

ELIZABETH TOWNSHIP

423 South View Drive

Lititz, PA 17543

ZONING HEARING BOARD PROCEDURE

1. Forms to be completed and information submitted at the time of filing the application:

- A. A completed Zoning Hearing Board application including an adequate written description and a scaled plot plan both providing sufficient detail to demonstrate compliance with all provisions of the Zoning Ordinance. If the application is not complete, the application will be returned to the applicant and a hearing will not be scheduled until a complete application has been provided.
- B. Seven (7) copies of the entire complete Zoning Hearing Board application are required. The application must be complete and accurate, any incomplete applications will be returned to the applicant. A digital version of the full application should also be provided.
- C. The Zoning Hearing Board application fee shall be paid at the time of application submission. Checks shall be made payable to "Elizabeth Township." Credit cards are not accepted.

2. Information:

- A. The Elizabeth Township Zoning Hearing Board schedules its meetings for the second Wednesday of each month at 7:00 p.m. at the Elizabeth Township Municipal Office. To be considered at a meeting, the applicant must submit all required information (including payment) no later than the close of business on the day of the preceding month's regularly scheduled meeting. The application must be complete, accurate, and paid in full to be considered for a hearing.
- B. The Zoning Hearing Board is permitted forty-five (45) days to render a decision, following the closing of testimony.
- C. There is a thirty (30) day appeal period following the issuance of a decision by the Zoning Hearing Board in which an appeal may be filed with the Court of Common Pleas of Lancaster County to reverse, or limit said decision.
- D. Unless otherwise specified by the Board or by law, a variance or special exception shall expire if the applicant fails to obtain a zoning permit within one (1) year of the date of authorization by the Board or by the Court if the special exception or variance has been granted after an appeal. A variance or special exception shall also expire if the applicant fails to complete any erection, construction, reconstruction, alteration or change in use authorized by the special exception or variance within two (2) years from the date of authorization by the Board or the Court. The Board, for reasonable cause shown, may extend the approval for an additional period of one (1) year (upon request).

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ZONING HEARING BOARD APPLICATION

Applicant: _____
(name) (address)

Subject Property Owner: _____
(name) (address)

NOTE: IF THE APPLICATION IS BEING MADE BY A PERSON OTHER THAN THE PROPERTY OWNER, WRITTEN NOTIFICATION FROM THE PROPERTY OWNER AUTHORIZING THE FILING OF THE APPLICATION AND THE AUTHORITY OF THE APPLICANT TO FILE THE APPLICATION MUST ACCOMPANY THIS APPLICATION.

Interest of applicant, if not owner (agent, lessee, etc.) _____

Attorney or representative (if any): _____
(name)

(address)

An appeal is hereby made by the undersigned:

1. A variance pursuant to Section(s) _____
2. A special exception pursuant to Section(s) _____
3. An appeal/interpretation of the Zoning Ordinance involving Section(s) _____

Application Details:

1. Application relates to (check applicable item or items):

☐ Use ☐ Lot Area ☐ Yard(s) ☐ Height ☐ Other _____

☐ Existing building ☐ Proposed building ☐ Other _____

2. Provide a description of the subject property:

Address: _____ Lot Size: _____ Acres

Subject Property Zoning District: _____

Existing Use of Subject Property: _____

Existing Improvements on Subject Property: _____

3. If this is an appeal from an action of the Zoning Officer, complete the following:

Date of Zoning Officer determination: _____

Your statement of the alleged error of the Zoning Officer: _____

4. Action desired by the applicant. Cite the specific requirements of the sections of the Zoning Ordinance for which approval is being requested:

5. Have any previous applications been filed regarding the subject property? ☐ No ☐ Yes

If yes, please provide additional background information, including case number and disposition:

6. Provide a written description (separate sheets) including sufficient detail to demonstrate compliance with all provisions of the Zoning Ordinance applicable to the application/request, but not limited to the following:

- a. Each of the specific criteria for special exceptions, conditional uses, and other selected uses listed in Article 4 of the Zoning Ordinance.
- b. The general requirements of Article 3 relating to parking, vehicular access, loading, signs, and screening.
- c. Each of the criteria listed in Article 5 relating to expansion, alteration, replacement, or substitution of non-conforming uses (if applicable).
- d. Each of the criteria of 185-24 for uses proposed in the Floodplain District.
- e. Information required by 185-113.C and 185-119 of the Zoning Ordinance.
- f. In the case of a variance, how the proposal qualifies based on the findings listed in 185-113.D of the Zoning Ordinance.

