

## Staff Report

**Subject:** 2<sup>nd</sup> Reading – Zoning Map Amendment  
**Author:** Katie Dunnigan, Zoning Manager  
**Department:** Development Services  
**Meeting Date:** September 19, 2023  
**Item Description:** **Warren M. Kennedy** requests to **rezone** 1.13 acres from **R-2** to **B-3**, to allow for a storage facility. Located at 195 Elm Street. **[Map# 302 Parcel# 167]**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 1.13 acres from **R-2** to **B-3**, to allow for a storage facility, with conditions.

### Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant proposes to develop an outdoor storage facility for boats, RVs, and similar large items.
- Commercial parking is a conditional use in the B-2 zoning district, automotive storage is permitted in B-3.
- This parcel is adjacent to B-3 and vacant AR-1 parcels.
- The applicant has met with Staff and, upon successful rezoning, will submit development plans for review and approval prior to development.
- The applicant must obtain, and keep in good standing, an Effingham County Occupational Tax Certificate.
- At the July 11, 2023 Planning Board meeting, Ryan Thompson made a motion to approve.
- The motion was seconded by Brad Smith, and carried unanimously.
- At the August 1, 2023 Board of Commissioners meeting, Commissioner Forrest Floyd made a motion to table the hearing of the item until the August 15, 2023 Board of Commissioners meeting.
- The motion was seconded by Commissioner Jamie DeLoach, and passed unanimously.
- At the August 15, 2023 Board of Commissioners meeting Commissioner Forrest Floyd made a motion to table the hearing of the item until the September 19, 2023 Board of Commissioners meeting.
- The motion was seconded by Commissioner Roger Burdette, and passed unanimously.
- Effingham County Policy No. 05-22 states that “A single parcel with access to two roadways, such as a corner lot or a lot with two frontages, shall be limited to access on the lesser class roadway only, unless otherwise restricted by zone change, conditional use, variance, or unless otherwise determined by the Effingham County Manager or his/her designee.” This supports the applicant’s desire to limit access to Elm Street.
- Staff followed up with the applicant, who has agreed to stipulations regarding access, as listed in the conditions for Alternative 1 below.

**Alternatives**

1. **Approve** the request to **rezone** 1.13 acres from **R-2** to **B-3**, with the following conditions:
  1. Access via Elm Street shall be permitted only if the proposed development submitted at time of sketch plan and subsequent development stages is equal or comparable to outdoor storage, as submitted during the rezoning request.
  2. The applicant shall disclose the above limitation of access at such time as the property is sold, or ownership otherwise transferred.
  3. Traffic shall be restricted to class 1-5 vehicles only, in accordance with the Effingham County truck route ordinance.
  
2. **Deny** the request to **rezone** 1.13 acres from **R-2** to **B-3**.

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Zoning Map Amendment