



BERKELEY COUNTY PLANNING COMMISSION

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July 30, 2009

Grandfathering Notice Regarding the Adoption of the July 30, 2009 Subdivision Regulations, Becoming Effective September 1, 2009 as Approved by the Berkeley County Commission

Section 110. Subdivision of Record

Any plat of a subdivision on record in the Office of the Clerk of the County Commission of Berkeley County prior to the effective date and time of this Ordinance shall be recognized as a legal subdivision, provided that it meets all legal requirements that were in place at the time the subdivision was created and recorded. However, the re-platting of a prior recorded plat or any material changes on the prior recorded plat shall be subject to this Ordinance. The prior recording of a plat of a portion of a larger tract shall not exempt from the provisions of this Ordinance the balance of the tract remaining unplatted.

Any project that has submitted a Sketch Plan to the Planning Department and has submitted all or part of their Preliminary Plan, and said Preliminary Plan is going through the review process, as of the effective date of the revised Berkeley County Subdivision Regulations may proceed under the terms of the Subdivision Regulations which were adopted by the County Commissioners on November 20, 2003, and effective as of January 1, 2004, and all subsequent amendments thereto which are effective as of the date upon which the development proposal is submitted for review. This decision is left to the discretion of the applicant.

If there are areas of a parcel proposed for development which are identified only as "future phases", wherein proposed lot sizes and layouts, as well as road systems, utility provisions, etc. are not specified, these areas shall not be eligible for Planning Commission review and approval under the design standards and all other guidelines contained in the 2003 Berkeley County Subdivision Regulations and subsequent amendments thereto.