



Stockertown Borough

610-759-8393

209 Main Street, Stockertown, PA 18083 83
stockboro@rcn.com

Zoning Hearing Board:

Scheduled on an as needed basis

Hearing Date:

Typically coordinated within ~30 days from date of submittal

Public Notification:

*Published once a week, for two successive weeks prior to date fixed for meeting;
Property Posting & Property Notification within 500 feet*

ZONING APPEAL APPLICATION

NOTICE: *This appeal, in order to be acted upon by the Zoning Hearing Board, must be completed in full. Failure to do so will result in a denial of the Appeal without refund of your filing fee.*

**THIS PAGE
FOR OFFICE USE ONLY**

Date Received: _____ Appeal No: _____

Fee Paid: _____ Received By: _____

FEE

\$900 /1st Meeting (within 60 days)

\$500 /2nd Meeting (within 45 days)

ZHB DATE SCHEDULED

ZHB DATE SCHEDULED

DECISION DATE:

NOTICE PUBLICATION&MAIL DATES: _____/_____

PROPERTY POST DATE:

DECISION: ☐ GRANTED ☐ DENIED ☐ GRANTED WITH CONDITIONS

WRITTEN DECISION DATE:

Applicant shall submit FIVE (5) paper copies along with one (1) USB drive of ALL submission documents, with each attachment identified with an identifiable Exhibit.

ZONING APPEAL APPLICATION

I. APPELLANT:

1. Full Name of Appellant(s):
(*hereinafter referred to as "Appellant"*) and address of each (*Attach additional sheet as an Exhibit as needed.*)

2. Company Name (*if applicable*): _____
3. Address: _____
4. Home Phone #: _____ Office Phone #: _____
Fax #: _____ Mobile #: _____ E-mail: _____
2. Name, address & contact information of **Attorney for Appellant**

NAME _____
ADDRESS _____
PHONE _____
EMAIL _____
3. **Appellant is the** (check one or more)

☐ Owner
☐ Occupant
☐ Agent for
☐ Other _____

II. PROPERTY:

5. Zoning District: (*circle one*) R-1 (Residential) MU (Mixed Use) I (Industrial)
O/I (Office/Industrial) FP (Floodplain)
Corner Lot: ☐ Yes ☐ No (*Corner lots are required to meet the front setbacks on both streets.*)
6. Deed Owner's Name: _____
7. Deed Owner's Address: _____
8. Deed Owner's Home Phone #: _____ Office Phone #: _____
Fax #: _____ Mobile #: _____ E-mail: _____
9. Property Address: _____
10. Deed Reference #: _____ Map #: _____ Block #: _____ Lot #: _____
11. Present Use of Property: _____

III. SITE DATA:

12. Setbacks (feet)

Front _____ Sides _____ Rear _____

13. Sewer System

☐ Septic ☐ Public

14. Water System

☐ Well ☐ Public

15. Borough Road

☐ Yes ☐ No

16. Has any **previous zoning appeal** been filed in connection with this property?

☐ Yes ☐ No

If Yes:

Applicant's Name: _____

Date of Appeal: _____

Nature of Appeal: _____

Article # _____ Section # _____ Subsection # _____

Ordinance Citation

17. Type of appeal sought:

- ☐ Variance
☐ Special Exception
☐ Interpretation of Zoning Ordinance
☐ Enforcement Notice
☐ Other: _____
- _____

IV. RELIEF REQUESTED (VARIANCE):

Cite the specific section(s) from the most current Stockertown Borough Zoning Ordinance from which you are seeking relief and a description of relief requested. (Please note that if this section is not complete, the appeal will not be heard.)

18. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

19. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

20. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

21. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

22. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

23. State in narrative form the nature of your appeal, including the relevant facts to be presented to the Zoning Hearing Board. (*Attach additional sheet as an Exhibit as needed.*)

V. SPECIAL EXCEPTION REQUESTED:

Cite the specific section(s) from the most current Stockertown Borough Zoning Ordinance from which you are seeking a special exception and a description of the requested. (Please note that if this section is not complete, the special exception request will not be heard.)

24. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

25. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

26. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

27. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

28. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

VI. OTHER APPEAL REQUESTED:

Cite the specific section(s) from the most current Stockertown Borough Zoning Ordinance for Interpretation of Zoning Ordinance, Enforcement Notice, or Other, under which you are submitting an appeal, and a description of the requested. (Please note that if this section is not complete, the appeal request will not be heard.)

29. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

☐ Interpretation of Zoning Ordinance ☐ Enforcement Notice ☐ Other

30. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

☐ Interpretation of Zoning Ordinance ☐ Enforcement Notice ☐ Other

31. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

☐ Interpretation of Zoning Ordinance ☐ Enforcement Notice ☐ Other

☐ Interpretation of Zoning Ordinance ☐ Enforcement Notice ☐ Other

32. Article # _____ Section # _____ Subsection # _____

Ordinance Citation

☐ Interpretation of Zoning Ordinance ☐ Enforcement Notice ☐ Other

33. State exact use proposed for the property (if applicable).

- ☐ List hours of operation, number and type of employees
- ☐ Business equipment to be used or stored at the site
- ☐ Nature of normal business operations. (Please attach additional sheets as necessary.)
- ☐ Signage

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

34. Are there any additional state, federal, county or other permits required? (Copies to be submitted prior to issuance of permit.)

