

Borough of Fox Chapel
401 Fox Chapel Road
Pittsburgh, PA 15238
Paul R. Bell, Zoning Officer
412-850-5023



Conditional Use Application & Guidelines

A. USES PERMITTED BY CONDITIONAL USE APPROVAL

The Code of the Borough of Fox Chapel provides that the following Conditional Uses may be granted by Borough Council after the review and recommendation made by the Borough's Planning Commission:

1. Density Development
2. Private Stable
3. Water Storage Facility
4. Amateur Radio Communication Towers
5. Communication Towers
6. Small Wireless Facilities
7. Oil and Gas Wells
8. Small Wind Energy Systems
9. Solar Panels

B. APPLICATION PROCEDURES

1. Site Visit/Pre-Application Meeting

The applicant should meet with the Borough staff prior to application submission to discuss ordinance requirements and feasibility of the proposed Conditional Use.

2. Application Submission

Twenty (20) copies of the formal application must be submitted to the Zoning Officer prior to the **Planning Commission Filing Deadline**. This deadline is strictly enforced. Late applications may be held for the next scheduled regular meeting or will be returned to the applicant for resubmission at the discretion of the Borough. The regular monthly Planning Commission meeting is held the third Monday of each month. Please see the Calendar of Events on the Borough's website for deadlines and meeting dates or contact the Borough at (412)963-1100.

3. Staff Review

All applications are reviewed by Borough staff for completeness prior to scheduling for Planning Commission review and Borough Council consideration. Any application for a Building Permit or Occupancy Certificate for a use which is a Conditional Use in the district concerned shall be referred by the Zoning Officer to the Planning Commission. The Zoning Officer shall promptly forward the application and all supporting documents to the Fox Chapel Planning Commission. Late or incomplete applications may be held for the next scheduled regular meeting or will be returned to the applicant.

4. Planning Commission Review

The Fox Chapel Planning Commission will examine the proposed Conditional Use in the light of the standards and criteria as set forth in Section 400-14 of the Code of the Borough of Fox Chapel, state the degree to which the application conforms to or departs from the said standards and criteria, set forth any additional conditions or safeguards which appear reasonably necessary to implement the purpose of the Planning Code and recommend acceptance or rejection of the application, with or without conditions.



5. Public Hearing

At the option of the Planning Commission, the Planning Commission may defer the making of the recommendation to Borough Council until after a public hearing has been conducted by Borough Council on the proposed Conditional Use as hereinafter set forth. If the Planning Commission has deferred making a recommendation, then after a public hearing has been conducted on the proposed Conditional Use by Borough Council, the Planning Commission shall recommend acceptance or rejection of the application, with or without conditions to the Borough Council. Borough Council shall conduct a public hearing on the proposed Conditional Use within 60 days (30 days for Small Wireless Facilities collocation applications) from the date of submittal of the Conditional Use application. Public notice shall be given not more than 30 days and not less than 7 days in advance of said public hearing. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in Fox Chapel Borough. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the hearing.

6. Borough Council Review and Decision

Borough Council shall vote to authorize or deny the Conditional Use, with or without safeguards or conditions, proposed by the Planning Commission or otherwise. The applicant shall be notified of the decision of Borough Council by certified or registered mail within 45 days (30 days for Small Wireless Facility collocation applications) of the last hearing before Borough Council. The written decision shall contain all findings and conclusions if the application is contested or denied, said written decision to be mailed within one day of its date. Conclusions shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in light of the facts found.

7. Application Content *(Twenty (20) copies of all items required, except as otherwise noted.)*

- A. Application Form.
 - B. Application fee – check or money order payable to “Borough of Fox Chapel”. See fee schedule on the Borough website. www.fox-chapel.pa.us
 - C. Site plan or survey of the property.
 - D. Detailed narrative addressing each condition of the respective Conditional Use being applied for.
 - E. Photograph submissions of the property, including location of proposed Conditional Use.
 - F. Sealed drawings/plans of proposed conditional use by a PA registered architect.
 - G. Specification sheets of product to be installed.
 - H. Stormwater Management Plan. (If applicable)
8. Conditional Use Review Fee: \$550.00 (All Conditional Uses except Small Wireless Facilities)
Small Wireless Facilities Review Fee: \$500.00 for a single up-front application that includes up to five Small Wireless Facilities, with an additional \$100.00 for each Small Wireless Facility beyond five. \$270.00 per Small Wireless Facility, per year for all recurring fees) including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.

9. Building Permit

Once the proposed Conditional Use is approved by Borough Council, a Building Permit shall be applied for with the Building Official. Application forms can be downloaded from the Borough’s website www.fox-chapel.pa.us or picked up at the Borough Building, Monday-Friday, 8:00 AM – 4:30 PM.



BOROUGH OF FOX CHAPEL
APPLICATION FOR CONDITIONAL USE APPROVAL

APPLICANT _____ DATE _____
PHONE NO./EMAIL _____

PROPERTY OWNER'S NAME(S) _____
PHONE NO./EMAIL _____

PROPERTY ADDRESS _____

CONDITIONAL USE BEING APPLIED FOR:

- Density Development
- Private Stable
- Water Storage Facility
- Amateur Radio Communication Tower
- Communication Tower
- Small Wireless Facilities
- Oil and/or Gas Well
- Small Wind Energy System
- Solar Panels

Borough Use Only

Application No. _____ Lot & Block No. _____ Zoning District _____

Date completed application received by the (Zoning Officer) _____

Date of Planning Commission Review _____

Date of Public Hearing & Borough Council Review _____

Granted

Denied

Application Fee Paid \$ _____ Date Paid _____

Comments:

