



101 Commerce Drive  
Exton, Pennsylvania 19341

Tel: (610) 363-9525  
www.westwhiteland.org

## APPLICATION FOR HEARING ZONING HEARING BOARD

Applicant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

The Applicant is: \_\_\_\_\_ Owner \_\_\_\_\_ Agent for Owner \_\_\_\_\_ Purchaser

\_\_\_\_\_ Other: \_\_\_\_\_

Property Address: \_\_\_\_\_

\_\_\_\_\_

Application for: \_\_\_\_\_ Variance(s) \_\_\_\_\_ Appeal from determination of Zoning Officer

\_\_\_\_\_ Other: \_\_\_\_\_

Briefly explain your application: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If the Applicant is NOT the Owner of the subject property, then the following information must be provided. Otherwise, this section may be left blank.

Owner's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

You are not required to have legal representation, but many Applicants choose to have an attorney act on their behalf. If you will have an attorney, please provide the following information.

Name of Firm: \_\_\_\_\_

Name of Attorney: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Continued on other side >*

If you are applying for a hearing in order to secure a variance to allow some construction project on your property, your application must include a plan of your property that shows both existing conditions as well as the improvements you want to make. If this is best shown by submitting one drawing showing existing conditions and another showing what is proposed, please do so: it is essential that Staff and the Zoning Hearing Board have a clear understanding of your intentions. You may have the plan(s) prepared by a professional land surveyor or engineer, but this is not required. However, the plan must be drawn to scale and, as a minimum, must include the following information:

- The scale of the plan, preferably in graphic form.
- Lot dimensions and a statement of the total lot area in square feet (for lots larger than three acres, the lot area may be expressed in acres to at least three decimal places).
- Location and exterior dimensions of all existing and proposed structures, including accessory structures (like sheds) and elevated structures (like decks).
- Location and area (in square feet) of all existing and proposed impervious surfaces, such as driveways, patios, and sidewalks. If the property has a swimming pool, the area covered by water should NOT be included in this calculation.
- Show and label the distance (in feet) from all structures to the nearest property line and the street right-of-way line.
- Height of all proposed structures.
- Location of utility easements, stormwater management facilities, road rights-of-way, FEMA-designated floodplains, designated wetlands, and areas of precautionary and prohibitive slopes as defined in §325-70.A of the Zoning Ordinance.

Please consult with Staff if you have a question about any of these requirements, if you want to know how this information can be found, or if you believe that one or more of these requirements are not relevant to your application or property.

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The following section may be filled out by or with the assistance of Township Staff:

Zoning District(s): \_\_\_\_\_

Tax Parcel Number(s): \_\_\_\_\_

Is review by the Historical Commission required? \_\_\_\_ YES \_\_\_\_ NO

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\_\_\_\_\_  
Signature of Applicant

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\_\_\_\_\_  
Signature of Owner (if different from Applicant)

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\_\_\_\_\_  
Date of Signature

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\_\_\_\_\_  
Date of Signature

PLEASE NOTE: This Application is not considered complete unless accompanied by a check or money order payable to West Whiteland Township for the full amount of the Township review fee.

**TO BE COMPLETED BY TOWNSHIP STAFF:**

I have reviewed this Application Form and accompanying documents and determined that it is sufficiently complete to be accepted for review.

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\_\_\_\_\_  
Name of Staff member accepting Application

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\_\_\_\_\_  
Date Application deemed complete



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## **GUIDELINES FOR ZONING HEARING BOARD APPLICATION**

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# GUIDELINES FOR ZONING HEARING BOARD APPLICATION: INSTRUCTIONS

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**Applicant:** The individual or corporation that is requesting the hearing, that will be responsible for payment of any Township charges related to the hearing, and to which Township correspondence will be directed. If the Applicant is a corporation, the name of a specific contact person must also be provided.

