



Heidelberg Township Zoning Office  
Lehigh County  
6272 Route 309 ~ Suite A  
New Tripoli, Pa. 18066  
610-767-9297 ~ Fax 484-265-0097

Appeal # \_\_\_\_\_ Case# \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Application Received \_\_\_\_\_

**Heidelberg Township Zoning Hearing Appeal  
Application for Appeal**

Date \_\_\_\_\_

Fee:	Residential & Agriculture	\$650.00
	Commercial & Industrial	\$900.00
	Ordinance Amendment change or Zoning District change or Curative Amendment	\$1750.00

**Applicant(s)**

The Pennsylvania Municipalities Planning Code, under Section 909.1, requires the Zoning Hearing Board to hear certain cases brought before it. These include validity challenges to an ordinance, appeals from the Zoning Officer's decision, and certain appeals from a decision of the municipal engineer, variances of the flood hazard and other ordinances and special exception uses. The board will hear these appeals and render a decision based on the facts presented to it. Fraudulent misrepresentation of facts could be grounds for dismissal of the appeal or revocation of any permits granted.

In order to simplify matters to some extent, you are requested to file this form with your appeal. Please read it carefully before beginning. If you have any questions, please contact the township zoning office. Fill in all applicable sections; provide brief descriptions where necessary. If space allotted for any section is insufficient, please use an extra sheet of paper. All appeals must be filed no less than 30 days prior to the hearing date to be on the agenda. The regular meeting for the Board is the 3rd Monday of each month. This date can be verified by contacting the zoning office. Regardless, your appeal will be heard within 60 days of the application date unless a time extension has been requested in writing.

It is the applicant's responsibility to be present at the hearing or have their representative present. All materials which were not part of the application or witnesses which the applicant feels are relevant to the case must be brought before the Board at this time.

**Six copies of the following items must accompany this application**

1. A plot plan of the lot in question (if any) drawn to scale showing all structures, setbacks, prominent physical features, lot dimensions, north arrow, septic and well locations and any other information pertaining to the appeal.
2. A statement outlining the reason for the appeal and what relief is requested.
3. Any construction or development plans relevant to the appeal.
4. Any other information relevant to the appeal.

Please return this application and all documents related to the appeal to the zoning office. All property owners within 300 feet of the affected property will be notified by mail. The property must be posted at least one week prior to the hearing. The property owner, or applicant, will be responsible to post the property conspicuously within the desired time. A written affidavit must be filed with the township after the posting. The affidavit must state when the property was posted, where the posting was placed and how many postings were placed. A photograph of the posted property and the posting would be helpful also.

A written decision will be issued within 45 days of the last hearing before the board.

**Note: Any permits issued as a result of the decision of the Zoning Hearing Board will be issued only after all conditions (if any) are met.**

Please read carefully before attempting to complete.

**Appeal information for all appeals**

Owner(s)

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Applicant(s)

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Type of appeal Check the ones that apply.

\_\_\_\_\_ Challenge to Land Use Ordinance (Go to Section A.)

\_\_\_\_\_ Challenge to Land Use Ordinance on Procedural Grounds (Go to Section A.)

\_\_\_\_\_ Appeal on Decision of Zoning Officer (Go to Section B.)

\_\_\_\_\_ Appeal on Determination of Municipal Engineer (Go to Section B.)

\_\_\_\_\_ Application for Variance (Go to Section C.)

\_\_\_\_\_ Application for Special Exception (Go to Section D.)

Is this an appeal on a Flood Plain or Flood Hazard Ordinance? \_\_\_\_\_

Is this an appeal on an Erosion and Sedimentation Control or Storm Water

Management Ordinance? \_\_\_\_\_

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**Section A ~ Ordinance Challenges**

What ordinance is this appeal based on? \_\_\_\_\_

What is the enactment date of the ordinance? \_\_\_\_\_

Is there a specific section being challenged? \_\_\_\_\_

**Section B ~ Appeals**

Is this an appeal on the determination of the

\_\_\_\_\_ Zoning Officer

\_\_\_\_\_ Municipal Engineer

What is the nature of the appeal? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Does it involve any of the following?

- \_\_\_\_\_ Permit
- \_\_\_\_\_ Cease and Desist Order
- \_\_\_\_\_ Registration of Non-Conforming Use
- \_\_\_\_\_ Sedimentation and Erosion Control
- \_\_\_\_\_ Storm Water Management
- \_\_\_\_\_ Flood Plain or Flood Hazard
- \_\_\_\_\_ Other (Explain) \_\_\_\_\_

**Section C ~ Variances**

Note: The Board may grant a variance, provided that all of the following findings are made where relevant in a given case.

1. 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 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.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Zoning Ordinance.

Location of Property \_\_\_\_\_

Current Use of Property \_\_\_\_\_

Proposed Use of Property \_\_\_\_\_

Ordinance Section Number \_\_\_\_\_

Nature of Variance Being Requested \_\_\_\_\_

Nature of Adjoining Properties \_\_\_\_\_

**Section D ~ Special Exceptions**

The Board may attach such conditions and safeguards as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Zoning Ordinance.

Location of Property \_\_\_\_\_  
\_\_\_\_\_  
Current Use of Property \_\_\_\_\_  
\_\_\_\_\_  
Proposed Use of Property \_\_\_\_\_  
\_\_\_\_\_  
Ordinance Section Number \_\_\_\_\_  
Nature of Property \_\_\_\_\_  
\_\_\_\_\_  
Nature of Adjoining Properties \_\_\_\_\_  
\_\_\_\_\_

**Note ~ Conditions attached by the Zoning Hearing Board must be met. Any conditions required before or after permit issuance must be met within six (6) months. Otherwise, the permit will be denied or revoked. Permits will not be issued until the written decision of the Zoning Hearing Board is released.**

I hereby certify that all statements contained in this appeal and any papers, documents or exhibits used in conjunction with this appeal are true and correct to the best of my knowledge.

**Applicant's Signature** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date** \_\_\_\_\_

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Township Use Only  
Parcel Identification Number \_\_\_\_\_  
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Please list all property owners within 300 feet of the affected property.  
This information is available at the Zoning Office or Lehigh County Assessment Office

<u>Parcel Identification Number</u>	<u>Owner Name(s)</u>	<u>Owner Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____