

9. PRELIMINARY SUBDIVISION PLAT SHADY BROOK TRAIL SUBDIVISION

You may recall previously approving the attached plat in May 2009 – because the developer failed to prepare and submit the final plat for approval within six months, as required by Section 14-76 of the Southampton County Code, the process goes back to square one.

In accordance with § 15.2-2259 of the Code of Virginia, approval of subdivisions is classified as a ministerial act, meaning that the Board has no authority to exercise its discretion while reviewing plats. The purpose of subdivision plat review is only to insure that the proposed development complies with all existing ordinances. If a plat is denied, the Board is required to specifically identify the requirement that is unsatisfied and explain what the applicant must do to satisfy the requirement.

This plat depicts five (5) residential building lots located just off Shady Brook Trail, on a 22 acre parent parcel, ranging in size from a minimum of 1.038 acres to a maximum of 16.347 acres, acceptable standards in a Residential R-1 zoning district. The lots are proposed to be served by a private well and individual septic systems.

The Planning Commission recommends approval of the preliminary plat. Once the preliminary plat is approved, the developer has 6 months to prepare a final plat, detailed civil drawings for site improvements, and to make satisfactory arrangements for surety to warrant installation of all improvements. The final plat is then reviewed by the Board, and, if approved, must be recorded within 60 days of final approval.

MOTION REQUIRED:

A motion is required to accept the Planning Commission recommendation and approve the preliminary subdivision plat.