

Sumter City-County Planning Commission

Staff Report

September 25, 2013

SV-13-09, E. Brewington Rd. (County)

I. THE REQUEST

Applicant: Larry C. Weston

Status of the Applicant: Attorney representing heirs to the Property

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.*

Location: E. Brewington Rd.

Present Use/Zoning: Vacant / AC

Tax Map Number: 314-00-02-017

Adjacent Property Land Use and Zoning:
North – Residential / AC
South – Undeveloped / AC
East – Residential & School / AC
West – Residential / AC

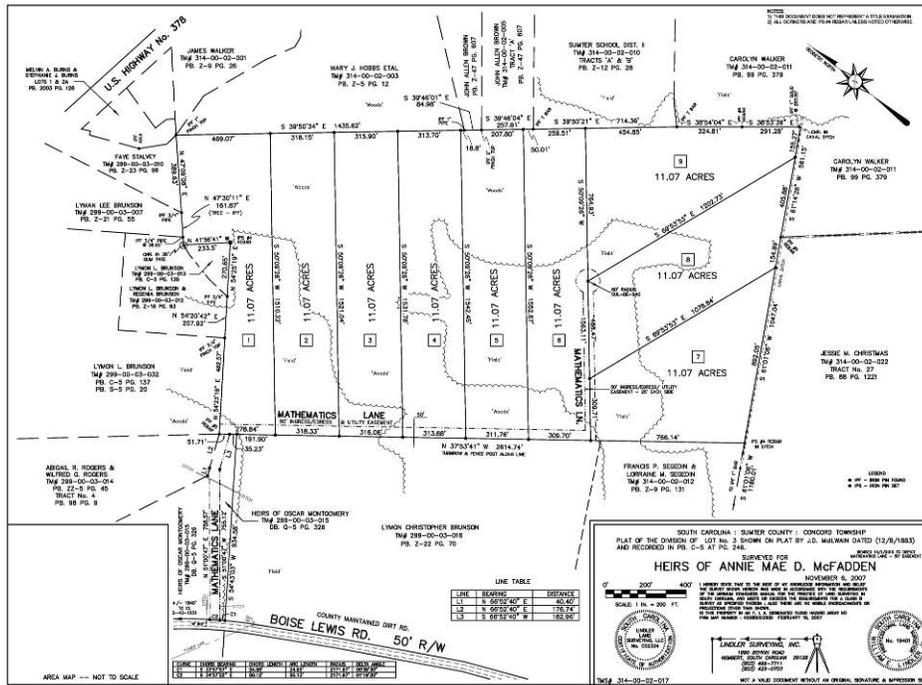
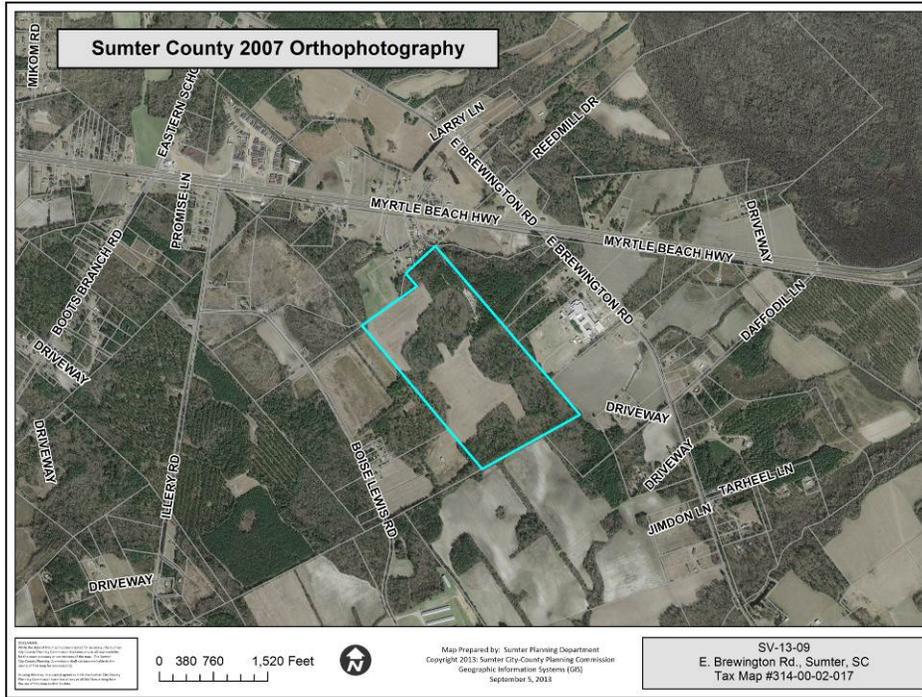
II. THE 2030 COMPREHENSIVE PLAN:



The 2030 Comprehensive Plan designates this parcel as Rural Development (RD). This district supports a development pattern of large lots (one acre or more) located on rural roads and private drives. Therefore, the applicant's request is compatible with the 2030 Comp Plan.

