



South Middleton Township  
520 Park Drive, Boiling Springs, PA 17007-9536  
PHONE: (717) 258-5324 FAX: (717) 258-3577  
www.smiddleton.com

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**SOUTH MIDDLETON TOWNSHIP**

**APPLICATION TO ZONING HEARING BOARD**

Application No. \_\_\_\_\_ Date: \_\_\_\_\_

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TYPE OF MATTER

- SPECIAL EXCEPTION     VARIANCE:     Use     Dimensional
- APPEAL FROM DETERMINATION OF ZONING OFFICER/MUNICIPAL ENGINEER
- VALIDITY CHALLENGE TO LAND USE ORDINANCE:     Substantive     Procedural
- Other  (Describe) \_\_\_\_\_
- 

1. **APPLICANT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

2. **PROPERTY OWNER (if other than Applicant):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

3. **ATTORNEY WILL ( ) WILL NOT ( ) REPRESENT THE APPLICANT AT THE HEARING:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

4. **PROPERTY AT ISSUE:**

Address: \_\_\_\_\_

Tax Map & Parcel # \_\_\_\_\_ (*Attach copy of Tax Map*)

Dimensions: Width \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_

If shown on Subdivision Plan:

Lot# \_\_\_\_\_ Name of Subdivision \_\_\_\_\_

Recorded in Plan Book \_\_\_\_\_, Page \_\_\_\_\_ (*Attach copy of Subdivision Plan*)

Public Water: Yes ( ) No ( )                      Public Sewer: Yes ( ) No ( )

Zoning District \_\_\_\_\_

Prior Applications: \_\_\_\_\_  
(*Date, Number & Result*)

Present Use: \_\_\_\_\_

5. **PROPOSED USE:** \_\_\_\_\_

6. **APPLICANT'S INTEREST IN THE PROPERTY:**

( ) Owner

Date title acquired \_\_\_\_\_ (*Attach copy of deed*)

( ) Contract Purchaser

Date of Contract \_\_\_\_\_ (*Attach copy of contract*)

( ) Other

Date interest acquired \_\_\_\_\_ (*Explain and attach copies of relevant documents*) \_\_\_\_\_

( ) None. I object to a determination of the Zoning Officer or Municipal Engineer that applies to someone else's property.

Determination objected to \_\_\_\_\_

Why & how I am affected by the determination \_\_\_\_\_

7. **NEARBY PROPERTY OWNERS:** (*Attach list of names & addresses of owners of all properties located within 100 feet*)

8. **ATTACH APPROPRIATE SPECIFIC FORM(S) FOR THIS APPLICATION:**

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I request a hearing on this Application.

Date: \_\_\_\_\_ Applicant

Fee \_\_\_\_\_

**Please Note: Owner, applicant or agent representing the owner, must be present at the hearing to present the application.**

**SPECIAL EXCEPTION (1<sup>st</sup> page)**

- A. Use for which Special Exception sought: \_\_\_\_\_
  
- B. Ordinance section authorizing the Special Exception: \_\_\_\_\_
  
- C. Explain how your proposed use would comply with the **Specific Standards** for the use you seek that are set forth in Section \_\_\_\_\_ of the South Middleton Township Zoning Ordinance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- D. Explain how your proposed use would comply with the **dimensional and other requirements** that are applicable to all uses in your zoning district: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- E. Explain how your proposed use would comply with the **General Standards** for Special Exceptions that are set forth in Section 2307(3) of the South Middleton Township Zoning Ordinance:
  - 1. The proposed use shall be consistent with the purpose and intent of the Zoning Ordinance: \_\_\_\_\_  
\_\_\_\_\_
  
  - 2. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties: \_\_\_\_\_  
\_\_\_\_\_

**SPECIAL EXCEPTION (2<sup>nd</sup> page)**

- 3. The proposed use will not substantially change the character of the subject property's neighborhood: \_\_\_\_\_  
\_\_\_\_\_
  
- 4. Adequate public facilities are available to serve the proposed use (e.g. schools, fire, police and ambulance protection, sewer, water and other utilities, vehicular access, etc.): \_\_\_\_\_  
\_\_\_\_\_
  
- 5. For development within the Floodplain Zone, that the application complies with those requirements listed in Section 1401 of this Ordinance: \_\_\_\_\_  
\_\_\_\_\_
  
- 6. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan: \_\_\_\_\_  
\_\_\_\_\_

F. Attach a survey, or other drawing drawn to scale, and/or a drawing of the interior layout of the buildings, appropriate to show how your property complies with the above mentioned requirements.

**VARIANCE (1<sup>st</sup> page)**

A. If a Use Variance:

Use for which Variance sought: \_\_\_\_\_

Zoning Ordinance section from which Variance sought: \_\_\_\_\_

B. If a Dimensional Variance:

Dimensional requirement from which Variance is sought: \_\_\_\_\_

Zoning Ordinance section which imposes the requirement: \_\_\_\_\_

If you claim that the deviation you request is *de minimus*, please explain how this is so \_\_\_\_\_

\_\_\_\_\_

C. Explain how:

The Zoning Ordinance provision you have mentioned inflicts unnecessary hardship upon you \_\_\_\_\_

\_\_\_\_\_

There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to your property and that the unnecessary hardship is due to such conditions and not circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VARIANCE (2<sup>nd</sup> page)**

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property. \_\_\_\_\_

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That the unnecessary hardship was not created by you: \_\_\_\_\_

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That the requested variance, if authorized, will not alter the essential character of the neighborhood or district in which property is located nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare: \_\_\_\_\_

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That the requested variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue:

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Attach a survey, or other drawing drawn to scale, and/or a drawing of the interior layout of the buildings, appropriate to show how your property complies with the above mentioned requirements.

**APPEAL FROM THE DETERMINATION OF  
ZONING OFFICER OR MUNICIPAL ENGINEER**

- A. Appellant is:     Owner of property at issue  
                           Officer or agency of Township  
                           Other person who is aggrieved by the determination
- B. Attach copy of the determination which is being appealed.
- C. If you are appealing a determination that applies to someone else's property,  
Explain how you are affected by the determination: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- D. Explain why you believe the determination is incorrect and should be reversed.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VALIDITY CHALLENGE (1<sup>st</sup> page)**

- A. Appellant is:  Owner of, or person interested in land that is adversely affected by the Zoning Ordinance.
- Person who is aggrieved by use(s) the Zoning Ordinance would allow on someone else's land.

B. State ordinances section being challenged: \_\_\_\_\_

- C. The Ordinance section is claimed to be invalid:  on its face
- only as applied to subject real estate

D. Give brief statement of grounds for challenge.

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