

YORK COUNTY
BOARD OF ZONING APPEALS
COMMUNICATION TOWER PUBLIC SERVICE USE APPLICATION
INSTRUCTIONS

ALL MEETINGS ARE HELD IN THE COUNCIL CHAMBERS, IN THE YORK COUNTY GOVERNMENT COMPLEX LOCATED AT 6 S. CONGRESS IN YORK AT 6:00 P.M.

PRIOR TO SUBMITTAL OF THE COMMUNICATION TOWER PUBLIC SERVICE USE APPLICATION FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS, FULL CONSTRUCTION DRAWINGS WILL NEED TO BE SUBMITTED FOR REVIEW BY COUNTY STAFF. A \$500 ZONING APPLICATION AND ASSOCIATED ENVIRONMENTAL COMPLAINEE FEES WILL NEED TO BE SUBMITTED. THE BOARD OF ZONING APPEALS HEARING DATE WILL BE DETERMINED AFTER THIS REVIEW.

THE ATTACHED APPLICATION MUST BE FILLED OUT COMPLETELY. A \$1,500 COMMUNICATION TOWER PUBLIC SERVICE USE APPLICATION FEE AND 12 COMPLETED BOOKLETS OR BINDERS WITH THE REQUIRED SUBMITTAL INFORMATION OUTLINED IN § 155.510 – § 155.517 WHERE APPLICABLE.

THE FOLLOWING INFORMATION CORRESPONDS WITH THE COMMUNICATION TOWER PUBLIC SERVICE USE APPLICATION.

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 that is listed with the Tax Assessor as the property owner. Fill in name, full address, and phone numbers.

PROPERTY INFORMATION:

PROPERTY ADDRESS: Provide the address of the property. The address can be obtained from the York County Public Safety/Communications Department at 803-909-7482 or 803-909-7483 or by accessing the County GIS.

PROPERTY DIRECTIONS: Give specific directions to the property. Begin with a major, heavily traveled road. Landmarks, directional language (north, south, etc.), and distances should be included.

PROPERTY CONDITIONS: Explain the vegetative cover and topography of the land. Examples: partially wooded and sloping from rear to front or front no trees and flat with back wooded and rolling.

PROPERTY TAX MAP #: The Property Tax Map Number can be found on the property tax notice, obtained by calling 803-684-8526, or by accessing the County GIS.

PLAT (SURVEY) OF PROPERTY: This can be obtained from the property owner or the York County Register of Deeds. Indicate, on the plat, the approximate location and distance of all structures and dwellings in relation to all property lines. If a plat does not exist, the deed that indicates property line distances (metes and bounds) will be accepted.

LOT AREA: In this space, provide the size (area) of the lot. You may use either acreage or square footage.

ZONING DISTRICT: Fill in the zoning classification(s) that encumber the property.

USE OF PROPERTY: Describe in general terms the current use of the property.

RELEVANT FACTORS TO THE COMMUNICATION TOWER PUBLIC SERVICE USE:

Answer the questions in this section carefully, and be very specific in your answers. If more space is needed, please use a separate sheet of paper.

APPLICATION INFORMATION: Explain the type of public service use you are requesting.

COMPLIANCE STATEMENT: Explain how you will meet the requirements of the section allowing the requested public service use.

CONDITION STATEMENT: Explain conditions, if any, you believe should be imposed if your request is approved.

SUPPORTING DOCUMENTATION: List addendums, petitions, pictures, etc., that the applicant will be submitting into the record at the meeting or have been included in the application packet.

