



**LAND DISTURBING PERMIT :
SINGLE FAMILY RESIDENCE WITH
AGREEMENT IN LIEU OF A PLAN**

Building Permit # _____

FOR EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT

Zoning and Development Services
Fauquier County Department of Community Development
29 Ashby Street, Suite 310, Warrenton, Virginia 20186

E&S Phone: 540-422-8240
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Chapter 11 of the Fauquier County Code, as codified in the Fauquier County Stormwater Management & Erosion and Sediment Control Ordinance, requires a Land Disturbing Permit (LDP) for most activities where the ground will be disturbed. The purpose of a LDP is to control sediment from leaving a disturbed area. Erosion and sediment controls are vital in protecting adjacent waterways and properties from sediment runoff from a project site.

Project Information:

Project Address/Location: _____ PIN: _____

Subdivision: _____ Lot #: _____

Disturbance includes building areas, but also areas being utilized for a septic system, retaining walls, entrances, driveways, re-graded areas around foundations and yards, and any other portion of the property being disturbed.

Acreage to be Disturbed: _____ Description of the type of work planned: (i.e. demolition of building, construction of a building, installation of road/driveway, septic, yard re-grading, etc.)

Attach a sketch (aerial, plat, or drawing can be used) showing all proposed disturbances associated with this property. (Note: If any grading has occurred on-site prior to submitting this application, i.e. a driveway, septic field, etc.; these areas must also be shown on the plan and included in the acreage to be disturbed.) The sketch should show the clearing limits of all disturbances along with labels indicating the purpose of the disturbance. The dimensions of all disturbed areas must be shown and calculated. The sketch included with this application will be verified for accuracy during field inspections.

Disturbances over 1 acre require a Stormwater Pollution Prevention Plan (SWPPP) to be submitted and reviewed at the time of submission with the “agreement in lieu of” application. If it is determined during inspections that the land disturbance is over 1 acre, and have not complied with submitting a SWPPP, a Stop Inspection Work order will be issued.

As required by the Construction General Permit (VAR10), a copy of this signed and dated “Agreement in Lieu of” shall be maintained in my SWPPP for the construction activity.

What subdivision name is the SWPPP under? _____

Location of SWPPP onsite: _____

While site is under construction, the SWPPP will be reviewed by the onsite E&S inspector.

RESPONSIBLE LAND DISTURBER: A Responsible Land Disturber holding Virginia Certification is required for the Land Disturbing Permit under State Law. If you do not provide this information with this application, the Land Disturbing, Zoning and Building Permits will not be issued until this information is provided.

Name: _____ Phone #: _____

Address: _____ Certification #: _____ Email Address: _____

The Responsible Land Disturber (RLD) Program was established as a component of the Virginia Erosion and Sediment Control (ESC) Program through revisions to the Virginia Erosion and Sediment Control Law (Title 10.1, Chapter 5, Article 4 of the Code of Virginia). Effective in July 2001, as a prerequisite for erosion and sediment control plan approval throughout Virginia, the person responsible for carrying out the plan must provide the name of an individual holding an RLD certificate who will be responsible for carrying out a regulated land-disturbing activity.

Additional Information Required to Determine Whether A Plan May Be Required:

A specific erosion and sediment control plan is typically required to be submitted and approved in conjunction with a land disturbing permit; however, the law allows an exception for some construction for single family homes. The exception allows Fauquier County to accept an agreement in lieu of a specific plan wherein the property owner agrees as part of the permit application to meet the minimum standards for E&S and SWM as set forth in the Virginia Code. To determine whether or not you are eligible for a Permit with an Agreement in Lieu of a Plan, answer the following questions:

1. Is the amount of land being disturbed more than 1 acre? Yes No
2. Does the property have steep slopes? Yes No
3. Is there a live watercourse on the property? Yes No
4. Is there wetlands on the property? Yes No
5. Is there floodplain on the property? Yes No
6. Are any accessory structures being constructed? Yes No
7. Will fill material be utilized on the site? Yes No

If the answer to any of these questions is "yes," you may not be eligible for a Land Disturbing Permit with an Agreement in Lieu of a Plan. Erosion & Sediment Control Staff will contact you if a Plan is required.

CERTIFICATION/AGREEMENT:

Application is hereby made for a land disturbing permit in accord with the description and for the purposes set forth above, and in accordance with the Fauquier County Stormwater Management & Erosion and Sediment Control Ordinance, adopted June 12, 2014, as amended.

In lieu of submission of an Erosion and Sediment Control and Stormwater plan for the construction of this single family dwelling, I agree to comply with all applicable requirements of the Fauquier County Stormwater Management & Erosion and Sediment Control Ordinance (Chapter 11 of the Fauquier County Code) and the state Minimum Standards for erosion and sediment control (Section 9VAC25-840-40 of the Virginia Erosion and Sediment Control Regulations.)

- I AGREE TO**
- 1) discharge runoff from all roof surfaces to lawn or wooded areas on the lot in a non-erosive manner,
 - 2) not create concentrated points of runoff leaving the lot, and
 - 3) runoff from on-lot impervious surfaces (e.g., driveways, parking areas, sidewalks) as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable.

PRIOR TO THE START OF CONSTRUCTION:

1. A stone construction entrance shall be installed on the property.
2. Silt fence or other acceptable perimeter control shall be established downslope of the disturbed area to prevent sediment from leaving the site.
3. All soil stockpiles shall be protected by a sediment control measure or shall be seeded and covered with a mulch material as provided in the VESCH, Std. & Spec. 3.35.
4. All denuded areas on the lot will be seeded and mulched within (7) days of final grading with permanent vegetation or a protective ground cover suitable for the time of year.
5. All erosion and sediment control structures shall be installed and maintained in an effective, operating condition as provided in the Virginia Erosion and Sediment Control Handbook, Chapter 3.

I hereby authorize representatives from the Fauquier County Department of Community Development to enter my property for the purpose of conducting erosion and sediment control inspections.

In addition, I waive my right to future building inspections in the event that E&S inspections of the property reveals that it is not in compliance with state Minimum Standards for erosion and sediment control of the Fauquier County Stormwater Management & Erosion and Sediment Control Ordinance. I understand that any erosion and sediment control deficiencies identified by county inspectors must be fully addressed before building inspections for the property can resume. Further, I understand, covenant and agree that if the lot has not been stabilized, the County may require that a bond be posted until final construction stabilization can be achieved and a final occupancy permit shall not be issued.

Sign Signature on page 3

CONSTRUCTION ACTIVITY OPERATOR:

Name (PRINT)

Address

City State Zip

Phone Number Email

Signature / Date

OWNER:

Name (PRINT)

Address

City State Zip

Phone Number Email

Signature / Date

CONTACT PERSON FOR THE PROJECT SITE:

Name (PRINT)

Address

City State Zip

Phone Number Email

**Responsible Land Disturber and Signatures
is required to process form.**

FOR OFFICE USE ONLY:

- Agreement in Lieu Authorized
- Responsible Land Disturber Confirmed
- SWPPP is included
- E&S Fee Required
- SWM Fee Required

Approved By: _____ / _____
Staff signature Date

Agreementinlieu2014