

# HONEY BROOK BOROUGH, CHESTER COUNTY ZONING HEARING BOARD

Honey Brook Borough Hall  
71 Pequea Avenue  
Honey Brook, PA 19344  
610-273-2020

## APPLICATION TO HONEY BROOK BOROUGH ZONING HEARING BOARD

### APPLICANT INFORMATION

- I. Exact Full Name(s)  
of Applicant(s): \_\_\_\_\_  
\_\_\_\_\_
- II. Exact Mailing Address  
of Applicant(s): \_\_\_\_\_  
(Street Address)  
\_\_\_\_\_  
(Do not use  
"R.D.#" or  
"P.O." Box No.) (City)  
\_\_\_\_\_  
\_\_\_\_\_ (Zip Code)
- III. Applicant's Telephone Numbers: Home: ( ) \_\_\_\_\_  
Business: ( ) \_\_\_\_\_
- IV. Name, Address and Telephone Number of Agent for Applicant *(Including Attorney, if any.  
If Applicant is a corporation, list name, etc., of President, C.E.O., or equivalent.)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Application Fee: \$ \_\_\_\_\_

VI. Copy of Current Fee Schedule Given to Applicant(s)?  Yes

VII. Date Application Fee Paid: \$ \_\_\_\_\_

VIII. Application Fee Received By: \_\_\_\_\_

**PROPERTY INFORMATION**

I. Exact Address of Property: \_\_\_\_\_  
(Street Address)  
(Do not use "R.D.#" or "P.O." Box No.) \_\_\_\_\_  
(City)  
\_\_\_\_\_  
(State) (Zip Code)

II. Exact Location of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Current Chester County Tax Parcel No.: \_\_\_\_\_

IV. Lot Size (Stated in Square Feet): \_\_\_\_\_

V. Name of Subdivision (If Applicable): \_\_\_\_\_

VI. Current Zoning Classification(s) of Property: \_\_\_\_\_

VII. Complete Name(s) of Landowner(s) of Record of Property:\*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*The term "Landowner" as used in this Application shall mean and include the legal or beneficial owner or owners of land, the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee, if the lessee is authorized under the lease to exercise the rights of the landowner, or other person or entity having any proprietary interest in the property which is the subject of this Application. *N.B. If the Applicant is a Lessee, a copy of the current lease must be attached to this Application.*

VIII. Name(s), Address(es) and Telephone Number(s) of Owner(s) of Record of Property:

\_\_\_\_\_  
(Complete Name of all Record Owner(s) of the Property)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State/Zip Code)

IX. Relationship of Applicant(s) to Owner(s) of Record: *(Check One)*

- A. Owner of Record
- B. Equitable Owner\*
- C. Lessee\*
- D. Other *(Give detailed explanation); use additional sheets if necessary:*

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

X. List all Building(s) and Other Structure(s) which are currently on the Property which is the subject of this Application:

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_
- D. \_\_\_\_\_
- E. \_\_\_\_\_

**\*Applicants who are Equitable Owners of the Property which is the subject of this Application, or who are Lessees of the Property which is the subject of this Application, must bring to the Hearing a copy of any Agreement of Sale, Option Agreement, or, in the case of Lessees, the Lease between the Applicant and the Landowner indicating that the Applicant is authorized pursuant to the terms of the Lease to exercise the rights of the Landowner. Under no circumstances will the Zoning Hearing Board consider the Application unless these documents are supplied to the Zoning Hearing Board at the time of the Hearing.**

**XI.** State with specificity what use(s) is currently being made of the Property and state with specificity the use(s) of all structures on the Property:

**Use(s) of Property:**

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**Use(s) of Structure(s) on Property:**

**A.** \_\_\_\_\_

**B.** \_\_\_\_\_

**C.** \_\_\_\_\_

**D.** \_\_\_\_\_

**E.** \_\_\_\_\_

**XII. A.** Has the Property which is the subject of this Application ever been the subject of a prior proceeding before the Honey Brook Borough (Chester County) Zoning Hearing Board and/or the Honey Brook Borough (Chester County) Borough Council (e.g. Special Exception, Variance, Appeal from the determination of a Zoning Officer, Conditional Use proceeding, etc.)? If the answer to this question is "yes," give a detailed explanation of the nature of the prior proceeding(s), what relief was or was not granted or what approvals were given by either the Honey Brook Borough (Chester County) Zoning Hearing Board or the Honey Brook Borough (Chester County) Borough Council. Attach to this Application a copy of any prior Decision of the Zoning Hearing Board or the Borough Council, as applicable.

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- B. List all Building Permits which have been issued by Honey Brook Borough (Chester County) for this Property. (If possible, attach copies of these Permits to this Application.)

