

Zoning Hearing Board
Application for Variance or Special Exception

APPLICANT/OWNER

Applicant Name _____	Address _____
Day-Time Phone _____	_____
E-Mail _____	_____
Owner Name _____	Address _____
Day-Time Phone _____	_____
E-MAIL _____	_____

PROPERTY

Address or General Location _____

Legal Description of Property – Attach Description _____

Zoning Classification _____ Lot Size _____

Existing Use of Land and/or Building(s) _____

REQUESTED ZONING VARIANCE

Variance to Section(s) _____ Of Trafford's Ordinance

Current Ordinance Requirements _____

Requested Variance(s)/Special Exceptions _____

SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and authorizing the applicant to represent the person, organization, or business that owns the property.

A written statement shall be submitted documenting the reasons for the variance(s)/Special Exception(s).

A Site Plan shall be submitted, on paper no larger than 11" x 17", showing:

1. Scale and north arrow
2. Location of site with respect to streets and adjacent properties
3. Property lines and dimensions
4. Location and dimensions of buildings
5. Building setback distance from property lines
6. Location, dimensions, and surface type of off-street parking spaces and loading areas
7. Any other proposed feature of the site which are applicable to the requested variance

A non-refundable application fee (\$350.00 for residential properties/\$500.00 for commercial properties) shall be submitted, payable to Trafford Borough. The applicant is required to cover any additional fees exceeding the initial \$350.00 or \$500.00 fee to cover the cost of continuing hearings, advertisements, notifications, stenographer services, zoning hearing board attorney, and transcripts.

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application,

Signature _____ Date _____

Chapter 202. ZONING

Article III. District Regulations

§ 202-8. Use of property to comply.

[Amended 7-7-1992 by Ord. No. 635]

A. No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.

B. All uses or lots in all zoning districts shall comply with the applicable requirements and standards for managing stormwater runoff in accordance with the provisions of Chapter **172**, Stormwater Management, of this Code.

C. Agricultural activities, nurseries and forestry management operations, where permitted by this chapter, shall be required to provide for the safe management of stormwater runoff in accordance with the requirements of Chapter **172**, Stormwater Management, of this Code. However, the submission and approval of a stormwater management plan shall be waived when:

(1) Agricultural activities are operated in accordance with a conservation plan or erosion and sedimentation control plan approved by the Allegheny County Conservation District or the Westmoreland County Conservation District, whichever is appropriate.

(2) Forestry management operations are following Pennsylvania Department of Environmental Protection management practices contained in its publication Soil Erosion and Sedimentation Control Guidelines for Forestry and are operating under an erosion and sedimentation control plan.

D. Strip mining, where permitted by this chapter, shall have a plan for control of erosion and sedimentation and stormwater runoff which is approved by the Pennsylvania Department of Environmental Protection. If the strip-mining operation is located within a watershed for which a stormwater management plan has been approved in accordance with the requirements of the Storm Water Management Act,

Editor's Note: See 32 P.S. § 680.1 et seq.

then the erosion/sedimentation plan and any permanent stormwater runoff controls shall be consistent with the standards and criteria of the watershed stormwater management plan. A copy of

the Pennsylvania Department of Environmental Protection approved plan shall be filed with the Borough of Trafford prior to commencing any mining operations.

§ 202-9. General restrictions.

A. No building or unit shall be permitted to be erected or altered or the lot size modified to exceed the height, to accommodate a greater number of families, to occupy a greater percentage of lot area, to have a narrower or smaller rear yard, front yard or side yard than is specified herein for the district which such building is located nor to be on a site that has experienced periodic flooding.

B. No part of a yard or other space required about any building for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another building.

§ 202-10. Permitted uses.

The following are permissive uses in the districts indicated:

A. R-1 Single-Family Residential District.

(1) Single-family dwelling only.

(2) Educational or religious use not conducted as a gainful business, when permitted as an exception and on a street classified as other than minor - marginal access. Nursery-kindergarten grades one through six may be on a minor - marginal access street.

(3) Park, playground.

