

ELIZABETHTOWN BOROUGH
ZONING HEARING BOARD
INFORMATION SHEET

To assist an applicant in completing the attached application for the Zoning Hearing Board the definitions of a special exception and variance need to be understood. A variance is a change in the present zoning brought about due to some hardship inflicted by the present zoning upon an owner.

A variance may be granted or denied due to any of the following conditions:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the district which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the appellant.

D. That the variance, if authorized, will not alter the essential character of the district in which the property is located, not substantially or permanently impair the appropriate use or development of adjacent property, not be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and represent the least modification possible of the regulation in issue.

F. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter.

G. Unless otherwise specified by the Board or by law, a variance shall expire if the applicant fails to obtain a zoning permit within one year from the date of authorization thereof by the Board, or by the court if such variance has been granted after an appeal, or fails to complete any erection, construction, reconstruction, alteration or change in use authorized by the variance within two years from the date of authorization thereof by the Board, or by the court if such variance has been granted after an appeal. The Board may, for reasonable cause, extend the approval for an additional period of up to one year, upon the written request by the applicant.

H. A variance, special exception, or conditional use for which a building permit will be issued shall not be transferable to a subsequent owner in the event that the erection, construction, reconstruction, or alteration authorized has not been completed prior to transfer. Conditional use approvals, special exception use approvals, and use variances are not transferable to a subsequent owner.

A special exception is a granting of the modification of the provisions of the zoning ordinance as authorized by the Zoning Hearing Board. Specific special exception uses are listed in the ordinance.

ELIZABETHTOWN BOROUGH
SPECIAL EXCEPTION/ VARIANCE REQUEST/ CONDITIONAL USE
APPLICATION

(Please Check) I am applying for a: Special Exception
 Variance
 Conditional Use

Part I.

Name: _____ Phone Number: () _____

Address: _____

Address of Property in Question: _____

Owner's Name (if different from applicant): _____

Part II.

Applicant's Request:

Present Zoning: _____

Zoning Ordinance section(s) which applies to this case: _____

Present Use of Property: _____

Proposed Use of Property: _____

a. Special Exception:

1. Reason for Request:

b. Variance Request:

2. Explain hardship caused by the zoning ordinance:

c. Conditional Use:

3. Explain Proposed Use:

Part III.

Signature: _____ Date: ____/____/____

Part IV.

I have included the following with my application:

- Drawing(s) or sketch of existing property building
- Drawing(s) or sketch of proposed change(s)
- Blueprints
- Architectural renderings
- Photographs
- Check for \$650.00 payable to 'Elizabethtown Borough'
- Proof of ownership (i.e., executed sales agreement and or property deed)

** Please note that upon receiving the application the Zoning Hearing Board may request further information.