

The Mitchell County Commissioners primary concern should be the decline in population and the disappearance of developable land, not controlling how owners put their land to its highest and best use.

PROPOSED SUBDIVISION ORDINANCE

ARTICLE I  
Title

By adopting this, the commissioners are making it clear that the tax paying property owners of Mitchell County can no longer be trusted to follow state laws and divide and market their property!

This Ordinance shall be known and cited as the Mitchell County Sub-division Ordinance. This is Mitchell County’s first foray into the slippery slope of ZONING!

ARTICLE II  
Authority

This Ordinance is adopted pursuant to the provisions of North Carolina General Statutes, Chapter 160D.

ARTICLE III  
Purpose

The primary purpose of any act should be the liberty and freedom of the citizen and above all- the protection of their property rights!

The purposes of this Ordinance are as follows:

- A. To provide for the orderly growth and development of the county.
- B. To assure adequate roads and utilities to sub-divisions within the county. Already state law
- C. To provide for erosion control and minimize sedimentation pollution resulting from land disturbing activities. Already state law
- D. To assure proper legal description, identification and recordation of sub-divided land within the county.
- E. To establish procedures and standards for the sub-divisions of land.
- F. To promote public health and safety.

ARTICE IV  
Definitions

Section 1. Owner

This is where the matter should stop. Commissioners need to recognize the owner is the tax paying owner in Fee Simple Absolute. Not the Government & not the entities that want control!

As used in this Ordinance the term Owner shall mean the person, combination of persons, corporation or other entity holding title to the land sub-divided or being sub-divided.

Section 2. Developer

As used in this Ordinance the term Developer and Owner are synonymous terms.

Section 3. Agent

As used in this Ordinance the term Agent shall mean a person designated in writing to act for the Owner or Developer. Acts of the agent shall be construed to be acts of the Owner or Developer. Representations of the Agent shall be construed to be representations of the Owner or Developer. If the Owner or Developer is a corporation, LLC, LLP or other entity authorized to own land other than an individual then the Agent shall be an officer or manager of the entity.

Section 4. Utilities

Utilities in this ordinance refers to any service provided to a subdivision not to include water and sewer.

Section 5. Review Board

Review Board means the GIS Coordinator or Land Records Manager, Director of Inspections and if applicable a representative from the Town of Bakersville or Spruce Pine or such other person as the Board of Commissioners may from time to time designate to review sub-division plats and other documents required in this Ordinance to be submitted for review and approval.

**Section 6. Comprehensive Plan**

Shouldn't someone with experience in development and real estate be on this board? What are their governing rules?

Comprehensive Plan means the entire package of documents required to be submitted to the Review Board with the sub-division plat including all necessary disclosures in recordable form.

Yet another layer of expensive red-tape, bureaucracy and CONTROL that the people of Mitchell County doesn't need!

**ARTICLE V  
Sub-division Definition and Exceptions**

**Section 1. Sub-division Defined:** For the purposes of this Ordinance a sub-division shall mean any division of real estate into six or more lots or parcels for the purpose of sale or building development (whether immediate or future) and shall include any further division of any parcel previously divided into only five parcels after the effective date of this Ordinance. You cannot even carve lots out of your land to sell, regardless if you plan a development without complying with this burdensome & expensive plan and getting permission of a board!

A sub-division also means the combination, recombination or division of previously sub-divided and recorded lots if the total number of lots is increased or the resultant lots are not equal to or in excess of the minimum lot sizes adopted in this Ordinance or if the combination, recombination or division of previously sub-divided lots results in the dedication of a new street or a change in existing streets.

**Section 2. Exceptions.** The following divisions of land shall not constitute a sub-division.

- A. The division of land into parcels all greater than five (5) acres if no street right-of-way dedication is involved.
- B. The division of land among tenants in common in a partitioning proceeding brought in the Superior Court pursuant to the provisions of Chapter 46 of the North Carolina General Statutes.
- C. A division of land among family members where the relationship existing between all Grantors and Grantees is that of parent and child, grandparent and grandchild or brother or sister. As soon as the property is sold for profit or given to someone outside of the family all sub-division rules will apply.
- D. The combination or recombination of portions of previously sub-divided lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance.

This will serve to destroy the owner's ability to sell to potential developers who would have to be very wealthy to comply with this ordinance!

**ARTICLE VI  
Sub-Division Water and Sewer Systems**

Every lot within the sub-division shall be served with a water supply and sewer system that is adequate to reasonably accommodate the needs of the proposed use and comply with all applicable health regulations. With the submission of any sub-division plat for approval shall be submitted a comprehensive plan stating in detail the type of water supply and sewer system contemplated within the sub-division. These plans will have to be approved by the governing agency of water and sewer before submitting for subdivision approval. Water supplies must be one of the following:

- a. Private wells.
- b. Connection to a municipal water supply system.
- c. Community water supply system.

No allowance for SPRINGS! or Spring based water systems.

The plan shall at a minimum with regard to connection to a municipal water supply system or community water system disclose the following:

- A. Whether the plan for connection to a municipal system or the construction of a community water supply system has been approved by the proper regulatory authorities.
- B. If the proposed water supply system is connected to a municipal system whether the municipality has furnished irrevocable permission to connect to the system.
- C. The existence or non-existence of easements sufficient to allow the connection of any residence constructed any lots to the municipal or community system.
- D. The estimated cost of construction and installation of the system based on estimates obtained from a disclosed licensed professional engineer.
- E. The estimated date for completion of the municipal or community water system.
- F. The proposed method of payment for said system including the amount of any irrevocably escrowed money, performance or surety bonds or irrevocable letters of credit guaranteeing the availability of sufficient funds to complete the installation of said system including the installation of all water distribution lines. If no money has been irrevocably escrowed and if no performance or surety bonds or irrevocable letters of credit have been obtained then the comprehensive plan shall explicitly affirm their non-existence.

This will all be public record-everyone, including your competitors will know your business. After you are arbitrarily denied, and broke, someone's "buddy" will pick up with your produce and get approved!

Sewer systems within the development shall be one of the following:

- a. Individual sewer system (septic tank).
- b. Municipal sewer system.
- c. Community sewage disposal system.