The Applicant is usually, but not always, the owner of the property that is the subject of the hearing. You are the **Owner** if your name (or the name of your corporation) is shown on the deed for the subject property. Frequently, an attorney or engineer will act as **Agent for Owner**. This term includes any person or corporation that has a contractual obligation to or agreement for services with the Owner. We consider you the **Purchaser** if you are in the process of purchasing all or part of the subject property, or if you intend such purchase subject to a successful outcome of the hearing. If none of these terms apply to you, indicate **Other** and explain your interest in the space provided.

**Property Address:** The property that is the subject of the hearing. If the property does not have a street address, please provide a description of the location, including the name of the street(s) abutting the property and the nearest intersecting street.

**Application for:** The jurisdiction of the Zoning Hearing Board is established by Article XIX of the Township Zoning Ordinance. The most common reasons for a hearing are to request a **variance** (§325-118 of the Ordinance) or an **appeal from the determination of the Zoning Officer** (§325-115). You will need a variance if you want to use or to develop your property in a manner that is not permitted by the Zoning Ordinance: you will need the Board to grant you relief from whatever provision(s) of the Ordinance prohibit your desired activity or project. If you believe that the Zoning Officer has not followed proper procedures or has misinterpreted or improperly applied some provision(s) of the Ordinance, then you may apply for an appeal. The **"Other"** category includes challenges to the Zoning Ordinance or the Zoning Map (unless you are filing a petition for a curative amendment, which is heard by the Board of Supervisors) and challenges to the Subdivision and Land Development Ordinance.

**Briefly explain your application:** If you are applying for a variance, tell us what you would like to do that is not allowed by the Zoning Ordinance. You may cite the sections of the Ordinance that are relevant to your appeal, but Township Staff will make the final determination of what relief is necessary for you to proceed with your activity or project. If you are applying for an appeal, please tell us how you believe that the Zoning Officer is in error. For an appeal, you **MUST** cite the specific sections of the Zoning Ordinance that are the basis of your appeal. If you are challenging the Zoning Ordinance or the Subdivision and Land Development Ordinance, please tell us the basis for your challenge. If the space here is not sufficient, you may provide the explanation on a separate page attached to the application form.

**Owner's Name:** This section does not need to be filled out if the Applicant is the owner: just be sure that you checked the proper line under "Applicant." Otherwise, this information **MUST** be provided and the Owner or their authorized representative **MUST** sign the application form.

**Name of Attorney:** As noted on the form, you are NOT required to have legal representation, although the great majority of our Applicants choose to have an attorney as part of their team. If you complete this part of the form, we will assume that we have your permission to contact the firm or individual named to respond to questions on legal matters regarding your application.

**Township Staff assistance:** The information required in this section may not be readily available to you. Township Staff will be happy to assist you in identifying the applicable zoning district, the tax parcel number, and determining whether your project will need to be reviewed by the Township Historical Commission. As stated in §325-84.D(7) of the Township Zoning Ordinance, the Historical Commission has the duty to review all variance applications where the property line of the project site is within three hundred (300) feet of the exterior walls of a structure identified by the Township as a historic resource. The locations of Township historic resources are shown on the "Historic Sites" map included in the reference work, "A History of West Whiteland Township."

**Signatures and dates:** We must have the Applicant's signature as well as the signature(s) of the owner(s) if the Applicant is not the owner. These signatures do not need to be notarized. The Application will not be considered complete until an authorized Staff member has provided their name and indicated the date that the application has been found complete. Please note that the review period will not start until your application is complete.

## **GUIDELINES FOR ZONING HEARING BOARD APPLICATION: APPLICATION CHECKLIST**

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When you submit your hearing application to the Township, the following items will be required in order for your application to be deemed complete. The Township will not accept incomplete applications.

- Completed Township application form (blank form included with this package).
- Check made out to "West Whiteland Township" for Township review fee (see "Fees" page of this package to determine the amount of the fee).
- Eight (8) complete copies of plan drawings, where provided.

Final acceptance of an application is subject to review for completeness by the Township Manager or his designee.

