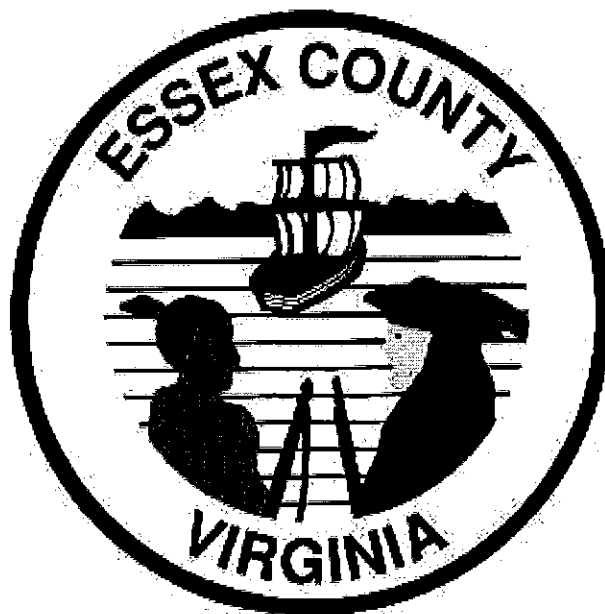


Minor & Family Subdivision Application Packet

Effective August 9, 2018



Essex County Department of Building & Zoning

202 S Church Lane

Tappahannock, VA 22530

www.essex-virginia.org

Phone: 804-443-4951 Fax: 804-445-8023



Essex County Minor Subdivision Requirements

The Department of Building and Zoning has established this application packet to provide an overview as to the process associated with establishing a minor subdivision in Essex County.

A Minor Subdivision is:

- Minor Subdivision – The division of any tract of land into 5 or fewer lots or;
- Family /Single Lot Subdivision – The division of any tract of land into 1 lot.

Initial Consultation

Call the County Department of Building and Zoning (DBZ) to discuss your proposal and obtain the minor subdivision application. It is recommended that the applicant discuss the subdivision with staff prior to having a Certified Design Professional (CDP (typically a surveyor or engineer)) initiate work to discuss subdivision process including regulations, placement of lots, soil work, lot dimensions, well/septic systems, access, addressing and other relevant information.

Obtaining Health Department Approval for Minor/Family Subdivision

A private soil scientist (AOSE) should prepare the packet that will be submitted to the Health Department. Once this is done, complete the following:

1. Obtain an application for a septic permit from the Department of Health (DPH). A fee established by the Health Department will be required. The fee is to be paid to the Health Department. The Health Department is located at 423 N. Church Lane, Tappahannock, VA 22523.
2. Contact the Health Department about the process to obtain a Septic Certification Letter and/or Septic Permit.
 - a. All parcels, new and residual or parent tract, must have a suitable septic location.
 - i. If the residual or parent tract already has an existing house and septic system in place, then there is no need to have an additional septic location identified and certified by the Health Department. However, a reserve drainfield location is required.

- ii. If the residual or parent tract DOES NOT have an existing house and septic system, then a suitable septic location must be identified and certified by the Health Department.
3. Once a suitable septic location has been identified and approved by the health department, contact a CDP who is licensed by the Commonwealth of Virginia to prepare the survey plat. The CDP must show the primary and reserve drainfield location for each parcel on the plat.

Property Eligible for Minor & Family Subdivision

In the A-1 and A-2 zoning districts, there is a limitation to the number of times a parcel may be subdivided. Generally, any tract of land may be divided into 5 lots where 2 lots are less than 3 acres and the remaining lots are greater than 3 acres. The parent tract is not part of the subdivision. It is the responsibility of the applicant and CDP to certify that the proposed division is consistent with this limitation on subdivision. Any deed research necessary to accomplish this certification is the responsibility of the applicant and/or CDP. The applicant must provide demonstrable evidence that the parcel is eligible for further subdivision.

