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DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date hearing advertised \_\_\_\_\_ Appeal No. \_\_\_\_\_

Fee paid: \_\_\_\_\_ Date: \_\_\_\_\_

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**ZONING HEARING BOARD**

TOWNSHIP OF UPPER MILFORD

**Notice of Appeal**

(I) (We) \_\_\_\_\_ of \_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

request that a determination be made by the Zoning Hearing Board on the following appeal which was denied by the Zoning Office on \_\_\_\_\_, 20\_\_\_\_, for the reason that it was a matter which, in the opinion of the Zoning Officer should properly come before the Board.

\_\_\_\_\_ Interpretation \_\_\_\_\_ a special exception \_\_\_\_\_ a variance is requested to Article \_\_\_\_\_, Section \_\_\_\_\_, Subsection \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Ordinance for the reason that:

\_\_\_\_\_ It is an appeal for an interpretation of the Ordinance or Map;

\_\_\_\_\_ It is a special exception to the Ordinance on which the Zoning Hearing Board is required to pass;

\_\_\_\_\_ It is a request for a variance relating to the:

\_\_\_\_\_ area, \_\_\_\_\_ frontage, \_\_\_\_\_ yard, \_\_\_\_\_ height, \_\_\_\_\_ use or \_\_\_\_\_

The description of the property involved in this appeal is as follows:

Location: \_\_\_\_\_

Lot Size: \_\_\_\_\_ Present Use: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Present Improvements on the land: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Are there any nonresidential uses to be associated with the proposed accessory or principal structure? If applicable, please explain: \_\_\_\_\_

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

(I) (We) believe that the Board should approve this request because: (Include the grounds for appeal or reasons both with respect to law and fact for granting the appeal or special exception or variance, and if hardship is claimed, state the specific hardship)

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Has any previous application or appeal been filed in connection with these premises?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

What is the applicant's standing for filing of this appeal? (i.e. property owner, lessee, equitable interest by agreement of sale or lease) \_\_\_\_\_

What is the approximate cost of the work involved? \_\_\_\_\_

Following are the names and addresses of owners of property within a distance of 200 feet from the exterior limits of the property involved in this appeal as shown on the latest assessment roll of the County of Lehigh:

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Note: This application must be filed in duplicate. The original shall be filed with the Secretary of the Zoning Hearing Board and a copy with the Zoning Officer.

A copy of the plan or real estate affected, showing location and size of lot, the size of improvements now erected, as well as those proposed to be erected, or other change desired, together with any other information required by the Zoning Hearing Board must be attached to each copy of this application.

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

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

**APPLICATION TO ZONING HEARING BOARD OF UPPER MILFORD TOWNSHIP**

I, \_\_\_\_\_, hereby submit the sum of \$\_\_\_\_\_ as the initial minimum nonrefundable application fee for the Zoning Hearing Board of Upper Milford Township, Application No.\_\_\_\_\_.

I fully understand and agree that in the event hearing costs with respect to this application exceed the minimum nonrefundable application fee, I am liable for the full deficit excepting legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or technical consultants or expert witness costs. I further agree to waive any statutorily imposed time limits within which the Zoning Hearing Board is required to render a decision on this Application, until such time as I have fully paid the Zoning Hearing Board for said deficit. I fully understand that the Zoning Hearing Board expressly reserves their right to postpone, continue or withhold any hearing or withhold its decision thereon until any such deficit is paid in full, and I expressly waive any statutorily imposed time limits imposed upon the Zoning Hearing Board for this purpose.

I agree to be legally bound hereby.

\_\_\_\_\_  
Signature

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

**ADDENDUM TO NOTICE OF APPEAL**

I (We), \_\_\_\_\_, of

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

Hereby grant permission and authorize member of the Upper Milford Township Zoning Hearing Board to enter my (our) property to view the premises in conjunction with the Zoning Appeal which I (We) filed on \_\_\_\_\_, 20\_\_ at Appeal No.\_\_\_\_\_. I (We) hereby represent that I (We) have no knowledge of any objectors to this Zoning Appeal and affirm that I (We) will not speak to or in any way present evidence to the members of the Upper Milford Township Zoning Hearing Board while they are on my property, as to do so is in violation of the law.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

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

8. Court Appeals.

- a. In the case of an appeal from the Board to the Court of Common Pleas, the Board shall make the return required by law, and shall promptly notify the Township Solicitor of such appeal and furnish him with a copy of the return including the transcript of testimony.
- b. Any decision of the Board not appealed within 30 days after notice thereof shall be final.

F. Applications to the Board.

1. All appeals from a decision of the Zoning Officer and applications to the Board shall be in writing on forms prescribed by the Board.
2. Every appeal or application shall include the following:
  - a. The name and address of the applicant, or appellant;
  - b. The name and address of the owner of the property to be affected by such proposed change or appeal;
  - c. A brief description and location of the property to be affected by such proposed change or appeal;
  - d. A statement of the present zoning classification of the property in question, the improvements thereon and the present use thereof;
  - e. A statement of the section of this Ordinance under which the appeal is made and reasons why it should be granted, or a statement of the section of this Ordinance governing the situation in which the alleged erroneous ruling is being appealed and the reasons for this appeal; and
  - f. A reasonably accurate description of the additions or changes intended to be made under this application, indicating the size, material, and general construction of such proposed improvements. A plot plan of the property to be affected, indicating the location and size of the lot and size of existing and intended improvements, shall be attached to the description.

G. Time Limitations: Persons Aggrieved. The time limitations for raising certain issues and filing certain proceedings with the Board shall be the following:

- 1.a. No person shall be allowed to file any proceedings with the Board later than thirty (30) days after any application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given.

## ADDITIONAL INSTRUCTIONS TO ZONING HEARING BOARD APPELLANTS

Please attach a simple plot plan drawn to scale showing the lot lines, dimensions, location of structures, (buildings); location of the proposed use or change; and public rights-of-way if applicable. Please note that this drawing does not have to be prepared by an engineer, architect or surveyor, and is intended to aid the Zoning Hearing Board in understanding and ruling on your Zoning appeal.