

Sumter City-County Planning Commission

Staff Report

June 27, 2012

SV-12-05, Daniel Taylor Lane (County)

I. THE REQUEST

- Applicant:** William E. Lindler, Jr.
- Status of the Applicant:** Surveyor, applicant for the Property Owners, Eartha McCraedy and Sadie Bell Jenkins
- Request:** A variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2-1/2 times their width* and a request for approval of Aunt to Niece family relationship for a lifetime family conveyance to subdivide +/-1 acre from the larger tract.
- Location:** Daniel Taylor Lane
- Present Use/Zoning:** Residential / AC
- Tax Map Number:** 141-00-02-012, 141-00-02-026, 141-00-02-027, 141-00-02-028, 141-00-02-024, 141-00-02-034
- Adjacent Property Land Use and Zoning:** North – Residential / AC
South – Undeveloped / AC
East – Undeveloped / AC
West – Residential / AC

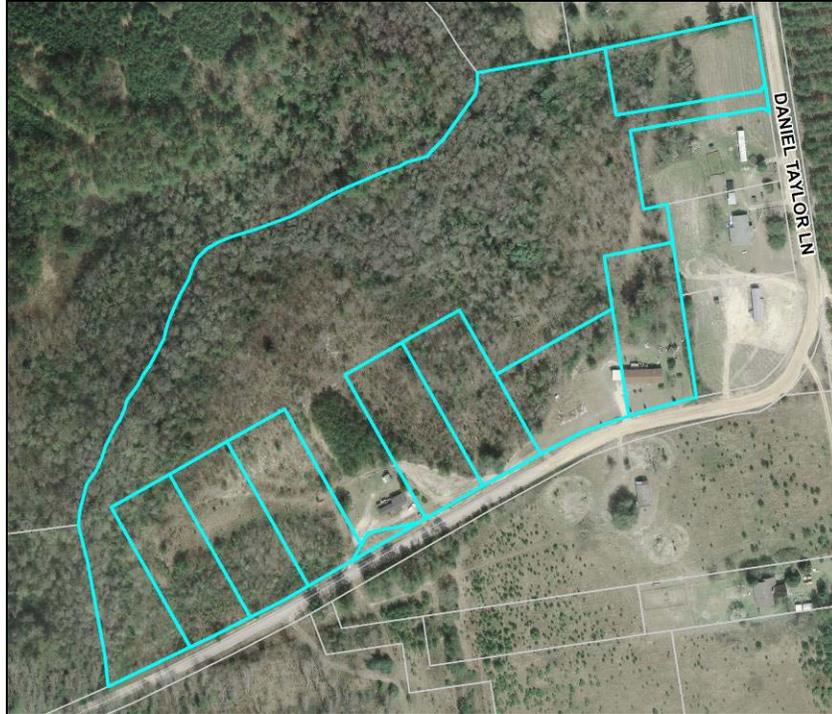
II. THE 2030 COMPREHENSIVE PLAN:

The 2030 Comprehensive Plan designates this parcel as Rural Development (RD). Low or medium density residential development, consisting of large lots of one acre or more located on rural roads and private drives, is appropriate in this district. Therefore, the applicant's request is compatible with the 2030 Comp Plan.

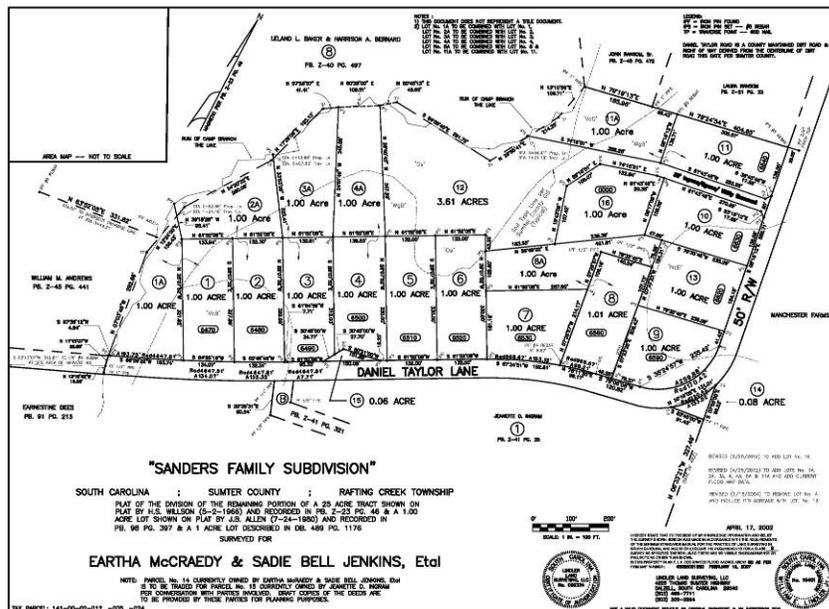


III. BACKGROUND

The properties in question are portions of an originally +/- 24 acre parcel located on Daniel Taylor Lane. The property is to be divided as part of an estate. There are two residences currently on the parcels.



Above: The parcels involved in the proposed subdivision.



Above: The proposed plat.

The applicant wishes to divide the property as shown in the diagram to create eight new parcels (see below).



1. +/- 2.00 acres*
2. +/- 1.00 acres**
3. +/- 2.01 acres*
4. +/- 3.61 acres*
5. +/- 2.00 acres*
6. +/- 2.00 acres*
7. +/- 2.00 acres*
8. +/- 2.00 acres

* These parcels require variance for lot width to depth

**Parcel 2 is to be conveyed by Lifetime Family Transfer from Aunt to Niece, and the applicant requests approval for this relationship.

The new proposed parcels shown above will each require a variance from the residential lot width to depth ratio requirements found in section 8.e.13.f of the Sumter County Zoning & Development Standards Ordinance.

The lot width to depth language in the ordinance is designed to prevent creation of “flag lots” and other methods of subdividing land that often create access issues. All the proposed parcels will meet the minimum required lot size & width for the AC zoning district, and any proposed structures will be required to meet setbacks for this district. This is the best manner of dividing the land so that the proposed parcels have adequate road frontage and the existing house can meet AC side setbacks.

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.

The applicant is also requesting approval of the relationship between Eartha McCraedy and Sadie Bell Jenkins their Niece, 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. 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.

IV. ENVIRONMENTAL CONDITIONS

There is no floodplain on the site. There are possibly wetlands as indicated in the NWI (National Wetlands Inventory), as shown in the diagram (**Right**).



V. STAFF RECOMMENDATION

Staff recommends approval of this request.

VI. PLANNING COMMISSION – JUNE 27, 2012

The Sumter City – County Planning Commission at its meeting on Wednesday, June 27, 2012, approved this request for a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2-1/2 times their width* and Aunt to Niece family relationship for a lifetime family conveyance to subdivide +/- 1 acre from the larger tract for property.