

Family Subdivision Exemption – the division of land into two or more new lots at one time or over a period of time where conveyance may only be to members of the immediate family of the property owner (immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, aunt, uncle, niece, nephew, grandchild, grandparent, or parent of the owner).

Applications for Family Subdivisions must submit the following for review and processing:

- Plat, signed and sealed by a Professional Land Surveyor
- All plats for family subdivision shall be accompanied by an affidavit which shall be signed by the grantor and grantee under oath and penalty of perjury that identifies the family subdivision as being for the purpose of conveyance to a qualifying family member and identifying the receiving family member and the relations to the granter.
- The property owner may be a family trust or family partnership so long as the trustees, beneficiaries and/or partners are composed only by members of the immediate family of the property Grantor.

The following minimum requirements have been established for **Family Subdivisions** to ensure that the development of these lots will protect public health and safety and the orderly development of the surrounding area.

- Each lot must conform to the required minimum lot size per Zoning Ordinance or Land Development Regulations in unzoned areas, and/or as required by SCDHEC.
- Each lot must have direct access from the lot to a right of way dedicated to public use.
- In the unzoned area of the county, family subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access
- Does not potentially obstruct the floodplain
- Does not violate the intent of the Subdivision or Zoning Ordinances.
- The parcel is not located in an existing subdivision (residential development).
- If at the time of subdividing, the applicant does not wish to develop any of the lots, the following notes are to be added to the plat:
 - This division is in accordance with the Family Subdivision Exemption.
 - There is no land disturbance associated with this Family Subdivision.
 - At the subdivider’s request, this plat was not evaluated for future development (water availability, sewer availability, stormwater management requirements, floodplain requirements or encroachment requirements).
 - At the time of development each lot must be evaluated for development and obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality.
 - A building and land disturbance hold will be placed on each lot until a Land Disturbance Permit has been obtained.

Procedures for submitting a Family Subdivision Plat: Required Documents

1. Family Subdivision Plat, signed and sealed by a Professional Land Surveyor
2. Family Subdivision Application – completed by the owner
 - a. Summary Plat fee of \$100 is waived for Family Subdivisions
3. Affidavit that property is being conveyed to immediate family
4. Recording Fee, per plat size

The Family Subdivision Summary Plat will be reviewed by Subdivision Administration and Zoning for compliance.

If approved, the Family Subdivision will be recorded. The plat will then be routed internally to E911 for addressing and Real Properties for tax map numbers. Please give 5 days for processing.

Upon lots being created, the applicant will be notified when the lots have been provided tax map numbers and addresses. All lots will have holds placed on them until time of development, when an appropriate agency approval and Land Disturbance Permit will have to be obtained.

Please be advised if your subdivision is creating 5 or more lots at one time and utilizing septic tanks, the subdivision must meet SCDHEC regulations for posting and approval prior to recording. All appropriate documents from DHEC must be submitted as part of the Family Subdivision application.