

Staff Report

Subject: Conditional Use (Fourth District)
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: December 5, 2023

Item Description: Frank McDonough requests a **conditional use** for a **rural business**. Located at 2646 & 2650 Little McCall Road. [Map# 391 Parcel# 21]

Summary Recommendation

Staff and Planning Board have reviewed the application, and recommend **approval** of the request for a **conditional use** for a **rural business**.

Executive Summary/Background

- The request for Rural Business Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article III-General Provisions, **Section 3.15B - Rural Business**.
- The property is currently zoned R-1, however this property is surrounded by AR-1 to the north, west, and south; and R-1 to the east.
- Staff is also working to revise the business license categories within the Zoning Ordinance as part of the ordinance rewrite.
- The applicant's proposed business is contracted metal works. The applicant stated at the Planning Board meeting that currently this is a one-person operation currently for a small machine shop.
- The applicant will need the accessory structure for business operations, which is only allowed within the rural business category.
- The accessory structure will have to meet the zoning setbacks for an accessory structure within R-1 zoning:
 - Front setback: 50'
 - Back setback: 25'
 - Side setback: 15'
 - Distance from primary dwelling: 10'
- The applicant will have to provide proof of residence for the property as well.
- The Planning Board did discuss the size limitation of the rural business per the ordinance and the total number of employees before a commercial location is needed:

Rural businesses shall be limited to no more than 1,000 square feet if in a structure, and 1,000 square feet of land if outside a structure. Should the use require both inside and outside area, the total area used may not exceed 1,000 square feet. If the rural business is to be conducted in the residence, no more than 45 percent of the heated floor space or 1,000 square feet, whichever is less, may be used for the business. The proposed size of the business shall be specified at the time that the application is submitted to the zoning administrator.
- At the November 14, 2023 Planning Board Meeting, Mr. Brad Smith made a motion for approval with Staff Recommendations. Mr. Peter Higgins second the motion, it carried unanimously.

Alternatives

1. **Approve** the request of a **conditional use** for a **residential business** with the following conditions:
 1. The applicant shall provide proof of residence
 2. 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 **residential business**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application

2. Aerial photograph 3. Deed