

Staff Report

Subject: Rezoning (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: July 16, 2023

Item Description: **Lee Grider** requests to **rezone** +/- 1.34 acres from **AR-1 & AR-2 to B-1** to allow for commercial/business opportunities. Located at 1243 & 1257 Noel C Conaway Road. [Map# 375E Parcel# 5 & 6]

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the requests to **rezone** +/- 1.34 acres from **AR-1 & AR-2 to B-1** to allow for commercial/business opportunities.

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 is requesting to rezone to B-1 to start a proposed coffee shop.
- Across Nease Road is a church and across Noel C Conaway Road is Effingham County High School.
- The B-1 commercial zoning is the Neighborhood Commercial District. Based on the Effingham County Table of Permitted Uses, the following are allowed within the B-1 zoning district:
 - Plant Nurseries
 - Hotel/Motel over 75 Rooms
 - Banks
 - Automated Bank Tellers (Stand Alone)
 - Dentist
 - Doctor (All Specialties)
 - Urgent Care
 - Orthodontist
 - Optometry
 - Physical Therapy
 - Pharmacy
 - Pharmacy for Medical Cannabis Dispensary or Medical Marijuana Dispensary
 - Counseling
 - Veterinarian
 - Butcher Shop without Abattoir
 - Retail – General
 - Rural Business
 - Convenience Store (no gas pumps)
 - Dry Cleaning Outlets
 - Florist (Wholesale/Retail)
 - Gas Station (less than 10 pumps)
 - Movie Theater
 - Outdoor Recreational Facilities (Playgrounds, pools)
 - Unlighted Regulation Size (18 Holes) or Par Three (9 Holes+) Gold Courses
 - Utility Operation Centers
 - Government Owned EV Charging Stations
 - Childcare Center
 - Nursing Homes
 - Libraries/Museums
 - Places of Worship
 - Taxidermy
- This parcel is surrounded by agriculture/residential zoned parcels on all sides.
- The Future Land Use Map (FLUM) does have these parcels projected to be agriculture/residential.

- At the June 11, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion for approval with Staff recommendations. Mr. Peter Higgins second the motion and it carried unanimously.

Alternatives

1. Approve the requests to **rezone** +/- 1.34 acres from **AR-1 & AR-2 to B-1** to allow for commercial/business opportunities with the following conditions:

- A recombination plat shall be submitted to Development Services and approved, then recorded.
- A site plan shall be approved by the Board of Commissioners per the Effingham County Code of Ordinances, **Chapter 14, Article II, Division 2, Section 14-56 – Permits.**
- The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate (business license).

2. Deny the requests to **rezone** +/- 1.34 acres from **AR-1 & AR-2 to B-1** to allow for commercial/business opportunities.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Rezoning application and checklist 3. Plat 5. Deed
2. Ownership certificate/authorization 4. Aerial photograph