

1. January 19, 2021 Meeting Agenda

Documents:

[1-01192021AGENDA.PDF](#)

1.I. January 19, 2021 Final Agenda

Documents:

[01192021AGENDA\\_REVISED.DOCX\\_FINAL.PDF](#)

2. January 19, 2021 Agenda Material

Documents:

[01192021 AGENDA MATERIAL.PDF](#)



## EFFINGHAM COUNTY BOARD OF COMMISSIONERS (TENTATIVE) COMMISSION MEETING AGENDA

Effingham County Administrative Complex  
Commission Meeting Chambers  
601 North Laurel Street, Springfield GA 31329

**January 19, 2021– 5:00 PM**

(Also aired via teleconference)

Dial - 1-650-419-1505 Access Code – 106822973)

*The Georgia Conflict of Interest in Zoning Action Statute (O.C.G.A. §§ 36-67A-1 et seq.) requires disclosure of certain campaign contributions made by applicants for rezoning actions and by opponents of rezoning application. A rezoning applicant or opponent of a rezoning application must disclose contributions or gifts which in aggregate total \$250.00 or more if made within the last two years to a current member of Effingham County Planning Board, Board of Commissioners, or other Effingham County official who will consider the application. The campaign contribution disclosure requirement applies to an opponent of a rezoning application who publishes his or her opposition by appearance before the Planning Board or Board of Commissioners or by any other oral or written communication to a member or members of the Planning Board or Board of Commissioners. Disclosure must be reported to the Board of Commissioners by applicants within ten (10) days after the rezoning application is filed and by opponents at least five (5) days prior to the first hearing by the Planning Board. Any person knowing failing to comply with these requirements shall be guilty of a misdemeanor.*

**\*\*PLEASE TURN OFF YOUR CELL PHONE**

Items of Business	Action Requested of Commissioners	Previous Action of Commissioners	Action Taken
<b>I Call to Order</b>	<b>5:00 P.M.</b>		
<b>II Invocation</b>			
<b>III Pledge to the American Flag</b>			
<b>IV Agenda Approval</b>	Consideration of a Resolution to approve the agenda		
<b>V Minutes</b>	Consideration to approve the January 5, 2021 regular Commission meeting minutes		
<b>VI Public Comments</b>	Agenda Items ONLY		
<b>VII Correspondence</b>	Documents from this meeting are located in the Clerk's office and on the Board of Commissioner's website		
<b>VIII Consent Agenda</b>			
<b>01 MOU</b>	Consideration to approve to renew the Memorandum of Understanding with Effingham County United Methodist Campground for the use of their facility as a critical workforce shelter and/or post event shelter		
<b>IX Old Business</b>			
<b>01 Plat/Deed/Agmt</b>	Consideration to approve a Final Plat, Warranty Deed and Stormwater Maintenance Agreement to convey infrastructure for Park West, Phase 5B located off of Highway 30	Postponed 01/05/2021	
<b>02 Ordinance</b>	Consideration to approve the Second Reading to amend <b>Appendix C – Article III General Provisions, Section 3.3</b> (Accessory Buildings) of the Effingham County Code of Ordinances	Approved 1 <sup>st</sup> Reading 01/05/2021	
<b>X New Business</b>			
<b>01 Agreement</b> <i>Tim Callanan</i>	Consideration to approve a Purchase and Sale Agreement by and between Effingham County Board of Commissioners and the City of Springfield for the purchase of a property located at 403 N. Pine Street Map# S101 Parcel# 29		

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02 <b>Purchase Order</b> <i>Alison Bruton</i>	Consideration to approve a Purchase Order for Bliss Products and Services to supply mulch for (8) county playgrounds		
03 <b>Contract</b> <i>Alison Bruton</i>	Consideration to approve Contract 21-105-003 with EMC Engineering to provide professional services for a new sanitary sewer force main		
04 <b>Resolution</b> <i>Christy Carpenter</i>	Consideration to approve Resolution# 021-001 to amend the FY2020-2021 Budget		
05 <b>Calendar</b> <i>Christy Carpenter</i>	Consideration to approve the Budget Calendar for fiscal year 2022		
<b>XI Reports from Administrative Staff &amp; Commissioners</b>			
<b>XII Executive Session</b>	Discussion of Personnel, Property and Pending Litigation		
<b>XIII Executive Session Minutes</b>	Consideration to approve the January 5, 2021 executive session minutes		
<b>XIV Planning Board</b>	<b>6:00 PM</b>		
01 Public Hearing	The Planning Board recommends approving an application by <b>John Miller, agent for Gaddy Turner Jr.</b> to rezone 2.52 acres out of 14.15 acres located at 1305 Lowground Road from AR-1 to AR-2 to separate two home sites Map# 393 Parcel# 25 in the Second District		
02 Second Reading	Consideration to approve the Second Reading of an application by <b>John Miller, agent for Gaddy Turner Jr.</b> to rezone 2.52 acres out of 14.15 acres located at 1305 Lowground Road from AR-1 to AR-2 to separate two home sites Map# 393 Parcel# 25 in the Second District		
03 Public Hearing	The Planning Board recommends approving an application by <b>Rhett Roscinski</b> to rezone 10.12 acres located at 430 Hodgeville Road from AR-1 to B-3 for a commercial site for Diesel Power Solutions, LLC Map# 416 Parcel# 3 in the Second District		
04 Second Reading	Consideration to approve the Second Reading of an application by <b>Rhett Roscinski</b> to rezone 10.12 acres located at 430 Hodgeville Road from AR-1 to B-3 for a commercial site for Diesel Power Solutions, LLC Map# 416 Parcel# 3 in the Second District		
05 Public Hearing	The Planning Board recommends approving an application by <b>John H. Andrews</b> to rezone 0.68		

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	acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		
06 Second Reading	Consideration to approve the Second Reading of an application by <b>John H. Andrews</b> to rezone 0.68 acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		
07 Public Hearing	The Planning Board recommends approving an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		
08 Second Reading	Consideration to approve the Second Reading an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		
09 Public Hearing	The Planning Board recommends approving an application by <b>Rev. Rothell Wasson Jr for Savannah Baptist Association</b> to rezone 4 acres located at 1200 Honey Ridge Road frp, AR-1 to AR-2 to allow for the separation of a church site Map# 273 Parcel# 10 in the Second District		
10 Second Reading	Consideration to approve the Second Reading of an application by <b>Rev. Rothell Wasson Jr for Savannah Baptist Association</b> to rezone 4 acres located at 1200 Honey Ridge Road frp, AR-1 to AR-2 to allow for the separation of a church site Map# 273 Parcel# 10 in the Second District		
11 Public Hearing	The Planning Board recommends approving an application by <b>Ulric M. &amp; Ramona L. Roberts</b> to rezone 2.88 acres out of 19.23 acres located at on Clyo Kildare Road from AR-1 & R-1 to AR-2 to allow for the recombination of the parcels Map# 283 Parcel# 4A, 33 in the Third District		
12 Second Reading	Consideration to approve the Second Reading of an application by <b>Ulric M. &amp; Ramona L. Roberts</b> to rezone 2.88 acres out of 19.23 acres located at on Clyo Kildare Road from AR-1 & R-		



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	1 to AR-2 to allow for the recombination of the parcels Map# 283 Parcel# 4A, 33 in the Third District		
13 Public Hearing	The Planning Board recommends approving an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		
14 Second Reading	Consideration to approve the Second Reading of an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		
15 Public Hearing	The Planning Board recommends approving an application by <b>Green Acres LLC. as agent for William D. Hutcheson</b> for a Variance located on Old Augusta Road to allow for a 30 foot access easement Map# 333 Parcel# 2 & 3 in the Third District		
16 Second Reading	Consideration to approve the Second Reading of an application by <b>Green Acres LLC. as agent for William D. Hutcheson</b> for a Variance located on Old Augusta Road to allow for a 30 foot access easement Map# 333 Parcel# 2 & 3 in the Third District		
17 Public Hearing	The Planning Board recommends approving an application by <b>Craig Addison</b> to rezone 5 acres located at 2354 Low Ground Road from R-1 to AR-1 to allow for a second dwelling for an immediate family member Map# 372A Parcel# 3 in the Fourth District		
18 Second Reading	Consideration to approve the Second Reading of an application by <b>Craig Addison</b> to rezone 5 acres located at 2354 Low Ground Road from R-1 to AR-1 to allow for a second dwelling for an immediate family member Map# 372A Parcel# 3 in the Fourth District		
19 Public Hearing	The Planning Board recommends approving an application by <b>George Bishop</b> for a Conditional Use located at 377 High Bluff Road to create a cemetery for family use on a parcel zoned AR-1 Map# 459 Parcel# 66 in the Fourth District		

**EFFINGHAM COUNTY BOARD OF COMMISSIONERS  
(TENTATIVE) COMMISSION MEETING AGENDA**

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**XV Adjournment**



## EFFINGHAM COUNTY BOARD OF COMMISSIONERS (FINAL) COMMISSION MEETING AGENDA

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601 North Laurel Street, Springfield GA 31329

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Items of Business	Action Requested of Commissioners	Previous Action of Commissioners	Action Taken
<b>I Call to Order</b>	<b>5:00 P.M.</b>		5:09 PM
<b>II Invocation</b>			Comm. Deloach
<b>III Pledge to the American Flag</b>			Sounded in unison
<b>IV Agenda Approval</b>	Consideration of a Resolution to approve the agenda		Approved w/ addition of NB# 4A
<b>V Minutes</b>	Consideration to approve the January 5, 2021 regular Commission meeting minutes		Approved as read
<b>VI Public Comments</b>	Agenda Items ONLY		Stated by Chairman
<b>VII Correspondence</b>	Documents from this meeting are located in the Clerk's office and on the Board of Commissioner's website		Stated by Chairman
<b>VIII Consent Agenda</b>			
<b>01 MOU</b>	Consideration to approve to renew the Memorandum of Understanding with Effingham County United Methodist Campground for the use of their facility as a critical workforce shelter and/or post event shelter		Approved
<b>IX Old Business</b>			
<b>01 Plat/Deed/Agmt</b>	Consideration to approve a Final Plat, Warranty Deed and Stormwater Maintenance Agreement to convey infrastructure for Park West, Phase 5B located off of Highway 30	Postponed 01/05/2021	Approved
<b>02 Ordinance</b>	Consideration to approve the Second Reading to amend <b>Appendix C – Article III General Provisions, Section 3.3</b> (Accessory Buildings) of the Effingham County Code of Ordinances	Approved 1 <sup>st</sup> Reading 01/05/2021	Approved 2 <sup>nd</sup> Reading
<b>X New Business</b>			
<b>01 Agreement</b> <i>Tim Callanan</i>	Consideration to approve a Purchase and Sale Agreement by and between Effingham County Board of Commissioners and the City of Springfield for the purchase of a property located at 403 N. Pine Street Map# S101		Approved

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	Parcel# 29		
02 <b>Purchase Order</b> <i>Alison Bruton</i>	Consideration to approve a Purchase Order for Bliss Products and Services to supply mulch for (8) county playgrounds		Approved
03 <b>Contract</b> <i>Alison Bruton</i>	Consideration to approve Contract 21-105-003 with EMC Engineering to provide professional services for a new sanitary sewer force main		Approved
04A <b>Positions</b> <i>Tim Callanan</i>	Consideration to approve to add two positions to the budget of the Sheriff's Office		Approved
04B <b>Resolution</b> <i>Christy Carpenter</i>	Consideration to approve Resolution# 021-001 to amend the FY2020-2021 Budget		Approved
05 <b>Calendar</b> <i>Christy Carpenter</i>	Consideration to approve the Budget Calendar for fiscal year 2022		Approved
XI <b>Reports from Administrative Staff &amp; Commissioners</b>			T. Callanan S. Johnson Vice Chair Burdette
XII <b>Executive Session</b>	Discussion of Personnel, Property and Pending Litigation		No executive session was held
XIII <b>Executive Session Minutes</b>	Consideration to approve the January 5, 2021 executive session minutes		Approved as read
XIV <b>Planning Board</b>	<b>6:00 PM</b>		
01 Public Hearing	The Planning Board recommends approving an application by <b>John Miller, agent for Gaddy Turner Jr.</b> to rezone 2.52 acres out of 14.15 acres located at 1305 Lowground Road from AR-1 to AR-2 to separate two home sites Map# 393 Parcel# 25 in the Second District		Approved w/ stipulations
02 Second Reading	Consideration to approve the Second Reading of an application by <b>John Miller, agent for Gaddy Turner Jr.</b> to rezone 2.52 acres out of 14.15 acres located at 1305 Lowground Road from AR-1 to AR-2 to separate two home sites Map# 393 Parcel# 25 in the Second District		Approved 2 <sup>nd</sup> Reading
03 Public Hearing	The Planning Board recommends approving an application by <b>Rhett Roscinski</b> to rezone 10.12 acres located at 430 Hodgeville Road from AR-1 to B-3 for a commercial site for Diesel Power Solutions, LLC Map# 416 Parcel# 3 in the Second District		Approved w/ stipulations
04 Second Reading	Consideration to approve the Second Reading of an application by <b>Rhett Roscinski</b> to rezone 10.12 acres located at 430 Hodgeville Road from AR-1 to B-3 for a commercial site for		Postponed to 02/02/2021 due to revised stipulation

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	Diesel Power Solutions, LLC Map# 416 Parcel#3 in the Second District		
05 Public Hearing	The Planning Board recommends approving an application by <b>John H. Andrews</b> to rezone 0.68 acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		Approved w/ stipulations
06 Second Reading	Consideration to approve the Second Reading of an application by <b>John H. Andrews</b> to rezone 0.68 acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		Approved 2 <sup>nd</sup> Reading
07 Public Hearing	The Planning Board recommends approving an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		Approved w/ stipulations
08 Second Reading	Consideration to approve the Second Reading an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		Approved 2 <sup>nd</sup> Reading
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10 Second Reading	Consideration to approve the Second Reading of an application by <b>Rev. Rothell Wasson Jr for Savannah Baptist Association</b> to rezone 4 acres located at 1200 Honey Ridge Road from AR-1 to AR-2 to allow for the separation of a church site Map# 273 Parcel# 10 in the Second District		Approved 2 <sup>nd</sup> Reading
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	AR-2 to allow for the recombination of the parcels Map# 283 Parcel# 4A, 33 in the Third District		
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13 Public Hearing	The Planning Board recommends approving an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		Approved w/ stipulations
14 Second Reading	Consideration to approve the Second Reading of an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		Approved 2 <sup>nd</sup> Reading
15 Public Hearing	The Planning Board recommends approving an application by <b>Green Acres LLC. as agent for William D. Hutcheson</b> for a Variance located on Old Augusta Road to allow for a 30 foot access easement Map# 333 Parcel# 2 & 3 in the Third District		Approved w/ stipulations
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	Parcel# 3 in the Fourth District		
19 Public Hearing	The Planning Board recommends approving an application by <b>George Bishop</b> for a Conditional Use located at 377 High Bluff Road to create a cemetery for family use on a parcel zoned AR-1 Map# 459 Parcel# 66 in the Fourth District		Approved w/ stipulations
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<b>XV Adjournment</b>			6:55 pm

Members Present:

Wesley Corbitt  
Forrest Floyd  
Roger Burdette  
Jamie Deloach  
Phil Kieffer

Members Absent:

Reginald Loper





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<b>01 Plat/Deed/Agmt</b>	Consideration to approve a Final Plat, Warranty Deed and Stormwater Maintenance Agreement to convey infrastructure for Park West, Phase 5B located off of Highway 30	Postponed 01/05/2021	
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05 <b>Calendar</b> <i>Christy Carpenter</i>	Consideration to approve the Budget Calendar for fiscal year 2022		
<b>XI Reports from Administrative Staff &amp; Commissioners</b>			
<b>XII Executive Session</b>	Discussion of Personnel, Property and Pending Litigation		
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	acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		
06 Second Reading	Consideration to approve the Second Reading of an application by <b>John H. Andrews</b> to rezone 0.68 acres located at 1455 Goshen Road from AR-2 to AR-1 to combine with an adjacent parcel Map# 434 Parcel# 21 in the Second District		
07 Public Hearing	The Planning Board recommends approving an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		
08 Second Reading	Consideration to approve the Second Reading an application by <b>Crystal Henry, agent for Kathy Lovejoy</b> to rezone 1 acre of 7.90 acres located at 126 Oak Street from AR-1 to AR-2 for the creation of a home site Map# 450D Parcel# 15 in the Second District		
09 Public Hearing	The Planning Board recommends approving an application by <b>Rev. Rothell Wasson Jr for Savannah Baptist Association</b> to rezone 4 acres located at 1200 Honey Ridge Road frp, AR-1 to AR-2 to allow for the separation of a church site Map# 273 Parcel# 10 in the Second District		
10 Second Reading	Consideration to approve the Second Reading of an application by <b>Rev. Rothell Wasson Jr for Savannah Baptist Association</b> to rezone 4 acres located at 1200 Honey Ridge Road frp, AR-1 to AR-2 to allow for the separation of a church site Map# 273 Parcel# 10 in the Second District		
11 Public Hearing	The Planning Board recommends approving an application by <b>Ulric M. &amp; Ramona L. Roberts</b> to rezone 2.88 acres out of 19.23 acres located at on Clyo Kildare Road from AR-1 & R-1 to AR-2 to allow for the recombination of the parcels Map# 283 Parcel# 4A, 33 in the Third District		
12 Second Reading	Consideration to approve the Second Reading of an application by <b>Ulric M. &amp; Ramona L. Roberts</b> to rezone 2.88 acres out of 19.23 acres located at on Clyo Kildare Road from AR-1 & R-		

# EFFINGHAM COUNTY BOARD OF COMMISSIONERS (TENTATIVE) COMMISSION MEETING AGENDA

*Effingham County Administrative Complex  
Commission Meeting Chambers  
601 North Laurel Street, Springfield GA 31329*

**January 19, 2021– 5:00 PM**

(Also aired via teleconference)

Dial - **1-650-419-1505** Access Code – **106822973**)

	1 to AR-2 to allow for the recombination of the parcels Map# 283 Parcel# 4A, 33 in the Third District		
13 Public Hearing	The Planning Board recommends approving an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		
14 Second Reading	Consideration to approve the Second Reading of an application by <b>Alden Strandburg</b> to rezone a 2 acres out of 12.94 acres located on Hwy 119 South from AR-1 to AR-2 to create a home site Map# 320 Parcel# 24 in the Third District		
15 Public Hearing	The Planning Board recommends approving an application by <b>Green Acres LLC. as agent for William D. Hutcheson</b> for a Variance located on Old Augusta Road to allow for a 30 foot access easement Map# 333 Parcel# 2 & 3 in the Third District		
16 Second Reading	Consideration to approve the Second Reading of an application by <b>Green Acres LLC. as agent for William D. Hutcheson</b> for a Variance located on Old Augusta Road to allow for a 30 foot access easement Map# 333 Parcel# 2 & 3 in the Third District		
17 Public Hearing	The Planning Board recommends approving an application by <b>Craig Addison</b> to rezone 5 acres located at 2354 Low Ground Road from R-1 to AR-1 to allow for a second dwelling for an immediate family member Map# 372A Parcel# 3 in the Fourth District		
18 Second Reading	Consideration to approve the Second Reading of an application by <b>Craig Addison</b> to rezone 5 acres located at 2354 Low Ground Road from R-1 to AR-1 to allow for a second dwelling for an immediate family member Map# 372A Parcel# 3 in the Fourth District		
19 Public Hearing	The Planning Board recommends approving an application by <b>George Bishop</b> for a Conditional Use located at 377 High Bluff Road to create a cemetery for family use on a parcel zoned AR-1 Map# 459 Parcel# 66 in the Fourth District		

**EFFINGHAM COUNTY BOARD OF COMMISSIONERS  
(TENTATIVE) COMMISSION MEETING AGENDA**

*Effingham County Administrative Complex  
Commission Meeting Chambers*

*601 North Laurel Street, Springfield GA 31329*

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*Dial - 1-650-419-1505 Access Code – 106822973)*

20 Second Reading	Consideration to approve the Second Reading of an application by <b>George Bishop</b> for a Conditional Use located at 377 High Bluff Road to create a cemetery for family use on a parcel zoned AR-1 Map# 459 Parcel# 66 in the Fourth District		
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**XV Adjournment**

## Staff Report

**Subject:** MOU with Effingham County United Methodist Campground for use as a critical workforce shelter and/or post event shelter. (Critical Workforce Shelter Initiative)

**Author:** Alison Bruton, Purchasing Tech; Clint Hodges EEMA Director

**Department:** EEMA

**Meeting Date:** January 19, 2021

**Item Description:** Consideration to renew the Memorandum of Understanding with Effingham County United Methodist Campground for use as a critical workforce shelter and/or post event shelter (Critical Workforce Shelter Initiative)

**Summary Recommendation:** Staff recommends renewal of the MOU with Effingham County United Methodist Campground

### **Executive Summary/Background:**

- The MOU outlines the obligations for both Effingham County and the Effingham County United Methodist Campground.
- The critical workforce shelter initiative supports all hazards emergency management missions for Effingham County and provides support for the first responders families during a disaster.
- The County can terminate the MOU with 30 days written notice.

### **Alternatives for Commission to Consider:**

1. Board approval to allow the Memorandum of Understanding with Effingham County United Methodist Campground for use as a critical workforce shelter and/or post event shelter to automatically renew for the period February 3, 2021 until February 3, 2022.
2. Cancel the Memorandum of Understanding.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** EEMA

**Funding Source:** No funding is required

**Attachments:** Memorandum of Understanding with Effingham County United Methodist Campground





MEMORANDUM OF UNDERSTANDING  
BETWEEN

**Effingham County Board of Commissioners**  
**-Emergency Management Agency-**

AND

**Effingham County United Methodist Campground**

**I. Parties**

This Memorandum of Understanding (herein referred to as "MOU") is made and entered into by and between the Effingham County Board of Commissioners, whose address is 601 North Laurel Street, Springfield, Georgia 31329, and the Effingham County United Methodist Campground whose address is 306 West First Street, Springfield, Georgia 31329.

**II. Purpose**

The purpose of this Memorandum of Understanding is to establish the terms and conditions under which the Effingham County Methodist Campground youth building and kitchen may be used as a critical workforce shelter and/or post event shelters when requested by the Emergency Management Agency of Effingham County. The shelter agreement also encompasses the parking of equipment and supplies that will accompany the personnel.

**III. Terms**

This MOU is effective upon the day and date signed and executed by the duly authorized representatives of the parties to this MOU and shall remain in effect for a period of one (1) year. This MOU shall automatically renew annually however may be terminated, without cause, by either party upon 30 days written notice, which notice shall be delivered by hand or by certified mail to the address listed above.

**IV. Payment**

The Effingham County Board of Commissioners will be responsible for payment and reimbursement for any damage, with the exclusion of reasonable wear, tear, force majeure and use herein permitted done to the facility while this MOU is in effect and the provisions established by the MOU are activated. An inspection of the facility will be conducted by representatives of both parties immediately after operations to document any post event existing conditions. Under the provisions of O.C.G.A. title 38-3-32, Georgia Emergency Management Act of 1981, Immunity is granted through certain conditions of law. To the extent not prohibited by Georgia Law, Effingham County covenants to indemnify and hold harmless Effingham County Methodist





Campground and any of their officers, directors, agents, employees and representatives from any and every claim, demand, or judgment asserted against them, arising from any incident which occurs in connection with the use of the facility which is caused by negligence or willful misconduct of Effingham County, its employees, agents, and representatives during the execution of this MOU.

**V. General Provisions**

**A. Amendments**

Either party may request changes to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.

**B. Applicable Law**

The construction, interpretation and enforcement of this MOU shall be governed by the laws of the State of Georgia.

**C. Authority Granted and Chain of Command**

The MOU Primary Coordinators identified in section 8A and 8B are authorized to coordinate the planning, exercise, execution and operation of the terms of this MOU. Unless the primary coordinators identified in Section 8A and 8B are executive members with authority to make commitments on behalf of their respective organization, neither of the primary coordinators shall have the authority to commit funds of either governing body without the proper approval through their respective organizations.

**D. Entirety of Agreement**

This MOU consist of the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

**E. Severability**

Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in effect, and either party may renegotiate the terms affected by the severance.

**F. Sovereign Immunity**

Effingham County, Effingham County Emergency Management Agency, and their respective governing bodies do not wave their sovereign immunity by entering into this MOU. Each party to the MOU fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.



**G. Third Party Beneficial Rights**

The parties do intend to allow The Salvation Army, The American Red Cross, The Coastal Health District and/or a volunteer civic group access during an event which creates the status of a third party beneficiary. The parties to this MOU intend and expressly agree that only the parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU; to seek any remedy arising out of the parties performance or failure to perform any term or condition of this MOU; or bring an action for the breach of this MOU.

**VI. Responsibilities**

**A. The Effingham EMA Director responsibilities shall include;**

1. Administer this MOU for Effingham County Board of Commissioners.
2. Cooperatively plan, exercise and execute the provisions of this MOU with the identified Effingham County Methodist Campground primary coordinator.
3. Provide the Effingham Methodist Campground representative an estimated timetable for the occupation of the identified buildings. This will also include the time for facility clearance.
4. Provide a representative for the post inspections after operations.
5. Insure that the facility is returned to the Effingham County Methodist Campground in a clean and fully operational condition of its original state.
6. Provide security during the time the facility is occupied through the Emergency Operations Plan Emergency Support Function (ESF) 13.
7. Designate a facility manager to coordinate operations with the Effingham County Methodist Campground designated Liaison Officer.
8. Determine which third party beneficiary shall be included in operations.

**B. The Effingham County Methodist Campground responsibilities shall include;**

1. Designate a staff member in Section 8B as the primary coordinator for this MOU and cooperatively plan, exercise and execute the provisions of this MOU with identified Effingham Emergency Management Agency primary coordinator.
2. Emergencies are very unpredictable, therefore the Effingham Emergency Management Agency shall be notified 10 days in advance of when the facility will not be available for occupancy.
3. Provide EEMA with immediate access upon activation of this MOU.
4. Provide a representative for the post inspection.
5. Designate a liaison officer to coordinate operations with the facility manager from Effingham County EMA.





**VII. Limitations of Use**

The use of the Effingham County Methodist Campground shall be limited to the youth building, kitchen and any other areas agreed prior to the occupation of the building by both representatives.

**VIII. MOU Primary Coordinators**

**A. Effingham County Emergency Management Agency.**

The Primary Coordinator for this MOU will be:

Clint Hodges, Director

Effingham County Emergency Management Agency

601 North Laurel Street, Springfield, GA 31329

(912) 754-8200 Office

(912) 547-8924 Mobile

Email address: [eeema@effinghamcounty.org](mailto:eeema@effinghamcounty.org)

**B. Effingham County Methodist Campground**

The Primary Coordinator for this MOU will be:

Jason Hinely

306 West First Street, Springfield, GA 31329

(912) 754-1459 Email address: [hinelyj@hgmail.com](mailto:hinelyj@hgmail.com)

**VII. Signatures**

In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood and agreed to the terms and conditions of this MOU as set forth herein.

  
\_\_\_\_\_  
Wesley Corbitt, Chairman  
Effingham County Board of Commissioners

02/07/2017  
Date Auto Renewal

  
\_\_\_\_\_  
Jason Hinely, Chairman  
Effingham County Methodist Campground

1/9/15  
Date

This concludes the Memorandum of Understanding between the  
Effingham County Board of Commissioners –  
Effingham Emergency Management Agency and the Effingham County Methodist Campground

## Staff Report

**Subject:** Final Plat Approval  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** D.R. Horton requests approval of the final plat for Park West, ph 5B

### Summary Recommendation:

Staff have reviewed the final plat, and inspected the roads, and water, sewer, and stormwater infrastructure identified in the warranty deed, and recommend approval.

### Executive Summary/Background:

- D.R. Horton's contractors have built roads, and water, sewer, and stormwater infrastructure for phase 5B. In order to sell the 67 lots of phase 5B for home construction, the final plat must be approved, and the roads, and water, sewer, and stormwater infrastructure accepted by the Board of Commissioners.
- EOM reviewed the plat, and inspected the right of way and all public utilities located within the right of way of phase 5B, and recommend approval.
- Staff reviewed the final plat and checklist. All documents are in order, and consistent with zoning, plans, and plats approved previously.
- EOM reviewed the bond recommendation, and approved the bond for \$103,825.15, which is 10% of the total cost of water, sewer, drainage, and paving in phase 5B.
- The County Attorney reviewed and approved the warranty deed.

### Alternatives for Commission to Consider

1 - Approve the final plat for Park West ph 5B, and accept the roads, and water, sewer, and stormwater infrastructure identified in the warranty deed.

2 – Take no action

### Recommended Alternative:

Alternative 1

**Other Alternatives:** N/A

**Department Review:** Development Services; EOM; County Attorney.

**Funding Source:** No new funding requested.

### Attachments:

1. Final Plat for Park West, Ph 5B
2. Final Plat Submittal Form & Checklist
3. EOM recommendation
4. Bond
5. Warranty Deed for infrastructure
6. Stormwater Maintenance Agreement



2020/12/21 10:02:00 (GMT-05:00) 2020/12/21 10:02:00 (GMT-05:00) 2020/12/21 10:02:00 (GMT-05:00)

THIS SPACE RESERVED FOR THE  
CLERK OF SUPERIOR COURT

LINE	BEARING	LENGTH
L1	N 24°24'04" E	28.58'
L2	S 49°45'47" E	33.25'

LINE	BEARING	LENGTH
L3	N 24°24'04" E	23.09'

ACREAGE TABLE	
LOTS (67)	11.331 AC.
RIGHT OF WAY	3.140 AC.
COMMON AREA	1.910 AC.
TOTAL	16.381 AC.

LINE	BEARING	LENGTH
L1	N 24°24'04" E	28.58'
L2	S 49°45'47" E	33.25'

CURVE TABLE - PHASE 5B LIMITS				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	1145.00'	4.88'	N 51°33'30" W	4.88'
C2	855.00'	156.95'	N 56°41'41" W	10°31'03"
C3	855.00'	64.91'	N 68°31'45" W	84.88'
C4	975.00'	7.75'	S 7°08'46" E	7.75'
C5	1145.00'	81.30'	S 68°53'03" E	81.28'
C6	645.00'	178.27'	N 32°19'08" E	177.70'
C7	445.00'	777.77'	S 00°16'27" W	682.48'
C8	355.00'	73.56'	S 44°26'31" W	73.43'

CURVE TABLE - ROAD CENTERLINE				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C9	1000.00'	5.21'	N 51°35'07" W	5.21'
C10	1000.00'	247.19'	N 58°31'03" W	246.56'
C11	1000.00'	92.84'	N 68°15'31" W	92.81'
C12	300.00'	126.48'	N 12°19'24" E	125.54'
C13	500.00'	138.19'	N 32°19'08" E	137.75'
C14	300.00'	524.34'	S 00°16'27" W	460.10'
C15	500.00'	103.10'	S 44°28'16" W	102.91'

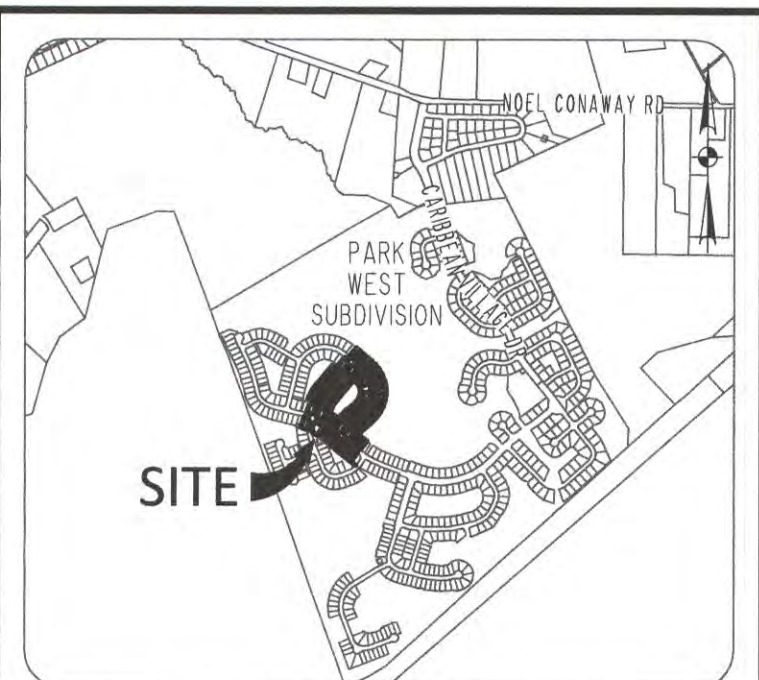
CURVE TABLE - LOTS				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C16	1075.00'	4.37'	N 51°33'30" W	4.37'
C17	975.00'	36.46'	N 52°30'26" W	36.45'
C18	975.00'	64.26'	N 55°27'59" W	64.25'
C19	975.00'	87.30'	N 59°55'11" W	87.27'
C20	25.00'	43.47'	S 67°42'26" W	38.19'
C21	275.00'	97.03'	S 07°47'29" W	96.32'
C22	325.00'	98.40'	N 11°04'41" E	17°24'54"
C23	25.00'	38.54'	N 24°22'51" W	34.84'
C24	975.00'	40.35'	N 69°43'58" W	40.34'
C25	1025.00'	46.33'	S 69°37'24" E	46.33'
C26	25.00'	38.08'	N 68°02'11" E	34.50'
C27	525.00'	27.33'	N 25°13'44" E	27.38'
C28	525.00'	54.93'	N 30°23'15" E	54.91'
C29	525.00'	54.93'	N 36°22'58" E	54.91'
C30	525.00'	7.85'	N 39°48'31" E	7.85'
C31	25.00'	39.27'	N 04°45'47" W	35.36'
C32	325.00'	34.18'	S 48°44'58" E	34.18'
C33	325.00'	51.87'	S 39°09'47" E	51.81'
C34	325.00'	51.87'	S 30°01'09" E	51.81'
C35	325.00'	51.87'	S 20°52'31" E	51.81'
C36	325.00'	51.87'	S 11°43'54" E	51.81'
C37	325.00'	51.87'	S 02°13'04" E	56.84'
C38	329.86'	56.87'	S 07°51'11" W	56.80'
C39	325.00'	51.87'	S 17°23'56" W	51.81'
C40	325.00'	51.87'	S 26°32'34" W	51.81'
C41	325.00'	51.87'	S 35°41'12" W	51.81'
C42	325.00'	51.87'	S 44°49'50" W	51.81'
C43	325.00'	51.87'	S 53°53'25" W	51.81'
C44	475.00'	29.61'	S 48°35'31" W	29.61'
C45	475.00'	68.33'	S 42°41'06" W	68.27'
C46	25.00'	39.27'	S 06°26'10" E	35.36'
C47	25.00'	39.27'	S 15°33'50" W	35.36'
C48	1025.00'	53.95'	S 64°02'02" W	53.95'
C49	1025.00'	25.44'	N 56°33'10" W	25.43'
C50	1025.00'	53.95'	N 58°46'18" W	53.95'
C51	1025.00'	46.33'	N 61°34'28" W	46.33'
C52	25.00'	38.08'	N 19°14'03" W	34.50'
C53	475.00'	46.43'	N 27°12'04" E	46.41'
C54	475.00'	74.18'	N 34°28'46" E	74.18'
C55	475.00'	10.60'	N 39°35'50" E	10.60'
C56	25.00'	39.27'	N 85°14'13" E	35.36'
C57	275.00'	54.25'	S 44°06'44" E	54.16'
C58	275.00'	83.52'	S 29°45'37" E	83.20'
C59	266.41'	109.84'	S 09°32'22" E	109.84'
C60	275.00'	88.86'	S 11°41'13" W	88.47'
C61	275.00'	80.24'	S 28°51'09" W	79.96'
C62	275.00'	63.19'	S 43°47'41" W	63.06'
C63	525.00'	41.64'	S 48°06'22" W	41.63'
C64	525.00'	54.37'	S 42°15'37" W	54.37'
C65	525.00'	12.22'	S 39°13'51" W	12.22'
C66	855.00'	31.97'	N 52°30'26" W	31.97'
C67	855.00'	56.35'	N 55°27'59" W	56.34'
C68	855.00'	68.63'	N 59°39'15" W	68.61'
C69	645.00'	33.63'	N 25°13'44" E	33.64'
C70	645.00'	67.49'	N 30°23'15" E	67.46'
C71	645.00'	67.49'	N 36°22'58" E	67.46'
C72	645.00'	9.64'	N 39°48'31" E	9.64'
C73	445.00'	46.82'	N 46°44'56" W	46.80'
C74	445.00'	71.02'	S 39°09'47" E	70.94'
C75	445.00'	71.02'	S 30°01'09" E	70.94'
C76	445.00'	71.02'	S 20°52'31" W	70.94'
C77	445.00'	71.02'	S 11°43'54" E	70.94'
C78	445.00'	79.21'	S 02°13'04" E	79.11'
C79	445.00'	76.02'	N 07°56'00" E	75.93'
C80	445.00'	71.02'	N 17°23'56" E	70.94'
C81	445.00'	71.02'	S 26°32'34" W	70.94'
C82	445.00'	71.02'	S 35°41'12" W	70.94'
C83	445.00'	71.02'	S 44°49'50" W	70.94'
C84	445.00'	7.58'	S 49°53'25" W	7.58'
C85	355.00'	22.13'	S 48°35'31" W	22.13'
C86	355.00'	51.83'	S 53°53'25" W	51.83'
C87	1145.00'	27.77'	N 52°07'51" W	27.77'
C88	1145.00'	60.27'	N 54°20'02" W	60.26'
C89	1145.00'	60.27'	N 58°46'18" W	60.26'
C90	1145.00'	81.30'	N 62°18'49" W	81.28'
C91	355.00'	34.61'	N 27°12'04" E	34.61'
C92	355.00'	55.49'	N 34°28'46" E	55.44'
C93	355.00'	7.93'	N 39°35'50" E	7.93'
C94	155.00'	30.57'	S 44°06'44" E	30.53'
C95	155.00'	47.08'	S 29°45'37" E	46.90'
C96	155.00'	62.33'	S 09°32'22" E	61.91'
C97	155.00'	50.08'	S 11°41'13" W	49.87'
C98	155.00'	45.23'	S 28°51'09" W	45.07'
C99	155.00'	35.62'	N 43°47'41" E	35.54'
C100	645.00'	51.15'	S 48°06'22" W	51.14'
C101	645.00'	66.83'	S 42°15'37" W	66.80'
C102	975.00'	6.04'	N 52°36'49" W	6.04'
C103	1025.00'	24.86'	N 52°07'51" W	24.86'



LEGEND

- BENCHMARK
- COMPUTED POINT (NO MONUMENT)
- IRON PIPE (FOUND)
- IRON PIPE (SET)

- ADJOINER PROPERTY LINE
- SUBJECT PROPERTY LINE
- FLOOD ZONE LIMITS
- INTERIOR PARCEL/LOT LINE
- RIGHT OF WAY LINE
- UTILITIES EASEMENT
- BUILDING SETBACK
- FRESHWATER WETLAND



VICINITY MAP not to scale

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CERTIFICATE OF OWNERSHIP AND DEDICATION

IT IS HEREBY CERTIFIED THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY DEDICATE ALL STREETS, RIGHTS-OF-WAY, EASEMENTS AND ANY SITES FOR PUBLIC USE, AS NOTED ON THIS PLAT FOR THE USES INTENDED

JARED SAKO  
D.R. HORTON, INC.  
(AS AGENT)

1-13-2021  
DATE

CERTIFICATE OF APPROVAL FOR RECORDING

THE SUBDIVISION PLAT KNOWN AS 'A MAJOR SUBDIVISION OF PARK WEST, PHASE 5B' HAS BEEN FOUND TO COMPLY WITH THE EFFINGHAM COUNTY SUBDIVISION REGULATIONS AND WAS APPROVED BY THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA.

MATTHEW D. JONES  
GA PLS #3338

1/12/2020  
DATE

EFFINGHAM COUNTY BOARD OF COMMISSIONERS

CHAIRMAN  
CLERK (WITNESS)

DATE  
DATE

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE, CORRECT, AND ACCURATE SURVEY AS REQUIRED BY EFFINGHAM COUNTY SUBDIVISION REGULATIONS, AND THAT MONUMENTS SHOWN HAVE BEEN LOCATED AND PLACED TO THE SPECIFICATIONS SET FORTH IN SAID REGULATIONS

MATTHEW D. JONES  
GA PLS #3338

1/12/2020  
DATE

SURVEYOR'S CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

GEORGIA REGISTERED LAND SURVEYOR  
No. 3338  
MATTHEW D. JONES  
GA PLS #3338

MAJOR SUBDIVISION

PARK WEST PHASE 5B

9TH G.M. DISTRICT,  
EFFINGHAM COUNTY, GEORGIA

prepared for  
D.R. HORTON, INC. &  
PARK WEST SOUTH EFFINGHAM  
HOMEOWNERS ASSOCIATION, INC.

THOMAS & HUTTON

50 Park of Commerce Way  
Savannah, GA 31405 • 912.234.5300  
www.thomasandhutton.com

plot drawn reviewed field crew  
01/12/2021 BA MDJ 12/10/2020 JH

job 24017.5001 SHEET 1 OF 1

- NOTES
- FIELD EQUIPMENT USED FOR THIS SURVEY: GEOMAX ZOOM90 R2
  - THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE RATIO OF 1 FOOT IN 69,800 FEET, AN ANGULAR ERROR OF 2" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD.
  - ALL CORNERS MARKED WITH 3/4" IRON PIPE, 24" LONG WITH CAP STAMPED "TH" UNLESS OTHERWISE NOTED
  - THIS PLAT HAS A PRECISION OF ONE FOOT IN 23,157 OR BETTER
  - ELEVATIONS ARE BASED ON NAVD83, UNLESS OTHERWISE NOTED
  - COORDINATES AND DIRECTIONS ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (NAD83), EAST ZONE
  - ACCORDING TO FIRM MAP NO. 13030C, PANEL 0366E AND 0370E, REVISED MARCH 16, 2015, A PORTION OF THE PROPERTY SHOWN ON THIS PLAT LIES WITHIN SPECIAL FLOOD HAZARD AREA, ZONE A (NO BASE ELEVATION DETERMINED), AND ZONE X. PLAT SHALL NOT BE USED FOR FLOOD ZONE DETERMINATION. IT IS THE RESPONSIBILITY TO REFERENCE CURRENT FEMA FLOOD INSURANCE RATE MAPS. THE FEMA FLOOD INSURANCE MAPS CHANGE PERIODICALLY AND MAY VARY FROM WHAT IS SHOWN ON THE PLAT.
  - WETLANDS THAT MAY EXIST ON THE PROPERTY ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS AND THE DEVELOPER ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT PROPER PERMIT AND APPROVAL. WETLANDS SHOWN HEREON TAKEN FROM THAT WETLAND IMPACT PERMIT NO. SAS-2000-13360, DATED DECEMBER 22, 2017, PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS (USACE).
  - STORMWATER DETENTION AREAS SHALL NOT BE MAINTAINED BY EFFINGHAM COUNTY, HOWEVER ACCESS AND MAINTENANCE RIGHTS ARE GRANTED TO THE COUNTY
  - SIDEWALKS SHALL BE PRIVATELY MAINTAINED BY THE PARK WEST SOUTH EFFINGHAM HOMEOWNERS ASSOCIATION, INC.
  - TAX MAP NUMBER: A PORTION OF 04190002
  - PROPERTY OWNER: D.R. HORTON, INC. (PER TAX RECORDS)
  - TITLE REFERENCE: DEED BOOK 280, PAGE 201
  - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD
  - THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE. WHERE A CONFLICT EXISTS BETWEEN THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND O.C.G.A. 15-6-67, THE REQUIREMENTS OF LAW PREVAIL.

- REFERENCES
- A MAJOR SUBDIVISION PLAT OF "PARK WEST SUBDIVISION, PHASE II-D", PREPARED FOR D.R. HORTON, INC., BY THOMAS & HUTTON ENGINEERING, DATED JUNE 28, 2017, RECORDED IN PLAT BOOK 28, PAGE 41, EFFINGHAM COUNTY RECORDS
  - A MAJOR SUBDIVISION PLAT OF "PARK WEST PHASE 5A", PREPARED FOR D.R. HORTON, INC., BY THOMAS & HUTTON ENGINEERING, DATED JUNE 22, 2020



## EFFINGHAM COUNTY FINAL PLAT SUBMITTAL FORM

### OFFICIAL USE ONLY

Date Received: \_\_\_\_\_ Project Number: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Name of Subdivision Park West - Phase 5B

Name of Applicant/Agent Michael Hughes, PE Phone 912-234-5300

Company Name Thomas & Hutton

Address 50 Park of Commerce Way, Savannah, GA 31405

Owner of Record\* D.R. Horton, Inc. - Jared O'Sako Phone 843-473-5200

Address 30 Silver Lake Road, Bluffton, SC 29909

Engineer\* Michael Hughes, PE Phone 912-234-5300

Address 50 Park of Commerce Way, Savannah, GA 31405

Surveyor\* Matthew Jones Phone 912-234-5300

Address 50 Park of Commerce Way, Savannah, GA 31405

\*Information may be left blank if it is the same as indicated on the sketch plan submittal form

Total acreage subdivided 16.381 Zoning PUD Number of Lots 67

Date of sketch plan approval NA Date of preliminary plan approval NA

Map#/Parcel# to be subdivided 04190002 List all contiguous holdings in the same ownership:

Map#/Parcel# \_\_\_\_\_

Water supply Public

Sewer supply Public

Have any changes been made since this Subdivision was last before the County Commission? No

If so, please describe: \_\_\_\_\_

The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 7th day of December, 2020

Julie A. Nelson  
Notary

Michael Hughes  
Applicant

Matthew Jones  
Owner



## EFFINGHAM COUNTY

### FINAL PLAT CHECKLIST

#### OFFICIAL USE ONLY

Subdivision Name: \_\_\_\_\_ Project Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

The following checklist is designed to inform applicants as to what is required in preparing final plats for review by Effingham County. The Final Plat must be drawn in ink by a Georgia Registered Land Surveyor on Mylar, and four (4) paper copies must be included. After the Final Plat is approved and **ALL** associated fees have been paid, it is the petitioner's responsibility to obtain the necessary signatures and to record the Final Plat with Clerk of Superior Court of Effingham County.

Office Use	Applicant Use
<b>Project Information:</b>	
<input checked="" type="checkbox"/>	1. Graphic scale.
<input checked="" type="checkbox"/>	2. Lot areas in accordance with the applicable zoning regulation or preliminary plan for planned development.
<input checked="" type="checkbox"/>	3. North arrow.
<input checked="" type="checkbox"/>	4. Land reference point.
<input checked="" type="checkbox"/>	5. Point of beginning designated.
<input checked="" type="checkbox"/>	6. Date of preparation (under Surveyor's signature).
<input checked="" type="checkbox"/>	7. Name of Subdivision.
<input checked="" type="checkbox"/>	8. Names of adjacent subdivisions and owners of adjoining parcels of land.
<input checked="" type="checkbox"/>	9. Names and widths of adjacent streets.
<input checked="" type="checkbox"/>	10. Names and widths of streets within subdivision. Names either match existing street names that align with proposed streets, or are not used elsewhere in Effingham County.
<input checked="" type="checkbox"/>	11. Plat boundaries darkened.
<input checked="" type="checkbox"/>	12. Proposed building setback lines.
<input checked="" type="checkbox"/>	13. Location of all existing easements or other existing features.
<input checked="" type="checkbox"/>	14. New easements required by Planning Department, County Utilities, Public Works Department, Telephone Company, etc.
<input checked="" type="checkbox"/>	15. Lots in new subdivisions are to be numbered consecutively from one to the total number of lots.
<input checked="" type="checkbox"/>	16. Lot lines with accurate dimensions in feet and tenths, and angles or bearings to the street when other than 90°.
<input checked="" type="checkbox"/>	17. Express dedication statement to the public for streets, alleys, access limitations, right-of-way, parks, school sites, and other public places shown on the attached plat.
<input checked="" type="checkbox"/>	18. Name, registration number, and seal of registered land surveyor or professional engineer (signed and dated).
<input checked="" type="checkbox"/>	19. Location of city limits and county lines, if applicable.