7. Provide a scaled plot plan of the subject property with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance. The scaled plot plan shall include the following:
- a. The shape of the property.
 - b. The dimensions of the property.
 - c. The location and dimensions of every existing structure on the property.
 - d. The location and dimensions of every proposed structure or addition.
 - e. Floor plans and the identification of proposed use for all proposed or existing buildings where the proposed use is planned.
 - f. Building elevations and type of construction for all proposed buildings.
 - g. For each present or proposed use, the distance between the nearest point of same to each of the nearest boundaries.
 - h. The present location of traffic flow facilities (parking areas, driveways, etc.).
 - i. The intended location of new traffic flow facilities.
 - j. The location, width, and name of all adjacent streets.
 - k. The approximate location of adjacent boundary lines and the names of adjacent owners, if known.
 - l. Front, side, and rear yard building setback lines.
 - m. The approximate location on the property of any stream, pond, floodplain, wetland, or other physical feature.
 - n. The location of any present or proposed utility lines, easements, fences, signs, living screens, etc.
 - o. The distance to any intersection within one thousand (1,000) feet of the property, and the name, of the streets involved.
 - p. The direction of the slope and the approximate fall from the highest to the lowest point on the property.
 - q. A north arrow, graphic scale, and a written scale.
 - r. If the property is located within more than one zoning district, the approximate locations of the zoning district boundary lines and the identification of each respective district by name.

I hereby apply for the approval stated above and certify that all the information, including drawings and plans, submitted with this application are true and correct to the best of my knowledge and belief.

Signature(s) of Applicant(s) _____

Applicant's Telephone #: _____ Applicant's e-mail _____

NOTE: AN APPLICANT'S FAILURE TO APPEAR AT THE HEARING TO PROVIDE TESTIMONY IN SUPPORT OF THE APPLICATION WILL RESULT IN A DISAPPROVAL FROM THE ZONING HEARING BOARD. IN ADDITION, THE ZONING HEARING BOARD MAY DENY OR DELAY CONSIDERATION UNTIL THE FOLLOWING MONTH ANY APPLICATION DEEMED TO BE INCOMPLETE OR DEFICIENT OF THE REQUIRED INFORMATION.

Do Not Write in This Space. For Office Use Only

Date Reviewed by the Zoning Officer: _____ Accepted: _____ Denied: _____

Reason for Denial: _____ Date Returned to the Applicant: _____

Application #: _____ Date Paid: _____ Hearing Date: _____ Dates Advertised: _____

Elizabeth Township Zoning Hearing Board Procedure – Definitions

Decision: The final adjudication of the Zoning Hearing Board and the Board of Supervisors for cases under its jurisdiction as identified in **185-113** of this chapter. Appeals from a decision go directly to the Court of Common Pleas.

Determination: (1) A final action by an officer, body, or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

- (a) The governing body;
- (b) The Zoning Hearing Board; or
- (c) The planning agency, only if and to the extent the planning agency is charged with a final decision on preliminary or final plans under the Subdivision and Land Development Ordinance or planned residential development provisions.

(2) Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

Special Exception: A use that is generally compatible with a particular zone once specified criteria have been met. Special exception uses are listed by zone and approved by the Zoning Hearing Board in accordance with **185-113C** of the Zoning Ordinance.

Variance: A modification of any provision of the Zoning Ordinance granted by the Zoning Hearing Board subject to findings specified by the Act.

Zoning: The designation of specified districts within a community or township, reserving them for certain uses, together with limitations on lot size, heights of structures, and other stipulated requirements.

Zoning Permit: A permit stating that the purpose for which a building or land is to be used conforms with the uses permitted and all other requirements under this chapter for the zone in which it is to be located.