



PLANNING & DEVELOPMENT SERVICES

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YORK, SC 29745-0096
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Appeals of Administrative Decision Application & Checklist

This application and instructions will assist with the submittal of an appeal to an administrative decision to the Planning Commission. The deadline for an appeal is the first Monday of every month (to be heard the following month) and the appeal must be filed within thirty (30) days of the written decision or other action that is subject of the appeal. All Planning Commission meetings are held at 6:00 P.M. on the second Monday of the month in the York County Council Chambers at 6 South Congress Street in York, SC.

The attached application must be filled out completely. Any submittals that are determined to be incomplete will not be processed, and the applicant will be notified with an explanation of the submittal's deficiencies. To prevent any delays in the review process, please use this checklist as a guide.

GENERAL INFORMATION

Applicant: This is the person who will represent the property owner(s) at the public hearing. Fill in name, full address, and phone numbers.

Property owner: This is the person(s) that is listed with the York County Tax Assessor as the property owner. Fill in name, full address, and phone numbers.

APPLICATION FEE

Note: Payment of the application fee is a submittal requirement.

Appeals of Administrative Decision: \$325.00

PROPERTY INFORMATION

Property address: Provide the address of the property. This can be obtained from the York County Addressing Division at 803-909-7483 or by utilizing the York County GIS system on the County website.

Property conditions: Explain the vegetative cover and topography of the land. Examples: "partially wooded and sloping from rear to front", or "no trees in the front", or "flat with rear wooded and rolling."

Property tax map #: The tax map number for the property can be found on the property tax notice. It can also be found by calling the York County Tax Assessor at 803-684-8526, or by utilizing the York County GIS system on the County website.

Plat (survey) of property: The existing survey can often be obtained from the property owner or the York County Register of Deeds. However, in many instances a new survey may be required to clearly indicate the variance that is being requested. At a minimum, the plat/survey should include the location and distance of all structures and dwellings in relation to all property lines.

Lot area: Provide the size (area) of the lot. You may use either acreage or square footage.

Zoning district: Fill in the appropriate zoning designation of the property.

Use of property: Describe the current and proposed (if any) use of the property.

Conceptual Site Plan: Provide if needed as part of the appeal.

RELEVANT FACTORS PERTAINING TO THE APPEAL:

Appeal requested: Explain the requested appeal. In your explanation, be specific with the error(s) you believe have been made.

Justification: Explain how and why you have been affected by staff's interpretation of the ordinance, list the interpretation you believe is correct, and the relief you are seeking. Be specific!

Applicant's signature: The applicant must sign the form certifying the information is correct and must be signed even if applicant is the owner.

Owner's signature: This section must be signed by the property owner. Notarized written authorization from the property owner giving the applicant permission to act of his/her behalf can be substituted for property owner's signature.

ADDITIONAL INFORMATION

1. The public hearing for the appeal will be advertised in the local newspaper and notification concerning the meeting will be sent to the applicant, property owner, or parties to the appeal. Posting of the property may take place if the matter is unique to an individual property.
2. The application filing deadline is the first Monday of each month. The Planning Commission will hear the request the second Monday of the following month.
3. The applicant may present any items they believe are pertinent to the case, and will be given an opportunity to speak at the public hearing.
4. No appeal, having been denied, shall be resubmitted to the board for a period of one (1) year, unless conditions have changed substantially, and the board votes unanimously to rehear the matter.
5. Any person who may have a substantial interest in any decision of the Planning Commission may appeal from any decision of the board to the circuit court, filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein the decision is contrary to law. The appeal must be filed within 30 days after the decision of the board is mailed. All final decisions or orders of the Commission will be delivered to parties of interest.

GENERAL INFORMATION

APPLICANT'S NAME: _____

EMAIL ADDRESS: _____

ADDRESS: _____

NUMBER

STREET

APT/PO BOX

CITY

STATE

ZIP CODE

PHONE: _____

CELL

HOME

PROPERTY OWNER'S NAME: _____

EMAIL ADDRESS: _____

ADDRESS: _____

NUMBER

STREET

APT/ PO BOX

CITY

STATE

ZIP CODE

PHONE: _____

CELL

HOME

PROPERTY INFORMATION

PROPERTY ADDRESS: _____

PROPERTY DIRECTIONS: _____

PROPERTY CONDITIONS: _____

PROPERTY TAX MAP #: _____ **PLAT:** Please Attach to application.

LOT AREA: _____ **ZONING DISTRICT:** _____

CURRENT USE OF PROPERTY: _____

PROPOSED USE OF PROPERTY: _____

Is this property part of any HOA or Community Association? Yes* No

***If yes, a letter from the HOA or Community Association is required acknowledging the waiver requested and attach any applicable covenants and restrictions.**

RELEVANT FACTORS PERTAINING TO THE ADMINISTRATIVE APPEAL

1. **Applicant hereby appeals to the Planning Commission from the action of the Planning & Development Services staff affecting the property described in this application on the grounds that an interpretation of the land development code was erroneous and contrary to provisions of the land development code as follows:**

2. **Application is aggrieved by the action or decision in that:**

3. **Applicant contends that the correct interpretation of the land development code as applied is:**

4. Applicant requests the following relief:

5. If you are submitting additional information, please list below:

Upon completion of your Application, sign the statement below, and return it along with your application by the due date. A copy of this acknowledgment will be attached with your application for our records.

I, _____, have signed that I am aware of the Planning Commission hearing date.

(Hearing Date)

I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If for some reason I or a representative will not be able to attend the scheduled meeting, I must request a deferral to another date, or withdraw my application, if I do not want my application considered by the Planning Commission.

I acknowledge that failure to attend the meeting does not result in my application being automatically deferred to the next month. The Planning Commission will still hold the hearing on my request and can take any form of action, including denial.

Should my request be denied, I will not be permitted to resubmit the request to the Planning Commission for a period of one year, unless conditions have changed substantially and the Planning Commission votes unanimously to rehear the matter.

(Property owner's signature)

(Date)

(Applicant's signature)

(Date)

(Staff's signature)

(Date)