

INSTRUCTIONS FOR  
APPLICATIONS FOR WAIVERS OF  
HALFMOON TOWNSHIP SUBDIVISION ORDINANCES

The State of Pennsylvania Municipal Planning Code as well as the Halfmoon Township Subdivision Ordinances, allows under certain conditions, for the Board of Supervisors to grant a waiver of certain subdivision regulations.

The Application as attached must be in writing, state the grounds and facts pertaining to the request for the waiver, and discussed and approved by the governing body. There is no public hearing involved. In addition, all applications for waivers must be reviewed by the Township's Zoning Officer, Township Engineer and Township Solicitor prior to being placed on the Board of Supervisors regular meeting agenda. Therefore, all Applications for Waiver should be filed with the Township Clerk no later than 14 days prior to a regularly scheduled Board of Supervisors meeting to allow sufficient time for Zoning and Solicitor review and comments.

At the Board of Supervisors' meeting, the Applicant should be prepared to present verbally his grounds and factors as to why the waiver should be granted. Afterwards, Township staff will give their comments and recommendations to the Board of Supervisors. The Board of Supervisors will discuss and make recommendations and/or approval for the waiver.

HALFMOON TOWNSHIP SUBDIVISION REGULATIONS WAIVER APPLICATION  
100 Municipal Lane  
Port Matilda, PA 16870  
814-692-9800

Applicant's Name: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Location: \_\_\_\_\_  
\_\_\_\_\_

Property Parcel Number: \_\_\_\_\_

Findings Necessary for Granting of Waiver Request: Before granting any waivers, the Board of Supervisors must determine that the provisions of this Chapter \_\_\_\_\_ in the Subdivision/Land Development Ordinance are found to be unreasonable and cause undue and unnecessary hardship as they apply to this proposed subdivision. Describe the proposed waiver(s) and state the reason(s) using the criteria listed below to support this request. The explanation should address:

Describe proposed waiver(s) \_\_\_\_\_

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Design and improvements. The design and physical improvements to the property being subdivided shall be provided, constructed and installed by the subdivider as shown on the approved plan in accordance with the requirements of this chapter. If any provisions of this chapter are found to be unreasonable and cause undue and unnecessary hardship as they apply to his proposed subdivision, the Supervisors may waive or vary the strict terms of such provisions. The criteria for the Supervisors to apply in determining whether to waive or vary the strict application of a provision are as follows:

(1) That there exist special physical circumstances or conditions which render the strict application of the requirements an undue or unnecessary hardship. \_\_\_\_\_

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(2) That the hardship created cannot be ameliorated by a reasonable change in plans.

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(3) That the unnecessary or undue hardship has not been created by the applicant.

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(4) That the waiver or varying of the strict terms of this chapter will not have the effect of nullifying the intent and purpose of this chapter.

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(5) That the property cannot be reasonably developed without the waiver or the varying of the strict terms of this chapter.

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(6) That the waiver or varying of the strict terms of this chapter will represent the minimum deviation that will afford relief and will represent the least modification possible of the regulations in issue.

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Applicant Signature(s) \_\_\_\_\_ Date: \_\_\_\_\_

**TO BE COMPLETED BY HALFMOON TOWNSHIP STAFF:**

*Zoning Officer Review & Recommendations:* \_\_\_\_\_

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\_\_\_\_\_ Date: \_\_\_\_\_

*Township Solicitor Review & Comments:* \_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

***Board of Supervisors Action:***

Agenda Item Date: \_\_\_\_\_

Waiver Granted \_\_\_\_\_

Waiver Not Granted \_\_\_\_\_

Reason: \_\_\_\_\_

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