLLOWING SECTIONS OF THE LIMERICK TOWNSHIP ZONING ORDINANCE:

☐ A **VARIANCE** §184-_____, §184-_____, §184-_____

☐ A **SPECIAL EXCEPTION** §184-_____, §184-_____, §184-_____

☐ AN **INTERPRETATION** §184-_____, §184-_____, §184-_____

☐ APPEAL OF ZONING OFFICER'S DECISION, LETTER DATED _____, 20_____.

☐ IF APPEAL DOES NOT CONCERN AN APPLICATION FOR A VARIANCE, SPECIAL EXCEPTION OR INTERPRETATION, STATE THE NATURE OF THE REQUEST BEING MADE.

2. **APPELLANT INFORMATION** APPELLANT IS THE ☐ OWNER ☐ EQUITABLE OWNER ☐ TENANT

NAME _____

ADDRESS _____

TELEPHONE # _____ EMAIL _____

(☐ BUSINESS ☐ CELL)

3. **PROPERTY INFORMATION**

PROPERTY ADDRESS _____

LIMERICK/ ROYERSFORD/LINFIELD, POTTSTOWN OR SCHWENKSVILLE, PA

TAX PARCEL ID 37-00-_____ ZONING DISTRICT _____ TOTAL AREA, SQ. FT. _____

PRESENT USE OF PROPERTY _____

PROPERTY OWNER NAME _____

PROPERTY OWNER ADDRESS _____

TELEPHONE # _____ EMAIL _____

(☐ HOME ☐ WORK ☐ CELL)

PROPERTY UTILITIES: ☐ PUBLIC WATER ☐ PUBLIC SEWER ☐ WELL WATER ☐ SEPTIC SYSTEM

IS ANY PART OF YOUR PROPERTY IN A FLOODPLAIN? ☐ YES ☐ NO

4. **ATTORNEY INFORMATION**

NAME(S) _____

ADDRESS(ES) _____

TELEPHONE # _____ FAX # _____ EMAIL _____

APPEAL TO ZONING HEARING BOARD

PROPERTY ADDRESS _____

5. **PROPOSED USE.** WHAT IS THE PROPOSED USE FOR THE PROPERTY? LIST NATURE OF NORMAL BUSINESS OPERATIONS (HOURS OF OPERATION, # OF EMPLOYEES, BUSINESS EQUIPMENT TO BE USED OR STORED ON SITE, EXPLOSIVE/TOXIC MATERIALS, ETC.).

6. **PROPOSED IMPROVEMENTS.** PROVIDE ACCURATE DESCRIPTION OF PROPOSED BUILDING(S), STRUCTURES OR ADDITIONS, PARKING SPACES, OR OTHER IMPROVEMENT(S) INTENDED TO BE MADE UNDER THIS APPEAL. IF NO IMPROVEMENTS → ☐ N/A

7. **STATE THE REASON(S) WHY THIS APPEAL SHOULD BE ALLOWED**

8. CERTIFICATION FOR APPELLANT

I HEREBY CERTIFY THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS AUTHORIZED AGENT AND WE AGREE TO CONFIRM TO ALL APPLICABLE LAWS OF THIS JURISDICTION.

I, _____, HEREBY STATE THAT ABOVE FACTS AND STATEMENTS, INCLUDING ANY ATTACHMENTS ARE TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE. I FURTHER UNDERSTAND THAT ANY FALSIFICATION OF INFORMATION OR AN INCOMPLETE APPLICATION MAY BE CONSIDERED REASON TO REJECT THE APPLICATION AND THAT THE FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF THE PA CONS. STAT. 4904 RELATING TO UN-SWORN FALSIFICATION TO AUTHORITIES.

DATE _____ SIGNATURE _____ (SEAL)

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF _____:

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20_____.

NOTARY PUBLIC MY COMMISSION EXPIRES _____

9. OWNER ACKNOWLEDGEMENT TO BE SIGNED BY THE OWNER, IF THE OWNER IS NOT THE APPELLANT.

I ACKNOWLEDGE THAT THE APPELLANT HAS MADE APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD.

DATE _____ SIGNATURE _____

TOWNSHIP USE ONLY BELOW THIS LINE

FEE ☐ RESIDENTIAL \$750.00* * SINGLE RESIDENTIAL DWELLING, RESIDENTIAL ADDITION, OR RESIDENTIAL ACCESSORY STRUCTURE
☐ NON-RESIDENTIAL (OTHER) \$3,000.00** ** ALL OTHER RESIDENTIAL AND ALL NON-RESIDENTIAL

RECEIVED BY _____ DATE _____

COPY: ZHB SOLICITOR (ORIGINAL)
ZONING HEARING BOARD

BOARD OF SUPERVISORS
TWP MANAGER

TWP SOLICITOR
FILE

TWP ENGINEER

NOTICE TO THE APPELLANT**ITEMS TO BE SUBMITTED WITH THE APPLICATION FOR APPEAL TO THE ZONING HEARING BOARD.**

THE APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL ITEMS HAVE BEEN SUBMITTED AND DEEMED COMPLETE BY THE ZONING OFFICER.

