



# Westmoreland County, Virginia LAND USE ADMINISTRATION

Building Official  
Zoning Official  
Planning Commission  
Board of Zoning Appeals  
Board of Building Appeals  
Wetlands Board

P.O. Box 1000

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(804) 493-0120

## **PERMIT GUIDANCE**

*Amended November 29, 2011*

This document is provided as a guideline to assist the public in understanding requirements, preparing plans, and submitting documents. This document does not replace or supersede the code requirements. It is the responsibility of the property owner and/or applicant to provide accurate and reliable information concerning the project in accordance with all applicable codes. We will do our best to assist you in the application process.

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### **REQUIREMENTS FOR SPECIFIC TYPES OF PROJECTS:**

The permits generally required for a variety of projects are listed below. The requirements for the specific permits (e.g. zoning, building, etc.) are listed on pages 8-11.

#### **Change in Use**

An example of a 'change in use' for a structure is the change of occupant, such as a barn or shed being converted to a dwelling or a single-family house being converted into apartments. An example of a 'change in use' of a property is adding a new use on the property, such as a junkyard or commercial business.

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical, plumbing, mechanical, and 911 Address permits (if applicable)
  - Health Department requirements – The property must meet current Health Department regulations for the proposed new use. Please see LUA staff for a worksheet to take to the Health Department.
  - Buffer requirements - Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the construction (including house, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. For multi-story structures, the total square footage is the sum of the area of all stories, not the footprint. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission. Detached accessory structures may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.

### **Camper, Boat, Horse Trailer, RV:**

- These are allowed to be stored within residential districts. If the equipment is 6 feet or greater in height, it must be placed within the required setbacks and must be at least 3 feet from any building.
- No habitation, temporary or permanent, of such equipment is permitted within residential districts.
- No permit is required for storage of such equipment on the property.

### **Remodeling/Alteration:**

1. Building permit – building plans must be provided to show structural (and possibly electrical) changes.
  - A building permit is not required for minor repairs such as installing siding, re-shingling, or replacing windows in the same wall opening. A building permit will be required if you are making structural changes while making those repairs (e.g. enlarging windows, changing roof-lines, repairing trusses, etc.).

### **Fence:**

1. Building permit (required only if the height of the fence is greater than 6 feet) – building plans must be provided to show the intended construction of the fence, to ensure that it will be safe and can withstand wind gusts, etc.
  - Fences may not exceed four feet tall in the front yard of a residential district.
  - Fences may not contain barbed wire in residential districts.
  - There are no setbacks required for fences, however the fence must be entirely on your property. Please bear in mind that you may need to allow space for maintenance to the outside of the fence, unless you are certain that your neighbor and any future neighbor will allow you access.

### **Handicap Ramp:**

1. Building permit
2. Zoning permit

### **New Stick-built or Modular Home:**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical, plumbing, mechanical, and 911 Address permits
  - Health Department requirements – The property must have valid construction permits for both well and septic (unless public/community utilities are available or features were previously installed). Please contact the Environmental Health Division at the A.T. Johnson Building, 804-493-1335. If you are connecting to public sewer, the tap fee must be paid prior to permit issuance.
  - Buffer requirements - Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure (including house, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. For multi-story houses, the total square footage is the sum of the area of all stories, not the footprint. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission.

### **New Manufactured/Mobile Home:**

1. Building permit (includes electrical, plumbing, and mechanical permits)
2. Zoning permit
3. Land disturbing permit and bond
4. 911 Address permit
  - Health Department requirements – The property must have valid construction permits for both well and septic (unless public/community utilities are available or features were previously installed). Please contact the Environmental Health Division at the A.T. Johnson Building, 804-493-1335. If you are connecting to public sewer, the tap fee must be paid prior to permit issuance.
  - Buffer requirements - Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure (including house, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission.
  - Additional requirements for manufactured/mobile homes – You must provide a copy of a floor plan of the home; a hand-drawn floor plan is acceptable. If placing a new trailer, you should include a copy of the installation manual. You must also provide a copy of the DMV registration or some other documentation that states the serial number and year of manufacture of the trailer. Trailers manufactured prior to 1976 are not permitted, unless inspected by the Building Official and determined to satisfy the current building code. Most pre-1976 trailers do not meet current code, unless they have been substantially remodeled.

