

ZONING ORDINANCE

AND

SUBDIVISION AND
LAND DEVELOPMENT
ORDINANCE

MANUAL OF
PROCEDURES

South Franklin Township

Green Hills Borough

Washington County, PA

Prepared: January 2014

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INTRODUCTION

This manual is intended to provide an overview and assist in the day-to-day administration of the municipality's development and land use review process in a format that is more "user friendly" than the enacted zoning ordinance and subdivision and land development ordinance.

The information found within this manual is a supplement to the municipality's zoning ordinance and subdivision and land development ordinance – it should not be used as a substitute for these documents. Please consult the appropriate ordinance provisions prior to, and during, the development process.

Residents, applicants, municipal officials, staff, and other interested persons can use the procedures manual as a guide to the development review process. It includes both general information about planning and regulatory concepts and specific information about the individual development review procedures. It also includes application submittal information, required forms, and other useful resource information for applicants.

Copies of the zoning ordinance, subdivision and land development ordinance, and other ordinances regulating land use are on file and available for public inspection during regular business hours at the municipal building. The (South Franklin Township) documents are also available for on-line viewing and download at <http://www.southfranklintwp.org>.

The manual includes information that may change periodically without advance notice. Users of the manual are strongly encouraged to contact the municipality or consult the municipality's website to ensure they have the most recent version of the manual.

If there is a conflict between this document and other municipal ordinances, the enacted ordinances shall prevail and control.

PART 1 – HOW TO GET ZONING APPROVAL

When am I required to get a zoning approval?

Zoning is usually the first step in the development approval process. Each land use activity must demonstrate that it conforms with the municipality's zoning laws - whether it's simply a change in land use, a brand new construction project, or a rehabilitation project. Zoning regulations ensure that the land use, site layout, and building form on every parcel in the municipality is compatible with its surrounding context. Generally, a project will need a zoning approval if it involves:

- New construction or additions
- New construction or alterations in an Airport Zoning Overlay District
- Changes of a use of a property
- Change in ownership or occupancy
- Change in use or expansion of a nonconforming structure
- Accessory structures (detached garages, sheds, etc.) that are larger than 200 square feet of floor area
- Installation of a swimming pool (in-ground or above ground)
- Installation of a fence
- Creation of off-street parking or reconfiguration of existing parking
- Changes to a property's zoning classification ("zoning map revision")

HOW TO USE THE ZONING ORDINANCE:

- 1) Locate the subject property on the official zoning map to determine its zoning classification.
- 2) Determine if the proposed use is permitted in the zoning district by reviewing the use tables in Article III of the zoning ordinance. The table will note if the use is permitted by right or is a conditional use.
- 3) Review the dimensional tables in Article III of the zoning ordinance to see the permissible lot area, lot width, yard requirements, building height, and lot coverage related to the district and/or specific use.
- 4) Determine if the subject property is within the airport and/or floodplain overlay districts and if so, submit the required forms and review the additional regulations found in Article III.
- 5) Review any supplemental regulations in Article VI for specific uses in all districts that may apply.
- 6) Review general regulations for all uses, such as for accessory structures, fences, landscaping, buffer yards, outdoor storage and screening, and lighting found in Article IV.
- 7) Review off-street parking and loading requirements in Article V.
- 8) Review sign requirements, such as type and size of signs permitted in each district, in Article VII.

How do I get a zoning permit?

There are three main paths to getting a zoning permit in either Green Hills Borough or South Franklin Township: by right, by conditional use, or by variance. While it is a Joint Zoning Ordinance, it is administered and enforced separately. Green Hills Borough will issue/deny permits for all proposed projects on property within the Borough; South Franklin Township will do the same. Applicants should contact the appropriate municipality to obtain copies of the applications and fee schedule and consult with the Zoning Officer regarding your project to ensure that you are completing the proper forms and applications.

1) **By Right**

When the project complies with all the zoning provisions applicable to the property (use, dimensions, parking, signs, etc.), the applicant can get a zoning permit “by-right” from the Zoning Officer without any action by the Zoning Hearing Board, Planning Commission, or Borough Council/Board of Supervisors.

