

CONDITIONAL USE APPLICATION

Permit must be submitted to:

Malvern Borough Administration

1 East First Avenue, Suite 3, Malvern, PA 19355

(Mon-Fri 9:00am-12:00pm, 1:00pm-5:00pm)

Remit Payment Online

www.malvern.org

Five (5) copies of the completed application and seventeen (17) copies of associated site plans, complying with Article XXIX, Section 2910.B.2.b of the Zoning Ordinance as well as any other exhibits shall be provided.

Fee(s): Residential Application = \$1,000.00 Non-Residential Application = \$2,000.00
\$400.00 per continued hearing

1. APPLICANT INFORMATION

Applicant Name:

First

Last

Applicant Address:

Street

City

ZIP Code

Contact Information:

Phone

Email

2. PROPERTY INFORMATION

Property Location (if different):

Street

Tax Parcel #:

Zoning District:

Property Owner's Name:

Use Type: ☐ Residential ☐ Commercial ☐ Industrial ☐ Nonconforming

This application is part of a Land Development Project: ☐ YES ☐ NO

3. CONDITIONAL USE DESCRIPTION

Describe, in detail, the proposed conditional use, including specific Zoning Ordinance references related to the use:

4. REQUIRED DOCUMENTS

The following documentation must accompany all applications in accordance with section 220-2910.B. of the Malvern Borough Zoning Ordinance:

- A site plan containing the following information:
 - A site plan depicting the size and location of the proposed use.
 - Documentation of all proposed buildings and all proposed accessory facilities, including location, dimensions, use, coverage, height, and any proposed improvements where applicable, in relation to the property and street lines.
 - If requesting Conditional Use approval related to increased building coverage or building height as provided in any base residential zoning district, site plans, and architectural renderings shall be provided to demonstrate to the satisfaction of Borough Council that building mass, scale, proportions, and form of new construction, including rooflines, reflect those generally characteristic of Malvern Borough. Information on the interpretation of “general characteristic” has been attached.
 - Features that present compliance with all applicable area, width, coverage, yard, and design standards.
 - The location, dimension, and arrangements of proposed facilities including sidewalks, roads, access drives, off-street parking loading and unloading, and parking areas.
 - The location, dimensions, and arrangement of any areas devoted to open space, buffer areas, landscaping, or recreation.
 - Provisions for handling of stormwater drainage, disposal of wastewater, and supply of water.
- A narrative outlining how the application meets the standards for review of a Conditional Use application found in section 220-2910.D. of the Malvern Borough Zoning Ordinance.

5. SIGNATURES

I declare that this application has been examined by me and to the best of my knowledge believe is a true, correct and complete application. I hereby apply for a Conditional Use, as described below, in accordance with Article XXIX, Section 2910 of the 2003 Malvern Borough Zoning Ordinance.

Applicant Signature: _____ **Date:** _____

Property Owner Signature: _____ **Date:** _____

6. BOROUGH OFFICIAL USE

Fee Amount Paid: \$ _____ **Date:** _____

Date Application Deemed Complete: _____ **CU Application #:** _____

Date Application Deemed Not Complete: _____

Reason for Not Being Complete: _____

Date of Correspondence to Applicant Detailing Deficiencies: _____

Signature of Borough Official: _____

Title of Borough Official: _____

I. “GENERALLY CHARACTERISTIC” – SECTION 220-2910.B(2)(b)[2]

- Window size and placement should minimize direct views onto neighboring properties bordering on any side yard to respect privacy.
- Where overall building mass or scale, or proportions of component parts, including dormer or shed roofs, bays, or overhangs, are larger than the average mass, scale, or proportions exhibited in residences within 500 feet and that fall within the same zoning district as the proposed construction, building mass and roof lines should be broken so that the constituent parts more closely reflect traditional residential construction.
- Buildings should include pedestrian scale elements such as porches and porticos.
- Box-like straight facades and flat roofs should be avoided.
- Peaked roofs at approximately 8/12 rise-over-run ratio are encouraged.
- Gables should be broken where necessary such that the rise in a peaked roof does not exceed 12 feet.
- Building height should not impose upon residential buildings on adjacent properties by being more than 10 feet higher at or near the minimum side yard.
- Garage doors should be designed to recede from view due to greater prominence of other architectural features.
- Attached garages with more than two bays should be accessed from the side or rear of the residence where feasible; detached garages at the rear of the lot are encouraged.

II. STANDARDS FOR REVIEW OF PROPOSED CONDITIONAL USE – SECTION 220 – 2910. D.

1. The proposed use shall meet all of the specific standards and regulations for eligibility which appear in the sections of this chapter authorizing and governing the proposed conditional use.
2. The proposed use is consistent with the purpose of the article whereby it is permitted, the overall purpose of the zoning as contained in Article I, and Borough Comprehensive Plan policies. The proposed use will satisfy all of the relevant provisions and requirements of the Malvern Borough Subdivision and Land Development Ordinance and any other applicable ordinance, code and/or regulations.
3. The proposed use shall be limited to those authorized as conditional uses within the zoning district in which the lot or parcel is located.
4. Consideration of the character and the type of development in the area surrounding the location for which the request is made, and a determination that the proposed change will constitute an appropriate use in the area and will not injure or detract from the use or value of the surrounding properties or from the character of the neighborhood.

5. If the development is to be carried out in successive stages, each stage shall be so planned that the condition and intent of this chapter shall be fully complied with at the completion stage.
6. The development, if more than one building, will consist of a harmonious grouping of buildings or other structures.
7. The proposed use will be in the public interest and serve the health, safety, and general welfare of the Borough.
8. The proposed use is consistent with, and will have no adverse effect upon, the logical extension of public services and utilities, such as public water, public sewer, police, fire protection, recreational opportunities, open space, and public schools.
9. Proposed new construction and proposed change in use of existing buildings will be compatible with and in keeping with the existing character of the neighborhood.
10. The proposed use reflects an environmentally sensitive approach to land planning and design, and will be sited in a manner sensitive to existing site conditions including streams, vegetation, and other natural resources.
11. The proposed use will provide safe and adequate access to roads, existing or proposed, and will not result in excessive traffic volumes or will make any improvements needed to guarantee compatibility with adjacent streets and public services.
12. The interior traffic circulation for the proposed use shall provide safe and convenient circulation for all users including vehicular and pedestrian modes. Emergency design considerations will be addressed in the proposed plan.
13. The adequacy of sanitation and public safety provisions shall be adequate and a certificate of adequacy of sewage and water facilities from a governmental health agency shall be provided where required or deemed necessary.
14. The proposed use will be developed using effective stormwater management techniques and soil erosion and sedimentation control techniques.
15. Sufficient land area is available to effectively screen the proposed conditional use from adjoining different uses if required by Borough Council.

PLEASE REFER TO THE MALVERN BOROUGH ZONING ORDINANCE FOR APPLICABLE REQUIREMENTS FOR CERTAIN USES PERMITTED BY CONDITIONAL USE IN EACH ZONING DISTRICT.