# GUIDELINES FOR ZONING HEARING BOARD APPLICATION: DESCRIPTION of the HEARING PROCESS

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## Introduction

The Zoning Hearing Board ("ZHB") is a three-member board appointed by the Township's governing body, which is the Board of Supervisors. The purpose and duties of the ZHB are established by Pennsylvania Act 247 (known as the Municipalities Planning Code) and are described in greater detail in the Township Zoning Ordinance. Although the Supervisors appoint the members of the ZHB, the ZHB is not under the authority of the Supervisors: the Supervisors do not have the authority to change any ZHB decision.

Most applicants to the ZHB are requesting a hearing for one of two reasons, both of which involve the Township's Zoning Officer. Under Pennsylvania law, the Zoning Officer has the authority to enforce the Township Zoning Ordinance. The Zoning Ordinance regulates how land is used as well as the size and location of structures on a property. The Zoning Officer may only approve activities that are in full compliance with the Zoning Ordinance. If the Zoning Officer has determined that you are in violation of the Ordinance (or that you have proposed an activity or structure that would be in violation), you have several options.

- You may choose to modify your activity or your plans to bring them into compliance with the Zoning Ordinance. If at all possible, this is the preferred course of action, as this will eliminate the need to appear before the ZHB.
- You may believe that the Zoning Officer misinterpreted or misapplied the provisions of the Zoning Ordinance. If this is the case, then you have the right to apply to the ZHB to appeal the determination of the Zoning Officer.
- If you agree that your activity or plan does not comply with the Zoning Ordinance but believe that your activity or plan is necessary, then you may apply to the ZHB for a "variance." It is possible that a single project will require variances from more than one provision of the Zoning Ordinance. In such case, all variances will be reviewed as a single application; the Township does not require a separate hearing for each variance as long as they are all related to a single project. If the ZHB grants the variance(s), you will be able to proceed with your project.

## More about variances...

A variance is permission to do something (or to build something) that does not fully comply with the Zoning Ordinance. According to Pennsylvania law variances are properly granted when the applicant has demonstrated that they have a "hardship." PLEASE NOTE: when used in the context of zoning, "hardship" is a specific legal concept and it must be addressed from this legal perspective. In order to show hardship, you will need to demonstrate that there is *something about your property* that causes the zoning regulations to hinder or to prevent entirely its reasonable use. "Reasonable use" is generally understood to mean use(s) like those on nearby properties in the same zoning district. Things that may result in a hardship include the configuration of the lot (does it have an irregular shape, or is it unusually narrow) the topography (are there steep areas that cannot be built upon) and environmental constraints (are there floodplains or wetland areas that restrict the usefulness of the lot). *Personal* hardships (such as the need to build an addition to your home to accommodate a growing family) are *not* considered sufficient justification for the ZHB to grant a variance.

There are two kinds of variance:

- A **dimensional variance** is when you want to build a structure or to have a use that is taller, closer to the property line, closer to the street, and/or covers a greater percentage of the lot than what the Zoning Ordinance allows. You may need this type of variance if you are building an addition to your house.
- A **use variance** is when you want to use the property for something that the Zoning Ordinance does not allow in that particular zoning district. You may need this kind of variance if you want to operate a business in a residential area.

Section 325-118 of the Township Zoning Ordinance lists in detail the criteria that will be used to evaluate your variance request.

### **Preparing for the hearing**

Upon filing an application for a ZHB hearing, you will be provided with the hearing date, a placard to place on your property, and other pertinent information. As the applicant, you are responsible for providing notification of the hearing to the owners of all properties within three hundred (300) feet of the property that is the subject of the hearing. This procedure is described in detail in §325-114.B of the Zoning Ordinance and summarized below.

