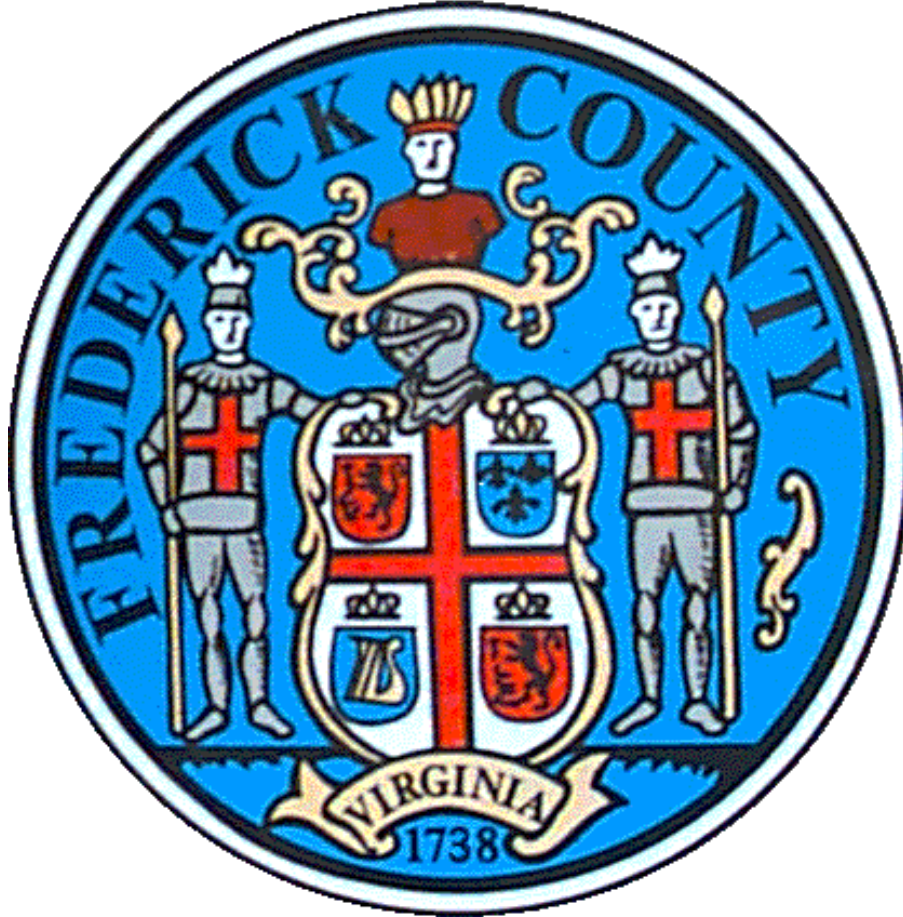


REZONING APPLICATION PACKAGE



Frederick County, Virginia

Department of Planning and Development
107 North Kent Street, Suite 202
Winchester, Virginia 22601
Telephone: (540) 665-5651 - FAX: (540) 665-6395

Website: www.fcva.us

(Revised 01.04.24)

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FREDERICK COUNTY, VIRGINIA

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APPLICATION FOR REZONING FREDERICK COUNTY, VIRGINIA

In order to rezone a parcel of land in Frederick County, an application for rezoning must be submitted to the Department of Planning and Development. It is the responsibility of the applicant to gather all information and materials that make up the application. Rezoning are ultimately approved or denied by the County Board of Supervisors. This package contains instructions which must be followed in order to complete an application. ***It is important to read these instructions carefully.*** If you have questions or need assistance, please contact the Department of Planning and Development at (540) 665-5651.

APPLICATION MATERIALS

The following materials must be submitted to the Department of Planning and Development.

- 1. A completed application form** (the form is attached).
- 2. A survey or plat of the entire parcel** with the location of all proposed zoning boundary lines.
- 3. A copy of the deed to the property** verifying current ownership. This may be obtained from the Frederick County Clerk of the Circuit Court at the Joint Judicial Center, 5 North Kent Street, Winchester.
- 4. A statement verifying that taxes have been paid.** This may be obtained from the Treasurer's Office at 107 North Kent Street, Winchester.
- 5. A complete listing of adjoining property owners,** including addresses and property identification numbers. These can be obtained from the Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.
- 6. Impact analysis statement.** Information concerning the projected impacts of the proposed rezoning following the specifications beginning on Page 4.
- 7. Proffer Statement.** Specific conditions to be volunteered as part of the application. See explanation and instructions on Page 10.
- 8. Completed agency comment sheets.** Comments sheets are attached. ***It may not be required that all comment sheets be completed.*** Check with the Department of Planning and Development to determine which comment sheets are applicable.
- 9. Digital copy of all application materials (PDF Format Preferred).**
- 10. Fees.** There is a fee of \$5,000.00 base plus \$100.00 per acre for two acres or less; \$10,000.00

base plus \$100.00 per acre for more than two acres but less than 150 acres; \$10,000.00 base plus \$100.00 per acres for the first 150 acres plus \$50.00 per acre for each acre over 150 acres. Checks should be made payable to "Treasurer of Frederick County."

APPLICATION STEPS

In order to apply for a rezoning, the following procedural steps must be completed.

A. Meeting with staff. Before a rezoning application can be considered, the applicant must schedule a meeting with the planning staff to discuss the proposed rezoning and the necessary application materials. During this meeting, the planning staff will advise the applicant as to which agency review comments will be needed and whether a review by the Historic Resources Advisory Board is needed.

B. Complete the application form, including an impact statement and attach a boundary survey of the parcels and area to be rezoned.