### **Replacement House (refers to the replacement of the entire house):**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical, plumbing, and mechanical permits
5. Demolition permit (if applicable)
  - Health Department requirements - The Health Department must evaluate the septic system to ensure that it is functioning. Septic upgrades may not be required if you are not adding bedrooms, but you will need to have a reserve drainfield located. See LUA staff for a worksheet to take to the Health Department. If sewer is available, you must connect to the sewer system.
  - Buffer requirements – Replacement of existing legal structures located within the 100' buffer may receive administrative approval if certain conditions are met. The amount of impervious cover within the buffer for the proposed project must be equal to or less than existing conditions and should be in approximately the same location as the existing footprint. The amount of total square footage of the proposed structure (the sum of all floors, deck, porches, garage, etc.) within the buffer must be equal to or less than the existing structure. The proposed structure cannot be any closer to the water/wetlands than the existing structure. Additional square footage may be permitted (either horizontally or vertically) outside the buffer in accordance with other regulations. Please note that this does not apply to a partial replacement of the existing structure.
  - Replacement of single-family homes lost to casualty (fire, natural causes, etc.) may be allowed subject to similar limits on impervious cover, location, total square footage, and buffer encroachment; however, work to replace such structures must begin within one year and be completed within two years of the damaging event. Please note that this allowance does not apply to structures other than single-family homes that are more than 75% destroyed.
  - Construction that does not meet these conditions will require a Chesapeake Bay Act Exception granted by the Planning Commission.

**House Addition (of 833 square feet added impervious cover and greater):**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical, plumbing, and mechanical permits (if applicable)
  - Health Department requirements – For an addition of greater than 500 square feet, your septic drainfield system must be upgraded to meet current VDH regulations and a reserve drainfield must be located. Please see LUA staff for a worksheet to take to the Health Department. Please note that enclosed porches, sunrooms, and lofts should be included in the total square footage. Deck areas are not included in the Health Department requirement (but are included in the total added impervious cover). If sewer is available, you must connect to the sewer system.
  - Buffer requirements - Additions to principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure (including existing house, proposed addition, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. For multi-story houses, the total square footage is the sum of the area of all stories, not the footprint. If the proposed addition extends further into the buffer than the existing house, a written explanation of the circumstances which necessitate the addition in that location rather than on a non-water side of the house will be required prior to consideration for administrative approval. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission. Additions that are replacements (e.g. repairing damaged portion of house or removing deck and building a porch/living space) may be allowed administratively if there is no increase in impervious cover or encroachment into the buffer. An engineered site plan with mitigation typically shall be required.

**House Addition (of greater than 500 total added square feet and less than 833 square feet added impervious cover)**

1. Building permit
2. Zoning permit, with plot plan
3. Electrical, plumbing, and mechanical permits (if applicable)
  - Health Department requirements – For an addition of greater than 500 square feet, your septic drainfield system must be upgraded to meet current VDH regulations and a reserve drainfield must be located. Please see LUA staff for a worksheet to take to the Health Department. Please note that enclosed porches, sunrooms, and lofts should be included in the total square footage. Deck areas are not included in the Health Department requirement (but are included in the total added impervious cover). If sewer is available, you must connect to the sewer system.
  - Buffer requirements - Additions to principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure (including existing house, proposed addition, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. For multi-story houses, the total square footage is the sum of the area of all stories, not the footprint. If the proposed addition extends further into the buffer than the existing house, a written explanation of the circumstances which necessitate the addition in that location rather than on a non-water side of the house will be required prior to consideration for administrative approval. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission. Additions that are replacements (e.g. repairing damaged portion of house or removing deck and building a porch/living space) may be allowed administratively if there is no increase in impervious cover or encroachment into the buffer. An engineered site plan with mitigation typically shall be required.

