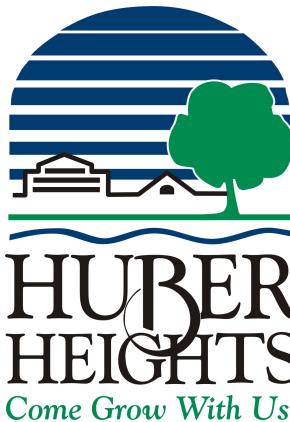


DEVELOPMENT APPLICATION

CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

6131 Taylorsville Road
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number _____
Receipt Number _____

Date Filed _____
Amount Paid _____

TYPE OF ACTION REQUESTED

Check all that apply. Attach explanations & additional information as required.

<input type="checkbox"/> Annexation & Zoning (Attach original annexation petition to this application.)	<input type="checkbox"/> Planned Unit Development
<input type="checkbox"/> Annexation Agreement	<input type="checkbox"/> Basic Development Plan
<input type="checkbox"/> Rezoning to _____	<input type="checkbox"/> Detailed Development Plan
<input checked="" type="checkbox"/> Special Use Cell Tower	<input type="checkbox"/> Major Change
<input type="checkbox"/> Variance from the Zoning Ordinance	<input type="checkbox"/> Minor Change
<input type="checkbox"/> Lot Split/Final Plat/Replat	<input type="checkbox"/> Other
<input type="checkbox"/> Preliminary Plat	
<input type="checkbox"/> Text Amendment	
<input type="checkbox"/> Zoning Ordinance	
<input type="checkbox"/> Subdivision Regulations	
<input type="checkbox"/> Other	

APPLICANT INFORMATION

Identify the applicant & contact person on this page. Complete the attachment to list the owner(s) & other parties involved with the application.

	<u>APPLICANT</u>		<u>CONTACT PERSON</u>
Name	_____	Name	_____
Address	_____	Address	_____
	_____		_____
	_____		_____
Phone	_____	Phone	_____
Fax	_____	Fax	_____
Email	_____	Email	_____

PROPERTY INFORMATION

Project Name: _____

Location of property: _____

Book _____ Page _____ Parcel Number(s) _____

Current Zoning: _____ Proposed Zoning: _____

Property Owner's Name: _____ Telephone: _____

Address: _____

Total acres included in this application: _____

Type of Development: Residential Commercial Office Industrial Other

Brief description of application request:

Applicant's status: Owner Lessee Purchaser Agent

Name of Engineer: _____ Telephone: _____

Attach additional information as required. Please refer to the applicable application
submittal checklist.

Applicant's Signature

Applicant's Signature:

Printed Name:

The owner of the property, if other than the applicant, must sign this application as evidence of concurrence with the request.

OWNER

Subscribed and sworn to before me this _____ day of _____, 20____.

NOTARY PUBLIC

BY THE ABOVE SIGNATURE, THE APPLICANT HEREBY ATTESTS TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED AND SUBMITTED ON AND WITH THIS APPLICANT. BY THE ABOVE SIGNATURE, THE APPLICANT FURTHERMORE CONSENTS TO BE BOUND BY THIS APPLICATION, BY ANY AGREEMENT MADE BY THE APPLICANT OR ITS AGENT, AND BY ALL DECISIONS MADE BY THE CITY OF HUBER HEIGHTS RELATING TO AND IN CONNECTION WITH APPLICATION AND REQUESTS.

=====

Date Received _____ Fee Paid _____ Received by _____

ADDITIONAL CONTACT INFORMATION

	<u>PROPERTY OWNER</u>	<u>AGENT</u>
Name	<hr/>	<hr/>
Address	<hr/>	<hr/>
	<hr/>	<hr/>
Phone	<hr/>	<hr/>
Fax	<hr/>	<hr/>
Email	<hr/>	<hr/>
	<u>ATTORNEY</u>	<u>DEVELOPER</u>
Name	<hr/>	<hr/>
Address	<hr/>	<hr/>
	<hr/>	<hr/>
Phone	<hr/>	<hr/>
Fax	<hr/>	<hr/>
Email	<hr/>	<hr/>
	<u>LAND PLANNER</u>	<u>ENGINEER</u>
Name	<hr/>	<hr/>
Address	<hr/>	<hr/>
	<hr/>	<hr/>
Phone	<hr/>	<hr/>
Fax	<hr/>	<hr/>
Email	<hr/>	<hr/>
	<u>LANDSCAPE ARCHITECT</u>	<u>OTHER</u>
Name	<hr/>	<hr/>
Address	<hr/>	<hr/>
	<hr/>	<hr/>
Phone	<hr/>	<hr/>
Fax	<hr/>	<hr/>
Email	<hr/>	<hr/>

