CONDITIONAL USE PERMIT 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: ww.fcva.us

(Revised 01.04.24)

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CONDITIONAL USE PERMIT - APPLICATION INSTRUCTIONS

It is the responsibility of the applicant to complete this form in its entirety and as precisely as possible. Prior to initiating request for comments from required review agencies (outlined below), applicants shall set up a pre-application meeting with the Department of Planning and Development to: evaluate appropriateness for a Conditional Use Permit application, understand Zoning Ordinance requirements for a particular use, and understand the application process and procedures. In order to be heard by the Planning Commission on a particular date, all materials must be submitted prior to a cut-off date established during the previous month. Department staff will review all materials within five (5) business days of delivery and prior to acceptance of an application for public hearing to ensure completeness. The specific cut-off date is established each month in order to meet advertising requirements specified by the <u>Code of Virginia</u>. It is the responsibility of the applicant to check with the Planning Staff for cut-off dates.

All property identification numbers (PIN) and deed book numbers and pages may be obtained from the <u>Clerk of Court for Frederick County</u>, 5 N. Kent Street, Winchester, Virginia (Judicial Center). Be prepared to supply that office with the owner's name and the date the property was purchased. Questions 4, 5 and 6 can be answered by referring to the deed to the property or the Commissioner of the Revenue's records. Zoning information should be obtained from the office of Planning and Development.

PLEASE ATTACH THE FOLLOWING IN SUPPORT OF THIS APPLICATION:

- 1. A sketch of the property showing proposed and/or existing structures on the property, including measurements to all property lines, site access, public and private roads, and any other pertinent information specific to the desired use (such as parking). A recorded plat is the best thing to use for this if available.
- 2. A written description of the proposed use including (as appropriate): hours of operation, number of employees, number of customers anticipated, outdoor storage, and any other pertinent information to address additional regulation for specific uses contained in §165-204 of the Frederick County Zoning Ordinance.
- 3. Completed comment sheets from pertinent review agencies. Blank comment sheets are attached. A copy of the completed application form, description of the use, and sketch of the property should also be submitted to the review agencies to assist them with their review. It is the <u>responsibility of the applicant</u> to contact these agencies, obtain their comments, and submit the completed comment sheets to the Department of Planning and Development, along with the application, by the cut-off date. The pre-application meeting will be used to identify appropriate agencies for comment, including the Historic Resources Advisory Board (HRAB).
- 4. A statement verifying that taxes have been paid. This may be obtained from the Treasurer's Office.

A Conditional Use Permit application is heard first by the Planning Commission at a public hearing. The Planning Commission will make a recommendation to the Board of Supervisors. The Board will take final action at a public hearing scheduled after the Planning Commission

meeting. Check with the planning staff regarding dates for both hearings. Notice of public hearings for both the Planning Commission and Board of Supervisors will be mailed to you. **The applicant must be represented at the public hearings.** Planning Commission public hearings are held on the first and third Wednesdays of the month at 7:00 p.m. and the Board of Supervisors' public hearings for conditional use permits are generally held at 7:15 p.m. on the second and fourth Wednesdays of each month. Both meetings are held in the Board Room of the Frederick County Administration Building, 107 North Kent Street, Winchester, Virginia.

There is a set fee for this application (see attached fee schedule). Upon submittal of your completed application, a sign will be issued to you. At least seven days prior to the first public hearing, the sign must be placed at the front of the property line and be maintained so as to be visible from the road or right-of-way until after both public hearings. Failure to post the sign could result in your application being tabled. The Conditional Use Permit application fee is due upon submittal of the completed application.

**Please make checks payable to "Treasurer of Frederick County".

<u>PLEASE NOTE:</u> THE APPLICATION FORM WILL NOT BE PROCESSED UNTIL ALL REQUIRED INFORMATION AND COMMENT SHEETS HAVE BEEN SUBMITTED AND APPLICATION FEE PAID.

If you have any general questions or need assistance in completing this application, please contact the Department of Planning and Development at (540) 665-5651.