C. Prepare a proffer statement according to the attached instructions on Page 8.

D. Review of Proffers by County Attorney (If proffers are submitted): All proffer statements must be submitted for County Attorney for review. *No application package with proffers will be considered complete until the proffers have been reviewed by the County Attorney.* A copy of the attached Frederick County Attorney comment sheet should be delivered to the Planning Department for distribution to the County Attorney. Such submittal shall include a location map, and the completed application form and proffer statement.

E. Obtain review agency comments. It will be the responsibility of the applicant to obtain review agency comments. To obtain these comments, the comment sheets, together with a location map, survey, proffer statement, application form and applicant's impact statement, should be submitted to the appropriate agencies. *It may not be required that all comment sheets be completed; check with the Department of Planning and Development to determine which comment sheets will be required.*

F. Formal submission of the application for the next available Planning Commission meeting. A completed application, including a location map, survey, proffer statement, applicant's impact statement, and appropriate review agency comments, must be submitted to the Planning Department. **Submittals shall occur in the form of one paper copy and one digital copy (CD or flash drive required that includes a pdf of all materials).** Once the application is submitted, the planning staff will place notices in the local newspaper indicating the nature of the rezoning and the hearing date. Rezoning must be advertised according to the requirements of §15.2-2204 of the Code of Virginia. In addition, all property owners of land adjoining the property to be rezoned will be

notified by the Planning Department of the public hearing by mail. The applicant will also be notified of the time and place of the hearing.

G. Pay fees and obtain a sign. The application fee must be submitted along with the application. Staff will assist you in determining the fee. Upon submittal of your completed application, a public hearing sign will be provided to you. The sign is to be posted on the land to be rezoned so that it is visible from adjoining roads and property. It must be posted at least seven (7) days before the public hearing and maintained so as to be visible from adjoining roads and property until after the public hearing. **Failure to post the sign will result in your application being tabled.**

H. Planning Commission Public Hearing. Planning Commission public hearings are held on the first and third Wednesdays of the month at 7:00 P.M. in the Board Room of the Frederick County Administration Building, 107 North Kent Street, Winchester, Virginia. The applicant must be present or represented at the hearing and will be expected to present the proposal in a thorough, professional, and concise manner and to respond to questions from Planning Commissioners. The Planning Commission makes a recommendation to the Frederick County Board of Supervisors concerning whether the rezoning should be approved. The Planning Commission is not required to take action at the public hearing, but must make a recommendation within ninety (90) days of the initial public hearing.

I. Set Date for Board of Supervisors Public Hearing. Before the Board of Supervisors can act on a rezoning, a public hearing must be held according to the requirements of §15.2-2204 of the Code of Virginia. Once a recommendation on the rezoning has been made by the Planning Commission, a request for a public hearing on the proposed rezoning will be submitted by the Planning Department to the Board of Supervisors. The staff will advertise the hearing for the date set by the Board and will notify adjoining property owners and the applicant of the time and place of the Board hearing. The sign must remain posted or be re-posted at least seven (7) days before the Board hearing.

J. Board of Supervisors Public Hearing. The Board of Supervisors meetings are held on the second and fourth Wednesdays of each month at 7:00 P.M. in the Board Room of the Frederick County Administration Building, 107 North Kent Street, Winchester, Virginia. The applicant must be present or represented at the Board of Supervisors hearing. The Board of Supervisors makes the final decision concerning the approval or denial of the rezoning request. The Board does not have to act at their public hearing; however, they must act within one year of the date the completed application was received by the planning staff. The applicant will be notified in writing of the final action of the Board of Supervisors.

IMPACT ANALYSIS STATEMENT

Each rezoning applied for will require the submission of an impact analysis statement. The Director of Planning and Development may waive this requirement for certain rezoning requests such as small areas of land which will involve negligible impacts.

The applicant's impact analysis may use different methods and formats and in many cases should be prepared by a professional. The applicant should discuss the impact statement content and format with the planning staff. In general, each of the following issues should be separately and specifically addressed and information should be provided as specified:

A. Suitability of the Site:

The location of each of the following constraints or features on the site should be indicated:

- *100 year flood plains
- *wetlands
- *steep slopes (over 15%)
- *mature woodlands
- *prime agricultural soils
- *soil or bedrock conditions which would create construction difficulties or hazards

A general estimate of the amount of area in each of the above categories should be noted. Information on any other site constraints or hazards should also be noted.

B. Surrounding Properties:

The use of adjoining properties should be indicated along with the location of residences on the adjoining properties. The distance between the boundary of the property to be rezoned and residences or other structures which might be impacted by the rezoning should be indicated. The potential for impacts on surrounding properties associated with noise, glare, fumes, pollution, odors or other nuisance factors should be addressed.

C. Traffic:

The impact analysis should describe the projected impact that the rezoning will have on surrounding roads and the County's adopted road improvement plan. Existing conditions should be discussed and standard sources or methods should be used to describe the maximum traffic that would be anticipated from development of the site under the existing and proposed zoning.

Information on anticipated traffic should be provided in terms of average trips per day and average peak hour trips for each proffered phase of the project. Some determination of the resulting travel conditions on the roads should also be provided.

In order to determine traffic generation, the maximum possible density or intensity of development should be used (the maximum possible density and intensity for each zoning district can be found on Page 8 of this application packet.) Lesser densities or intensities of development should be used only if they have been proffered.

A detailed Traffic Impact Analysis (TIA) is required with all rezoning applications. Examples of additional information which may be required include:

- *Detailed traffic count information on roads impacted including traffic in each lane
- *Information on turning movements at intersections and entrances impacted
- *Existing level of service on roads and at intersections impacted
- *Distribution of trips generated on roads impacted
- *Projected level of service on roads without rezoning
- *Projected level of service on roads impacted with rezoning, upon completion of each proffered phase and after complete build out of the site.
- *The resulting road improvement cost that would be the result of the rezoning

The detailed traffic analysis shall be prepared by a qualified professional and employ standard traffic planning methods and data sources, such as those described in the following sources:

Transportation Research Board, Highway Capacity Manual, Special Report 209.