If yes:

Please provide the list of permits required.

35. What will be the anticipated/projected impact of this use on existing traffic patterns and volumes for this Zoning Appeal?

36. What will be the anticipated/projected impact of this use on existing stormwater infrastructure?
- ☐ Has a stormwater engineering study been done that complies with Act 167? If yes, please attach a copy, as an Exhibit.
 - ☐ Has this plan been submitted to the Lehigh Valley Planning Commission for their review? If yes, please attach a copy of their review as an Exhibit.
 - ☐ Has the stormwater grading plan been reviewed by the Northampton County Conservation District, if applicable? If yes, please attach a copy of their review as an Exhibit.

37. What will be the anticipated/projected impact of this use on existing sewage or water infrastructure?
- ☐ Does this project comply with Act 537?

- ☐ An engineering study and plan are required prior to the submission of this appeal for sewer and water supplied. Please attach copies of appropriate documentation.

- ☐ If public water and sewer apply to this application, commitment letters must be submitted by issuing authorities for sewer and water service.

VII. VARIANCES: REQUIRED HARDSHIP(S): *(Select all that apply)*

38. The Board shall hear and decide requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship on the applicant. The Board may by rule prescribe the form of application as provided by Borough of Stockertown Zoning Ordinance. The Board may grant a variance provided the following findings are made where relevant in a given case.

- ☐ **A.** That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.

- Please state the hardship/facts that support the above points (A thru F):

[illegible]

The Board shall hear and decide requests for special exceptions where the ordinance has stated special exceptions are to be granted by the Board pursuant to the following express standards and criteria, in addition to such other considerations and determinations as may be required by law and other provisions of Chapter 250 of the Borough of Stockertown Zoning Ordinance . The Board shall consider:

NEIGHBORHOOD CHARACTERISTICS: (2) Take into consideration the character and type of development in the area surrounding the location for which the request is made and determine that the proposed change or modification, if permitted, will constitute an appropriate use in the area and will not substantially injure or detract from the use of surrounding property or from the character of the neighborhood.

PUBLIC INTEREST: (3) Consider the public interest in, or the need for, the proposed use or change, to determine that the proposal will serve the best interest of the Borough, the convenience of the community (where applicable) and the public health, safety, morals and general welfare.

EXTENSION OF PUBLIC SERVICES & FACILITIES: (4) Make certain that the proposed change is reasonable in terms of the logical, efficient, and economical extension of public services and facilities, including, but not limited to, public water, sewers, police and fire protection, transportation and public schools.

SOUND STANDARDS: (5) Be guided in its study, review and recommendations by sound standards or subdivision practice where applicable.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION: (6) Review the recommendations of the Planning Commission on the proposed development plan, where such plan is required. The Board shall not be bound by such recommendations nor shall the Board be bound by the action of the Borough Council in relation to the development plan.

HIGHWAY FRONTAGE CONSIDERATIONS: (7) Guide the development of highway frontage insofar as possible to limit the total number of access points, reduce the need for on-street parking, and encourage the frontage of buildings on parallel marginal roads or on roads perpendicular to the highway.

PLANNING CONSIDERATIONS: (8) Consider, where pertinent, the effects of the proposal with respect to congestion on the roads or highway, the most appropriate use of land, conserving the value of buildings, safety from fire, panic, and other dangers, adequacy of light and air, the prevention of overcrowding of land, congestion of population and adequacy of public and community services and determine that approval of the application will not have a substantially adverse effect thereon.

ENVIRONMENTAL CONSIDERATIONS: (9) Be assured that the natural features and processes characterizing the proposed site and its surroundings shall not suffer unmitigated degradation, that the management of stormwater, the provision of water or sewer service, and any other alterations to the site's predevelopment condition shall be consistent with the Borough goals, practices, and plans in these regards, and that demand for water and energy by the proposed use shall be minimized to the optimal extent.

CONDITIONS TO SAFEGUARD GENERAL WELFARE: (10) Impose such conditions, in addition to those required, as are necessary to assure that the intent of this chapter is complied with, and which are reasonably necessary to safeguard the health, safety, morals and general welfare of the residents of the Borough at large and the residents and owners of the property adjacent to the area in which the proposed use is to be conducted. Conditions may include, but are not limited to, harmonious design of buildings, aesthetics, hours of operation, lighting, numbers of persons involved, noise, sanitation, safety, smoke and fume control and the minimizing of noxious, offensive or hazardous elements.

