The Georgia Conflict of Interest in Zoning Actions 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 applications. 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 the 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 knowingly failing to comply with these requirements shall be guilty of a misdemeanor.

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<tr>
<td>I. Call To Order</td>
<td>6:01PM</td>
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<td>II. Invocation</td>
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<td>III. Pledge to the Flag</td>
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<td>IV. Agenda Approval</td>
<td>Consideration to approve the agenda</td>
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<td>V. Minutes</td>
<td>Approval of the May 16, 2022 minutes</td>
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<tr>
<td>VI. New Business</td>
<td>All items presented during this portion of the meeting will be presented at a future Board of Commissioners Meeting as a Public Hearing (with the exception of pond and residential business approvals)</td>
<td></td>
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<tr>
<td>01 Public Hearing</td>
<td>William Wilson request to rezone 1 of 24.24 acres from AR-1 to AR-2 to allow for the creation of a home site. Located at 342 Ottis Seckinger Road. (Second District) [Map# 415 Parcel# 32]</td>
<td></td>
<td>APPROVED</td>
</tr>
<tr>
<td>02 Public Hearing</td>
<td>Mamie H. Johnson requests to rezone 2.53 acres from AR-1 to AR-2 to allow for the creation of a home site. Located 540 Brogdon Road. (Third District) [Map# 319 Parcel# 13]</td>
<td></td>
<td>APPROVED</td>
</tr>
<tr>
<td>03 Public Hearing</td>
<td>Leo M. Sullivan request to rezone 3 acres from AR-1 to AR-2 to allow for the division of a parcel. Located at 486 Whitaker Road. (Third District) [Map# 441A Parcel# 14]</td>
<td></td>
<td>APPROVED</td>
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<tr>
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<td>Rodney A. Durrance &amp; Gloria M. Durrance request to rezone 5 acres from AR-1 to AR-2 to allow for a 4-lot subdivision. Located at 290</td>
<td></td>
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<td>Code</td>
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<td>Description</td>
<td>Status</td>
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<tr>
<td>05</td>
<td>Public Hearing</td>
<td>Winston Hencely as Agent for Vicki Hencely Fountain &amp; Michael Fountain requests to <strong>rezone</strong> 12.66 acres from AR-1 &amp; AR-2 to AR-1 &amp; AR-2, to allow for a recombination of parcels. Located at 3033 Ebenezer Road &amp; 550 Exley Road South. (Fourth District) [Map# 471 Parcel# 22&amp;49]</td>
<td>APPROVED</td>
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<tr>
<td>06</td>
<td>Sketch Plan</td>
<td>3 Byrds Development, LLC requests approval of a <strong>sketch plan</strong> for “North Tract Development”. Located on Noel C Conaway Road, zoned AR-1, proposed zoning R-3. (Fourth District) [Map# 370 Parcel# 16]</td>
<td>POSTPONED</td>
</tr>
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<td>07</td>
<td>Public Hearing</td>
<td>Braly Investments as Agent for Lamar Allen requests to <strong>rezone</strong> 15.32 of 96.42 acre from AR-1 to R-6 to allow for a single family residential development. Located on Courthouse Road. (Fourth District) [Map# 390 Parcel# 1]</td>
<td>APPROVED</td>
</tr>
<tr>
<td>08</td>
<td>Sketch Plan</td>
<td>Braly Investments as Agent for Lamar Allen requests approval of a <strong>sketch plan</strong> for “Hosswood Subdivision”. Located on Courthouse Road, zoned AR-1, proposed zoning R-6. (Fourth District) [Map# 390 Parcel# 1]</td>
<td>APPROVED</td>
</tr>
<tr>
<td>09</td>
<td>Public Hearing</td>
<td>Linda Sims as Agent for Eric Edwards to <strong>rezone</strong> 7.01 acres from I-1 to B-3 to allow for commercial development. Located at 1204 Mill Pond Road. (Fifth District) [Map# 446 Parcel# 7C]</td>
<td>APPROVED</td>
</tr>
<tr>
<td>10</td>
<td>Public Hearing</td>
<td>Linda Sims as Agent for Eric Edwards request a <strong>conditional use</strong> to allow for the repair and painting of aviation parts in B-3 zoning. Located at 1204 Mill Pond Road, zoned I-1, proposed zoning B-3. (Fifth District) [Map# 446 Parcel# 7C]</td>
<td>APPROVED</td>
</tr>
<tr>
<td>11</td>
<td>Sketch Plan</td>
<td>Linda Sims as Agent for Eric Edwards requests approval of a <strong>sketch plan</strong> for: “ACTION OVERHEAD DOOR WAREHOUSES”. Located at 1204 Mill Pond Road, zoned I-1, proposed zoning B-3. (Fifth District) [Map# 446 Parcel# 7C]</td>
<td>APPROVED</td>
</tr>
</tbody>
</table>