Institute of Transportation Engineers, Trip Generation.

Joe Mehra and C. Richard Keller, Development and Application of Trip Generation Rates, Federal Highway Administration, Report Number FHWA/PL/85/003.

C. Richard Keller and Joe Mehra, Site Impact Traffic Evaluation (S.I.T.E.) Handbook, Federal Highway Administration, Report Number FHWA/PL/85/004.

In making projections, the applicant may select a time period which seems appropriate in terms of the build out period of the project. The detailed traffic analysis should describe the methods used. Details of the calculations should be provided along with a narrative describing the analysis, the assumptions used, and the results. Data sources should be noted.

Deferral of Traffic Impact Analysis – Planning Staff shall decide if a TIA deferral is permissible. Staff will be present during the pre-application meeting to help determine if a TIA is necessary for a rezoning application. Please see the “Application for Deferral of Traffic Impact Analysis (TIA) attached to the Transportation Comment sheet. Either the approved deferral form or a TIA is required with the submission of a rezoning application.

D. Sewage Conveyance and Treatment:

Sewage flow projections should be based on proffered phasing of the project and on complete build out of the site at the maximum possible density or intensity of development after rezoning. The location and size of existing sewer mains to be employed should be noted along with the distance to these mains. Information should be provided on the capacity of the existing sewer mains and what effect the proposed rezoning will have on capacity. If on-site sewage disposal is to be used, information should be provided on the suitability of soils, type of treatment proposed, and the feasibility and appropriateness of methods to be used. Potential for impacts to water quality should be addressed.

E. Water Supply:

Water use projections should be based on proffered phasing of the project and on complete build out of the site at the maximum possible density or intensity of development after rezoning. The location and size of existing water mains (or wells) to be employed should be noted along with the distance to the mains. Information should be provided on the capacity of the existing water mains and what effect the proposed use will have on capacity.

F. Drainage:

Drainage features and patterns on the site should be described. Streams and drainage ways potentially impacted by drainage from the site should be identified and potential impacts should be described.

G. Solid Waste Disposal Facilities:

The impact analysis should project the amounts of solid waste to be generated for each proffered phase or for the average year after complete development of the site. The projection should be based on the maximum allowed density on the site unless lower densities have been proffered.

H. Historic Sites and Structures:

The location of historic sites and structures, identified by the Frederick County Rural Landmarks Survey Report, the Virginia Division of Historic Resources, or listed on the State or National Register, on the land

to be rezoned or on adjoining properties, should be described. The distance from the boundary of the land to be rezoned to the historic structure or site should be given. There may be other sites that were not identified by the County Survey that should be identified by the impact analysis statement.

I. Impact on Community Facilities:

The applicant’s analysis should project the local revenues that would be generated by the structures or facilities proposed. The projections should be for each proffered phase and for the average year after complete development of the site. The costs of services provided to the development, and local government activities that would need to be increased as a result of the proposed development, shall be projected for various government services including the following:

- Education
- Police Protection
- Fire and Rescue Protection
- Parks and Recreation
- Solid Waste Disposal
- Other Government Activities

In addition, for all residential rezonings and proffer amendments, the applicant shall provide a justification narrative that identifies all impacts to the following:

- School Facilities
- Parks and Recreation Facilities
- Fire and Rescue Facilities
- Public Safety Facilities
- Library Facilities
- General Government Facilities

This narrative shall include a detailed description of the following:

- a) Specifically identify all of the impacts of the proposed rezoning/proffer amendment;
- b) Propose specific and detailed mitigation strategies and measures to address all of the impacts of the proposed rezoning/proffer amendment;
- c) Specifically address whether all of the mitigation strategies and measures are consistent with all applicable law, including, but not limited to, Virginia Code 15.2-2303.4 (effective July 1, 2016);
- d) Specifically demonstrate the sufficiency and validity of those mitigation strategies using professional best accepted practices and criteria, including all data, records, and information used by the applicant or its employees or agents in identifying any impacts and developing any proposed mitigation strategies and measures.

J. Other Impacts:

General impacts on the cost of providing County facilities to serve the development or its residence should be described using the Capital Improvements Plan as a reference. Other potential impacts on surrounding properties should be described.

Maximum Possible Residential Densities in the Residential Performance Zoning District, Determined in Terms of Fiscal Impact	
Parcel Size	Maximum density
0-10 Acres	10 Dwellings Per Acre
11-100 Acres	6 Dwellings Per Acre
101+ Acres	6 Dwellings Per Acre

The maximum possible density for the R-4, Planned Development District is four dwellings per acre. For the R-5, Recreational Community District, it is 2.3 dwellings per acre.

Maximum Possible Business and Industrial Intensities By Zoning District-Determination Based on Trip Generation and Fiscal Impact on Capital Facilities	
Zoning District	Maximum Possible Square Feet of Structure Per Acre of Use
B-1	13,068 Square Feet of Retail Use
B-2	21,361 Square Feet of Retail Use
B-3	18,848 Square Feet of Retail Use
OM	23,056 Square Feet of General Office Use
M-1	24,750 Square Feet of General Office Use
M-2	28,050 Square Feet of General Office Use

PROFFER STATEMENTS

The Frederick County Code allows applicants for rezoning to offer conditions (proffers) to be placed on the land as a part of the rezoning application. If accepted by the Board of Supervisors, such proffers will become regulations applying to the land rezoned in addition to normal zoning regulations. The existence of such conditions will be notated on the zoning map and will apply to the land, regardless of changes in ownership, unless or until the conditions are changed through a subsequent ordinance amendment process.

