



Conditional Use Permit Request Telecommunication Towers

Application to the
Board of Zoning Appeals
Clearcreek Township, Warren County

Case #: _____

Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Board of Zoning Appeals. The following information must be filled out in its entirety and accompanied by a fee of \$650.00 to validate the application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Applicant consents to a site visit from The Board of Zoning Appeals and Zoning Staff. Applicant also consents to a temporary sign being erected on the property to identify a pending appeal to the Board of Zoning Appeals. This sign shall be erected at least ten (10) days prior to the public hearing and removed after the public hearing. Attach additional computer generated or typewritten sheets as needed. Applicant is notified of the current board membership and that the Rules and Regulations for the Board of Zoning Appeals, which outline the procedures by which the Board shall operate, are found on the website www.clearcreektownship.com or can be requested from staff.

Name of Applicant:

Mailing address of Applicant:

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

Property fronts on the following road(s):

The legal title to said property recorded in the name(s) of:

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

The property is presently zoned:

The current use of the property:

Reason(s) for the application:

CONDITIONAL USE PERMIT (CUP) FOR TELECOMMUNICATION TOWERS:

The Board of Zoning Appeals shall have the power to grant conditional use permits for telecommunication towers. Application for a conditional telecommunication tower use permit shall be made on the forms provided for the purpose and shall include: **A PROJECT NARRATIVE, REQUIRED SUBMITTALS AND/OR CERTIFICATES and A PROFESSIONALLY PERPARED SITE PLAN**

1. The **PROJECT NARRATIVE** Sec. 21.01(F)(2) for telecommunication towers within residential zones must address the following:
 1. The identity and legal status of the applicant, including any affiliates.
 2. The name, address, and telephone number of the agent responsible for the accuracy of the registration statement.
 3. A narrative description of applicant’s existing, proposed and/or anticipated telecommunication facilities within Clearcreek Township.
 4. A description of the telecommunication services that the applicant intends to offer to persons, businesses, or institutions in Clearcreek Township.
 5. Information sufficient to determine that the applicant has received a certificate of public convenience and necessity for issued from the Public Utilities Commission of Ohio (PUCO).
 6. Any other information from which it may be determined that the applicant is a “public utility” as that term is used in the reference section of 519.211 Ohio Revised Code.
 7. Information sufficient to determine that the applicant has applied for and received any construction permit, operating license or other approvals required by the Federal Communications Commission (FCC) to provide telecommunication services or facilities within Clearcreek Township.

8. Documentation for the Federal Aviation Administration (FAA) indication that the proposed height and location do not interfere with the flight path of local airports.
9. The applicant shall provide documentation regarding efforts to exhaust all possible avenues to share space on existing towers. This shall include, but not be limited to, a certified mail announcement to all other tower users in the vicinity stating siting needs and/or sharing capabilities.
10. A visual impact demonstration, which shall include mock-ups and/or photomontages for the prospective site.
11. All certificates and/or submittals require by Sec. 22.05. (See below)

2. REQUIRED SUBMITTAL AND/OR CERTIFICATES

Sec. 22.05 Telecommunication Tower Regulations within Residential Zones:

A. NEW TOWERS:

Telecommunication towers are subject to the following regulations. These towers also require approval of a conditional use permit in compliance with the provisions of sec. 21.01(f)(2). See 1. Project Narrative above.

1. The applicant must conform to all applicable building, mechanical, and electrical codes.
2. The applicant shall conform to all applicable airport land use compatibility criteria/policies and federal aviation administration regulations.
3. No new tower shall be constructed unless such tower is capable of accommodating at least one (1) additional wireless telecommunication facility owned by another telecommunications service provider.
4. All new or altered telecommunication towers shall be certified by an engineer licensed in the state of Ohio, according to current standards of the Telecommunication Industry Association (TIA), to ensure structural integrity and the health, safety, and general welfare of the public.
5. Lot size shall be at least the minimum configuration to accommodate the clear fall zone; buffers, accessory structures as well as future structures based on the current co-location configuration.
6. Telecommunication facilities are permitted as a principal use upon a lot.

7. All towers shall be located such that the distance from the base of the tower to any adjoining property line or supporting structure of another tower in a minimum of 100 percent of the proposed tower height.
8. Telecommunication tower setbacks shall establish a no build zone for falling tower debris, ice, existing structures, and/or the collapse of the tower. The no build zone shall be established within the radius of the tower's height. The only exception to the no build zone rule is the allowance for accessory telecommunication structures to be placed within the tower's radius.
9. Telecommunication companies that choose to locate their transmission equipment on water towers, within church steeples, on existing telecommunication towers or choose to attach to existing radio or tv towers; shall conform to all the requirements as outlined with the following exceptions: the no build zone, perimeter fencing and landscape requirements.
10. No variance shall be granted from the minimum setback requirement for a new tower construction.
11. Equipment buildings, while accessory to a particular telecommunication tower(s), shall be setback for adjoining streets and/or property lines, per the minimum requirements for principal structures in the residential zoning district in which they are proposed.
12. Existing on-site vegetation shall be maintained to the greatest extent possible.
13. If the base of the tower is visible from the public right of way or a residentially zoned area, it shall be screened by a perimeter of evergreen shrubs capable of forming a continuous hedge at least five (5) feet in height within two (2) years of planting, spaced not more than five (5) feet on center.
14. The applicant may choose to screen the perimeter of the entire site with evergreen trees, capable of forming a continuous buffer at least seven (7) feet in height within two (2) years of planting, spaced not more than six (6) feet on center, in lieu of the following requirements: 22.05(A)(13) and 22.05(A)(19).
15. Tower colors shall help the structure to blend into the horizon. This is to accomplished through the use of "flat" paint that mimics vegetation and sky at the appropriate heights.
16. Equipment shall be automated to the greatest extent possible to reduce traffic and congestion. These facilities shall not include