1. You must send two (2) written notices to the owners of all properties within three hundred (300) feet of your property. This distance is measured from the property line. The Township can provide you with a list of names and mailing addresses for these properties, or you may get one from the Chester County GIS Office or the Chester County Tax Assessment Office. In the course of the hearing, it is likely that you will be asked for the source of this list.
2. In addition, you must also send two (2) written notices to anyone in the Township who has registered with us for the purpose of receiving such notices. The current list of these people is attached.
3. One (1) of the notices must be sent by regular mail; the other must be sent by certified mail with return receipt requested.
4. As a minimum, the written notice must state the street address of the property that is the subject of the request; a description of what you are proposing; the time, date, and location of the hearing (this information will be provided to you by the Township); a statement that no further notice will be provided; and a statement that the recipient may attend the hearing, but is not required to do so. A sample letter is included with this package which you may use as a template for the notices you send.
5. The notifications must be sent not less than two (2) weeks before the date of the hearing.
6. At your hearing you must provide copies of *each* notification sent and all of the certified mail return receipts ("green cards") received to date.

**THE NOTIFICATION PROCESS IS YOUR RESPONSIBILITY AS THE APPLICANT. FAILURE TO PROVIDE THE DOCUMENTATION OF NOTIFICATION DESCRIBED ABOVE IN ITEM #6 IS SUFFICIENT CAUSE FOR THE TOWNSHIP TO POSTPONE THE HEARING UNDER §325-114.B(3) OF THE ZONING ORDINANCE.**

Although it is not required, we recommend that you contact your neighbors informally prior to sending them the official notice to make them aware of your intentions. In addition to the notices you must send, the Township will advertise the hearing in the Daily Local News.

The Board of Supervisors may want to review your application before your hearing. Township Staff will schedule your hearing date such that there will be at least two Supervisors' meetings prior to your ZHB hearing. You will be given ample notice of whether the Supervisors want to review your application. While the Supervisors do not have the authority to act on your application, they have an interest in the proceedings of the ZHB. If you are presenting your own case to the ZHB, the presentation to the Supervisors is a useful "dry run" for the hearing – although the presentation to the Supervisors is less formal, as there is no formal submission of exhibits, no witnesses, and no court stenographer.

If the Supervisors have any concerns with your application, they may ask you about the possibility of making revisions to address those concerns. If you are unable to resolve their concerns, they may direct the Township Manager or the Township Solicitor to attend your hearing and to oppose it on behalf of the Township.

Prior to your hearing (or your meeting with the Supervisors if they want to review your application), Township staff will prepare a memorandum describing your application. If you are requesting one or more variances, this memorandum will include a list of all of the Zoning Ordinance provisions from which your project requires a variance and will analyze your application against the criteria for variances found in §325-118 of the Zoning Ordinance. Copies of this memorandum are provided to you as the applicant, to the ZHB, and to the Supervisors if they elect to review your application.

### **At the hearing**

The hearing is a formal process similar in many ways to a courtroom proceeding. The ZHB acts as the "judge" and is advised by their attorney. You have the right to be represented by an attorney, but this is not required: you may present your own case. Your responsibility (or your attorney's, if you have one) is to present sufficient information to the ZHB for them to make their decision. You should assume that the ZHB does not have any background or outside information on your application. *The ZHB will render their decision based solely upon the evidence presented to them in the course of the hearing.* You can provide information to the ZHB at the hearing in the form of sworn testimony by yourself and/or by witnesses whom you may call as well as by documentation (studies, reports, letters, plans, photographs, drawings, etc.) provided as exhibits. It is your responsibility to enter your own exhibits into the record and to call and question your own witnesses, if you wish to have any. If the ZHB should have any witnesses, you will be able to question them as well. The proceedings will be recorded verbatim by a court stenographer. *You may NOT contact any ZHB member to discuss your application or your hearing.*

Hearings typically begin with a statement by the ZHB attorney to open the hearing. You will be asked to provide evidence that you have given appropriate notice to your neighbors by producing the receipts – the green cards – from the certified letters. If you are requesting one or more variances, you will then be given the opportunity to describe your project and to explain why you believe that you have a hardship. If you are appealing the determination of the Zoning Officer, you must explain why you believe the Zoning Officer's determination was incorrect or in what way the Officer failed to follow proper procedure. The ZHB members or their attorney may question you and your witnesses about your statements and documents.

