

## Staff Report

**Subject:** Conditional Use (Second District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** August 6, 2024

**Item Description:** **Barry Nease** requests a **conditional use** to allow for a **Rural Business** for a lawn mower repair shop in AR-2. Located at 487 Otis Seckinger Road. **[Map# 415 Parcel# 24]**

### Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request for a **conditional use** to allow for a **Rural Business** for a lawn mower repair shop in AR-2.

### Executive Summary/Background

- The request for a Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article V – Uses permitted in Districts.
- The applicant is requesting a conditional use for a Rural Business to allow for a lawn mower repair shop.
- Per the Effingham County Code of Ordinances, **Part II – Official Code, Appendix C – Zoning Ordinance, Article III – General Provisions, 3.15B – Rural Businesses:**  
*Small repair shops for appliances, machinery, farm equipment, or automobiles are allowed with the following limitations:*
  - Repair shops shall not create noise, noxious orders, or any hazard that would adversely affect the health, safety, or welfare of the adjoining property owners or the neighborhood in general;
  - Repair shops shall operate during daylight hours
  - No more than two vehicles shall be serviced, actively worked on, or repaired at any one time. Any pieces of machinery equipment or vehicles stored for service or awaiting pick-up after servicing shall be parked within an area reserved for that purpose (maximum 1,000 square feet) and designated at the time of approval by the board of commissioners. The storage area must be located to the side or rear of the shop building unless normal operation would generate large amounts of vehicular traffic.
- The applicant is proposing to install a fence that would create screening on two sides of the business.
- This conditional use is consistent with the Future Land Use Map (FLUM), as this parcel is projected to be agriculture/residential.
- At the July 9, 2024, Planning Board meeting, Mr. Brad Smith made a motion for approval. Mr. Peter Higgins seconded the motion and it carried unanimously.

### Alternatives

1. **Approve** the request for a **conditional use** to allow for a **Rural Business** for a lawn mower repair shop in AR-2 with the following conditions:
  - The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate (business license).
  - Access for the business shall only be on Hodgeville Road and an encroachment permit will be required from Effingham County.
2. **Deny** the request for a **conditional use** to allow for a **Rural Business** for a lawn mower repair shop in AR-2.

**Recommended Alternative: 1**

**Other Alternative: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Conditional Use application

2. Aerial photograph 3. Deed