

EAST PETERSBURG BOROUGH COUNCIL
APPLICATION FOR CONDITIONAL USE
(Section 704)

GENERAL INFORMATION:

Name of the Applicant: _____

Address of the Applicant: _____

Applicant's Telephone: Home: _____ Work: _____

Subject Property Location: _____

Subject Property Zone _____

Requested Use _____

Name, address and telephone of representative or consultant: _____

ADDITIONAL REQUIREMENTS (Include 10 copies of each of the following):

- Written report providing all of the information required by Sections 701.2 and 701.3 of the Zoning Ordinance;
- Listing of names and addresses of adjoining property owners, including properties directly across a public right-of-way;
- Ground floor plans and elevations of proposed structures;
- A scaled site plan of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance;
- A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of the Zoning Ordinance, including the following:
 - A) Each of the Specific Criteria attached to the requested conditional use as listed in Article 4 of the Zoning Ordinance;
 - B) The Zone requirements in which the subject property is located (e.g. setbacks, lot area, lot width, lot coverage, height, landscaping and etc);
 - C) The General Provisions requirements listed in Article 3 of the Zoning Ordinance (e.g. vehicular access, off-street parking and loading, signs, screening and landscaping and etc.); and
 - D) Each of the General Criteria listed in Section 704.2 of the Zoning Ordinance.

FEES

1. The hearing fee for a conditional use is \$500 pursuant to Section 702 of the Zoning Ordinance.
2. The applicant may be required to pay all public notice and advertising costs as specified in Sections 704.5 and 603.1.b of the Zoning Ordinance.
3. The applicant shall pay for one-half (1/2) of the stenographer's appearance fee as specified in Sections 704.5 and 603.7 of the Zoning Ordinance.

SIGNATURE

I hereby certify that the information submitted in accordance with this application is correct, and I further agree to pay those costs outlined above.

Applicant's Signature Date

ADMINISTRATION

Date Application Accepted _____ Total Costs _____

Dates Advertised (two successive weeks no more than 30 and no less than 7 days before hearing)

Property Posting (at least one week before hearing) _____

Planning Commission Submission Date (no less than 30 days before public hearing) _____

Planning Commission Hearing Date & Recommendation _____

Date of Hearing (within 60 days of application) _____

Date of Decision (within 45 days of last hearing) _____

Decision _____

President Vice President Secretary

SECTION 701 ZONING PERMITS, TEMPORARY USE PERMITS, AND
CERTIFICATES OF OCCUPANCY

1. General

- a) A zoning permit shall be require prior to a change in use of land or structure or the erection, construction or alteration of any structure or portion thereof that has a value in excess of \$100.00, the alteration development of any improved or unimproved real estate, including but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations or the erection or alteration of any signs not listed in Section 313.3.a) of this Ordinance. Zoning permits shall also be required for the construction or installation of animal waste impoundments, lakes, ponds, dams, or other water retention basins. No zoning permit shall be required for repairs or maintenance of any structure or land provided such repairs do not change the use or otherwise violate the provisions of this Ordinance.
- b) Application for zoning permits shall be made in writing to the Zoning Officer.
- c) Such zoning permits shall be granted or refused within thirty (30) days from date of application. If the permit is refused the Zoning Officer shall inform the applicant of his right of appeal to the Zoning Hearing Board.
- d) No zoning permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the Courts.
- e) In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed use to meet all the requirements of this Ordinance, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied.
- f) The parcel or parcels shall be in a single and full ownership or proof of option shall be furnished at the time of application.

