

Staff Report

Subject: Conditional Use (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: January 16, 2023

Item Description: **Thompson Family Enterprise LLC DBA Scotty's Pottys and Dumpsters** requests a **conditional use** for a **rural business**. Located at 200 Little McCall Road. **Map# 320 Parcel# 46A** in the **Third District**.

Summary Recommendation

Staff has reviewed the application, and recommends **denial** of the request for a **conditional use** for a **rural business**.

Executive Summary/Background

- The request for Residential Business Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article III-General Provisions, **Section 3.15B – Rural Business**.
- The applicant requests the conditional use for a rural business to operate a portable restroom and dumpster business on a portion of the property.
- On October 23, 2023, Staff and the applicant did meet for a Technical Review Committee Meeting where we discussed buffers, access, and the conditional use process.
- During the Technical Review Committee Meeting, the applicant explained that the business would consist of approximately 100 portable restrooms and 5-6 dumpsters.
- The applicant did express that they are in the process of looking for a commercial location.
- Staff is recommending denial based on the following Effingham County Code of Ordinances:
 - the total area used for the rural business may not exceed 1,000 sq. ft.
 - any outside area in which the business is conducted, other than parking, shall be completely enclosed in a manner that the business is not visible from surrounding property.
 - the property on which the rural business is conducted must have frontage on a public road.
- Uses not permitted as a rural business per the ordinance are any use which clearly is out of scale or character with an agricultural or residential area.
- At the December 12, 2023 Planning Board meeting, Mr. Brad Smith made a motion for approval. Mr. Alan Zipperer second the motion, it carried unanimously.

Alternatives

1. **Approve** the request of a **conditional use** for a **rural business** with the following conditions:
 - The applicant shall obtain, and keep in good standing, an Effingham County Occupational Tax Certificate (business license).
2. **Deny** the request of a **conditional use** for a **rural business**.

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application

2. Aerial photograph 3. Deed