If the sewer system is to be individual sewer systems (septic tanks) then the plan must clearly disclose the following:

- A. That the installation of septic tank system requires the system to be designed and approved by the appropriate regulatory authority and that no building permit will be issued until a permit for installation of the septic tank has been approved. **Already State Law**
- B. That factors including, but not limited to, proximity to wells, boundary lines and dwellings, soil type, slope, floodplain and other factors may affect the suitability of the lot for the installation of septic tank and that approval of the lot for a septic tank sewage disposal system should be obtained before purchase of the lot.

**Already State Law**

If the sewer system is to be a municipal sewer system or community sewage disposal system the plan shall, at a minimum disclose the following:

- A. Whether the plan for connection to a municipal sewer system or construction of a community sewage disposal system has been approved by the proper regulatory authorities.
- B. If the proposed sewage disposal system is connection to a municipal sewer system, whether the municipality has furnished irrevocable permission to connect to the system.
- C. The existence or non-existence of easements sufficient to allow the connection of any residence construction on any lot to the municipal or community sewer disposal system.
- D. The estimated cost of construction and installation of the system based on estimate obtained from a disclosed licensed professional engineer. **\$\$\$**

- E. The proposed method of payment for said system including the amount of any irrevocably escrowed money, performance or surety bonds or irrevocable letters of credit guaranteeing the availability of sufficient funds to complete the installation of the sewage disposal system including the installation of all sewage collection lines. If no money has been irrevocably escrowed and if no performance or surety bonds or irrevocable letters of credit exist then the comprehensive plan shall explicitly affirm their non-existence.

The comprehensive plan required by this Ordinance shall be signed by the proper party representing the developer, acknowledged and be presented to the Review Board in recordable form and upon approval of the Comprehensive Plan and Sub-division Plat, they shall be recorded simultaneously in the Office of the Register of Deeds of Mitchell County. \$\$\$

## **ARTICLE VII**

### **Sub-Division Roads**

**Section 1. Definition:** Sub-Division Roads shall include all roads located within the sub-division and all roads connecting the sub-division to a state maintained road. For the purposes of this Ordinance the following definitions shall apply.

- A. Private roads are roads that are open to public travel serving four (4) or more residents or addressable structures. A private road may not be part of the state maintenance system and /or any municipal maintenance system.
- B. Public roads are roads open to public travel and maintained by the North Carolina Department of Transportation as part of the state maintenance system.
- C. Access roads are roads built through vacant property to provide access to the property being developed. This road would not have lots platted along it.
- D. Dead end roads shall mean all roads open at one end only with special provisions for turning around as hereinafter mandated.
- E. Cul-de-sac shall mean a turning area at the end of all dead end roads either by bulb or T design

### **Section 2. Requirements for Sub-Division Access Roads.**

- A. If the Sub-Division Access Road is to be dedicated as a public road then the road shall meet all minimum construction standards for sub-division roads as adopted by the North Carolina Department of Transportation and before construction the developer shall obtain a certificate of approval as required by NC GS §136-102.6 and shall obtain a permit/encroachment agreement authorizing construction on state right-of-way and connection to the state maintained road before beginning construction.
- B. If the sub-division access road is not to be dedicated as a public road then the developer shall obtain a permit/encroachment agreement authorizing construction on state right of way and connection to a state maintained road before beginning construction if applicable.
- C. All gate codes will be reported to the 911 Communications Office and to the Mitchell County Building Inspections Office.
- D. Disclosures Required. Prior to entering into any agreement with or conveyance to any prospective buyer of any parcel or parcels or real estate contained within the boundaries of the sub-division plat the developer shall make public disclosure by means of a recorded instrument submitted for recording and in form for recording with the sub-division plat the following disclosures regarding all roads within the sub-division and all sub-division access roads. Said

disclosure documents shall completely disclose the status (whether public or private) of all roads within the sub-division and all sub-division access roads.

1. As to all roads designated by the developer as public roads the developer shall certify that the rights of way and design for the road has approval by the Division of Highways, and that the road has been or will be constructed by the developer in accordance with the standards for sub-division streets adopted by the Board of Transportation for acceptance as part of the highway system.
2. As to all roads designated by the developer as private roads the developer shall disclose that the road is not or will not be constructed in accordance with the standards sub-division roads adopted by the Board of Transportation and that the roads will not be constructed to standards sufficient to allow their inclusion in the state highway system for maintenance.
3. With respect to all roads not completely constructed at the time of the submission of the sub-division plat for recording the developer shall make the following disclosures:
  - a. The proposed method of payment for the construction of all roads not completely constructed including the amount of any irrevocably escrowed money, performance or surety bonds or irrevocable letters of credit guaranteeing the availability of sufficient funds to complete the construction of all sub-division roads. If no money has been irrevocably escrowed and if no performance or surety bonds or irrevocable letters of credit have been obtained then the disclosure shall explicitly affirm their non-existence.
  - b. The existence or non-existence of easements of sufficient width and adequate grade to allow the construction of all public sub-division roads in accordance with the minimum standards for sub-division roads as adopted by the North Carolina Department of Transportation and to allow construction of all private sub-division roads in accordance with the minimum standards of this Ordinance.
  - c. The estimated cost of construction of all roads not completed at the time of submission of the sub-division plat for recording based on estimate obtained from a disclosed licensed professional engineer.
  - d. The estimated date for completion of all sub-division roads.
  - e. The responsibility as to maintenance for all sub-division roads clearly disclosing the party or parties upon whom responsibility for maintenance shall rest.
  - f. If any cost for construction or maintenance of any sub-division road is to rest upon the purchaser of any lot or parcels within the boundaries of the sub-division then such obligation shall be clearly disclosed.

### **Section 3. Construction Standards.**

- A. **Public Roads.** All sub-division roads designated on the sub-division plat and disclosure document as public roads shall be designed, and constructed to meet all minimum construction standards for sub-division roads as adopted by the North Carolina Department of Transportation. The developer shall present to the Review Board with the sub-division plat and disclosure document a certificate of approval issued by the Department of Transportation as required by NC GS §136-102.6(c) and the sub-division plat shall not be recorded without a certificate of approval by the Division of Highways that the plans of



all roads designated as public roads are in accordance with the minimum standards of the Board of Transportation for acceptance of sub-division roads by the State Highway System for maintenance.

