

Sumter City-County Planning Commission

July 23, 2014

SV-14-05, Claremont Rd. (County)

I. THE REQUEST

Applicant: William E. Lindler, Jr.

Status of the Applicant: Surveyor for Property Owner, Edward G. Fort

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: 3000 Claremont Rd.

Present Use/Zoning: Timber and farm land / AC

Tax Map Number: TM# 033-00-01-001(Pt.)

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

II. THE 2030 COMPREHENSIVE PLAN:

The 2030 Comprehensive Plan designates this area as Conservation Planning Area (CP). Residential development is supported at rural low densities of 1 unit per (5) acres or more. Therefore, the applicant's request is compatible with the 2030 Comp Plan.

III. BACKGROUND

The applicant is requesting to subdivide a 7.36 acre parcel out of 384 acres of property he owns and farms located off Claremont Rd. in order to build a house. This property is located between Ruggs Lake Rd. (SC 879) and the Wateree River. The purpose of the proposed subdivision is to acquire mortgage financing for the new house. The property in question is located on a private drive (50 feet wide) and is approximately 4400 feet long reaching from Claremont Rd. (60 ft. ROW) with 60 feet of frontage on Claremont Rd. to

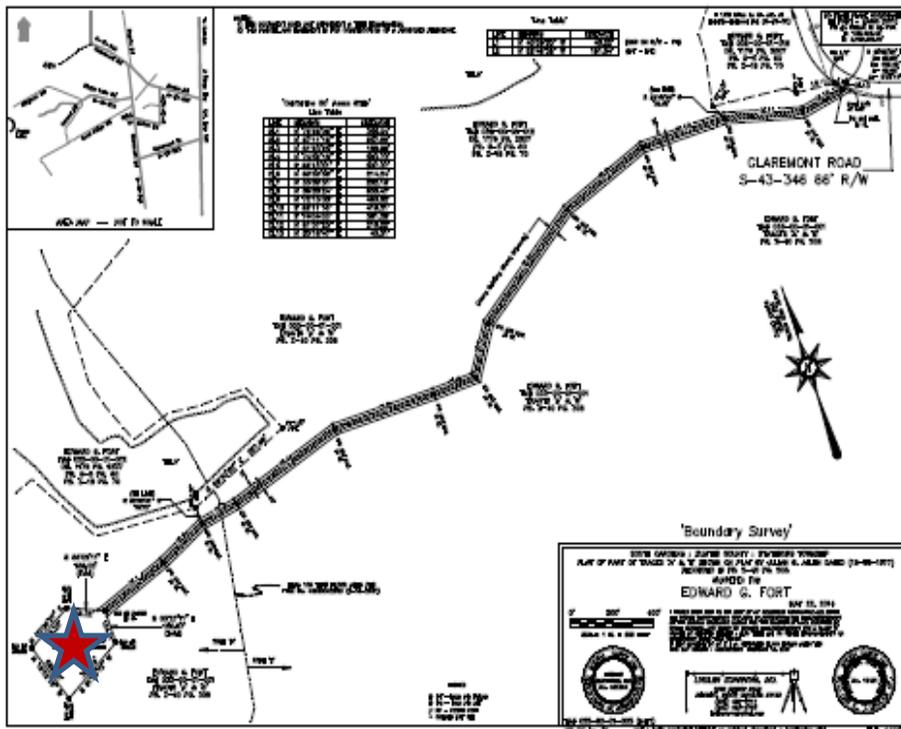
the proposed 7.36 acre parcel. The proposed subdivision meets the minimum lot frontage at the public right a way with the 60 feet. The actual parcel surrounding the house meets the width to depth but the private drive with its extensive length causes this proposal not to meet the width to depth standard in the Sumter County Zoning Ordinance. The new proposed parcel 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 lot width to depth language in the ordinance is designed to prevent the creation of “flag lots” and other methods of subdividing land that often create access issues. This is a division of the applicant’s land for the purpose of mortgage financing. The property owner does not want to tie up all of his 384 acres of farm land into a financial loan agreement. There is no other feasible method of dividing out the acreage around the house because of the setback distance of the house from the public right-of-way. The house will sit over 4400 feet off the public right-of- way and has access by a partially graveled private driveway.

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.

A sketch of the proposed division of land showing the 7.36 acre parcel for the property owner’s new house is below. (Noted with red star)



Pictures of the private drive

Portion from Claremont Rd. for about halfway the distance of private drive is gravel.



Portion currently dirt leading to proposed house site which property owner plans to gravel if request is approved.