### **House Addition (of less than 500 total added square feet)**

1. Building permit
2. Zoning permit, with plot plan
3. Electrical, plumbing, and mechanical permits (if applicable)
  - Buffer requirements - Additions to principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure (including existing house, proposed addition, attached garage, porches, decks, etc.) exceeds 2,500 square feet total. For multi-story houses, the total square footage is the sum of the area of all stories, not the footprint. If the proposed addition extends further into the buffer than the existing house, a written explanation of the circumstances which necessitate the addition in that location rather than on a non-water side of the house will be required prior to consideration for administrative approval. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission. Additions that are replacements (e.g. repairing damaged portion of house or removing deck and building a porch/living space) may be allowed administratively if there is no increase in impervious cover or encroachment into the buffer. An engineered site plan with mitigation typically shall be required.

### **Detached Residential Accessory Structure (of 833 square feet added impervious cover and greater)**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical, plumbing, and mechanical permits (if applicable)
  - Health Department requirements - A reserve drainfield must be located for your lot. Please see LUA staff for a worksheet to take to the Health Department.
  - Buffer requirements - Detached accessory structures may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.
  - Please note: accessory structures of greater than 150 square feet are not permitted prior to the construction of a principal structure without issuance of a Board of Zoning Appeals variance.

### **Detached Residential Accessory Structure (of greater than 200 total square feet and less than 833 square feet added impervious cover)**

1. Building permit
2. Zoning permit, with plot plan
3. Electrical, plumbing, and mechanical permits (if applicable)
  - Health Department requirements - A reserve drainfield must be located for your lot. Please see LUA staff for a worksheet to take to the Health Department.
  - Buffer requirements - Detached accessory structures may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.
  - Additional requirements for detached accessory structures – any accessory structure over 256 square feet must be on a permanent foundation
  - Please note: accessory structures of greater than 150 square feet are not permitted prior to the construction of a principal structure without issuance of a Board of Zoning Appeals variance.

### **Detached Residential Accessory Structure (of 200 square feet or less)**

1. Zoning permit, with plot plan
2. Electrical, plumbing, and mechanical permits (if applicable)
  - Buffer requirements - Detached accessory structures may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.
  - Please note: only one accessory structure of 150 square feet or less is permitted prior to the construction of a principal structure.

**Pool (of 833 square feet added impervious cover and greater):**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical permit (if applicable)
  - Buffer requirements - Pools are considered accessory structures and may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.

**Pool (of less than 833 square feet added impervious cover):**

1. Building permit
2. Zoning permit, with plot plan
3. Electrical permit (if applicable)
  - Buffer requirements - Pools are considered accessory structures and may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.
  - Please note: accessory structures of greater than 150 square feet are not permitted prior to the construction of a principal structure without issuance of a Board of Zoning Appeals variance.

**Farm Building (of 833 square feet added impervious cover and greater):**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond
4. Electrical permit (if applicable)
  - Buffer requirements - Farm buildings are not considered accessory structures, unless there is a house located on the same lot, and may be located within the 100' buffer. Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure exceeds reasonable building size. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission.

**Farm Building (of less than 833 square feet added impervious cover):**

1. Building permit
2. Zoning permit, with plot plan
3. Electrical permit (if applicable)
  - Buffer requirements - Farm buildings are not considered accessory structures, unless there is a house located on the same lot, and may be located within the 100' buffer. Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure exceeds reasonable building size. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission.

### **Covered Boathouse/Boat Slip:**

1. Building permit – building plans are required as submitted to Virginia Marine Resources Commission (VMRC). You may apply for your County building permit once you have received a letter of approval from VMRC and either County Wetlands Board approval or a letter from the Land Use office stating that a Wetlands permit is not required.
2. Zoning permit
3. Electrical permit (if applicable, typically needed when the project includes a boatlift)
4. Landscape plan required – A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. It may be hand-drawn. The landscape plan requirement may be waived if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.
  - Boathouses may not be enclosed with sides. Please see the Zoning Ordinance section 4-9 for other criteria.