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 COMMUNICATION TOWER PUBLIC SERVICE USE WILL BE ADVERTISED IN THE LOCAL NEWSPAPER AND THE PROPERTY WILL BE POSTED INDICATING THE DATE AND TIME OF THE PUBLIC HEARING. PROPERTY OWNERS WITHIN 500 FEET FROM THE BOUNDARY OF THE SUBJECT PARCEL OR PARCELS OR A MINIMUM OF 30 PARCELS, WHICHEVER IS GREATER, WILL BE NOTIFIED OF THE REQUEST, DATE, AND TIME OF THE PUBLIC HEARING VIA REGULAR MAIL.
2. THE APPLICATION FILING DEADLINE IS THE FIRST WEDNESDAY OF EACH MONTH (PENDING HOLIDAYS). THE BOARD OF ZONING APPEALS WILL HEAR THE REQUEST THE SECOND THURSDAY OF THE FOLLOWING MONTH. REFER TO THE PREVIOUS SHEET FOR CONSTRUCTION DRAWINGS REVIEW.
3. THE BOARD OF ZONING APPEALS MAY ELECT TO APPROVE, APPROVE WITH CONDITIONS, OR DENY A COMMUNICATION TOWER PUBLIC SERVICE USE BASED ON THE HEARING AND PROBABLE IMPACT OF SUCH USES ON CONTIGUOUS USES AND CONDITIONS.
4. FOUR OF THE SEVEN APPOINTED BOARD MEMBERS MUST BE PRESENT BEFORE ACTION CAN BE TAKEN ON A COMMUNICATION TOWER PUBLIC SERVICE USE. THE CONCURRING VOTE OF THE MAJORITY OF THE BOARD OF ZONING APPEALS PRESENT IS NECESSARY IN ORDER FOR A PUBLIC SERVICE USE TO BE APPROVED.
5. THE APPLICANT MAY PRESENT, PER DISCRETION OF THE BOARD OF ZONING APPEALS CHAIRPERSON, ANY ITEMS AND/OR INDIVIDUALS HE/SHE BELIEVES WILL HELP HIS/HER CASE.

6. THE BOARD OF ZONING APPEALS MUST TAKE FINAL ACTION ON AN APPLICATION WITHIN 30 DAYS AFTER THE APPLICATION IS FILED; PROVIDED, THAT IF THE APPLICATION IS INCOMPLETE AND THE ZONING ADMINISTRATOR HAS DETAILED SUCH OMISSIONS TO THE APPLICANT IN WRITING WITHIN 15 DAYS FOLLOWING THE INITIAL SUBMISSION, THE BOARD OF ZONING APPEALS WILL TAKE FINAL ACTION ON SUCH APPLICATION WITHIN 30 DAYS AFTER THE APPLICANT HAS PROVIDED THE ADDITIONAL REQUIRED INFORMATION. THE BOARD OF ZONING APPEALS AND THE APPLICANT MAY EXTEND THESE TIMES BY AGREEMENT IN WRITING. IF THE APPLICATION IS DENIED, THE FINAL ACTION OF THE BOARD OF ZONING APPEALS MUST BE IN WRITING, MAILED TO THE APPLICANT OR SERVED ON THE APPLICANT BY ANY OTHER METHOD PERMITTED BY LAW AND SHALL CONTAIN FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH REFERENCES TO THOSE PROVISIONS OF CODES AND ORDINANCES RELIED UPON. AN APPLICANT MAY APPEAL TO THE CIRCUIT COURT IF THE BOARD OF ZONING APPEALS DENIES A PERMIT APPLICATION OR IF THE APPROVAL AUTHORITY FAILS TO TAKE FINAL ACTION AS SET FORTH ABOVE.

IF FURTHER ASSISTANCE IS NEEDED, PLEASE CALL (803) 909-7278.

