

- (14) All driveways, septic systems, wells and other man made structures which are located within one hundred feet (100') of the addition parcel or the original land from which the transfer was made. If there are no such structures, then a notation stating that, within one hundred feet (100') of the addition parcel, there are none visible or shown in Health Department Records. Sanitary sewer, water, storm drains and stormwater structures do not need to be shown on the plat.
- (15) The location of all septic systems, well and building restriction lines on the lot to which the addition is being made.
- (16) A note stating that a six-foot drainage and utility easement is to be reserved along all resulting external lot lines.
- (17) A note stating that a confirmatory deed shall be recorded in the Frederick County Land Records and that the recorded Addition Plat shall be referenced in this and all successive deeds. A copy of the recorded confirmatory deed shall be provided to the city prior to the issuance of any zoning certificates or permits.

**D. Recording**

- (1) The Planning Commission shall approve Addition Plats and such approval shall be noted on the plat.
- (2) The approved Addition Plat shall be recorded in the Frederick County Land Records.
- (3) A confirmatory deed confirming the activity illustrated on the Addition Plat shall be recorded in the Frederick County Land Records, and the recorded plat shall be referenced in all successive deeds.

(Amended Ord. 405 )

**Article 7. ADMINISTRATION**

7.1 **General** – The following offices of the government of the City of Brunswick are concerned with the administration of this ordinance:

- A. The Mayor and Council: The Mayor and Council are vested with the following responsibilities with regard to subdivision control:
  1. Amendment of the regulations of this ordinance when found necessary and desirable.
  2. Initiation of appropriate proceedings to enforce the provisions of this ordinance.

7.2 **The City Planning Commission:** The Planning Commission shall administer this ordinance, and in furtherance of said authority, shall:

- A. Maintain permanent and current records of this ordinance, including amendments thereto.
- B. Receive and file all preliminary plats and final plats (together with applications).
- C. Forward copies of the preliminary plat to other City, County, and State offices and agencies for their recommendations and report wherever appropriate.
- D. Receive, file, and check for compliance with regulations, all final plats.
- E. Make all other determinations required by the regulations herein.

## **Article 8. MODIFICATIONS AND EXCEPTIONS**

8.1 **Hardship** – Where the Planning Commission finds that unusual hardships may result from strict compliance with these regulations, it may vary the regulations so the substantial justice may be done and the public interest secured.

## **Article 9. FEE SCHEDULE**

9.1 **General** – The Mayor and Council shall have the authority to establish, by resolution, fees for subdivision related services specified in the subdivision regulations, and such fees shall be set forth in the Planning and Zoning Administrative Fee Schedule; provided, however, that in no event shall the fee charged be more than the costs incurred by the city for such services. Services and submissions for which fees may be established include, but are not limited to the following:

(a) Plat Fees:

- (1) Sketch/Concept Plan.
- (2) Preliminary Plan.
- (3) Final Plat.
- (4) Combined Preliminary/Final Plat.
- (5) All Other Plats Processed for Recordation.
- (6) Improvement Plans.
- (7) Plat Recording and Material Fess.
- (8) Extension Requests.
- (9) Modification Requests.
- (10) Text Amendments.
- (11) Document draft/review.

(b) No fees shall be charged to any Governmental Agency.

(Amended Ord. 404)

## **Article 10. AMENDMENTS**

**10.1 General** – Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Mayor and Council may, after recommendation by the Planning Commission and subject to the procedure set forth in this Article, amend or supplement these regulations. Such amendments, or supplements, may be initiated by resolution of the Mayor and Council, by motion of the Planning Commission, or be petition of any property owner.

### **10.2 Amendment Procedure.**

- A. Any proposed amendments or supplements originating with or received by the Mayor and Council shall first be referred to the Planning Commission for consideration and recommendation. The Planning Commission shall research the issue, and may require the submission of pertinent information by the Applicant, and may hold public hearings in accordance with the Planning Commission By-Laws. The Planning Commission shall then submit its report and recommendation to the Mayor and Council within sixty (60) days of the referral, unless an extension of time is granted by the Mayor and Council.
- B. After receiving the recommendation of the Planning Commission on any proposed amendment, or supplement, and before adopting an amendment, the Mayor and Council shall hold a public hearing in relation thereto, at which interested parties and citizens shall have an opportunity to be heard. Notice of the time and place of the public hearing, together with a summary of the proposed regulation shall be published in at least one (1) newspaper of general circulation in Brunswick once each week for two (2) successive weeks with the first such publication of notice appearing at least fourteen (14) days prior to the hearing.
- C. A regulation may not become effective until ten (10) days after the public hearing.
- D. The Mayor and Council shall take into consideration the Planning Commission's recommendation as well as the Applicant's comments and requests in its review of the proposed amendment. A complete record of the hearing and the votes of all members of the Mayor and Council shall be kept.
- E. The Mayor and Council shall make no change in or departure from the proposed amendment as recommended by the Planning Commission unless the issue is resubmitted to the Planning Commission for its further recommendations. No amendment or supplement shall be adopted contrary to the recommendations of the Planning Commission except by a two-thirds (2/3)-majority vote of the Mayor and Council.

## **Article 11. SAVINGS CLAUSE**

**11.1 General** – If an article, section, subsection, clause, or phrase of these regulations is for any reason held unconstitutional or void, such decision shall not invalidate the remaining portions of the regulations.