2. Application for All Zoning Permits

- a) Applications shall contain a general description of the proposed work, development, use of occupancy of all parts of the structure or land and shall be accompanied by plans in duplicate drawn to scale and showing the following:
 - 1) Actual dimensions and shape of lot to be developed;
 - 2) Exact location and dimensions of any structures to be erected, constructed and altered;

- 3) Existing and proposed uses, including the number of occupied units, businesses and etc., all structures are designed to accommodate;
 - 4) Off-street parking and loading spaces;
 - 5) Utility systems affected and proposed;
 - 6) Alteration or development of any improved or unimproved real estate;
 - 7) The size of structures and the number of employees anticipated; and,
 - 8) Any other lawful information that may be required by the Zoning Officer to determine compliance with this Ordinance.
- b) If the proposed development, excavation or construction is located within the Floodplain Zone, the following information is specifically required to accompany all applications:
- 1) The accurate location of the floodplain and floodway;
 - 2) The elevation, in relation to the National Geodetic Vertical Datum of 1929 (NGVD), of the lowest floor, including basements; and
 - 3) The elevation, in relation to the NGVD, to which all structures and utilities will be floodproofed or elevated.
3. Application for Zoning Permits for Uses in All Commercial and Industrial Zones
- a) A location plan showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred (200) feet from all tract boundaries.
 - b) A plot plan of the lot showing the location of all existing and proposed buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, parking stalls, access from streets, screening fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the lot, and the location of all topographical features.
 - c) A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.
 - d) Engineering plans for treatment and disposal of sewage and industrial waste, tailings or unusable by-products.
 - e) Engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation.

- f) Designation of the manner by which sanitary sewage and storm water shall be disposed and water supply obtained.
- g) The proposed number of shifts to be worked and the maximum number of employees on each shift.
- h) Where use by more than one firm is anticipated, a list of firms which are likely to be located in the center, their floor area, and estimated number of employees.

4. Temporary Use Permit

A temporary permit may be authorized by the Zoning Hearing Board, subject to the requirements of Section 604.3 of this Ordinance, for a nonconforming structure or use which it deems beneficial to the public health or general welfare or which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Borough. Such a permit shall be issued for a specified period of time not exceeding one (1) year, and may be renewed annually for an aggregate period of not more than three (3) years.

5. Expiration of Permits

No permit for the erection, razing, change, alteration or removal of buildings shall be valid or effective after six (6) months from the date of issuance thereof and shall thereafter be void, unless the work authorized by such permit shall have been substantially commenced within six (6) months from the date of issuance and proceeded with, with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by reason of any reasonable cause not due to his own negligence, the permit may be renewed without additional cost to the applicant.

6. Certificate of Occupancy

- a) Upon completion of the erection or alteration of any building or portion thereof authorized by any permit and prior to occupancy or use, the holder of such permit shall notify the Zoning Officer of such completion. No permit shall be considered complete or permanently effective, nor shall any building be occupied or lot used, until said official has issued an occupancy permit certifying that the work has been inspected and approved as being in conformity with the permit and the provisions of this and other applicable Ordinances.
- b) In commercial and industrial zones in which performance standards are imposed, no certificate of occupancy shall become permanent until thirty (30) days after the facility is fully operating when, upon a reinspection by the Zoning Officer, it is determined that the facility is in compliance with all performance standards.

- c) Certificate of occupancy shall be granted or denied within thirty (30) days from the date of application.

SECTION 702 FEES

1. Determination

All fees shall be determined by the Borough Council, and a schedule of such shall be made available to the general public. The Borough Council may reevaluate the fee schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Ordinance and may be adopted at any public meeting of the Borough Council by resolution.

SECTION 703 AMENDMENTS

1. Power of Amendment

The Borough Council may from time to time, after public notice (as defined herein) and hearing as hereinafter prescribed, amend, supplement, change or repeal this Ordinance including the Official Zoning Map. Any amendment, supplement, change or repeal may be initiated by the Borough Planning Commission, the Borough Council or by a petition to the Borough Council by an interested party.

2. Hearing and Enactment Procedure for Zoning Amendments

- a) Public Hearing - Before hearing and enacting Zoning Ordinance and/or Zoning Map amendments, the Borough Council shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice (as defined herein and listed below) has been given.
- b) Public Notice - Before conducting a public hearing, the Borough Council shall provide public notice as follows:
 - i. Notice shall be published once each week for two successive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days, and the second publication shall not be less than seven days from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the Borough Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:
 - A copy of the full text shall be supplied to a newspaper of general circulation in the Borough at the time the public notice is published; and,