

**MILLERSVILLE BOROUGH OFFICES**  
100 MUNICIPAL DRIVE  
MILLERSVILLE, PA 17551-1424



**MAYOR RICHARD M. MORIARTY**  
**COUNCIL PRESIDENT SCOTT A. BAILEY**  
**BOROUGH MANAGER EDWARD J. ARNOLD**

## **ZONING HEARING BOARD APPLICATION Appeal Procedure**

### **1. Forms and documents to submit**

- A. building/zoning permit application (if applicable).
- B. Variance Request
  - 1. Plans - eight (8) copies of a plot plan, drawn to scale, showing all existing and proposed buildings and structures.
  - 2. Eight (8) copies of the Zoning Hearing Board Application and Supplemental Information Form.
- C. Special Exception Request
  - 1. Plans – twenty-one (21) copies of a plot plan, drawn to scale, showing all existing and proposed buildings and structures.
  - 2. Twenty-one (21) copies of the Zoning Hearing Board Application and Supplemental Information Form.

### **2. Filing Fees**

- A. Zoning Hearing Board Application Fee of \$500.00.
- B. 50% of Court Reporter Fee.

### **3. Other Information**

- A. The Millersville Borough Zoning Hearing Board has reserved the fourth Thursday of each month for meetings. To be considered at a meeting, all information must be submitted and all fees must be paid no later than four (4) weeks prior to the scheduled meeting. Incomplete applications will be held until all required forms and documents have been submitted. Applications submitted after the deadline will be held until the next scheduled meeting.
- B. The Zoning Hearing Board is permitted forty-five (45) days following the closing of testimony at the final application hearing to render a decision.
- C. There is a thirty (30) day appeal period following the issuance of a decision by the Zoning Hearing Board in which an appeal may be filed with the Court of Common Pleas of Lancaster County to reverse or limit said decision.
- D. In the event that a variance has been granted or other action has been authorized by the Zoning Hearing Board, the applicant shall secure the necessary permits and commence the authorized action, construction or alternation within ninety (90) days of the final cation by the Zoning Hearing Board. The construction or alteration, as the case may be, shall be completed within one (1) year of said date unless an extension of time is approved by the board. Do Not Write in This Space. For Office Use Only.

Date Hearing Advertised \_\_\_\_\_ Appeal No. \_\_\_\_\_

Fee Paid: \_\_\_\_\_ Receipt No. \_\_\_\_\_ Date: \_\_\_\_\_

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**ZONING HEARING BOARD APPLICATION**

**Borough of Millersville**

**Lancaster County, Pennsylvania**

(I) (We) \_\_\_\_\_ of \_\_\_\_\_

request that a determination be made by the Millersville Borough Zoning Hearing Board on the following appeal, which was denied by the Zoning Officer on \_\_\_\_\_, Building/Zoning Permit Application No. \_\_\_\_\_ for the reason that it was a matter which in the opinion of the Zoning Officer should properly come before the Board as listed below.

- 1. An interpretation of the Zoning Ordinance and/or map stated in Section(s) \_\_\_\_\_ of the Millersville Borough Zoning Ordinance.
- 2. A special exception pursuant to Sections(s) \_\_\_\_\_ of the Millersville Borough Zoning Ordinance.
- 3. A variance pursuant to Section(s) \_\_\_\_\_ of the Millersville Borough Zoning Ordinance. The variance relates to one or more of the below circled items:

Lot Area      Lot Frontage      Yard      Height      Use

If the requested variance is for a purpose other than indicated above, please describe below:

\_\_\_\_\_  
\_\_\_\_\_

The description of the property in this appeal is as follows:

Location: \_\_\_\_\_

Lot Size: \_\_\_\_\_ Zoning District Classification: \_\_\_\_\_ Parcel Account#: \_\_\_\_\_

Present Improvements Upon Land: \_\_\_\_\_

Present Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

(I) (We) believe that the Board should approve this request because (include the grounds for appeal or reasons both with respect to law and fact for granting the appeal, special exception or variance, and if hardship is claimed, state the specific hardship):

\_\_\_\_\_  
\_\_\_\_\_

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Has a previous application or appeal been filed in connection with these premises? Yes\_\_\_ No\_\_\_

If yes, provide additional details: \_\_\_\_\_  
\_\_\_\_\_

What is the applicant's interest in the premises affected? \_\_\_\_\_  
(owner, agent, lesee, etc.)

