



## CONDITIONAL USE HEARING APPLICATION

Date of Application: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Tax Map Parcel No: 11- \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Applicant: \_\_\_\_\_ Home Phone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_ Cell / Other: (\_\_\_\_) \_\_\_\_ - \_\_\_\_

Site Address: \_\_\_\_\_

Owner of Record: ☐ Same as applicant or \_\_\_\_\_

Address of Owner \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_ - \_\_\_\_

I (We) request a Conditional Use Hearing in accordance with Article 8 Section 801 of the Durham Township Zoning Ordinance for (Detailed description of use): \_\_\_\_\_

Size of Lot: \_\_\_\_\_ Acre(s) Square footage of new building/improvement : \_\_\_\_\_

**DETAILED SITE PLAN/DRAWINGS TO SCALE MUST BE ATTACHED PRIOR TO SCHEDULING A HEARING (12 SETS) SHOWING LOCATION, DIMENSIONS AND HEIGHT OF PROPOSED BUILDINGS, STRUCTURES OR USES AND ANY EXISTING BUILDINGS IN RELATION TO PROPERTY AND STREET LINES.**

Application for a Conditional Use Hearing shall be made by the *owner* of the property or an *authorized agent* of the owner. A letter from the owner authorizing the agent to act on behalf of the owner is required.

The Applicant certifies that all information on this application is correct and the work will be completed in accordance with any conditions, if any, determined by the Durham Township Supervisors. If Applicant does not agree to all Conditions, the application shall be deemed null and void. Upon agreement with all Conditions, Applicant will apply for all required permits.

A filing fee of \$1,000 plus a \$2,500 escrow must accompany the application. Make separate checks, each payable to Durham Township.

Signature of Owner or Authorized Agent	Print Name of Owner or Authorized Agent	Date
_____	_____	_____
_____		

(OFFICE USE ONLY BELOW LINE)

Date Received: \_\_\_\_\_ Filing Fee/Escrow received: \_\_\_\_\_

Zoning District: \_\_\_\_\_ ☐ Flood Plain ☐ Limestone Region ☐ Steep Slopes

☐ Agricultural ☐ Residential ☐ Institutional ☐ Office ☐ Retail/Service ☐ Utilities ☐ Industrial ☐ Acc. Use

Comments: \_\_\_\_\_

Signed: Zoning Officer: \_\_\_\_\_ Date: \_\_\_\_\_

**~~§ 608. PC-I - Planned Commercial-Industrial District~~**

In the PC-I District, the following regulations shall apply:

- A. Use Regulations: Only the following uses shall be allowed within the PC-I District:  
(All Commercial / Industrial Uses Require a Review before the Board of Supervisors)
1. **Uses by Right:** Only the following uses (Agricultural & Existing Residential Uses) shall be permitted by right. No New Residential Uses are permitted in this District (See also Article 4):
    - A-1 Agriculture
    - A-2 Accessory Agricultural Sales
    - A-3 Forestry
    - A-4 Commercial Greenhouse
    - A-7 Nursery
    - A-9 Accessory Farm Business
    - C-7 Municipal Facility
    - F-4 Essential Services
    - F-7 Wind Energy Systems, provided that the setback of each windmill from all lot lines and street right-of-ways shall be equal to the total maximum extended height of the windmill and provided that if more than 2 windmills are located on the lot, then the setback from a lot line of a dwelling shall be twice the total maximum extended height of the windmill.
    - H-4a No Impact Home Occupation within an existing dwelling
    - H-5 Livestock and Horses as an accessory use
    - H-8 Residential Accessory Structure and Use as accessory to an existing dwelling
    - H-9 Spa/Hot Tubs as accessory to an existing dwelling
    - H-10 Swimming Pools as accessory to an existing dwelling

**Note: ALL other Permitted Uses Require a Conditional Use Hearing before the Board of Supervisors**

2. **Conditional Uses:** Only the following uses shall be allowed as a conditional use. (See also Article 8 Conditional Uses and Article 4 Use Regulations):
  - A-6 Kennel
  - B-2a Group Home within an existing dwelling
  - B-2c Group Home as Land Development
  - C-2 Commercial School
  - C-3 Day Care Center
  - C-4 Golf Course
  - C-5 Hospital
  - C-6 Library or Museum
  - C-8 Nursing Home
  - C-9 Personal Care/Assisted Living/Hospice Center

- C-10 Place of Worship
- C-11 Private Organization
- C-12 Recreation/Community Center
- C-13 Primary, Secondary School, College or University
- D-1 Medical Office
- D-2 Office
- D-3 Veterinary Office or Clinic
- D-4 Office Park/Corporate Center
- D-5 Professional Studio
- E-2 Vehicle Sales
- E-3 Vehicle Repair; Body & Paint Shop; Vehicle Accessory Sales
- E-4 Car Wash
- E-5 Convenience Store / Mini Market
- E-6 Restaurant, without drive-through service
- E-8 Entertainment Facility
- E-9 Financial Establishment
- E-10 Funeral Home
- E-11 Bed & Breakfast Inn
- E-13 Mini Warehouse / Self -Storage
- E-14 Motel or Hotel
- E-16 Recreational Campsites
- E-17 Repair Shop
- E-18 Retail Trade & Retail Services<10,000 sq.ft.
- E-19 Gas Station
- E-20 Shopping Center
- E-21 Parking Lot or Garage
- E-22 Mobile Home & Accessory Sales
- ~~E-23 Tavern~~
- E-25 Betting Use
- E-27 Firearms target Range
- E-28 Commercial Flea Market
- F-1 Utility Operating Center
- F-2 Emergency Services
- F-3 Passenger Terminal (*Railway/Bus*)
- F-5 Commercial Communications Antennas/Towers
- F-6 Airport or Heliport
- G-1 Salvage Facility
- G-2 Building Material Sales & Equipment Storage Yards
- G-3 Contractor Service
- G-4 Food Processing
- G-5 Fuel Storage and Distribution
- G-6 Manufacturing, other than types of manufacturing that are listed as by right uses
- G-7 Quarry
- G-8 Recycling Facility
- G-9 Research
- G-10 Solid Waste Facility

22. **E-22 Mobile Home and Accessory Sales:** Sale of mobile/manufactured homes and related parts, accessories, and other supplies.
- (a) Must meet all of the requirements of Use E-2
23. **E-23 Tavern:** This use means an establishment which sells alcoholic beverages for on-premises consumption and off-premises consumption, and which is licensed by the State of Pennsylvania for such purpose, and which involves alcoholic beverage sales making up a majority of the business' total sales. This use shall meet the following additional requirements:
- (a) Minimum building setback from residential districts- 100 feet. Minimum parking lot setback from residential districts - 50 feet, unless a more restrictive provision is established by another section of this Ordinance.
- (b) Parking: No less than one off-street parking space for every 2 seats intended for use by patrons, plus one space for every employee. Parking areas shall be screened and buffered from adjacent parcels with a buffer yard meeting Section 502.
- (c) If food is also to be served then all of the provisions of Use E-6 will also apply.
- (d) Outdoor lighting shall be limited to what is necessary for security purposes during hours when the tavern is not open to customers.
- (e) The use shall provide a covered trash storage area with a covered trash dumpster, which shall be screened from the street and adjacent properties by an enclosed solid fence and/or decorative masonry wall at least 6 feet in height to prevent trash from blowing from the area and to serve as a visual screen for the trash area.
24. **E-24 Treatment Center:** This use shall include a state licensed facility involving overnight housing of any of the following: a) persons undergoing criminal rehabilitation (such as a criminal halfway house), and which is not a prison, or b) persons undergoing treatment for a current addiction to a controlled substance that was used in an illegal manner or alcohol, or c) persons with a type of mental illness or other behavior that causes the person to be known to be a threat to the physical safety of others.
- (a) The applicant shall provide a written description of types of conditions that will cause persons to be housed and/or treated within the facility. The number of persons living in the facility including support staff shall not exceed ten (10). Any future additions to this list shall require additional township zoning approvals.
- (b) The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures to protect public safety. The Board of Supervisors may place reasonable conditions upon the use to protect public safety, such as conditions on the types of residents, types of persons who receive counseling or treatment on-site or who are not residents, and security measures.
- (c) A minimum of one parking space shall be required per on-site employee plus one space for every 2 residents. Parking areas shall be screened and buffered from adjacent parcels with a buffer yard meeting Section 502.