



# BOROUGH OF NEW BRIGHTON

## CONDITIONAL USE APPLICATION

1. APPLICANT(S): \_\_\_\_\_ DATE: \_\_\_\_\_

2. APPLICANT(S) ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

3. TELEPHONE: HOME \_\_\_\_\_ WORK \_\_\_\_\_

4. ADDRESS OF PROPERTY: \_\_\_\_\_

BETWEEN: \_\_\_\_\_ AND \_\_\_\_\_  
(CROSS STREET) (CROSS STREET)

ZONING DISTRICT: \_\_\_\_\_ PARCEL #: \_\_\_\_\_ LOT SIZE: \_\_\_\_\_

5. PROPERTY OWNER(S): \_\_\_\_\_

6. PROPERTY OWNER(S) ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

7. CURRENT USE OF PROPERTY: \_\_\_\_\_

8. PROPOSED USE OF PROPERTY: \_\_\_\_\_

9. CONDITIONAL USE REQUESTED: \_\_\_\_\_  
\_\_\_\_\_

(OVER)

**PLEASE READ CAREFULLY:**

APPLICATIONS WILL NOT BE ACCEPTED UNLESS COMPLETED IN FULL, SIGNED, AND THE FEE IS PAID IN FULL. ADDITIONAL ATTACHMENTS AND SUPPLEMENTS MAY BE REQUIRED BY THE CODE ENFORCEMENT OFFICE.

\_\_\_\_\_ (INITIAL HERE)

YOUR FAILURE TO APPEAR AT THE PLANNING COMMISSION MEETING AND BOROUGH COUNCIL MEETING WILL RESULT IN THE DISMISSAL OF YOUR CONDITIONAL USE REQUEST. IT WILL BE NECESSARY TO RE-APPLY AND PAY THE REQUIRED FEE. \_\_\_\_\_ (INITIAL HERE)

BY SIGNING BELOW, YOU ARE STATING THAT YOU ARE AWARE OF THE BOROUGH'S CRITERIA FOR CONDITIONAL USES AND HAVE RECEIVED A COPY OF THE APPLICABLE CODE SECTIONS. FURTHERMORE, YOU ARE AWARE THAT ALL REQUIRED ATTACHMENTS, INCLUDING A SITE PLAN AS OUTLINED IN §502.1.B, MUST BE SUBMITTED TO THE CODE ENFORCEMENT OFFICE BEFORE YOUR REQUEST MAY BE CONSIDERED.

\_\_\_\_\_ (INITIAL HERE)

I / WE THE UNDERSIGNED, CERTIFY THAT THE INFORMATION ABOVE AND ATTACHED IS TRUE AND CORRECT AS I / WE BELIEVE.

APPLICANT(S)' SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR BOROUGH OF NEW BRIGHTON OFFICE USE ONLY

FEE: \$ \_\_\_\_\_ COLLECTED BY: \_\_\_\_\_

SITE PLAN SUBMITTED? ( ) YES ( ) NO

CONDITIONAL USE SECTION(S): \_\_\_\_\_

PLANNING COMMISSION MEETING DATE: \_\_\_\_\_

RECOMMENDATION: APPROVE ( ) DISAPPROVE ( )

CHAIRPERSON'S SIGNATURE: \_\_\_\_\_

BOROUGH COUNCIL MEETING DATE: \_\_\_\_\_

VOTE: APPROVED ( ) DISAPPROVED ( )

ZONING VARIANCE REQUIRED? ( ) YES ( ) NO

CODE / ZONING HEARING BOARD DATE: \_\_\_\_\_

VOTE: APPROVED ( ) DISAPPROVED ( )

APPLICATION REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ZONING OFFICER  
THOMAS J. ALBANESE

**NOTES:**

**DECEMBER 9, 2010**

## Conditional Uses

### §501. General Criteria.

501.1 Conditional uses for each zone district are listed in §303.3, 304.3, 305.A.3, 305.B.3, 305.C.2, 306.3 and 307.3 of this Chapter.

501.2 Any application for a conditional use shall demonstrate that:

- A. The use will not endanger the public health and safety if located where proposed and will not deteriorate the environment or generate nuisance conditions.
- B. The use can be accommodate on the site with none, or only minimum variances required.
- C. The use is compatible with or will support the uses in the neighborhood of the site.
- D. The use does not require substantial earthmoving, revision of drainage patterns, or create excessive traffic congestion or substantial increase in storm water flow.
- E. Off-street parking is provided as required by §404 of this Chapter and areas not covered by buildings or paved are landscaped and maintained.
- F. Access to parking lots are located as remote as possible from nearby street intersections and adequate sight distances are available at access points for motorists entering and leaving the property proposed for the use.

(Ordinance 1076, October 18, 1984, Article IV, §5.1)

### §502. Procedure for Review.

502.1 A developer proposing a conditional use shall submit to the Zoning Officer five (5) copies of the following materials at least five (5) calendar days before a regular meeting of the Planning Commission:

- A. A written statement supporting the general criteria outlined in §501.2 above and describing in detail the proposed use;
- B. A scaled illustrative site plan showing the arrangement of the proposed use on the site, including property lines, setback lines, uses on adjacent properties, abutting streets, buildings existing and proposed on the site by use and height, points of access into the site, internal driveways, parking area layout with number of spaces noted, free-standing signs, areas of earth moving with grade of finished slope noted, means of disposing of storm water, proposed landscaping and other pertinent information.
- C. The Commission may waive parts of the site plan submission that are clearly irrelevant in a particular case.

502.2 The Commission shall review the documents required by §502.1 together with the specific criteria that apply to the proposed use at its next meeting and may recommend approval of the plan as submitted, rejection or approval with specific conditions to be met by the developer. Also, the Commission may table it for further information, or schedule a public hearing on it to gather public opinion.

502.3 The Commission shall note its discussion of the proposal and its recommendation to Borough Council in its minutes of the meeting and shall submit a copy to the developer and copies to Council, together with the developer's submission..

502.4 Council shall review the Planning Commission's recommendation at a Public Hearing and shall vote to accept or reject the recommendation. A copy of Council's decision shall be sent to the Planning Commission and the applicant. The Borough Council may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this Ordinance.

502.5 Council's decision shall be made not more than ninety (90) days after the submission was first reviewed by the Planning Commission, provided the plan is not withdrawn and resubmitted. The review period shall start over upon resubmission. When Council fails to render a decision within the allotted time period (ninety (90) days), the application for a conditional use shall be deemed to be approved, unless an extension of time has been agreed to by the applicant.

502.6 If Council grants approval, it shall authorize the Zoning Officer to issue a zoning permit for the proposed development. If conditions are attached to approval, they shall be noted on the building permit