

Staff Report

Subject: Conditional Use (Third District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: June 6, 2023
Item Description: **Marcus Peterson** requests a **conditional use** for a **rural business**, to allow for firearms sales and hand assembly. Located at 1968 Highway 17 North. **[Map# 269 Parcel# 20A01]**

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 is a small-scale firearms sales and assembly business.
 - Structure – the business operates out of an existing accessory structure.
 - Square footage – The applicant understands that the area devoted to the business is to be less than 1,000 square feet.
 - Public Road Frontage – the property has no frontage. A variance has been requested.
 - Acreage (3 minimum) – the property is 3.72 acres.
- The applicant has a County business license for “Bolts & Bullets”. The activity permitted by this license is limited to internet sales and the scope outlined for Home Occupation type businesses.
- The applicant established a store front on AR-2 property without approval and has been operating as such for approximately 3 years. This application seeks to bring the business in to compliance.
- The applicant states he wishes to move operations to a commercial location in the next year, but must continue current operations until then to fund the move.
- At the May 9, 2023 Planning Board meeting, Alan Zipperer made a motion for approval, with the following conditions:
 1. The applicant must obtain an Effingham County Occupational Tax Certificate. The business license shall be maintained by annual renewal.
 2. The business shall conform, at all times, to rural business standards as outlined in Section 3.15B.
 3. The business shall maintain good standing and valid licensing with the ATF at all times, a copy of federal licensing shall be maintained and updated as necessary with Development Services.
 4. No stock inventory or ammunition sales are permitted on premises.
 5. Discharge of firearms in association with business operations is not permitted.
 6. Secure gun storage and/or safety devices are required for all firearms on premises.
 7. A variance from the requirement for road frontage for a rural business must be approved prior to operations.
 8. The conditional use will become null and void upon the business’s relocation to a commercial property. Any future operations must receive a new conditional use approval.
- The motion was seconded by Peter Higgins, and carried unanimously.

Alternatives

1. **Approve** the request of a **conditional use** for a **rural business**, with the following conditions:

1. The applicant must obtain an Effingham County Occupational Tax Certificate. The business license shall be maintained by annual renewal.
2. The business shall conform, at all times, to rural business standards as outlined in Section 3.15B.

3. The business shall maintain good standing and valid licensing with the ATF at all times, a copy of federal licensing shall be maintained and updated as necessary with Development Services.
4. No stock inventory or ammunition sales are permitted on premises.
5. Discharge of firearms in association with business operations is not permitted.
6. Secure gun storage and/or safety devices are required for all firearms on premises.
7. A variance from the requirement for road frontage for a rural business must be approved prior to operations.
8. The conditional use will become null and void upon the business's relocation to a commercial property. Any future operations must receive a new conditional use approval.

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