

VALLEY TOWNSHIP BOARD OF SUPERVISORS
890 West Lincoln Highway
P. O. Box 467
Coatesville, PA 19320
(610) 384-5751 384-2746 (Fax)

APPLICATION FOR CONDITIONAL USE HEARING
BEFORE THE BOARD OF SUPERVISORS

APPLICANT _____

ADDRESS _____

PHONE (S) (H) _____ (W) _____ (FAX) _____ (CELL) _____

PROPERTY OWNER _____ PHONE _____

DATE OF APPLICATION _____ (and original building permit application if submitted) _____

LOCATION OF SUBJECT PROPERTY _____

LOCATED IN _____ ZONING DISTRICT _____ UPI (TAX PARCEL NO.) _____

PROPOSED USE OF PROPERTY (describe in detail) _____

UNDER WHAT SECTION OF THE VALLEY TOWNSHIP ZONING ORDINANCE ARE YOU REQUESTING THIS
CONDITIONAL USE? _____

Please complete this form and return, along with other supporting documents as required by Z. O. Sections 705-1 & 2, to the
Township Secretary. **Do not forget to include the appropriate escrow amount or your application will not be processed.**

Please make checks payable to "VALLEY TOWNSHIP".

(FOR OFFICE USE)

ESCROW RECEIVED: DATE _____ AMOUNT _____ BY _____

PLAN RECEIVED: DATE _____ BY _____

DATE FOR APPEARANCE BEFORE PLANNING COMMISSION _____

DATE FOR APPEARANCE BEFORE BOARD OF SUPERVISORS _____

ADVERTISEMENT DATES _____

PROPERTY POSTED: DATE _____ BY _____

HEARING RESULTS _____

ZONING

a challenge to the validity of this Chapter under §605 subsequent to the declaration and proposal, based upon the grounds identical to or substantially similar to those specified in the resolution required by this Section. Upon the enactment of a curative amendment to, or the reaffirmation of the validity of this Chapter, no rights to a cure by amendment or challenge shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which the Board of Supervisors propose to prepare a curative amendment.

- D. The Board of Supervisors, having utilized the procedures as set forth in this Section, may not again utilize said procedures for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of this Chapter; provided, however, that if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the Township by virtue of a decision by any court of competent jurisdiction, the Board of Supervisors may utilize the provisions of this Section to prepare a curative amendment to this Chapter to fulfill this duty or obligation.
8. Authentication of Official Zoning Map. Whenever there has been a change in the boundary of a zone or a reclassification of the zone adopted in accordance with the above, the change on the Official Zoning Map shall be made, and shall be duly certified by the Township Secretary and shall thereafter be refiled as part of the permanent records of the Township.

(Ord. 1/15/1991, §703)

§705. CONDITIONAL USES.

1. Filing of Conditional Use. Any conditional use must be obtained from the Board of Supervisors. In addition to the information required on the building permit application, the conditional use application must show: [Ord. 99-5]
- A. Ground floor plans and elevations of proposed structures.
 - B. Names and addresses of adjoining property owners including properties directly across a public right-of-way.
 - C. A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Chapter.
 - D. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Chapter.
2. General Criteria. Each applicant must demonstrate compliance with the following:
- A. The proposed use shall be consistent with the purpose and intent of this Chapter.

- B. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
 - C. The proposed use will not effect a change in the character of the subject property's neighborhood.
 - D. Adequate public facilities are available to serve the proposed use (e.g. schools, fire, police and ambulance protection, sewer, water and other utilities, vehicular access and etc.)
 - E. For development within the Floodplain Zone, that the application complies with those requirements listed in the Official Floodplain Ordinance of Valley Township [Chapter 8].
 - F. The proposed use shall comply with those criteria specifically listed in Part 4 of this Chapter. In addition, the proposed use must comply with all other applicable regulations of this Chapter.
 - G. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan.
3. Conditions. The Board of Supervisors, in approving conditional use applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Chapter and be subject to the penalties described in this Part.
4. Site Plan Approval. Any site plan presented in support of the conditional use pursuant to §705 shall become an official part of the record for said conditional use. Approval of any conditional use will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a building permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan shall require another conditional use approval. [Ord. 99-5]
5. Hearing Procedures.
- A. Before voting on the approval of a conditional use, the Township Supervisors shall hold a public hearing thereon, pursuant to public notice. The Township Supervisors shall submit each such application to the Planning Commission at least thirty (30) days prior to the hearing on such application to provide the Planning Commission an opportunity to submit recommendations. If, after any public hearing held upon an application, the proposed application is revised, the Township Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the application.

Meter Test Fee	\$ 30.00
Bottom Plate	\$ 5.50
Deposit, Temporary Service	\$100.00
Work Performed on Customer's Service by Township	Cost of all work, plus a 10% service fee
Metered Water Removal from Fire Hydrants	\$100.00 meter deposit time and material charge plus \$3.30/1,000 gal with 1,000 min.
Bulk Water (Metered)	\$4.95/1,000 gallons
Quarterly Service Rate	\$53.55/1,000 gallons
Attorney's Fees for Filing and Collection of Liens	(18, §209)

ACTION

LEGAL FEES

Opening file and sending demand letter	\$135.00
Filing lien and sending second letter	\$125.00
Preparing lien and filing Writ of Scire Facias	\$125.00
Reissue writ	\$ 25.00
Preparing and mailing correspondence per Pa R.C.P. §237.1	\$ 25.00
Motion for summary judgment	\$175.00
Preparing and filing default judgment	\$125.00
Preparing and filing writ of execution for sheriff sale	
With sale	\$600.00
	\$400.00
Charge for check which does not clear	\$ 25.00
Miscellaneous litigation	\$135.00 per hour

ZONING

1. Escrow Amounts for Conditional Use Hearing Expenses.

A. Escrow amounts for conditional use hearing expenses shall cover all charges resulting from, but not limited to, the following activities and costs required for processing and review of the conditional use application and for conduct of the conditional use hearing: costs and professional, consultant, clerical, stenographic and advertising fees for application processing and review; preparation of studies, reports and recommendations; and attendance of meetings/hearings with applicants, Planning Commission, County Officials, Supervisors and others as necessary to adequately perform the review and conduct the hearing. The escrow accounts for the conditional use requested in the application are as listed below.

