



CONESTOGA TOWNSHIP

3959 Main Street • Conestoga, PA 17516

Phone 717-872-4301 • Email Office@conestogatwp.com

ZONING HEARING BOARD SUBMISSION INSTRUCTIONS

1. Complete all information on the application.
2. Remit application fee per the Township Fee Schedule adopted by Resolution. Make check payable to Conestoga Township.
3. Submit ten (10) hardcopies and one (1) electronic of the Zoning Hearing Board Application along with the following:
 - a. Zoning / Building Permit Application if applicable.
 - b. Site Plan showing all existing and proposed buildings, structures, and other significant features, such as parking lots, driveways, sidewalks, easements, right-of-way's, etc. Building plans including floor plans are also required, if the application specifically involves issues related to a building interior. Plans may be hand drawn, but must be accurate and drawn to scale with a North arrow.
 - c. Application Supplemental Information Forms as appropriate and required.
 - d. Names and addresses of adjoining property owners including properties directly across a public way.
 - e. Documentation in evidence that the applicant is the owner or an equitable owner (such as an agreement of sale).

ADDITIONAL INFORMATION

1. If one or more items listed above are incomplete or missing, your application will not be processed, nor will it be assigned a case number or a hearing date. The application along with an explanation as to why the application was not accepted, will be returned for you to make the necessary corrections.
2. The owner of the subject property must sign the Application prior to acceptance and the scheduling of a hearing.
3. An application for consideration by the Zoning Hearing Board shall be received by the Township not less than 4 weeks prior to the date of the meeting.
4. The Conestoga Township Zoning Officer shall review the application and deem an application to be complete or incomplete within five (5) business days from the date of submission. If an application is deemed incomplete, the Zoning Officer shall return the application to the applicant informing the applicant of the deficiency or deficiencies. If the Zoning Officer fails to deem an application either complete or incomplete within the five (5) day period as specified, the application shall be deemed complete. Notwithstanding the foregoing, the Zoning Officer shall not be authorized to return appeals from a determination of the Zoning Officer.

ZONING HEARING BOARD SUBMISSION INSTRUCTIONS – Continued

5. Upon an application being deemed complete, Conestoga Township Zoning Hearing Board (Board) shall have sixty (60) days in which to initiate a hearing on an application unless an extension of time is granted by the applicant.
6. The Board has forty-five (45) days within which to render a formal decision following the closing of testimony.
7. A thirty (30) day appeal period follows the issuance of the formal written decision by the Board. Any party with an interest in the decision may appeal a decision of the Board by filing an appeal with the Lancaster County Court of Common Pleas, seeking to reverse, modify or limit a decision.
8. After a Variance, Special Exception, or other action has been authorized by the Zoning Hearing Board, the applicant shall secure the necessary permit(s) within one (1) year for the date of receipt of the formal decision or the time specified within the decision. Such construction shall be completed within one (1) year from the issuance of the necessary permit. Notwithstanding the foregoing, the Zoning Officer may, upon a written request and for good cause, extend the time in which to obtain a permit or time by which to complete the construction thereof.
9. Conestoga Township Code of Ordinances, which includes Chapter 320 Zoning, is available on-line at: <https://ecode360.com/CO4213> or a hardbound copy is available to use at the Township Municipal Office.
10. Applicant shall reimburse the Township for half the Stenographer's costs associated with the Zoning Hearing Board meeting(s) due within thirty (30) days of receipt or upon the issuance of any permit authorized by the decision of the Zoning Hearing Board, whichever date is earlier.

ZONING HEARING BOARD APPLICATION

PART I: APPLICANT INFORMATION

1. Applicant's Name: _____

Applicant's Address: _____

Email: _____ Phone # _____

2. Property Owner's Name(s)*: _____

Owner's Address: _____

*If applicant is not the owner(s) of the property.

3. Legal Representative Firm (if different from applicant): _____

Legal Representative Name: _____

Address: _____

Email: _____ Phone # _____

PART II: SUBJECT PROPERTY INFORMATION

1. Subject Property Location: _____

Zoning District: _____

Tax Map/Parcel #(s): _____

Deed Reference#(s): _____

2. Subject Property Existing Use(s): _____

Total Square Footage / Acreage of Subject Lot: _____ sq. ft. / _____ acres

ZONING HEARING BOARD APPLICATION - Continued

Request for hearing is hereby made for the Zoning Hearing Board to consider the following:

☐ **Variance** to Chapter 320 Zoning - Section(s) _____
The Variance relates to one or more of the following:
_____ Building Setback _____ Lot Coverage _____ Parking
_____ Lot Width _____ Lot Area _____ Bldg. Height
_____ Special Exception Standard(s)
_____ Other: _____

☐ **Special Exception(s)** to Chapter 320 Zoning - Section(s) _____
The Special Exception relates to the following:
_____ Use – Specify: _____
_____ Floodplain issues – Specify: _____
_____ Non-Conforming Use Expansion
_____ Non-Conforming Use Substitution

☐ **Interpretation of the Zoning Ordinance for Uses Not Provided (Chapter 320-134)**
Specify: _____

☐ **Modification** of a prior decision of the Zoning Hearing Board
Dated _____ and relates to _____

(Site specific condition(s) of the decision and briefly describe the terms of the condition.)

