



TOWN OF MIDDLEBURG  
Office of the  
Zoning Administrator

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## How to Apply for the Vacation of a Plat or The Vacation or Adjustment of Property Boundary Lines

Vacating a subdivision plat or altering or vacating property boundaries within the Town of Middleburg, or within the one-mile extraterritorial subdivision jurisdiction of the Town, requires Town approval. Vacation of plats requires Town Council approval, and the process that must be followed is enumerated in Sections 15.2-2271 and 15.2-2272 of the 1950 Code of Virginia, as amended. Applicants must submit a plat of vacation to the Zoning Administrator with the required application form and application fee.

Boundary line adjustments can be approved by the Zoning Administrator as long as:

1. The lot or parcel of land was established as part of an otherwise valid and properly recorded plat of subdivision or re-subdivision either approved as provided in the Middleburg Subdivision and Site Plan Ordinance or properly recorded prior to the applicability of a subdivision ordinance;
2. Such action does not involve the relocation or alteration of streets, alleys, easements for public passage or utilities, or other public areas; and provided further, that no easement or utility right-of-way shall be relocated or altered without the express consent of all persons holding any interest therein;
3. The plat or deed evidencing such vacation, relocation, alteration, or adjustment is signed and acknowledged by the property owners affected thereby as provided in Section 15.2-2264 of the Code of Virginia, as amended; and
4. The resulting lots conform to the requirements of the Middleburg or Loudoun County Zoning Ordinance, as applicable, or, in the case of existing nonconforming lots, do not increase the extent of the nonconformance.

The regulations governing the boundary line adjustment application and approval process are contained in Section 4.6 of the Middleburg Subdivision and Site Plan Ordinance.

### **Submission Requirements**

Vacation of Plat: Three (3) copies of the plat and deed evidencing the vacation; application form; and applicable fee.

Vacation of Boundary Lines: Three (3) copies of a plat and/or deed evidencing the boundary line adjustment; application form; and applicable fee.

Plats submitted must be prepared by a certified land surveyor, at a scale of no less than 1"=100', and shall depict the existing boundary lines and the proposed boundary lines, properly noted. Plats and deeds shall include signature blocks for all affected property owners to verify their agreement to the proposed boundary line adjustment, as well as a signature block to indicate the approval of the Town.

### **BLA Approval Process**

As noted above, refer to the Code of Virginia for the process of vacating a plat. For boundary line adjustments, the Zoning Administrator must act to approve, conditionally approve, or disapprove the plat and/or deed within thirty (30) days of receipt of a complete application. The plat and/or deed must then be recorded within six (6) months of approval, and proof of recordation provided to the Zoning Administrator, or its approval shall be null and void.