<input checked="" type="checkbox"/>	20. Location on the property to be subdivided of natural features such as streams, lakes, swamps, wetlands, and land subject to flood based on current effective FEMA Flood Insurance Rate Map (FIRM).
<input checked="" type="checkbox"/>	21. Digital copy of final plat geographically referenced to Georgia State Plane Coordinate System as further described on Attachment for Digital Submissions.
<input checked="" type="checkbox"/>	22. Certificate of Approval – To be signed by County Commission chair.
<input checked="" type="checkbox"/>	23. Signed Certificate of Accuracy.
<input checked="" type="checkbox"/>	24. Signed Certificate of Ownership and Dedication – Individuals.
<input checked="" type="checkbox"/>	25. Signed Certificate of Ownership and Dedication – Corporation (Corporate Seal must be affixed to plats; signature of one corporate officer).
<input checked="" type="checkbox"/>	26. Signed Certificate by Registered Engineer that all permitted improvements were installed in accordance with approved plans, accompanied by two complete sets of as-built construction plans as record drawings.
<input checked="" type="checkbox"/>	27. Signed Warranty Deed conveying all streets, utilities, parks, easements, and other government uses (except ponds), in a form approved by the county attorney.
<input checked="" type="checkbox"/>	28. Maintenance bond, letter of credit, escrow account, or certified check, which is available to the County to cover any necessary repair of infrastructure conveyed by warranty deed for a minimum of 10% of the total construction cost of such improvements.

The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 7<sup>th</sup> day of December, 2020

Julie A. Nelson  
Notary

[Signature]  
Applicant

[Signature]  
Owner





EOM Operations  
*Your solution to a better tomorrow*

Old Business 01  
January 19, 2021

December 23, 2020  
CC: Liberto Chacon, P.E  
Eric Larson, P.E

Teresa Concannon  
County Planner  
Effingham Board of Commissioners  
601 N Laurel Street  
Springfield, GA 31329

Re: Park West 5B Final Plat

Dear Ms. Concannon,

The Park West 5B has requested that the Effingham County accept roads, water, sanitary and storm sewer systems, located within the Right-of-Way, and the Final Plat for recording. After review of the Plat and visiting the site, we recommend that the Right-of-Way located within the Park West 5B, roads, water, sanitary and storm sewer systems, located within the Right-of-Way and the Final Plat to be accepted and recorded with following condition:

1. An approval of FEMA study should be submitted.

Please contact me if you have any questions or if you need any additional information.

Sincerely,

Srikar Velagapudi  
Civil Engineer  
EOM Operations



480 Edsel Drive, Ste 100  
Richmond Hill, GA 31324



Page 6 of 15  
[www.eomworx.com](http://www.eomworx.com)



Ph: 912.445.0050  
F: 912.756.5882

# MAINTENANCE BOND

Bond No. SU1169905

KNOW ALL MEN BY THESE PRESENTS:

That D.R. Horton, Inc.  
208 Argo Circle Bluffton, SC, 29909,  
as Principal, hereinafter called Contractor, and Arch Insurance Company  
Harborside 3, 210 Hudson Street Suite 300 Jersey City, NJ 07311-1107, as Surety, hereinafter called Surety, are held  
and firmly bound unto Effingham County Board of Commissioners  
601 North Laurel Street Springfield, GA 31329, as Oblige, hereinafter  
called Owner, in the penal sum of One Hundred Three Thousand Eight Hundred Twenty Five Dollars  
and 15/100 Dollars (\$ 103,825.15), for payment whereof Contractor  
and Surety bind themselves, their heirs, executors, administrators, successors, and assigns,  
jointly and severally, firmly by these presents.

WIIEREAS, Contractor has constructed various public improvements:

Park West - Phase 5B

in accordance with the General Conditions, the Drawings and Specifications, which Plans are by  
reference incorporated herein, and made a part hercof, and is referred to as the Plans.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall remedy any  
defects due to faulty materials or workmanship, and pay for any damage to other work resulting  
therefrom, which shall appear within a period of 1 year from the date of substantial  
completion of the work provided for in the Plans, then this obligation to be void; otherwise to  
remain in full force and effect.

PROVIDED, HOWEVER, that Owner shall give Contractor and Surety notice of observed  
defects with reasonable promptness.

SIGNED and sealed this 17th day of December, 2020.

In the presence of:

Mad Hope

D.R. Horton, Inc.  
Principal (Seal)

By: Sam Ochoa Assistant Secretary  
Title



Arch Insurance Company  
Surety

By: Noah William Pierce  
Noah William Pierce Attorney-in-Fact

SURPATH 2017

*This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.*

## POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

**Noah William Pierce**

its true and lawful Attorney-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations.

Surety Bond Number: SU1169905

Principal: D.R. Horton, Inc.

Obligee: Effingham County Board of Commissioners

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:

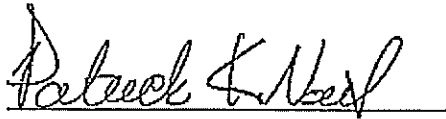
VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

SURPATH 2017

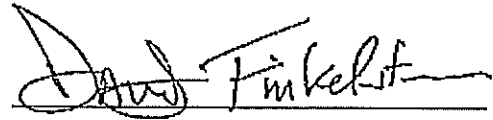
In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 28th day of September, 2017.

Attested and Certified

Arch Insurance Company



Patrick K. Nails, Secretary

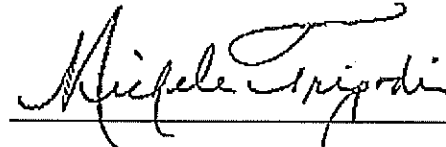
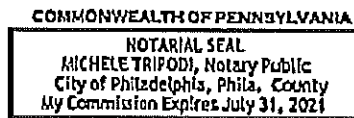


David M. Finkelstein, Executive Vice President

STATE OF PENNSYLVANIA SS

COUNTY OF PHILADELPHIA SS

I, Michele Tripodi, a Notary Public, do hereby certify that Patrick K. Nails and David M. Finkelstein personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.

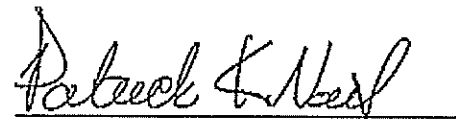


Michele Tripodi, Notary Public  
My commission expires 07/31/2021

#### CERTIFICATION

I, Patrick K. Nails, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated September 28, 2017 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said David M. Finkelstein, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 17th day of December, 2020.



Patrick K. Nails, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance – Surety Division  
3 Parkway, Suite 1500  
Philadelphia, PA 19102





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STATE OF GEORGIA                     )  
                                                           )  
COUNTY OF EFFINGHAM             )

**WARRANTY DEED**

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2020, between **D. R. HORTON, INC.**, a Delaware corporation, as Party of the First Part, hereinafter referred to as Grantor, and the **BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA**, as Party of the Second Part, hereinafter referred to as Grantee (the words “Grantor” and “Grantee” to include their respective, successors and assigns where the context requires or permits).

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid, at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee the following described property:

All those certain lots, tracts or parcels of land situate, lying and being in the 9<sup>th</sup> G.M. District of Effingham County, Georgia, and being shown and designated as the streets and rights of way known as Caribbean Village Drive, Barbados Road, and Tobago Circle on that certain plat of Park West Subdivision, Phase 5B, prepared by Matthew D. Jones, G.R.L.S. #3338, dated November 13, 2020, in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book \_\_\_\_, Page \_\_\_\_, said plat is incorporated herein by specific reference for a more particular description of the property herein conveyed. It is the intention of the Grantor to convey to the Grantee all of its interest in the aforementioned street or rights of way for public access.

TOGETHER WITH the water and sanitary sewer systems and drainage improvements located within said rights-of-way and public easements, all located within Park West Subdivision, Phase 5B, as shown on the aforementioned plat which are incorporated herein for descriptive and all other purposes but specifically excluding any sewer laterals, detention ponds, sidewalks, common areas, and any portion of the water system from the water meter to any residence.

TOGETHER WITH a perpetual, non-exclusive appurtenant, commercial, transmissible general utility easement for the installation, construction, maintenance, operation, repair and replacement of permanent above ground or underground utilities over, through and across and in those areas designated as utility easements, and drainage easements, including the right to ingress and egress over the easements, all located within Park West Subdivision, Phase 5B, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit, and behoof of the said Grantee forever, in fee simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal, on the day and year first above written.

**D. R. HORTON, INC.**  
**a Delaware corporation**

By: \_\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest: By: \_\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

[corporate seal]

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public



**ACCEPTED AND AGREED TO THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

BOARD OF COMMISSIONERS OF  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
Wesley Corbitt  
Chairman

Attest: \_\_\_\_\_  
Stephanie Johnson  
Effingham County Clerk

Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public

## Effingham County

### Stormwater Facility Inspection & Maintenance Agreement

---

THIS AGREEMENT, made and entered into this 7 day of DECEMBER, 20 20, by and between (Insert Full Name of Owner) D.R. HORTON, INC. his/her successors and assigns, including but not limited to any homeowners association, commercial developer, holder of any portion of the below described property, and/or similar (hereinafter called the "Landowner"), and the Effingham County Board of Commissioners, hereinafter called the "County".

WITNESSETH, that WHEREAS, the Landowner is the owner of certain real property described as (*Effingham County Tax Map/Parcel Identification Number*) TM# 04190-00000-002-00 and recorded by deed in the land records of Effingham County, Georgia, Deed Book B Page 93B, hereinafter called the "Property".

WHEREAS, the Landowner is proceeding to build on and develop the property; and

WHEREAS, the Stormwater Management Plan and the Operations and Maintenance Plan (O&M) known as PARK WEST PHASE 5B, (insert name of development) hereinafter called "the Plan", which is expressly made a part hereof, as approved or to be approved by the County, provides for detention of stormwater within the confines of the property; and

WHEREAS, the County and the Landowner, its successors and assigns, agree that the health, safety, and welfare of the residents of Effingham County, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property and in accordance with the Plan; and

WHEREAS, the County requires that on-site stormwater management facilities as shown within the Plan be constructed and adequately maintained by the Landowner, its successors and assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities shall be constructed by the Landowner, its successors and assigns, in accordance with the specifications identified in the Plan.
2. The Landowner, its successors and assigns, shall adequately maintain the stormwater management facilities and perform the work necessary to keep those facilities in good working order at all times, as described in the Plan. This includes all pipes, channels or other conveyances built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater runoff. Adequate maintenance is herein defined as good working condition so that these facilities are performing their approved design functions.
3. The Landowner, its successors and assigns, shall inspect the stormwater management facility and submit an inspection report annually to the County Administrator (or his designee). The purpose of the inspection is to ensure safe and proper functioning of the stipulated facilities. The inspection shall cover all applicable stormwater management facilities, including but not limited to, conveyance measures, berms, outlet structures, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report along with a schedule for repair. The inspection procedures, frequency and report shall follow the procedures established and approved in the Plan.
4. The Landowner, its successors and assigns, hereby grant permission to the County, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management facilities whenever the County deems necessary. The County shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.

5. In the event the Landowner, its successors and assigns, fails to maintain the stormwater management facilities in good working condition acceptable to the County, the County may issue citations to the Landowner for resulting, continuing ordinance violations, on a daily basis, until such time as the issues are satisfactorily resolved. Additionally, the County may enter upon the Property and take whatever steps necessary to correct deficiencies identified in the inspection report and to recover the costs of such repairs from the Landowner, its successors and assigns through the appropriate means. This provision shall not be construed to allow the County to erect any structure of permanent nature on the land of the Landowner outside of the easement for the stormwater management facilities. It is expressly understood and agreed that the County is under no obligation to routinely maintain or repair said facilities, and in no event shall this AGREEMENT be construed to impose any such obligation on the County.
6. Landowner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management facilities (including sediment removal) is outlined on the approved plan, the schedule will be followed.
7. In the event the County, pursuant to this AGREEMENT, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors and assigns, shall reimburse the County upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the County hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the County and the Landowner agrees to hold the County harmless from any liability in the event the stormwater management facilities fail to operate properly.
9. This Agreement shall be recorded among the land records of Effingham County, Georgia, and shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association.

## AUTHORIZATION

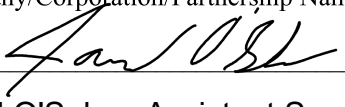
### OWNER:

WITNESS the following signatures and seals:

**DR Horton Inc.**

\_\_\_\_\_  
Company/Corporation/Partnership Name (Seal)

By: \_\_\_\_\_

  
**Jared O'Sako - Assistant Secretary**  
\_\_\_\_\_  
(Type Name and Title)

The foregoing AGREEMENT was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**COUNTY OF EFFINGHAM, GEORGIA**

By: \_\_\_\_\_

\_\_\_\_\_  
(Type Name and Title)

## Staff Report

**Subject:** Amendment to Part II, Appendix C, Article III General Provisions, Section 3.3  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Consideration to approve the **Second Reading** of amendments to Part II, Appendix C, Article III General Provisions, Section 3.3

**Summary Recommendation:** Staff has added accessory buildings in the front yard as an option for properties in the AR-1 and AR-2 zoning district, in *Section 3.3 Accessory Structures in Residential Districts*, and recommends approval of the revised ordinance language that will protect the integrity of adjacent properties and enhance land use opportunities for the community.

### Executive Summary/Background:

- Part II, Appendix C, Article III General Provisions, Section 3.3, does not allow accessory buildings in any area other than the side or rear yard in any zoning district.
- Owners of property in the AR-1 and AR-2 zoning districts periodically request variances to allow accessory structures in the front yard, to accommodate their storage needs and in order to preserve trees and wetlands in the rear portions of their properties.
- The location of primary and accessory structures on properties of five or more acres can be accommodated without affecting the aesthetics of surrounding properties, if all buildings meet the front setback requirements for the zoning district.
- Allowing accessory structures in the front, side, and rear yards in the AR-1 and AR-2 zoning districts to accommodate the needs of property owners with five or more acres eliminates the need for variance requests.
- The County Attorney has reviewed and approved the ordinance as to form.

### Alternatives for Commission to Consider

- 1 – Approve the Second Reading of an amendment to Part II, Appendix C, Article III General Provisions, Section 3.3
- 2 – Take no action.

### Recommended Alternative:

Alternative 1

**Other Alternatives:** N/A

**Department Review:** Development Services; County Attorney

**Funding Source:** N/A

### Attachments:

1. Article III General Provisions, Section 3.3

STATE OF GEORGIA  
EFFINGHAM COUNTY

AMENDMENT TO PART II, APPENDIX C,  
ARTICLE III OF THE EFFINGHAM COUNTY ZONING ORDINANCE

AN ORDINANCE TO AMEND ARTICLE III OF THE EFFINGHAM COUNTY ZONING  
ORDINANCE AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

**WHEREAS**, Effingham County continues to experience unprecedented growth from new development; and

**WHEREAS**, it is incumbent upon the County to continue to update, enhance and improve the County's Code of Ordinances, and

**WHEREAS**, the existing language in Article III – General Provisions, Section 3.3 *Accessory Buildings in residential districts* is unclear on requirements for the placement of accessory structures in the AR-agricultural residential districts, and

**WHEREAS**, the Board of Commissioners of Effingham County desires to provide consistent and fair guidelines for the development of properties within the County's jurisdictions, and

**NOW THEREFORE**, the Board of Commissioners of Effingham County has revised the existing Zoning Ordinance sections regarding the requirements for the construction of Accessory Structures in the agricultural residential districts.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof.

The text of the following section is to be revised and shall be re-inserted in **Section 3.3**:

**Article III General Provisions, Section 3.3**

**3.3 Accessory Structures in residential districts**

Accessory structures in **the R and PD-R** residential districts may be erected in any required court within any side or rear yard, **and accessory structures in the AR-1 and AR-2 agricultural residential districts may be erected in the front, side, or rear yard**, provided they conform to the following:

Maximum Height: one and a half story or 15 ft above finished grade in the R and PD-R districts; 35 ft in AR-1 and AR-2 districts.



An accessory structure shall not be less than five feet from the rear property line and not less than 10 feet from interior side setback lines.

An accessory structure shall not be less than 10 ft from a principal structure.

Accessory structures in the AR-1 and AR-2 agricultural residential districts may be placed in the front yard, on a property of at least five acres. All structures on the property must comply with the front setback requirements for a principal structure.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 2020.

BOARD OF COMMISSIONERS OF  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY CORBITT, CHAIRMAN

ATTEST: \_\_\_\_\_  
STEPHANIE JOHNSON, CLERK

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

## Staff Report

**Subject:** Approval of Purchase and Sale Agreement between Effingham County Board of Commissioners and the City of Springfield

**Author:** Alison Bruton, Purchasing Agent

**Department:** NA

**Meeting Date:** January 19, 2021

**Item Description:** Approval of Purchase and Sale Agreement

**Summary Recommendation:** Staff is requesting Approval of Purchase and Sale Agreement between Effingham County Board of Commissioners and the City of Springfield for the purchase of Parcel No. S101-0029, Treutlen Building

### Executive Summary/Background:

- The Treutlen Building, located at 403 N Pine. St., was approved for Surplus by the Board of Commissioners on November 17, 2020.
- Within 24 months of occupying the Property, the City of Springfield agrees to commence construction of a public park and a public parking lot on the Property, both of which will be for the public use and benefit of all citizens, residents, occupants and visitors of Effingham County.
- Phase I – Demolition of Treutlen Building – Year 1
- Phase II – Reconstruction of Ulmer ballfield into an event space – Year 1 and 2
- Phase III – Reconstruction of the park area north of the ballfield – Year 3
  - New bathrooms, lighting, play equipment
- The agreement has been reviewed by the County Attorney.

### Alternatives for Commission to Consider

1. Approval of Purchase and Sale Agreement between Effingham County Board of Commissioners and the City of Springfield for the purchase of Parcel No. S101-0029, Treutlen Building
2. Take no action

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** County Manager, County Attorney

**Funding Source:** N/A

### Attachments:

1. Purchase and Sale Agreement
2. Site Plan

STATE OF GEORGIA                    )  
                                                  )  
COUNTY OF EFFINGHAM        )

**PURCHASE AND SALE AGREEMENT**

This Purchase and Sale Agreement (“Agreement”) is made effective as of the \_\_\_\_ day of \_\_\_\_\_, 2021 by and between the Effingham County Board of Commissioners (“Seller”) and the City of Springfield (“Purchaser”).

**WITNESSETH:**

WHEREAS, pursuant to Art. IX, Sec. III, Para. 1 of the Constitution of the State of Georgia, the Effingham County Board of Commissioners and the City of Springfield are authorized to enter into intergovernmental agreements for periods not exceeding fifty (50) years in connection with activities such government entities are authorized to undertake, such as “the provision of services [] or for the joint or separate use of facilities or equipment;” and

WHEREAS, inter-governmental transfers of property are exempt from the requirement of competitive bidding pursuant to O.C.G.A. § 36-37-6(e)(2)(D); and

WHEREAS, the Seller and Purchaser agree that the construction of a public park and a public parking lot on the Property described herein would benefit both parties to this Agreement as well as the citizens and residents of Effingham County and the City of Springfield; and

NOW, THEREFORE, for and in consideration of the foregoing recitals, the sum of Ten Dollars (\$10.00) and the mutual covenants, representations, warranties, agreements, and provisions herein contained, the adequacy and sufficiency of which is hereby acknowledged under seal, Seller and Purchaser hereby agree as follows:

1. Purchase and Sale. The undersigned Seller agrees to sell and the undersigned Purchaser agrees to buy that certain real property (the “Property”) identified as Parcel No. S101-0029 in the Effingham County tax records. The sale includes all plants, trees, and shrubbery now planted on the premises, together with all fixtures and improvements.
2. Consideration. As consideration for this Agreement, within 24 months of occupying the Property, Purchaser agrees to commence construction of a public park and a public parking lot on the Property, both of which will be for the public use and benefit of all citizens, residents, occupants and visitors of Effingham County.

3. Title. Title to the Property shall be conveyed by Seller to Purchaser by quitclaim deed subject to all valid restrictions of record and zoning ordinances affecting the same.
4. Due Diligence Period. The property is being sold subject to a Due Diligence Period of 30 days from the date of this Agreement. During the Due Diligence Period, Purchaser and/or Purchaser's representatives shall have the right to enter the Property to inspect, examine, test, appraise and survey the Property. Seller shall cause all utilities, systems and equipment to be on so that Purchaser may complete all inspections. During the Due Diligence Period, Purchaser shall determine whether or not to exercise Purchaser's option to proceed or not proceed with the purchase of the Property. If Purchaser has concerns with the Property, Purchaser may, during the Due Diligence Period, seek to negotiate an amendment to this Agreement to address such concerns or elect to terminate this Agreement.
5. Closing. Closing shall be held within 60 days of the date of execution of this Agreement by both parties.
6. Occupancy. Occupancy shall be delivered to Purchaser 180 days after Closing.
7. Closing Costs. The Newberry Law Firm has been selected to be the closing attorney for this transaction, and all attorneys' fees incurred by that law firm shall be paid by the Purchaser. Additionally, to the extent applicable, all other closing costs including, but not limited to, intangible taxes, title insurance, recording costs, appraisal fees, and Georgia property transfer taxes, are to be paid by the Purchaser.
8. Special Stipulations. The following special stipulations and any addendums, if in conflict with any printed matter in this Agreement, shall control and take precedence over such printed matter.
  - a. Between Closing and the date Occupancy is delivered to Purchaser (i.e., 180 days after Closing), Seller shall remove all of its personal property from the Property. Thereafter, absent mutual agreement of the parties, Purchaser may occupy the Property and dispose of any of Seller's personal property that remains on the Property in any manner it chooses.
  - b. Purchaser shall commence construction of a public park and a public parking lot on the Property within 24 months of occupying the Property. Demolition of the structure on the Property shall constitute compliance with this stipulation.
  - c. In the event that Purchaser fails to comply with Section 8(b) of this Agreement, ownership of the Property shall revert to Seller and all parties'

obligations under this Agreement shall be extinguished.

- d. In the event that Purchaser sells the Property to a third party that is not a governmental entity, ownership of the Property shall not transfer to the non-governmental third party buyer, but shall instead revert to Seller.

9. Entire Agreement: This Agreement constitutes the entire agreement between the parties and shall be binding upon and inure to the benefit of all heirs, executors, administrators, successors and assigns of the respective parties hereto. All additions or modifications to this Agreement shall only be in writing and signed by all parties and shall become an addendum to this Agreement. No verbal agreements of any kind between the parties regarding the subject matter of this Agreement shall be binding upon the parties.

10. Governing Law. This Agreement and all other documents or instruments delivered pursuant hereto shall be governed by and interpreted in accordance with the laws of the State of Georgia.

11. Counterparts and Execution. This Agreement may be executed in multiple counterparts, each of which shall serve as an original for all purposes, but all copies shall constitute but one and the same Agreement, binding on all parties hereto whether or not each counterpart is executed by all parties hereto, so long as each party hereto has executed one or more counterparts hereof. To facilitate the execution and delivery of this Agreement, the parties may execute and exchange counterparts of the signature pages by facsimile or by electronic mail, and the signature page of either party to any counterpart may be appended to any other counterpart. The parties expressly acknowledge and agree that, notwithstanding any statutory or decisional law to the contrary, the printed product of a facsimile or electronic transmittal of this Agreement shall be deemed to be "written" and a "writing" for all purposes of this Agreement, and shall otherwise constitute an original document.

Executed in the presence of:

Witness the hand and seal  
of the undersigned:

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
NOTARY PUBLIC

PURCHASER:  
CITY OF SPRINGFIELD

By: \_\_\_\_\_ (SEAL)  
Barton A. Alderman, Mayor,  
City of Springfield

Executed in the presence of:

Witness the hand and seal  
of the undersigned:

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
NOTARY PUBLIC

SELLER:  
EFFINGHAM COUNTY BOARD OF  
COMMISSIONERS  
By: \_\_\_\_\_(SEAL)  
Wesley Corbitt, Chairman, Effingham  
County Board of Commissioners

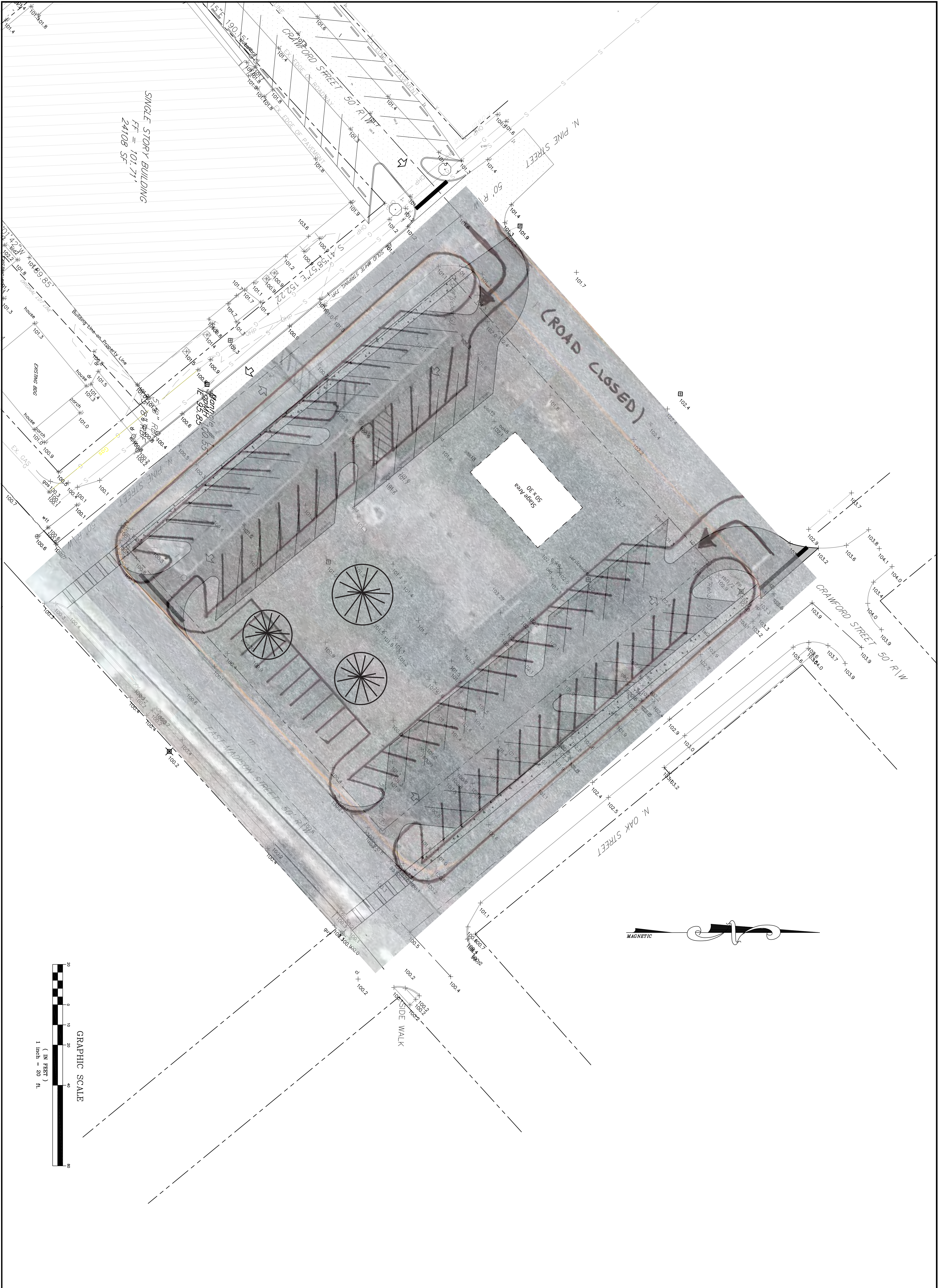
ATTEST: \_\_\_\_\_  
Stephanie D. Johnson  
Effingham County Clerk

This Agreement is approved as to form:

By: \_\_\_\_\_  
Lee Newberry  
Effingham County Attorney

By: \_\_\_\_\_  
Benjamin M. Perkins  
City Attorney,  
City of Springfield

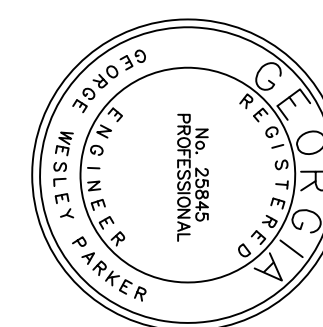




**prepared for:**  
**CITY OF SPRINGFIELD**



36 Courtland Street, Suite B  
Statesboro, Georgia 30458  
Phone: 912-764-7722





## Staff Report

**Subject:** Approval of PO for Mulch Purchase for Effingham County Playgrounds

**Author:** Alison Bruton, Purchasing Agent

**Department:** Parks and Landscaping

**Meeting Date:** January 19, 2021

**Item Description:** Approval of PO for Mulch Purchase

**Summary Recommendation:** Staff recommends approval of the PO for the purchase of Mulch from Bliss Products and Services for eight (8) Effingham County Playgrounds for a total of \$27,495.00

### Executive Summary/Background:

- An RFQ was published on December 7, 2020 requesting quotes for eight (8) Effingham County Playgrounds.

Playground Name	Address
<b>Tuckasee King Boat Ramp</b>	355 Tuckasee King Road - Clyo, GA 31303
<b>Clyo Community Center</b>	545 Fair Street - Clyo, GA 31303
<b>Pineora Baseball Complex</b>	310 Honey Ridge Rd - Guyton, GA 31312
<b>Meldrim Memorial Park</b>	Canoochee Ave South - Meldrim, GA 31318
<b>Recreation Department Complex</b>	808 GA-119 - Springfield, GA 31329
<b>Clarence Morgan Complex</b>	1750 HWY 21 South - Springfield, GA 31329
<b>Sandhill Complex</b>	300 Stagecoach Ave - Guyton, GA 31312
<b>RB Baker Lake</b>	224 Courthouse Road - Springfield, GA 31329

- Eight (8) companies submitted quotes. Bliss Products and Services was the lowest bidder with a total of \$27,495.00 for delivery of the mulch. A full bid tabulation is included with this Staff Report.

### Alternatives for Commission to Consider

- Approval of the PO for the purchase of Mulch from Bliss Products and Services for eight (8) Effingham County Playgrounds for a total of \$27,495.00
- Take no action.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Purchasing, Parks and Landscaping, Finance

**Funding Source:** Parks and Landscaping Operating Budget

**Attachments:**

- Bid Tabulation
- PO with Bliss Products and Services

## Bid Tabulation for RFQ 21-30-001

Item No.	Playground	CY Needed	Bella Color LLC - Mulch and Install	Bella Color LLC - Mulch Only	Bliss Products and Services	Cowart Mulch
1	Tuckasee King Boat Ramp	90	\$3,330.00	\$2,151.00	\$1,845.00	\$1,974.00
2	Clyo Community Center	270	\$9,990.00	\$6,453.00	\$5,535.00	\$5,922.00
3	Pineora Baseball Complex	90	\$3,330.00	\$2,151.00	\$1,900.00	\$1,974.00
4	Meldrim Memorial Park	270	\$9,990.00	\$6,453.00	\$5,955.00	\$5,922.00
5	Recreation Department Complex	180	\$6,660.00	\$4,302.00	\$3,830.00	\$3,948.00
6	Clarence Morgan Complex	40	\$1,480.00	\$956.00	\$1,265.00	\$919.00
7	Sandhill Complex	230	\$8,510.00	\$5,497.00	\$5,250.00	\$5,003.00
8	RB Baker Lake	90	\$3,330.00	\$2,151.00	\$1,915.00	\$1,974.00
9	Misc. Fees		\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL FEES</b>			<b>\$46,620.00</b>	<b>\$30,114.00</b>	<b>\$27,495.00</b>	<b>\$27,636.00</b>
Item No.	Playground	CY Needed	PlayCore - GameTime4	Mountain High Mulch	Mulch Outfitters	The Fibar Group, LLC
1	Tuckasee King Boat Ramp	90	\$2,875.00	\$2,700.00	\$2,160.00	\$2,528.00
2	Clyo Community Center	270	\$8,625.00	\$8,100.00	\$6,480.00	\$7,584.00
3	Pineora Baseball Complex	90	\$2,875.00	\$2,700.00	\$2,160.00	\$2,528.00
4	Meldrim Memorial Park	270	\$8,625.00	\$8,100.00	\$6,480.00	\$7,584.00
5	Recreation Department Complex	180	\$5,750.00	\$5,400.00	\$4,320.00	\$5,056.00
6	Clarence Morgan Complex	40	\$1,775.00	\$1,200.00	\$1,210.00	\$1,738.00
7	Sandhill Complex	230	\$7,745.00	\$6,900.00	\$5,720.00	\$6,952.00
8	RB Baker Lake	90	\$2,875.00	\$2,700.00	\$2,160.00	\$2,528.00
9	Misc. Fees		\$0.00	\$0.00	\$0.00	\$
<b>TOTAL FEES</b>			<b>\$41,145.00</b>	<b>\$37,800.00</b>	<b>\$30,690.00</b>	<b>\$36,498.00</b>

# PURCHASE ORDER

New Business 02  
January 19, 2021

## Effingham County Board of Commissioners

601 N LAUREL STREET  
SPRINGFIELD, GA 31329  
Phone: 912-754-2159  
Fax: 912-754-8413

DATE:  
P.O. #

1/19/2021  
RFQ 21-30-001

### VENDOR

Bliss Products and Services, Inc.  
6831 S. Sweetwater Road  
Lithia Springs, GA 30122

Attn: Ron Harley  
800-248-2547 / 850-661-1018

### SHIP TO

Effingham County Board of Commissioners  
601 N. Laurel Street  
Springfield, GA 31329  
ATTN : Alison Bruton  
912-754-2159

REQUISITIONER	SHIP VIA	F.O.B.	SHIPPING TERMS
ECBOC			

ITEM #	DESCRIPTION	QTY	UNIT PRICE	Delivery Fee	TOTAL
1	Tuckasee King Boat Ramp	90	\$13.00	\$675.00	\$1,845.00
2	Clyo Community Center	270	\$13.00	\$2,025.00	\$5,535.00
3	Pineora Baseball Complex	90	\$13.00	\$730.00	\$1,900.00
4	Meldrim Memorial Park	270	\$13.00	\$2,445.00	\$5,955.00
5	Recreation Department Complex	180	\$13.00	\$1,490.00	\$3,830.00
6	Clarence Morgan Complex	40	\$13.00	\$745.00	\$1,265.00
7	Sandhill Complex	230	\$13.00	\$2,260.00	\$5,250.00
8	RB Baker Lake	90	\$13.00	\$745.00	\$1,915.00
9	Misc. Fees	0	NA	NA	NA

SUBTOTAL \$ 27,495.00  
TAX RATE \$ -  
TAX \$ -  
S & H \$ -  
OTHER \$ -  
**TOTAL \$ 27,495.00**

### OTHER COMMENTS OR SPECIAL INSTRUCTIONS

ECBOC is a tax exempt entity. Tax ID# is 58-6000821

Bliss Products and Services, Inc. agrees to deliver mulch for Effingham County Playgrounds as described in the County's RFQ 21-30-001, related addendums, and as listed above. The County references the terms, conditions and specifications contained in the County's RFQ 21-30-001 and related addendums as superseding any and all other contracts, Purchase Orders or Agreements.

\_\_\_\_\_  
BLISS PRODUCTS AND SERVICES, INC - SIGNATURE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
BLISS PRODUCTS AND SERVICES, INC - PRINT NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AUTHORIZED BY - SIGNATURE

\_\_\_\_\_  
CHAIRMAN  
AUTHORIZED BY - TITLE

\_\_\_\_\_  
WESLEY CORBITT  
AUTHORIZED BY - PRINT NAME

\_\_\_\_\_  
AUTHORIZED DATE

RFQ No. 21-30-001 – Mulch for Playgrounds

**RFQ No. 21-30-001**

**QUOTE**

Item No.	Playground	CY Needed	Unit Price	Delivery Fee	Total Price
1	Tuckasee King Boat Ramp	90	\$ 13.00	\$ 675.00	\$ 1845.00
2	Clyo Community Center	270	\$ 13.00	\$ 2025.00	\$ 5535.00
3	Pineora Baseball Complex	90	\$ 13.00	\$ 730.00	\$ 1900.00
4	Meldrim Memorial Park	270	\$ 13.00	\$ 2445.00	\$ 5955.00
5	Recreation Department Complex	180	\$ 13.00	\$ 1490.00	\$ 9785.00
6	Clarence Morgan Complex	40	\$ 13.00	\$ 745.00	\$ 1265.00
7	Sandhill Complex	230	\$ 13.00	\$ 2260.00	\$ 5250.00
8	RB Baker Lake	90	\$ 13.00	\$ 745.00	\$ 1915.00
9	Misc. Fees		\$ 0.00	\$ 0.00	\$ 0.00

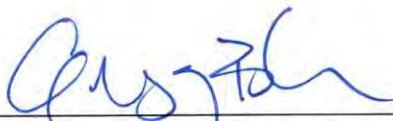
**TOTAL COST:** \$ 27,495.00

Proposing Company Contact Information:

Company Name:	Bliss Products and Services, Inc.		
Billing Address:	6831 S. Sweetwater Rd. Lithia Springs, GA 30122	Telephone:	800-248-2547
Service Address:	same	Telephone:	800-248-2547
Representative Name:	Ron Harley		
Representative Contact Address:	Tallahassee, FL	Telephone:	850-661-1013
		E-Mail:	ron@blissproducts.com

It is agreed by the undersigned offeror that the signature and submission of this proposal represents the vendor's acceptance of all terms, conditions and requirements of specifications and, if awarded, the proposal will become part of the contract agreement between the parties.

Signed: (manually, in ink)



(Signature of Authorized Representative of the Company)

Name Printed: Gregg Bliss Title: President Date: 12/24/2020

RFQ No. 21-30-001 – Mulch for Playgrounds

**EXCEPTION SHEET**

If Commodity(s) and/or Service proposed in quote is in ANYWAY different from that contained in this proposal, the Bidder is responsible for clearly identifying all such differences in the space below. Otherwise, it will be assumed that the Bidder's offer is in total compliance with all aspects of the proposal.

Below are the only differences between my offer and the County's proposal:

None.

12/24/2020  
DATE

  
SIGNATURE/TITLE

Bliss Products and Services, Inc.  
COMPANY



## Staff Report

**Subject:** Contract 21-105-003 to provide Professional Services for a new Sanitary Sewer Force Main

**Author:** Alison Bruton, Purchasing Agent

**Department:** Water/Sewer

**Meeting Date:** January 19, 2021

**Item Description:** Approval of Contract 21-105-003 to provide Professional Services for a new Sanitary Sewer Force Main

**Summary Recommendation:** Staff is recommending approval of Contract 21-105-003 with EMC Engineering to provide Professional Services for a new Sanitary Sewer Force Main

### Executive Summary/Background:

- In September 2020, an RFP was published requesting Professional Services to design a new sewer force main that will connect Hodgeville Lift Station #4 to the Effingham County WWTP.
- During the design for the Hodgeville Lift Station, it was determined that the current force main will not meet the capacity that would be needed for potential growth.
- The submittals have been reviewed by Charles George, Assistant County Manager Eric Larson, and EOM. A full bid tabulation is included with the Staff Report. EMC Engineering scored the highest after review, with Thomas and Hutton scoring second.
- The contract has been reviewed and approved by the County Attorney.

### Alternatives for Commission to Consider

1. Approval of Contract 21-105-003 with EMC Engineering for \$135,775.00.
2. Award 21-105-003 to Thomas and Hutton for \$142,950.00.
3. Take no action.

### Recommended Alternative: 1

### Other Alternatives: 2, 3

### Department Review: *Purchasing, Engineering*

**Funding Source:** Currently, there is no set funding for this purchase. A budget amendment would be needed to allocate funds.

### Attachments:

1. Bid Tabulation
2. Contract 21-105-003

<b>Bid Tabulation - Professional Services Sanitary Sewer Force Main 21-105-003</b>					
<b>Description</b>	<b>EMC Engineering</b>	<b>Parker Engineering</b>	<b>Coleman Company</b>	<b>Hussey, Gay, Bell</b>	<b>Thomas &amp; Hutton</b>
Surveying Phase	\$27,350.00	\$31,000.00	\$94,000.00	\$50,300.00	\$46,000.00
Permitting Phase	\$29,505.00	\$30,000.00	\$15,200.00	\$24,520.00	\$15,300.00
Design Phase	\$50,225.00	\$72,160.00	\$93,000.00	\$64,470.00	\$49,250.00
Bid Assistance Phase	\$3,500.00	\$5,000.00	\$4,700.00	\$4,590.00	\$3,500.00
Construction Services Phase	\$25,195.00	\$27,000.00	\$44,000.00	\$40,065.00	\$28,900.00
<b>TOTAL FEE</b>	<b>\$135,775.00</b>	<b>\$165,160.00</b>	<b>\$250,900.00</b>	<b>\$183,945.00</b>	<b>\$142,950.00</b>
<b>Description</b>	<b>EMC Engineering</b>	<b>Parker Engineering</b>	<b>Coleman Company</b>	<b>Hussey, Gay, Bell</b>	<b>Thomas &amp; Hutton</b>
Project Approach (20 pts)	20	20	20	20	20
Experience (30 pts)	28	25	28	30	30
Project Team (20 pts)	20	18	20	20	20
Bid Amount (30 pts)	30	23	5	22	27
<b>TOTAL FEE</b>	<b>98</b>	<b>86</b>	<b>73</b>	<b>92</b>	<b>97</b>

Services Contract

Between

Effingham County Board of Commissioners  
601 North Laurel Street  
Springfield, GA 31329

and

**EMC ENGINEERING SERVICES, INC.**  
**10 Chatham Center S., Ste. 100**  
**Savannah, GA 31405**

This Contract (hereinafter referred to as "Contract" or "Agreement") is made and entered into by and between the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the "Board" and/or "County") and **EMC ENGINEERING SERVICES, INC.** (hereinafter called the "Contractor"). This Contract shall be effective and binding on the date that the last authorized signature is affixed.

**WITNESSETH**

WHEREAS, the Board desires to engage a qualified company as specified in **RFP 21-105-003 - PROFESSIONAL SERVICES - NEW SANITARY SEWER FORCE MAIN**; and

WHEREAS, the Contractor has represented to the Board that it is experienced, licensed and qualified to provide the services contained herein, and the Board has relied upon such representation; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed by and between the Board and the Contractor as follows:

**ARTICLE I**  
**TERMS AND CONDITIONS OF THIS CONTRACT**

**SECTION I-1 TERMS OF SERVICE.**

The scope of services and the terms and conditions of performance shall be as specified in this document and in **RFP 21-105-003 - PROFESSIONAL SERVICES - NEW SANITARY SEWER FORCE MAIN** and related addenda which are hereby adopted and incorporated as if set forth fully herein.

**SECTION I.2 CONTRACT.**

This Contract is one time lump sum in the amount of **\$135,775.00.**

**SECTION I.3 REQUIREMENT FOR MANDATORY PERFORMANCE.**

The words "shall", "will" and "must" may be used interchangeably in this Contract and in any case will indicate mandatory.

**SECTION I-4 PERSONNEL AND EQUIPMENT.**

The Contractor represents that it has secured and will secure, at its own expense, all personnel and equipment necessary to perform the services of this Contract, none of whom shall be employees of, nor have any contractual relationship with Effingham County. All of the services required hereunder will be performed by the Contractor under its supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under law to perform such services.

**SECTION I-5 CHANGES TO THIS CONTRACT.**

The County may, at any time, request changes in the Scope of Services of the Contractor to be performed hereunder. Such changes, including any increase or decrease in term, rate, or amount of the Contractor's compensation, as more fully described elsewhere herein, which are mutually agreed upon by and between the County and the Contractor shall be incorporated in written amendments to this Contract.

**SECTION I-6 TERMINATION OF CONTRACT FOR CAUSE.**

County may terminate this Contract for cause or Contractor's persistent failure to perform the work in accordance with the Contract Documents. If County terminates the Contract for cause, Contractor shall not be entitled to any further payment from the effective date of the termination which shall be stated in the termination letter sent by the County.

**SECTION I-7 TERMINATION OF CONTRACT WITHOUT CAUSE.**

County may terminate without cause, upon seven (7) days written notice to Contractor. In such case, Contractor shall be paid for completed and acceptable work executed in accordance with this Contract prior to the effective date of

termination. Contractor shall not be paid on account of loss of anticipated profits or revenue or other economic loss arising out of or resulting from such termination.

**SECTION I-8 TERMINATION OF CONTRACT FOR LACK OF FUNDING.**

The obligation of the County for payment to the Contractor is limited to the availability of funds appropriated in the current fiscal year by the Effingham County Board of Commissioners.

**SECTION I-9 INDEMNIFICATION.**

To the fullest extent permitted by law, the Contractor shall indemnify and hold harmless County and its officers, directors, partners, employees, agents, consultants, and subcontractors from and against all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out of or relating to the performance of the work, but only to the extent caused by any negligent or willful act or omission of Contractor, its subcontractors and suppliers, or any individual or entity directly or indirectly employed by them to perform any of the work or anyone for whose acts any of them may be liable.

The Contractor's obligation to indemnify Effingham County under this Section shall not be limited in any way by the agreed upon contract price as shown in this Contract or by the scope and amount of insurance maintained by the Contractor.

**SECTION I-10 COVENANT AGAINST CONTINGENT FEES.**

The Contractor shall comply with the relevant requirements of all Federal, State, County or other local laws. The Contractor warrants this it has not employed or retained any company, person, other than a bona fide employee working solely for the Contractor, for any fee, commission, percentage, brokerage fee, gifts, or any consideration, contingent upon or resulting from the award or making of this contract.

For breach or violation of this warranty, the Board shall have the right to annul this Contract without liability or in its discretion to deduct from the Contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

**SECTION I-11 PROHIBITED INTERESTS.**

- A. Conflict of Interest. The Contractor and its subcontractors warrant that they presently have no interest and shall acquire no interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The Contractor further agrees that, in the performance of the Contract no person having such interest shall be employed.
- B. Statement of disclosure: Contractor must provide a statement of disclosure which will allow the County to evaluate possible conflicts of interest.