The proffers must address needs resulting from the rezoning. In determining what types of proffers to offer, the applicant should consider the possible impacts identified by the impact analysis statement. The applicant should also consider policies in the Frederick County Comprehensive Plan. The Frederick County Zoning Ordinance discusses proffers and lists some of the types of proffers that might be offered. These can include:

- *Various limitations on the use of the land
- *Off site and on site facilities and improvements
- *Site layout or plan features
- *Dedication of land or cash contributions for facilities identified in the Capital Improvements Plan or Road Improvement Plan which would be impacted by the proposed rezoning.

Proffer statements must identify the facilities for which contributions and dedications are to be made. A detailed description of the methodology used to determine which contributions and dedications will be made should be clearly specified by the applicant.

The applicant may choose to proffer a generalized development plan. An example where an applicant may want to proffer a generalized development plan is when there may be certain site design issues the applicant wants to address that can be conveyed better graphically than in writing.

When having land rezoned to the R-4 Residential Planned Community District, a master development plan must be submitted with the rezoning application. The master development plan must follow the procedures specified in Article VIII of the Frederick County Zoning Ordinance and must be completed concurrently with the rezoning.

Proffers shall be submitted as a part of the initial application package. A final, signed and notarized version of the proffer statement must be received prior to the staff's mailing of the Planning Commission agenda for the meeting that the rezoning application will be heard.

All proffer statements must be submitted to the County Attorney for review. ***No application package containing proffers will be considered completed unless the proffers have been reviewed by the County Attorney and the appropriate review agencies. A proffer statement shall contain the following information:***

- Name of the development;
- Property Identification Number(s);

- Total acreage proposed to be rezoned;
- Current zoning district and proposed zoning district;
- Record Owner and applicant;
- Original proffer date;
- Revision date;
- Statement of Preliminary Matters;
- Each condition proffered should be numbered, separately listed, and clearly stated.
- Only conditions that are clearly enforceable and not already required by local, State or Federal regulations should be proffered.

If accepted, the requirements in the proffers shall constitute amendments to the Frederick County Code applying to the land rezoned.

Proffer Revisions

Significant changes to submitted proffers must be reviewed by relevant agencies. Such reviews must be received before proffer revisions are submitted to the Planning Commission. No significant changes to proffers will be considered by the Planning Commission once the original advertisement for the proposed rezoning has been published. Significant changes to proffers after the original advertisement may require re-advertisement for the proposed rezoning.

CAPITAL IMPACT MODEL

On June 12, 2019, the Frederick County Board of Supervisors approved the use of the Capital Impact Model to project the capital impacts that would be associated with any rezoning petitions containing residential development, replacing the previous Development Impact Model.

The Capital Impact Model was created by an economic consultant who evaluated and analyzed development within the County to assist the County in planning for future capital facility requirements. Critical inputs to the model are to be reviewed and updated annually to assure that the projections accurately reflect County capital expenditures.

The Capital Impact Model projects that, on average, residential development has a negative impact on the County's capital expenditures. As such, all rezoning petitions with a residential component submitted after June 12, 2019 are expected to demonstrate how the proposal will mitigate the following projected capital facility impacts:

- Public Schools
- Parks and Recreation
- Public Safety:
 - Sheriff
 - Fire and Rescue
 - Animal Protection

Applicants will need to provide the County with the location of the project, the total number and type of residential units are proposed (single family detached or attached, multifamily) the schools that will be utilized for this development and the Fire Station that would be the first responder to the area. Staff will then provide the Applicant with the model outputs that show the proposed impacts that would be generated by the residential development.

To be completed by Planning Staff:

Zoning Amendment Number _____

Date Received _____

Fee Amount Paid \$ _____

Anticipated PC Hearing Date _____

Anticipated BOS Hearing Date _____

REZONING APPLICATION
FREDERICK COUNTY, VA DEPARTMENT OF PLANNING & DEVELOPMENT

1. Property Owner(s) (please attach additional page(s) if more than two owners):

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

2. Other Applicant Party (such as a contract purchaser) (please attach additional page(s) if necessary):

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

3. Law firm, engineering firm, or other person, if any, serving as the primary contact person for this application:

Firm Name: _____

Specific Contact Person at Firm: _____

Address: _____

Telephone: _____ Email: _____

Please note that, if a law firm, engineering firm, or other person, other than the owner of the property, will be acting on behalf of the owner and/or executing papers on behalf of the owner in connection with the rezoning, the owner will need to execute a power of attorney form granting the firm or person such authority.

4. **Project Name (if any):** _____

5. **Property Information:**

a. Property Identification Number(s): _____

b. Total acreage of the parcel(s): _____

c. Total acreage of parcel(s) to be rezoned (if other than whole parcel(s) is being rezoned):

d. Current zoning designation(s) and acreage(s) in each designation:

e. Proposed zoning designation(s) and acreage(s) in each designation:

f. Magisterial District(s): _____

g. Location - the property is located at (give street address(es) if assigned or otherwise exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

h. Adjoining Properties:

<u>Parcel ID Number</u>	<u>Use</u>	<u>Zoning</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please attach additional page(s) if necessary.

Property identification numbers, magisterial districts, and deed book and page numbers/ instrument numbers may be obtained from the Office of the Commissioner of the Revenue, Real Estate Division, 107 North Kent Street, Winchester, VA 22601.

