



Subdivision Exemption Process

To submit a Subdivision Exemption Request, please deliver the completed form to Building and Codes Department during business hours located at 100 Hilcrest Square, Laurens, SC 29360.

If you desire to meet with a Building & Codes Official, you must call or email in advance and request to schedule an appointment.

Processing of the Exemption Request will require a \$10 application fee that is due at the time of submittal and may take up to 5 business days for approval.

Required Documentation:

- For an initial plan submittal, please provide two (2) copies of conceptual drawings and any other applicable documents for the specific exemption being applied for.
- For Final Plat submittals, please provide two (2) official plats to the county for retention plus any extra plats you desire stamped for your records. Also provide any applicable documents for the specific exemption being requested.

Examples of Potential Needed Documents:

- Exemption 5: Division by order of Court, you would need to include a copy of the court order with your application.
- Exemption 8: Agricultural Division, you would need to include a copy of a flood plain/wetlands map with your application.

**It is the responsibility of the applicant to ensure the application being submitted is the most recent version. The most up-to-date application can be found in the Building Codes office or on the county website under the planning department.*

**SUBDIVISION EXEMPTION REQUEST**

LAURENS COUNTY BUILDING AND CODES
P.O. BOX 815, LAURENS, SC 29630 PHONE
(864) 984-6659 FAX (864) 984-1502

Plan Submittal Type: Initial Plan Final Plat

Exemption being applied for: _____

Proposed Address:

Property Tax I.D. (s):

Floodplain, Flood Hazard Zones, Wetlands, or Riparian Rivers/Streams Present?: Yes No

Number of lots: Total Acreage:

Road Classification: Arterial (A) Collector (C) Residential (R) Existing Road Speed Limit:

Septic Tank Well Public Water Public Sewer

Applicant: Owner Engineer Surveyor Agent Person(s) Contracting for Sale

Owner's Name: Address:

Owner Phone Number: _____ Email:

Company Name:

***Note: An Agent filing an application for the Owner must fill out and submit an Acting Agent Authorization Form.**

The Applicant must attest to the following as being true:

Pursuant to the South Carolina Local Government Comprehensive Planning Enabling Act (Section 6-29-1145 of the SC Code of Laws,) this tract or parcel is not restricted by any recorded covenant, restriction, easement, etc., that is contrary to, conflicts with, or prohibits the proposed permitted activity.

I hereby certify and agree that I am authorized to make this application and that the above information is true and correct. I hereby authorize the staff of the Building & Codes Department to inspect the premises of the above-described property.

I hereby certify that the proposed will meet the requirements of the Laurens County Code of Ordinances, Building Codes, and all approvals granted by County Staff, County Planning Commission, and Laurens County Council.

PRINTED NAME

DATE

APPLICANT'S SIGNATURE

For Office Use Only

Received by: _____

Date Received: ____/____/____

Approved by: _____

Date Approved: ____/____/____

Type of Approval: Initial Plan Final Plat

*** All approvals are contingent on the recording of Final Plat with the Clerk of Court.** 2

DIVISION 4. EXEMPTED DIVISIONS OF LAND

All divisions of land into two (2) or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land shall be platted in accordance with this Ordinance, unless otherwise identified as exempt in Section A below.

A. *Exempt Divisions.*

1. With exception to the Family Division allowance provided below, a parent tract may be subdivided into additional tracts, provided that the tracts created, and the remaining parent tract comply with all applicable dimensional requirements and meet driveway width and spacing of the County's Code of Ordinances. Only one dwelling unit per parcel/tract shall be permitted for each newly created parcel/tract.
2. The creation of equal or larger parcels or lots of record are exempted, where:
 - i. The combination of all or a portion of previously created parcels of record results in newly created or residual parcels that are consistent with the Comprehensive Plan and County Code of Ordinances.
 - ii. The combination of all or a portion of previously platted parcels of record do not create new or residual parcels containing less area than the original parcels of record being combined, and no streets of any kind or public right-of-way easements are created, changed, or extinguished. The minimum lot dimensional criteria of the County's Code of Ordinances must be met.
3. ***Boundary Adjustments.*** Conveyances between adjoining landowners shall be considered exempt if
 - i. The purpose of the conveyance is to adjust or settle the common boundary line between adjoining landowners; and the deed of conveyance or other legal instrument is recorded in the official records of Laurens County; and
 - ii. The resulting parcel(s) conform to the applicable dimensional criteria and are consistent with the Laurens County Comprehensive Plan and Code of Ordinances.
4. ***Conveyance to Government.*** Any division of land for the purpose of conveying land to any federal, state or local government entity or agency or public utility shall be considered exempt, provided such conveyance is accepted by the grantee by an instrument recorded in the public records of Laurens County.
5. ***Division by Order of Court.*** Any division of land by order of a court of competent jurisdiction shall be considered exempt.
6. ***Corrective Instrument.*** Any conveyance for the purpose of correcting an error made in the language used in an original conveyance shall be considered exempt.
7. ***Platting of a Portion of a Tract.*** Platting of a portion of a parcel or tract under the terms and procedures of this section shall not constitute a division of that parcel or tract.
8. ***Agricultural Division.*** Agricultural lot splits within the unincorporated areas of Laurens County where:

- i. The number of lots created under this sub-paragraph is limited to five.
 - ii. 11. Each proposed lot shall be a minimum of two (2) acres with at least one (1) acre of contiguous land wholly above the one percent (100-year) flood plain or wetland.
9. ***Family Division.*** A parcel of record that may be subdivided for use of immediate family members for their primary residences as follows:
- i. Each new tract and the remaining parent tract shall have a maximum density of one dwelling unit per parcel and shall be subdivided to meet the requirements of the SCDHEC to install septic systems on each new lot for future use.
 - ii. Each new parcel created shall be deeded to a member of the owner's existing immediate family at the time of division.
 - iii. Immediate family is defined as spouse, grandparent, parent, stepparent, sibling, child, stepchild, adopted child, or grandchild.
 - iv. A parcel of record shall not be allowed to be divided more than three times as a family division.
 - v. Minimum access onto a road or street shall be forty (40) feet in width and shall be provided by recorded deed or by recorded non-exclusive easement.
 - vi. Plans for dwelling unit and timeline shall be submitted at the time of request

10. ***Lots Fronting a Navigable Body of Water.***

- i. Must adhere and meet all SCDHEC regulations to utilize and install septic services
- ii. Front and rear combined lot width must add up to 125 feet or greater
- iii. Minimum access onto a road or street shall be 25 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement.

B. ***Easement Requirements.*** Each lot not abutting a publicly maintained and/or dedicated road shall front on a paved private road or an access easement and shall meet the minimum driveway spacing and dimensional requirements established in the County Code. The easement shall:

- 1. Be a private, non-exclusive easement for ingress and egress, allowing public use for emergency, utility, and drainage purposes
- 2. Connect to a publicly maintained road meeting driveway spacing requirement. The easement shall be paved a minimum of twenty (20) feet beyond the public right-of-way.