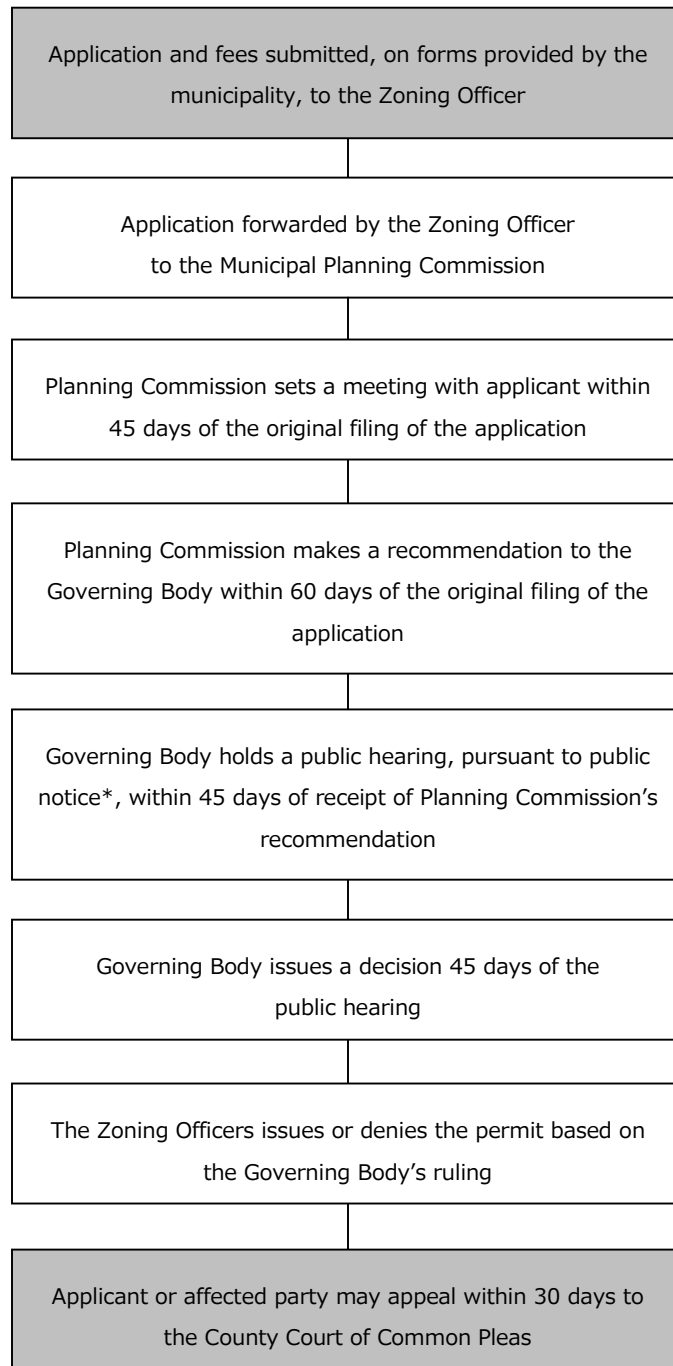
2) **By Conditional Use**

The Zoning Ordinance permits certain uses and development by conditional use, which is granted by the governing body (Borough Council in Green Hills; Township Board of Supervisors in South Franklin) if the project is compatible with the surrounding neighborhood. Uses permitted as a conditional use are noted in the use tables for each zoning district in Article III of the Zoning Ordinance.

Conditional uses require approval by the Governing Body, after a recommendation from the Municipal Planning Commission. See the process for a conditional use application on page 4.

PROCESS FOR CONDITIONAL USE

Note: Gray boxes are applicant responsibility



- Public Notice - notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

3) **By Variance**

In some cases, special circumstances prevent projects from conforming to the Zoning Ordinance standards. In these instances, applicants must obtain a variance from the Zoning Hearing Board in order to deviate from the zoning standards. The Zoning Officer will review the application, then deny the zoning permit since the project proposal does not comply with the Zoning Ordinance. The applicant may then choose to either 1) alter the project to make it conform to the Zoning Ordinance, or 2) appeal the denial to the Zoning Hearing Board and request a variance. The Zoning Hearing Board will hold a public hearing and use the criteria in Article VIII of the Zoning Ordinance to verify that there are special circumstances at the property presenting an unnecessary hardship in complying with the Zoning Ordinance. If the applicant provides satisfactory evidence to prove hardship, the Zoning Hearing Board may grant a variance. The applicant will receive a "Notice of Decision" and must present it to the Zoning Officer to receive the zoning permit. A variance shall expire if the applicant fails to obtain a permit within one year of the date of authorization of the variance.

When should I apply for a zoning permit?

If the proposed project involves a new building or structure or alterations to an existing building or structure, an application for a zoning permit must be made prior to application for a building permit.

If no construction is involved (i.e. a change of use or occupancy), an application for a zoning permit and an occupancy permit (pursuant to the Pennsylvania Uniform Construction Code) may be made simultaneously at anytime prior to the use or occupancy of the land, building or structure.

How long do I have to wait after applying for a zoning permit?

For standard applications requesting a zoning permit for a permitted use by right, permits will be acted on within 90 days of submission of the completed application and corresponding fee. However, this time frame does not apply when the application involved is a subdivision or land development, in which case the time limit shall be the same as provided for plan review. Zoning Permits shall automatically expire within 6 months from the date of issue. If work cannot be completed, applicant must reapply for a new permit.

What if my property is in the airport zoning overlay?

If your property is within the airport zoning overlay district and you are proposing any construction or alterations which may affect navigable airspace, you will need to complete and submit a Notice of Proposed Development or Alteration (Form AV-57) to the Pennsylvania Department of Transportation Bureau of Aviation at least thirty (30) days prior to commencement thereof PRIOR to applying for a zoning permit in Green Hills or South Franklin. A copy of the form is included in the Appendices. Anyone with property within the Airport Overlay District shall also refer to the regulations in Article III of the Green Hills/South Franklin Joint Zoning Ordinance.

What if my application for a zoning permit is denied?

Applicants may appeal any decision or action by the Zoning Officer and/or an interpretation of the terms of the Zoning Ordinance to the Zoning Hearing Board. All appeals shall be in writing on forms provided by the municipality and shall refer to the specific provision of the Zoning Ordinance involved and set for the interpretation that is claimed. The Zoning Hearing Board shall hold a public hearing prior to making a determination. Finally, decisions of the Board may be appealed within thirty (30) days to the Court of Common Pleas.

How can the zoning map be revised?

A request for a zoning map revision may be initiated by a variety of sources, including the Governing Body, Planning Commission, or a property owner. All amendments are submitted to the Municipal Planning Commission, Joint Planning Commission, and Washington County Planning Commission for review and comments. The Governing Body will hold a public hearing (no earlier than 30 days after the amendment has been submitted to the Planning Commissions for review) before voting on its adoption. Since it is a Joint Zoning Ordinance, both municipalities must approve the amendment in order for it to become effective.

PART 2 – HOW TO GET SUBDIVISION AND/OR LAND DEVELOPMENT APPROVAL

The subdivision of property and development of land is regulated in Green Hills and South Franklin by a Subdivision and Land Development Ordinance. Each municipality administers and enforces these ordinances separately, although the ordinances were developed with the same regulations in order to achieve consistency in development throughout the two municipalities. Applicants who plan to subdivide or develop their property should contact the appropriate municipality to obtain the forms and applications, along with the corresponding fee schedule and discuss application procedures and applicable ordinance requirements.

What is a subdivision?

A subdivision is the division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.

How do I know if I have a minor or a major subdivision?