**BOARD OF ZONING APPEALS COMMUNICATION TOWER
PUBLIC SERVICE USE APPLICATION**

GENERAL INFORMATION

APPLICANT'S NAME	EMAIL	ADDRESS	
ADDRESS:			
_____	_____	_____	_____
NUMBER	STREET	APARTMENT/BOX NUMBER	

CITY		STATE	ZIP CODE
PHONE:			
_____	_____	_____	_____
WORK		HOME	

PROPERTY OWNER'S NAME	EMAIL	ADDRESS	
ADDRESS:			
_____	_____	_____	_____
NUMBER	STREET	APARTMENT/BOX NUMBER	

CITY		STATE	ZIP CODE
PHONE:			
_____	_____	_____	_____
WORK		HOME	

PROPERTY INFORMATION

PROPERTY ADDRESS: _____

PROPERTY DIRECTIONS: _____

PROPERTY CONDITIONS: _____

PROPERTY TAX MAP #: _____ **PLAT: PLEASE ATTACH TO APPLICATION**

LOT AREA: ACRES: _____ **SQ. FEET:** _____

ZONING DISTRICT: _____ **USE OF PROPERTY:** _____

CONSTRUCTION DRAWINGS: _____

RELEVANT FACTORS PERTAINING TO THE COMMUNICATION TOWER PUBLIC SERVICE USE

1. **APPLICANT HEREBY REQUESTS APPROVAL OF THE FOLLOWING COMMUNICATION TOWER PUBLIC SERVICE USE BY THE YORK COUNTY BOARD OF ZONING APPEALS AS DESCRIBED BELOW:**

2. **THE APPLICANT WILL MEET THE STANDARDS IN SECTIONS §155.510-§155.5170, WHERE APPLICABLE, AND ANY OTHER SECTIONS OF THE ZONING CODE WHICH ARE APPLICABLE TO THE PROPOSED COMMUNICATION TOWER PUBLIC SERVICE USE IN THE FOLLOWING MANNER:**

3. **LIST ANY CONCESSION(S) OR ADDITIONAL CONDITIONS THAT YOU AGREE TO AS PART OF THE APPROVAL:**

4. **IF YOU ARE SUBMITTING ADDITIONAL INFORMATION, PLEASE LIST BELOW:**

I CERTIFY THAT ALL INFORMATION PRESENTED BY ME IN THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BENEFIT:

APPLICANT

DATE

I (WE) CERTIFY THAT I (WE) ARE THE OWNERS OF THE PROPERTY INVOLVED IN THIS APPLICATION AND FURTHER THAT I (WE) DESIGNATE THE PERSON SIGNING AS APPLICANT TO REPRESENT ME (US) IN THIS APPLICATION.

PROPERTY OWNER (S)

DATE

***ATTACHED OWNER'S NOTARIZED WRITTEN AUTHORIZATION IF OWNER'S SIGNATURE CANNOT BE OBTAINED.**

OFFICE USE ONLY

AMOUNT PAID: _____ **CHECK #:** _____

CASH AMOUNT: _____

DATE RECEIVED: _____

RECEIPT NUMBER: _____

DATE FILED: _____

MEETING DATE: _____

ACCEPTED BY:

STAFF SIGNATURE

DATE

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 Board of Zoning Appeals 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 Board of Zoning Appeals.

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

Based on consideration of the evidence received during the public hearing, and from the application requirements, general requirements, development standards, other requirements and criteria of this code and the probable impact of the proposed use on property, uses and conditions in the immediate area, the approval authority may approve or deny a request for a communication tower public service use.

The Board of Zoning Appeals must take final action on an application within 30 days after the application is filed; provided, that if the application is incomplete and the zoning administrator has detailed such omissions to the applicant in writing within 15 days following the initial submission, the Board of Zoning Appeals will take final action on such application within 30 days after the applicant has provided the additional required information. The Board of Zoning Appeals and the applicant may extend these times by agreement in writing. If the application is denied, the final action of the Board of Zoning Appeals must be in writing, mailed to the applicant or served on the applicant by any other method permitted by law and shall contain findings of fact and conclusions of law with references to those provisions of codes and ordinances relied upon. An applicant may appeal to the circuit court if the Board of Zoning Appeals denies a permit application or if the approval authority fails to take final action as set forth above.

(Property owner's signature)

(Date)

(Applicant's signature)

(Date)

(Staff's signature)

(Date)