



## UPPER MACUNGIE TOWNSHIP SPECIAL EXCEPTION PROCEDURES

Upper Macungie Township  
8330 Schantz Road  
Breinigsville, PA 18031

Community Development Department  
Office: 610-395-4892 Fax: 610-395-9355  
Office Hours: M-F 7:30 AM - 4:00 PM  
[www.uppermac.org](http://www.uppermac.org)

- A Special Exception is a use that is permitted “by right” but requires additional review and precautions because the use may have some potential of conflicts with adjacent uses or areas that may effect the health, welfare, and safety of the community.
- Uses that require a Special Exception Review can be identified with a “SE” listed in the Upper Macungie Township Zoning Ordinance in Section 27-306: *Table of Permitted Uses by District*.
- Applicants requesting the Special Exception Use must prove that each of the special criteria pertaining to that use will be met or why the criteria does not apply to the proposes use. Specific criteria can be found in §Sections 27-402 and 27-403 respectively. Standard criteria for all proposed uses can be found in §Section 27-118 Subsection 3D of the Upper Macungie Township Zoning Ordinance.
- All Special Exception Applications shall be heard and decided on by the Zoning Hearing Board in accordance with such standards and criteria. In granting a Special Exception, the Zoning Hearing Board may attach reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purpose of the zoning ordinance.
- The Zoning Hearing Board may request an advisory review by the Upper Macungie Township Planning Commission or the Township Engineer.
- The Zoning Hearing Board shall schedule the first hearing within 60 days of receiving a complete application, unless granted a written extension by the applicant.
- Interested parties can present evidence against or expert testimony against the proposed use. The evidence must raise a high level of certainty that the proposed used is going to be detrimental to the health, safety, and welfare of the community, to deny the proposed use.
- If the Special Exception is approved, and a written decision is received, the applicant may start submitting permit applications required by Upper Macungie Township.
- This application is to assist applicants in applying for a Special Exception. The process is explained more completely in Section 27-119 of the Upper Macungie Township Zoning Ordinance. Any information provided in this application is intended as a guide only. The applicant is advised to consult the Zoning Ordinance as well as obtain the services from an attorney, engineer, or other professional in completing this application and presenting the evidence before the Zoning Hearing Board. The Applicant is not required to be represented by third parties. The burden of proof rests upon the applicant to present their case before the Zoning Hearing Board.

Date Received: _____	Fee Amount: _____
Received By: _____	Check No.: _____

*For Township Use Only*



## UPPER MACUNGIE TOWNSHIP SPECIAL EXCEPTION APPLICATION INSTRUCTIONS

Upper Macungie Township  
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1. Complete the application. Please print legibly or type the information. If the application submitted is not complete, the Township reserves the right to immediately deny the application and return it to the Applicant without the Zoning Hearing Board's review and action on the application.
2. Sign and Date the application.
3. **YOU MUST CONVINCINGLY SHOW, BOTH IN WRITING AND THROUGH TESTIMONY, HOW YOUR REQUEST MEETS THE BURDEN OF PROOF IN ESTABLISHING THE FINDINGS REQUIRED BY THE SPECIAL EXCEPTION.** Attach appropriate written explanations that indicate how your request meets the criteria referenced in Section 27-119 in the Township Zoning Ordinance, in addition to Sections 27-402 & 27-403, respectively. Attach appropriate drawings, plans, and/or illustrations which help explain your request. All applicants shall submit one set of site plans for the proposed use to the Township Zoning Officer. The Zoning Officer may waive the site plan requirement for certain uses. Photographs of the existing site or building(s) may also be requested to be presented by the applicant.
4. A **COMPLETE** application, with plans, applicable reports, drawings, and any additional information relevant to the request must be submitted to the Township's Community Development Department.
5. The application and all additional materials submitted with the application must be originals. The Township will not accept fax copies of any materials associated with this application.
6. The fee is currently **\$600.00 for residential and \$800 for non-residential inquiries plus all costs incurred over this amount by the Township** for a Special Exception Application. Fees are subject to change at any time and are determined by the Board of Supervisors and approved through a Resolution. This fee must be paid in full at the time of application submission or the application will not be accepted. Checks are to be made payable to Upper Macungie Township. The Township cannot accept credit card payments for this application.
7. There may be additional review fees that incur during the application process. All additional review fees will be charged to the Applicant and must be paid in full by the Applicant prior to any approval and/or issuance of certificates.
8. I/We have read and understand the directions:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name



# UPPER MACUNGIE TOWNSHIP SPECIAL EXCEPTION APPLICATION

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[www.uppermac.org](http://www.uppermac.org)

Community Development Department  
Office: 610-395-4892  
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Office Hours: Monday through Friday 7:30 A.M. to 4:00 P.M.

Property Location/Address: _____
Tax Parcel ID # _____ Zoning District: _____
Current use of property: _____
Proposed use of property: _____

Request for Special Exception of Section \_\_\_\_\_ of the Township Zoning Ordinance

1: Special Exception(s) requested (*please continue on a separate sheet of paper, if necessary*):

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2: Describe the nature and intensity of the proposed use and how it is an appropriate use within the zoning district in which the use will be located in (*please continue on a separate sheet of paper, if necessary*):

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# SPECIAL EXCEPTION APPLICATION

## CONTACT INFORMATION

### Applicant Information:

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

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

E-mail: \_\_\_\_\_

### Property Owner Information *(if different from the Applicant):*

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

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

E-mail: \_\_\_\_\_

Will the applicant (s) be represented by another person or counsel?       Yes       No

If yes, please provide their name, address, phone number & email address:

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

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

E-mail: \_\_\_\_\_

I hereby authorize the Township Zoning Officer, Township Staff, and any Township consultant to enter the exterior premises of this property between 8:00 a.m. and 8:00 p.m., at their own risk, while this application is being considered for approval, as needed to determine compliances with Township Ordinances.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

I/We the undersigned applicant(s), do hereby make application to the Upper Macungie Township Zoning Hearing Board for the purpose of consideration of a Special Exception use for the above-referenced property pursuant to the Pennsylvania Municipalities Planning Code, (Act 247 of 1968, as amended), and Chapter 27 of the Code of the Township of UpperMacungie, (as amended). My/Our signatures below certify that all the above referenced statements and information and any additional information submitted and made part of this application are true and complete to the best of my/our knowledge and belief.

### Applicant(s):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

### Signature of property owner(s), (If different from applicant):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date