

### What is a Family Subdivision

A Family Subdivision is the transfer of a portion of land from one immediate family member to another immediate family member. Since the parcels are **not** intended for transference outside of the family, certain requirements are waived for the construction of roads to reach the parcels.

### Since it is for family, is it exempt from the process of subdividing land?

Although Family Subdivisions are exempt from certain requirements, the survey must comply with Chapter 59 of the County Ordinances regarding the subdivision of land. If the subdivision will create more than one (1) lot, the subdivision survey will be required to go before the Plan Review Committee (PRC).

### What is required for a Family Subdivision?

The following is necessary for all Family Subdivisions for both Exempt Plat or Plan Review Committee (PRC).

- Title of survey to be "A Family Subdivision for [Name of Family]"
- A completed Family Subdivision Application and Letter for Road Construction Exemption, with signatures of all parties necessary.
- Declaration of future owners for each lot created to be shown on the survey.
- The appropriate notes need to be added to the survey that dictate within Chapter 59 Section 93 for private streets. Please consult with planning staff to discuss the notes that may be required for the survey.

## Berkeley County Government Planning & Zoning Department

1003 Highway 52  
P.O. Box 6122  
Moncks Corner, SC 29461

[webpaz@berkeleycountysc.gov](mailto:webpaz@berkeleycountysc.gov)

843.719.4095

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## Berkeley County

Exempt Plat  
Review

&

Family  
Subdivisions



Berkeley County Government  
Planning & Zoning Department

### What is an exempt plat subdivision?

An Exempt Plat is a subdivision or boundary survey that has been exempted from the Plan Review Committee preliminary plan/plat approval process. Instead, the Planning Commission has given authority to the Planning Department staff to conduct a review of the surveys for adherence to Chapter 59 of the *Berkeley County Code of Ordinance*.

An exempt plat subdivision will fall under one of the following categories:

#### **Boundary Survey**

A survey of the existing property lines.

#### **Easement Plat**

A survey to only dedicate either utility, ingress/egress, or other legal access easement.

#### **Property Line Adjustment**

Adjusting the location of a property line, without eliminating a parcel.

#### **Combination of Previously Platted Lots**

When at least one parcel is being eliminated.

#### **Lots GREATER than Five Acres**

With no new streets

#### **Creation of One New Lot**

With no new road access and sanitary system approval

#### **Judicial Order or Tax Sale**

Court ordered transfer of land or tax sale of land.

#### **Subdivision by Deed (if prior to 04/26/1999)**

A current plat created identical to an unrecorded plat or deed for a parcel of recorded prior to April 26, 1999.

### What does SCDHEC have to do with subdividing land?

Prior to sale of land, all parcels must provide sanitary sewage systems that conform to the requirements of SCDHEC or the applicable Water and Sewer Authority. Where public sewer and water lines are not available, a soil analysis (perc test) must be obtained.

### Before you Apply

The property owner should consider the intended use of the property, including future sales of land. Considerations include:

1. What the existing zoning classification will allow for development.
2. Access to the site and any easements that will be necessary.
3. The number of lots to be created.
4. The access to basic sanitation and utilities (see SCDHEC section).

### Who conducts surveys and how do they get reviewed?

The property owner should hire a Registered Land Surveyor to conduct the survey needed. The survey will be done according to the regulations in the **Land Development and Subdivision Regulations for Berkeley County**.

The property owner will then submit the drafted survey to the Planning and Zoning Department for Exempt Plat Review.

### What is required information for an exempt plat submittal?

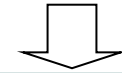
The Applicant will need to complete and submit the **Exempt Plat Application** along with the draft survey. The property owner may elect to have the surveyor or another authorized agent submit these materials directly to the Department.

A minimum of **five (5) copies** of the draft survey as well as a **\$25.00\*** review fee are required at submittal. Depending on the intent and type of survey, additional supporting documentation, such as SCDHEC Septic Suitability Permit(s), copies of previously unrecorded plats, or other assurances may be requested by the Department.

\*additional fees may be collected if more than one lot created.

### Application and Review Process

After submission, a review will ascertain if the survey meets the requirements set forward in the **Land Development and Subdivision Regulations for Berkeley County** and the **South Carolina Code of Regulations** regarding engineers and land surveyors .

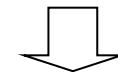


After the initial review, the Applicant will be contacted by a Department Official regarding the survey.

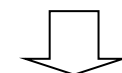


If there are no comments, the applicant will be contacted regarding the approval of the survey.

If there are any comments or corrections required, the Applicant will receive a written letter via email or a hard copy will be made available for pick up in the Planning Office. A resubmittal will be required for review and approval.



Once approved, the survey can be recorded with the Register of Deeds Office (ROD). At recording, a minimum of **five (5) copies** of the survey a **\$10 recording fee** are required. Upon recordation, the property owner will receive two copies of the recorded survey.



After recording with ROD, the property owner may proceed with land sales, transfers, or building development.