



City of Harrisburg Variance and Special Exception Instructions

INSTRUCTIONS

Please print legibly and complete all sections of the application. Applications CANNOT be processed without thorough explanations and adequate materials. Twelve (12) copies of documentation and site plans must accompany all applications. Applications must be received at the Bureau of Planning, 10 North Second Street, Suite 206, Harrisburg, PA 17101, by 5:00 p.m. on the scheduled deadline date for review at the next Planning Commission and Zoning Hearing Board meetings. Incomplete applications will be returned to you.

The Planning Bureau must review all applications for completeness. Please contact Lance Claiborne at 717-255-6637 or lclaiborne@cityofhbq.com to schedule a meeting.

Application Materials

In order for your application to be complete, please include the following information:

1. The application form (attached)
2. Check or money order made payable to the "City Treasurer" based on the following fees:

Special Exception:

Single-Family (first request)	\$350
Multi-Family or Non-Residential (first request)	\$425
Each additional request on the same application	\$35
<i>Floodplain – Single Family</i>	\$100
<i>Floodplain – Multi-Family or Non-Residential</i>	\$350

Variance:

Single-Family (first request)	\$350
Multi-Family or Non-Residential (first request)	\$425
Each additional request on the same application	\$35

Appeal of the Zoning Administrator's decision \$600

3. A copy of the deed for the property (only one copy for all applications)
4. A copy of the lease, option, purchase agreement, or some other legal document demonstrating that you have an agreement with the property owner giving you some interest in the property (*Please note that your application cannot be accepted without a copy of the deed*)
5. Scale drawings of the property (NOTE: if the request involves creating or remodeling residential units other than a single family house, or if the request involves establishing a business, you **MUST** include interior floor plan drawings).
6. Photographs of the property

7. If you are requesting a **Floodplain Special Exception**, you must also include:
 - a. Scale drawings of the property and the building, addition, deck, fence, etc.
 - b. Construction drawings showing elevations.
 - c. A letter from a Registered Architect or Professional Engineer certifying that the construction materials and methods are suitable for construction in the 100-year floodplain. This letter must include the professional certification seal.

Important information on Special Exceptions:

The City of Harrisburg has three types of special exceptions:

1. Modification of specific dimensional or qualitative provisions, such as yard setbacks; building height, floor area, parking lot design standards, required number of parking spaces, screening and buffering, signs, converting from one non-conforming use to another, or expanding a non-conforming use.
2. Use of a property that is allowable only by special exception in the zoning district that your property is located within.
3. Construction in the 100-year floodplain.

The following criteria must be met prior to the issuance of a special exception:

1. The use, structure, or action authorized by the special exception will not be contrary to the preservation of the general character of the neighborhood.
2. The following factors affecting the site's relationship with the neighborhood will be considered:
 - A. Ingress/egress to site;
 - B. Off street parking;
 - C. Location, availability and compatibility of utilities;
 - D. Refuse and service areas;
 - E. Screening/buffering;
 - F. Signs and exterior lighting;
 - G. Required yards, setbacks, and open space;
 - H. Size, bulk, use and general character of a proposed structure compared to that of the surrounding area;
 - I. Any other factors which may affect compatibility;
3. Conditions may be attached to the approval to further insure compliance with the zoning ordinance.

Approval for construction in the 100-year floodplain also requires:

1. A site plan with elevations respective to the 100-year floodplain and constructions plans for any proposed structure.
2. An accompanying letter from a Registered Architect or Professional Engineer certifying that the construction materials and methods are suitable for construction in the 100-year floodplain. This letter must include the professional certification seal. The certified letter from a Registered Architect or Professional Engineer must at least include the following statement verbatim:

“...certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact, and uplift forces and other factors associated with the one hundred (100) year flood.”

Please refer to the floodplain ordinance for more specific requirements pertaining to this type of application.

Important information on Variances:

A variance is needed if your proposed use of a building or structure, or the type of structure proposed is not permitted in the zoning district in which it is located.

In order for you to be granted a variance, you must meet the following five criteria:

1. 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 and not the circumstances or conditions generally created by the provisions of the zoning 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 the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable reuse of the property.
3. That such unnecessary hardship has not been created by the appellant.
4. 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. 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.

