

Sumter City-County Planning Commission

Staff Report

May 28, 2014

SV-14-03, 3955 St. Marks Rd. (County)

I. THE REQUEST

Applicant: Earnestine Primus

Status of the Applicant: Property Owner's Daughter and heir

Request: A request for approval of family relationship for a lifetime family conveyance as well as a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2-1/2 times their width* to subdivide +/- 2.46 acre tract from a larger +/- 3.46 acre parcel.

Location: 3955 St. Marks Rd.

Present Use/Zoning: Vacant / AC

Tax Map Number: 156-00-02-006 Part

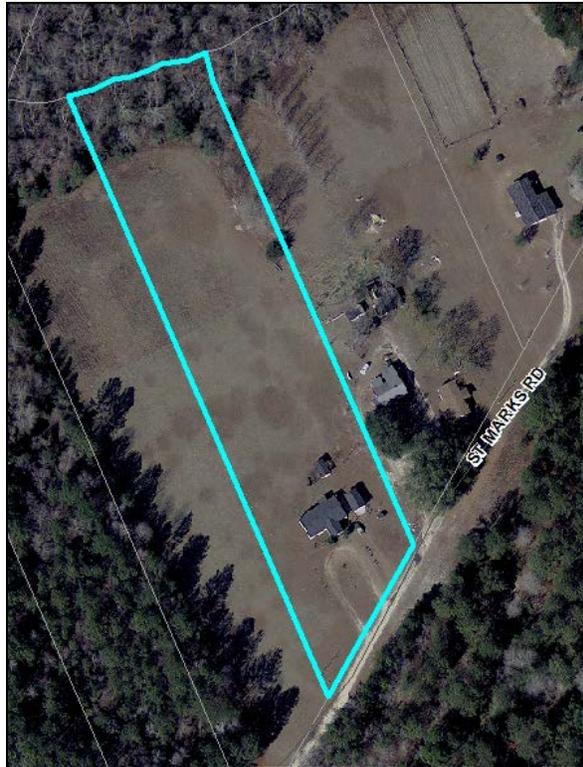
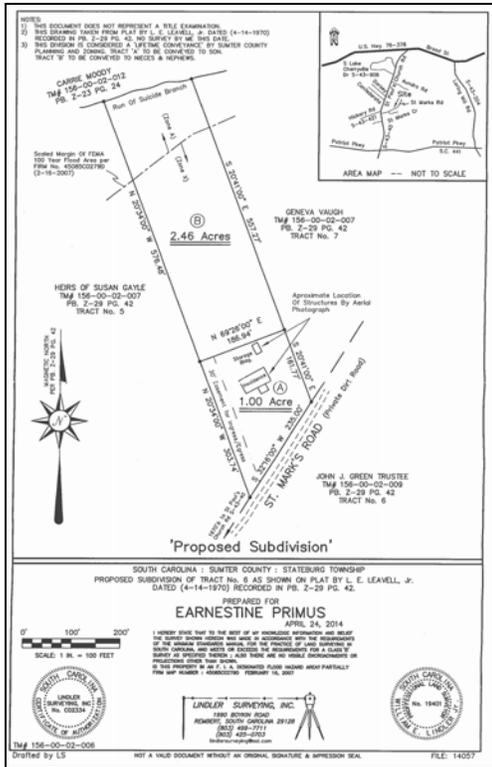
Adjacent Property Land Use and Zoning: North – Undeveloped / GR
South – Undeveloped / AC
West – Residential / AC
East – Residential / AC

II. THE 2030 COMPREHENSIVE PLAN:

The 2030 Comprehensive Plan designates this parcel as Military Protection (MP). Low density residential development, consisting of large lots of one acre or more located on rural roads and private drives, is appropriate in this district. There is a small portion in the rear of the parcel which is in the Conservation (CP) district, and is in floodplain. Because of environmental conditions this area is not suitable for development. Therefore, the applicant's request is compatible with the 2030 Comp Plan.

III. BACKGROUND

The property in question is a +/- 3.46 acre parcel located off of St. Marks Rd. in Sumter County. There is one residence currently on the parcel.



Above Left: The proposed subdivision plat, with the new 2.46 acre parcel shown in the rear.
Above Right: Aerial of property.
Below: Photos of existing house and field to rear, to be subdivided.



The applicant is requesting relationship approval for the purpose of a lifetime conveyance in the settling of her Father's estate. The land is being conveyed from the estate of Junius Vaughn (deceased) to his daughter Earnestine Primus (Lot A), and to his nieces and nephew, William Vaughn, Stephanie Gholson and Angela Johnson (Lot B). 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 standard 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. This property is considered landlocked and has no direct access to public road frontage. The grantor is providing a 15 foot wide easement through her property for access to the new parcel.

The proposed +/- 2.46 acre parcel also requires a variance for the width to depth ratio. 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. Both 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.

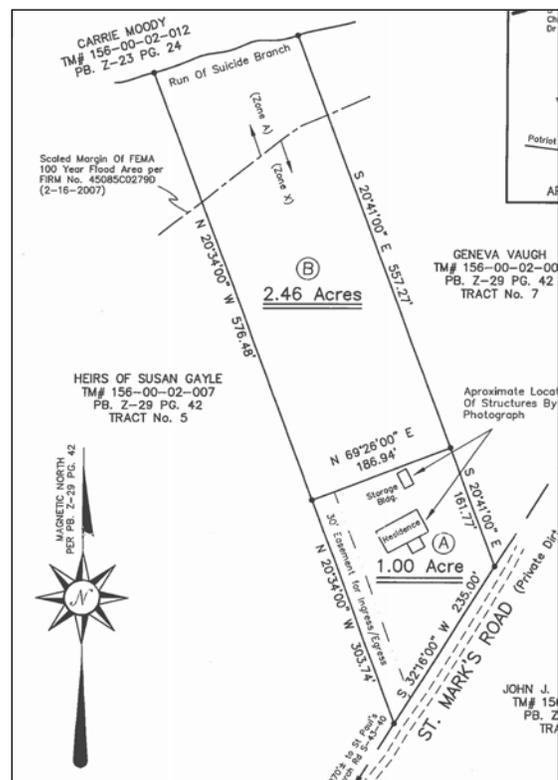
8.e.13 states:

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.

Right: The proposed Lot B is 186.94 feet wide and an average depth of 566.88 feet, which is approximately 100 feet greater than the permitted depth ratio ($186.94 \times 2.5 = 467.35$ feet). However, a significant portion of the rear of the parcel is in Zone A floodplain and is not suitable for development.

IV. ENVIRONMENTAL CONDITIONS

There is Zone A floodplain on the site, as shown in the plat to the right.



V. STAFF RECOMMENDATION

The intent of the lifetime family conveyance is to keep family land tied together while still allowing family members to live on the land together. This division meets that intent. Furthermore, the width to depth issue is lessened by the fact that the rear third of the proposed parcel is not suitable for development due to the presence of floodplain. Staff recommends approval of this request.

VI. PLANNING COMMISSION – MAY 28, 2014

The Sumter City-County Planning Commission at its meeting on Wednesday, May 28, 2014, approved this request as presented.