

**POTTSTOWN BOROUGH ZONING HEARING BOARD**  
**LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the Pottstown Borough Zoning Hearing Board will conduct a hearing on Wednesday, February 21, 2018, at 7:00 p.m. in the Council Meeting Room, 3<sup>rd</sup> Floor, Pottstown Borough Hall, 100 E. High Street, Pottstown, Pennsylvania, upon Application of Hancock Professional Building Associates LP. Applicant seeks variances to Chapter 27, Sections 712 and 703.8B. of the Pottstown Borough Zoning Ordinance.

The subject property is situate at 625 (a/k/a 617) N. Charlotte Street, Pottstown, Pennsylvania in the Traditional Town Neighborhood Zoning District. Applicant proposes installation of an electronic sign with changeable messages, which is not permitted in the Traditional Town Neighborhood Zoning District. In addition, the proposed sign has a sign area of 33.8 square feet, whereas the maximum permitted sign area is 24 square feet. Furthermore, the proposed sign has a height of 84 inches, whereas the maximum permitted height is 72 inches.

Copies of the Application may be examined by the public at the Pottstown Borough Licensing and Inspections Department, Pottstown Borough Hall, 100 E. High Street, 2<sup>nd</sup> Floor, Pottstown, Pennsylvania during regular business hours, 7:30 a.m. to 4:00 p.m., Monday through Friday, with extended hours from 4:00 p.m. to 7:00 p.m. on Wednesday.

At the time of the hearing, any affected persons or parties will be given an opportunity to be heard. Any party may be represented by legal counsel at the hearing. The Board reserves the right to conduct any other business that may come before it.

**POTTSTOWN BOROUGH ZONING  
HEARING BOARD**

Robert E. Johnson, Chairman

R. Kurtz Holloway, Esquire, Solicitor

BEFORE THE ZONING HEARING BOARD  
OF THE BOROUGH OF POTTSTOWN  
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE:

RECEIVED DEC 29 2017

ENTRY OF APPEARANCE

To The Zoning Hearing Board:

1. Please enter my appearance in this action

as a party under Section 908(3) of the Municipalities Planning Code.  
 as attorney for \_\_\_\_\_

2. I ~~do~~/do not wish a copy of the transcript at my expense.

3. I ~~do~~/do not wish a copy of the Board's written decision at my expense.

8/25/17  
Date

  
Signature

625 N. Charlotte st.  
Address  
Pottstown, PA 19464

For Zoning Hearing Board Use Only

1. Was the person questioned about standing? \_\_\_\_\_
2. Was there an objection to standing? \_\_\_\_\_
3. Was the person "affected" by the application? \_\_\_\_\_
4. Was the person granted status as a party? \_\_\_\_\_

\_\_\_\_\_  
Signature

## **INFORMATION FOR PERSONS APPEARING BEFORE THE ZONING HEARING BOARD**

The Zoning Hearing Board is an independent branch of the local government that consists of residents of the Borough of Pottstown, appointed to the Board by Borough Council, one of whom serves as its chairperson. An attorney, who is called the Solicitor, represents the Board.

The members of the Zoning Hearing Board are not permitted to communicate, either directly or indirectly, with the applicant, or his or her representatives, or any other person interested in the application, except at the time of the hearing. Similarly, the Zoning Hearing Board is not permitted to review any written material other than that submitted with the application at the time of the hearing.

Although the Zoning Hearing Board is not required to follow the formal rules of evidence at its hearings, it conducts a formal hearing, similar to a court proceeding. A court stenographer is present to make a record of the hearing.

The applicant and any other person who has been recognized by the Zoning Hearing Board as a party to the proceedings have the right to be represented by legal counsel at the hearing. Neither the Zoning Hearing Board nor its Solicitor may provide legal advice to participants at the hearing. Likewise, neither the Zoning Hearing Board nor its Solicitor will attempt to represent or assist a party in the presentation of the case.

It is the burden of the applicant to prove his or her case and to submit evidence that supports the application. It is not the responsibility of the Zoning Hearing Board to gather evidence or information for the applicant. The Board, as a quasi-judicial body, may only hear and receive evidence that is given under oath and that is subject to cross-examination, or other evidence submitted at the time of the hearing that it deems credible.