Variance and Special Exception Application

**City of Harrisburg
Variance and Special Exception Application**

*Note: The Planning Bureau must review all applications for completeness.
Please contact the Planning Bureau at 717-255-6419 to schedule a meeting.*

Primary Property Address	Zoning District
---------------------------------	------------------------

Two or More Parcels? Yes No

Please list the additional property addresses and parcel numbers:

Application Type (check one):

- Special Exception
- Variance
- Combo (Variance and Sp. Exception)
- Floodplain Special Exception

Explain what you want to accomplish and the reason why the request for a Special Exception and/or Variance should be granted (use additional sheets if necessary). Be specific. The following criteria must be addressed in detail and submitted with the application. The criteria for Special Exception requests are the basis of the Zoning Hearing Board's ruling and are taken from Section 7-305.3 of the Planning and Zoning Code. The criteria for Variance Requests are the basis of the Zoning Hearing Board's ruling and are taken from Section 910.2, as reenacted and as amended, of the PA Municipalities Code.

Criteria for Special Exception Requests

1. What do you want to do and why?

2. What is the property currently being used as, and what was it used as when it was occupied?

3. Describe the ingress and egress to the property and existing and proposed structures thereon, with particular attention paid to automotive and pedestrian safety and convenience; traffic generation, flow and control relative to existing and future vehicular capacity or nearby public rights of way; and access in case of fire, flood or other catastrophe.

4. How many off-street parking spaces are being provided? Does this meet the minimum requirements of the code?

Variance and Special Exception Application

5. Describe the location of the refuse area. Will it be screened?

6. Describe the utilities being provided, with reference to location, availability, and compatibility.

7. Will there be any landscaping, fencing, or other buffering erected on the property? If yes, please describe. A landscaping plan may be required.

8. Will there be any new, improved, or additional signage on the property: If yes, please describe the sign(s). Will the sign (type, size, and location) meet the applicable requirements of the code?

9. New or expanded structures are to meet all applicable front, side, and rear yard setback requirements. Can these requirements be met? Please describe.

10. What are the size, bulk, use, and general characteristics of the proposed building, structure, expansion, or enlargement in relation to adjacent properties and the neighborhood generally?

11. Are there other factors which have a bearing on the compatibility of the special exception with adjacent properties and the neighborhood generally?

12. If this request involves establishing a business, please include a copy of your business plan including: Who are your customers? What are the hours of operation for the business?

Variance and Special Exception Application

13. Does the neighborhood support the project? Please submit any evidence of neighborhood support, such as a petition.

Criteria for Variance Requests

1. Are there 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 and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located?

2. Due to physical circumstances or conditions, is there any possibility that the property can be developed in strict conformity with the provisions of the Planning and Zoning Code and that the authorization of a variance is therefore necessary to enable the reasonable reuse of the property?

3. Has the applicant created an unnecessary hardship?

4. Would the variance, if granted, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use or development of adjacent property, or be detrimental to the public welfare?

5. Would the variance, if granted, represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue?

Variance and Special Exception Application

Applicant

Name _____
Company _____
Address _____

Phone _____
Email _____

<p>Applicant's Status</p> <p>(Check One)</p> <p><input type="checkbox"/> Owner</p> <p><input type="checkbox"/> Lessee</p> <p><input type="checkbox"/> Equitable Owner</p> <p><input type="checkbox"/> Contract Purchaser</p>

Main Contact for the Project

Name _____
Company _____
Address _____

Phone _____
Email _____

Site Plan Designer (if applicable)

Name _____
Company _____
Address _____

Phone _____
Email _____

Property Owner

Name _____
Company _____
Address _____

Phone _____
Email _____

Variance and Special Exception Application

Items To Be Submitted With This Application.

Failure to do so WILL delay the review process.

Check made payable to the "City Treasurer" for the correct amount (see the fee schedule)

Proof of legal standing including a deed, lease, option, etc.

Scale drawings of the existing property and/or building (**12 copies**)

Scale drawings of the proposed change(s) (**12 copies**)

Four (4) copies of the scale drawings, in place of the 12 requested above, when submitting an application with a land development or subdivision plan

Photographs

For construction in the 100-year floodplain include the following additional items:

A site plan and elevation drawings

Construction plans for any proposed structure

Represent the level of the water on those drawings given a 100-year flood event

A letter from a registered architect or engineer certifying the construction materials and methods are suitable for construction in the 100-year floodplain. The letter must include the professional certification seal

APPLICANT / OWNER CERTIFICATION

I hereby certify that the proposed work is authorized by the owner of record and that I agree to conform to all applicable laws of this jurisdiction. I understand that any falsification could lead to denial or criminal penalties, or revocation of any permit pursuant to this application. I agree that work will not begin before receiving final approval.

Applicant's Signature

Date

Property Owner's Signature

Date

The owner must sign this application. The applicant signature is required when different from owner.