

Staff Report

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

Item Description: **Sean Cantrell** requests a **variance** from ordinance Section 3.3.1 to allow for an increase in the maximum required building height for an accessory structure. Located at 101 Little Jack Way. **[Map# 455C Parcel# 150]**

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 to increase the required building height in the R-1 zoning district.
- The Effingham County Code of Ordinances, **Part II – Official Code, Appendix C – Zoning Ordinance, Article III – General Provisions, Section 3.3.1(a)** states:
 - (a) Maximum Height: One and one-half story or 15 feet above finished grade in the R and PD-R districts; 35 feet in AR-1 and AR-2 districts.*
- Staff visited the location and surrounding area; there are other accessory structures close by that are above the 15-foot requirement.

Determination

Staff has reviewed the application, and if approved, the variance will meet the criteria of the current ordinance.

Department Review: Development Services

FUNDING: N/A

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