



# **AGRICULTURAL AND FORESTAL DISTRICT WITHDRAWAL APPLICATION**

**Shenandoah County Office of Community Development**

600 N. Main St., Suite 107

Woodstock, VA 22664

Phone: 540-459-6185

Fax: 540-459-6193

<http://shenandoahcountyva.us/ag-forest/>

Version: January 2022

# AFD WITHDRAWAL PROCESS

starts with...

**AN IDEA**

Call 540-459-6185 to talk to a Shenandoah County Planning And Zoning staff for consultation on the idea of a potential use/division on land in an Agricultural and Forestal District.

**Submit a AFD Determination Sheet for a Determination from the County Planner**

**Submit AFD Withdrawal Application**

**Review By AFD Committee Meeting**

The AFD Committee must first review your request and see if it meets the standards they have for allowing a withdrawal from the District. These standards include proximity of the request to the District's renewal date, whether it creates a hardship, and other situational issues. One may request a review by the AFD Committee at any time. No matter the recommendation by the AFD Committee, your request will move on to the Planning Commission.

**Update Application**

Final applications are due 8 weeks prior to a joint public hearing with the Planning Commission. An application must be considered complete before it is eligible for a joint public hearing. Staff will share all comments from agencies with the applicant at least two weeks prior to the public hearing. asAn AD in the local newspaper will run two weeks and one week prior to the public hearing. Letters will be sent to adjoining landowners two weeks prior to the public hearing. It is advised that applicants speak with neighbors prior to letters being sent.

**Joint Public Hearing**

The Planning Commission and Board of Supervisors hold a joint meeting to hear the applicant's proposal, reducing the time required for the review process. The Planning Commission will hear a presentation from staff and entertain a presentation from the applicant as well as comments, letters, and other responses from the general public.

**Board Of Supervisors Final Decision**

While the Board of Supervisors tend to make final decisions their last meeting the month of the public hearing, the Board may table a Request up to one year, or 365 days.  
Applicants who are denied may reapply after denial.

**Process Complete**

Applicants must adhere to local zoning regulations but will not be held to standards set with an Agricultural and Forestal District.

## **AGRICULTURAL AND FORESTAL DISTRICT REQUEST FOR WITHDRAWAL INSTRUCTIONS**

Please use the checklist below to ensure all steps are taken to complete your application for a Request For Withdrawal from an Agricultural and Forestal District. All unincorporated lands must adhere to Chapter 165 of the ordinances of Shenandoah County (available online at <http://www.ecycle360.com/SH1548> ). A completed application packet is submitted to the County Planner and will be decided by the Board of Supervisors. If you are unfamiliar with this process, please contact the County Planner at 540-459-6185 to set an appointment to meet.

### **AGRICULTURAL AND FORESTAL DISTRICT REQUEST FOR WITHDRAWAL CHECKLIST**

	Completed and signed application form.
	Agricultural and Forestal District Determination issued by County Planner.
	Completed Agricultural and Forestal District Committee Meeting.
	If applicant is acting as the agent to represent the owner, a completed Power of Attorney form.
	General site plan showing the proposed change (see Site Plan Requirements sheet).
	A copy of the deed (may be obtained from Clerk of Circuit Court) showing evidence of ownership for the property in question.)
	Receipt showing taxes have been paid in full (may be obtained from Shenandoah County Treasurer's office).
	A completed disclosure of the equitable ownership of the real estate to be affected and a notarized disclosure stating whether or not any members of the Shenandoah County Planning Commission or Board of Supervisors have any interest in such property. Disclosure attached.
	Application fee (noted on next page).

## **APPLICATION REVIEW AND ACTION**

Once the applicant submits the complete application, the request is scheduled for the next joint public hearing of the Planning Commission and Board of Supervisors. The applicant or agent is required to appear at this hearing to present the application and to answer any questions. This hearing normally begins at 7:00 p.m. and takes place in the Board Room of the Shenandoah County Government Office in Woodstock, Virginia. The applicant must take responsibility for contacting the County Planner to find out the exact date, time, and location in case any changes are made to the normal schedule. After the Planning Commission makes its recommendation, usually at the hearing meeting, the Board of Supervisors will take up the matter at a scheduled meeting, normally the 4th Tuesday of the month at 7:00 p.m. at the same location. Again the applicant is responsible for calling the County Planner to confirm the date, time, and location of the Board meeting.