A Minor Subdivision is a subdivision containing not more than three (3) lots, proposed either for the construction of detached single-family dwellings, or for the transfer of property between lots which contain existing detached single-family dwellings.

A Major Subdivision is any subdivision not classified as minor, involving the subdivision of land into four (4) or more parcels.

Why are minor and major subdivisions treated differently?

Green Hills and South Franklin offer reduced submission and procedural requirements for minor subdivisions; lot line adjustments; merger or consolidation of lots (also known as a reverse subdivision); and land developments involving the addition of less than 1,000 square feet of building floor area on one lot without any additional dwelling units. Preliminary plans are not required for any of the above projects.

What is a land development?

A land development is defined as any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regard less of the number of occupants or tenure; or
 - (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.
- (3) Development in accordance with section 503(1.1) of the MPC.

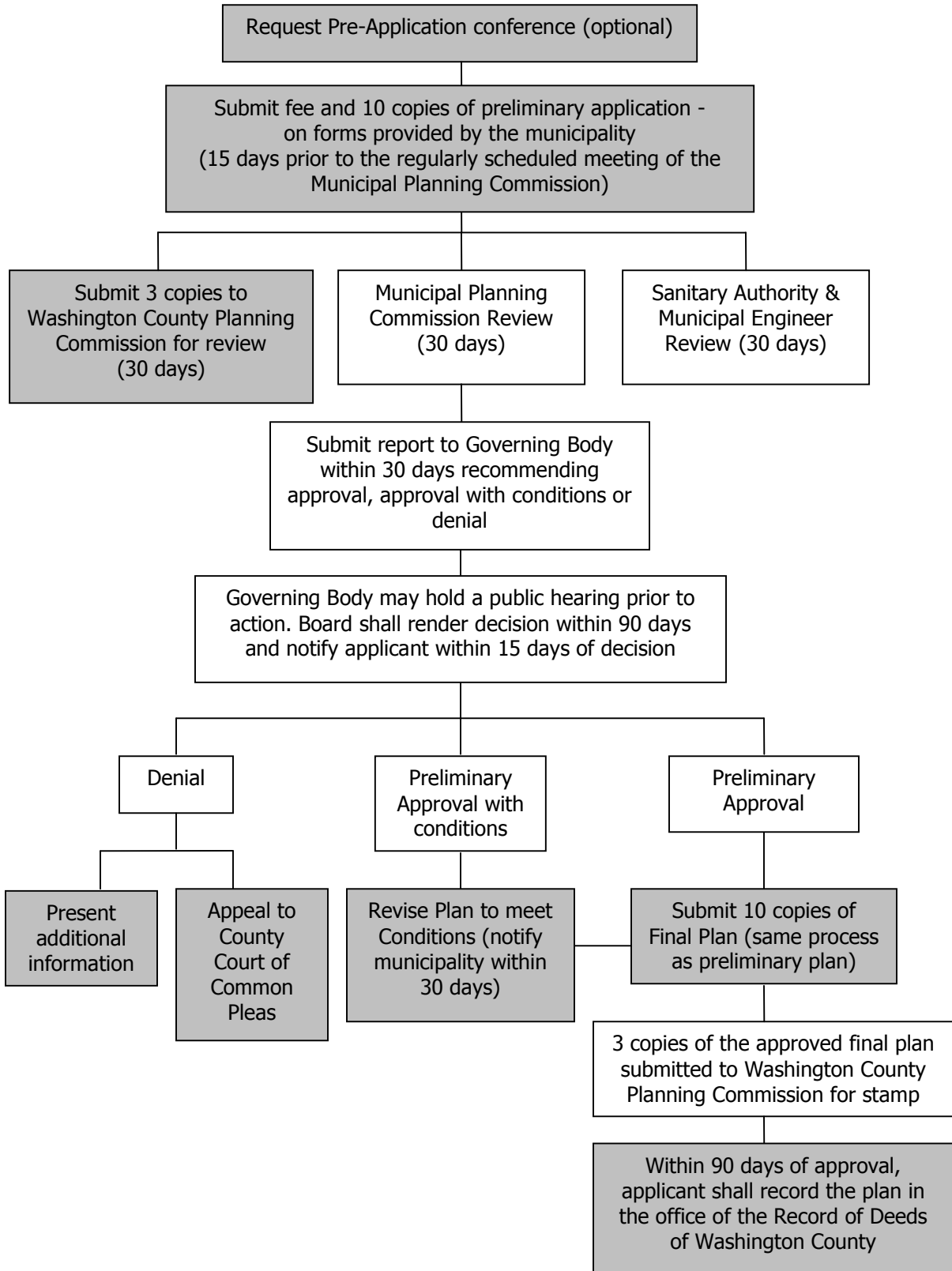
Do I need to attend any meetings?

While attendance at review meetings is not mandatory, prior to filing an application for preliminary approval for a major subdivision or land development or before filing an application for approval of a minor subdivision, the applicant or his/her representatives may meet with the municipality to obtain forms and to discuss procedures and requirements.

In addition, the applicant may request a pre-application conference with the municipality's Planning Commission at least fourteen (14) calendar days prior to the date of their next regularly scheduled meeting.