☐ **Appeal** of a denial of a Zoning Permit or Interpretation of a Section of Chapter 320
Zoning by the Zoning Officer.
Said Denial or Interpretation to Chapter 320 Zoning – Section(s) _____
And involves _____

(Site specific terms used in the Section of the Ordinance. It shall be the responsibility of the applicant to ensure accuracy of request.)

ZONING HEARING BOARD APPLICATION - Continued

PART III: APPLICANT / PROPERTY OWNER CERTIFICATION

I/We hereby certify, under penalty of law, that all statements made herein and contained on any related documents submitted herewith are true and accurate to the best of my/our knowledge and belief. If the Applicant is not the property owner of record, the property owner shall sign application signifying consent to this application being filed.

The Applicant and/or Property Owner authorizes Conestoga Township Officials to enter the property for a general site observation inspection.

The Applicant have been made aware, understands, and agrees to reimburse Conestoga Township for half the Stenographer's costs associated with the Zoning Hearing Board meeting(s).

Date: _____

Signature of Applicant

Print Name of Applicant

Date: _____

Signature of Property Owner(s)

Print Name of Property Owner(s)

Signature of Property Owner(s)

Print Name of Property Owner(s)

ZONING HEARING BOARD APPLICATION - Continued

The following pages contain a list of questions designed to assist you and the Zoning Hearing Board in the efficient and effective review of your application. Please thoroughly complete all areas, which are applicable to your application. Please type or legibly print your responses. If the space provided is insufficient, additional sheets may be attached.

PROJECT DESCRIPTION (All applicants complete this section)

1. Briefly describe the project for which the application has been filed. Give specific details about any structures being removed and/or constructed, explain what the property is currently being used for and proposed to be used for, etc.

2. Describe the location of the property based on streets, nearest intersections, and/or local landmarks.

3. What is the character and use of the adjoining property (or properties) and the neighborhood in general.

4. List any easements, right-of-way's and/or deed restrictions on the property (show on site plan).

ZONING HEARING BOARD APPLICATION - Continued

SUPPLEMENTAL INFORMATION FOR VARIANCE

If the application is for a variance from Chapter 320 Zoning, please complete this section.

1. A variance from Section(s): _____
2. Ordinance Requirement (use measurements as applicable): _____

3. Applicant's Proposal (use measurements as applicable): _____

4. Net Variance requested (subtract 3 from 2 above): _____
5. Is the information supplied in this application from a survey of the property by a registered surveyor? Circle: YES NO
If NO, how was the information for the application obtained? _____

A Variance is the process required if the proposed project fails to meet all of the requirements of the Zoning Ordinance. A Variance may be granted when, owing to special conditions, which are not the fault of the applicant, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship, which will not enable the applicant to utilize the land in any reasonable manner and meet the Ordinance requirement(s). Such hardships are recognized by state law to occur only where circumstances affecting the land are unique and solely related to that land and are not conditions that affect the entire neighborhood. Please complete the following questions:

1. What are the unique physical circumstances or conditions of the property which create the unnecessary hardship (i.e., irregular shape, narrowness, shallow lot depth, or unusual topography, etc.)

ZONING HEARING BOARD APPLICATION - Continued

SUPPLEMENTAL INFORMATION FOR VARIANCE

2. Explain how the unique physical circumstance or condition created the need for a variance. (i.e., unable to meet the required setback from property lines, maximum height or lot area restrictions, etc.)

3. Explain the anticipated impact that the granting of this variance will have in relationship to the adjacent properties and the essential character of the neighborhood in which the property is located.

4. Explain how the variance being requested is the minimum necessary to provide relief.

5. Can you utilize the property for either residential or non-residential purposes (whichever is permitted) without a variance? Circle: YES NO
Explain:

ZONING HEARING BOARD APPLICATION - Continued

SUPPLEMENTAL INFORMATION FOR SPECIAL EXCEPTION

If the application is for a Special Exception for a permitted use, please complete this section.

Applicants seeking approval under the provisions of Special Exception under Chapter 320-183 must submit evidence in compliance with the particular provisions of Chapter 320 Zoning. A project narrative shall also be required which provides a response to each of the specific criteria enumerated in the ordinance.

A Special Exception Use is one, by virtue of its own particular character, that may be permitted in a specified zoning district only after review by the Zoning Hearing Board. Special Exceptions shall only be granted if they meet the specific criteria provided within Chapter 320 Zoning. Approval may be subject to conditions placed by the Zoning Hearing Board, as they are deemed necessary to protect the health, safety or welfare of the neighborhood, district or community.

The following inquiries typically relate to the review of Special Exceptions; however, they may also apply to other types of hearings. If applicable, please complete by addressing the following issues as they would be affected by the proposal (attach additional sheets and documentation as necessary):

1. Traffic generation

2. Site layout and Neighborhood Characteristics

3. Parking

ZONING HEARING BOARD APPLICATION - Continued

SUPPLEMENTAL INFORMATION FOR SPECIAL EXCEPTION

4. Natural Features

5. Nuisance characteristics (noise, dust, odor, smoke, glare, hazardous materials, etc.)

6. Compliance with all other Sections in Chapter 320 Zoning (if applicable)
