

Staff Report

Subject: Variance (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: November 5, 2024

Item Description: **MLRE Partners Land Company, Inc.** requests a **variance** from ordinance Section 75-55, to deviate from the use of required reuse lines in new development. Located on Noel C Conaway Road, zoned R-3. **[Map# 376 Parcel# 16]**

Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
 - That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and*
 - That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*
- The applicant requests a variance from ordinance Section 75-55, to deviate from the use of required reuse lines in new development.
- Per the Effingham County Code of Ordinances, **Part II – Official Code, Chapter 75 – Utilities, Article II – Water and Sewer User Charges, Sec. 75-55 – Reuse water lines:**
 - “All new developments (defined as major subdivisions, commercial or industrial projects) proposed to be served by public or private sewage services shall install purple pipe reuse lines within the development.”*
- The applicant is asking to use standard irrigation lines and a standard water meter in the neighborhood for all irrigation needs in lieu of the purple pipe.
- The requirement for the reuse lines allows for continued capacity.

Determination

Staff has reviewed the application, and the variance does not meet the criteria of the current ordinance.

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Variance Application 2. Aerial Photograph 3. Deed