

GENERAL INSTRUCTIONS FOR PENN TOWNSHIP CONDITIONAL USE  
APPLICATIONS

1. All information on the application along with property survey and supporting documents must be furnished to the Township Office at the time of the application.
2. The following must accompany all applications:
  - a. A filing fee must be cash or check made payable to Penn Township in the amount of \$1,000 for requests relating to single-family residential use or for requests relating to all other uses.
  - b. It is suggested that copies area survey of the affected real estate as it now exists, prepared by a registered surveyor or registered professional engineer be submitted with the application. The survey shall comply with Section 1820.2 of the Zoning Ordinance. 14 copies are required:
3. Any application received by Penn Township that does not satisfy all of the filing requirements as set forth shall be deemed as incomplete, not acceptable, and shall be returned to the applicant.
4. Applicant or his representative must attend the hearing to speak upon the application at the advertised meeting; otherwise, the application will be denied, unless postponement is given by the Board of Supervisors upon cause shown or by its own motion.
5. Applicant shall comply with the Penn Township Zoning Ordinance Section 1820 – Conditional Uses.
6. All meetings of the Board of Supervisors shall be open to the public. The Board shall keep a record of the proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.
7. No decision by the Board of Supervisors shall relieve any applicant from the duty or responsibility of obtaining any permits as and when required by any of Penn Township Ordinances.
9. Notice of the time and place of all hearings shall be given by mail to the applicant and the Zoning Officer and to any person who shall make a timely request in writing for notice of the hearing. Notice of the time and place of all hearings shall be given by publishing the same in a newspaper of general circulation in the Township. Furthermore, notice of the hearing shall be conspicuously posted on the effected tract of land and adjoiners within 200 feet of the property, which notices shall be posted at least one week to the date set for the hearing.

## **Section 1820 - Conditional Uses**

It is the intent of this Section to provide special controls and regulations for particular uses that may, under certain conditions, be conducted within the various Zoning Districts established in This Ordinance. These particular controls and requirements are additional to those imposed by the District Regulations and by the Supplementary Regulations of this Ordinance.

### **1. Applicability, Limitations, Compliance.**

- a. Applicability. The controls imposed by Article XVI are applicable where cited specifically for a Conditional Use listed in Article III of this Ordinance.
- b. Limitations. Conditional Uses shall be permitted only where specifically cited in the District Regulations of this Ordinance.
- c. The applicant shall bear the burden of proof that the proposed use meets all requirements and objectives of this Ordinance.
- d. Compliance. Nothing in this Section shall relieve the Owner or his agent, the developer, or the applicant for a Conditional Use Permit from obtaining Subdivision and/or Land Development Plan approval in accordance with the Penn Township Subdivision and Land Development Ordinance.
- e. Conditions and Safeguards of Conditional Use Permits. The Township Board of Supervisors may require the conditional use permits be periodically renewed. Such renewal shall be granted upon a determination by the Township Board of Supervisors to the effect that such conditions as may have been prescribed in conjunction with the issuance of the original permit have not been, or are being no longer, complied with. In such cases, a period of 60 days shall be granted the applicant for full compliance prior to the revocation of said permit.
- f. Effect of Approval. Any use for which a conditional use permit may be granted shall be deemed to be a conforming use in the District in which such use is located provided that such permit shall be deemed to affect only the lot or portion thereof for which such permit shall have been granted.
- g. Fees and Other Costs. In addition to the filing fee and other costs requisite for Land Development Plan approval

in accordance with the Subdivision and Land Development Ordinance, the applicant shall pay the following costs:

- (1). All costs related to any required public hearing including but not limited to advertising of the hearing, services of the Township Solicitor and Engineer and/or Planner, public stenographer, transcripts of proceedings, and similar costs.

An applicant by filing for a conditional use shall then be obligated to pay all costs hereinabove provided. Payment of such costs shall be promptly submitted to the Township by the applicant upon the submission of bills therefor from time to time. Payment shall be by check or money order made payable to Penn Township.

No building permit or other requisite permit shall be issued by the Township Zoning Officer until all such fees and costs have been paid in full by the applicant.

## 2. General Procedures for Conditional Uses.

- a. Application. Requests for a Conditional Use shall be submitted, together with all required fees, in a written application setting forth the grounds for the request in detail.

A development plan of the total area to be included in the application, which shall be drawn to scale, shall accompany and be part of the Conditional Use Application and contain the following:

- (1). The location, boundaries, dimensions and ownership of the land.
- (2). In the case of commercial or industrial development, a general description of the activities to take place as may be appropriate such as maximum employment, working hours, customer traffic, delivery services, development schedule staging plan.
- (3). The location, use, and ground area of such proposed building and other structure.
- (4). The locations, dimensions, arrangements and proposed use of all open spaces, yards, streets, accessways, entrances, exits, off-street parking facilities, loading and unloading facilities, pedestrian ways and buffer yards.

