

Zoning Hearing Board Information *for Non-Residential Zoning Districts*

Dear Applicant:

You are scheduled to appear before the Warrington Township Zoning Hearing Board on an application requesting zoning relief. The Board wants to be fair and give you as much time as necessary to present your case. However, on any given night numerous Applicants might appear, and therefore if you want to have your hearing completed in a single evening it will help everyone if your presentation is efficient. If there are numerous hearings on the night of your application there may be a time restriction of one (1) hour for the presentation of evidence. If that occurs and you are unable to present all the evidence, the hearing will be adjourned until the next hearing night at which time you will be able to present more evidence.

The attached document should be completed by you or your attorney. **If you have retained an attorney you should promptly provide him with a copy of this letter and enclosed outline of Evidence.** This material will provide the Hearing Board with an outline of your presentation and will identify witnesses for the record. Hopefully this will help you to organize your presentation. Please note that your presentation of this outline is not evidence nor does it guarantee the success of your application. This outline will assist the Board in its consideration of the evidence that you present but ultimately the Board will make its decision based on the evidence presented on the night of the hearing. You should bring this document with you and represent it to the Board at the time of your hearing.

Please submit nine (9) copies of the document with you. Plans must be full-sized plans; reduced plans are not acceptable. Please bring three (3) copies of the entire application and all related documents with you. This will leave you with three (3) copies for your own use or to share with other people who appear on the night of the hearing.

Zoning Hearing Board Information Packet

1. All information requested on the application must be furnished with supporting documents.
2. The Applicant or representative with Power of Attorney must be present at hearing – otherwise the petition will be dismissed unless postponed by the Zoning Hearing Board upon cause shown or upon their motion.
3. At all hearings, proof of title to the property affected must be available to the Zoning Hearing Board, whether the applicant's interest be as owner, tenant, purchaser or in other capacity.
4. All applications must be accompanied by nine (9) copies of each document, as follows:
 - a. Plot Plans of the real estate affected, indicating the location and size of the improvements now erected and/or proposed to be erected thereon. The applicant shall provide an engineered As-Built Plan, or a reasonably exact dimensional sketch, showing the location, dimensions and area of the property; and the existing and proposed buildings, driveway access, parking, sidewalks and other pedestrian areas.
 - b. Proof of ownership
 1. Deed, tax document, or other direct evidence of Ownership.
 2. Agreement of Sale, Power of Attorney, or other evidence of Equitable Ownership
 - c. Detailed Plans.
 1. For all applications, the nature of the request shall be illustrated on a plat plan of the property accurately drawn to scale and depicting the entire property.
 2. If the appeal involves building construction show the floor plan of the structure, labeled as to room type, room sizes, proposed use, and the relationship of the existing building to the new construction.
 - d. A statement of the precise Variance, or Special Exception requested, for instance:

“I wish to encroach 4.5 feet into the 15 foot side yard setback”, or
“I wish to increase the impervious coverage from 12.3% to 19.5%, or
“I wish to change the use of the property from residential/office to day care center.”
 - e. A list of all properties located adjacent to or across from the roadway from the premises involved, showing the name and address of the owner of each property so located.
 - f. A filing fee, as designated below.

Note: No application will be accepted by the Zoning Officer until all of the above documentation and fees have been submitted.

5. Representation by an attorney is not required, but it is strongly recommended. Applicants may represent themselves, but they may not be represented by someone who is not an attorney. Applicants who represent themselves may call witnesses to explain their application and cross-examine others who offer testimony. All applicants should consult with an attorney experienced in

land use issues for guidance on how to proceed.

6. Zoning application to Zoning Hearing Board in accordance with the current Fee Schedule as provided on the Township website.

- a. Variance, Special Exceptions, Appeals

	Application Fee (\$) (Non- refundable)	Escrow (\$) (see note 7.e. below)	Total (\$)
Residential	\$1,000.00	\$650.00	\$1,650.00
Non-Residential	\$1,500.00	\$1,000.00	\$2,500.00

- b. Submit separate checks payable to “Warrington Township” for the Application Fee and the Escrow.***

