

# ZONING HEARING BOARD

## WATSONTOWN BOROUGH

318 Main St., P.O. Box 273  
Watsonstown, PA 17777  
Zoning Officer (570) 640-2661 Borough – (570)538-3000

**Application Fee - \$300.00**  
(Made payable to Watsonstown Borough)

<p><b><u>For Borough Use Only:</u></b> Date application/appeal received for review: _____  Application fee received/check number: _____/_____/_____  Date application/appeal verified as complete &amp; ready: ____/____/_____ </p>
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### APPLICATION/APPEAL

1. Identification of Applicant:

A. Name of Applicant: \_\_\_\_\_

B. Address of Applicant: \_\_\_\_\_  
\_\_\_\_\_

C. Telephone Number of Applicant: \_\_\_\_\_

D. Email Address of Applicant: \_\_\_\_\_

2. Identification of Property Owner:

A. Name of Owner: \_\_\_\_\_

B. Address of Owner: \_\_\_\_\_  
\_\_\_\_\_

C. Telephone Number of Owner: \_\_\_\_\_

D. Email Address of Owner: \_\_\_\_\_

3. Identification of Applicant's Representative:

A. Name of Representative: \_\_\_\_\_

B. Address of Representative: \_\_\_\_\_  
\_\_\_\_\_

C. Telephone Number of Representative: \_\_\_\_\_

D. Email Address of Representative: \_\_\_\_\_

4. Identification of Property:

Street address: \_\_\_\_\_

Recorder's reference: Deed Book Volume \_\_\_\_\_ Page \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

Property area: \_\_\_\_\_ square feet or \_\_\_\_\_ acres

Property dimensions:                      Width: \_\_\_\_\_ feet    Depth: \_\_\_\_\_ feet

Property Improvements and Present Use:

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Proposed Property Improvements and Proposed Use:

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Zoning District of property: \_\_\_\_\_

5. Plot Plan

Attach an accurate plot plan to this application showing all existing building and improvements and all proposed buildings and improvements with their square footages and the respective distances, in feet, from the lot lines along with the current and proposed uses.

6. Identification of Applicant's interest in property:

Owner of record

Equitable owner

Tenant

Landowner affected by use or development permitted on the property of another by an ordinance or map or provision thereof

7. Identification of Relief Requested:

- Variance from Section(s) of the Zoning Ordinance:

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- Special exception pursuant to Section(s) of the Zoning Ordinance:

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- Appeal from the determination of the Zoning Officer relating to the approval or denial or the failure to act upon an application for a permit.
- Appeal from an enforcement notice issued by Zoning Officer
- Substantive challenge to the validity of the Zoning Ordinance
- Challenge to validity of the land use ordinance raising procedural questions or defects in process of enactment.
- Appeal from Preliminary Determination of Zoning Officer

8. Identification of Proposed Use/Basis of Appeal:

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9. Listing of Adjoining Property Owners

List all adjoining property owners, including names and address.  
(Attached as a separate document)

10. Signature

The information and statements in this application and any documents or plans attached hereto are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of 18 Pa.C.S. 4904 (relating to unsworn falsifications to authorities).

\_\_\_\_\_  
Applicant, if other than Property Owner  
(Print)

\_\_\_\_\_  
Applicant, if other than Property Owner  
(Sign)

\_\_\_\_\_  
Property Owner  
(Print)

\_\_\_\_\_  
Property Owner  
(Sign)

\_\_\_\_\_  
Date

WATSONTOWN BOROUGH ZONING HEARING BOARD APPLICATION/APPEAL  
INSTRUCTIONS

All applications to the Zoning Hearing Board must include five (5) complete copies of all information. Failure to provide these copies will result in rejection of the application as being incomplete.

1. Identification of Applicant:

- a) If the applicant is an individual or a sole proprietor, his/her full name shall be listed.
- b) If the applicant is a partnership, the full names of all partners shall be listed.
- c) If the applicant is a corporation, the actual name of the corporation as registered with the Pennsylvania Secretary of State, Corporation Bureau, shall be listed.
- d) Fictitious names, even if registered with the Pennsylvania Secretary of State, may not be substituted for the identification of any applicant.
- e) Names of engineers, architects, real estate managers, etc. may not be substituted for identification purposes but may be listed supplementally for contacts.