**Interests of Public Officials.**

Contractor warrants for itself and any subcontractor that no elected or appointed official or employee of Effingham County, Georgia, has any interest in their bid or the proceeds of any contract/agreement which may result thereof. In the event that an elected or appointed official or employee acquires any interest in any contract/agreement which may result from this bid, or the proceeds thereof, the vendor agrees to disclose such interest to the County immediately by written notice. For breach or violation of this clause, the County may annul any contract/agreement resulting from this bid without liability, terminate any contract/agreement resulting from this bid for default, or take other remedial measures. "Interest" as used herein means direct or indirect pecuniary or material benefit accruing to a county commissioner, official or employee as a result of a matter which is or which is expected to become the subject of an official action by or with the county, except for such actions which, by their terms and by the substance of their provisions, confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. The term "interest" shall not include any remote interest. For purposes of this bid, a county commissioner, official or employee shall be deemed to have an interest in the affairs of: (1) his or her family; (2) any business entity in which the county commissioner, official or employee is a member, officer, director, employee, or prospective employee; and (3) any business entity as to which the stock, legal ownership, or beneficial ownership of a county commissioner, official or employee is in excess of five percent of the total stock or total legal and beneficial ownership, or which is controlled or owned directly or indirectly by the county commissioner, official or employee. *Remote interest* as used herein means the interest of (1) a volunteer director, officer, or employee of a nonprofit corporation; (2) a holder of less than 5 percent of the legal or beneficial ownership of the total shares of a business; (3) any person in a representative capacity, such as a receiver, trustee, or administrator. *Family* as used herein means the spouse, parents, children, and siblings, related by blood, marriage, or adoption, of a county official or employee.

**SECTION I-12 AUDITS AND INSPECTIONS.**

At any time during normal business hours and as often as the County may deem necessary, the Contractor and its subcontractors shall make available to the County and/or representatives of the County, examination all of its records

with respect to all matters covered by this Contract. It shall also permit the County and/or representatives of the County to audit, inspect, examine and make copies, excerpts or transcripts from such records of personnel, conditions of employment and other data relating to all matters covered by this Contract. All documents to be audited shall be available for inspection at all reasonable times in the main offices of the County or at the offices of the Contractor as requested by the County.

**SECTION I-13 INDEPENDENT CONTRACTOR.**

Contractor hereby covenants and declares that it is an independent business and agrees to perform the Work as an independent contractor and not as the agent or employee of the County. The Contractor agrees to be solely responsible for its own matters relating to the time and place the services are performed; the instrumentalities, tools, supplies, and/or materials necessary to complete the Work; hiring of consultants, agents, or employees to complete the Work; and the payment of employees, including compliance with Social Security, withholding, and all other regulations governing such matters. The Contractor agrees to be solely responsible for its own acts and those of its subordinates and subcontractors during the life of this Agreement.

**SECTION I-14 NOTICES.**

All notices shall be in writing and any notices, demands, and other papers or documents to be delivered to Effingham County, Georgia, under this Contract shall be delivered in person or transmitted by certified mail, postage prepaid to 601 North Laurel Street, Springfield, Georgia 31329, or at any such other place as may be subsequently designated by written notice to the Contractor.

All written notices, demands, and other papers or documents to be delivered to the Contractor under this Contract shall be transmitted by certified mail, postage prepaid, to **Alec Metzger, EMC Engineering Services, Inc. and 10 Chatham Center South, Suite 100, Savannah, GA 31405.** It shall be Contractor's responsibility to inform the County of any change to this contact address.

**SECTION I-15 COMPLIANCE WITH LAWS.**

The Contractor shall comply with all applicable Federal, State, and local laws, ordinances, rules, and regulations relating to the work, including by not limited to Effingham County building code and permitting requirements and other local requirements as applicable.

**SECTION I-16 ASSIGNABILITY.**

The Contractor shall not assign or transfer any of its rights, obligations, benefits, liabilities, or other interest under this Contract without written consent of the County.

**SECTION I-17 GOVERNING LAW.**

This Contract shall be governed by the laws of Georgia, with venue in Effingham County.

**ARTICLE II  
COMPENSATION, FINANCIAL ADMINISTRATION AND GUARANTEES**

**SECTION II-1. COMPENSATION FOR CONTRACTOR SERVICES.**

The County shall pay the Contractor for his services as follows:

**See attachment A for fee schedule.**

These rates and fees shall remain in effect until **DATE**, without exception.

All invoices shall contain the following :

Date services performed

Detailed account of services performed

Location of services performed

Name of employee providing said services

Name of County employee requesting said services

No work shall take place without advanced written approval of the County's engineering department. If the Contractor commences any work prior to receiving written approval, he does so at his own risk.

No work outside the scope of work contained in the RFP will be performed without the advanced written approval of the County's engineering department.

Advance payments prior to any work shall not be granted unless specified in writing.

Progress payments or draw shall not be granted unless specified in writing.

Notwithstanding any other payment provisions of this contract, failure of the Contractor to submit required reports when due or failure to perform or deliver required work, supplies, or services, may result in the withholding of payment under this contract unless such failure arises out of causes beyond the control, and without the fault or negligence of the Contractor. The County will immediately notify the Contractor of its intention to withhold payment of any invoice or voucher submitted.

**SECTION II-2. PAYMENT OF TAXES AND FEES.**

The Contractor shall pay the cost of any taxes, permits, fees, or licenses required to complete and satisfy the requirements of this Contract.

**SECTION II-3. QUANTITIES GUARANTEED.**

The Contractor represents, understands and agrees that this is an "LUMP SUM" contract, to guarantee pricing for services contained herein.

**ARTICLE III  
INSURANCE REQUIREMENTS**

**SECTION III-1. INSURANCE PROVISIONS:** Contractor shall be required to procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors. Contract work will not proceed unless Effingham County has in their possession, a current Certificate of Insurance. Effingham County invokes the defense of sovereign immunity. The County is not to be included as an additional insured on insurance contracts.

**General Information that shall appear on a Certificate of Insurance:**

1. Name of Producer (contractor's insurance Broker/Agent).
2. Companies affording coverage (there may be several).
3. Name and address of the Insured (this should be the Company or Parent of the firm Effingham County is contracting with).
4. A Summary of all current insurance for the insured (includes effective dates of coverage).
5. A brief description of the operations to be performed, the specific job to be performed, or contract number.
6. Certificate Holder (This is to always include Effingham County).

**Limits of Insurance:**

Effective coverage shall have the following limits:

- A. Commercial General Liability of \$1,000,000 (one million dollars) per occurrence and \$2,000,000 (two million dollars) aggregate for bodily and personal injury, sickness, disease or death, injury to or destruction of property, including loss of use resulting there from. Excess or umbrella liability coverage shall be required for contracts pertaining to road construction or repairs, automotive or motor vehicle repairs, or for contracts over \$1,000,000.00.
- B. Commercial Automobile Liability (owned, non-owned, hired) of \$1,000,000 (one million dollars) per occurrence for bodily and personal injury, sickness, disease or death, injury to or destruction of property, including loss of use resulting therefrom.
- C. Workers' Compensation limits as required by the State of Georgia and Employers Liability limits of \$1,000,000 (one million dollars) per accident or disease.

**Special Requirements:**

- A. **Claims-Made Coverage:** The limits of liability shall remain the same as the occurrence basis, however, the Retroactive date shall be prior to or coincident with the date of any contract, and the Certificate of Insurance shall state the retroactive date and the coverage is claims-made.
- B. **Extended Reporting Periods:** The contractor shall provide the County with a notice of the election to initiate any Supplemental Extended Reporting Period and the reason(s) for invoking this option.
- C. **Reporting Provisions:** Any failure to comply with reporting provisions of the policies shall not affect

- coverage.
- D. **Cancellation/Non-Renewal Notification:** Each insurance policy shall be endorsed to state that it shall not be suspended, voided, or canceled, except after thirty (30) days prior to written notice by certified mail, return receipt, has been given to the County.
  - E. **Proof of Insurance:** Effingham County shall be furnished with certificates of insurance and original endorsements affecting coverage required by this invitation. The certificates and endorsements are to be signed by a person authorized by the insurer to bind coverage on its behalf. All certificates of insurance are to be submitted prior to, and approved by, the County before services are rendered. The CONTRACTOR must ensure Certificates of Insurance are updated for the entire term of the Contract.
  - F. **Insurer Acceptability:** Insurance is to be placed with an insurer having an A.M. Best's rating of A and a five (5) year average financial rating of not less than V. If an insurer does not qualify for averaging on a five year basis, the current total Best's rating will be used to evaluate insurer acceptability.
  - G. **Lapse in Coverage:** A lapse in coverage shall constitute grounds for contract termination by Effingham County Board of Commissioners.
  - H. **Deductible and Self-Insured Retention:** Any deductibles or self-insured retention must be declared to, and approved by, the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as related to the County, its officials, officers, employees, and volunteers; or the Contractor shall procure a bond guaranteeing payment of related suits, losses, claims and related investigation, claim administration and defense expenses

#### **Additional Coverage for Engineering, Architectural and Surveying Services:**

Professional Liability: Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants. Minimum Limits: \$1,000,000 per claim/occurrence. Coverage Requirement: If "claims made," retroactive date must precede or coincide with the contract effective date or the date of the Notice to Proceed. The professional must state if "tail" coverage has been purchased and the duration of the coverage.

#### **ARTICLE IV WAIVERS AND EXCEPTIONS**

No failure by County to enforce any right or power granted under this Contract, or to insist upon strict compliance by Contractor with this Contract, and no custom or practice of County at variance with the terms and conditions of this Contract shall constitute a general waiver of any future breach or default or affect the County's right to demand exact and strict compliance by Contractor with the terms and conditions of this Contract.

#### **ARTICLE V GENERAL PROVISIONS**

This Contract supersedes any and all agreements, both oral and written, between the parties with respect to the rendering of services by Contractor for County and contains all of the covenants and agreements between the parties with respect to the rendering of these services in any matter whatsoever. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party, or by anyone acting on behalf of either party, that are not embodied in this Contract. Any modification of this Contract will be effective only if set forth in writing and signed by the party to be charged.

Contractor warrants that it will not, in the performance of this Contract, illegally discriminate on the basis of race, color, sex, or national origin.

This Contract will be governed by and construed in accordance with the laws of the State of Georgia. If any provision in this Contract is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will continue in full force and effect without being impaired or invalidated in any way.

If Contractor dies or is dissolved prior to the completion of this Contract, any moneys that may be due to Contractor from County for services rendered prior to the date of death or dissolution shall be paid to Contractor's executors, administrators, heirs, personal representative, successors, or assigns.

**ARTICLE VI  
AUTHORITY TO EXECUTE AND ENTER AGREEMENT**

By his, her, or their signature(s) below, the person or persons signing on behalf of Contractor warrant that (1) they are authorized to sign on behalf of Contractor; (2) that to the extent Contractor; is an entity rather than an individual, the entity is currently in existence and is validly registered with appropriate government officials; and (3) that the individual and entity contracting herein are in compliance with all Georgia requirements related to federal and state immigration laws and the use of E-Verify and shall remain in compliance during the term of this Contract.

**INTENTIONALLY LEFT BLANK**



IN WITNESS WHEREOF, the parties hereto acting through their duly authorized agents have caused this Contract to be signed, sealed and delivered.

This \_\_\_\_ day of \_\_\_\_\_, 2021.

**EMC ENGINEERING SERVICES, INC.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Witness - Signature

\_\_\_\_\_  
Witness - Title

**BOARD OF COMMISSIONERS OF  
EFFINGHAM COUNTY, GEORGIA**

\_\_\_\_\_  
WESLEY CORBITT, CHAIRMAN

Attest:

\_\_\_\_\_  
Stephanie Johnson, County Clerk

**CONTRACT NO. 21-105-003**

COMMISSION APPROVAL DATE:

\_\_\_\_\_

# FORMS



RFP No. 21-105-003 – Professional Services – New Sanitary Sewer Force Main

## ATTACHMENT A

### FEE PROPOSAL

<b>SURVEYING PHASE</b>	\$ 27,350
<b>PERMITTING PHASE</b>	\$ 29,505
<b>DESIGN PHASE (including development of Construction plans and technical specs)</b>	\$ 50,225
<b>BID ASSISTANCE PHASE</b>	\$ 3,500
<b>CONSTRUCTION SERVICES PHASE</b>	\$ 25,195
<b>TOTAL FEE</b>	\$ 135,775

#### Proposing Company Contact Information:

Company Name:	EMC Engineering Services, Inc.	
Billing Address:	10 Chatham Center S., Ste. 100 Savannah, GA 31405	Telephone: 912-232-6533
Service Address:	10 Chatham Center S., Ste. 100 Savannah, GA 31405	Telephone: 912-232-6533
Representative Name:	Alec B. Metzger, P.E.	
Representative Contact Address:	10 Chatham Center S., Ste. 100 Savannah, GA 31405	Telephone: 912-232-6533 E-Mail: alec_metzger@emc-eng.com

It is agreed by the undersigned offeror that the signature and submission of this proposal represents the vendor's acceptance of all terms, conditions and requirements of specifications and, if awarded, the proposal will become part of the contract agreement between the parties.

Signed: (sign manually, in ink)

*Alec B. Metzger*  
(Signature of Authorized Representative of the Company)

Name Printed: Alec Metzger Title: Branch Manager Date: 22 October, 2020

## FORMS



RFP No. 21-105-003 – Professional Services – New Sanitary

### EXCEPTION SHEET

If Commodity(s) and/or Service proposed in quote is in ANYWAY different from that contained in this proposal, the Bidder is responsible for clearly identifying all such differences in the space below. Otherwise, it will be assumed that the Bidder's offer is in total compliance with all aspects of the proposal.

Below are the only differences between my offer and the County's proposal:

There are no exceptions to the RFP.


A handwritten signature in blue ink that reads "Alex B. Metzger".

Signature

22 October, 2020

Date

## Staff Report

**Subject:** FY21 Budget Amendment

**Author:** Christy Carpenter, Finance Director

**Department:** Finance Department

**Meeting Date:** 01/19/2021

**Item Description:** Consideration to approve an amendment to the FY2020-2021 Budget.

### Summary Recommendation:

Staff is requesting approval of an amendment to the FY2020-2021 Budget.

### Executive Summary:

Each year the Board of Commissioners proposes a tentative budget. During the year, the Board receives requests from agencies and department heads to adjust the budget. Additionally, other factors, such as revenue, may fluctuate thereby allowing the Board to direct that additional expenditures be made. Therefore, a formal budget resolution incorporating these factors is made to adjust the budget accordingly.

### Background:

Georgia Law 6-81-3. Requires the establishment of fiscal year; requirement of annual balanced budget; adoption of budget ordinances or resolutions generally; budget amendments; uniform chart of accounts. Section (b)(1) notes that each unit of local government shall adopt and operate under an annual balanced budget for the general fund, each special revenue fund, and each debt service fund in use by the local government. The annual balanced budget shall be adopted by ordinance or resolution and administered in accordance with this article.

The budget amendment attached reflects the following changes:

1. Sheriff's Office
  - a. Funding of two Traffic Unit Deputies
  - b. Funding purchase and outfitting of two Dodge Durango SUVs
  - c. Funding provided from GF Fund Balance

### Alternatives for Commission to Consider:

1. Approve the Resolution to amend the budget for 2020-2021.
2. Provide Staff with Direction

### Recommended Alternative:

Staff recommends Alternative number 1 – Approve the Resolution to amend the budget for 2020-2021.

**Other Alternatives:** N/A

**Department Review:** Finance

**Funding Source:** General Fund - fund balance

### Attachments:

1. 2020-2021 Budget Amendment Resolution
2. Salary Breakdown

Resolution# **021-001**

**State of Georgia  
County of Effingham**

**RESOLUTION TO AMEND THE FY2020-2021 BUDGET**

WHEREAS, the FY 2020-2021 budget of Effingham County was adopted on June 2<sup>nd</sup>, 2020 and; WHEREAS, it is necessary to further amend said budget to reflect desired changes and; NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County Effingham, Georgia that the following amendment be made:

DEPT	TRAVEL AND OTHER AMEND		ACCT NO.	AMOUNT	DESCRIPTION
017	Sheriff	SALARIES	100-3310-017-51-1100	40,591	Additional 2 positions for 6 mo of FY21
017	Sheriff	OVERTIME	100-3310-017-51-1300	3,614	Additional 2 positions for 6 mo of FY21
017	Sheriff	MEDICAL/LIFE SUPPLEMENTAL	100-3310-017-51-2101	1,524	Additional 2 positions for 6 mo of FY21
017	Sheriff	HEALTH INSURANCE	100-3310-017-51-2102	23,630	Additional 2 positions for 6 mo of FY21
017	Sheriff	PAYROLL TAXES	100-3310-017-51-2200	3,428	Additional 2 positions for 6 mo of FY21
017	Sheriff	RETIREMENT	100-3310-017-51-2401	2,688	Additional 2 positions for 6 mo of FY21
017	Sheriff	UNEMPLOYMENT	100-3310-017-51-2600	35	Additional 2 positions for 6 mo of FY21
017	Sheriff	WORKMEN'S COMPENSATION	100-3310-017-51-2700	1,133	Additional 2 positions for 6 mo of FY21
017	Sheriff	AUTOS & TRUCKS	100-3310-017-54-2201	108,200	Additional 2 Vehicles (Dodge Durango & Outfitting)
017	Sheriff	CASH CARRY FORWARD	100-38-9015	-184,843	Additional Staff, Vehicles, and Equip
				0.00	Net entries

The amendment is to reflect the funding of two (2) additional Sheriff Deputy positions, vehicles, and equipment within the Traffic Unit of the Sheriff's Office. Fund balance is being used to fund the items.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

Attest:

\_\_\_\_\_  
Stephanie D. Johnson, County Clerk

\_\_\_\_\_  
Wesley M. Corbitt, Chairman



**Office of the Sheriff**  
**Effingham County, Georgia**

**Jimmy McDuffie**  
Sheriff

P.O. Box 1015  
130 First Street Ext.  
Springfield, GA 31329

**Richard Bush**  
Chief Deputy

912-754-3449 Office  
912-754-7031 Fax

January 7, 2021

Sheriff McDuffie,

Per your request, I was able to ascertain the following information from the different departments in response to salary, vehicle and equipment needed for those vehicles for two deputies. Below is a breakdown of that information.

**Salary: \$18.26 per hour-** this amount was obtained by taking the average of a starting salary of a Deputy (\$17.63) and the salary of our newest Traffic Unit Deputy John P. Morris (\$18.89). At the rate of \$18.26 per hour with FULL BENEFITS (retirement, insurance, worker's compensation, unemployment and taxes) the annual salary would be **\$69,577.00**

**Vehicle: \$54,100.00-** this amount includes the base price of the Durango, the cost to outfit the interior and exterior (lettering, light bar, interior cage, siren box, front push bar with light, lights in rear), radar (ECSO Traffic Unit uses an upgraded radar system which is purchased thru GOHS), camera system, radio system, computer stand and in-car printer.

Please let me know if there are any questions.

Sincerely,

Leslie E. Dunn  
Analyst  
Effingham County Sheriff's Office

## Staff Report

**Subject:** FY22 Budget Calendar  
**Author:** Christy Carpenter, Finance Director  
**Department:** Finance Department  
**Meeting Date:** 01-19-2021  
**Item Description:** Consideration to approve Effingham County's FY22 Budget calendar.

### Summary Recommendation:

Staff is requesting approval of the FY22 Budget Calendar

### Executive Summary:

The County currently uses specific guidelines to meet state requirement with regard to producing the annual budget, and as such seeks to insure all departments are aware of the requirements and timeline. The calendar supports the development of the FY22 (July 1, 2021 – June 30, 2022) Fiscal Year Budget.

### Background:

1. The adoption of this calendar will provide each participant a deadline for submission of their pertinent budget items.
2. This will provide an overall defined structure and timeline.
3. The budget must be finalized before the new fiscal year begins to ensure compliance with state law and to maintain a balanced budget.

### Alternatives for Commission to Consider:

1. Approve the FY22 Budget Calendar
2. Do not approve the FY22 Budget Calendar
3. Provide staff with direction

### Recommended Alternative:

Staff recommends Alternative number 1 – Approval of the FY22 Budget Calendar

**Other Alternatives:** N/A

**Department Review:** Finance

**Funding Source:** No funding needed

### Attachments:

1. FY22 Budget Calendar

# Budget Calendar FY 22

New Business 05  
January 19, 2021

Action/Item/Description	FY21 (07/01/2020 - 6/30/2021)			FY22 (07/01/2021 - 6/30/2022)		
	FY2021 Budget Calendar	Days To Complete	Total Days	FY2022 Budget Calendar	Days To Complete	Total Days
Department Heads Meeting	Wednesday, January 22, 2020	0	1	Wednesday, January 27, 2021	0	1
Deadline for Personnel Requests	Thursday, January 30, 2020	8	8	Friday, February 5, 2021	9	9
Deadline for Budgets To Be Returned To County Administrator	Thursday, February 6, 2020	7	15	Friday, February 12, 2021	7	16
Meeting of Budget Staff	Thursday, February 13, 2020	7	22	Monday, February 22, 2021	10	26
Meetings with Budget Committee & Department Heads Begins	Thursday, February 20, 2020	7		Wednesday, February 24, 2021	2	
Meetings with Budget Committee & Department Heads Ends	Monday, March 9, 2020	22	55	Thursday, March 18, 2021	22	50
Finance Department Prepares Preliminary Budget - Start	Thursday, March 12, 2020	6		Monday, March 22, 2021	4	
Finance Department Finalizes Preliminary Budget - End	Thursday, March 26, 2020	14	78	Monday, April 5, 2021	14	68
Budget Workshop for Discussion potential meeting with Department - Start	Thursday, April 2, 2020	7		Wednesday, April 7, 2021	2	
Budget Workshop for Discussion potential meeting with Department - End	Monday, April 13, 2020	15	104	Friday, April 16, 2021	9	79
Draft Budget Due to County Clerk	Tuesday, April 14, 2020	1	105	Thursday, April 22, 2021	6	85
Present Draft Budget to Board of Commissioners at Regular Meeting	Tuesday, April 21, 2020	3	90	Tuesday, May 4, 2021	12	97
Present Updated Final Budget to Board of Commissioners 1st Reading	Tuesday, May 5, 2020	14	104	Tuesday, May 18, 2021	14	111
Present Updated Final Budget to Board of Commissioners 2nd Reading - Budget Adoption	Tuesday, May 19, 2020	14	118	Tuesday, June 1, 2021	14	125
Days To Complete		118			125	
Net Error		0			0	



# Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **John Miller** for **Gaddy Turner Jr.** requests to **rezone** 2.52 of 14.15 acres from **AR-1** to **AR-2** to separate two home sites. Located at 1305 Lowground Road.

## Map# 393 Parcel# 25

### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2.52 of 14.15 acres from AR-1 to AR-2 for the separation of two home sites, with conditions.

### 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide the parcel into four lots. Two of the proposed lots comprise a 2.52 acre section, which must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 2.52 acres from AR-1 to AR-2, with the following conditions:
  1. The lots shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the by the Board of Commissioners, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Peter Higgins seconded the motion. The motion carried unanimously.

### Alternatives

1. **Approve** request to rezone 2.52 acres from AR-1 to AR-2, with the following conditions:
  1. The lots shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Board of Commissioners, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2.52 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternative:** 2

**Department Review:** Development Services

**FUNDING:** N/A

### Attachments:

1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Deed
4. Plat
5. Aerial photograph

ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent John Miller Date 11/12/2020  
Applicant email address millor\_john9866725@gmail.com Phone # 912-239-0406  
Property owner(s) Mr. Gaddy Turner email \_\_\_\_\_  
Telephone Number (912) 507-1123  
Mailing Address 1305 low ground rd. 31312  
(Same) Property location Guyton, ga. 31312  
Present zoning AR-1  
Proposed zoning AR-2  
Present land-use Residential  
Proposed land-use Residential  
Tax Map # 393 Parcel # 25 Lot # \_\_\_\_\_  
Total Acres 9.15 + 3.82 = 12.97 Acres to be rezoned 2.52  
Lot characteristics Mobile home, house, pond.  
Water \_\_\_\_\_ Public X Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public X Private \_\_\_\_\_  
Proposed access Access Easement; Lowground Rd.  
Justification Splitting off 1.52 acre and 1-acre parcels.  
List the zoning of the other property in the vicinity of the property you wish to rezone:  
North \_\_\_\_\_ South \_\_\_\_\_  
East \_\_\_\_\_ West \_\_\_\_\_

1

1. Describe the current use of the property you wish to rezone.

Residential

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

N/A

3. Describe the use that you propose to make of the land after rezoning.

Seperating home for sale of land

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

Residential

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

Consistent with surrounding use

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

NO



Effingham County Development Services

AUTHORIZATION OF PROPERTY OWNER

I, Gaddy Turner, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: John Miller Date: 10/27/2020

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

X [Signature]  
Signature of Owner

Gaddy Turner  
Owners Name (Print)

Personally appeared before me Gaddy Turner (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day October 27 of 2020

[Signature]  
Notary Public

(Notary Seal)





ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

September 24, 2018 on file in the office of the Clerk of the Superior Court of  
Effingham County, in Deed Book 2489 page 569-570

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

X Owner's signature [Signature] Print Gaddy Turner

Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this 27<sup>th</sup> day of October, 2020  
Kathleen Erin Dunwoody  
Notary Public, State of Georgia



LEE, BLACK & HOLLIS, P.C.  
7395 HODGSON MEMORIAL DRIVE  
SUITE 200  
SAVANNAH, GA 31406

18-37359 / 38046

STATE OF: )

COUNTY OF: )

DOC# 008389  
FILED IN OFFICE  
9/24/2018 11:19 AM  
BK#2489 PG#569-570  
ELIZABETH Z. HURSEY  
CLERK OF SUPERIOR COURT  
EFFINGHAM COUNTY

**CORRECTION WARRANTY DEED**

THIS INDENTURE, made this 1<sup>st</sup> day of JUNE, 2018 between SHANNON PT-61 051-2018-002522

C. DOWNING AND MARK W. DOWNING AND SUSAN K. WYNN, as Party of the First  
Part, and GADDY TURNER, JR., as Party of the Second Part,

**WITNESSETH**

THAT, said Parties of the First Part, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said Parties of the Second Part, in fee simple, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor, all of the following described tract or parcel of land to wit:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 10TH G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA, KNOWN AS "PARCEL #1", ON A MAP OF THE ALBERT U. NEASE ESTATE MADE BY PAUL D. WILDER, DATED MARCH 22, 1975, RECORDED IN PLAT BOOK 5, PAGE 233, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA. SAID PARCEL #1 IS BOUNDED ON THE NORTHEAST BY PARCEL #2, ON SAID MAP.

LESS AND EXCEPT: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 10TH G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA, SHOWN AS "23.0 ACRES" ON THAT CERTAIN MAP MADE BY WARREN E. POYTHRESS, R.L.S., DATED MARCH 29, 1984, RECORDED IN PLAT BOOK 17, PAGE 231, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA.

THIS IS THE SAME PROPERTY CONVEYED TO MARK W. DOWNING, SHANNON C. DOWNING, AND SUSAN K. WYNN BY WARRANTY DEED DATED MARCH 28, 2012, RECORDED IN DEED BOOK 2084, PAGE 466, IN THE AFORESAID CLERK'S OFFICE. SAID MAP AND DEED ARE INCORPORATED HEREIN BY REFERENCE.

1311 LOW GROUND ROAD, GUYTON, GEORGIA 31312  
P.L.N. 03930-025-000

THE PURPOSE OF THIS DEED IS TO CORRECT THE LEGAL DESCRIPTION IN THAT CERTAIN WARRANTY DEED DATED MAY 15, 2018, RECORDED IN DEED BOOK 2466, PAGE 909, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM, GEORGIA.

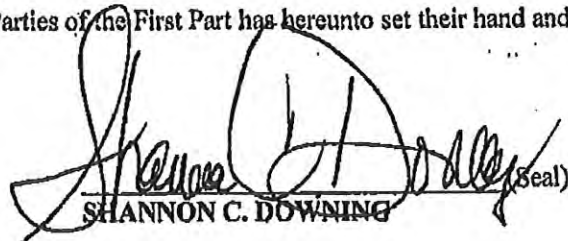
IN WITNESS WHEREOF, the said Parties of the First Part, have hereunto set their hands and seals, and the said Parties of the Second Part, have hereunto set their hands and seals, at the City of Savannah, Georgia, this 1<sup>st</sup> day of June, 2018.

WITNESSETH  
ON BEHALF OF THE FIRST PART, I, CLERK OF SUPERIOR COURT, do hereby certify that the foregoing is a true and correct copy of the original as recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, and that the same has been duly filed for record in the Office of the Clerk of Superior Court of Effingham County, Georgia, this 1<sup>st</sup> day of June, 2018.

TO HAVE AND TO HOLD the said premises, together with all and singular, the rights, members, appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Parties of the Second Part, in FEE SIMPLE, together with every contingent remainder the right of reversion and to the heirs and assigns of said survivor.

And the said Parties of the First Part, their successors and assigns, will WARRANT and forever DEFEND the right and title to the above described property unto the said Parties of the Second Part, their heirs, successors and assigns, against the claim of all persons whomever.

IN WITNESS WHEREOF, the said Parties of the First Part has hereunto set their hand and seal on the day and year first above written.

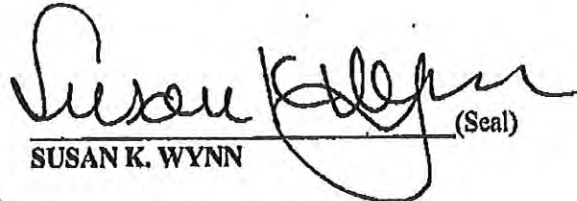
 (Seal)  
SHANNON C. DOWNING

GEORGIA, EFFINGHAM COUNTY

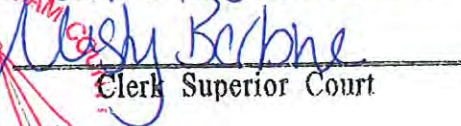
A True and Correct Copy as same appears of record in this Office.

This 27 day of October, 2020.

 (Seal)  
MARK W. DOWNING

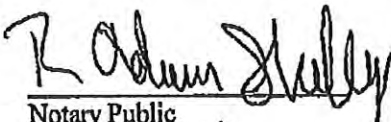
 (Seal)  
SUSAN K. WYNN



  
Clerk Superior Court

Signed, sealed and delivered  
in the presence of:

  
Witness

  
Notary Public  
State of: Georgia  
County of: Houston

My Commissioner Expires: 07/23/2022

(Seal)

**R ADAM SHELLEY**  
NOTARY PUBLIC  
Houston County  
State of Georgia  
My Commission Expires 7.23.22



NOTE: SUBJECT PROPERTY IS A  
DIVISION OF MAP & PARCEL 393  
-25 OF THE EFFINGHAM COUNTY  
TAX ASSESSORS FILE.

This/these lot or lots is/are served by a private road, not to be maintained by Effingham County nor accepted as a public road unless such road, at the property owner's expense, is brought in compliance with county standards as specified by Effingham County, including, but not limited to paving. This/these lot or lots may not be re-subdivided until sold road, at the subdivider's expense is brought into compliance with county road standards to be accepted as a public road by the Effingham County Board of Commissioners. If the road remains private, all maintenance of the right-of-way or easement, including drainage and road surface, shall be the responsibility of the abutting property owners. The road surface shall be no less than 18 feet wide. Further, I/we understand that it shall be my/our responsibility to properly grant the easement shown on this plat by deed or separate easement agreement to any transferee of the property. The easement may serve no more than three (3) lots. The original remaining parcel shall be included as one of the three lots. If location of easement on plot changes, I/we understand that this subdivision and any easements are subject to all state and local ordinances and rules and regulations adopted by Effingham County.

This day of April 2020

393-025  
GADDY TURNER JR.  
FORMERLY 14.15 AC.

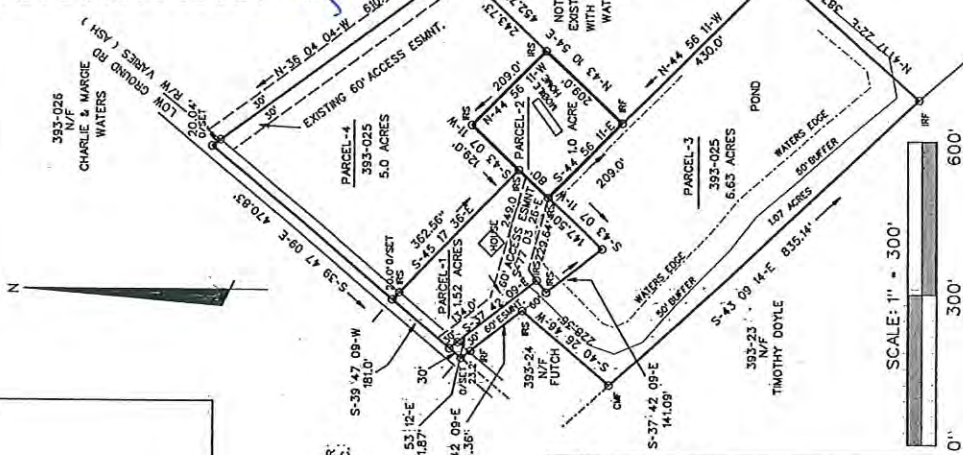
LEGEND:  
RF 3/4" REBAR FOUND  
IRS 3/4" REBAR SET  
PL PROPERTY LINE  
CMF CONC. MON. FOUND  
N/F NOW OR FORMERLY  
PP POWER POLE  
EQUIP. USED TOTAL STATION  
TOPCON 303  
ERROR OF CLOSURE  
1:24,000 PLAT NOT ADJUSTED  
ADOLPH N. MICHELIS & ASSO.  
736 SANDY RIDGE ROAD  
SYLVANIA, GEORGIA 30467  
PH. (912) 828-3972

#### SURVEYORS CERTIFICATION

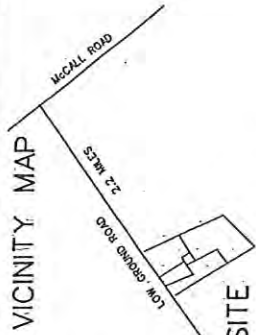
(1) As required by subsection (a) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by appropriate local jurisdictions for recording as evidenced by the signatures of the surveyor and the appropriate local jurisdiction. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat. The surveyor certifies that this plat complies with the minimum, technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Land Surveyors and the rules and regulations of the Georgia Board of Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



*Adolph N. Michelis*  
11-16-20  
DATE



#### VICINITY MAP



SITE

NOT TO SCALE

#### FINAL PLAT APPROVAL

THE SUBDIVISION KNOWN AS GADDY TURNER SUBDIVISION HAS BEEN FOUND TO COMPLY WITH THE EFFINGHAM COUNTY SUBDIVISION REGULATIONS AND WAS APPROVED BY THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA.

CHAIRMAN OF COMMISSIONERS

DATE

CLERK OF EFFINGHAM BOARD OF COMMISSIONERS

DATE

#### MAJOR SUBDIVISION

SURVEY FOR

GADDY TURNER JR

SURVEY TO DIVIDE A 14.15 AC.

TRACT (393-025) INTO 4 PARCELS

LANDS OF GADDY TURNER JR

LOCATED IN THE 10TH. G.M.D.

EFFINGHAM COUNTY, GEORGIA

SURVEYED: 03 NOV 2020

PLAT DRAWN 11 NOV 2020

JML6.DGN NOV2020

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor or finds that this plat complies with the OSMS regulations for a typical size residence of 3 or 4 bedrooms with basic amenities. Each lot must be reviewed and approved for On Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

*Adolph N. Michelis*  
Date  
Title  
Signing Authority

REFERENCES:  
PB-28 PAGE 662  
PB-05 PAGE 233  
PB-17 PAGE 231  
PB-G PAGE 69

NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERENCE THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/16/2015, THIS PROPERTY IS LOCATED IN "ZONE X" (OUTSIDE THE 500 YEAR FLOODPLAIN)

NOTE: 1.0 ACRE SITE HAS A EXISTING 16' X 80' MOBILE HOME WITH SEPTIC TANK & DRAIN SYS. WATER FURNISHED BY LOCAL COMMUNITY WELL

393-025A N/F ROBIN SCREEN

393-025 N/F

393-023 N/F

393-024 N/F

393-025 N/F



802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

November 6, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: John Milles  
1311 Lowground Road Rincon GA 31326  
Pin #393-25  
Total Acres: 13.82 Acres to be rezoned: 1.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in cursive script, reading "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department



## Coastal Health District

Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 15, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Rhett Roscinski  
430 Hodgeville Road, Guyton GA, 31312  
Pin #416-3/416-2  
Total Acres: 11.0 Acres to be rezoned: 11.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to B-3. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



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Sincerely,

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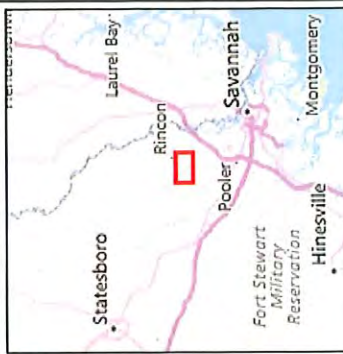
Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department







# Effingham County



**Legend**

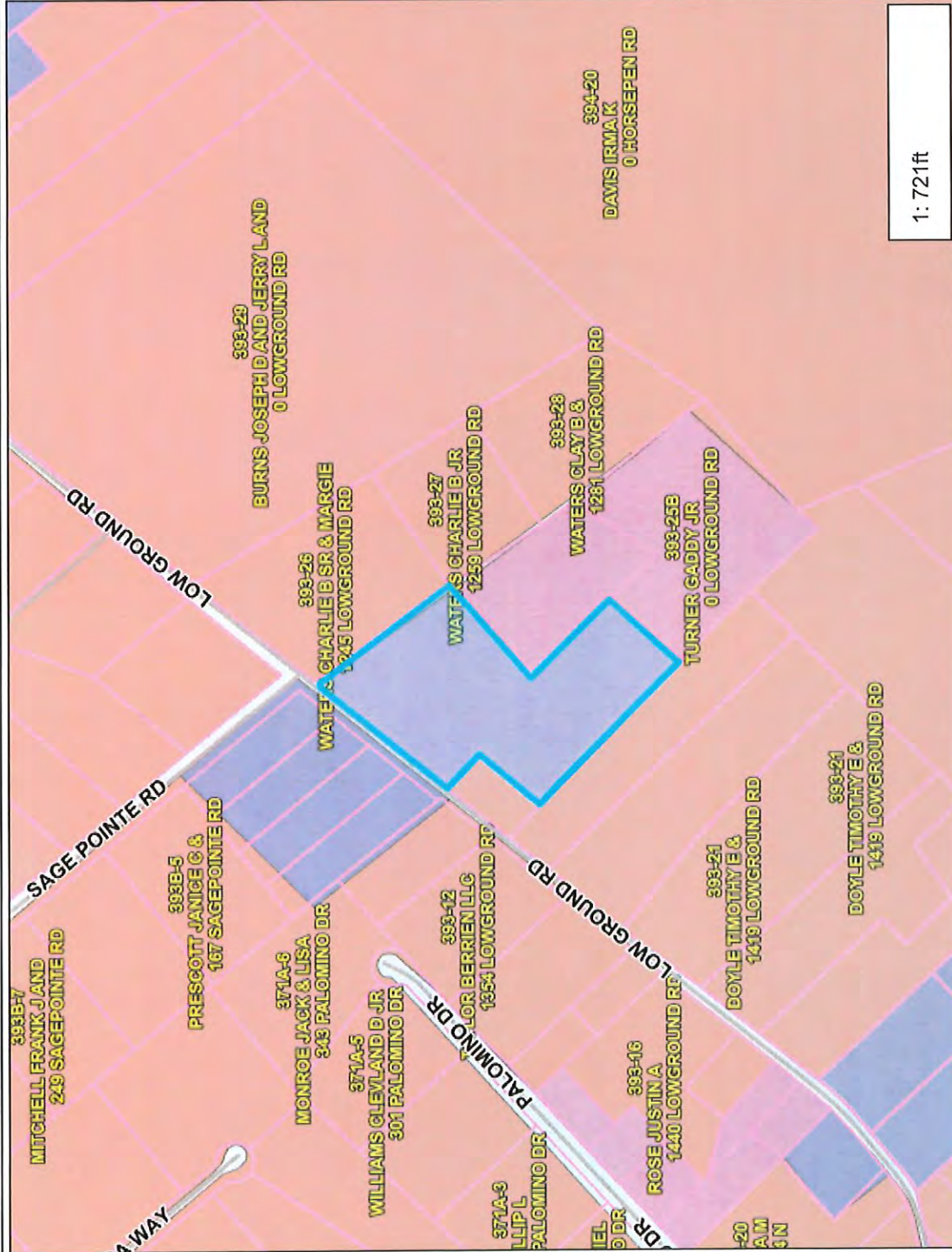
- Tax Parcels With Labels
- Georgia Militia Districts

9  
10  
11  
12  
1559

**Zoning Districts**

AR-1  
AR-2  
B-1  
B-2  
B-3  
C-1  
CP  
FH  
GN  
I-1  
MKU  
PD  
R-1  
R-1-A  
R-2  
R-3  
R-4

Railroads  
Road Names  
Road Centerlines



This map is a user generated static output from rightspot, is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

500 ft

27 Oct, 2020

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (John Miller as Agent for Gaddy Turner Jr. – (Map # 393 Parcel # 3) from AR-1 to AR-2 zoning.

Yes ☐ No ☒ 1. Is this proposal inconsistent with the county's master plan?

Yes ☐ No ☒ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes ☐ No ☒ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes ☐ No ☒ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes ☐ No ☒ 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes ☐ No ☒ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes ☐ No ☒ 7. Are nearby residents opposed to the proposed zoning change?

Yes ☐ No ☒ 8. Do other conditions affect the property so as to support a decision against the proposal?

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL ☒

DISAPPROVAL ☐

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EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL \_\_\_\_\_

DISAPPROVAL \_\_\_\_\_

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Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

*DA3*

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PEH

DISAPPROVAL \_\_\_\_\_

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PEH

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL \_\_\_\_\_

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- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

## Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** John Miller for Gaddy Turner Jr. requests to **rezone** 2.52 of 14.15 acres from **AR-1** to **AR-2** to separate two home sites. Located at 1305 Lowground Road.

### Map# 393 Parcel# 25

#### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2.52 of 14.15 acres from AR-1 to AR-2 for the separation of two home sites, with conditions.

#### 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide the parcel into four lots. Two of the proposed lots comprise a 2.52 acre section, which must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 2.52 acres from AR-1 to AR-2, with the following conditions:
  1. The lots shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the by the Board of Commissioners, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Peter Higgins seconded the motion. The motion carried unanimously.

#### Alternatives

1. **Approve** request to rezone 2.52 acres from AR-1 to AR-2, with the following conditions:
  1. The lots shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Board of Commissioners, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2.52 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternative:** 2

**Department Review:** Development Services

**FUNDING:** N/A

#### Attachments:

1. Zoning Map Amendment



**STATE OF GEORGIA  
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
393-25

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
393-25

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, JOHN MILLER for GADDY TURNER, JR., has filed an application to rezone two and fifty-two hundredths (2.52) +/- acres; from AR-1 to AR-2 to allow for the creation of two home sites; map and parcel number 393-25, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT two and fifty-two hundredths (2.52) +/- acres; map and parcel number 393-25, located in the 2<sup>nd</sup> commissioner district is rezoned from AR-1 to AR-2 with the following conditions:

1. The lots shall meet the requirements of the AR-2 zoning district.
2. The subdivision plat must be approved by the Board of Commissioners, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021

**Item Description:** Rhett Roscinski requests to **rezone** ~10.12 acres from **AR-1** to **B-3** for a commercial property, Diesel Power Solutions, LLC. Located at 430 Hodgeville Rd.

**Map# 416 Parcels# 3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone ~10.12 acres from AR-1 to B-3, with conditions.

## 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. Automotive service businesses are a conditional use in B-3.
- The parcel has direct access to an unpaved road, which the applicant has agreed not to use for heavy equipment traffic. Customer vehicles will access the property through 534 Hodgeville Road (416-2), an AR-1 property, which has frontage on Hodgeville Rd.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone ~10.12 acres from AR-1 to B-3, with staff conditions (1-3) and one additional condition (4):
  1. All wetland impacts must be approved and permitted by USACE.
  2. The existing 6,000 sf garage must be evaluated by an engineer and certified for compliance with current commercial building code before a Commercial Certificate of Occupancy can be issued by Development Services.
  3. The existing mobile home will not be permitted for use as a dwelling and will function as office space only.
  4. The B-3 parcel must connect directly to Hodgeville Road to accommodate the access road and buffers.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

**1. Approve** request to rezone 10.12 acres from AR-1 to B-3, with the following conditions:

1. All wetland impacts must be approved and permitted by USACE.
2. The existing 6,000 sf garage must be evaluated by an engineer and certified for compliance with current commercial building code before a Commercial Certificate of Occupancy can be issued by Development Services.
3. The existing mobile home will not be permitted for use as a dwelling and will function as office space only.
4. The B-3 parcel must connect directly to Hodgeville Road to accommodate the access road and buffers.

**2. Deny** the request to rezone ~10.12 acres from AR-1 to B-3.

**Recommended Alternative:** 1

**Other Alternative:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Deed
4. Plat
5. Aerial photograph

ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent Rhett Roscinski Date 11-10-2020

Applicant email address Rhett@DieselpowersolutionsLLC.com Phone # 912-313-5234

Property owner(s) Rhett Roscinski, Mitch Talken Email \_\_\_\_\_

Telephone Number ( ) \_\_\_\_\_

Mailing Address 534 Hodgeville Rd Guyton GA 31312

Property location 430 Hodgeville Rd Guyton GA 31312

Present zoning AR-1

Proposed zoning B-3

Present land-use Residence with auxiliary building

Proposed land-use Diesel Repair shop with office

Tax Map # \_\_\_\_\_ Parcel # 4160003 Lot # \_\_\_\_\_

Total Acres 10.12 Acres to be rezoned 10.12 +/- 11

Lot characteristics wooded & cleared

Water \_\_\_\_\_ Public ☒ Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public ☒ Private \_\_\_\_\_

Proposed access 60 FT parcel divided from 534 Hodgeville & Existing Easement

Justification Commercial Zoning needed for Repair Shop

List the zoning of the other property in the vicinity of the property you wish to rezone:

North AR-1 I-1 South AR-1

East AR-2 I-1 West AR-1

1. Describe the current use of the property you wish to rezone.

Attachment D

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

Attachment E

3. Describe the use that you propose to make of the land after rezoning.

Attachment F

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

Attachment G

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

Attachment H

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

Attachment I



#### ATTACHMENT D

Describe the current use of the property you wish to rezone

The current use of the property is a primary residence with an auxiliary building. The auxiliary building was going to partly be used for a rural business as well as personal storage and a gathering place for family and friends.

ATTACHMENT E

Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

No. I am not able to use my land or building to the full potential.

#### ATTACHMENT F

Describe the use that you propose to make of the land after rezoning.

I want to operate diesel repair business. This business is not looking to be a retail storefront. This business is designed to be mainly by appointment only. This business will focus on the local and surrounding community. With the coming growth of Georgia Ports, Mega Rail, and the Effingham Parkway. I believe I can be a key part in supporting the local community with my services. I have a large local customer basis already. This includes T&D Enterprises, Harco Construction, Broach Construction, Heritage Construction, Rahn's, Raya Transport, Bowen Trucking, Jones Trucking, Jessy's Trucking, City of Rincon, Guyton Fire Dept, Effingham county and several individuals. I have attached a petition showing the local support of this business.

#### ATTACHMENT G

Describe the uses of the other property in the vicinity of the property you wish to rezone.

The surrounding properties are residential with the closest house being over eight hundred feet away. The next nearest property is an estimated one thousand six hundred acre industrial development, along with a ten acre light industrial concrete pipe plant and a five acre light industrial concrete plant. There are several other commercial lots on or near Hodgeville Rd.



#### ATTACHMENT H

Describe how your zoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property.