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Submittal Deadline P/C Meeting	
BOS Meeting	

APPLICATION FOR CONDITIONAL USE PERMIT FREDERICK COUNTY, VIRGINIA

1. <u>A</u>	pplicant (check one): Property Owner Other
NAN	ME:
	DRESS:
TEL	EPHONE AND EMAIL ADDRESS:
2.	Please list all owners, occupants, or parties in interest of the property:
3.	The property is located at: (please give exact directions and include the route number of your road or street)
4.	The property has a road frontage of feet and a depth of feet and consists of acres. (Please be exact)
5.	The property is owned by as evidenced by deed from (previous owner) recorded in deed book no on page, as recorded in the records of the Clerk of the Circuit Court, County of Frederick.
6.	Property Identification Number (P.I.N.) Magisterial District Current Zoning

7.	Adjoining Prop	perty:	
	North East South West	<u>USE</u>	ZONING
8.	The type of use	e proposed is (<u>consult wi</u>	th the Planning Dept. before completing):
9.	Describe, if app	plicable, any new buildin	gs to-be-constructed associated with this use:
10.	adjacent to bot where the req	th sides and rear and in	s, firms, or corporations owning property front of (across street from) the property ducted. (Continue on back if necessary.) It this application:
	Name and Property	V Identification Number	Address
Nam	e		
Prop	erty #		
Nam	e		
Prop	erty #		
Nam	e		
Prop	erty #		
Nam			
Prop	erty #		
Nam			
Prop	erty #		
Nam	e		
Prop	erty #		
Nam	e		
Prop	erty #		

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

- 11. Please attach a sketch of the property. Show proposed and/or existing structures on the property, including measurements to all property lines, site access, public and private roads, and any other pertinent information specific to the desired use (such as parking). A recorded plat is the best thing to use for this if available.
- 12. Please attach a written description of the proposed use including (as appropriate): hours of operation, number of employees, number of customers anticipated, outdoor storage, and any other pertinent information to address additional regulation for specific uses contained in §165-204 of the Frederick County Zoning Ordinance.

I (we), the undersigned, do hereby respectfully make application and petition the governing body of Frederick County, Virginia to allow the use described in this application. I understand that the sign issued to me when this application is submitted must be placed at the front property line at least seven (7) days prior to the first public hearing and maintained so as to be visible until after the Board of Supervisors' public hearing. Your application for a Conditional Use Permit authorizes any member of the Frederick County Planning Commission, Board of Supervisors or Planning and Development Department to inspect your property where the proposed use will be conducted.



Mail to:

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

Hand deliver to:

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

Applicant's Name:	Telephone:
Email Address:	
Name of development and/or description of the request:	
Location of Property:	
Virginia Department of Transportation Comments:	
VDOT Signature & Date:	
Notice to VDOT - Please Return	n Form to Applicant



Frederick County Fire Marshal

Mail to:

Frederick County Fire Marshal 1080 Coverstone Drive Winchester, Virginia 22602 (540) 665-6350

Hand deliver to:

Frederick County Fire & Rescue Dept.
Attn: Fire Marshal
Public Safety Building
1080 Coverstone Drive
Winchester, Virginia

Applicant's Name:	Telephone:	
Email Address:		
Name of development and/or description of the	request:	
Location of Property:		
Fire Marshal's Comments:		
Fire Marshal's Signature & Date:		
Notice to Fire Marshal - Please	Return This Form to the Applicant	

Frederick County Inspections Department

Mail to:

Frederick County Inspections Department 107 North Kent Street, 2nd Floor Winchester, Virginia 22601 (540) 665-5650

Hand deliver to:

Frederick County Inspections Department Attn: Building Official 107 North Kent Street, 2nd Floor Winchester, Virginia

Applicant's Name:	Telephone:
Email Address:	
Name of development and/or description of the request:	
Location of Property:	
Building Official's Comments:	
Building Official's Signature & Date:	
Notice to Inspections Department - Please Retu	urn This Form to the Applicant

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's Name:	Telephone:
Email Address:	
Name of development and/or description of the req	quest:
Location of Property:	
Frederick Water Comments:	
Sanitation Authority Signature & Date:	
Notice to Frederick Water - Please Ret	turn This Form to the Applicant

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's Name:	Telephone:
Email Address:	
Name of development and/or description of the	request:
Location of Property:	
Frederick-Winchester Health Department's Con	nments:
ealth Dept. Signature & Date:	
Notice to Health Department - Plea	se Return This Form to the Applicant

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's Name:	Telephone:	
Email Address:		
Name of development and/or description o	of the request:	
Location of Property:		_
City of Winchester Comments:		
City of Winchester - Signature & Date:		
Notice to City of Winchester -	Please Return This Form to the Applicant	

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's Name:	Telephone:
Email Address:	
Name of development and/or description of th	e request:
Location of Property:	
Winchester Regional Airport Comments:	
Winchester Regional Airport - Signature & Date	:
Notice to Winchester Regional Air	port - 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.

