Staff Report **Public Hearing 02**

Subject: Variance (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: September 10, 2024

Item Description: **Rachel McDowell** requests a **variance** from ordinance Section 5.2.1.1 to allow for the reduction in minimum road frontage in AR-2. Located at 3714 Noel C Conaway Road. **[Map# 436 Parcel# 67]**

Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:

  That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and

  That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

  The fact that a property owner will suffer financial hardship if not granted a special exception or a variance from the zoning ordinance is of itself insufficient ground for granting a variance.
- The applicant requests a variance from Section 5.2.1.1 to allow for the reduction in minimum road frontage in AR-2.
- Per the Effingham County Code of Ordinances, AR-2 reads as follows:

  5.2.1. Permitted Uses

  5.2.1.1 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.
- This parcel meets the criteria for the acreage, however, only has approximately 170.12 ft of road frontage. Based on the ordinance, each dwelling must have the required 100 feet of road frontage along with the required acreage.
- The variance required for this application is 30ft of road frontage.

Determination

Approval of the variance will offer relief from the strict application of ordinance standards without adversely impacting the County.

Department Review: Development Services **FUNDING:** N/A

Attachments: 1. Variance Application 2. Aerial photograph 3. Deed