



ZONING HEARING APPLICATION

Official Use Only:	Date Received:	Application complete? Y N	Date of contact for incomp. app.	Date of Complete Application:
Hearing Date:			Approved / Denied Date:	

Please fill in every part of this application and pay the application fee at the time of submission. The zoning ordinance is online at www.manheimboro.org for reference and review to provide necessary information to this application. Certain applications may require plans and other additional exhibits to be submitted with this form. **If you do not submit everything that the ordinance requires your application may be denied and the hearing delayed.**

Name of the Applicant _____

Address of the Applicant _____

Phone _____

Email _____

Property Address _____

Zone _____

THIS IS AN APPLICATION FOR (Check All that Apply):

- ☐ A Variance - Complete Section I : reference s/s 220-107 D
- ☐ A Special Exception – Complete Section II : reference s/s 220-107 C
- ☐ An Appeal to the Zoning Officers Decision – Complete Section III : reference s/s 220-107 E

➤ Whose name is on the Deed to the property _____

- ♦ If the Applicants name is not on the deed state, the address of the legal owner

- ♦ If the Applicant is not on the deed explain what interest you have in the property (option to buy, lease, etc.) _____

I acknowledge that I am entitled to have a hearing on this Application within 60 days after submission of a complete Application and fee(s); I waive the right and extend to the Zoning Hearing Board 75 days in which to hold the hearing.

_____ Yes _____ No

I have read and understand the applicable Zoning Ordinance sections and any associated information from the PA Municipalities Planning Code, Act of 1968 and hereby certify that the information submitted in this Application is true and correct and I further agree to pay all costs outlined in the adopted fee schedule.

FOR VARIANCE ONLY – Section I

A Variance is a modification of any provision of this chapter granted by the Zoning Hearing Board subject to findings specific to s/s 220-107 D of the Zoning Ordinance.

Explain the purpose for which a Variance is sought (what do you want to do with the property; what is the current Use)

The Board may grant a Variance provided that **all** of the following findings are made *where relevant* in a case:

- ♦ That there are unique physical circumstances or conditions peculiar to the property and that the hardship is due to such conditions and **not** the circumstances or conditions generally created by the provisions of this Ordinance in the neighborhood or zone in which the property is located.
- ♦ That due to conditions as stated above that there is **no possibility** that the property can be developed in conformity with the Zoning requirements of the zone.
- ♦ That such unnecessary hardship **has not been created** by the Appellant
- ♦ That if granted that the essential character of the zone or neighborhood in which the property is located has not been altered, nor impair the appropriate use or development of an adjacent property or be detrimental to public welfare.
- ♦ That if granted the variance will represent the least modifications possible but still able to afford relief.

Monetary loss or gain is not a consideration in granting a variance.

What section(s) of the Manheim Borough Zoning Ordinance are you requesting a variance from

What is the hardship on which your Application is based

FOR SPECIAL EXCEPTION ONLY – Section II

A Special Exception is a Use that is permitted and compatible within particular zones once specific criteria has been met. Special Exception uses are listed by zone and approved by the Zoning Hearing Board in accordance with s/s 220-107 C of the Zoning Ordinance.

Explain the purpose for which a Special Exception is sought

What section(s) of the Manheim Borough Zoning Ordinance allows the Special Exception you are requesting

FOR AN APPEAL TO THE ZONING OFFICERS DECISION ONLY – SECTION III

Please include a written description of the appeal with sufficient detail to explain the reasons for the appeal. Include a referenced section of the specific Ordinance language, if applicable, a site plan to demonstrate the nature of the appeal. Include an explanation of how the Zoning Officer erred in his determination. Additional pages may be attached.

FILING REQUIREMENTS

Applicant Checklist – All of the boxes must be checked, or your Application may not be processed:

- ☐ **The original and 6 copies (total of 7)** of a completed Application submitted at least 4 weeks in advance of the hearing. No attachments shall be larger than legal size paper; larger plans, photos, etc. may be presented at the hearing. Please advise this office if any specific equipment may be needed for your presentation and we will do our best to accommodate.
- ☐ All specified material(s) required for your request per the appropriate section of the Zoning Ordinance as noted in the application.

- ☐ Current Zoning Hearing fee is \$900 per the Manheim Borough fee schedule. These fees cover a portion of the total costs related to zoning hearings.

To ensure that your Application is complete it is recommended that you refer to the appropriate section in s/s 220-107 of the Manheim Borough Zoning Ordinance for what documents, information and other exhibits is required and/or can be offered to support your case.

This is a legal proceeding; it may be advisable to contact your attorney to assist and/or represent you at the hearing. Submitting an application and fee does not ensure that your request will be approved by the Zoning Hearing Board.

Any person with a disability requiring special accommodation to attend or participate in the Hearing may call the Borough Office at 717-665-2461 no less than 3 working days prior to the meeting. The Borough will make every effort to provide reasonable accommodation.

The Manheim Borough Zoning Hearing Board is scheduled to meet in Council Chambers at 60 W Colebrook Street, Manheim, PA every first Monday of the month at 7:00 unless advertised differently. If there is no application(s) for the agenda the meeting is automatically cancelled.

Within 45 days of the hearing at which the Zoning Hearing Board votes to approve or deny your application, a written Zoning Hearing Decision will be issued which will state the findings of facts, conclusions of law, and the decision that was made, including any conditions associated with an approval. One of the standard conditions for all approvals is compliance with all applicable ordinances, rules, and regulations, which includes obtaining the necessary zoning permit(s).

Upon issuance of the written Zoning Hearing Decision, a 30-day appeal period begins during which those who may be affected by the Decision may appeal the Decision.

If your zoning hearing application is approved, you will need to submit a zoning permit application, including all documentation necessary to demonstrate conformity to the conditions that were part of the Zoning Hearing Board Decision. You will not need to resubmit any information necessary to issue the permit that you have already submitted with your zoning hearing application...we will only need any missing pieces and/or additional information necessitated by the Decision.

Please note that a zoning permit will not be issued until after the written Decision is issued. Additionally, a zoning permit will not be issued until after the expiration of the appeal period unless specifically requested by the applicant. For such requests, please note that by commencing construction or use of the property, the applicant understands and agrees that the applicant is assuming the risk that no appeal will be filed to the zoning decision, or that if an appeal is filed, it will end favorably for the applicant. The applicant also understands that should an appeal be filed, depending on the outcome of the appeal, it is possible that the zoning permit may be revoked, the use may be required to be discontinued, and any structures/facilities constructed may be required to be removed and prior conditions restored.

You may also need stormwater, floodplain, building code, and/or other agency approvals depending on the nature and location of your project. If you have questions about such approvals, the borough office can direct you to the appropriate agency/person to assist you.

Signature of Applicant _____ Date _____
Printed Name _____

Signature of Property Owner If different than applicant _____ Date _____
Printed Name _____