House site



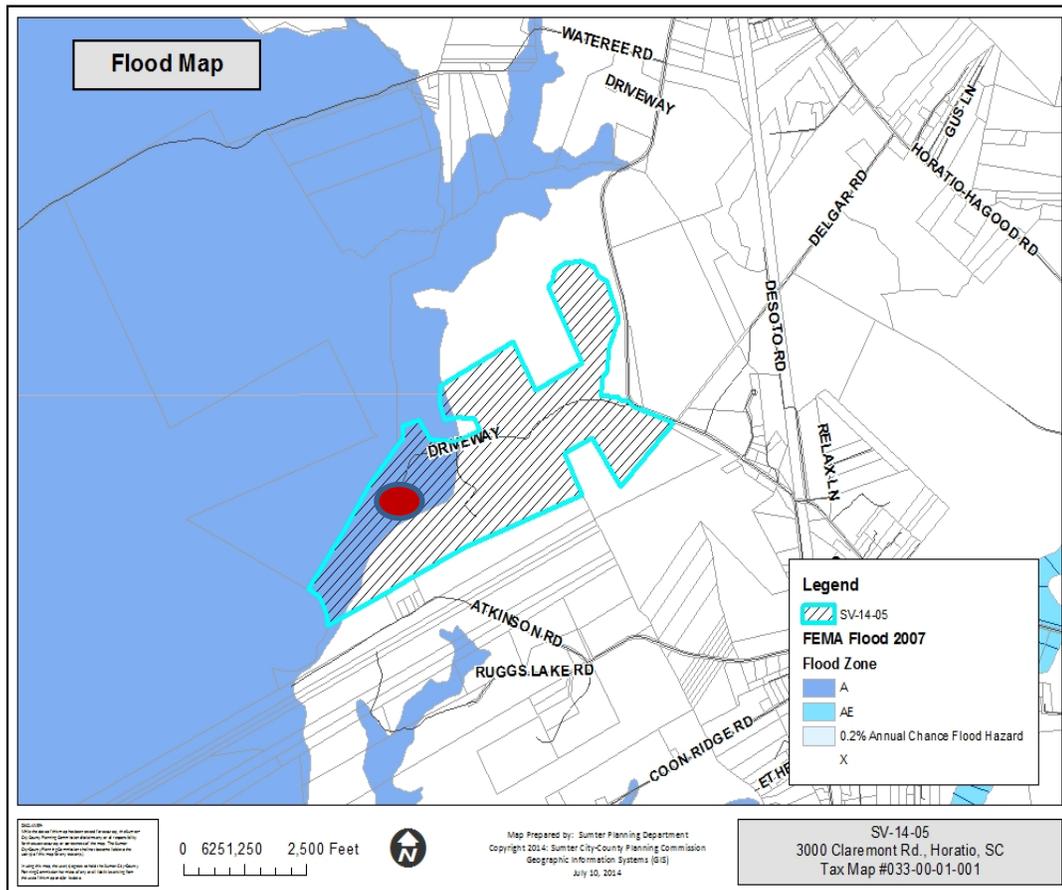
A very similar request (SV 12-01, Eddie Durant- 1005 Riverswamp Rd.) was approved on March 28, 2012.

IV. EMERGENCY SERVICES

The applicant met with Robbie Rickard, Fire Inspector, on June 17, 2014 at the site to inspect the Edward Fort road/driveway. Mr. Rickard said everything looks good but did suggest that Mr. Fort trim some of the higher limbs in case the ladder truck was necessary. Staff received this by email from the Applicant.

V. ENVIRONMENTAL CONDITIONS

There is floodplain on the site as shown below (**Blue Overlay**). The proposed parcel is located in a 100 year floodplain boundary noted as Zone A shown on FEMA FIRM Map 45085C0255D dated Feb. 7, 2014 (Red Circle). Property owner will be required before obtaining a building permit for his house to fully comply with all regulations per the Sumter County Flood Damage Prevention Ordinance. Staff has already made applicant and property owner aware of the requirements for compliance.



VI. STAFF RECOMMENDATION

Staff recommends approval of this request. Under normal circumstances, staff would not recommend approval of a flag shaped lot because the intention of the Subdivision Ordinance is not to create such lots. In this particular case, the owner of the property is being required to survey out a portion of the property in order to build his house to fulfill requirements for mortgage financing. This property is not being cut out in order to be conveyed to anyone else. He has built a private driveway which he has graveled a portion of and will gravel the remainder once request is approved. This driveway will provide for emergency access which is one of the primary concerns of the County. The Fire Inspector has approved the drive. Because of these mentioned reasons and conditions, staff is recommending approval of this width to depth subdivision variance with the following conditions:

1. Subdivision is for purpose of mortgage financing requirements only.
2. Private driveway will be accessible for emergency vehicles and the remainder of the drive will be graveled.

VII. PLANNING COMMISSION – JULY 23, 2014

The Sumter City-County Planning Commission at its meeting on Wednesday, July 23, 2014, voted to approve this request as presented by staff.