**STATEMENT OF APPLICANT OBLIGATION FOR PAYMENT
OR CERTAIN PROFESSIONAL COSTS AND EXPENSES**

The Applicant is obligated by Ordinance 87-O-231 to pay the City of Huber Heights ("City") for all costs and expenses incurred by the City if this application or request causes the City to incur extra expenses for professional analysis or other services by persons or organizations not part of the full-time City staff.

The payment of expenses and costs referred to in this statement shall be made to the City of Huber Heights in accordance with the then current administrative policy for such payment. An application or request may require funds to be deposited in advance with the City for such costs and expenses. The payment of such costs and expenses shall be in addition to any other application fee required by the City. The person whose signature appears below as Applicant states that she/he has full and complete authority to agree to, bind and obligate the Applicant to pay the costs and expenses referred to in this statement and to fully comply with the above statement.

By the signature below, the Applicant herein states she/he has fully and completely read the above statement, understands the above statement, and agrees to fully comply with the above statement.

Witness By: _____ Applicant's Signature

The undersigned, owner(s) of the certain real property described in the attached Exhibit "A" (the "Property"), do hereby appoint and expressly grant full authority to _____ to act as the sole agent of and on behalf of the undersigned in all matters related to and in connection with the attached Development Application. The undersigned hereby consents and agrees to be bound by the application, by any agreement made by the herein named agent with the City of Huber Heights in connection with this same case, and by all decisions made by the City in connection with this same case.

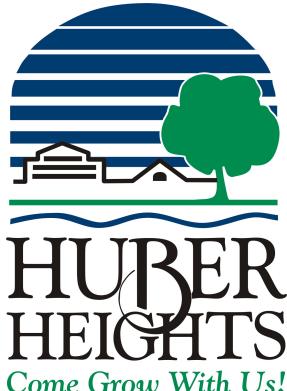
Printed Name _____ Printed Name _____

Sworn to before me and subscribed in my presence by the said

on this ____ day of _____, 20____.

Notary Public

SPECIAL USE CELLTOWER SUBMITTAL CHECKLIST
CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

- Application Map Containing:
 1. Plans depicting location and dimensions of all proposed drives, service access roads, sidewalks, curb openings, signs, exterior lighting, parking lot areas (show dimensions of a typical parking space), unloading areas, walls, fences and landscaping. Also, plans showing the actual shape and dimensions of the lot to be built upon or to be changed in its use together with the location of existing and proposed structures. In addition, typical elevation views of each type of building should be provided. Proposals containing residential units shall specify the number of housing units by size, type and respective location upon the plan. The plans must conform to standard requirements for drawings established by the City. Eight (8) copies of these plans must be submitted as well as an 8½ x 11" version of the site plan to ghoskins@hhoh.org.
 2. Proposed land uses, building design elevations, and/or other information sufficient to permit an understanding of the style of the development.
 3. Outline of lots and streets around subject property sufficient to identify location.
 4. Mailing labels to be provided with the names and addresses of adjoining property owners within 200' of the proposed Special Use, referenced to the parcels shown on the Application Map.
 5. Current zoning of subject property and surrounding properties.
- Submit a statement explaining how and why the Special Use meets the following requirements.
 1. Is in fact a Special Use as established under the provisions of the zoning district involved?
 2. Will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City of Huber Heights and/or the City Zoning Ordinance.
 3. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity that such use will not change the essential character of the same area.
 4. Will not be hazardous or disturbing to existing or future neighboring uses.

5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
7. Will conform to all zoning regulations applicable in the district where located.

- Other information as requested by the City.
- Upon receipt of final review comments from the Planning Department, applicant shall submit eight (8) copies of the revised plans required in this check list, any other revised or amended documents, and a pdf of all drawings to ghoskins@hhoh.org at least one week prior to the date of the Planning Commission meeting.

1198.01 DEFINITIONS.

(a) "Antenna" means any structure or device used for the purpose of collecting, transmitting or relaying electromagnetic waves, including but not limited to directional antennas and omni-directional antennas.