### **Pier:**

1. Building permit – building plans are required as submitted to Virginia Marine Resources Commission (VMRC). You may apply for your County building permit once you have received a letter of approval from VMRC and either County Wetlands Board approval or a letter from the Land Use office stating that a Wetlands permit is not required.
2. Zoning permit
3. Electrical permit (if applicable, typically needed when the project includes a boatlift)
4. Landscape plan required – A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. It may be hand-drawn. The landscape plan requirement may be waived if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.

### **Boat Ramp:**

1. Land disturbing permit and bond - plans are required as submitted to Virginia Marine Resources Commission (VMRC). You may apply for your County land disturbing permit once you have received VMRC approval and County Wetlands Board approval.
2. Landscape plan required – A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. It may be hand-drawn. The landscape plan requirement may be waived or reduced if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.

### **Riprap:**

1. Land disturbing permit and bond - plans are required as submitted to Virginia Marine Resources Commission (VMRC). You may apply for your County land disturbing permit once you have received VMRC approval and County Wetlands Board approval.
2. Landscape plan required – A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. It may be hand-drawn. The landscape plan requirement may be waived or reduced if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.

### **Bulkhead:**

1. Building permit – building plans are required as submitted to Virginia Marine Resources Commission (VMRC). You may apply for your County building permit once you have received VMRC approval and County Wetlands Board approval.
2. Zoning permit
3. Land disturbing permit and bond
  - The plans as submitted to VMRC and the Wetlands Board may be sufficient, however, the Wetlands Board and LUA staff have the authority to require a more detailed plan.
4. Landscape plan required – A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. It may be hand-drawn. The landscape plan requirement may be waived or reduced if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.

### **Retaining wall:**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond, with engineered site plan
  - A plot plan may be acceptable, provided the project is outside the 100' buffer, land disturbing/grading is limited, and no steep slopes are involved.
4. Landscape plan required – A landscape plan is required, if the project is within the 100' buffer. It may be hand-drawn. The landscape plan requirement may be waived or reduced if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.
  - Buffer requirements – In some cases, retaining walls may not be located within the 100' buffer without a Chesapeake Bay Act Exception granted by the Planning Commission.

### **Landscaping:**

- Maintaining and adding small landscaped areas do not require a permit unless placed in the 100' buffer or the land disturbed area is 2,500 square feet or greater. If the landscaping alters the natural flow of water from the existing condition, a stormwater management plan may be required.

### **New Commercial Building:**

1. Building permit
2. Zoning permit
3. Land disturbing permit and bond, with engineered site plan
4. Electrical, plumbing, mechanical, and 911 Address permits
  - Health Department requirements – The property must have valid construction permits for both well and septic (unless public/community utilities are available or features were previously installed). Please contact the Environmental Health Division at the A.T. Johnson Building, 804-493-1335. If you are connecting to public sewer, the tap fee must be paid.
  - Buffer requirements - Principal structures may receive administrative approval to be located within the 100' buffer on lots that were platted prior to October 1<sup>st</sup>, 1989, only if there is not sufficient buildable area outside the 100' buffer and if encroachment into the 100' buffer is minimized. Construction will typically not be considered to be minimized if there is functional buildable area remaining outside the 100' buffer or if the structure exceeds reasonable building size for that type of business. Construction that does not minimize encroachment into the 100' RPA and/or construction that encroaches into the 50' buffer and/or construction within the 100' buffer on lots created after 1989 will require a Chesapeake Bay Act Exception granted by the Planning Commission.
  - VDOT requirements – In most cases, a commercial project will require a VDOT-approved driveway entrance and other improvements. This process can be lengthy, so the site plan should be submitted to the Land Use office well in advance of the projected start of construction.

## **REQUIRED FOR ALL PERMITS:**

The following items are required for all applications. Please note: the lists on this and the following pages are the minimum requirements. The Administrator has the authority to request additional information, if he determines that your particular lot warrants special concern.

1. Permit application
  - For multiple types of permits within the same project, you only have to fill out the one application.
2. Fees
  - Fees are required at the time of submittal and are non-refundable.
  - The County accepts cash or check; we cannot process credit cards at this time. Checks are to be made payable to 'Treasurer of Westmoreland County.'
  - See the Fee Schedule (September 2008) for amount due.