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### NATURE OF THIS APPLICATION

(Check Applicable Section(s))

- 1. Substantive Challenge to the validity of any Honey Brook Borough (Chester County) Land Use Ordinance (or any provision thereof) or the Honey Brook Borough Zoning Ordinance, as amended to date (or any provision thereof).
- 2. Challenge to the validity of a Land Use Ordinance raising procedural questions or alleged defects in the process of enactment or adoption. **N.B.** A Challenge of this nature must be filed within thirty (30) days after the effective date of the Ordinance or any amendment to that Ordinance.
- 3. Appeal from a determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or the failure to act on any application for any permit, the issuance of any Cease and Desist Order, or the registration or refusal to register any non-conforming use, structure or lot.
- 4. Appeal from the determination of the Borough Engineer or the Zoning Officer concerning the administration of any Flood Plain Ordinance or Flood Hazard Ordinance, or any similar provisions which may be contained in the Honey Brook Borough Subdivision and Land Development Ordinance, or the Honey Brook Borough Zoning Ordinance, as amended.
- 5. Requests for a Variance or Variances.
- 6. Application for a Variance from the terms of the Flood Hazard Ordinance or any similar provisions contained in any Honey Brook Borough Land Use Ordinance of any nature.
- 7. Application for Special Exception.
- 8. Appeal from the determination of the Zoning Officer or the Borough Engineer pertaining to the administration of any Land Use Ordinance (or provision thereof) with reference to sedimentation and erosion control and storm water management.

- 9. Appeal from the determination of any officer or agency charged with the administration of any transfers of development rights or any performance density provisions of the Honey Brook Borough Zoning Ordinance, as amended.
- 10. Appeal from any determination of the Zoning Officer concerning the Preliminary Opinions permitted by Section 916.2 of the Municipalities Planning Code.
- 11. Appeal of the Zoning Officer's or Borough Engineer's decision or determination concerning the administration of any Land Use Ordinance of Honey Brook Borough (or any provision thereof) which deals with sedimentation and erosion control and storm water management, provided such decision or determination does not relate to any application submitted to Honey Brook Borough for a Subdivision and/or Land Development under Article V of the Pennsylvania Municipalities Planning Code or for the development of a Planned Residential Development under Article VII of the Pennsylvania Municipalities Planning Code.

**SECTION, SUBSECTION, AND PAGE NUMBER OF THE ZONING ORDINANCE  
(OR OTHER ORDINANCE) TO WHICH THIS APPLICATION APPLIES**

|                |                   |                 |
|----------------|-------------------|-----------------|
| Section: _____ | Subsection: _____ | Page No.: _____ |
| Section: _____ | Subsection: _____ | Page No.: _____ |
| Section: _____ | Subsection: _____ | Page No.: _____ |
| Section: _____ | Subsection: _____ | Page No.: _____ |
| Section: _____ | Subsection: _____ | Page No.: _____ |

**BRIEF WRITTEN EXPLANATION OF PURPOSE OF APPLICATION**  
*(Use Additional Pages if Necessary)*

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**ADDITIONAL INFORMATION**  
*(Use additional pages if necessary)*

1. Proposed New Use(s) of Property (if applicable): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Dimensions (including height) of Existing all Structure(s) on Property:  
\_\_\_\_\_  
\_\_\_\_\_

3. Dimensions (including height) of Proposed New Structure(s) on Property (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_

4. Source of Potable Water (e.g., well, public water, etc.): \_\_\_\_\_  
\_\_\_\_\_

5. Existing Sewage Disposal Method(s): \_\_\_\_\_  
\_\_\_\_\_

6. Proposed Sanitary Sewage Disposal Method(s), if any:  
\_\_\_\_\_  
\_\_\_\_\_

7. Is this property located in a Flood Plain? Yes \_\_\_\_\_ No \_\_\_\_\_

8. Is any portion of the Property located on a slope of over twenty percent (20%)?

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Do any "Wetlands" exist on the Property? Yes \_\_\_\_\_ No \_\_\_\_\_

10. List the number of Residential, Commercial, Industrial, or other uses to be accommodated within all existing and/or proposed structure(s): \_\_\_\_\_

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11. For each use being made of all existing and/or proposed structures on the Property, state the square footage being devoted to each use being made of the existing and/or proposed structure(s): \_\_\_\_\_

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12. Does the current use or proposed use of this property involve hazardous and/or toxic and/or radioactive substances or waste? Yes \_\_\_\_\_ No \_\_\_\_\_

13. Is the Property - because of its dimensions, etc. - or any use of the Property "Non-Conforming" as defined by the Zoning Ordinance? Yes \_\_\_\_\_ No \_\_\_\_\_

If "Yes", give a detailed explanation of the dimensional or use non-conformity: \_\_\_\_\_

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14. Is any structure currently situated on the Property "Non-Conforming" as defined by the Zoning Ordinance? Yes \_\_\_\_\_ No \_\_\_\_\_

If "Yes", give a detailed explanation of the non-conformity (e.g., encroachment into a side yard setback, a front yard setback, exceeds impervious surface coverage, etc.):

