

Staff Report

Subject: Rezoning (Fifth District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: January 03, 2023
Item Description: **Oleg Mitnik** requests to **rezone** 9.7 of 14.99 acres from **B-3** to **I-1** to allow for the expansion of adjacent industrial use. Located on Highway 21. **Map# 465 Parcel# 1**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 9.7 of 14.99 acres from **B-3** to **I-1** to allow for the expansion of adjacent industrial use, 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. Junkyards are regulated under Section 5.12.1B HI-Heavy Industrial Conditional Uses. The following factors may be considered:
 - a. *The effect the proposed activity will have on traffic flow along adjoining streets*
 - b. *Ingress and egress to the property;*
 - c. *The number, size and types of signs proposed for the site;*
 - d. *The amount and location of open space;*
 - e. *Protective screening;*
 - f. *Hours and manner of operation;*
 - g. *Outdoor lighting; and*
 - h. *Compatibility with surrounding land use.*
- The proposed rezoning will allow for expansion of the car export business in the adjacent parcels, which was approved on November 17, 2020. No new access is created.
- At the December 19, 2022 Planning Board meeting, Peter Higgins made a motion for approval.
- The motion was seconded by Alan Zipperer and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 9.7 of 14.99 acres from **B-3** to **I-1**, with the following conditions:
 1. The applicant shall meet the requirements of Article III, Section 3.16 Junkyards.
 2. The applicant shall provide information to comply with the requirements of Article V, Section 5.12.1B HI-Heavy industrial condition uses
 3. The operation will be an intake/export facility and will not include a "dilapidated vehicle / storage" business. Future sale of the property shall be deed-restricted from allowing a "dilapidated vehicle / storage" or demo operation.
 4. The applicant shall install visual screening of the above-referenced property from adjacent properties. The screen shall consist of a vertical component comprising of a fence system, or appropriate vegetation, or combination of both, of sufficient height and opacity to properly shield any and all wrecked vehicles or any miscellaneous shipping materials from view outside the property. The details of screening shall be submitted to Development Services for review and approval prior to beginning operations at the facility.
 5. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
 6. A subdivision plat must be approved by Development Services, and be recorded, before the rezoning can take effect.
 7. All wetland impacts must be approved and permitted by USACE.

2. Deny the request to **rezone** 9.7 of 14.99 acres from **B-3** to **I-1**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:

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