

Staff Report

Subject: Rezoning (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: January 21, 2025

Item Description: **Blue Fern Management/Scott Rosenstock** as agent for **Charles Ale** requests to **rezone** +/- 100.34 acres from **AR-1 to R-5** to allow for residential development. Located on Blue Jay Road. **[Map# 351 Parcel# 3]**

Executive Summary/Background

- The rezoning request 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 is requesting to rezone 100.34 acres to R-5 zoning to allow for single-family detached residential development.
- The proposed development complies with the R-5 zoning district in the following ways:
 - *R-5 zoning district requires that lot area be at least 6,600 sq. ft.*; this development is proposing a diversity in lot sizes with 6,600 sq. ft. lots and 9,000 sq. ft. lots.
 - *R-5 zoning district requires that 15% of net usable area shall be common outdoor open space*; this development is proposing 15.1 acres of the 77.8 net usable acreage will be common open space. This is 130% of the R-5 requirement.
 - *R-5 zoning district requires that one (1) additional parking space shall be provided per every five (5) units for overflow parking*, the proposed development meets this criteria with 41 overflow parking spaces.
- The applicant has agreed to the following additional condition:
 - A minimum 1,600 sq. ft of heated area within each constructed home.
 - 6' transparent fence with vertical pickets providing access control to be constructed where non-lotted areas are constructed adjacent to neighboring properties.
 - 6' opaque, solid, privacy fence to be constructed where new lots abut adjacent properties.
- Effingham County would provide water & sewer.
- This proposed development is less than 1 mile from the approved multi-family apartments at the intersection of Blue Jay Road and Highway 17.
- The Future Land Use Map (FLUM) does have this parcel projected to be agricultural/residential.
- At the September 10, 2024, Planning Board meeting, Mr. Alan Zipperer motioned for denial. Mr. Peter Higgins seconded the motion, and it carried unanimously.
- At the October 15, 2024, Board of Commissioners meeting, this request was tabled to the January 21, 2025, Board of Commissioners meeting.

Determination

Staff has reviewed the application, and if approved, the rezoning will meet the criteria of the ordinance with the following conditions:

- A Preliminary Plat shall be approved by the Board of Commissioners
- All buffers shall adhere to the Effingham County Code of Ordinances, **Section 3.4 – Buffers**.
- Site Development plans must comply with the Effingham County Water Resources Protection Ordinance, the Stormwater Management Local Design Manual, and **Chapter 34- Flood Damage Prevention**.
- Site Development plans must comply with the Effingham County Code of Ordinances, Appendix C, Article V, Section 5.17 – **R-5 Single-Family Traditional Neighborhood Design Residential District**.
- A minimum 1,600 sq. ft of heated area within each constructed home.
- 6' transparent fence with vertical pickets providing access control to be constructed where non-lotted areas are constructed adjacent to neighboring properties.
- 6' opaque, solid, privacy fence to be constructed where new lots abut adjacent properties.

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Rezoning application and checklist
4. Ownership certificate/authorization

2. Plat
3. Deed
5. Aerial photograph