

Staff Report

Subject: Conditional Use (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: November 5, 2024

Item Description: **Ronald Helmken** requests a **conditional use** to allow for a cemetery in AR-1. Located at 333 Shawnee Road. **[Map# 287 Parcel# 17]**

Executive Summary/Background

- The request for a Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article V – Uses permitted in Districts.
- The applicant requests a conditional use for a cemetery on their property in AR-1 zoning.
- Per the Effingham County Table of Permitted Uses, Cemeteries are a Conditional Use within the AR-1 zoning.
- The Effingham County Code of Ordinance, **Part II – Official Code, Appendix C – Zoning Ordinance, Article III – General Provisions, 3.6 – Cemeteries, mausoleums, and crematories** states:
“No premises shall be used or occupied for the purposes of a cemetery or mausoleum in any district except multi-family residential, single-family residential, and agricultural residential districts and then only upon approval after a public hearing. No land for which a plat has not been recorded shall be used for any burials. The dead shall not be buried or placed closer than ten feet to any highway right-of-way, nor closer than ten feet to any other property line. No premises shall be used or occupied for the purposes of a crematorium in any district except as a conditional use in a B-2 zoning district.”

Staff Determination

Staff has reviewed the application, and if approved, the Conditional Use will meet the criteria of the ordinance with the following conditions:

1. A plat shall be approved and signed by Development Services, the recorded, showing where the cemetery is located and that it meets the setbacks required by the ordinance.

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application 2. Aerial photograph 3. Deed