3. Owner affidavit or contractor information
  - You must provide the name, address, and license number of the VA-licensed contractor that will be completing the work. You must include all subcontractors, as well. If you do not have a VA-licensed contractor, then you must sign an Owner Affidavit. The Owner Affidavit states that you are exercising your right to make improvements to your own property, taking responsibility for the work to be done, and are familiar with all relevant codes, etc. FYI—if you sign the owner affidavit and then hire a contractor, you should make certain that you have a written contract detailing the work to be done.
4. VDOT entrance permit
  - You must get a permit from VDOT prior to installing a driveway culvert on a state-maintained road. If there is an existing culvert but it is not in the correct location and needs to be moved, you will need to get a VDOT permit. If there is an existing culvert in the proper location, you will not need to get a VDOT permit. If the road is not state-maintained, you will not need to get a VDOT permit. The VDOT office is off Route 360 in Haynesville, 804-333-7940.
5. Property taxes paid
  - Prior to the issuance of any permit, all bills with the county must be paid in full. This also includes sewer tap fees.

## **REQUIREMENTS FOR SPECIFIC PERMITS:**

**ZONING PERMIT** – a zoning permit is required for wells, some special events, a change in the use of a structure or lot, home occupation businesses, and almost all construction (including sheds, carports, gazebos, etc.). The zoning permit is issued to show that the proposed project complies with the Zoning Ordinance, particularly in regards to setbacks from property lines and streets, water and septic requirements, Chesapeake Bay Act requirements, Stormwater Management requirements, and allowed uses within the zoning district.

**The following is a list of the minimum requirements for issuance of a zoning permit:**

1. Plot plan (3 copies minimum, only if an engineered site plan is not otherwise required)
  - A plot plan is a to-scale drawing of the lot, showing the dimensions of the lot, and also showing the location of the proposed structure, any existing structures, the driveway, the well/water meter, and the septic tank/drainfield/sewer connection. The distance of the proposed construction from the property lines and location relative to other nearby structures and features such as wells or drainfields must be shown. The location of erosion and sediment controls (e.g. silt fence) and the limits of land disturbing should be shown.
  - If this drawing is not a plat, please provide a copy of the plat of record so that we may confirm the dimensions of the lot. Please note that, in some cases, the surveyor who drew the plat will not allow any modifications to be made to their work. In those cases, you should re-draw the lot on a separate paper.
  - All proposed construction shall be located no less than the required setbacks for the zoning district of the property. For questions regarding setbacks, see the Minimum Setbacks handout, available at the Land Use office.
  - If your project exceeds 833 square feet of additional impervious cover and/or 2,500 square feet of land disturbing or encroaches into the 100' buffer, then a plot plan may not be sufficient. See the section for Land Disturbing permits for a list of the requirements for an engineered site plan.
2. Site Plan with Water Quality Impact Assessment/BMP design (for construction within 100' buffer)
  - Construction within 100 feet of Mean High Water, perennial stream or wetlands (the 100' buffer) typically requires an engineered site plan with a Water Quality Impact Assessment/BMP design to mitigate for the buffer encroachment. If a BMP mitigation feature is necessary, a BMP Agreement (prepared by LUA staff) shall need to be signed and recorded at the Records Room.
3. Landscape/re-vegetation plan (for any land disturbing and/or construction within the 100' buffer)
  - A landscape plan is required, in accordance with the Riparian Buffers Guidance Manual. In some cases it may be hand-drawn. Please see the Wetlands Coordinator for specific requirements.
  - The landscape plan requirement may be waived or reduced if the Land Use office determines that your lot has sufficient vegetation already existing within the buffer.