2. If the applicant is an individual or sole proprietor, his/her personal address shall be listed. If the applicant is a partnership, the personal addresses of all partners shall be listed.

If the applicant is a corporation, the registered address as shown on the records of the Secretary of State and the actual physical location of the principal office if different than the registered address.

Post office boxes may not be used for mailing addresses for any applicant.

3. Identification of Owner:

A. and B. See Instructions for 1 a). and b).

4. Identification of Property:

- a) For irregularly shaped properties, reference may be made to the deed or site plan to be attached to application.
- b) A general description of any structures on the property shall be listed.
- c) A brief description of the current use of the property shall be listed.

5. Identification of Applicant's Interest in Property:

If the record owner is the applicant, a copy of the deed shall be attached to the application.

If the equitable owner is the applicant, a copy of the agreement of sale shall be attached to the application. Confidential information from the agreement may be redacted.

If the tenant is the applicant, the written permission of the record owner/landlord shall be attached to the application.

6. Identification of Relief Requested:

If an appeal is taken from the determination of the zoning officer, a copy of the written response from the zoning officer to the request for a permit shall be attached to the application.

If an appeal is taken from a zoning enforcement notice issued by the zoning officer, a copy of the notice shall be attached to the application.

7. Proposed Use/Basis for Appeal:

A copy of a plot plan shall be attached to the application. The plot plan shall include the location, Lot size, dimensions, north point, scale, existing buildings and improvements and proposed buildings and improvements. The application should address the issues set forth in Part 10 of the Zoning Ordinance.

The relief requested from the Board should be specified, including specific reference to the part, section, and subsection (if applicable) of the Watsonstown Borough Zoning Ordinance from which relief is being requested. Additional sheets may be attached to the application.

8. Listing of all Adjoining Property Owners:

A complete listing of all adjoining property owners, their full addresses, and telephone numbers must be attached to the application.

9. Basic information for applicants to the Watsonstown Borough Zoning Hearing Board:

- a) The Watsonstown Borough Zoning Hearing Board has authority to decide applications for variances and special exceptions, appeals from determinations made by the Zoning Officer and challenges to the validity of the Watsonstown Borough Zoning Ordinance and/or map. The Board does not have the power to re-zone districts or to enforce zoning violations; the Board of Supervisors has this responsibility.
- b) After the application, plans and \$300.00 application fee (made payable to Watsonstown Borough) have been accepted by the Watsonstown Borough Zoning Officer, the Secretary of the Zoning Hearing Board will schedule a hearing within 60 days. A notice of the hearing will be sent to adjoining landowners, will be advertised in the newspaper, and will be posted on the property in question. Zoning Hearing Board hearings are scheduled only on an as-needed basis.
- c) At the hearing formal rules of evidence do not apply. However, the Board will listen only to relevant information about the application. A stenographer will be present to record the testimony.
- d) An applicant is not required to have an attorney. However, neither the Board nor its attorney (solicitor) is allowed to give legal advice. The Board cannot be questioned about the legal rules which apply to the application. In addition, an applicant cannot come to the hearing and expect the Board to tell him or her what information is necessary. The purpose of the hearing is for the Board to receive information and evidence from the applicant, not the other way around. The applicant has the burden of providing evidence to support the application. If he or she fails to do so, the Board may deny the requested relief.

- e) If the applicant applies for a variance, Section 27-1004 of the Watontown Borough Zoning Ordinance should be consulted for the type of information which should be provided to the Board. If the applicant applies for a special exception, Section 27-1005 of the Watontown Borough Zoning Ordinance should be checked for the type of information which should be provided to the Board. In both cases, detailed site plan requirements of the property as outlined on the attached application must be submitted with the application.
  
- f) At the end of the hearing the Board will announce a decision either granting or denying the application. A written decision will be sent to the applicant within 45 days of the last hearing. An appeal from this decision may be filed with the Court of Common Pleas of Northumberland County.