

Pennsylvania real estate zoning dispute leads to deadly consequences

Written by Australian Business

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A Pennsylvania resident burst into a municipal meeting in his rural town located northeast of Allentown spraying gunfire, killing three people and wounding two others. According to Associated Press accounts, the man had been feuding with local city officials over alleged zoning and sewer regulation violations.

Last year, the city took the man to court and he was ordered to clean up his dilapidated property or leave his home of 20 years. When the issue was not resolved, the man took matters into his own hands, forever changing the town of 5,000 people.

In a less heated land use dispute, a Scranton business filed a lawsuit against that city's zoning board after board members denied its request for a variance. The real estate company was hoping to receive formal zoning approval to expand and operate a residential treatment facility that provided life-skills training and special counseling for men. The business claims that board members exhibited bias and prejudice during the hearing and sued for approval of the variance request.

While most zoning and land use disputes do not normally lead to these extremes, many can be complicated and even heated, requiring litigation or other types of legal involvement.

Common zoning and land use issues

Nearly everyone seeking to purchase, develop, lease or otherwise use real estate in Pennsylvania must deal with zoning and land use issues at some point. Real estate developers and companies doing business in the state, as well as individual property owners, must comply with rules and regulations regarding such issues as the following:-Zoning-Special or conditional uses-Variances-Subdivisions and land developments-Compliance with comprehensive plans-Signage-Flood plain management

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Compliance with various law and ordinances can be quite complicated as each county, township and city within Pennsylvania may have varying rules. For example, one township may allow flashing neon billboards while the next township -- just a few miles away -- may ban roadside billboards altogether.

Avoiding real estate complications

Many real estate issues may not rise to the level of a dispute, but they can create complications for those property owners and tenants affected by such issues as encroachments, rights of way, easements and access rights.

When facing or anticipating a possible conflict or question regarding land use or zoning, consult an experienced real estate attorney. A lawyer knowledgeable about real estate issues may be able to help you avoid a potentially litigious situation or guide you through negotiations with neighbors or processes and hearings before governing boards.