**VIII. Adjournment** 6:42PM
Staff Report

Subject: Rezone (Second District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: William Wilson request to rezone 1 of 24.24 acres from AR-1 to AR-2 to allow for the creation of a home site. Located at 342 Ottis Sackinger Road. Map# 415 Parcel# 32

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 1 of 24.24 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 wishes to subdivide a parcel to create a new home site to deed to his son. The subdivision will create a 1-acre lot and, therefore, the newly created lot must be rezoned to AR-2.
• One acre was rezoned to AR-2 and subdivided for this purpose September 21, 2021. The newly created parcel proved to be unbuildable, due to the presence of wetlands.

Alternatives
1. Approve the request to rezone 1 acre from AR-1 to AR-2, with the following conditions:
   1. The lots shall meet the requirements of the AR-2 zoning district.
   2. Minor subdivision plat must be approved by Development Services and Environmental Health, and be recorded, before the rezoning can take effect.
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
2. Ownership certificate/authorization 4. Aerial photograph
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 William Wilson – (Map # 415 Parcel # 32) 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?
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 5/11/2022

Applicant/Agent: William Wilson

Applicant Email Address: rayntnea2015@gmail.com

Phone #: 912-604-7312

Applicant Mailing Address: 2204 Risbee Ave (current address)

City: Garden City State: GA Zip Code: 31408

Property Owner, if different from above: Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address:

City: State: Zip Code:

Property Location: Don’t have physical address yet. 342 Otis Seekinger

Proposed Road Access: Otis Seekinger Rd


Tax Map-Parcel #: 0150032 Total Acres: Acres to be Rezoned: 1

Lot Characteristics: Cleared Site

WATER

✓ Private Well

___ Public Water System

If public, name of supplier:

Justification for Rezoning Amendment: Establish a home for family

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

North _________ South _________ East _________ West _________

Rev 01132022
1. Describe the current use of the property you wish to rezone.
   
   To place a house on for me and my family

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.
   
   To live there.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   
   For people to live on the street.

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 neighbors will be around the location.

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

Applicant Signature: [Signature]
Date: 5/11/22
ATTACHMENT B - 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 April 27, 1990, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 280, page 389.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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: Thomas R. Wilson
Print Name: Thomas R. Wilson

Owner’s signature: William Wilson
Print Name: W. O. C.

Owner’s signature: 
Print Name: 

Sworn and subscribed before me this 11th day of May, 2020.

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 01132022
STATE OF GEORGIA
COUNTY OF EFFINGHAM

WARRANTY DEED

THIS INDENTURE, made this 27th day of April 1990 between

VALDEE T. NEASE
of the County of Effingham, and State of Georgia, as Party
or Parties of the First Part, hereinafter called Grantor, and

THOMAS R. WILSON
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: Grantor, for and in consideration of the sum of Ten & 00/100 ($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, has granted, bargained, sold, aliened, conveyed 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 25.23 acres, more or less, known as Parcel 2, that is shown and more particularly described by that plat of survey made by Wilder Surveying & Mapping, dated October 14, 1985, recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 25, page 5, which is incorporated into this description by specific reference thereto.

Effingham County, Georgia
Real Estate Transfer Tax
Paid $ 30.00
Date 4-30-90

Clerk of Superior Court

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 whomssoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year above written.

[Seal]

[Seal]

Signed, sealed and delivered in the presence of:

WITNESS

NOTARY PUBLIC
DATE NOTARIZED: 4-27-90

Copyright 1990, Clerk of Court

GEORGIA, COUNTY OF EFFINGHAM
Clerk's Office, Superior Court
Filed for Record at 2:30 clock. M
April 30, 1990
Recorded in Deed Book 780, Page 383.

1/1
Gave son ACRE of my land to make a homestead on. After cleaning, survey, and burying all permits. Was told it was wetlands and could not be used. Return this land back to my name.

Gave son another parcel land which had been my mother homestead on my land. Parcel already has septic tank and water.

Thomas R. Wilson
342 Ottis Seckinger Rd.
Rineon, IA 31326.

