VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

VILLAGE COUNCIL MEETING MINUTES

August 26, 2021 – 9am
Village Hall, 10004 New Town Road
Work Session (Virtual Meeting)

A. AGENDA ITEMS

1. **Call to Order**
Mayor Pollino called the meeting to order at 9am and determined a quorum was present.
Present: Mayor Pollino, Mayor Pro Tem Vandenberg, Councilman Lein, Councilman Wortman
Present Virtually via Webex: Councilman Marcolese
Absent: None
Staff Present: Christina Amos, Austin W. Yow, Hunter Nestor, Jamie Bays, Derek Durst

2. **Consider Allowing Councilmembers to Participate Remotely**
MOTION: Councilman Wortman moved to allow Councilmembers to participate remotely.
VOTE: The motion passed unanimously, 4-0.

3. **Adoption of the Agenda**
MOTION: Councilman Wortman moved to approve the agenda.
VOTE: The motion passed unanimously, 4-0.

B. PRESENTATIONS

No presentations occurred.

C. VILLAGE HALL

Ms. Amos stated she would give this update in her Manager's Report. Councilman Wortman briefly stated that the gravel has been laid down and the floor will be poured tomorrow.

D. ITEMS OF DISCUSSION

TIME STAMP 2:35

1. **Discussion of 2022 Marvin Day Celebration**
Derek Durst, Public Facilities Manager, explained the planning process for the 2022 Marvin Day Celebration. He explained the events, as well as the person responsible for planning each event. Council discussed the events, communications, as well as sponsorships in depth.

TIME STAMP 22:30

2. **Discussion and Consideration of Tree Feeding/Preservation Programs for Heritage Oaks at Marvin Efird Park**
Mr. Durst asked Council whether they were interested in investing in services to care for the heritage oak trees at Marvin Efird Park. He explained he has already begun receiving quotes. Council directed Mr. Durst to get additional quotes.

TIME STAMP 27:20

3. **Discussion and Consideration of Options for Possible Swing Replacement at Marvin Efird Park and Authorize Future Budget Amendment**
Mr. Durst explained that the current swing set at the park is made of wood and has been slowly deteriorating. He stated that a replacement will be needed soon. He presented Council with various option, which Council discussed in depth. Council agreed by consensus to pursue a temporary fix until the entire swing set needs to be replaced.

TIME STAMP 33:00

4. **Discuss and Consider Adoption of Ordinance Amending the General Fund Budget for the Purchase of Traffic Radar Signs as Approved at the 8/10/2021 Council Regular Meeting**
Jamie Bays, Finance Officer, explained that this ordinance shifts funds to purchase the traffic radars that were previously approved.

OR-2021-08-01

AN ORDINANCE AMENDING THE GENERAL FUND BUDGET ORDINANCE

BE IT ORDAINED by the Village Council of the Village of Marvin, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

SECTION 1. To amend the General Fund Budget, the revenues and appropriations are to be changed as shown.

TYPE	BUDGET ACCOUNT	AMENDMENT AMOUNT	FROM	TO
Expense	General Fund – Traffic Calming (A/C 6350)	$6,000	$0	$6,000
Expense	General Fund-Contingency (A/C 6900)	($6,000)	$40,000	$34,000

Reason: To amend budget for a contingency appropriation of $6,000 to Roads and Transportation (Traffic Calming) for the purchase of radar signs as approved in the 8/10/2021 meeting.

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 26th day of August 2021.

MOTION: Mayor Pro Tem Vandenberg moved to approve the ordinance amending the General Fund Budget for the purchase of traffic radar signs as approved at the 8/10/2021 Council Regular Meeting.
VOTE: The motion passed unanimously, 4-0.

TIME STAMP 36:05

5. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Lane, Pool in a Rear Yard that Abuts a Side Yard, as Required per §151.0549(E)(3)** *(See attached Item D.5., which is included as a reference in these minutes).*
MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Lane, pool in a rear yard that abuts a side yard, as required per §151.0549(E)(3).
VOTE: The motion passed unanimously, 4-0.

6. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall to Consider Approval of The Gates at Marvin Preliminary Plat and Construction Plans** *(See attached Item D.6., which is included as a reference in these minutes).*
MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall to Consider Approval of The Gates at Marvin Preliminary Plat and Construction Plans.
VOTE: The motion passed unanimously, 4-0.

7. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06210007A, 8802 Bonds Grove Church Road** *(See attached Item D.7., which is included as a reference in these minutes).*
MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06210007A, 8802 Bonds Grove Church Road.
VOTE: The motion passed unanimously, 4-0.

8. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06207005C, Marvin Efird Park** *(See attached Item D.8., which is included as a reference in these minutes).*
MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06207005C, Marvin Efird Park.
VOTE: The motion passed unanimously, 4-0.

TIME STAMP 39:55

9. **Discuss and Consider Request from Council Candidate Brandi Smith to Extend the Candidate Questionnaire Deadline**
Austin W. Yow, Village Clerk & Assistant to the Manager, explained that Mrs. Smith inadvertently missed the deadline for the candidate questionnaire. Council by consensus allowed Mrs. Smith to speak. Council discussed this item in depth and agreed by consensus to not extend the deadline.

TIME STAMP 44:00

10. **Discussion of Annexation Local Bill**
Mr. Yow & Hunter Nestor, Planning & Zoning Administrator, explained that staff has revised the memo explaining the Village's reasoning for asking the North Carolina General Assembly to annex properties into Marvin with Council's feedback from previous meetings. Mr. Yow and Mr. Nestor added that staff also wishes to pursue a voluntary annexation campaign concurrently, as staff has made new contacts in subdivisions that stand to gain a lot by annexing into the Village.

TIME STAMP 48:55

11. **Discuss and Consider Adoption of Corrected Council Minutes from the 4/13/21 Budget Work Session Meeting**
(Approved minutes can be viewed online).
Mr. Yow explained that he inadvertently recorded the revenue neutral tax rate incorrectly as $0.055, when it should have been $0.046. He asked Council to amend the minutes with the correct rate.

MOTION: Mayor Pro Tem Vandenberg moved to adopt the corrected Council Minutes from the 4/13/21 Budget Work Session Meeting.
VOTE: The motion passed unanimously, 4-0.

TIME STAMP 50:05

12. **Review of Council Minutes from the 7/29/21 (Work Session) and 8/10/21 (Regular) Meetings**
Council reviewed the minutes and made no changes. Council directed Mr. Yow to place the minutes on the consent agenda for the September 14 regular meeting.

