

**City of Lebanon
Zoning Hearing Board**

APPLICATION PROCEDURES

1. Please submit 8 copies of the following: (please check off each box as applicable)
(Please refer to Section 1314.03 (d) of the Zoning Ordinance for additional information)
 - Zoning Hearing Board Application with appropriate attachments (signed by applicant and owner or equitable owner.
 - Supplemental Information Forms (as appropriate and required)
 - Detailed site plan showing all existing and proposed structures, parking areas, driveways, sidewalks, street names, easements, right-of-ways, etc. Building plans including detailed floor plans are also required if the application specifically involves issues related to a specific use. Plans may be hand drawn but must be accurate and to scale with North arrow.
 - Documentation showing evidence that the applicant is the owner or an equitable owner (such as an agreement of sale)
 - Zoning Hearing Board fee is set as follows (check made out to the City of Lebanon)
 - o Variance-\$600.00
 - o Special Exception-\$700.00
 - o Challenge of a Zoning Officer's Decision/Interpretation Appeal-\$700.00
 - o Substantive Challenge to the Zoning Ordinance-\$700.00

2. Additional Information:
 - A. If one or more items listed above are incomplete or missing, your application will not be processed, nor will it be assigned a case number or hearing date. The application, along with an explanation as to why the application was not accepted, will be returned for you to make the necessary corrections.
 - B. The owner or equitable owner of the subject property must sign the application prior to acceptance and the scheduling of a hearing.
 - C. Upon an application determined to be complete, the City of Lebanon Zoning Hearing Board shall have sixty (60) days in which to initiate a hearing on an application unless an extension of time is granted by the applicant in writing.
 - D. The Board has forty-five (45) days within which to render a formal decision following the last hearing on the application before the Board, unless the applicant has agreed in writing to an extension of time.
 - E. A thirty (30) day appeal period follows the issuance of the formal written decision by the Board. Any party with an interest in the decision may appeal a decision of the Board by filing an appeal with the Lebanon County Court of Common Pleas, seeking to reverse, modify or limit a decision.
 - F. After a Variance, Special Exception or other action has been authorized by the Zoning Hearing Board, the applicant shall secure the necessary permit(s) within eighteen (18) months from the

date of receipt of the formal decision or the time specified within the decision. Such construction shall be completed within one (1) year from the issuance of the necessary permit. Notwithstanding the foregoing, the Zoning Officer may, upon a written request and for good cause, extend the time in which to obtain a permit or time by which to complete the construction thereof.

- G. If a variance is approved to address a violation of the Zoning Ordinance, then the necessary permit(s) shall be acquired and the work completed within six (6) months from the date of receipt of the formal decision.
- H. Copies of the City of Lebanon Zoning Code are available for purchase or review at the City of Lebanon Public Works Department.

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Application for Hearing

Applicant Information

Name(s): _____
Mailing Address: _____
Phone:(____) _____ Fax: (____) _____

Property Owner Information (if different from applicant)

Name(s): _____
Mailing Address: _____
Phone:(____) _____ Fax: (____) _____

Legal/Applicant Representative Information
(if different from applicant)

Name(s): _____
Mailing Address: _____
Phone: (____) _____ Fax: (____) _____

Subject Property Information

Subject Property Address: _____
Zoning District: _____ Lot Size: _____ x _____ Lot Area _____ Sq Ft. _____
Present Use(s) _____

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: _____	DATE ACCEPTED: _____
CASE NUMBER: _____	HEARING DATE: _____
DATE OF DECISION: _____	PREVIOUS DECISION(S) _____
FEE PAID:\$ _____	Check# _____ Cash _____
DATE PAID: _____	RECEIVED BY: _____

PROJECT APPLICATION INFORMATION

Request for a hearing is hereby made for the Zoning Hearing Board to consider the following:

- Variance** to Section(s) _____ of the City of Lebanon Zoning Code. The Variance relates to one or more of the following:

