



**APPLICATION for APPEAL
SPECIAL EXCEPTION / CONDITIONAL USE**

Circle the applicable selection above

BOROUGH OF HUMMELSTOWN
261 QUARRY ROAD
HUMMELSTOWN PA 17036
PHONE: (717) 566-2555 FAX: (717) 566-3324
www.hummelstown.net

File No: _____

Date Received: _____

Property Address for Review: _____

Applicant Information:

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

Attorney Information:

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

Property Owner Information (If other than Applicant):

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

Property Information:

Current use of the Property: _____

Property is described and used as follows (*if necessary, attach map or sketch*):

The Special Exception or Conditional Use sought by Appellant/Applicant, citing the present zoning classification or property and the section of the Zoning Ordinance under which the interpretation, exception, or variance is requested:

The reason(s) for Special Exception or Conditional Use are:

Signature of the Applicant: _____ **Date:** _____

*** Please attach any relevant documentation to the Application.

All documentation and payment must be submitted with application, at least 31 days prior to the Zoning Hearing Board meeting date. For a list of application deadlines and meetings dates please contact the Borough office.

Official Use Only

	DATES	Fee Paid: \$1000.00 Res/\$1,500.00 Non-Res
Received		Notices Issued to: _____ Neighbors _____ Primary Property _____ Website _____ Borough Office
Publication - 1st		
Publication - 2nd		
Hearing		
Order		

Conditional Use Standards for Hearing

Conditional Use & Hardship Criteria

Conditional Use is use that is not permitted outright in a zone classification due to the nature of impacts created by the use. It enables a property owner to use his or her land which, due to specific location, topography, size, or shape, otherwise would not be suitable for development under the strict interpretation of the zoning ordinance. The Borough Council has exclusive authority to grant a Conditional Use.

Hardship Criteria for Conditional Use Requests

There are specific criteria that the Borough Council will consider, as applicable, when determining whether a variance to the Borough Zoning Ordinance is necessary. These criteria are located in Section 910.2.a. of the Pennsylvania Municipal Planning Code, as well as Section 27-2107 of the Borough Zoning Ordinance. The criteria are as follows:

An applicant seeking a conditional use must demonstrate:

- (1) That the proposed use will not adversely affect the health or safety of residents in the neighborhood or district in which the use is located.
- (2) That the use will not overburden existing public services, including water, sanitary sewer, public roads, storm drainage or other public improvements.
- (3) That the use will not be detrimental to the use or development of, or change the essential character of, the neighborhood or district in which the use is proposed. The Borough Council shall consider, at a minimum, the impact of noise, dust, light, odor and the adequacy of parking.
- (4) The use shall meet all other requirements of this chapter that may apply.

Furthermore, review of applications for Demolition in the Historical District require:

A building regulated by this section shall not be demolished, in whole or in part, unless the application is approved as a conditional use and the applicant provides credible evidence that one or more of the following conditions exist:

- (1) The existing building cannot feasibly and reasonably be reused, and that such situation is not the result of intentional neglect or demolition by neglect by the owner.
- (2) The denial of the demolition would result in unreasonable economic hardship to the owner, and the hardship was not self-created.
- (3) The demolition is necessary to allow a project to occur that will have substantial, special and unusual public benefit that would greatly outweigh the loss of the building, and the project needs to occur at this location. For example, demolition may be needed for a necessary expansion of an existing public building or to allow a street improvement that is necessary to alleviate a public safety hazard.
- (4) The existing building has no historical or architectural significance, and the demolition will not adversely impact upon the streetscape. To meet this condition, the applicant may present information concerning the proposed design of any replacement building or use to show that the proposed building or use will result in a net improvement to the streetscape.

In granting Conditional Use permits, the Borough Council may attach such reasonable conditions and safeguards, in addition to those expressed in this chapter, as it may deem necessary to implement the purposes of this chapter and the Pennsylvania Municipalities Planning code, 53 P.S. §§ 10101 et seq..

I, the applicant, have received and read the Standard for the Zoning Hearing Board application.

Signature of Applicant

Date