



140 E. Church Street
Sellersville, PA 18960

Phone 215-257-5075
FAX – 215-257-6163

All submitted Zoning Hearing Board applications are reviewed by the Council of Sellersville Borough at the next scheduled public meeting after receipt of the application, and the applicant may attend this meeting.

Under the Municipalities Planning Code, Borough Council at their sole discretion may choose to send the Borough Solicitor to oppose an application. Notice is sent to the Zoning Hearing Board Solicitor, and the applicant's attorney, and/or other professionals will be copied.

GENERAL INSTRUCTIONS FOR ZONING HEARING BOARD APPLICANTS

All information requested on application must be furnished with supporting documents.

Legal Advertising of the hearing scheduled by the Board to consider your application will be based exclusively upon the information contained in the application. Any omissions or inaccuracies will be the sole responsibility of the applicant.

Applicant or representative must be present at hearing. Otherwise, the petition will be dismissed unless a continuance is granted by the Zoning Hearing Board upon cause shown or upon their motion.

At all hearings, proof of title, (a copy of the deed) to the property affected must be available to the Zoning Hearing Board, whether the applicant's interest be as owner, tenant, purchaser, or otherwise.

The following **must** accompany **all** applications:

- Seven (7) notarized completed copies of the application form
- Seven (7) copies of the last deed
- Seven (7) copies of the plot plan drawn to scale showing ALL buildings and other improvements
- Seven (7) copies of a list of names and street addresses of all property owners within one thousand (1,000) feet of the property in question including all adjoining property owners, as well as those located across any adjoining street
- Two (2) separate checks made out to Sellersville Borough for the filing fee as designated below

ZONING FEE SCHEDULE

- A. Upon making application, each applicant to the Zoning Hearing Board shall, at the time of making an application, pay a filing fee in accordance with a fee schedule adopted by resolution of Borough Council. In addition, the applicant shall be required to deposit money in escrow with the Borough. Two separate checks are required. The escrow is used to pay advertising costs, mailing costs and stenographic services, as well as other costs incurred by Sellersville Borough or by the Zoning Hearing Board.
- B. The applicant shall at all times be responsible for the cost and expenses of any proceeding. In the event that the costs exceed the total escrow funds, the applicant shall reimburse the Borough for excess expenses. In the event that the costs are less than the total escrowed funds, the balance will be refunded to the applicant.

FILING FEES

	FEE	ESCROW
Residential	\$ 400.00	\$1,000.00
Residential / Substantive Challenge	\$ 7,500 plus \$400.00 for each additional hearing in excess of five (5)	
Nonresidential or Residential (with 3 or more lots)	\$ 500.00	\$2,500.00
Nonresidential / Substantive Change	\$ 7,500 plus \$500.00 for each additional hearing in excess to five (5)	
Special Exception Residential	\$ 400.00	\$1,000.00
Special Exception Nonresidential	\$ 500.00	\$2,500.00
Conditional Use	\$ 500.00	\$2,000.00

Powers of the Zoning Hearing Board

- A. To hear and decide appeals from a decision or determination of any administrative official in connection with the Zoning Ordinance and its amendments. Such appeals must be made within 30 days after the date of the written decision.
- B. To grant Special Exceptions, where the Special Exception is authorized by a provision of the Zoning Ordinance which applies to the Zoning District affected. Such Special Exception will only be granted when the proposed use of the property and/or the physical characteristics of the property conform to the standards and criteria set forth by the Zoning Ordinance as prerequisites for the granting of the Special Exception. A Special Exception will not be granted where the public interest will be injured. The burden of proving that the grant of Special Exception would be contrary to the public interest shall be upon those opposing the grant of such a Special Exception.
- C. To grant Variances from the terms of the Zoning Ordinance. The Board may only grant a Variance where, owing to special conditions prevailing on the subject property, a literal enforcement of the Zoning Ordinance will result in an unnecessary hardship, meaning that the property owner will be prevented from making reasonable use of the property. The burden of proving the existence of an unnecessary hardship and proving that the proposal will not harm neighboring properties or the public good rests upon the applicant. The circumstances which give rise to such hardship must be unique to the subject property. The possibility that the applicant will gain a greater financial return if a Variance is granted does not in itself constitute a sufficient reason for the granting of a Variance.

All meetings of the Zoning Hearing Board are open to the public.

No decision by the Zoning Hearing Board relieves any applicant from the responsibility of obtaining any required permits in the manner prescribed by the Borough Ordinance or State Law.

If bringing **EXHIBITS** to distribute at the meeting, bring a minimum of **7 COPIES OF EACH EXHIBIT**. (One each for the ZHB solicitor, Board members and the Borough representative).

SELLERSVILLE BOROUGH

140 E. Church Street
Sellersville, PA 18960
Phone: (215) 257-5075
www.sellersvilleboro.org

OFFICIAL USE ONLY

Date Rec. _____

App Fee Paid: _____

Check #: _____

Receipt #: _____

ZONING HEARING BOARD OF SELLERSVILLE BOROUGH APPLICATION FOR HEARING

Application #: _____

Seven (7) copies of this application, including all plans and drawings, must be submitted to the Zoning Officer together with the application fee. No application will be accepted without an adequate plan of the subject premises. Please print when filling out the following application.

