

**ARTICLE III**  
**PROCEDURE FOR SECURING APPROVAL FOR SUBDIVISIONS**

**Section 1      Preapplication Conference**

The subdivider shall meet with the Zoning Administrator in a preapplication conference to discuss informally the provisions of this Ordinance and subdivision of land contemplated by the subdivider.

**Section 2      Sketch Plan Submittal**

*NOTE: Subdivisions that are located on less than ten (10) acres of land may be developed as small tract 'conventional' subdivisions and shall follow the rules shown herein for securing Sketch Plan approval. An applicant may choose to develop such a subdivision to large tract subdivision standards. If so, the procedures shown in Article VIIA of this Ordinance shall be followed for Sketch Plan approval.*

The subdivider shall submit ten (10) copies of the sketch plan to the Zoning Administrator. This submission shall be prepared in accordance with the provisions of this Ordinance. Any sketch plan shall not be deemed complete unless accompanied by a fee, as contained in the most recently adopted version of the Village's Subdivision Fee Schedule. In addition, the Village shall be reimbursed by the subdivider for all costs associated with the Village's engineering and/or consulting services with respect to review of the sketch plan prior to sketch plan approval. All revisions and corrections required by the Village of Marvin, other county or state agencies, or revisions proposed by the developer shall be clearly identified on the plans and resubmitted to the Subdivision Administrator for review.

**The procedure for securing approval of a sketch plan is as follows:**

1. The Zoning Administrator shall, where applicable, request review of the sketch plan by those state and county agencies which have jurisdiction in the area.
2. The Zoning Administrator shall submit the sketch plan to the Planning Board for their review and recommendation. The Planning Board shall be required to make a recommendation on the sketch plan within sixty (60) days after the date at which the Planning Board first met to review the plat. The sixty (60) days may be extended upon request by the Village Council upon request of the Planning Board. If the Planning Board fails to make a recommendation within this time period, the subdivider may seek approval of the sketch plan at the next regularly scheduled Village Council meeting without a recommendation from the Planning Board.
3. If the Planning Board conditionally disapproves the sketch plan, the reasons for such action shall be stated in writing and reference shall be made to the specific sections of the Ordinance with which the sketch plan does not comply. Correction of references shall be included in the sketch plan before it is submitted to the Village Council for review.
4. Approval of the sketch plan shall be obtained from the Village Council. If the Village Council disapproves the sketch plan, the reasons for such actions shall be stated in the minutes of the Village Council and reference shall be made to the specific section(s) of the Ordinance with which the sketch plan does not comply.

5. Action of the Village Council shall be affixed to the sketch plan as shown in Article VII, Section 4. One print shall be retained by and become a permanent record of the Zoning Administrator. The approval of the sketch plan shall become null and void within one year unless the subdivider or his/her representative shall have prepared and submitted for approval the preliminary/construction Plat as required by this Ordinance or shall have applied for and received an extension of time from the Planning Board.

If no street right-of-way or reservation is involved and no street improvements are required to be made by the subdivider according to the provisions of this Ordinance, the Zoning Administrator may waive the requirements for the sketch plan.

The Zoning Administrator, after approval, shall advise the subdivider of the provisions of this Ordinance pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary/construction plat.

### **Section 3 Preliminary/Construction Plat Submittal**

The approval of the sketch plan by the Village Council shall be a prerequisite to the submittal of a preliminary/construction plat, unless the Zoning Administrator waived this action. Approval of the preliminary/construction plat by the Village Council shall be a prerequisite to the issuance of a statement of authorization for the developer to install the required improvement in the proposed subdivision as required by the Village Council.

The subdivider shall submit ten (10) copies of the preliminary/construction plats for required street and community utility improvements to the Zoning Administrator. The Zoning Administrator shall have the authority to change the number of submitted copies. This submission shall be prepared in accordance with the provisions of this Ordinance. Any preliminary/construction plat submitted shall not be deemed complete unless accompanied by a fee, as contained in the most recently adopted version of the Village of Marvin Subdivision Fee Schedule. In addition, the Village shall be reimbursed by the subdivider for all costs associated with the Village's engineering and/or consulting services with respect to review of the preliminary/construction plat prior to preliminary/construction plat approval. All revisions and corrections required by the Village of Marvin, other county or state agencies, or revisions proposed by the developer shall be clearly identified on the plans and resubmitted to the Subdivision Administrator for review.

#### **The procedure for securing approval of a preliminary/construction plat is as follows:**

1. A preliminary/construction plat shall be in conformity with an approved sketch plan unless the Zoning Administrator has waived the sketch plan or the required change to the sketch plan has been incorporated in the preliminary/construction plat.
2. The Zoning Administrator shall, where applicable, request review of the preliminary/construction plat by those state and county agencies that have a jurisdiction in the area being developed.
3. The Zoning Administrator shall submit the preliminary/construction plat to the Planning Board for their review and recommendation. The Planning Board shall be required to make a recommendation on the preliminary/construction plat within sixty (60) days after the date at which the Planning Board first met to review the plat. The sixty (60) days may be extended upon request by the Village Council upon request of the Planning Board. If the Planning Board fails to make a recommendation within this time period, the subdivider may seek approval of the preliminary/construction plat at the next regularly scheduled Village Council meeting without a recommendation from the Planning

Board.

