

Subject: Rezoning (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 12, 2023
Item Description: **Adal Sebastain Reyes-Garcia** as agent for **E.J. Oetgen** requests to **rezone** +/- 1.75 of 19.99 acres from **R-4** to **B-1** to allow for a conditional use of an existing mechanic shop to be brought into zoning compliance. Located on Oetgen Road. **[Map# 399 Parcel# 3D]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request to **rezone** +/- 1.75 of 19.99 acres from **R-4** to **B-1** to allow for a conditional use of an existing mechanic shop to be brought into zoning compliance.

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.
- Staff and the applicant met on January 22, 2024, for a Technical Review Committee Meeting to discuss the business license needed, buffers, water & sewer, and the rezoning process.
- The applicant is working to come into compliance, as this is an active Code Enforcement case.
- The applicant's business, RTS Reyes Tires, LLC, services the surrounding businesses that utilize dump trucks.
- Per the Effingham County Code of Ordinances, **Table of Permitted Uses**, a repair shop is a conditional use within the B-1 zoning district.
- The parcels to the north of this proposed lot are zoned AR-1, to the south & west is R-4, and to the east is I-1.
- This rezoning would be consistent with the Future Land Use Map (FLUM) as it projects this area to be transitional.

Alternatives

1. Approve the request to **rezone** +/- 1.75 of 19.99 acres from **R-4** to **B-1** to allow for a conditional use of an existing mechanic shop to be brought into zoning compliance with the following conditions:

1. The entrance driveway must be built to County Standards for a Commercial Driveway.
2. A subdivision plat shall be approved by Development Services, then recorded, before the rezoning can take effect.

2. Deny the request for to **rezone** +/- 1.75 of 19.99 acres from **R-4** to **B-1** to allow for a conditional use of an existing mechanic shop to be brought into zoning compliance.

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
4. Aerial photograph
5. Deed