

INSTRUCTIONS AND RECOMMENDATIONS TO APPLICANTS WHO ARE APPLYING TO THE ZONING HEARING BOARD

The following **recommendations** are made by the Zoning Office to applicants who are applying to the Zoning Hearing Board.

1. The applicant should consider using Legal Counsel to assist in completing the application and appearing before the Zoning Hearing Board.
2. The applicant must fill out all portions of the application and be sure to identify the portion of the Zoning Ordinance which pertains to your case.
3. The applicant, or a representative, must identify the surrounding property owners by using the tax map information available from the Zoning Office or the York County Tax Assessment data.
4. The Zoning Ordinance outlines the jurisdiction and procedures of the Zoning Hearing Board. The applicant should review and become familiar with these sections of the Zoning Ordinance. The Fairview Township Zoning Ordinance is available on-line at www.twp.fairview.pa.us. There will be a link to the Zoning Ordinance on the home page. Hard copies of the ordinance are also available in the Township office.
5. The Zoning Hearing Board appreciates as much detail (plot plans, pictures, building elevation drawings, etc) as possible concerning the property, to be submitted with the application. The Board, at its own discretion, may visit the site prior to the meeting.
6. The applicant or an authorized representative MUST appear at the hearing to present the case. Lack of attendance may result in denial of the application.
7. Applications must be received in the Zoning Office thirty (30) days prior to the hearing (which is the 3rd Thursday of the month), so as to allow for proper notification of nearby property owners and to meet legal advertising requirements. These advertising requirements are outlined by the Pennsylvania Municipalities Planning Code and the Fairview Township Zoning Ordinance.
8. See the current Township Fee Schedule for the required application fee. Fees must be received with all applications.
9. Zoning Hearing Board Applications will be read into the record at the first Planning Commission meeting after the application is received. The Planning Commission meeting is held on the first Tuesday of the month. The applicant may attend this meeting, but it is not required.
10. **AN APPLICATION THAT IS NOT COMPLETE WILL NOT BE ACCEPTED. THERE WILL BE NO EXCEPTIONS!**

DIRECTIONS TO APPLICANT

PART 1

APPLICANT: Enter the applicants' name, address, and phone number. Under the Pennsylvania Municipalities Planning Code, the applicant must be the landowner which is defined as "the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land." If the applicant is not the landowner as defined above, the application will be rejected by the Zoning Officer.

OWNER OF PROPERTY: Enter the name, address and phone number of the current property owner.

PROPERTY: Enter the property address, the size of the lot in square feet, the date the property was purchased, and a brief location of the property.

PRESENT USE: Such as a single family dwelling, multi-family dwelling, commercial use, industrial use, agricultural land or vacant lot.

PART 2

INDICATE THE TYPE OF REQUEST:

SUBSTANTIATIVE CHALLENGE: The language, requirements or a procedure within the Zoning Ordinance has been found to be defective in nature.

SPECIAL EXCEPTIONS: A use which is outlined in the Zoning Ordinance that may be permitted by satisfying specific criteria as outlined in the Ordinance.

VARIANCE REQUESTS: A variance is a request to use or construct on a property in a way that is not permitted by the Zoning Ordinance.

APPEALS: Any decision made by the Zoning Officer or their representative can be appealed to the Zoning Hearing Board.

INDICATE THE ZONING ORDINANCE SECTION(S) AND SUB-SECTION(S) RELATIVE TO THE REQUEST: Section(s) of the Zoning ordinance that relief is being requested from **MUST** be indicated on the application or the application will be deemed incomplete.

* The Zoning Officer will be a PARTY present at the hearing and will be presenting ordinance requirements or justification of the decision that was made. Due to this, the Zoning Office **CANNOT** give advice or direction on the completion of the application outside of general information. It is the responsibility of the Applicant to make the determination of what type of relief is being requested. SEE Recommendation #1.

PART 3

DESCRIPTION OF THE REQUEST: The applicant should state the justification associated with the request.

PART 4

List and identify all property owners within 200 feet of the furthest extents of the perimeter of the property. Identify the use of the surrounding properties, i.e., single family dwelling, multi-family dwelling, commercial use, industrial use, agricultural land or vacant lot. *This information can be obtained from the York County Tax Assessment Website which is <http://gis.york-county.org>, following the Tax Assessment menus.*

OTHER: The following items/information may be submitted with the application:

1. A plot plan or sketch showing the shape and dimensions of the property existing and proposed buildings and depicting intended uses.
2. Photographs which will support the request.
3. Drawings, industry standards, literature which may be necessary or helpful in understanding the nature of the intended request.



ZONING HEARING BOARD APPLICATION
YORK COUNTY, PENNSYLVANIA

❖ *Part 1:*

APPLICANT(S)/EQUITABLE OWNER

Name: _____

Address: _____

Phone: _____

PROPERTY LOCATION:

Address: _____

Lot Size: _____

Date Purchased: _____

Location: _____

EXISTING OWNER OF PROPERTY:

Name: _____

Address: _____

PRESENT USE OF PROPERTY:

EXISTING ZONE: _____

❖ *Part 2:*

ZONING REQUEST (Identification of the applicable request(s)):

- () SUBSTANTIVE CHALLENGE
- () SPECIAL EXCEPTION
- () VARIANCE
- () APPEAL OF THE ZONING OFFICERS DECISION

SECTION(S) OF ZONING ORDINANCE WHICH APPLY TO THIS REQUEST - Please identify the specific section(s) of the Zoning Ordinance involved in the request):

❖ *Part 3:*

DESCRIPTION OF REQUEST:

❖ *Part 5 For office use only:*

ZONING HEARING BOARD CHECKLIST

Application Received: _____

Property Zoned: _____

Asking for Special Exception, Variance or Appeal: _____

Case No.: _____

Fees Paid: _____

Hearing Date: _____

Draft Public Notice sent to Attorney for review: _____

Notice sent to Newspaper: _____

Notice Published in Newspaper: _____

Notice Mailed to Property Owners in 225ft. Buffer: _____

Public Notice Posted on Property: _____

ZHB Packets Mailed and Emailed: _____