6. **Disclosure of real parties in interest.**

Virginia Code § 15.2-2289 provides that localities may by ordinance require any applicant for a zoning amendment to make complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the name of stockholders, officers, and directors, and in any case the names and addresses of all real parties of interest. Frederick County has, by County Code § 165-101.09, adopted such an ordinance.

For each business entity that is an owner or contract purchaser of the property, **please list the name and address of each person owning an interest in, or who is an officer or director of, any entity that is an owner or contract purchaser of the property** (you need not indicate the amount or extent of the ownership interest). Please note that this requirement does not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.

Please attach additional page(s) if necessary.

7. **Checklist.** Please check that the following items have been included with this application:

- Location Map
- Plat Depicting Metes/Bounds of Proposed Zoning
- Impact Analysis Statement
- Proffer Statement (if any)
- Agency Comments
- Fee
- Copies of Deed(s) to Property(ies)
- Tax Payment Verification
- Digital copies (pdf's) of all submitted items

8. Signature(s):

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Other Applicant Party (if any): _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

If additional signature lines are necessary, such as if more than two persons are owners, please use additional copies of this page.

ADJOINING PROPERTY OWNERS

Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For the purpose of this application, **adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property.** The applicant is required to obtain the following information on each adjoining property including the parcel identification number which may be obtained from the office of the Commissioner of Revenue. *The Commissioner of the Revenue is located on the 2nd floor of the Frederick County Administrative Building, 107 North Kent Street.*

Name and Property Identification Number	Address
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	

Name and Property Identification Number	Address
Name	
Property #	
Name	
Property #	
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Property #	
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Property #	



**Special Limited Power of Attorney
County of Frederick, Virginia
Frederick Planning Website: www.fcva.us**

**Department of Planning & Development, County of Frederick, Virginia
107 North Kent Street, Winchester, Virginia 22601
Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents That:

Name of Property Owner/Applicant

Please note: If the property owner/applicant is an entity, the name of the entity should appear above.
If multiple persons own the property or are applicants, an executed power of attorney from each owner will be needed.

Mailing Address of Property Owner/Applicant

Telephone Number

as owner of, or applicant with respect to, the tract(s) or parcel(s) of land in Frederick County, Virginia, identified by following property identification numbers:

do hereby make, constitute, and appoint:

Name of Attorney-In-Fact

Mailing Address of Attorney-In-Fact

Telephone Number

to act as my true and lawful attorney-in-fact for and in my name, place, and stead, with the same full power and authority I would have if acting personally, to file and act on my behalf with respect to application with Frederick County, Virginia for the following, for the above identified property:

- | | |
|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Master Development Plan (prelim. or final) | <input type="checkbox"/> Variance or Zoning Appeal |

and, further, my attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

_____.

This appointment shall expire one year from the day that it is signed, or at such sooner time as I otherwise rescind or modify it.

Signature _____

Title (if signing on behalf of an entity) _____

State of _____, County/City of _____, To wit:

I, _____, a Notary Public in and for the jurisdiction aforesaid, certify that the person who signed the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this _____ day of _____, 20__.

Notary Public

My Commission Expires: _____
Registration Number: _____

REVIEW AGENCY COMMENT SHEETS

It will be the responsibility of the applicant to obtain the necessary review agency comments. The following information must be submitted when obtaining any agency review comments: the comment sheet, location map, survey, proffer statement, application form, and the applicant's impact statement. It may be necessary to submit additional information. Please consult the Notice to Applicant block on each comment sheet to ascertain what additional information must be submitted.

Rezoning Comments



Frederick County Attorney

Mail to:

Frederick County Attorney
Co. Administration Bldg., 3rd Floor
107 North Kent Street
Winchester, Virginia 22601
(540) 665-6383

Hand deliver to:

Frederick County Attorney
Co. Administration Bldg., 3rd Floor
107 North Kent Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the County Attorney's office with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

County Attorney's Comments:

Assistant County Attorney's
Signature & Date: _____

Notice to County Attorney - Please Return This Form to the Applicant

Rezoning Comments



Virginia Department of Transportation

Mail to:

Virginia Department of Transportation
Attn: Resident Engineer
14031 Old Valley Pike
Edinburg, Virginia 22824
(540) 984-5600

Hand deliver to:

Virginia Department of Transportation
Attn: Resident Engineer
14031 Old Valley Pike
Edinburg, Virginia 22824

Applicant: Please fill out the information as accurately as possible in order to assist the Virginia Department of Transportation with their review. **Attach three copies of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Virginia Department of Transportation Comments:

VDOT Signature & Date: _____

Notice to VDOT - Please Return Form to Applicant

Rezoning Comments



Frederick County Department of Public Works

Mail to:

Frederick County Dept. of Public Works
Attn: Director of Engineering
107 North Kent Street
Winchester, Virginia 22601
(540) 665-5643

Hand deliver to:

Frederick County Dept. of Public Works
Attn: Director of Engineering
107 North Kent Street
Suite 200
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Department of Public Works with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Department of Public Works Comments:

Public Works Signature & Date: _____

Notice to Dept. of Public Works - Please Return This Form to the Applicant

Rezoning Comments



Frederick County Fire Marshal

Mail to:

Frederick County Fire Marshal
1800 Coverstone Drive
Winchester, Virginia 22602
(540) 665-6350

Hand deliver to:

Frederick County Fire & Rescue Dept.
Attn: Fire Marshal
Public Safety Building
1800 Coverstone Drive
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Frederick County Fire Marshal with his review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Fire Marshal's Comments:

Fire Marshal's Signature & Date: _____

Notice to Fire Marshal - Please Return This Form to the Applicant

Rezoning Comments



Frederick County Department of Parks & Recreation

Mail to:

Frederick County
Department of Parks & Recreation
107 North Kent Street
Winchester, Virginia 22601
(540) 665-5678

