

West Virginia Department of Transportation Division of Highways Right of Way Issued Entry Permit

PERMIT NO. 05-2024-2463

DOH Reviewer: Electronically Signed by Kevin McDonald on 9/20/2024 DOH Reviewer Title: Acting Permit Supervisor

DOH Approver: Electronically Signed by Travis Ray on 9/26/2024 DOH Approver Title: Deputy District Engineer

PERMIT ISSUE DATE: 9/26/2024

Applicant: Jacob and Anna Binkley

Address: 1177 Whitmer Road City: Shenandoah Junction State: West Virginia Zip: 25442

Phone Number: 301-514-6453 Email: maplevalleyfarmllc@gmail.com

Route Type: WV Route Number: 16/3 Milepost: 1.344 County: 19 - Jefferson

Latitude/ Longitude at/along Roadway (in decimal degrees): 39.37693 /-77.82403

Description of Work: ***To construct and maintain a residential approach with compacted stone as per attached typical sheet. This work shall be constructed and maintained so that water and debris will not flow or be tracked onto the roadway. Also, should this parcel develop commercially, subdivided, or be located within a subdivision with internal access, this permit will be invalid. The applicant shall apply for a new permit to fit altered conditions.***

Length of Installation: _____ Estimated Construction Duration: 365 working days

DOH Project Number/Name (if applicable): _____

Customer Reference Number (if applicable): _____

Inspection Fees (must check one):

- | | |
|--|--|
| <input type="checkbox"/> Water Installations (\$0 per foot) | <input type="checkbox"/> Small Cell Installations (flat fee - \$0) |
| <input type="checkbox"/> Sewer Installations (\$0 per foot) | <input type="checkbox"/> Standard Permit Expenses Fee (\$0) |
| <input type="checkbox"/> Aerial Installation (\$0 per day) | <input type="checkbox"/> Misc Fee (\$0) |
| <input type="checkbox"/> Subsurface Installation (\$0 per day) | |

DEPOSIT/BOND REQUIRED: **NO**

BOND / CHECK RECEIVED:

DATE:

BOND NUMBER:

DEPOSIT/BOND AMOUNT:

TERMS AND CONDITIONS

1. This permit, between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a statutory corporation, hereinafter called "DIVISION" and APPLICANT, a person, firm or corporation, listed on page one.
2. In consideration of the conditions hereinafter set forth and in accordance with all state and federal laws, including but not limited to, W. Va. Code §17-2E-1 et seq., §17-4-8, §17-16-6, §17-16-9, §31H-1-1 et seq., and any related rules, regulations, policies, manuals, or guidelines, APPLICANT does hereby apply to enter DIVISION's right(s) of way listed on page one, for the purpose listed in Description of Work on page one.
3. APPLICANT shall deposit with DIVISION an official, certified or cashier's check, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the issuing of this permit, including any expense incurred in restoring said right(s) of way to original condition or the proper repair of any and all damages arising from, related to, or otherwise connected to said entry.
4. APPLICANT agrees to reimburse DIVISION for inspection costs as listed on page one.
5. **APPLICANT shall notify DIVISION at least 48 hours in advance of the date the work will begin. Failure to comply may result in cancellation of this permit.**
6. APPLICANT shall notify DIVISION upon completion of any work authorized under this permit. If APPLICANT's work is anticipated to extend beyond the estimated construction duration indicated on page one, APPLICANT shall notify the DIVISION as soon as possible. Failure to comply may result in additional charges.
7. APPLICANT agrees to protect all users of the road right(s) of way, as well as all employees and equipment of APPLICANT and DIVISION, at all times in accordance with the current Division of Highways manual, "[Manual on Temporary Traffic Control for Streets and Highways](https://transportation.wv.gov/highways/traffic/Pages/default.aspx)" (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
8. APPLICANT agrees to comply with all applicable state and federal laws related to the entry that is the subject of this permit, including but not limited to the requirement to provide DIVISION copies of any NEPA clearance documentation for utility installations along or across the Interstate Highway System and/or controlled-access right(s) of way.
9. The person, firm or corporation to whom a permit is issued agrees to defend, indemnify, and hold the State of West Virginia and DIVISION harmless on account of any damages to persons or property which may arise during the process of the work authorized by this permit or by reason thereof.
10. Applications for permission to perform work within highway right(s) of way shall be made on DIVISION's standard permit form and shall be signed by the authorized representative of the person, firm or corporation applying.
11. The APPLICANT shall give detailed information concerning the nature of the entry and any work to be performed, and the application must include plans sufficient to show the same.
12. Any work authorized under this permit shall be completed on or before one calendar year from the issue date listed on page one, unless otherwise specified or approved by DIVISION.
13. APPLICANT, its agents, successor, heirs or assigns, contractors or any other person, firm or corporation working under APPLICANT's real or apparent authority, shall perform the work in a manner satisfactory to DIVISION. Damage to the right(s) of way resulting at any time from work authorized under this permit shall be repaired by APPLICANT. Unsatisfactory repairs, at the sole discretion of DIVISION, may be corrected by DIVISION or its authorized agent and the cost thereof paid by APPLICANT.
14. DIVISION shall not be liable for any damage or costs incurred by APPLICANT arising from or related to DIVISION's construction or maintenance of DIVISION's facilities.
15. Utility installation(s) shall be in accordance with the current manual, "[Accommodation of Utilities on Highway Right of Way](https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx)" (<https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx>).
16. Driveway construction shall be in accordance with the current manual, "[Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way](https://transportation.wv.gov/highways/traffic/Pages/default.aspx)" (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
17. DIVISION reserves the right to cancel this permit at any time.
18. This permit is issued only insofar as DIVISION has a right to do so. APPLICANT has sole responsibility to secure all necessary rights or permissions for any third-party property interests related to the entry, known or unknown. APPLICANT, by signing on page one, hereby warrants that, to the extent its entry onto DIVISION's right(s) of way involves or affects any other entity's property, real or personal, on or within DIVISION's right(s) of way, that APPLICANT has full legal authorization or the legal right to do so. To the fullest extent permitted by law, APPLICANT agrees to defend, indemnify, and hold harmless DIVISION for damage to any persons or property arising from APPLICANT's breach of this representation and warranty.
19. All attachments are incorporated into this permit. To the extent of any conflict, the terms of this permit shall control.
20. APPLICANT agrees to keep any surface facilities installed pursuant to this permit clear of vegetation for so long as APPLICANT's facilities are located on DIVISION's rights of way. APPLICANT agrees to remove promptly any vegetation in, on, or around such facilities that poses a risk or hazard to the safety of the travelling public.
21. Applicant agrees that this submission is an application, and any final permit issued may include changes required by DIVISION.