B. Standards for private sub-division access road and private sub-division roads.

1. Right of Way Width: The minimum right of way shall be thirty (30) feet lying fifteen (15) feet on both sides of the center line of the travel portion of the road.
2. Travel Portion Height: The minimum height of travel shall be no less than thirteen feet six inches (13ft 6in) from the travel portion of the road to the lowest obstruction including utilities.
3. Travel Portion Width: The minimum width of the travel portion shall be twenty (20) feet lying ten (10) feet on both sides of the center line of the right of way of the road except the developer may apply to the Technical Review Committee for a width variance and a width variance may be granted for a length not in excess of six hundred (600) feet.
4. Grade: The maximum grade of any road shall not exceed fifteen percent (15%) except on hilly terrains the developer may apply to the Technical Review Committee for a grade variance and grade variances may be granted which allow maximum grades up to twenty percent (20%) for a distance not in excess of two hundred (200) feet. The maximum grade within one hundred (100) feet of any intersection shall not exceed ten (10%) percent. Roads with a grade over 15% shall be paved.

Who determines this? The vehicle manufacturer or the arbitrary whim of the driver?

5. Curves: All horizontal curves shall have a minimum radius of forty-five (45) feet. Vertical curves shall have sufficient transition to accommodate the largest emergency apparatus owned by any of the Mitchell County Emergency Departments at the time of road construction
6. Surface: The travel portion of all roads shall be surfaced with compacted gravel of not less than six (6) inches ABC stone or equivalent. \$\$\$
7. Cut and Fill Slopes: The maximum slope on any cut shall be on a 1.1/2:1 ratio. The maximum slope on any fill shall be on a 2:1 ratio without being engineered. All cuts and fills shall be stabilized. All land disturbing activity and stabilization thereof shall be conducted in full compliance with the approved erosion control plan herein mandated.

- C. Culverts: All culverts shall be the size mandated in the erosion control plan and installed in accordance with the plan. Culverts shall be designed and sealed by a North Carolina registered design professional. \$\$\$

- D. Bridges: The minimum criteria for bridges on private roads within the sub-division and on Sub-Division Access Roads shall be designed and sealed by a North Carolina registered design professional.

- E. Shoulders: ~~The minimum shoulder width on each side of the travel portion shall be two (2) feet of the compact surface.~~ Shouldn't we start by requiring this for all state roads in Mitchell County- like Hwy. 226 or 261?

- F. Ditches: Road drainage side ditches shall be constructed with sufficient width and depth to carry the expected volume of storm water runoff.

- G. Road names must be approved by the Mitchell County Addressing Office prior to submittal. A copy of all road names in subdivision must be given to the Mitchell County Addressing Office after it is recorded.

Looks like someone took control freak and ran like hell with it!

- H. Standards for Cul-de-sacs. A bulb design cul-de-sacs shall have a minimum radius of one hundred (100) feet of gravel surface. A T design cul-de-sac shall have two (2) prongs of 90° angles to the dead end road with each prong having gravel surface of a minimum of twenty (20) feet with a 45° radius in width and fifty (50) feet in length measured from the center of the end of the travel surface of the dead end road. Grade on neither prong of the T design cul-de-sac shall be greater than eight (8%) percent.

## **ARTICLE VIII**

### **Sub-Division Road Names and Signs**

**Section 1. Road Names.** All Sub-Division Roads shall be named and the name approved by the County Agency in charge of addressing for 911 purposes before filing.

**Section 2. Signs.** Signs bearing the name of the road shall be placed within six (6) feet of the intersection of any road with another road and on the side of the road nearest to the public road providing access to the sub-division. The sign bearing the name of the road shall be reflective green in color with the name of the road printed in reflective white lettering. The sign shall be a minimum size of six (6) inches in height and thirty-six (36) inches in length and shall be mounted on a metal post at least six (6) feet above the ground. Letters shall be of a minimum height of four (4) inches. Vegetation or other materials which may obstruct the view of the sign to approaching vehicles shall be removed for a distance of fifteen (15) feet approaching the sign and the sign shall be and remain clearly visible to any approaching vehicle. Road signs can be purchased from the Addressing Office upon approval by the Review Board, subdivisions can use their own signage. If the signs are purchased from the Addressing Office the Addressing Office or designee will install those signs. Sign locations must be approved by the board.

**Section 3. Costs.** There will be a cost for road signs. The cost for road signs will be based on fair market values plus labor.

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So much for creativity! This thing is basically creating a county-wide Home Owner's Association!

## **ARTICLE IX**

### **Utilities**

**Section 1. Rights-of Way to Sub-Division Boundary.** Before the filing of any sub-division plat there shall be secured and recorded a right-of-way for the installation of utilities from a utility distribution line to the boundary of the sub-division. A right-of-way for the benefits of the electric provider with a minimum width of forty-five (45) feet for the entire length from the existing distribution line to the boundary of the sub-division. Utilities include but are not limited to electrical, telephone, internet, and gas, but does not include water and sewer.

**Section 2. Rights-of-Way(s) Within Sub-division.** There shall be clearly delineated on the sub-division plat rights of way for the installation of utility service to every residential lot within the sub-division. If utility services to residential lots within the sub-division is to be provided by above ground lines then the minimum width of the right of way shall be forty-five (45) feet. The right of way for utility service(s) may run parallel to the sub-division roads. If utility service(s) within the sub-division is to be provided by underground lines then the minimum width of the right of way shall be fifteen (15) feet. The right-of-way for underground utility service(s) may run parallel to and with the road right-of-way. Underground and aboveground lines may cross road rights of way where necessary at a ninety (90°) degree angle to the right of way. Underground lines placed under the travel surface of the road shall be lowered at a minimum depth of three (3) feet and the location thereof shall be clearly identified on the ground and on the sub-division plat.

**Section 3. Disclosure.** With respect to all utility services not installed at the time of the submission of the sub-division plat for recording the developer shall make the following disclosures:

- A. The proposed method for payment for the installation of said lines including the amount of any irrevocably escrowed money, performance or surety bonds or irrevocable letters of credit guaranteeing the availability of sufficient funds to

complete the installation of all utility lines. If no money has been irrevocably escrowed and if no performance or surety bond or irrevocable letters of credit have been obtained then the disclosure shall explicitly affirm their non-existence.

- B. The estimated cost of installation of all utility lines not installed at the time of the submission of the sub-division plat for recording based on an estimate obtained from a disclosed licensed professional engineer.
- C. The estimated date for the completion of the installation of all utility lines.
- D. If any cost for the installation of utility lines is to rest upon the purchase of any lot or parcels within the sub-division then such obligation shall be clearly disclosed.

