

Staff Report

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

Item Description: Requests a **conditional use** for a **family cemetery**, located at 258 Shirley Road. [Map# 370C Parcel# 2B]

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **conditional use** for a **family cemetery**.

Executive Summary/Background

- The request for a Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article V – Uses Permitted in Districts, **Section 5.1.2.2 - Cemeteries**.
- The applicant requests a conditional use to have a family cemetery on the parcel. The parcel is zoned AR-1.
- Per the Effingham County Ordinance, **Article III – General Provisions, Section 3.6 – Cemeteries, Mausoleums, and Crematories:**
No premises shall be used or occupied for the purposes of a cemetery or mausoleum in any district except multi-family residential, single-family residential, and agricultural residential districts and then only upon approval after a public hearing. No land for which a plat has not been recorded shall be used for any burials. The dead shall not be buried or placed closer than ten feet to any highway right-of-way, nor closer than ten feet to any other property line. No premises shall be used or occupied for the purposes of a crematorium in any district except as a conditional use in a B-2 zoning district.
- The cemetery is 400 sq. ft. and located 10' from the property line
- The applicant has submitted a plat for signature and recording.

Alternatives

1. **Approve** the request of a **conditional use** for a **family cemetery**.
2. **Deny** the request of a **conditional use** for a **family cemetery**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application

2. Aerial photograph

3. Deed

4. Plat