

**Paupack Township Zoning Hearing Board**  
**Paupack Township Municipal Building**  
**25 Daniels Road**  
**Lakeville, PA 18438**

*APPLICATION TO THE  
PAUPACK TOWNSHIP  
ZONING HEARING BOARD*

*(EXHIBIT A)*

**APPLICATION TO THE PAUPACK TOWNSHIP  
ZONING HEARING BOARD  
(EXHIBIT A)**

(Fee for this hearing must accompany this application)

Application is made to the Zoning Hearing Board of Paupack Township for the following purpose (circle purpose of application):

- A. Special Exception
- B. Variance
- C. Appeal
- D. Validity Challenge

A complete application contains Six (6) copies of the following information:

- A. Application to the Paupack Township Zoning Hearing Board (Exhibit A).
- B. Plan (as defined within Section 9 of this Application).
- C. Check for the Application filing fee made payable to Paupack Township (The Paupack Township Board of Supervisors will establish a filing fee on an annual basis by Resolution).

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1. Full name, address and phone number(s) of the applicant and owner of the property:

Applicant:

Owner:

2. Tax map and parcel number of the property including a brief description of the location of the property (i.e. road, drive and subdivision the property is located in).

3. Interest of the applicant in the property: (if the applicant is other than the owner of the property, the applicant shall provide a notarized statement from the owner indicating that authorization to act on behalf of the owner has been given to the applicant. This statement shall be attached to this application.

4. Name, address and telephone number of the attorney, representing the owner, if any:

5. Has a previous application been submitted to the Paupack Township Zoning Hearing Board regarding this property?

Yes

No

If the answer to this question is yes, please provide the previous date of the application submission.

6. The applicant shall submit photographs of the property in relationship to this application identifying the following information:

- A. Established property lines.
- B. Any structures.
- C. An unusual physical limitations which might exist on the property (i.e. bodies of water, steep slopes etc.).
- D. Access road(s).
- E. Any nearby improvements on adjacent properties.

7. Identify the Section(s) of the Paupack Township Zoning Ordinance upon which this application is based:

8. Provide a brief statement of the relief sought through this application for a ***SPECIAL EXCEPTION*** or ***VARIANCE***: (Be specific, i.e. two (2) feet from the existing front yard setback requirement).

9. The applicant must submit a plan of the property identifying the following information:

- A. Existing or planned building, drawn to scale.
- B. Lot dimensions (this includes lot area defined in square feet or acreage).
- C. Location of corner stakes or monuments.
- D. Setbacks (front, back and side-yards).
- E. Well or other source of water.
- F. On-site septic system or public/private sewer access.
- G. Water courses or right-of-way(s) which may exist on the property.
- H. Existing uses of all lots within two-hundred (200) feet of the property in question.
- I. Existing zoning classification of the property.
- J. Existing and proposed use of the property.

If a current or recent subdivision or land development is involved with the property, or if the application is for a Special Exception, the plan must be prepared, dated and signed by a registered engineer or a professional land surveyor. If no subdivision or land development is involved with the property, the plan may be prepared by the Applicant.

The Zoning Hearing Board of Paupack Township reserves the right, in its sole discretion, to reject any application not accompanied by a plan that meets the above stated requirements to the Board's satisfaction. ***THE SUBMISSION OF AN UNACCEPTABLE PLAN WILL NOT COMMENCE THE RUNNING OF ANY STATUTORY TIME PERIODS IN ANY APPLICATION TO THIS BOARD.***

10. The Secretary of the Paupack Township Zoning Hearing Board will, on behalf of the Applicant, research the Tax Map and Parcel number, name and address of each property owner within two-hundred (200) feet of the property in question in order to notify them of the intent of the Applicant and the date of the hearing.

11. The Applicant must submit a copy of the deed which identifies ownership of the property.

12. The application must include a statement of the grounds of the Appeal, or of the reasons both in law and in fact for granting of the Special Exception or Variance, including a description of the use of neighboring properties where pertinent. The Applicant must include an explanation of the impact of the economic, noise, glare and odor effects on adjoining property(s) and the general compatibility with properties in the surrounding area. In cases of appeal, the specifications of error shall state separately the Applicants objections to the action of the Administrative Officer with respect to each question of law and fact which is sought to be reviewed.

In the case of a Validity Challenge, the Applicant shall state the alleged flaw(s) in the Paupack Township Zoning Ordinance and how such flaw or flaws prohibit or restrict the use or development of land which the Applicant has an interest.