Parcel # 0450032
DB - 260 PB 388
PB - 25 PB 5
SURVEY OF 1.000 ACRES BEING SUBDIVIDED FROM PARCEL #:(04150032) LOCATED THE 9th GM. DISTRICT OF EFFINGHAM COUNTY GEORGIA

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON- 
CS TOTAL STATION, CARLISLE DATA COLLECTOR AND A 
CARLISLE BRUSH GPR.

2. THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS 
INDICATED BY THE F.J.M. OFFICIAL FLOOD HAZARD MAPS.

3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS 
FOUND TO BE ACCURATE WITHIN ONE FOOT IN 105,005 FEET.

4. "TO THE BEST OF MY KNOWLEDGE, INFORMATIONS 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 (OCGA) 15-2-67 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 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 EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE

SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 11-5-67, 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 HEREIN. SUCH APPROVALS OR 
AFFIRMATIONS SHOULD BE CONFORMED WITH THE APPROPRIATE GOVERNMENTAL 
BODIES BY ANY PURCHASER OF USER OF THIS PLAT AS TO INTENDED USE OF ANY 
PARCEL FURTHERMORE, THE UNDERSIGNITED 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 11-5-67

WILLIAM MARK GLISSON LRS #3316

DATE

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR
GEORGIA PL # 3316 - SOUTH CAROLINA PL # 31964
277 TUCKER ROAD, CLAXTON, GEORGIA 30417
2912 396-5649 CLAXTON: (912) 396-7052
WMLISSONSBELLSOUTH.NET

SURVEY FOR:
RAY WILSON
COUNTY: EFFINGHAM STATE: GEORGIA
GMD: 9th
DATE: 05/05/2022 SCALE: 1" = 100 ft
FILE NUMBER: 22284 DRAWN BY: KJ
TOTAL AREA: 1.00 AC.
FIELD SURVEY DATE: 04/20/2022
Staff Report

Subject: Rezone (Third District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022

Item Description: Mamie H. Johnson requests to rezone 2.53 acres from AR-1 to AR-2 to allow for the creation of a home site. Located at 540 Brogdon Road. Map# 319 Parcel# 13

Summary Recommendation
Staff has reviewed the application, and recommends approval to rezone 2.53 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 wishes to subdivide a parcel to create a new home site. The subdivision will create a 1-acre lot and, therefore, the newly created lot must be rezoned to AR-2.

Alternatives
1. Approve the request to rezone 2.53 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. Minor subdivision plat must be approved by Development Services and Environmental Health, and be recorded, before the rezoning can take effect.
2. Deny the request to rezone 2.53 acres from AR-1 to AR-2.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

2. Ownership certificate/authorization 4. Aerial photograph
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 Mamie H. Johnson – (Map # 319 Parcel # 13) 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 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?
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 4/27/22

Applicant/Agent: Mamie H. Johnson

Applicant Email Address: Willie J.58@yahoo.com

Phone #: 764-483-5511

Applicant Mailing Address: 118 Cross Creek Dr.

City: Pooler State: GA Zip Code: 31322

Property Owner, if different from above: Same

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): 

Phone # 

Owner’s Mailing Address: 

City: State: Zip Code:

Property Location: Brogdon – Williams Rd

Proposed Road Access: Williams Rd


Tax Map-Parcel # 319-13 Total Acres: 5.4 Acres to be Rezoned: 2.53

Lot Characteristics: Vacant Land

WATER

☑ Private Well

☐ Public Water System

SEWER

☑ Private Septic System

☐ Public Sewer System

If public, name of supplier: 

Justification for Rezoning Amendment: 

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.

   Vacant

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.

   To build my home on

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

   All 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?

   No Change of 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

Applicant Signature: [Signature]

Date: 1-27-22
ATTACHMENT B - 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 April 1, 2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2681 page 576.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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 ____________________________
Print Name ____________________________

Owner's signature ____________________________
Print Name ____________________________

Owner's signature ____________________________
Print Name ____________________________

Sworn and subscribed before me this ______ day of April, 20__.

Notary Public, State of Georgia

Kathleen Erin Dunnigan

Rev 05052021
LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE made this 9th day of April, 2021, between THELMA L. JOINER and ERIC HAYDEN JOINER of the County of Effingham and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MAMIE H. JOHNSON 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 NO/100 DOLLARS ($10.00) 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, the following-described property:


TO HAVE AND TO HOLD the said tract or parcel of land, 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 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 by, through and under the above named grantor.

