



SUMMIT TOWNSHIP

1230 Townhall Road West Suite 100 | Erie, PA 16509
814-868-9686 | www.summittownship.com
Tamara Cass – Zoning Administrator Email: tcass@summitpa.us

**ZONING HEARING BOARD
APPLICATION**

RESIDENTIAL: \$500 | COMMERCIAL: \$850 | APPEAL: \$1000

TOWNSHIP USE ONLY:

Parcel ID No.: _____ Date Received: _____ Fee Paid: _____
Zoning District: RN RR RLD RMD RMF MUN MUR CC CL I IP L

• **Address of Subject Property:** _____

• **Applicant**

Name: _____

Address: _____

Phone: _____ Email: _____

• **Property Owner (if different from applicant) ***

*If property owner is different from applicant, evidence must be presented that the property owner consents to the application (lease/purchase agreement, affidavit, etc.) and provides the applicants with the rights to submit applications.

Name: _____

Address: _____

Phone: _____ Email: _____

• **Applicant's Agent (Realtor, Attorney, Plan Preparer, etc. if applicable)**

Name: _____

Address: _____

Phone: _____ Email: _____

• **Please indicate the reason for petitioning the board:**

- Variance(s) from the Zoning Ordinance article(s)/section(s): _____
- A special exception use listed as allowed in the _____ Zoning District – Table 311. _____ Article 4 Section 401. _____
- An appeal of a determination by the Zoning Administrator (zoning permit denial, interpretation conflict, etc.)

• **Describe the proposed improvement/use/appeal with as much detail as possible (attach a separate narrative if needed):**

• **Please describe how the request meets the criteria listed in Ordinance 2022-21 and why the board should grant the request:**

<u>Variiances</u>	<u>Special Exceptions</u>	<u>Appeal of a Determination</u>	Criteria listed on Page 3
Article 11 Section 1107(C)	Article 4	Article 11 Section 1107(A)	(attach a separate narrative if needed)

• **I have attached all related materials (narratives, plot plans, scope of work, etc.)**

***** APPLICANTS MUST ATTEND THEIR HEARING *****

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Owner or Applicant/Agent Signature

Date



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ZONING HEARING BOARD APPLICATION INFORMATION

Required documentation:

- Owner/Applicant/Agent Information (with owner permission if applicable)
 - Proposed Improvement / Use / Appeal Narrative
 - Completed Criteria Justification
 - Site Plan (as applicable) with the Improvement & Requests Indicated (setbacks, measurements, etc.)
 - Application Fee: (cash, credit or check/money order made payable to “Summit Township”)
Residential - \$500 Commercial - \$850 Appeal - \$1,000
- The application and supplemental information listed above may be emailed to tcass@summitpa.us. Payments can be made by credit card online or over the phone (a 2.95% fee applies to credit card transactions).
 - Applications & payments may also be mailed/delivered to:

Summit Township Municipal Building
Attn: Tamara Cass
1230 Townhall Road West
Erie, PA 16509

- The Zoning Hearing Board meets on the last Tuesday of each month at 6:00 PM
- All application materials and fees must be submitted to the Zoning Office by the last Monday of the month before the next month’s meeting
- The applicant must attend the hearing and be prepared to present the appeal and answer questions from the board
- It is imperative that as much detail as possible is included to describe the proposed improvement/use/appeal. This is typically attached separately with the application as a narrative which describes the reasons and justification for the Board to consider its approval. The narrative must demonstrate the presence of a hardship that prohibits the property from being used in accordance with the Zoning Ordinance regulations
- After a Variance, Special Exception, or other action has been authorized by the Zoning Hearing Board, the applicant shall secure the necessary permit(s) before beginning a project
- Hearings are recorded and/or streamed live and can be viewed on our YouTube channel [@summittownshiperiecountypa934](https://www.youtube.com/channel/UCsummittownshiperiecountypa934). This is a good resource for those who would like to observe how the meetings are conducted

ARTICLE 11
ZONING HEARING BOARD

1107 BOARD'S FUNCTION

A. Appeals from the Zoning Officer: The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of this ordinance or map or any valid rule or regulation governing the action of the Zoning Officer. Nothing contained herein shall be construed to deny to the appellant the right to proceed directly in court, where appropriate, pursuant to rules of civil procedure relating to mandamus.

C. Variances: The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship on the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided the following findings are made where relevant in a given case:

1. That there are 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 generally created by the provisions of this ordinance in the neighborhood or district in which the property is located.
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. That such necessary hardship has not been created by the applicant.
4. That 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. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
6. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance.

ARTICLE 4
SPECIAL EXCEPTIONS

401 CRITERIA FOR SPECIAL EXCEPTIONS

A. The Zoning Hearing Board shall hear and decide requests for special exceptions in accordance with the standards and criteria in this ordinance. The applicant must demonstrate compliance with all the applicable provisions of this ordinance. Special Exceptions shall only be granted if the proposed use meets the general criteria, in addition to specific criteria established in this ordinance for the particular use. In granting a special exception, the Zoning Hearing Board may attach reasonable conditions and safeguards, in addition to those expressed in this ordinance as they may deem necessary to implement the purposes of this ordinance. The applicant must demonstrate that the proposed use complies with the following.

1. The proposed use shall be consistent with the comprehensive plan
2. The proposed use shall be consistent with the purpose and intent of this ordinance and the zoning district in which it will be located.
3. The proposed use shall not be detrimental to the public health, safety or general welfare
4. The proposed use shall not substantially change the character of the neighborhood in which it would be located
5. The proposed use must comply with all applicable regulations contained in this ordinance and all other applicable township ordinances and regulations.

B. The criteria for Special Exceptions are listed below. In addition to these, the Zoning Hearing Board, in granting Special Exceptions is charged with considering the effect that such proposed uses will have upon the immediate neighborhood. The preservation and integrity of existing development must be carefully weighed and given priority in each decision.