The Zoning Hearing Board does not write the Borough Ordinances, nor does it have the power or jurisdiction to address all issues that may be raised at a zoning hearing. The Zoning Hearing Board does not have any enforcement powers. Rather, it can be considered to be the judicial branch of the local government for zoning matters that is separate and distinct from the Borough administration.

Zoning Hearing Board of  
Borough of Pottstown

File No. \_\_\_\_\_  
Date Fully Completed Application Received \_\_\_\_\_  
Date of First Advertised Hearing \_\_\_\_\_  
Amount of Fees Paid \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_

(DO NOT WRITE ABOVE THIS LINE)

**ZONING HEARING BOARD  
BOROUGH OF POTTSTOWN, PA 19464**

**APPLICATION / APPEAL**

Applicant(s) Hancock Professional Building Associates LP  
Name Name  
625 N. Charlotte St. also known as 617 N. Charlotte  
Address Address Street  
Pottstown PA 19464  
Address Address  
agabegi@yahoo.com  
Email Address Email Address  
215-534-9121  
(Phone) (Phone)

Applicant's Attorney: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Email Address  
\_\_\_\_\_  
Phone

Request for Hearing:

In accordance with the provisions of Section 905 of the Borough of Pottstown Zoning Ordinance, a hearing before the Zoning Hearing Board is requested in which the applicant(s) will seek an adjudication of the matter(s) indicated below:

**Type of Proceeding(s): (check all that applies)**

1. A variance is requested to Chapter 27, Section(s) 712 of the Zoning Ordinance.
2. A variance is requested to Part 3, Section 314 relating to uses permitted in a Floodplain Overlay District.
3. A variance is requested to Part 3, Section 315 relating to uses permitted in an Airport Overlay District.
4. A special exception is requested as allowed in Chapter 27, Section \_\_\_\_\_ of the Zoning Ordinance.
5. This is an appeal from the determination of the Zoning Officer with respect to the granting, denial or failure to act on an application for a permit.
6. This is an appeal from an enforcement notice issued pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code. (Attach a copy of the enforcement notice)
7. This is a substantive challenge to the validity of a land use ordinance or map, or a provision thereof. (The customary written challenge should be filed with this application).
8. This is a challenge to the validity of a land use ordinance raising procedural questions or alleging defects in the process of adoption. (The customary written challenge should be filed with this application)
9. Any other appeal from a determination by an officer, body or agency of the Borough charged with the administration of any land use ordinance or application thereunder, to the extent that determination is appealable to the Zoning Hearing Board under the Municipalities Planning Code.

**The Status of the Applicant(s) is: (check one)**

- A. A person who has an interest in land, the use or development of which is prohibited or restricted by an ordinance or map, or a provision thereof. (Landowner must attach a plot plan as set forth in #8 below).
- B. A person affected by a use or development permitted on the land of another by an ordinance or map, or a provision thereof.

**General Information about the Land:**

1. The land involved belongs to: Hancsek Professional Building Associate LP
  - A. Record Owner(s): Michael Agabegi
  - B. Date purchased: 1977
  - C. Deed Book \_\_\_\_\_ Page \_\_\_\_\_ (Attach copy of Deed)
  - D. Equitable Owner(s): Michael Agabegi
  - E. Date of Agreement: \_\_\_\_\_
  
2. The land is located as follows:
  - A. Name of street providing primary access: Charlath Street
  - B. Address: 625 (617 Tax ID) N. Charlath St. Pittsboro PA 19464
  - C. Which side of street: \_\_\_\_\_
  - D. Identify nearest street intersection and approximate distance and direction:  
East street 30 ft
  
3. The land is configured as follows:
  - A. Width at street (frontage): \_\_\_\_\_
  - B. Approximate average width: \_\_\_\_\_
  - C. Approximate average depth: \_\_\_\_\_
  - D. Lot / parcel size: \_\_\_\_\_
  
4. Present improvements on the land are:  
\_\_\_\_\_
  
5. Present use is: Mixed use Medical
  
6. Zoning District: NR **(TTN)** D NB DG GE GW P FO HB HM
  
7. Improvements being proposed:  
Enhancement of building Identification /  
Directory Sign
  
8. Proposed use: Mixed use Medical