

# Westmoreland County – Land Use Administration

## Platting Guidance for Landowners

*Last modified February 13, 2022*

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### **An Overview of the Administrative/Minor Platting Process:**

1. Hire surveyor to prepare plat – In order to change any property lines, create new lots, adjust easements, or similar activities, a current plat designed for that purpose by a surveyor is required.
  - It is recommended to have your surveyor email a draft version of the plat to the Platting Agent for preliminary review to speed the final approval process.
2. (IF APPLICABLE) Platting Agent completes VDH request form and plats are submitted to OSE and Health Department
  - Some plats require septic drainfields to be located on the lot(s), and in those cases the plats are also reviewed and approved by the Health Department (HD) and an Onsite Soil Evaluator (OSE). The HD and OSE must sign the plats before the Platting Agent can approve them. However, the Platting Agent needs to complete a request form before the HD will review them. Contact the Platting Agent to schedule a meeting and bring all plats and septic/drainfield documentation for their review.
  - Typically, creating new lots or adjusting lot lines will need HD review.
  - Typically, the following plats/surveys don't require HD review:
    - o Boundary surveys and house location surveys
    - o Lot combination plats
    - o Very minor adjustments to lot lines
    - o Plats where all lots are larger than 10 acres in area, including subdivisions and boundary line adjustments
    - o Properties that shall be served by public sewer
  - The Environmental Health Department can be reached at 804-493-1335 or at the AT Johnson Building (18849 Kings Highway, Montross).
3. Submit at least five original copies of plat to Land Use office – Once the plat is complete, it needs to be submitted to the Land Use office for review and approval. All copies of the plat must have the notarized signature of all of the involved landowners. The Land Use office typically has notaries public available that can notarize these signatures.
  - Once the plats have been prepared, call to schedule an appointment with the Platting Agent if your desire is to wait while they are reviewed/approved. All

owners will need to be present with photo ID unless they have previously provided notarized signatures on all copies of the plat and, if applicable, the recordation certificate.

- Otherwise, you can submit the plats with the plat application and fee, and we will review at our earliest convenience.
4. Record the plat – After County approval, the plat needs to be recorded at the Records Room of the Circuit Court, which is located in the new county judicial center at 175 Polk Street, Montross, 804-493-0108.

### **All plats:**

1. In most cases, existing structures and existing or proposed well/wastewater features should be shown on the plat to ensure that they will remain on the appropriate lot and meet the required setbacks from the new lot lines.
2. Plats related to properties in the Town of Montross are approved by both the Montross Town Manager and the County Land Use office. Plats related to properties in the Town of Colonial Beach are approved by the Town zoning office (but not the County Land Use office). In both cases, the plats are recorded at the County's Records Room.
3. Please note that any change to property lines will result in a new "lot of record" and may impact the requirements for any construction within 100 feet of water or wetlands (within the 100' RPA). Ask the platting agent for details if your property is waterfront.

### **Exempt Subdivisions:**

An exempt subdivision allows a landowner to create a few lots through a simplified administrative process. These plats can be approved by zoning staff, typically without rezoning or any other board hearings. *Fee: \$400*

To qualify as an exempt subdivision, the following conditions must be met:

1. Lots shall be at least 40,000 square feet in area and have a road frontage of 100 feet (unless qualifying as a pipestem lot).
2. No more than ten (10) lots may be created from any "parent" (original) parcel.
3. Up to three (3) lots may be created from the parent parcel in the first division, then no more than one (1) additional lot may be divided from the parent parcel each calendar year.
4. Only the parent parcel can be re-subdivided by the exempt/family process. This is termed the remainder, aka residue, because it's what remains of the parent parcel after the subdivision. A lot that was created by the exempt/family subdivision process after January 10, 2007 cannot be subdivided again by the exempt/family process.
5. Each lot of ten (10) acres or less shall have a means of wastewater disposal identified.
  - a. For currently undeveloped lots where public sewer isn't available, this is typically achieved by the identification of a primary and reserve drainfield site by an independent soil evaluator and the signature on the plat by the local VDH representative.

