

## Staff Report

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

**Item Description:** **Max Lowry** requests a **conditional use** to allow for a Rural Business for batting/catching lessons in AR-1. Located at 400 Earl Lain Road. **[Map# 435 Parcel# 20]**

### Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request for a **conditional use** to allow for a Rural Business for batting/catching lessons in AR-1.

### 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 requests a conditional use to allow for batting/catching lessons in an AR-1 zoning.
- The permitting for the accessory structure was completed in November of 2023. The building is a total of 1800 sq. ft.
- The parcel has approximately 287.44 feet of road frontage along Earl Lain Road.
- This conditional use is consistent with the Future Land Use Map (FLUM), as these parcels are projected to be agriculture/residential.
- At the Planning Board Meeting on July 9, 2024, Mr. Brad Smith made a motion with the condition to include the extra square footage required, as the ordinance allows 1,100 sq. ft. Mr. Peter Higgins second the motion and it carried unanimously.

### Alternatives

1. **Approve** the request for a **conditional use** to allow for a Rural Business for batting/catching lessons in AR-1 with the following conditions:
  - The building used for batting and catching lessons is permitted to exceed the ordinance's 1,100 sq. ft requirement, but it must not exceed 1,800 sq. ft.
  - The applicant shall obtain and keep an Effingham County Occupational Tax Certificate (business license) in good standing.
  - Per the Effingham County Code of Ordinances, **Part II, Appendix C, Article III, 3.15B—Rural Businesses**: Parking for customers/clients must be provided on-site, and the Zoning Administrator must approve the parking location.
  - Per the Effingham County Code of Ordinances, **Part II, Appendix C, Article III, 3.15B—Rural Businesses**: The Days and Hours of operation requiring access by the public, customers, and/or clients shall be Monday through Saturday, daylight hours only.
2. **Deny** the request for a **conditional use** to allow for a Rural Business for batting/catching lessons in AR-1.

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services  
**Attachments:** 1. Conditional Use application

**FUNDING:** N/A  
2. Aerial photograph 3. Deed