Since you – as the applicant – are directly involved in the hearing process, you are a "party to the hearing." The ZHB has the authority to declare other to be parties if they request this status and can demonstrate to the satisfaction of the ZHB that they will be affected by the decision on your application. The Township (as represented by the Board of Supervisors) automatically has party

status. In the case of a variance request, the owners of adjacent and nearby properties are usually granted party status if they request it. Parties to the hearing have the right to call their own witnesses, to be represented by their own attorney, to cross-examine the witnesses appearing on behalf of other parties, and to appeal the ZHB decision to the Chester County Court of Common Pleas. The ZHB typically provides an opportunity for members of the general public to ask questions in the course of the hearing, regardless of whether they have party status.

### **What to bring to the hearing**

Once again: it is up to you or your attorney to make your case. Assume that the ZHB has no knowledge about your property or your neighborhood. If you are requesting one or more variances, you need to demonstrate that a hardship exists and the criteria of §325-118 have been met. If you are appealing the determination of the Zoning Officer, you must provide evidence supporting your allegation. If you are applying for variance(s), we recommend that you bring the following items to the hearing (and the Supervisors' meeting, if you meet with them). **PLEASE NOTE: Any item you enter as an exhibit during the course of the hearing becomes part of the permanent record and *will not* be returned to you.**

- **A plan of your property** – If your hearing is for a variance request involving construction, you should bring a copy of the plan you submitted with your application. In addition to this plan, you may want to contact the Chester County GIS Department and ask them to provide you with a large-scale aerial photograph of your property that has property lines, streams, and other pertinent information superimposed. Such a photograph will help the Board to understand better the neighborhood surrounding your property. The photographs provided by the GIS Department are in full color and are on 11" x 17" sheets of paper. You will be charged a nominal fee for the product. For hearings other than for a construction-related variance request, a plan may still be useful to you as you make your case at the hearing. If you elect to bring a plan, it should as a minimum include the information specified for plans on the "Instructions" sheet in this packet.
- **A written description of what you are proposing to do** – This will help you to organize your thoughts and to make a clear presentation. For dimensional variances, you should describe what alternatives you considered and why they are unsuitable.
- **Drawing or sketch of any proposed construction** – If your project includes new construction, the ZHB will want to see how it will fit with its surroundings, including existing buildings. This drawing should be detailed enough to show roof lines and materials, window placement, exterior finishes (color and material), and any other details that you think will help the ZHB visualize what you want to do. Drawings and sketches must be drawn to scale, with the scale noted on the drawing or sketch.
- **Photographs** – Recent photographs of your property should show the location of any new construction you are proposing as well as how your property looks from the adjacent lots and the street. If at all possible, these photographs should be date-stamped. If your project includes new construction, the ZHB will want to know how it will affect your neighbors as well as the view from public areas, including streets.

The accuracy of your exhibits and descriptions is critical: the ZHB decisions are very specific. If you receive a variance to build four feet closer to the property line, then the variance will be limited to four feet. If it turns out that you measured wrong and you really need five feet, you will need to go through the variance process again.

### **After the hearing**

Most hearings conclude in a single night. If the project is large or complex, additional nights may be necessary in order for all of the testimony to be presented. Additional sessions are considered continuances of a single hearing, not additional hearings. You will not be required to send new notices to your neighbors for continued hearings.

Once testimony is complete, the ZHB has forty-five (45) days in which to make their decision. Our ZHB rarely takes this long; more typically, they will discuss the application and announce their decision verbally on the same night as the hearing. Their decision is confirmed by a letter from the ZHB attorney, followed by a written "Findings of Fact and Conclusions of Law" supporting the decision. This document will be mailed to you and all the parties to the hearing. If you or any other party to the hearing wish to appeal the ZHB decision, you must do so within thirty (30) days of the date of the decision. Appeals are heard by the Chester County Court of Common Pleas.

## **Conclusion**

Finally, feel free to contact the Zoning Officer if you have any questions regarding this process or your application specifically. While the Zoning Officer cannot make your case for you, he can answer procedural questions.