Hand deliver to:

Frederick County
Department of Parks & Recreation
County Administration Bldg., 2nd Floor
107 North Kent Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Department of Parks & Recreation with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Department of Parks & Recreation Comments:

Pks. & Rec. Signature & Date: _____

Notice to Department of Parks & Recreation - Please Return This Form to the Applicant

Rezoning Comments



Superintendent of Frederick County Public Schools

Mail to:

Frederick County Public Schools
Attn: Superintendent
P.O. Box 3508
Winchester, Virginia 22604
(540) 662-3888

Hand deliver to:

Frederick County Public Schools
Attn: Superintendent
School Administration Building
1415 Amherst Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Superintendent of Public Schools with his review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Superintendent of Public Schools' Comments:

Superintendent's Signature & Date: _____

Notice to School Superintendent - Please Return This Form to the Applicant

Rezoning Comments



Frederick Water

Mail to:

Frederick Water
Attn: Engineer
P.O. Box 1877
Winchester, Virginia 22604
(540) 868-1061

Hand deliver to:

Frederick Water
Attn: Engineer
315 Tasker Road
Stephens City, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the agency with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Frederick Water Comments:

Frederick Water Signature & Date: _____

Notice to Frederick Water - Please Return This Form to the Applicant

Rezoning Comments



Frederick-Winchester Health Department

Mail to:

Frederick-Winchester Health Department
Attn: Sanitation Engineer
107 North Kent Street
Winchester, Virginia 22601
(540) 722-3480

Hand deliver to:

Frederick-Winchester Health Department
Attn: Sanitation Engineer
107 North Kent Street
Suite 201
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Frederick-Winchester Health Department with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Frederick-Winchester Health Department's Comments:

Health Dept. Signature & Date: _____

Notice to Health Department - Please Return This Form to the Applicant

Rezoning Comments



Town of Middletown

Mail to:

Town of Middletown
Attn: Planning Director
7875 Church Street
Middletown, Virginia 22645
(540) 869-2226

Hand deliver to:

Town of Middletown
Attn: Planning Director
Middletown Town Hall
7875 Church Street
Middletown, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Town of Middletown with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Town of Middletown's Comments:

Town of Middletown's
Signature & Date: _____

Notice to the Town of Middletown - Please Return Form to Applicant

Rezoning Comments



Town of Stephens City

Mail to:

Town of Stephens City
Attn: Town Manager
P.O. Box 250
Stephens City, Virginia 22655
(540) 869-3087

Hand deliver to:

Town of Stephens City
Attn: Town Manager
Stephens City Town Hall
1033 Locust Street
Stephens City, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Town of Stephens City with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Town of Stephen City's Comments:

Town of Stephens City's
Signature & Date: _____

Notice to the Town of Stephens City - Please Return Form to Applicant

Rezoning Comments



City of Winchester

Mail to:

Winchester City Planning Department
Attn: Planning Director
15 North Cameron Street
Winchester, Virginia 22601
(540) 667-1815

Hand deliver to:

Winchester City Planning Department
Attn: Planning Director
Rouss City Hall
15 North Cameron Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the City of Winchester with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

City of Winchester's Comments:

City of Winchester's
Signature & Date: _____

Notice to City of Winchester - Please Return This Form to the Applicant

Rezoning Comments



Winchester Regional Airport

Mail to:

Winchester Regional Airport
Attn: Executive Director
491 Airport Road
Winchester, Virginia 22602
(540) 662-2422

Hand deliver to:

Winchester Regional Airport
Attn: Executive Director
491 Airport Road
(Rt. 645, off of Rt. 522 South)
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Winchester Regional Airport with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Winchester Regional Airport's Comments:

Winchester Regional Airport's
Signature & Date: _____

Notice to Winchester Regional Airport - Please Return Form to Applicant

Rezoning Comments



Fire and Rescue Company

Comments on rezonings will be needed from the fire and rescue company serving the location in question. Please fill in the attached comment sheet with the name of the fire and rescue squad serving the location and obtain the comment from that squad. A list of the County Fire and Rescue Company follows the comment sheet.

Rezoning Comments



Fire and Rescue Company

Name of Fire & Rescue Company:

Address & Phone

Attn: Fire Chief or Assistant Fire Chief

Applicant: Please fill out the information as accurately as possible in order to assist the Fire and Rescue Squad with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Fire and Rescue Company's Comments:

Fire & Rescue Company's
Signature & Date: _____

Notice to Fire & Rescue Company - Please Return This Form to the Applicant

Rezoning Comments



Frederick-Winchester Service Authority

Mail to:

Fred-Winc Service Authority
Attn: Executive Director
P.O. Box 43
Winchester, Virginia 22604
(540) 722-3579

Hand deliver to:

Fred-Winc Service Authority
Attn: Executive Director
9 W. Piccadilly Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Fred-Winc Service Authority with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Fred-Winc Service Authority's Comments:

Fred-Winc Service Authority's
Signature & Date: _____

Notice to Fred-Winc Service Authority - Please Return Form to Applicant

Rezoning Comments



Frederick County Department of Planning & Development

Mail to:

Fred. Co. Dept. of Planning & Development
107 North Kent Street
Winchester, Virginia 22601
(540) 665-5651

Hand deliver to:

Fred. Co. Dept. of Planning & Development
North Building, 2nd Floor
107 North Kent Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Department of Planning with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Frederick County Department of Planning & Development Comments:

Signature & Date: _____

Notice to Planning Department - Please Return Form to Applicant

Rezoning Comments



Historic Resources Advisory Board

Mail to:

Frederick County
Department of Planning & Development
107 North Kent Street
Winchester, Virginia 22601
(540) 665-5651