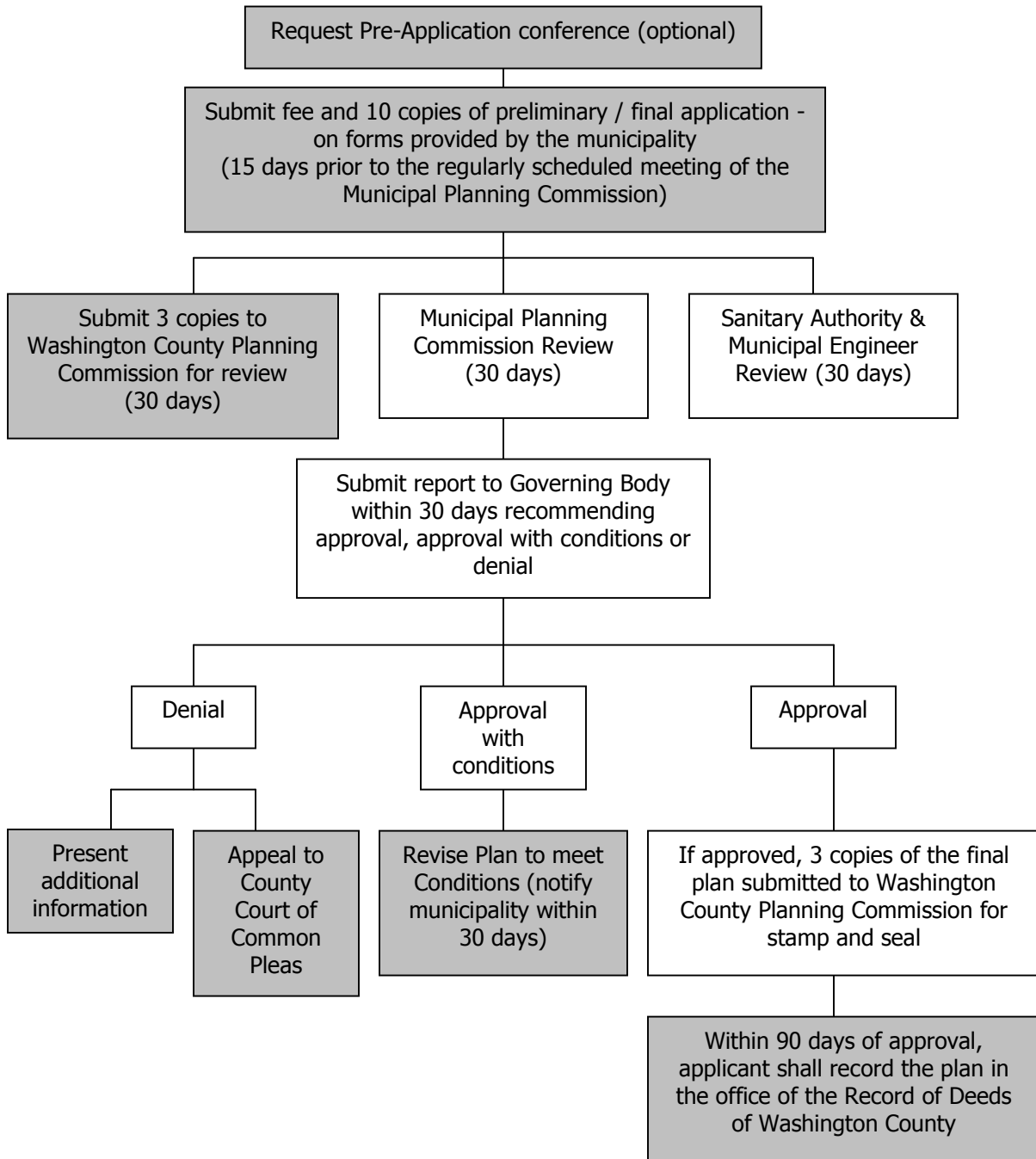
PROCESS FOR A MAJOR SUBDIVISION OR LAND DEVELOPMENT

Note: Gray boxes are applicant responsibility



PROCESS FOR A MINOR SUBDIVISION

Note: Gray boxes are applicant responsibility



PART 3 – THE DECISION-MAKERS

The Zoning Officer

Green Hills and South Franklin are required to appoint a Zoning Officer to administer the Joint Zoning Ordinance for their respective municipality. The Zoning Officer is responsible for receiving, reviewing, and issuing permits for building and zoning purposes and certificates of occupancy, maintaining records of applications and permits, performing inspections to determine compliance with the ordinance, notifying persons violating the ordinance, keeping the zoning ordinance and map up-to-date, registration of nonconforming uses, and accepting applications for and presenting facts at hearings before the Zoning Hearing Board.

The Zoning Officer must administer the ordinance by its literal terms; does not have any discretionary power; and can neither waive nor tighten any requirement of the ordinance. As per the Pennsylvania Municipalities Planning Code, the Zoning Officer cannot hold any elective office within the municipality and is required to meet qualifications established by the municipality and must be able to demonstrate a working knowledge of municipal zoning.

The Zoning Hearing Board

Green Hills and South Franklin are required to appoint a Zoning Hearing Board for their respective municipality. The Zoning Hearing Board is responsible to help assure fair and equitable application and administration of the Zoning Ordinance; serve as a “local court” for zoning matters; and hear applications concerning interpretations of the Zoning Ordinance and appeals of decisions by the Zoning Officer.

As stated in the MPC Section 909.1(a), the Zoning Hearing Board has jurisdiction in the following areas:

- Substantive challenges to the validity of any land use ordinance;
- Challenges raising procedural questions or alleged defects in the enactment or adoption process of a land use ordinance;
- Appeals from the determination of the zoning officer;
- Appeals from a determination by the municipal engineer or the zoning officer with regards to the administration of any floodplain or flood hazard regulations;
- Applications for variances;
- Applications for special exceptions;

- Appeals from determinations regarding the administration of transfers of development rights or performance density provisions;
- Appeals from the zoning officer's determination regarding preliminary opinions;
- Appeals from the municipal engineer's or zoning officer's determination in the administration of any land use ordinance regarding stormwater management and erosion and sediment control not involving subdivision, land development or planned residential development applications.

The Planning Commission

Green Hills and South Franklin maintain their own municipal Planning Commissions. The Planning Commission is responsible for the following:

- Review conditional use applications and make recommendations to the Governing Body.
- Review applications for subdivisions and land developments and make recommendations to the Governing Body.
- Provide testimony to the Zoning Hearing Board as needed/requested.
- Make recommendations to the Governing Body on proposed amendments to the Zoning Ordinance.
- Review the zoning ordinance, subdivision and land development ordinance, and such other ordinances and regulations governing the development of land.