- b. Already developed lots with existing drainfield systems may need to have a reserve (back-up) drainfield location identified.
  - c. The drainfield locations shall be field-located and a survey provided to VDH, either by showing them on the plat or by supplying a separate plan with the permit documents.
6. Any newly created rights-of-way shall be 50 feet in width.

## **Family Subdivisions:**

A family subdivision allows a landowner to create a few lots, specifically for immediate family members, through a simplified administrative process. These plats can be approved by zoning staff, typically without rezoning or any other board hearings. *Fee: \$200*

To qualify as a family subdivision, the following conditions must be met:

1. Lots must be transferred to an immediate family member and held by that family member for at least three (3) years. An immediate family member is defined as offspring, stepchildren, grandchildren, spouse, sibling, parent, or grandparent. Only one lot may be created for each family member.
2. Lots shall be at least 40,000 square feet in area.
3. No more than ten (10) lots may be created from any "parent" (original) parcel.
4. Up to three (3) lots may be created from the parent parcel in the first division, then no more than one (1) additional lot may be divided from the parent parcel each calendar year.
5. Only the parent parcel can be re-subdivided by the exempt/family process. This is termed the remainder, aka residue, and it's what remains of the parent parcel after the subdivision. A lot that was created by the exempt/family subdivision process after January 10, 2007 cannot be subdivided again by the exempt/family process.
6. Each lot of ten (10) acres or less shall have a means of wastewater disposal identified.
  - a. For currently undeveloped lots where public sewer isn't available, this is typically achieved by the identification of a primary and reserve drainfield site by an independent soil evaluator and the signature on the plat by the local VDH representative.
  - b. Already developed lots with existing drainfield systems may need to have a reserve (back-up) drainfield location identified.
  - c. The drainfield locations shall be field-located and a survey provided to VDH, either by showing them on the plat or by supplying a separate plan with the permit documents.
7. Any newly created access easements shall be between 10 and 20 feet in width.
8. Additional Note for future landowners that intend to build within the initial three-year period: Some contractors prefer to transfer the property into their name for the duration of construction to simplify the loan process. This can invalidate a family subdivision. If the future landowner intends to build soon and finance by this method, they will need an exempt subdivision.

## **Boundary Line Adjustments:**

Boundary Line Adjustment plats are needed when property lines are modified between two or more lots. *Fee: \$75*

To qualify as a boundary Line Adjustment, the following conditions must be met:

1. Each zoning district requires a certain minimum lot width and lot area for each lot.
  - a. When the pre-adjustment lots conform to those standards, the post-adjustment lots must continue to meet those standards.
  - b. When the pre-adjustment lots don't conform to those standards, the post-adjustment lots cannot become more nonconforming. Adjustments that move the lots toward conformity or that maintain the same level of nonconformity are allowed.

## **Lot Combinations:**

Lot Combination plats, also known as Lot Line Vacation plats, are intended to combine two or more lots into one single lot. These are commonly needed when someone wants to build a structure over a shared lot line or reduce annual fees that are assessed per lot. *Fee: \$75 for two lots, plus \$100 per each additional lot*

- Please note that it may not be a simple process to un-do a lot combination at a later date, so the landowners should consider the possible future needs of themselves and subsequent owners of the property.

**\*For Subdivisions of more than 10 lots: please see staff for procedure**

## **Subdivision Code Waivers:**

There is a variance process wherein a landowner can ask for board approval if a proposed plat doesn't meet the subdivision regulations; this is called a Subdivision Code Waiver. These waiver requests are decided by the Planning Commission at a public hearing. *Fee: \$600, whether approved or denied*

## **Other surveys that may require County approval before recordation:**

- Creation, relocation, and/or vacation of easements

## **Plats that don't require County approval (Boundary Surveys):**

- If a plat/survey is intended to only show current conditions, it doesn't need to be approved by the zoning office. These include boundary surveys or house location surveys, where no changes are proposed. These plats can be taken directly to the Records Room of the Circuit Court if recordation is desired.
- However, in some cases the Records Room staff may ask that the plat still be reviewed by zoning staff to confirm that zoning approval is not needed. (There is no zoning charge for the review if the Platting Agent's approval is not needed.)