



Town of Meggett
Zoning & Planning
4776 Highway 165
Meggett, SC 29449
(843) 889-3622

MINOR SUBDIVISION APPLICATION PACKET

The documents listed below are included within this packet. Upon gathering all required information/documentation, the Applicant shall submit the completed packet to the Zoning & Planning Department for review in compliance with the *Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR)*. Prior to approval, staff may identify and request additional documentation to ensure compliance with the ZLDR.

- ◆ **MINOR SUBDIVISION - SUBMITTAL CHECKLIST**
- ◆ **MINOR SUBDIVISION APPLICATION**
- ◆ **AFFIDAVIT OF OWNERSHIP**
- ◆ **RESTRICTIVE COVENANTS AFFIDAVIT**

WHAT IS A MINOR SUBDIVISION?

A minor subdivision is division of any tract of land into ten (10) or fewer lots, provided that:

- a) No public street right-of-way dedications are involved;
- b) The Public Works Director does not require a Preliminary Plat for drainage easement;
- c) The lots meet Health Department requirements for sewage disposal. Need individual wastewater disposal systems or public sewer taps provided to each lot.
- d) No new or residual parcels will be created that do not comply with all applicable requirements of this Ordinance.
- e) Letters of Coordination, concerning all public services. (Fire, schools, etc.) are required that acknowledge that the Town and other agencies will be able to provide necessary public services, facilities, and programs to service the development proposed, at the time the subdivision plat is processed. SCDOT will specify the number of lots.
- f) Encroachment permits are required for each lot created or identify the number of lots within the subdivision.

REVIEW & APPROVAL PROCESS

The one (1) required step in the Minor Subdivision process is Final Plat review and approval. Applicants for minor subdivision are *strongly encouraged* to schedule and attend a Preapplication Conference prior to filing for a minor subdivision. Preapplication Conferences are not mandatory for minor subdivisions.

The full *Town of Meggett Zoning & Land Development Regulations Ordinance (ZLDR)* can be found online at the following link: <https://meggett.municipalcodeonline.com/book?type=zoning>



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MINOR SUBDIVISION SUBMITTAL CHECKLIST

The following documents are to be submitted to the Zoning & Planning Department for review in compliance with the *Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR)*. Prior to approval, staff may identify and request additional documentation upon review to ensure compliance with the ZLDR.

Completed Application with signed Affidavits (attached)

3 printed copies of the Plat (see *Final Plat* requirements on following page)

Letters of Coordination (if applicable)

- Provide Water/Sewer Availability letters from applicable service provider (Town of Meggett or Charleston Water Systems)
- If subject property is not serviced by Public Water or Public Sewer, provide letter from Department of Health & Environmental Control (DHEC) for wastewater systems.
- Dominion Energy approval and acceptance of dedicated utility easements.
- Fire Protection and Fire Apparatus Access Roads - International Fire Code Compliance

SCDHEC Stormwater Documentation

- Submit the following documents upon approval by DHEC:
 - A copy of the approved **Notice of Intent** (NOI) for Stormwater Discharges from Large and Small Construction Activities.
 - A copy of SCDHEC's **Certificate of Coverage/Coverage Approval Letter** under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CPG).
 - A copy of the approved **Stormwater Pollution Prevention Plan** (SWPPP or C-SWPPP).
 - A copy of the approved (General or Individual) **Coastal Zone Consistency Determination** (CZC) from SCDHEC's Office of Ocean & Coastal Resource Management (OCRM), if applicable.
 - Approved copies of all associated **US Army Corps of Engineers' 404 Permits** or **DHEC 401 Water Quality Certifications**, if applicable.
 - A signed/notarized copy of SCDHEC's **Permanent Stormwater System Maintenance and Responsibility Agreement**.

SCDOT or Charleston County Public Works Encroachment Permit, if applicable

Plat Review Fee

Minor Subdivision Plat: **\$100.00 + \$10.00/Lot**

Final Plat: **\$100.00 + \$10.00/Lot**

NOTE: Payments in-person can be made with cash. Check payments can be made in-person or mailed to Town Hall. Credit/Debit Cards (processing fee added) are accepted via online payment or in-person.

DIGITAL SUBMISSION PREFERRED- PLEASE EMAIL REQUIRED DOCUMENTS



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MINOR SUBDIVISION FINAL PLAT REQUIREMENTS

Prior to approval, staff may identify and request additional documentation upon review to ensure compliance with the ZLDR.