The Joint Planning Commission

South Franklin Township and Green Hills Borough, having completed a Multi-Municipal Comprehensive Plan and a Joint Zoning Ordinance, created a Joint Planning Commission with the following powers:

- Undertake the preparation and amendment of the Joint Zoning Ordinance.
- Review any proposed amendments to the Joint Zoning Ordinance, including the Zoning Map, and shall be permitted to provide testimony to the Zoning Hearing Board upon request of the Governing Bodies of each municipality.
- Any other activities related to planning or zoning as the Governing Bodies of the municipalities see fit or as the Pennsylvania Municipalities Planning Code may require.

The Green Hills Borough Council

Council is the legislative body for Green Hills Borough that renders the following decisions:

- Approvals for conditional use applications.
- Grant final approval for subdivisions and land development plans.
- Hold public hearings.
- Appoint members to Planning Commission and Zoning Hearing Board.
- Appoint the Zoning Officer.
- Enact all zoning amendments, map changes, etc.

The South Franklin Township Board of Supervisors

The Board of Supervisors is the legislative body for South Franklin Township that renders the following decisions:

- Approvals for conditional use applications.
- Grant final approval for subdivisions and land development plans.
- Hold public hearings.
- Appoint members to Planning Commission and Zoning Hearing Board.
- Appoint the Zoning Officer.
- Enact all zoning amendments, map changes, etc.

PART 4 – COMMONLY ASKED QUESTIONS

Q - Where does the municipality receive its authorization to regulate land development?

A - In Pennsylvania, the power and responsibility to plan for land use and its regulation lies exclusively with local governments. The General Assembly delegated to local governments a portion of the “police power” with respect to planning and land use controls to protect the public health, safety, and general welfare. Responsibility for land use planning and regulating development is exercised through the authority granted to municipal officials in the Pennsylvania Municipalities Planning Code (MPC), Act of 1968, P.L. 805, No. 247 as reenacted and amended.

Q – What is planning?

A - Planning is the process of inventorying the various ways that the community (or region) can be developed, analyzing the collected data, projecting where future growth and development should occur based on available infrastructure and best management practices, and establishing policies that are to be implemented in order to guide this growth and development.

The American Planning Association states that planning enables civic leaders, businesses, and citizens to play a meaningful role in creating communities that enrich people's lives. Good planning helps create communities that offer better choices for where and how people live. Planning helps communities to envision their future. It helps them find the right balance of new development and essential services, environmental protection, and innovative change.

Q - What is a Comprehensive Plan?

A - A long-range policy document that establishes a vision and provides policy guidance for the municipality's growth and development and contains action items intended to implement the plan's vision. It serves as the framework for guiding decisions about how land should be used.

Comprehensive plans are to be reviewed every ten years and typically contain basic plan elements such as transportation, housing, physical environment, natural and historic resources, community services and utility facilities, economic conditions, and the form and function of government. The document should contain a plan for the reliable supply of water and identify those areas where growth and development will occur so that a full

range of public infrastructure, including sewer, water, highways, police and fire protection, public schools, parks open space and other services can be adequately planned and provided as needed to accommodate growth.

Q – Can municipalities work together to complete a Comprehensive Plan?

A – Multi-municipal planning has long been permitted through the MPC. In 2000, Acts 67 and 68 – “Growing Smarter Amendments” – made it easier and more attractive for local governments to plan together. The MPC encourages municipalities to adopt municipal or multi-municipal comprehensive plans that are generally consistent with their county comprehensive plan. South Franklin Township and Green Hills Borough adopted a Multi-Municipal Comprehensive Plan in 2009.

Q - What is Zoning?

A - A process used to promote the health, safety and general welfare of the municipality through the equitable regulation, protection, preservation and enhancement of land and land use activities. It is also one method of implementing the community’s comprehensive plan.

Q - What is a Zoning Ordinance?

A - A tool enacted by the local governing body to implement the adopted comprehensive plan that typically contains two components – the text and the zoning map. The zoning ordinance divides all land within a municipality into districts, and creates regulations that apply generally to the municipality as a whole as well as specifically to individual districts. Each zoning district contains a list of permitted uses, special exceptions and conditional uses. Included for each zoning district are specific land use regulations related to the development of property such as permitted uses, yard setbacks, building heights, and lot coverage specifications. Other zoning regulations govern such aspects as accessory uses, landscaping, lighting, signs, parking and floodplain development.

Q – Who is responsible for administering and enforcing the Zoning Ordinance?

A - The MPC requires that two separate entities – a zoning officer and a zoning hearing board – be created for the purpose of administration and enforcement of the municipality’s enacted zoning ordinance.

Q – What happens if a property owner violates the requirements of the zoning ordinance?

A - Any person, partnership or corporation found in violation of the zoning ordinance shall pay a judgment of not more than \$500 plus all associated court costs upon being found liable in a civil proceeding. Each day that a violation continues after this determination may constitute a separate offense.

Q - What is a Subdivision and Land Development Ordinance (SALDO)?

A - It is another tool used to implement the comprehensive plan adopted by the municipality. The SALDO establishes the requirements governing the division of land into developable lots, with or without streets, for the purpose of sale, transfer of ownership, or development. It also includes information on the procedural requirements associated with the review of a proposed subdivision or land development plan. Specific requirements can be created to address uniform standards for future public improvements and to prevent the obligation of development costs on the municipality.

Q – What is the difference between a subdivision and a land development?

A – A subdivision is the division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Any subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

A land development is defined as any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.

(3) Development in accordance with section 503(1.1) of the MPC.

Q – What is an application for development?

A – Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

Q – Who can make an application for development?

A – As defined in the MPC, an “applicant” is a landowner or developer, as herein after defined, who has filed an application for development including his heirs, successors and assigns. The landowner is the legal or beneficial owner, or owners, of land including the holder of an option or contract while the developer is defined as any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

Q – Are reviews and decisions made by the planning commission, zoning hearing board, or governing body open to the public?

