

# FALLS TOWNSHIP

WYOMING COUNTY, PA

## APPLICATION FOR A CONDITIONAL USE

- File the original application at the Township Building and keep a copy for your file.
- The Zoning Officer is Richard Dixon
- The procedures, information required, and standards and criteria for this application are governed by Section 1202 C, 1202.3, 1208.2, 1208.4 of the Falls Township Zoning Ordinance.
- The filing fee is \$1000.00, payable to Falls Township.
- Five (5) sets of plans for the proposed use must be submitted to the Zoning Officer.
- If the application is not completely legible, it will be returned and no action will be taken.

### 1. APPLICANT/OWNER INFORMATION.

Name: \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone \_\_\_\_\_

Name: \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please note: The above information is required for ALL persons and/or entities which own or have an interest in the property for which Conditional Use is requested. Use additional pages if necessary.)

2. PROPERTY INFORMATION FOR WHICH A CONDITIONAL USE IS REQUESTED

Mailing address and location of property: \_\_\_\_\_

\_\_\_\_\_

Deed book/page number: \_\_\_\_\_ Parcel/lot size: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Existing Use of property: \_\_\_\_\_

Zoning district of property: \_\_\_\_\_

Is this property, of a portion thereof, in the floodplain?: \_\_\_\_\_

3. REASONS FOR A CONDITIONAL USE

Describe the existing use of the property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe the proposed use of the property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe any proposed non-residential operations on the property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe the land surrounding the property (residential, farm land, forest land, commercial etc.):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



#### 4. VERIFICATION

Please note: All applicants/owners as indicated above must sign and date below.

I verify that the statements made in this document are true and correct to my personal knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

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Printed name	Signature	Date
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Printed name	Signature	Date
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Printed name	Signature	Date
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Printed name	Signature	Date
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#### 5. TOWNSHIP USE ONLY

Fee \$ \_\_\_\_\_ Check No.: \_\_\_\_\_ Date filed and fee paid: \_\_\_\_\_

Name on check: \_\_\_\_\_ Driver License No.: \_\_\_\_\_

Township Secretary Signature: \_\_\_\_\_

Zoning Officer Signature: \_\_\_\_\_

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**1208 Conditional Uses and Special Exceptions****1208.1 Applications**

Applications for conditional uses and special exceptions shall, at a minimum, include the information required in §1208.6. In addition, the Township Planning Commission, Board of Supervisors, or the Zoning Hearing Board shall require any other information deemed necessary.

**1208.2 Conditional Uses**

Uses specified as conditional uses shall be permitted only after review and approval by the Board of Supervisors pursuant to the express standards as provided for specific conditional uses in this Ordinance, in §1208.4, and any other applicable standards in this Ordinance.

- A. **Expansions** - Expansions or additions to uses classified as conditional uses shall also be considered conditional uses. The addition of an accessory structure shall not be considered a conditional use.
- B. **Procedure**
1. **Submission** - The applicant shall submit five (5) complete sets of any required plans and information to the Zoning Officer. The Zoning Officer shall refuse to accept an application which does not provide sufficient information to determine compliance with this Ordinance.
  2. **Distribution** - The Zoning Officer shall distribute copies of the site plan to the Planning Commission and the Board of Supervisors. A minimum of one (1) copy shall be retained in the Township files. The Pocono Mountain Volunteer Fire Company shall be given an opportunity for a review, if deemed appropriate by the Planning Commission.
  3. **Zoning Officer Review** - The Zoning Officer shall report, in writing or in person, to the Planning Commission or the Board of Supervisors stating whether the application complies with this Ordinance. The Zoning Officer may recommend a review by the Township Engineer.
  4. **Planning Commission Review**
    - a. The Planning Commission shall be provided with an opportunity to review any proposed conditional use. The Commission, at its option, may provide a written advisory review.
    - b. If such review is not received by the Board of Supervisors within the time limit within which the Board of Supervisors must issue its decision, or within thirty (30) days of such application being sent to the Planning Commission, then the Board of Supervisors may make its decision without having received comments from the Planning Commission.
  5. **Board of Supervisors Action** - The Board of Supervisors shall conduct hearings and make decisions in accordance with §908 and §913.2 of the MPC. In granting a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it determines are necessary to implement the purposes of the MPC and this Ordinance, and to protect the public health, safety, and welfare.

## FEES ASSOCIATED WITH APPLICATION AND REVIEW

### Article X-Administration

#### Establishment of fees:

Fees to be paid by the Applicant shall be established by resolution of the Board of Supervisors to cover all costs incurred by the Township associated with the processing and review of all plans and documents and all plan and document revisions. Such cost may include, but not be limited to, administrative, engineering and other related consulting service costs.

#### Application of fees:

At the time of the filing of any application, the Applicant shall pay to the Township a fee sufficient to cover the administrative costs associated with the review of the application.

#### Supplemental Fees and Adjustment:

If the review fees collected at the time of the application are not sufficient to cover the cost of engineering services and other related consulting services incurred by the Township, an additional fee shall be collected from the Applicant prior to any action on the plan. If after Township action on the plan, any review fees remain, there shall be a refund made to the Applicant of the balance within thirty (30) days of action on the plan.

#### Disputes:

Disputes between the Applicant and the Township regarding fees shall be settled pursuant to 503(1) and 501(g) of the Pennsylvania Municipalities Planning Code, as amended.

#### Failure to Pay Fees:

Any failure by the Applicant to pay any required fees shall be deemed a violation of this Ordinance and shall make null and void any approval granted by the Township.