## **GUIDELINES FOR ZONING HEARING BOARD APPLICATION: HISTORIC RESOURCES**

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Article XVI of the West Whiteland Township Zoning Ordinance regulates activities affecting historic resources in the Township. If the property that is the subject of a Zoning Hearing Board hearing includes or is within three hundred (300) feet of the exterior walls of a Township-designated historic resource, then the Township Historical Commission must review the application and make a recommendation to the Zoning Hearing Board.

The historic resources that trigger Historical Commission review are mapped in the current Comprehensive Plan for the Township. This map is also included in the publication "A History of West Whiteland Township." If you are unsure about whether your project will affect a historic resource, Township staff will be happy to help you make this determination. Staff will also review your project for impacts upon historic resources at the time that you submit your application.

If your application requires review by the Historical Commission, Township staff will place it on the agenda of the next available Commission meeting. The Commission currently meets at 7:00 p.m. on the first Thursday of each month at the West Whiteland Township Building. It is important that you attend this meeting, so advise Township staff if the meeting date is not convenient for you. Please note that if you are scheduled for a meeting and do not attend, the Commission may still discuss your project and pass a motion recommending action to the Zoning Hearing Board.

If you have questions concerning the regulations affecting historic resources or anything you have read here, contact John Weller, Director of Planning and Zoning ([jweller@westwhiteland.org](mailto:jweller@westwhiteland.org)) or Justin Smiley, Township Planner & Historical Commission Liaison ([jsmiley@westwhiteland.org](mailto:jsmiley@westwhiteland.org)). Mr. Smiley and Mr. Weller may also be contacted by calling 610-363-9525 or faxing 610-363-5099.

## **GUIDELINES FOR ZONING HEARING BOARD APPLICATION: FEES**

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The Township Board of Supervisors establishes a fee for Zoning Hearing Board hearings at their reorganization meeting held at the beginning of each calendar year. The current application fee is **\$650.00** when the subject property is a single family residence and **\$1,000.00** for all others, but please note:

- The application fee includes the cost of one (1) copy of the transcript (i.e., the written verbatim record prepared by the court stenographer) for your hearing. **If the cost of the transcript exceeds the fee paid, the Township may charge you for the additional cost.** Any such additional charge will vary depending upon the length of the hearing and court stenographer's own fee schedule.
- Hearings conducted by the Zoning Hearing Board are typically completed in a single meeting. If this is not possible, the hearing will be "continued on the record" to a specific date. **Each continuance will cost an additional \$135.00 (for hearings regarding single family residences) or \$450.00 (all others).** As with the original fee, there will be an additional charge if this is not sufficient to cover the cost of the transcript.
- If you withdraw your application from consideration, you may be eligible for a refund or partial refund of the fee. No refund will be paid unless you request it in writing. Furthermore, any refund and will be subject to a determination that Township costs relative to the administration of the hearing up to and including the date of such request have not exceeded the total fees collected. You are not entitled to any refund if you complete the process and the Zoning Hearing Board denies your application.

In addition, there is an **optional fee of \$275.00** to advertise the Zoning Hearing Board action after the completion of the hearing. This fee covers the cost of publishing the Board's final decision in the Daily Local News and assures that their decision cannot be legally challenged after the appeal period.

## **GUIDELINES FOR ZONING HEARING BOARD APPLICATION: NOTIFICATION REQUIREMENT**

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Section 325-114.B of the West Whiteland Township Zoning Ordinance requires all Applicants for a hearing before the Zoning Hearing Board to send written notification of the hearing to all property owners within three hundred (300) feet of the property that is the subject of the application. The Township interprets the term "property owner" to be the record owner of a property as documented by the tax records of the Chester County Tax Assessment Office. The Township interprets this notification requirement such that Applicants are NOT required to notify owners of easements or rights-of-way owned by private entities, public utilities, or the Commonwealth of Pennsylvania. Upon request, Township staff can provide the list of properties as well as the owners' names and mailing addresses needed to fulfill this requirement. A sample notification letter is provided in this packet, which you may adapt as necessary for your project.

