

Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 3, 2022
Item Description: **Reuben E. Jenkins III** requests to **rezone** 1.05 acres from **AR-1** to **B-2** to allow for commercial use. Located at 351 Webb Road. **Map# 389 Parcel# 18**

Summary Recommendation

Staff has reviewed the application, and recommends **denial** of the request to **rezone** 1.05 acres from **AR-1** to **B-2** to allow for commercial use.

Executive Summary/Background

- The request for rezoning 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.
- An adjacent parcel (389-19) was rezoned to B-2 on 12/2/1980, to allow for a warehouse and shop. A letter in the rezoning file cites adjacent parcels as having commercial businesses. The property to the north was farmland in 1980. At this time, there is residential development to the north.
- The properties at 389-18 & 389-19 have been used for various commercial activities. There is no active business license for any business at those locations.
- Code Enforcement followed up on complaints relating to junk cars on site in 2021. The properties have been cleared, and the cases are closed.
- The applicant did not provide information on proposed business operations. B-2 permits food service, clubs, retail, child care, residential development, indoor entertainment, offices, etc.
- Automobile service and commercial parking areas are permitted as conditional uses. If the rezoning is approved, conditional use approval may be necessary based on the proposed business. Sketch plan approval would be necessary for improvements such as buildings or parking areas. Any business operating at the site would need to obtain and maintain a business license.
- The parcel is served by a private unpaved extension from Webb Road. The road surface may need to be improved by the property owner, depending on the proposed commercial development,
- A 30' vegetative buffer around the perimeter of the commercial parcels would be required in order for a new business to begin operations on site.
- Webb Road is not a designated truck route; it is a surface-treated, county-maintained road. Improvements may be necessary, depending on the proposed use at 351 Webb Road.
- At the April 18 Planning Board meeting, Brad Smith made a motion to **approve** the request to rezone 1.05 acres from AR-1 to B-2, and added the following conditions:
 1. The lot shall meet the requirements of the B-2 zoning district.
 2. A sketch plan must be submitted and approved for any commercial use of the property.
 3. Applicant must obtain an Effingham County Occupational Tax Certificate prior to the start of commercial operations on site. The business license shall be maintained by annual renewal.
- The motion was seconded by Alan Zipperer, and carried by a 4/1 vote.

Alternatives

1. Approve the request to **rezone** 1.05 acres from **AR-1** to **B-2**, with the following Planning Board recommendations:

1. The lot shall meet the requirements of the B-2 zoning district.
2. A sketch plan must be submitted and approved for any commercial use of the property.
3. Applicant must obtain an Effingham County Occupational Tax Certificate prior to the start of commercial operations on site. The business license shall be maintained by annual renewal.

2. Deny the request to **rezone** 1.05 acres from **AR-1** to **B-2**.

Recommended Alternative: 2

Department Review: Development Services

Attachments:

1. Rezoning application
2. Ownership certificate

Other Alternatives: 1

FUNDING: N/A

3. Deed
4. Aerial photograph