### **General Site Plan**

The general site plan should show the proposed request as it relates to the property. A description of general site plan requirements is included in this packet.

### **Agricultural And Forestal District Withdrawal Application Fee:**

Make checks payable to "Shenandoah County Treasurer".

Request For Withdrawal

\$Free

SHENANDOAH COUNTY  
OFFICE OF COMMUNITY DEVELOPMENT  
600 N. MAIN ST., SUITE 107  
WOODSTOCK, VA 22664  
540-459-6185



## AGRICULTURAL AND FORESTAL DISTRICT REQUEST FOR WITHDRAWAL APPLICATION

**DISTRICT TO BE WITHDRAWN FROM:** \_\_\_\_\_

**DISTRICT'S NEXT RENEWAL YEAR:** \_\_\_\_\_

### Applicant / Owner

**Applicant Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

If Applicant Is Not The Property Owner, Please Provide The Following:

**Owner Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

### Property

**Withdrawal Size:** \_\_\_\_\_  acre sqft  Parcel Address / Location: \_\_\_\_\_

**Parcel Number(s):** \_\_\_\_\_

**Land To Remain In Agricultural And Forestal District Size:** \_\_\_\_\_  acre sqft

### Request Information

Please Describe Purpose For Request: \_\_\_\_\_

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## Request Information

Would Keeping Your Land In The District Be A Hardship?  Y /  N  If Yes, How So? \_\_\_\_\_

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Proposed Changes To Existing Buildings/Structures: \_\_\_\_\_

Proposed New Buildings/Structures: \_\_\_\_\_

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Proposed Temporary Structures: \_\_\_\_\_

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Has A Previous Application Been Made?  Y /  N  If Yes, When? \_\_\_\_\_

If Yes, What Happened? \_\_\_\_\_

Do You Plan To Reach Out To Your Neighbors?  Y /  N  If Yes, When? \_\_\_\_\_

**I (we), the undersigned, do hereby certify that the information provided in this application and associated documents is complete and correct.**

**Applicant** Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Owner** Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICE USE ONLY

AFD-RFW#: \_\_\_\_\_ Fee: \_\_\_\_\_ Date Received: \_\_\_\_\_

AD Dates: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Planning Commission Recommendations: \_\_\_\_\_

Board Recommendations: \_\_\_\_\_

BOS Action Date: \_\_\_\_\_ Clerk Of The Board: \_\_\_\_\_

# COMMUNITY COLLABORATION FORM (OPTIONAL)

In accordance with VA § 15.2-2204, Shenandoah County is required to notify all adjoining landowners, post a sign on the property, and publish a notice in the local newspaper two weeks and one week prior to the hearing. While we cannot require applicants to work with their neighbors, we highly recommend doing so prior to official County letters and notices being issued. The form below demonstrates a template for collaborating with community members and applicants are not restricted to this format in any shape or form:

What are past concerns in the community relevant to the proposed change? \_\_\_\_\_

Considerations on how the proposed change will take into account such concerns: \_\_\_\_\_

Please meet with adjoining landowners either all-together or individually to fill out these questions with words and/or phrases based on the shared values heard from community members:

Characteristics of a good community:

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Characteristics of a bad community:

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Best case scenario if proposal approved:

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Worst case scenario if proposal approved:

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**To be completed after discussions with community:** # of adjoining landowners spoken to: \_\_\_\_ / \_\_\_\_

Need in community for proposed change: \_\_\_\_\_

How proposed change will not be a detrimental impact on adjacent lots: \_\_\_\_\_

On my honor, this information has come from the all of the community and not just myself:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