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

Thelma L. Joiner

(SEAL)

Eric Hayden Joiner

(SEAL)

Signed, sealed and delivered in presence of:

Witness

Notary Public

https://search.gsccca.org/Imaging/HTML5viewer.aspx?id=78449694&key1=2681&key2=576&county=51&countynum=EFFINGHAM&userid=725673&appid=4
Subject: Rezone (Third District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Leo M. Sullivan request to rezone 3 acres from AR-1 to AR-2 to allow for the division of a parcel. Located at 486 Whitaker Road. Map# 441A Parcel# 14

Summary Recommendation
Leo M. Sullivan request to rezone 3 acres from AR-1 to AR-2 to allow for the division of a parcel. Located at 486 Whitaker Road, 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 combined two subdivision parcels in 2016. He now wishes to resubdivide into two parcels.
- The parcel is a non-conforming AR-1 lot in Whitaker Road subdivision. In order to approve the resubdivision, the 3-acres must be rezoned to AR-2, and the final plat must be signed by the Chairman.

Alternatives
1. Approve the request to rezone 3 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. Major subdivision revised plat must be approved by the Board of Commissioners and Environmental Health, and be recorded before the rezoning can take effect.
2. Deny the request to rezone 3 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. Plat
4. Deed
5. Aerial photograph
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 Leo M. Sullivan – (Map # 441A Parcel # 14) 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 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?
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 5-11-2022

Applicant/Agent: Leo M. Sullivan

Applicant Email Address: fish@3136g.mail.com

Phone #: 912-659-6579

Applicant Mailing Address: 480 Whijaker Rd

City: Clyo State: GA Zip Code: 31513

Property Owner, if different from above: Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address:

City: Clyo State: GA Zip Code:

Property Location: 480 Whijaker Rd Subdivision

Proposed Road Access:


Tax Map-Parcel #: 4119-14 Total Acres: 3.00 Acres to be Rezoned: 1.4

Lot Characteristics: Wooded Lot fenced in

WATER

☑ Private Well

☐ Public Water System

If public, name of supplier:

SEWER

☑ Private Septic System

☐ Public Sewer System

Justification for Rezoning Amendment: The minimum acreage for AR-1 is 5 acres

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

North South East West

Rev 01132022
1. Describe the current use of the property you wish to rezone.

Vacant

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

Yes Residential

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

To Be

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

Residential, M.H. Houses

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.

Applicant Signature: _______________________________ Date 6-11-2022
ATTACHMENT B - 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 February 3, 2016, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book #2830 page 357.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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 ____________________________
Print Name ________________________________

Owner's signature ____________________________
Print Name ________________________________

Owner's signature ____________________________
Print Name ________________________________

Sworn and subscribed before me this 11 day of May, 2022.

Chelsie Fernandez
Notary Public, State of Georgia
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 383
SPRINGFIELD, GA 31329

STATE OF GEORGIA
COUNTY OF EFFINGHAM

ELIZABETH Z. HURSEY
CLERK OF SUPERIOR
COURT
EFFINGHAM COUNTY

REAL ESTATE TRANSFER

AX
PAID: $10.00
PT-31 051-2016-00021.

RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 383
SPRINGFIELD, GA 31329

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 3rd day of February, 2016, between BILLIE JEAN SPRINGER of the FIRST PART, and LEO M. SULLIVAN 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 PARTY, his heirs and assigns, the following described property, to-wit:

ALL that certain lot or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, being known and designated as Lot Fourteen (14) containing Ore and Fifty-One Hundredths (1.51) acres, more or less, as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the northeast by Lot 15; on the southeast by lands of Lynette Jones; on the southwest by Lot 13; and on the northwest by Whittaker Road known as County Road 109.

Express reference hereby made to the plat of said lands made by Warren E. Poythress, R.L.S. #1953, dated July 30, 1988, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 23, page 97, for better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by deed from Ruben H. Rahn to Billie Jean Springer, dated February 20, 2005, recorded in said Clerk’s Office in Deed Book 1238, page 417.

ALSO the 1967 Westfield Vanity manufactured home, vehicle identification number GAFLVM1AG330712228, which is located on said property.

SUBJECT to restrictive covenants and easements of record.

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

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 PARTY, his 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 her hand and affixed her seal and delivered these presents, the day and year first above written.