With the current surrounding industrial and commercial zoning, along with the Effingham Parkway Project. I believe the rezoning of this property will be beneficial to all surrounding properties. By this property moving to a commercial zoning this will allow me to operate my small business and support the surrounding farms, individuals, and other businesses. The business I plan to run is not your normal retail business. My business is by appointment only. I'm not a storefront style business.

# ATTACHMENT I

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No, This business would not have any effect on these.

ATTACHMENT BEFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

10-4-2016, on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 28 page 289.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature [Signature] Print Rhett Roscinski

Owner's signature [Signature] Print Michael Tallent

Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this 10<sup>th</sup> day of November, 2020.

[Signature]  
Notary Public, State of Georgia



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D.D. BK: 842  
PAGE NO: 376

02 JUN 20 PM 2:19

ELIZABETH Z. HURSEY  
CLERK E.C.C.S.C.

376

**Return To:**

Reddick & Exley  
Attorneys At Law  
P. O. Box 385  
Springfield, GA 31329

STATE OF GEORGIA )

COUNTY OF EFFINGHAM )

For and in consideration of the sum of \$1.00 the undersigned, CURTIS D. ZEIGLER and ELAINA A. ZEIGLER, do hereby convey unto JAMES B. CANNON a non-exclusive right of way easement for ingress and egress for a road and utility purposes over and across that certain Sixty (60) foot wide access easement shown on the plat thereof made by MICHAEL J. GARDNER, R.L.S. #2285, dated May 24, 1998 and recorded in the Office of the Clerk of Effingham County, Georgia, in Plat Cabinet B, Slide 26-E, express reference being made thereto for all purposes hereof. Said Sixty (60) foot wide easement extending from the Hodgeville Road known as County Road #140 in a Southerly direction and meandering over and across portions of the undersigns land and extending to the Southwesterly boundary line of Tract A as shown on said plat above referred to.

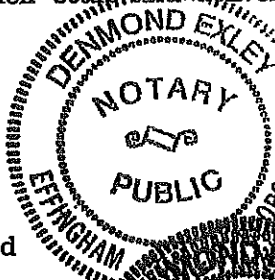
To have and hold the said easement unto the said JAMES B. CANNON, his heirs and assigns in perpetuity.

IN WITNESS WHEREOF, CURTIS D. ZEIGLER AND ELAINA A. ZEIGLER have hereunto set their hands, affixed their seals, and delivered these presents this 19<sup>th</sup> day of June, 2002.

Signed, sealed and delivered  
in the presence of:

Quinn R. Edwards  
Unofficial Witness

Denmond Exley  
Notary Public



Curtis D. Zeigler  
CURTIS D. ZEIGLER

Elaina A. Zeigler  
ELAINA A. ZEIGLER

Copy received by: Notary

Date: 10-4-16



THIS INDENTURE, Made the 25th day of April, 2018, between JAMES B. CANNON of the FIRST PART, and RHETT J. ROSCINSKI and MITCHELL A. TALLANT of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto SECOND PARTIES, their heirs and assigns, the following described property, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 9<sup>th</sup> G.M. District of Effingham County, Georgia, containing Two and Twenty-Two Hundredths (2.22) acres, more or less, and being designated as Tract "C" as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the Northwest by Tract "B", which is owned by Rhett J. Roscinski and Mitchell A. Tallant; on the Northeast by lands of James B. Cannon; on the Southeast by lands of James B. Cannon, and on the Southwest by lands of Howard and Linda Hodges.

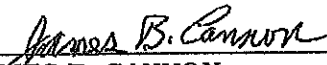
Express reference is hereby made to the plat of said lands made by William Mark Glisson, R.L.S. #3316, dated February 22, 2018 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, Page 289 for better determining the metes and bounds of said lands herein conveyed.

Also conveyed is right of access to the 60-foot wide access easement shown running across the Southwesterly boundary line of Tract "B".

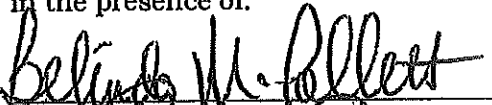
SUBJECT, to restrictive covenants and easements of record.

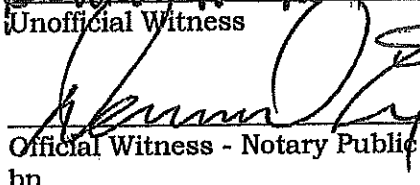
TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereunto belonging or in any wise appertaining unto SECOND PARTIES, their heirs and assigns, FOREVER IN FEE SIMPLE with full WARRANTY OF TITLE to said property against the claims of all persons whomsoever.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set his hand and affixed his seal and delivered these presents, the day and year first above written.

 (SEAL)  
JAMES B. CANNON

Signed, sealed and delivered  
in the presence of:

  
Unofficial Witness

  
Official Witness - Notary Public  
bp

DENMOND EXLEY  
Notary Public, Effingham County, Georgia  
My Commission Expires October 5, 2021

THIS INDENTURE, Made the 4th day of October, 2016, between JAMES B. CANNON of the FIRST PART, and RHETT J. ROSCINSKI and MITCHELL A. TALLANT of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto SECOND PARTIES, their heirs and assigns, the following described property, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Seven and Nine-Tenths (7.9) acres, more or less, and consisting of Tract "A" containing 5.72 acres and Tract "B" containing 2.18 acres. Said lands as a whole being bounded on the East-Northeast by lands of Robert J. Renfro; on the East by lands of James B. Cannon and by lands known as Lot 1; on the South by lands of James B. Cannon; on the West by lands of Howard and Laura Hodges and on the West-Northwest by lands of Elaina A. Zeigler.

Express reference is hereby made to the plat of said lands made by William M. Glisson, R.L.S. #3316, dated September 27, 2016 and surveyed September 22, 2016 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "D", Slide 180-C-2 for better determining the metes and bounds of said lands herein conveyed.

ALSO included is a perpetual non-exclusive right-of-way easement over and across the 60-foot wide existing easement shown on said plat which extends from the Hodgeville County Road No. 140 in a Southwesterly direction to a point where it intersects the lands above described.

ALSO, SUBJECT to said easement which continues on across the Westerly boundary line of said lands above described which is also a perpetual non-exclusive easement.

Said easement being for the purposes of ingress and egress and for utility purposes.

Both of the above easements being recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 842, Page 375 and Deed Book 842, Page 376.

SUBJECT, ALSO, to the easements to Savannah Electric and Power Company recorded in Deed Book 156, Page 318 and Deed Book 386, Page 291 and the Easements to Effingham County recorded in Deed Book 164, Page 600 and Deed Book 309, Page 441.

SUBJECT, to restrictive covenants and easements of record.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereunto belonging or in any wise appertaining unto SECOND PARTIES, their heirs and assigns, FOREVER IN FEE SIMPLE with full WARRANTY OF TITLE to said property against the claims of all persons whomsoever.

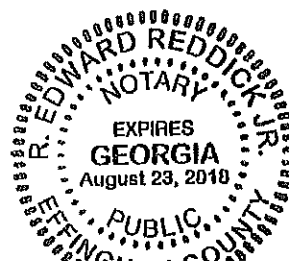
IN WITNESS WHEREOF, FIRST PARTY has hereunto set his hand and affixed his seal and delivered these presents, the day and year first above written.

James B. Cannon (SEAL)  
JAMES B. CANNON

Signed, sealed and delivered  
in the presence of:

Beth M. Bellott  
Unofficial Witness

R. Edward Reddick Jr.  
Official Witness - Notary Public  
bp



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D.D. BK. 842  
PAGE NO. 375 *W*

375

02 JUN 20 PM 2:19

ELIZABETH Z. HURSEY  
CLERK E.C.S.C.

Return To:

**Reddick & Exley**  
Attorneys At Law  
P. O. Box 385  
Springfield, GA 31329

STATE OF GEORGIA )

COUNTY OF EFFINGHAM )

For and in consideration of the sum of \$1.00 the undersigned, JAMES B. CANNON, does hereby convey unto CURTIS D. ZEIGLER and ELAINA A. ZEIGLER the non-exclusive right of way for ingress and egress for a road and utility purposes over and across that certain Sixty (60) foot wide access easement shown running across the Northwestern boundary line of a certain 5.71 acre tract of land conveyed by deed from WILLIAM C. ROGERS to JAMES B. CANNON dated March 7, 2002 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Deed Book 807, Page 143.

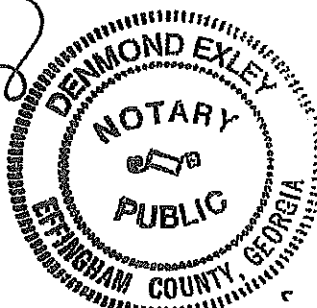
To have and hold the said easement unto the said CURTIS D. ZEIGLER and ELAINA A. ZEIGLER their successors, heirs and assigns in perpetuity.

In witness whereof, JAMES B. CANNON has hereunto set his hand, affixed his seal and delivered these presents this 19<sup>th</sup> day of June, 2002.

James B. Cannon  
JAMES B. CANNON

Signed, sealed and delivered  
in the presence of:

Raymond Reddick  
Unofficial Witness  
Denmond Exley  
Notary Public



DR  
Not

Copy received by: 10, 4/16  
Date:



**Coastal Health District**  
Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 15, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Rhett Roscinski  
430 Hodgeville Road, Guyton GA, 31312  
Pin #416-3/416-2  
Total Acres: 11.0 Acres to be rezoned: 11.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to B-3. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



***We Protect Lives.***



This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in cursive script that reads "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department

The following site plan shows the privacy fence areas and the areas where silver leaf shrubs have been planted. There is also a berm and shrubs going in, in the near future. This plan also shows 2 options that I have for gaining road frontage access to this property. I can have the 60ft road and required buffer divided off of 534 property and combined with the 430 property as needed. Natural vegetation has been left as a natural buffer as well.



**Diesel Power Solutions LLC**

430 Hodgeville Rd Guyton GA 31312

Rhett Roscinski (912)313-5234

Mitch Tallant (912)658-2523

rhett@dieselpowersolutionsllc.com

Rhett Roscinski with Diesel Power Solutions is seeking to rezone so the business can be operated from 430 Hodgeville Rd. Diesel Power Solutions offers diesel repair services to small and large diesel engines and vehicles. This business opened in 2016 and operated in Effingham county, serving the local community and surrounding areas. Since 2016 Rhett has purchased a new piece of property on Hodgeville Rd, and has moved his family and small business there in 2019. Since the move, Diesel Power Solutions has grown, and is needing to operate in compliance of the Effingham County ordinance. With the unexpected growth of Diesel Power Solutions, commercial rezoning is needed for this business to continue to fully operate. Diesel Power Solutions supports the local community and employees several Effingham County families. This business is locally known and has a great reputation for the services that it provides. This business also has received praise for the programs that it participates in, such as Backpacks of Hope, Backpack Buddies, Safe Haven donations, Sheriff department donations, Free Oil Changes for single moms, and several more. We ask that the zoning change be approved by this Board so Diesel Power Solutions can operate this local business.

☐ No certification letter is needed.

☐ Certification letter is needed.

Final inspection cannot be scheduled unless the certification letter is received before 9:00 on the day it is called in.

GEORGIA DEPARTMENT OF PUBLIC HEALTH


N FOR CONSTRUCTION PERMIT AND SITE APPROVAL

For On-Site Sewage Management System

- ☐ Residential New OSSMS (Subdivision) \$200
- ☒ Residential New OSSMS (Individual Lot) \$250
- ☐ Residential Repair \$200
- ☐ Commercial (New or Repair) \$300
- ☐ Existing Site Evaluation \$75
- ☐ Water Sample \$50
- ☐ Re-inspection Fee \$50

COUNTY:	SUBDIVISION:	LOT NUMBER:	BLOCK:
Effingham		3	416
PROPERTY LOCATION (ADDRESS/DIRECTIONS):		Garage/Storage Building with full bathroom.	
430 HODGEVILLE RD GUYTON, GA 31312			

I hereby apply for a construction permit to install an On-Site Sewage Management System and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health, Chapter 511-3-1. By my signature, I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover material to the system.

PROPERTY OWNER'S/AUTHORIZED AGENT'S SIGNATURE:	DATE:
	10/01/2018 OCT 04 2018
PROPERTY OWNER'S NAME:	PHONE NUMBER:
Rhett Roscinski	(912) 313-5234
PROPERTY OWNER'S ADDRESS:	ALTERNATE PHONE NUMBER:
430 HODGEVILLE RD GUYTON, GA 31312	
AUTHORIZED AGENT'S NAME (IF OTHER THAN OWNER):	PHONE NUMBER:
RELATIONSHIP TO OWNER:	

Section A — General Information

1. REQUIRED SETBACK FROM RECEIVING BODIES (wells, lakes, shorelines, streams, etc.) EVALUATED:	5. TYPE OF STRUCTURE (single/multi-family residence, commercial, restaurant, etc.):	9. SOIL SERIES (e.g. Pacolet, Orangeburg, etc.):
<input checked="" type="checkbox"/> (1) Yes (2) No	Commercial < 2000	Pelham A
2. WATER SUPPLY:	6. WATER USAGE BY:	10. PERCOLATION RATE / HYDRAULIC LOADING RATE:
(1) Public <input checked="" type="checkbox"/> (2) Private (3) Community	Gallons Per Day	
3. SEWAGE SYSTEM TO BE PERMITTED:	7. NO. OF BEDROOMS / GPD:	11. TEST DATE (MONTH / YEAR):
<input checked="" type="checkbox"/> (1) New (2) Repair (3) Addition		
1. LOT SIZE (SQUARE FEET / ACRES):	8. LEVEL OF PLUMBING OUTLET:	12. SOIL TEST PERFORMED BY:
	<input checked="" type="checkbox"/> (1) Ground Level (2) Basement (3) Above ground level	Smith, Troy N

Section B — Primary / Pretreatment

1. DISPOSAL METHOD:	2. GARBAGE DISPOSAL:	3. SEPTIC TANK CAPACITY (GALLONS):	4. ATU Capacity:	5. DOSING TANK CAPACITY (GALLONS):	6. GREASE TRAP CAPACITY (GALLONS):
Septic Tank	(1) Yes <input checked="" type="checkbox"/> (2) No	1000	0	500	

Section C — Secondary Treatment

1. ABSORPTION FIELD DESIGN:	4. TOTAL ABSORPTION FIELD SQUARE FEET REQUIRED:	7. NUMBER OF ABSORPTION TRENCHES:
(1) Level Field (2) Serial (3) Drip (4) Bed (5) Distribution Box <input checked="" type="checkbox"/> (6) Mound/Area Fill (7) Other		
2. ABSORPTION FIELD PRODUCT:	5. TOTAL ABSORPTION FIELD LINEAR FEET REQUIRED:	8. SPECIFIED LENGTH OF ABSORPTION TRENCHES:
Conventional 12x36 gravel & pipe		
3. AGGREGATE DEPTH (Inches):	6. DEPTH OF ABSORPTION TRENCHES (range in inches):	9. DISTANCE BETWEEN ABSORPTION TRENCHES:


Permit

A PERMIT IS HEREBY GRANTED TO INSTALL THE ON-SITE SEWAGE MANAGEMENT SYSTEM DESCRIBED ABOVE. THIS PERMIT IS NOT VALID UNLESS PROPERLY SIGNED BELOW. THIS PERMIT EXPIRES TWELVE (12) MONTHS FROM DATE OF ISSUANCE.

ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO ISSUANCE OF A PERMIT MAY RENDER PERMIT VOID.

VOID, FAILURE TO FOLLOW SITE PLAN MAY RENDER PERMIT VOID. ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO FINAL INSPECTION BY COUNTY HEALTH DEPARTMENT, WHICH ADVERSELY AFFECTS THE FUNCTION OF THE ON-SITE SEWAGE MANAGEMENT SYSTEM, MAY RENDER APPROVAL VOID. INSTALLATION CONTRACTOR IS RESPONSIBLE FOR LOCATING PROPER DISTANCES FROM BUILDINGS, WELLS, PROPERTY LINES, ETC.

ISSUANCE OF A CONSTRUCTION PERMIT FOR AN ON-SITE SEWAGE MANAGEMENT SYSTEM, AND SUBSEQUENT APPROVAL OF SAME BY REPRESENTATIVE OF THE GEORGIA DEPARTMENT OF PUBLIC HEALTH OR COUNTY BOARD OF HEALTH SHALL NOT BE CONSTRUED AS A GUARANTEE THAT SUCH SYSTEMS WILL FUNCTION SATISFACTORILY FOR A GIVEN PERIOD OF TIME; FURTHERMORE, SAID REPRESENTATIVE(S) DO NOT, BY ANY ACTION TAKEN IN EFFECTING COMPLIANCE WITH THESE RULES, ASSUME ANY LIABILITY FOR DAMAGES WHICH ARE CAUSED, OR WHICH MAY BE CAUSED, BY THE MALFUNCTION OF SUCH SYSTEM.

APPROVING ENVIRONMENTALIST:	TITLE:	DATE:	CONSTRUCTION PERMIT NUMBER:
	Environmental Health County Manager	10/01/2018	OSC05102155



[illegible]

Please sign if you agree with the following statement in support of Rhett Roscinski operating his small diesel engine repair shop at 430 Hodgeville Road, Guyton, GA 31312.

Diesel Power Solutions, LLC is beneficial to the area to provide diesel repair services to many of the local businesses who heavily and/or solely depend on their diesel equipment functioning properly. Having a locally owned and operating diesel repair shop provides valuable support to the entire area, as Effingham county continues to see growth in the economy and households.

#	Business name	Contact name	Address (city, state)	Phone	Please indicate vendor/customer or both
1	O'Reillys	Sabriena M.	Rincon, GA	912-547-8502	Vendor
2	Robert Trucks	Mackey Jones	Richmond Hill	912-313-8879	Vendor
3	Sweet Gray	Bo Wells	Bluffton SC	912-271-4794	Customer
4	SAPP'S	ROBERT MALLARD	1160 INDIGO RD	912-754-3638	Vendor
5	SAPP'S WRECKER	JAMES GRANGE	467 Pine St	(912) 346-0906	Vendor
6	VARCO	Jeffrey L. Hardin	1136 Hwy 114 S. Springfield	912-657-1999	Customer
7	W.L. Hall Co	Jason Hendrix	26 McIntosh Dr	912-313-3935	Customer
8	O'Reillys	Sara Pressley	Rincon, GA		Vendor
9	South East Landscaping	James Dockery	4898 Old Louisville Rd SAV	912-237-8586	Customer
10	South East Body Mix	Kevin Hamilton	4858 Old Louisville Rd SAV	912-255-0115	Customer
11	Perkins Tool Supply	Steve Perkins	3018 Hwy 80 Brockton GA 30415	912-210-0208	Both
12	PERKINS	KAYLA PERKINS	3018 US Hwy 80 Brockton, GA 30415	912-346-5771	Vendor
13		Stephen Ward	202 Willow St Rincon, GA	912-313-4034	Customer
14	Lakas	Ricky Reese	Hwy 210	912-825-5585	Both
15	Jessies Truck	Jessie Jenkins	201 Rockledge	912-414-1426	Customer
16	CEPHUS LEE	CEPHUS LEE	1154 N. Rose Rd Guntown	470 209 1225	Customer
17	David Jones Trucking	Gerrald Jones	414 Pinhurst Pl Postville North GA	912-661-8404	Customer
18	ATLANTIC POWER AND CONTROLS	BELLY LOVEN	204 E. 66th St SAVANNAH GA	912-210-0983	Customer
19					
20					

Please sign if you agree with the following statement in support of Rhett Roscinski operating his small diesel engine repair shop at 430 Hodgeville Road, Guyton, GA 31312.

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#	Business name	Contact name	Address (city, state)	Phone	Please indicate vendor/customer or both
1		Melinda Smith			Resident
2		Ben Mosko			Resident
3	LLC ANDREW DOTSON	DIANNE DOTSON	133 HODGEVILLE	912-346-1780	
4	LAWN PRODUCTS	DIANNE DOTSON	133 HODGEVILLE	912-346-1780	
5		Julie Telinski	184 Skinner Bay Dr	912 856-1111	Resident
6		Anslee Teigue	657 Goshen Rd	(912) 655-3330	Resident
7		Heather Chambers	101 Town Park Dr	(912) 663-2678	Resident
8		Travis Smith	50 Nut Run Rd	(912) 486-0837	Resident
9		KARA SOUTHERFIELD	115 PEEK HUNTS TRAIL	736-420-4037	Resident
10		Rachelle McKinney	12207 Bedford Dr	(912) 503-8236	Resident
11		Julie Parker	628 Clark Rd	912-856-4774	Resident
12		Anthony Parker	628 Clark Rd	912-856-2502	Resident
13		Noah Parker	628 Clark Rd	912-722-7240	Resident
14		Rebecca Jones	387 Peach Lane	912-728-4881	Resident
15		Gerald Jones	387 Peach	912-728-4881	Resident
16		Ryan Tuck	231 Oxford Cir	912 484-3016	Resident
17		Shirley Washburn	Hwy 30	912 704-1814	Resident
18		Lisa Powell	243 Middleton Rd	912-704-9858	Resident
19		Charlie Powell	243 Middleton Rd	912-429-8427	Resident
20		Victoria Menden	221 Middleton Ln	(912) 247-2204	Resident

	Business name	Contact name	Address		phone
1		Tina Hall	2800 Shawnee Egypt Rd Gwynn, GA 31317	resident	912-660-5416
2		Woodrow Hall Sr	2800 Shawnee Egypt Rd Gwynn, GA 31317	resident	912-308-4406
3		Betty & Woodrow Hall Sr.	815 Sherwood Dr. Gwynn, GA	resident	912-772-6370
4	Garrett Hall Prancing	Garrett Hall	2800 Shawnee Egypt Rd Gwynn, GA 31317		912-660-7459
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#	Business name	Contact name	Address (city, state)	Phone	Please indicate vendor/customer or both
1		Brandon Jones	3591 Noel C. Conaway Rd. Guyton GA 31312	912-667-0535	resident
2		Johnlee T Deloach	3591 Noel C. Conaway Rd. Guyton GA 31312	912-667-0272	resident
3		Michael Jones	3148 Noel C. Conaway Rd. Guyton GA	912-728-3549	resident
4		Irene Jones	3148 Noel C. Conaway Rd. Guyton GA	912-728-3549	resident
5		Glen Hart	232 Pecan Ln. Guyton, GA	912-718-3580	resident
6		Lee Jones	416 Pecan Ln	912-251-5992	resident
7		Colleen Jones	416 Pecan Ln	912-713-4354	resident
8		Melissa Jones	416 Pecan Ln	912-481-9715	resident
9		Scott Steenwyk	102 Amber Lane	912 224-1580	RESIDENT
10					
11					
12					
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DISTANCE MEASUREMENTS

HODGEVILLE RD

738'

480.83'

163.5'

474.65'

722.26'

200'

300'

60X100  
BUILDING

MOBILE HOME  
FUTURE OFFICE

100'

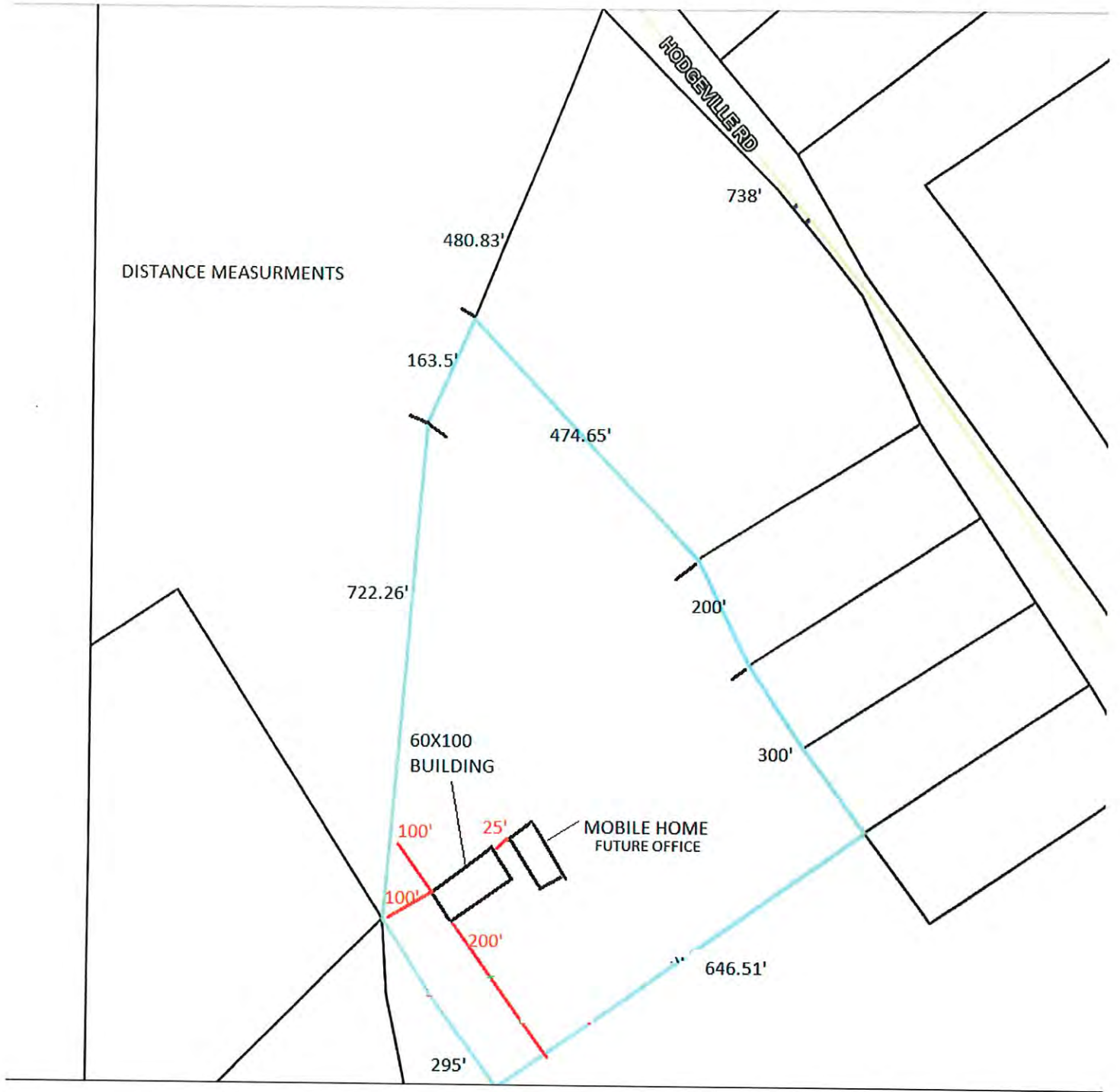
25'

100'

200'

646.51'

295'







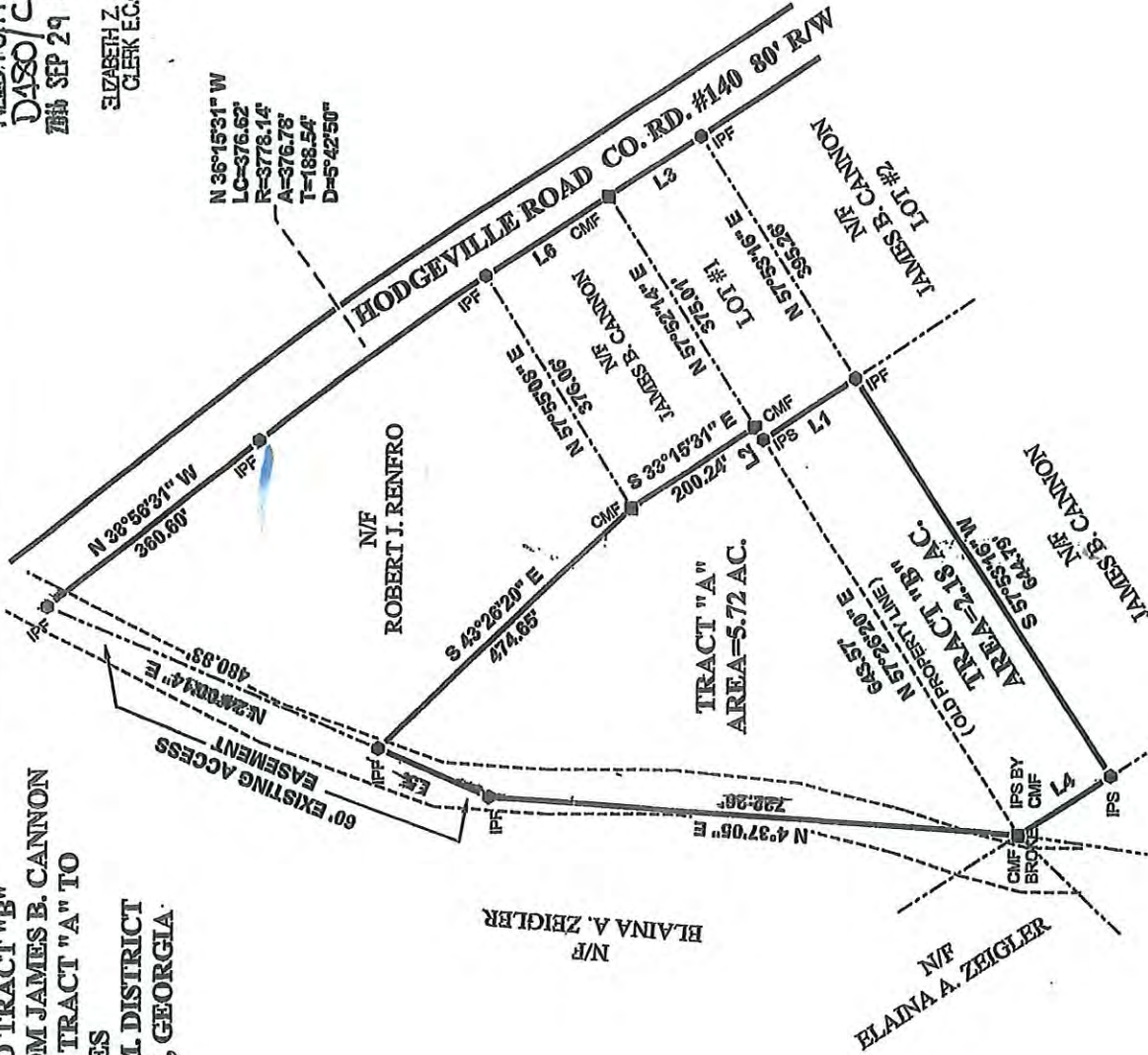
R.C.B. 09/28/2016  
ZONING ADMINISTRATOR DATE

LINE	BEARING	HORIZ DIST
L1	S33°15'56"E	149.79'
L2	S57°57'56"W	21.00'
L3	S32°58'48"W	149.86'
L4	N32°49'01"W	144.73'
L5	N23°45'36"E	163.53'
L6	N32°57'32"W	199.90'

SURVEY FOR: <b>RHETT ROSCINSKI</b> <b>MITCH TALLANT</b>	
COUNTY: EFFINGHAM STATE: GEORGIA	
GMD: 9 TH	SUBD:
DATE: 06/27/16	SCALE: 1" = 200'
FILE NUMBER: 16197	
TOTAL AREA: = 7.90	LOT:
FIELD SURVEY DATE: 09/22/	

FILED FOR RECORD  
2-7-08  
SEP 26 2 02 PM '08

**ELIZABETH Z. HURSEY**  
**CLERK E.C.S.C.**



Prepared By: **GLISSON  
LAND SURVEYING**

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR  
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964  
377 TOWER ROAD, CLAXTON, GEORGIA 30417  
RINCON 31 826 - 2833 CLAXTON: (912) 282 - 7052  
WMGLISSON@BELL.SOUTH.NET

OF TRACT "A" AND TRACT "B"  
SUBDIVIDED FROM JAMES B. CANNON  
D COMBINE WITH TRACT "A" TO  
TOTAL 7.90 ACRES  
ED IN THE 9TH G.M. DISTRICT  
INGHAM COUNTY, GEORGIA.

NE  
HOWARD & LAURA  
HODGES



STATE OF GEORGIA

ON TOTAL  
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CORRECT REPRESENTATION  
RED IN A CONFORMITY WITH  
S OF GEORGIA LAW 1978\***

LS #3316

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PROPOSED REZONING (APPROXIMATE)

HODGEVILLE RD

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BK-28 PG:289-289  
P20180000050

FILED IN OFFICE  
CLERK OF COURT

03/06/2018 02:07 PM

ELIZABETH Z. HURSEY, CLERK  
SUPERIOR COURT  
EFFINGHAM COUNTY, GA

*Elizabeth Z. Hursey*

8849504050

PARTICIPANT ID

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON-ES TOTAL STATION, SOKKIA G302, AND A TESLA DATA COLLECTOR.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE FIRM OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. THE FIELD DATA WAS COLLECTED USING A TOPCON-ES TOTAL STATION, SOKKIA G302, AND A TESLA DATA COLLECTOR.

THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A. 15-8-67) IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.

WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL ELEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN THE CERTAINLY, AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON THE INFORMATION AND RESEARCH, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

#### SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (6) OF O.C.G.A. SECTION 15-8-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-8-67.

*William Mark Glisson*  
WILLIAM MARK GLISSON RLS #5316 DATE

200' 0' 200' 400'

GRAPHIC SCALE 1"=200'

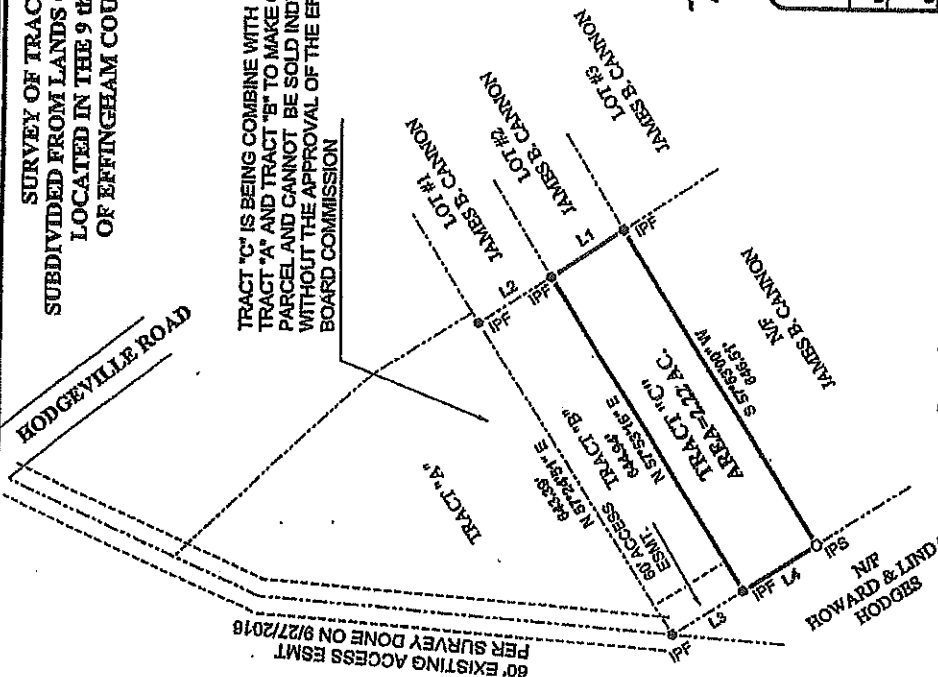


STATE OF GEORGIA

LINE	BEARING	HORIZ DIST
L1	S33°24'46"E	149.98'
L2	S33°23'18"E	150.12'
L3	N32°48'48"W	144.76'
L4	N32°48'48"W	150.00'

SURVEY OF TRACT "C" BEING  
SUBDIVIDED FROM LANDS OF JAMES B. CANNON  
LOCATED IN THE 9th G.M. DISTRICT  
OF EFFINGHAM COUNTY, GEORGIA

TRACT "C" IS BEING COMBINE WITH  
TRACT "A" AND TRACT "B" TO MAKE ONE  
PARCEL AND CANNOT BE SOLD INDEPENDENTLY  
WITHOUT THE APPROVAL OF THE EFFINGHAM PLANNING  
BOARD COMMISSION



APPROVED FOR RECORDING BY EFFINGHAM  
COUNTY ZONING ADMINISTRATOR  
*[Signature]* 02/05/2018  
DATE

SURVEY FOR:	
RHETT ROSCINSKI MITCH TALLANT	
COUNTY: EFFINGHAM, STATE: GEORGIA	
GMD: 9th	SUBD:
DATE: 02/22/2018	SCALE: 1"=200'
FILE NUMBER: #18121	
TOTAL AREA: 6.66 AC. LOT:	
FIELD SURVEY DATE: 02/06/2018	

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR  
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31864  
377 TUCKER ROAD, CLAYTON, GEORGIA 30417  
RINCON LOT 12 506 - 5285 CLAYTON (912) 282 - 7062  
WGLISSON@BELLWOOLTH.NET

Copy of survey received by: *[Signature]* Date: 4-25



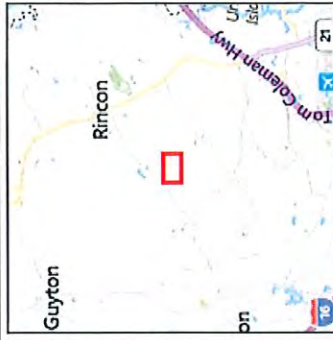
# 430 HODGEVILLE ROAD





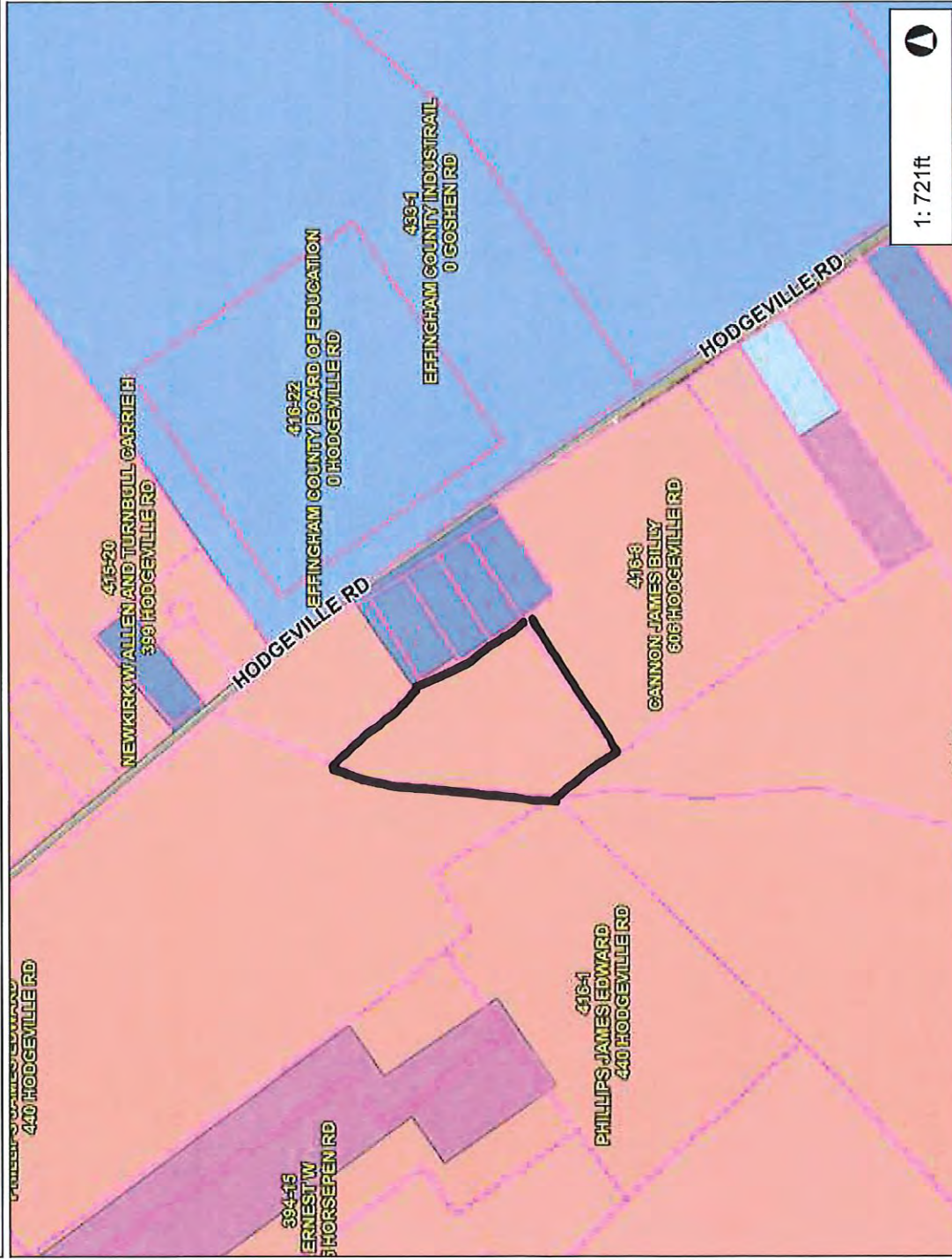


# Effingham County



**Legend**  
Tax Parcels With Labels  
Zoning Districts

- AR-1
  - AR-2
  - B-1
  - B-2
  - B-3
  - C-1
  - CP
  - FH
  - GN
  - I-1
  - MXU
  - PD
  - R-1
  - R-1-A
  - R-2
  - R-3
  - R-4
- Road Names  
Road Centerlines



This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

500 ft

17 Nov, 2020



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓ *with adding B-3* DISAPPROVAL       

Of the rezoning request by applicant (Rhett Roscinski – (Map # 416 Parcel # 3) from AR-1 to B-3 zoning.

- Yes (No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes (No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes (No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards? JG
- (Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes (No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes (No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes (No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes (No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ☒ \_\_\_\_\_

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Rhett Roscinski – (Map # 416 Parcel # 3) from AR-1 to B-3 zoning.

- Yes ☒ No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ☒ No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards? A2
- Yes ☒ No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
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EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL \_\_\_\_\_

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Rhett Roscinski – (Map # 416 Parcel # 3) from AR-1 to B-3 zoning.

- Yes ~~No~~ ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ~~No~~ ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ~~No~~ ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes ~~No~~ ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ~~No~~ ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes ~~No~~ ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ~~No~~ ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ~~No~~ ? 8. Do other conditions affect the property so as to support a decision against the proposal?

*DAB*

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

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- Yes No? 1. Is this proposal inconsistent with the county's master plan?
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- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
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- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

ZONE EASEMENT B3 ALSO.

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Rhett Roscinski requests to rezone ~10.12 acres from AR-1 to B-3 for a commercial property, Diesel Power Solutions, LLC. Located at 430 Hodgeville Rd.

**Map# 416 Parcels# 3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone ~10.12 acres from AR-1 to B-3, with conditions.

## 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. Automotive service businesses are a conditional use in B-3.
- The parcel has direct access to an unpaved road, which the applicant has agreed not to use for heavy equipment traffic. Customer vehicles will access the property through 534 Hodgeville Road (416-2), an AR-1 property, which has frontage on Hodgeville Road.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone ~10.12 acres from AR-1 to B-3, with staff conditions (1-3) and one additional condition (4):
  1. All wetland impacts must be approved and permitted by USACE.
  2. The existing 6,000 sf garage must be evaluated by an engineer and certified for compliance with current commercial building code before a Commercial Certificate of Occupancy can be issued by Development Services.
  3. The existing mobile home will not be permitted for use as a dwelling and will function as office space only.
  4. The B-3 parcel must connect directly to Hodgeville Road to accommodate the access road and buffers.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

**1. Approve** request to rezone 10.12 acres from AR-1 to B-3, with the following conditions:

1. All wetland impacts must be approved and permitted by USACE.
2. The existing 6,000 sf garage must be evaluated by an engineer and certified for compliance with current commercial building code before a Commercial Certificate of Occupancy can be issued by Development Services.
3. The existing mobile home will not be permitted for use as a dwelling and will function as office space only.
4. The B-3 parcel must connect directly to Hodgeville Road to accommodate the access road and buffers.

**2. Deny** the request to rezone ~10.12 acres from AR-1 to B-3.

**Recommended Alternative:** 1

**Other Alternative:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

416-3

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

416-3

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, RHETT ROSCINSKI has filed an application to rezone ten and twelve hundredths (10.12) +/- acres; from AR-1 to B-3 to allow for the creation of a commercial property; map and parcel number 416-3, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT ten and twelve hundredths (10.12) +/- acres; map and parcel number 416-3, located in the 2<sup>nd</sup> commissioner district is rezoned from AR-1 to B-3 with the following conditions:

1. All wetland impacts must be approved and permitted by USACE.
2. The existing 6,000 sf garage must be evaluated by an engineer and certified for compliance with current commercial building code before a Commercial Certificate of Occupancy can be issued by Development Services.
3. The existing mobile home will not be permitted for use as a dwelling and will function as office space only.
4. The B-3 parcel must connect directly to Hodgeville Road to accommodate the access road and buffers.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **John H. Andrews** requests to **rezone** 0.68 acres from **AR-2** to **AR-1** to allow for combination with an adjacent parcel. Located at 1455 Goshen Road.  
**Map# 434 Parcel# 21**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 0.68 acres from AR-2 to AR-1 for combination with an adjacent 6.97 acre AR-1 zoned parcel, with conditions.

## 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. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to combine the 0.68 parcel with the adjacent 6.97 acre AR-1 zoned property (434-23), and therefore must rezone it to AR-1.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 0.68 acres from AR-2 to AR-1 for recombination with an AR-1 parcel, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. The recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 0.68 acres from AR-2 to AR-1 for recombination with an AR-1 parcel, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. The recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 0.68 acres from AR-2 to AR-1.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Plat
2. Ownership certificate/authorization	5. Aerial photograph
3. Deed	



ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent John H. Andrews Date Nov. 4, 2020

Applicant email address JA 14351111@gmail.com Phone # (912) 433-1532

Property owner(s) John H, Laura T. Andrews email \_\_\_\_\_

Telephone Number (912) 433-1532

Mailing Address 1435 Goshen Rd.

Property location 1455 Goshen Rd.

Present zoning AR2

Proposed zoning AR1

Present land-use Vacant

Proposed land-use Residential

Tax Map # 434 Parcel # 21 Lot # \_\_\_\_\_

Total Acres ~.68/0.53 Acres to be rezoned ~.68/0.53

Lot characteristics cleared

Water \_\_\_\_\_ Public ☒ Private Sewer \_\_\_\_\_ Public ☒ Private

Proposed access Goshen Rd

Justification Rezone to combine with 434-23, which is AR-1

List the zoning of the other property in the vicinity of the property you wish to rezone:

North AR2 South AR2

East AR1 West \_\_\_\_\_

1. Describe the current use of the property you wish to rezone.

Vacant Lot

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

3. Describe the use that you propose to make of the land after rezoning.

RESIDENTIAL / add To 1435 Goshen Rd.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

RESIDENTIAL

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

RESIDENTIAL

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No

ATTACHMENT BEFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

August 27, 2020, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2619 page 91-92.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature ~~John H. Andrews~~ Print John H. Andrews  
 Owner's signature ~~Laura Andrews~~ Print ~~Laura Andrews~~  
 Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this 4th day of November, 2020.  
Kathleen Erin Dunnigan  
 Notary Public, State of Georgia





## Effingham County Development Services

### AUTHORIZATION OF PROPERTY OWNER

I, John H. Andrews, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: John H. Andrews Date: Nov. 4, 2020

Address: 1435 Coshen Rd.