West Virginia Department of Transportation
Division of Highways
Right of Way Entry Permit Application

PERMIT NO. 05-2024-2463

By signing below, APPLICANT agrees to all terms and conditions (see page 2) associated with this permit to enter upon, under, over, or across the state road right(s) of way of the State of West Virginia.

Applicant: Jacob and Anna Binkley

Address: 1177 Whitmer Road City: Shenandoah Junction State: West Virginia Zip: 25442

Phone Number: 301-514-6453 Email: maplevalleyfarmllc@gmail.com

Route Type: WV Route Number: 16/3 Milepost: _____ County: 19 - Jefferson

Latitude/ Longitude at/along Roadway (in decimal degrees): 39.37683 /-77.82362

Description of Work: ***We are creating a two-lot minor subdivision both lots will be served by a shared single approach.***

Length of Installation: _____ Estimated Construction Duration: 15 working days

DOH Project Number/Name (if applicable): _____

Customer Reference Number (if applicable): _____

Inspection Fees (must check one):

- | | |
|--|--|
| <input type="checkbox"/> Water Installations (\$0.85 per foot) | <input type="checkbox"/> Small Cell Installations (flat fee - \$250) |
| <input type="checkbox"/> Sewer Installations (\$3.37 per foot) | <input type="checkbox"/> Standard Permit Expenses Fee (\$0) |
| <input type="checkbox"/> Aerial Installation (\$300 per day) | <input type="checkbox"/> Misc Fee (TBD) |
| <input type="checkbox"/> Subsurface Installation (\$600 per day) | |

Applicant: Electronically Signed on
8/29/2024

Applicant Title: Professional Surveyor

Applicant Printed Name: Edward Johnson

Date: 8/29/2024

DEPOSIT/BOND REQUIRED: NO

BOND ON FILE:

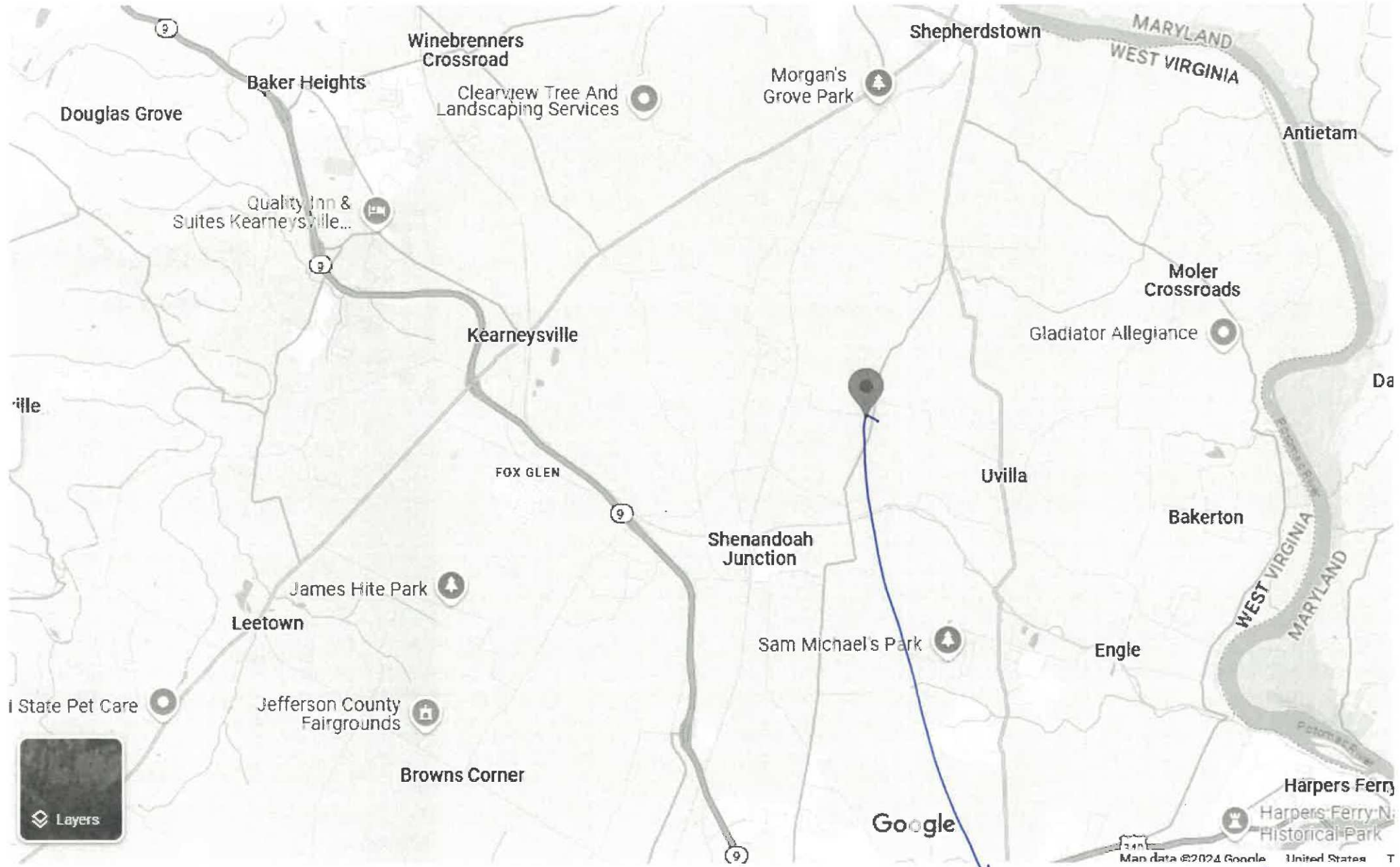
DATE:

BOND NUMBER:

DEPOSIT/BOND AMOUNT:

