



**LAND DISTURBING PERMIT:  
SINGLE FAMILY RESIDENCE WITH  
AGREEMENT IN LIEU OF A PLAN  
FOR EROSION AND STORMWATER MANAGEMENT**

Print

Clear

Building Permit # \_\_\_\_\_

Zoning and Development Services  
Fauquier County Department of Community Development  
16 Courthouse Square, Suite 100, Warrenton, Virginia 20186

E&S Phone: 540-422-8240  
Building Phone: 540-422-8230  
Facsimile: 540-422-8231

**Chapter 11 of the Fauquier County Code, as codified in the Fauquier County Erosion and Stormwater Management 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 #: \_\_\_\_\_

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.)

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

Under 1 acre – Agreement In Lieu of an ESC Plan ONLY

1 acre to 5 acres – Agreement in Lieu of an ESC Plan AND SWM Plan

Must submit "[SWPPP for Single Family Dwelling](#)" and print a copy of the [Construction General Permit](#) to be kept on site during construction.

**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.) **Identify the clearing limits of all disturbances along with labels indicating the purpose of the disturbance and calculated dimensions.** The sketch included with this application will be verified for accuracy during field inspections as well as being measured for total site disturbance.

**Additional Information May Be Required:**

*An erosion and sediment control plan is typically required to be submitted and approved in conjunction with a land disturbing permit; the law allows an exception for single family homes. The exception allows Fauquier County to accept an agreement in lieu of a plan if 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. Although a Plan is not required, the following additional information is required in certain circumstances and must be submitted, if applicable, before a building permit and land disturbing permit are issued:*

1. If the amount of land being disturbed on the property exceeds 1 acre, a Stormwater Pollution Prevention Plan (SWPPP) and Qualified Personnel are required to be submitted with this permit application. If the SWPPP is not submitted and it is determined during inspections that the land disturbance is over 1 acre, a Stop Inspection Work Order for the building permit may be issued and a Stop Work Order Inspection Fee will be applied.
2. If a culvert crossing is being installed in a channel, floodplain, or a live watercourse, engineering calculations and cross sections demonstrating compliance with Minimum Standard 19 are required to be submitted for review. In addition, you will be required to contact the Army Corp of Engineers for permitting requirements. All other new and existing culverts will be assessed in the field and if there is evidence of erosion, the calculations and cross-sections may also be required.
3. If land disturbance is to occur in soil descriptions identified as potential for hydric soil or hydric soil inclusions the applicant must contact the Army Corp of Engineers for permitting requirements.
4. If additional structures are to be constructed on the property a plan is required to be submitted with the permit as this agreement-in-lieu of application does not apply. A Land Disturbing Permit with an agreement in lieu of a plan is only allowed for the Single-Family Home.

---

**CERTIFICATION/AGREEMENT:**

Application is hereby made for a land disturbing permit in accordance with the description and for the purposes set forth above, and in accordance with the Fauquier County Erosion and Stormwater Management Ordinance, effective July 1, 2024, as amended.

In lieu of submission of an Erosion and Stormwater Management plan for the construction of this single - family dwelling, I agree to comply with all applicable requirements of the Fauquier County Erosion and Stormwater Management Ordinance (Chapter 11 of the Fauquier County Code) and the state Minimum Standards for erosion and sediment control (Section 9VAC25-875-560 of the Virginia Erosion and Stormwater Management 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. direct 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 VSMH Sec. 5.3.1.2, MS-2.
4. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days.
5. All erosion and sediment control structures shall be installed and maintained in an effective, operating condition as provided in the Virginia Stormwater Management Handbook, Chapter 5.

**PRIOR TO OCCUPANCY PERMIT:**

6. All denuded areas on the lot to be denuded 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.

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 further understand that failure to comply with state Minimum Standards for erosion and sediment control of the Fauquier County Erosion and Stormwater Management Ordinance could result in the any or all of the following; building inspections being suspended and/or the Certificate of Occupancy being withheld until erosion and sediment controls measures are satisfied to the satisfaction of the Program Authority.

---

**Provide Information and Signatures on page 3**

