

Sewickley Borough

601 Thorn Street
Sewickley, PA 15143
Phone: 724-741-4015

Office Use Only

Date: _____
Rcd By: _____
Fee Rcd: _____
Check #: _____

ZONING VARIANCE APPLICATION

PROPERTY OWNER: _____ PHONE: _____

ADDRESS: _____

SITE LOCATION: _____

TAX PARCEL ID: _____

Zoning District R-1 R-1A R-2 C-1 C-2 OMU I Inst. OS

Section from which relief is sought: _____

Reason for seeking relief: _____

Section from which relief is sought: _____

Reason for seeking relief: _____

Section from which relief is sought: _____

Reason for seeking relief: _____

If additional space is needed, please use a separate piece of paper

Please provide the names and addresses of all property owners within one-hundred feet (100') of property boundaries.

Please provide ten (10) copies of all supporting documents.

***Applicant is responsible for all costs included, but not limited to:**

Stenographer, ZHB Solicitor, Zoning Officer Administrative Time, Legal Advertising, Certified Mailings.

All costs must be paid prior to official decision being released. Failure to pay costs can result in citations being filed with the District Magistrate.

DATE: _____ SIGNATURE OF APPLICANT: _____

FOR OFFICE USE ONLY

Complete Application Date Received: _____ Date received _____

Total Fee Paid: \$ _____ Plan Approved: _____

Approved/Denied (reason): _____

Zoning Officer Signature: _____

HEARING DATE _____ STENOGRAPHER _____ SOLICITOR _____

MAILINGS _____ LEGAL NOTICE(S) _____ / _____

§1305 Variances

A. The Borough's Variance procedure is described on Application Diagram C found on record in the Sewickley Borough's Municipal Building Administrative Office.

B. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The Zoning Hearing Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer.

The Zoning Hearing Board may grant a variance, provided that all of 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 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 use of the property.
3. That such unnecessary hardship has not been created by the appellant. (27) PART XIII General Application and Review Process 27-164 December 2011
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.

C. In granting any variance, the board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance.

D. A variance from the terms of this Chapter shall not be granted by the Zoning Hearing Board unless and until:

1. A written application for the variance is submitted:
2. The required fees are paid.
3. Public notice by advertising shall be given at least two weeks in advance of the hearing. The owner of the property for which the variance is sought or his agent shall be notified by mail.
4. The hearing shall be held. Any party may appear in person, or by agent or by attorney.
5. The Zoning Hearing Board shall make findings that the requirements of this Section, have been met by the applicant for the variance.
6. The Zoning Hearing Board shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
7. Zoning Hearing Board shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

E. In granting any variance, the Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of such conditions and such safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Chapter and subject to §1702 Enforcement Remedies.

F. Under no circumstances shall the Zoning Hearing Board grant a variance to allow a use not permissible under the terms of this Chapter in the district involved, or any use expressly or by implication prohibited by the terms of this Chapter in said district.

§ 1305, Variances