



# TREDYFFRIN TOWNSHIP

## Zoning Hearing Board Appeal Process

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The Zoning Hearing Board considers requests for relief from requirements of the Zoning Ordinance in the form of special exceptions and variances, challenges to the findings of the Zoning Officer, or challenges to a provision of the Zoning Ordinance. The Zoning Hearing Board usually meets on the fourth Thursday of the month. The schedule for the year is published on the Township's web site ([www.tredyffrin.org](http://www.tredyffrin.org)). Meetings begin at 7:30 p.m. in Keene Hall in the Township Building.

**Application Requirements:** To get on a Zoning Hearing Board agenda, a zoning application must be submitted to the Township by the first day of the month in which the hearing is scheduled (For example, the deadline for the May hearing is May 1<sup>st</sup>).

The submission must include the required fee and seven (7) sets of:

1. the application form and narrative (with every question answered)
2. an accurate plot plan with:
  - all property corners and monument/pin corners
  - distances and bearings of property lines
  - all roads, cartways and legal rights of way
  - all proposed and existing structures and distances to property lines
  - all proposed and existing impervious areas, driveways, patios, etc.
  - a zoning data table showing required, existing and proposed dimensions for:
    - lot size
    - required yards
    - building coverage
    - impervious areas
  - any floodplains, easements and/or steep slopes on the property
  - the owner(s), street address, and tax parcel number for the application property and adjoining properties
3. building elevations
4. other related materials as appropriate

One set must include an application with original signatures. For the application narrative, it is important that every question be answered. The questions are derived from the application requirements and standards of review found in the Pennsylvania Municipalities Planning Code and Tredyffrin's Zoning Ordinance.

Fees for the various types of zoning applications are as follows:

Variance or Special Exception

<i>Single-family residential dwellings</i> .....	\$800
<i>Multi-family dwellings</i> .....	\$2,000
<i>Non-residential (Commercial/Industrial/Institutional)</i> .....	\$2,000

Appeal from Zoning Officer or other Zoning hearings

<i>Single-family residential dwellings</i> .....	\$800
<i>Multi-family dwellings</i> .....	\$2,000
<i>Non-residential (Commercial/Industrial/Institutional)</i> .....	\$2,000
<i>Changes to the validity of the zoning ordinance</i> .....	\$10,000

Postponements .....50% of permit fee for each postponement requested or failure to appear at an announced public hearing

HARB review .....\$54

Checks should be made out to “Tredyffrin Township.”

**Hearings:** Most Zoning Hearing Board appeals involve requests for variances or special exceptions. A variance allows a property owner to deviate from regulations in the Zoning Ordinance. Generally, if the board finds unique physical circumstances (not economic circumstances) on a property that cause unnecessary hardship, it may grant a variance. A special exception typically involves a use or expansion not deemed acceptable for an entire zoning district or throughout the township but appropriate under the right circumstances. Generally, if the board finds the use or expansion suitable to the property and unlikely to injure or detract from the use of surrounding property or the character of the neighborhood, it may grant the special exception, as long as all specified criteria in the ordinance is met.

Applicants will be notified prior to the hearing that their application is on the agenda and the agenda is posted on the Township’s web site. In accordance with the Zoning Ordinance, neighbors residing within 600 feet of the property also will be notified and invited to comment on the application at the hearing.

The hearing is a formal process. Applicants are sworn in before presenting their case to the Zoning Hearing Board. After each applicant’s initial presentation, the members of the Zoning Hearing Board will ask questions and then offer anyone in attendance the opportunity to comment. Parties in opposition to an application also may have certain legal rights to participate. A court reporter records all of the testimony. Documents not included with the application (e.g. pictures of the property) may be presented at the hearing as long as they do not change or add to the relief requested. Usually, the record is closed at the end of the hearing and no further information will be considered by the Zoning Hearing Board.

Because the hearing is a legal proceeding, any testimony must be given in person. The Zoning Hearing Board will then have the opportunity to ask questions. If you cannot attend a hearing and want to write a letter in favor or opposition of a specific appeal, please give the letter to the applicant or have a representative attend the hearing to present it to the Board for you.

In some simple cases, the Zoning Hearing Board may announce a decision the night of the hearing. For most cases, the decision is announced at the beginning of the following month’s hearing. Written decisions are then mailed to all applicants.

**Decision Expiration:** A special exception or variance expires if the applicant fails to obtain a building permit within twelve months from the date of Zoning Hearing Board approval. If necessary, an applicant can request an extension of time beyond the twelve months to obtain a permit via letter to the Zoning Hearing Board at the address below. Such requests will be considered by the Zoning Hearing Board at the beginning of the next regularly scheduled meeting.