ZONING RELIEF APPLICATION:
VARIANCE & SPECIAL EXCEPTION

The Planning Bureau reviews applications for completeness; incomplete applications may delay processing and review timelines. **Applications are not considered to be formally filed until all requisite documentation is submitted; completeness is confirmed by the Zoning Officer.**

SUBMISSION INSTRUCTIONS

The following information **MUST** be submitted for any Variance or Special Exception request. Failure to do so may delay your request and prevent you from being added to a meeting agenda:

- **The Variance and/or Special Exception Application(s) (8 copies):** Answers to application questions should be complete, thorough, and accurate; simple "Yes" or "No" answers will not suffice to provide justification for the request. If necessary to fully answer the questions or provide a more complete description of the project/proposal, you may also want to provide a supplemental project narrative. The application document must be signed and dated by the Applicant and the property owner, if the Applicant is not the property owner.
- **Existing Conditions Photos (8 copies)** of the property, relevant to the area(s) included in the zoning relief request (i.e., if you are building into a setback, provide photos of the proposed location of construction) **and in color; black & white photos will not be accepted**.
- **Site/Elevation/Floor Plans (8 copies)** of the subject property and/or of the existing or proposed structure(s) detailing the proposed zoning relief with applicable dimensions (note: drawings must be to scale, detailed, accurate, and legible; it is recommended that they be developed by an engineer, architect, surveyor, or similar professional).
- **A Notification Letter (1 copy)** to all **property owners** (note: this **does not** mean residents) within 100 feet of the subject property boundary, along with proof of first-class mailing. This letter **must** contain the following information:
  - The address of the subject property
  - A description of the proposed zoning relief request
  - The **time, date, and location** of the Planning Commission and Zoning Hearing Board meetings at which the application will be reviewed (from the Meeting Schedule online)
  - An invitation for the recipient to attend the meeting and comment on the project

  Note: The Planning Bureau may be able to provide a list of these properties.
- **Proof of Legal Standing (1 copy):**
  - If you are the owner, you **must** provide a deed or other legal proof of ownership.
  - If you are not the owner, you **must** provide copy of the lease, option to lease, purchase agreement, or some other legal document demonstrating that you have an agreement with the property owner giving you some interest in the property. You must also provide legal proof of ownership confirming that the party with which you have an agreement is the party that owns the property (i.e., you must provide a lease and a deed)

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- A fee, in the form of a check or money order; the fee schedule is as follows:
  - A zoning relief request related to a single-family use: $350
  - A zoning relief request related to a multi-family or non-residential use: $425
    - Each additional request after the first is an additional $35

  Checks and money orders must be made payable to the "City Treasurer."

  As an example, the cost for a non-residential project that requires two Variances and one Special Exception would be:
  $425 (for the first request) + $35 (for the second request) + $35 for (for the third request) = $495 total.

In addition to the required documentation noted above, it is recommended that you provide additional documentation so that Planning Bureau staff, the Planning Commission, the Zoning Hearing Board, and the public can understand that full scope and intensity of the zoning relief being requested. The more information provided with the application submission, the better the chances of an expeditious review. This additional documentation might include:

- If the zoning relief request involves the establishment of a business, you should include a **detailed description of the business**, including aspects such as the number of employees (helpful in determining off-street parking requirements), hours of operation, expected clientele/customer volume, and activities on-site.
- **Evidence of community engagement and/or community support**, such as:
  - Documentation of publicly-promoted and -accessible meeting(s), including agendas, sign-in sheets, and any presentation materials
  - Petition of support, which should include a description of the proposal and space for individuals to provide the date, their address, and both print and sign their name (names should be printed legibly)
  - Letter(s) of support from surrounding property owners, businesses, or organizations
  - Letter(s) of support from a neighborhood group/association
- For larger, more complex projects, especially those that require a Land Development Plan, it is recommended that a **Phased Project Schedule** be submitted. Per Section 7-323.5(h) of the Zoning Code, zoning relief approvals are automatically revoked after one year, if a neither a complete zoning permit (i.e., a Building or Mercantile Permit) or a Land Development Plan application is submitted.

Digital versions of any submitted documentation may also be requested by the Planning Bureau, particularly for oversized plan sets or comprehensive documents such as traffic impact studies or stormwater management reports. Digital files can be either emailed to Planning Bureau staff or provided via USB Flash Drive (thumb drive); the Planning Bureau cannot accept CDs.