## **ARTICLE X**

### **Erosion Control and Damage     \$\$\$**

**Section 1.     Sedimentation and Erosion Control Plat Mandated.** Unless the total area of land disturbed by all land disturbing activities including road and utility construction and installation constitutes less than one acre the developer shall submit to the Review Board with the Sub-division Plat a written notice from NCDEQ, Land Quality Section, written notice of approval of a soil erosion and sedimentation control plan. No land disturbing activity shall begin until the notice of approval of the plan has been received by the developer.

**Section 2.     Soil Erosion and Sedimentation Control Plan Violations.** If at any time following the beginning of land disturbing activity the developer receives notice of violation of the approved plan then all land sales within the sub-division shall immediately cease until all violations have been fully corrected.

**Section 3.     Drainage.** All storm drainage on roads shall be adequate so that the road may be maintained without excessive costs, and not cause flooding on private property not within the sub-division. All drainage shall be designed and installed in strict conformity with the approved Soil Erosion and Sedimentation Control Plan.

## **ARTICLE XI**

### **Sub-Division Minimum Lot Size**

**Section 1.     Factors Affecting Lot Size.** Mitchell County recognizes that numerous factors affect the suitability of lots for residential development. Among these factors are the availability of sewage disposal through a municipal or approved community sewage disposal system and the steepness of the land upon which residential housing is proposed to be located. Recognizing these factors, minimum lot sizes may vary depending on the availability of municipal or approved community sewage disposal system and the slope of the land.

**Section 2.     Minimum Lot Size.** Minimum lot size of one acre for lots not having municipal or approved community sewage disposal systems available to the lot at the time the Sub-Division Plat is submitted to the Review Board for approval are established as follows:

- A. On any lot where the maximum slope between the highest and lowest point in elevation on the lot is no more than fifteen (15%) percent the minimum lot size, excepting rights of way reserved for sub-division roads, is one acre.
- B. On any lot where the maximum slope between the highest and lowest point in elevation on the lot is more than fifteen (15%) percent and less than twenty-five (25%) percent the minimum lot size, excepting rights of way for sub-division roads, is one and one-half acres.



- C. On any lot where the maximum slope between the highest and lowest point in elevation on the lot is twenty-five (25%) percent or greater but not in excess of thirty-five (35%) percent the minimum lot size, excepting rights of way for sub-division roads, is two acres.
- D. Lots where the maximum slope between the highest and lowest point in elevation on the lot exceeds thirty-five (35%) percent are deemed not suitable for residential development but may be platted and sold as bigger areas provided that any conveyance of such lots clearly restricts building upon the lot. Lots may be built upon with engineer approval and stamped drawings.

**Section 3. Lots.** Lots having immediate access to municipal or approved community sewer.

- A. For a lot restricted to one single family dwelling the minimum lot size, excluding rights of way for sub-divisions roads, is one half acre.
- B. For any lot designated for multi-family housing units such as condominiums, the minimum lot size, excluding of rights of way for sub-division roads, is ten thousand (10,000) square feet for each family unit.
- C. No lot less than one acre and no interest in any multi-family housing lot or unit of multi-family housing may be sold, conveyed, leased or otherwise alienated until sewer collection lines connected to a municipal or approved community sewer system has been extended to the lot boundary.

**Section 4. Modification of Lot Sizes.** If at any time following the filing of the Sub-division Plat sewer collection lines connected to a municipal or approved community sewer system are extended to any lots in an approved Sub-division meeting the maximum slope requirements contained in Section 2 of this Article, then all such lots then having such sewer collection lines extended to the boundary thereof may be divided into lots not less than one half acre, excluding rights of way for Sub-division Roads or they may be combined and changed into multi-family lots meeting the size requirements of Item B of Section 3 of this Article. Such division or combination of lots shall not constitute a new sub-division even if the total number of lots in the sub-division is increased.

**Section 5. Setbacks.** Minimum setbacks are front 20 feet, side is 10 feet, and rear is 10 feet. All lot lines shall be marked prior to construction beginning.

*This is way to strict!*

## ARTICLE XII Sub-division Plat Review and Approval

**Section 1. Plat Approval Required.** Before any sub-division plat may be recorded it must be submitted to the Review Board for review and must bear the approval of the Review Board.

- A. There will be a review fee charged upon application submittal of \$300.00. Each subsequent review will be an additional charge of \$100.00. \$\$\$
- B. Stages of approval are preliminary, road approval, pre-subdivision, water and sewer and final.
- C. The identification of every lot exceeding fifteen (15%) percent in slope between the highest and lowest elevation within the lot.
- D. The identification of every lot exceeding twenty-five (25%) percent in slope between the highest and lowest elevation within the lot.
- E. The identification of every lot exceeding thirty-five (35%) percent in slope between the highest and lowest elevation within the lot.

- F. A certification that all sub-division roads including sub-division access roads are graded and in the proper location.

**Section 2. Documents to be submitted for Review.** The developer shall submit to the Review Board for review and approval the following documents:

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- A. The sub-division plat in recordable form declaring under signature and seal of a registered surveyor or professional engineer compliance with all the requirements of Article VIII of the Ordinance entitled sub-division plats.
- B. A disclosure document executed, acknowledged, and in recordable form fully declaring all matters required to be disclosed by the provisions of this Ordinance.
- C. A copy of the written notice of approval issued by NCDEQ, Land Quality Section approving the soil erosion and sedimentation control plan for the sub-division.
- D. An executed copy of approval by the Department of Transportation for all sub-division access roads connecting to the state maintained road system if applicable.
- E. If the water supply to any lots in the sub-division is to be provided by connection to a municipal water system a document executed by the appropriate municipality irrevocably permitting connection to the municipal water supply system and agreeing to supply water to the sub-division.
- F. If the sewage disposal system to any lots in the sub-division is to be provided by connection to a municipal sewer system a document executed by the appropriate municipality irrevocably permitting connection to the sewer system and agreeing to supply sewer collection and discharge service to the sub-division.
- G. If any of the sub-division roads are designated in the disclosures or on the sub-division plat as public road; a signed copy of the Division of Highways approval of the construction plan for all such public roads certifying that the plans are in compliance with the minimum standards for acceptance of the sub-division roads on the state highway system for maintenance.
- H. Sufficient data to determine compliance with road grade requirements with any area of any road exceeding fifteen (15%) percent grade clearly identified.
- I. A recorded copy of all necessary easements for the transmission of utility service from the utility distribution line to the sub-division boundary.
- J. A recorded copy of all necessary road rights of way for the construction and maintenance of sub-division access roads from the public road to the sub-division boundary.
- K. The full name, address and telephone number of the Developer and the full name, address and telephone number of the agent of the Developer submitting the documents to the Review Board for review.