City: Rincon State: GA Zip Code: 31326

Telephone Number: (904) 433-1532 Email: JA 1435111@gmail.com

John H. Andrews  
Signature of Owner

John H. Andrews  
Owners Name (Print)

Personally appeared before me \_\_\_\_\_ (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day \_\_\_\_\_ of \_\_\_\_\_

(Notary Seal)

\_\_\_\_\_  
Notary Public



DOC# 008796  
FILED IN OFFICE  
8/31/2020 08:19 AM  
BK:2619 PG:91-92  
JASON E. BRAGG  
CLERK OF SUPERIOR COURT  
EFFINGHAM COUNTY  
REAL ESTATE TRANSFER  
TAX PAID: \$20.00  
PT-61 051-2020-002411

Return Recorded Document to:  
The Ratchford Firm  
1575 Highway 21 South  
Springfield, GA 31329

Our File #: 20-418

## **LIMITED WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this **27th** day of **August, 2020**, between **Judith M. Gilder**, of the County of **Effingham**, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **John H. Andrews**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH that:** Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee,

**ALL that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, containing 2.427 acres, more or less, known and designated as Tract 8, that is shown and more particularly described by the plat of survey made by Harold R. Johnson, R.L.S. #1137, dated July 6-10, 1988, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet A, Slide D21, which is incorporated into this description by specific reference thereto.**

**LESS AND EXCEPT that 1.89 acre portion of land as shown and described on the plat of survey made by Harold R. Johnson, RLS #1137, dated August 1, 2000 recorded in Plat Cabinet B, Slide 96F, aforesaid records.**

**This being the same property conveyed by Gregory R. Gilder to Judith M. Gilder as evidenced by that certain Deed dated May 26, 1994 recorded in Deed Book 359, page 741, aforesaid records.**

**SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.**

**Said property has as current property tax identification number of 04340-021-000 with a street address of 1455 Goshen Road, Rincon, Georgia, 31326.**

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warranty and forever defend the right and title to the above described property unto the said Grantee against the lawful claims and demands of all persons claiming by, through or under the above Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed this 27<sup>th</sup> day of August, 2020  
in the presence of:

Karen Egel  
Unofficial Witness

Judith M. Gilder (Seal)  
Judith M. Gilder

Catherine J. Jones  
Notary Public

\_\_\_\_\_(Seal)

My commission expires 8/25/21

(Notary Public Seal Affixed)





**Coastal Health District**  
Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 14, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: John H. Andrews  
1455 Goshen Road, Rincon GA, 31326  
Pin #434-21  
Total Acres: 11.0 Acres to be rezoned: 11.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health has reviewed the request to rezone the above referenced tract of land from AR-2 to AR-1. This property will be recombined with parcel 434-23. Final approval is given to the above referenced tract of land.

If there are any questions, please do not hesitate to call.

Sincerely,

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department



***We Protect Lives.***



# RECOMBINATION SURVEY OF 7.625 ACRES LOCATED IN THE 9TH G.M. DISTRICT OF EFFINGHAM COUNTY GEORGIA

LINE	BEARING	HORIZ DIST
L1	S48°25'01"W	133.99
L2	S48°30'36"W	163.98
L3	N43°00'24"W	182.70
L4	N48°21'06"E	164.07
L5	N42°10'16"W	38.87
L6	N52°22'49"E	135.73
L7	N42°22'50"W	139.50
L8	N54°08'26"E	197.84
L9	S48°30'36"W	19.75

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON - ES TOTAL STATION, SOKKIA GRX2, AND A TESLA DATA COLLECTOR. PARCEL #:(04340022)
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. (PB B96 PG F)
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF CURVES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978.
5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A. 15-6-67) IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN, THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE

## SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (g) OF O.C.G.A. SECTION OF 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

WILLIAM MARK GLISSON RLS #3316

DATE



STATE OF GEORGIA



APPROVED FOR RECORDING BY EFFINGHAM  
COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR DATE

REFERENCES:  
1. PB A194 PG D  
2. PB 4 PG 102  
3. PB 6 PG 36

SURVEY FOR:  
JOHN H. &  
LAURA T. ANDREWS

JOHN W. ODUM  
PARCEL #:(04520008)  
(PB B51 PG C)

G.M.D. 9TH SUBD.

DATE: 10/22/2020 SCALE: 1" = 200'

FILE NUMBER: 20358

TOTAL AREA: 7.625 AC. LOT:

FIELD SURVEY DATE: 10/07/2020

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR  
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964

377 TUCKER ROAD, CLAYTON, GEORGIA 30417  
RINCON: (912) 826 - 5283 CLAYTON: (912) 282 - 7052  
WMGLISSON@BELLSOUTH.NET

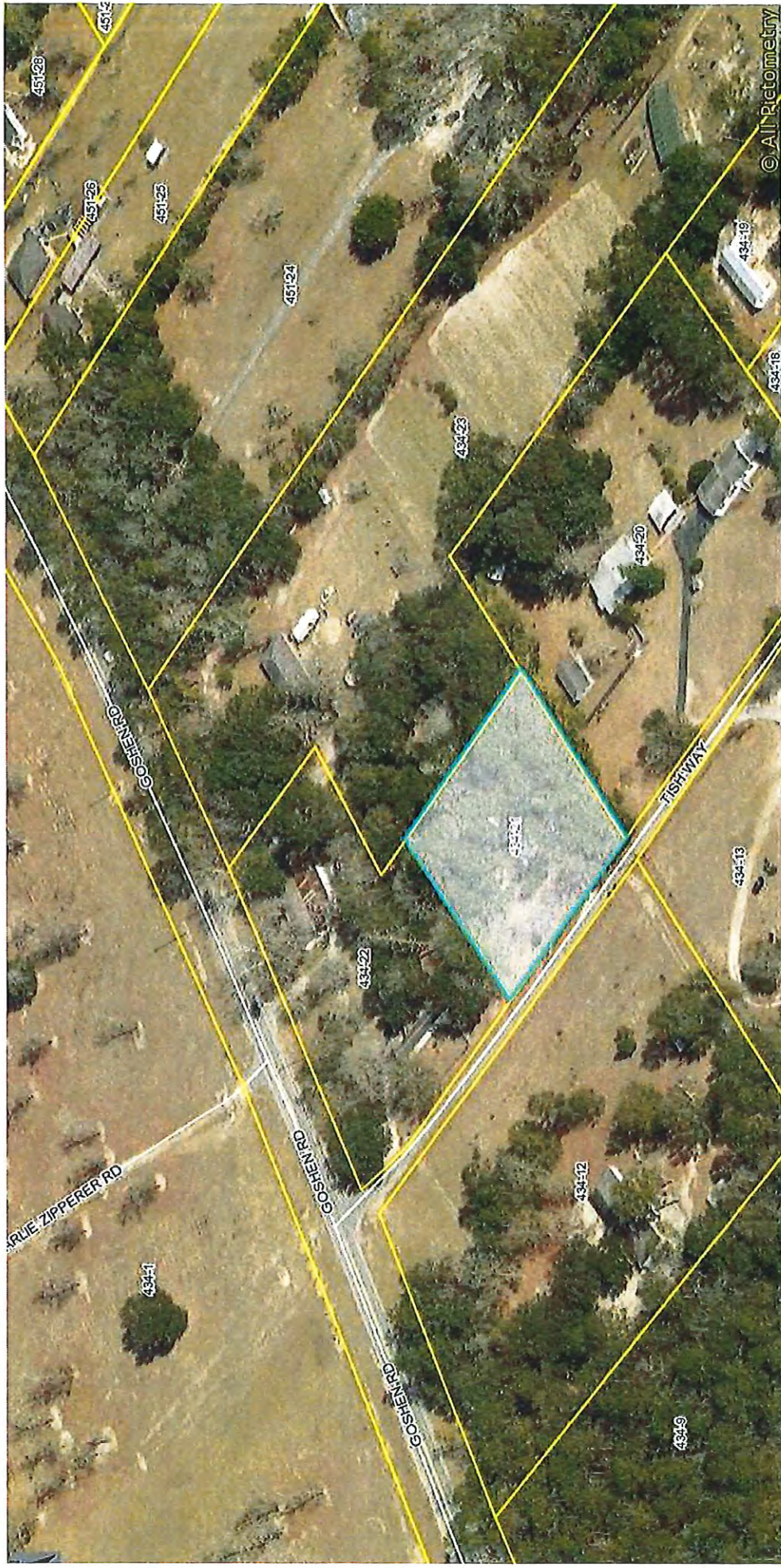


PREPARED BY:





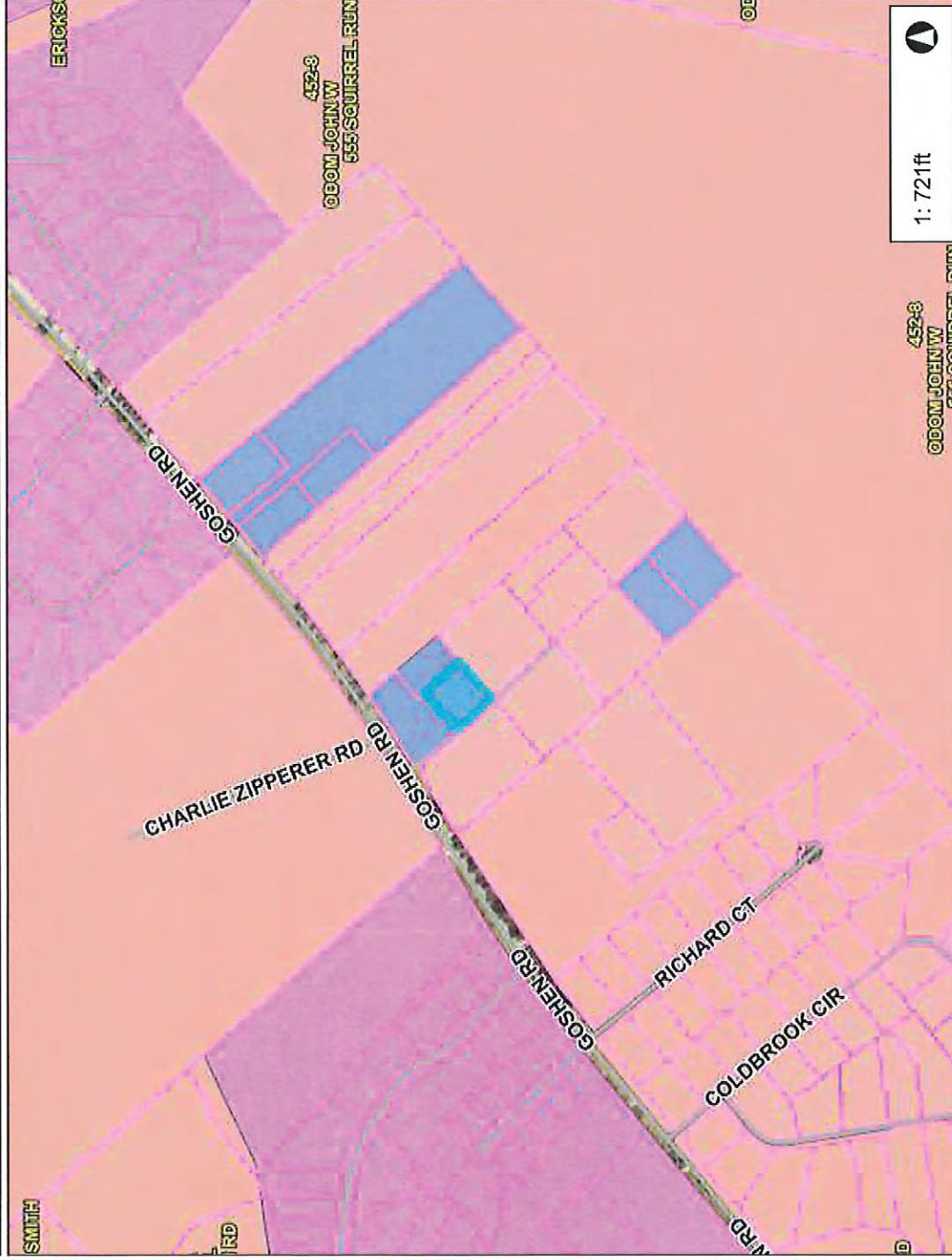
# 1455 Goshen Road







# Effingham County



## Legend

Tax Parcels With Labels  
Zoning Districts

- AR-1
  - AR-2
  - B-1
  - B-2
  - B-3
  - C-1
  - CP
  - FH
  - GN
  - I-1
  - MXU
  - PD
  - R-1
  - R-1-A
  - R-2
  - R-3
  - R-4
- Road Names  
Road Centerlines

1: 721ft



This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

500 ft

9 Nov, 2020

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (John H. Andrews - Map# 434 Parcel # 21) from AR-2 to AR-1 zoning.

- Yes ☒ No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ☒ No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards? J6
- Yes ☒ No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ☒ No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes ☒ No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ☒ No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ☒ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

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DISAPPROVAL \_\_\_\_\_

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- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AZ



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL           

DISAPPROVAL           

Of the rezoning request by applicant (**John H. Andrews - Map# 434 Parcel # 21**) from AR-2 to AR-1 zoning.

- Yes ~~No~~ ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ~~No~~ ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ~~No~~ ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes ~~No~~ ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ~~No~~ ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
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- Yes ~~No~~ ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ~~No~~ ? 8. Do other conditions affect the property so as to support a decision against the proposal?

DAB

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL 

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (John H. Andrews - Map# 434 Parcel # 21) from AR-2 to AR-1 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county's master plan?
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EFFINGHAM COUNTY REZONING CHECKLIST

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The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

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- Yes No? 1. Is this proposal inconsistent with the county's master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **John H. Andrews** requests to **rezone** 0.68 acres from **AR-2** to **AR-1** to allow for combination with an adjacent parcel. Located at 1455 Goshen Road.  
**Map# 434 Parcel# 21**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 0.68 acres from AR-2 to AR-1 for combination with an adjacent 6.97 acre AR-1 zoned parcel, with conditions.

## 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. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to combine the 0.68 parcel with the adjacent 6.97 acre AR-1 zoned property (434-23), and therefore must rezone it to AR-1.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 0.68 acres from AR-2 to AR-1 for recombination with an AR-1 parcel, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. The recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 0.68 acres from AR-2 to AR-1 for recombination with an AR-1 parcel, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. The recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 0.68 acres from AR-2 to AR-1.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

## Attachments:

1. Zoning Map Amendment



**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
434-21

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
434-21

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, JOHN H. ANDREWS has filed an application to rezone sixty-eight hundredths (0.68) +/- acres; from AR-2 to AR-1 to allow for combination with an adjacent parcel; map and parcel number 434-21, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT sixty-eight hundredths (0.68) +/- acres; map and parcel number 434-21, located in the 2<sup>nd</sup> commissioner district is rezoned from AR-2 to AR-1 with the following conditions:

1. The lot shall meet the requirements of the AR-1 zoning district.
2. The recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Crystal Henry for Kathy Lovejoy** requests to **rezone** 1 of 7.9 acres from **AR-1** to **AR-2** for the creation of a home site. Located at 126 Oak Street.

**Map# 450D Parcels# 15**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 1 of 7.9 acres from **AR-1** to **AR-2**, to allow for the creation of a home site, with conditions.

## 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. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide the 1 acre parcel for a home site and, therefore, it must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 1 acre from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 1 acre from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. Subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 1 acre from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Plat
2. Ownership certificate/authorization	5. Aerial photograph
3. Deed	

ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent Kathy Lovejoy Date 11/4/2020  
Applicant email address ~~128 Oak Street~~ Kmhaswisdom@yahoo.com Phone # 912-704-7785  
Property owner(s) Kathy Lovejoy email Kmhaswisdom@yahoo.com  
Telephone Number (912) 704-7785  
Mailing Address 128 Oak Street, Rincon, GA 31326  
Property location 128 Oak Street, Rincon, GA 31326  
Present zoning ~~Residential~~ AR-1  
Proposed zoning ~~Residential~~ AR-2  
Present land-use Residential  
Proposed land-use Residential  
Tax Map # \_\_\_\_\_ Parcel # 04500015 Lot # \_\_\_\_\_  
Total Acres 7.9 Acres to be rezoned 1  
Lot characteristics vacant  
Water \_\_\_\_\_ Public ☒ Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public ☒ Private \_\_\_\_\_  
Proposed access Oak St.  
Justification \_\_\_\_\_  
List the zoning of the other property in the vicinity of the property you wish to rezone:  
North I-1 South AR-1  
East AR-1 West I-1

1. Describe the current use of the property you wish to rezone.

personal living (create home site for daughter)

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

yes

3. Describe the use that you propose to make of the land after rezoning.

personal living (home site-residential)

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

residential

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

Residential - keeping tone of surrounding properties

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No





## Effingham County Development Services

### AUTHORIZATION OF PROPERTY OWNER

I, Kathy Lovejoy, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Crystal D. Henry Date: 4 Nov 20

Address: 126 Oak St.

City: Rincon State: GA Zip Code: 31326

Telephone Number: (786) 393-0934 Email: crystalddj@yahoo.com

Signature of Owner: Kathy Lovejoy Owners Name (Print): Kathy Lovejoy

Personally appeared before me Kathy Lovejoy (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 16 October of 2020

Kathleen Erin Dunnigan  
Notary Public



ATTACHMENT BEFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed  
Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

November 27, 2018 on file in the office of the Clerk of the Superior Court of  
Effingham County, in Deed Book 2499 page 709-710

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Kathy Lovejoy Print Kathy Lovejoy  
Owner's signature \_\_\_\_\_ Print \_\_\_\_\_  
Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this 16<sup>th</sup> day of October, 2020.  
Kathleen Erin Dunnigan  
Notary Public, State of Georgia





DOC# 010321  
FILED IN OFFICE  
11/27/2018 01:33 PM  
BK:2499 PG:709-710  
ELIZABETH Z. HURSEY  
CLERK OF SUPERIOR COURT  
EFFINGHAM COUNTY  
REAL ESTATE TRANSFER TAX  
PAID: \$185.00

PT-61 051-2018-003241

**For official use by Clerk's Office only**

**Record and Return to:**  
LEE, BLACK & HOLLIS, P.C.  
7395 Hodgson Memorial Drive  
Suite 200  
Savannah, Georgia 31406  
18-38210

STATE OF GEORGIA )  
COUNTY OF CHATHAM )

**LIMITED WARRANTY DEED**  
(Individual Seller)

THIS INDENTURE, made this November 16, 2018, by and between ERIC C. D'ANGELO, of the first part, and KATHY LOVEJOY, of the second part;

WITNESSETH:

That first party, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto second parties/parties, his/her/their heirs and assigns, the following described property, to-wit:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN **EFFINGHAM COUNTY**, GEORGIA, SHOWN AS "7.9 ACRES" UPON A MAP THEREOF PREPARED BY WILDER SURVEYING & MAPPING, DATED MAY 5, 1976, RECORDED IN PLAT BOOK 11, PAGE 117, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA. THIS IS THE SAME PROPERTY CONVEYED TO ERIC C. D'ANGELO BY WARRANTY DEED DATED MAY 25, 2005, RECORDED IN DEED BOOK 1281, PAGE 177, IN THE AFORESAID CLERK'S OFFICE. SAID MAP AND DEED ARE INCORPORATED HEREIN BY REFERENCE.

AND ALSO A 1999 REDMAN, STONEMAN MODEL MANUFACTURED HOME, SERIAL #13908566AB, THE TITLE OF WHICH HAS BEEN SURRENDERED TO REAL PROPERTY. SEE CERTIFICATE OF PERMANENT LOCATION (T-234) RECORDED IN DEED BOOK 1341, PAGE 218, IN THE AFORESAID CLERK'S OFFICE.

126 OAK STREET, RINCON, GEORGIA 31326  
P.I.N. 0450D-015-000



## Coastal Health District

Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

November 6, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Kathy Lovejoy  
128 Oak Street, Rincon GA 31326  
Pin #450-D15  
Total Acres: 7.90 Acres to be rezoned: 1.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



***We Protect Lives.***



This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in cursive script that reads "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department



## Coastal Health District

Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350

Springfield, Georgia 31329

Phone: 912-754-6850 | Fax: 912-754-0078

December 15, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Kathy Lovejoy  
128 Oak Street, Rincon GA, 31326  
Pin #450D-15  
Total Acres: 7.9 Acres to be rezoned: 1.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

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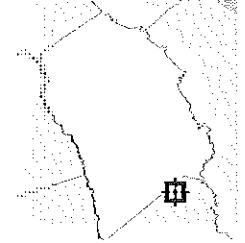
Sincerely,

A handwritten signature in cursive script, reading "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department

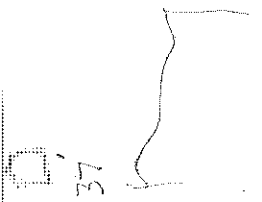


Overview



Legend

-  Parcels
-  Roads



08728

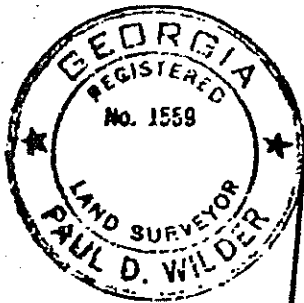
Parcel ID	0450D015	Owner	LOVEJOY KATHY	Last 2 Sales			
Class Code	Residential		126 OAK ST	Date	Price	Reason	Qual
Taxing District	01-County		RINCON GA 31326	11/16/2018	\$185000	M	U
	County	Physical Address	126 OAK ST	5/25/2005	\$144000	UI	U
Acres	7.9	Assessed Value	Value \$109942				
(Note: Not to be used on legal documents)							

Date created: 7/16/2020  
 Last Data Uploaded: 7/16/2020 12:52:07 AM

TAX ASSESSOR



UNION CAMP CORP



N 28° 52' 22" W 881.28'

7.9 ACRES

817.00'

S 30° 15' 30" E

126 OAK Street  
1 ACRE

C.M.

S 43° 59' 00" W 428.97'  
OAK STREET 80' R/W

C.M.

8463' TO E McALL RD.

In my opinion, this plot is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

*Paul D. Wilder*

PAUL D. WILDER - REG. LAND SURVEYOR  
GA. NO. 1559

PLAT OF  
PROPERTY OF JESSE W. EXLEY  
TO BE CONVEYED TO  
RICHARD M. PARKER & DEBORAH B. PARKER

LOCATION: G.M.D. 9  
EFFINGHAM COUNTY, GEORGIA

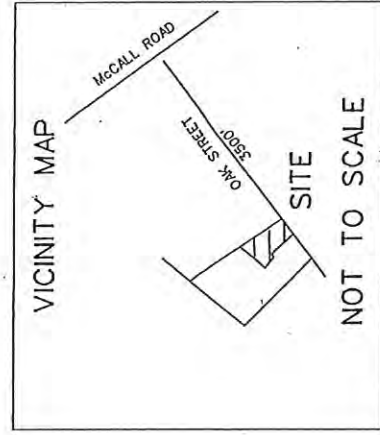
SCALE: 1 INCH = 100 FEET

DATE: MAY 5, 1976 FILE NO. 242-II

WILDER SURVEYING & MAPPING  
RINGON, GEORGIA

NOTE: SUBJECT PROPERTY IS A PORTION OF MAP & PARCEL 067 -49 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.

NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERRING THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/16/2015, THIS PROPERTY IS LOCATED IN "ZONE X". (OUTSIDE THE 500 YEAR FLOODPLAIN)



APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR DATE

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plot as represented by the sold engineer/surveyor or finds that this plot complies with the OGSNS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

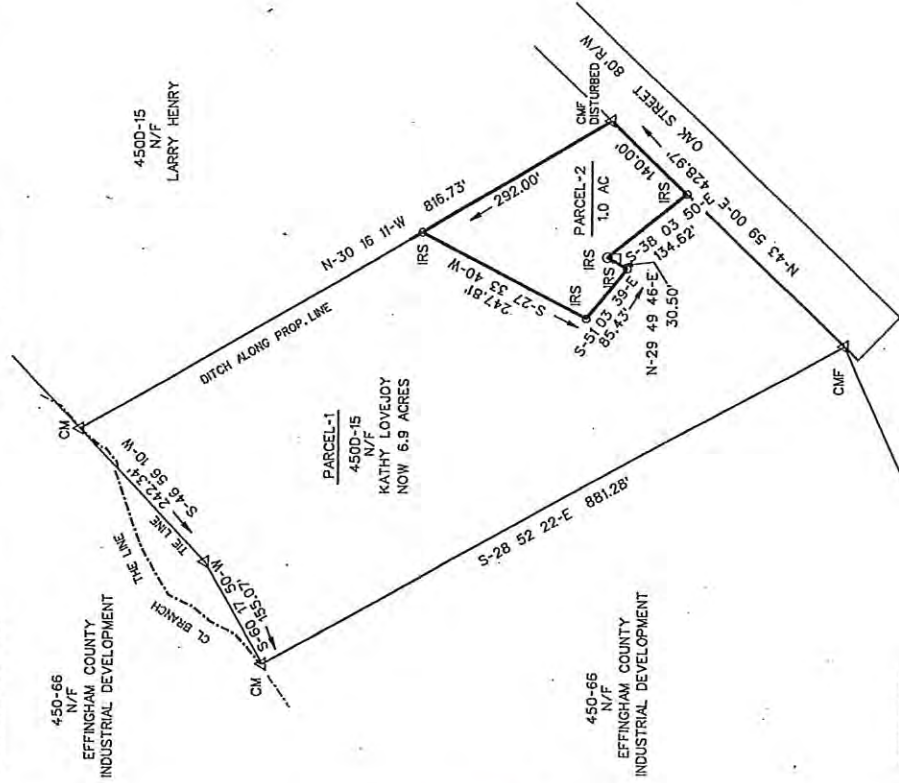
*Adolph N. Michelis* 12/1/20  
Title Date  
Signing Authority

MINOR SUBDIVISION

SURVEY FOR  
CRYSTAL HENRY

SURVEY TO DIVIDE 1.00 ACRE  
FROM MAP & PARCEL 450D-15  
LOCATED IN THE 09TH. G.M.D.  
EFFINGHAM COUNTY, GEORGIA  
SURVEYED 27 JULY 2020  
PLAT DRAWN 04 NOV 2020

CHEN2.DGN NOV2020



SCALE: 1" = 200'



REFERENCES:  
PB-11 PAGE 117

LEGEND:

- IRF 3/4" REBAR FOUND
- IRS 3/4" REBAR SET
- PL PROPERTY LINE
- CMF CONC MON. FOUND
- N/F NOW OR FORMERLY
- PP POWER POLE
- EQUIP. USED TOTAL STATION
- TOPCON 303

ERROR OF CLOSURE  
1/24,000 PLAT NOT ADJUSTED

ADOLPH N. MICHELIS & ASSO.  
736 SANDY RIDGE ROAD  
SYLVANIA, GEORGIA 30467  
PH. (912) 829 3972

SURVEYORS CERTIFICATION

(1) As required by subsection (a) of O.C.G.A. Section 15-6-67, the undersigned land surveyor certifies that this plat complies with the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



*Adolph N. Michelis*  
DATE  
11-06-20



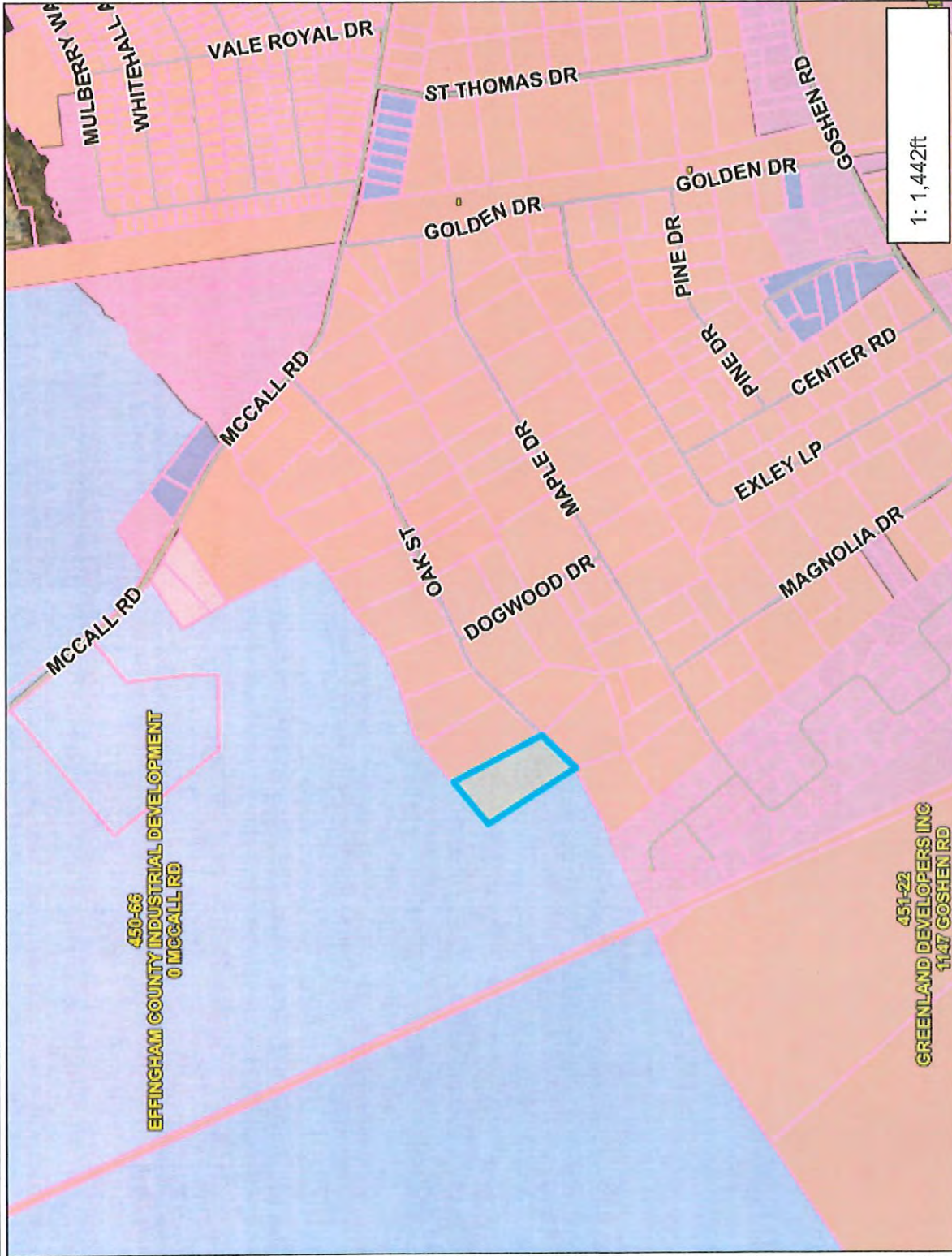
## An aerial photograph of a land area, likely a farm or large estate, with numerous yellow-outlined parcels. A specific parcel, labeled '450D-15', is highlighted with a blue border. The map includes various labels for roads and features: '91 RAIL ROW' at the bottom, 'OAK ST' running vertically, 'PULPWOOD DR' running diagonally, and 'MAGNOLIA' at the top right. Numerous parcel numbers are visible, including 450-5, 450D-6, 450D-7, 450D-8, 450D-9, 450D-10, 450D-11, 450D-12, 450D-13, 450D-14, 450D-15, 450D-16, 450D-17, 450D-18, 450D-19, 450D-20, 450D-21, 450D-22A, 450D-22B, 450D-23, 450D-24, 450D-25, 450D-26, 450D-27, 450D-28, 450D-29, 450D-30, 450D-31, 450D-32, 450D-33, 450D-34, 450D-35, 450D-36, 450D-37, 450D-38, 450D-39, 450D-40, 450D-41, 450D-42, 450D-43, 450D-44, 450D-45, 450D-46, 450D-47, 450D-48, 450D-49, 450D-50, 450D-51, 450D-52, 450D-53, 450D-54, 450D-55, 450D-56, 450D-57, 450D-58, 450D-59, 450D-60, 450D-61, 450D-62, 450D-63, 450D-64, 450D-65, 450D-66, 450D-67, 450D-68, 450D-69, 450D-70, 450D-71, 450D-72, 450D-73, 450D-74, 450D-75, 450D-76, 450D-77, 450D-78, 450D-79, 450D-80, 450D-81, 450D-82, 450D-83, 450D-84, 450D-85, 450D-86, 450D-87, 450D-88, 450D-89, 450D-90, 450D-91, 450D-92, 450D-93, 450D-94, 450D-95, 450D-96, 450D-97, 450D-98, 450D-99, 450D-100. The map is oriented with North at the top. The text '© All Rights Reserved' is visible in the bottom right corner.

433-1

© All Rights Reserved



# Effingham County



1: 1,442ft

1000 ft

9 Nov, 2020



## Legend

- Encumbrance
  - Conservation
  - Drainage Easement
  - Easement
  - Flood
  - Lease
  - Other
  - Prescriptive Right Of Way
  - Private Ingress-Egress
  - Unknown
  - Utility
  - Utility Easement
- Tax Parcels With Labels
- Zoning Districts
  - AR-1
  - AR-2
  - B-1
  - B-2
  - B-3
  - C-1
  - CP
  - FH
  - GN
  - I-1
  - MXU
  - PD
  - R-1
  - R-1-A
  - R-2
  - R-3
  - R-4
- Road Names
- Road Centerlines

This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Crystal Henry as Agent for Kathy Lovejoy - Map# 450D Parcel # 15) from AR-1 to AR-2 zoning.

- Yes ☒ No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ☒ No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes ☒ No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ☒ No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property? J6
- Yes ☒ No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ☒ No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ☒ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

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- Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
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- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AZ

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL       

DISAPPROVAL       

Of the rezoning request by applicant (Crystal Henry as Agent for Kathy Lovejoy - Map# 450D Parcel # 15) from AR-1 to AR-2 zoning.

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- Yes ~~No~~ ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
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EFFINGHAM COUNTY REZONING CHECKLIST

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The Effingham County Planning Commission recommends:

APPROVAL REH

DISAPPROVAL \_\_\_\_\_

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Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

REH



EFFINGHAM COUNTY REZONING CHECKLIST

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- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Crystal Henry** for **Kathy Lovejoy** requests to **rezone** 1 of 7.9 acres from **AR-1** to **AR-2** for the creation of a home site. Located at 126 Oak Street.  
**Map# 450D Parcels# 15**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 1 of 7.9 acres from **AR-1** to **AR-2**, to allow for the creation of a home site, with conditions.

## 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. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide the 1 acre parcel for a home site and, therefore, it must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request to rezone 1 acre from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 1 acre from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. Subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 1 acre from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

## Attachments:

1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
450D-15

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
450D-15

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, CRYSTAL HENRY for KATHY LOVEJOY has filed an application to rezone one (1.0) +/- acre; from AR-1 to AR-2 to allow for creation of a home site; map and parcel number 450D-15, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT one (1.0) +/- acre; map and parcel number 450D-15, located in the 2<sup>nd</sup> commissioner district is rezoned from AR-1 to AR-2 with the following conditions:

1. The lot shall meet the requirements of the AR-2 zoning district.
2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Third District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Reverend Rothell Wasson Jr. for Savannah Baptist Association** requests to **rezone** 4 acres from **AR-1** to **AR-2** to allow for the separation of a church site from the parcel. Located at 1200 Honey Ridge Road.

## Map#273 Parcel# 10

### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 4 acres from AR-1 to AR-2 to allow for the separation of a church building site, with conditions.

### 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. The AR districts allow churches, charitable, semi-private, or philanthropic institutions by right.
- The church site is approximately 4 acres and therefore requires rezoning from AR-1 to AR-2. The remaining acreage is expected to be marketed for residential development.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 4 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Alan Zipperer seconded the motion. The motion carried unanimously.

### Alternatives

1. **Approve** request to rezone 4 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 4 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Plat
3. Ownership certificate/authorization	5. Aerial photograph
4. Deed	



**ATTACHMENT A**

**EFFINGHAM COUNTY REZONING AMENDMENT FORMS**

Applicant/Agent Rev. Rothell Wasson, Jr. Date 11-10-2020

Applicant email address revwasson@gmail.com Phone # 912-232-1033

Property owner(s) Savannah Baptist Association email revwasson@gmail.com

Telephone Number (912) 232-1033

Mailing Address 704 Wheaton Street, Savannah, GA 31401

Property location 1200 Honeyridge Road, Gungah, GA

Present zoning AR 1

Proposed zoning AR 2

Present land-use Agriculture

Proposed land-use Residential

Tax Map # 273 Parcel # 10 Lot # \_\_\_\_\_

Total Acres 22 Acres to be rezoned 22

Lot characteristics \_\_\_\_\_

Water ☒ Public \_\_\_\_\_ Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public ☒ Private \_\_\_\_\_

Proposed access Honeyridge Road

Justification \_\_\_\_\_

List the zoning of the other property in the vicinity of the property you wish to rezone:

North \_\_\_\_\_ South \_\_\_\_\_

East \_\_\_\_\_ West \_\_\_\_\_

1. Describe the current use of the property you wish to rezone.

Crossroad Community Church on 4 acres 18 acres Agriculture

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

Yes

3. Describe the use that you propose to make of the land after rezoning.

Residential

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

Housing

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No

ATTACHMENT BEFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

January 5, 1967, on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 113 page 576-577.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Savannah Baptist Association Print Savannah Baptist Association

Owner's signature Rev. Rothell Wasson, Jr. Print Rev. Rothell Wasson, Jr.

Owner's signature Association Mission Strategist Print Association Mission Strategist

Sworn and subscribed before me this 10 day of November, 2020.

Janet D. Bell  
Notary Public, State of Georgia

Janet D Bell  
Notary Public  
Chatham County, Georgia  
My Commission Expires  
10/19/2021



## Effingham County Development Services

### AUTHORIZATION OF PROPERTY OWNER

I, Janet D. Bell, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Savannah Baptist Association Date: 10-10-2020  
Rev. Rothell Wasson, Jr. Savannah Baptist Association Mission Street  
 Address: 704 Wheaton Street

City: Savannah State: GA Zip Code: 31401

Telephone Number: 912-232-1033 Email: rev.wasson@gmail.com

Rev. Rothell Wasson Jr. Rothell Wasson Jr.  
 Signature of Owner Owners Name (Print)

Personally appeared before me Janet D. Bell (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 10<sup>th</sup> of November 2020

(Notary Seal)

Janet D. Bell  
 Notary Public

Janet D Bell  
 Notary Public  
 Chatham County, Georgia  
 My Commission Expires  
 10/19/2021



STATE OF GEORGIA ) WARRANTY DEED FROM WARREN F. AND HELEN A. KLECAN AND JOAN K. KEMP  
COUNTY OF CHATHAM ) TO TRUSTEES SAVANNAH BAPTIST ASSOCIATION

THIS INDENTURE, made this 20th day of December in the year of our Lord One Thousand Nine Hundred and Sixty-six between WARREN F. KLECAN, HELEN A. KLECAN AND JOAN KLECAN KEMP of the State of Georgia and County of Effingham as parties of the first part and W. JUDSON LECROY, CHARLES G. JOHNSON, J. A. TOMLINSON AND W. J. CARSWELL, Trustees of the SAVANNAH BAPTIST ASSOCIATION, an unincorporated religious organization., of the State of Georgia and County of Chatham as parties of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs, successors and assigns, all the following described tract or parcel of land to-wit: ALL that certain tract or parcel of land, containing ~~Twelve and eight-tenths (12.8) Acres~~ more or less, situate, lying and being in the 10th District, G.M., Effingham County, Georgia, just West of the Town of Pineora, and across Mill Creek, designated as Lot No. 12, on a plat of the Farm Subdivision prepared for the National Land Company by R. D. Gignilliat, April 1915, bounded on the North by Lot No. 11 of said Subdivision; East by high water mark of Mill Creek and by the old right of way of Midland Railway; South by Lots No. 13 and 14 of said Subdivision; and on the West by the Louisville Road, Said tract of land is the identical tract conveyed by John W. Middleton and Taylor S. Whitfield to Charles C. Bush by deed dated November 7, 1945, recorded in Deed Book 97, page 157, Effingham County Records, and by Charles C. Bush to Frank E. Klecan by Deed dated April 9, 1945, recorded in Deed Book 102, Page 255, Effingham County Records.

ALL that certain tract or parcel of land situate, lying and being in the 10th G. M. District, Effingham County, Georgia, containing ~~Twenty-two (22) Acres~~ more or less, being triangular in shape and bounded on the Northeast and East by lands formerly of the estate of James R. Sheldon, now lands of Earl Bazemore; on the South by a twenty (20) foot strip of land which separates said tract from lands formerly of Ila Douglas, now lands of Morgan; and on the West by the Louisville Road. This being the same tract of land conveyed to Mrs. John Alexander by warranty deed from Saida Gordon Lewis and Lester H. Lewis, said deed dated February 12, 1945, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 88, pages 461, 462, and by Mrs. John (Emma W.) Alexander to Helen A. Klecan by deed dated February 21, 1957, and recorded in the aforementioned Clerk's office in Deed Book 115, Page 106.

ALL that certain lot or parcel of land situate, lying and being in the 10th District, G.M., Effingham County, Georgia, West of the village of Pineora on the Louisville Public Road, containing ~~Twenty and One-half (20 1/2) Acres~~ more or less, and according to a map or plat of a survey made by R. D. Gignilliat, August 3, 1922, and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Book of Deeds 65 at Page 183, being known

*for affidavits see Deed Book 141, Page 440-441*

X  
 as lot letter "H" and being bounded on the North by lot letter "I", on the East by the Louisville Public Road, on the South by lot letter "B", and on the West by lot letter "G", according to said map and, being the same property conveyed by Mrs. Frank J. Putrelle, as Executrix of the Last Will and Testament of Frank J. Putrelle, to Warren F. Klecan on October 23, 1963, and recorded in the aforementioned Clerk's Office in Deed Book 113, Pages 576-577.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs, successors and assigns, forever, IN FEE SIMPLE. And the said parties of the first part, their heirs, executors, administrators, successors and assigns will warrant and forever defend the right and title to the above described property unto the said parties of the second part, their heirs, successors and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

Linda Collins (\$41.80 Revenue stamps affixed.)

Doris R. Fenton (N.P. Seal)  
 Notary Public, State of Florida at Large  
 My Commission expires Sept. 6, 1968  
 Bonded by National Surety Corporation

Warren F. Klecan (L.S.)  
 Helen A. Klecan (L.S.)  
 Joan Klecan Kemp (L.S.)

Recorded January 5, 1968

*Louise H. Munkirk* Deputy Clerk



## Coastal Health District

Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 15, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Rothel Wassum, Sr.  
1200 Honey Ridge Road, Guyton GA, 31312  
Pin #273-10  
Total Acres: 22.0 Acres to be rezoned: 22.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



***We Protect Lives.***

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

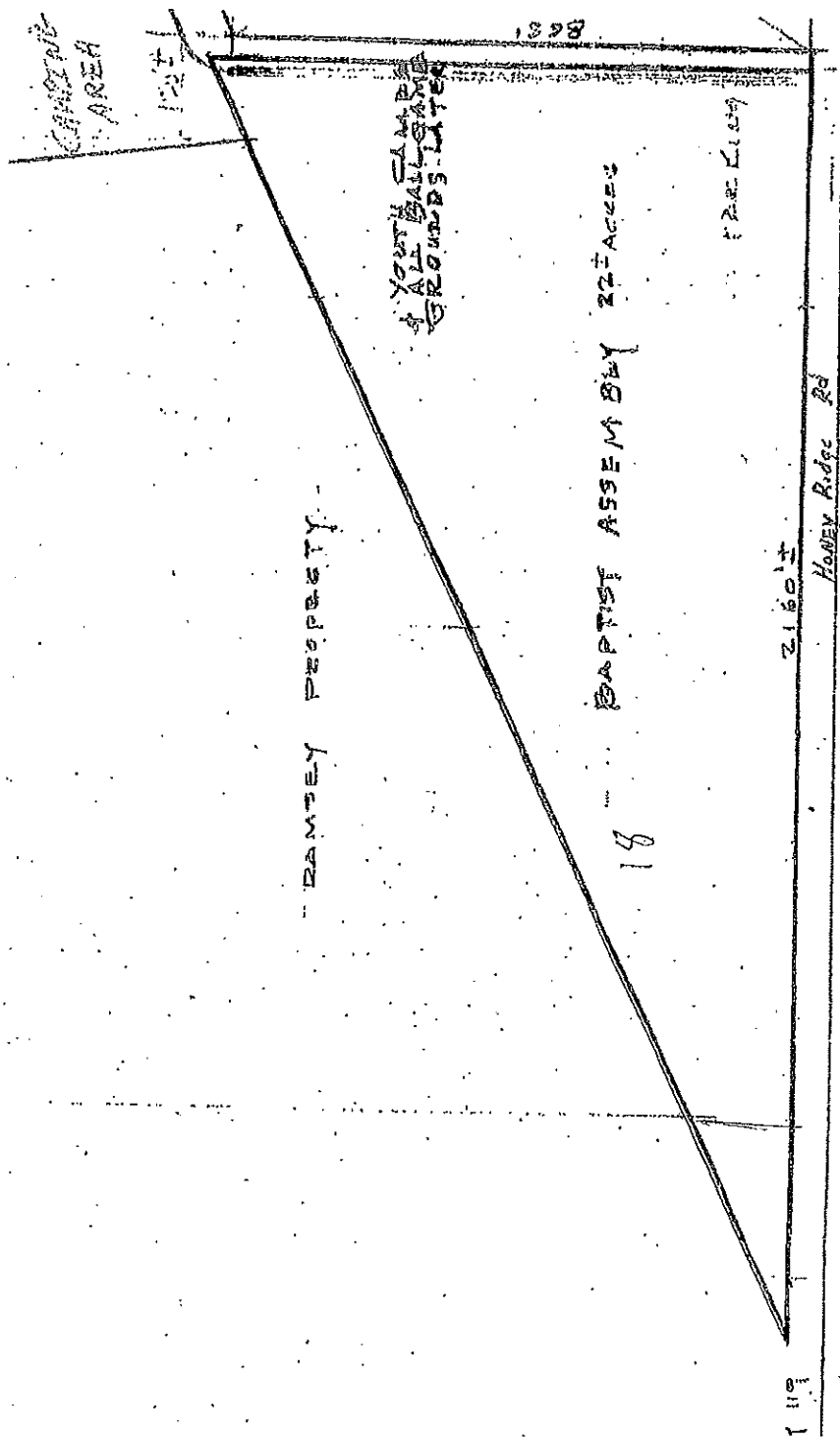
Sincerely,

A handwritten signature in cursive script, reading "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department



1900



2-10-72  
RECEIVED  
COMMUNICATIONS SECTION  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

ALL DAY

LINE	BEARING	HORIZ DIST
L1	S21°35'17"E	250.17'
L2	S20°04'56"E	250.03'
L3	S19°44'00"E	19.91'
L4	S22°09'08"E	889.57'
L5	N45°53'46"W	972.90'
L6	N41°02'25"E	44.11'
L7	N45°38'49"W	272.12'
L8	S45°38'49"E	549.89'
L9	S40°52'17"E	223.51'
L10	N52°14'04"W	221.65'

#### RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPOCON, A TOTAL STATION, SOKKIA GRX2, AND A TESLA DATA COLLECTOR.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

4. "TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978".

5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67, IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.

