



# ZONING HEARING BOARD APPLICATION

Easttown Township  
566 Beaumont Road  
Devon, PA 19333  
Phone 610-687-3000  
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[www.easttown.org](http://www.easttown.org)

## PART I – INSTRUCTIONS

### BEFORE COMPLETING THIS APPLICATION:

- Review Chapter 274 **Natural Resource Protection** and Chapter 455 **Zoning** of the Township of Easttown Code, available online at [www.easttown.org](http://www.easttown.org), for purchase, or review at the Township Building.
- Reference the interactive Zoning Map – MapLink at <https://ea3052.zoninghub.com/zoningmap.aspx> – for required setbacks, dimensional requirements, etc. for the applicable Zoning District.

### COMPLETING THIS APPLICATION:

- The following **MUST** accompany the application:
  - ✓ Application fee
  - ✓ Twelve (12) sets of your Application and Plot Plans, prepared by a Professional Engineer or Registered Land Surveyor

## PART II – PROPERTY INFORMATION

UPI No.:	Street address for which Application is being sought:		
Date Property acquired by Owner:	Subdivision Name (if applicable):	Lot No. (if applicable):	<input type="checkbox"/> Class I Historic Resource
Residential <input type="checkbox"/> Single-Family <input type="checkbox"/> Townhouse <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family		Non-Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Other: _____	

## PART III – PROPERTY OWNER INFORMATION

Property Owner (Name or Entity that will own the Property upon completion of work):	
Property Owner Street Address (if different than Property Information):	
City, State, and Zip Code:	
Phone Number:	Fax Number:
Email Address:	

## TOWNSHIP USE ONLY

### Application Fee:

PAID on \_\_\_/\_\_\_/\_\_\_ via

Check # \_\_\_\_\_  Credit Card

Received by: \_\_\_\_\_

**PART IV – ZONING DISTRICT/OVERLAY** (check all that apply)

Zoning District:

AA  R-1  R-2  R-3  R-4  R-5  PBO  VB  VT  VR

Zoning Overlay:

DC  MF-A  MF-B  PA  DC

**PART VI – REQUESTED RELIEF** (check all that apply)

- Variance per Section(s) \_\_\_\_\_
- Special Exception per Section(s) \_\_\_\_\_
- Appeal of Zoning Officer’s Permit Decision dated: \_\_\_\_\_
- Appeal of Zoning Officer’s Preliminary Opinion dated: \_\_\_\_\_
- Appeal of Zoning Officer’s Determination dated: \_\_\_\_\_
- Appeal of Zoning Officer’s or Township Engineer’s Floodplain or Flood Hazard Area Determination dated: \_\_\_\_\_
- Substantive Challenge to the Validity of Zoning Ordinance
- Validity Challenge to the Zoning Ordinance regarding procedural questions or alleged defects in process

Statement of requested relief by section (attach separate document, if necessary):

**PART VI – REQUESTED RELIEF** (check all that apply)

*The Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable.*

1. That the use of the property adjacent to the area included in the special exception is adequately safeguarded. This provision shall require noise abatement, landscaping, buffering, additional setbacks, if necessary, and similar restrictions in order to protect adjacent property.
2. That vehicular trip generation resulting from the proposed use will not result in such increased traffic or turning movements as will significantly affect existing congestion on streets and roads within the immediate vicinity of the proposed development or adversely impact the reverse capacity of the public roads and road intersections providing access to and in the area of the proposed use.

3. Improvements to the streets contiguous to the applicant's property, such as road widening, acceleration and deceleration lanes, traffic control devices and similar features, shall be sufficient to obviate any adverse traffic impacts caused by the use and to protect the traveling public, and the location and design of the proposed facilities for ingress or egress shall be so located as to provide safe access to adjoining streets and roads and to avoid unnecessary traffic through existing neighborhoods.

