

## **DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BOUNDARY LINE.** For survey purposes, any line bounding an area or dividing separate properties, adequately dimensioned and described.

**BUILDING PERMIT.** A document of certificate issued by the York County Building and Codes Department authorizing construction, enlargement, alteration, moving or demolition of a building or structure.

**CONSTRUCTION AND DEVELOPMENT ORDINANCE.** The officially adopted Town of McConnells Construction and Development Ordinance.

**CONVEY.** The act of transferring title or rights to a property.

**COORDINATE DESCRIPTION.** For survey purposes, a description of lands in which the angle points or other points in the boundary are defined by grid coordinates on the South Carolina or similar coordinate systems.

**CORNER.** A point on a land boundary.

**DESCRIPTION BY LOT NUMBER.** For survey purposes, a description which identifies a tract of land by reference to a recorded plat and by book and page number together with other pertinent information.

**DESIGN STANDARDS.** Standards that set forth specific improvement requirements.

**DEVELOPER.** The legal or beneficial owner or owners of a lot or of any land included in a proposed development. Also, the holder of an option or contract to purchase or any other person having enforceable proprietary interest in the land.

**DHEC.** State Department of Health and Environmental Control.

**EASEMENT.** Authorization by a property owner to the general public, a corporation or a certain person or persons for the use of any designated part of his or her property for a specific purpose.

**ENGINEER.** A registered professional engineer in good standing with the State Board of Registration for Professional Engineers and Land Surveyors. The terms "practice of engineering," "engineering services," "work performed by an engineer" or any similar term within the intent of this chapter, requiring the services of a professional engineer, shall mean any professional service or creative work requiring engineering education, training and experience and the application of special knowledge of the mathematical, physical and engineering sciences to the professional services or creative work as consultation, investigation, evaluation, planning, design and supervision of construction for the purpose of assuring compliance with specifications and design in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects.

**GRANTEE.** A person or party receiving title or rights to property.

**GRANTOR.** A person or party conveying property rights to a grantee.

**GRID COORDINATES.** For survey purposes, distances measured at right angles to each other in a rectangular system having two base lines at right angles to each other.

**KEY MAP.** A lot and roadway subdivision drawing reflecting all phases, existing and proposed, of one project in its entirety. Map is not necessarily drawn to scale.

**LOT.** A single parcel or tract of contiguous land intended as a unit for transfer of ownership or for building development or both.

(1) **AREA.** The total gross area of the lot excluding the street right-of way. Minimum lot sizes to be determined by the Zoning Code.

(2) **LOT WIDTH.** The horizontal distance between the side lot lines at the building setback line measured parallel with the front lot line or in the case of a curvilinear street measured parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line. In cases where a street has less than a 50-foot right-of-way or no right-of-way at all (“ditch to ditch”), a 50-foot right-of-way will automatically be imposed.

(3) **LOT FRONTAGE.** That portion of a lot abutting along the street right-of-way. Only the right-of-way on the same side of the street can be utilized for satisfying this requirement.

**LOT OF RECORD.** A lot or parcel of land the plat or deed of which has been recorded in the clerk of court’s office of York County.

**MONUMENT.** A shaft of ferrous metal, concrete, stone or concrete and metal; placed to designate a fixed point; placed near vertically in the earth; designed for maximum permanency, placed by a land surveyor to mark corners.

**PLAT.** A map or drawing which is an accurate graphical representation of a developer's plan for a subdivision.

(1) **SKETCH PLAN.** A simple sketch of a proposed subdivision layout, showing streets and other principal features for the purpose of discussion and classification.

(2) **PRELIMINARY PLAT.** A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its workability in all aspects.

(3) **FINAL PLAT.** An as-built plat of a tract of land which meets the requirements of these regulations and is in final form for recording in the office of the county registrar of deeds (clerk of court).

**PRIVATE DRIVEWAY.** A paved or unpaved area used for ingress and egress of vehicles and allowing access from a street to a building or other structure or facility. This type of roadway shall not suffice as approved access for further subdivision of land.

**PRIVATE STREET.** A street is private unless its right-of-way has been dedicated to and accepted by a municipality, the State of South Carolina or the York County Council. All such nondedicated streets shall be indicated as such and approved by the The Town of McConnells prior to final plat approval. Maintenance arrangements for the streets shall be stated in writing on subdivision plat submittal. All private streets shall be processed in the same manner as

public streets and meet the same design and construction standards required of comparable public streets. Subdividing property for the purpose of creating new lots can only be done on private streets that have been designed and constructed in accordance with the standards contained herein and received final plat approval from the The Town of McConnells.

**PROPERTY OWNER.** The person(s) at the date of the application whose name appears on the county tax records as an owner of the property in question.