What is the approximate cost of the work involved? \_\_\_\_\_

NOTE: Eight (8) copies of this application must be filed at the Millersville Borough Office at least four (4) weeks prior to the scheduled Zoning Hearing Board meeting. A plot plan showing the location and size of the lot, the dimensions of improvements now erected or proposed to be erected, or other changes desired, together with any other information required by the Zoning Hearing Board, must be attached to each copy of this application. If more space is required, attach additional sheets to each copy of the application and make specific reference to the section being addressed.

I hereby certify that the information submitted both in this application and any attached documents is true to the best of my knowledge and belief.

\_\_\_\_\_  
(signature of applicant)

Date: \_\_\_\_\_

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Appeal No. \_\_\_\_\_

**ZONING HEARING BOARD APPLICATION – SUPPLEMENTAL FORM**  
**BOROUGH OF MILLERSVILLE**  
**LANCASTER COUNTY, PENNSYLVANIA**

The following questionnaire is designed to facilitate the Zoning Hearing Board process through the submission of information that is important to your appeal. Please answer all questions as thoroughly and accurately as possible. Include a copy with each copy of the Zoning Hearing Board Application submitted.

1. Provide the full name and mailing address of the owner(s) of the premises subject to this appeal.

\_\_\_\_\_ (full name) \_\_\_\_\_ (address) \_\_\_\_\_ (city, state, zip)

2. If the applicant is other than the owner, provide the full name and mailing address of the applicant and the specific interest of the applicant in the appeal (e.g. agent for owner, equitable interest, agreement of sale, etc.). Interest \_\_\_\_\_

\_\_\_\_\_ (full name) \_\_\_\_\_ (address) \_\_\_\_\_ (city, state, zip)

3. The exact location of the applicable property including the parcel account number. \_\_\_\_\_

4. The date of acquisition of the subject property by the owner. \_\_\_\_\_

5. Exact dimensions (i.e. length of front, side, and rear boundary lines) of the subject property.

Front \_\_\_\_\_ Rear \_\_\_\_\_ Side 1 \_\_\_\_\_ Side 2 \_\_\_\_\_

6. The square footage or acreage of the property. \_\_\_\_\_

7. Briefly describe information such as building dimensions, type of construction, setbacks (front, side, rear) for all structures existing and proposed including signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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8. Describe the specific nature of the present use being made of the property

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9. Upon what grounds do you base this appeal?

A. A use permitted by special exception is one which by virtue of its own particular characteristics may be permitted in particular areas only after review, public hearing, and approval by the Zoning Hearing Board. Special exceptions may be granted subject to certain requirements as may be deemed necessary for the preservation of the general character of the neighborhood in which such buildings or structures are to be placed. Note: A special exception in any zoning district will be granted only if the permit application is accompanied by plans and other descriptive materials sufficient to clearly portray the intentions of the applicant.

B. A variance by the Zoning Hearing Board is required if the proposed building(s) or structure(s) do not meet all of the requirements of the Millersville Borough Zoning Ordinance. A variance may be granted where such variance will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship. Such hardships occur only where circumstances affecting the land are unique and applicable to that land alone, and are not conditions that affect the whole neighborhood. If there is general hardship, the situation should be remedied by revision of the general zoning regulation and not by a granting of special privilege to single owners.  
**Note: An individual is entitled to a variance only when the hardship is peculiar to the land.**

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C. Does there exist 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? *(It must be remembered that the granting of a variance is based upon the unnecessary hardship due to existing 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.)*

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D. Will the variance, if authorized, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of development of adjacent property, or be detrimental to the public welfare? Please explain.

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10. What is the specific intended use of the premises? Consider such factors as traffic generated, parking facilities, number of employees, nuisance characteristics (*i.e. emission of noise, dust, odor, smoke, fire hazards, or hours and manner of operation*).

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11. Landscaping, if planned.

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12. Character of the structures and uses either existing or being considered on properties abutting the subject property (*e.g. single-family residential dwellings, golf course, gas station, etc.*).

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13. Type of sewage and water facilities available on property. \_\_\_\_\_

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14. Other comments \_\_\_\_\_

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If the space provided is insufficient, attach additional sheets to this application.