4. The proposed use shall make adequate provision for access for firefighting and other emergency service equipment. Such access must include, but is not necessarily limited to, turning radii sufficient to accommodate fire equipment, adequacy of roadway and right-of-way widths to accommodate the free flow of such equipment, paved emergency access roads/ways, provision for adequate access in front of, between and behind buildings and structures, including paved or compacted surfaces sufficient to support the weight of fire equipment, and permanently and publicly marked as such.

5. Require submission of a certificate of adequacy of sewage and water facilities from the Chester County Health Department, the Pennsylvania Department of Environmental Protection, the Easttown Municipal Authority or other regulatory agency having jurisdiction, or evidence of compliance with such requirements determined sufficient by the Zoning Hearing Board.

6. Except where otherwise required by Chapter 455 **Zoning** or Chapter 400 **Subdivision and Land Development**, or the safety of the public otherwise dictates, the total number of access points on major streets and highways shall be limited. The Zoning Hearing Board shall have the power to require the frontage of buildings on parallel marginal roads or on roads perpendicular to existing public streets and highways

7. The proposed use shall specifically comply with all area and bulk regulations, design standards or other general regulations applicable to the proposed use.

8. The proposed use shall not be contrary or harmful to the health, safety, morals, and general welfare.

9. Any recommendations of the Planning Commission shall be provided to the Applicant, and the Applicant shall produce evidence to ameliorate any negative concerns raised by the Planning Commission. The Zoning Hearing Board shall not be bound by such recommendations.

10. Be assured that the natural features and processes characterizing the proposed site and its surroundings shall not suffer unmitigated degradation, that the management of storm waste, the provision of water or sewer service, and any other alterations to the site's predevelopment condition shall be consistent with the Township goals, practices, and plans in these regards, and that demand for water and energy by the proposed use shall be minimized to the optimal extent.

11. Impose such conditions, in addition to those required, as are necessary to assure that the intent of Chapter 455 **Zoning** is complied with, and which are reasonably necessary to safeguard the health, safety, morals and general welfare of the residents of the Township at large and the residents and owners of the property adjacent to the area in which the proposed use is to be conducted. Conditions may include, but are not limited to, harmonious design of buildings, aesthetics, hours of operation, lighting, and number of persons involved, noise, sanitation, safety, smoke and fume control, and the minimizing of noxious, offensive or hazardous elements.

***PART VII – VARIANCE STANDARDS AND CRITERIA*** (complete if applicable)

*In addition to the standards and criteria listed in Part VI of this Application, the Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable.*

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 the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located.

2. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of Chapter 455 **Zoning**, and the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. Such unnecessary hardship has not been created by the Applicant.

4. 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, in the case where the property is located in part or totally within the regulatory floodway, the granting of a variance will not increase the base flood elevation.

6. The variance, if authorized, will present the minimum variance that will afford relief and will represent the least modification possible by the regulation in issue.

***PART VIII – SUBSTANTIVE CHALLENGES STANDARDS AND CRITERIA*** (check all that apply)

*The Applicant shall have the burden to prove compliance with the following standards and criteria, as may be applicable.*

1. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.

2. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map.

3. The suitability of the site for the intensity of the use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources, and other natural features.

4. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.

5. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

**PART IX – APPLICANT CERTIFICATION**

- I am the Property Owner     I am an Officer or Official of the Property Owner
- I have authority to make this application (must complete Part VII, below)

I acknowledge that that the information set forth in this Application, including any attached plans and specifications, is true and correct to the best of my knowledge, information and belief, and false statements made therein are subject to the penalties of 1B Penn. C.S., §4904, relating to unsworn falsification to the authorities.

\_\_\_\_\_  
Name (type or print legibly)

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PART X – AGENT'S AFFIDAVIT**

I, \_\_\_\_\_, verify that I am the owner of the property listed in Part III, and have identified the person listed in Part IX to serve as my duly-authorized Agent for the purposes contained herein. I hereby declare that the above-made statements are true and correct to the best of my knowledge, information and belief, and false statements made within this Affidavit may subject individuals to penalties of 1B Penn. C.S., §4904, relating to unsworn falsification to the authorities.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date