

# Sumter City-County Planning Commission

## Staff Report

December 17, 2014

### SV-14-11, 564 Eagle Rd. (County)

#### I. THE REQUEST

**Applicant:** Peter Gilbert

**Status of the Applicant:** Property Owner

**Request:** A request for approval of Sibling to Sibling family relationship for a lifetime family conveyance to subdivide +/- 1.0 acre from a larger +/- 8.47 acre tract.

**Location:** Eagle Rd., off of Patriot Parkway.

**Present Use/Zoning:** Residential / AC

**Tax Map Number:** 131-00-03-039 Part

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

#### II. THE 2030 COMPREHENSIVE PLAN:

The 2030 Comprehensive Plan designates this parcel as Military Protection (MP). 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.

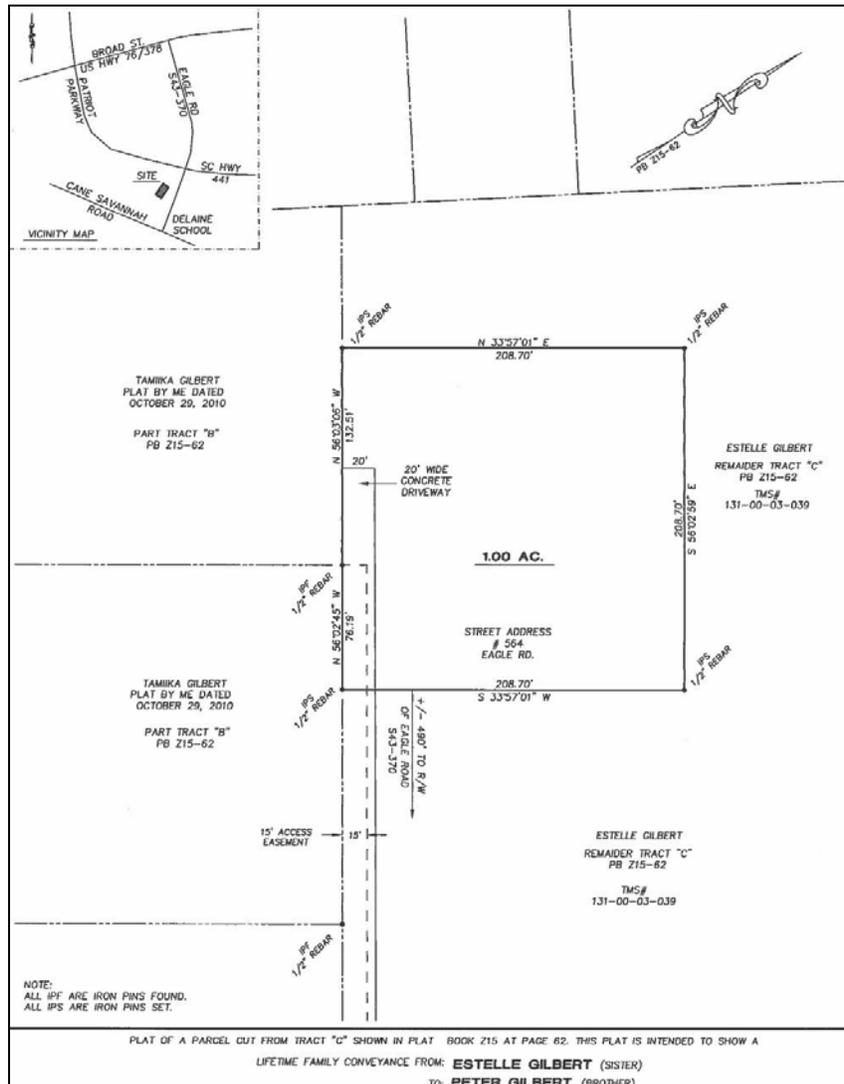


### III. BACKGROUND

The property in question is a +/- 8.47 acre parcel located off of Eagle Rd. in Sumter County. There is an auto repair business currently on the parcel. The rest of the parcel is vacant. The area around the auto repair shop is also being used for storage of a large number of automobiles, and appears to be an illegal salvage yard at this time. Salvage yards and junk yards are only permitted as a special exception in the Heavy Industrial (HI) zoning district. This is considered a zoning violation and the property owner has been instructed to remove the excess cars from the site.

Photos of site:





Above: The proposed subdivision plat.

The applicant is requesting approval of the relationship between himself and his sister, Estelle Gilbert, 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 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 for access to the new parcel.

#### **IV. ENVIRONMENTAL CONDITIONS**

There is a small area on the corner of the property that is in the floodplain, and there are no wetlands as indicated in the NWI (National Wetlands Inventory).

#### **V. STAFF RECOMMENDATION**

The area around the auto repair shop on this parcel was being used for storage of a large number of automobiles, and appeared to be an illegal salvage yard. Salvage yards and junk yards are only permitted as a special exception in the Heavy Industrial (HI) zoning district. The property owner was issued a notice of zoning violation, and as of this date the excess cars have been removed from the site. Staff recommends approval of this request now that the zoning violation is resolved.

#### **VI. PLANNING COMMISSION – FEBRUARY 25, 2015**

The Sumter City-County Planning Commission at its meeting on Wednesday, December 17, 2014 deferred action on this request until the January 28, 2015 meeting to give the applicant time to correct the zoning violation (excess cars on the property).

Staff revisited the site at the end of 30 days and found some of the vehicles removed but applicant is still in violation. He was given a deadline of January 30, 2015 to fully comply, or to have a zoning violation ticket issued.

The applicant has removed all the excess vehicles from the site at this time.

#### **VII. PLANNING COMMISSION – FEBRUARY 25, 2015**

The Sumter City-County Planning Department at its meeting on Wednesday, February 25, 2015 approved this request as presented.