

CONDITIONAL USE PERMIT APPLICATION PACKAGE



Frederick County, Virginia

Department of Planning and Development
107 North Kent Street, 2nd Floor
Winchester, Virginia 22601
Telephone: (540) 665-5651

Website: www.fcva.us

(Revised September 2025)

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Please read all instructions carefully.

If you have any questions regarding this application or your conditional use permit, please feel free to contact us at (540) 665-5651.

CONDITIONAL USE PERMIT INSTRUCTIONS

What is a conditional use permit?

A Conditional Use Permit (or CUP) is a legislative application and can only be approved by the Board of Supervisors. This process, which requires two (2) public hearings, may take 3-6 months. The completeness of the application, the activity being requested, the impacts related to the various outside agencies, as well as the timeline for each agency's response, all contribute to the length of the process. It is the responsibility of the applicant to complete this form in its entirety and as precisely as possible.

APPLICATION STEPS

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

1. **Digital copy of all application materials.** Electronic materials may be provided on a flash drive, client FTP site, or email.
2. **A completed application form** (the form is attached). Digital signatures acceptable.
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 (Joint Judicial Center, 5 North Kent Street, Winchester, VA 22601).
4. **A statement verifying that taxes have been paid.** This may be obtained from the Treasurer's Office (107 North Kent Street, 1st Floor) Winchester, VA 22601).
5. **A complete listing of adjoining property owners**, including addresses and property identification numbers. These can be obtained from Frederick County's GIS [Interactive Maps](#).
6. **A map or sketch of the property showing proposed and/or existing structures located on the property.** *A recorded plat is often the best tool to use for this if available. This may be obtained from the Frederick County Clerk of Court.*

The following items should be depicted, as applicable:

- Measurements from all existing/proposed structures to all property lines.
- Detail on driveway/access location & width.
- Location and dimension of all parking areas for the proposed use.
- Identify all public and private roads.
- Location and area of all exterior or outdoor storage (if applicable) or any outdoor areas associated with the business plan. This includes storage, staging areas, and/or all other outdoor areas needed for the operation.

- Location of private wells and private sewage systems (if applicable). The [Virginia Department of Health \(VDH\)](#) may have information on the general location of these areas (107 North Kent Street, 2nd Floor, Winchester, VA 22601).
- Any other pertinent information specific to the desired use.

7. A written narrative of the nature and operation of the business(es).

The following items should be described in detail, as applicable.

- Operations and daily activities of the business. Address all the pertinent questions about how the business will operate, the specific structure or location the business will take place in, as well as any exterior operations including storage areas and/or loading areas.
- Days of the week the business will be operated/opened.
- Hours of the day the business is proposed to be operated.
- Any employees, now or within the near future.
- Anticipated customer visits per day/per week.
- Anticipated deliveries and types of deliveries, i.e. vehicle size needed for such deliveries and the frequency.
- Any other pertinent information to address additional regulations for specific uses contained in [§165-204](#) of the Frederick County Zoning Ordinance or pertaining to the proposed business.

8. Agency comment sheets. Comments sheet is attached for reference only. Planning and Development staff will distribute requests for agency comments. It may not be required that all agencies comment on each application.

9. Fees. See Development Review Fee Schedule below. Planning and Development staff will confirm the fee amount prior to final submission. Checks should be made payable to "Treasurer of Frederick County." Fee check should only be submitted with the formal submission prior to scheduling a public hearing.



Submittal Deadline	_____
P/C Meeting	_____
BOS Meeting	_____

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

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 Interested Parties (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: _____

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(s) (P.I.N.): _____
Magisterial District: _____
Current Zoning: _____

7. Adjoining Properties:

	Zoning:	Use:
North:		
South:		
East:		
West:		

8. Conditional use(s) proposed: (**consult with the Planning Dept. before completing**):

9. Describe, if applicable, any new buildings to-be-constructed associated with this use (attach additional documentation as necessary):

10. The following are all of the individuals, firms, or corporations owning property adjacent to all sides (including across street from) the property where the requested use will be conducted. 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	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	

10. Please attach a sketch of the property (refer to “Application Steps”).

11. Please attach a written description of the proposed use (refer to “Application Steps”).

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 _____

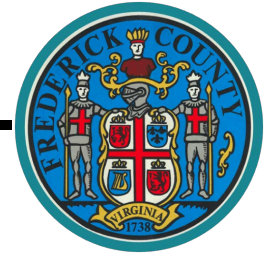
Signature of Owner(s) _____

Owners' Mailing Address _____

Owners' Telephone No. _____

**A signed Power of Attorney form is required if someone is signing on the owner(s) behalf.*

REQUEST FOR CONDITIONAL USE PERMIT (CUP) COMMENTS



Project Name: _____

Acreage (Disturbed Area Acreage): _____

PIN(s): _____

Address (or general location):

Existing Zoning: _____

Proposed Conditional Use: _____

Staff Name (Email Address): _____

Agency Name Completing Comments (select one):

- ☐ Frederick Water
- ☐ Virginia Department of Transportation
- ☐ Winchester Regional Airport
- ☐ Virginia Department of Health
- ☐ Historic Resources Advisory Board
- ☐ Frederick County (FC) Public Schools
- ☐ FC Public Works
- ☐ FC Inspections
- ☐ FC Fire Marshal
- ☐ FC Parks & Recreation
- ☐ FC County Attorney
- ☐ Other (Specify): _____

Reviewer Name (Email Address): _____

Review Agency Comments:

**Comments that may not fit in the box should be attached to the cover sheet on agency or department letterhead.*

Resubmission to address comments requested? Y _____ or N _____

**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



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.