



HOPEWELL TOWNSHIP

**3336 Bridgeview Road PO Box 429
Stewartstown, PA 17363**

Zoning Hearing Application

An Application requesting a Zoning Hearing must be completed and filed before a hearing can be scheduled. All applicants must provide information for each item (except the box in the upper right corner) of the first section of the Application. Also, the appropriate section(s) (1, 2, and/or 3) must be completed. Finally, all applicants (with financial interest) must sign and date the Application at the bottom and file with the Township Zoning Officer, along with the filing fee. Only completed Applications will be scheduled for a hearing. A completed Application will be typed or written legibly and contain the following:

a) Application (5 copies required):

- i) Complete all information for each item in sections A, B, C, and D on page 3 of the Application and mark the applicable type of Application in Section E.
- ii) Complete the appropriate section(s) (1, 2, or 3) depending on your request. **DO NOT LEAVE ANY INFORMATION BLANK.**
- iii) The property owner must sign and date the appropriate section(s) of the Application. If the applicant is using a representative, a signed letter must be attached indicating the right of the representative to apply for applicant, process the Application and present at any hearing for the property owner.

b) Site Plan (5 copies required):

- i) Location and use of open spaces and structures and other improvements on the lot. Identifying required and existing setbacks, dimension of buildings, and lot coverage.
- ii) The names, widths, and right-of-way of abutting streets and highways.
- iii) Proposed off-street parking and loading areas, access drives, and walks, if any.
- iv) It is preferred to have a plan size no larger than 11" x 17". Larger plans may be submitted, but reduced copies must also be provided.
- v) No rolled plans will be accepted.

c) Additional information (5 copies required if applicable):

- i) Building plans, ground floor plans and elevations of existing and/or proposed (if applicable).
- ii) Photographs showing site conditions.

d) Names and addresses of adjoining property owners, including owners of properties across public streets from the property in question.

e) Filing fee: \$1,500.00 (this must be paid at the time of filing the Application).

- i) This fee may only partially cover the extra cost to the municipality of investigating and processing the Application through its various stages. Any additional expenses incurred by the municipality will be billed to the applicant.
- ii) Public notice shall be given and the property that is the subject of the Application shall be posted as required by the Municipalities Planning Code and the Hopewell Township Zoning Ordinance and Zoning Hearing Board procedures.
- iii) In addition, the Zoning Officer shall mail or deliver written notice of the Application to the adjacent property owners shown in the Application and such notice shall specify the dates on which the Application will be reviewed by the Planning Commission and heard by the Zoning Hearing Board.

f) **Once all items are complete, the applicant will be notified of the scheduled hearing date.**

NOTE TO APPLICANTS FOR VARIANCES: A Variance is really a permit to violate the Zoning Ordinance. It reverses and destroys a decision which was made when the Ordinance was adopted. Therefore, **variances will be granted only with the greatest reluctance and after the most careful study** in instances where the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. The Zoning Hearing Board has no authority to grant a Variance unless the following findings are made:

- i. There are unique physical circumstances or conditions, including (1) irregularity, narrowness, or shallowness of lot size or shape, or (2) exceptional topographical or other physical conditions peculiar to the particular property, and is not due to circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or zone in which the property is located.
- ii. Because of these physical circumstances or conditions, the property cannot reasonably be used in strict conformity with the provisions of the Zoning Ordinance.
- iii. The unnecessary hardship is not financial in nature and has not been created by the appellant.
- iv. The Variance, if authorized, will not alter the essential character of the neighborhood or zone in which the property is located, not substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- v. The Variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

NOTE TO APPLICANTS FOR SPECIAL EXCEPTIONS: A Special Exception may be granted when the Zoning Hearing Board finds from a preponderance of the evidence produced at the hearing that:

- i. The proposed use, including its nature, intensity and location, is in harmony with the orderly and appropriate development of the zone.
- ii. Adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use.
- iii. The use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the proposed use and/or location, nature and height of buildings, walls, and fences.
- iv. The use will have proper location with respect to existing or future streets giving access to it, and will not create traffic congestion or cause large amounts of commercial or industrial traffic to use residential streets.
- v. The specific standards set forth for each particular use for which a Special Exception may be granted have been met.

The burden is on the applicant to prove all standards for a Variance or Special Exception.

| For Township Use Only | | | |
|---------------------------------|---------------------|-----------------------|--|
| | Zoning Case # _____ | | |
| Application filed _____ | | Fee Paid _____ | |
| Hearing Advertised _____ | | Hearing Date _____ | |
| Notice Mailed _____ | | Decision Made _____ | |
| Notice Posted on property _____ | | Decision Mailed _____ | |

APPLICATION FOR HEARING

A. Applicant's Name: _____
 Address: _____
 Phone Number: _____ Email Address _____

B. Property Owner's Name
 (if different than applicant): _____
 Address: _____
 Phone Number: _____

C. Consultant's Name
 (if different than applicant): _____
 Address: _____
 Phone Number: _____ Email Address _____

D. Tax Map: _____ Parcel: _____ Zoning Dist. _____

Property Address: _____

Date purchased: _____

Lot Size: Acreage _____ -or- _____ sq. ft.

Present Use: _____

Proposed Use: _____

E. Please choose the following:

APPEAL
 (Refer to Section 1)

SPECIAL EXCEPTION
 (Refer to Section 2)

VARIANCE
 (Refer to Section 3)

SECTION 2: REQUEST FOR SPECIAL EXCEPTION

Name of specific sections of the Zoning Ordinance under which Application is being filed: _____

Brief description of proposed use: _____

A. Comply with all applicable provisions and be consistent with the purpose and intent of the Zoning Ordinance as follows: _____

B. Not detract from the use and enjoyment of adjoining or nearby properties as follows: _____

C. Will have proper location with respect to existing and future streets and not be burdensome to traffic as follows: _____

D. Proper accommodations as required by the Zoning Ordinance will be made for water, drainage and sewer as follows:

E. Meets/will meet the specific standards of Section _____ of the Zoning Ordinance as follows:

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

* Signature

Date

*** If other than property owner, authorization from owner to sign must be attached.**

SECTION 3: REQUEST FOR VARIANCE

Name of specific sections in Zoning Ordinance for which Variance is requested: _____

Brief description of nature of Variance requested: _____

The standards for a variance can be met as follows:

- A. The nature of the unique physical circumstances or conditions peculiar to the property which are not due to or created by the Zoning Ordinance as follows: _____

- B. Because of those physical circumstances or conditions, the property cannot reasonably be used in strict conformity with the Zoning Ordinance as follows: _____

- C. The unnecessary hardship has not been created by the Applicant as follows: _____

- D. The variance will not alter the essential character of the neighborhood, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare as follows: _____

E. The variance will represent the minimum variance which will afford relief and will represent the least modification possible of the regulation at issue as follows: _____

I hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

* Signature

Date

*** If other than property owner, authorization from owner to sign must be attached.**