

## Application for Zoning Hearing Board

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**Name of Applicant:** \_\_\_\_\_

Address: A & E Land Development, LP c/o Nappie's Food Service \_\_\_\_\_

Email Address: EdNapoleone@yahoo.com \_\_\_\_\_ Phone: 724-695-3500 \_\_\_\_\_

Applicant's interest in the premises affected (*if not Owner*): Owner  
(Agent, lessee, legal representative, etc.)

**Name of Property Owner:** \_\_\_\_\_

Address: 8051 Steubenville Pike Oakdale, PA 15071 \_\_\_\_\_

Email Address: EdNapoleone@yahoo.com \_\_\_\_\_ Phone: 724-695-3500 \_\_\_\_\_

**Name of Engineer/Architect/Surveyor:** \_\_\_\_\_

Address: The Gateway Engineers, Inc. 100 McMorris Rd Pgh, PA 15205 Attn: Patrick Cooper \_\_\_\_\_

Email Address: pcooper@gatewayengineers.com \_\_\_\_\_ Phone: 412-409-2338 \_\_\_\_\_

**Name of Legal Representative:** \_\_\_\_\_

Address: N/A \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Description of Property Involved:**

Address of Property: 8051 Steubenville Pike Oakdale, PA 15071 \_\_\_\_\_

Name of Land Development: Nappie's Food Service Phase 5 \_\_\_\_\_

Zoning District(s)/Overlay Zoning District(s): B-2 General Business \_\_\_\_\_

Allegheny County Tax ID No(s): 799-B-4, 799-E-2 \_\_\_\_\_

Present Use: Food Distribution Warehouse \_\_\_\_\_

Present Improvements on Property: Warehouse / office building with associated loading docks and parking \_\_\_\_\_

Proposed Use or Alterations: Building and parking expansion \_\_\_\_\_



Applicant Petitions the Zoning Hearing Board for:

- A Variance
- A Validity Change
- Change/Expansion of Nonconforming Use
- A Special Exception
- An Appeal from Zoning Officer Determination
- Other: \_\_\_\_\_

Specific Provisions of Zoning Ordinance at Issue:

Article No.	Section No.	Subsection(s)/Table No.
See attached Narrative		

Reason for Appeal/Request (attach additional sheet if necessary):

See attached  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Has a previous appeal been filed in connection with this property?       Yes  No

If yes,      Variance      4-27-12      See attached Decision  
 (Type)      (Date)      (Disposition)

I/We believe the Board should approve this request because (include grounds for appeal or reasons both with respect to law and fact for granting the appeal, variance, or special exception and, if hardship is claimed, state the specifics (attach additional sheet if necessary):

See attached Narrative  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**NOTE: The Applicant must prove the criteria referenced in §910.2 of the Pennsylvania Municipalities Planning Code (MPC), which are summarized below. The Applicant should review the MPC for the specific terminology of the required criteria.**

- (1) Unnecessary hardship results from unique physical conditions of the property that is the subject of the Application.*
- (2) Due to these unique physical conditions of the property, the subject property cannot be developed in conformity with the Zoning Ordinance and the variance is necessary for the reasonable use of the property.*
- (3) The unnecessary hardship was not created by the applicant.*
- (4) The requested variance will not alter the essential character of the district/neighborhood, nor substantially impair the development or use of adjacent property, nor be detrimental to the public welfare.*
- (5) The requested variance is the minimum necessary to afford relief.*

### INSTRUCTIONS TO APPLICANT

**This application must be submitted to the Zoning Officer no less than 28 working days prior to the regular monthly meeting of the Zoning Hearing Board. The following supplemental materials must accompany the application to be deemed complete:**

