

INFORMATION AND INSTRUCTIONS
APPLICATION FOR CERTIFICATE OF NONCONFORMITY

INTRODUCTION:

The City of Wilkes-Barre Zoning Ordinance, as amended, Section 203, defines Nonconforming Structures and Nonconforming Use (Article 2, Page 2-19). Article 5 of the Zoning Ordinance more specifically defines and classifies nonconformity as well as the requirements for the procedural treatment of nonconforming uses and structures. The zoning ordinance is available for review on line (www.wilkes-barre.pa.us Select Services, Planning and Zoning and Zoning Ordinance Information). In general, nonconformity means a use and/or structure, or condition which does not comply with the applicable use and bulk requirements of the ordinance which (A) lawfully existed prior to the enactment of the zoning ordinance (1960) or (B) was due to an amendment of the ordinance or (C) received approval of a variance for the use or structure at some point in time. To properly determine the zoning district of your property complete and submit the application for zoning district determination. If you do not wish to pay the ~~\$10.00~~ service fee to ~~\$10.00~~ ^{\$20.00} determine your properties zoning district, you may review the zoning map on line or review the zoning map on display in our office to determine your zoning district. IF YOUR USE OR STRUCTURE DOES NOT MEET THE REQUIREMENTS ESTABLISHED FOR THE ZONING DISTRICT IN WHICH IT IS LOCATED AND IT IS NOT DUE TO (A) (B) OR (C), THEN YOU SHOULD NOT SUBMIT THIS APPLICATION UNLESS YOU CAN PROVIDE EVIDENCE OF THE CONTINUED USE AND/OR STRUCTURE SINCE 1960. It is recommended that you review the definitions and Article 5 of the Zoning Ordinance prior to filing this application.

INSTRUCTIONS:

1. Answer ALL questions completely and accurately. Please be specific.
2. Include the Nonrefundable ~~\$50.00~~ application fee payable to the City of Wilkes-Barre. ^{\$100.00}
3. Property owner must complete and sign the application.
4. The original signed application must be notarized. (Photocopies not accepted)
5. Affidavits in support of the application should reflect ownership and residency timetables and be specific as to the use, buildings and timeframes relative to the property under question in order to be useful.
6. Incomplete applications will not be accepted.
7. Accepted applications may take up to thirty (30) days for verification and processing.
8. You may provide any additional information and evidence in support of your application.

**APPLICATION FOR CERTIFICATE OF NONCONFORMITY
OFFICE OF PLANNING AND ZONING
40 EAST MARKET STREET
WILKES-BARRE, PENNSYLVANIA 18711
(570) 208-4163**

ADDRESS OF PROPERTY: _____

PROPERTY OWNER'S NAME: _____

PROPERTY OWNER'S ADDRESS: _____

PROPERTY OWNER'S PHONE: _____

PRESENT USE OF PROPERTY: _____

DATE PRESENT USE ESTABLISHED: _____ / _____ / _____

HOW LONG HAVE YOU OWNED THIS PROPERTY? _____

WAS THE PRESENT USE OF PROPERTY ESTABLISHED PRIOR TO 1960?

**DID THE ZONING HEARING BOARD GRANT A VARIANCE FOR THE
PRESENT USE OF THE SUBJECT PROPERTY?**

DATE OF ZONING HEARING BOARD APPROVAL: _____ / _____ / _____

SIZE OF LOT (Attach Copy of Deed)

_____ Feet Wide _____ Feet Long _____ Total Sq. Ft.

How Many Buildings and Structures Exist on the Lot?: _____

Size of Buildings/Structures(Attach Site Plan Drawn to Scale 1"=20')

_____ Feet Wide _____ Feet Long _____ Total Sq. Ft.

_____ Feet Wide _____ Feet Long _____ Total Sq. Ft.

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Amount of Application Fee: _____ ^{\$100⁰⁰} (~~\$50.00~~ Non-Refundable Fee Required)

Attachments: (Indicate *Yes* for attachments provided, Indicate *No* if not provided)

(Yes or No) (Answer All)

_____ Site Plan

_____ Copy of Deed to Property

_____ Dated Utility Bills (Indicate # of Services in each Space)

_____ Electric(# of Services _____)

_____ Phone(# of Services _____)

_____ Sewer (WVSA/City)(# of Services _____)

_____ Gas (# of Services _____)

_____ Water (# of Services _____)

_____ Buyer Notification Reports (Code Enforcement Office)

_____ Copy of Zoning Hearing Board Decision

_____ Copy(s) of Sworn and Notarized Affidavits)(Indicate # in space)

_____ Property Owner Affidavit

_____ Neighboring Property Owner(s) Affidavit

_____ Other (Describe: _____)

I hereby request a Certificate of Nonconforming as pertains to the City of Wilkes-Barre Zoning Ordinance, as amended, relative to the above referenced property. I certify that I own the subject property and do hereby attest and certify that the information provided on and with this application is true and correct to the best of my knowledge.

Property Owner Signature: _____

(Notary Public Seal Required)