Road Access for a Minor Subdivision

As stated in the Essex County Subdivision Ordinance Section 7.7-4.1-3, *The minimum width of right-of-way for proposed streets, measured from lot line to lot line shall be fifty (50) feet and extend from such lots or parcels to a public street.* Similar wording is found in Section 8.3 Streets.

For a proposed subdivision where the lots all adjoin a public street, if the existing right-of-way of the public street is less than fifty (50) feet, then a dedication of twenty-five feet (25) from center line of the existing public street shall be dedicated to Essex County (per Section 8.3-1).

For a proposed subdivision where the lots will adjoin an existing private street or right-of-way and the width of that existing right-of-way or private street is less than fifty (50) feet, then a dedication of twenty-five (25) feet from center line of the existing private street or right-of-way is required.

The lots created by minor subdivision process are subject to all other provisions of the Essex County Code such as but not limited to Zoning, Chesapeake Bay, Erosion and Sediment Control ordinances.

The following statements shall be included on the minor subdivision plat.

SUBSEQUENT ACTION BY THE COUNTY OF ESSEX AS REQUIRED BY THE CHESAPEAKE BAY LOCAL BOARD REGULATIONS MAY RESULT IN THIS SUBDIVISION BEING DESIGNATED AS A CHESAPEAKE BAY PRESERVATION AREA. ONSITE SEWAGE DISPOSAL SYSTEMS IN SUCH AREAS WILL BE REQUIRED TO HAVE A PUMP OUT PERFORMED EVERY FIVE (5) YEARS AND HAVE A RESERVE DRAINFIELD CAPACITY AT LEAST EQUAL TO THAT OF THE PRIMARY SYSTEM

Road Access for a Family Subdivision

As stated in the Essex County Subdivision Ordinance Section 8.4-c.5, each lot shall front on a public road or upon a private driveway that is in a permanent easement of right-of-way not less than 20-feet in width. In the event a family division only has frontage along an existing public road, whose right-of-way is less than 50-feet, a dedication of 25-feet from centerline of the existing public road shall be shown on the plat. This 25-foot dedication shall be dedicated for public use.

Prior to the use of any such lot for residential purposes the required right of way shall include an improved driveway within it consisting of, at a minimum, an all-weather surface of rock, stone, gravel with a minimum compacted depth of 3-inches and a minimum width of 10-feet. All those using the right-of way shall be responsible to maintain the right-of-way. A notation to this affect shall be in every deed and the face of every plat. All provisions of Erosion and Sediment control apply to all family subdivisions.

Each family subdivision deed and plat shall contain the following statement in 12-point type;

THIS LOT IS CREATED AS A FAMIY SUBDIVISION PURSUENT TO THE PROVISIONS OF THE ESSEX COUNTY SUBDIVISION ORDINANCE. THE USE AND TRANSFER OF THIS PROPERTY ARE RESTRICTED BY THE TERMS OF THAT ORDINANCE.

The lots created by this family subdivision are subject to all other provisions of the Essex County Code such as but not limited to Zoning, Chesapeake Bay, Erosion and Sediment Control ordinances.

Minor and Family Divisions shall have the following Certifications on the Plat:

In addition to the certification by the CDP, the CDP's stamp/seal must be on each plat of subdivision.

CERTIFICATION BY CERTIFIED DESIGN PROFESSIONAL

I, _____, A DULY LICENSED LAND SURVEYOR/ENGINEER IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON WAS DRAWN FROM AN ACTUAL SURVEY UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON AND THE PROPERTY IS NOW IN THE NAME OF _____ AND WAS ACQUIRED BY DEED DATED _____ OF _____, 20 _____ AS RECORDED IN DEED BOOK _____ AT PAGE _____ AMONG THE LAND RECORDS OF ESSEX COUNTY, VIRGINIA. I FURTHER CERTIFY THAT THIS SURVEY IS DRAWN IN ACCORDANCE WITH THE ESSEX COUNTY SUBDIVISION ORDINANCE REQUIREMENTS.