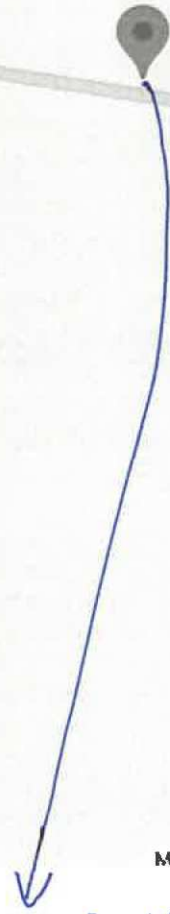
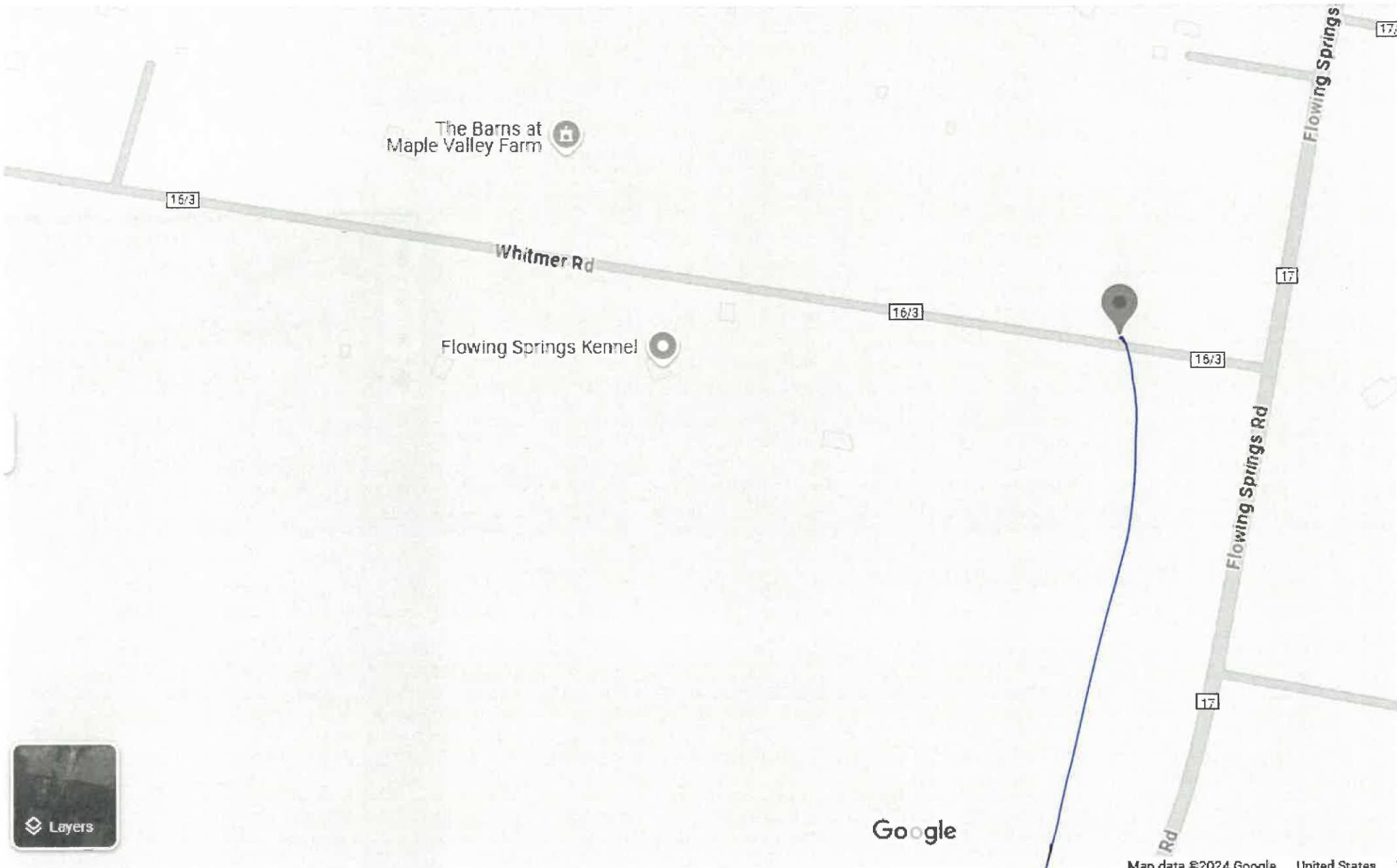
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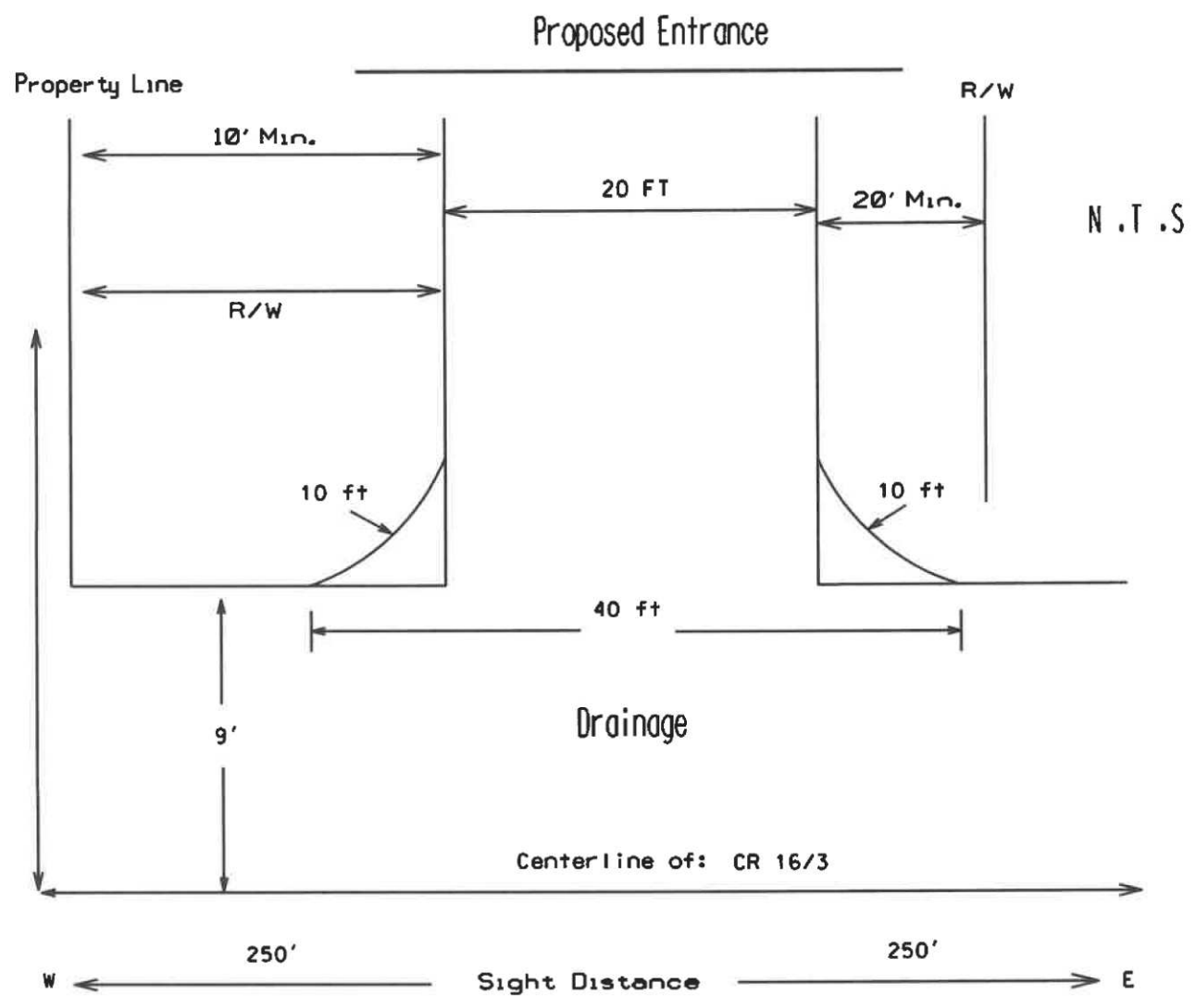
39.37693
 -77.82403.

