

WESTFALL TOWNSHIP
INSTRUCTION SHEET FOR APPLICATION OF APPEAL OR
VARIANCE OF THE FLOODPLAIN ORDINANCE

All Floodplain Ordinance appeals or variances for Westfall Township must be submitted to the Township Office with the attached forms completed. Each appeal shall be considered separately at an additional hearing; multiple applications must be submitted (fees will be applied accordingly). Forms that are improperly completed will be deemed incomplete and returned to the appellant. Appeals to the board must fully set forth the determination appealed from, a detailed reason or basis for the appeal, and the relief sought. Every appeal shall refer to the specific provision of circumstance of the case, and such claims must be explained in detail on the appeal forms.

Appeals

1. Any person aggrieved by any action or decision of the Building Permit Officer concerning the administration of the provisions of this Ordinance, may appeal to the Board of Supervisors. Such appeal must be filed, in writing, within thirty (30) days after the decision, determination or action of the Building Permit Officer.
2. Upon receipt of such appeal the Board of Supervisors shall set a time and place, within not less than ten (10) nor more than thirty (30) days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
3. Any person aggrieved by any decision of the Board of Supervisors may seek relief therefrom by appeal to court, as provided by the laws of this Commonwealth including the Pennsylvania Flood Plain Management Act.

VARIANCES

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the Township may, upon request, grant relief from the strict application of the requirements.

Variance Procedures and Conditions

Requests for variances shall be considered by the Board of Supervisors in accordance with the procedures contained in Section 2.1 1 and the following:

1. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.
2. Except for a possible modification of the one and one half (1 1 /2) foot freeboard requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to Development Which May Endanger Human Life (Section 4.04).
3. If granted, a variance shall involve only the least modification necessary to provide relief.
4. In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Ordinance.
5. Whenever a variance is granted, the Township shall notify the applicant in writing that:
 - a. The granting of the variance may result in increased premium rates for flood insurance
 - b. Such variances may increase the risks to life and property
6. In reviewing any request for a variance, the Township shall consider, at a minimum, the following:
 - a. That there is good and sufficient cause.
 - b. That failure to grant the variance would result in exceptional hardship to the applicant.
 - c. That the granting of the variance will (i) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (ii) nor create

nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.

7. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood.

Complete the attached forms as follows:

1. Complete the Appellant, Property Owner, Attorney, and Property Location information.
2. Provide supporting documentation and/or the relief requested from the Floodplain Ordinance. Use a separate sheet if necessary.
3. Provide eight (8) copies of all documentation provided.

Payment for Hearing and Stenographer Deposit is due at time of application. Checks shall be made payable to Westfall Township. If payment is not made in full the application will be rejected.

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Appellant:

Name:

Company:

Address:

City, State, Zip:

Phone:

Email:

Relationship to Property Owner:

Property Owner:

Name:

Address:

City, State, Zip:

Phone:

Email:

Attorney:

Name:

Address:

City, State, Zip:

Phone:

Email:

Property Location:

Address:

City, State, Zip:

Tax Map Number:

Supporting Documentation and/or Relief Requested:

Every appeal shall refer to the specific provision of circumstances of the case.

