

Sumter City-County Planning Commission

May 25, 2011

SV-11-06 , Montrell Pressley – 5440 Spyboy Lane. (County)

I. THE REQUEST

Applicant: Montrell Pressley

Status of the Applicants: Applicant: Montrell Pressley
Property Owner: David Sanders

Request: Request for approval of Uncle to Nephew family relationship for a lifetime family conveyance to subdivide +/-2 acres

Location: Spyboy Lane

Present Use/Zoning: Residential / AC

Proposed Use: Residential

Tax Map Number: 139-00-01-075

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

II. BACKGROUND

The parcel in question is +/- 2 acres in size and is located on Spyboy Lane, off of Borden Road in Rembert. The parcel can be divided into two pieces and still meet ordinance requirements for one acre minimum in the Agricultural Conservation (AC) district. However, access to the nearest public road is not available from the parcels to be created, and so a lifetime family transfer is the only legal means of dividing this property. The property owner, David Sanders, is requesting approval of the relationship between himself and his nephew the applicant, Montrell Pressley 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.



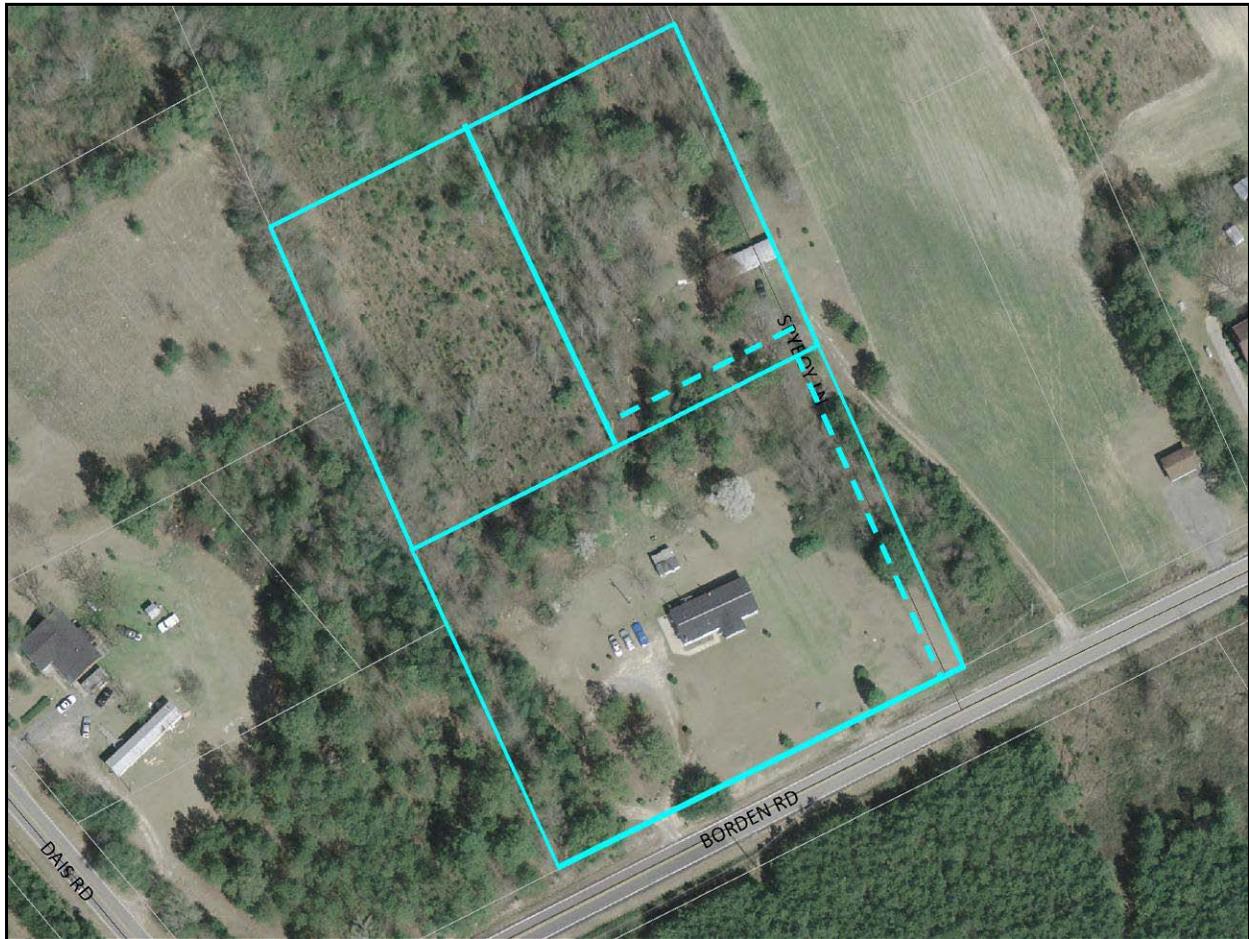
(Above):
The home in front of the parcel to be divided, located at 5645 Borden Rd.



(Left):
An aerial of the property to be divided

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. The layout of the properties, and the access easements will look something like the image *below*, after being surveyed and platted:



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.

IV. PLANNING COMMISSION – MAY 25, 2011

The Sumter City-County Planning Department at its meeting on Wednesday, May 25, 2011, approved this request as presented.