4. Buffer/Wetlands delineation (if applicable)
  - Whenever construction is proposed near or within the 100' buffer, a current buffer/wetlands delineation plat, sealed by a surveyor, is required. The plat should show the proposed structure, existing features, current Mean High Water (MHW) and/or wetlands delineation, and the 100' buffer line (and 50' buffer line, if applicable).
  - If you have a waterfront lot but are not proposing work anywhere near the buffer, you may not need a buffer/wetlands delineation, only if we can use a site visit or recent aerial photos to confirm that the project is at a sufficient distance. (The aerial photos can only provide a limited degree of accuracy). However, shorelines change over time, either gradually (due to erosion or accretion) or dramatically (due to storm events). For this reason, if you are proposing work near the buffer, we will require a current buffer/wetlands delineation.
5. Topography
  - If an engineered site plan is not otherwise required and if the lot is relatively flat, the Land Use office can retrieve the topography from USGS maps on our computers. If there are steep slopes within or 50' beyond the limits of the project, a plot plan will not be sufficient. See the section for Land Disturbing permits for a list of the requirements for an engineered site plan.
6. Septic pump-out within the last five years
  - Prior to the issuance of a zoning permit, you must provide a receipt showing the septic tank has been pumped out within the last five years. We will also accept a certificate stating that a licensed handler has inspected the tank and determined that a pump-out is not required at that time. This is a requirement of the Chesapeake Bay Act Overlay District and applies to the whole County, unless the property is connected to sewer or there is no septic drainfield on the lot(s). This is required regardless of whether the proposed construction impacts the septic system or not.
7. Impervious cover calculations
  - Any development that results in greater than 16 % of the lot being covered with impervious surfaces, such as roofs, decks, sidewalks, driveways, etc., must have a site plan designed by an engineer. This designed site plan would include a stormwater mitigation system, typically a drywell, infiltration trench, rain garden, or other such devices that allow the rain run-off from the gutters to be directly infiltrated into the ground. An engineered landscape plan for the planting of multi-tiered vegetation (canopy trees, understory trees, shrubbery, and groundcover) may sometimes be used to mitigate instead of the aforementioned structural devices.
8. If you are setting up a pre-built shed or carport, please provide a brochure-type picture of the proposed structure.

**BUILDING PERMIT – a building permit is required for any structural changes or additions to a house. A building permit is also required for any detached accessory structure over 200 square feet.**

**The following is a list of the minimum requirements for a building permit:**

1. Two sets of building plans
  - Two sets of building plans must be provided. Once approved, one set shall be returned to the applicant, to be kept on the site throughout the project. One set shall be retained by the Building Official.
  - For residential projects, building plans may be hand-drawn. However, they must be drawn to-scale and must include a floor plan, a foundation plan, an electrical plan, a building section and any other information that the Building Official deems necessary to ensure compliance with the International Residential Code (2009).
  - For commercial projects (including churches), building plans may require an architect's or engineer's seal.
  - For remodeling projects, water-related projects, and fences, please see the beginning of this hand-out for information regarding requirements.
2. If you are setting up a pre-built shed or carport and do not have building plans, please provide a brochure-type picture of the proposed structure.
3. If you are constructing a deck, please provide a plan view and cross-section.

**LAND DISTURBING PERMIT** – a land disturbing permit is required whenever you are adding 833 or more square feet of additional impervious cover and/or you are disturbing 2,500 square feet (including construction area, driveway, drainfield area, etc.). Please note that the 833 square feet is total added impervious cover. Therefore any additional patio, driveway or other such hard surface area would be included within that total. Conversely, a two-story addition would probably have less total added impervious cover than total added living space area.

