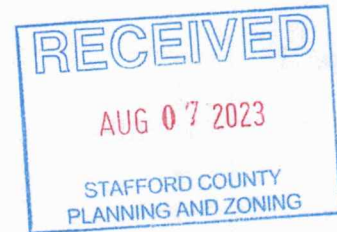




August 4, 2023

Mr. James Staranowicz  
Deputy Zoning Administrator  
Department of Planning & Zoning  
P.O. Bx 339  
Stafford, VA 22555-0339



**Re: Proffer Determination Application**

Dear Mr. Staranowicz:

On Behalf of Atlantic Builders, please find attached an application for a proffer determination on Tax Map Parcels 36-39A, 36-66, 36-67, and 37-10. The application is inclusive of this cover letter, completed application form, list of 51 abutting property owners and a fee payment of \$740.30. Additional supplemental information included in the application is a copy of Ordinance 092-05 and a copy of the Generalized Development Plan (GDP) referenced in Ordinance 092-05.

Tax Map Parcels 36-39A, 36-66, 36-67 and 37-10 are a portion of a large assembly of land that was subject to a zoning reclassification approved on March 17, 1992, pursuant to Ordinance 092-05. The zoning reclassification resulted in some of the property being zoned R-1, Suburban Residential and other parts of the property remaining zoned A-1, Agricultural. That Ordinance includes proffered zoning conditions allowing development of 336 residential lots, commitments to dedicate land for the future construction of a Falmouth By-Pass roadway and a stormwater management/wetland mitigation area for the By-Pass among other things.

To date, construction has not commenced on the proposed development or Falmouth By-Pass. Proffer 1 limits the development to no more than 336 residential lots in general accordance with the GDP. Proffer 2.a. commits to dedicating approximately 57 acres of right-of-way to the County to facilitate construction of the Falmouth By-Pass. Proffer 2.b. commits to dedicating approximately 59.58 acres of land to the County for a "Proposed Stormwater Management/Wetland Mitigation Area" for the Falmouth By-Pass.

The proffer to dedicate the land to the Falmouth By-Pass expired 15 years after approval of the 1992 rezoning application (March 16, 2007). The portions of the property designated for the Falmouth By-Pass appear to be zoned A-1, Agricultural. Atlantic Builders requests a proffer determination as to whether these A-1 zoned parcels are bound by the remaining proffers including proffer 1 which limits the total number of residential lots to 336. If they are not bound by the

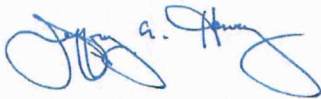
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proffers, Atlantic Builders further ask if the parcels can be combined with an Adjacent A-1 zoned parcel and used for residential subdivision purposes including meeting the required A-1 (6-acre) zoning dwelling unit density requirement.

Thank you for your kind consideration of this request.

Sincerely,

LEGACY ENGINEERING, P.C.



Jeffrey A. Harvey, AICP  
Director of Planning

Attachments (4)

