

TAX MAP NO.: _____
Return to: Office of the County Attorney
7400 Justice Drive P. O. Box 1309
Gloucester, VA 23061

This document prepared by:
(NAME AND ADDRESS) _____

PROFFER STATEMENT

APPLICATION Z-___ - ___

WHEREAS, (name(s) of owner(s)), (“the Owner”) is the owner of certain real property known as (property description/location) (“the Property”) totaling approximately ___ acres, located in _____Magisterial District, Gloucester County, Virginia which is more particularly described as follows: *(legal description or an attachment containing a legal description. Also include tax map #); and*

WHEREAS, the Owner has filed an application to rezone the Property from current zoning of (current zoning) to (proposed zoning), Conditional, pursuant to the Gloucester County Zoning Ordinance (the “Zoning Ordinance”); and

WHEREAS, the Owner desires to proffer to Gloucester County (the “County”) certain conditions in connection with the development of the Property that will protect the County and its citizens, provide for the orderly development of the Property, and offset the impacts of residential development; and

WHEREAS, the below-listed proffers are designed and intended to mitigate impacts that have been identified in studies initiated and provided by the Owner; and

WHEREAS, the Owner certifies that all below-listed proffers are voluntary, reasonable, and directly related to the rezoning applied for; and

WHEREAS, the County is authorized to accept these proffers pursuant to the Code of Virginia, and the Zoning Ordinance; and

WHEREAS, in the event that there is any conflict between these proffers and the Zoning Ordinance, the conflict shall be resolved by the County's Zoning Administrator, subject to appeal to the Board of Zoning Appeals and the courts as provided by law; and

WHEREAS, these proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns; and

WHEREAS, the Owner acknowledges that impacts of residential development not offset by the below-listed proffers may be cause for denial of the rezoning request.

NOW, THEREFORE, the Owner agrees to meet and comply with the following proffers in connection with the development of the Property should the Owner's application to rezone the property be approved:

PROFFERS

1. (proffer 1)
2. (proffer 2)
3. (proffer 3)
4. etc.

(Indicate if you intend the proffers to be offered as a group (i.e. "all or nothing". Otherwise, each will be considered to be individually offered for separate consideration by the County. The County does not have to accept proffers that are offered)

Once proffered and accepted as part of an amendment to the zoning ordinance, these conditions shall continue in full force and effect until a subsequent amendment changes the zoning on the property covered by these conditions; provided, however, that such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

WITNESS the following signature and seal:

By: _____
Owner

* * *

COMMONWEALTH OF VIRGINIA
COUNTY OF GLOUCESTER, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by (owner(s) name).

Notary Public

My commission expires:

Acceptance:

The Proffers herein have been accepted as follows: ("All" or list specific proffers accepted)

_____ by action of the Board of Supervisors on _____ (Date)_____.

County Administrator