6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN. THE CERTIFICATION AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE

#### SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION OF 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

WILLIAM MARK GLISSON RLS #3316

DATE

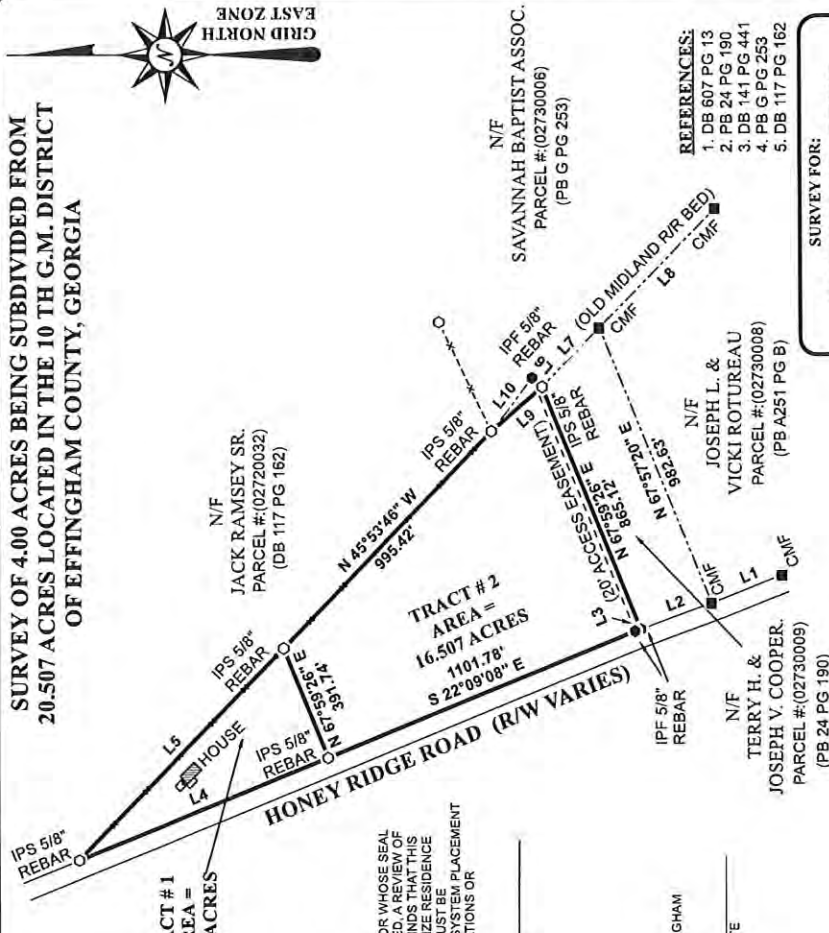
400' 0 400' 800'

GRAPHIC SCALE 1" = 400'



STATE OF GEORGIA

## SURVEY OF 4.00 ACRES BEING SUBDIVIDED FROM 20.507 ACRES LOCATED IN THE 10 TH G.M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA



BASED UPON THE REPRESENTATIONS OF THE ENGINEER/SURVEYOR WHOSE SEAL IS AFFIXED HERETO AND SUPPLEMENTARY INFORMATION PROVIDED, A REVIEW OF THE PLAT AS REPRESENTED BY THE SAID ENGINEER/SURVEYOR FINDS THAT THIS PLAT COMPLIES WITH THE O.S.M.S. REGULATIONS FOR A TYPICAL SIZE RESIDENCE OF 3 OR 4 BEDROOMS WITH BASIC APPLIANCES. EACH LOT MUST BE REVIEWED AND APPROVED FOR ON-SITE SEWAGE MANAGEMENT SYSTEM PLACEMENT PRIOR TO THE ISSUANCE OF A CONSTRUCTION PERMIT. MODIFICATIONS OR CHANGES IN SITE DESIGNATION MAY VOID THIS APPROVAL

SIGNING AUTHORITY	TITLE	DATE
APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.		
ZONING ADMINISTRATOR		DATE

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR

DATE

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR

DATE

SURVEY FOR: <b>SAVANNAH BAPTIST ASSOCIATION</b>	
COUNTY: EFFINGHAM	STATE: GEORGIA
GMD: 10TH	SUBD:
DATE: 12/14/2020	SCALE: 1" = 400'
FILE NUMBER: 20446	
TOTAL AREA: = 20.51 AC.	LOT:
FIELD SURVEY DATE: 12/09/2020	



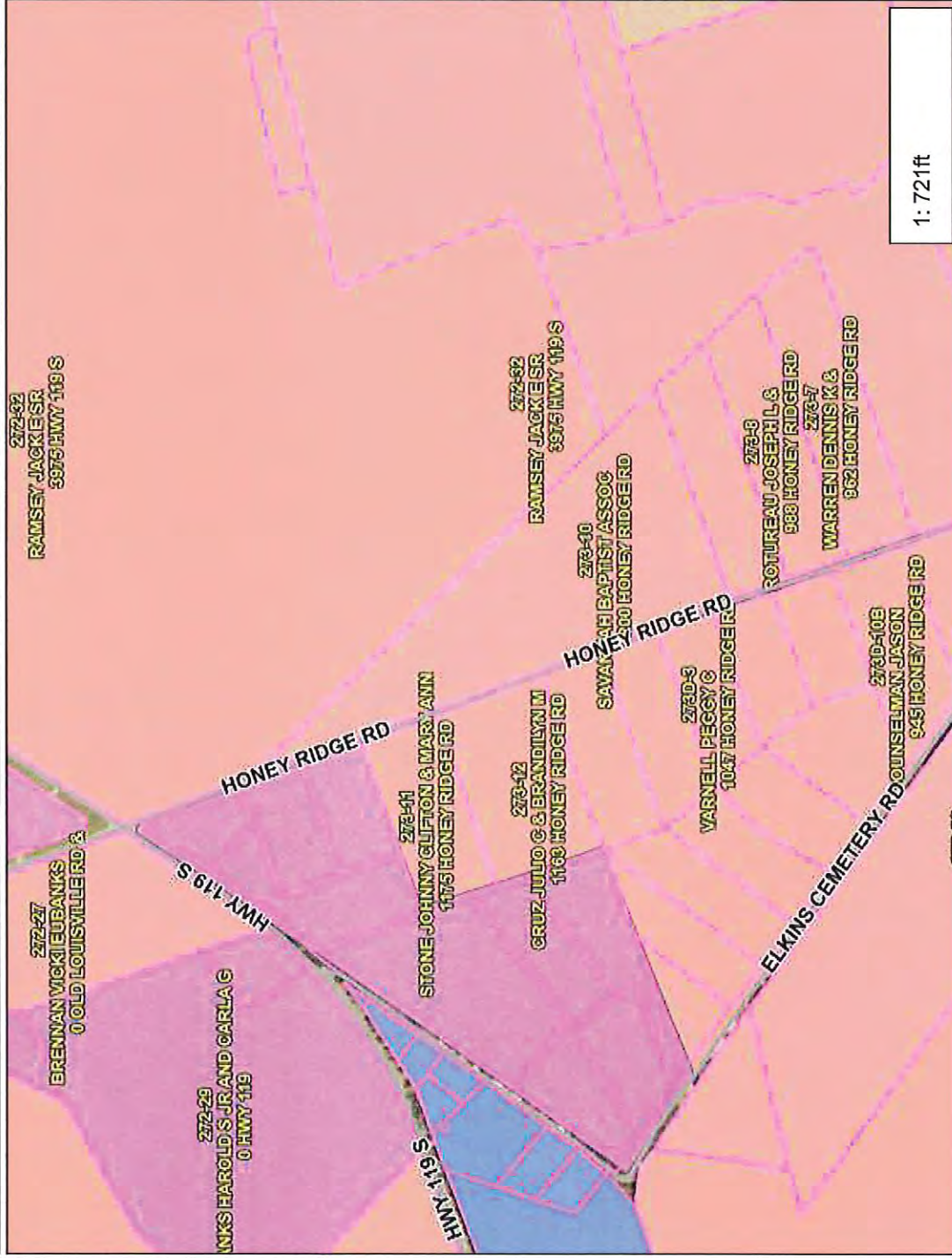
WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR  
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964  
377 TUCKER ROAD, CLAXTON, GEORGIA 30417  
RINCON: (912) 826 - 5283 CLAXTON: (912) 282 - 7052  
WMGLISSON@BELL.SOUTH.NET



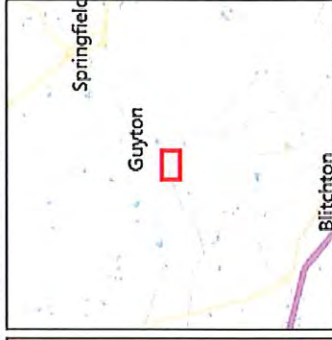
This is an aerial photograph of a golf course area, overlaid with a map showing property boundaries in yellow. A specific triangular lot, labeled 273-10, is highlighted with a blue border and a green pin icon. The map includes numerous lot numbers, such as 272-23, 272-26, 272-27, 272-28, 272-29, 272-30, 272-31, 272-32, 272-33, 272-34, 272-35, 272-36, 272-37, 272-38, 272-39, 272-40, 272-41, 272-42, 272-43, 272-44, 272-45, 272-46, 272-47, 272-48, 272-49, 272-50, 272-51, 272-52, 272-53, 272-54, 272-55, 272-56, 272-57, 272-58, 272-59, 272-60, 272-61, 272-62, 272-63, 272-64, 272-65, 272-66, 272-67, 272-68, 272-69, 272-70, 272-71, 272-72, 272-73, 272-74, 272-75, 272-76, 272-77, 272-78, 272-79, 272-80, 272-81, 272-82, 272-83, 272-84, 272-85, 272-86, 272-87, 272-88, 272-89, 272-90, 272-91, 272-92, 272-93, 272-94, 272-95, 272-96, 272-97, 272-98, 272-99, 273-1, 273-2, 273-3, 273-4, 273-5, 273-6, 273-7, 273-8, 273-9, 273-10, 273-11, 273-12, 273-13, 273-14, 273-15, 273-16, 273-17, 273-18, 273-19, 273-20, 273-21, 273-22, 273-23, 273-24, 273-25, 273-26, 273-27, 273-28, 273-29, 273-30, 273-31, 273-32, 273-33, 273-34, 273-35, 273-36, 273-37, 273-38, 273-39, 273-40, 273-41, 273-42, 273-43, 273-44, 273-45, 273-46, 273-47, 273-48, 273-49, 273-50, 273-51, 273-52, 273-53, 273-54, 273-55, 273-56, 273-57, 273-58, 273-59, 273-60, 273-61, 273-62, 273-63, 273-64, 273-65, 273-66, 273-67, 273-68, 273-69, 273-70, 273-71, 273-72, 273-73, 273-74, 273-75, 273-76, 273-77, 273-78, 273-79, 273-80, 273-81, 273-82, 273-83, 273-84, 273-85, 273-86, 273-87, 273-88, 273-89, 273-90, 273-91, 273-92, 273-93, 273-94, 273-95, 273-96, 273-97, 273-98, 273-99, 274-1, 274-2, 274-3, 274-4, 274-5, 274-6, 274-7, 274-8, 274-9, 274-10, 274-11, 274-12, 274-13, 274-14, 274-15, 274-16, 274-17, 274-18, 274-19, 274-20, 274-21, 274-22, 274-23, 274-24, 274-25, 274-26, 274-27, 274-28, 274-29, 274-30, 274-31, 274-32, 274-33, 274-34, 274-35, 274-36, 274-37, 274-38, 274-39, 274-40, 274-41, 274-42, 274-43, 274-44, 274-45, 274-46, 274-47, 274-48, 274-49, 274-50, 274-51, 274-52, 274-53, 274-54, 274-55, 274-56, 274-57, 274-58, 274-59, 274-60, 274-61, 274-62, 274-63, 274-64, 274-65, 274-66, 274-67, 274-68, 274-69, 274-70, 274-71, 274-72, 274-73, 274-74, 274-75, 274-76, 274-77, 274-78, 274-79, 274-80, 274-81, 274-82, 274-83, 274-84, 274-85, 274-86, 274-87, 274-88, 274-89, 274-90, 274-91, 274-92, 274-93, 274-94, 274-95, 274-96, 274-97, 274-98, 274-99, 275-1, 275-2, 275-3, 275-4, 275-5, 275-6, 275-7, 275-8, 275-9, 275-10, 275-11, 275-12, 275-13, 275-14, 275-15, 275-16, 275-17, 275-18, 275-19, 275-20, 275-21, 275-22, 275-23, 275-24, 275-25, 275-26, 275-27, 275-28, 275-29, 275-30, 275-31, 275-32, 275-33, 275-34, 275-35, 275-36, 275-37, 275-38, 275-39, 275-40, 275-41, 275-42, 275-43, 275-44, 275-45, 275-46, 275-47, 275-48, 275-49, 275-50, 275-51, 275-52, 275-53, 275-54, 275-55, 275-56, 275-57, 275-58, 275-59, 275-60, 275-61, 275-62, 275-63, 275-64, 275-65, 275-66, 275-67, 275-68, 275-69, 275-70, 275-71, 275-72, 275-73, 275-74, 275-75, 275-76, 275-77, 275-78, 275-79, 275-80, 275-81, 275-82, 275-83, 275-84, 275-85, 275-86, 275-87, 275-88, 275-89, 275-90, 275-91, 275-92, 275-93, 275-94, 275-95, 275-96, 275-97, 275-98, 275-99, 276-1, 276-2, 276-3, 276-4, 276-5, 276-6, 276-7, 276-8, 276-9, 276-10, 276-11, 276-12, 276-13, 276-14, 276-15, 276-16, 276-17, 276-18, 276-19, 276-20, 276-21, 276-22, 276-23, 276-24, 276-25, 276-26, 276-27, 276-28, 276-29, 276-30, 276-31, 276-32, 276-33, 276-34, 276-35, 276-36, 276-37, 276-38, 276-39, 276-40, 276-41, 276-42, 276-43, 276-44, 276-45, 276-46, 276-47, 276-48, 276-49, 276-50, 276-51, 276-52, 276-53, 276-54, 276-55, 276-56, 276-57, 276-58, 276-59, 276-60, 276-61, 276-62, 276-63, 276-64, 276-65, 276-66, 276-67, 276-68, 276-69, 276-70, 276-71, 276-72, 276-73, 276-74, 276-75, 276-76, 276-77, 276-78, 276-79, 276-80, 276-81, 276-82, 276-83, 276-84, 276-85, 276-86, 276-87, 276-88, 276-89, 276-90, 276-91, 276-92, 276-93, 276-94, 276-95, 276-96, 276-97, 276-98, 276-99, 277-1, 277-2, 277-3, 277-4, 277-5, 277-6, 277-7, 277-8, 277-9, 277-10, 277-11, 277-12, 277-13, 277-14, 277-15, 277-16, 277-17, 277-18, 277-19, 277-20, 277-21, 277-22, 277-23, 277-24, 277-25, 277-26, 277-27, 277-28, 277-29, 277-30, 277-31,



# Effingham County



1: 721ft



- Legend**
- Tax Parcels With Labels
  - Zoning Districts
    - AR-1
    - AR-2
    - B-1
    - B-2
    - B-3
    - C-1
    - CP
    - FH
    - GN
    - I-1
    - MXU
    - PD
    - R-1
    - R-1-A
    - R-2
    - R-3
    - R-4
  - Road Names
  - Road Centerlines

This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

500 ft

13 Nov, 2020



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ☒

DISAPPROVAL ☐

Of the rezoning request by applicant **Reverend Rothell Wasson Jr. as Agent for Savannah Baptist Association – (Map # 273 Parcel # 22)** from AR-1 to AR-2 zoning.

Yes ☐ No ☒ 1. Is this proposal inconsistent with the county's master plan?

Yes ☐ No ☒ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools? 56

Yes ☐ No ☒ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes ☐ No ☒ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes ☐ No ☒ 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes ☐ No ☒ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes ☐ No ☒ 7. Are nearby residents opposed to the proposed zoning change?

Yes ☐ No ☒ 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

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- Yes ☒ No ☐ 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ☐ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ☒ No ☐ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
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- Yes ☒ No ☐ 7. Are nearby residents opposed to the proposed zoning change?
- Yes ☒ No ☐ 8. Do other conditions affect the property so as to support a decision against the proposal?

AZ

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL           

DISAPPROVAL           

Of the rezoning request by applicant **Reverend Rothell Wasson Jr. as Agent for Savannah Baptist Association** – (Map # 273 Parcel # 22) from AR-1 to AR-2 zoning.

- Yes ~~No~~ ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ~~No~~ ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ~~No~~ ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes ~~No~~ ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ~~No~~ ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ~~No~~ ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ~~No~~ ? 8. Do other conditions affect the property so as to support a decision against the proposal?


EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL 

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant **Reverend Rothell Wasson Jr. as Agent for Savannah Baptist Association** – (Map # 273 Parcel # 22) from AR-1 to AR-2 zoning.

Yes No ? 1. Is this proposal inconsistent with the county's master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant **Reverend Rothell Wasson Jr.** as Agent for Savannah Baptist Association – (Map # 273 Parcel # 22) from AR-1 to AR-2 zoning.

- Yes No? 1. Is this proposal inconsistent with the county's master plan?
- Yes No 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Reverend Rothell Wasson Jr. for Savannah Baptist Association requests to **rezone** 4 acres from **AR-1** to **AR-2** to allow for the separation of a church site from the parcel. Located at 1200 Honey Ridge Road.

## Map#273 Parcel# 10

### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 4 acres from AR-1 to AR-2 to allow for the separation of a church building site, with conditions.

### 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. The AR districts allow churches, charitable, semi-private, or philanthropic institutions by right.
- The church site is approximately 4 acres and therefore requires rezoning from AR-1 to AR-2. The remaining acreage is expected to be marketed for residential development.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 4 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Alan Zipperer seconded the motion. The motion carried unanimously.

### Alternatives

1. **Approve** request to rezone 4 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 4 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

### Attachments:

1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
273-10

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
273-10

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, REVEREND ROTHELL WASSON, JR., for SAVANNAH BAPTIST ASSOCIATION has filed an application to rezone four (4.0) +/- acres; from AR-1 to AR-2 to allow for separation of a church site; map and parcel number 273-10, located in the 3<sup>rd</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT four (4.0) +/- acres; map and parcel number 273-10, located in the 3<sup>rd</sup> commissioner district is rezoned from AR-1 to AR-2 with the following conditions:

1. The lot shall meet the requirements of the AR-2 zoning district.
2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Third District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Ulric M. & Ramona L. Roberts** request to **rezone** 2.88 of 19.23 acres from **AR-1 & R-1** to **AR-2** to allow for the recombination of two differently zoned parcels. Located on Clio Kildare Road.

## Map#283 Parcels# 4A&33

### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2.88 of 19.23 acres from AR-1 & R-1 to AR-2 for the recombination of two differently zoned parcels, with conditions.

### 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre.
- The applicant wishes to enlarge the 1.9 acre parcel (283-33), which is zoned R-1, by adding 0.98 acres from the adjacent parcel (283-4A), which is zoned AR-1. The new 2.88 acre parcel will be zoned AR-2.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

### Alternatives

1. **Approve** request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2.88 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

### Attachments:

1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Deed
4. Plat
5. Aerial photograph



ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent ULRIC M. & RAMONA L. ROBERTS Date 11/05/2020  
Applicant email address umroberts@gmail.com Phone # 912-728-7070 (H)  
Property owner(s) ULRIC M. & RAMONA L. ROBERTS email umroberts@gmail.com  
Telephone Number (912) 728-7070 (H), (912) 655-8756 (C)  
Mailing Address 3580 Noel C Conaway Road, Guyton, GA 31312  
Property location Clyo-Kildare Road  
Present zoning AR-1/R-1  
Proposed zoning AR-2  
Present land-use Tree farm  
Proposed land-use combine with 283-33  
Tax Map # 283 Parcel # 4A+33 Lot # ---  
Total Acres ~~17.34~~ 19.23 Acres to be rezoned 2.88 0.985 ac AR-1  
1.9 acres R-1  
Lot characteristics wooded  
Water NA Public NA Private Sewer NA Public NA Private  
Proposed access Clyo-Kildare Road  
Justification Frontage  
List the zoning of the other property in the vicinity of the property you wish to rezone:  
North AR-1 South AR-1  
East AR-1 West AR-1

1. Describe the current use of the property you wish to rezone.

Tree farm

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

NO

3. Describe the use that you propose to make of the land after rezoning.

Secondary Access To Cloy-Kildare Route

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

Cultivation, tree farming

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

No change

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No

ATTACHMENT BEFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

10/29/2009, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 15913665 page 123.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature [Signature] Print Ulric M. Roberts  
 Owner's signature [Signature] Print Ramona L. Roberts  
 Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this 6 day of November, 2020  
[Signature]  
 Notary Public, State of Georgia





BOOK PAGE  
FILED FOR RECORD  
01893 0162  
PAGE NO.

Effingham County, Georgia  
Real Estate Transfer Tax  
Paid \$ 100.00  
Date 11-3-09  
*Elizabeth Z. Hursey*  
Clerk of Superior Court

2009 NOV -3 AM 9:14

ELIZABETH Z. HURSEY  
CLERK E.C.C.S.C.

Return Recorded Document to:  
Ratchford & Rafter, LLP  
P.O. Box 1039  
Springfield, Georgia 31329

Our File #: 09-613

## WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 30th day of October, 2009, between Nancy Elaine Edwards now known as Nancy E. Lang, of the County of Columbia, State of Georgia and Henrietta Edwards now known as Henrietta Hester, of the County of Screven, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Ulric M. Roberts and Ramona L. Roberts, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH that:** Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL that certain lot, tract or parcel of land situate, lying and being in the 12th G.M. District, Effingham County, Georgia, containing 17.336 acres, more or less, that is shown and more particularly described by the plat of survey made by Andrew C. Tomberlin, R.L.S. #3160, dated October 28, 2009, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet D35, Slide C2, which is incorporated into this description by specific reference thereto.

This being a portion of the property conveyed by Dorothy S. Brannen to Nancy E. Lang and Henrietta E. Hester as evidenced by that certain Quitclaim Deed dated July 6, 2007, and recorded in Deed Book 1655, page 123, aforesaid records. Also reference Probate File No. 295B, Effingham County, Georgia.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Witness  
Notary Public  
GREGORY S. REEVES  
NOTARY PUBLIC  
GEORGIA  
EXPIRES  
MARCH 12, 2012  
SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF  
WITNESS  
NOTARY PUBLIC  
GREGORY S. REEVES  
NOTARY PUBLIC  
GEORGIA  
EXPIRES  
MARCH 12, 2012  
EFFINGHAM COUNTY

*Nancy Elaine Edwards* (Seal)  
Nancy Elaine Edwards now known as  
*Nancy E. Lang* (Seal)  
Nancy E. Lang

*Henrietta Edwards* (Seal)  
Henrietta Edwards now known as  
*Henrietta Hester* (Seal)  
Henrietta Hester





**Coastal Health District**  
Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 14, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Ulric and Ramona Roberts  
Clyo-Kildare Road, Clyo GA, 31303  
Pin #283-4A & 283-33  
Total Acres: 19.23 Acres to be rezoned: 2.88

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health has reviewed the request to rezone the above referenced tract of land from AR-1/R-1 to AR-2. This property will be recombined with parcel 434-23. Final approval is given to the above referenced tract of land.

If there are any questions, please do not hesitate to call.

Sincerely,

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department



***We Protect Lives.***

CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA	TANGENT
C1	N73°10'03"E	211.45'	1326.68'	211.68'	9°08'30"	106.06'
C2	N82°57'04"E	150.74'	2833.00'	150.76'	3°02'57"	75.40'

LINE	BEARING	HORIZ DIST	LINE	BEARING	HORIZ DIST
L1	N8°14'14"W	50.09'	L5	N52°31'15"W	301.41'
L2	N82°14'15"E	50.21'	L6	N83°18'06"E	299.74'
L3	S7°39'43"E	50.01'	L7	S37°28'54"W	265.70'
L4	N81°23'57"E	74.25'	L8	N40°02'51"W	435.02'

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR DATE

N/F  
CONTINENTAL  
TELEPHONE  
PARCEL #:(02830004PU0)

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON - ES TOTAL STATION, SOKKIA GRX2, AND A TESLA DATA COLLECTOR.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978.
5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67 IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN. THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

#### SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

WILLIAM MARK GLISSON RLS #3316 DATE



GRAPHIC SCALE 1" = 200'



STATE OF GEORGIA

PREPARED BY:

**GLISSON**  
LAND SURVEYING

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR  
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964

377 TUCKER ROAD, CLAXTON, GEORGIA 30417  
RINCON: (912) 826 - 5283 CLAXTON: (912) 282 - 7052  
WMGLISSON@BELL-SOUTH.NET

A SURVEY OF 0.985 ACRES BEING SUBDIVIDED FROM TRACT # 2 LEAVING 16.34 ACRES AND BEING RECOMBINED WITH TRACT # 1 TO A TOTAL ACREAGE OF 2.888 ACRES LOCATED IN THE 12TH G.M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA



GRID NORTH  
EAST ZONE

N/F  
RABBIT BAR POINT LLC.  
PARCEL #:(02830001)  
(PB H PG 270)  
S 30°22'58" E  
454.84'

TRACT # 2  
AREA = 16.34 AC.

TRACT # 1  
AREA = 2.888 AC.

N/F  
ULRIC M. &  
RAMONA L. ROBERTS  
PARCEL #:(02830032)  
(PB B71 PG F)

N/F  
JOSEPH D.,  
JERRY G., &  
JON G. BURNS  
PARCEL #:(02830031)  
(PB C PG 38)

REFERENCES:  
1. PB B7 PG F1  
2. PB D35 PG C2

SURVEY FOR:

ULRIC M. ROBERTS

COUNTY: EFFINGHAM STATE: GEORGIA

GMD: 12TH SUBD:

DATE: 10/05/2020 SCALE: 1" = 200'

FILE NUMBER: 20385

TOTAL AREA: = 19.228 AC.LOT:

FIELD SURVEY DATE: 10/01/2020



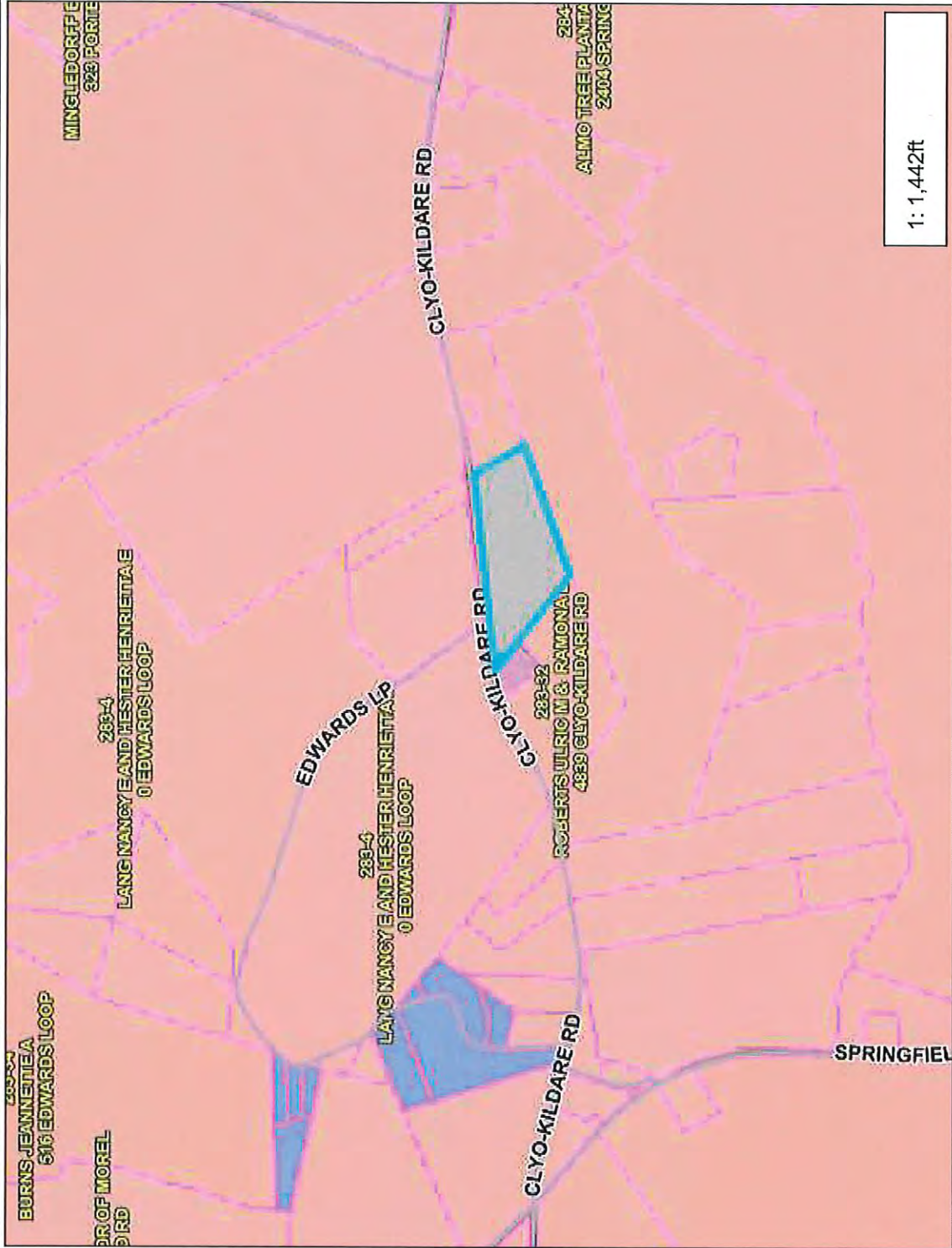
# Map/Parcel 283-33 & 283-4A







# Effingham County



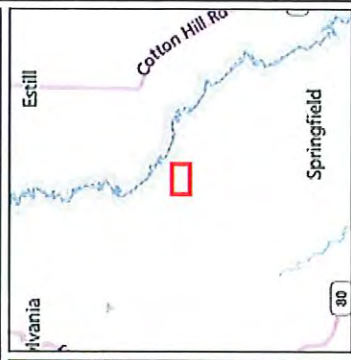
1: 1,442ft

1000 ft

9 Nov, 2020

This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



## Legend

- Encumbrance
  - Conservation
  - Drainage Easement
  - Easement
  - Flood
  - Lease
  - Other
  - Prescriptive Right Of Way
  - Private Ingress-Egress
  - Unknown
  - Utility
  - Utility Easement
- Tax Parcels With Labels
- Zoning Districts
  - AR-1
  - AR-2
  - B-1
  - B-2
  - B-3
  - C-1
  - CP
  - FH
  - GN
  - I-1
  - MOU
  - PD
  - R-1
  - R-1-A
  - R-2
  - R-3
  - R-4
- Road Names
- Road Centerlines



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Ulric M. & Ramona L. Roberts - Map# 283 Parcels # 4A & 33) from AR-1 & R-1 to AR-2 zoning.

- Yes ☒ No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools? 56
- Yes ☒ No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes ☒ No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ☒ No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes ☒ No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ☒ No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ☒ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (**Ulric M. & Ramona L. Roberts - Map# 283 Parcels # 4A & 33**) from **AR-1 & R-1** to **AR-2** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
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AZ

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL           

DISAPPROVAL           

Of the rezoning request by applicant (Ulric M. & Ramona L. Roberts - Map# 283 Parcels # 4A & 33) from AR-1 & R-1 to AR-2 zoning.

- Yes ~~No~~ ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ~~No~~ ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes ~~No~~ ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
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EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL 

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Ulric M. & Ramona L. Roberts - Map# 283 Parcels # 4A & 33) from AR-1 & R-1 to AR-2 zoning.

Yes No ? 1. Is this proposal inconsistent with the county's master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?



EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Ulric M. & Ramona L. Roberts - Map# 283 Parcels # 4A & 33) from AR-1 & R-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county's master plan?
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- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Ulric M. & Ramona L. Roberts** request to rezone 2.88 of 19.23 acres from **AR-1 & R-1** to **AR-2** to allow for the recombination of two differently zoned parcels. Located on Clyo Kildare Road. **Map#283 Parcels# 4A&33**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2.88 of 19.23 acres from AR-1 & R-1 to AR-2 for the recombination of two differently zoned parcels, with conditions.

## 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre.
- The applicant wishes to enlarge the 1.9 acre parcel (283-33), which is zoned R-1, by adding 0.98 acres from the adjacent parcel (283-4A), which is zoned AR-1. The new 2.88 acre parcel will be zoned AR-2.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2.88 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

## Attachments:

1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
283-4A&33

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
283-4A&33

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, ULRIC M. & RAMONA L. ROBERTS have filed an application to rezone two and eighty-eight hundredths (2.88) +/- acres; from AR-1 & R-1 to AR-2 to allow for recombination of differently zoned parcels; map and parcel number 283-4A&33, located in the 3<sup>rd</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT two and eighty-eight hundredths (2.88) +/- acres; map and parcel number 283-4A&33, located in the 3<sup>rd</sup> commissioner district is rezoned from AR-1 & R-1 to AR-2 with the following conditions:

1. The lot shall meet the requirements of the AR-2 zoning district.
2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Third District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Alden Strandburg** requests to **rezone** 2 of 12.94 acres from **AR-1** to **AR-2** for the creation of a home site. Located on Hwy 119 S.

**Map# 320 Parcel# 24**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2 of 12.94 acres from AR-1 to AR-2 for the creation of a home site, with conditions.

## 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide 2 acres for a home site and it must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 2 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. Subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Plat
2. Ownership certificate/authorization	5. Aerial photograph
3. Deed	



**ATTACHMENT A**

**EFFINGHAM COUNTY REZONING AMENDMENT FORMS**

Applicant/Agent Alden Strandburg Date 11/12/20  
Applicant email address nccowgirl888@hotmail.com Phone # 919-426-6545  
Property owner(s) Dean + Alden Strandburg email nccowgirl888@hotmail.com  
Telephone Number (919) 426-6545 407-235-4221  
Mailing Address 2470 Hwy 119 South, Gayton, GA 31312  
Property location Ø Hwy 119  
Present zoning AR-1  
Proposed zoning ~~residential~~ AR-2  
Present land-use recreational  
Proposed land-use residential  
Tax Map # \_\_\_\_\_ Parcel # 032-60024 Lot # \_\_\_\_\_  
Total Acres 12.94 Acres to be rezoned 2.0 +/-  
Lot characteristics open field  
Water \_\_\_\_\_ Public \_\_\_\_\_ Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public \_\_\_\_\_ Private \_\_\_\_\_  
Proposed access easement via 2460 Hwy 119 S  
Justification \_\_\_\_\_  
List the zoning of the other property in the vicinity of the property you wish to rezone:  
North residential South residential  
East residential West agriculture

1. Describe the current use of the property you wish to rezone.

used only for privacy buffer and walking trails

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

only if farmed

3. Describe the use that you propose to make of the land after rezoning.

2 acre residential lot for small house

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

3 residential homes all on 5+ acre lots, 1 agriculture field not currently being farmed

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

residential zone that would not disturb neighbors

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

no

**ATTACHMENT B****EFFINGHAM COUNTY OWNERSHIP CERTIFICATION**

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

7/30/2019, on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 2538 page 991.

plat book 23 pg 217  
28 510

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature [Signature] Print Alden Strandburg  
 Owner's signature [Signature] Print DAWN STRANDBURG  
 Owner's signature \_\_\_\_\_ Print \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Notary Public, State of Georgia

Prepared by:



McManamy Jackson, PC  
415 Eisenhower Dr., No. 1  
Savannah, GA 31406  
(912)691-0943 phone  
(912)691-0947 fax  
1-191011SMS

DOC# 006558  
FILED IN OFFICE  
8/7/2019 01:04 PM  
BK:2538 PG:991-993  
ELIZABETH Z. HURSEY  
CLERK OF SUPERIOR COURT  
EFFINGHAM COUNTY  
REAL ESTATE TRANSFER  
TAX PAID: \$155.30

PT-61 051-2019-002108

### LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of July 30, 2019 by and between

Joyce Ann M. Pryor  
(Hereinafter referred to as the "Grantor"), and

Alden Strandburg and Dean Strandburg  
, as joint tenants with rights of survivorship  
(hereinafter referred to as "Grantee")

(the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits);

#### WITNESSETH, THAT:

**GRANTOR**, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto said Grantee:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 17.952 acres, more or less, and being known and designated as Tract Two as shown on a map or plat recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Record Book 23, Page 217.

LESS AND EXCEPT; that 5.01 acre portion conveyed to Janice O Miller and Lance Miller by Gift Deed from Joyce Ann M. Pryor dated 2/25/19 and recorded on 3/1/19 in Deed Book 2512, Page 173, aforesaid records. This property is also shown on a plat of survey recorded in Plat Book 28, Page 510, aforesaid records, and is incorporated herein by specific reference for a more complete description of the 5.01 acres.

Said tract or parcel of land being hereby conveyed containing 12.94 acres, more or less, containing improvements thereon known as 12.94 Acres Hwy 119, Guyton, GA 31312, PIN Portion of 03200-024,

(hereinafter referred to as the "Property")

**TO HAVE AND TO HOLD** the said described Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

**AND THE SAID GRANTOR** will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.

**IN WITNESS WHEREOF**, the duly authorized officer of Grantor has signed and sealed this Deed on the day and year first above written.



Signed, sealed and delivered this 30th day of July, 2019, in the presence of:

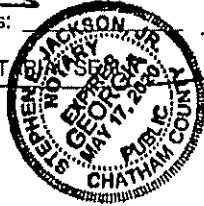
*K. B. [Signature]*

Unofficial Witness

Notary Public

My Commission Expires:

(NOT)



*Joyce Ann M. Pryor*  
Joyce Ann M. Pryor

## **"Exhibit A"**

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 17.952 acres, more or less, and being known and designated as Tract Two as shown on a map or plat recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Record Book 23, Page 217.

LESS AND EXCEPT: that 5.01 acre portion conveyed to Janice O Miller and Lance Miller by Gift Deed from Joyce Ann M. Pryor dated 2/25/19 and recorded on 3/1/19 in Deed Book 2512, Page 173, aforesaid records. This property is also shown on a plat of survey recorded in Plat Book 28, Page 510, aforesaid records, and is incorporated herein by specific reference for a more complete description of the 5.01 acres.

Said tract or parcel of land being hereby conveyed containing 12.94 acres, more or less.



## Coastal Health District

Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350  
Springfield, Georgia 31329  
Phone: 912-754-6850 | Fax: 912-754-0078

December 15, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Alden Strandburg  
0 Hwy 119 South, Guyton GA 31312  
Pin #320-24  
Total Acres: 12.94 Acres to be rezoned: 2.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.



***We Protect Lives.***

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

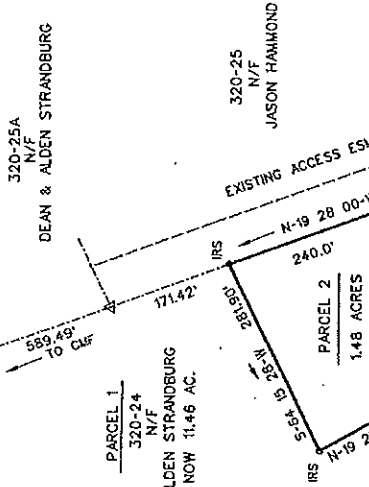
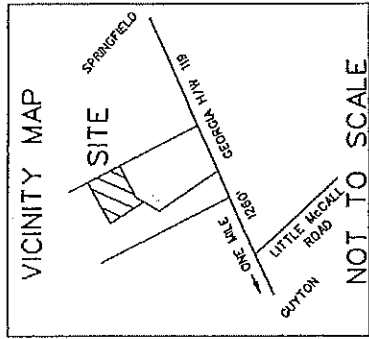
If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in cursive script that reads "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department





This/these lot or lots is/are served by a private road, not to be maintained by Effingham County nor accepted as a public road unless such road, at the property owner's expense, is brought in compliance with county standards as specified by Effingham County, including, but not limited to, paving. This/these lot or lots may not be re-subdivided until said road, at the subdivisor's expense is brought into compliance with county road standards to be accepted as a public road by the Effingham County Board of Commissioners. If the road remains private, all maintenance of the right-of-way or easement, including drainage and road surface, shall be the responsibility of the abutting property owners. The road surface shall be no less than 18 feet wide. Further, I/we understand that it shall be my/our responsibility to properly grant the easement shown on this plat by deed or separate easement agreement to any transferee of the property. The easement may serve no more than three (3) lots. The original remaining parcel shall be included as one of the three lots. If location of easement on plot changes, I/we understand that this subdivision and any easements are subject to all state and local ordinances and rules and regulations adopted by Effingham County.

This day of 2020

Owner

320-23 N/F  
JOYCE ANN M. PRYOR  
18.00 ACRES

320-25 N/F  
JASON HAMMOND  
1.48 ACRES

NOTE: SUBJECT PROPERTY IS A DIVISION OF MAP & PARCEL 320-24 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.

NOTE: BASED UPON REVIEW OF THE F.E.M.A FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERENCE THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/16/2015. THIS PROPERTY IS LOCATED IN "ZONE X". OUTSIDE THE 500 YEAR FLOODPLAIN

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor or finds that this plat complies with the OGSMS regulations for a typical site residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be relieved of all encumbrances for the Site Survey Management System placement prior to the issuance of this plat. Modifications or changes to the site designation may void this approval.

Signature Authority Title Date

- LEGEND:
- IRF 1/2" REBAR FOUND
  - IRS 3/4" REBAR SET
  - PL PROPERTY LINE
  - CONC MON. FOUND
  - N/F NOW OR FORMERLY
  - PP POWER POLE
  - EQUIP USED TOTAL STATION
  - TOPCON 303

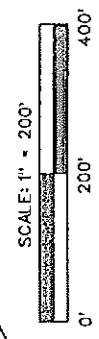
ADOLPH N. MICHELIS & ASSO.  
735 SANDY RIDGE ROAD  
SYLVANIA, GEORGIA 30467  
PH. (912) 829 3972

**SURVEYORS CERTIFICATION**

I/We, as required by subsection (a) of O.C.G.A. Section 15-4-57, this plat has been prepared by a duly licensed and sworn surveyor and approved by a professional land surveyor for recording as indicated by the seal of the Georgia Board of Professional Land Surveyors. Such approval or affirmation shall be confirmed with the appropriate governmental bodies by any purchaser or user of the plat as to the validity of the plat and the surveyor's seal. The minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Professional Land Surveyors shall be followed. The plat was prepared in accordance with the rules and regulations of the Georgia Board of Professional Land Surveyors and the rules and regulations of the Georgia Board of Professional Land Surveyors.

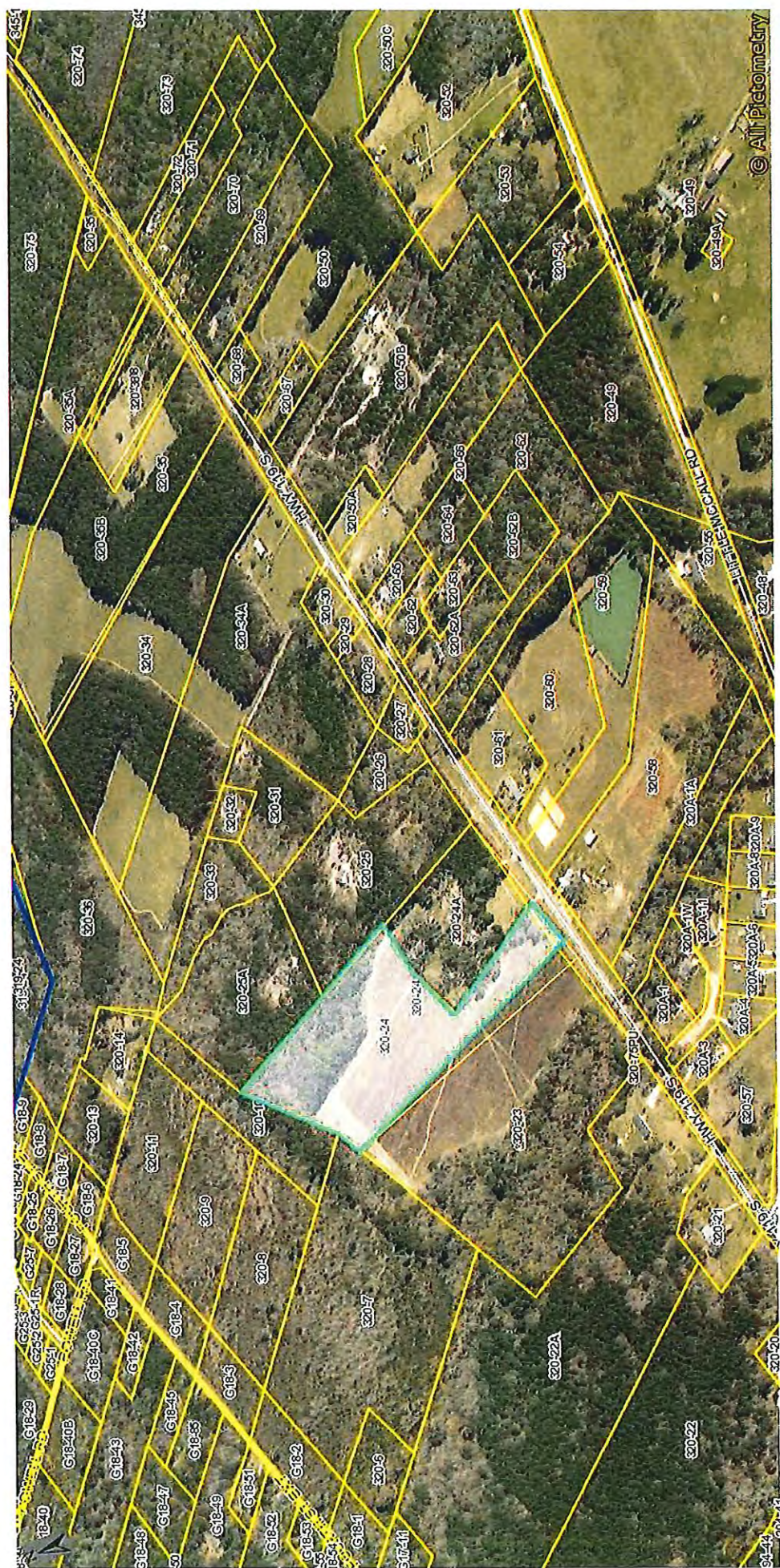
*Adolph N. Michelis*  
DATE: 11-27-20

MINOR SUBDIVISION  
SURVEY FOR  
DEAN & ALDEN  
STRANDBURG  
SURVEY OF 1.48 ACRES FROM  
A 12.94 ACRE TRACT  
LOCATED IN THE 10TH. G.M.D.  
EFFINGHAM COUNTY, GEORGIA  
SURVEYED 23 NOV 2020  
PLAT DRAWN 24 NOV 2020  
PRYR2.DGN NOV2020



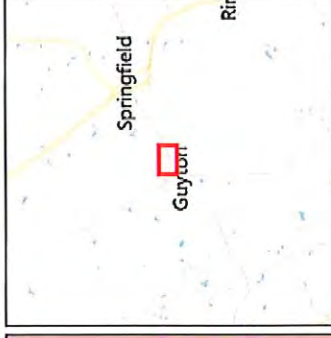
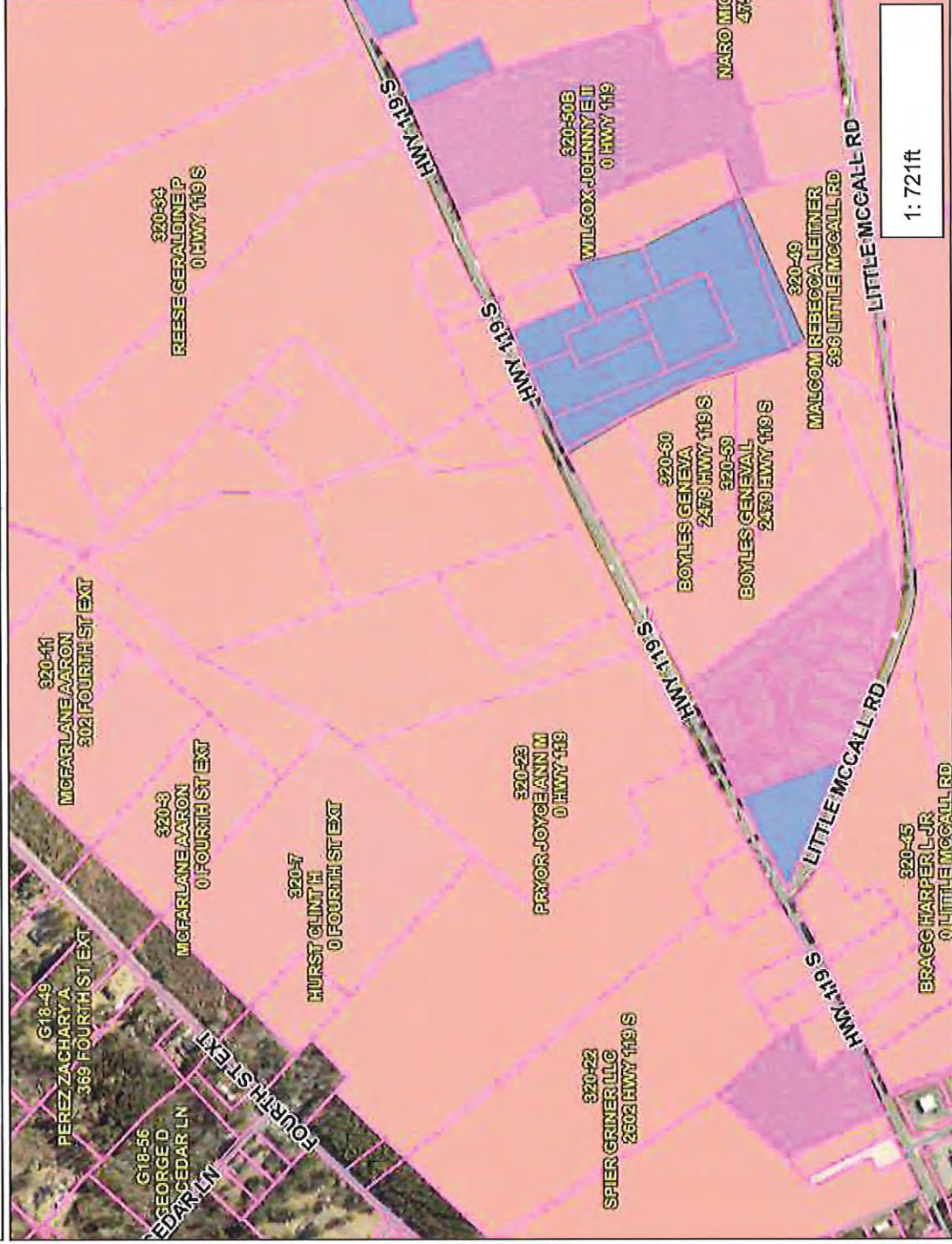
REFERENCES:  
PCAB D183 B-2  
PB-23 PAGE 217  
PB-E PAGE 296







# Effingham County



- Legend**
- Tax Parcels With Labels
  - Zoning Districts
    - AR-1
    - AR-2
    - B-1
    - B-2
    - B-3
    - C-1
    - CP
    - FH
    - GN
    - I-1
    - MDU
    - PD
    - R-1
    - R-1-A
    - R-2
    - R-3
    - R-4
  - Road Names
  - Road Centerlines

This map is a user generated static output from rightspot is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

500 ft

13 Nov, 2020

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (**Alden Strandbnrg – (Map # 320 Parcel # 24)**) from AR-1 to AR-2 zoning.