If you have questions about this application or the variance/special exception processes, you may contact the Zoning Officer in the Planning Bureau, Suite 405 of the City Government Center. The current Zoning Officer is Geoffrey Knight, Planning Director, who can be reached at gknight@harrisburgpa.gov.

SPECIAL EXCEPTION CRITERIA

Under the 2014 Zoning Code, the City of Harrisburg reviews five general types of Special Exceptions:

1. Use of a property that is allowable only by Special Exception in the zoning district in which the property is located; this includes proposed uses which are not specifically prohibited by the Zoning Code within the property's zoning district, per Section 7-303.11(b);
2. Relief from off-street parking and loading requirements, outlined in Chapter 7-327 of the Zoning Code [note that off-street parking requirements do not apply to uses within the Downtown Center (DC) or Commercial Neighborhood (CN) zones];
3. Extension, expansion, or enlargement of an existing non-conforming building or use, per Section 7-321.4(b) of the Zoning Code;
4. Changing one non-conforming use to another non-conforming use, per Section 7-321.5(c) of the Zoning Code; and
5. Some fencing and/or wall projects, as outlined in Section 7-307.9 of the Zoning Code.

The following criteria, outlined in Section 7-323.6 of the Zoning Code, **must** be met to the satisfaction of the Zoning Hearing Board for them to consider granting a Special Exception:

1. Such use will not clearly be in conflict with other City Ordinances or State or Federal laws or regulations known to the City;
2. Such use will include proper traffic ingress and egress to the property, with particular attention paid to vehicle and pedestrian safety, and will involve proper access for emergency vehicles;
3. The Applicant shall show that the use will not create a significant public safety hazard, including fire, toxic, or explosive hazards;
4. Such use will not significantly negatively affect the character of an existing residential neighborhood, such as causing substantial amounts of heavy truck traffic to travel through a residential neighborhood, or a significant odor or noise nuisance or very late night/early morning hours of operation;
5. Such use will involve adequate site design methods, including plant screening, walls, fences, berms, site layout, proper direction and shielding of outdoor lighting to avoid glare, setbacks of refuse areas and loading facilities, and other setbacks as needed to avoid significant negative impacts on adjacent uses;
6. The Applicant shall show that the use will comply with the Environmental Performance Standards of this Zoning Code, as stated in Chapter 7-331; and
7. The Applicant shall prove that any demolition or other negative impacts upon any buildings with historically-significant architecture on the site have been reasonably minimized. The Zoning Hearing Board may request an advisory review by the Harrisburg Architectural Review Board (HARB) or its Executive Secretary on this matter.

In granting a Special Exception, the Board may require such reasonable conditions and safeguards (in addition to those expressed in this Zoning Code) as it determines is necessary to implement the purposes of this Zoning Code. Conditions imposed by the Zoning Hearing Board shall automatically become conditions of the zoning and building permits issued pursuant hereto, and any failure to comply with said conditions shall be a violation of this Zoning Code.

VARIANCE CRITERIA

Under the 2014 Zoning Code, the City of Harrisburg reviews three general types of Variances:

1. Use of a property that is "Not Permitted" in the zoning district in which the property is located, per Section 7-305.7 of the Zoning Code;
2. Dimensional relief from the Development Standards outlined in Chapter 7-307; and
3. Any request not covered under the aforementioned Special Exception or Variance types.

The Zoning Hearing Board **may** grant a Variance provided that **all** of the following findings outlined in Section 7-323.7 of the Zoning Code, are made where relevant in a given case:

1. There are unique physical circumstances or conditions (including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical 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 theprovisions of this Ordinance in the neighborhood or district in which the property is located;
2. 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 Code, and a variance is therefore necessary to enable the reasonable use of the property;
3. Such unnecessary hardship has not been created by the appellant;
4. The variance, if authorized, will not alter the essential character of the neighborhood or zoning 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. The variance, if authorized, will represent the minimum variance that will afford reliefand will represent the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Code. Such conditions may include, but are not limited to, the standards listed in Section 7-323.6(c) of the Zoning Code. Conditions imposed by the Zoning Hearing Board shall automatically become conditions of the zoning and building permits issued pursuant hereto, and any failure to comply with said conditions shall be a violation of this Zoning Code.