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

**ITEMS REQUIRED TO BE SUBMITTED BY APPLICANT DURING HEARING**

**THE FOLLOWING ITEMS MUST BE PRESENTED TO THE ZONING HEARING BOARD DURING THE HEARING ON THIS APPLICATION. ALL OF THESE ITEMS MUST BE SUBMITTED IN TRIPPLICATE DURING THE COURSE OF THE HEARING. ALL SUBMISSIONS WILL BE RETAINED BY THE BOARD.**

**IF ANY ITEMS ARE UNABLE TO BE PRESENTED TO THE ZONING HEARING BOARD AT THE TIME OF THE SCHEDULED HEARING, A CONTINUANCE SHOULD BE REQUESTED PRIOR TO THE SCHEDULED HEARING OR WILL BE REQUESTED BY THE BOARD AT THE TIME OF THE HEARING UNTIL ALL ITEMS REQUIRED ARE ABLE TO BE SUBMITTED IN THE FORM PRESCRIBED.**

**APPLICANT(S) MAY USE DOCUMENTARY EVIDENCE (E.G., PHOTOGRAPHS, PLOT PLANS, ETC.) AS EXHIBITS DURING THE HEARING, HOWEVER, APPLICANTS MUST PROVIDE TO THE ZONING HEARING BOARD ADDITIONAL COPIES OF ALL SUCH EXHIBITS, REDUCED IN SIZE TO 8.5" x 11.0".**

- I. FULLY COMPLETED COPY OF THIS APPLICATION
  
- II. PROOF OF OWNERSHIP (e.g. Copy of Recorded Deed, Agreement of Sale, Option Contract, Lease, etc.)

### III. PROPERTY PLAN:

- A. Each Plan must be drawn to scale, with that scale being not less than one (1") inch = fifty (50') feet.
- B. Exact dimensions of all existing and/or all proposed lot lines and lot sizes must be shown on the Plan.
- C. The Plan must show all streets adjacent to the property which is the subject of the Application.
- D. All Plans must show the exact location of all existing and proposed buildings and/or structures, existing and proposed parking areas (including truck loading and unloading areas, etc.).
- E. All Plans must show all Zoning setback requirements for existing and proposed buildings and/or structures, e.g. side yard setbacks, front yard setbacks, parking requirements, sign limitations, etc.
- F. All Plans must show the exact dimensions of all existing and/or proposed driveways, rights-of-way, utility easements, etc.
- G. All Plans must contain a "LEGEND" on the face of the Plan, which said Legend indicates the following information and data:
  - 1. All applicable current zoning data and specifications (e.g. lot area, lot width, building coverage, lot coverage, etc.) for the Zoning District (or Districts) in which the subject property is located; and,
  - 2. Proposed data and requirements for the Applicant.
  - 3. Net differentials (plus or minus) between the required zoning specifications and proposed specifications.

### IV. SIGNS:

For any application involving a sign (freestanding or otherwise), the Applicant shall furnish a photograph, or other pictorial rendering drawn to scale, showing the dimensions of the proposed sign, the materials to be used for the sign, and the method of installation and anchorage.

**V. SUBDIVISION OR LAND DEVELOPMENT PLANS:**

Any Applicant who is requesting any relief of any nature from the Zoning Hearing Board as part of the submission of Preliminary Subdivision and/or Land Development Plans to the Planning Commission and/or the Borough Council of Honey Brook Borough shall submit those Plans to the Zoning Hearing Board in conjunction with this Application, and as part of it. This is to ensure that, should the Zoning Hearing Board give the relief requested, there is no substantive or material change or changes in these Plans between the time of the granting of the relief requested and the time of the submission of these Plans to the Planning Commission and/or the Borough Council as appropriate.

- VI.** All Applicants must complete the "List of Adjacent Property Owners" attached hereto as Exhibit "A".

**NOTICE**

**UNDER NO CIRCUMSTANCES SHALL ANY APPLICANT OR ANY AGENT OF THE APPLICANT COMMUNICATE DIRECTLY WITH ANY MEMBER OR MEMBERS OF THE ZONING HEARING BOARD. ALL COMMUNICATIONS SHALL BE DIRECTED TO THE BOROUGH SECRETARY, WITH COPIES TO THE SOLICITOR FOR THE ZONING HEARING BOARD, AND THE ZONING OFFICER.**

**ALL APPLICANTS AND LANDOWNERS, BY EXECUTING THIS FORM, HEREBY REPRESENT TO THE HONEY BROOK BOROUGH ZONING HEARING BOARD THAT THE INFORMATION SUBMITTED BY THEM, OR EITHER OF THEM, TO THE BOARD IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF. FURTHER, ALL APPLICANTS BY SIGNING AND SUBMITTING THIS FORM, AGREE TO COMPLY WITH ALL TERMS AND CONDITIONS IN THIS FORM PERTAINING TO**

**APPLICATIONS, AND AGREE TO PAY IN FULL ALL FEES IN CONNECTION WITH THIS APPLICATION AT ANY HEARINGS ATTENDANT TO THIS APPLICATION.**

**SIGNATURE OF APPLICANT(S)**

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE OF LANDOWNER(S)**

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

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