A – Yes. All of these agencies are required to hold public meetings which are forums held pursuant to notice under 65 Pa. C.S. CH. 7 (relating to open meetings). From time to time, the planning commission or governing body may hold a public hearing, which is a formal meeting held pursuant to public notice and intended to inform and obtain public comment, prior to taking action in accordance with the MPC.

Q - How can I learn more?

A – Contacting the municipality is the easiest way to learn more about the applications, fees, procedures, codes and ordinances currently being used to administer and enforce land use requirements that may impact you.

The Commonwealth of Pennsylvania has a website – www.newpa.com – that provides a wealth of information from which you can access publications such as the MPC and the Planning Series Workbooks.

The Washington County Planning Commission and the Redevelopment Authority of the County of Washington are other valuable resources with staff members who can provide answers to inquiries that you may have.

APPENDICES - FORMS

ZONING PERMIT APPLICATION

PARCEL ID# _____

Applicant's Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Telephone: _____ Fax: _____

Date of Application: _____

Check One: Owner of Record Option Holder Agent for the Owner Other

If other, list relationship: _____

If not the owner of record, list the owner of record's name and address

(Please note that a letter of authorization from the owner of record is required)

Name: _____

Address: _____

Location of the proposed use:

(Please attach a complete legal description and a map or site development plan which is drawn to scale)

How many lots of record are included in the proposal? _____

What is the current zoning classification(s) of this property? _____

Is the property within the Airport Overlay District? _____

If Yes, please attach a copy of your approved PennDOT Bureau of Aviation (BOA) AV-57 form and if required, Federal Aviation Administration (FAA) Form 7460-1. No permit will be issued until the BOA and/or FAA have given their approval.

What is the current land use(s) of the property? _____

Describe the proposed development of this property: _____

List the proposed use(s): _____

Applicant Signature: _____ Date: _____

ZONING PERMIT APPLICATION

STOP! FOR OFFICIAL USE ONLY

Plans needed: YES _____ NO _____ Plan No. _____

Check one: Change in use Change in ownership Change in occupancy Other _____

Is the proposed use a continuation of a lawful nonconforming use? YES _____ NO _____

Reason for nonconformity: _____

Is the property in the Airport Overlay Zone? YES _____ NO _____

If yes, did the applicant provide a copy of an approved PennDOT Bureau of Aviation (BOA) AV-57 form and/or Federal Aviation Administration (FAA) Form 7460-1? YES _____ NO _____

Approved: _____ Date: _____

Comments: _____

Denied: _____ Date: _____

Reason for Denial: _____

Appeal to the Zoning Hearing Board: YES _____ NO _____ Date: _____

Board Decision: Granted: _____ Denied: _____ Date: _____

FEE AMOUNT: _____ Paid on: _____

OTHER NOTES: _____

NOTE: In addition to this Zoning Permit, additional permits may be required. Whenever the use involves a new building or structure, an application for a zoning permit shall be made prior to an application for a building permit. This permit applies to ZONING ONLY and shall not relieve the applicant from obtaining other such permits as may be required by law. Violation of any provision of this Ordinance, including falsification of information on this permit by owner or lessee or other person shall be punishable by a fine not to exceed \$500.00 or by imprisonment not to exceed 60 days. A zoning permit shall NOT be required for an accessory structure that has up to and including two hundred (200) square feet of floor area.

CONDITIONAL USE APPLICATION

PARCEL ID# _____

Applicant's Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Telephone: _____ Fax: _____

Date of Application: _____

Check One: Owner of Record Option Holder
 Agent for the Owner Other

If other, list relationship: _____

If not the owner of record, list the owner of record's name and address

(Please note that a letter of authorization from the owner of record is required)

Name: _____

Address: _____

Location of the proposed conditional use:

(Please attach a complete legal description and a map or site development plan which is drawn to scale)

How many lots of record are included in the proposal? _____

What is the current zoning classification of this property? _____

What is/are the current land use(s) of the property? _____

Describe the proposed development of this property: _____

List the proposed conditional use(s): _____

CONDITIONAL USE APPLICATION

List other notes or comments which may help explain your proposal: _____

Applicant Signature: _____ Date: _____

STOP! FOR OFFICIAL USE ONLY

Staff review and recommendation to the Planning Commission: _____

Preliminary review by the Planning Commission: _____

Date of public meeting before the Planning Commission: _____

Date of final review and recommendation by the Planning Commission: _____

Date of public hearing before Council: _____

Date of final disposition before Council: _____

Approved: _____ or Rejected _____ by Council on: _____

FEE AMOUNT: _____ Paid on: _____

Specific CONDITIONS of approval: _____

OTHER NOTES: _____

USE BY SPECIAL EXCEPTION APPLICATION

PARCEL ID# _____

Applicant's Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Telephone: _____ Fax: _____

Date of Application: _____

Check One: Owner of Record Option Holder
 Agent for the Owner Other

If other, list relationship: _____

If not the owner of record, list the owner of record's name and address

(Please note that a letter of authorization from the owner of record is required)

Name: _____

Address: _____

Location of the proposed use by special exception:

(Please attach a complete legal description and a map or site development plan which is drawn to scale)

How many lots of record are included in the proposal? _____

What is the current zoning classification of this property? _____

What is/are the current land use(s) of the property? _____

Describe the proposed development of this property: _____

List the proposed use(s) by the special exception: _____

USE BY SPECIAL EXCEPTION APPLICATION

List other notes or comments which may help explain your proposal: _____

Applicant Signature: _____ Date: _____

STOP! FOR OFFICIAL USE ONLY

Staff review and recommendation to the Zoning Hearing Board: _____

Preliminary review by the Zoning Hearing Board: _____

Date of public hearing before the Zoning Hearing Board: _____

Date of final review and disposition by the Zoning Hearing Board: _____

Approved: _____ or Rejected _____ by Board on: _____

FEE AMOUNT: _____ Paid on: _____

Specific CONDITIONS of approval: _____

OTHER NOTES: _____

ZONING VARIANCE APPLICATION

PARCEL ID# _____

Applicant's Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Telephone: _____ Fax: _____