ZONING RELIEF REVIEW PROCESS

The following outlines the steps through which a zoning relief application (a Variance and/or a Special Exception) moves through the process:

- Submission of **ALL** required documentation to the Harrisburg Planning Bureau. Incomplete documentation is not a formal submission and may be returned to the Applicant. It is recommended the Applicant coordinate with the Planning Bureau before submission of any application, to confirm any required zoning relief requirements and necessary documentation.
- Planning Bureau staff reviews the documentation to confirm completeness, conducts site visits and/or property history research, and develops a case report for the Harrisburg Planning Commission (HPC), with a recommendation for approval or denial based on conformance of the request to both the Zoning Code and the Comprehensive Plan. Case documentation will be posted to the Planning Bureau's webpage at least 24 hours in advance of the meeting: https://cms2.revize.com/revize/harrisburgpa/government/boards_commissions/planning_commission.php.
- The case documentation will be reviewed by the HPC, whose members may ask questions of the Applicant, and potentially soliciting input from any public in attendance. The Applicant may also make a presentation during this meeting as well. **The Applicant, or an authorized representative, will need to attend this meeting (and the ZHB meeting); the representative should be empowered to agree to any conditions the HPC/ZHB chooses to adopt. If the Applicant does not attend the meeting, their case will not be heard and will be continued by the HPC to the following meeting.**
- The HPC which will adopt a resolution making a recommendation for approval or denial. The Planning Bureau will develop minutes for the HPC meeting and incorporate these, along with information from the case report and application, into a formal resolution for review and consideration by the Harrisburg Zoning Hearing Board (ZHB).
- Once resolutions have been finalized, the documentation will be forwarded to the ZHB ahead of their scheduled meeting. Case documentation will be posted to the Planning Bureau's webpage at least 24 hours in advance of the meeting: https://cms2.revize.com/revize/harrisburgpa/government/boards_commissions/zoning_hearing_board.php.
- The case documentation will be reviewed by the ZHB, whose members may ask questions of the Applicant, and potentially soliciting input from any public in attendance. The Applicant may also make a presentation during this meeting as well. **The Applicant will need to attend this meeting. If the Applicant does not attend the meeting, their case will not be heard and will be continued by the ZHB to the following meeting.** The ZHB review is a quasi-judicial process, meaning the Board has an independent Solicitor, there is a court stenographer in attendance, all individuals speaking on behalf of the project are sworn in, and all testimony is recorded as through it were a court room.
- The ZHB will make a formal decision on to approve (with or without conditions) or deny the requested zoning relief. The decision takes immediate effect. The Applicant may submit a Building and/or Mercantile Permit application for the project the following day; approval of that application is subject to confirmation of conformance with any conditions the ZHB may have imposed. A formal ZHB decision will be mailed to the Applicant from the ZHB Solicitor within 45 days of the date at which the final decision was made.

City of Harrisburg, PA
2026 Variance & Special Exception Application

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VARIANCE APPLICATION

Primary Property Address: _____ **Zoning District:** _____

Additional Parcel Addresses: _____

The following criteria for Variance requests are outlined in the application (above) and in Section 7-323.7 of the Zoning Code. Answers must be complete and related to the justification for the requested zoning relief; **simple "Yes" or "No" answers are not sufficient**:

1. Identify any unique physical circumstances/conditions **specific to the property** which create hardship(s) necessitating a Variance? Explain how such hardship(s) are due to the property conditions and not the circumstances created by provisions of the Zoning Code?

_____

_____

_____

_____

2. Given the circumstances/conditions noted above, is there any possibility that the property can be developed in strict conformity with the provisions of the Zoning Code? Explain why not.

_____

_____

_____

3. Has the unnecessary hardship been created by the Applicant? Please address when the hardship was created relative to the Applicant's ownership.

_____

_____

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4. Would the Variance, if granted, alter the essential character of the neighborhood or zoning district, substantially impair the appropriate use/development of adjacent property, or be detrimental to the public welfare?

_____

_____

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5. Would the Variance, if granted, represent the minimum variance that will afford relief and represent the least modification possible of the regulation in issue? Explain the response.

