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**ORDINANCE TO AMEND A PORTION OF APPENDIX 1 (ZONING ORDINANCE) AND  
APPENDIX 2 (SUBDIVISION ORDINANCE) OF THE MADISON COUNTY, VIRGINIA CODE**

**Ordinance Amendment # 2024-SOA-07-03-04**

**WHEREAS**, by Ordinance duly adopted, the Board of Supervisors of Madison County, Virginia, adopted Appendix 1, Zoning Ordinance, and Appendix 2, Subdivision Ordinance of the Madison County Code, which has been amended from time to time; and

**WHEREAS**, the Board of Supervisors of Madison County, Virginia, finds that the following amendments to the Zoning and Subdivision Ordinances of Madison County, Virginia, would promote the health, safety, and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted, as amended, on August 7, 2019;

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED** by the Board of Supervisors of Madison County, Virginia, that the Subdivision Ordinance of Madison County, Virginia, be, and is hereby amended to read as follows:

***"2-38. Subdivision.***

(1) ~~The sale or exchange of a lot, tract or parcel of land between adjoining landowners to create by boundary adjustment a new lot, tract or parcel of land; provided that such sale or exchange does not create an additional building lot or does not create a nonconforming lot; and provided further that the new lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 or Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat~~

~~or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A Boundary Line Adjustment (BLA) to allow a change in property size or configuration.

(4) Vacation of a boundary line(s) between two or more lots of record to produce a single lot.

Article 4-1-5. *Limitations of Subdivisions in Conservation, C-1, and Agricultural, A-1, Districts.* No lot, tract or parcel of land in the Conservation, C-1, District or Agricultural, A-1, District shall be subdivided into more than four smaller lots; tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1, or Agricultural, A-1, District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 or Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1 or Agricultural, A1 District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.”

The following new definitions shall be added as follows:

“2-4A. *Boundary Line Adjustment (BLA).* The relocation of a property line or lines between two or more existing and contiguous lots to allow a change in property size or configuration. (Ref. Va Code 15.2-2275) A BLA cannot result in the creation of a new lot(s) or a lot(s) which does not conform with the zoning ordinance, unless the original lot was already non-conforming and, in such case of modifying a non-conforming lot, such lot cannot be made smaller in area. A lot altered by this provision shall not be approved for another BLA within one year from last approval date. Any BLA shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas and no easements or utility right-of-way shall be relocated or altered without the express consent of all persons holding any interest therein. A BLA application must contain a survey plat by a Commonwealth of Virginia licensed surveyor showing current and proposed boundary lines, as well as deed restrictions, easements, rights of way and deed dedications. The plat must show all existing septic components, including but not limited to, drainfield(s), existing well(s), existing buildings and/or structures, public utility lines, and floodplains and/or floodways on the parcel(s). An approved BLA must be recorded by Boundary Line Adjustment deed and plat in the land records of the Clerk's Office of the Circuit Court of Madison County within 90 days of approval. Prior to recording, the deed shall be approved in writing,



on its face, by the Board of Supervisors or its designee. A BLA cannot be recorded unless and until it has been approved in accordance with the provisions of this article. (Ref. Va Code Sections 15.2- 2255, 15.2-2258, and 15.2-2270 through 2275 as amended).

2-40. *Vacation of a boundary line.* The elimination or removal of a boundary line between two contiguous lots owned by the same owner, resulting in a single, combined lot. The ultimate consolidated lot must result in a conforming lot and use consistent with the County's ordinances. Any vacation of boundary line(s) cannot create a split-zoned parcel and must be only one zone. Lot line vacations require the subject properties be deeded in the same name as shown in the tax records of Madison County. All lot line vacations require an executed deed, such as a deed of consolidation, affirming the lot line vacation. No easements or utility rights-of-way located along any lot lines to be vacated shall be extinguished or altered without the express consent of all persons holding any interest therein. Prior to recording, the deed shall be approved in writing, on its face, by the Board of Supervisors or its designee. The deed shall be recorded in the clerk's office by the applicant within 90 days of approval. (Ref. Va Code Sec. 15.2-2275)."

Also, that the Zoning Ordinance of Madison County, Virginia, be, and is hereby amended to read as follows:

Article 3-11. *Limitations of Subdivisions in Conservation, C-1 District.* No lot, tract or parcel of land in the Conservation, C-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Conservation, C-1 District created by subdivision in accordance herewith shall be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Conservation, C-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A lot, tract or parcel of land altered by a boundary line adjustment in the Conservation, C1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.

Article 4-11. *Limitations of Subdivisions in Agricultural, A-1 Districts.* No lot, tract or parcel of land in the Agricultural, A-1 District shall be subdivided into more than four smaller lots, tracts or parcels of land (including the residue, if any) within any ten-year period. Except as provided above, no lot, tract or parcel of land in the Agricultural, A-1 District created by subdivision in accordance herewith shall

be further subdivided within ten years from the date the subdivision plat is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia. ~~A lot, tract or parcel of land created by boundary adjustment in the Agricultural, A-1 District shall not gain additional division rights until ten years from the date the plat or deed of boundary adjustment is recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.~~ A lot, tract or parcel of land altered by a boundary line adjustment in the Agricultural, A1, District shall not be approved for another boundary line adjustment for one year from the date the plat and deed are recorded in the Clerk's Office of the Circuit Court of Madison County, Virginia.

Except as amended above, Appendix 1, Zoning Ordinance and Appendix 2, Subdivision Ordinance, remain in full force and effect.

**ENACTED** and adopted by the Madison County Board of Supervisors and Its Chair on

August 7, 2024.



R. Clay Jackson, Chairman

Madison County Board of Supervisors



Jonathon Weakley

County Administrator

	Motion	Second	Aye	Nay	Absent
C. Jackson			X		
J. Buchanan	X		X		
D. Dawson			X		
J. Jewett		X	X		
C. Yowell			X		