

PRIVATE ROAD APPLICATION

OVERVIEW OF THE APPLICATION PROCESS

The Powhatan County Planning Commission considers private road requests. The application must be completed in full, including the necessary attachments and the fee, before the Commission will review your request. A complete Private Road Application includes the following:

1. The fully completed **application forms**.
2. A **plat** prepared by a surveyor of the private road showing all lots/parcels that have access to it as well as the width of the proposed road right of way,
3. A **check** payable to the “Treasurer of Powhatan County” for:
 - Two lot private road ----- \$100.00
 - Private road only serving family lots ----- \$100.00
 - Three to ten lot private road ----- \$500.00
 - More than ten lots ----- \$500.00
4. If **new** lots are being proposed, you must complete: A **Subdivision Exception Application Form**
5. If the applicant is not the landowner, the **Limited Power of Attorney Form** must be completed. (pp. 7-8)

WHAT ARE THE SUBDIVISION ORDINANCE STANDARDS FOR A PRIVATE ROAD

The right-of-way for the private road must be owned by the owners of the property abutting the right-of-way or by an association composed of the property owners. A 50-foot wide recorded right-of-way must be provided for the benefit of all properties served by such road.

If your road application proposes less than a 50 foot wide recorded right-of-way, you must provide written documentation that you have made a “good faith effort” to acquire additional right-of-way.

All lots served by a private road must be at least **10 acres** in size except in the following situations:

1. A private road that only serves 2 lots and has direct access to a public road (2 acre minimum)
2. Certain divisions of land by will.

PRIVATE ROAD APPLICATION FORM

Two Lot Private Road

- 10 foot gravel width.
- 2 foot cleared shoulders each side.
- 12 foot vertical clearance.

Three / Five Lot Private Road

- 14 foot gravel width.
- 6 inch compacted gravel depth.
- 12 foot vertical clearance.
- Cross slope of 1/2" to 1'.
- 4 foot shoulder each side with the continuation of 1/2" to 1' cross slope.
- Slope of ditch and minimum width shall be based on slopes of 3:1 to provide a width of 4 feet of more.

Six / Ten Lot Private Road

- 20 foot gravel width
- 6 inch compacted gravel depth
- 12 foot vertical clearance.
- Cross slope of 1/2" to 1'.
- 4 foot shoulder each side with the continuation of 1/2" to 1' cross slope.
- Slope of ditch and minimum width shall be based on slopes of 3:1 to provide a width of 4 feet of more.

Before a plat for the lots served by the private road **can be recorded**, the road either needs to be constructed or bonded. If the construction of the road is to be bonded,

- ◆ *Construction plans need to be approved by the Planning Department.*
- ◆ *A certified check, cash escrow, surety bond, or a bank letter of credit for 110 % of the construction cost must be approved. The County can help develop such an estimate or a written estimate from a contractor who will perform the work can be submitted.*
- ◆ *A copy of the VDOT approved surety for the cost of constructing a commercial entrance/ shoulder and ditch improvement*
- ◆ *A signed letter stating the approximate start and completion dates for the road construction shall be provided.*

PRIVATE ROAD APPLICATION FORM

APPLICANT _____ TELEPHONE # _____

ADDRESS _____

LAND OWNER _____

(If applicant is not the landowner, the landowner must sign a Limited Power of Attorney Form page 7)

LANDOWNER ADDRESS _____

Answer either question 1 or 2 below:

- 1. Are you adding a lot(s) to an existing private road? YES _____ NO _____
a. Location of road: Tax Map _____ Off of Which Public Road? _____
b. Is there a recorded 50-foot wide right-of-way that provides direct access to a public road?
Yes _____ No _____
If No, how wide is the right-of-way? _____
Can additional right-of-way be acquired? _____
c. Does the applicant have an unrestricted, recorded right to use such access? _____ Yes _____ No
d. How many lots/parcels are on the private road? _____
e. Tax Map Parcel Numbers of lots/parcels on the private road: _____
f. What type of lot(s) are proposed, i.e. Large Lot, Single Cut? _____
- Size in acres of proposed lot(s) _____
g. What is the total number of lots served by the private road? _____
2. Are the proposed lots creating a new private road? YES _____ NO _____
a. Tax Map Parcel Number _____ off of which Public Road? _____
b. Will a 50-foot right-of-way be recorded that provides direct access to a public road?
YES _____ NO _____
If no, why can't a 50' right-of-way be established? How wide is the proposed right-of-way?