E. Open Topics

TIME STAMP 50:55

Mayor Pro Tem Vandenberg spoke on the ongoing traffic situation surrounding the Marvin Ridge Schools. She has received a request from the community about constructing sidewalks. She noted that the area is not in Marvin and encouraged those living in this area to annex into Marvin. Council discussed various options to address the situation.

F. Communications

TIME STAMP 59:15

1. **Discussion of September 2021 Communications**
Council reviewed the list of proposed communications for September 2021 and added to the list.

G. Reports and Updates

TIME STAMP 1:04:45

1. **Manager's Report**
   a. **American Rescue Plan Update**
   Ms. Amos stated that the Village has received its first allotment of more than $500,000 from the American Rescue Plan. The last allotment will be received in 2022. She briefly discussed possible uses for the funds. Council discussed this item in depth.

   b. **Berwick Update**
   Council informed Ms. Amos that AMT has not fixed the issue with standing water on the corner of Berwick in Firethorne. Ms. Amos stated AMT has been preoccupied with the Village's annual Powell Bill submissions.

c. **Terracon Update**
Ms. Amos explained that Terracon is the Village's third-party tester for the Village Hall project. She stated that additional work was required for the project and will cost an additional $4,000-$6,000. Ms. Amos stated that this item will be on the consent agenda for the September 14 regular meeting. She added that the Village will also owe Dewberry an additional $8,000-$9,000 for required revisions to the project plans. The Village may also owe Urban Architects for additional work; however, any amount owed is yet to be determined.

d. **Village Hall Update** *(Ms. Amos gave this update just prior to the review of action items.)*
Ms. Amos stated that the slab would be poured tomorrow and that framing would begin the following week. She stated that the contractor is expecting to have the project completed ahead of schedule.

TIME STAMP 1:30:35

2. **Planner's Report**

a. **Innisbrook Trail Easement Update**
Mr. Nestor stated he has not heard back from the property owners interested in giving the trail easement to connect Innisbrook to the future Preserve Trail.

b. **Belle Grove Update**
Mr. Nestor spoke to the developer of the Belle Grove subdivision regarding the fee in-lieu for the construction of the Belle Grove Trail. Council confirmed that they wished to keep the existing trail easement and retain the fee in-lieu. Mayor Pollino briefly asked Mr. Nestor about a problem that Charlotte Mott is experiencing due to the development of Belle Grove.

c. **Union Power Roundabout Lighting Update**
Mr. Nestor informed Council that NCDOT is requiring the Village to install four additional light poles at the roundabouts that, depending on the type of pole, may or may not come at an additional cost to the Village.

H. Agenda Items

TIME STAMP 1:44:30

1. **Review of Action Items**

- Ms. Amos will give an update on the Berwick issue at the September 14 regular meeting and will give AMT a deadline of September 30 to complete the work.
- Mr. Durst will get additional quotes for preserving the heritage oaks at Marvin Efird Park.

TIME STAMP 1:45:05

2. **Review of Ongoing Action Item List**
Council reviewed the list and made revisions.

TIME STAMP 1:45:45

3. **Council Comments**
Mayor Pollino: He thanked staff for their hard work and for keeping the meeting efficient.

MOTION: Mayor Pro Tem Vandenberg moved to suspend the rules to add economic development to the closed session.
VOTE: The motion passed unanimously, 4-0.

I. Closed Session

TIME STAMP 1:47:45
Recess into Closed Session Pursuant of NCGS §143-318.11(a)(1)(4) for Review and Approval of Closed Session Minutes from the 7/13/21 and 8/10/21 Council Meetings; and Economic Development
MOTION: Mayor Pro Tem Vandenberg moved to recess into closed session pursuant to NCGS §143-318.11(a)(1)(4) for review and approval of Closed Session Minutes from the 7/13/21 and 8/10/21 Council Meetings and economic development.
VOTE: The motion passed unanimously, 4-0.

(Recording omits closed session)

MOTION: Mayor Pro Tem Vandenberg moved to move into open session.
VOTE: The motion passed unanimously, 4-0.

J. ADJOURNMENT

MOTION: Mayor Pro Tem Vandenberg moved to adjourn the meeting at 11:03am.
VOTE: The motion passed unanimously, 4-0.

Adopted: 10-12-2021

Kimberly Vandenberg, Mayor Pro Tempore
Village of Marvin

Austin W. Yow
Village Clerk & Assistant to the Manager

VILLAGE OF MARVIN
SEAL
N. C.

Item D.5.

VILLAGE OF MARVIN

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DATE: August 18, 2021

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Administrator

SUBJECT: Consider Call for Public Hearing on September 14th at 6PM at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Ln, Pool in Rear Yard that Abuts a Side Yard, as Required per §151.054(E)(3)

Actions Requested by Village Council

Staff Request that the Village Council Call for Public Hearing on September 14th at 6PM at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Ln, Pool in Rear Yard that Abuts a Side Yard, as Required per §151.054(E)(3). A Public Hearing is required before Village Council approval.

The property is located in the Marvin Creek Subdivision at 608 Running Horse LN in Marvin, NC and is zoned R-Marvin Residential. The surrounding properties are zoned R-Marvin Residential.

The applicant is proposing to construct an in-ground swimming located in the rear yard. However, a Special Use Permit (SUP) is required for a pool located in the rear yard on a lot where the rear yard abuts the side yard of an adjacent lot per §151.054(E)(3) of the Marvin Code of Ordinance. This lot is adjacent to one side yard at 612 Running Horse LN.

Overview

APPLICANT
Anthony and Sylvan Pools

PROPERTY OWNERS:
Marc and Kerri Denner

REQUEST: Applicant requests a Special Use Permit to allow a swimming pool located in the rear yard of a residential lot located at 608 Running Horse LN that is abutting the side yard of adjoining residential lot (612 Running Horse LN).

LOCATION:
608 RUNNING HORSE LN (Parcel Number 06-222338)

LAND USE AND ZONING:
The property is zoned R - MARVIN RESIDENTIAL DISTRICT. The property is located within the Marvin Creek Subdivision.

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Surrounding Zoning:
North: R-Marvin Residential
South: R-Marvin Residential
East: R-Marvin Residential
West: R-Marvin Residential

Surrounding Land Use:
North: Residential
South: Residential
East: Residential
West: Residential (612 Running Horse LN)

Review/Discussion

A Special Use Permit is a process which allows the Planning Board and Village Council to review and approve specific uses that are in keeping with the intent and purpose of the zoning district but may have substantial impacts on the surrounding area. This process allows conditions or restrictions to be placed on an approval that would minimize impacts to the surrounding area.