Signed, sealed and delivered
in the presence of:

BILLIE JEAN SPRINGER (SEAL)

Unofficial Witness

Official Witness - Notary Public

EXPIRES GEORGIA
August 20, 2016
COMBINATION SURVEY FOR
LEO M. SULLIVAN
LOCATION: LOT 14 & 15,
WHITAKER ROAD SUBDIVISION,
11TH G. M. D., EFFINGHAM COUNTY, GEORGIA

DATE: NOVEMBER 15, 2016
BY: WARREN E. POYTHRESS
Reg. Land Surveyor # 1953
991 Hunters Road Sylvania, Ga.
30437
Tel.: (912) 857-3288
EQUIPT: TOPCON 303 TOTAL STATION
THE FIELD DATA UPON WHICH THIS
MAP OR PLAT IS BASED HAS A
CLOSURE PRECISION OF ONE FOOT
IN 26534 FEET, AND ANGULAR
ERROR OF 06 SECONDS PER ANGLE
POINT. AFTER ADJUSTMENTS BY
THE COMPASS RULE THE FINAL PLAT
HAS BEEN CALCULATED FOR CLOSURE
AND IS FOUND TO BE ACCURATE WITHIN
ONE FOOT IN 416075 FEET.
APPROVAL EFFINGHAM COUNTY HEALTH DEPT.

Based upon the representations of the engineer\surveyor whose seal is affixed here and supplementary information provided, a review of the plan as represented by the said engineer\surveyor finds that this plan complies with the OSDMS 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.

SIGNING AUTHORITY: DARRELL ONEAL

APPROVAL EFFINGHAM COUNTY:
APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATION.

ZONING ADMINISTRATOR: TERESA CONCANNON

DATE: 5-11-22

DATE: MAY 11, 2022
By: Warren E. Poythress
Registered Land Surveyor No. 1953
Address: 591 Huntera Road
Sylvania, Georgia 30477
Cell Phone: 912-531-1453
Telephone: 912-857-3288
Equipment: Sokkia GR52 – GPS
Topcon 303
FINAL PLAT CLOSURE – 131328

RESUBDIVISION SURVEY
TAX MAP 04440014
FOR
LEO M. SULLIVAN
LOCATION: LOT 14 & 15,
WHITAKER ROAD SUBDIVISION,
11TH G. M. D., EFFINGHAM COUNTY, GEORGIA
Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Rodney A. Durrance & Gloria M. Durrance request to rezone 5 acres from AR-1 to AR-2 to allow for a 3-lot subdivision. Located at 290 Shirley Drive. Map# 370C Parcel# 3

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 5 acres from AR-1 to AR-2 to allow for a 3-lot subdivision.

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 applicants currently have two mobile homes on the 5-acre AR-1 property. They wish to add a third mobile home, and therefore must subdivide the 5 acres into three parcels, and rezone to AR-2.
- Staff met with the applicants, and worked with the applicant on a parcel layout to ensure that road frontage and acreage comply with ordinance requirements.

Alternatives
1. Approve the request to rezone 5 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. Minor subdivision plat must be approved by Development Services and Environmental Health, and be recorded, before the rezoning can take effect.
2. Deny the request to rezone 5 acres from AR-1 to AR-2.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A
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:

<table>
<thead>
<tr>
<th>APPROVAL</th>
<th>DISAPPROVAL</th>
</tr>
</thead>
</table>

Or the rezoning request by applicant Rodney A. Durrance & Gloria M. Durrance – (Map # 370C 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?

Planning Board Meeting – June, 2022
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 03/24/2022

Applicant/Agent: Rodney G. Durell & Robyn H. Durell
Applicant Email Address: Rodney_d22@msn.com
Phone #: 912-257-5169
Applicant Mailing Address: 306 Shirley Dr.
City: Ouyton State: GA Zip Code: 31312

Property Owner, if different from above: Include Signed & Notarized Authorization of Property Owner
Owner’s Email Address (if known): Rodney_d22@msn.com
Phone #: 912-257-5169
Owner’s Mailing Address: 306 Shirley Dr.
City: Ouyton State: GA Zip Code: 31312

Property Location: 290 Shirley Dr. Ouyton, GA 31312
Proposed Road Access: 306 Shirley Drive (Off Courthouse Road)
Present Zoning of Property: AR1 Proposed Zoning: AR2
Tax Map-Parcel #: 37DC-38 Total Acres: 5 Acres to be Rezoned: 5

Lot Characteristics: Rectangular

**WATER**

- [ ] Private Well
- [ ] Public Water System

If public, name of supplier: [ ]

**SEWER**

- [ ] Private Septic System
- [ ] Public Sewer System

Justification for Rezoning Amendment: Deed 1 Acre to our SW

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

North [ ] South [ ] East [ ] West [ ]

Rev 05052021
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?