**Section 4. Action by Review Board:** Within thirty (30) days of the receipt of the Sub-division Plat and all necessary documents the Review Board shall review all documents to determine compliance with the provisions of this Ordinance. If the Review Board determines that all necessary documents have not been supplied or that any documents are not sufficient to meet the requirements of this Ordinance, he shall notify the Developer or the Agent, of the absence or insufficiency of any document by letter mailed first class mail to the address to the Developer or Agent provided to the Review Board on presentation of the documents for review. The Developer shall have fifteen (15) working days from the date of the mailing of the notice to supply any document not previously

supplied or to correct any deficiency in any document supplied. No denial of the approval of the Sub-division Plat for recording shall be made prior to the expiration of fifteen (15) working days of the mailing of notice by the Review Board to the Developer or Agent.

After review and after fifteen (15) working days from the mailing of Notice of Failure to submit necessary documents or deficiency in documents submitted for the Review Board shall determine whether the documents submitted for review are sufficient to demonstrate full compliance with all the requirements of this Ordinance and shall issue his approval or denial of sub-division plat for recording.

**Section 5. Notice of Denial:** The Review Board shall notify the Developer or Agent in writing of any denial of approval of a sub-division plat or any portion of a sub-division plat. The denial notice shall be in writing and mailed by first class mail to the Developer or Agent at the address furnished to the Review Board at the time of submission of documents for review. The notice of denial shall clearly state the following:

- A. All reason for denial including all portions of all documents submitted that are not in compliance with this Sub-Division Ordinance, any deficiencies in any of the documents and the failure to submit any necessary documents.
- B. Whether any of the reasons for denial may be connected by the granting of a variance together with the procedures for applying to the Technical Review Committee for a variance.
- C. The rights of the Developer to appeal the decision of the Review Board denying approval to record the sub-division plat including any time limitation for filing notice of appeal.
- D. The rights of the Developer to correct any deficiencies in any document submitted and to resubmit them for review.

**ARTICLE XIII**  
**Sub-division Plats**

**Section 1. Recordable Plat Required.** Before any lot or lots constituting a part of a sub-division is sold, conveyed, leased or otherwise transferred from the developer to any person, corporation or other entity capable of holding title to real estate there shall be filed in the Office of Register of Deeds for Mitchell County a plat of the sub-division made in full conformity with the provisions of NC GS §47-30 and the requirements to this Ordinance and bearing the certificate of approval of the Review Board. The final plat presented for recording must be prepared by a registered land surveyor holding a valid license to survey real estate in North Carolina and shall bear his signature and registration number together with his certification that the sub-division as surveyed complies with all the requirements of this Ordinance.

**Section 2. What the Recordable Plat Must Reveal.** Every plat submitted to the Review Board for review and recording must show sufficient data to determine readily and reproduce accurately upon the ground the following:

- A. The location, bearing and length of every line constituting the center line and width of the right-of-way of every sub-division road including all sub-division access roads including the radius and other data for curves in every road.
- B. The location, bearing and length of every line constituting the center-line and the width of every easement for utilities including every easement connecting the existing utility distribution line to the sub-division boundary.
- C. The location, bearing and length of every line constituting the center line and the width of every easement for sewer collection and water distribution lines, including every easement connecting an existing municipal water supply system and/or municipal sewer system to the sub-division boundary.

- D. The location of any community water supply system and community sewage disposal system.
- E. The location, bearing and length of every lot line and other property boundaries, including the radius and other data for curved property lines.
- F. That all accessible lot corners are marked upon the ground with visible survey markers or reference markers and the sub-division plat shall show clearly the location and type of every marker.
- G. The accurate acreage contained in every lot.
- H. Verify that each lot abuts upon a sub-division road or has a dedicated access easement.
- I. The final plat shall be eighteen (18) inches by twenty-four (24) inches for recording with the Mitchell County Register of Deeds, and shall be at a scale of not less than one (1) inch equals two hundred (200) feet. Maps may be placed on more than one sheet with appropriate match lines.

**Section 3. Building Permits.** No building permit shall be issued for construction of any building within a sub-division unless the approved Sub-division Plat is recorded in the Office of Register of Deeds.

- A. Lot lines must be marked before applying for approval for building permit.

#### **ARTICLE XIV Technical Review Committee**

**Section 1. Appointment.** The Mitchell County Board of Commissioners shall appoint a Technical Review Committee consisting of five (5) persons. The Committee shall consist of the following persons:

- A. One employee of the Mitchell County Inspections/Addressing Office.
- B. One employee of the Toe River Health District or the Mitchell County Health Department employed in the design and approval of private sewage disposal systems (septic tanks) and wells.
- C. One person named by the Mitchell County Fire Association. Why? What is their experience with development or real estate?
- D. The Mitchell County Manager. Why? What is their experience with development or real estate?
- E. One member of the Mitchell County Board of Commissioners.

**Section 2. Duties:** The Technical Review Committee shall hear and decide all appeals from denials of approval of Sub-division Plat recording made by the Review Board. In hearing said appeals the Technical Review Committee is authorized and empowered to do any of the following acts: Two different boards- so what is the rules for the "Review Board" because this only addresses the "Technical Review Committee"?

- A. To adopt procedures for hearing appeals which procedures shall afford the Developer notice and opportunity to appear at the hearing and present evidence regarding any finding made by the Review Board, which finding constituted a basis for the denial of approval for recording of the Sub-division plat.
- B. To issue subpoenas to persons it deems necessary to present evidence regarding the decision of the Review Board directing said person or persons to appear and testify or produce documents at the hearing. Subpoenas shall be issued at the request of the Developer, the Review Board, or the Technical Review Committee.



