

Zoning Hearing Board Description and Needs as of 4/29/19

The Zoning Hearing Board has the exclusive jurisdiction to hear and render final adjudications in challenges to:

1. The validity of a land use ordinance raising procedural questions
2. Requests for curative amendments to the Township Zoning Ordinance
3. A variance of the Township Zoning Ordinance
4. An appeal of a zoning officer decision

Composition of Zoning Hearing Board:

Three regular members and two alternates with each serving a three-year term

Need two regular members and two alternates

The Board shall elect from its own membership its officers to serve as an officer for a one-year term

Alternates shall attend all meetings and hearings but can only vote in the absence of a regular zoning hearing board member

Meetings:

Shall be held at the call of the Chairman and at such other times as the Zoning Hearing Board will determine

Shall be published and open to the public (Township Clerk responsibility)

The Board shall keep minutes of all proceedings including the vote of each member and indicating any and all absence or failure to vote (Township Clerk/Zoning Administrator responsibility)

The Board shall keep full public records of its business and shall submit a report of its activities once a year.

Township Clerk/Administrator maintains records of the Zoning Hearing Board meetings but Board needs to provide an annual report to the supervisors once a year

Hearings:

- a. Shall be held within 60 days from the date of the receipt of applicant's application
- b. Public notice of any Zoning Hearing Board hearing must be given and published in a newspaper, to the applicant, the Township's Planning Commission, the Centre Region Planning Commission and the Township Supervisors (Township Clerk/Administrator responsibility)
- c. The Zoning Hearing Board shall set the time and date of the hearing

(Township Clerk/Administrator contacts each Zoning Hearing Board member/alternate and Zoning Hearing Board Solicitor for an agreeable date and time)

- d. May appoint a hearing officer (Zoning Board Solicitor who also solicits all oaths and then facilitates hearing)
- e. The Board or hearing officer shall keep a record of the proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material submitted into evidence shall be made available to any party at cost
 - If by sound recording—Township Clerk/Administrator responsible for transcription and maintaining submitted evidence
 - If by stenographer—Stenographer responsible for transcription and maintaining submitted evidence
- f. Neither the Board or hearing officer will communicate directly with any party in connection with any issue involved except upon notice and opportunity for all parties to be present and participate
- g. The Board must render a written decision (prepared by Township Solicitor) within 45 days of the applicant's submittal.
- h. Written decision (prepared by Township Solicitor) shall be accompanied by a findings of fact and conclusion based thereon together with the reasons therefor and refer to any rule or regulation and why the conclusion is deemed appropriate.