- Yes ☒ No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ☒ No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools? JG
- Yes ☒ No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- ☒ Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes ☒ No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes ☒ No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ☒ No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ☒ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?



EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL \_\_\_\_\_

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Alden Strandburg – (Map # 320 Parcel # 24) from AR-1 to AR-2 zoning.

Yes ~~No~~? 1. Is this proposal inconsistent with the county's master plan?

Yes ~~No~~? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes ~~No~~? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes ~~No~~? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes ~~No~~? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes ~~No~~? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes ~~No~~? 7. Are nearby residents opposed to the proposed zoning change?

Yes ~~No~~? 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL           

DISAPPROVAL           

Of the rezoning request by applicant (Alden Strandburg – (Map # 320 Parcel # 24) from AR-1 to AR-2 zoning.

- Yes ~~No~~ ? 1. Is this proposal inconsistent with the county's master plan?
- Yes ~~No~~ ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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- Yes ~~No~~ ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes ~~No~~ ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes ~~No~~ ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes ~~No~~ ? 8. Do other conditions affect the property so as to support a decision against the proposal?

*DAB*

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL REH

DISAPPROVAL \_\_\_\_\_

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- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
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REH

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant (Alden Strandburg -- (Map # 320 Parcel # 24) from AR-1 to AR-2 zoning.

- Yes No? 1. Is this proposal inconsistent with the county's master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?



# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Alden Strandburg requests to **rezone** 2 of 12.94 acres from **AR-1** to **AR-2** for the creation of a home site. Located on Hwy 119 S.

## Map# 320 Parcel# 24

### Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 2 of 12.94 acres from AR-1 to AR-2 for the creation of a home site, with conditions.

### 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. AR-1 requires a minimum of 5 acres. AR-2 allows lots of one acre or more.
- The applicant plans to subdivide 2 acres for a home site and, therefore, it must be rezoned to AR-2.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 2.88 acres from AR-1 & R-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. The subdivision and recombination plat must be approved by the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
- Juanita Golden seconded the motion. The motion carried unanimously.

### Alternatives

1. **Approve** request to rezone 2 acres from AR-1 to AR-2, with the following conditions:
  1. The lot shall meet the requirements of the AR-2 zoning district.
  2. Subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
  3. All wetland impacts must be approved and permitted by USACE.
2. **Deny** the request to rezone 2 acres from AR-1 to AR-2.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

### Attachments:

1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
320-24

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
320-24

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, ALDEN STRANDBURG has filed an application to rezone two (2.0) +/- acres; from AR-1 to AR-2 to allow for creation of a home site; map and parcel number 320-24, located in the 3<sup>rd</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT two (2.0) +/- acres; map and parcel number 320-24, located in the 3<sup>rd</sup> commissioner district is rezoned from AR-1 to AR-2 with the following conditions:

1. The lot shall meet the requirements of the AR-2 zoning district.
2. The subdivision plat must be approved by the Health Department and the Zoning Administrator, and be recorded before the rezoning can take effect.
3. All wetland impacts must be approved and permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Variance (Third District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Green Acres, LLC, for William D. Hutcheson**, requests a **variance** to the requirement for a 60' access easement to allow for a 30' access easement. Located on Old Augusta Rd. **Map#333 Parcels# 2&3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request for a variance to reduce the required 60' access easement to 30', with conditions.

## 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 39.5 acre property is in a conservation easement with the Georgia Land Trust, under the Georgia Conservation Tax Credit Program. The 30' easement is intended to serve only the home site(s) on the 2.75 acre portion not covered by the conservation easement. No subdivision or development of the property is planned.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request for a variance to the required 60' access easement to allow a 30' access easement to the existing home site, with the following conditions:
  - The 30' access easement shall be for the sole use of parcels 333-2&3, and no adjacent parcels.
  - The easement shall be increased to 60' for any future subdivision of 333-2&3.
  - The plat including the 30' easement must be approved by the Zoning Administrator, and be recorded before the variance can take effect.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

- Approve** request for a variance to the required 60' access easement to allow a 30' access easement to the existing home site, with the following conditions:
  - The 30' access easement shall be for the sole use of parcels 333-2&3, and no adjacent parcels.
  - The easement shall be increased to 60' for any future subdivision of 333-2&3.
  - The plat including the 30' easement must be approved by the Zoning Administrator, and be recorded before the variance can take effect.
- Deny** request for a variance to the required 60' access easement.

**Recommended Alternative:** 1

**Department Review:** Development Services

**Other Alternatives:** 2

**FUNDING:** N/A

## Attachments:

- Variance application
- Ownership certificate
- Plats
- Aerial photograph



**EFFINGHAM COUNTY**  
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

DATE 11-11-20

APPLICANT/AGENT NAME GREEN ACRES, LLC

APPLICANT/AGENT EMAIL: SAME AS BELOW

APPLICANT/AGENT PHONE #: 11 11 11

PROPERTY OWNER(S): William D. Hutcherson

PROPERTY OWNER PHONE #: 912-657-3148 MAIL d.hutcherson@comcast.net

MAILING ADDRESS 115 St. Thomas Dr. Rincon, GA 31326

PROPERTY LOCATION 2062 Old Augusta Rd. Ch

PHONE # 912-657-3148 EMAIL ADDRESS d.hutcherson@comcast.net

MAP # 03330-003-000 PARCEL # —

07800. 03330-002-000

ZONING AR1 ACREAGE 2.75 Acres out of 39.50 acres,

NAME OF DEVELOPMENT (IF APPLICABLE)

NONE

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE /  
CONDITIONAL USE IS REQUESTED

DESCRIBE THE REQUESTED VARIANCE / CONDITIONAL USE

The 39.5 acres is in a qualified conservation  
Contribution under I.R.C. S. 170(h). The 2.75 acres  
is for a homesite & is not in the conservation  
Easement and only 2 dwelling can occupy the  
2.75 acres. The buyers son may build these at  
a later date so the 30ft. easement is adequate  
to service the 2 residences which is all I could  
acquire from the adjoining property owner.



**EXPLAIN WHY THE VARIANCE OR CONDITIONAL USE IS BEING REQUESTED**

**THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:**

- ☒ A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCIBLE COPY OF THIS PLAN, NO LARGER THAN 11" x 17", MUST BE SUBMITTED.
- ☒ OWNERSHIP CERTIFICATE
- ☒ FILING FEE - \$200.00
- ☒ IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGN William D. Hutcheson DATE 11-11-20

*\*\*Please include a copy of the plat identifying existing structures and imply future structures\*\**

\*\*\*\*\*

**OFFICIAL USE ONLY**

DATE RECEIVED \_\_\_\_\_ TIME \_\_\_\_\_ ACCEPTED BY \_\_\_\_\_

DATE APPROVED BY COUNTY COMMISSIONERS \_\_\_\_\_

**ATTACHMENT B**

**EFFINGHAM COUNTY OWNERSHIP CERTIFICATION**

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed  
Amendment to the Effingham County Zoning Ordinance by virtue of a deed date  
\_\_\_\_\_, on file in the office of the Clerk of the Superior Court of  
Effingham County, in Deed Book \_\_\_\_\_ page \_\_\_\_\_.

Owner's signature William D. Hutcherson

Owner's signature Virginia L. Hutcherson (if applicable)

Owner's signature \_\_\_\_\_ (if applicable)

\*\*\*\*\*

**AUTHORIZATION OF PROPERTY OWNER**

(Please complete this section if the owner is giving another person authority  
to act on their behalf)

I authorize the person named below to act as applicant/agent in the pursuit of a variance,  
conditional use, or rezoning of my property.

Name of Applicant/Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ email: \_\_\_\_\_

Personally appeared before me \_\_\_\_\_  
who swears that the information contained in this authorization is true and correct to the best  
of his/her knowledge and belief.

Notary: \_\_\_\_\_ Seal

Date: \_\_\_\_\_

11-23

\$15,000  
To make  
Road

826-9740

682-5720

+

- ① Address: Pythress Survey
- ② Assure of Cleared Road within 30 days of notice to Hubbs (Hw will sign off & complete)
- ③ Purchasers may use Hw's current drive until their easement is open & complete
- ④ Acknowledge Above 30' (Pythress) Easement as permanent and sole legal Egress Easement.

5-19-2020 Glenn C. Weeks

5-19-2020 Virginia L. Hutcheson

5-19-2020 William D. Hutcheson

**Form 8283: Noncash Charitable Contributions**  
**Attachment for Information on Donated Property**

**Name:** W. Darrel & Virginia L. Hutcheson  
**Identifying number:** 257-62-7513

**5(a). Description of donated property:** The donated property is a conservation easement donated as a "qualified conservation contribution" under I.R.C. S. 170 (h). The conservation easement encompasses approximately  $\pm 36.41$  acres of land in Effingham County, Georgia.

**Conservation Purposes:**

The property possesses the following Conservation Purposes, in satisfaction of the Internal Revenue Code:

- I. The Property provides for the preservation of open space for the scenic enjoyment of the general public within the meaning of § 170(h)(4)(A)(iii)(I) of the Internal Revenue Code of 1986 *as amended* (herein, the "Code"). Protection of the Property promotes the following governmental policies: Georgia Uniform Conservation Easement Act [GA Code Sec. 44-10-1 et seq.] and Georgia Tax Credit Law [GA Code Sec. 48-7-29.12].
- II. The Property provides for the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem, within the meaning of § 170(h)(4)(A)(ii) of the Internal Revenue Code of 1986 *as amended* (herein, the "Code") specifically the protection of a relatively natural habitat for a variety of migratory water birds and other migratory bird species, reptiles, amphibians and mammals. The Property also furthers the goals of the Georgia Comprehensive Wildlife Conservation Strategy (GCWCS) within the meaning of § 170(h)(4)(A)(iii)(II) of the Code.

In support of the afore-mentioned Internal Revenue Code criteria, the following Conservation Values also are also outlined in the Conservation Easement:

The Property is located along a large and high bluff overlooking the Savannah River. The Savannah River is popular for recreational boating. As the public boats along the Savannah River it can enjoy scenic views of the Property's bluff with natural forest. Portions of the Property contain an environment capable of sustaining agricultural activities.

The Property is located in the Sea Island Flatwoods region of the Southern Coastal Plain Ecoregion of Georgia. In this area, the Savannah River has been identified as a high priority watershed by the Georgia Department of Natural Resources in its Georgia Comprehensive Wildlife Conservation Strategy (herein "GCWCS"). A more detailed description of the Savannah River watershed is found in the Baseline Documentation Report, an Exhibit hereto. Protection of the Property promotes key protection strategic themes set forth in the GCWCS. Promulgated by the Georgia Department of Natural Resources (GA DNR) and conservation partners including



the United States Fish and Wildlife Service, the GCWCS was developed to enable the GA DNR to assess and address its outstanding wildlife diversity on a comprehensive statewide scale. The GCWCS describes a strategy for the comprehensive conservation of Georgia's wildlife by addressing specific components required by the State Wildlife Grants federal program that provides funding and administration through the United States Fish and Wildlife Service. The themes promoted by this Conservation Easement include maintaining functional examples of high priority habitat through voluntary land protection on private lands; and minimizing impacts from development on the high priority species and habitats in the Savannah River watershed.

The high priority habitat protected by this Conservation Easement is the Savannah River. The Savannah River is a large, low-gradient, meandering river with sandbars, sloughs and extensive floodplain swamps. Because of its proximity to the Savannah River, the Property's lake, open and forested areas are heavily utilized by migratory birds. The Property's lake is frequently blanketed by a variety of species of migratory ducks and geese. The Property also provides habitat for several species of birds considered "high priority" species for protection by the GCWCS. These include the Swallow-Tailed Kite and the Bald Eagle. The forest, scrubby areas and water resources on the Property also provide habitat for a variety of other animals. A detailed list of animal species, including high priority species, for which the Property provides habitat is included in the Baseline Documentation Report.

**Appraised Valuations:**

Market Value Before Grant of Conservation Easement

\$

Market Value After Grant of Conservation Easement

\$

Market Value of Conservation Easement

\$

LESS: Appraised value of additional enhancement to other real property owned by a related person and near donated property

\$

**Net Value of Contribution**

\$

\*NOTE: This enhancement value is included in the valuation of the property after the granting of the easement and is deducted from the charitable contribution in this manner.

An appraisal by a qualified Appraiser, indicating the above valuations, is attached to this Form 8283.

**Statement of Purpose:**

This donation was not used to obtain a permit or any other approval by a local or other governing authority. This donation was not required by contract.

**Nearby Property Interests:**

The donor has an interest in one residential homesite of approximately  $\pm 2.75$  acres contiguous to the donated property but excluded from the conservation easement. An enhancement value of \$17,000.00 was established for this property by appraisal and is included in the valuation of the property after the granting of the easement and is deducted from the charitable contribution in this manner.

**5(b). Summary of overall physical condition of property at time of gift:** Approximately  $\pm 36.41$  acres; Recorded in Effingham County, Georgia on December 31, 2009; Book 01907 Pages 0314-0336.

**5(c). Appraised fair market value:** \$1 

**5(d). Date acquired by donor:** January 4, 1999 

**5(e). How acquired by donor:** Purchase/Exchange.

**5(f). Donor's cost or adjusted basis:** A declaration of the taxpayer's basis in the property is not included in Section B, Part 1, 4(f) of the attached Form 8283 because of the fact that the basis of the property is not taken into consideration when computing the amount of the deduction. Furthermore, the taxpayer has a holding period in the property in excess of 12 months and the property otherwise qualifies as "capital gain property".

*file in Green Acres Conservation Easement*



## GEORGIA CONSERVATION TAX CREDIT PROGRAM

Georgia Department of Natural Resources  
Wildlife Resources Division  
2065 U.S. Highway 278 S.E.  
Social Circle, GA 30025-4743  
(770) 918-6411



APPLICATION FOR: PRE-CERTIFICATION OR CERTIFICATION (circle one)

### Landowner/Donor Information

W. Darrel & Virginia L. Hutcheson	257-62-7513
Landowner/Donor	SSN or EIN
c/o State Farm Insurance 4919 Augusta Road Garden City	31408 Chatham
Mailing Address	City Zip County
912-657-3148	d.hutcheson@comcast.net
Phone #(s)	Email

### Contact Person (if different from above)

Nancy Zak	Forever Forests, LLC
Contact Name	Organization / Title
1058 Dornell Road	Ball Ground GA Cherokee
Mailing Address	City Zip County
770-345-9457	770-479-5494 nzak@foreverforests.net
Phone #(s)	Fax Email

Please indicate where to send certification letter: \_\_\_ Landowner X Contact Person

### Recipient or Easement Holder

Georgia Land Trust	Frank McIntosh
Organization	Contact Name/Title
428 Bull Street	Savannah 31401 Chatham
Mailing Address	City Zip County
912-231-0507	888-876-3883 fmcintosh@galandtrust.org
Phone #(s)	Fax Email

Currently certified as a qualified organization by DNR?\*\* Yes X No \_\_\_\_\_

**\*\*If a non-profit charitable organization, the easement holder must be certified by DNR. If not, attach a completed Qualifying Organization Application Form and the required documentation. Those organizations currently certified can be found on the web at [www.glcp.ga.gov/taxcredit](http://www.glcp.ga.gov/taxcredit).**

**Property Location\*\***

±36.41 acres conserved	Effingham
Size (Acres)	County
2062 Old Augusta Road	Clyo
Street Address of tract(s)	City
	31303
	Zip

General driving directions to site from nearest town or highway: **(Please indicate if there are any special instructions or contact information needed for a site visit).**

32°33'17.14"N 81°20'42.45"W The Property is located about 8 miles northwest of the city of Clyo on a dirt road off of Dyal's Landing Rd just northeast of Old Augusta Road in Effingham County, Georgia. See Location Map and BDR for directions.

**\*\*ATTACH A USGS QUAD/TOPOGRAPHIC MAP, COUNTY TAX MAP, OR OTHER MAP DEPICTING THE BOUNDARIES OF THE SUBJECT PROPERTY.**

**Property Information**

- Is the property already protected from development under any local government regulations or ordinances (e.g., stream buffers or scenic setbacks)? Yes \_\_\_\_ No X  
If Yes, explain: \_\_\_\_\_
- Has the land been set-aside in order to increase building density levels (e.g., dedicated "greenspace" within conservation subdivisions or cluster developments)? Yes \_\_\_\_ No X
- Is the land planned for or used for golf courses, soccer fields, softball fields, or other types of intensively managed recreational uses? Yes \_\_\_\_ No X
- Is this property part of a larger parcel under the same ownership in which another donation has been made with the last two years? Yes \_\_\_\_ No X  
If Yes, explain: \_\_\_\_\_
- Briefly describe the past and current uses of the subject property, including zoning and any existing protections on the property.  
Past and current usage is residential as well as recreational usage such as hunting. The property contains a 3.9 acre lake and is situated on steep bluffs overlooking the Savannah River. Zoning is AR-1, which is Agricultural/Residential. See BDR for more information
- Describe the lands adjacent to the subject property, including current protection status (if any) or land use. Include proximity to nearby conservation lands (if known).  
The Property is bounded by other agricultural land and timberland, a few small residences, as well as undeveloped hardwood and pine forests. The Savannah River fronts the northern border of the Subject Property and a larger lake is to the northwest of the Property. See Aerial and BDR for more details.
- Describe any unique or significant features of this tract, including natural, historic, and archaeological resources of interest. **(Refer to baseline document, photographs, or maps of these unique or significant features as appropriate).**



See the Baseline Document Report

---

## **Conservation Purposes**

8. Indicate which of the following Conservation Purposes will be met by the donation of the subject property (check all that apply):

- ☒ **Protection of water quality** through the conservation of land containing streams, rivers, natural wetlands, or floodplains and which have a minimum 100' permanently protected vegetated buffer
- ☒ **Erosion reduction** through the protection of steep slopes of greater than 25%
- ☒ **Wildlife habitat protection** through the conservation of high priority plants, animals, and habitats as defined in Georgia's Comprehensive Wildlife Conservation Strategy
- ☒ **Maintenance of prime farm and forestry lands** managed according to Best Management Practices. Properties must consist of a minimum of ten (10) contiguous acres and be used for production of timber products, crops, or livestock
- ☐ **Creation of nature-based outdoor recreation opportunities** open to the general public
- ☐ **Providing connectivity** through the protection of land adjacent to existing conservation lands
- ☐ **Protection of land with significant archaeological and/or historic sites**, listed in or eligible for the Georgia Register of Historic Places either individually, or as a contributing building or land area within a historic district.

9. Describe how the property will support each of the above-indicated Conservation Purposes. **(Attach additional sheets as necessary; Refer to baseline document or other documents as appropriate).**

Conservation of this tract will ensure protection of areas that serve as natural habitat and riparian buffer for native plant and animal species; erosion reduction and prevention of bluff along Savannah River; protection of prime agricultural lands; protection of prime forestry lands and scenic protection of viewshed from Savannah River. Preservation of other tracts in the county has occurred in 2008 and 2009 and future conservation tracts are anticipated. See BDR for more detail.

10. How is/will the property be permanently protected to maintain the Conservation Purposes?

☒ Perpetual conservation easement - **provide a description or copy of draft conservation easement (pre-certification) or copy of recorded document (certification).**

☐ Fee simple donation protected by a permanent restrictive covenant - **provide a description or copy of draft deed restriction (pre-certification) or copy of executed document (certification).** Describe what public uses will be allowed on the property (requirement of subsection (c) of O.C.G.A. 44-5-60), what activities will be prohibited, and how the land will be permanently protected and managed.

## **REFER TO EXHIBIT A FOR REQUIREMENTS OF CONSERVATION EASEMENTS AND RESTRICTIVE COVENANTS UNDER THIS PROGRAM.**

11. Briefly describe how the property will be managed and by whom, to maintain the conservation values being protected. **If available, provide a copy of the forest or agricultural management plan.**

The Trust will monitor compliance with the easement at least annually through an on-site inspection. The Owner will follow the management procedures contained within the terms of the conservation easement itself in managing the property. The Trust's responsibilities have been funded with the establishment of a Stewardship Fund of \$15,000.00.

***To be signed by Applicant (Landowner/Donor or Legal Representative):***

I endorse the accuracy of the information provided in this application. I affirm that the donated property is not dedicated open space by local governmental regulation or ordinance, or has been dedicated to increase building density levels under such regulations or ordinances. Further, I certify that the donor of the subject property is a Georgia taxpayer that possesses good and clear title to the premises to be donated, and that any liens or mortgages have been subordinated.

I agree to provide additional documentation requested by the Georgia Department of Natural Resources to complete this application. Further, I authorize the Georgia Department of Natural Resources to enter the property to conduct on-site investigations for making the conservation purposes determination. In the case of a conservation easement, I am aware that annual site inspections will be required to ensure that my land is being used in a manner consistent with the conservation easement agreement.

\_\_\_\_\_  
Signature of Owner  
W. Darrel Hutcheson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

***To be signed by Recipient/Easement Holder:***

I certify that our organization meets the criteria of a Qualified Organization as defined by the Georgia Conservation Tax Credit Program, and as an official representative of this Qualifying Organization, I have the authority to accept donation of the subject property in fee simple or by conservation easement. I certify that our Organization has the capacity to manage the land if we retain title, or annually monitor and enforce the terms of the conservation easement.

\_\_\_\_\_  
Signature(s) of Recipient/Easement Holder

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

**Pre-Certification Application checklist:**

- ☐ Is the application signed by the landowner and recipient/easement holder?
- ☐ Does the application package include all supporting documentation for identification of the property and its natural, historic, or archaeological resources, including but not limited to maps, photos, baseline document, survey plats, historical data, etc.
- ☐ Does the application package include a description and documentation of the Conservation Purposes supported by the donation?

- \_\_\_ If the site is protected by conservation easement or permanent restrictive covenant, does the conservation easement or restrictive covenant document meet all applicable requirements (**See Exhibit A**)?

**Certification Application checklist - In addition to the above items, please attach:**

- \_\_\_ Copy of Recorded Easement or Restrictive Covenant with book and page number and date
- \_\_\_ Copy of completed Baseline Documentation Report (for conservation easements)
- \_\_\_ Evidence of clear title to property (e.g. title policy, title abstract, attorney's opinion of title)

**Questions? Please call (770) 918-6411**

**Mail Completed Application to:**

**Georgia Conservation Tax Credit Program  
Georgia Department of Natural Resources  
2065 U.S. Hwy. 278, SE  
Social Circle, GA 30025-4743**

**NOTE:** Completed Pre-Certification Applications will be reviewed within 60 days. Final certification applications will be reviewed within 90 days.

## **Exhibit A - Requirements for Conservation Easements and Restrictive Covenants**

The following are required components of conservation easements accepted under the Georgia Conservation Tax Credit Program (GCTCP).

### **For All Conservation Easements:**

- A baseline documentation report that provides a detailed description of the condition of the land at the time the conservation easement is placed on the property, as well as a forest or agricultural management plan if the property warrants such a plan.
- A provision stating that no amendments shall be made to the conservation easement without the approval of the Department. The Department shall have 90 days to comment on any requested amendment; and
- A provision in the conservation easement that identifies the donation's Conservation Purposes;
- A provision in the conservation easement that states that the conservation restrictions run with the land in perpetuity and that any reserved use shall be consistent with the Conservation Purposes;
- A provision in the conservation easement that prohibits the Grantee from subsequently transferring the interest in land unless the transfer is to another public or private conservation agency that will maintain the Conservation Purposes for which the donation was originally intended;
- A provision in the conservation easement that provides that the donation of the less-than-fee interest is a property right, immediately vested in the public or private conservation agency receiving the donation, and provides that the less-than-fee interest has a fair market value that is at least equal to the proportionate value that the conservation restriction at the time of the donation bears to the property as a whole at that time; the provision shall further provide that if subsequent unexpected changes in the conditions surrounding the property make impossible or impractical the property's continued use for Conservation Purposes and judicial proceedings extinguish the easement or restrictions then the Grantee is entitled to a portion of the proceeds from the property's subsequent sale, exchange, or involuntary conversion at least equal to the perpetual conservation restriction's proportionate value.
- All provisions or restrictions pertaining to mineral rights must be consistent with the provisions of IRC Section 1.170A-14.

### **Conservation Easements for Historic Resources:**

- If the Conservation Purpose is for the preservation of a archaeological site, historic resource, or historically important land area, include documentation, in the form of the nomination or determination of eligibility for the Georgia Register of Historic Places. These resources may include an independently significant land area that meets the Georgia Register criteria for evaluation in Georgia Code 391-5-10, a land area within a registered historic district that can reasonably be considered as contributing to the district's significance, and a land area adjacent to a property listed individually in the Georgia Register of Historic Places where the land area's physical or environmental features contribute to the property's historic or cultural integrity.
- For Historic buildings, easements must protect the entire facade of the building and the associated land from alteration.

### **For Fee Simple Donations with Restrictive Covenants:**

Eligible conservation land includes property owned by a Qualified Organization and protected in perpetuity through a permanent restrictive covenant as provided in subsection (c) of Georgia Code Section 44-5-60. Note: under Georgia Code, the land must be open to public use to qualify as permanently protected. For a restrictive covenant to meet GCTCP objectives, at a minimum the deed or restrictive covenant document must include the following:

- A description of the Conservation Purpose(s) of the property that qualified it for this program;
- A statement that the property is permanently protected as conservation land; and,
- A statement that the land shall be used and managed only for purposes compatible with the conservation purposes





Course	Bearing	Distance
L1	N 50°32'52" W	132.87'
L2	N 11°25'33" E	110.50'
L3	S 45°10'49" E	82.40'
L4	S 39°58'55" W	59.83'
L5	S 50°32'52" E	29.93'
L6	N 39°03'46" E	60.60'

# HOMESITE CALLS

Course	Bearing	Distance
L7	N 59°46'31" E	229.48'
L8	N 80°30'15" W	251.50'
L9	N 53°52'46" W	194.00'
L10	N 36°16'22" E	327.58'
L11	N 83°37'35" E	22.07'
L12	S 49°00'54" E	354.74'
L13	S 07°45'54" E	32.97'
L14	S 33°13'55" W	104.18'
L15	S 20°29'11" W	74.65'
L16	S 14°52'08" E	314.48'
L17	S 66°22'24" W	317.39'
L18	N 08°34'38" W	160.26'
L19	N 30°46'13" W	146.27'
L20	N 64°32'40" E	342.02'

NOTE: ACREAGE IN LAKE 3.95 ACRES.

**APPROVAL EFFINGHAM COUNTY:**  
APPROVED FOR RECORDING BY  
EFFINGHAM COUNTY ZONING  
ADMINISTRATION.

ZONING ADMINISTRATOR      DATE

30' Easement  
↓  
APPROX. 2085 FT.

PROPERTY SURVEY FOR  
W. DARREL HUTCHESON  
AND VIRGINIA L. HUTCHESON  
**GREEN ACRES**  
TOTAL AREA = 39.16 ACRES  
LOCATED IN THE 12TH & M. D.,  
EFFINGHAM COUNTY, GEORGIA



C:\GIS\DATA\0-H\GREEN ACRES RIVER 2.78 AC.DWG  
07/11/2008

REVISED DECEMBER 24, 2009  
DATE: SEPTEMBER 24, 2009  
BY: WARREN E. POYNTHRESS  
Reg. Land Surveyor # 1853  
691 Hunters Road, Sylvester, Ga.  
30487    Tele. - (912) 657-3288  
EQUIPT. TOPCON 303 TOTAL STATION  
THE FIELD DATA UPON WHICH THIS  
MAP OR PLAT IS BASED HAS A  
CLOSURE PRECISION OF ONE FOOT  
IN 16732 FEET, AND ANGULAR  
ERROR OF 07 SECONDS PER ANGLE  
POINT. AFTER ADJUSTMENTS BY  
THE COMPASS RULE THE FINAL PLAT  
HAS BEEN CALCULATED FOR CLOSURE  
AND IS FOUND TO BE ACCURATE WITH-  
IN ONE FOOT IN FEET.



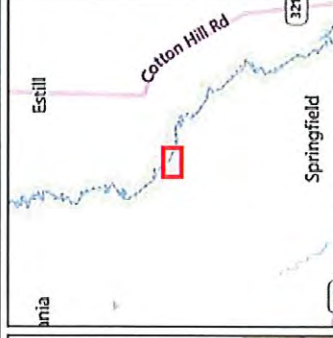
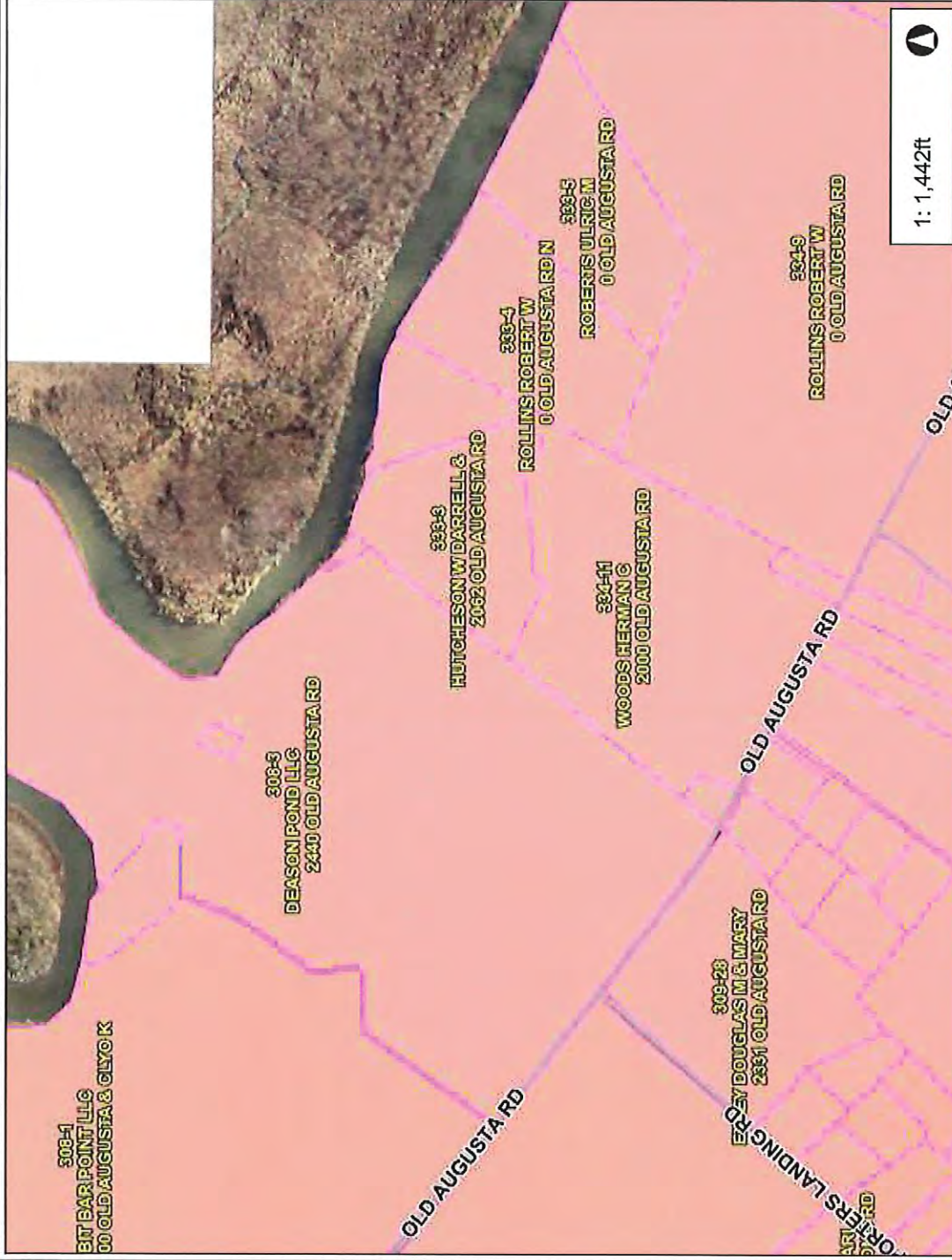
[illegible]

35-309-22 331-12





# Effingham County



- Legend**
- Tax Parcels With Labels
  - Zoning Districts
  - AR-1
  - AR-2
  - B-1
  - B-2
  - B-3
  - C-1
  - CP
  - FH
  - GN
  - I-1
  - MXU
  - PD
  - R-1
  - R-1-A
  - R-2
  - R-3
  - R-4
  - Road Names
  - Road Centerlines

This map is a user generated static output from rightspot.is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1000 ft

13 Nov, 2020

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Green Acres, LLC, for William D. Hutcheson, requests a **variance** to the requirement for a 60' access easement to allow for a 30' access easement. Located on Old Augusta Road. **Map#333 Parcels# 2&3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request for a variance to reduce the required 60' access easement to 30', with conditions.

## 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 39.5 acre property is in a conservation easement with the Georgia Land Trust, under the Georgia Conservation Tax Credit Program. The 30' easement is intended to serve only the home site(s) on the 2.75 acre portion not covered by the conservation easement. No subdivision or development of the property is planned.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request for a variance to the required 60' access easement to allow a 30' access easement to the existing home site, with the following conditions:
  - The 30' access easement shall be for the sole use of parcels 333-2&3, and no adjacent parcels.
  - The easement shall be increased to 60' for any future subdivision of 333-2&3.
  - The plat including the 30' easement must be approved by the Zoning Administrator, and be recorded before the variance can take effect.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

- Approve** request for a variance to the required 60' access easement to allow a 30' access easement to the existing home site, with the following conditions:
  - The 30' access easement shall be for the sole use of parcels 333-2&3, and no adjacent parcels.
  - The easement shall be increased to 60' for any future subdivision of 333-2&3.
  - The plat including the 30' easement must be approved by the Zoning Administrator, and be recorded before the variance can take effect.
- Deny** request for a variance to the required 60' access easement.

**Recommended Alternative:** 1

**Department Review:** Development Services

**Attachments:** 1. Zoning Map Amendment

**Other Alternatives:** 2

**FUNDING:** N/A



**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
333-2&3

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
333-2&3

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, GREEN ACRES, LLC., for WILLIAM D. HUTCHESON has filed an application for a variance to allow a 30' access easement; map and parcel number 333-2&3, located in the 3<sup>rd</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT a variance to allow a 30' access easement; map and parcel number 333-2&3, located in the 3<sup>rd</sup> commissioner district is granted with the following conditions:

1. The 30' access easement shall be for the sole use of parcels 333-2&3, and no adjacent parcels.
2. The easement shall be increased to 60' for any future subdivision of 333-2&3.
3. The plat including the 30' easement must be approved by the Zoning Administrator, and be recorded before the variance can take effect.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK

# Staff Report

**Subject:** Rezoning (Fourth District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **Craig Addison** requests to **rezone** 5 acres from **R-1** to **AR-1** to allow for a second dwelling for an immediate family member. Located at 2354 Low Ground Road.

**Map#372A Parcel# 3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 5 acres from R-1 to AR-1, with conditions.

## 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. Section 5.1.2.5 allows one additional single-family dwelling for a family member.
- The applicant has 5 acres, and wishes to rezone to AR-1 and add a second home, rather than split the parcel for a home site.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 5 acres from R-1 to AR-1, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. All wetland impacts must be approved and permitted by USACE.
  3. The plat shall include the existing 60' easement to the rear property (372-12).
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 5 acres from R-1 to AR-1, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. All wetland impacts must be approved and permitted by USACE.
  3. The plat shall include the existing 60' easement to the rear property (372-12).
2. **Deny** the request to rezone 5 acres from R-1 to AR-1.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Plat
2. Ownership certificate/authorization	5. Aerial photograph
3. Deed	

## ATTACHMENT A

### EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent CRAIG ADDISON Date 10/22/2020

Applicant email address 4elevations@att.net Phone # 912-996-8144

Property owner(s) CRAIG ADDISON email 4elevations@att.net

Telephone Number ( 912 ) 996-8144

Mailing Address 2354 LOW GROUND RD GUYTON, GA 31312

Property location SAME AS ABOVE

Present zoning R-1

Proposed zoning AR-1

Present land-use SINGLE FAMILY RESIDENCE

Proposed land-use ADDING A MANUFACTURED HOME AS AN ADDITIONAL RESIDENCE

Tax Map # 0372A Parcel # 003 Lot # 3

Total Acres 5.0 Acres to be rezoned 5.0

Lot characteristics \_\_\_\_\_

Water \_\_\_\_\_ Public ☒ Private \_\_\_\_\_ Sewer \_\_\_\_\_ Public \_\_\_\_\_  
☒ Private

Proposed access EXISTING DRIVE

Justification THE SURROUNDING PROPERTIES ARE CURRENTLY ZONED SIMILAR TO THE REQUESTED ZONING

List the zoning of the other property in the vicinity of the property you wish to rezone:

North AR-1 South AR-1

East R-4 West AR-2

1. Describe the current use of the property you wish to rezone.

SINGLE FAMILY RESIDENCE

---

---

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

N/A

---

---

3. Describe the use that you propose to make of the land after rezoning.

PROVIDE A RESIDENCE FOR A FAMILY MEMBER

---

---

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

SINGLE FAMILY RESIDENCE

---

---

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

SAME

---

---

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

NO

---

---



2  
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

10/17/2019, on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 2552 page 423.

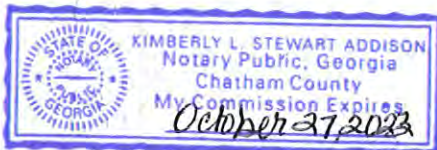
I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature *Craig Addison*  
Print CRAIG ADDISON

Owner's signature \_\_\_\_\_  
Print \_\_\_\_\_

Owner's signature \_\_\_\_\_  
Print \_\_\_\_\_

Sworn and subscribed before me this 22<sup>nd</sup> day of October, 2020  
*Kimberly L. Stewart Addison*  
Notary Public, State of Georgia





## Effingham County Development Services

### AUTHORIZATION OF PROPERTY OWNER

I, CRAIG ADDISON, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: CRAIG ADDISON  
Date: 10/22/2020

Address: 2354 LOW GROUND RD

City: GUYTON State: GEORGIA Zip Code: 31312

Telephone Number: (912)996-8144 Email: 4elevations@att.net

*Craig Addison*  
Signature of Owner

Owners Name (Print) CRAIG ADDISON

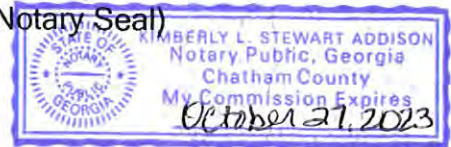
Personally appeared before me CRAIG ADDISON (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 22 of October, 2020

Kimberly Stewart Addison  
Notary Public

(Notary Seal)



4

## ATTACHMENT C

### EFFINGHAM COUNTY SITE PLAN REQUIREMENTS

All rezoning submissions shall be accompanied by a site plan. This site plan shall be made on a scale in conformance with appropriate County Tax Maps and contain the following elements.

- A. Dimensions of the property involved
- B. Location and dimensions of existing and/or proposed structures with the type of usage designated
- C. Access drives
- D. Setbacks
- E. Easements
- F. Rights-of-way
- G. Proposed or existing water, sewer and drainage facilities
- H. Buffers
- I. Off-street parking
- J. Watercourses, lakes or swamps acres
- K. Loading areas, signage and outdoor lighting (in case of commercial and industrial development)
- L. Recreational areas (in case of residential development)
- M. Proposed number of dwelling units and net acres available for building (in case of residential development).

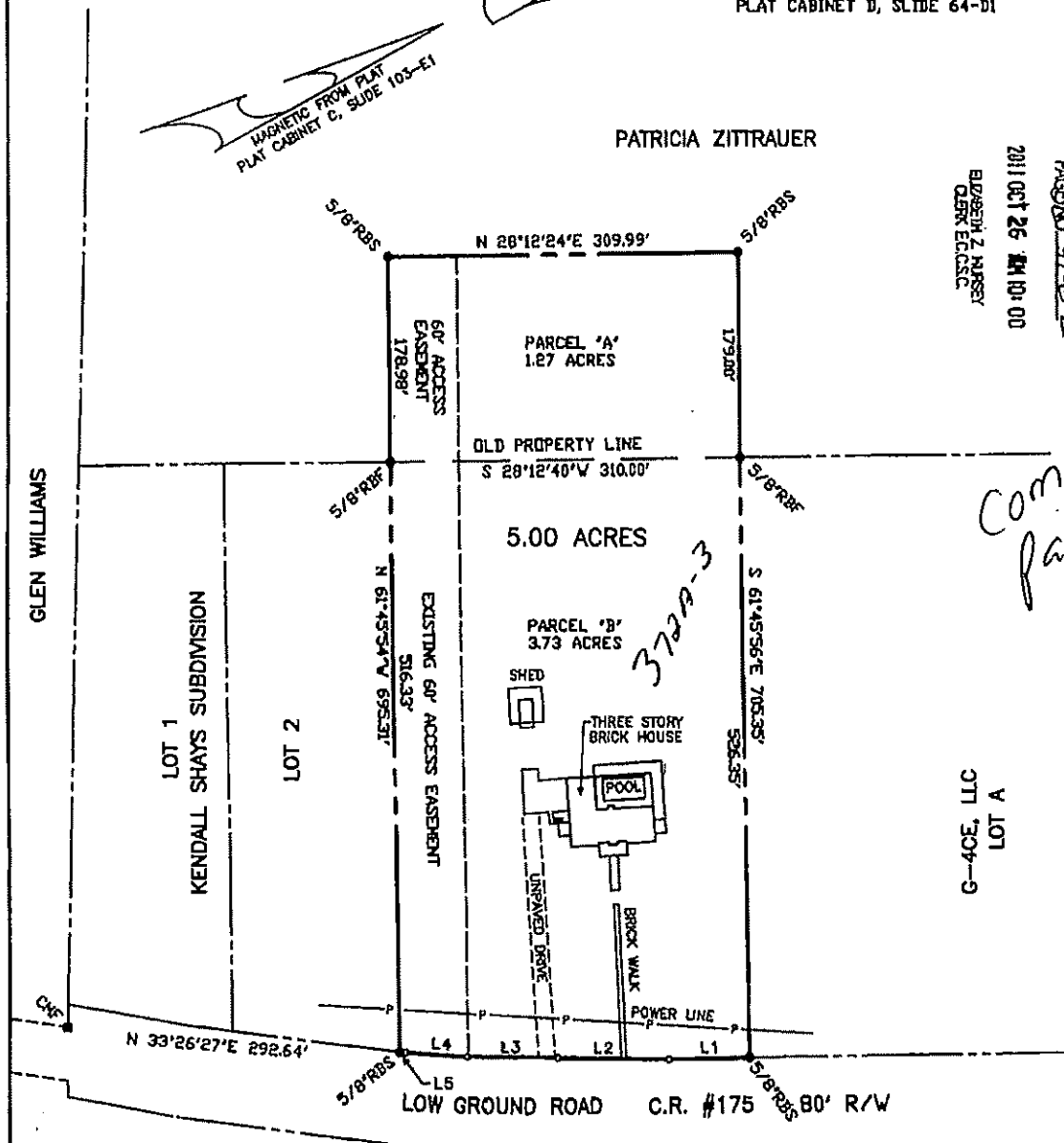
MAGNETIC FROM PLAT  
PLAT CABINET C, SLIDE 103-E1

FILED FOR RECORD  
BOOK 2  
PAGE NO 97-5-2  
2011 OCT 26 AM 10:00  
ELIZETH Z. MURPHY  
CLERK, E.C., C.S.C.

2011 OCT 26 AM 10:00

FILED FOR REG'D  
BOOK 2  
PAGE NO 97-5-2

Combine  
Parcel A  
out of  
372-12  
to  
372A-3



APPROVED FOR RECORDING BY EFFINGHAM  
COUNTY ZONING ADMINISTRATOR.

