



PLANNING & DEVELOPMENT SERVICES

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Special Exception Application & Checklist

This application and checklist will assist with the submittal of a special exception request to the York County Board of Zoning Appeals. All Board of Zoning Appeals meetings are held at 6:00 P.M. on the second Thursday 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 process, please use this checklist as a guide.

A site plan with adequate detail must be submitted and approved by staff prior to the submittal of a special exception application. Based on the proposed use, a Traffic Impact Analysis (TIA) may be required and must be submitted prior to accepting the special exception application. If required, the TIA must be approved prior to the application going before the Board of Zoning Appeals.

The applicant is to conduct a neighborhood meeting at least 15 days prior to the request being heard before the Board of Zoning Appeals. A written summary of the neighborhood meeting must be provided to staff within five business days of its conclusion.

The following information corresponds with the special exception application and is provided to help the applicant understand what information is required to be submitted.

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.

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.

Preliminary Site Analysis: Based upon the proposed use, a Traffic Impact Analysis may be required. If required, the TIA must be submitted prior to acceptance of the special exception application and must be approved prior to presenting the application to the Board of Zoning Appeals.

RELEVANT FACTORS PERTAINING TO THE SPECIAL EXCEPTION REQUEST

- 1. Special Exception information:** Explain the type of special exception you are requesting.
- 2. Compliance statement:** Explain how the proposal will meet the requirements of the section allowing the requested special exception approval.
- 3. Condition statement:** Explain any conditions you believe should be imposed if your request is approved.
- 4. Supporting documentation:** List any additional information (narrative, pictures, petitions, etc.) that will be submitted. This includes information to include with the application or into the record at the meeting.

CERTIFICATION

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

APPLICATION FEE

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

Special Exception application: \$550.00

ADDITIONAL INFORMATION

1. The special exception will be advertised in the local newspaper and the property will be posted indicating the date and time of the public hearing. Adjoining land owners will also 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. The Board of Zoning Appeals will hear the request the second Thursday of the following month. Conceptual site plan approval for the special exception must be obtained by staff prior to submittal of the special exception application. Based on the proposed use, a Traffic Impact Analysis (TIA) may be required and must be submitted prior to accepting the special exception application and approved prior to presenting the request to the Board of Zoning Appeals.
3. The Board of Zoning Appeals may elect to approve, approve with conditions, or deny a special exception based on the hearing and potential impact of the proposal on contiguous uses and conditions.
4. Four of the seven appointed board members must be present before action can be taken on a special exception, and the concurring vote of the majority of the Board of Zoning Appeals present is necessary in order for a special exception to be approved.
5. The applicant may present, at the discretion of the Board of Zoning Appeals chairperson, any items they believe are pertinent to the case.
6. No special exception, 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.
7. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal from any decision of the board to 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 board will be delivered to parties of interest by certified mail.

GENERAL INFORMATION

APPLICANT'S NAME: _____

EMAIL ADDRESS: _____

ADDRESS: _____

NUMBER

STREET

APARTMENT/BOX NUMBER

CITY

STATE

ZIP CODE

PHONE: _____

CELL

HOME

PROPERTY OWNER'S NAME: _____

EMAIL ADDRESS: _____

ADDRESS: _____

NUMBER

STREET

APARTMENT/BOX NUMBER

CITY

STATE

ZIP CODE

PHONE: _____

CELL

HOME

PROPERTY INFORMATION

PROPERTY ADDRESS: _____

PROPERTY DIRECTIONS: _____

PROPERTY CONDITIONS: _____

PROPERTY TAX MAP #: _____ SITE PLAN: Please Attach to application.

LOT AREA: _____ ZONING DISTRICT: _____

CURRENT USE OF PROPERTY: _____

PROPOSED USE OF PROPERTY: _____

Preliminary site analysis and approval from staff? Yes No

TIA Required? Yes No If not, please explain: _____

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 special exception requested and attach any applicable covenants and restrictions.

RELEVANT FACTORS PERTAINING TO THE SPECIAL EXCEPTION

1. Applicant hereby requests approval of the following special exception use by the York County Board of Zoning Appeals as described below:

2. The applicant will meet the standards in section _____ of the zoning code which are applicable to the proposed special exception 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:

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.

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

(Property owner's signature)

(Date)

(Applicant's signature)

(Date)

(Staff's signature)

(Date)