Swimming pools are an accessory use allowed in the R-Marvin Residential District, provided that the pool is located in the rear yard and the following setback requirements are met:

Swimming pool, measured from water's edge	20 feet rear yard 20 feet side yard or the principal structure on the street side
Pool Equipment	20 feet side and rear yard
Pool Decking	15 feet rear yard 20 feet side yard or the principal structure on the street side
Pool houses, cabanas, and the like	See §151.054 (B)

All swimming pools located on lots where a rear yard abuts a side yard of an adjacent lot shall be subject to a conditional use permit as provided for in § 151.100.

The proposed pool complies with all setback requirements, having a 144' rear yard setback (minimum 20') and 67'/48' left/right side setbacks (minimum 20'). There is existing heavy screening including evergreens. Attached is the zoning permit the applicant has applied for with this additional information.

Additionally, the applicant has secured verbal testimony (requested to have it in writing) of the neighbors whose side yard is abutting to the rear yard of his property.

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Staff Recommendation

Staff recommends that the Village Council Call for Public Hearing on September 14th at 6PM at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Ln, Pool in Rear Yard that Abuts a Side Yard, as Required per §151.054(E)(3)

Planning Board Recommendation

The Planning Board reviewed and discussed SUP Application 21-12695 during their regular scheduled Planning Board meeting on August 17, 2021. The Planning Board unanimously voted to recommend approval of SUP 21-12695 as submitted, contingent upon the submittal of an approval letter from the neighbor at 612 Running Horse LN.

[redacted] SUP 21-12695

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

CONDITIONAL USE PERMIT APPLICATION

Application Number: 21-12683-ZP Application Date: 7-21-21

Applicant's Name: Anthony & Sylvan Pools - Leah

Property Owner's Name: Marc & Kerri Denner

704-773-4436 (Applicant's phone) 631-807-6117 (Owner's phone) _____ (FAX) _____ (Mobile)

Relationship of Applicant to Property Owner: Contractor

Property Location: 608 Running Horse lane

Parcel Number: 06222338 Deed Book and page #: 4307 / 598

Existing Zoning: Marvin

Proposed Conditional Use: Inground Pool 20'x40'

A completed written application for a Conditional Use Permit shall be filed with the Zoning Administrator. The application, at a minimum, shall include the following required information:

1. A scaled boundary surveyed drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina, showing the total acreage, present zoning classification(s), date and north arrow. On this survey shall be sketched the information required in sections 3, 4, 5, 6, and 7.

2. The owners' names, addresses, and tax parcel numbers (as shown on the current year Union County Tax Records), and the uses and current zoning classifications of all adjacent properties.

3. All existing easements, reservations, rights-of-way and all yard requirements for the zoning district.

4. A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size, layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area where the structures will be located. For nonresidential uses, this shall include the approximate square

footage of all structures and an outline of the area where the structures will be located.

5. Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets.

6. Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, including walls, fences or planted areas as well as treatment of any existing natural features.

7. Plans and elevations for all proposed structures.

8. Depending on the nature of the proposed conditional use, the Zoning Administrator (or the Planning Board or Village Council) may require that the following information be submitted in scaled form along with other required information:

   a) Delineation of the areas within the floodplain as shown on the official flood hazard boundary maps.

   b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U.S. Department of Agriculture.

   c) Existing and proposed topography at five (5) feet contour intervals.

   d) Plans for providing potable water and for the treatment of wastewater.

9. Proposed phasing, if any, and approximate completion time of the project.

   a) All applications shall be signed by the applicant and shall be submitted with any application fee required by the Village.

   b) The Zoning Administrator shall present any properly completed application to the members of the Planning Board at least fifteen (15) days prior to their next regularly scheduled meeting. The Planning Board by majority vote may shorten or waive the time provided in the Article for receipt of a completed conditional use application.

   c) The Planning Board shall have a maximum of thirty (30) days from the date at which it met or until its next regularly scheduled meeting, whichever is longer, to review the application and to submit its recommendation to the Village Council. If a recommendation is not made during said time period, the application shall be forwarded to the Village Council without a recommendation from the Planning Board.

   d) When dealing with the Conditional Use Permit process, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board and/or Village Council may request needed additional information as they deem necessary.

   e) Once the application is forwarded to the Village Council from the Planning Board, the Village Council shall consider conducting a public hearing as prescribed in Article 12.1.7 (a public

hearing is required if CUP is to be approved). In the event the Village Council deems a public hearing appropriate, due notice of such public hearing shall be as prescribed in Article 12.1.7(A) and (B) of the Village of Marvin Zoning Ordinance.

☐ This completed application shall be submitted to the Zoning Administrator and shall not be considered complete unless accompanied by all required information and a fee in accordance with the current Fee Schedule adopted by the Village of Marvin. Please note: all fees for regulation approval in the Village of Marvin are non-refundable, and checks that are returned will be subject to a returned check fee in accordance with the current fee schedule adopted by the Village of Marvin.

To the best of my knowledge, all information herein submitted is accurate and complete.