- C. To administer oaths to any witness.
- D. To accept from the Developer any required documents not submitted to the Review Board and any documents modified after filing with the Review Board to correct deficiencies found by the Review Board
- E. To grant variances as allowed under the Article of this Ordinance entitled Variances if said variances will bring the proposed sub-division or a portion thereof into compliance with this Ordinance.
- F. To affirm, reverse or modify the decision of the Review Board as may be appropriate based on the evidence and documents produced at the hearing and any variances granted by the Technical Review Committee after filing of the appeal.
- G. The Technical Review Committee is authorized to act upon and to grant or deny applications for variances received by any Developer in conformity with the Article of this Ordinance entitled Variances and to conduct such hearings and make such investigations as it deems necessary in deciding whether to grant or deny any application for variance.
- H. The Technical Review Committee is authorized to make recommendations for amendments to this Ordinance as it deems appropriate to better provide for the orderly development and to carry out the purposes of this Ordinance.

**Section 3. Meetings.** The Technical Review Committee shall meet upon the call of a meeting by the Chairman or a majority of the members and shall meet as necessary to act upon appeals and requests for variance.

**Section 4. Officers.** At the initial meeting of the Technical Review Committee it shall elect from its membership a Chairperson, Vice-Chairperson and Secretary. The Chairperson shall preside at all meetings and it is authorized to call witnesses, issue subpoenas and administer oaths. In the absence of the Chairperson, the Vice-Chairperson shall exercise all powers and duties of the Chairperson. The Secretary shall keep a record of the proceedings of the Technical Review Committee including a recording of all hearings on appeal. The Secretary is authorized to request from Mitchell County a county employee to record the proceedings and transcribe the recorded record of the proceedings.

**Section 5. Appeal.** Appeals from a decision of the Review Board shall be made in writing to the Technical Review Committee and filed with the Clerk to the Mitchell County Board of Commissions within thirty (30) days of mailing of the decision of the Review Board. Every decision of the Technical Review Committee regarding appeals and variances shall be subject to review by the Superior Court Division of the General Court of Justice for Mitchell County by proceedings in the nature of criteria which shall be filed with the Clerk of Superior Court within thirty (30) days after mailing of written decision to Developer at the address furnished to the Review Board.

**Section 6. Quorum.** The presence of three (3) or more members of the Technical Review Committee shall constitute a quorum. No business of the Committee shall be conducted except a quorum be present.

**Section 7. Appointment and Term.** The initial Technical Review Committee shall be appointed by the Board of Commissioners within forty-five (45) days of the adoption of this Ordinance. Appointment shall be for a term of three (3) years. Vacancies shall be filled by the Board of Commissioners.

What defines a conflict of interest for a member?  
Under what circumstances can a member be removed? Who removes? What are the rules and procedures for the "Review Board?"

## **ARTICLE XV Variances**

**Section 1. Authority to Grant:** Only the Technical Review Committee is authorized to grant a variance from the requirements of this Ordinance and only as is expressly authorized by this Ordinance.

**Section 2. Road Variances:** The Technical Review Committee is authorized to grant variances on the width and slope requirements of Sub-division Access Roads and Primary Sub-division Roads as follows:

- A. To permit the reduction of the width of the travel portion of these roads to twelve (12) feet over a linear distance not in excess of six hundred (600) feet provided that the variance mandates at least one pull out within the middle one hundred (100) feet of the variance to allow for two lanes of travel over a distance of at least sixty (60) feet. The pull out area combined with the travel surface of the road shall have a combined width of travel surface of at least sixteen (16) feet with two (2) feet of level shoulder surface on each side. A width variance not in excess of three hundred (300) feet may be granted without a pull out provided the road is visible from both directions for the entire length of the variance.
- B. To permit increase in the maximum slope requirement up to twenty-five (25%) percent for a distance not in excess of one hundred linear feet and provided that no width and slope variance should be granted over the same area of any road.
- C. One lane roads with one way traffic will need to be a minimum of 12 feet in width. The Board may approve variances on a case by case basis.

**Section 3. Lot Variances.** The Technical Review Committee is authorized to grant variances from the maximum slope requirement of thirty-five (35) percent in the size of the lot exceeds two and one-half (2.5) acres.

- A. There is within the lot an area of at least one (1) acre that does not exceed twenty (20%) percent slope as determined in this Ordinance.
- B. The lot has been issued an improvements permit and the septic system as designed including the repair area is not closer than fifty (50) feet to the nearest lot boundary.
- C. All improvements will be placed on the area that does not exceed twenty (20%) percent slope as determined by this Ordinance.
- D. All improvements will be placed on the area that does not exceed twenty (20%) slope as determined by this Ordinance.

The Technical Review Committee is authorized to grant variances from the minimum lot size requirement of one (1) acre in the following instances:

- A. The Developer has furnished satisfactory proof of the ability to provide sewer service to the lots from a municipal sewer system or an approved community sewer system in the following manner.
- B. The Developer has furnished a cost estimate from a registered professional engineer together with an irrevocable letter of credit in the amount sufficient to complete the work as determined by the estimate.
- C. The Developer deposits with Mitchell County certified funds in an amount equal to the cost estimate to be released only as the work is performed.

No variance on lot size shall be allowed to reduce the lot size below one-half acre.

**Section 4. Factors to be Considered:** The Technical Review Committee in determining whether to grant or deny any variance permitted as to roads shall consider

the effect of the variance on the ability of emergency vehicle to travel the road safely, the number of lots served by the road in the area of the proposed variance and the effects of the variance on the ability of vehicles to travel the road in an orderly, uninterrupted manner. It shall also consider the difficulty and cost of constructing the road without the granting of the variance and any adverse affects on the purposes of the Ordinance, which will result from granting the variance.

**Section 5. Limitations on Variances.** No variance shall be granted except those variances expressly authorized by this Article.

**Section 6. Application for Variances.** The Developer may apply for any permitted variance at any time before submission of the sub-division plat for review and at any time between the denial of the sub-division plat for recording and the hearing on appeal to the Technical Review Committee.

## **ARTICLE XVI Penalties and Enforcement**

**Section 1. Penalties:** If any who is the owner or agent of the owner of any land located within the territorial jurisdiction of the Ordinance sub-divides his land in violation of the Ordinance or sells land by refinance to, exhibition of, or any other use of a plat showing a sub-division of land before the plat has been properly approved and recorded under this Ordinance and recorded in the Office of Register of Deeds for Mitchell County, shall be guilty of a Class I misdemeanor. The description by meets and bounds in the instrument of transfer does not exempt the transaction from this penalty.