13. Upon written request of the Chairperson or Secretary of the Paupack Township Zoning Hearing Board, the Applicant will provide any additional information and records which may be relevant. Where an appeal is filed, there shall be attached hereto a true and exact copy of the order, requirement, decision, or determination of the Administrative Officer.

***14. Justification of Variance: In order for a Variance to be granted, the Applicant must prove to the Zoning Hearing Board that the following conditions exist (Please attach these comments on a separate sheet).***

- A. Special conditions exist peculiar to the land or building in question.*
- B. That the property cannot be developed or used in strict conformity with the provisions of this Zoning Ordinance.*
- C. That the special conditions do not result from previous actions of the Applicant.*
- D. That the requested variance is the minimum variance that will allow a reasonable use of the land or building(s).*
- E. Why the variance requested will not alter the character of the neighborhood, nor adversely affect the use or development of adjacent properties, nor be detrimental to the public welfare.*

15. This application, together with the appropriate filing fee and all supporting documentation shall be submitted to the Paupack Township Zoning Officer.

***REFER TO THE PAUPACK TOWNSHIP ZONING ORDINANCE FOR  
SPECIFIC VARIANCE REQUIREMENTS.***

I verify that the statements made in the foregoing application are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. 4940, relating to unsown falsification to authorities.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Owner

Dated: \_\_\_\_\_

Application to the  
Zoning Hearing Board  
Revised: June, 2014

***FOLLOWING ARE ALL OF THE VARIOUS ACTIVITIES WITH ASSOCIATED FEES AS  
DEFINED BY THE TOWNSHIP OF PAUPACK, WAYNE COUNTY:***

<b><u>ACTIVITY- ZONING</u></b>	<b><u>TOWNSHIP FEE</u></b>	
(1) Residential principal structures.....	\$ 300.00	
(2) Additions to principal structures.....	\$150.00	
(3) Residential detached accessory structures, incl. - detached garages and outdoor wood burning devices..... (greater than 5 ft ht or 100 sf floor)	\$ 100.00	
(4) Additions to residential detached accessory structures.....	\$100.00	
(5) Residential detached accessory structures less than 100 sf in floor area ...	\$ 75.00	
(6) Multi- Family Dwellings per Unit.....	\$150.00	
(7) Agricultural Structures.....	Exempt	
(8) Commercial Principal Structures..... (.08 cents per ft. or \$350.00 whichever is greater)	\$350.00	
(9) Commercial accessory structures..... (or \$ .05 cents per sq. ft. whichever is greater)	\$150.00	
(10) Sign Permits (new and replaced) .....	\$100.00	
(11) Commercial Conditional Use Application.....	\$750.00	
(12) Residential Conditional Use Application.....	\$500.00	
(13) Certificate of Use (C of U):		
a. Reissuance of a Certificate of Use.....	\$ 25.00	
b. Temporary Commercial Certificate of Use (i.e. Office Trailer) .....	\$ 50.00	Under 30 days
c. Temporary Commercial Certificate of Use (i.e. Office Trailer) .....	\$100.00	Over 30 days
d. Certificate of Use / Occupancy (Resale of Property if requested)....	\$200.00	
e. Yard or Garage Sale: (limit 3 C of U per Property per Year).....	\$ 25.00	
(14) Late Filing Fee: Charged for projects commenced prior approval.....	\$ Twice the applicable fee	
(15) Curative Amendment .....	\$350.00*	
(16) Zoning Hearing Board application for Variance or Special Exception:	\$500.00*	

\*In addition to the fee of \$500.00 dollars required to be submitted at the time of application to the Paupack Township, the Township may require a deposit of not more than \$500.00 to cover the cost of additional hearing dates and hearing cost. The Paupack Township Zoning Hearing Board and/or the Paupack Township Board of Supervisors shall be empowered to require a deposit not in excess of \$500.00 for anticipated stenographic fees and related advertising cost pursuant to Township Ordinances and/or Resolutions and/or Act 247, the Pennsylvania Municipalities Planning Code.