SIGNATURE: _____ DATE: _____

VIRGINIA CERTIFICATE NUMBER: _____

OWNERS CONSENT AND DEDICATION
(NAME OF SUBDIVISION)

THE PLATTING OF THE FOLLOWING DESCRIBED LAND IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY. THE STREETS, RIGHT(S)-OF-WAY, STORM DRAINAGE EASEMENTS, SLOPE, GRADING AND DRAINAGE EASEMENTS, SIGHT DISTANCE EASEMENTS, STORMWATER MANAGEMENT FACILITY ACCESS EASEMENT(S), TEMPORARY TURNAROUND EASEMENT(S), AND CONTROL MONUMENT ACCESS EASEMENT(S) ARE HEREBY DEDICATED TO PUBLIC USE. I FURTHER CERTIFY THAT ALL STATE AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID

Property Owner: _____ DATE: _____

Property Owner: _____ DATE: _____

AOSE CERTIFICATION

PURSUANT TO 360 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE SYSTEMS. THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON CERTIFICATION THAT APPROVED LOTS ARE SUITABLE FOR TRADITIONAL SYSTEMS, HOWEVER ACTUAL SYSTEM DESIGNS MAY BE DIFFERENT AT THE TIME CONSTRUCTION PERMITS ARE ISSUED.

Approval Signature _____ DATE: _____

AOSE

HEALTH DEPARTMENT

Approval Signature _____ DATE: _____

Environmental Health Specialist

CERTIFICATE OF APPROVAL

THE (INSERT SUBDIVISION NAME) IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION AND ZONING REGULATIONS OF THE COUNTY OF ESSEX AND MAY BE COMMITTED TO RECORD. IF THIS PLAT(S) IS NOT RECORDED WITHIN SIX (6) MONTHS OF THE APPROVAL DATE, THE PLAT IS NULL AND VOID.

APPROVAL SIGNATURE _____ DATE: _____

Subdivision Agent

CERTIFICATION BY NOTARY PUBLIC

COMMONWEALTH OF VIRGINIA:

I, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT _____ AND _____ WHOSE NAMES ARE SIGNED TO THE SUBDIVISION CERTIFICATE HAVE APPEARED BEFORE ME IN MY OFFICE IN ESSEX COUNTY AND COMMONWEALTH AFORESAID. GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 20____.

SIGNATURE: _____ DATE: _____

NOTARY PUBLIC

MY COMMISSION EXPIRES ON _____

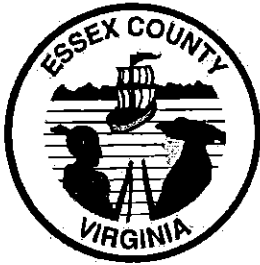
Submission Minor & Family Subdivision Applications

Submit the minor subdivision application, land development application and fees with three (3) original plats on paper or velum (11 by 17) or (4) originals on mylar if larger than 11X17, with an executed and notarized Owner's Consent and Dedication, a CDP certificate (as shown above), and Health Department/AOSE certification to the Department of Building and Zoning, and two (2) completed checklists included in this packet.

The Building and Zoning Department will review the application;

- a. If approved the County will keep one (1) copy of the plat, and other documents and return the others.
- b. If revisions are necessary, the County will notify the CDP in regards to the necessary changes.
- c. The CDP will make the necessary changes and resubmit the plat for County review and approval.
- d. After a 3rd round of review new subdivision fees will be accessed.

Once approved by the County, the plat and deed must be recorded with the Essex County Clerk of Circuit Court within six (6) months of the approval or the approval becomes null and void. If 6-months has elapsed the applicant/CDP will then have to resubmit the application and all documents to the County (including fees) for review and approval. **BEFORE** any building permit(s) are issued, the applicant will need to supply a copy of the approved subdivision plat with the Deed Book and Page Number affixed showing where the documents are recorded. Such a plat shall accompany the building permit application. If you have further questions, please feel free to call the Department of Building and Zoning at 804-443-4951.