1. Ten (10) copies of the completed Application Form and any accompanying application materials. **In addition to the print materials, all application materials must be submitted electronically.** The electronic submittal can be saved to a flash drive or can be provided to the Township for download via a filetransfer site (such as Dropbox). Electronic materials must be submitted in PDF form.
2. A survey or scaled drawing of the property affected. This survey or scaled drawing must show the location and size of the subject lot, the size of improvements now erected or the proposed to be erected, proposed use or other changes desired, together with any other information required by the Board.
3. A copy of the deed, lease, sales agreement, or other contract proving applicant's interest in the subject property.
4. A map showing information required by the Zoning Ordinance or the Pennsylvania Municipalities Planning Code.
5. A map showing and identifying all properties adjacent to and directly across a street from the property or properties affected by this request, as well as a list of the names and addresses of the owners thereof as shown on the latest property assessment records of Allegheny County.
6. A check for the application filing fee, along with a separate check for the application deposit.
7. An application for special exception approval must also include the following documents:
  - a. A land development plan, as defined by the Township Zoning Ordinance.
  - b. A written statement showing compliance with the applicable express standards and criteria of the Township Zoning Ordinance for the special exception.
  - c. A traffic access and impact study, if required by the Township Zoning Ordinance or Township Subdivision and Land Development Ordinance.

**An incomplete Application will be returned to Applicant. An application will only be considered complete when all required information is provided in the items above and the appropriate application fee/deposit is paid in full. All documents or drawings submitted as evidence or for review must be to reasonably accurate dimensions.**

All hearings before the Zoning Hearing Board are conducted in a formal manner as in any court of law. All persons intending to offer testimony must be sworn in and all testimony given must be factual and pertinent to the particular case.

You may seek legal assistance and/or may hire an attorney to represent you and present your case to the Zoning Hearing Board.

**STATEMENT OF TRUTH**

Deponent, being duly sworn, states that they are the:

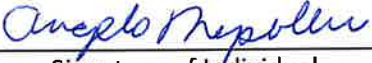
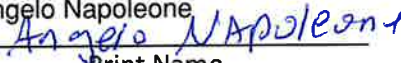
- Owner of record of the property for which this application is made, and that all the statements and data furnished with this application are true and correct.
- Authorized agent for the owner of record of the property for which this applicant is made and as such has express authority to bind owner to all terms and conditions set forth by the Township pursuant to this application, and that all statements and data furnished with this application are true and correct.

All information provided on and with this application is true and correct to the best of my knowledge or belief.

- Individual Applicant

_____ Signature of Individual	_____ Print Name	_____ Date
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- Partnership Applicant

 _____ Signature of Individual	Angelo Napoleone  _____ Print Name	3-26-22 _____ Date
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- Corporate Applicant

_____ Print Name of Corporation	_____ Signature of Applicant	_____ Date
	_____ Print Name of Individual	

**The Affidavit of Verification form found on the following page must be completed and notarized for all applications.**



**AFFIDAVIT OF VERIFICATION**


COMMONWEALTH OF PENNSYLVANIA      )  
  )  
  )  
  )      SS:  
COUNTY OF ALLEGHENY

On this 29th day of March, 2022, before me, the undersigned officer,  
personally appeared Angelo Napoleone, known to me or satisfactorily

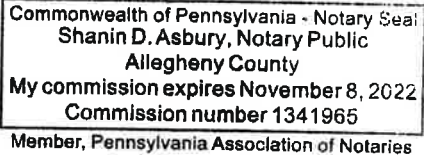
proven to be: (choose one:)

- the individual whose name is subscribed to the within instrument;
- a partner of A&E Land Development, LP, a Pennsylvania General/Limited Partnership; or
- the \_\_\_\_\_ of \_\_\_\_\_, a corporation  
and acknowledged that (choose one):
- he/she
- he/she as such \_\_\_\_\_ partner
- he/she as such \_\_\_\_\_ by signing the name of the corporation as himself/herself  
executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set by hand and official seal.

  
\_\_\_\_\_  
Notary Public

(SEAL)



**TOWNSHIP USE ONLY**

Date Filed: \_\_\_\_\_

Township File No.: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

Date Fee Paid: \_\_\_\_\_

Date Advertised: \_\_\_\_\_

Date Property Posted: \_\_\_\_\_

Date Township Building Posted: \_\_\_\_\_

Date Notices Sent to Interested Parties: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Board Decision: \_\_\_\_\_