7. The Zoning hearing Board has the following powers.

- a. To hear and decide appeals from a decision or determination of any administrative official in the enforcement of the Zoning Ordinance and amendments thereto. Such appeals must be made within thirty (30) days after the date of decision.
 - b. To grant, upon application in specific cases, special Exceptions to the laws of the Zoning Ordinance and amendments thereto, where such a Special Exception is authorized by the Zoning Ordinance for the district wherein which the subject premises lies; where the use and/or premises conform to the standards and criteria set forth by the Zoning Ordinance as prerequisites for the granting of such Special Exception; and where the public interest will not be unduly injured by the grant of such Special Exception. The burden of proof shall be upon the applicant to show that the Special exception required is one authorized by the Zoning Ordinance for the subject premises and proposed use. The burden of proving that the grant of such Special Exception would be contrary to the public interest shall be upon those opposing the grant of such Special exception.
 - c. To authorize upon appeal in specific cases such Variance for the terms of the Zoning Ordinance and amendment thereto as will not be contrary to the public interest. The Board may only grant such a Variance where, owing to special conditions, a literal enforcement of the Zoning Ordinance will result in unnecessary hardship so that the Ordinance will be observed and substantial justice done. The burden of proof of the “unnecessary hardship” as defined by law shall rest on the applicant. The circumstance must be unique and applicable to the applicant’s particular property and no other. The possibility of applicant’s earning a greater financial return if a Variance were granted does not in itself constitute sufficient reason for such a Variance.
 - d. No decision by the Zoning Hearing Board relieves any applicant from the responsibility of obtaining any required permits in the manner prescribed by the Zoning Ordinance(s) or State law.
 - e. After the hearing and end of the appeals period, please forward to the Township Financial Officer a written request for a refund of all monies left in your Escrow Account.

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



Warrington Township
852 Easton Road ♦ Warrington, Pa 18976
Phone: 215-343-9350 ♦ Fax: 215-343-5944

WARRINGTON TOWNSHIP 2022 ZONING HEARING BOARD SCHEDULE		
Month	Hearing Date	Application Deadline
January 2022	January 24, 2022	December 24, 2021
February 2022	February 28, 2022	January 28, 2022
March 2022	March 28, 2022	February 25, 2022
April 2022	April 25, 2022	March 25, 2022
May 2022	May 23, 2022	April 22, 2022
June 2022	June 27, 2022	May 27, 2022
July 2022	July 25, 2022	June 24, 2022
August 2022	August 22, 2022	July 22, 2022
September 2022*	<i>September 19, 2022*</i>	August 19, 2022
October 2022	October 24, 2022	September 23, 2022
November 2022	November 28, 2022	October 28, 2022
December 2022*	<i>December 19, 2022*</i>	November 18, 2022
January 2023	January 23, 2023	December 19, 2022
<i>*Meeting moved from Fourth Monday of the month.</i>		

Application Deadline: 30 Days before hearing date (except January 2023)
Hearing Date: 4th Monday of every month (except September and December 2022)



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Zoning Hearing Board Application
for Non-Residential Zoning Districts, Including PRD

Directions: Submit nine (9) copies of this application, including all plans and drawings, must be submitted to the Zoning Officer with the application fee.

Date of Request: _____ FILE NUMBER (*completed by Zoning Officer*) _____

1. The undersigned hereby: ☐ Requests a variance ☐ Requests a special exception

☐ Appeals the action of Zoning Officer ☐ Challenges the validity of the Zoning Ordinance or the Zoning Map

2. Name/Address of the Owner

Last Name:	First Name:	Phone:
Street:	City/State/Zip:	
Cell Phone:	Fax Number:	Email:

3. Name/Address of the Applicant

Last Name:	First Name:	Phone:
Street:	City/State/Zip:	
Cell Phone:	Fax Number:	Email:

4. Name/Address of the Attorney/Agent

Last Name:	First Name:	Phone:
Street:	City/State/Zip:	
Cell Phone:	Fax Number:	Email:

5. Attach copy of deed, agreement of sale or lease.

6. If applicant is not the owner, state applicant's authority to title interest to submit this application.

7. Address of premises: _____

Description of the premises involved. (Attach plan of the lot and the improvements both erected and

8. proposed.)

- a. Plot plan property prepared by a registered engineer or land surveyor.
- b. Nine (9) copies of the plat plan, drawn to scale, of the real estate affected.
 - 1) Indicating location and size of improvements now erected or proposed to be erected thereon.
 - a. Location of property showing nearest intersection, street and distance in feet and decimal parts thereof of property therefrom together with North Point.
 - b. Dimensions, bearing a lot number as a plan or record.
 - c. Lot area in square feet to be shown on plot plan.
 - d. Building area in square feet to be shown on plot plan.
 - e. All easements, restrictions, utility structures, existing structures, land features and surrounding properties shall be identified on the plot plan.
 - f. Topographical site information, at a contour interval of no less than 2' shall be provided.
 - g. Type of zoning to be marked on a plot plan such as indicated by the applicable zoning ordinance, or any other township zoning now or hereafter established.
 - h. Proper zoning restriction lines to be marked on plan indicating front yard, side yards, and rear yard on a corner lot, the property front yard setback will be shown as provided by zoning ordinance.
 - i. Street, right-of-way, etc. shall be properly marked with dimensions according to the plans of record.
 - j. Building envelope shall be drawn and marked on plot plan.
 - k. Plot plans shall have indicated thereon the proposed method for discharge of rainwater's and surface waters from the premises, including proposed grading.
 - l. Plot plan shall show proposed basement, garage and first floor elevations.