**Please note: farm buildings, carports, and other such buildings are not exempt from this requirement.**

**The following is a list of the minimum requirements for a land disturbing permit:**

1. Engineered site plan (three copies required, five copies preferred)
  - The site plan must be prepared by a professional engineer, land surveyor, or architect licensed in the Commonwealth of Virginia.
  - The following information must be shown on the site plan:
    - a. Location of all existing structures and/or features
    - b. Location of the proposed structure should be shown with the distance from the rear lot line, side lot lines, and front lot line (or centerline of the right-of-way) shown.
    - c. Location of proposed/existing driveway
    - d. Location of drainfield and well (if applicable)
    - e. Erosion and sediment controls (e.g. silt fence, construction entrance, permanent seeding, sediment traps, etc.)
    - f. Limits of land disturbing
    - g. Trees 6" in diameter and larger within the land disturbed area shall be shown
    - h. Topography of land disturbed area plus at least 50' beyond the limits of land disturbing
    - i. Contours, existing and proposed
    - j. Drainage must be shown to be controlled on-site for all lots greater than an acre in area or for lots located within a subdivision. Drainage may be controlled on-site through the use of grassy swales, rain gardens, French drain systems, yard inlets to an underground trench, or another method that will be adequate to handle up to a 10-year storm. Calculations must be shown that demonstrate that the proposed drainage controls shall be adequate for a 1-year, 1½-year, 2-year, and 10-year storm. Please note: draining directly to the street drainage ditch or into a body of water will not be considered to be controlled on-site.
  - Please provide your surveyor/engineer with the attached Checklist for Erosion and Sediment Control Plans and Minimum Standards Checklist. Per the Virginia Department of Conservation and Recreation (DCR), all those topics should be addressed by the site plan.
  - Please note: there are additional setbacks and/or requirements for lots on slopes.
    - For steep slopes (slopes of greater than 25%): all proposed structures have a setback of 25' from the top of slope and 15' from the toe (bottom) of the slope.
    - For extremely hazardous slopes (slopes of greater than 50%): all proposed structures have a setback of 50' from the top of the slope and 25' from the toe (bottom) of the slope.
    - Administrative approval may be granted for construction on or within the setbacks from steep slopes and/or extremely hazardous slopes, provided a site-specific engineered footing is designed. Land disturbing in such cases shall be limited to 20' and less beyond the foundation for principal structures and 10' and less beyond the foundation of accessory structures. In addition, an engineered landscape plan must be submitted showing both the vegetation to be removed and the vegetation to be placed at the end of the project.
  - In certain cases, the Administrator may be able to waive the requirement for an engineered site plan. The project must be related to a single-family house or its accessory structures/uses. We are not able to waive the engineered site plan for commercial or farm use structures. If you wish to seek a waiver, please submit a partial site plan or a plot plan as described under Zoning Permit (page 9) to the Land Use office, along with a written request for the waiver. The project will then be evaluated to determine if it is a low risk for creating future stormwater runoff and erosion problems. Please note: one crucial factor in this decision will be whether the project will create concentrated runoff that will impact steep slopes, wetlands/water bodies, or adjacent landowners.

2. Land disturbing application and bond fee

- Bonds may be submitted as cash/check, letters of credit, or performance bonds. Please note that cash bond amounts shall be deposited in the bank and any checks cashed. Once the construction and land disturbing is complete, all grading done, and the disturbed area has been seeded and strawed, you should call for a final land disturbing inspection. Once that inspection is approved, we will then process your refund. Please note that the bond is refunded to the person/company that paid it initially.

3. DCR land disturbing application

- Any land disturbing over 2,500 square feet total (including construction footprint, drainfield, driveway, etc.) in a subdivision, as well as commercial and industrial projects, should submit a stormwater permit application to the state Department of Conservation and Recreation (DCR). Single-family home construction is exempt only if the property is not located within a subdivision and total land disturbance is less than one (1) acre. The application and fee should be submitted to DCR. Please note that the VSMP permit is required by the commonwealth of Virginia, but proof of its submittal is not required by Westmoreland County prior to the issuance of any zoning, building or land disturbing permits by the Land Use office.

**911 ADDRESS PERMIT** – this permit is issued when a new 911 street address needs to be assigned. The address is assigned after the foundation is in place, because the number is based upon measurements from already existing structures or features such as streets. Please call soon after your foundation is in place to request the 911 address inspection. The street address number will likely not be available for at least one week because the measurements are sent to Richmond for the actual assignation.

- In the case of replacement homes, if the new house is to be located in the same place as the old house, you may use the previous street address number. However, if the new house is to be in a substantially different location, a new address will need to be issued.

## **PROJECTS THAT REQUIRE PUBLIC HEARINGS:**

**WETLANDS PERMITS** – these are required for any project located between Mean Low Water (MLW) and Mean High Water (MHW) for non-vegetated shorelines. If the shoreline is vegetated with wetlands grasses, the Wetlands Board jurisdiction actually extends to 1½ times Mean Tide Range (the difference in height between MLW and MHW, measured in feet). We typically estimate the Wetlands Board jurisdiction for vegetated wetlands to be from MLW to 3' above MHW. Wetlands Board jurisdiction also extends over any beaches and dunes that are contiguous with MHW. Examples of projects that require Wetlands Board approval include riprap, bulkheads, or piers that extend over wetlands.

