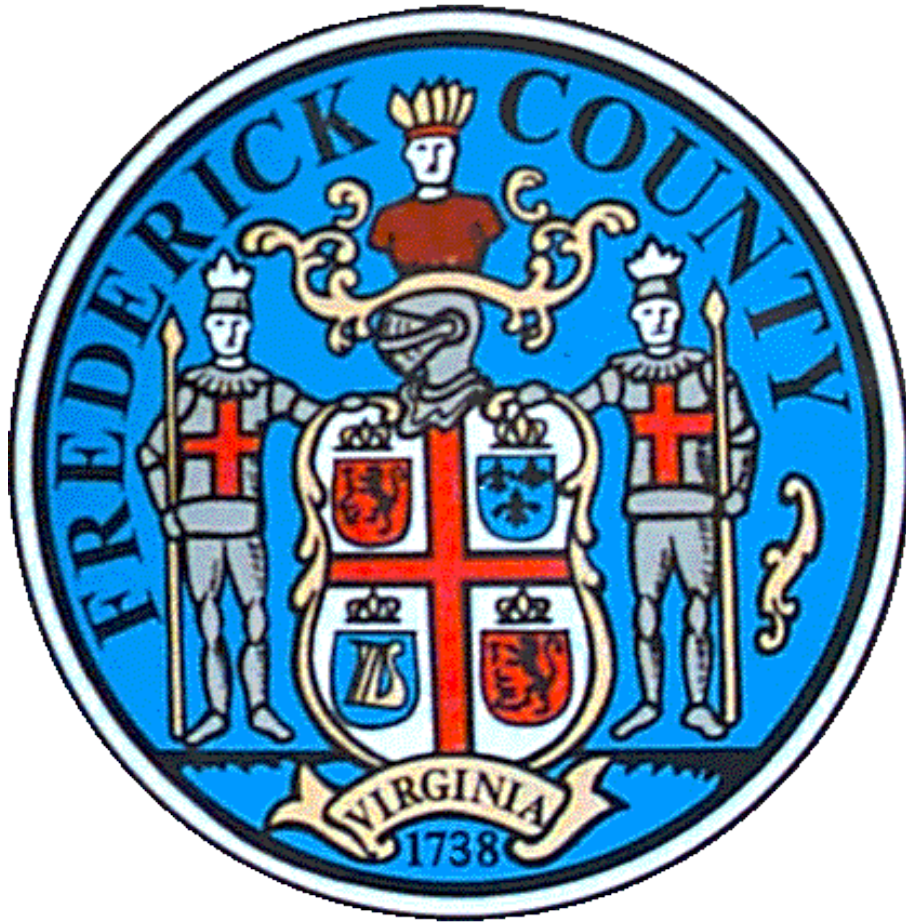


CONDITIONAL USE PERMIT APPLICATION PACKAGE



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 03.29.24)

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FREDERICK COUNTY, VIRGINIA

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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 Code of Virginia. 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 Clerk of Court for Frederick County, 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 responsibility of the applicant 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".

PLEASE NOTE: 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.



Submittal Deadline	_____
P/C Meeting	_____
BOS Meeting	_____

**APPLICATION FOR CONDITIONAL USE PERMIT
FREDERICK COUNTY, VIRGINIA**

1. Applicant (check one): Property Owner _____ Other _____

NAME: _____

ADDRESS: _____

TELEPHONE 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 Property:

	<u>USE</u>	<u>ZONING</u>
North	_____	_____
East	_____	_____
South	_____	_____
West	_____	_____

8. The type of use proposed is (**consult with the Planning Dept. before completing**):

9. Describe, if applicable, any new buildings to-be-constructed associated with this use:

10. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear and in front of (across street from) the property where the requested use will be conducted. (Continue on back if necessary.)
These people will be notified by mail of this application:

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

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

*All owners listed on the property record shall sign the application.

Signature of Applicant _____

Signature of Owner(s) _____

Owners' Mailing Address _____

Owners' Telephone No. _____

<p>TO BE COMPLETED BY THE ZONING ADMINISTRATOR:</p> <p>USE CODE: _____</p> <p>RENEWAL DATE: _____</p>
--

REQUEST FOR CONDITIONAL USE PERMIT COMMENTS



Virginia Department of Transportation

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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

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 Form to Applicant

REQUEST FOR CONDITIONAL USE PERMIT COMMENTS



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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

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

REQUEST FOR CONDITIONAL USE PERMIT COMMENTS



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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

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 Return This Form to the Applicant

REQUEST FOR CONDITIONAL USE PERMIT 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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

Applicant's Name: _____ Telephone: _____

Email Address: _____

Name of development and/or description of the request:

Location of Property:

Frederick Water Comments:

Sanitation Authority Signature & Date: _____

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

REQUEST FOR CONDITIONAL USE PERMIT 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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

Applicant's Name: _____ Telephone: _____

Email Address: _____

Name of development and/or description of the request:

Location of Property:

Frederick-Winchester Health Department's Comments:

Health Dept. Signature & Date: _____

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

REQUEST FOR CONDITIONAL USE PERMIT 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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach one (1) copy of your application form, location map and all other pertinent information.

Applicant's Name: _____ Telephone: _____

Email Address: _____

Name of development and/or description 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

REQUEST FOR CONDITIONAL USE PERMIT 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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

Applicant's Name: _____ Telephone: _____

Email Address: _____

Name of development and/or description of the request:

Location of Property:

Winchester Regional Airport Comments:

Winchester Regional Airport - Signature & Date: _____

Notice to Winchester Regional Airport - Please Return Form to Applicant

REQUEST FOR CONDITIONAL USE PERMIT COMMENTS



**Frederick County Department of
Public Works**

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: It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

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 Form to the 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 potential impacts 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
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, Comprehensive Plan Amendment, etc):

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

g. Adjoining Properties:

	Land Use	Zoning
North		
South		
East		
West		

5. If available, please provide the following with the application:

- Rezoning, Conditional Use Permit, or Comprehensive Plan Amendment application and supporting materials, including:
 - For Rezoning, an impact analysis as required by §165-102.05 of the Frederick County Zoning Ordinance and any rezoning proffers proposed by the applicant to preserve historic and archaeological resources on the property pursuant to §165-102.06.
 - A General Development Plan or Conditional Use Site Plan or sketch for the property showing the type and location of proposed new development and the treatment of any historic structures and features on the site.
- Status of any historic or archaeological resources on the property, such as location within a Historic Area Overlay Zone (§165-703), a battlefield site, or a resource listed on a Local, State, or National Register of Historic Places.
- Maps and surveys from the Department of Historic Resources Virginia Cultural Resource Information System (DHR V-CRIS).
- Clear and labeled color photographs of all historic resources on the property.

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 their appointed representative must be present at the meeting.



**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: _____

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 _____

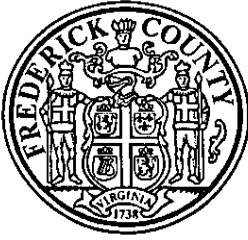
4. Were you able to receive the assistance or information that you needed from the staff?
Yes _____ No _____

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 \$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 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.