

**SECTION 730**  
**Conditional Zoning Certificates**

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**730.1 PURPOSE.**

When a proposed use is permitted in a zoning district as a conditional use, as set forth in the district regulations, a conditional zoning certificate is required and the application for such conditional zoning certificate shall be submitted and reviewed according to the guidelines outlined in Section 730.

**730.2 SUBMISSION OF APPLICATION.**

The owner, or agent thereof, of property for which such conditional use is proposed shall file with the Zoning Administrator an application for a conditional zoning certificate accompanied by payment of the required nonrefundable fee established by the Trustees. The application for a conditional zoning certificate shall disclose all uses proposed for the development, their location, extent and characteristics and shall include the following:

- A. The application form completed by the applicant.
- B. A development plan and associated documentation as required in Section 720.6 unless specific items required in Section 720.6 are determined by the Zoning Administrator to be inapplicable or unnecessary and are waived in writing by the Zoning Administrator.
- C. Additional plans, where appropriate, for reclamation.
- D. A statement supported by substantiating evidence regarding the requirements enumerated in Section 470.

**730.3 REVIEW FOR COMPLETENESS.**

The Zoning Administrator shall review each submitted application for completeness according to Section 710.4. Once an application is officially accepted as being complete, it shall be placed on the agenda of the Board of Zoning Appeals.

**730.4 DISTRIBUTION OF APPLICATION.**

The Zoning Administrator shall forward the application to the following for their review and comment. All reports, comments, or expert opinions shall be returned to the Zoning Administrator.

- A. The application may be transmitted to the appropriate Township and County administrative departments or officials and qualified professional consultants for review and comment. The cost of the review by a consultant shall be paid by the applicant.
- B. The application and any department reports, comments or expert opinions shall be compiled by the Zoning Administrator and transmitted to the Board of Zoning Appeals for review at their next regularly scheduled meeting.

**730.5 PUBLIC HEARING AND NOTICE BY BOARD OF ZONING APPEALS.**

After adequate review and study of an application, the Board of Zoning Appeals shall set a date for a public hearing on the application and hold a public hearing. At least 10 days prior to the date of the public hearing, notice of such public hearing shall be given by first class mail to owners of all properties within and contiguous to and directly across the street from the property on which the use is proposed, including property that is located in an adjoining community. Failure of delivery of such notice shall not invalidate action taken on such application. Further notice shall be given in one or more newspapers of general circulation in the Township at least 10 days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed conditional use. The Board may recess such hearing and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board at the public hearing on the application and state their reasons for or against the proposal.

**730.6 REVIEW CRITERIA.**

The Board of Zoning Appeals shall review the proposed conditional use, as presented on the submitted plans and specifications, to determine whether or not the proposed use is appropriate and in keeping with the purpose and intent of this Zoning Resolution. In making such a determination, the Board of Zoning Appeals shall find that both the general criteria established for all conditional uses and the specific requirements established for that particular use, as set forth in

Section 470 of this Resolution, are satisfied by the establishment and operation of the proposed use. In addition, the Board of Zoning Appeals:

- A. Shall review the development plan for the proposed conditional use according to the development plan review procedures set forth in Section 720.6.
- B. Shall review any request for variance of any regulation set forth in this Zoning Resolution pertaining to the proposed conditional use, according to variance procedures set forth in Section 730.
- C. May require the applicant to submit such additional information as deemed necessary including the carrying out of special studies and the provisions of expert advice.

**730.7 ACTION BY BOARD OF ZONING APPEALS.**

After the conclusion of the public hearing, the Board of Zoning Appeals shall take one of the following actions:

- A. If the proposed conditional use is determined by the Board of Zoning Appeals to be appropriate, the Board of Zoning Appeals shall approve the application for a conditional zoning certificate. As part of the approval, the Board of Zoning Appeals may prescribe appropriate conditions, stipulations, safeguards and limitations on the duration of the use as it may deem necessary and in conformance with the intent and purposes of this Resolution for the protection of individual property rights and the public health, safety, morals and general welfare of the community. Approval of the application authorizes the Zoning Administrator to issue the conditional zoning certificate.
- B. If the proposed use is found not to be in compliance with the specifications of this Zoning Resolution, or not appropriate to or in keeping with the purpose, policies and intent of the Springfield Township Comprehensive Plan, the Board of Zoning Appeals shall reject the application.

**730.8 TERMS AND DURATION OF CONDITIONAL ZONING CERTIFICATE.**

A conditional zoning certificate shall be deemed to authorize a particular conditional use on a specific parcel for which it was approved.

- A. A conditional zoning certificate shall become void at the expiration of one (1) year from the date of approval unless, prior thereto, construction is begun, or an extension has been granted by the Board of Zoning Appeals. If no construction is begun within one (1) year from the date of approval and an extension has not been granted, a new application and certificate shall be required. Construction is deemed to have begun when all necessary excavation and piers or footers of the structure included in the application have been completed. The date of expiration shall be noted on the zoning certificate.

- B. The breach of any condition, safeguard or requirement shall automatically invalidate the conditional zoning certificate granted, and shall constitute a violation of the Zoning Resolution. Such violation shall be punishable as per Section 760. A conditional zoning certificate issued pursuant to Section 730 shall be valid only for the use and the operation of such use as specified on the certificate.

**730.9 EXISTING USE RECLASSIFIED AS CONDITIONAL USE.**

In the event an existing use which was permitted by right at the time the use was established is thereafter reclassified as a conditional use for the district in which the use is located due to a zoning text amendment, such use shall be considered to be an approved conditional use without any further action. However, any subsequent change to such use shall require review and approval by the Board of Zoning Appeals according to the procedures set forth in Section 730.