HISTORIC RESOURCE ADVISORY BOARD HRAB REVIEW APPLICATION

ı.	Pr	oject Name (if any):	
2.	Pr	operty Owner(s) (please attach additional	page(s) if more than two owners):
	Na	ime:	
	Sp	ecific Contact Person if Other than Above: _	
	Ad	ldress:	
	Те	lephone:	Email:
	Na	ıme:	
	Ad	ldress:	
	Те	lephone:	Email:
3.		w firm, engineering firm, or other person rson for this application:	, if any, serving as the primary contact
	Fir	rm Name:	
	Sp	ecific Contact Person at Firm:	
	Ad	ldress:	
	Те	lephone:	Email:
1.	Pr	operty Information:	
	a.	Property Identification Number(s):	
	b.	Total acreage of the parcel(s):	
	c.		
	d.		treet address(es) if assigned or otherwise exact from nearest intersection, using road names

e.			e type of land use application bei onal use permit, master developm		
f.	Description of the propo	osal – p	provide a detailed overview of th	e proposed ι	use:
g.	Are there structures 50	years o	ld or older within or adjacent to the	he project are	ea?yesn
h.	Has this project been pro	eviousl	y reviewed by VA DHR?y	/es	DHR#nc
i.	Have any architectural If yes, provide a copy of		aeological surveys of the area bee urvey.	n conducted	?yesn
j.	Is this property within ar	n existir	ng or potential rural historic distric	ct?yes	nounknowi
k.	Adjoining Properties:				
	Parcel ID Number		<u>Use</u>		Zoning
	-				

5. Checklist. application:	Please	check that the following items have been included with this
		of Rezoning, Master Development Plan, Conditional Use Permit application apporting materials, including at a minimum:
	0	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.
	0	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.
	0	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.
	0	Description of proposed development or construction project, including proposed uses and general timeframe for development.
		ption of proposed development or construction project, including proposed and general timeframe for development.
	the site individ on reco	of any identified historic or archaeological resources on the site or adjacent to (e.g., located in any identified historic area, survey area, or battlefield site or lually listed on a local, State, or national historic register, relevant information ord with the Virginia Department of Historic Resources - DHR) and presence or historic structures or significant landscape features or archaeological sites.
	Provid (V-CR	le mapping from the DHR's Virginia Cultural Resource Information System IS).
	surveye	te if structures 50 years old or older are present on the site but have not been ed and recorded at DHR. The date of construction for structures is often ed in County tax records.
	adjacer that ide to show	and labeled color photographs of all historic resources on the property and it to the property. For properties located on the site, provide interior views entify the character and defining features of the site. These photographs need w all existing buildings and the relationship of the proposed project to the inding area.
	Drawin	ngs showing the location of existing building and other structures on the site
		have previously been surveyed and recorded with DHR, but the survey is more years old, a new reconnaissance-level survey shall be conducted.

()	0. ()
71 C 1.	Nignaturaci
A31.	. Bigiiatui ((5).
7(3	. 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 App	olicant Party (if any): If signing on behalf of an entity, please state name of entity	Date and your title:

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





Mail to:

Frederick County
Department of Public Works
107 North Kent Street
Winchester, Virginia 22601

Hand deliver to:

Frederick County
Department of Public Works
107 North Kent Street, 2nd Floor
Winchester, Virginia 22601

Applicant's Name:	Telephone:
Email Address:	
Name of development and/or description of the request:	
Location of Property:	
Public Works Comments:	
Signature & Date:	
Notice - Please Return This For	m to the Applicant



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 If multiple persons own the property or are applicants, at	the entity should appear above. n 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 tracte Virginia, identified by following property identific	
do hereby make, constitute, and appoint:	
Name of Attorney-In-Fact	
Mailing Address of Attorney-In-Fact	Telephone Number
to application with Frederick County, Virginia for Rezoning Conditional Use Permit Master Development Plan (prelim. and, further, my attorney-in-fact shall have the au amendments to previously approved proffered con	□ Subdivision □ Site Plan or final) □ Variance or Zoning Appeal thority to offer proffered conditions and to make
This appointment shall expire one year from the d otherwise rescind or modify it.	ay that it is signed, or at such sooner time as I
Signature	
Signature Title (if signing on behalf of an entity)	
State of, County/Cit	y of, To wit:
I, , a Notary Pu	ablic in and for the jurisdiction aforesaid, certify that
the person who signed the foregoing instrument person	onally appeared before me and has acknowledged the
same before me in the jurisdiction aforesaid this	day of, 20
	My Commission Expires:
Notary Public	Registration Number:
1 total y 1 dollo	1.05130100101110111001.

