

## ARTICLE 29

### CONDITIONAL USE CERTIFICATE

29.0 **Nature of Conditional Uses:** The conditional uses for each zoning district are contained within the Article regulating each such zoning district. Only the conditional uses specified therein may be considered for use in those districts and such conditional uses can be made only upon the approval of the Board of Zoning Appeals and only upon the terms and conditions set by them.

29.1 **Procedure:** No Conditional Uses Certificates shall be issued without the Board of Zoning Appeals authorization and approval. Application for such certificate shall be in writing on forms prescribed for that purpose by the Board of Zoning Appeals. The Board may require such other and such additional information including, but not limited to, detail, engineering, or construction plans, or such other technical information as the Board shall deem necessary to properly review and consider said application.

Prior to the issuance of any such Conditional Use Certificate the Board shall fix a reasonable time for a public hearing on such application. The Board shall give at least ten days notice of such hearing, in writing, to the parties in interest and shall give notice of such public hearing by no less than one publication in one or more newspapers of general circulation in the County, no less than ten (10) days before the date of such hearing. After any such hearing, giving due regard to the positions of the parties in interest, the Board shall grant or deny, in writing, within fifteen days thereafter, the Conditional Use Certificate applied for along with any applicable terms and conditions. No Conditional Use Certificate approved by the Board shall be effective until a lapsed period of no less than ten days from the date the written determination is made.

29.2 **Nature and Conditions of Surroundings:** The Board of Zoning Appeals, in considering an application for a Conditional Use Certificate, shall give due regard to the nature and condition of all adjacent areas, uses and structures in the areas surrounding the proposed conditional uses area before authorizing such Conditional Use Certificate and may impose such requirements, terms and conditions with respect to location, duration, construction, maintenance and operation as the Board may deem necessary for the protection of adjacent properties and the public health, safety, morals and general welfare.

29.3 **Disapproval:** The Board of Zoning Appeals may disapprove an application for conditional use permit for any one or more of the following reasons:

29.3.1 The proposed use is not a conditional use of the zoning district, or the applicable development standards are not and cannot be met therein.

29.3.2 The proposed development is not in accordance with appropriate plans of the areas.

- 29.3.3 The proposed development will have undesirable effects on the surrounding areas and is not in keeping with the existing land use character and physical development potential of the area.
- 29.3.4 The proposed development represents an unreasonable threat to the health, safety, morals, or general welfare of the residents of Bath Township.