

Staff Report

Subject: Variance (Fourth District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: August 6, 2024

Item Description: **Eric & Hannah Wright** requests a **variance** from ordinance Section 74.8, to allow for commercial truck parking at the driver's residence. Located at 125 Clyde Road, zoned AR-1. **[Map# 390A Parcel# 1]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the requests for a **variance** from ordinance Section 74.8, to allow for commercial truck parking at the driver's residence.

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 74.8, to allow for commercial truck parking at the driver's residence.
- This variance will allow the applicant park to his bobtail truck **and** two trailers at his home.
- Staff meet with the applicant at a Technical Review Committee Meeting to discuss the variance process, truck routes, screening and fencing, and encroachment permits.
- Section 74.8(d) of the Effingham County Code of Ordinance states that an exception to the commercial vehicles prohibited on certain streets is:
 - (4) Bobtail truck, defined as only the tractor with no trailer and/or chassis attached, going to or from, and parking at, the driver's residence located on the street governed by this section.*
- At the July 9, 2024, Planning Board meeting, Mr. Brad Smith motioned to deny the variance. Mr. Peter Higgins seconded the motion, which carried unanimously.

Alternatives

1. **Approve** the request for a **variance** from ordinance Section 74.8, to allow for commercial truck parking at the driver's residence with the following conditions:
 - A privacy fence shall be installed to provide screening of the trucks and trailers.
 - The hours of operation shall be 6am to 7pm, then the trucks and trailers shall be parked.
 - An encroachment permit from Effingham County Development Services will be required for the additional driveway for the truck and trailer parking.
2. **Deny** the request for a **variance** from ordinance Section 74.8, to allow for commercial truck parking at the driver's residence.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Conditional Use application

Other Alternatives: 2

FUNDING: N/A

2. Aerial photograph 3. Deed