

## Staff Report

**Subject:** Rezoning (Third District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** December 3, 2024

**Item Description:** **Billy Hill** as agent for **Danny Smith** requests to **rezone** +/- 3.83 acres from non-conforming **AR-1 to AR-2** to allow for permitted uses in AR-2. Located at 1347 Old Tusculum Road. **[Map# 318 Parcel# 34]**

### Executive Summary/Background

- The rezoning request 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.
- The applicant is requesting to rezone 3.83 acres to AR-2.
- The parcel is currently non-conforming, and the applicant would like to subdivide the parcel to create 3 separate lots.
- Per the Effingham County Code of Ordinances, conforming AR-1 zoning shall have 5 + acres. Due to the 3.83 acre falling before the threshold, it must be rezoned to AR-2.
- Per the Effingham County Table of Permitted Uses, the following are permitted by right uses in AR-2 zoning:
  - *Single Family Detached*
  - *One-Additional Single Family Detached Dwelling*
  - *Disaster Emergency Housing*
  - *Mobile Homes*
  - *Manufactured Homes*
  - *Religious Housing*
  - *Youth Home*
  - *Short Term Vacation Rental*
  - *Veterinarians*
  - *Schools*
  - *Places of Worship*
- This parcel has approximately 645 feet of road frontage along Old Tusculum Road.
- This rezoning is consistent with the Future Land Use Map (FLUM), as this parcel is projected to be Agricultural-Residential.
- At the November 12, 2024, Planning Board meeting, Mr. Alan Zipperer motioned for approval with Staff recommendations. Mr. Brad Smith seconded the motion, and it carried unanimously.

### Determination

Staff has reviewed the application, and if approved, the rezoning will meet the criteria of the ordinance with the following conditions:

1. Development Services shall approve and sign a plat. The plat shall then be recorded if the parcel is subdivided.

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Rezoning application and checklist  
4. Ownership certificate/authorization

2. Plat  
3. Deed  
5. Aerial photograph