Signature of Property Owner _____ Date 7-21-21

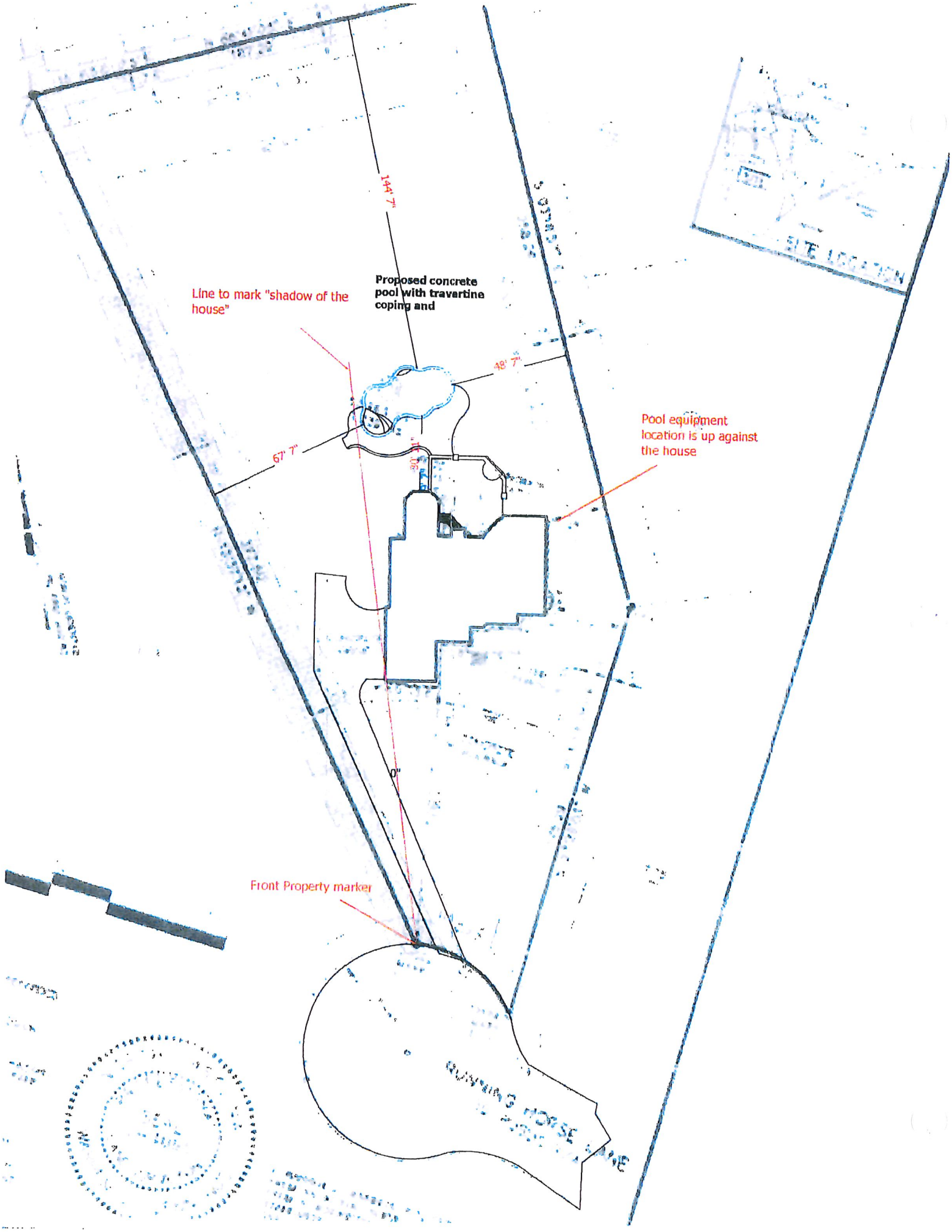
Signature of Applicant _____ Date 7-21-21

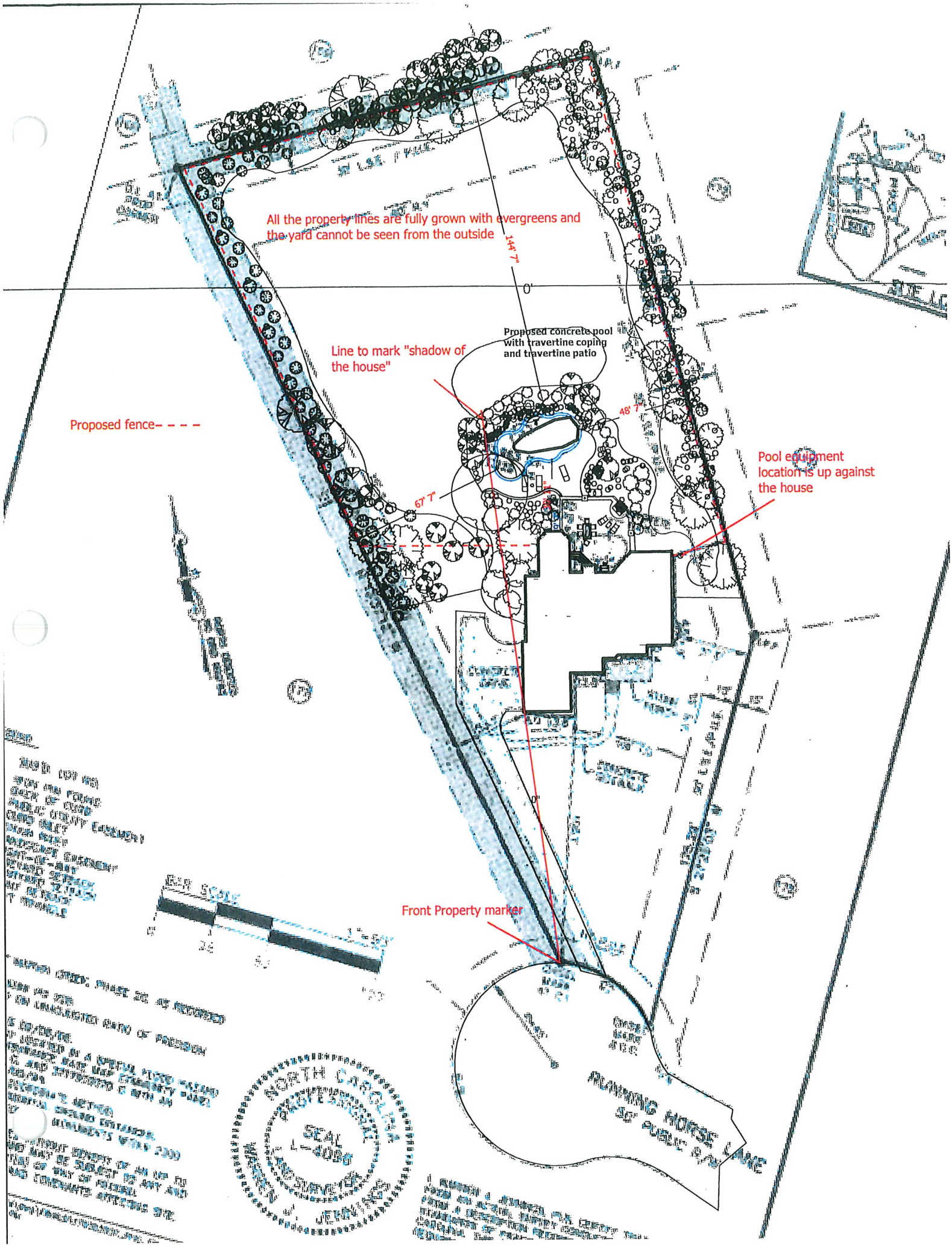
All of the information herein required has been submitted by the applicant and is included or attached with this application.