0.124 miles from
 CR17 Flaming Springs Rd



0.124 miles from
CR 17 Flowing Springs Rd.

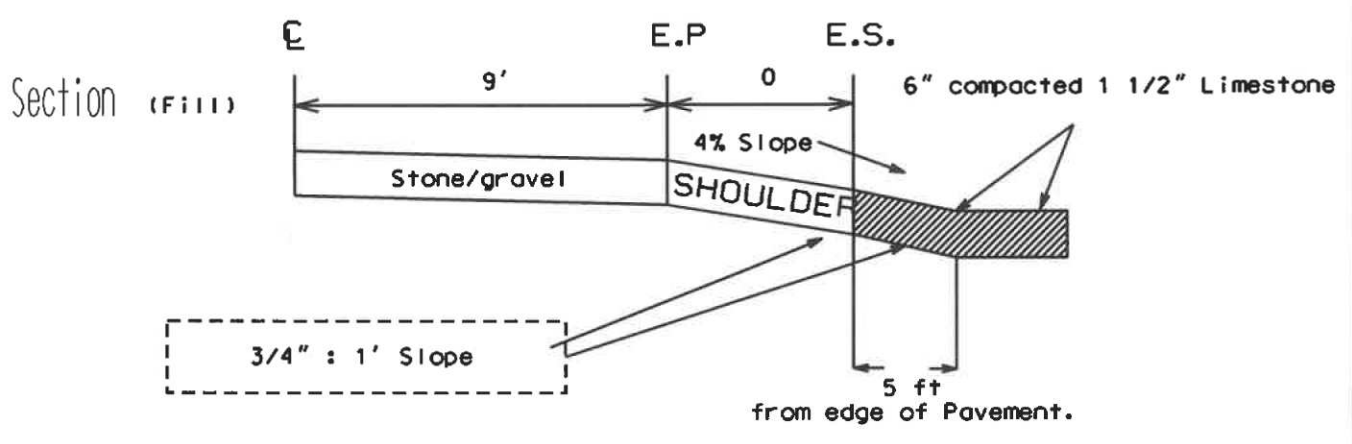
05-2024-2463



NO OBSTRUCTION PERMITTED BETWEEN PAVEMENT EDGE AND R/W LINE

REMARKS: Entrance will be a shared entrance to serve Lot 1 & Lot 2

Posted Speed Limit 35 mph



GPS 39.37693
-77.82403

MP 1.344

NAME Jacob and Anna Binkley
 ADDRESS: 1177 Whitmer Road
Shenandoah Junction WV 25442
 LOCATION: 0.124 Miles from intersection
of CR 17 Flowing Springs Road