NO

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

Build a house for our son

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?

Close to parents.

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

Applicant Signature: [Signature]

Date: 03/24/2022
ATTACHMENT B - 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 23, 2006, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1455 page 71.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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

Print Name  Rodney Duriance

Owner’s signature

Print Name  Gloria H. Duriance

Owner’s signature

Print Name

Sworn and subscribed before me this 24 day of March, 2022.

Notary Public, State of Georgia
After Recording, Return To:
Ratchford & Kisslighter, LLP
P.O. Box 1938, Springfield, GA

STATE OF GEORGIA

)

COUNTY OF EFFINGHAM

)  

DEED OF GIFT

THIS INDENTURE, made the 23rd day of August, 2006, by and between RODNEY A. DURRANCE, as GRANTOR of Effingham County, Georgia; and GLORIA M. DURRANCE, as GRANTEE of Effingham County, Georgia;

WITNESSETH:

That the GRANTOR, for and in consideration of the natural love and affection he has for his wife, GLORIA M. DURRANCE, the said GRANTEE, and the sum of One Dollar ($1.00) together with other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, does give, grant and convey, and by these presents does hereby give, grant, and convey unto the said GRANTEE, her heirs and assigns, the following described property, to wit:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO: ALL that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 5.00 acres, more or less, known and designated as Lot 3A, that is shown and more particularly described by the plat of survey made by Terry G. Hatchell, R.L.S. #2663, dated May 4, 2006, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 122-E-1, which is incorporated into this description by specific reference thereto.

This being a portion of the property conveyed by W.R.P.H. Associates, to Rodney A. Durrence and Maria O. Durrence as evidenced by that certain Warranty Deed dated October 21, 1994 and recorded in Deed Book 369, page 700, further conveyed by Quitclaim deed from Maria G. Durrence to Rodney A. Durrence dated October 16, 1995 and recorded in Deed Book 1455, page 71, aforesaid records.

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

TITLE NOT EXAMINED BY SCRIVENER

TO HAVE AND TO HOLD the said described property, with all and singular its rights, members and appurtenances, thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of GRANTEE, his heirs and assigns, in FEE SIMPLE FOREVER.

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

RODNEY A. DURRANCE (SEAL)

Signed, sealed and delivered in the presence of:

WITNESS

NOTARY PUBLIC
April 5, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
Rodney Durrance
290 Shirley Drive, Guyton, GA 31312
Pin: 370C-3B
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 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 Flat 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,

Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
Attachment C - Site Plan

1. Dimensions for proposed subdivision of a 5-acre property 3A (see attached plat) from Surveying Consultants

2. There are 2 existing mobile homes on front of property with access to Shirley Drive that will be separated with the rezone into two .5-acre parcels. Both residences are currently occupied with tenants that have well water and septic services.

   Remainder of Parcel 3-A /3 acres that has a storage building with power, water, and septic tank services

   Parcel 3-A has a residential dwelling with Water and Septic services.

   Drainage is provided by a ditch between Leon Hoods property, proposed subdivision, and Jeff Davis’s property

3. Access to 3-A.2 and 3-A.3 is from Shirley Drive currently which exist to the right of 3-A.2.

   Access to remainder of parcel 3-A current access from 60 ft easement to property 3-B

   Access to 3-A.1 illustrated on the attachment will be from current 60 ft easement to property parcel 3-B

4. Parcel 3-A.1 subdivided (1) acre proposed site for a new residential dwelling that will include well and septic tank services.
NOTES:
1) TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENT LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN THE UPON THIS IS A LUMEBLEl REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW, 1978.
2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,000 FEET, AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED BY USING LEAST SQUARES.
3) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 30,000 FEET.
4) THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS:
   TOPCON GTS 200
5) AS OF THE DATE OF THIS SURVEY THIS LOT IS LOCATED IN ZONE X, A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.O. PANEL 130075 COMMUNITY NO. 01295 MAP DATED 5/18/1983 BASE ELEVATION N/A.
6) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR 5/6/2006

APPROVED BY THE EFFINGHAM COUNTY DIVISION OF ENGINEERING AND SANITATION DEPARTMENT OF PUBLIC HEALTH.