Signature of Zoning Administrator Hunter Nestor _____ Date

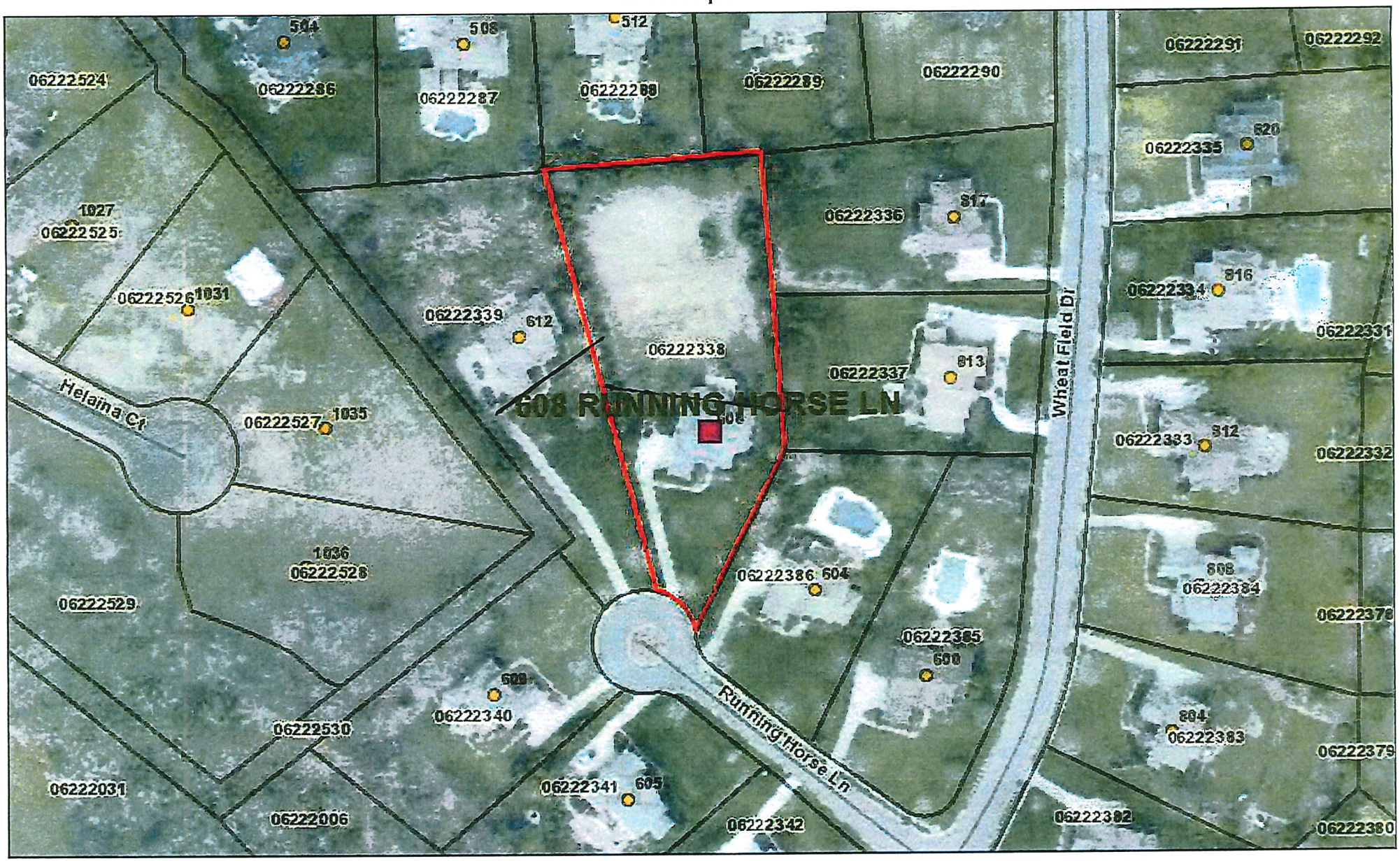
This section to be filled out by the Zoning Administrator

1. Completed application submitted on 7/21/2021
2. First reviewed by Planning Board on 8/17/2021
3. Action by the Planning Board taken on Recommend Approval on 8/17/21
4. Action of the Planning Board: Recommend approval of SUP 21-12695 Contingent upon the submittal of approval letter fol neighbor (612 Running Horse Ln)
5. First reviewed by Village Council on _____
6. Public Hearing held on _____
7. Notification posted on Village of Marvin bulletin board on _____
8. Publication notices filed in _____ (name of newspaper) on _____ (date of publication) and _____ (date of publication)
9. Action by the Village Council taken on: _____
10. Action of the Village Council: _____


144' 7"
Proposed concrete pool with travertine coping and
Line to mark "shadow of the house"
48' 7"
67' 7"
Pool equipment location is up against the house
0"
Front Property marker
SITE LOCATION


All the property lines are fully grown with evergreens and the yard cannot be seen from the outside
144' 7"
0'
Proposed concrete pool with travertine coping and travertine patio
Line to mark "shadow of the house"
48' 7"
Proposed fence- - - -
Pool equipment location is up against the house
67' 7"
0'
Front Property marker
RUNNING HORSE LANE
50' PUBLIC R/W
NORTH CAROLINA
SEAL
L-4000

GoMaps



July 19, 2021

1:1,711

0 0.0125 0.025 0.05 mi

0 0.0225 0.045 0.09 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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VILLAGE OF MARVIN
ACCESSORY STRUCTURE PERMIT APPLICATION

10004 New Town Rd.
Marvin, NC 28173
Revised 06/16

PERMIT NUMBER: 21-12683 APPLICATION DATE: 6/28/21

APPLICANT INFORMATION

NAME: Anthony & Sylvan Pools PHONE #: 704-773-4406 FAX#: _____

ADDRESS: 9201C Southern Pine Blvd, Charlotte EMAIL: LtPoolPermits@yahoo.com
(Include city, state and zip code)

LOT INFORMATION

PARCEL #: 06222338 SUBDIVISION: Marvin Creek

LOT#: 176 LOT ADDRESS: 608 Running Horse lane

ZONING DISTRICT *Please circle one:* R RUC

PROPERTY OWNER INFORMATION: ***(fill in only if different than applicant)***

NAME: Marc & Kerri Denner PHONE #: 631-807-6117

ADDRESS: 608 Running Horse lane

RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Contractor

LOT AND STRUCTURE INFORMATION

PROPOSED USE: (Please be specific) Inground Pool 20'x40'

SETBACKS structures physically attached or connected to the principal structure will be subject to the setback requirements for the principal structure

Side Yard Setback 67', 48' (Left/Right)

Rear Yard Setback 144'

*****On survey, please show approximate location of swimming pool equipment.*****

This information not required for swimming pools or attached structures:

PRINCIPAL STRUCTURE SQ FT _____

NEW ACCESSORY STRUCTURE SQ FT 600

total square footage of ***all*** detached accessory structures shall not exceed 2/3 of the footprint of the principal building. Provide square footage of ALL accessory structures on property: _____

To be in compliance, an accessory structure must not include the presence of a range or oven, or utility connections suitable for servicing a range or oven.