COUNTY Jefferson
 ROUTE CR 16/3
 PROJECT _____
 DATE 9/11/2024







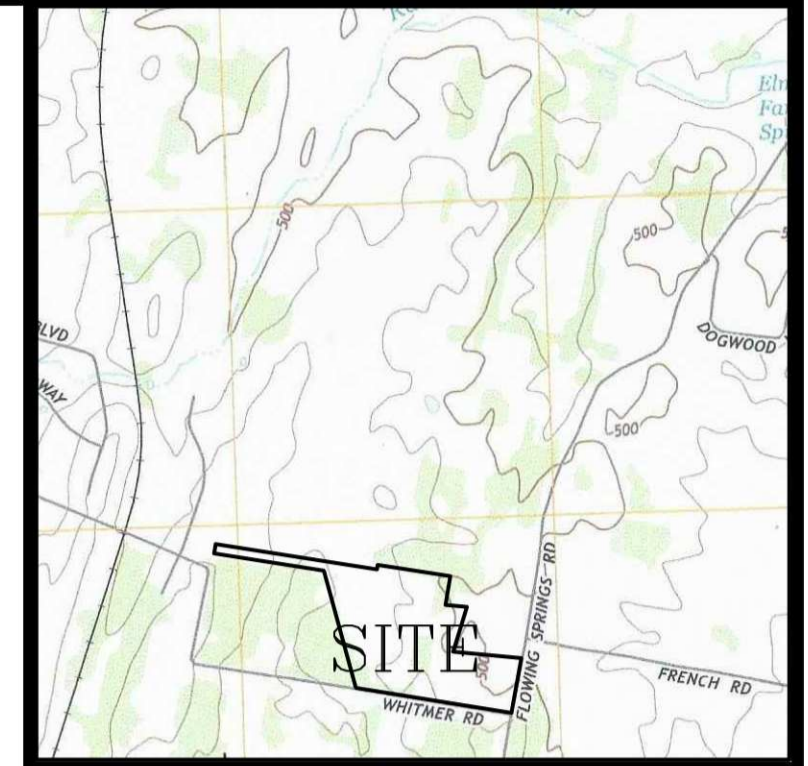
JEFFERSON COUNTY ZONING BOARD OF APPEALS VARIANCE (TABLE 1.2-2)

SECTION OF ORDINANCE	DESCRIPTION OF WAIVER	DATE GRANTED
	NONE	

- LEGEND:
- ⊕ FOUND 3/4" IRON PIPE
 - FOUND CAPPED REBAR
 - SET 5/8" REBAR & CAP
 - PERCOLATION TEST HOLE
 - ◆ OBSERVATION HOLE
 - △ UNMARKED

