

2020 CHARLES CITY COUNTY CBPA ADMINISTRATIVE WAVIER & EXCEPTION APPLICATION



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CBPA WAIVER OR EXCEPTION SUBMISSION REQUIREMENTS



To expedite the review of CBPA Waiver or Exception applications, please be sure that all the following items have been included in your CBPA Waiver or Exception application. Please return this completed checklist with the application to assure that all items have been addressed. All CBPA Waiver or Exception applications must adhere to the regulations found in the Charles City Combined Water Protection Ordinance. The property is still subject to any site plan requirements.

- Completed CBPA Waiver or Waiver or Exception application. Has the site received previous Waiver or Waiver or Waiver or Exceptions? Yes No If yes, please explain on separate sheet.
- CBPA Waiver or Exception application fee as adopted by the Board of Supervisors.
- A survey of the site showing:
 - Property lines,
 - Streets and roads,
 - Well and sewage disposal systems or reserve drainfield sites,
 - Existing and proposed structures,
 - Water bodies,
 - Boundary of the Chesapeake Bay Preservation Area Boundaries CCWPO Part IV (Section 4-5) (a).
 - Type and location of proposed best management practices to mitigate the proposed encroachment,
 - Type and location of proposed erosion and sedimentation control devices,
 - Location of existing vegetation onsite, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification.
- Any other information that the Zoning Administrator may reasonably determine to be necessary for the proper evaluation of the application.

As outlined in Section-18 Waiver or Exceptions, the County Board shall not approve the CBPA Waiver or Waiver or Exception unless the following criteria have been satisfied:

- Granting the Waiver or Exception will not confer upon the applicant any special privileges denied by this Article to other property owners subject to the Combined Water Protection ordinance.
- The Waiver or Exception is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
- The Waiver or Exception request is the minimum necessary to afford relief.
- The Waiver or Exception request will be in harmony with the purpose and intent of the ordinance requirements, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- Reasonable and appropriate conditions are imposed which will prevent the Waiver or Exception request from causing a degradation of water quality as warranted, that will prevent the degradation of water quality.

CERTIFICATION:

I hereby certify that the attached plans and this completed application form contain all the required information for a CBPA Waiver or Exception in accordance with the Charles City County Ordinances. I understand that the submission of incomplete or inaccurate information may delay the processing of this CBPA Waiver or Exception.

Applicant's Signature

CBPA WAIVER OR EXCEPTION APPLICATION



This Waiver or Exception request is applicable for new encroachments into the Resource Protection Area (RPA) buffer.

APPLICANT INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email: _____

PROPERTY OWNER INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email: _____

PROJECT INFORMATION

Parcel Number: _____ E911/Street Address: _____

Magisterial District: _____ Zoning District: _____

Existing Land Use: _____

WAIVER OR EXCEPTION REQUEST

Please answer the following questions (on separate paper):

1. Distance of proposed development to the nearest RPA feature.
2. Describe the Waiver or Exception requested.
3. Explain why you must encroach into the Resource Protection Area (100-foot buffer).
4. Describe why you cannot make other arrangements to comply with the Combined Water Protection ordinance without a CBPA Waiver or Exception.

Chesapeake Bay Preservation

Water Quality Impact Assessment

Major (> 5,000 SF land disturbance) Minor (< 5,000 SF land disturbance)

Date: _____ Project Name: _____

Tax Map #s: _____ Owner's Name: _____

Address: _____

Business Phone: _____ E-mail: _____

Lot recordation date: _____

Date of Construction of existing improvements _____

Have you reviewed the Chesapeake Bay Preservation Area Maps? Yes No

Have you conducted a field inspection on the proposed development site? Yes No

Have you reviewed the Charles City County Soil Survey? Yes No

Resource Protection Area: Does the site contain the following (check all that apply):

Tidal Wetlands Tidal Shores A 100-foot buffer adjacent to any RPA component

Nontidal wetlands connected by surface flow & contiguous to tidal wetlands or water bodies with perennial flows

Provide site specific RPA determination Not Applicable

Resource Management Area: Does the site contain the following (check all that apply):

Highly erodible soils Highly permeable soils Floodplain

Nontidal wetlands Within 300 feet of an RPA Buffer Adjacent to RPA

Adjacent to RPA provide floodplain and soil data to document RMA boundary

Location of any RPA, RMA, 100-year floodplain, and wetland(s) must be field surveyed and shown on all applicable site plan sheets. The METHOD used to make the determination of any above feature must be included on the plan as a narrative.

Will there be any land disturbance within a Chesapeake Bay Preservation Area? Yes No

If Yes, please state the area (acres or square feet), of land disturbance within the RPA or RMA and describe the nature of the disturbance on separate sheet.

Describe impact on existing vegetation: number of healthy trees removed, number of dead, diseased, and dying trees removed. _____

Provide a separate site drawing and restoration plan per section 4-8 of the County ordinance

Site Drawing per §4-8(c)(5) or 4-8(d)(8), as appropriate

Restoration Plan per §4-8(c)(3) or 4-8(d)(5), as appropriate

SITE DRAWING

A site drawing, which shows the following, must be attached to this water quality impact assessment:

1. Location of the components of the RPA, including the 100-foot buffer area.
2. Location and nature of any proposed encroachment into the buffer area, including, type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites.
3. Type and location of proposed best management practices to mitigate the proposed encroachment.
4. Type and location of proposed erosion and sedimentation control devices.
5. Location of existing vegetation onsite, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
6. Type and location of replacement vegetation.
7. The site drawing does not replace any site plan requirement unless approved by the Director.

APPLICANT STATEMENT

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Charles City County Ordinance as written and also with the description contained in this application.

Applicant's Signature (if not owner)

Date

Applicant's Signature (if not owner)

Date

PROPERTY OWNER(S) STATEMENT

I hereby certify that I/we own the above described property, and have read this application, understand its intent, and freely consent to its filing. The information provided is complete and accurate to the best of my knowledge and capabilities. I understand that the county may deny, approve, or conditionally approve that for which I am applying. Furthermore, I grant permission for county officials or other governmental officials on official business to enter the property to make such investigations and inspections as they deem necessary to process this application and to ensure all requirements, conditions, codes, and proffers are met and continue to be met in perpetually.

Owner's Signature (if not owner)

Date

Owner's Signature

Date

CONDITIONS

1. This permit application is not valid unless all property owner(s) signatures are affixed and dated.
2. All permit application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted. All checks for payment should be made payable to Charles City County.
3. Any approval of a CBPA Waiver or Exception is issued based on plans and applications approved and authorizes only the use, arrangement and construction set forth in such approved plans and applications. Any deviations from the plans and applications submitted shall render an approved CBPA Waiver or Exception null and void.

OFFICE USE ONLY

Application #: _____ Application Fee: \$ _____

Tax Query: Current Delinquent Surety Amount: \$ _____

Reviewing Authority: _____ Hearing Date: _____

Zoning Decision: Approval Denied E & S Decision: Approval Denied

Administrative Waiver Exception

Conditions/Comments: _____