GRADING: Any proposed grading or fill that will alter the existing topographic conditions of the lot more than two feet or any alteration to existing channels, swales, or easements shall require Village approval. **No grading shall take place prior to approval.**

Please check one of the following:

- ☐ This project requires the existing topographic conditions to be altered more than 2 ft. and/or requires an existing channel, swale, or easement to be altered. I have attached the required Grading Review Application and all necessary attachments.
- ☑ This project **does not** require alteration of more than 2 ft to the existing topography nor does it require alteration of an existing channel, swale, or easement.

FLOODPLAIN: Development within a Floodplain is severely restricted per Section 14.14(1) of the Zoning Ordinance. *Please **initial** one of the following:*

____There is existing floodplain located on the lot to which this permit applies and this floodplain is indicated on the attached survey. Base Flood Elevation (BFE) and Regulatory Flood Protection Elevations (FPE) are provided.

JA There is no existing floodplain located on the lot to which this permit applies.

Is there a creek within 200 feet of your lot? ____If so, what is the approximate distance? _____

TREE REMOVAL: A Tree Removal Permit is required before removing:

1. Canopy trees twelve (12) inches or larger in diameter-at-breast-height (dbh) and understory trees four (4) inches or larger dbh excluding individually owned, residentially zoned lots of record that existed on or before October 19, 2004 that are less than five (5) acres in area.
2. Trees growing on a slope greater than twenty-five (25) percent.
3. Any threatened or endangered species of tree as defined by the North Carolina State Department of Environmental Conservation or any Heritage or Specimen trees, as defined by the Village, regardless of size.

*Please **initial** one of the following:*

JA This project does not require the removal of any trees from the lot.

____ This project does require the removal of trees from the lot, but we are exempt from a Tree Removal Permit for the following reason(s): _____

_____

____ Tree Removal Permit Application is attached.

OTHER ORDINANCE REQUIREMENTS: *(Please **initial** that you have read each of the following notices)*

JA Any approved permit shall be valid for six months from the date of issuance.

JA **Effective October 10, 2006, all new swimming pools must provide a permanent barrier to restrict access to the pool per the Union County Swimming Pool Barrier Ordinance, which was adopted by the Village of Marvin Council. This ordinance requires a barrier consisting of fencing, wall, building wall or any combination thereof be constructed around new swimming pools. (see www.marvinnc.org/ordinances)**

JA All outdoor lighting installed must comply with the Village of Marvin Lighting Ordinance.

JA Foundation permits and certificates of compliance shall be required for new and expanded residential structures. (Some accessory structures may be exempt. Ask Zoning Administrator for details.)

CERTIFICATION:

I hereby certify that the information provided herein, to the best of my knowledge is correct. Any violation of an approved zoning permit may be grounds for its revocation along with any associated building permit.

I have attached the following: (please check)

- ☒ A fee, in accordance with the current fee schedule adopted by the Village of Marvin. Please note: all fees for regulation approval in the Village of Marvin are non-refundable, and checks that are returned will be subject to a returned check fee in accordance with the current fee schedule adopted by the Village of Marvin.
- ☒ A copy of a scaled, sealed dimensional survey drawn by a registered surveyor or engineer which shows the exact shape and dimensions of the lot to be built on; the exact shape, dimensions, use and location of other structures on the lot; the exact location of the proposed structure and required setback lines. If the residence to be constructed is located on a lot of 10+ acres, the survey need not be drawn and certified by an engineer or surveyor provided that the proposed residence is located not closer than two-hundred (200) feet from any lot boundary line.
- ☒ A floor plan of the proposed structure.
- ☒ A drawing showing the exterior of the building including height and drawn to scale.

The attached survey was completed by Warren Jennings (name of surveyor), and was sealed on _____ (date).

[signature] 6/28/21
Applicant's Signature Date

_____ _____
Property Owner's Signature (If different from applicant) Date

RETURN INFORMATION ***Please check:***

___*Fax certificate to me* ___*Mail permit to me* ___*Call when ready & I will pick up* ✓ Email

No application shall be considered complete unless accompanied by all information required above.

THIS SECTION FOR OFFICE USE ONLY

To the best of my knowledge, this application is complete. Based on such information, I hereby ☒ _____ this zoning permit.
Approve Disapprove

