



# Jefferson County West Virginia

Public Information

Town of Berryville  
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**Town of Berryville  
Zoning Ordinance  
Adopted July, 2004**

## **ARTICLE III – SUPPLEMENTARY REGULATIONS**

### **SECTION 317 KARST FEATURES**

- 317.1** Prior to the issuance of a Zoning Permit for principle structures or additions thereto on lots in subdivisions for which a Karst Plan has been prepared or lots of record on which karst features have been identified, a geotechnical study shall be conducted at the site of the principle structure or addition to determine the existence of karst features. If karst features are found, a remediation plan shall be prepared by a PE or PG in order to protect the health, safety, and welfare of the occupants of the structure. This remediation plan shall:
- a. provide for the mitigation of all karst features and sinkholes, except those identified as Critical Environmental Areas, in accordance with the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD-228) or other applicable mitigation standard as recommended by a PE or PG and approved by the Town's Engineer and the Town's Zoning Administrator, or
  - b. the applicant shall submit a report prepared by a PE or PG that identifies subsurface conditions within one-hundred (100) feet, or an appropriate distance as determined by the Town Zoning Administrator and Town's Engineer, of the discernable edge of any sinkhole or karst feature and establishes a minimum recommended setback for structures and a minimum recommended ground water protection buffer approved by The Town's Engineer and the Town's Zoning Administrator shall review and approve the report before issuance of said permit. (7/04)

Richard G. Sponseller  
*Mayor*

Allan W. McWilliams  
*Recorder*

*Council Members*

Lawrence Russell, III  
*Ward 1*

H. Allen Kitselman, III  
*Ward 2*

F. Barry Nicholson  
*Ward 3*

Wilson L. Kirby  
*Ward 4*

Keith R. Dalton  
*Town Manager*

- 317.2** Sinkholes or karst features that are discovered during construction shall be mitigated in accordance with the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD-228) or other applicable mitigation standard as recommended by a PE or PG and approved by the Town's Engineer and the Town Zoning Administrator. Said mitigation shall be completed prior to the issuance of a Certificate of Occupancy.

Prior to the issuance of a Certificate of Occupancy for any structure, the location of sinkholes and karst features and method of mitigation, including volume of material used, shall be identified on a plat by a Certified Land Surveyor or PE and recorded in the land records of the Clerk of the Circuit Court for the County of Clarke.

- 317.4** The provisions of this Section shall not apply to accessory or agricultural structures to be located on parcels zoned Open Space Residential (OSR) and where the discernable edge of a sinkhole or karst features are in excess of one-hundred (100) feet from said structure.

## **SECTION 318        STREAMS AND SPRINGS**

Except in areas where floodplains have been established by the Federal Emergency Management Agency and identified on Flood Insurance Rate Maps (FIRM), all structures shall be set back a minimum of 25 feet from intermittent streams and set back a minimum of 100 feet from perennial streams and perennial springs. In areas where the floodplain has been identified on a FIRM, the provisions of Section 206 of this ordinance shall apply.