Minor Subdivision Application Checklist

USE THIS LIST TO ENSURE YOUR SUBDIVISION APPLICATION IS COMPLETE. PLEASE COMPLETE THE FOLLOWING CHECKLIST AND RETURN WITH THE ITEMS LISTED BELOW:

- Payment of Subdivision Fee(s)
- Completed Land Development/Zoning Application
- Copy of Certification letter or Construction Permit for sewage Disposal System from the Virginia Department of Health for ALL subdivided lots and residual or parent (if applicable)
- Five (5) original plats (3 to County offices and 2 for Clerk's Office)
- All certifications and signatures are on the subdivision plats
- Completed CDP Checklist (below)

Note: Land Disturbance permit is to be submitted at time of building permit application.



Minor Subdivision Plat Checklist – CDP

To be completed by the CDP and **RETURNED** with the application package. These requirements are based upon the Essex County Subdivision ordinance.

<u>CDP</u>	<u>Staff Review</u>
<input type="checkbox"/> Use scale no greater than 1 inch = 200 feet	<input type="checkbox"/>
<input type="checkbox"/> North arrow and date	<input type="checkbox"/>
<input type="checkbox"/> Location of subdivision by magisterial district	<input type="checkbox"/>
<input type="checkbox"/> Insert Map show general location of subdivision (Scale 1 inch=2000 feet)	<input type="checkbox"/>
<input type="checkbox"/> Dimensions along all lot lines shall be shown	<input type="checkbox"/>
<input type="checkbox"/> Plats shall be drawn and show Virginia State Plain Coordinate reference(s) (in feet)	<input type="checkbox"/>
<input type="checkbox"/> Names and route numbers of adjoining streets	<input type="checkbox"/>
<input type="checkbox"/> Lots shall be numbered	<input type="checkbox"/>
<input type="checkbox"/> Title on plat specifying that it is a Minor and/or Family Subdivision Plat	<input type="checkbox"/>
<input type="checkbox"/> Property lines of the new lot(s) shown with bearings and distances	<input type="checkbox"/>
<input type="checkbox"/> Total Area of the new lot (square feet and acreage)	<input type="checkbox"/>
<input type="checkbox"/> Total size of residual or parent tract (if applicable)	<input type="checkbox"/>
<input type="checkbox"/> Tax map number of the pre-existing lot(s) and newly created lot(s)	<input type="checkbox"/>
<input type="checkbox"/> Location(s) of proposed drainfield (primary and reserve)	<input type="checkbox"/>
<input type="checkbox"/> If an offsite drainfield(s) is used, show its location and easements associated with the offsite location(s)	<input type="checkbox"/>
<input type="checkbox"/> Show location of well(s) and distance to proposed drainfield location(s)	<input type="checkbox"/>
<input type="checkbox"/> Current zoning of the property	<input type="checkbox"/>
<input type="checkbox"/> Deed book and page numbers of the parent tract of land	<input type="checkbox"/>

CDP

Staff Review

- The location of lakes, rivers, wetlands and/or streams on the subject parcel
- If located within a CBPA show the RPA boundary designation on the plat of the new and/or residual lot (if applicable).
- If located, within or contains a floodplain designation on new lot, show the finished floor elevation of the principal building (if known), the FIRM Number and date of the FIRM.
- The location and dimensions of all access points or driveways from state road
- Lots being served by a 50-foot ingress/egress easement shall show the easement
- If fronting on a state maintained road, a minimum dedication of twenty-five (25) feet from centerline for public use or if on a private road or right-of-way if existing width is less than fifty (50) feet.
- For Family divisions a minimum dedicated right-of-way of 20-feet in width shall be shown
- The location of any and all other easements and public right-of-way
- A dotted line delineating the required building setbacks
- The location of all existing structures lying within or partially overlapping the required building setbacks on the new or residual parcel.
- The CDP's name, address, telephone and fax numbers, e-mail address and seal with certificate number on each plat.
- County Approval Certification

NOTE: ALL CERTIFICATIONS BELOW SHALL BE SIGNED PRIOR TO COUNTY APPROVAL

- An executed CDP (surveyor's certificate) certificate
- Owner's Consent and Dedication provided on the plat
- Health Department Signature Block
- AOSE certification
- Notary Public Certification