

0APPLICATION TO THE ZONING HEARING BOARD OF HAMPDEN TOWNSHIP

UNDER THE PROVISIONS OF THE HAMPDEN TOWNSHIP ZONING ORDINANCE
ORDINANCE NO. 84-2 AS AMENDED.

Application is made this _____ day of _____, 20____ by the undersigned for a special exception or variance from the terms of the Hampden Township Zoning Ordinance (Ordinance No. 84-2, as amended), or from a decision made by the Hampden Township Zoning Officer.

1. The name of the applicant is (please print): _____,
whose address is _____ and whose phone is _____.
The name of the applicant's representative is (please print): _____,
whose address is _____ and whose phone is _____.
The name of the owner of the real estate (if not the applicant) is: _____
whose address is: _____.
The name of the equitable owner of the real estate (if not the applicant) is: _____.
The name of the owner's/equitable owner's representative is: _____,
whose address is: _____ and whose phone is _____.

2. This appeal relates to the following section(s) of the Hampden Township Zoning Ordinance: _____.

3. A brief description and location of the real estate affected by such proposed change is as follows: _____

Parcel No.(s): _____.

4. The real estate in question is presently classified in the _____ Zoning District(s), and is presently being used for the purpose of _____

Existing improvements on the land consist of: _____
_____.

5. The applicant makes this request under Hampden Township Zoning Ordinance Section:
 2201B (Decision of Zoning Officer) 2201D (Variance) 2201F (Special Exception)*
***NOTE: Must go to Planning Commission first.**

6. Set forth the relief requested with reasonable detail of the existing and proposed improvements and existing and proposed use. If the appeal relates to a decision of the Hampden Township Zoning Officer, attach a copy of that decision (if in writing) or describe the decision:

_____.

7. In the case of a variance or special exception, attached hereto is a survey of the real estate to be effected, prepared by a registered surveyor or registered professional engineer, indicating the location and size of the real estate, the location and size of the existing improvements, and the location and dimensions of proposed improvements; existing and proposed yard setbacks must be shown in feet and inches.

8. Applicant believes the relief requested should be granted for the following reasons: _____

_____.

9. Also attached hereto is the filing fee of \$500.00 for request relating to all single family residential uses, or \$600.00 for requests relating to all other uses.

Applicant's Signature

GENERAL INSTRUCTIONS FOR HAMPDEN TOWNSHIP ZONING HEARING BOARD APPLICATIONS

1. All information on the application, along with the property survey and supporting documents, must be furnished.
2. The following must accompany all applications:
 - A. A filing fee by cash or check made payable to Hampden Township in the amount of \$500.00 for requests relating to single family residential use or \$600.00 for requests relating to all other uses.
 - B. Copies of a survey of the affected real estate as it now exists, prepared by a registered surveyor or registered professional engineer, must be submitted with the application. The survey shall indicate the location and size of improvements now erected thereon, the location and size of improvements proposed to be erected thereon, and the existing and proposed front, rear and side yards, where yard width or yard depth is in question. The Zoning Officer shall have the right to waive or modify the requirements of the survey where, in his judgment, a survey is not necessary. The following minimum numbers of copies are required:
 1. Variance Request 11 copies of survey and application
 2. Special Exception 19 copies of survey and application*
 3. Appeal from Zoning Officer's Decision 11 copies of survey and application***Must go to Planning Commission first.**
3. Any application for relief to the Hampden Township Zoning Hearing Board must be filed with the Zoning Officer no later than 4:30 p.m. on the Friday following the previous month's Zoning Hearing Board meeting. Applications received after the deadline date will be scheduled for hearing at the regular Board meeting on the second month following the date of filing.
4. Any application received by Hampden Township that does not satisfy all of the filing requirements as set forth shall be deemed as incomplete, not acceptable, and shall be returned to the applicant.
5. Applicant or his/her representative must attend the hearing to speak upon the application at the advertised meeting; otherwise, the application will be denied, unless postponement is given by the Zoning Hearing Board upon cause shown or by its own motion.
6. The Zoning Hearing Board has the following powers:
 - A. To hear and decide appeals where it is alleged by the applicant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provisions of the Zoning Ordinance or map or any valid rule or regulation governing the action of the Zoning Officer.
 - B. To hear and decide requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. Burden of proof of unnecessary hardship shall rest on the applicant. The circumstances must be unique and applicable to the particular property and no other. The possibility of greater financial return does not in itself constitute unnecessary hardship. Other pertinent provisions governing variances are found in Section 910.2 of the Pennsylvania Municipalities Planning Code.

- C. Where the governing body and the Zoning Ordinance have stated special exceptions to be granted or denied by the Board pursuant to expressed standards and criteria, it will hear and decide requests for special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards in addition to those expressed in the Ordinance as it may deem necessary to implement the purpose of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code.
7. All meetings of the Zoning Hearing Board shall be open to the public. The Board shall keep a record of the proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.
8. No decision by the Zoning Hearing Board shall relieve any applicant from the duty or responsibility of obtaining any permits as and when required by any Hampden Township Ordinances.
9. Notice of the time and place of all hearings shall be given by mail to the applicant and the Zoning Officer and to any person who shall make a timely request in writing for notice of the hearing. Notice of the time and place of all hearings shall be given by publishing the same in a newspaper of general circulation in the Township. Furthermore, notice of the hearing shall be posted in at least five prominent places in the neighborhood involved in the proceeding, including a notice conspicuously posted on the effected tract of land, which notices shall be posted at least five days prior to the date set for the hearing.

Adopted August 5, 1987; as amended

***Part 22, Section 2201.F(2) of the Hampden Township Ordinance requires all Special Exception requests to receive an advisory report from the Planning Commission prior to the Zoning Hearing Board taking action on the Special Exception request. THE SPECIAL EXCEPTION REQUEST MUST BE FIRST SCHEDULED FOR THE PLANNING COMMISSION MEETING BEFORE IT CAN BE HEARD AT THE ZONING HEARING BOARD MEETING.**