9. Tax Parcel Number: _____
10. Present Zoning Classification: _____
11. Present Use: _____
12. Nature of Improvements: _____
-
- a. Present: _____
- b. Proposed: _____
- c. Size of Lot: _____
- d. % of lot area occupied by existing building(s): _____
- e. % of lot area to be occupied by proposed building(s): _____
- f. Date work will commence: _____
13. Attach photographs of premises to application.
14. If you are appealing from the action of the zoning officer complete the following:
- a. The action taken was: _____
-
- b. The date the action as taken: _____
- c. The foregoing action was in error because: _____
-
15. If you are challenging the validity of a zoning ordinance or map, complete the following:
- a. The ordinance or map challenged is as follows: _____
-
- b. The challenge is ripe for decision because _____
-
- c. The ordinance challenged is invalid because _____
-
16. If you are requesting a Special Exception, complete the following.
- a. Nature of Special Exception sought is: _____
-
- b. The Special Exception is allowed under Article ____ , Section ____ , Subsection ____
Of the Warrington Township Zoning Ordinance. (If more than one exception is requested, list ordinance
references on separate page.
- c. The nature of the unique circumstance and the unnecessary hardship justifying this request for a Variance
is: _____
-

17. If you are requesting a Variance complete the following.

- a. Nature of Variance sought is: _____
- _____
- b. The Variance is from Article _____, Section _____, subsection _____
- The nature of the unique circumstance and the unnecessary hardship justifying this request for a
- c. Variance is: _____
- _____
- _____

18. Use in case of change in nonconforming use.

- a. Present use: _____
- b. When established: _____
- c. Number of building devoted to use: _____
- d. Square footage devoted to use: _____
- e. Proposed change in terms of items mentioned above in A – D: _____
- _____
- _____
- _____

19. If there has been previous Zoning Hearing Board action regarding the property, indicate the date and attach copy of decision whether granted or denied.

20. In addition to any other application fees, in all cases relating to the Flood Plain Ordinance, the applicant or appellant shall pay all expenses incurred by the Township with regard to the provisions of the ordinance and map; including, but not limited to costs for an engineer and expert testimony. These costs shall be due and payable to the Township within thirty (30) days after submission of a cost statement to the appellant or applicant.

Applicant

Applicant

Zoning Officer

Date

NOTARIZATION IS REQUIRED FOR ANY APPLICANT OTHER THAN OWNER

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

APPLICANT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
:

COUNTY OF BUCKS

SWORN TO AND SUBSCRIBED BEFORE

ME THIS _____

DAY OF _____, YEAR OF _____.

NOTARY PUBLIC

Directions: The following is a list of the names and addresses of all persons owning property, which is located, adjacent to or across the roadway from the premises involved.

Name and Address of Owner of Property

Tax Map Parcel Number

Name _____

Mailing Address _____

City/State/Zip Code _____

Name _____

Mailing Address _____

City/State/Zip Code _____

Name _____

Mailing Address _____

City/State/Zip Code _____

Name _____

Mailing Address _____

City/State/Zip Code _____

Name _____

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Applicant's Outline of Evidence

1. The name of the applicant(s) who will be providing testimony as the representative of the applicant.

2. Name, address and telephone number of the attorney (if applicable) who will be present on the night of the hearing representing the applicant.

3. Name and addresses of each expert witness who will be testifying on behalf of the applicant (if any) together with a brief outline of their education and/or life experience which qualifies them to be an expert witness.

4. Name, address and telephone number of any factual witnesses who will be testifying on behalf of the applicant.

5. Set forth specifically why the applicant has standing to bring this application

- a. Applicant has owned the property since _____. If a copy of the deed is not attached to the application bring it with you to the hearing.
- b. The subject premise is under an agreement of sale and the applicant has an equitable interest in the property. If a copy of the agreement of sale is not attached to the application bring it with you to the hearing.
- c. Other
Set forth briefly why you believe you have the right to bring this application (if no other box has been checked off).

6. If you are requesting a Variance, provide us with the following specific information:
- a. Set forth each section of the zoning ordinance from which a Variance is being requested.
 - b. With respect to each section of the zoning ordinance identified above briefly set forth the requirement of the ordinance and the specific Variance requested (i.e. specifically set forth the extent which your proposal does not comply with the ordinance.
 - c. With respect to each section of the zoning ordinance from which you request a Variance set forth your justification for your request and identify the hardship which you contend supports your justification.

7. If you are requesting a **Special Exception** set forth the following information:

- a. Set forth the specific section of the zoning ordinance which allows for the special exception. If more than one (1) section of the zoning ordinance is applicable, set forth each of those sections.

- b. Set forth factually why your request complies with the requirements of the zoning ordinance for a special exception.

If you require additional space please use additional sheets and attached them to this memo.

This sample outline of evidence has been provided for your guidance.