

Subject: Variance (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: January 9, 2024

Item Description: **Mitchell Donaldson** requests a variance from ordinance Section 3.4.1, to allow for a reduction in required buffers. Located at 344 Standard Lane. **[Map# 366A Parcel# 64]**

Summary Recommendation

Staff has reviewed the application, and recommends **denial** of the request for a variance from ordinance Section 3.4.1, to allow for a reduction in required buffers.

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.*
- This parcel is 3.13 acres, and approximately 388 feet x 336 feet.
- In 1989 this parcel was zoned I-1, it is surrounded to the north, south, and east by agricultural/residential and to the west is R-4 zoning. This zoning is specifically for mobile home/RV parks.
- In 2004 a conditional use was approved for a placement of a mobile home on this parcel with the stipulation that the mobile home on the premises was only used for watchman/security detail and not a rental unit.
- Due to the current changes within the Effingham County Ordinances and the size of the parcel, this industrial parcel has been rendered inoperative.
- Staff is recommending denial due to the Effingham County Code of Ordinances, section 3.4 Buffers:
 - At no time may buffers be reduced between Commercial, Institutional, or Industrial and Residential uses.*

Alternatives

- Approve** the request for **variance**, with the following conditions:
 - A vegetative berm shall be constructed between the industrial zoned parcel and the agricultural/residential zoned parcels.
 - A 50' vegetative buffer shall be planted along Standard Lane.

- Deny** the request for **variance**

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services

FUNDING: N/A

Attachments:

1. Variance application	2. Site Plan	3. Deed
4. Ownership certificate/authorization	5. Aerial photograph	