# SPECIAL LIMITED POWER OF ATTORNEY

County of Shenandoah, Virginia

Web Site: <http://www.shenandoahcountyva.us/community>

Office of Community Development

Mailing Address: 600 N. Main St., Suite 107, Woodstock, VA 22664

Phone: (540) 459-6185 Fax: (540) 459-6193

## Know All Individuals By These Presents: That I (We)

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Shenandoah, Virginia, by

Instrument No. \_\_\_\_\_, on Page \_\_\_\_\_

and is described as Tax Map Number(s): \_\_\_\_\_

do hereby make, constitute and appoint:

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

To act as my true and lawful attorney-in-fact and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (With Voluntary Agreements)
- Preliminary Subdivision
- Final Subdivision
- Special Use Permit (With Voluntary Agreements)
- Administrative Modification
- Administrative Site Plans
- AFD Request For Withdrawal

My attorney-in-fact shall have the authority to offer voluntary agreements and to make amendments to previously approved voluntary agreements except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.

In witness thereof, I (we) have hereto set my (our) hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature(s): \_\_\_\_\_

State of Virginia, City/County of \_\_\_\_\_, To-wit:

I, \_\_\_\_\_, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument and who is (are) known to me, personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Public:

My Commission Expires:

# **AGRICULTURAL AND FORESTAL DISTRICT REQUEST FOR WITHDRAWAL GENERAL SITE PLAN**

(Based on Shenandoah County Code §165.97)

**Preliminary site plans must be drawn to a scale of not more than 1" = 200' and shall show the following:**

- A. Proposed title of the Agricultural and Forestal District to be removed from and the name of the engineer, architect, or landscape architect, and the developer if applicable.
- B. The north point, scale and date.
- C. Existing zoning and zoning district boundaries on the property and immediately surrounding properties.
- D. Present use of the property and all abutting properties.
- E. The boundaries of the properties involved, county or municipal boundaries, the general location of all existing easements and property lines, existing streets, buildings or waterways, major tree masses and other physical features in or adjoining the project.
- F. The boundaries of the area requested to be withdrawn from the Agricultural and Forestal District.
- G. Proposed zoning changes, if any.
- H. The general location and character of proposed streets, entrances and exits, driveways, and curb cuts.
- I. The size, location, and number of proposed parking spaces including loading spaces with type of surface treatment and space marking, and outdoor lighting systems.
- J. The general location of proposed lots, setback lines, any easements or reserved areas.
- K. Location of all buildings with respect of each other, lot lines, and major excavations, showing height of all structures (full dimensioning not required).
- L. General location, height and material of all fences, walls, planting screen, and landscaping.
- M. General location, character, size and height of all proposed signs.
- N. Total number of acres in the request with the percentage being removed from the total parcel in the District.
- O. Total number of dwelling units in the project and number of units per acre if applicable.

**The County Planner or Planning Commission may establish additional requirements or may waive a requirement not essential for project review.**

# DISCLOSURE OF OWNERSHIP/INTEREST TEMPLATE

County of Shenandoah, Virginia  
Web Site: <http://www.shenandoahcountyva.us/community>  
Office of Community Development

Re: County Ordinance Section 165-114

In accordance with Section 165-114 of the Ordinances of Shenandoah County, Virginia, it is submitted that the owners of the subject real estate which is the subject of an application for Withdrawal from an Agricultural And Forestal District are as follows:

1. \_\_\_\_\_  
Name & address of owner
2. \_\_\_\_\_
3. \_\_\_\_\_

Further, this letter is a disclosure under Section 165-114, sworn to under oath before a Notary Public, and the undersigned, first being duly sworn, states that member(s) (or immediate household members) of the Shenandoah County Planning Commission or the Shenandoah County Board of Supervisors \_\_\_\_\_ [have / do not have] interest in the aforesaid property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust.

Sincerely,

Signature: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
COUNTY OF SHENANDOAH, TO-WIT:

I, \_\_\_\_\_, a notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed the forgoing instrument and who is (are) known to me, personally appeared before me and has acknowledged the same before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary registration number

My commission expires: \_\_\_\_\_