



**PATTON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA**

100 PATTON PLAZA – STATE COLLEGE, PENNSYLVANIA – 16803

PHONE: 814/234-0271 — FAX: 814/238-7790

EMAIL: [zoning@twp.patton.pa.us](mailto:zoning@twp.patton.pa.us) — WEB SITE: <http://twp.patton.pa.us>

**VARIANCE PROCEDURES**

The following forms are attached as information regarding a variance from the Zoning Hearing Board or the Sign Review Board:

1. Form ZHB-6 (Variance Criteria)
2. Copy of the Zoning Hearing Board and Sign Review Fee Schedules

You must meet all five criteria listed on Form ZHB-6 for the Zoning Hearing Board to grant a variance.

The following forms must be completed and returned with the required fee to start the variance process:

1. Form ZHB-1 (Variance Application)
2. Form ZHB-2 (Entry of Appearance)
3. Form ZHB-3 (Waiver of Stenographic Record)

Form ZHB-1 should be completed to the best of your ability.

A copy of Form ZHB-2 must be completed by everyone that will be presenting testimony on your behalf.

Form ZHB-3 must be completed if you do not want a stenographic record of the hearing to be taken. The cost of a stenographic record will be shared equally by the Township and the applicant if you desire a stenographic record. The Township will record the hearing if a stenographic record is not being utilized.

The fee schedule lists the different types of requests and their subsequent fees.

If you have any questions regarding any of the forms or fees, please call the Zoning Officer at 234-0271.



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**FORM ZHB-6**

**Variance Criteria**

One of the functions of the Zoning Hearing Board is to hear requests for variances from the provisions of the Zoning Ordinance. The granting of variances is strictly regulated by state law. The Pennsylvania Municipality's Planning Code provides that all of the following 5 criteria must be addressed in order to grant a variance.

The function of the Zoning Hearing Board is to hear requests for variance where it is alleged that the provisions of the zoning ordinance or sign ordinance inflict unnecessary hardship upon the applicant, to grant or deny special exceptions as stated in the Zoning Ordinance, hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures, misinterpreted or misapplied any provision of the Zoning Ordinance.

The Board may grant a variance:

- (1) Where there are unique physical circumstances or conditions including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topography or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and
- (2) Where, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property; and
- (3) Where such unnecessary hardship has not been created by the appellant; and
- (4) Where the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
- (5) Where the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

If granting any variance, the Board may attach such reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this act and the Zoning Ordinance.

**EXPLANATION:** This form is developed to give to citizens who want to know the criteria, which are established by law for the granting of a variance.

**Zoning Hearing/Sign Review Boards:**

Zoning/Sign Variance Application	\$360.00 Except as noted below Per application Plus cost of posting the property
Variance under Section 175-51 for a Single-Family	\$ 60.00 per Dwelling on a non- conforming lot of record application
Appeal from Zoning Officer's Interpretation of the Ordinance	\$240.00 per appeal (refunded if ZHB finds in favor of applicant)
Challenge to Validity of Zoning Ordinance	\$360.00 per application plus cost of posting the property
Rezoning Application	\$300.00 plus Cost of posting the property
Curative Amendment Application Actual costs of engineering review, advertisements, and transcription costs. While proceedings are conducted an advance fee no less than (Any advance is refunded if the Township grants the Curative Amendment)	\$600.00

Schedule of Fees established by Resolution 94-001, as amended by Resolutions 95-001, 99-003, 2000-003, 2003-001, 2008-020, 2009-020, 2009-023, 2009-026, 2010-005, 2010-007, 2010-009, 2010-010, 2010-019, and 2010-021.



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**ZHB-1**

Date Received \_\_\_\_\_

**Application for Hearing**

The undersigned hereby applies to the Zoning Hearing Board for a hearing.

1. **APPLICANT**

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

2. **PROPERTY OWNER (If different from Applicant)**

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

3. **PROPERTY LOCATION**

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

Description: \_\_\_\_\_

Tax Parcel #: \_\_\_\_\_

4. **PRESENT USE OF THE PROPERTY:**





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**FORM ZHB-3**

**WAIVER OF STENOGRAPHIC RECORD**

**I AGREE TO WAIVE THE REQUIREMENTS OF SECTION 908 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, WHICH REQUIRES THAT A STENOGRAPHIC RECORD OF THE PROCEEDINGS BE MADE, AND I CONSENT THAT A RECORD OF THE PROCEEDINGS MAY BE MADE ON A TAPE RECORDER.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME

**EXPLANATION:** Parties have a right under Section 908 of the Municipalities Planning Code to have a stenographic record made of the hearing. This usually requires that a court reporter be called in. If the parties waive the requirement of a stenographic record, the record of the hearing shall be kept on the municipality's sound recording system. If a party does not desire to waive this taking of the record by a stenographer, he shall so advise the Board prior to the hearing so that a stenographer can be arranged to be present.



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**FORM ZHB-2**

**ENTRY OF APPEARANCE**

NAME OF CASE: \_\_\_\_\_

PROPERTY LOCATION: \_\_\_\_\_

**I DESIRE TO BE CONSIDERED A FORMAL PARTY TO THESE PROCEEDINGS. PLEASE  
SEND ALL NOTICES TO ME OR TO MY ATTORNEY.**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

I AM PRESENT ON BEHALF OF: \_\_\_\_\_

**EXPLANATION:** This form must be filed by every person or his attorney, including the applicant, who desires to be considered a formal party or attorney of record in these proceedings. It is not required to be signed by persons who are only present as witnesses.