

Sumter City-County Planning Commission

Staff Report

December 17, 2014

SV-14-12, 405 W. Foxworth Mill Rd. (County)

I. THE REQUEST

Applicant: Craig S. Hill

Status of the Applicant: Property Owner

Request: A request for 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 +/- 2.43 acre tract from a larger +/- 50.0 acre parcel.

Location: Foxworth Mill Rd.

Present Use/Zoning: Residential / AC

Tax Map Number: 233-00-02-032 Part

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

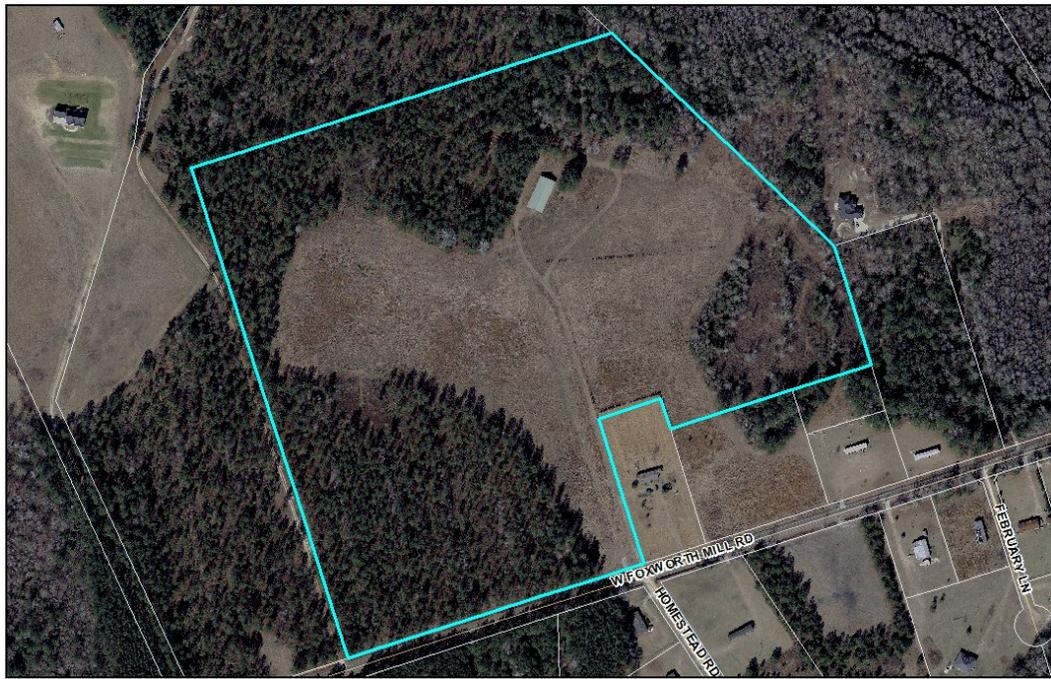
II. **THE 2030 COMPREHENSIVE PLAN:**

The 2030 Comprehensive Plan designates this parcel as Rural Development (RD). 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. Therefore, the applicant's request is compatible with the 2030 Comp Plan.

