

ADOPTED

FEB 4 1991

ORDINANCE NO. 30A-19

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I. GENERAL PROVISIONS, SECTION 17-17. SPECIAL PROVISIONS FOR FAMILY SUBDIVISIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 17, Subdivisions, is hereby amended and reordained by amending Section 17-17. Special Provisions for Subdivisions.

Chapter 17. Subdivisions

Article I. General Provisions.

Section 17-17. Special Provisions for Family Subdivisions.

A single division of a lot or parcel is permitted for the purpose of sale or gift to a member of the immediate family of the property owner. For the purposes of this section, a member of the immediate family is defined as any person who is a natural or legally defined offspring, eighteen years of age or older or an emancipated minor under Virginia Code Section 16.1-331 et. seq., or parent of the owner. Such subdivision shall be subject only to the following provisions:

1. Only one such division shall be allowed per family member, and shall not be made for the purpose of circumventing this chapter. Lots created under this section shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than three years unless such lots are subject to an involuntary transfer such as foreclosure, death, judicial sale, condemnation or bankruptcy.

2. The minimum width, yard, and area requirements of all lots, including the remaining property from which the lot is subdivided, shall be in accordance with the Zoning Ordinance. Land proposed for subdivision shall be suitable for platting in accordance with Section 17-32.
3. For property not served with public water and public sewer, each lot shall have its septic tank system and water source approved by the Health Department and shall be shown on the subdivision plat.
4. Each lot or parcel of property shall front a road which is part of the Transportation Department road system or shall front upon a private drive or road which is in a right-of-way twenty feet in width. Such right-of-way shall remain private and shall include a driveway within it consisting of, at a minimum, an all weather surface of rock, stone or gravel, with a minimum depth of three inches and a minimum width of ten feet. The right-of-way shall be maintained by the adjacent property owners in a condition passable at all times. The provision of an all-weather drive shall be guaranteed in accordance with Section 17-68. An erosion and sediment control plan with appropriate surety shall be submitted for approval if the proposed right-of-way and drive construction disturbs more than 2,500 square feet.
5. The corners of all lots created by Family Subdivisions shall be marked with iron pipes as provided for in Section 17-35.
6. A final subdivision plan shall be submitted to the agent for approval as provided in Section 17-29 of this chapter along with an affidavit describing the purposes of the subdivision and identifying the members of the immediate family receiving the lots created. Any plan submitted shall be subject to the fee set forth in Section 17-15.
7. The above requirements shall be set forth in a subdivision agreement approved by the County Attorney and recorded in the Circuit Court Clerk's office for the City of Williamsburg and County of James City.



Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
DEPUE	AYE
TAYLOR	NAY
EDWARDS	AYE
KNUDSON	AYE
NORMENT	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 4th day of February, 1991.

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