

Staff Report

Subject: Conditional Use (First District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: October 3, 2023
Item Description: **Kirk Brenneman** as Agent for **William Silva & Tina Owens** requests a **conditional use** for a **rural business**. Located at 4001 Blue Jay Road [Map# 351B Parcel#3]

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **conditional use** for a **rural business**, with conditions.

Executive Summary/Background

- The request for Rural Business Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article III-General Provisions, **Section 3.15B - Rural Business**. The Rural Business Conditional use requirements include consideration of:
 - Intent – the proposed business will a dog training facility (which is established and operational at the applicant’s current home in the City of Rincon.
 - Structure – the kennel and training area will occur on the wooded portion of the property, behind the applicant’s home.
 - Square footage – The area devoted to the business is less than 1,000 square feet.
 - Public Road Frontage – the property has frontage on Blue Jay Road
 - Acreage (3 minimum) – the property is 5.01 acres.
- Staff has consulted with Code Enforcement and the Chief of Police for City of Rincon – there have been no known complaints associated with this business, which is currently conducted on an approximately .25-acre lot within a subdivision.
- At the September 12, 2023 Planning Board meeting, Ryan Thompson made a motion for approval, with the following conditions:
 1. Prior to the issuance of a business license, the applicant shall provide:
 - Proof of residence
 - Valid copy of Department of Agriculture kennel license
 2. The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate.
- With the added condition:
 - 3.The kenneling facility shall be enclosed and insulation in a manner which provides sound protection to surrounding residences.
- The motion was seconded by Peter Higgins, and carried unanimously.
- Staff has met with the applicant who has agreed to allow members of Development Services to verify, on site, fencing and kenneling structures prior to issuance of a business license.

Alternatives

1. **Approve** the request of a **conditional use** for a **rural business**, with the following conditions:
 1. Prior to the issuance of a business license, the applicant shall provide:
 - Proof of residence
 - Valid copy of Department of Agriculture kennel license
 2. The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate.
 3. The kenneling facility shall be enclosed and insulation in a manner which provides sound protection to surrounding residences.

2. Deny the request of a **conditional use** for a **rural business**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application

2. Aerial photograph 3. Deed