III. **BACKGROUND**

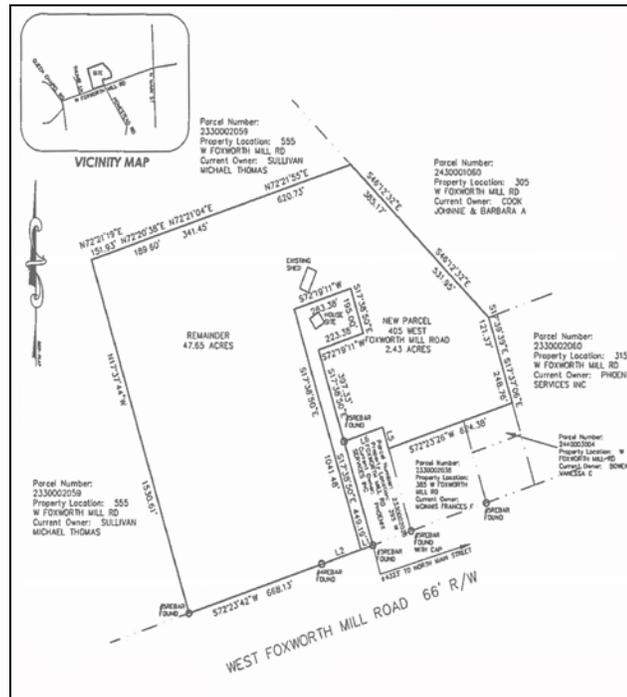
The property in question is a +/- 50.0 acre parcel located off of W. Foxworth Mill Rd. between Hwy 15 North and Queen Chapel Rd. in Sumter County. There are no residences currently on the parcel. The applicant is requesting to subdivide 2.43 acres out of the 50 acres he owns in order to build a house. The purpose of the proposed subdivision is to acquire mortgage financing for the new house. The parcel in question is located on a dirt private drive (60 feet wide) and is approximately 1040 feet long reaching from W. Foxworth Mill Rd. (66 ft. ROW) with 60 feet of frontage on W. Foxworth Mill Rd. to the proposed 2.43 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.



Above: Aerial of property.

Below: Proposed plat showing subdivision of property.



Below: Photos of property.



Below: Photo of home across street, and Homestead Rd.



The proposed +/- 2.43 acre parcel requires a variance from 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. 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.

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 50 acres of 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.

IV. EMERGENCY SERVICES

Robbie Rickard, Fire Inspector, on December 9, 2014 went to the site and inspected the private drive for emergency access. His letter is enclosed with this report.

V. ENVIRONMENTAL CONDITIONS

There is no floodplain on the site.

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. This driveway as shown on the plat 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, 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
3. No further subdivision of this property and no other building permits for additional dwellings will be approved.

VII. PLANNING COMMISSION – DECEMBER 17, 2014

The Sumter City-County Planning Commission at its meeting on Wednesday, December 17, 2014 approved this request as recommended by staff.



Sumter Fire Department
129 E. Hampton Ave
Sumter, SC 29150
803-436-2600

December 9, 2014

RE: 405 West Foxworth Mill Rd.
Sumter, SC 29153

To Whom It May Concern:

After a recent visit to the property referenced above, I determined there is adequate fire access. However, I noticed there is a locked gate on the parcel of land. This locked gate may delay prompt access to for emergency services.

If you have additional questions or concerns, please do not hesitate to contact my office at 803-774-2808.