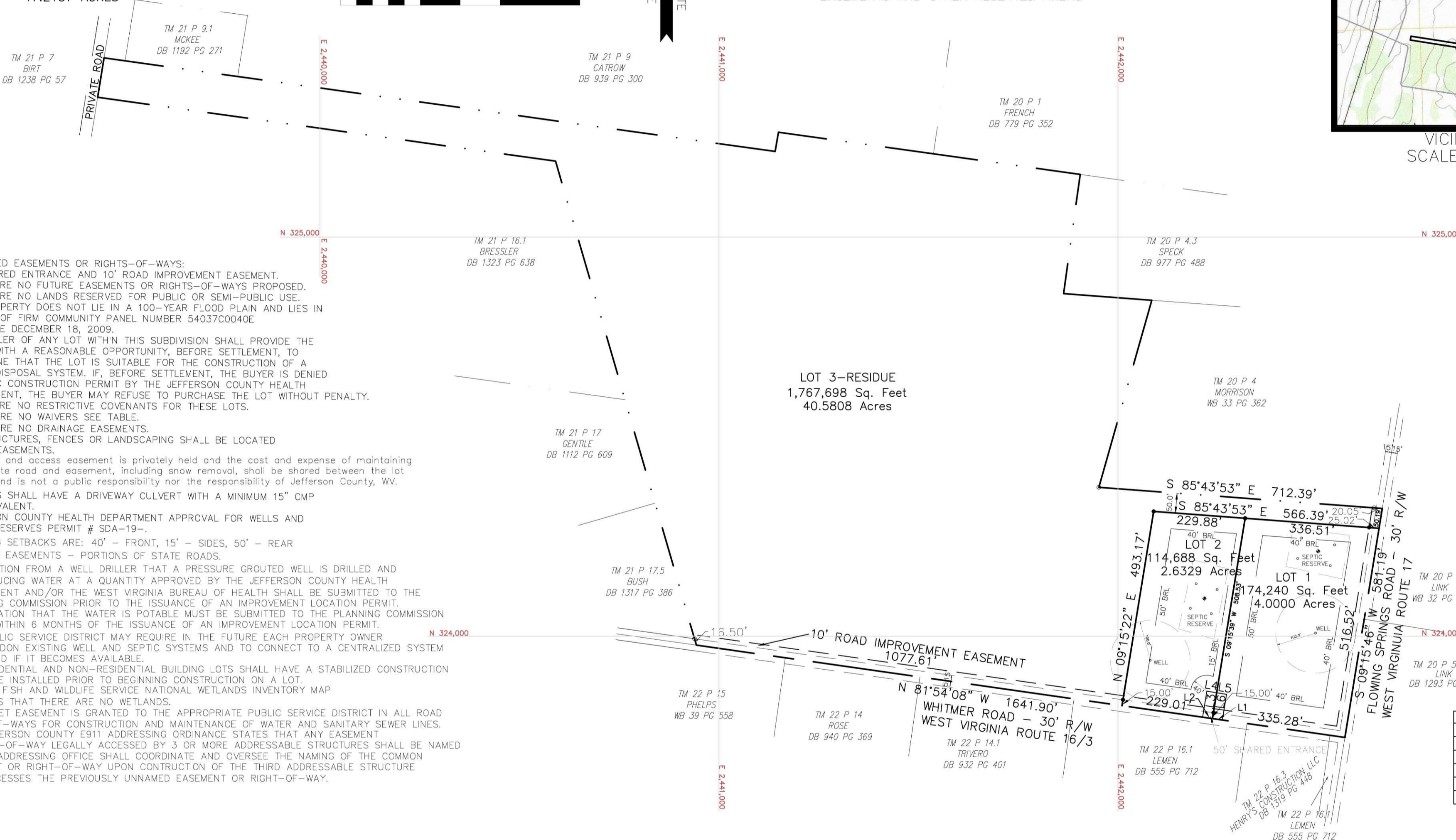


- DESCRIPTIVE LINES EXISTING
- CENTERLINE OF ROAD
 - TRACT BOUNDARY
 - PROPERTY LINES OF ADJACENT TRACTS
 - RIGHT-OF-WAYS
 - RESTRICTION LINES
 - EASEMENTS AND OTHER RESERVED AREAS
 - FENCE LINE
- DESCRIPTIVE LINES PROPOSED:
- LOT BOUNDARIES
 - RIGHT-OF-WAYS
 - RESTRICTION LINES
 - EASEMENTS AND OTHER RESERVED AREAS



VICINITY MAP
SCALE: 1" = 2000'