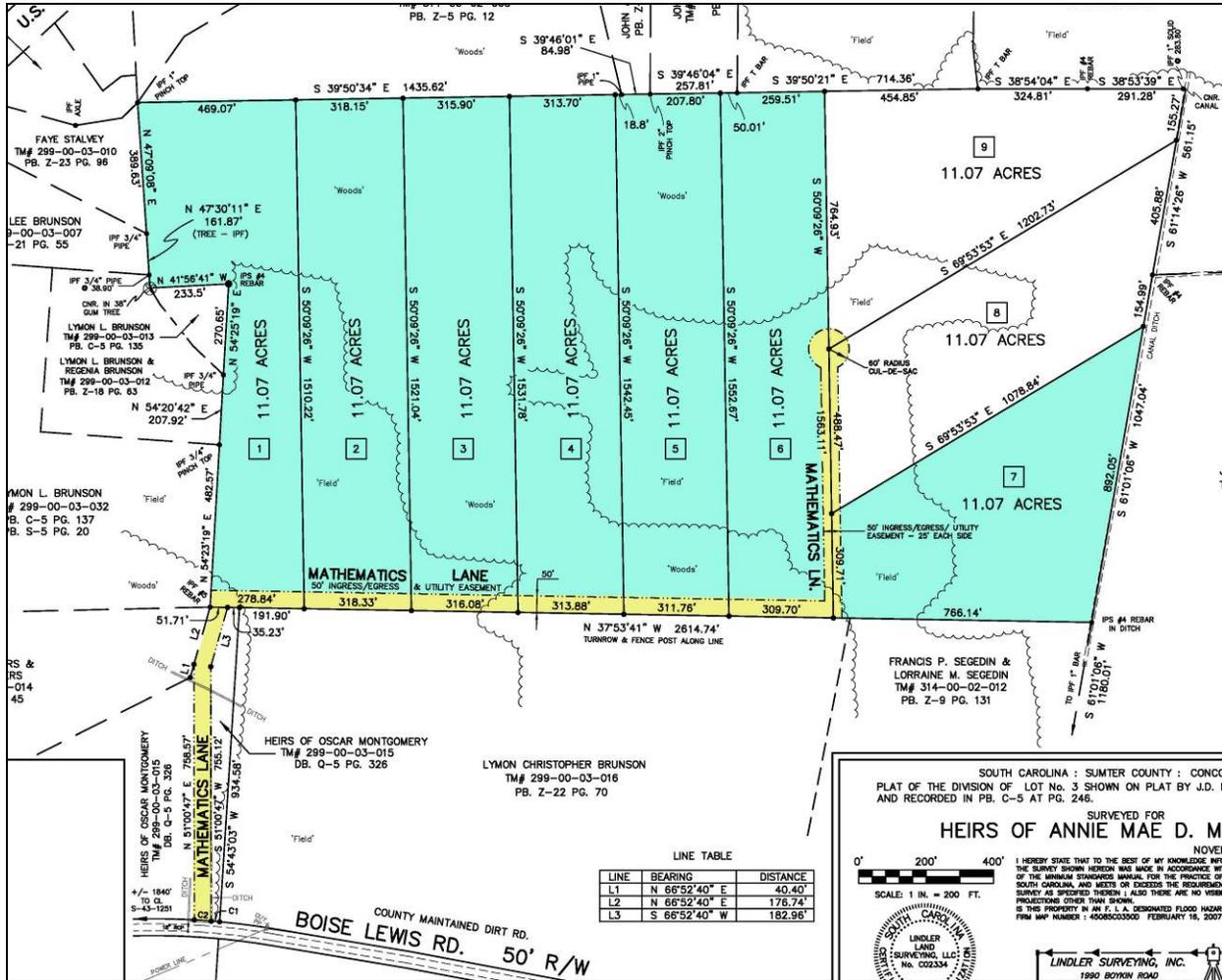
III. BACKGROUND

The property in question is a +/-98.6 acre parcel located between E. Brewington Rd. and Boise Lewis Rd., south of Myrtle Beach Hwy.



Above: Proposed Plat showing division of property if variance is approved

Below: Closer view of the proposed plat. Seven of the nine proposed lots have width to depth issues as shown in green. The new parcels will be accessed by an easement labeled Mathematics Lane (in yellow), from Boise Lewis Rd. The parcel is currently landlocked and this easement does not exist at this time. Signage will need to be provided for Mathematics Lane for navigation and emergency purposes.



The applicant wishes to divide and reconfigure the property as shown in the diagram to create nine new parcels, each +/- 11.07 acres in size. Seven of these parcels (labeled on the graphic above #1-7) will 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 proposed layout was necessary in order to grant equal acreage to each of the nine heirs to the property.

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. This subdivision is for the purposes of settling an estate. As with many rural properties there is always a challenge in dividing large property equally among heirs while accommodating deep parcels and inadequate road frontage. The proposed layout is the most sensible for this purpose.

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.

V. STAFF RECOMMENDATION

The division of this parcel is to settle an estate equally among nine heirs. Staff recommends approval of this request with the following additional caveat:

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. This property is considered landlocked and has no direct access to public road frontage. The grantor is required to provide a 15 foot wide easement for access to the new parcel with approved 911 addresses and the easement provided with signage.

VI. PLANNING COMMISSION – SEPTEMBER 25, 2013

The Sumter City-County Planning Department at its meeting on Wednesday, September 25, 2013, approved this request as presented.