(4) Home gardening without the sale of products, provided that no dust, odor or injurious chemical substance or use shall be permitted.

(5) Private garage and no other accessory uses.

(6) Private swimming pool and no accessory uses.

B. R-2 General Residential District.

(1) All uses permitted in an R-1 District.

(2) Double, multifamily, group housing project.

(3) Rooming house.

(4) Tourist home, if located on a major street, but not a minor street.

(5) General hospital, clinic.

(6) Public library, if located on a major street, but not a minor street.

(7) Funeral home.

C. The R-3 Multiple-Family Residential District: is composed of certain medium-density residential areas of the borough representing multiple-unit dwellings, plus certain open areas where similar residential development appears likely to occur. To these ends, development is limited to a medium concentration and low-rise buildings providing homes for the residents in a variety of dwelling types, and also, development shall be provided under prescribed standards of density and open space.

D. C-1 Light Commercial District.

- (1) All nonresidential uses permitted in an R-2 District, except that secondary uses may be permitted on the second floor of commercial buildings in C-1 Districts.
- (2) Retail store, shop.
- (3) Restaurant, cafe, tearoom.
- (4) Bank, studio, office.
- (5) Service establishment, such as a barbershop, beauty shop and a self-service, hand or commercial laundry establishment.
- (6) Dry-cleaning, pressing and tailor shop using nonexplosive solvents, provided that the cleaning operation is not conducted on the premises.
- (7) Hotel.
- (8) Theater, assembly hall, pool hall, bowling or any legal recreational use.
- (9) Bus, taxi station.
- (10) Printing establishment.
- (11) Auto sales, including minor repair and service conducted inside the building.
- (12) Commercial parking (surface, subsurface, in or on the building).
- (13) Municipal building, such as fire, police or maintenance.
- (14) Telephone exchange.
- (15) Club, lodge and fraternity not carried on for profit.
- (16) Recreation, community building.

E. C-2 Heavy Commercial District.

- (1) All heavy commercial activities permitted, except processes or operations which may be noxious or injurious by reason of dust, odor, smoke, refuse material, gas, fumes, noise, vibration or danger from explosion.
- (2) All uses permitted in the C-1 District, except secondary uses.
- (3) The following or comparable uses will be permitted subject to Subsection **E(1)** above:
 - (a) Boat and trailer sale.
 - (b) Wholesale, storage.
 - (c) Building material, except stone-crushing and concrete-mixing.
 - (d) Cleaning, dyeing.
 - (e) Distributing plant, parcel delivery, ice storage, locker service, beverage distribution or bottling plant.
 - (f) Retail lumber sales in a fire-resistant building.
 - (g) Major garage, auto repair, filling station.
 - (h) Contractor, equipment storage when placed in an opaque enclosure.

(i) Utility substation, volume- or pressure-control station when screened by organic plantings having a thickness of at least three feet or fire-resistant material to the full height of the equipment attached or resting on the ground.

(j) Monument works, provided that the process is done within a structure.

F. I-1 Light Industrial District.

All industrial activities permitted, except industrial processes which may be noxious or injurious by reason of dust, smoke, refuse material, odor, gas, fumes, noise, vibration or danger from explosion.

The following and comparable uses will be permitted:

(1) Research center.

(2) Motor trucking center.

(3) Bakery goods, candy.

(4) Laundry, cleaning and dyeing establishments.

(5) Lumberyards.

(6) Soft drink, milk-bottling and distribution stations of the same.

(7) Electronic equipment.

(8) Printing, bookbinding.

(9) Optical goods, glass or plastic.

(10) Bulk storage of gasoline, fuel oil or other flammable or explosive liquids for retail sale and distribution, provided that the location, plans and construction shall conform to the laws and regulations of the National Board of Fire Underwriters or an equivalent rating association, local code or state law.

(11) Public swimming pool.

G. I-2 Heavy Industrial District.

(1) Steel fabricators.

(2) Chemical industries employing more than 10 employees.

(3) Asphalt manufacture or refining.

(4) Wrecking or dismantling of motor vehicles, storage of the parts and materials from such operations and the storage of other junk, only within a completely enclosed building or if surrounded by an opaque fence at least seven feet in height.