Date of Application: _____

Check One: Owner of Record Option Holder
 Agent for the Owner Other

If other, list relationship: _____

If not the owner of record, list the owner of record's name and address

(Please note that a letter of authorization from the owner of record is required)

Name: _____

Address: _____

Location of the property for which the variance is being requested:

(Please attach a complete legal description and a map or site development plan which is drawn to scale)

How many lots of record are included in this petition? _____

What is the current zoning classification of this property? _____

Describe the proposed development of this property: _____

List each variance being requested and the specific requirement(s) which cannot be met: _____

ZONING VARIANCE APPLICATION

My request for a building permit or certificate of occupancy was denied by:

_____ Date: _____

List other notes or comments which may be helpful in explaining your variance: _____

Signature: _____

STOP! FOR OFFICIAL USE ONLY

Confirmation that the building permit or occupancy permit has been denied:

Denied by: _____ Date: _____

Staff review and recommendation to the Zoning Hearing Board: _____

Date of public hearing before the Zoning Hearing Board: _____

Date of final review and disposition by the Zoning Hearing Board: _____

Approved: _____ or Rejected _____ by Board on: _____

FEE AMOUNT: _____ Paid on: _____

Specific CONDITIONS of approval: _____

OTHER NOTES: _____

FORMAL APPLICATION FOR A CHANGE IN ZONING

Applicant's Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Telephone: _____ Fax: _____

Date of Application: _____

Check One: Owner of Record Option Holder
 Agent for the Owner Other

If other, list relationship: _____

If not the owner of record, list the owner of record's name and address

(Please note that a letter of authorization from the owner of record is required)

Name: _____

Address: _____

Location of the property where change is requested:

Tax Parcel Number _____ Municipality _____

How many lots of record are included in this petition? _____

Current zoning district: _____

Proposed zoning district: _____

Proposed text amendment: _____

Are there deed restrictions that would prohibit rezoning or other use(s)? _____

Describe the proposed development of this property: _____

Reasons for requesting change of zoning (Please list all proposed activities): _____

FORMAL APPLICATION FOR A CHANGE IN ZONING

List other notes or comments which may be helpful in explaining your request for a change in zoning: _____

I, the undersigned owner, lessee, or _____, do hereby request a zoning amendment to the South Franklin Township and Green Hills Borough Joint Zoning Ordinance as listed. (In addition, I hereby consent to the posting of hearing notices on or adjacent to said property understanding that no undue damage will be incurred.) Attached are the following:

1. Typed copy of the legal description of the property.
2. A copy of the Washington County Tax Map showing the property referred to in this application and all streets, lots, and parcels of land within 300 feet of the subject property.

Signature of Applicant: _____

STOP! FOR OFFICIAL USE ONLY

FEE AMOUNT: _____ Paid on: _____

Staff review and recommendation to the Planning Commission: _____

Date of Planning Commission Review: _____

Planning Commission Recommendation: _____ Recommended _____ Not Recommended

_____ Not Applicable

Remarks: _____

FORMAL APPLICATION FOR A CHANGE IN ZONING

Date of Joint Planning Commission Review: _____

Joint Planning Commission Recommendation: _____ Recommended _____ Not Recommended
_____ Not Applicable

Remarks: _____

Date of Washington County Planning Commission Review: _____

Washington County Planning Commission Recommendation: _____ Recommended
_____ Not Recommended _____ Not Applicable

Remarks: _____

Dates: Publication: Publication _____ Hearing: _____

Approved: _____ or Rejected _____ by Council on: _____

Approved: _____ or Rejected _____ by the Board of Supervisors on: _____

OTHER NOTES: _____

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION



pennsylvania

DEPARTMENT OF TRANSPORTATION
Bureau of Aviation

PLEASE TYPE OR PRINT ALL INFORMATION IN BLUE OR BLACK INK	DATE:
--	-------

SPONSOR INFORMATION

NAME OF SPONSOR		SPONSOR'S REPRESENTATIVE (If different than Sponsor)			
DAYTIME PHONE NUMBER	FAX NUMBER	DAYTIME PHONE NUMBER	FAX NUMBER		
STREET ADDRESS/P.O. BOX		STREET ADDRESS/P.O. BOX			
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE

NATURE OF PROPOSAL

A. NOTICE OF: New Construction Alteration	B. DURATION: Permanent Temporary (___ months, ___ days)	C. WORK SCHEDULE DATES: Beginning _____ End _____
D. DESCRIPTION OF PROPOSAL (see instructions) Include information showing site orientation, dimensions, and construction materials of the proposed structure. Antenna Tower Crane Building Landfill Wind Turbine Pole Other		

LOCATION OF STRUCTURE

LOCATION OF STRUCTURE			HEIGHT & ELEVATION <small>(Complete to nearest foot)</small>	
A. Coordinates: (To nearest second)	B. Nearest City or Town, and State:	C. Name of nearest airport, heliport or seaplane base:	A. ELEVATION OF SITE: (above mean seal level)	
° ' "	Distance from B:	Distance from C:	B. HEIGHT OF STRUCTURE: Including all appurtenances and lighting (if any) above ground level.	
° ' "	miles	miles	C. OVERALL HEIGHT: (above mean sea level (A + B))	
° ' "		Direction from structure to airport:		
LONGITUDE				

CERTIFICATION

I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking and lighting standards if necessary.

DATE:	NAME/TITLE OF PERSON FILING NOTICE (Print):	SIGNATURE:
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FOR BUREAU OF AVIATION USE ONLY

THE PROPOSAL:

IS NOT IDENTIFIED AS AN OBSTRUCTION under any standard or FAR, Part 77, Subpart C and PA Aviation Code, Act 1984-164.

