

## Staff Report

**Subject:** Rezoning (Third District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** January 16, 2023  
**Item Description:** **Michael Emiry** requests to **rezone** 2.5 acres from **AR-1** to **AR-2** to allow for a new home site. Located at 1800 Oliver Kildare Road. **Map# 208 Parcel# 1**

### Summary Recommendation

Staff and Planning Board have reviewed the application, and recommend **approval** of the request to **rezone** 2.5 acres from **AR-1** to **AR-2** to allow for a new home site.

### 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.
- The applicant would like to subdivide 2.5 acres to allow for a new home site for family.
- The new parcel will have frontage on Oliver Kildare Road which is a County maintained road.
- Per the Effingham County Code of Ordinances, the following are the allowed uses in AR-2 zoning:
  - *Class A single-family detached dwellings and their customary uses on the basis of one dwelling for each 43,560 square feet of land under the same ownership and 100 feet of frontage on a public street.*
  - *All uses permitted in section 5.1 except uses specified in subsections 5.1.1.2, 5.1.1.3, 5.1.1.6, 5.1.2.11, and 5.1.2.12.*
  - *Government-owned utilities, except publicly-owned treatment plants permitted by the State of Georgia and water storage facilities in excess of 1,000,000-gallon capacity, provided that wells, pump stations, meter stations, and water storage facilities must be enclosed by a painted or chain-link fence or wall at least six feet in height above finished grade and provided there is neither office nor commercial operation nor storage of vehicles or equipment on the premises.*
- At the December 12, 2023 Planning Board meeting, Mr. Alan Zipperer made a motion for approval with Staff recommendations. Mr. Ryan Thompson second the motion and it carried unanimously.

### Alternatives

1. **Approve** the request to **rezone** 2.5 acres from **AR-1** to **AR-2** to allow for a new home site with the following conditions:
  - A subdivision plat must be approved by Development Services, and be recorded, before the rezoning can take effect.
2. **Deny** the request for to **rezone** 2.5 acres from **AR-1** to **AR-2** to allow for a new home site.

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Rezoning application and checklist  
2. Ownership certificate/authorization  
3. Plat/Concept Plan 5. Deed  
4. Aerial photograph