(b) "Radio and television towers" means a tower, structure or similar device erected for the purposes of and/or used for broadcasting, receiving, or relaying television or radio signals but excluding, for purposes of this chapter, satellite dishes, satellite towers and related equipment installed on a residential property and used for residential purposes.

(c) "Telephone communication system" means a communications system, including any wireless communication system, licensed by the Federal Communications Commission and/or the Public Utilities Commission of Ohio, including, but not limited to, receiving and transmitting equipment, switching equipment, wires, poles, antennas, conduits, cables, and all similar equipment and site amenities as regulated in this section but excluding, for purposes of this chapter, landline telephone systems and equipment relating thereto.

(d) "Telephone tower" means a freestanding, ground mounted, monopole tower, lattice tower, or other structure with related antennas erected for the purposes of and/or used for transmitting, receiving or relaying signals in connection with a telephone communication system.

(e) "Antennas and equipment on existing structures" means telephone exchange equipment boxes, towers, antennas, vaults and similar equipment or structures and/or buildings used in connection with a telephone communication system which antennas and equipment are attached to, or mounted on, a building or other permanent structure.

(f) "Tower height." For the purposes of this chapter, the height of a radio and television tower or telephone tower shall be measured from the natural grade of the property on which it or any building or structure to which it is attached, to the highest point of the pole on any attached antenna, lighting, or accessory fixture.

(g) "Equipment" means all radio, television and telephone towers, antennas, and antennas and equipment on existing structures, together with all devices, structures, buildings and equipment associated therewith.

(Case 305) (Ord. 97-0-965. Passed 4-28-97.)

1198.02 CONDITIONS.

The following conditions shall apply to all radio, television and telephone towers (collectively, "towers") and antennas and equipment on existing structures:

(a) All equipment, except antennas and equipment on existing structures, shall be enclosed by a minimum six (6) foot high, chain link fence with a three strand barbed wire top structure or other such enclosure approved by the City. All utility buildings and structures accessory to a tower shall be architecturally designed to blend in with the surrounding environment. If the base of any equipment is visible from any private residence or public right-of-way, then all such equipment shall be screened by a minimum six (6) foot high landscaped buffer or a six (6) foot high non-vegetative buffer if in the reasonable discretion of the City, such a buffer better reflects and complements the architectural character of the surrounding neighborhood.

(b) All equipment shall be removed within six (6) months of ceasing operations. If not removed, the equipment shall be subject to abatement by the City of Huber Heights on the grounds that it constitutes a nuisance.

(c) All equipment and the operation of all such equipment, shall comply with all applicable government regulations including but not limited to those established by the Ohio Department of Transportation (ODOT), the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) or the successors to their respective functions.

(d) Lights, beacons or strobes shall not be permitted on any radio, television or telephone towers or antennas and equipment on existing structures unless required by the Federal Aviation Administration.

(e) No sign shall be permitted on any equipment unless required by a governmental agency; provided, however, that signs relating to ownership of equipment, safety instructions and warnings, not in excess of sixteen square feet in total sign area shall be permitted as a special use subject to approval pursuant to Section [1135.03](#) of the Zoning Ordinance.

(f) The color of all towers shall be light grey except in instances where the color is dictated by federal or state authorities such as the FAA.

(Case 305) (Ord. 97-0-965. Passed 4-28-97.)

1198.05 TELEPHONE TOWERS AS SPECIAL USE.

Telephone towers for the purpose of a telephone communication system may be permitted as a special use in all B Commercial, PC Planned Commercial, I-1 Light Industrial and Mixed Use, A Agricultural, I-2 Industrial, and PP Planned Public and Private Buildings and Grounds Districts subject to the provisions of Chapter [1135](#), and subject further to the following conditions:

(a) Telephone towers shall be located at least 200 feet or a distance equal to the height of the tower, from any residential structure in a residential district.

(b) Telephone towers shall not exceed 200 feet in height.

(c) All telephone towers must be freestanding, monopole structures, unless the applicant can demonstrate that an alternative type structure (e.g. lattice tower) would either better blend into the surrounding environment or be able to better accommodate the co-location requirements set forth in subsection (e) hereof.

(d) Telephone towers shall be set back at least one hundred fifty (150) feet from any arterial, collector, or local street as specified by the Huber Heights Thoroughfare Plan unless otherwise approved by the Planning Commission.

(e) Co-Location Requirements.