# APPLICATION TO THE PAUPACK TOWNSHIP ZONING HEARING BOARD APPLICATION SUBMISSION AND NOTIFICATION PROCEDURES

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## ***APPLICATION TO THE ZONING HEARING BOARD OF PAUPACK TOWNSHIP, WAYNE COUNTY SUBMISSION AND NOTIFICATION PROCEDURES***

*The following procedures have been developed in an effort to clarify the application process related to Variances, An Appeal of a Decision of the Code Zoning Officer of Paupack Township, a Validity Challenge related to the Paupack Township Zoning Ordinance, Request for a Special Exception or any other application provided for under the Pennsylvania Municipalities Planning Code submitted for review to the Zoning Hearing Board of Paupack Township, Wayne County.*

### ***Section I - Submission of Applications***

The applicant must submit an application containing required information as defined within the Application to the Zoning Hearing Board of Paupack Township (Exhibit A) available upon request through the Zoning Officer of Paupack Township.

A completed application must be submitted to the Paupack Township Code Enforcement Officer for an initial review prior to the Zoning Officer submitting it to the Secretary of the Zoning Hearing Board of Paupack Township, for review and/or disposition.

If the application is complete the process to schedule a Public Hearing is initiated. In the case of an incomplete application, it is sent back to the applicant by certified mail with a cover letter indicating the identified deficiencies. In the case of an incomplete application the Secretary of the Paupack Township Zoning Hearing Board will send the certified letter to the applicant identifying the deficiencies.

For applications pertaining to a Variance, an Appeal of a Decision of the Zoning Officer of Paupack Township, a Validity Challenge related to the Paupack Township Zoning Ordinance a request for a Special Exception or any other application provided for under the Pennsylvania Municipalities Planning Code, the Zoning Officer shall submit all complete applications to the Secretary of the Paupack Township Zoning Hearing Board for review and processing.



# APPLICATION TO THE PAUPACK TOWNSHIP ZONING HEARING BOARD APPLICATION SUBMISSION AND NOTIFICATION PROCEDURES

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- > Chairperson, Paupack Township Zoning Hearing Board
- > Zoning Hearing Board Members and Alternate Members
- > Solicitor, Zoning Hearing Board
- > Zoning Officer
- > Stenographer
- > Applicant

## ***Section IV- Notification Requirements***

After establishing the hearing date, a legal notice shall be prepared for publication in the newspaper identified as the official newspaper for the Township of Paupack. The legal notice must be published two (2) times in the newspaper in consecutive weeks with the second publication being no less than seven (7) days prior to the hearing date.

The applicant shall receive notification of the legal notice, indicating the time and location of the hearing.

As per the Application Procedures as defined within the Application to the Zoning Hearing Board (Exhibit A), all property owners within two-hundred (200) feet of the parcel of land in question shall be notified by certified mail as to the date, time and location of the hearing. After completing the certified mailing notifying the surrounding property owners, the Secretary of the Zoning Hearing Board shall prepare a list of all property owners notified.

All Zoning Hearing Board Members shall receive notification of the date, time and location of the hearing. In addition, each Board Member shall receive a copy of the application with a cover letter stating that the Application cannot be discussed with other Board Members until the hearing.

The Paupack Township Zoning Hearing Board Solicitor shall receive a complete copy of the application as submitted to the Township. In addition, the solicitor shall receive notification of the date, time and location of the hearing.

# APPLICATION TO THE PAUPACK TOWNSHIP ZONING HEARING BOARD APPLICATION SUBMISSION AND NOTIFICATION PROCEDURES

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Upon rendering a decision to deny the application as presented by the applicant or in the event an application is contested by the Paupack Township Zoning Hearing Board the solicitor shall prepare for review by the Paupack Township Zoning Hearing Board Secretary a written decision. The written decision once completed shall be sent by certified mail to the applicant within forty-five (45) days of the public hearing at which a decision was rendered. The written decision approved by the Zoning Hearing Board solicitor shall meet the requirements as contained within Section 908(9) of the Pennsylvania Municipalities Planning Code, Act 247. The Paupack Township Zoning Hearing Board Secretary shall also provide a copy of the written decision to the Paupack Township Board of Supervisors. The Paupack Township Zoning Hearing Board Secretary shall maintain a copy of the written decision and/or "Paupack Township Zoning Hearing Board Notice of Decision" from the Zoning Hearing Board files.

## ***Section VIII - Procedures for Processing of Request for a Variance, Validity Challenge or Decision of the Zoning Officer***

Procedures related to the processing of a request for a Variance, Validity Challenge or decision of the Zoning Officer shall be the same as those identified for Special Exception Applications, with the exception of the requirement that the Planning Commission review the request.