

General Information

Special Exception Use Requests and Variances

The Lehigh Township Zoning Hearing Board meets the 2nd Thursday of each month when necessary. Applications for Variances and Special Exception requests are due to the Township 28 days prior to a hearing to ensure that proper advertising requirements are met.

There is a **\$750.00 non-refundable** application fee for Residential Applications and a **\$1,500.00 non-refundable** application fee for Commercial Applications which is due when the application is submitted. All applications must be notarized. All hearings are open to the public and are advertised as per Lehigh Township Zoning Ordinance requirements.

Rescheduling/Postponement Fees: In the event an applicant chooses to reschedule or postpone the hearing after it has been advertised the applicant shall pay a rescheduling fee. Residential Applicants shall pay **\$400.00** and Commercial Applicants shall pay **\$600.00**.

Special Exceptions are uses that are permitted in various zoning districts provided the applicant can verify that they meet or will meet the specified requirements. If the applicant has met all the requirements, the Zoning Hearing Board must approve the request.

Variances are uses or dimensional non-conformities not normally permitted in a particular zoning district. An applicant must meet all 5 parts of the Variance Test in order to receive approval. The Zoning Hearing Board is not obligated to approve a variance and has the right to impose restrictions upon an applicant in order to approve a variance.

Once the Zoning Hearing Board has concluded a hearing and closed the testimony, they have **45 days** to issue a written opinion either approving or denying a Variance or Special Exception. Any application that has not been acted upon in writing within 45 days is deemed automatically approved. Approval by the Zoning Hearing Board does not relieve an applicant from their obligation to apply for other required permits and approvals.

Any person or group has the right to appeal an approval or denial of a Variance or Special Exception request. Once the written opinion has been issued, any interested party has 30 days to file an appeal with the Northampton County Court. If no appeal is filed, the Zoning Hearing Board decision stands.

LEHIGH TOWNSHIP
NORTHAMPTON COUNTY
PENNSYLVANIA

APPEAL PETITION

NOTICE: This Petition, in order to be acted upon by the Zoning Hearing Board must be fully completed. Failure to do so will result in a denial of the Petition without refund of your filing fee.

(Date)

1. Full name of Appellant(s) (hereinafter referred to as "Appellant") address and phone number of each (attach additional sheet if necessary):

2. Name, address and phone number of attorney for Appellant:

3. Appellant is the (check one or more):
 - Owner
 - Occupant
 - Agent For
 - Other

4. Appellant (check appropriate action):
 - a. Hereby appeals from the decision of the Zoning Officer, or other Township Official, alleging that said official has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map or any valid rule or regulation governing the action of the zoning office.
 - b. Hereby applies for a special exception.
 - c. Hereby requests a variance alleging that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the appellant.
 - d. Hereby applies for: (other)

5. The name(s) and addresses of the owners of the real estate involved in this Petition is: (all parties to the title must be listed)

6. The exact location of the real estate involved in this Petition is as follows: (street address is sufficient if available)

Deed Reference: Vol. _____ Book _____ Page _____

Date Property acquired: _____

7. (a) The dimensions and area of the real estate are:

(b) The real estate contains _____ square feet.

8. The real estate in question is presently classified under the Lehigh Township Zoning Ordinance as: _____

9. (a) The real estate is presently used for the purpose of:

Since the date of: _____

And has been used prior thereto for the following purposes: (list dates and uses for past 20 years)

(b) _____ and contains buildings and other improvements consisting of: (if real estate is vacant land, so note)

10. Appellant appeals or makes application from the order, requirement, decision or determination of the Zoning Officer or other Township Official made on _____, 20_____, which was as follows: (quote, or if insufficient space, attach additional page)

11. Appellant claims that the variance, exception, or other relief should be granted as herein requested under the following sections of the Lehigh Township Ordinance. (Cite all sections supporting your position, or relevant to the consideration of your Petition)

12. The variance or exception requested and the new improvements desired to be made as follows:
 - (b) Buildings to be erected:
 - (b) Buildings to be changed:
 - (b) Buildings to be used for:

13. The plot plan, drawings, sketches and other exhibits attached hereto are made a part hereof.

14. The appellant believes that the exceptions, variance or other relief requested should be granted for the following reasons: (attach additional sheet if necessary)

15. Appellant agrees to comply with all provisions of the Lehigh Township Zoning Ordinance and is aware that the Ordinance provides for penalties for violations of its provisions.

16. The Appellant further acknowledges that the Board does not have to consider any application until all information requested by the Zoning Hearing Board is submitted by said applicant, and that in the event this information is not submitted in full, within twenty (20) days from the date of the initial Zoning Hearing Board hearing, then the Board may deny such application, with our without prejudice to the Appellant.

17. Wherever additional information is requested by the Zoning Hearing Board, and leave to submit additional information is specifically granted by the Chairman of the Zoning Hearing Board, then in consideration of the Board's forbearance is not refusing the application at the conclusion of the hearing, the Appellant agrees to extend the time for consideration of the application by the Zoning Board for the number of days after the date for decision specified by any Ordinance of the Township, or applicable law, by the same number of days which the Zoning Board's consideration of the Petition was delayed by failure on the part of Appellant to submit additional information requested.

Appellant

NOTE: All Appellants must sign - at least one must sign in the presence of a person capable of administering an oath (see below).

_____(SEAL)
_____(SEAL)
_____(SEAL)
_____(SEAL)

NOTE: The following affidavit must be taken before a Notary Public or other appropriate official by one of the Appellants.

COMMONWEALTH OF PENNSYLVANIA) SS:
COUNTY OF)

On the _____ day of _____, 20____, before me, a Notary Public in and for the county and state aforesaid, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name subscribed to the within Petition, and acknowledged that he executed the same for the purposes therein contained and that he was authorized to take this affidavit on behalf of all of the Appellants, and that the facts set forth in the foregoing Appeal Petition are the attached Exhibits are true and correct to the best of (his) (her) (their) information, knowledge and belief.

In Witness Whereof, I hereunto set my hand and official seal.

Signature of the Appellant
taking affidavit (SEAL)

Sworn to and subscribed before me
this _____ day of _____, 20____.

Notary Public