Mary B. Khan 10-26-2011  
ZONING ADMINISTRATOR DATE

Course	Bearing	Distance
L1	S 28° 03' 40" W	71.12'
L2	S 29° 42' 19" W	98.86'
L3	S 30° 02' 13" W	80.78'
L4	S 32° 58' 59" W	57.28'
L5	S 38° 22' 11" W	2.27'

ERROR OF CLOSURE:  
FIELD DATA 1/ 91,639'  
ANGULAR ERROR 11" PER ^ POINT  
ADJUSTED BY COMPASS RULE  
PLAT CLOSURE 1/ 481,742'  
EQUIPMENT USED:  
03' ELECTRONIC TOTAL STATION



OCT. 8, 2011



5.00 ACRES  
SURVEYED FOR  
PATRICIA CLAPP ZITTRAUER

LOCATION: G.M.D. 10,  
EFFINGHAM COUNTY, GEORGIA

DATE: OCT. 6, 2011

FILE NO. 4742HS

WILDER & STONE LAND SURVEYORS, INC.  
(912) 826-5412, PO BOX 1490 RINCON, GA 31326



REFERENCES:  
PLAT CABINET C, SL  
PLAT CABINET C, SL  
PLAT CABINET D, SL

PATRICIA ZITTRAUER

MAGNETIC FROM PLAT  
PLAT CABINET C, SLIDE 103-E1

GLEN WILLIAMS

KENDALL SHAYS SUBDIVISION  
LOT 1

LOT 2

5/8"RBS

N 28°12'24"E 309.99'

5/8"RBS

60' ACCESS  
EASEMENT  
178.98'

PARCEL 'A'  
1.27 ACRES

179.00'

OLD PROPERTY LINE

S 28°12'40"W 310.00'

5/8"RBF

5.0  
**PROPOSED  
MANUFACTURED  
HOME**

5/8"RBF

N 61°45'54"W 695.31'

EXISTING 60' ACCESS EASEMENT  
516.33'

PARCEL 'B'  
3.73 ACRES

S 61°45'56"E 705.35'

526.35'

SHED

THREE STORY  
BRICK HOUSE

POOL

UNPAVED DRIVE

BRICK WALK

POWER LINE

N 33°26'27"E 292.64'

L4

L3

L2

L1

5/8"RBS

5/8"RBS

Bonzo C. Reddick  
Post Office Box 2505  
Savannah, Georgia 31402  
File #20-007-15-1

PT-01 051-2020-000459

STATE OF GEORGIA )  
 )  
COUNTY OF CHATHAM)

**WARRANTY DEED**

THIS INDENTURE, Made this the 14<sup>th</sup> day of February in the year of our Lord Two Thousand Twenty between TERRY TUGGLE and ANGELA TUGGLE, Parties of the First Part, and CRAIG ADDISON and KIMBERLY ADDISON, of Chatham County, Georgia, Parties of the SECOND PART as Joint Tenants with Right of Survivorship, and not as Tenants in Common.

**WITNESSETH:**

WHEREAS, the Parties of the First Part desire to grant and convey the hereinafter described property unto the Parties of the Second Part as joint tenants, for and during their joint lives, and upon the death of either of them, then to the survivor or survivors of them, in fee simple, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor, the property hereinafter described.

NOW THEREFORE, in consideration of the premises, the Parties of the First Part hereby grant, bargain, and convey to the Parties of the Second Party as joint tenants, the following described property:

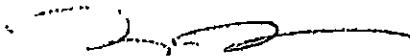
ALL that certain lot, tract or parcel of land situate, lying and being in the 10<sup>th</sup> G. M. District of Effingham County, Georgia, containing 5.0 acres, more or less, as shown and represented on that certain plat of survey made and prepared by Michael E. Stone, Georgia Registered Land Surveyor No. 2747, dated October 8, 2011, and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, on October 26, 2011, in Plat Record Cabinet D, Page 91-E-2, said plat being incorporated into this description by reference and being made a part hereof for better determining the metes, bounds, and distance of the subject property which is shown therein to be bounded as follows: On the Northeast by lands of Patricia Clapp Zittrouer and Lot 4 of the Kendall Shays Subdivision; on the Southeast by Low Ground Road; and on the Southwest and Northwest by other lands of Patricia Clapp Zittrouer, formerly, owned by Neil A. Zittrouer, all as shown on the above referred to plat.

Subject to all valid reservations, restrictions, easements, and rights of way of record; together with all improvements located thereon known as 2354 Low Ground Road, Guyton, Georgia 31312. Map and Parcel Number 0372A003

This being the same property conveyed by Warranty Deed dated January 31, 2014 from Patricia Clapp Zittrouer to Terry Tuggle and Angela Tuggle and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia in Deed Record Book 2230, Page 723.

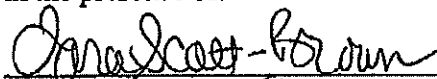
TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members and appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said Parties of the SECOND PART, as joint tenants, for and during the joint lives of the Parties of the Second Part, and upon the death of either of the parties hereto, then to the survivor in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

IN WITNESS WHEREOF, the said Parties of the FIRST PART have hereunto set their hands, affixed their seals, and delivered these presents, the day and year first above written.

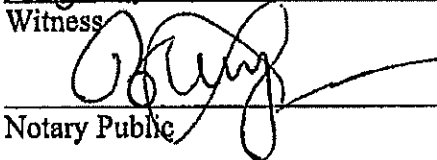


Terry Tuggle

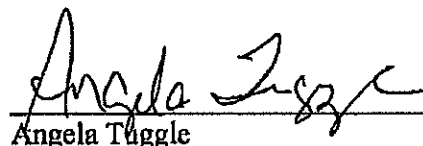
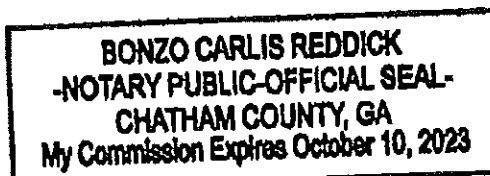
Signed, Sealed and Delivered  
in the presence of:



Witness



Notary Public

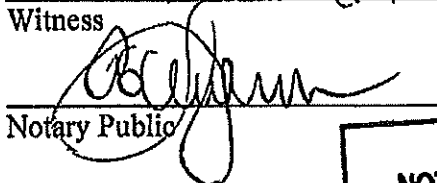


Angela Tuggle

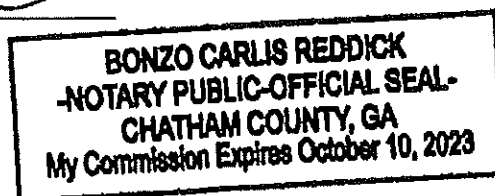
Signed, Sealed and Delivered  
in the presence of:



Witness



Notary Public



October 23, 2020

Effingham County Zoning Board  
Springfield, GA 31329

Re: Craig Addison  
2354 Low Ground Road Guyton GA 31312  
Pin #372A-3  
Total Acres: 5.0 Acres to be rezoned: 5.0

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from R-1 to AR-2. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.





This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in cursive script, reading "Darrell M. O'Neal".

Darrell M. O'Neal, MPA  
Environmental Health County Manager  
Effingham County Health Department

# BEST, Inc

Bradshaw Environmental Soil Technology, Inc.  
P. O. Box 88, Rincon, Georgia 31326  
cell: 912-665-0485

## Level 3 Report

County: Effingham	Date: August 12, 2020	Pin No:
Owner: Craig Addison		Phone No: 996-8144
Mailing Address: 2354 Low Ground Road, Guyton, Georgia 31312		
Site Location Address: 2354 Low Ground Road		
Subdivision:	Lot No:	
Map Scale: 1 inch = 100 feet		

SOIL PROPERTIES								
SOIL SERIES	Slope %	Seasonal High Water Table from existing surface (inches)	Absorption Rate at Recommended Trench Depth (minutes/inch)	Recommended Trench Depth from existing surface (inches)	Suitability Code	Topsoil thickness (inches)	Recommended Height of Mound based on trench depth of	
							18 inches	24 inches
Echaw	0	30	10	6	C	6	12	18
Pelham	0	12	10	12 above	C	8	30	36

### SUITABILITY CODE

### DESCRIPTION AND NOTES

A - These soils are suitable for installation of on-site systems with proper system design, installation and maintenance.

C - Because of flooding, shallow seasonal water tables, soil horizons with very slow percolation rate, perched water tables, or imperfect drainage, these soils are not suitable for installation of a conventional on-site system without site modifications, special designs or installation. Non-conventional systems and installation must be approved by the local Environmental Health Specialist.

F - Because of soil limitations, these soils are unsuited for installation of an on-site system.

J - These soils commonly have percolation rates that are too slow for installation of a conventional on-site system without special design or installation. Non-conventional system design and installation must be approved by the local Environmental Health Specialist.

The soil map will have delineated jurisdictional wetlands or approximate wetlands shown. If there are wetlands on the area soil mapped, then a 50 foot set back will be shown from the wetlands.

#### Site Specific Notes:

adsorption field area is protected during construction of the home and is not allowed to become a storage area for fill dirt, or used for trash pits. Keep heavy equipment from parking or driving on the adsorption field area. Do not install adsorption fields during wet or rainy periods. Do manage surface water away from drain fields with gutters and swells.

#### Disclaimer:

Recommendations are site specific and if not followed will void this report. All recommendations are based on the original undisturbed soil unless otherwise stated. If the site is disturbed from cutting or filling after date of site visit, this report is null and void. Your local Department of Community Health holds full authority in the permitting of on-site disposal systems and may view the soil conditions differently than the Soil Classifier and will have the final say in their county.

SIGNED: R. D. Bradshaw



# BEST, Inc

Bradshaw Environmental Soil Technology, Inc.

P. O. Box 88, Rincon, Georgia 31326

Office: 912-826-2573 cell: 912-665-0485 fax: 912-826-2573

Owner:	Craig Addison	
County:	Effingham	Pin No:
Date:	August 12, 2020	
Site Location:	2354 Low Ground Road	
Scale:	1 inch = 100 feet	

0 100 feet

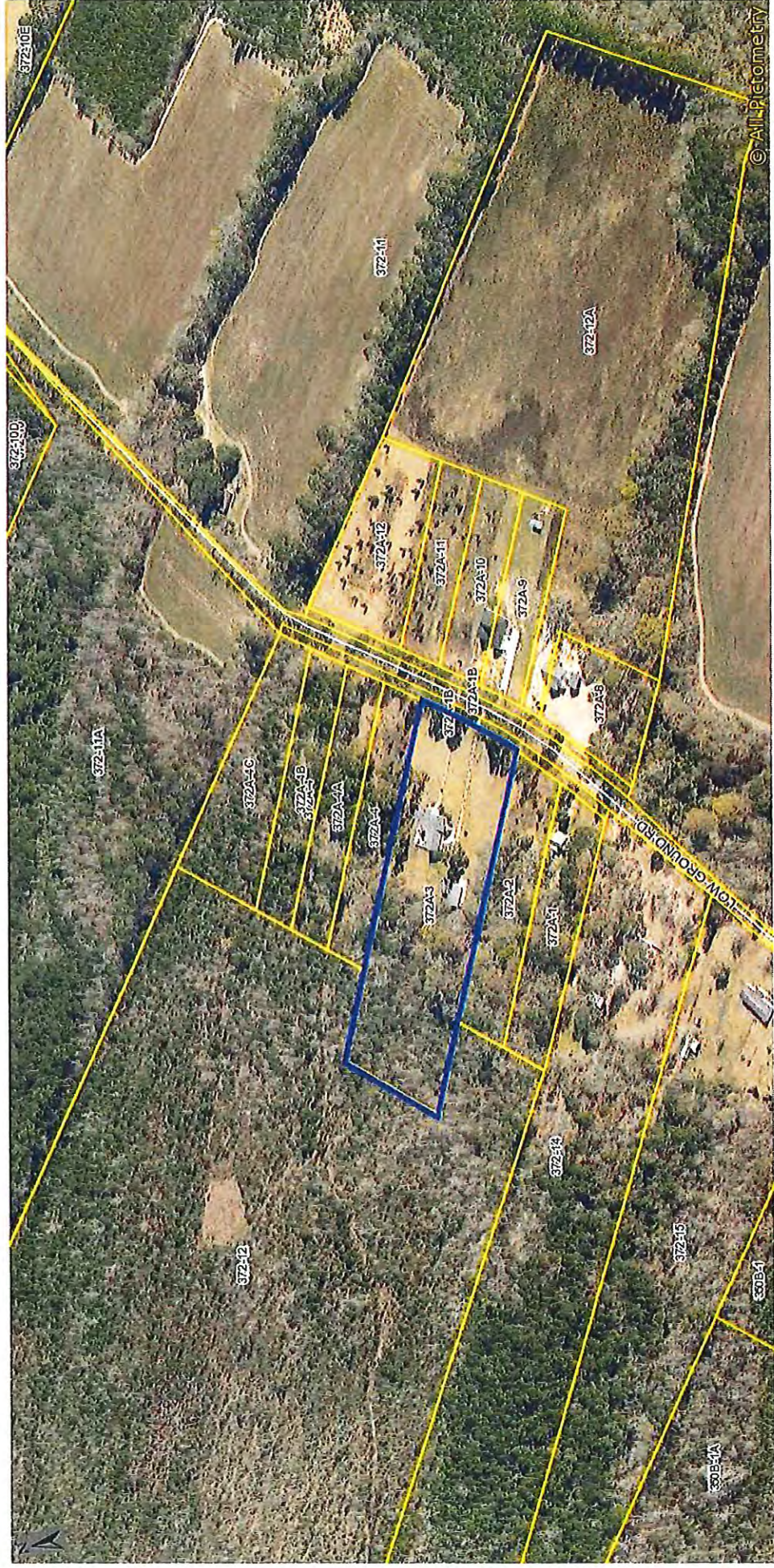


## Level 3 Soil Map



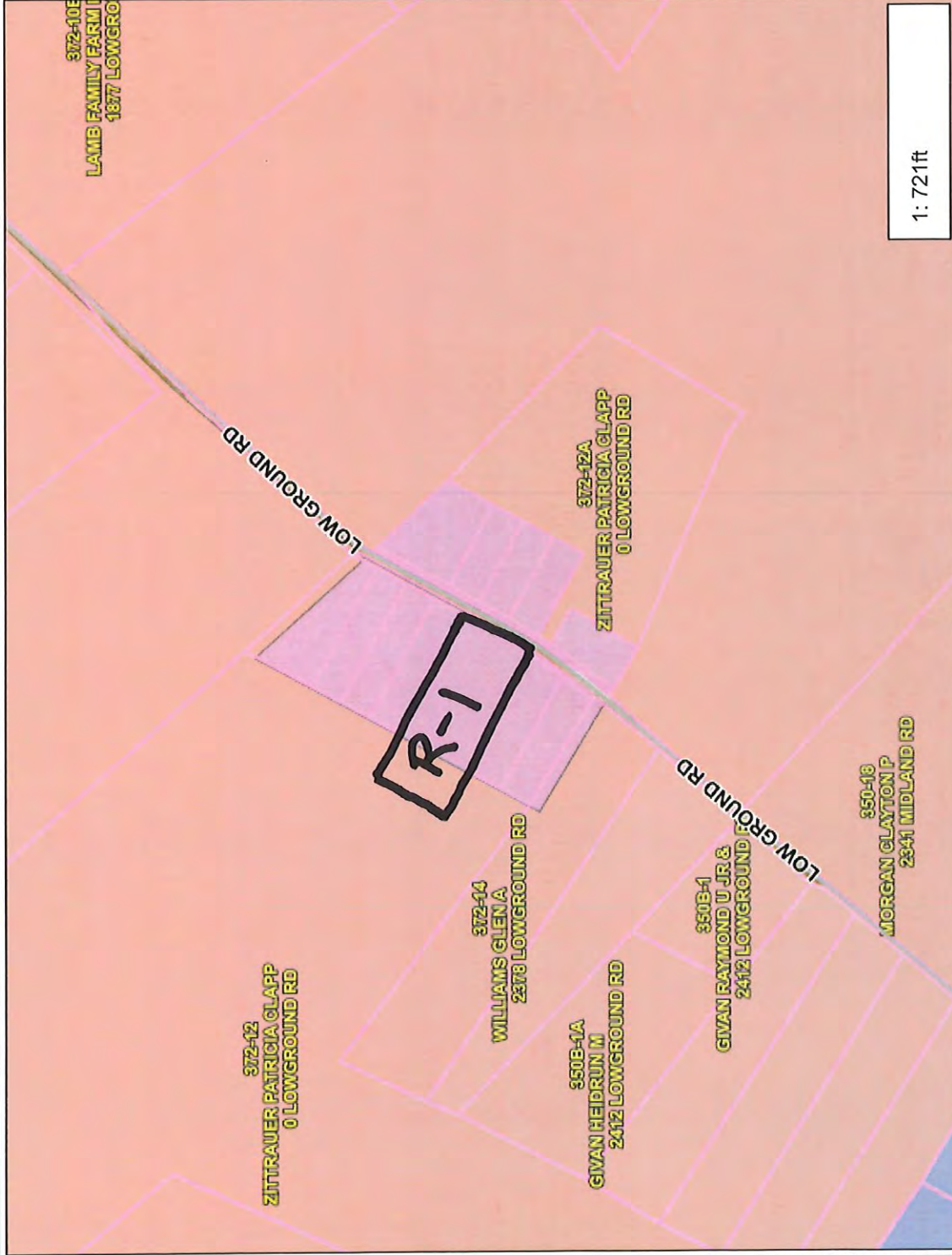


# 2354 Low Ground Road





# Effingham County



1: 721ft

500 ft

27 Oct, 2020

## Legend

Tax Parcels With Labels  
Zoning Districts

- AR-1
- AR-2
- B-1
- B-2
- B-3
- C-1
- CP
- FH
- GN
- I-1
- MKU
- PD
- R-1
- R-1-A
- R-2
- R-3
- R-4

Railroads  
Road Names  
Road Centerlines

This map is a user generated static output from rightspot, is mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ☒

DISAPPROVAL ☐

Of the rezoning request by applicant (Craig Addison – (Map # 372A Parcel # 3) from R-1 to AR-1 zoning.

Yes ☐ No ☒ 1. Is this proposal inconsistent with the county's master plan?

Yes ☐ No ☒ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes ☐ No ☒ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes ☐ No ☒ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes ☐ No ☒ 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes ☐ No ☒ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes ☐ No ☒ 7. Are nearby residents opposed to the proposed zoning change?

Yes ☐ No ☒ 8. Do other conditions affect the property so as to support a decision against the proposal?

56

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL ✓

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- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AZ

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL ✓

DISAPPROVAL \_\_\_\_\_

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Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?



EFFINGHAM COUNTY REZONING CHECKLIST

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The Effingham County Planning Commission recommends:

APPROVAL PEH

DISAPPROVAL \_\_\_\_\_

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- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

PEH

EFFINGHAM COUNTY REZONING CHECKLIST

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- Yes ☒ No ☐ 8. Do other conditions affect the property so as to support a decision against the proposal?

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** Craig Addison requests to **rezone** 5 acres from **R-1** to **AR-1** to allow for a second dwelling for an immediate family member. Located at 2354 Low Ground Road.

**Map#372A Parcel# 3**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request to rezone 5 acres from R-1 to AR-1, with conditions.

## 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. Section 5.1.2.5 allows one additional single-family dwelling for a family member.
- The applicant has 5 acres, and wishes to rezone to AR-1 and add a second home, rather than split the parcel for a home site.
- At the December 14 Planning Board meeting, Brad Smith made a motion to approve the request to rezone 5 acres from R-1 to AR-1, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. All wetland impacts must be approved and permitted by USACE.
  3. The plat shall include the existing 60' easement to the rear property (372-12).
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request to rezone 5 acres from R-1 to AR-1, with the following conditions:
  1. The lot shall meet the requirements of the AR-1 zoning district.
  2. All wetland impacts must be approved and permitted by USACE.
  3. The plat shall include the existing 60' easement to the rear property (372-12).
2. **Deny** the request to rezone 5 acres from R-1 to AR-1.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

## Attachments:

1. Zoning Map Amendment

**STATE OF GEORGIA**  
**EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
372A-3

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
372A-3

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, CRAIG ADDISON has filed an application to rezone five (5.0) +/- acres; from R-1 to AR-1 to allow for a second dwelling for an immediate family member; map and parcel number 372A-3, located in the 4<sup>th</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT five (5.0) +/- acres; map and parcel number 372A-3, located in the 4<sup>th</sup> commissioner district is rezoned from R-1 to AR-1 with the following conditions:

1. The lot shall meet the requirements of the AR-1 zoning district.
2. All wetland impacts must be approved and permitted by USACE.
3. The plat shall include the existing 60' easement to the rear property (372-12).

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK



# Staff Report

**Subject:** Conditional Use (Fourth District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** **George Bishop** requests a **conditional use** to create a cemetery for family use on an AR-1 parcel. Located at 377 High Bluff Road.

**Map#459 Parcel# 66**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request for a conditional use to create a cemetery site for family use on an AR-1 parcel, with conditions.

## Executive Summary/Background

- The request for conditional use is a requirement of Article V - Uses Permitted in Districts, Sec. 5.1.2 Conditional Uses. Section 5.1.2.2 allows cemeteries, when accessory to and on the same property as a permitted use in the agricultural residential district.
- The Bishop family is preparing for the death of an immediate family member with a terminal diagnoses who wishes to be buried on family property.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request for a conditional use to create a cemetery site for family use on an AR-1 parcel, with the following conditions:
  1. The cemetery site is solely for the private use of the Bishop family and not for commercial burial.
  2. Fencing must be 4' in height.
  3. The cemetery boundary must be at least 10' from both the road right of way and the neighboring parcel.
  4. A plat showing the cemetery boundary must be submitted to be signed by the Zoning Administrator, and recorded before the conditional use takes effect.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request for a conditional use to create a cemetery site for family use, with the following conditions:
  1. The cemetery site is solely for the private use of the Bishop family and not for commercial burial.
  2. Fencing must be 4' in height.
  3. The cemetery boundary must be at least 10' from both the road right of way and the neighboring parcel.
  4. A plat showing the cemetery boundary must be submitted to be signed by the Zoning Administrator, and recorded before the conditional use takes effect.
2. **Deny** request for a conditional use to create a cemetery site for family use.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

## Attachments:

- |                                |                      |
|--------------------------------|----------------------|
| 1. Conditional Use application | 3. Site Plan         |
| 2. Ownership certificate       | 4. Aerial photograph |



**EFFINGHAM COUNTY**  
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

DATE 11-13-20

APPLICANT/AGENT NAME George Bishop

APPLICANT/AGENT EMAIL: gb1234@gmail.com

APPLICANT/AGENT PHONE #: 912 655 1673

PROPERTY OWNER(s): George + Theresa Bishop

PROPERTY OWNER PHONE #: 912-655-1673 EMAIL \_\_\_\_\_

MAILING ADDRESS 377 High Bluff Rd

PROPERTY LOCATION same

PHONE # same EMAIL ADDRESS same

MAP # 459 PARCEL # 66

ZONING AR-1 ACREAGE 9.05

NAME OF DEVELOPMENT (IF APPLICABLE)  
\_\_\_\_\_

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE /  
CONDITIONAL USE IS REQUESTED  
\_\_\_\_\_

DESCRIBE THE REQUESTED VARIANCE / CONDITIONAL USE  
\_\_\_\_\_

To put a burial plot (cemetery) on AR-1 parcel

EXPLAIN WHY THE VARIANCE OR CONDITIONAL USE IS BEING REQUESTED

daughter ~~site~~ Family Cemetery

THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:

- ☐ A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCABLE COPY OF THIS PLAN, NO LARGER THAN 11" x 17", MUST BE SUBMITTED.
- ☐ OWNERSHIP CERTIFICATE
- ☐ FILING FEE - \$200.00
- ☐ IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGN  DATE 11-13-20

*\*\*Please include a copy of the plat identifying existing structures and imply future structures\*\**

\*\*\*\*\*

OFFICIAL USE ONLY

DATE RECEIVED \_\_\_\_\_ TIME \_\_\_\_\_ ACCEPTED BY \_\_\_\_\_

DATE APPROVED BY COUNTY COMMISSIONERS \_\_\_\_\_

**ATTACHMENT B**

**EFFINGHAM COUNTY OWNERSHIP CERTIFICATION**

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed

Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

June 30, 2020, on file in the office of the Clerk of the Superior Court of  
Effingham County, in Deed Book 2603 page 177-178.

Owner's signature 

Owner's signature \_\_\_\_\_ (if applicable)

Owner's signature \_\_\_\_\_ (if applicable)

\*\*\*\*\*

**AUTHORIZATION OF PROPERTY OWNER**

(Please complete this section if the owner is giving another person authority  
to act on their behalf)

I authorize the person named below to act as applicant/agent in the pursuit of a variance,  
conditional use, or rezoning of my property.

Name of Applicant/Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ email: \_\_\_\_\_

Personally appeared before me \_\_\_\_\_  
who swears that the information contained in this authorization is true and correct to the best  
of his/her knowledge and belief.

Notary: \_\_\_\_\_ Seal

Date: \_\_\_\_\_



8292260357  
PARTICIPANT ID

BK:2603 PG:177-178  
D2020006297

FILED IN OFFICE  
CLERK OF COURT  
06/30/2020 02:01 PM  
ELIZABETH Z. HURSEY, CLERK  
SUPERIOR COURT  
EFFINGHAM COUNTY, GA

*Elizabeth Z. Hursey*

PT-61 051-2020-001743

Return Recorded Document to:  
Theodore T. Carellas P.C.  
Post Office Box 2599  
Rincon, Georgia 31326

## GIFT DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA

COUNTY OF EFFINGHAM

File: 0105-20

**This Indenture** made this 30th day of March, 2020 between George J. Bishop, as party or parties of the first part, hereinafter called Grantor, and George J. Bishop and Theresa B. Bishop, as joint tenants with right of survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits):

That the said Party of the First Part, for and in consideration of the natural love and affection the Party of the First Part bears towards the Parties of the Second Part, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said Parties of the Second Part, their administrators, executors, heirs and assigns, as joint tenants with right of survivorship, the following described tract or parcel of land, to-wit:

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, containing 9.1 acres, more or less, known and designated as Lot 4, as shown and more particularly described on that certain map or plan made by Paul Weitman, Surveyor, dated June 20, 1974, recorded in Surveyors Record Book "J", page 348, in the records of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

This being the same property conveyed by Warranty Deed from Daniel Lee Davis to George J. Bishop, dated July 1, 2005, recorded in Deed Book 1303, page 411, aforesaid records.

Together with an improvement and immovable fixture attached thereto known as a 2014 Live Oak Homes mobile home, serial #L0HGA11314546A&B. Said mobile home is permanently affixed to the land and is to remain on the land described herein so as to become a part of the real property. Grantor declares that the wheels, axles, and hitch have been removed and that the mobile home is connected to the utilities. Grantor intends that the mobile home lose its nature as personal property and become real property. Said mobile home shall be hereafter considered a permanent fixture on the realty and hence forth title to said mobile home shall be considered as merged with title to the realty.

KNOWN AS 377 & 379 High Bluff Road, Rincon, Ga. 31326

PARCEL # 04590-066-000

**THIS CONVEYANCE** is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants with right of survivorship and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

**THIS CONVEYANCE** is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

**AND THE SAID Grantor** will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Carolee Kloss

Witness

Chris Murphy

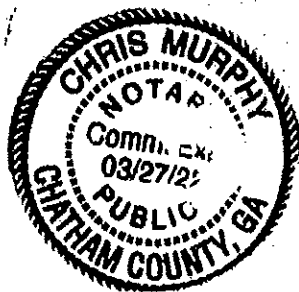
Notary Public

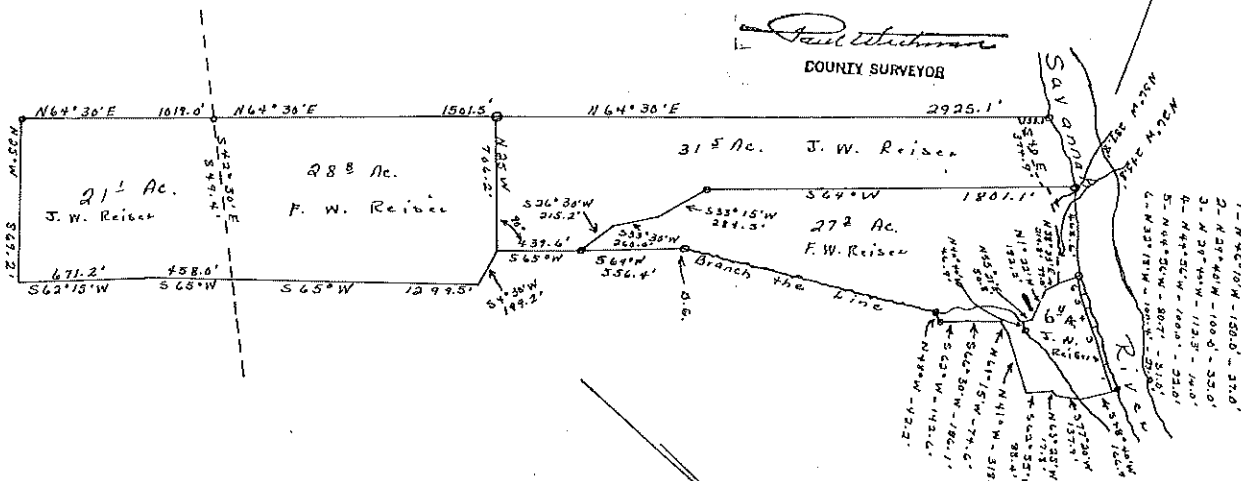
My Commission Expires 3-27-22

George J. Bishop

George J. Bishop

(Notary Seal)





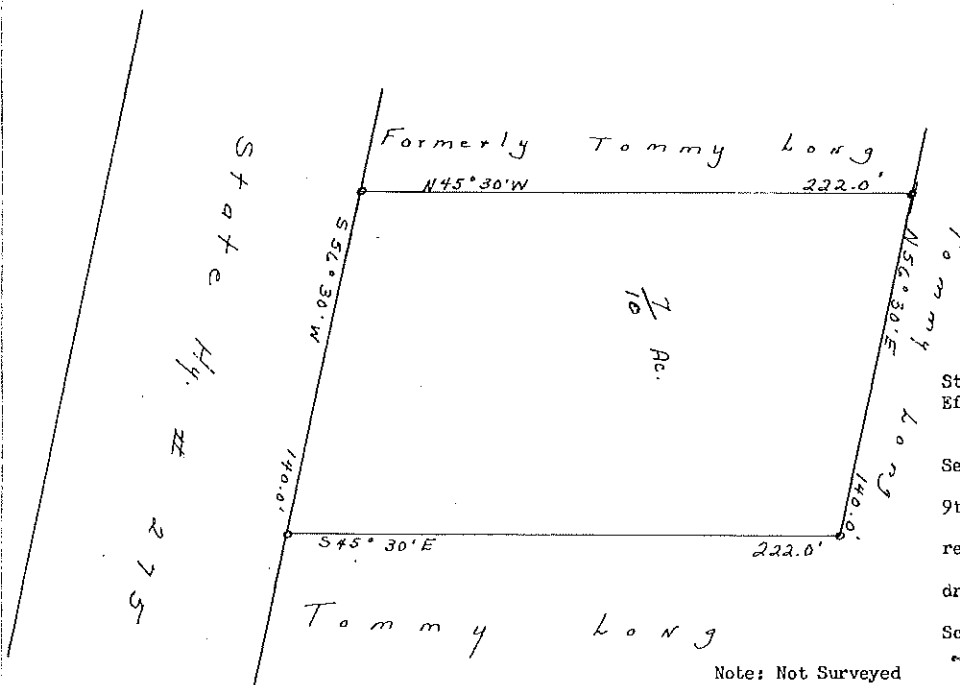
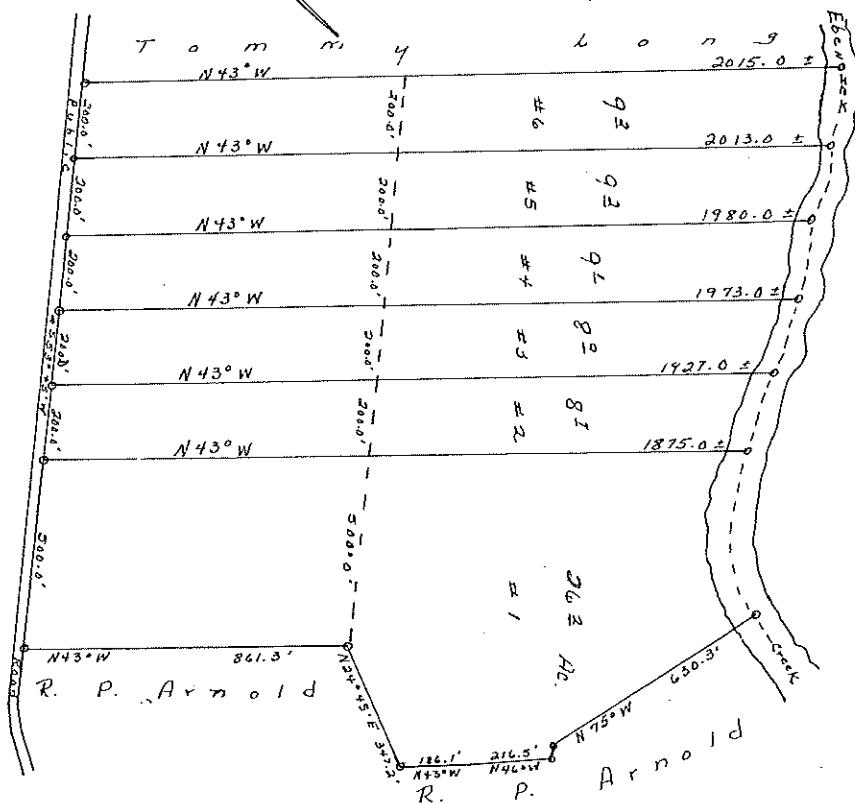
State of Georgia  
Effingham County

Plat of

Six lots in 9th G.M. District. Complied  
from records of a former survey. Done  
for Tommy Long.

Scale 330 Ft. Pr. Inch. June 7, 1974.

*Paul E. Johnson*  
COUNTY SURVEYOR



State of Georgia  
Effingham County

Plat of

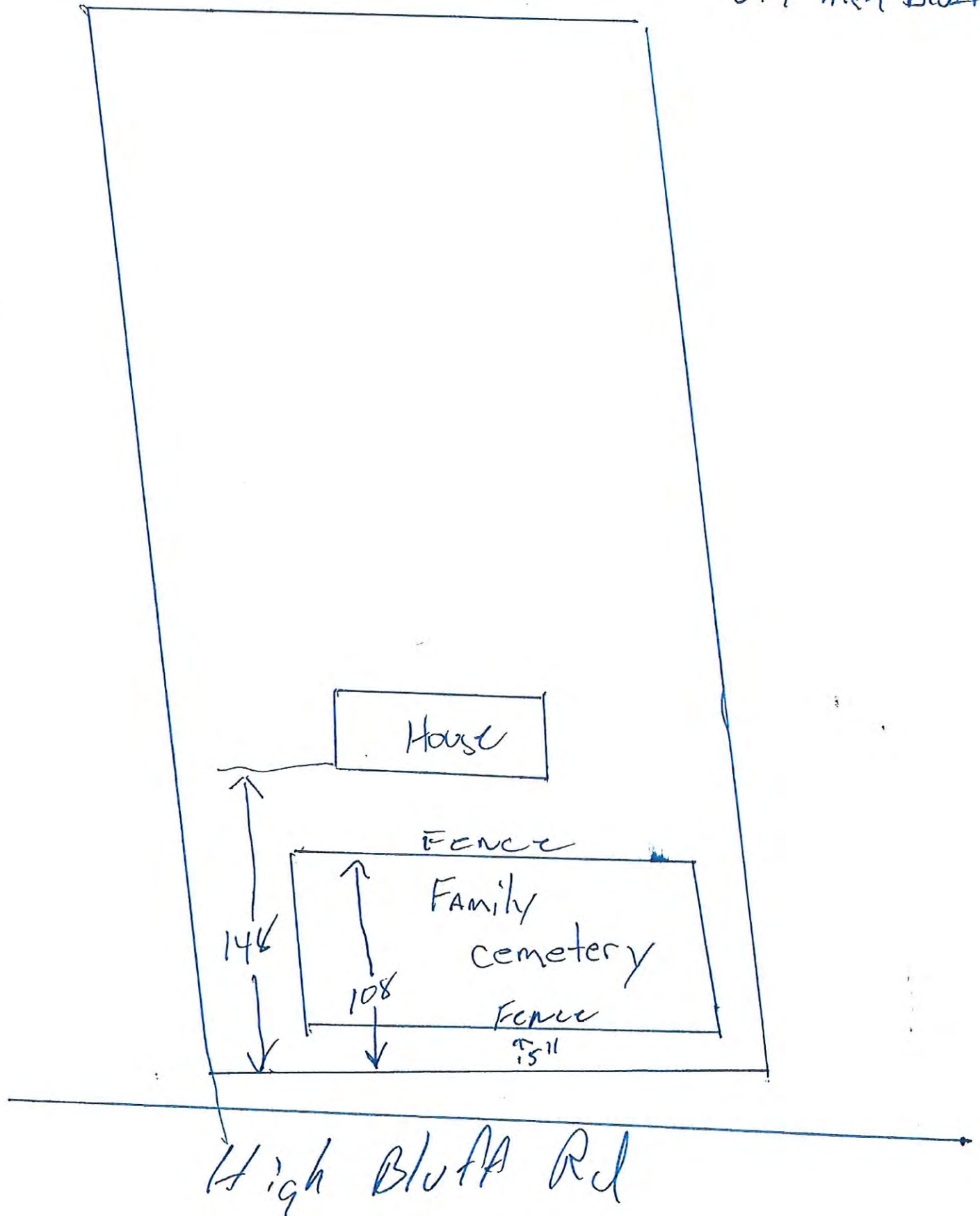
Seven-tenths ( $\frac{7}{10}$ ) acre of land in  
9th G.M. District. Complied from  
records of a former survey and plat  
drawn for, Tommy Long.

Scale 50 Ft. Pr. In. June 7, 1974.

*Paul E. Johnson*  
COUNTY SURVEYOR

Note: Not Surveyed

George Bishop  
377 High Bluff Rd.





## An aerial photograph of a large land area, likely a military installation or a large estate, divided into numerous small parcels by yellow boundary lines. Each parcel is labeled with a number, often followed by a letter (e.g., 49-106, 49-107, 49-108, 49-109, 49-110, 49-111, 49-112, 49-113, 49-114, 49-115, 49-116, 49-117, 49-118, 49-119, 49-120, 49-121, 49-122, 49-123, 49-124, 49-125, 49-126, 49-127, 49-128, 49-129, 49-130, 49-131, 49-132, 49-133, 49-134, 49-135, 49-136, 49-137, 49-138, 49-139, 49-140, 49-141, 49-142, 49-143, 49-144, 49-145, 49-146, 49-147, 49-148, 49-149, 49-150, 49-151, 49-152, 49-153, 49-154, 49-155, 49-156, 49-157, 49-158, 49-159, 49-160, 49-161, 49-162, 49-163, 49-164, 49-165, 49-166, 49-167, 49-168, 49-169, 49-170, 49-171, 49-172, 49-173, 49-174, 49-175, 49-176, 49-177, 49-178, 49-179, 49-180, 49-181, 49-182, 49-183, 49-184, 49-185, 49-186, 49-187, 49-188, 49-189, 49-190, 49-191, 49-192, 49-193, 49-194, 49-195, 49-196, 49-197, 49-198, 49-199, 49-200, 49-201, 49-202, 49-203, 49-204, 49-205, 49-206, 49-207, 49-208, 49-209, 49-210, 49-211, 49-212, 49-213, 49-214, 49-215, 49-216, 49-217, 49-218, 49-219, 49-220, 49-221, 49-222, 49-223, 49-224, 49-225, 49-226, 49-227, 49-228, 49-229, 49-230, 49-231, 49-232, 49-233, 49-234, 49-235, 49-236, 49-237, 49-238, 49-239, 49-240, 49-241, 49-242, 49-243, 49-244, 49-245, 49-246, 49-247, 49-248, 49-249, 49-250, 49-251, 49-252, 49-253, 49-254, 49-255, 49-256, 49-257, 49-258, 49-259, 49-260, 49-261, 49-262, 49-263, 49-264, 49-265, 49-266, 49-267, 49-268, 49-269, 49-270, 49-271, 49-272, 49-273, 49-274, 49-275, 49-276, 49-277, 49-278, 49-279, 49-280, 49-281, 49-282, 49-283, 49-284, 49-285, 49-286, 49-287, 49-288, 49-289, 49-290, 49-291, 49-292, 49-293, 49-294, 49-295, 49-296, 49-297, 49-298, 49-299, 49-300, 49-301, 49-302, 49-303, 49-304, 49-305, 49-306, 49-307, 49-308, 49-309, 49-310, 49-311, 49-312, 49-313, 49-314, 49-315, 49-316, 49-317, 49-318, 49-319, 49-320, 49-321, 49-322, 49-323, 49-324, 49-325, 49-326, 49-327, 49-328, 49-329, 49-330, 49-331, 49-332, 49-333, 49-334, 49-335, 49-336, 49-337, 49-338, 49-339, 49-340, 49-341, 49-342, 49-343, 49-344, 49-345, 49-346, 49-347, 49-348, 49-349, 49-350, 49-351, 49-352, 49-353, 49-354, 49-355, 49-356, 49-357, 49-358, 49-359, 49-360, 49-361, 49-362, 49-363, 49-364, 49-365, 49-366, 49-367, 49-368, 49-369, 49-370, 49-371, 49-372, 49-373, 49-374, 49-375, 49-376, 49-377, 49-378, 49-379, 49-380, 49-381, 49-382, 49-383, 49-384, 49-385, 49-386, 49-387, 49-388, 49-389, 49-390, 49-391, 49-392, 49-393, 49-394, 49-395, 49-396, 49-397, 49-398, 49-399, 49-400, 49-401, 49-402, 49-403, 49-404, 49-405, 49-406, 49-407, 49-408, 49-409, 49-410, 49-411, 49-412, 49-413, 49-414, 49-415, 49-416, 49-417, 49-418, 49-419, 49-420, 49-421, 49-422, 49-423, 49-424, 49-425, 49-426, 49-427, 49-428, 49-429, 49-430, 49-431, 49-432, 49-433, 49-434, 49-435, 49-436, 49-437, 49-438, 49-439, 49-440, 49-441, 49-442, 49-443, 49-444, 49-445, 49-446, 49-447, 49-448, 49-449, 49-450, 49-451, 49-452, 49-453, 49-454, 49-455, 49-456, 49-457, 49-458, 49-459, 49-460, 49-461, 49-462, 49-463, 49-464, 49-465, 49-466, 49-467, 49-468, 49-469, 49-470, 49-471, 49-472, 49-473, 49-474, 49-475, 49-476, 49-477, 49-478, 49-479, 49-480, 49-481, 49-482, 49-483, 49-484, 49-485, 49-486, 49-487, 49-488, 49-489, 49-490, 49-491, 49-492, 49-493, 49-494, 49-495, 49-496, 49-497, 49-498, 49-499, 49-500, 49-501, 49-502, 49-503, 49-504, 49-505, 49-506, 49-507, 49-508, 49-509, 49-510, 49-511, 49-512, 49-513, 49-514, 49-515, 49-516, 49-517, 49-518, 49-519, 49-520, 49-521, 49-522, 49-523, 49-524, 49-525, 49-526, 49-527, 49-528, 49-529, 49-530, 49-531, 49-532, 49-533, 49-534, 49-535, 49-536, 49-537, 49-538, 49-539, 49-540, 49-541, 49-542, 49-543, 49-544, 49-545, 49-546, 49-547, 49-548, 49-549, 49-550, 49-551, 49-552, 49-553, 49-554, 49-555, 49-556, 49-557, 49-558, 49-559, 49-560, 49-561, 49-562, 49-563, 49-564, 49-565, 49-566, 49-567, 49-568, 49-569, 49-570, 49-571, 49-572, 49-573, 49-574, 49-575, 49-576, 49-577, 49-578, 49-579, 49-580, 49-581, 49-582, 49-583, 49-584, 49-585, 49-586, 49-587, 49-588, 49-589, 49-590, 49-591, 49-592, 49-593, 49-594, 49-595, 49-596, 49-597, 49-598, 49-599, 49-600, 49-601, 49-602, 49-603, 49-604, 49-605,

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# Effingham County



- Legend**
- Tax Parcels With Labels
  - Zoning Districts
    - AR-1
    - AR-2
    - B-1
    - B-2
    - B-3
    - C-1
    - CP
    - FH
    - GN
    - I-1
    - MXU
    - PD
    - R-1
    - R-1-A
    - R-2
    - R-3
    - R-4
  - Road Names
  - Road Centerlines

1: 360ft

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

500 ft

13 Nov, 2020

# Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department** Development Services  
**Meeting Date:** January 19, 2021  
**Item Description:** George Bishop requests a **conditional use** to create a cemetery for family use on an AR-1 parcel. Located at 377 High Bluff Road.  
**Map#459 Parcel# 66**

## Summary Recommendation

Staff has reviewed the application, and recommends approval of the request for a conditional use to create a cemetery site for family use on an AR-1 parcel, with conditions.

## Executive Summary/Background

- The request for conditional use is a requirement of Article V - Uses Permitted in Districts, Sec. 5.1.2 Conditional Uses. Section 5.1.2.2 allows cemeteries, when accessory to and on the same property as a permitted use in the agricultural residential district.
- The Bishop family is preparing for the death of an immediate family member with a terminal diagnoses who wishes to be buried on family property.
- At the December 14 Planning Board meeting, Alan Zipperer made a motion to approve the request for a conditional use to create a cemetery site for family use on an AR-1 parcel, with the following conditions:
  1. The cemetery site is solely for the private use of the Bishop family and not for commercial burial.
  2. Fencing must be 4' in height.
  3. The cemetery boundary must be at least 10' from both the road right of way and the neighboring parcel.
  4. A plat showing the cemetery boundary must be submitted to be signed by the Zoning Administrator, and recorded before the conditional use takes effect.
- Peter Higgins seconded the motion. The motion carried unanimously.

## Alternatives

1. **Approve** request for a conditional use to create a cemetery site for family use, with the following conditions:
  1. The cemetery site is solely for the private use of the Bishop family and not for commercial burial.
  2. Fencing must be 4' in height.
  3. The cemetery boundary must be at least 10' from both the road right of way and the neighboring parcel.
  4. A plat showing the cemetery boundary must be submitted to be signed by the Zoning Administrator, and recorded before the conditional use takes effect.
2. **Deny** request for a conditional use to create a cemetery site for family use.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Zoning Map Amendment

**STATE OF GEORGIA  
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
459-66

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
459-66

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, GEORGE BISHOP has filed an application for a conditional use to create a family cemetery; map and parcel number 459-66, located in the 4<sup>th</sup> commissioner district, and

WHEREAS, a public hearing was held on January 19, 2021 and notice of said hearing having been published in the Effingham County Herald on December 30, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on November 25, 2020; and

IT IS HEREBY ORDAINED THAT a conditional use to create a family cemetery; map and parcel number 459-66, located in the 4<sup>th</sup> commissioner district is granted with the following conditions:

1. The cemetery site is solely for the private use of the Bishop family and not for commercial burial.
2. Fencing must be 4' in height.
3. The cemetery boundary must be at least 10' from both the road right of way and the neighboring parcel.
4. A plat showing the cemetery boundary must be submitted to be signed by the Zoning Administrator, and recorded before the conditional use takes effect.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: \_\_\_\_\_

\_\_\_\_\_  
STEPHANIE D. JOHNSON  
COUNTY CLERK