**Applications are available in the Land Use office and online. Please note that there are deadlines for each meeting date, and those deadlines are typically six weeks prior to the meeting. The delay is to allow for advertising as required by state code and for the LUA staff to review the application.**

**\*\*Application for a Wetlands permit is not a guarantee of approval. Fees are not refunded if the application is denied.\*\***

**VARIANCES, SPECIAL EXCEPTIONS, AND CHESAPEAKE BAY ACT EXCEPTIONS** – these are special permissions that allow a project to deviate from or violate any of the minimum requirements of the Zoning and/or Subdivision Ordinances and/or the Code of Westmoreland County. These special permissions are granted by a board at a public hearing and require a separate application, fee, and potentially additional documentation.

**Variance** – a relaxation of the terms of the ordinances where such variance will not be contrary to the public interest and where, due to conditions specific to that property and not the result of actions of the applicant, a strict enforcement of the ordinance would result in unnecessary and undue hardship. Applications for variances to the Zoning Ordinance are heard by the Board of Zoning Appeals (BZA). Applications for variances to the Subdivision Ordinance are heard by the Planning Commission.

**Special Exception** – permission granted by the Board of Supervisors for a particular use on a particular lot. For each zoning district, there are two lists of uses (uses = structures, businesses, activities, etc.). The first list is uses that are permitted by-right (through permits issued administratively by the Land Use office). The second list is uses that are allowed by special exception approval by the Board of Supervisors, upon recommendations made by the Planning Commission (and then permits may be issued by the Land Use office).

**Chesapeake Bay Act Exception (CBAE)** – permission granted by the Planning Commission for a non-water-related structure to be located within the buffer area, in cases when the Land Use office is not allowed to or will not approve the project administratively.

**Applications are available in the Land Use office and online. Please note that there are deadlines for each meeting date, and those deadlines are typically six weeks prior to the meeting. The delay is to allow for advertising as required by state code and for the LUA staff to review the application.**

**\*\*Application for a variance, special exception, or CBAE is not a guarantee of approval. Fees are not refunded if the application is denied.\*\***

## **INSPECTIONS:**

Every permit requires inspections to be performed before or just after the work is performed. Inspections may be performed by a Third Party Inspector, provided approval of that inspector has been given in advance by the Westmoreland County Building Official. All inspections shall be scheduled by 3:00 PM of the day prior. No exceptions shall be made unless it is an emergency and it is approved by the Planning Director or the County Administrator. Please keep in mind that we cannot physically perform several inspections at the same time in different locations. Should an inspection fail, you are required to call and reschedule. Required inspections that fail and are not rescheduled will automatically deny the subsequent requested inspection unless previously approved by the Building Official. It is the owner/applicant's responsibility to keep their inspection records. In addition, approved plans shall be on the site for all inspections.

The following are the typical inspections to be performed. Other inspections may be required for your specific construction. The final Occupancy Permit will not be issued unless all required inspections are performed.

1. We do not require a separate First Erosion inspection. However, all Erosion & Sediment controls shall be in place and properly functioning at all times.
2. Footing. Inspection required prior to pouring. A minimum of two property corners shall be located and visible for footer location and approval.
3. Foundation.
4. Drain-tile, waterproofing.
5. 911 Address for new construction.
6. Garage and/or basement slab.
7. Sewer and/or water line, if applicable.
8. Rough-in framing, plumbing, mechanical, electrical, HVAC. Windows shall be installed and roof shingled.
9. Permanent electric.
10. Insulation.
11. Drywall.
12. Best Management Practices (BMP) when the site design calls for their installation.
13. Final Erosion/Land Disturbing inspection for release of a land disturbing bond. This may be done in conjunction with the final occupancy inspection.
14. Final Occupancy shall be granted upon completion of all grading, drainage, ground cover and permanent erosion & sediment controls being completed.