

Sumter City-County Planning Commission

January 26, 2011

SV-10-06 , William E. Lindler Jr. – 5135 Dais Rd. (County)

I. THE REQUEST

Applicant: William E. Lindler Jr.

Status of the Applicant: Surveyor for property owner

Request: Request for approval of sister to sister family relationship for a lifetime family conveyance to subdivide +/-2.8 acres, and a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2-1/2 times their width.*

Location: Dais Road and Dinkins Mill Road

Present Use/Zoning: Residential / AC

Proposed Use: Residential

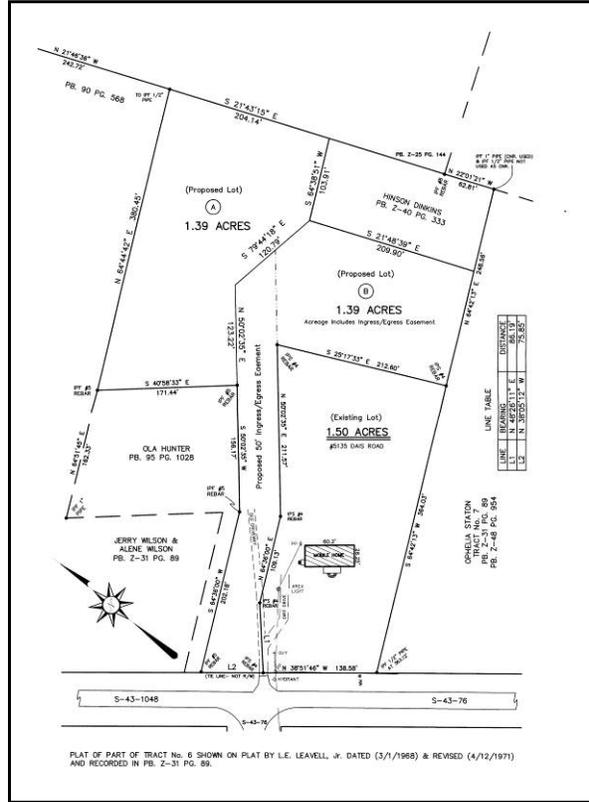
Tax Map Number: 139-00-01-063

Adjacent Property Land Use and Zoning: North – Residential / AC
South – Residential / AC / Dais Road
East – Vacant / AC
West – Residential / AC

II. BACKGROUND

The applicant, William E. Lindler, Jr., who is the surveyor for the property owner, is requesting approval for two issues pertaining to the property at the corner of Dais Road and Dinkins Mill Road. The first issue is approval of the relationship between two sisters, for the purpose of a lifetime conveyance. Lifetime conveyances are considered to be an exempt subdivision meant to allow an individual to transfer property to an immediate family member that may not meet subdivision regulations for public access. The second issue is regarding the lot width-to-depth on the parcel to be divided. The proposed parcel after division does not meet the requirement of the ordinance, which is for the depth of the parcel to not exceed more than 2.5 times the width.

The following images show the existing parcel (*below left*) and the proposed division (*below right*):

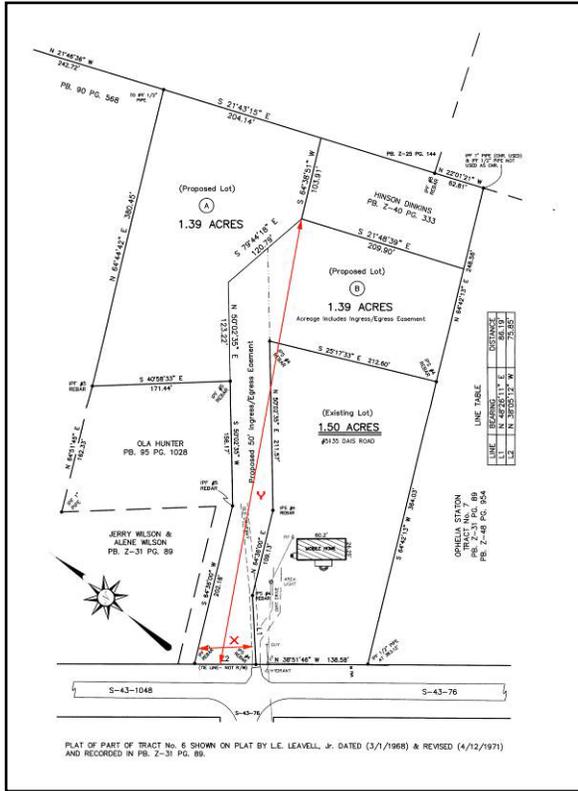


As defined in Article 10 of the Zoning Ordinance, a lifetime transfer or conveyance of property is from parent to child and/or the spouse of any such child, or from grandparent to grandchild. Any other family relationships requesting to use the lifetime conveyance provision must be reviewed and approved by the Planning Commission.

As a condition of any lifetime conveyance, the grantor must ensure that the grantee has sufficient access to the property either through direct access, through frontage on a road or through an access easement.

Further, 8.e.13 states:

- f. *Lots – Excessive lot depth in relation to lot width shall be avoided, and as a general rule, the depth of residential lots shall not be less than one nor more than 2-1/2 times their width; provided however, that the Planning Commission may grant exceptions to this in order to overcome specific disadvantages of topography or other site conditions.*



Left: Parcel B, the proposed parcel on the right-hand side in this sketch, has a width to depth ratio of +/- 60 feet (X) by more than 500 feet (Y). The depth should not exceed 150 feet, according to ordinance standards. The road access easement is a necessary component of the proposed parcel division. There is no other feasible manner of dividing this property equally between the two sisters.

Compatibility with the 2030 comprehensive plan:

The 2030 Comprehensive Plan designates this area as Rural Development (RD). The primary objective of the Rural Development designation is to promote low density residential development and selected non-agricultural and agricultural uses in a relaxed regulatory climate. Therefore the subdivision of this parcel in this manner is considered appropriate and in alignment with the goals of the 2030 Comprehensive Plan.

III. STAFF RECOMMENDATION

Staff recommends approval of the request for lifetime transfer variance, and approval of the variance for lot width-to-depth ratio.

IV. PLANNING COMMISSION – JANUARY 26, 2011

The Sumter City-County Planning Commission, at its meeting on Wednesday, January 26, 2011, voted to accept staff’s recommendation to approve this request of sister to sister family relationship for a lifetime family conveyance to subdivide +/-2.8 acres and a variance from the residential lot width to depth ratio requirements for property located at 5250 Dais Rd. and represented by Tax Map # 139-00-01-063.