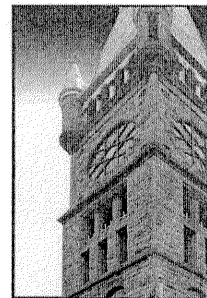


Department of
Licensing, Inspections and Permits
Bureau of Zoning

City Hall
4th Floor
340 North Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 348-4193
Fax: (570) 348-4171
www.scrantonpa.gov



SCRANTON

APPLICATION PROCEDURES FOR ZONING HEARING BOARD

***Please fill out application in full: If any section is not filled out entirely, the application will be returned to you:**

Applicant name(s), address, landowner name/address, project cost (if any), present/proposed use/address of property;

Names and addresses of **all** property owners abutting, adjoining and across the street from the property in question (info can be found at www.lackawannacounty.org/ (assessor's office site)

Reason for the request, giving as much detail as possible; plot plan or pictures;

Setback information (if applicable).

*Application must be notarized. (See Angela in Zoning)

*Nine (9) copies of any plans/drawings etc.(if applicable) must be provided to the Zoning Bureau by the deadline written below.

*See attached fee schedule for appropriate fee. (Section 104.A.5 &B)
Application fee is non-refundable.

*You will be notified of the date and time of the Zoning Hearing by **certified mail**. Neighbors will be notified by mail, the property will be posted and it will be advertised twice.

*If you have any questions, please call Angela at 348.4193 x7, or email: anole@scrantonpa.gov

Deadline for application: _____

Date of Hearing: _____

be unlawful under the previous Zoning Ordinance would now be lawful under this Ordinance, then such enforcement action may be withdrawn by the City.

103.C. **Burden of Proof.** The burden of proof shall be upon an applicant to prove that: a) a proposed zoning amendment would be in the public interest, b) that a proposed zoning variance would be justified under the conditions stated in Section 111.E. or c) that a proposed conditional or special exception use would meet the specific standards of this Ordinance.

* * 104. **FILING FEES AND COSTS.**

104.A. Fee Schedule. Unless and until revised by resolution of City Council, the following fee schedule shall apply to actions under this Ordinance, in addition to fees provided for in the City's Building Codes. All such fees shall be paid in advance.

1. Certificates of Non-Conformance. \$5 fee.
2. Occupancy Permit. \$20 fee, unless another fee is provided for in the City Building Codes.
3. Request for Amendment of the Zoning Ordinance or Zoning Map, including a Curative Amendment. \$300 for each proposed amendment, plus the applicant shall re-imburse the City for expenses for all required legal advertisements.
4. Written Statement of Zoning Compliance (When Requested). \$2 fee for a written statement of the zoning district or floodplain district a property is within. \$5 for any other written statement of compliance. If such statement is intended to state compliance of an existing use with specific requirements, then the applicant must in advance provide a signed written statement describing the use, the setbacks and such additional information as needed to determine compliance.

* * * (5) Fees for Submittal to the Zoning Hearing Board for a variance or special exception or to the City Council as a conditional use shall be as follows:

<u>Construction/ Alteration Cost</u>	<u>Permit Charge</u>
\$0 to \$5,000	\$100
\$5,001 to 50,000	\$175
\$50,001 to \$100,000	\$250
\$100,001 to \$500,000	\$325
\$500,001 to \$1,000,000	\$400
\$1,000,001 and over	\$400 per million dollars of construction cost or fraction thereof up to a maximum fee of \$3,000

* * (104.B) No application or appeal shall be considered filed until all fees are paid.

105. **INTERPRETATION AND SIMILAR USES.**

105.A. Minimum Requirements. The provisions of this Ordinance shall be interpreted as the minimum requirements to promote public health, safety and general welfare. Where a provision of this Ordinance differs or conflicts with any other provision of this Ordinance or any other ordinance, regulation or law, the provision that is more restrictive upon uses and structures shall apply.