Dimensions, Calculations, & Other Associated Information (List Not Intended to be Exhaustive)

- Name of Subdivision
- Number of Lots & Proposed Uses
- Tax Map & Parcel Number
- Date & Revisions
- Vicinity Sketch
- Name of Owner/Developer
- FEMA Flood Zone Information
- Existing & Proposed Boundary and/or Right-of-Way Lines
- International Fire Code-compliant Fire Apparatus Access Roads, Fire Lanes, & Turnarounds
- Proposed Street Names
- Easements, Purpose & Documentation
- Computed Acreage of Each Lot
- Valid DHEC-OCRM Critical Area Line (CAL) Delineation
- Wetland Delineation (may require a JD, PJD, or DC from the US Army Corp of Engineers)
- Grand Tree Survey within all easements and rights-of-way (or upon request by Planning Official)
- Existing Structures/Improvements & Calculation of Impervious Coverage

Certificates

- All Land Surveys in the County shall be in accord with the land use designated for the proposed Subdivision of property and the criteria specified in Urban Land Surveys as promulgated by the South Carolina Code of Regulations, 1991, Chapter 49, Article 3, R.400-490, as amended, and described as the "Minimum Standards Manual for the Practice of Land Surveying in South Carolina".
- A statement of dedication by the property owner of streets, right-of-ways, easements, and any other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement of dedication shall be corrected accordingly.

Statements

The following five (5) plat notes shall be placed on all plats where lots do not have access to a road within a publicly maintained system:

- *Any future subdivision of this parcel, or road construction or extension of the existing roads shown hereon shall require compliance with the Town of Meggett ordinances.*
- *It is hereby expressly understood by the property owner, developer or any subsequent purchaser of any lots shown on the plat that the Town of Meggett is not responsible for the maintenance of the streets, roads, common areas, drainage systems and any other municipal services which include but not limited to garbage disposal, public sewage, fire protection or emergency medical service.*
- *Be aware that the Town of Meggett is not responsible for drainage and flooding problems relevant to the real property and emergency vehicles may have difficulty accessing the property.*
- *No public funds shall be used for the maintenance of the roads shown on the plat.*
- *This approval in no way obligates the Town of Meggett to maintain the right-of-way.*

Any Recorded Legal Instruments (i.e., Restrictive Covenants, Road Maintenance Agreements, etc.)

The above list is not intended to be exhaustive. Please see [Chapter 16, Subdivision Regulations](#), of the *Town of Meggett Zoning & Land Development Regulations Ordinance* for further guidance.



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APPLICATION FOR SUBDIVISION

Application #: _____

OFFICE USE ONLY			
DATE RECEIVED: _____	FEES PAID: _____	DATE COMPLETED: _____	APPROVE / DENY
PLAT RECORDED: BK _____ PG _____	, BK _____ PG _____	DEED: BK _____ PG _____	

Property Owner(s) Information

Name(s): _____
 Address: _____
 Email: _____ Phone: _____

Applicant Information

Name(s): _____
 Address: _____
 Email: _____ Phone: _____

Surveyor Information

Name: _____
 Email: _____ Phone: _____

Property Information

Subdivision Type (choose one):	
<input type="checkbox"/> Minor Subdivision (2-10 Lots)	Major Subdivision (11+ Lots): <input type="checkbox"/> PRELIMINARY or <input type="checkbox"/> FINAL

Property Address: _____
 Parcel ID/TMS#: _____
 # of Original Lots: _____ # of Proposed Lots: _____ Total Acreage: _____
 Zoning District: _____ Subdivision Name: _____
 Preapplication Conference Required or Requested? YES / NO Scheduled Date/Time: _____

INSTRUCTIONS:

- Preapplication Conferences are **REQUIRED** for all Major Subdivisions and strongly encouraged for Minor Subdivisions in order to determine feasibility prior to making an application for subdivision.
- If the application includes more than one (1) parcel and/or more than one (1) owner, the applicant must provide the appropriate deed book/page references, tax parcel numbers, and owner signatures as an attachment.
- Applications for Subdivision are subject to the fees outlined in the Town's Fee Schedule; Major Subdivisions are subject to Public Notice requirements and approval by the Town's Planning Commission.



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RESTRICTIVE COVENANTS AFFIDAVIT

Application #: _____

Please read the below affirmation carefully, sign if you agree, and return to Zoning & Planning Staff for review. Restrictive Covenants are filed with the Register of Deeds Office and copies, should they exist in association with your parcel, may be obtained from their Office.

I have researched the Restrictive Covenants applicable to the parcel identified below and have found that either there are no restrictive covenants applicable to the subject property/properties or that the proposed permit application is not contrary to, does not conflict with, and is not prohibited by any of the Restrictive Covenants, as specified in SC Code Ann. §6-29-1145.

TMS#(s)/PID#(s): _____

Address: _____

_____ Signature	_____ Printed Name	_____ Date
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Explanation:

Effective July 1, 2007, South Carolina Code of Laws §6-29-1145 requires local governments to inquire in the permit application, or in written instructions provided to the applicant, if a tract or parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits an activity for which a permit is being sought. A copy of this statute is available below for your convenience.

SECTION 6-29-1145. Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

1. in the application for the permit;
2. from materials or information submitted by the person or persons requesting the permit; or
3. from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

1. "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;
2. "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and
3. "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.