Please select one of the following:

- Appeals from a determination of the Zoning Officer
- Requests for a special exception
- Requests a variance
- Challenges the validity of a zoning ordinance or map
- Request other relief with the jurisdiction for the Zoning Hearing Board as established in §909.1(a) of the Pennsylvania Municipalities Planning Code.

1. Site Address: _____ _____		
2. TMP# _____		
3. Property Owner	Name	
	Address	
	Phone	Email
4. Applicant	Name	
	Address	
	Phone	Email
5. Attorney	Name	
	Address	
	Phone	Email

I am not represented by an attorney in connection with the application.

If applicant is not the owner, state applicant's authority to bring this application. _____

6. Date of Present Deed: _____

7. Present Zoning Classification: _____

8. Lot Size: _____

9. Nature of Improvements

A. Present use of property: _____

B. Proposed use of property: _____

10. If you are appealing a determination of the Zoning Office, complete the following:

A. The action taken was: _____

B. The date action was taken: _____

C. The foregoing action was in error because: _____

D. Attach a copy of any written order issued by the Zoning Officer in connection with this matter.

11. If you are challenging the validity of a zoning ordinance or map, complete the following:

A. Identify the provisions of the ordinance or map which you believe to be invalid:

B. The challenge is ripe for decision because:

C. The provisions challenged is invalid because:

D. The foregoing action was in error because:

12. If you are requesting a **SPECIAL EXCEPTION** complete the following:

A. Nature of special exception sought is: _____

B. The special exception is allowed under:

Part: _____

Section: _____

Subsection: _____ of the Sellersville Borough Zoning Ordinance.
(If more than one special exception is required, list all ordinance references and the nature of the exceptions sought).

13. If you are requesting a **VARIANCE**:

A. Nature of variance sought is: _____

B. The variance is from:

Part: _____

Section: _____

Subsection: _____ of the Sellersville Borough Municipal Zoning Ordinance. (If more than one variance is required, list all ordinance references and the nature of the exceptions sought).

C. The nature of the unique circumstances and the unnecessary hardship justifying the request for a variance is:

14. Use in case of a challenge to the validity of a Zoning Ordinance or Map

A. The Ordinance of Map Challenged is as follows:

B. The challenge is ripe for decision because:

C. The Ordinance challenged is invalid because:

15. If you are requesting a unified appeal as defined in Section 913.1 of the Municipalities Planning Code, complete 11, 12, 13 or 14 above setting forth the Zoning question(s) for the Board's consideration, and complete the following:

A. The development or development plan is designated as follows:

B. The non-zoning issue(s) about which testimony will be presented are:

16. Has there been any previous zoning appeal, variance, or special exception for this property:

Yes: No:

If yes, please indicate the date thereof and nature of zoning granted:

20. The following is a list of names and mailing addresses of all persons owning property which is located within 1000 feet of the perimeter of the property, which is the subject of the application, identified by the tax parcel number together with the name and address of the present owner of the said parcel as contained in the records of the Sellersville Borough or Bucks County Tax Mapping located on the Third Floor of the Bucks County Court House located at 55 E. Court Street Doylestown, PA 18901.

SEE ATTACHED INSTRUCTIONS ON HOW TO DETERMINE PARCEL BUFFER (PAGE 7)

<u>TMP#:</u>	<u>Name and Address of Owners of Property:</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____

GIS INSTRUCTIONS TO DETERMINE PARCEL BUFFER

- Go to www.buckscounty.org
- Click on maps & data
- Click on parcel & floodplain viewer on top menu bar (click on explore)
- Click 'ok' to green pop-up
- Click on 4th icon (magnified glass) on green tool bar
- Click on query by parcel# & type in parcel# (39-xxx-xxx) then click apply (bottom)
- Toggle back to the search option
- Click on the back arrow
- Click on query parcel buffer
- Select the icon that looks like a lightning bolt (polyline)
- Type in distance field (ex: 1000)
- Measurement field should say "feet"
- Draw boundaries around parcel (hover around parcel, click on corner & draw lines, at end double click to a create box)
- The map turns blue
- Click on apply
- This list tells how many parcels are in the buffer distance you are searching
- Use the expand all option to switch between list view and parcel information view
- Next to selected query by parcel buffer result drop down box are feature actions, 3 dots(...),
- click on dots
- Select "view in attribute table" (looks like a calculator)
- Under the GIS map, attribute table appears
- Use the pull tab icon and to enlarge the attribute table for easier reading
- View and save list
 - To save the worksheet: use screen print or the snipping tool
 - To print the worksheet: you will need to print the saved screen shot or image

17. By filing this application, applicant agrees to reimburse the Borough for all expenses incurred by it and by reason of the application over the sums deposited with the Borough.

Signature of Applicant

Signature of Owner

COMMONWEALTH OF PENNSYLVANIA)
) ss.
COUNTY OF BUCKS)

The undersigned, being duly sworn according to law, deposes and says that he/she is the above –named, applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and that the foregoing facts are true and correct.

(Applicant Signature)

(Applicant Print Name)

Sworn and subscribed before me this
_____ day of _____, 20___

Notary Public

Date Received: _____

Fee Paid: _____

Zoning Officer: _____
(Signature)

Zoning Officer: _____
(Print name)