

Date Application was submitted to the Zoning

File No. \_\_\_\_\_

Office: \_\_\_\_\_

# UNITY TOWNSHIP ZONING HEARING BOARD APPLICATION

1. Name of Applicant: \_\_\_\_\_

2. Applicant's Address: \_\_\_\_\_  
\_\_\_\_\_

3. Applicant's Telephone Number: \_\_\_\_\_

4. Property Location: \_\_\_\_\_  
\_\_\_\_\_

5. Record (Deed) owner of Property: \_\_\_\_\_

6. If the Applicant is not record owner, Applicant has standing to file this application by virtue of:

(a) Applicant is tenant under written Lease Agreement: \_\_\_\_\_

(b) Applicant is purchaser under valid and Enforceable written Real Estate Sales Agreement:  
\_\_\_\_\_

Copy of Agreement must be submitted to the Zoning Hearing Board at the Hearing. Failure to do so will result in immediate denial of request without further hearing.

7. Description of property:

(a) Street \_\_\_\_\_ House or Box No. \_\_\_\_\_

(b) Zoning Classification: \_\_\_\_\_

(c) Lot size: \_\_\_\_\_

(d) Present Improvements on land: \_\_\_\_\_  
\_\_\_\_\_

(e) Tax Map No. \_\_\_\_\_

8. Description of requested relief: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Applicable hardship: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Type of appeal desired:

- Variance
- Change of Use
- Change or Expansion of nonconforming use
- Challenge to validity of Zoning Ordinance
- Special Exception
- Appeal from the decision of The Zoning Officer

11. Documents to be submitted with Application

- (a) Deed, written lease agreement or written sales agreement
- (b) Professional survey and/or Site Plan
- (c) Application fee

I hereby verify that the information provided on this application is true and correct to the best of my knowledge.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name if not the same as indicated in item 1.

# APPLICABLE HARDSHIP

The following is taken from the Pennsylvania Municipalities Planning Code, Section 910.2 [53 P.S. § 10910.2]. The following five (5) criteria are used to determine if a “Hardship” exists that would allow the Zoning Hearing Board to grant a variance to the applicant.

Zoning Hearing Board’s Functions: Variances. -- (a) The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The board may by rule prescribe the form of application and may require preliminary application to the zoning officer. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

1. 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.
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 modification possible of the regulation in issue.

**NOTE: If your request does not meet one or more of the above 5 criteria, you may not have an applicable hardship. Should this be the case, you should contact the Zoning Officer to discuss your particular situation prior to the scheduling of a hearing.**

# Application Checklist

On November 5, 1997 Unity Township Zoning Hearing Board adopted a policy to hear only those cases that are accompanied by the information and documents required below. Any application that is not complete will be rejected by the Board and will need to be resubmitted with an additional application fee.

\_\_\_\_\_ Meeting (or conversation) with the Zoning Officer to discuss details of applicants request prior to submission of application.

\_\_\_\_\_ Application must be submitted at **least 21 days** before the meeting date to allow for advertising in the local newspaper. The ZHB meets on the 4th Tuesday of each month at 6:00 p.m.

\_\_\_\_\_ Completed Signed Application - **Applicant must answer all questions and must state the “Applicable Hardship” in detail.** Please read the reverse side carefully for an explanation of “applicable hardship”.

\_\_\_\_\_ Copy of the Deed for the property.

\_\_\_\_\_ Professional survey showing placement of all existing buildings, proposed buildings, existing land conditions, roads and size of property.

\_\_\_\_\_ Three (3) recent photographs showing property from different angles.

\_\_\_\_\_ \$400.00 Application Fee. Non-refundable 15 days or less prior to the scheduled hearing date.

\_\_\_\_\_ \$500.00 Application Fee for “Appeals From the Decision of the Zoning Officer”.  
Non-refundable 15 days or less prior to the scheduled hearing date.

***Please Note: Under current Pennsylvania case law, these proceedings before the Zoning Hearing Board may be the only opportunity to present testimony in this case. The courts have ruled that in the event of an appeal from the decision of the Zoning Hearing Board, an additional hearing or other opportunity to give testimony or present other evidence is to be granted only in very limited circumstances. All applicants and other interested parties are strongly urged to seek legal counsel with regard to their claims and interests which may be affected by a decision of the Zoning Hearing Board. Any interested person who fails to attend, testify or present evidence can lose the ability to raise those rights at a later time. The proceedings before the Zoning Hearing Board are generally the only opportunity provided for interested persons to participate in the matters identified in the application.***

The applicants signature verifies the applicant has completed all items on the checklist. Additionally, the applicant has read and understands the above bolded statement pertaining to Zoning appeals.

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

\_\_\_\_\_  
Date

**This checklist must be signed, dated and accompany the application**