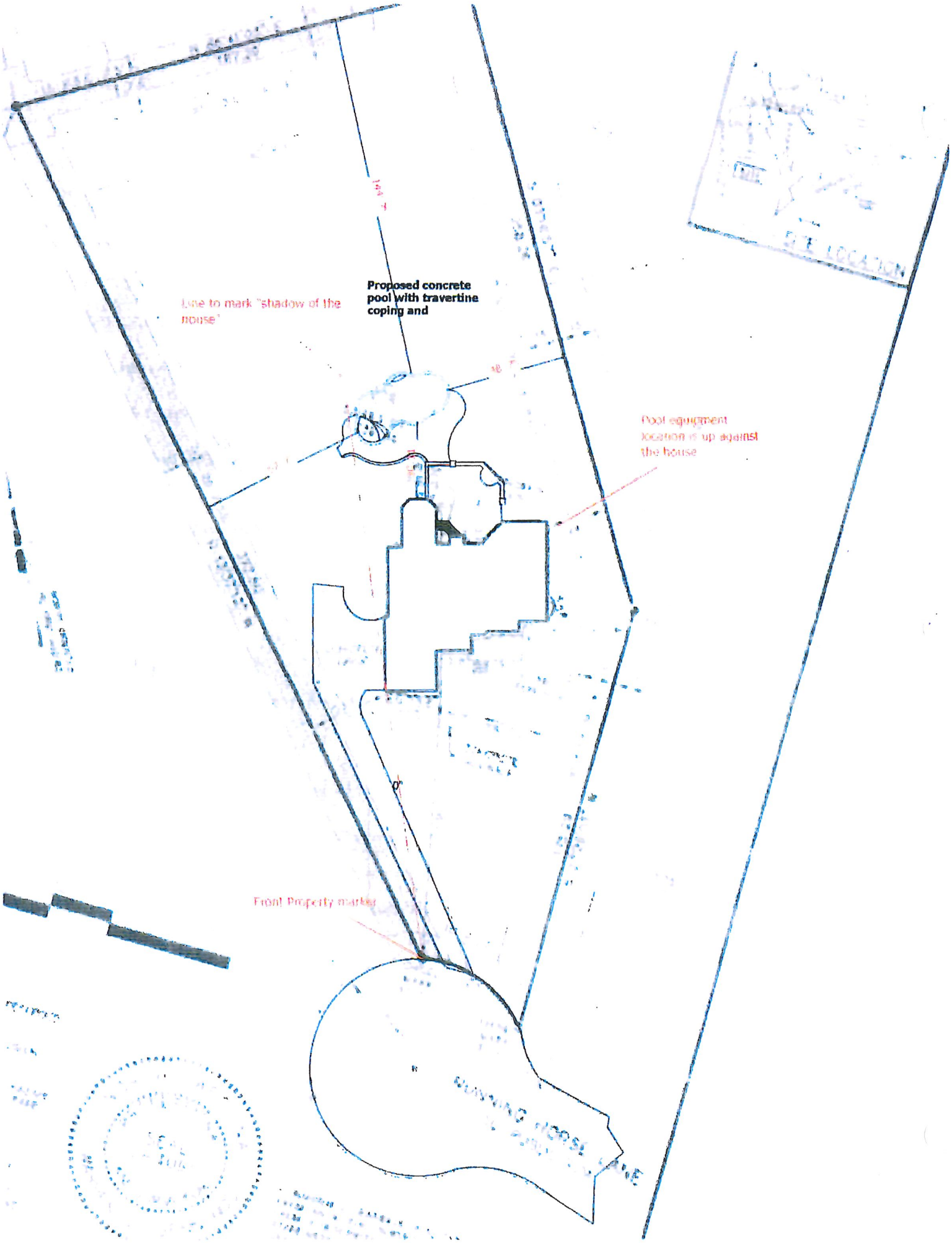
(If Applicable) Tree Removal Permit # N/A Grading Permit # N/A

Conditions placed on this permit are as follows: _____

_____

_____

_____ _____
Zoning Administrator Date


Line to mark "shadow of the house"
Proposed concrete pool with travertine coping and
Pool equipment location is up against the house
Front Property marker
PIT LOCATION

Item D.6.

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

DATE: August 18, 2021

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Administrator

SUBJECT: Consider Call for Public Hearing for Consideration of The Gates at Marvin Preliminary Plat and Construction Plans

Actions Requested by Village Council

Staff request the Village Council Call for Public Hearing on September 14th at 6PM at Village Hall for Consideration of The Gates at Marvin Preliminary Plat and Construction Plans. A Public Hearing is required to approve the Preliminary Plat and Construction Plans for the Rural Subdivision.

Background

LOCATION:
18.0940 Acres located on the corner of Waxhaw-Marvin Road and Stacy Howie RD (Parcel Number: 06228003L)

Jones Homes has submitted their preliminary plat and construction plans for a 6 Lot Rural Subdivision. Planning Staff has determined that the submitted plans, after a round of revisions, meets all requirements of the Marvin Code of Ordinance.

Currently, everything in the submitted construction plans other that the Landscape/Tree Mitigation Plan, have been reviewed and approved by the Village Engineer. The applicant is revising the plan and will have a final updated set of plans prior to the hearing.

Following the hearing and review of the plat and plans, Council will vote to approve or deny or request additional relative information and changes to the submitted documents. The final approved Construction Plans will then be reviewed by the Staff, the Village Engineer and all applicable outside agencies again if any changes are made. So long as those revisions do not affect the zoning regulations in a way that reduces the quality, the construction plan need not be reviewed again by the Planning Board and Council.

Recommendation

Planner's Recommendation: Staff recommends Village Council call for Public Hearing on September 14th at 6PM at Village Hall for Consideration of The Gates at Marvin Preliminary Plat and Construction Plans. A Public Hearing is required to approve the Preliminary Plat and Construction Plans for the Rural Subdivision.

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Planning Board Recommendation:
The Planning Board reviewed and discussed The Gates at Marvin Preliminary Plat and Construction Plans during their regular scheduled Planning Board meeting on August 17, 2021.

The Planning Board unanimously voted to recommend approval of the preliminary plat and construction plan for the Gates at Marvin subdivision, contingent upon submission of the landscape and tree mitigation plan and contingent upon approval from the Village Engineer and external agencies.

GoMaps

August 18, 2021

- Address Points
- Parcel Hooks
- Parcel Encumbrances
- Parcels
- Highways
- Roads

1:4,420

0 0.0375 0.075 0.15 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Item D. 7.

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

DATE: August 18, 2021

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Administrator

SUBJECT: Consider Call for Public Hearing for the Zoning Designation for Newly-Annexed Parcel 06210007A, 8802 Bonds Grove Church Road

Actions Requested by Village Council

Staff request the Village Council Call for Public Hearing on September 14th at 6PM at Village Hall for Zoning Designation for Newly-Annexed Parcel 06210007A, 8802 Bonds Grove Church Road. A Public Hearing is required to Rezone/Give a Zoning Designation consistent with the Marvin Village of Ordinances.

Background

LOCATIONS:

8802 Bonds Grove Church Road (Parcel Number 06210007A). This property recently voluntarily annexed into the Village of Marvin (Approved by the Village Council on 7/13/2021).

Per North Carolina General Statute the Village must rezone the property to one of our Zoning Designations/Districts. This property is surrounded by R-Marvin Residential District. Designating this property to R-Marvin Residential District will create no non-conformities with our ordinances as the property is compliant with our current R-Marvin Residential District with the use and structures on the parcel.

Recommendation

Planner's Recommendation: Staff recommends Village Council call for Public Hearing on September 14th at 6PM at Village Hall for Zoning Designation for Newly-Annexed Parcel 06210007A, 8802 Bonds Grove Church Road.

Staff recommends the Village Council designate the newly annexed property R-Marvin Residential District. Staff finds the proposed zoning designations for the newly annexed property is consistent with the recommendations of the Comprehensive Land Use Plan. The current surrounding uses and zoning are consistent with the proposed zoning designation.