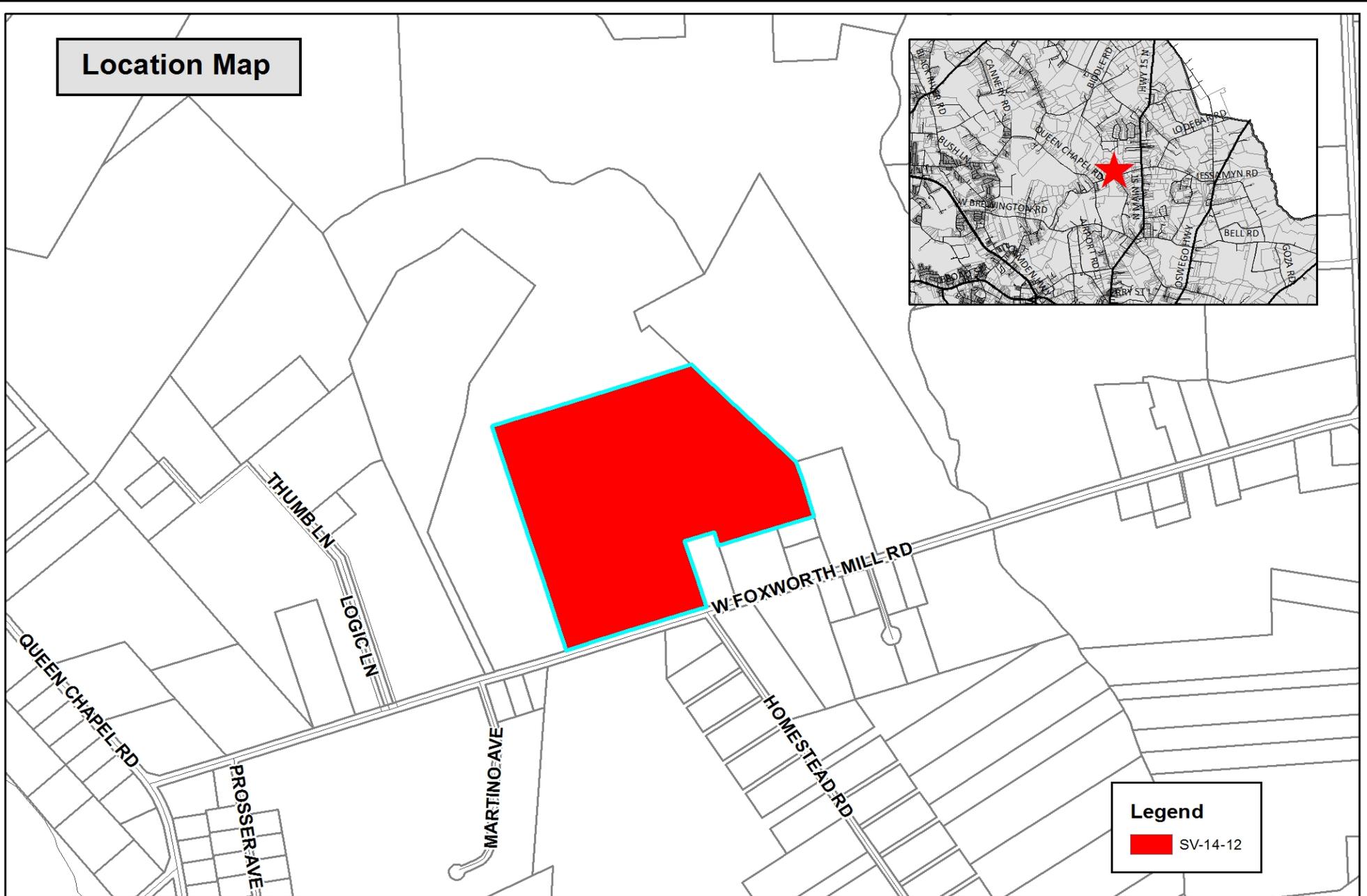
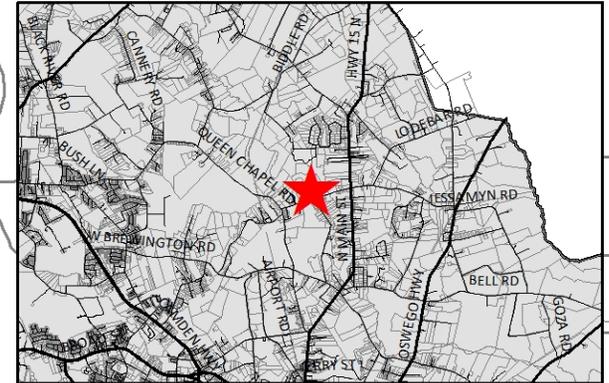
Sincerely,

A handwritten signature in cursive script that reads "Robbie Rickard".

Robbie Rickard
Fire Marshal

RR/tlt

Location Map



Legend

 SV-14-12

DISCLAIMER:
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0 250 500 1,000 Feet



Map Prepared by: Sumter Planning Department
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Geographic Information Systems (GIS)
December 2, 2014

SV-14-12
405 W. Foxworth Mill Rd., Sumter, SC
Tax Map #233-00-02-032