



The Borough of Phoenixville  
CHESTER COUNTY, PENNSYLVANIA

Borough Hall, 351 Bridge Street, Phoenixville, PA 19460  
Phone: (610) 933-8801 [www.phoenixville.org](http://www.phoenixville.org)

## REQUEST FOR PRELIMINARY OPINION

### THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE (MPC) SECTION 916.2 PROVIDES THE FOLLOWING:

*Procedure to Obtain Preliminary Opinion. In order not to unreasonably delay the time when a landowner may secure assurance that the ordinance or map under which he proposed to build is free from challenge, and recognizing that the procedure for preliminary approval of his development may be too cumbersome or may be unavailable, the landowner may advance the date from which time for any challenge to the ordinance or map will run under section 914.1 by the following procedure:*

*(1) The **landowner** may submit plans and other materials describing his proposed use or development to the zoning officer for a preliminary opinion as to their compliance with the applicable ordinances and maps. Such plans and other materials shall not be required to meet the standards prescribed for preliminary, tentative or final approval or for the issuance of a building permit so long as they provide reasonable notice of the proposed use or development and a sufficient basis for a preliminary opinion as to its compliance.*

*(2) If the zoning officer's preliminary opinion is that the use or development complies with the ordinance or map, notice thereof shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall include a general description of the proposed use or development and its location, by some readily identifiable directive, and the place and times where the plans and other materials may be examined by the public. The favorable preliminary approval under section 914.1 and the time therein specified for commencing a proceeding with the board shall run from the time when the second notice thereof has been published.*

- \* If the requestor/entity is an equitable owner, a redacted copy of the AOS shall be provided;
- \* If the requestor/entity is a tenant, a redacted copy of a valid lease shall be provided;
- \* If the requestor/entity is an agent, a redacted copy of the deed/AOS/lease/contract and a letter of consent from the landowner/principal shall be provided.

This request shall be accompanied by the necessary documentation, as well as a list of required documents, including but not limited to:

- (i) a plan prepared by a licensed engineer, surveyor or architect;
- (ii) a clear statement of the proposed use of the property; and
- (iii) a clear statement of the existing use of the property.