- ☐ ONE (1) COMPLETE ORIGINAL APPLICATION SIGNED BY THE APPELLANT AND NOTARIZED.
- ☐ TEN (10) COLLATED COPIES OF THE ABOVE-MENTIONED NOTARIZED APPLICATION, WITH THE FOLLOWING COLLATED COPIES:
 - ☐ ELEVEN (11) COPIES OF THE DEED & AGREEMENT OF SALE (FOR EQUITABLE OWNER) OR LEASE AGREEMENT (FOR TENANT).
 - ☐ ELEVEN (11) COPIES OF THE PLOT PLAN.
 - ☐ ELEVEN (11) COPIES OF THE INTERIOR BUILDING LAYOUT, EXISTING AND PROPOSED, AS APPROPRIATE.
- ☐ ELECTRONIC COPY OF ALL PLANS – PDF FORMAT, VIA AN EMAIL SENT TO PLANNING@LIMERICKPA.ORG.
- ☐ ONE (1) COMPLETED LIST OF ALL LANDOWNERS WITHIN 400 FEET OF REAL ESTATE AFFECTED BY THE APPEAL.
- ☐ STAMPED AND PRE-ADDRESSED ENVELOPES (NO RETURN ADDRESS) FOR ALL LANDOWNERS SHOWN IN ABOVE-MENTIONED LIST.
- ☐ **CHECK MADE PAYABLE TO LIMERICK TOWNSHIP FOR THE APPLICABLE FEE, DUE WITH SUBMISSION OF APPLICATION.**

GENERAL INFORMATION

- a) WHO CAN FILE AN APPEAL WITH THE ZONING HEARING BOARD?
 - CHALLENGES, REQUEST FOR INTERPRETATIONS, AND APPEALS MAY BE FILED BY THE LANDOWNER AFFECTED, AN OFFICER OR AGENCY OF THE MUNICIPALITY OR ANY PERSON AGGRIEVED.
 - A REQUEST FOR A VARIANCE OR SPECIAL EXCEPTION MAY BE FILED BY ANY LANDOWNER OR ANY TENANT WITH THE PERMISSION OF THE LANDOWNER (LIMERICK TOWNSHIP ORDINANCE 184-38).
 - THE BOARD WILL ALSO GENERALLY ACCEPT AN APPEAL FROM A PERSON WHO HAS SIGNED AN AGREEMENT OF SALE TO BUY A PROPERTY WHICH IS THE SUBJECT OF THE APPEAL.
- b) AN APPLICANT WHO PURPORTS TO FILE AN APPEAL ON BEHALF OF A PROPERTY OWNER WITHOUT THE ATTENDANCE OF THE PROPERTY OWNER AT THE HEARING, RUNS A RISK OF THE APPEAL BEING DENIED.
- c) THE ZONING HEARING BOARD DOES NOT REQUIRE THAT AN APPLICANT BE REPRESENTED BY AN ATTORNEY. IT IS UP TO THE APPLICANT TO DETERMINE WHETHER HE WANTS TO BE REPRESENTED BY AN ATTORNEY AT THE ZONING HEARING. PLEASE NOTE: NON-LEGAL REPRESENTATIVES OF THE APPLICANTS ARE NOT PERMITTED TO PRESENT THE APPLICANT'S CASE.
- d) THE MEMBERS OF THE ZONING HEARING BOARD CANNOT BE CONTACTED BY THE APPLICANT OR ANYONE ELSE ON BEHALF OF THE APPLICANT BECAUSE THE BOARD SITS IN A JUDICIAL CAPACITY. THE BOARD CAN ONLY TAKE INFORMATION PRESENTED TO THE BOARD AT THE TIME OF THE HEARING. HOWEVER, THE APPLICANT IS ENCOURAGED TO DISCUSS THEIR PROPOSAL WITH THEIR IMMEDIATE NEIGHBORS.
- e) THERE ARE FIVE MEMBERS OF THE ZONING HEARING BOARD WITH THREE MEMBERS REQUIRED FOR A QUORUM. WHEN FOUR MEMBERS ARE PRESENT, THE APPLICANT MAY WISH TO ALLOW THE ALTERNATE MEMBER TO HEAR THE CASE OR CONSIDER CONTINUING THE CASE UNTIL THE FULL BOARD IS PRESENT BECAUSE THE APPLICANT'S RELIEF CANNOT BE GRANTED IF THERE IS A TIE VOTE.
- f) FOR STANDARDS FOR VARIANCES AND SPECIAL EXCEPTIONS, SEE LIMERICK TOWNSHIP ZONING ORDINANCE 184-44.