Specific directions regarding the notification requirement are provided in §325-114.B of the Zoning Ordinance. One of the most critical requirements is in §325-114.B(3): the notice must be sent by both regular, first class mail AND certified mail, return receipt requested. The notice must be mailed a minimum of two weeks prior to the date of the hearing. At the hearing, you will be required to provide a copy of EACH notification sent as well as all of the certified mail receipts (i.e., the "green cards") you will have received. Determination of compliance with this notification requirement is at the sole discretion of the Township.

Please note that the complete, up-to-date text of all Township ordinances – including the Zoning Ordinance – is available on-line, free of charge, as a link from the Township website at [www.westwhiteland.org](http://www.westwhiteland.org).

**GUIDELINES FOR ZONING HEARING BOARD APPLICATION:  
SAMPLE NOTIFICATION LETTER**

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*Date*

**\* SENT VIA CERTIFIED MAIL AND REGULAR U.S. MAIL \***

*Name of property owner*  
*Address*  
*City, State ZIP*

Dear Neighbor:

This letter is to advise you that I will be appearing before the Zoning Hearing Board of West Whiteland Township in order to

Insert the *ONE*  
description that applies  
to your request. →

appeal the determination of the Zoning Officer regarding the application of (insert section number[s]) of the West Whiteland Township Zoning Ordinance to my property at (insert address). The Zoning Officer has determined that this/these provision(s) require that I (describe action required by the Zoning Officer). I disagree with this interpretation and I am asking that the Zoning Hearing Board overturn the determination.

request variance(s) from (insert section number[s]) of the West Whiteland Township Zoning Ordinance in order to (describe your desired action).

The Zoning Hearing Board will hear this matter on (date) at (time) in the West Whiteland Township Municipal Building located at 101 Commerce Dr., Exton, PA 19341. Section 325-114.B of the West Whiteland Township Code of Ordinances requires me to send you this notification because you own property within 300 feet of the above-referenced address.

Prior to the hearing, the West Whiteland Township Board of Supervisors may discuss this application during one of their regular meetings. These meetings are generally held on the second and fourth Wednesdays of the month. If they have elected to discuss my application, it will appear on the meeting agenda. You can check the agendas on the Township’s website ([www.westwhiteland.org](http://www.westwhiteland.org)) or by calling the Township office at 610-363-9525.

You are not required to attend the hearing of the Zoning Hearing Board or any Supervisors’ meeting; however, these proceedings are open to the public and you are welcome to do so if you are interested. This is the only notice that you will receive regarding this matter.

Sincerely,  
  
*Your name*

**GUIDELINES FOR ZONING HEARING BOARD APPLICATION:  
PRE-HEARING REVIEW**

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After you have submitted your application, but before your hearing date, Township Staff will review the following items with you to confirm that you have received all necessary information. As shown, you will be asked to confirm with your signature that you have received this information. Please contact Staff if you have any questions about any of the items listed below.

- Application packet, including:
  - "Description of the Hearing Process"
  - "Notification Requirement," including the current list of residents who are registered with the Township to receive notification of applications
  - "Sample Notification Letter" to be sent **by you** to owners of all property within 300 feet of your property
- Written notice of the hearing date from the Chairman of the Zoning Hearing Board
- Copy of the legal notice to be placed by the Township in the Daily Local News
- Placard completed by the Township for you to place on the subject property at a location readily visible to the public
- Copy of review memorandum prepared by the Deputy Zoning Officer
- Zoning Chart prepared by Deputy Zoning Officer (only applicable to applications for dimensional variance)

The undersigned acknowledges that they have been provided all the applicable items listed on the preceding checklist and with instructions regarding the notice and posting requirements. In addition, the undersigned acknowledges that they have been:

1. Offered an opportunity to meet with Township staff regarding specifics of their application;
2. Informed about the Zoning Hearing Board's presentation standards, including graphics; and
3. Offered an opportunity to meet with Township staff regarding the hearing process.

The undersigned understands that the Township is not responsible for any of the content of their application or of their presentation, except for those items listed in the above checklist as being actions of the Township.

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Applicant's signature

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Date