_____

_____

City of Harrisburg, PA
2026 Variance & Special Exception Application

Applicant (*this individual is the main contact and will receive all formal communications)*

☐ Owner ☐ Lessee ☐ Contractor ☐ Other

Name (Company)_____

Address _____

Phone _____

Email _____

Property Owner *(if different from the Applicant)*

Name (Company)_____

Address _____

Phone _____

Email _____

Project Architect/Engineer/Contractor *(if different from the Applicant)*

Name (Company)_____

Address _____

Phone _____

Email _____

APPLICANT/OWNER CERTIFICATION

I hereby certify that the proposed request is authorized by the owner of record and that I agree to conform to all applicable laws of this jurisdiction. I understand that any falsification could lead to denial or criminal penalties, or revocation of any permit pursuant to this application. I agree that work will not commence prior to final approval.

_____ _____

Applicant's Signature Date Property Owner's Signature Date

The owner **MUST** *sign this application. The Applicant's signature is required when different from owner.*

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SPECIAL EXCEPTION APPLICATION

Primary Property Address: _____ **Zoning District:** _____

Additional Parcel Addresses: _____

The following criteria for Variance requests are outlined in the application (above) and in Section 7-323.6 of the Zoning Code. Answers must be complete and related to the justification for the requested zoning relief; **simple "Yes" or "No" answers are not sufficient**:

1. Provide a detailed explanation of the project/proposal, and its relationship to the applicable zoning regulations (i.e., what specific regulations in the Zoning Code does it address).

_____

_____

_____

_____

2. What is the current use of the property or, if vacant, what was the property's most recent use?

_____

_____

3. Describe existing and proposed ingress and egress to the property. Outline any new infrastructure to be installed (sidewalks, driveways, bicycle racks, etc.) and how they will be configured to ensure safety for all users, particularly pedestrians and bicyclists, as well as emergency vehicle access. Provide information on trip generation and expected modal splits (driving/walking/bicycling/mass transit) relative to existing and future site conditions.

_____

_____

_____

_____

4. How many off-street parking spaces are being provided? Does the proposed parking meet the minimum requirements for the proposed use outlined in Section 7-327.6 the Zoning Code? Does any new parking meet the required standards (for space and drive aisle dimensions, landscaping, etc.)? Does the project include any required bicycle parking?

5. Describe any new or expanded development on-site, including new structures or impervious surface coverage (such as parking areas) and whether such development is in conformance with required front, side, and rear yard setbacks and impervious surface coverage regulations. Does the project/development reflect the character of adjacent properties and the surrounding neighborhood?

6. Does the project involve exterior site work that may impact adjacent properties including landscaping, plant screening, walls, fences, lighting, and/or trash/refuse/compost areas? If yes, please describe such installations; a site/landscaping/photometric plan may be required to confirm conformance with the applicable regulations in the Zoning Code.

7. Will there be any improved or additional signage proposed as part of the project? If so, please describe the sign(s), provide a color rendering or specifications, and confirm whether the sign meets the applicable requirements outlined in Chapter 7-325 the Zoning Code?

8. Describe any new utilities (water, sewer, gas, electricity, etc.) being provided as part of this project/development. If new impervious surfaces are proposed (structures, parking areas, etc.), please confirm whether you have coordinated with Capital Region Water (CRW) as it relates to stormwater management?

9. Will the proposed use/development comply with the Environmental Performance Standards in Chapter 7-331 related to public safety hazards (i.e. fire, toxic, or explosive hazards); light spillover; outdoor storage; and placement/screening of dumpsters and refuse containers?

10. If the request involves establishing a business, submit a business plan, including: How many employees working at a time? Expected customer base? Hours of operation for the business?

11. Describe any potential adverse impacts on the character of the surrounding neighborhood, such as generating heavy truck traffic, creating noise or odors, or late hours of operation. Has there been outreach to the surrounding neighborhood, beyond the required notification letters? If so, please submit any evidence of neighborhood support.

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2026 Variance & Special Exception Application

Applicant (*this individual is the main contact and will receive all formal communications)*

☐ Owner ☐ Lessee ☐ Contractor ☐ Other

Name (Company)_____

Address _____

Phone _____

Email _____

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Name (Company)_____

Address _____

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Applicant's Signature Date Property Owner's Signature Date

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