

SOUTH MIDDLETON TOWNSHIP

ZONING HEARING BOARD ELECTRONIC SUBMISSION

Submission of Zoning Hearing Board Applications

- A PDF file of the application and supporting documentation must be emailed to Natalie Frye, Community Development Coordinator, at nfrye@smiddleton.com.
- Ten (10) hard copies of the application and all supporting documentation should be submitted to the Township along with the application fee.
 - Residential Application Fee: \$350.00.
 - Commercial Application Fee: \$500.00.



South Middleton Township
520 Park Drive, Boiling Springs, PA 17007-9536
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www.smiddleton.com

SOUTH MIDDLETON TOWNSHIP

APPLICATION TO ZONING HEARING BOARD

Application No. _____ Date: _____

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 and how I am affected by the determination _____

7. ATTACH APPROPRIATE SPECIFIC FORM(S) FOR THIS APPLICATION.

I request a hearing on this Application.

Date: _____ Applicant

Fee: \$ _____

PLEASE NOTE: Owner and Applicant or Agent representing the owner must be present at the hearing to present the application.

SPECIAL EXCEPTION (1st 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 (2nd 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 (1st 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 (2nd 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. _____

That the unnecessary hardship was not created by you: _____

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: _____

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:

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 (1st 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.
