



**Falls Township**  
**188 Lincoln Highway**  
**Fairless Hills, PA 19030**  
**215-949-9000**

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## APPLICATION FOR ZONING ORDINANCE APPEAL

Application is hereby made to request a:

Dimensional Variance ☐

Use Variance ☐

Special Exception ☐

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### Applicant/Contact Information

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Attorney Information \_\_\_\_\_

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### Property Information

Location \_\_\_\_\_

Tax Parcel Number \_\_\_\_\_ Present Zoning \_\_\_\_\_

Owner \_\_\_\_\_

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### Request Information

The Purpose of this request is to \_\_\_\_\_

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Applicable Section(s) of the Zoning Ordinance requiring this appeal \_\_\_\_\_

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Has this or similar request been made previously? (If yes, give details) \_\_\_\_\_

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I hereby affirm that the attached statements/plans are true and correct to the best of my knowledge and belief. I HAVE READ AND UNDERSTAND THE ATTACHED INSTRUCTIONS.

Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_ Signature of Attorney \_\_\_\_\_

***If the Applicant is not the owner of the property, the owner must sign below.***

I am the owner of the property pertaining to this appeal and I am aware of this application.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

## ***INSTRUCTIONS FOR ZONING HEARING BOARD APPLICATION***

***Application must be fully completed and legible.***

**Date:** 2<sup>nd</sup> Tuesday of each month at 7:00 p.m.

**Location:** Public Meeting Room, 188 Lincoln Highway, Fairless Hills, PA

All applicants or their representative must be present.

**Due Date:** Three (3) weeks prior to the hearing. Fee must be paid at that time. Checks or money orders payable to “Falls Township” (Visa or Master Card accepted)

<b>Fees:</b>	Residential (dimensional)	\$ 300.00
	Commercial (dimensional)	\$1,200.00
	Use variance all districts	\$1,500.00
	Non-conforming use all districts	\$1,500.00
	Special exceptions	\$1,500.00
	Curative Amendment	\$5,000.00
	Appeals from Orders, Decisions of the Zoning Officer	\$1,500.00
	Substantive Challenges	\$3,000.00
	Procedural Challenges	\$3,000.00

**Copies:** Submit ten (10) complete sets including:

- The application – completed, signed and dated
- A copy of the hardship letter addressed to the Zoning Hearing Board members (see pg. 4)
- Any rejection letter from the Zoning Officer
- If applicable -- a legible site plan (including street names) must be submitted indicating the locations, dimensions, and setbacks of all existing and proposed structures on the property
- If applicable -- impervious surface and building coverage calculation form
- Any other documentation relative to the application.

**One copy of the submission sent electronically in pdf format to:  
d.beri@fallstwp.com**

### ***Non-residential Applicants Only:***

- Must provide proof of neighbor notification at the hearing OR emailed to Township (d.beri@fallstwp.com) prior to hearing.
- In addition to the application fee, after the hearing the applicant will be invoiced for the cost of advertising, court reporter and administration fees.

## **HARDSHIP REQUIREMENTS**

The Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the appellant. The Board may grant a variance, provided the following findings are made where relevant in a given case.

1. that there are unique physical circumstances or conditions; there is no possibility that the property can be developed for any use permitted within the district or districts or in accordance with the provisions related to the district in which the property is located in strict conformity with the provisions of this chapter, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
2. that because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. that such unnecessary hardship has not been created by the appellant.
4. that the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
5. that the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modifications possible of the regulation at issue.
6. that the variance will not be contrary to the public health, safety, morals and general welfare.

## **NON-RESIDENTIAL NOTICE OF HEARING**

A. Upon the filing with the Board of an appeal or of an application for any matter within its jurisdiction, the Board shall fix a reasonable time and place for a public hearing thereon, and shall:

1. Provide public notice, written notice to the applicant and post the building or lot in question, as provided by the Pennsylvania Municipalities Planning Code, as amended.
2. Mail notice thereof to every resident or association of residents of the Township who shall have registered, in writing, their names and addresses for this purpose with the Zoning Hearing Board or the Township Manager on or after January 1 of the calendar year when said public hearing is held but prior to the conclusion of any such public hearing. Any such registration of name(s) effected prior to January 1 of any calendar year in which a public hearing is held by the Zoning Hearing Board will not be recognized as a registration for the purpose of this section.
3. Mail notice thereof to the owner or owners, if their residence is known, or to the occupier or occupiers of every lot abutting the lot that is the subject of the application.

B. Notices herein required shall state the location of the building or lot and the general nature of the question involved.

C. The notice required in Subsection A(3) herein, for an application involving a nonresidential use or an application involving a nonresidential zoning district, shall be mailed by the applicant. For an application involving a residential use or a residential zoning district, the notice shall be mailed by the Township.

D. The Township Zoning Officer, in his or her discretion, may elect to mail the notice required in Subsection A(3) herein to additional property owners.

**SAMPLE LETTER/ NOTICE**  
***(For Commercial Applicants Only)***

***Proof of neighbor notification shall include the notification letter/notice, a list of owner's names and addresses, and an affidavit or certificate of mailing stating the notice was mailed or hand delivered. This documentation shall be presented to the Zoning Hearing Board solicitor at the hearing or emailed to the Township prior to the hearing.***

[Date]

PROPERTY OWNER NAME AND ADDRESS

**RE:     ADDRESS OF PROPERTY SEEKING VARIANCE**

Dear \_\_\_\_\_:

This letter is to inform you the property located at the above-referenced address has made an application to the Falls Township Zoning Hearing Board for **DESCRIPTION OF VARIANCES**\_\_\_\_\_. Falls Township Zoning Hearing Board will hold a public meeting on **Tuesday, \_\_\_\_\_ at 7:00 P.M.** to consider this application.

The hearing will take place at the Falls Township Public Meeting Room, 188 Lincoln Highway, Fairless Hills, PA 19030.

Additional details are posted on the Township website at [www.fallstwp.com](http://www.fallstwp.com). The public may participate in the meeting by following the instructions found on the Township website, emailing your comments to [m.takita@fallstwp.com](mailto:m.takita@fallstwp.com), or by mailing your public comments to Matthew K. Takita at 188 Lincoln Highway, Fairless Hills, PA 19030. If any member of the public is requesting party status to the application or requires an accommodation to participate in the public hearing, please contact the Township as outlined above at least five (5) days prior to the public hearing.

Application and plans are on file with the Township and may be examined at the Falls Township Municipal Building, 188 Lincoln Highway, Fairless Hills, PA 19030, Code Enforcement Department, Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.

Sincerely,