

4-1 PLAT SUBMISSION AND REVIEW PROCEDURES

4-1.1 Subdivision Procedures: Subdivision plats may fall into any of the categories below.

- (A) The combination or recombination of previously platted lots where the total number of lots is not increased, the resultant lots meet the minimum standards of this and other ordinances and no other features of the plat are changed;
- (B) The creation of lots on existing streets with approved utilities;
- (C) Subdivisions within approved Planned Development Districts which conform to conceptual plans approved by the Planning Commission and Town Council; and,
- (D) Subdivisions within approved multi-family developments (such as horizontal property regimes or phase boundary surveys) provided that the plat conforms to plans which were approved by the Planning Commission.

In the case of the above categories, the subdivider shall submit to the Building Inspector four (4) copies of the plat. If the plat conforms to the standards of this and other applicable ordinances, the plat may be approved. One copy of the approved plat shall be placed in the subdivision files and three (3) copies shall be returned to the subdivider for recording purposes.

4-2 PLAT REQUIREMENTS

4-2.1 Plat Requirements: The plat of a proposed subdivision shall be clearly and legibly drawn to a scale not smaller than one (1) inch equal to one hundred (100) feet. The plat shall contain or be accompanied by the following information:

- (A) **General Information:**
 - 1) Name of subdivision;
 - 2) Name of record owner, subdivider and surveyor or engineer;
 - 3) North arrow, graphic and written scales, date (including the month, day and year that the original drawing was completed, and the month, day and year for each revision of the general drawing);
 - 4) Name and locations of all abutting subdivisions, if any, and location and ownership of adjoining unsubdivided property; and,
 - 5) A vicinity map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1,000) feet and showing the relation the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries and record subdivision plats existing within one thousand (1,000) feet of any part of the property.

(B) Platting Information:

- 1) The total tract boundary lines of the area being subdivided shall be in accordance with the "Minimum Standards Manual for the Practice of Land Surveying in South Carolina", Code of Regulations, Chapter 49, Article 3;
- 2) Correct courses and distances to the nearest established street lines or official monument which accurately describe the location of the plat and are accurately tied to the primary control points of the subdivision;
- 3) Names, widths and lines of all streets within or on the perimeter of the subdivision, with accurate dimensions in feet and hundredths and showing angles to streets, alleys and lot lines to the nearest thirty (30) seconds;
- 4) Lines and widths of all easements provided for or owned by public services and utilities, with accurate dimensions in feet and hundredths, including notation of any limitations on such easements;
- 5) All watercourses, streams, wetlands and floodplains (based on 100-year flood) meander lines with distances and bearings, including the fluctuation distance indicated by ordinary high and low water marks;
- 6) Lot numbers and a statement of the total number of lots. Lot lines shall be defined by distances in hundredths of a foot and in degrees to the nearest one-half of a minute, either by magnetic bearings or by angles of deflection from other lot and street lines; and,
- 7) The location (and elevation, if established) of all existing street monuments.

(C) Additional Information:

- 1) On a separate sheet, the correct street names and property numbers for all lots and parcels in accordance with the provisions of any street naming and property numbering ordinances of the Town of Pawleys Island;
- 2) Building setback lines accurately shown with dimensions;
- 3) Proper connections to the public water and sewer shall be prerequisite to approval of any plat within the Town of Pawleys Island. Applicants are encouraged to meet with representatives from the Georgetown County Water and Sewer District early in the subdivision process to ensure that all proposed lots can be connected to the existing water and sanitary sewer system. Written approval from the District shall accompany any application for subdivision within the Town Limits; and,
- 4) An approved encroachment permit from the South Carolina Department of Transportation for any driveway connection or other alteration within the right-of-way of any roadway under the jurisdiction of SCDOT.

