

Borough of Aldan

One W. Providence Road
Aldan, Pennsylvania 19018
(610) 626-3554
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Application No. _____

Date October 24, 2016

PETITION OF APPEAL TO ZONING BOARD OF ALDAN BOROUGH

For a Variance/ **Special Exception**
(circle one)

Appellant Charter School Property Development

Address 2505 Anthem Village Drive, Suite E-390, Henderson, NV 89052

(When there are a number of appellants, the additional names shall be entered on the back of this petition.)

Attorney (If any) Brian H. Leinhauser

LOCATION OF PROPERTY 1 Merion Avenue, Aldan, PA 19018

Owner(s) Joseph L. Masticola, Jr. and Patricia H. Masticola Address _____

Agent _____ Address _____

If applicant is not the owner or the agent, state his/her interest:

Appeal is taken from the action of the Zoning Officer or his designee in the refusal of a permit for:

Please see the attached.

State objections to the refusal: Please see the attached.

NOTE: The Specifications of Errors must state separately the Appellant's objections to the action of the Zoning Officer and or his designee with respect to each question of law and fact which is sought to be reviewed. All appeals directed to the Zoning Board of Aldan Borough must be accompanied by a check made out to the order of "Treasurer, Borough of Aldan" in the amount of \$ _____ as a deposit fee toward the costs of advertising, hearing, etc.. Thirteen (13) copies of a plan outlining the variance request or special exception must be submitted with the application. The plan will be reviewed by the Aldan Borough Zoning Board on the _____ of the month at 7:30 p.m. at the Wm. Reintl Recreation Building.

Where there are a number of Appellants the additional names shall be entered below.

Appellant _____

Address _____

Appellant _____

Address _____

Appellant _____

Address _____

COMMONWEALTH OF PENNSYLVANIA :

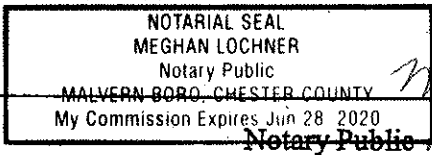
COUNTY OF Delaware : SS

Before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania personally appeared in person who being duly _____ according to law, doth depose and say: that all the above statements and/or drawings and/or attached plans are true. _____ and subscribed to before me, this 24th day of

October, A. D. 2016

[Handwritten Signature]

(Appellant Signature)



(To be completed by the Aldan Borough Zoning Board)

COMMENTS: _____

Appeal DENIED

By Zoning Board of Aldan Borough

Date: _____

(Returned to Appellant)

Appeal SUSTAINED

By Zoning Board of Aldan Borough

Date: _____

(Forwarded to Zoning Officer)

Appeal is taken from the action of the Zoning Officer or his designee in the refusal of a permit for: Charter School Property Development is seeking a special exception allowing it to utilize the property described above, which is currently zoned "I", as a public charter school. Specifically, the location will be purchased and renovated to serve as the permanent location of the Vision Academy Charter School, including its before and after school programs.

State objections to the refusal: The special exception should be granted because, although the property is currently zoned for industrial use, its use as a charter school is in conformance with the spirit, purposes, and intent of the zoning code. Specifically, the use of this property as a charter school and before- and -after-school program for area students is substantially similar to using the property as a daycare facility, which is allowable under the zoning code. The use of this property as a charter school will in no way interfere with or conflict with any Borough Ordinances, state, or federal laws. The location is suitable for use as a charter school and using this location to house a charter school will in no way be detrimental to the public health or welfare. Furthermore, if the special exception is not granted, appellant will suffer from an undue hardship because there is no other location within Aldan Borough that would be suitable for use as a public charter school; if this special exception is not granted, appellant will have no remedy and will be unable to utilize an alternate location to meet its needs.