DIRECTOR 5/6/2006

REFERENCE PLAT:
1) DEED BOOK 369, PAGE 700
2) PLAT REFERENCE BOOK A, PAGE 138

PREPARED FOR: RODNEY DURRANCE

BOUNDARY/SUBDIVISION SURVEY OF
PARCEL 3
SHIRLEY DRIVE
A PORTION OF
PRESTON A. RAHN TRACT
10TH G.M. DISTRICT
EFFINGHAM COUNTY
GYTON, GEORGIA

SURVEYING CONSULTANTS
17 Sherington Drive, Suite C
Bluffton, SC 29910
TELEPHONE: SC(843) 815-3304
GA(912) 858-2793
FAX: (843) 815-3305
(912) 856-2783
SCALE: 1" = 200'
JOB NO: GA06035-A&C

COPYRIGHT © 2006
DRAWN BY: A & C

PARENT ADDRESS: 290 SHIRLEY DRIVE, LOT 3, GUYTON, GA 31312
PARENT TAX PARCEL I.D. NO.: 64B-3

GRAPHIC SCALE
Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Winston Hencely as Agent for Vicki Hencely Fountain & Michael Fountain requests to rezone 12.66 acres from AR-1 & AR-2 to AR-1 & AR-2, to allow for a recombination of parcels. Located at 3033 Ebenezer Road & 550 Exley Road South. Map# 471 Parcels# 22&49

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 12.66 acres from AR-1 & AR-2 to AR-1 & AR-2, to allow for a recombination of 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 lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicants currently have two parcels. 471-22 is 5 acres, and zoned AR-2. 471-49 is 7.66 acres, and zoned AR-1.
- They wish to combine the acreage, and subdivide into an 11.04-acre AR-1 parcel (471-49) and a 1.62-acre AR-2 parcel (471-22).

Alternatives
1. Approve the request to rezone 12.66 acres from AR-1 & AR-2 to AR-1 & AR-2, with the following conditions:
   1. The lots shall meet the requirements of the AR-1 and AR-2 zoning districts.
   2. Recombination plat must be approved by Development Services and Environmental Health, and be recorded, before the rezoning can take effect.

2. Deny the request to rezone 12.66 acres from AR-1 & AR-2 to AR-1 & 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. Plat
4. Deed
5. Aerial photograph
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 Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49) from AR-1/AR-2 to AR-1/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?
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 5/13/2022

Applicant/Agent:  

Applicant Email Address: winston.hencely@aol.com

Phone #: 912.345.1625

Applicant Mailing Address: 550 Exley Rd. South/3033 Ebenezer Rd.

City: Rincon  State: Ga  Zip Code: 31324

Property Owner, if different from above: Vicki Hencely  Fountain  Michael Fountain

Owner’s Email Address (if known): Vicki.Hencely@yahoo.com

Phone #: 912.344.1432

Owner’s Mailing Address: 550 Exley Rd. South

City: Rincon  State: Ga  Zip Code: 31324

Property Location: ____________________________

Proposed Road Access: Exley Rd. South


Tax Map-Parcel #: 471-33+49  Total Acres: 12.66  Acres to be Rezoned: 12.66

Lot Characteristics: ____________________________

WATER

____ Private Well  ___ Public Water System

SEWER

___ Private Septic System  ___ Public Sewer System

If public, name of supplier: ____________________________

Justification for Rezoning Amendment: ____________________________

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

Rev 05052021
1. Describe the current use of the property you wish to rezone.

   Residence @ pasture with livestock

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.

   become my Permanent Residence

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

   Residence and Farming Livestock

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?

   I will live there and will help keep the surrounding areas maintained

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

Applicant Signature: [Signature]

Date: 5/13/22

Rev 05052021
ATTACHMENT B - 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

[June 21, 2016], on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book [2353] page [171-171]

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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

Vick Hendley Fountain

Print Name

[Signature]

Owner’s signature

James Michael Fountain

Print Name

[Signature]

Owner’s signature

Winston Tyler Hendley

Print Name

[Signature]

Sworn and subscribed before me this 13 day of May, 20 22.

[Signature]

Notary Public, State of Georgia

Rev 05052021
ATTACHMENT B - 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

[Signature]

July 14, 2003, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 993, page 316.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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

Print Name

Owner’s signature

Print Name

Owner’s signature

Print Name

Sworn and subscribed before me this 13 day of May, 2022.

[Signature]

Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

I, [Signature], 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 Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Vicki Fountain

Applicant/Agent Address: 550 Exley Rd South

City: Rincon State: Ga Zip Code: 31326

Phone: 912-341-2132 Email: Vicki_hercely@yahoo.com

Owner’s signature: [Signature]

Print Name: Vicki Fountain

Personally appeared before me Vicki Fountain (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.

Sworn and subscribed before me this 13 day of May, 2022.