(1) The applicant for a special use permit under this section shall agree to permit use of the telephone tower by other communication service providers, on reasonable terms, so long as such use does not conflict with the applicant's and/or any other pre-existing user's use of the telephone tower and does not violate the structural integrity of the telephone tower.

(2) Applications for special use permits relating to new telephone towers shall not be accepted unless the applicant makes a good faith effort to substantially demonstrate that no existing or planned tower or other existing publicly owned structure (e.g. a water tower) can accommodate the applicant's equipment. The application shall include documentation regarding the availability of any existing or approved, but unbuilt, telephone towers within the transmission area including towers located in adjacent jurisdictions that may meet the needs of the applicant. The supplied documentation shall evaluate the following factors:

- A. Structural capacity of the telephone towers;
- B. Geographic service area requirements;
- C. Mechanical or electrical incompatibilities;
- D. Inability or ability to locate equipment on existing telephone towers;
- E. Any restriction or limitation of the Federal Communication Commission that would preclude the shared use of the telephone tower.

The Huber Heights Planning and Development Division shall retain a list of approved applications for telephone towers and shall provide upon request a copy of the list to all applicants for special use permits relating to telephone towers.

(3) Telephone towers shall be constructed to accommodate both the applicant's equipment and comparable equipment for at least one additional user if the tower is over one hundred (100) feet in height. Towers must be designed to allow for future rearrangement of antennas and other equipment upon the tower and to accept antennas mounted at varying heights. The site on which the tower is located must be large enough to accommodate the potential need for more than one (1) utility building.

(4) For towers over one hundred (100) feet in height, the City of Huber Heights may require, as a condition of approval, the dedication of space on the tower for a telephone communications system as needed for public safety. Specific requests for such public use shall be discussed with the applicant prior to formal approval.

(Case 305) (Ord. 97-0-965. Passed 4-28-97.)

FEE SCHEDULE - CITY OF HUBER HEIGHTS PLANNING & ZONING

ZONING

Accessory Building	\$ 30.00
Alteration (Exterior Only)	
Commercial/Residential	\$ 30.00
Carport	\$ 30.00
Commercial TV/Radio	\$ 100.00
Cellular / Co-Location	
Construction Trailer/Office	\$ 30.00
Festivals/Carnivals	\$ 30.00
Fireplace	\$ 30.00
Garage – Attached/Detached	\$ 30.00
Hot Tub	\$ 30.00
Mobile Food Vending	\$ 100.00
Outdoor Sales	\$ 100.00
Patio Cover / Pergola	\$ 30.00
Patio Enclosure	\$ 30.00
Pre-Sale Inspections	\$ 40.00
Pre-Sale Multi-Unit	\$ 20.00 per unit
Re-Inspection (after 2nd inspect)	\$ 20.00
Room Addition	\$ 30.00
Signs:	
Temporary Signs	\$ 25.00 /30 days (limit 3 per year)
Permanent Signs	\$ 30.00 + \$1.00 per sq. ft.
Storage Shed	\$ 30.00
Swimming Pool	\$ 30.00
Temporary Dumpster	\$ 30.00/60 days (limit 2 per year)
Temporary Storage	\$ 30.00/30 days (limit 3 per year)
Transfer of Responsibility	\$ 25.00
Transfer of Special Use	\$ 50.00
Zoning Compliance Certificate	\$ 50.00
BZA	\$ 75.00

STRUCTURES – NEW CONSTRUCTION:

Single Family Dwelling	\$ 150.00
Multiple Family Dwelling	\$ 75.00 per unit
Commercial, Industrial, & Public Structures	\$ 150.00 + \$ 50 per additional 1,000 sq. ft. over 5,000 sq. ft
PLANNING	
Amendment to Zoning Ord	\$ 200.00
Appeal of Admin Decision	\$ 75.00
BZA (Variance)	\$ 75.00
Codified Ordinances	\$ 75.00
Basic Development Plan	\$ 500.00
Combined Development Plan	\$ 800.00 + \$25 per acre
Comprehensive Dev Plan	\$ 35.00
Detailed Development Plan	\$ 300.00 + \$25 per acre
Preliminary Plat	\$ 100.00
Final Plat	\$ 40.00 per acre
Replat	\$ 40.00 per acre
Lot Splits	\$ 50.00 per new lot created
Major Change to PUD	\$ 250.00
Minor Change to PUD	\$ 150.00
Rezoning	\$ 200.00
Special Use	\$ 150.00
Transfer of Special Use	\$ 50.00
Subdivision Regulations	\$ 10.00