**PUBLIC STREET.** This means, relates to and includes the entire right-of-way of streets, avenues, boulevards, roads, highways, freeways, lanes, courts, thoroughfares, collectors, local streets, culs-de-sac and other ways considered public and both dedicated to and accepted by a municipality, the State of South Carolina or the York County Council.

(1) **LOCAL STREET.** Streets used or intended to be used for moving traffic from local streets to major thoroughfares, including the principal entrance and circulation street of a development and streets used or intended to be used primarily for access to abutting properties.

**RECORDED.** Placed on record in the office of the clerk of court for the county in which all or part of the land lies.

**RIGHT-OF-WAY.** A strip of land occupied or intended to be occupied by a street, railroad, electric transmission line, gas pipe line, water main, sanitary or storm sewer main, shade trees or other special use.

**SEPTIC SYSTEM.** A system for the treatment and disposal of domestic sewage by means of a septic tank and a soil absorption system. All such systems are subject to the review and approval of the State Department of Health and Environmental Control (DHEC).

**SETBACK LINE.** The line indicating the minimum distance a building or structure is permitted to be away from a street right-of-way or property line.

**SIGHT TRIANGLE.** A triangular-shaped portion of land established at all street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

**STREET.** Any street, avenue, boulevard, road, parkway, viaduct, drive or other roadway. See, also: "Private Driveway," "Private Street," "Public Street," and "Cul-de-Sac."

**SUBDIVIDER.** A subdivider is a person, firm or corporation having such interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide the land under this chapter, or the authorized agent of such persons, firm or corporation for the purpose of proceeding under this chapter.

**SUBDIVISION.** Any division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development and shall include any land involving a new public or private street or a change in existing public or private streets.

(1) **MINOR SUBDIVISION.** A subdivision of not more than six lots that does not involve construction of new streets or improvements to an existing street.

(2) **MAJOR SUBDIVISION.** Any subdivision of seven or more lots or that involves construction of new streets or improvements to an existing street. These subdivisions require preliminary plats to be reviewed and approved by the Town of McConnells.

**SUBDIVISION CONSTRUCTION PLAN.** A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its workability in all aspects.

**SURVEY.** The orderly process of determining data relating to the physical characteristics of the earth, which may be further defined according to the type of data obtained, the methods and instruments used and the purpose(s) to be served.

(1) **BOUNDARY SURVEY.** A survey, the primary purpose of which may include, but is not limited to, the determining of the perimeters of a parcel or tract of land by establishing or reestablishing corners, monuments and boundary lines for the purpose of describing or platting or dividing the parcel.

(2) **CLOSING/LOAN OR MORTGAGE SURVEY.** A boundary survey of a parcel or lot which includes all improvements obvious and apparent found on the property, to be used in the preparation of a mortgage, loan or deed document.

(3) **GEODETIC SURVEY.** A survey of areas and points affected by and taking into account the curvature of the earth and astronomic observations.

(4) **HYDROGRAPHIC SURVEY.** A survey having for its principal purpose the determination of data relating to bodies of water and which may consist of the determination of one or several of the following classes of data: depth of water and configuration of bottom; directions and force of current; heights and times and water stages; and locations of fixed objects for survey and navigation purposes.

(5) **SITE SURVEY.** A survey performed to obtain horizontal and/or vertical dimensional data so that the constructed facility may be located and delineated.

(6) **TOPOGRAPHICAL SURVEY.** A survey of the natural and selected man-made features of a part of the earth's surface by remote sensing and/or ground measurements to determine horizontal and vertical spatial relations.

**SURVEYOR.** A registered land surveyor in good standing with the State Board of Registration for Professional Engineers and Land Surveyors. The terms "practice of land surveying," "land surveying," "the preparation or submission of plats" or other related terms within the meaning and intent of this chapter shall include measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, with underground workings or on the beds or bodies of water for the purpose of determining areas and volumes, for the placement of monuments or marking or property boundaries and for the platting and laying out of lands and subdivisions thereof, including the topographic alignment and grades of streets and for the preparation of maps, plats and property descriptions that represent the surveys.

**TITLE.** A written claim or right which constitutes a just and legal cause of exclusive possession.

**TOWN.** Incorporated limits of the Town of McConnells.

**TRANSFER OR SALE OF LOTS.** Any agreement to sell or negotiate to sell land(s) to be subdivided by reference to, or exhibition of or by other use of a plat of subdivision of the land. Any such agreement shall be contingent upon approval by the Town of McConnells. Any conveyance, transfer or closing of property, prior to the approval, shall be considered a violation of this chapter and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. The town of McConnells may enjoin the transfer or sale or agreement by appropriate action.

**VARIANCE.** A waiver from compliance with a specific provision of this chapter granted to a particular property owner because of the practical difficulties or unnecessary hardship that would be imposed by the strict application of that provision of this chapter.