Hand deliver to:

Frederick County
Department of Planning & Development
North Building, 2nd Floor
107 North Kent Street
Winchester, Virginia

Applicant: Please fill out the information as accurately as possible in order to assist the Historic Resources Advisory Board with their review. **Attach a copy of your application form, location map, proffer statement, impact analysis, and any other pertinent information.**

Applicant's Name: _____ Telephone: _____

Mailing Address: _____

Location of property: _____

Current zoning: _____ Zoning requested: _____ Acreage: _____

Advisory Board Comments:

Signature & Date: _____

Notice to Advisory Board - Please Return Form to Applicant



Frederick County Department of Planning and Development
107 N. Kent Street, Winchester VA 22601
(540) 665-5651
www.fcva.us

THE HISTORIC RESOURCE ADVISORY BOARD APPLICATION FOR REVIEW

ABOUT THE HISTORIC RESOURCES ADVISORY BOARD

The Historic Resources Advisory Board (HRAB) is the body tasked with reviewing development proposals and providing guidance and recommendations to the Planning Commission and Board of Supervisors on their potential impact on the County's historic resources.

MEETING DATE AND TIME

The HRAB meets on the third Friday of every month, at 10:00 a.m. in the first floor conference room of the Frederick County Administration Building at 107 North Kent Street.

SUBMISSION DEADLINES

The deadline for all HRAB meetings is three weeks prior to the scheduled meeting date. To verify meeting dates and deadlines or for questions, please call 540-665-5651. Please submit all applications to the Department of Planning and Development, 107 North Kent Street, Suite 202, Winchester, Virginia 22601. Incomplete applications will not be scheduled.

**THE APPLICANT OR THEIR APPOINTED REPRESENTATIVE MUST
BE PRESENT AT THE MEETING.**

**107 North Kent Street, Suite 202 Winchester, Virginia 22601-5000
www.fcva.us**

**HISTORIC RESOURCE ADVISORY BOARD
HRAB REVIEW APPLICATION**

1. Project Name (if any): _____

2. Property Owner(s) (please attach additional page(s) if more than two owners):

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

Name: _____

Specific Contact Person if Other than Above: _____

Address: _____

Telephone: _____ Email: _____

3. Law firm, engineering firm, or other person, if any, serving as the primary contact person for this application:

Firm Name: _____

Specific Contact Person at Firm: _____

Address: _____

Telephone: _____ Email: _____

4. Property Information:

a. Property Identification Number(s): _____

b. Total acreage of the parcel(s): _____

c. Magisterial District(s): _____

d. Location - the property is located at (give street address(es) if assigned or otherwise exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

e. Type of Request – describe the type of land use application being submitted for review by the HRAB (rezoning, conditional use permit, master development plan, etc):

f. Description of the proposal – provide a detailed overview of the proposed use:

g. Are there structures 50 years old or older within or adjacent to the project area? yes no

h. Has this project been previously reviewed by VA DHR? yes no DHR# no

i. Have any architectural or archaeological surveys of the area been conducted? yes no
If yes, provide a copy of the survey.

j. Is this property within an existing or potential rural historic district? yes no unknown

k. Adjoining Properties:

<u>Parcel ID Number</u>	<u>Use</u>	<u>Zoning</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
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<hr/>	<hr/>	<hr/>

5. Checklist. Please check that the following items have been included with this application:

- _____ Copy of Rezoning, Master Development Plan, Conditional Use Permit application and supporting materials, including at a minimum:
 - Impact analysis required by Section 165-102.05 of the Frederick County Zoning Ordinance, including the location of historic structures and sites in relation to the site and impacts on those historic structures and sites.
 - Any rezoning proffers proposed by the applicant to preserve historic and archaeological resources on the site pursuant to Section 165-102.06 of the Zoning Ordinance.
 - Generalized Development Plan, Master Development Plan, Conditional Use Site Plan for the property, if available, showing the type and location of proposed new development and the treatment of any historic structures and features on the site.
 - Description of proposed development or construction project, including proposed uses and general timeframe for development.
- _____ Description of proposed development or construction project, including proposed uses and general timeframe for development.
- _____ Status of any identified historic or archaeological resources on the site or adjacent to the site (e.g., located in any identified historic area, survey area, or battlefield site or individually listed on a local, State, or national historic register, relevant information on record with the Virginia Department of Historic Resources - DHR) and presence of other historic structures or significant landscape features or archaeological sites.
- _____ Provide mapping from the DHR's Virginia Cultural Resource Information System (V-CRIS).
- _____ Indicate if structures 50 years old or older are present on the site but have not been surveyed and recorded at DHR. The date of construction for structures is often indicated in County tax records.
- _____ Clear and labeled color photographs of all historic resources on the property and adjacent to the property. For properties located on the site, provide interior views that identify the character and defining features of the site. These photographs need to show all existing buildings and the relationship of the proposed project to the surrounding area.
- _____ Drawings showing the location of existing building and other structures on the site.
- _____ If sites have previously been surveyed and recorded with DHR, but the survey is more than 10 years old, a new reconnaissance-level survey shall be conducted.

6. Signature(s):

I (we), the undersigned, do hereby respectfully make application to the Historic Resources Advisory Board. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Owner: _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Other Applicant Party (if any): _____ Date _____

If signing on behalf of an entity, please state name of entity and your title:

Please note that the applicant or his/her appointed representative must be present at the meeting.