(5) Premix concrete plant.

H. P Permanent Preserve District. Areas so classified on the Zoning Districts Map are generally areas of excessive slope, inaccessible land or remnants of land not suited for general uses. These areas may be used for the following purposes or comparable purposes if, in the opinion of the Zoning Hearing Board, they are suited to the characteristics of the land and are not detrimental to adjacent land uses:(1) Recreational uses. (2) Tree nursery or commercial forest. (3) Landfill when permitted by special exception and when approved by the proper health authorities.

§ 202-10.1. Conditional uses.

[Added 4-21-2009 by Ord. No. 731]

A. Gas and oil well production. Gas and oil well production shall be permitted in all zoning districts (C-1 Light Commercial District, C-2 Heavy Commercial District, I-1 Light Industrial District, I-2-Heavy Industrial District, P Permanent Preserve District, R-1 Single-Family Residential District, R-2 General Residential District and R-3 Multiple-Family Residential District) as conditional uses. Applications for gas and oil well production must be accompanied by a site development plan drawn by an architect, engineer or landscape architect showing the ingress and egress of all residential properties affected by the proposed use. The site plan shall reflect that landscaping is adequate to screen and buffer neighboring properties, and that the availability of ingress and egress does not disturb residential dwellings. Gas and oil well production must be located at a sufficient distance from inhabited structures so as to not disturb neighboring properties, and shall in no event be located within 200 feet of any inhabited structure. Further, no residence shall be built and no building permit shall issue for any residence within 200 feet of any gas or oil well production previously constructed on that same property. The Trafford Borough Council may place reasonable conditions upon the approval of any site plan submitted under this subsection.

§ 202-12. Off-street parking.

A. The purpose of the following parking requirements is to provide off-street parking, where sufficient area permits, to reduce congestion in the public streets. Where construction is provided on small lots of record within the developed portion of the borough and where the owner does not own adjoining property, the Board of Adjustment may reduce these requirements to provide the maximum amount of parking possible under the area conditions.

B. Off-street parking spaces shall be provided and satisfactorily maintained, by the owner of the property, for each building or land use which is erected, enlarged or altered for use for any of the following purposes. Such spaces may be at grade, below grade, above grade or within or on a

building. Parking space within a building shall not be included when determining floor space for the provisions of this section.

(1) An auditorium, church, theater, library or other places of public assemblage: one parking space for each four seats provided for its patrons, based on maximum seating capacity, plus one space for each two employees.

(2) A hotel, motel, rooming house or tourist home: one parking space for each two sleeping rooms, plus one space for each two employees.

(3) A restaurant or some other eating place: one parking space for each four seats.

(4) A hospital, sanatorium or nursing home: one parking space for each four beds, plus one space for each doctor, plus one space for each two employees, including nurses.

(5) Stores: one parking space for each 100 square feet of net floor area, plus one space for each two employees.

(6) Office building: one parking space for each 300 square feet of gross floor area devoted to office use. Multistoried units must have each floor added for total.

(7) Industrial or manufacturing establishments: one parking space for each 400 square feet of gross floor area or for each two workers; the calculations which provide the greatest accommodations shall be used.

(8) Schools: one space for each employee, including administrators and teachers; one space for each school bus assigned to transport students; one space for each two rooms for visitors (parents, salesmen, doctors and others); and at high schools, one parking space for each student who is authorized to use a vehicle for transportation to and from school. New high schools or junior colleges shall use the rated capacity of the new structure (and projected additions) and the existing percentage of student permits at existing schools, per grade classification, to determine the number of parking spaces needed.

(9) Dwellings: one space for each dwelling unit or family in each building; each employed adult in a rooming house shall be considered as a family when determining parking requirements.

(10) Public swimming pools: one space for each four patrons, based on capacity.

C. All parking spaces provided pursuant to this section shall be on the same lot with the building, except that the Zoning Board may permit the parking spaces to be on any lot within 500 feet of the building if it determines that it is impractical to provide parking on the same lot with the building.