___ Building Setback ___ Lot Coverage ___ Parking
___ Lot Width ___ Lot Area ___ Bldg. Height
___ Special Exception Standard(s)
Other: _____

- Special Exception(s)** pursuant to Section(s) _____ of the City of Lebanon Zoning code. The Special Exception relates to the following:

___ Use-Specify: _____
___ Floodplain Issue-Specify: _____
___ Non-conforming Use Expansion
___ Non-conforming Use Substitution

- Use(s) Not Provided For**
Specify: _____

- Modification** of a prior decision of the Zoning Hearing Board dated _____ and relates to _____

(Site specific condition(s) of the decision and briefly describe the terms of the condition(s))

- Appeal / Interpretation** of a denial of a Zoning Permit or Interpretation of Section _____ of the Zoning Code by the Zoning Officer. Said denial/ interpretation involves:

Applicant/ Property Owner Certification

I/We hereby certify, under penalty of law, that all statements made herein and contained on any related documents submitted herewith are true and accurate to the best of my/our knowledge and belief. If Applicant is not the property owner of record, the property owner shall sign application signifying consent to this application being filed.

Signature of Applicant

Date

Signature of Property Owner(s)

Date

SUPPLEMENTAL INFORMATION - VARIANCE

Worksheet/ Project Narrative

The Pennsylvania Municipalities Planning Code allows a Zoning Hearing Board to potentially grant a variance (relief to a regulation) provided that all of the following findings are made where relevant in a given case:

1. What are the 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 condition generally created by the provisions of the Zoning Code in the neighborhood or district in which the property is located;

2. Explain how such physical circumstances or conditions, which are not the fault of the applicant, result in no possibility of the property being developed in strict conformity with the provisions of the Zoning Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property. (i.e. unable to meet required setback, height or other lot restrictions, etc.)

3. Explain how the variance is an unnecessary hardship that has not been created by the applicant;

4. Explain how the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare;

5. Explain how the variance being requested is the minimum necessary to afford relief and will represent the least modification possible of the regulation;

Continuation/ Additional Space (if needed) Please indicate question(s):

SUPPLEMENTAL INFORMATION - SPECIAL EXCEPTION

Worksheet/ Project Narrative

A Special Exception Use is one, by virtue of its own particular character, may be permitted in a specified zoning district only after review by the Zoning Hearing Board. Before any Special Exception is issued, the Board shall make written findings certifying compliance with the specific rules governing the individual Special Exception and that satisfactory provision and arrangement has been made concerning the following, where applicable:

1. TRAFFIC - Ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and conveniences, traffic flow and control, minimize hazards and congestion and access in case of fire or catastrophe;

2. SITE PLANNING
 - a. Off-street parking and loading areas where required, with particular attention to the items above hereof and the economic effect, noise, glare or odor resulting from the Special Exception on adjoining properties generally in the district;

 - b. Site Planning shall be included on the permit for proper site layout, internal circulation, parking, buffering, and all other elements of proper design as specified in the Ordinance;

 - c. Refuse and service areas, with particular reference to the items above;

 - d. Utilities, with reference to locations, availability and compatibility;

- e. Screening and buffering with reference to type, dimensions and character;

- f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, compatibility and harmony with properties in the district;

- g. Required yards and other open space;

3. NEIGHBORHOOD

- a. General compatibility with adjacent properties and other properties in the district;

- b. The proposed use shall not substantially negatively change the character of any surrounding residential neighborhood, after considering any proposed conditions upon approval such as limits upon hours of operation;

4. NATURAL FEATURES – The proposed use shall be suitable for the site, considering the disturbance of steep slopes, mature woodland, wetlands, floodplains, springs and other important natural features.

5. CONDITIONS – In granting a special exception, the Board may require such reasonable conditions and safeguards (in addition to those expressed in the Ordinance) as it determines are necessary to implement the purposes of this Ordinance. Conditions imposed by the Zoning Hearing Board shall automatically become conditions of a construction permit issued pursuant thereto, and any failure to comply with said conditions shall be a violation of the ordinance.

Additional space / comments (if needed):