

Subject: Variance (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: July 16, 2024

Item Description: **Betty Crosby** requests a **variance** from ordinance Section 5.1.4, to allow for a reduction in the required building setbacks. Located at 118 Second Street, zoned AR-1. **[Map# 296A Parcel# 25]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request for a **variance** from ordinance Section 5.1.4, to allow for a reduction in the required building setbacks.

Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
 - That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and*
 - That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*
- The applicant requests a variance from Section 5.1.4, to allow the reduction in the required building setbacks.
- The applicant's parcel is .51 acres, and the lot size is approximately 136' X 105'.
- The applicant would like to place a mobile home on the property for a caregiver. Due to this parcel being zoned AR-1 the Effingham County Code of Ordinances does allow this an immediate family member.
- AR-1 setbacks are as follows:
 - Front: 50 feet
 - Rear: 50 feet
 - Side: 25 feet
- Per the applicant, there was previously a home and septic system on site.
- At the June 11, 2024, Planning Board meeting, Mr. Ryan Thompson made a motion for approval on the condition that the home could not be closer than 10 feet to the property line along 2nd Street and 10 feet to the side property line.
- Mr. Alan Zipperer second the motion and it carried unanimously.

Alternatives

1. **Approve** the request for a **variance** from ordinance Section 5.1.4, to allow for a reduction in the required building setbacks.
 - The home cannot be closer than 10 feet to the property line along 2nd Street and 10 feet to the side property line.
2. **Deny** the request for a **variance** from ordinance Section 5.1.4, to allow for a reduction in the required building setbacks.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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