

# Sumter City-County Planning Commission

## Staff Report

April 22, 2015

### SV-15-04, Dinkins Mill Rd. (County)

#### I. THE REQUEST

<b>Applicant:</b>	William E. Lindler
<b>Status of the Applicant:</b>	Surveyor/Agent for Owner
<b>Request:</b>	A request for variance from Article 8.e.13, Section f, <i>depth of residential lots shall not be more than 2-1/2 times their width</i> to create four parcels out of a larger +/- 9.22 acre parcel.
<b>Location:</b>	6345 Dinkins Mill Road
<b>Present Use/Zoning:</b>	Residential/AC
<b>Tax Map Number:</b>	089-00-01-059
<b>Adjacent Property Land Use and Zoning:</b>	North – Agricultural & Residential / AC South – Agricultural & Residential / AC East – Agricultural & Residential / AC West – Agricultural & Residential / AC

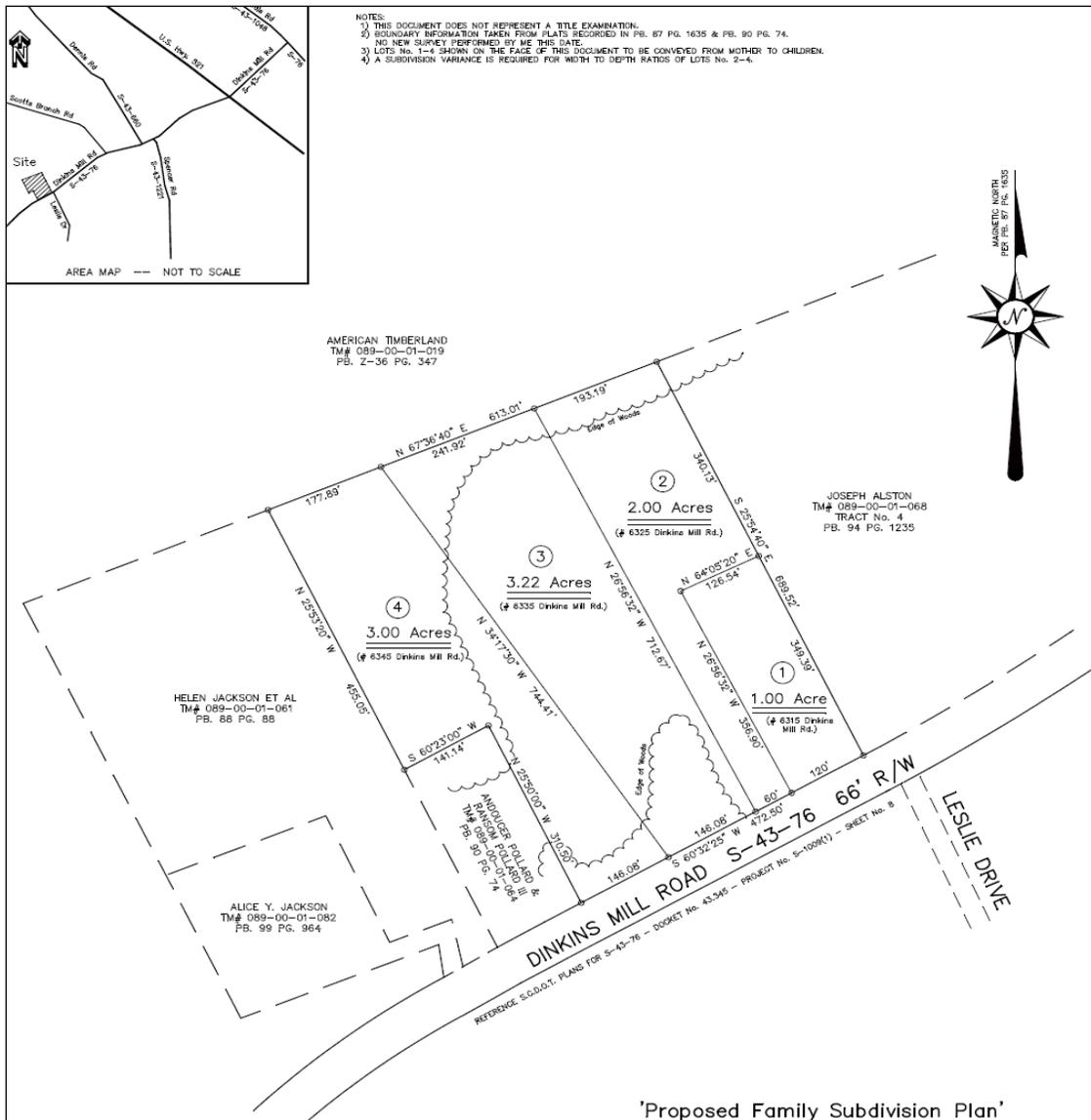
#### II. THE 2030 COMPREHENSIVE PLAN

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 +/- 9.22 acre parcel located on Dinkins Mill Road in Sumter County. There are no residences currently on the parcel. The applicant is requesting to create four (4) parcels out of the 9.22 acre parcel to be conveyed to their children. The parcels are (1) 1 acre, (2) 2 acres, (3) 3.22 acres and (4) 3 acres respectively. Each parcel in question meets the minimum lot frontage requirements of 60 feet; however lots 2, 3, and 4 do not to meet the width to depth standard in the Sumter County Zoning Ordinance. These proposed parcels 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 applicant was asked to consider increasing the frontage width of lot 2 in order to more closely conform to the requirements of the ordinance, however, the existing site conditions (drainage ditch) and topography (low point) along the frontage of lot 3 necessitates that the width for lot 3 remain as proposed in order to provide adequate access to lot 3.

This request is to subdivide a +/- 9.22 acre parcel, shown in the 2013 Orthophotography images below, in order for the property owner to convey property to their children.



'Proposed Family Subdivision Plan'

**Above:** proposed division, proposed four (4) lot division of a 9.22 acre parcel to be conveyed to the children of Fannie Moore.

All parcels will have road frontage along Dinkins Mill as required in the ordinance.