IS IDENTIFIED AS AN OBSTRUCTION under the standards of FAR, Part 77, Subpart C and PA Aviation Code, Act 1984-164.

Should be obstruction marked, lighted per FAA advisory Circular 70/7460-1. Chapter(s) _____

Obstruction marking and lighting are not necessary.

Proposal was determined to be a NON-COMPATIBLE LAND USE in accordance with Pennsylvania Airport Land Use Compatibility Guidelines.

NOTE: A Notice is required anytime the project is abandoned and when construction is completed.

SIGNATURE: _____ DATE: _____

Please mail the completed notice to: PA Department of Transportation
Bureau of Aviation
P.O. Box 3457
Harrisburg, PA 17105-3457

AVIATION CODE

Act of October 10, 1984, P.L. 837, No. 164
(Amending Title 74 [Transportation] of the Pennsylvania Consolidated Statistics)

CHAPTER 57

OBSTRUCTIONS TO AIRCRAFT OPERATION

Sec. 5701. DEPARTMENT APPROVAL

- (a) **Obstructions to aircraft within approach area.** A person who erects and maintains any smokestack, flag pole, elevated tank, radio station tower, antenna, building, structure, any object of natural growth or other obstruction to the operation of aircraft within an approach area that extends above an inclined plane without first obtaining prior approval thereof from the Department commits a summary offense. Each day a violation of this subsection continues constitutes a separate offense.
- (b) **Structures in close proximity to airport.** A person who erects a new structure or adds to an existing structure in violation of guidelines or regulations adopted by the Federal Aviation Administration of the United States Department of Transportation, or who erects the structure with respect to the airport without, in either event, first obtaining prior approval from the Department, commits a summary offense.
- (c) **Definition.** As used in this section the term "approach area" includes all that area lying within and above an inclined plane, starting at each end of each runway or landing strip of a public-use airport, as described by guidelines or regulations adopted by the Federal Aviation Administration of the United States Department of Transportation.

TITLE 67 PENNSYLVANIA CODE

CHAPTER 479

Sec. 479.4. AIRPORT OBSTRUCTIONS

A person who plans to erect a new structure, to add to an existing structure, or to erect or maintain any object (natural or man-made), as defined in 14 Code of Federal Regulations Part 77.9 (as amended or replaced), shall first obtain approval from the Department by submitting a written notice (Form AV-57) to the Department at least thirty (30) days prior to commencement thereof.

Federal Aviation Regulation, Part 77

§77.9 Construction or Alteration Requiring Notice

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

- (a) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- (b) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - (1) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport specified in subparagraph (5) of this paragraph with at least one runway more than 3,200 feet in actual length, excluding heliports.
 - (2) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport specified in subparagraph (5) of this paragraph with its longest runway no more than 3,200 feet in actual length, excluding heliports.
 - (3) 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport specified in subparagraph (5) of this paragraph.
- (c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of subparagraph (1) or (2) of this paragraph.
- (d) When requested by the FAA, any construction or alteration that would be in an instrument approach area (defined in the FAA standards governing instrument approach procedures and available information indicates it might exceed a standard of Subpart C of this part.
- (e) Any construction or alteration on any of the following airports (including heliports):
 - (1) An airport that is available for public use and is listed in the Airport Directory of the current Airman's Information Manual or in either the Alaska or Pacific Airman's Guide and Chart Supplement.
 - (2) An airport under construction, that is the subject of a notice or proposal on file with the Federal Aviation Administration, and except for military airports, it is clearly indicated that that airport will be available for public use.
 - (3) An airport that is operated by an armed force of the United States.

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

§ 77.7 Form and time of notice.

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460-1, Notice of Proposed Construction or Alteration. FAA Form 7460-1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460-1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

§ 77.9 Construction or alteration requiring notice.

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193
Fax: (817) 321-7765
Phone: (817) 321-7750

Website: <https://oeaaa.faa.gov>

Subdivision/Land Development Approval Form

Format for "Approval" Spaces.

The following format shall be used in "Approval" spaces on Final Subdivision Plans:

Reviewed this _____ day of _____, 20 ____, and found to meet the requirements for a Final Plan as stated in the South Franklin Township Subdivision and Land Development Ordinance

_____ South Franklin Township Engineer

Recommended for Approval by the South Franklin Township Planning Commission this ____ day of _____, 20 ____.

Recommended for Approval by the South Franklin Township Board of Supervisors this ____ day of _____, 20 ____.

Reviewed by the Washington County Planning Commission this ____ day of _____, 20 ____.

OWNER'S STATEMENT

It is hereby certified that the undersigned has legal or equitable title to the land shown. All roads or streets shown hereon, if not previously dedicated, are hereby offered for public use.

RECORDED IN PLAN BOOK _____ PAGE _____

Note: Plan size for recording purposes shall not exceed 18" x 24."

Subdivision/Land Development Approval Form

Format for "Approval" Spaces.

The following format shall be used in "Approval" spaces on Final Subdivision Plans:

Reviewed this _____ day of _____, 20 ____, and found to meet the requirements for a Final Plan as stated in the Green Hills Borough Subdivision and Land Development Ordinance

_____ Green Hills Borough Engineer

Recommended for Approval by the Green Hills Borough Planning Commission this ____ day of _____, 20 ____.

Recommended for Approval by the Green Hills Borough Council this ____ day of _____, 20 ____.

Reviewed by the Washington County Planning Commission this ____ day of _____, 20 ____.

OWNER'S STATEMENT

It is hereby certified that the undersigned has legal or equitable title to the land shown. All roads or streets shown hereon, if not previously dedicated, are hereby offered for public use.

RECORDED IN PLAN BOOK _____ PAGE _____

Note: Plan size for recording purposes shall not exceed 18" x 24."