Case Number _____ Submittal Date _____ P. C. Meeting _____

c. Does the applicant have an unrestricted, **recorded** right to use such access? _____ Yes _____ No

d. Tax Map Parcel Number of parcel(s) the road will cross _____

e. Will the road only serve 2 lots (Single Cut Subdivision)? _____

- Size in acres of the two lots? _____

f. Large Lot Development. Number of new lot(s) proposed? _____

- Size in acres of the new lot(s)? (*Minimum lot size 10 acres*)

g. If three (3) or more lots are to be created, provide several alternative names for the road:

a. _____

b. _____

c. _____

STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
County of Powhatan to wit

I, _____, declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed _____

Print Name _____

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public Signature _____

My Commission Expires on _____

APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY

I, _____, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for a private road.

_____ Applicant's Signature
Date _____

Subscribed and sworn to before me this _____ day of _____, 20__.

_____ Commission Expiration Date
Notary Public's Signature _____

OWNERSHIP DISCLOSURE

Please list below the names and addresses of all owners or parties in interest of the land:

NAME

ADDRESS (Include Zip Code)

NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

I, _____, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) _____ of tax map number(s) _____ requesting Private Road approval.

If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

Signature _____

STATE OF VIRGINIA

COUNTY OF POWHATAN, to wit:

This day _____ personally appeared before me, _____, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Zoning Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this _____ day of _____, 20____.

Notary Public

My commission expires: _____

LIMITED POWER OF ATTORNEY

Private Road

KNOW ALL MEN BY THESE PRESENTS:

1. That I/We
(Name) _____ Telephone _____
(Address) _____
(Name) _____ Telephone _____
(Address) _____
(Name) _____ Telephone _____
(Address) _____
(Name) _____ Telephone _____
(Address) _____

being all of the owner(s) of the property described as County tax map numbers:

and authorized to take such action, do hereby make, constitute and appoint:

2. (Name) _____ Telephone _____
(Address) _____

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek approval of a private road on said property.

3. In witness whereof, I/we have hereto set my/our hand and seal this _____ day of _____, 20____.

Signature(s)

Signature(s)

Signature(s)

Signature(s)

Witnessed by: _____

Witnessed by: _____

NOTE: This document, with original signatures, shall be filed with the application and become a permanent part thereof.

Application for Non-Subdivision Plat Approval

(Please print all information)
(Planning Staff Have Up to Two Business Days to Review Plats)

1. Name of Applicant _____

Address _____

Day time phone number (_____) _____

2. Property Owner(s) (If different from applicant)

3. Legal Description of Property (Please describe all parcels involved)

Tax Map Parcel Number _____ Zoning of the property _____

Address(es) if available _____

Subdivision and lot number (if applicable) _____

4. What is the Purpose of the Survey Plat? (Check all those that apply)

_____ **Resurvey of Existing Lot or Parcel:** No change to parcel.
(Show location of any existing structures)

_____ Deed Book and Page Number

_____ **Lot Line Adjustment,** Including Conveying Part of Parcel to an Adjoining Parcel: No New Lot is Created

_____ If you own the parcels to be adjusted/combined:

- Submit affidavit of owner's intent
- On plat, identify the "Old Lot Line(s)", show as dotted lines.

_____ If parcels to be adjusted/combined are owned by different individuals:

- Provide the deed that includes a statement to the effect that: the parcel(s) shown on the attached plat shall be combined with Tax Map _____, Parcel_____.

_____ **Creating New Parcel(s) for:**

_____ **Family Division Lot:** deeding lot to parent, brother or sister, child, grandparent, grandchild, or spouse.

* Please attach the Family Division Affidavit and Owners Consent Form

_____ **Single-Cut Subdivision:** single division of a parcel recorded prior to April 18, 1988. (Two acre minimum)

* When was parent parcel originally recorded? _____

_____ **Large Lot Development:** division resulting in parcel(s) at least ten (10) acres in size.

_____ **Division by will** among legal heirs of a parcel

5. Are any drainage, utility, or other recorded easements being relocated? _____ Yes _____ No

If yes, please describe:

6. Access to the Property:

_____ Frontage on a State road (Route Number _____)

_____ Private road: Shares access easement with other lot(s).

NOTE: Private Road Application Forms Required

_____ Individual recorded easement to a State Road (Name of Road _____)

7. _____ Digital file submitted _____ (DVD, CD, EMAIL)

All fees are due upon submission of plat to Planning Department before approval can be given by zoning official.

8. Fees Submitted : _____ \$50.00 Review

- 8a. _____ \$35.00+ \$10.00 per parcel
(If a digital file of plat is not provided)

I hereby certify that to the best of my knowledge all of the above statements are true.

Date

Signature of Applicant

Print Name