



**ZONING HEARING BOARD  
APPLICATION  
YORK COUNTY, PENNSYLVANIA**

*Please see instructions for further information on completing the application.*



**PART 1 – APPLICANT/OWNER AND PROPERTY INFORMATION**

**APPLICANT(S):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**PROPERTY OWNER(S) (if other than applicant):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**PROPERTY INFORMATION:**

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Lot Size: \_\_\_\_\_ Date Purchased: \_\_\_\_\_ Tax Parcel ID: \_\_\_\_\_  
Current Use of Property: \_\_\_\_\_ Zoning Map District Designation: \_\_\_\_\_

**PART 2 - ZONING REQUEST TYPE:**

Please identify one or more of the following applicable type(s) of relief being requested.

( ) **SPECIAL EXCEPTION** As required in Section(s) \_\_\_\_\_ of the Zoning Ordinance.  
The proposed use for the location is claimed by the applicant:

a. To be considered with such other standards as required by the Zoning Ordinance in Section(s):  
\_\_\_\_\_  
\_\_\_\_\_

b. Will not detract from the use and enjoyment of adjacent or nearby properties for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

c. Will not substantially change the character of the neighborhood for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

d. To comply with various elements and objectives of the Comprehensive Plan, and/or any other applicable plans adopted by the Township of Fairview: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( ) **VARIANCE** of Section: \_\_\_\_\_ Subsection: \_\_\_\_\_  
Section: \_\_\_\_\_ Subsection: \_\_\_\_\_  
Section: \_\_\_\_\_ Subsection: \_\_\_\_\_  
Section: \_\_\_\_\_ Subsection: \_\_\_\_\_

of the Fairview Township Zoning Ordinance.

Nature of Variance(s) requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The applicant believes the Variance should be granted due to:

- Applicant is unable to make reasonable use of his property for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- The unnecessary hardship on this property is:
  - ( ) The result of the application of the Zoning Ordinance;
  - ( ) Due to unique physical circumstances of the property in question not shared by other properties in the vicinity;
  - ( ) Not financial in nature;
  - ( ) Not self-created;
- The proposed Variance will not alter the essential character of the neighborhood nor impair the use of the adjacent property for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- The Variance requested represents the minimum that will afford relief for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( ) APPEAL OF THE ZONING OFFICERS DECISION

The decision of the Zoning Officer dated: \_\_\_\_\_, 20 \_\_\_\_\_ based upon an interpretation of Section(s) \_\_\_\_\_ of the Zoning Ordinance. The nature of the appeal by applicant is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART 3 – PREVIOUS ZONING HEARING BOARD ACTIONS**

To the best of your knowledge, has there been any previous Zoning Appeals, Variances or Special Exceptions associated with this property? YES \_\_\_\_\_ NO \_\_\_\_\_.  
If yes, please provide dates or Case #'s \_\_\_\_\_  
\_\_\_\_\_



**PART 5 – APPLICANT/OWNER AUTHORIZATION AND AFFIDAVIT**

Commonwealth of Pennsylvania :  
:  
County of :

The undersigned, being duly sworn according to law, deposes and says that he/she is the above-mentioned applicant/owner/representative, that they are the owner OR authorized to take this Affidavit on behalf of the owner and that the forgoing information and facts contained in the application are true and correct to the best of their knowledge.

Applicant/Owner/Representative

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Signature

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

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***For office use only:***  
**ZONING HEARING BOARD CHECKLIST**

Application received: \_\_\_\_\_

Property Zoning District: \_\_\_\_\_

Request Type: Special Exception, Variance or Appeal: \_\_\_\_\_

Case No.: \_\_\_\_\_ Fee paid: \$ \_\_\_\_\_ Payment type: \_\_\_\_\_

Hearing date: \_\_\_\_\_

Draft Public Notice sent to Attorney for review: \_\_\_\_\_

Notice sent to newspaper: \_\_\_\_\_

Notice published in newspaper: \_\_\_\_\_

Notice mailed to property owners (225 ft. buffer): \_\_\_\_\_

Public Notice posted on property: \_\_\_\_\_

ZHB packets mailed and emailed: \_\_\_\_\_

Action taken: \_\_\_\_\_

# INFORMATION AND INSTRUCTIONS ON THE FAIRVIEW TOWNSHIP ZONING HEARING BOARD APPLICATION

## **PART 1: APPLICANT/OWNER AND PROPERTY INFORMATION:**

**APPLICANT:** Enter the applicant's name, address, and contact information. 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, a purchase/lease agreement providing the tenant with the right to apply for zoning relief, or written consent from the owner is required to be submitted along with application or the application will be rejected by the Zoning Officer.

**PROPERTY OWNER:** Enter the name, address, phone number and email of the current property owner(s).

**PROPERTY INFORMATION:** Enter the property address; the size of the lot in square feet or acres; the date the property was purchased; the Parcel ID OR Tax Map and Parcel number (can be found on tax bill or at York County Tax Assessment website); the current use of the property (such as a single family dwelling, multi-family dwelling, commercial or industrial use, agricultural land or vacant lot); the properties Zoning Map Designation which can be found on the Township Zoning Map.

## **PART 2: ZONING REQUEST(S) TYPE AND DESCRIPTION OF THE REQUEST :**

**SPECIAL EXCEPTION:** A special exception is defined as use which is outlined in the Zoning Ordinance that may be permitted **ONLY** by Zoning Hearing Board Approval by satisfying specific criteria as outlined in the Ordinance.

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

**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.

Section(s) of the Zoning Ordinance that relief or an appeal is being requested **MUST** be indicated on the application or the application will be deemed incomplete.

**PART 3 : PREVIOUS ZONING HEARING BOARD ACTIONS:** Please note any previous cases that have been heard by the Zoning Hearing board for the noted property.

## **PART 4: LIST OF PROPERTY OWNERS:**

List and identify all property owners within **200 feet** of the subject property indicated on application. This information can be obtained from the York County Tax Assessment website at <http://york-county.org>. Follow the tax assessment/real estate assessment menus. Identify the use type of the surrounding properties (i.e.: single family dwelling, multi-family dwelling, commercial use, industrial use, agricultural land or vacant lot).

## **PART 5: AUTHORIZATION AND AFFIDAVIT:**

This section must be signed, dated by the property owner or an authorized applicant/equitable owner and notarized to certify the submittal is true to the best of their knowledge and belief.

**NOTES:**

- The Zoning Officer will be a PARTY present at the hearing and will be representing the Fairview Township Zoning Ordinance requirements or justification of the zoning determination 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.
  - The applicant ***should consider*** using Legal Counsel to assist in the completion of the application as well as appearing before the Zoning Hearing Board.
  - ***The applicant, owner or an authorized representative MUST appear at the hearing*** to present the case. Lack of attendance/representation may be reason for denial of the application.
  - ALL applicable portions of the application must be completed; the application must be signed and notarized where indicated in Part 5; and the FILING FEE must be paid at the time the application is submitted. An incomplete application may be reason for denial.
  - The current filing fee can be obtained by calling the Fairview Township Codes Office or by visiting our website at [www.twp.fairview.pa.us](http://www.twp.fairview.pa.us). Follow the links to the Zoning Hearing Board page.
  - A completed application must include six (6) hard copies and be submitted to the Fairview Township Codes Office ***not later than 3:30pm on the deadline date***. A list of the meeting dates and deadlines can be found on our website at [www.twp.fairview.pa.us](http://www.twp.fairview.pa.us). (if any attachments are larger than 8 ½" X 11" page - one (1) digitized copy of the attachment(s) is required.
  - All submitted zoning hearing cases will be read into 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.
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