
ZONING & PLANNING - PENNSYLVANIA

Soland v. Zoning Hearing Board of East Bradford Township

Supreme Court of Pennsylvania - November 18, 2026 - A.3d - 2026 WL 3543655

Neighboring property owners and township board of supervisors appealed decision from township's zoning hearing board, which granted applicants' variance request to utilize unoccupied tenant house, a Class II historic property, for proposed bed and breakfast (B&B) estate rather than owner-occupied building classified as Class I historic resource for B&B guest rooms, as required by township's zoning ordinance.

The Court of Common Pleas reversed. Applicants appealed. The Commonwealth Court reversed. Township board of supervisors and neighboring property owners filed separate petitions for allowance of appeal, which were granted and appeals were consolidated.

The Supreme Court held that:

- As matter of first impression, de minimis doctrine is not applicable to use variances, and
- Township's zoning hearing board erred in granting application.

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