**Above:** Photo of portion of property fronting Dinkins Mill Road.

The parent parcel is in the Agricultural Conservation (AC) zoning district. The proposal for division is shown in the diagram above:

The proposed +/- 2 acre, 3.22 acre and the 3.00 acre parcel require 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 existing site conditions and topography along the frontage of lot 3 restricts the options to reconfigure said proposal to meet the requirements of the ordinance. Lots 3 and 4 both have 146 feet of width along the frontage of Dinkins Mill Road. Lot 3 is not considered to be flag lot but given its depth, it still does not meet the requirements of the ordinance. Adjusting the eastern property line of lot 4 to lessen the severity of its irregular shape would further reduce the frontage of lot 3. There is no other feasible way of subdividing said property without creating access issues and reducing the proposal overall by one lot.

### **III. ENVIRONMENTAL CONDITIONS**

The property is not located within a rated flood zone. The property is designated for conservation use in the 2030 Land Use Plan.

#### **IV. STAFF RECOMMENDATION**

Staff recommends approval of this request. Under normal circumstances, staff would not recommend approval of the flag shaped lots 2 and 3 because the intention of the Subdivision Ordinance is not to create such lots. In this particular case, the division of property is to be conveyed to the children of the owner. Further the reduction of the lot width of lot 3 to accommodate an increase in width for lot 2 will potentially impede access to lot 3. Staff is recommending approval of this width to depth subdivision variance with the following conditions:

1. Any private driveway created will be accessible for emergency vehicles
2. No further subdivision of this property and no other building permits for additional dwellings will be approved.

#### **V. PLANNING COMMISSION – APRIL 22, 2015**

The Sumter City-County Planning Commission at its meeting on Wednesday, April 22, 2015, approved this request as presented by Staff.