

CITY OF BRADFORD

USE VARIANCE APPLICATION

For Office Use Only

Application #:

Hearing Date/Time:

Date: _____

To: The Zoning Hearing Board

I _____

I _____
(applicant, if different from owner) (relationship to owner)

hereby make application to the Zoning Hearing Board of the City of Bradford, Pennsylvania for a Use Variance to permit the premises known as _____
(location)

to vary from the use requirements of the Zoning Law.

Detailed description of request: _____

This variance, if granted, will vary from the requirement(s) of:

Article _____	Section _____	of the Zoning Law.
Article _____	Section _____	of the Zoning Law.
Article _____	Section _____	of the Zoning Law.
Article _____	Section _____	of the Zoning Law.

In making its determination, the Zoning Hearing Board shall take into consideration showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate and the Zoning Hearing Board shall find that:

- (1.) Under the applicable regulations of this Law the applicant is deprived of all reasonable economic use or benefit from the property in question, which deprivation must be established by competent financial evidence: and
- (2.) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; and
- (3.) That the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4.) That the alleged hardship has not been self-created.
- (5.) Adjacent nonconforming uses. Where on an adjoining lot on both sides, in the case of an interior lot, or where on both the side and rear of the lot or on all other corners of an intersection, in the case of a corner lot, there are buildings or uses which do not conform to regulations prescribed in this Part 1 for the district in which said lot is located. In considering such appeal, the Zoning Hearing Board shall give due regard to the nature and conditions of all adjacent uses and structures, and in granting any such appeal the Zoning Hearing Board may impose special requirements and conditions for the protection of conforming uses and the ultimate removal of nonconforming uses and structures. In any case, the variance as to the use or uses permitted on any lot, whether principal or accessory, shall not allow a use or combination of uses more intensive or less restricted than any use

(5.) Adjacent nonconforming uses (continued)

which is legally existing on premises adjoining on either side of said interior lot or on premises adjoining on the side or rear of the lot or any other corner of the intersection in the case of said corner lot.

(6.) Nonconforming building.

(a.) Where because the principal building on any premises was originally lawfully erected and intended for a principal use which would now be a nonconforming use in the district in which located and the right to continue or reestablish such nonconforming use in such building is denied by the provisions of Article VII of this Part 1 the literal enforcement of such provisions would result in peculiar and exceptional difficulties or exceptional and undue hardship upon the owner of such property.

(b.) In considering such appeal, the Zoning Hearing Board shall give due regard to the age and condition of such building and its adaptability for or convertibility to a conforming use. In approving any such appeal, the Zoning Hearing Board shall specify the time limit during which such grant of a variance shall be effective, which time limit shall in no case exceed the estimated useful life of such building. In case the building has been condemned by the Building Inspector and ordered to be demolished, the Zoning Hearing Board shall not grant any such appeal.

It is the responsibility of the applicant to present evidence sufficient to satisfy the Zoning Hearing Board that the above standards proving unnecessary hardship have been met.

(owner's signature)

(date)

(applicant's signature)

(date)