- (D) **Certification:** The following certificates shall be lettered or printed on the face of the plat:
- 1) **Surveyor or Engineer Certification.** The signature, seal and certification of a registered professional land surveyor or engineer to the effect that the plat accurately reflects a survey made by him, that any changes from the description appearing in the last record transfer of land contained in the plat are so indicated, that all monuments shown thereon actually exist or will be installed and their positions are accurately shown, and that all dimensional and geodetic details are correct;
 - 2) **Owner's Certification.** A notarized certification of title showing that the applicants are the owners and statements by such owners acknowledging offers of dedication of land for public use and restricting land by protective covenants. This certification shall also indicate that the title thereof is free and unencumbered;
 - 3) **Recording Notations.** Appropriate notations for transfer and recording by the County Clerk of Court, indicating date and time of recording, the plat book location thereof, and instrument number; and,
 - 4) **Certification by Planning Commission.** The signature of the Chairman of the Pawleys Island Planning Commission together with the endorsement stamp thereof.

4-3 DESIGN STANDARDS

- 4-3.1 Lots:** The size, shape and orientation of lots shall conform to all requirements contained in the Zoning Regulations. Generally, side lot lines shall be at right angles to straight lines and radial to curved street lines. Lot sidelines shall be straight from front to rear, without offsets. Corner lots should be sufficiently wider to allow for the additional setbacks requirements as mandated by this Ordinance. Lots shall abut upon a dedicated public street, except in planned development districts.
- 4-3.2 Community Assets:** In all subdivisions due regard shall be shown for all natural features such as large trees, watercourses, historical sites, and similar community assets which, if preserved, will add attractiveness and value to the property.
- 4-3.3 Suitability of the Land:** The Planning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed. Land subject to frequent flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land shall be set aside for such uses that will not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. Fill may not be used to raise land areas subject to flooding unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

4-3.4 Flood-Prone Areas: Any proposed subdivision within a flood zone as defined by the Federal Emergency Management Agency shall meet all the applicable requirements of the Flood Damage Prevention Regulations. The standards for subdivision proposals located within flood plains may be found in Section 5-4.2 of this Ordinance.

4-4 ADMINISTRATION, ENFORCEMENT, APPEALS, COMPLAINTS AND REMEDIES

4-4.1 Administration and Enforcement. It shall be the duty of the duly appointed Building Inspector and he is hereby given the authority to administer and enforce the provisions of the Development Regulations. If the Building Inspector shall find that any of the provisions of these Regulations are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of unauthorized land development activities and discontinuance of any illegal work being done; and shall take any other action authorized by the Development Regulations to ensure compliance with or to prevent violation of its provisions.

4-4.2 Appeals. Whenever, in the opinion of the Circuit Court of Georgetown County, the strict application of the requirements contained in these regulations would result in extreme practical difficulties or undue misuse of property, the Circuit Court may modify such requirements as deemed necessary so that the subdivider is allowed to develop the property in a reasonable manner, providing that the public interest of the Town and its citizens are protected and the general intent and spirit of these regulations are preserved. The Court shall grant such a variance or modification only upon determination that:

- (A) The variance will not be detrimental to the public health, safety, and general welfare of the community;
- (B) The variance will not adversely affect the reasonable development of adjacent property;
- (C) The variance is justified because of topographic or other special conditions unique to the property involved in contra-distinction to mere inconvenience or financial disadvantages;
- (D) The variance is consistent with the objectives of these regulations and will not have the effect of nullifying the intent or purpose of these regulations or the Comprehensive Plan; and,
- (E) Such variances will not conflict with the requirements of the Zoning Regulations of the Town of Pawleys Island.

4-4.3 Complaints Regarding Violations. Whenever a violation of the Development Regulations occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Building Inspector. The Building Inspector shall record properly such complaint, immediately investigate and take action thereon as provided by these Regulations.

4-4.4 Penalties for Violation. Any person violating any provision of these Regulations shall be guilty of a misdemeanor and upon conviction, shall be fined and/or imprisoned by a judge of a court of competent jurisdiction, in the amount of up to \$500 fine and/or up to 30 days in prison, or any combination thereof, for each and every offense. Each day such violation continues shall constitute a separate offense. Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

It is the intention of the Development Regulations that all questions arising in connection with the enforcement of these Regulations shall be presented first to the Building Inspector and that such questions shall be presented to the Circuit Court only on appeal from the decision of the Building Inspector, or the Planning Commission.