**Section 2. Enforcement/Injunctive Relief.** The County may bring an action for injunction of any illegal sub-division, transfer, conveyance or sale of land prohibiting the transfer or sale of any parcel of land sub-divided in violation of terms of this Ordinance.

The Mitchell County Department of Inspections shall deny building permits for any sub-divided lots that have been sub-divided in violation of this Ordinance and for any sub-division found to be in violation of any provisions of the Ordinance and for any sub-division having been notified to be in violation of its soil erosion and sedimentation control plan.

This will be a nightmare for  
Realtors selling lots. Where  
will this be reported? How will  
the attorney's know?

## **ARTICLE XVII Amendments**

The Board of Commissioners may from time to time amend the terms of this Ordinance. No amendment shall be adopted by the Board of Commissioners until it has held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the County at least once a week for two successive weeks before the hearing with the initial publication being not less than ten (10) nor more than twenty-five (25) days before the hearing date.


It would have been a really good idea to have done this  
before passing this assault against the property rights  
of the people of Mitchell County!

**ARTICE XVIII**  
**Effective Date**


This Ordinance shall be in full force and effect thirty (30) days after adoption.

**MITCHELL COUNTY BOARD OF COMMISSIONERS**

  
Steve Pitman, Chairman

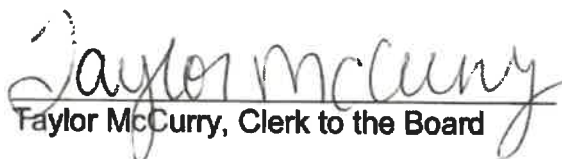
  
Harley Masters, Vice Chairman

  
Vern Grindstaff, Member

  
Jeff Harding, Member

  
Brandon Pittman, Member

**ATTEST:**

  
Taylor McCurry, Clerk to the Board



**Mitchell County**  
**Application for Family Subdivision**

Date of Application: \_\_\_\_\_

Property Owner/Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Property Location: \_\_\_\_\_

Township: \_\_\_\_\_ Original Tract Size: \_\_\_\_\_

Fire District: \_\_\_\_\_ School District: \_\_\_\_\_

PIN Number: \_\_\_\_\_

Number of Parcels created in this division: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Property Recipients			
Name	Address	Relationship	Parcel Size

I certify that the information shown above is true and accurate, and that this transfer of land is in compliance with the conditions for a Family Subdivision of land as defined in Article V Section 2 C of the Mitchell County Subdivision Ordinance.

	Owner/Applicant	Date
Review of Subdivision Provisions: _____	Review Board	Date
Final Recordation at Register of Deeds: _____		

**Mitchell County  
Application for Subdivision Review**

Date of Application: \_\_\_\_\_ Application Number: \_\_\_\_\_

Name of Subdivision: \_\_\_\_\_

Location: \_\_\_\_\_ PIN #: \_\_\_\_\_

Acreage in Subdivision: \_\_\_\_\_ Number of Lots: \_\_\_\_\_

If Phased, Total Number of Phases: \_\_\_\_\_ Acreage in This Phase: \_\_\_\_\_

Type of Development (Residential, Commercial, etc.): \_\_\_\_\_

Subdivision Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Engineer: \_\_\_\_\_ Surveyor: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Email: \_\_\_\_\_

List all variances sought, including specifics, distances and detail as to each request.  
(Use additional pages if necessary.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This application form is to be submitted with the appropriate number of subdivision plans. All documents must be completed per the checklist and sent to:  
Mitchell County GIS Coordinator  
26 Crimson Laurel Circle, Ste 5  
Bakersville, NC 28705

I certify that the information shown above and on the attached checklist is true and accurate and that this transfer of land is in compliance with the Mitchell County Subdivision Ordinance.

\_\_\_\_\_

Owner

\_\_\_\_\_

Date

Mitchell County  
Checklist for Submission of Subdivision Plat Review for Subdivisions and Submission of  
Final or As-Built Drawings

*Please be aware that this checklist has been prepared as a guideline for obtaining approval to develop a subdivision in compliance with the Mitchell County Subdivision Ordinance. This checklist is made available as an aid. It does not replace or supersede any ordinance. Any person seeking to develop a subdivision must comply with the Subdivision Ordinance and all other applicable Ordinances. Please read the Ordinance before completing the items included in the checklist. All items require in the Ordinance should be complete prior to submittal of plans to the County. A copy of the completed checklist and an "Application for Subdivision Review" form must be submitted with your plans.*

Date: \_\_\_\_\_

**Property Information:**

Subdivision Name: \_\_\_\_\_

Phase Number and/or Name of Phase (if part of a Master Plan for Phase Development): \_\_\_\_\_

Address/Street Location of Property: \_\_\_\_\_

PIN #(s) of Property to be Subdivided: \_\_\_\_\_

**Contact Information:**

Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell: \_\_\_\_\_

Email Address: \_\_\_\_\_

Primary Contact for Submission: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Cell: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Type of Plan Being Submitted**

☐ Master Plan-Phased Development (# of Phases) \_\_\_\_\_

☐ Subdivision (# of Lots) \_\_\_\_\_

Please submit three (3) copies of complete subdivision plans to the Mitchell County Mapping Department for Preliminary Plat Approval and one (1) copy of complete subdivision plans with mylar plat to be recorded for final plat approval.

☐ Final or As-Built Plans

All Plan requirements are the same a preliminary plat requirements.

***All final plans which differ from the approved preliminary plans must be resubmitted to the review board for review.***

**Other Information:**

**Please check which of the following utilities will serve the proposed development when completed.**

☐ Public Sanitary Sewer   ☐ Community Sanitary Sewer   ☐ Septic tanks on each lot  
☐ Public Water   ☐ Community Water System   ☐ Wells on each lot