4. Approval of the preliminary/construction plat shall be obtained from the Village Council. If the Village Council disapproves the preliminary/construction plat, the reasons for such actions shall be stated in the minutes of the Village Council and reference shall be made to the specific section(s) of the Ordinance with which the preliminary/construction plat does not comply.
5. Action of the Village Council shall be affixed to the preliminary/construction plat as shown in Article VIII, Section 1.1.a. Two prints shall be retained by and become a permanent record of the Village of Marvin, one for the Village Clerk, one for the Zoning Administrator. The approval of the preliminary/construction plat shall become null and void within one year unless the subdivider or his representative shall have prepared and submitted for approval the final plat as required by this Ordinance or shall have applied for and received an extension of time from the Village Council. If no street right-of-way or reservation is involved and no street improvements are required to be made by the subdivider according to the provisions of this Ordinance, the Zoning Administrator may waive the requirements for the preliminary/construction plat.

#### **Section 4 Authorization to Install Improvements**

No improvement shall be installed until the Village Council has approved the preliminary/construction plat. When the preliminary/construction plat has been approved, a statement of authorization to install improvements shall be lettered, stamped or otherwise included on the preliminary/construction plat. This statement shall be as follows:

##### ***Authorization to install improvements***

The subdivider or developer is hereby granted permission to install the improvements shown on this plat. All installation shall be done as shown on this plat. Any changes or alterations from this plat shall be approved by the Zoning Administrator prior to their installation.

\_\_\_\_\_  
Zoning Administrator  
Village of Marvin, North Carolina

Date \_\_\_\_\_

#### **Section 5 Final Plat Submittal**

The subdivider shall submit ten (10) copies of the final plat to the Zoning Administrator. This submission shall be prepared in accordance with the provisions of this Ordinance. No final plat shall be deemed complete unless accompanied by a fee, as contained in the most recently adopted version of the Village's Subdivision Fee Schedule. In addition, the Village shall be reimbursed by the subdivider for all costs associated with the Village's engineering and/or consulting services with respect to review of the final plat prior to final plat approval. All revisions and corrections required by the Village of Marvin, other county or state agencies, or revisions proposed by the developer shall be clearly identified on the plans and resubmitted to the Subdivision Administrator for review.

Final plats shall contain or be accompanied by all the information outlined in Article IX. Furthermore, the final plat for any large tract subdivision shall also include the following:

1. An Existing Resources and Site Analysis Plan shall be submitted if it differs with that which was submitted for sketch plan approval.

2. The Maintenance Plan and Maintenance Agreement that show how all conservation lands will be owned and managed in accordance with Section 5.2.9 of the Marvin Zoning Ordinance.
3. All conservation lands depicted on the final plat shall be recorded at the Union County Register of Deeds in their entirety concurrent with the initial recordation of the final plat. Such recordation shall take place within seven (7) days of final plat approval.
4. Prior to the issuance of any zoning permits for lots located within the subdivision, the conservation easement shall be recorded and deeded to either the Homeowners Association, Conservation Organization, and/or other easement holders as specified in the Maintenance Plans and Maintenance Agreement as described in Section 5.2.9 of the Marvin Zoning Ordinance. Proof of such recordation shall be required prior to the issuance of any zoning permits.

No final plat shall be approved until all improvements are installed or their execution guaranteed as set forth in this Ordinance and all certificates required on final plats by this Ordinance have been properly completed and signed.

**The procedure for securing approval of a final plat is as follows:**

1. A final plat shall be in conformity with an approved sketch plan and preliminary/construction plat unless the plat(s) have been waived by the Zoning Administrator.
2. The Zoning Administrator shall, where applicable, request review of the final plat by those state and county agencies that have a jurisdiction in the area being developed.
3. Approval of the final plat shall be obtained from the Village Council. If approved, action by the Village Council shall be noted on the original tracing and on three prints of the final plat. One print and the original shall be returned to the subdivider and one print shall be filed with the Village Clerk. The third print shall become a permanent record of the Zoning Administrator.
4. Developer/Owner shall submit to the Subdivision Administrator mylars of the final plat approved by the Village Council within five (5) days of Council approval. The Subdivision Administrator will have fifteen (15) days thereafter to review the mylars to be signed by the Mayor and recorded at the Union County Register of Deeds.
5. A disk or tape copy of the final plat shall be submitted to the Village prior to the signing of the mylars in a format compatible to the Union County/Village of Marvin GIS system. If this cannot be supplied, expenses will be charged to the developer for the service to be completed by the Village plus fifteen (15) percent.