- (1) Section 201, Conservation (C) Zone.
 - (a) (4)(A) Cluster Development \$3,000.00
- (2) Section 202, Residential (R-1) Zone.
 - (a) (4)(A) Cluster Development \$3,000.00
- (3) Section 203, Residential (R-2) Zone.
 - (a) (4)(A),(B) and (C) \$3,000.00
- (4) Section 205, Highway Commercial (HC) Zone.
 - (a) (4)(A),(B) and (D) \$1,000.00
 - (b) (4)(C),(E) and (F) \$3,000.00
- (5) Section 206, Regional Commercial (RC) Zone.
 - (a) (3)(A) \$5,000.00
 - (b) (3)(B),(C) and (E) \$3,000.00
 - (c) (3)(D) \$1,000.00
- (6) Section 208, Industrial (I) Zone.
 - (a) (3)(A) \$2,000.00
 - (b) (3)(B),(C),(D),(G),(H),(J),(K) and (L) \$3,000.00
 - (c) (3)(E),(I) and (M) \$5,000.00
 - (d) (3)(F) \$1,000.00
- (7) Section 209, Planned Development (PD) Zone.
 - (a) (3)(A) \$2,000.00
 - (b) (3)(B) and (C) \$3,000.00
- (8) Other. \$1,500.00

- B. All invoices received by the Township for conditional use hearing expenses shall be paid by the Township from the deposited funds for the particular conditional use application. Invoices are to be for the actual time spent at rates that are in accordance with the ordinary and customary rates charged by the consultant for similar service in the Township.
- C. An application will not be considered complete and will not be officially accepted until all escrow amounts as described above for the conditional use hearing expenses are received and entered at the time of application at the Township Office by the Township Secretary.
- D. If the balance of the escrow account falls below 25% of the original amount deposited, and the review/hearing process is continuing, an additional deposit must be made to restore the escrow account to the amount originally deposited in order for the review/hearing process to continue.
- E. Any amount remaining in the escrow account after all conditional use hearing expenses are paid and the application has either received approval, been denied approval or is withdrawn, following written request from the applicant, shall be returned to the applicant along with an accounting of expenses.

2. Escrow Amounts for Zoning Amendment Expenses.

A. Escrow amounts for zoning amendment expenses shall cover all charges resulting from, but not limited to, the following activities and costs required for processing and review of the zoning amendment application and for conduct of the zoning amendment hearing: costs and consultant, professional, clerical, stenographic and advertising fees for application processing and review; preparation of studies, reports and recommendations; and attendance of meetings or hearings with applicants, Planning Commission, County Officials, Supervisors and others as necessary to adequately perform the review and conduct the hearing. The escrow amounts for the zoning amendment requested in the application are as listed below.

- (1) Zoning ordinance text change - no change in district classification \$1,500.00
- (2) Other changes of an existing or proposed Residential (R-1 or R-2) District, but not involving a nonresidential district \$2,000.00
- (3) All other changes \$3,000.00

B. All invoices received by the Township for zoning amendment expenses shall be paid by the Township from the deposited funds for the particular zoning amendment application. Invoices are to be for the actual time spent at rates that are in accordance with the ordinary and customary rates charged by the consultant, professional or other person for similar service in the Township.

- C. An application will not be considered complete and will not be officially accepted until all escrow amounts as described above for the zoning amendment expenses are received and entered at the time of application at the Township Office by the Township Secretary.
- D. If the balance of the escrow account falls below 25% of the original amount deposited, and the review/hearing process is continuing, an additional deposit must be made to restore the escrow account to the amount originally deposited in order for the review/hearing process to continue.
- E. Any amount remaining in the escrow account after all zoning amendment expenses are paid and the application has either received approval, been denied approval or is withdrawn, following written request from the applicant, shall be returned to the applicant along with an accounting of expenses.

3.	<u>Zoning Applications.</u>	Commercial/Industrial	Residential/Non-commercial
	A. Variance	\$1,000.00	\$500.00
	B. Special exception	\$1,000.00	\$500.00
	C. Appeal of Zoning Officer decision	\$1,000.00	\$500.00
	D. Challenge to validity of zoning ordinance or map	\$1,000.00	\$500.00
	E. In the event of any second or subsequent hearing on the same application, the applicant shall be required to post an additional fee as follows:		
	(1) Variance	\$1,000.00	\$500.00
	(2) Special exception	\$1,000.00	\$500.00
	(3) Appeal of Zoning Officer decision	\$1,000.00	\$500.00
	(4) Challenge to validity of zoning ordinance or map	\$1,000.00	\$500.00

The aforesaid fees shall be applied to (1) compensation of the Board Secretary, when applicable; (2) compensation for the Zoning Hearing Board members; (3) notice and advertising costs of the hearing(s); and (4) administrative overhead of the Township in processing the application.

In the event that the cost(s) of the zoning hearing(s) exceed the above fees, the applicant shall be responsible for the costs incrementally in amounts not less than one hundred dollars (\$100.00). In the event that the cost(s) of the zoning hearing(s) is less than the above fees, the applicant shall be refunded the difference between the fees charged and the actual costs.