**Please note:**

***These requirements are subject to change pursuant to this Ordinance.***

### **Specifications for Submission of a Preliminary Plat**

- A. ☐ All plats submitted for approval shall be legibly drawn at a scale of not less than two hundred feet (200') to one inch (1"), and prepared by a professional land surveyor.
- B. ☐ List any requested variances on submitted application pages, or, if necessary, provide a separate letter listing any requested variances required to develop proposed subdivision.
- C. ☐ **Title Block.** All plans shall have a Title Block and shall include the following:
1. ☐ Name and address of both owner(s) and subdivider of record;
  2. ☐ Name of subdivision;
  3. ☐ Project location (township, county, state);
  4. ☐ Date and revision dates (if applicable) of plan(s);
  5. ☐ Scale denoted graphically and numerically;
  6. ☐ Name, email address, address and telephone number of surveyor, engineer, landscape architect or other designer;
  7. ☐ Tax parcel identification number or PIN numbers; and
  8. ☐ Signed and dated seal (please make sure seal is dated with most current revision of plans;
  9. ☐ Deed book and page reference
- D. ☐ **Details** shall be part of the submitted plans:
1. ☐ North Arrow
  2. ☐ Vicinity Map. Sketch Vicinity Map showing the location of the subdivision in relation to the surrounding area. If the subdivision is a portion of the larger tract, the map is to show the relation of the subdivision to the larger tract.
  3. ☐ Tract Boundaries. The boundaries of the tract or portion thereof to be subdivided, with all bearings and distances shown.
  4. ☐ Property Lines. Property lines, and, where known, the names of owners of abutting properties and/or abutting subdivisions of record.
  5. ☐ Natural Features. Significant natural features including wooded areas, marches, major rock outcrops, lakes or streams, or other natural features affecting the site. Approximate location of the 100 year flood hazard, where applicable. The directional flow of all streams shall be show for any stream within the subdivision.
  6. ☐ Existing features. Existing features, where known, including buildings, streets, power lines, drainage ways, sewer and water lines, and utility easements which are located on or intersect the proposed subdivision. County or city jurisdictional lines on or adjacent to the land being subdivided. The location of the nearest water supply for fire protection if hydrants are not available.
  7. ☐ Topographic Lines. Topographic contour liens, not to exceed five (5) foot intervals, shall be provided for all subdivisions which include a total land area great than thirty (30) acres or more than fifty (50) building lots.
  8. ☐ Lot and Street Lines. All proposed lot and street right-of-way lines with approximate area and dimensions, lot numbers; all easements; designation of any dedication or reservation to be made; a notation of building setback lines; and proposed system(s) with existing systems.
  9. ☐ Street layout. Typical cross sections of proposed streets, vertical grades, and proposed street names. The street design for all public roads shall incorporate the minimum design standards required by the NCDOT and the DOT approval of the design shall accompany the preliminary plat. All private streets shall be designed to meet the standards set forth in Article VII Section 3 of this ordinance.
  10. ☐ Water and Sewer Layout. Proposed water and sewer system (excluding individual water sewer systems), including line sizes, approximate location of manholes, pumps, hydrants, force mains, or treatment facilities; and the connection of the proposed system(s) with existing systems.
  11. ☐ Other improvements. Proposed location and description of any other improvements including, but not limited to, riding trails, sidewalks, pedestrian or bike ways, reserved open space or recreational facilities, commercial area, or buffer strips.
  12. ☐ Site Data. Total acreage in tract to be subdivided, acreage in flood hazard zone, smallest lot size (square feet), total number of lots.

#### **Please note:**

The following documentation is to accompany the Preliminary Plat and Application:

\_\_\_\_\_

Written evidence acknowledging the submission of water and sewer system plans to the appropriate agencies.

\_\_\_\_\_

Written evidence acknowledging the submission of the required soil erosion sedimentation control plan. Written approval is required prior to any ground disturbing activity which exceeds 1 acre.



### Final Plat Submission

The final plat shall show compliance with the following prior to any review of the plat by the Planning Board:

1. ☐ Compliance with Standards of Practice for Land Surveying as adopted by the NC Board of Registration for Professional Engineers and Land Surveyors.
2. ☐ Notice that improvements guarantee has been accepted or certification of improvements has been granted.
3. ☐ Submitted within twelve months of preliminary plat approval, unless written extension is granted by the Board.
4. ☐ Final plat is 18" by 24" and is at a scale of 1"=200' or less.
5. ☐ Four copies submitted, one (1) reproducible and three (3) prints.
6. ☐ Title Block, Subdivision name, North Arrow, scale (denoted graphically and numerically), date of plat preparation, location of subdivision (township, county, and state), the name(s) of the owner(s) and the registered surveyor responsible for the subdivision (including the seal).
7. ☐ Tract Boundaries. Exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearing, and the location of intersecting boundary lines of adjoining lands.
8. ☐ Adjoining Property Owners. Names and deed references (when available) of owners of abutting properties and subdivisions of record.
9. ☐ Location of improvements. All visible and apparent rights-of-way, watercourses, utilities, roadways, and other such improvements shall be accurately located where crossing or forming any boundary of the property shown.
10. ☐ Engineering date. Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, and easement line, including dimensions bearings, or deflection angles, radii, central angles, and tangent curved property lines that are not the boundary of curved streets. Building setback lines are to be noted.
11. ☐ Monuments. The accurate locations and descriptions of all monument markers and control points.
12. ☐ Lot and Tract Numbers. The tracts numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block.
13. ☐ Streets. The designation of all streets as public or private in accordance with the provisions of the ordinance.
14. ☐ Rights-of-way. The location and dimensions of all rights-of-way, utility or other easements, riding trails, natural buffers, pedestrian or bicycle paths, and areas to be dedicated to public use with the purpose of each stated.
15. ☐ Flood Hazard Areas. Location of existing flood hazard areas, where applicable.
16. ☐ Certifications. Certification as on Administrative forms.

**Certification of Road Grades & Suitability**

State of North Carolina, Mitchell County, I , \_\_\_\_\_ certify that the newly constructed or proposed road grades and slopes were (calculated by me)(calculated under my supervision) (from an actual survey made under my supervision). Witness my original signature, registration number, and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Official Seal

\_\_\_\_\_  
Registered Land Surveyor or Civil Engineer

\_\_\_\_\_  
Registration Number

**Certificate of Approvals**

This certifies that Mitchell County Review Board approved the final subdivision at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Date Mitchell County Subdivision Review Board

\_\_\_\_\_  
Date Mitchell County Subdivision Review Board

I certify that the final plat show hereon complies with the Mitchell County Subdivision Regulations and is approved by the Board of Commissioners for recording the Mitchell County Register of Deeds office.

\_\_\_\_\_  
Date Chairman, Mitchell County Board of Commissioners

Certificate of approval by the Ordinance Administrator.

\_\_\_\_\_  
Date Ordinance Administrator

State of North Carolina, Mitchell County, I \_\_\_\_\_, Review Officer of Mitchell County certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

\_\_\_\_\_  
Date Review Officer