**FREDERICK COUNTY
DEVELOPMENT REVIEW FEES**

Revised - 03/21/2023

COMPREHENSIVE PLAN AMENDMENT

\$3,000 non-refundable

REZONING

\$1,000 – Proffer amendments not requiring a public hearing
 \$5,000 base + \$100/acre – 2 acres or less
 \$10,000 base + \$100/acre
 More than 2, less than 150
 \$10,000 base + \$100/acre first 150
 + \$50/acre over 150 acres

SUBDIVISION

Non-Residential \$1,000 base
 Design Plan \$200/lot
 Plat \$100/lot

Residential (RP, R4, R5)

Design Plan \$2,500/base \$100/lot
 Plat \$200/lot to 50 lots
 \$100/lot over 50 lots

Rural Areas (RA)

Sketch (Design) \$2,500 base \$200/acre
 Plat \$200/lot

Rural Areas (RA)

Minor – 3 lots or less \$200/lot
Lot Consolidation \$200/lot
Boundary Line Adj. \$200/lot

VARIANCE \$400

BZA APPEAL \$250

ZONING CERTIFICATION LETTER \$250

ZONING DETERMINATION LETTER \$100

**SUBDIVISION ORDINANCE
EXCEPTION** \$500

MASTER DEVELOPMENT PLAN
 \$3,000 base + \$100/acre for first 150
 +\$50/acre over 150 acres

CONDITIONAL USE PERMIT

Cottage Occupation \$75
 Telecommunication Tower greater than 50-FT in height \$750
 Other \$750

ADMINISTRATIVE TOWERS PER 165-204.19

Up to five facilities/structures \$100
 Each additional facility \$50
 Small Cell Facilities \$50
 Co-location on an existing wireless structure \$50

SITE PLAN

Non-residential: \$2,500 base
 \$200/acre to 5 acres
 \$100/acre over 5 acres

Residential: \$3,500 base
 \$300/unit to 20 units
 \$100/unit over 20 units

Minor Site Plan: \$500 for a new site plan that does not exceed 10,000 SF of disturbed area and/or that increases existing structure area by 20% or less.

POSTPONEMENT of any Public Hearing or Public Meeting by Applicant after Advertisement, to include Applicant requests to **TABLE** an agenda item \$750/occurrence.

THIRD & SUBSEQUENT PLAN REVIEWS

(Including County Attorney review) for a single development application \$500/review.

BOND MANAGEMENT

Establishment of bond \$ 500
 Reduction/Release \$ 300
 Replacement \$ 300

TDR PROGRAM

TDR Application Review \$300
 (*Review includes TDR Letter of Intent)
 TDR Certificate \$200
 Certificate Ownership Transfer \$50
 Receiving Property Approval \$200
 Review of Sending Property
 Deed Covenant \$100
 Review of Deed of Transfer (Extinguishment Document) \$100

CHAPTER 161 FEES

Installation License \$300
 Septic Haulers Permit \$200
 Residential Pump and Haul \$50
 Commercial Pump and Haul \$500

SHORT-TERM LODGING (STL)

Permit \$200
 STL Permit Renewals \$100

Application Process Evaluation

We would like to learn how we might improve this process. Please complete this form and submit it to the Planning Department. You can submit it to us separately from the application if you wish. You may submit it anonymously.

1. Which type of application did you complete?

Rezoning	_____	Site Plan	_____
Master Development Plan	_____	Subdivision	_____
Conditional Use Permit	_____	Variance	_____

2. Which part, if any, of the application process did you find particularly difficult? (Check as many as you wish)

Completing the application form	_____
Tax verification	_____
Agency review comments	_____
Adjoiner identification information	_____
Other (Please Specify)	_____

3. Did you have a discussion with a staff member before submitting the application?
Yes _____ No _____

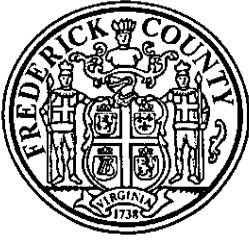
4. Were you able to receive the assistance or information that you needed from the staff?
Yes _____ No _____

5. What portion of this process took the longest for you?

Completing plans	_____
Completing the application	_____
Tax Verification	_____
Agency review comments	_____
Other (Please Specify)	_____

6. What do you think could have been done differently to make this process quicker?

7. Do you have any suggestions about what we could do to make this process work better?



**Request for Postponement or to Table
a Development Application**

County of Frederick, Virginia
Frederick Planning Web Site: www.fcva.us

Department of Planning & Development, County of Frederick, Virginia,
107 North Kent Street, Suite 202 Winchester, Virginia 22601
Facsimile 540-665-6395 Phone 540-665-5651

Date: _____
Application Number: _____

In connection with the development application known as _____,
I hereby request a _____ month/day (*circle one*) postponement of the Planning Commission
/ Board of Supervisors' consideration of the application.

Please be advised that this is a voluntary request on my part, and I will not contest the fact that the Planning Commission may not make a recommendation to the Board of Supervisors within 100 days, as is otherwise required by Section 15.2-2285(B) of the Code of Virginia, to the extent that any delay is the result of the postponement/tabling per this request. If this is a rezoning matter, I also will not contest the fact that the Board of Supervisors may not act on my application within one year, as is otherwise provided by Section 15.2-2286(A)(7) of the Code of Virginia and Section 165-11 of the County Code, to the extent that any delay is the result of the postponement/tabling per this request.

I acknowledge that the Planning Commission / Board of Supervisors are not obligated to grant the postponement / tabling which I have requested. I also understand that if my request is granted and if the County has already incurred a financial obligation for advertising the matter for public hearing/meeting, a \$750.00 fee is due and shall be promptly paid to the Department of Planning and Development. This fee covers the County's additional costs incurred in publishing advertisements of the rescheduled public hearing/meeting date(s), which advertisements are required under state law.

Sincerely,

If applicant is other than Owner, the Special Limited Power of Attorney Form must be submitted with this application.