business offices, long-term vehicle storage, outdoor storage, or other uses not necessary to transmission or reception, or broadcast studios, except for emergency purposes.

- 17.** Equipment buildings shall be no taller than one story (15 feet) in height.
- 18.** Equipment buildings that are to be located underground are not subject to the required setbacks as outlined in the proposed residential zone.
- 19.** The use of residentially-compatible paint colors and materials, such as wood, brick, or siding is required for associated equipment buildings. Each shall be designed to architecturally match the exterior of residential structures or agricultural accessory structures in the vicinity.
- 20.** Off-street parking shall be required only in cases where equipment buildings are staffed. In such cases, at least two (2) off-street parking spaces and one (1) additional space for every two (2) personnel shall be provided. Where the site abuts or has access to both a collector street and a local street, access for vehicles shall be exclusively by means of the collector street.
- 21.** Access drives, where applicable shall be constructed of gravel, at a depth to allow vehicles unobstructed year round access.
- 22.** Telecommunication towers shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or other applicable federal or state authority.
- 23.** When so required, lights shall be oriented upwards, so as not to project onto surrounding residential properties. In any case, overall site illumination shall be such that measurements along the perimeter of the site shall not exceed 0.20 foot candles.
- 24.** A manually operated or motion-detector controlled light above the accessory structure door shall be allowed for nighttime emergency repairs and/or security.
- 25.** A six (6) foot tall fence, including a locked gate shall be erected to restrict unauthorized access to the tower. “No Trespassing” signage shall be prominently posted.
- 26.** A six (6) foot tall fence, including a locked gate shall be erected along the perimeter of the no build zone in lieu of requirement 22.05(A)(25). “No Trespassing” signage shall be prominently posted.
- 27.** If electrified security fencing is employed, signs shall be posted every twenty (20) linear feet, reading “Danger—High Voltage”.

28. All towers shall be fitted with anti-climbing devices, as approved by the manufacturer.

3. The **PROFESSIONALLY PREPARED SITE PLAN** must show on one or more sheets:
1. A meters and bounds drawing of the area for the proposed conditional uses;
 2. Topography of area with intervals of not more than five (5) feet elevation;
 3. Existing water courses, all flood prone areas using one hundred (100) year flood plain as a standard along with proposed surface water drainage plans;
 4. All existing and proposed roads and driveways in the proposed conditional area and within 200 feet of the boundaries;
 5. The shape, size and floor area of all existing and proposed structures;
 6. Front, rear and side elevations of each proposed structures;
 7. Elevation of the tower, along with designated height for each co-locator;
 8. Existing vegetation and tree coverage along with the location, dimensions and other related data for all proposed landscaping, fence or walls;
 9. A map of applicant's existing, proposed and/or anticipated telecommunication facilities within Clearcreek Township.

It shall be the responsibility of the applicant to analyze the following standards and to propose conditions consistent with such standards as a part of the application and site plan:

1. The applicant has supplied all required documentation, certifications and maps to the Zoning Inspector, at or before stated submission deadline:

2. The existing vegetation has been retained and incorporated into the site plan:

3. Screening of the base of the tower and/or the perimeter of the site has been utilized to maximize compatibility with the adjoining land uses:

4. If the equipment building(s) is/are visible from the public view, its appearance conforms with the vicinity through the use of residentially compatible paint colors and materials:

5. Proposed color scheme works to camouflage tower:

6. Proposed road allows unobstructed year round access:

7. The proposed lighting plan documents impacts to adjacent residential zones:

8. The proposed security fence line prevents unauthorized access to the tower:

9. Upon approval, the conditional use permit will be held until a copy of the recorded no build easement is submitted to the Zoning Inspector:

4. Tax Mailing Address Information shall be filled out below:

It is the responsibility of the applicant to also supply the tax mailing addresses of all owners of property located contiguous to, directly across the street from and within five hundred (500) feet of any part of the subject property being considered for a Conditional Use Permit. This information is found at the Warren County Auditor's Office, Warren County Engineer's Map Room and at www.co.warren.oh.us/Auditor/property_search.

1. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
2. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
3. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
4. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
5. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
6. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
7. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
8. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____

- Address, City, State, Zip: _____
9. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
10. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
11. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
12. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
13. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
14. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
15. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
16. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
17. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
18. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
19. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
20. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____

5. If the applicant is not the property owner, an agent letter from the property owner(s) outlining the length and terms of the agent status must be submitted with this application.

The undersigned certifies that information herein along with all submitted exhibits are factual and correct.

Applicant Signature

Date