



Village of Marvin

DATE: January 16, 2025
TO: Planning Board
FROM: Hunter Nestor, Planner and Zoning Director

SUBJECT Discussion and Recommendation for Zoning Map Amendment 2025-1 (9709 Marvin School Road, Marvin, NC 28173)

Background

Rosemarie Hall LLC has submitted a Zoning Map Amendment (Rezoning) application to rezone the 7.011-acre property (2 parcels) located at 9709 Marvin School Road, Marvin, NC 28173 (Parcel Numbers: 06-204004 and 06-204530) from Rural-Residential (R-R) to Single Family Residential (SFR-1). This rezoning will follow the procedure outlined in 5.3 of the Marvin Development Ordinance.





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Analysis

	Existing Land Use	Zoning Designations
Subject Property	Residential	R-R
North	Residential	R-R
South	Residential	R-R and Union County R-40
East	Residential	R-R and SFR-1
West	Civic - Marvin Elementary	Civic

General: The rezoning application is to rezone the 7.011-acre property (2 parcels) located at 9709 Marvin School Road, Marvin, NC 28173 (Parcel Numbers: 06-204004 and 06-204530) from Rural-Residential (R-R) to Single Family Residential (SFR-1) to subdivide the property to create an additional 5 lots for a total of 7 single-family lots.

Lot Characteristics:

The property is currently zoned Rural-Residential per the Marvin Development Ordinance. Prior to the adoption of the MDO, the property was zoned R-Marvin Residential and then zoned Rural-Residential with the adoption of the MDO. Below are the minimum lot regulations for Rural-Residential, SFR-1 and the old R-Marvin Residential:

Zoning	R-R	SFR-1	R-Marvin Residential
Minimum Lot Size (Gross Square Foot)	2.5 Acres	34,900 SQFT	43,560 SQFT (1 Acre)
Minimum Lot Width (Measured at Front Street Setback)	144'	130'	130'
Minimum Front Street Setback (measured from Street ROW)	50'	50'	50'
Minimum Rear Yard Setback	40'	40'	40'
Minimum Side Yard Setback	16'	16'	20'

Neighborhood Meeting: Neighborhood Meeting is scheduled for Thursday, February 6th, 2025, from 6PM to 8PM at Village Hall.

Review and Discussion

The subject property was recommended to be zoned SFR-1 with the adoption of the MDO. However, at the time of the adoption, this property was changed to Rural-Residential. SFR-1 was recommended for these 2 parcels as the owner was in the process of applying to subdivide the property under the old ordinance but then decided to wait for the adoption of the MDO to explore the options to develop the property. The owner of the property is making this request to help with the sale of the property.



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If the rezoning is approved, it can be subdivided further through the minor or major subdivision process. Solely based off the acreage of the two parcels, if subdivided it would create an additional 4-5 lots for a total of 6-7 lots. Below is an overview of the Major and Minor subdivision process per the MDO.

Major Subdivisions (For creating more than 8 lots)

1. **Pre-application Conference (Required):** Discuss your project with the Planning Department to understand the process and requirements.
2. **Application Submittal:**
 - a. Include a Preliminary Plat and Site Development Plan meeting specific standards.
 - b. Application form with landowner/agent info and authorization proof.
3. **Planning Board and Staff Review:**
 - a. Planning Department checks compliance with regulations.
 - b. Planning Board provides input on the proposal.
 - c. Review by other agencies may be required.
4. **Preliminary Plat Approval (if compliant):**
 - a. Valid for 2 years (with possible 3-year extension).
 - b. Develop construction plans and start construction within this timeframe.
5. **Final Plat Submittal and Approval:**
 - a. Must be recorded within 60 days of approval.
 - b. Plat needs signatures from owner(s) and Planning Department.

Minor Subdivisions (For creating up to 8 lots)

6. **Pre-application Conference (Required):** Discuss your project with the Planning Department.
7. **Application and Plat Submittal:**
 - a. Include a Minor Subdivision Plat meeting specific standards.
 - b. Application form with landowner/agent info and authorization proof.
8. **Staff Review:**
 - a. Planning Department checks compliance with regulations.
9. **Final Plat Approval (if compliant):**
 - a. Valid upon recording (needs to happen within 60 days).
 - b. Plat needs signatures from owner(s) and Planning Department.

Additional Notes:

- A sign-off license is required for anyone erecting or maintaining signs (except for some business owners installing their own signs).
- For Major Subdivisions proposing new street infrastructure, a Development Agreement is required.
- Failing to meet deadlines or comply with regulations can result in needing to resubmit the application.
- Refer to Article 7 of the Marvin Development Ordinance for complete details and additional requirements.



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Recommendation

Staff Recommendation: Recommend Approval of Zoning Map Amendment 2025-1 and find that the proposed Zoning Map Amendment is consistent with the recommendations and goals of the Village of Marvin 2020 Land Use Plan, other officially adopted Village Plans and is reasonable and in the public interest.