Planning Board Recommendation:

The Planning Board reviewed and discussed a Zoning Designation for Newly-Annexed Parcel 06210007A, 8802 Bonds Grove Church Road during their regular scheduled Planning Board meeting on August 17, 2021. The Planning Board unanimously voted to recommend designating newly annexed parcel 06210007A as R-Marvin residential.

GoMaps

August 12, 2021

- Address Points
- Parcel Hooks
- Parcel Encumbrances
- Parcels
- Roads

1:3,422

0 0.0275 0.055 0.11 mi

0 0.045 0.09 0.18 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Item D.8.

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

DATE: August 18, 2021

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Administrator

SUBJECT: Consider Call for Public Hearing for the Zoning Designation for Newly-Annexed Parcel 06207005C, Marvin Efird Park

Actions Requested by Village Council

Staff request the Village Council Call for Public Hearing on September 14th at 6PM at Village Hall for Zoning Designation for Newly-Annexed 06207005C, Marvin Efird Park. A Public Hearing is required to Rezone/Give a Zoning Designation consistent with the Marvin Village of Ordinances.

Background

LOCATIONS:
This Parcel adjoins Marvin Efird Park and is owned by the Village of Marvin (Parcel Number 06207005C). This property was recently annexed into the Village of Marvin (Approved by the Village Council on 7/13/2021).

Per North Carolina General Statute the Village must rezone the property to one of our Zoning Designations/Districts. The property is surrounded by R-Marvin Residential District. Rezoning this property to R-Marvin Residential District will create no non-conformities with our ordinances as the property is compliant with our current R-Marvin Residential District with the use and structures on the parcel.

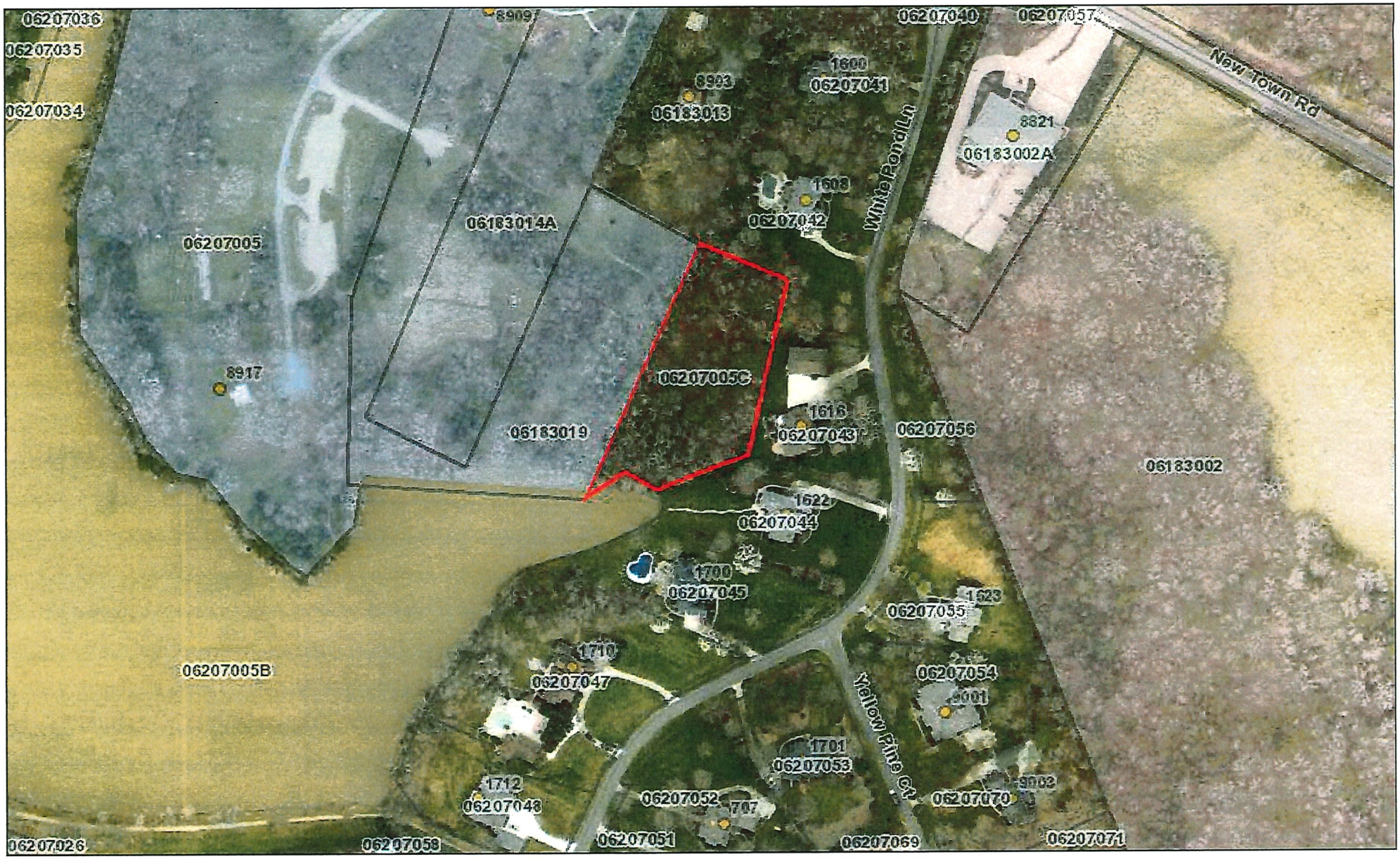
Recommendation

Planner's Recommendation: Staff recommends Village Council call for Public Hearing on September 14th at 6PM at Village Hall for Zoning Designation for Newly-Annexed Parcel 06207005C, Marvin Efird Park.

Staff recommends the Village Council designate the newly annexed property R-Marvin Residential District. Staff finds the proposed zoning designations for the newly annexed property is consistent with the recommendations of the Comprehensive Land Use Plan. The current surrounding uses and zoning are consistent with the proposed zoning designation.

Planning Board Recommendation:
The Planning Board reviewed and discussed a Zoning Designation for Newly-Annexed Parcel 06207005C, Marvin Efird Park during their regular scheduled Planning Board meeting on August 17, 2021. The Planning Board unanimously voted to recommend designating newly annexed parcel 06210007A as R-Marvin residential.

GoMaps



August 12, 2021

- Address Points
- Parcel Hooks
- Parcel Encumbrances
- Parcels
- Roads

1:3,201

0 0.025 0.05 0.1 mi

0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community