AREA TABULATION:
 LOT 1 4.0000 ACRES
 LOT 2 2.6329 ACRES
 LOT 3-RESIDUE 40.5808 ACRES
 TOTAL 47.2137 ACRES



- NOTES:
- PROPOSED EASEMENTS OR RIGHTS-OF-WAYS: 50' SHARED ENTRANCE AND 10' ROAD IMPROVEMENT EASEMENT.
 - THERE ARE NO FUTURE EASEMENTS OR RIGHTS-OF-WAYS PROPOSED.
 - THERE ARE NO LANDS RESERVED FOR PUBLIC OR SEMI-PUBLIC USE.
 - THE PROPERTY DOES NOT LIE IN A 100-YEAR FLOOD PLAIN AND LIES IN ZONE X OF FIRM COMMUNITY PANEL NUMBER 54037C0040E EFFECTIVE DECEMBER 18, 2009.
 - THE SELLER OF ANY LOT WITHIN THIS SUBDIVISION SHALL PROVIDE THE BUYER WITH A REASONABLE OPPORTUNITY, BEFORE SETTLEMENT, TO DETERMINE THAT THE LOT IS SUITABLE FOR THE CONSTRUCTION OF A SEPTIC DISPOSAL SYSTEM. IF, BEFORE SETTLEMENT, THE BUYER IS DENIED A SEPTIC CONSTRUCTION PERMIT BY THE JEFFERSON COUNTY HEALTH DEPARTMENT, THE BUYER MAY REFUSE TO PURCHASE THE LOT WITHOUT PENALTY.
 - THERE ARE NO RESTRICTIVE COVENANTS FOR THESE LOTS.
 - THERE ARE NO WAIVERS SEE TABLE.
 - THERE ARE NO DRAINAGE EASEMENTS.
 - NO STRUCTURES, FENCES OR LANDSCAPING SHALL BE LOCATED IN THE EASEMENTS.
 - The road and access easement is privately held and the cost and expense of maintaining the private road and easement, including snow removal, shall be shared between the lot owners and is not a public responsibility nor the responsibility of Jefferson County, WV.
 - ALL LOTS SHALL HAVE A DRIVEWAY CULVERT WITH A MINIMUM 15" CMP OR EQUIVALENT.
 - JEFFERSON COUNTY HEALTH DEPARTMENT APPROVAL FOR WELLS AND SEPTIC RESERVES PERMIT # SDA-19-.
 - BUILDING SETBACKS ARE: 40' - FRONT, 15' - SIDES, 50' - REAR
 - EXISTING EASEMENTS - PORTIONS OF STATE ROADS.
 - VERIFICATION FROM A WELL DRILLER THAT A PRESSURE GROUTED WELL IS DRILLED AND IS PRODUCING WATER AT A QUANTITY APPROVED BY THE JEFFERSON COUNTY HEALTH DEPARTMENT AND/OR THE WEST VIRGINIA BUREAU OF HEALTH SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO THE ISSUANCE OF AN IMPROVEMENT LOCATION PERMIT. CERTIFICATION THAT THE WATER IS POTABLE MUST BE SUBMITTED TO THE PLANNING COMMISSION OFFICE WITHIN 6 MONTHS OF THE ISSUANCE OF AN IMPROVEMENT LOCATION PERMIT.
 - THE PUBLIC SERVICE DISTRICT MAY REQUIRE IN THE FUTURE EACH PROPERTY OWNER TO ABANDON EXISTING WELL AND SEPTIC SYSTEMS AND TO CONNECT TO A CENTRALIZED SYSTEM WHEN AND IF IT BECOMES AVAILABLE.
 - ALL RESIDENTIAL AND NON-RESIDENTIAL BUILDING LOTS SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE INSTALLED PRIOR TO BEGINNING CONSTRUCTION ON A LOT.
 - THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP INDICATES THAT THERE ARE NO WETLANDS.
 - A BLANKET EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC SERVICE DISTRICT IN ALL ROAD RIGHT-OF-WAYS FOR CONSTRUCTION AND MAINTENANCE OF WATER AND SANITARY SEWER LINES.
 - THE JEFFERSON COUNTY E911 ADDRESSING ORDINANCE STATES THAT ANY EASEMENT OR RIGHT-OF-WAY LEGALLY ACCESSED BY 3 OR MORE ADDRESSABLE STRUCTURES SHALL BE NAMED THE GIS/ADDRESSING OFFICE SHALL COORDINATE AND OVERSEE THE NAMING OF THE COMMON EASEMENT OR RIGHT-OF-WAY UPON CONSTRUCTION OF THE THIRD ADDRESSABLE STRUCTURE THAT ACCESSES THE PREVIOUSLY UNNAMED EASEMENT OR RIGHT-OF-WAY.

LINE	BEARING	DISTANCE
L1	N 81°54'08" W	25.01'
L2	N 81°54'08" W	25.01'
L3	N 09°15'39" E	66.03'
L4	S 80°44'21" E	25.00'
L5	S 80°44'21" E	25.00'
L6	S 09°15'39" W	65.01'

FINAL PLAT MINOR SUBDIVISION
LOTS 1-3-RESIDUE
JACOB H. BINKLEY & ANNA M. BINKLEY
DEED BOOK 875 PAGE 546 TAX MAP 20 PARCEL 4.1

SHEPHERDSTOWN DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA
 SCALE: 1" = 100' AUGUST 27, 2024

OWNERS/DEVELOPERS JACOB AND ANNA BINKLEY
 1177 WHITMER ROAD
 SHENANDOAH JUNCTION, WV 25442
 (301) 514-6453

ED JOHNSON AND ASSOCIATES, INC.
 LAND SURVEYORS
 674 ACORN CIRCLE
 HARPERS FERRY, WEST VIRGINIA 25425
 (304)725-6060

APPROVED
 JEFFERSON COUNTY
 PLANNING COMMISSION

OWNER'S CERTIFICATE:
 THE DEVELOPER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.

JACOB H. BINKLEY ANNA M. BINKLEY

SURVEYOR'S CERTIFICATE:
 I, EDWARD L. JOHNSON JR., DO HEREBY CERTIFY THAT THE PROPERTY DELINEATED BY THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT REPRESENTS A SURVEY MADE IN THE FIELD WITH A RELATIVE ERROR OF CLOSURE EXCEEDING 1:7,500 AND THAT #5 REBAR WILL BE SET AS SHOWN.

EDWARD L. JOHNSON JR.
 PROFESSIONAL SURVEYOR #866

OFFICE OF PLANNING & ZONING

APPLICABLE ZONING AND SUBDIVISION ORDINANCE
 ZONING ORDINANCE: ADOPTED JULY 7, 1988
 AMENDMENTS: JUNE 16, 2022.
 SUBDIVISION REGULATIONS: ADOPTED OCTOBER 9, 2008
 EFFECTIVE AMENDMENTS:
 JULY 11, 2024