FREDERICK COUNTY DEVELOPMENT REVIEW FEES

Revised - 03/21/2023

COMPREHENSIVE PLAN AMENDMENT		<u>NT</u>	ADMINISTRATIVE TOWERS PER 165-204.19		
\$3,000 non-refundable			Up to five facilities/structures \$100		
			Each additional facility		\$50
<u>REZONING</u>			Small Cell Facilities		\$50
\$1,000 – Proffer amendm	ents not requiring a	public	Co-location on an existing	g wireless structure	e \$50
hearing	1 0	1	·		
\$5,000 base + \$100/acre -			SITE PLAN		
\$10,000 base + \$100/acre			Non-residential:	\$2,500 base	
More than 2, less than			1,011 1,00101010101	\$200/acre to 5 ac	res
\$10,000 base + \$100/acre				\$100/acre over 5	
+ \$50/acre over 150 acre	es				
CLIDDIVICION			Residential:	\$3,500 base	
SUBDIVISION	4.000.			\$300/unit to 20 u	
Non-Residential	\$1,000 base			\$100/unit over 20) units
Design Plan Plat	\$200/lot \$100/lot		Minor Site Plane \$500	for a navy sita nlan	that does not
			Minor Site Plan: \$500 exceed 10,000 SF of dist		
Residential (RP, R4, R5		/1 - 4	existing structure area by		mat mercases
Design Plan Plat	\$2,500/base \$100/ \$200/lot to 50 lots		emsung sarattare area ey	20,0 01 1000.	
riai	\$100/lot over 50 l		POSTPONEMENT of	any Public Heari	ng or Public
Rural Areas (RA)	φ100/100 0 001 30 1	Ots	Meeting by Applicant a		
Sketch (Design)	\$2,500 base \$200	acre	Applicant requests to TA		
Plat	\$2,500 base \$200/ \$200/lot	acre	\$750/occurrence.		
Rural Areas (RA)	Ψ200/10τ				
Minor – 3 lots or less	\$200/lot		THIRD & SUBSEQUE	NT PLAN REVIE	WS
Lot Consolidation	\$200/10t \$200/lot		(Including County Att		or a single
Boundary Line Adj.	\$200/lot		development application	\$500/review.	
· ·	•		DOND MANAGEMENT	T.	
VARIANCE	\$400		BOND MANAGEMEN	<u>1</u>	Φ 500
	,		Establishment of bond Reduction/Release		\$ 500 \$ 300
BZA APPEAL	\$250		Replacement		\$ 300
	7		кершеетен		Ψ 300
ZONING CERTIFICAT	TION LETTER	\$250	TDR PROGRAM		
		7	TDR Application Review	7	\$300
ZONING DETERMINA	ATION LETTER	\$100	(*Review includes TDR I		Ψ300
ZOTALIO DETERMINA	IIIOI (EE I I EK	Ψ100	TDR Certificate	200001 01 11100110)	\$200
SUBDIVISION ORDIN	ANCE		Certificate Ownership Tra	ansfer	\$50
EXCEPTION	AITCE	\$500	Receiving Property Appro	oval	\$200
EACEI HON		\$300	Review of Sending Prope	erty	
MACTED DEVELODM	ENT DI AN		Deed Covenant		\$100
*3,000 base + \$100/acre f			Review of Deed of Trans	fer (Extinguishmer	
+\$50/acre over 150 ac					\$100
+\$50/actc over 150 ac.	ics				
CONDITIONAL USE P	FRMIT		CHAPTER 161 FEES		
Cottage Occupation	EXIVITI	\$75	Installation License		\$300
Telecommunication Tow	er greater	ΨΙΟ	Septic Haulers Permit		\$200
than 50-FT in height	61 B104161	\$750	Residential Pump and Ha		\$50 \$500
Other		\$750	Commercial Pump and H	aul	\$500
				ING (CDI)	
			SHORT-TERM LODG	<u>пле</u> (21Г)	\$200
			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
	165
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:
n connection with the development application known as, 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 00 days, as is otherwise required by Section 15.2-2285(B) of the Code of Virginia, to the extent hat 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 pplication 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.
acknowledge that the Planning Commission / Board of Supervisors are not obligated to grant he 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 or public hearing/meeting, a \$500.00 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 divertisements of the rescheduled public hearing/meeting date(s), which advertisements are equired under state law.
Sincerely,

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