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2. REQUEST FOR SPECIAL EXCEPTION as required by the proposed location (see attached site plan) is claimed by the a	ne Zoning Officer in Section The proposed use at the applicant:
a. To be desirable to the public convenience and welfare for t	he following reason (s):
	<u> </u>
b. To be in harmony with the various elements and objectives	s of the Comprehensive Plan:
Note that the state of the stat	() ()
c. Not to be detrimental to the character of the neighborhood	for the following reason(s):
d. To be consistent with such other standards as required by	the Zening Ordinance in Coetien
d. To be consistent with such other standards as required by Standard	Provision for Compliance
Standard	F10VISIOIT10I COMpliance
2	
3. REQUEST FOR VARIANCE of Section	of the Zoning Ordinance under which the Zoning Officer
refused to issue a permit on, 20	
NATURE OF VARIANCE REQUESTED:	
THE APPLICANT BELIEVES THE VARIANCE SHOULD BE	CDANTED BECALISE:
a. He is unable to make reasonable use of his property for the	
a. The is unable to make reasonable use of his property for the	o following reasons.
b. The unnecessary hardship on his property is:	
() The result of the application of the Zoning Ordinance	
() Due to unique physical circumstances of the property in	question not shared by other properties in the vicinity
() Not financial in nature	
() Not self-created	
c. The proposed variance will not alter the essential character property for the following reasons:	r of the neighborhood nor impair the use of adjacent
d. The variance requested represents the minimum variance	that will afford relief for the following reasons:
ADDITIONAL INFORMATION REQUIRED B	Y THE BOARD OF ADJUSTMENT IS ATTACHED
Note: I hereby certify that all of the above star	tements and the statements contained in any papers
or plans submitted herewith are true to the best	
	or or my knowledge and belief.
Dated:, 20	
	(signature of applicant)

ZHB CASE #:	DATE
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The undersigned, being the applicant in the above captioned case before the West Manchester Township Zoning-Hearing Board stipulates and agrees that he(they) will accept the following as the notice of decision in the above captioned case.

The undersigned further stipulates and agrees that the provisions of s.908(9) of the Pennsylvania Municipalities Planning Code requiring the entry of the decision of the Zoning Hearing Board within forty-five (45) days of the hearing, shall be and hereby are waived, and consents to the entry of findings of fact, conclusions of law and a decision upon the application, based upon the testimony, evidence and exhibits presented to the Board or to the Hearing Officer(s) as the case may be, on or before the second regularly scheduled meeting of the West Manchester Township Zoning Hearing Board next following the hearing upon the application for which the waiver is executed.

INDIVIDUAL/PARTNERSHIP

Witness:		Date:	Applicant:	Date:		
CORPORATION						
Attest:			By:			
	Secretary	date		date		
			Title:			

Notice of Decision:

The West Manchester Township Zoning Ordinance states that a building permit must be obtained within <u>six (6)</u> months from the date of approval of either a Variance or Special Exception or the approval is null & void.

The Municipalities Planning Code states that a person aggrieved has thirty (30) days to file an appeal to contest a municipal decision. The permit holder who builds during this thirty (30) days does so at his own risk.

ZONING INFORMATION SHEET

ZONING HEARING BOARD

- -The Zoning Hearing Board is comprised of those volunteer residents of the township appointed to the Zoning Hearing Board by the Board of Supervisors.
- -- The Zoning Hearing Board's function is to hear requests for Special Exceptions, Variances, and Interpretation Appeals from the Township Zoning Ordinance.
- --The Board's proceedings are quasi judicial in that sworn testimony is heard, evidence is submitted, cross examinations are considered and some rules of evidence apply. However, the proceedings are not as formal as actual courtroom proceedings.
- --Many applicants choose to be represented by an attorney during the proceedings and many do not. This is a matter of personal choice. The Board itself employs a solicitor for legal counsel and advice during the proceedings.

VARIANCES

- -A Variance is defined as a modification to the Zoning Ordinance granted by the Zoning Hearing Board.
- -The Zoning Hearing Board may grant a Variance if an unnecessary hardship exists <u>and</u> the following findings are made in a given case.
 - 1. That there are unique physical circumstances on the property such as narrowness, exceptional topography, irregular lot size, or other limiting factors that prohibit development or use of the property in strict conformance with the Ordinance.
 - 2. That the hardship was not created by the applicant.
 - 3. That the Variance, if granted, will not alter the character of the neighborhood or impair the appropriate use of adjacent property.
 - 4. That the Variance, if granted, will be the minimum Variance needed to afford relief to the property.

SPECIAL EXCEPTIONS

- -A Special Exception is generally a use that is permitted in a specific zoning district with additional criteria that must be met before granting.
- The Zoning Hearing Board may grant a Special Exception if all the specific criteria included in Article XXX of the Zoning Ordinance is met along with the following general conditions:
 - 1. The proposed use is in harmony with the orderly development of the zone.
 - 2. Adequate water, sewage disposal, storm drainage, and fire and police protection can be provided.

SPECIAL EXCEPTIONS (continued)

- 3. The use of adjacent property will not be discouraged nor the value impaired by the granting of the Special Exception.
- 4. The use will have the proper location with respect to existing and future streets and will not create congestion.

GENERAL INFORMATION

- --The applicant for Variances and Special Exceptions shall always have the burden of proof which shall include going forward with the evidence and the persuasion on all questions of facts.
- -- The applicant is strongly recommended to either purchase or review the Zoning Ordinance in detail before submitting an application to the Zoning Hearing Board.
- --The information contained in this handout is not legal advice nor all the information necessary to file for a Variance or Special Exception. It does, however, address some of the most-asked questions by applicants.

West Manchester Township ZONING HEARING BOARD APPLICATION CHECK LIST

The following items must be submitted before the application will be accepted:

______ Application Form Filled Out Completely

_____ Filing Fee - \$550.00, plus \$100.00 for each additional Application.

_____ Site Plan (12 copies). If the plan is larger than 11" x 17" all plans must be folded.

of Subject Property

Photographs (photographs of the property are required. The photographs become part of the permanent record and will not be returned.)

Names & Addresses of Property Owners Within 200'