105.B. Uses Not Specifically Regulated. If a use clearly is not permitted by right, by condition or by special exception by this Ordinance within any Zoning District in the City, the use is prohibited in the City, except the applicant may apply to the Zoning Hearing Board. After a review by the Planning Commission, the Zoning Hearing Board may permit such use if the applicant proves all of the following to the satisfaction of the Zoning Hearing Board:

RULES FOR THE ZONING HEARING BOARD
OF THE CITY OF SCRANTON

1. **APPLICATIONS** All applications for zoning relief shall be filed with the Secretary to the Zoning Hearing Board not less than twenty-one (21) days prior to the hearing date for which the application will be placed on the agenda. **No application will be accepted by the Secretary which is incomplete and does not contain all of the required information including a listing of all abutting land owners and their addresses, a brief statement concerning the justification for the zoning relief requested and the citations to the applicable provisions of the Zoning Ordinance.**

2. **CONTINUANCES** Any request for a continuance for any hearing scheduled before the board shall be in writing and received by the Secretary to the Zoning Hearing Board not less than seventy-two (72) hours prior to the hearing. **The continuance request shall contain a brief statement concerning the reason therefore.** All continuance requests shall be reviewed by the Zoning Hearing Board on a case by case basis and the decision of the Zoning Hearing Board will be communicated not less than forty-eight (48) hours prior to the scheduled hearing. No continuance shall be granted unless authorized by the Zoning Hearing Board pursuant to these rules. In approving a request for a continuance, the Zoning Hearing Board may require the applicant to pay an administrative fee not to exceed One Hundred (\$100.00) Dollars to defray any additional expenses incurred by the Zoning Hearing Board in any case where a continuance is granted.

3. **SPECIAL HEARINGS** The Zoning Hearing Board shall meet on the second Wednesday of each month at 6:00 p.m. in Scranton City Hall Chambers to conduct hearings on all applications for zoning relief. To the extent practicable, no special hearings will be scheduled or conducted by the Zoning Hearing Board unless authorized by the Zoning Hearing Board. Any request for a special hearing shall be in writing and attached to the application. No special hearing shall be granted unless authorized by the zoning hearing board pursuant to these rules. **In approving a request for a special hearing, the zoning hearing board may require the applicant to pay an administrative fee not to exceed Five Hundred (\$500.00) Dollars to defray the expenses incurred by the zoning hearing board in conducting a special hearing.**

4. **ZONING OFFICER ATTENDANCE AT ZONING HEARINGS** The Zoning Officer shall attend all hearings before the Zoning Hearing Board to assist the Board from time to time in its consideration of any application on the agenda.

**ZONING HEARING BOARD
CITY OF SCRANTON, PENNSYLVANIA**

Application Date _____ Hearing Date _____ Application Number _____

VARIANCE SPECIAL EXCEPTION APPEAL INTERPRETATION

Applicant Name _____

Address _____ Phone _____

Relationship to Landowner _____ zip code _____ Attached: Agreement of Sale Landowner Authorization

Landowner Name _____

Address _____ Phone _____

Cite all applicable sections of zoning ordinance _____

Property Location _____

Zoning District _____ Lot Size _____ Approximate Project Cost \$ _____

Present/Proposed Use _____

Setbacks (if applicable) Location	Required Distance	Actual Distance	Seeking relief of
_____	_____	_____	_____
_____	_____	_____	_____

Justification for request

Date/decision of any previous zoning action on subject property _____

List all effected property owners - Properties adjoining, abutting, and across the street must be listed - attach separate sheet as needed

Name	Address	Use
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

APPLICATION MUST BE FILLED OUT COMPLETELY AND NOTARIZED.
File application, plans and all other documentation along with 7 copies of each and appropriate fee.

Commonwealth of Pennsylvania) Deponent being duly sworn says that he/she is the owner or authorized agent
County of _____)ss: for the owner of property for which this application is made and that all
statements and data furnished with this application are true and correct.

Application Fee
\$ _____
Amount paid _____

Sworn to and subscribed before me this _____ day of _____ My Commission expires: _____

Signature of Notary Public _____

Signature of Applicant _____

DO NOT WRITE BELOW - FOR OFFICIAL USE ONLY

APPROVED

DENIED

