

Bond Case Briefs

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ZONING & PLANNING - PENNSYLVANIA

Circleville Road Partners, L.P. v. Township of Ferguson

Commonwealth Court of Pennsylvania - May 15, 2019 - A.3d - 2019 WL 2111827

Landowner sought review of decision by township planning commission changing zoning ordinance.

The Common Pleas Court issued order in favor of commission, and landowner appealed.

The Commonwealth Court held that:

- Zoning ordinance change which permitted use “by one family or up to four unrelated persons” did not change definition of family;
- Permitted use “by one family or up to four unrelated persons” was in keeping with purpose of traditional town development (TTD) mixed use zoning district;
- Changes permitting drive-through services, did not create new land use category;
- New standards for board of supervisors to grant modifications from design elements did not constitute map change;
- Adjustments to existing design and dimension standards did not create new zoning scheme; and
- Changes were not so comprehensive as to result in substantial change to single tract of land as compared to other similarly situated properties in district.