- (5). The capacity arrangement and controls for all areas to be used for automobile access, parking, loading and unloading in sufficient detail to demonstrate that satisfactory arrangements will be made to facilitate traffic movement from the street or highway.
- (6). The character of the buffer area and screening devices to be maintained including the dimensions and arrangements of all areas devoted to planting, lawns, trees or similar purposes.
- (7). A description of the proposed methods of control of development in sufficient detail to indicate the noise, glare, air pollution, water pollution, fire hazards, traffic congestion, and other safety hazards to be produced.
- (8). A description of the methods to be used for water supply treatment and disposal of sewage, wastes, refuse, and storm drainage.
- (9) The names and addresses of all adjoining property owners.

b. Referral to Penn Township Planning Commission. Applications for a Conditional Use shall be referred to the Penn Township Planning Commission for comment. In their review the Planning Commission shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may recommend appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of This Ordinance and the accomplishment of the following objectives in particular.

- (1). That all proposed structures, equipment, or material shall be readily accessible for fire and police protection.
- (2). That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

(3). That, in addition to the above, in the case of any use located in, or directly adjacent to, a Residential District:

(a) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said Residential District or conflict with the normal traffic of the neighborhood; and

(b) The location and height of buildings, the location, nature and height of walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

3. Conditional Uses - Specific Procedures. Upon receipt of a Conditional Use Application the following procedure shall prevail.

a. Planning Commission Review. The Township Planning Commission shall review said application together with all supporting information and forward its written recommendations to the Township Board of Supervisors. The Commission may recommend approval, disapproval or modification. In the case of disapproval or modification the Commission shall set forth the reasons for the recommendation in writing.

b. Board of Supervisors Action. Within sixty (60) days from receipt of a Conditional Use Application, the Township Board of Supervisors, after giving notice to the public shall hold a public hearing on the Conditional Use Application and render its decision within forty-five (45) days from the date of the final public hearing. The Board of Supervisors shall complete the hearing no later than 100 days after the completion of the applicant's case in chief, unless extended for a good cause upon application to the court of common pleas. Written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

The Township Board of Supervisors shall make its final decision based upon findings of fact as to the general factors set forth in Section 1820.1.a. and upon the specific factors for which a conditional use application is filed.

Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions shall contain a reference to the provisions relied on and the reasons why the conclusion is deemed appropriate in light of the facts found.

In allowing a Conditional Use, the Township Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of this Ordinance and the Pennsylvania Municipalities Planning Code.

**PENN TOWNSHIP**  
**100 Municipal Building Road**  
**Duncannon, PA 17020-1100**  
**Township Office 834-5281      Fax 834-6854**

**CONDITIONAL USE HEARING APPLICATION**

DATE OF COMPLETED APPLICATION: \_\_\_\_\_  
DOCKET#: \_\_\_\_\_

APPLICANT \_\_\_\_\_

PHONE: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

ATTORNEY: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INTEREST OF APPLICANT:

( ) OWNER ( ) EQUITABLE TITLE HOLDER ( ) OTHER - SEE ATTACHED  
SITE ADDRESS, PARCEL NUMBER DESCRIPTION AND PRESENT USE:

APPLICANT REQUEST:

REASON FOR REQUEST: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Use additional Page if needed

ZONING: ( ) AGRICULTURAL/RURAL ( ) FOREST/CONSERVATION ( ) LOW  
DENSITY RESIDENTIAL ( ) HIGH DENSITY RESIDENTIAL ( ) COMMERCIAL  
( ) MIXED USE COMMERCE DISTRICT ( ) INDUSTRIAL ( ) FLOOD PLAIN  
OVERLAY ( ) STEEP SLOPE CONSERVATION OVERLAY

NAMES AND ADDRESSES OF PROPERTY OWNERS OF RECORD ON ADJOINING  
~PROPERTIES WITHIN 200 FEET OF THE SUBJECT PROPERTY: (Submit on  
separate page)

SUBMISSION (        ) PLOT PLAN (        ) SKETCH (        ) PHOTOS (MUST  
SUBMIT A PLOT PLAN OR SKETCH)

STATEMENT OF ACCURACY: *I hereby certify/confirm as the applicant  
that all of the information provided, as part of this  
application submittal, is complete and correct to the best of my  
knowledge and that the township authority may rely upon its  
accuracy in the course of their review.*

SIGNATURE OF  
APPLICANT: \_\_\_\_\_



FEE: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

HEARING DATE: \_\_\_\_\_

Specifications:

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