



**2. Hearings and Appeals before the Zoning Hearing Board.**

- A.** For all hearings, residential, commercial, or industrial in nature, held before the Zoning Hearing Board, a fee of \$600, payable in advance, shall be paid by the applicant or appellant to the Township of Lower Swatara to cover compensation for the Secretary, compensation for Board members, notice and advertising costs, administrative overhead for the hearing and ½ of the appearance fee of the stenographer, and transcription costs.
- B.** Upon conclusion of the proceedings and determination of the actual costs of the above items, any unused portion of the fee will be returned to the applicant or appellant. When multiple hearings are necessary, a determination will be made by the Township as to whether additional fees in increments of \$600 should be deposited with the Township. In the event that the actual costs exceed the amount of the original deposit, such additional costs shall be paid to the Township by the applicant or appellant prior to the rendering of any opinion on the application or appeal.
- C.** No hearing shall be conducted before the Zoning Hearing Board before and until the above fees have been paid.  
*[Res 2005-R-15]*

## Variance Checklist

### Please fill out the application form COMPLETELY and provide the following information:

- Application form, with contact email and phone #
- Fee of \$600
- A report addressing the following 5 items
- Exhibits
- 3 copies of all information
- Electronic copy of all information

Variations. The Zoning Hearing Board shall hear requests for variations where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Zoning Hearing Board shall prescribe the form of application and require application to the Zoning Officer. The Zoning Hearing Board may grant a variance; provided, 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 this Chapter 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 this Chapter 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.

(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 represent the least modification possible of the regulation in issue. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter.