

Zoning Permit Application Instructions and Information

ACTIVITIES REQUIRING A ZONING PERMIT

A Zoning Permit is required for any activity regulated by the Borough of Myerstown Zoning Ordinance ("Zoning Ordinance"). This includes the following:

- Construction or movement of a new structure or building.
- Addition or alteration to an existing structure or building.
- Creation of a new use of a structure or land.
- Change in the type of use of a structure or land, or expansion of a use.
- Creation of a lot or alteration of lot lines.
- Demolition or partial demolition of a historic building.
- Site alterations or mineral extraction as defined by the Zoning Ordinance.

Activities regulated by the Zoning Ordinance include, but are not limited to, the following common projects (see Zoning Ordinance for all activities):

- New construction of, or addition/alteration to, any of the following structures:
 - Deck
 - Driveway
 - Fence (over 3 feet in height)
 - Garage or Carport
 - Housing
 - Outdoor Storage and Display
 - Parking Lot or Pad
 - Patio/Porch
 - Pole Barn
 - Shed
 - Sign
 - Solar Energy Collection System
 - Swimming Pool
 - Outdoor Wall (over 3 ft. in ht.)
- Changing the use of a structure, or portion of a structure, or the use of land, or a portion of land, to any of the following:
 - Bed and Breakfast Inn
 - Day Care Center
 - Food Truck on property
 - Home Occupation (home business)
 - Housing (Any change in the number or type of dwellings)
 - Office
 - Place of Worship
 - Short-Term Rental
 - Temporary Commercial Use

ACTIVITIES THAT DO NOT REQUIRE A ZONING PERMIT

Ordinary repairs and maintenance to existing structures that do not involve an expansion or change of a use or structure shall not by itself require a Zoning Permit. Examples of such work include replacement of a roof or porch that does not involve enclosure of space. (However, a building/construction permit under Construction Codes may be needed for such work). A permit is required for all development proposed within an Identified Floodplain Area.

APPLICATION PROCESS

To obtain a Zoning Permit, a completed Zoning Permit Application (“Application”) must be submitted to the Borough Office with required fees. The Zoning Officer will review the application materials and either: 1) issue the applicable permit(s) or 2) deny the Application(s) as submitted, indicating one or more reasons. A Zoning Permit indicates that an Application complies with the Zoning Ordinance, to the best knowledge of the Zoning Officer.

The Zoning Officer is required to administer the Zoning Ordinance in accordance with its literal terms, and to deny Applications that do not conform to the Zoning Ordinance. If an applicant disagrees with the Zoning Officer’s determination, the applicant may appeal to the Zoning Hearing Board.

A completed application includes the following:

- Completed Application form with original signatures.
- Two copies of a site plan (if project involves a new building, expansion of a building, or the addition of three or more parking spaces).
- Application fee.

After the Zoning Permit has been issued by the Zoning Officer, the applicant may undertake the activity specified by the permit, in compliance with other Borough Ordinances. If there is a possibility of an appeal by another party to have the permit revoked, it is recommended that the applicant wait 30 days to begin construction.

A Zoning Permit expires one year from the date of issuance. A Zoning Permit may be extended at the discretion of the Zoning Officer for six-month periods not to exceed one year total. If the work described in any Zoning Permit has not begun within 90 days from the date of issuance the Permit shall expire.

Acquiring a Zoning Permit ensures that your proposed project meets the requirements of the Zoning Ordinance. Failure to obtain a Zoning Permit before starting a project could result in requiring the removal or relocation of a structure, or the commencement of enforcement proceedings.

SITE PLAN REQUIREMENTS

If a Site Plan is required, it must be drawn to scale and show the following:

- Locations, dimensions and uses of existing and proposed structures, parking and loading areas, and locations of existing and proposed uses of areas of land, with existing features clearly distinguished from proposed features.
- Notes showing the dimensions of all buildings from lot lines and street rights-of-way.
- Locations of any watercourses and any 100-year floodplain.
- Proposed lot areas, lot widths and other applicable dimensional requirements.
- Locations and widths of existing and proposed sidewalks.
- A north arrow and scale.



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SITE PLAN EXAMPLE

- PLAN MUST SHOW PROPOSED LOT AREAS, LOT WIDTHS, AND ANY OTHER APPLICABLE DIMENSIONAL REQUIREMENTS.
- PLAN MUST SHOW ANY WATERCOURSES AND ANY 100-YEAR FLOODPLAIN.
- PLAN MUST CLEARLY MARK ALL EXISTING AND PROPOSED STRUCTURES.
- PLAN MUST SHOW DIMENSIONS OF ALL BUILDINGS FROM LOT LINES AND STREET RIGHTS-OF-WAY.
- PLAN MUST CLEARLY MARK ALL PARKING AND LOADING AREAS.
- PLAN MUST CLEARLY MARK LOCATIONS OF EXISTING AND PROPOSED USES OF AREAS OF LAND.
- PLAN MUST CLEARLY DISTINGUISH EXISTING FEATURES FROM PROPOSED FEATURES.
- PLAN MUST SHOW LOCATIONS AND WIDTHS OF EXISTING AND PROPOSED SIDEWALKS.
- PLAN MUST HAVE A NORTH ARROW AND SCALE.

Existing Sidewalk (_____ feet wide)													
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>Total Lot Area _____ ft²</p></div><div style="width: 45%; text-align: right;"><p>Front Yard Setback</p><p>_____ ft.</p></div></div> <div style="text-align: center; margin: 20px 0;"><div style="border: 1px solid black; padding: 10px; width: 60%; margin: 0 auto;"><p>PROPOSED NEW STRUCTURE NAME</p><p>STRUCTURE HEIGHT</p><p>STRUCTURE LENGTH X WIDTH</p></div></div> <div style="display: flex; justify-content: space-between;"><div style="width: 45%; text-align: left;"><p>Side Yard Setback</p><p>_____ ft.</p></div><div style="width: 45%; text-align: right;"><p>Side Yard Setback</p><p>_____ ft.</p></div></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; text-align: left;"><p>_____ ft.</p><p>Distance from Lot Line</p><p>Lot Length _____ ft.</p></div><div style="width: 45%; text-align: right;"><p>_____ ft.</p><p>Distance from Lot Line</p></div></div> <div style="text-align: center; margin-top: 10px;"><div style="border: 1px solid black; padding: 5px; width: 40%; margin: 0 auto;"><p>EXISTING CARPORT</p><p>HEIGHT X LENGTH X WIDTH</p><p>Total Parking Spots: _____</p></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%; text-align: left;"><p>Lot Width _____ ft.</p></div><div style="width: 45%; text-align: right;"><p>Rear Yard Setback</p><p>_____ ft.</p></div></div>													

NORTH

REVIEW BY PLANNING COMMISSION OR BOROUGH COUNCIL

If the project does not require a Land Development Plan under the Subdivision and Land Development Ordinance, and the Zoning Officer determines that an application will have significant impacts upon surrounding properties or will involve complex site plan matters, the Zoning Officer may offer the Site Plan for review by the Planning Commission and/or Borough Council. In such case, the applicant may be required to submit additional copies of the site plan to the Zoning Officer in advance of the meeting. The Council or Planning Commission may provide advice to the Zoning Officer concerning ordinance matters, as well as advisory comments to the applicant.

OTHER PERMITS AND APPROVALS

The Zoning Permit and building/construction permit are two separate processes under two different sets of regulations. The issuance of one permit does not relieve an applicant of the requirement to obtain the other permit. Any zoning permit is issued with an automatic condition that the applicant must also meet all applicable building/construction codes.

Where necessary for access onto a Pennsylvania State Road or work within a Pennsylvania State Right-of-way, a Zoning Permit shall be automatically conditioned upon issuance of a PennDOT Highway Occupancy Permit.

The Borough may delay the final issuance of a Building/Construction Permit or Certificate of Occupancy (aka Occupancy Permit) until a required PennDOT Highway Occupancy Permit has been issued, any required subdivision and land development approval has been obtained, a new lot has been recorded, and/or erosion and sedimentation control approvals have been obtained.

If an Application would also be regulated by the Subdivision and Land Development Ordinance ("SALDO"), then any permit or approval under the Zoning Ordinance shall automatically be conditioned upon compliance with the SALDO.

If an Application would also be regulated by any of the other Borough Ordinances, including Stormwater Ordinances, Floodplain Ordinances, Sewer and Sewage Disposal Ordinances, or any regulations of the Myerstown Water Authority, then any permit or approval under the Zoning Ordinance may also be conditioned upon compliance with these regulations.

TYPES OF USES

Permitted by Right Use: A use is "permitted by right" if it meets all the requirements of the Zoning Ordinance. Permitted by Right uses are subject to any requirements that may be imposed by the Zoning Ordinance.

Special Exception Use: A use that requires a Special Exception by the Zoning Ordinance shall be issued by the Zoning Officer only in response to a written approval by the Zoning Hearing Board following a hearing. Special Exception uses are subject to any conditions that may be imposed by the Zoning Hearing Board upon approval.

Conditional Use: A use that requires approval by Borough Council. Conditional uses are subject to any conditions that may be imposed by Council upon approval.



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For Office Use Only

Situs Address: _____

Property Tax ID: _____

For Office Use Only

Date Completed App Rec'd: _____

Permit #: _____

Zoning Permit Application

This application is required for the issuance of a Zoning Permit, which is required for any activity regulated by the Borough of Myerstown Zoning Ordinance. An application is not considered complete until all required information is provided, including site plan, and application is signed by the applicant.

Permit Fee: \$75.00 plus \$3.00 per each additional \$1,000.00 of total project cost rounded to the nearest \$1,000.00.

GENERAL INFORMATION

Project Site Address: _____ Zoning District: _____

Applicant Name: _____

Mailing Address: _____

Email Address: _____ Phone: _____

Property Owner Name (if different from applicant): _____

Mailing Address: _____

Email Address: _____ Phone: _____

Contractor Name: _____ Phone: _____

PROJECT ACTIVITY

(Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> New Principal Building | <input type="checkbox"/> Principal Building Addition or Alteration |
| <input type="checkbox"/> New Accessory Structure (garage, shed, pool, etc.) | <input type="checkbox"/> Accessory Structure Addition or Alteration |
| <input type="checkbox"/> New Sign or Sign Addition/Alteration | <input type="checkbox"/> New Fence or Fence Addition/Alteration |
| <input type="checkbox"/> New Primary Use or Change in Primary Use | <input type="checkbox"/> New Accessory Use or Change in Accessory Use |
| <input type="checkbox"/> Driveway, Parking Pad, or Parking Lot | <input type="checkbox"/> Demolition or Partial Demo. of Historical Building |
| <input type="checkbox"/> Site Alterations (filling, clearing, or regrading) | <input type="checkbox"/> Creation of a Lot or Alteration of Lot Lines |
| <input type="checkbox"/> Other: _____ | |

Total estimated cost of the project: _____

(Below is for Office Use Only)

Application Fee: _____ ☐ Cash ☐ Check # _____ ☐ Credit/Debit (plus 3% transaction fee)

Received by: _____ Date: _____

PROJECT INFORMATION

Describe the project in sufficient detail for the Zoning Officer to determine compliance with the Zoning Ordinance. For construction projects, include measurements and square footage. Attach additional sheets if necessary.

Will this project change or expand the type of use(s) on the Lot? ☐ Yes ☐ No

Existing Use(s): _____

Proposed Use(s): _____

Will this project create or change the number of off-street parking spaces? ☐ Yes ☐ No

Current number of off-street parking spaces: _____

Proposed number of off-street parking spaces: _____

Will this project change the total Building Coverage on the Lot? ☐ Yes ☐ No

Building Coverage: The percentage obtained by dividing the total horizontal area covered by all buildings on a lot by the total lot area of a lot. For the purposes of this definition, building coverage shall include all buildings that are under a roof, except for incidental roof overhangs.

Existing Lot Coverage: _____ sq. ft. _____ % of Lot Area

Proposed Lot Coverage: _____ sq. ft. _____ % of Lot Area

Will this project change the total Impervious Surface Coverage on the Lot? ☐ Yes ☐ No

Impervious Surface Coverage: The percentage that results from dividing the land area on a lot covered by all "impervious surfaces" by the total land area of the lot. Impervious Surfaces are areas covered by buildings, paving, concrete, vehicle parking areas, or driveways. (see Ordinance)

Existing Lot Coverage: _____ sq. ft. _____ % of Lot Area

Proposed Lot Coverage: _____ sq. ft. _____ % of Lot Area

Is there an on-lot water well or on-lot septic system on the Lot? ☐ Yes ☐ No

Has a conditional use, special exception, or variance been approved for this Lot? ☐ Yes ☐ No ☐ Unk

If "Yes" please provide the date of approval, case number, and a copy of the decision.

Are there any existing easements or deed restrictions on the Lot? ☐ Yes ☐ No ☐ Unk

If "Yes" please provide a copy of the deed.

Will this project require electric, mechanical, or plumbing? ☐ Yes ☐ No

Note: Depending upon the project, additional information may be requested to determine compliance with the Zoning Ordinance.

ACKNOWLEDGEMENTS AND SIGNATURE

The issuance of a Zoning Permit is based upon the facts stated and representations made in this application. A Zoning Permit may be revoked if the use and/or structure for which it has been issued violates any applicable Myerstown Borough ("Borough"), County, State, or Federal law or regulation, including but not limited to the Borough of Myerstown Zoning Ordinance ("Zoning Ordinance"). A Zoning Permit may also be revoked if it has been issued in error or if issuance was based upon any misrepresentations or errors contained in the application or otherwise made by the Applicant.

A complete site plan must be included with this application. Failure to provide a complete site plan shall constitute an incomplete application which shall not be processed until further information is received.

The Zoning Officer does not guarantee or give opinions relating to the proposed construction under the Permit and does not warrant compliance with applicable laws or regulations by the issuance of a Zoning Permit. The Applicant bears all responsibility for ensuring compliance with all applicable laws and regulations, including but not limited to compliance with the Zoning Ordinance, the Borough of Myerstown Subdivision and Land Development Ordinance, the Borough of Myerstown Stormwater Management Ordinance, the Pennsylvania Uniform Construction Code, and the Pennsylvania Building Energy Conservation Act. Applicant acknowledges that they have not relied upon any oral or written statements of officials of the Borough in making this application.

The permit holder is advised that persons aggrieved by a use or development permitted on the land of another may file an appeal with the Borough's Zoning Hearing Board seeking revocation of any permits issued or approvals granted within thirty (30) days from the issuance of such permit, or at a later date if such aggrieved person alleges and proves that he had no notice, knowledge or reason to believe that such approval had been given.

The design and construction of all buildings and structures must comply with all applicable requirements of the Americans with Disabilities Act ("ADA") and the regulations adopted to implement such act. It is the responsibility of the permit holder to determine compliance with the requirements of the ADA, and the issuance of this permit by the Borough does not warrant that such construction complies with the requirements of such act or that compliance is not necessary.

Notice is hereby given that if the property described in this permit will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation, a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945, P.L. 1242, No. 428, known as the State Highway Law, before driveway access to a state highway is permitted. Access to a state highway shall be only as authorized by the Highway Occupancy Permit issued by the Pennsylvania Department of Transportation.

I am aware that I cannot commence excavation or construction until a Zoning Permit has been issued by the Borough. I am aware that I cannot use the property or change the use of the property herein until I have applied for and received a Zoning Permit for such proposed use. I am aware that prior to the occupancy or use of the property for which this Zoning Permit Application has been made, all known code violations must be corrected.

I acknowledge that the holder of a Zoning Permit is responsible to ensure compliance with all applicable Municipal Ordinances, and at completion of the work authorized by the permit, I acknowledge that the Borough requires that a final inspection be performed by the Zoning Officer before the structure which is authorized by the permit may be occupied.

I hereby authorize the designated Borough official to investigate, inspect, and examine the Property set forth herein, including land and structures, to determine compliance with the Zoning Ordinance and to determine the accuracy of the statements contained herein.

By signing this application, I certify that all information in the application and all accompanying documentation are true and correct, and that the proposed project and work is authorized by the owner of record of the Property set forth herein.

Applicant Signature: _____ Date: _____

Applicant Printed Name: _____