



BOROUGH OF TOPTON

CONDITIONAL USE APPROVAL APPLICATION

DATE _____

INSTRUCTIONS

- PART 1. APPLICANT – Applicant's name, address and contact information
- PART 2. IDENTIFICATION – Property owner and applicant's attorney's name and address
- PART 3. LOCATION OF PROPERTY
- PART 4. PROPERTY DESCRIPTION
- PART 5. ORDINANCE
- PART 6. PREVIOUS APPEAL
- PART 7. SIGNATURE

Complete all lines of the application. If a question is not applicable, the response should be N/A.

SPECIFICATIONS AND PLANS

- A. Applicant. The applicant shall file an original and fifteen (15) copies of the application and accompanying materials to the Borough Secretary. If applicant is not the owner of the property, a notarized statement indicating the owner's approval of the proposed conditional Use Approval request must be submitted with the application.
- B. Standards. Conditional uses shall meet the specific standards established for each use by this Ordinance and all other applicable zoning district requirements and General Regulations established by this Ordinance.

- C. Application. The application shall be accompanied by fifteen (15) sets of at least the following information:
- (1) A plan of the lot in question, indicating the lot size and showing all dimensions of lot lines, the location(s) on the lot of all existing and proposed buildings, fences, signs, structures and alterations to buildings or structures and distances of such features from lot lines. Additionally, the location of all utility lines, the proposed water and sewer lines, all streets, right-of-ways and easements on or adjacent to the lot. The plan shall be drawn to scale and show exact locations. The applicant is responsible to ensure accuracy of all property lines.
 - (2) The use, height, length, width and proportion of the total lot area covered of all proposed and existing buildings, structures and additions or alterations to buildings or structures and the height, length, width, illumination and design of all signs shall be shown on the plan. Proposed buildings, additions and external alterations shall be shown and described.
 - (3) A statement indicating the number of dwelling units and / or commercial establishments to be accommodated within existing and proposed buildings on the lot and the floor area to be devoted to each residential, commercial and home occupation use.
 - (4) The location, dimensions, grade and design of parking and loading areas including the size and arrangement of all spaces and means of ingress, egress and interior circulation, recreation areas, screens, buffer yards and landscaping, means of egress from and ingress to the lot, routes for pedestrian (including ADA accessibility where required) and vehicular traffic and provisions for outdoor lighting. The percentage of the lot which is paved and which is open area must be included on the plan.
 - (5) Proof of Worker's Compensation coverage, if the applicant is submitted by a contractor.
 - (6) All other information necessary for the Zoning Officer to determine conformity with and provide for enforcement of this Ordinance.
 - (7) Name and address of the applicant and the owners of record of the real estate involved and a description of and location of the real estate involved.
 - (8) A written statement from a registered engineer or surveyor, or by other similar satisfactory evidence, that the line of any adjoining street has been staked on the ground.
- D. The applicant is required to provide a complete listing of all property owners within 500 feet of the tract boundary (including those in neighboring municipalities, and on the opposite side of any street, road or alley).
- E. The applicant is required to attach a copy of the Deed to the property.

F. **Review.** After receiving an application, the Borough Secretary shall refer (5) copies of the application to the Borough Planning Commission for its review and one (1) copy to the Borough Zoning Officer for review. The application shall be reviewed at one (1) or more advertised meetings of the Council with the initial hearing being commenced within sixty (60) days of receipt of the application, unless the applicant agrees in writing to an extension of time. Each subsequent hearing shall be held within forty-five (45) days of the prior hearing. The council shall either approve or disapprove the application in writing within forty-five (45) days after the date of the final hearing. The granting of permission to conduct a use permitted by condition does not exempt an applicant from acquiring all approvals required by the Borough's Subdivision and Land Development Ordinance, building and other required permits under the Uniform Construction Code and other laws, ordinances, building and other required permits under the Uniform Construction Code and other laws, ordinances, and regulations and required outside agency approvals.

The Borough Council may attach such additional reasonable conditions and safeguards as they deem necessary to implement the purpose of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code, as amended, which conditions may include but are not limited to harmonious design of buildings, planting and maintenance of shrubbery or trees as a sight and / or sound barrier, hours of operation, lighting, number of employees and the minimizing of potentially noxious, offensive, or hazardous elements.

ADDITIONAL INFORMATION

Fees – Application fee for a Conditional Use Hearing - \$1,000.00

WAIVER

We hereby waive the provision that the Conditional Use hearing before the Borough Council of the Topton Borough be held within sixty (60) days of the filing of the application as required by the Pennsylvania Municipalities Planning Code.

Applicant Signature: _____ Date: _____

WAIVER

We hereby waive the provision that the Borough Council of the Topton Borough shall render a written decision, or when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Council, as required by the Pennsylvania Municipalities Planning Code.

Applicant Signature: _____ Date: _____

BOROUGH OF TOPTON

Application for Conditional Use Approval

1. APPLICANT INFORMATION

Name: _____ Phone: _____

Address: _____

City: _____ Zip Code: _____

2. IDENTIFICATION OF OWNER AND REPRESENTATIVES

Owner Name: _____ Phone: _____

Address: _____

City: _____ Zip Code: _____

Owner's Agent: _____ Phone: _____

Address: _____

City: _____ Zip Code: _____

Applicant's Attorney Name: _____ Phone: _____

Address: _____

City: _____ Zip Code: _____

3. LOCATION OF PROPERTY

Address: _____ PIN#: _____

Cross Streets: _____ and _____

Zoning District: _____ Deed Book: _____ Deed Page: _____

4. PROPERTY DESCRIPTION

Lot Size: _____ Lot Frontage: _____ Lot Depth: _____

Property Access: Public Road ____ Private Road ____ ROW ____ Easement ____ Other: _____

Description of current use of property: _____

Description of existing improvements of property: _____

Description of proposed use and proposed improvements of property: _____

5. ORDINANCE

State each section of the Topton Borough Zoning Ordinance that is involved in this application.

6. PREVIOUS APPEAL

Has any previous appeal or application been filed in connection with this property? If the answer is "yes", please state the date and subject matter of the appeal or application, and attach a copy of any prior determinations.

7. SIGNATURE

The applicant hereby deposes and says that all of the above statements contained in this application are true and correct to the best of their knowledge and belief. I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his agent and we agree to conform to all applicable laws of the Borough of Tipton.

Applicant Name: _____

Applicant Signature: _____

Sworn and subscribed before me, this _____ day of _____, 20 _____.

Notary Public

My commission Expires: _____