CONSIDERATION OF SPECIAL CONDITIONS: (11) Special conditions. In addition to conforming with the general standards, above, and all other applicable regulations contained in this chapter, the proposed special exception must conform with all conditions for that use as follows:

- (a) Require that all commercial or industrial parking, loading, access or service areas shall be adequately illuminated at night while in use, and that such lighting, including sign lighting, shall be arranged so as to protect the highway and neighboring properties from discomfort or hazardous interference of any kind.

IX. ATTACHMENTS REQUIRED:

39. The following must accompany the application

- ☐ **Exhibit A:** Legal Description of Property
- ☐ **Exhibit B:** Authorization from Owner (*If applicant is not the owner*)
- ☐ **Exhibit C:** Proof of Ownership
- ☐ **Exhibit D:** Property Owners' List
- ☐ **Exhibit E:** Site Plan
- ☐ **Application Fee**

X. LIST OF ALL SUBMITTED EXHIBITS / ATTACHMENTS:

40. Each Attachment submitted must be identified on this list *(add additional sheet as needed)*:

- ☐ **Exhibit A: Legal Description of Property**
- ☐ **Exhibit B: Authorization from Owner *(If applicant is not the owner)***
- ☐ **Exhibit C: Proof of Ownership**
- ☐ **Exhibit D: Property Owners' List**
- ☐ **Exhibit E: Site Plan**
- ☐ **Exhibit F:** _____
- ☐ **Exhibit G:** _____
- ☐ **Exhibit H:** _____
- ☐ **Exhibit I:** _____
- ☐ **Exhibit J:** _____
- ☐ **Exhibit K:** _____
- ☐ **Exhibit L:** _____
- ☐ **Exhibit M:** _____
- ☐ **Exhibit N:** _____
- ☐ **Exhibit O:** _____
- ☐ **Exhibit P:** _____
- ☐ **Exhibit Q:** _____
- ☐ **Exhibit R:** _____
- ☐ **Exhibit S:** _____
- ☐ **Exhibit T:** _____
- ☐ **Exhibit U:** _____
- ☐ **Exhibit V:** _____
- ☐ **Exhibit W:** _____
- ☐ **Exhibit X:** _____
- ☐ **Exhibit Y:** _____
- ☐ **Exhibit Z:** _____

XI. SITE PLAN: *(The site plan must be submitted with the application.)*

41. The site plan shall include the following:

- ☐ A North arrow and scale
- ☐ Existing structures, dimensions and floor elevations
- ☐ Driveway and road access locations (existing and/or proposed)
- ☐ Proposed structures and dimensions
- ☐ All setbacks
- ☐ Roads
- ☐ Lot dimensions
- ☐ Easements and details
- ☐ Locations of septic/public sewer and water lines with pertinent details (i.e., pipe size, inverts, manholes, etc.)
- ☐ Additional underground and/or overhead utilities (i.e., electrical, telephone, cable, etc.)
- ☐ Indicate location of floodplain (if applicable)
- ☐ All slopes, grades (existing and proposed)
- ☐ Impervious coverage as square feet and percent (%) of total
- ☐ Indicate adjacent property owners' names and parcel identification numbers
- ☐ Existing and/or proposed stormwater drainage structures
- ☐ Submit in AutoCAD or .DWG file format along with a PDF
- ☐ Indicate PA One Call requirements
- ☐ Verify sight distance/triangle

XII. APPLICANT CERTIFICATION:

42. The undersigned hereby certifies that all of the above statements contained in this zoning appeal application and any papers or plans submitted with this zoning appeal to the Stockertown Borough Zoning Hearing Board herewith are true and correct to the best of my knowledge and belief, and upon submittal becomes public record.

Printed name of Applicant / Relationship to Applicant

Applicant's Signature

Date

XIII. PROPERTY OWNERS REQUIRED TO BE NOTIFIED:

43. Name and tax mailing address of all properties within
- 1) 500 feet on the same street and
 - 2) properties within 200 feet not on the same street.

OWNER	1) WITHIN 500 Feet in Same Street ADDRESS

2) WITHIN 200 Feet not on Same Street

WAIVER

I/We hereby waive the provision that the hearing before the Zoning Hearing Board of Borough of Stockertown be held
within 60 days of the filing of this application as required by
the Pennsylvania Municipalities Code.

Applicant Name _____

Signature _____

Date _____

EXHIBIT B

44. AUTHORIZATION FROM OWNER

(If applicable)

STATE OF PENNSYLVANIA)
NORTHAMPTON COUNTY) SS:

I, _____, AFTER BEING DULY SWORN, DEPOSE AND
(Name of property owner(s))

SAY THE FOLLOWING:

1. That I am the owner of real estate located at _____ ;
2. That I have read and examined the Application made to the Stockertown Zoning Hearing Board by

(Name of Applicant)
3. That I have no objections to and consent to the request(s) described in the Application made to the Stockertown Zoning Hearing Board.

Owner's Name (please print)

Owner's Signature

Sworn to and ascribed before me this _____ day of _____ 20_____.

Notary Public

(seal)

My Commission Expires: _____