Notary Public, State of Georgia

Rev 05052021
**AUTHORIZATION OF PROPERTY OWNER**

I, [Name], 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 Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: [Name]

Applicant/Agent Address: [Address]

City: [City] State: [State] Zip Code: [Zip Code]

Phone: [Phone] Email: [Email]

Owner’s signature: [Signature]

Print Name: [Print Name]

Personally appeared before me [Name] (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.

Sworn and subscribed before me this [Date] day of [Month], 20[Year].

Notary Public, State of Georgia
Return to:
Lloyd D. Murray
P. O. Box 1569
Richmond Hill, GA 31324

STATE OF GEORGIA
COUNTY OF BRYAN

Document preparation only;
title neither examined nor certified by Attorney.

QUITCLAIM DEED

This Quitclaim Deed, executed this day of July, 2003, by and between TONYA R. FOUNTAIN f/k/a TONYA R. JONES, of the County of Effingham, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and J. MICHAEL FOUNTAIN of the County of Effingham, and State of Georgia, 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).

This Deed is being executed pursuant to a certain Domestic Separation and Settlement Agreement dated July 8, 2003 and entered into in the case of James Michael Fountain v. Tonya R. Fountain, Superior Court of Effingham County, Civil Action No. SU03DR099T.

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, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee, all of Grantor's interest in 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 sixty-six hundredths (7.66) acres, more or less, and being bounded on the northeast by lands of James Reed, by lands of Kathleen Smith and by lands of Helen Zeigler; on the southeast by lands of Lorene Riley; on the southwest by lands of Scott Thompson, and on the west by lands of Sabrina Lynn Burkett and by lands of Scott Thompson and by Exley Road known as County Road #349.

Express reference is hereby made to a plat of said lands made by Neel B. Ackerman, R.L.S. #1129, dated December 1, 998, and recorded in the office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet "B", slide 42-C, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any
IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered on the ___ day of July, 2003, in the presence of:

Witness

Notary Public

[Seal]

TONYA R. FOUNTAIN
f/k/a TONYA R. JONES

[Seal]

Jo Ann  B. Miner
Notary Public, State of Florida
My comm. expires Sept. 13, 2006
No. O-125690
Return to:  
REDDICK & EXLEY  
ATTORNEYS AT LAW  
P.O. BOX 335  
SPRINGFIELD, GA 31329  

STATE OF GEORGIA  
QUITCLAIM DEED  
COUNTY OF EFFINGHAM  

THIS INDENTURE, made the 20th day of June, 2016, between J. MICHAEL FOUNTAIN of the FIRST PART, and VICKI MICHELLE HENCELY of the SECOND PART,  

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby bargain, sell, and by these presents remise, release and forever QUITCLAIM to the SECOND PARTY, her heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTY has or may have in and to the following real estate, to-wit:  

ALL that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Five (5) acres, more or less, being more particularly described on a plat by Paul D. Wilder, R.L.S. #1559, dated Marcy 26, 1976, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 12, Page 77, said plat being specifically incorporated herein as part of this description.  

This being the same property conveyed by Quitclaim Deed from Kerstin H. Reed to James L. Reed dated December 6, 1996, recorded in said Clerk's Office in Deed Book 423, Page 415 and was previously conveyed by deed from Robert M. McLeod to James L. Reed and Kerstin H. Reed dated November 22, 1991, recorded in said Clerk's Office in Deed Book 303, Page 9.  

SUBJECT, to the easements to Savannah Electric and Power Company recorded in Deed Book 193, Page 54 and Deed Book 150, Page 69 and the easement agreement recorded in Deed Book 177, Page 714.  

This being the same property conveyed by Warranty Deed from James L. Reed to J. Michael Fountain dated March 11, 2016 and recorded in said Clerk's Office in Deed Book 2338, Page 310.  

SUBJECT, to restrictive covenants and easements of record.  

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.  

TO FAYE AND TO HOLD the said described real estate to the said SECOND PARTY so that neither the FIRST PARTY nor his heirs, executors, administrators or assigns, nor any person claiming under them shall at any time, by any means, have claim or demand or right or title to the aforesaid real estate or appurtenances, or right thereof.  

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.  

J. MICHAEL FOUNTAIN  
(SEAL)  

Signed, sealed and delivered  
In the presence of:  

(Official Witness)  

Unofficial Witness  

Notary Public  
bp  

EDWARD REDDICK  
NOTARY PUBLIC  
EFFECTED  
APRIL 23, 2016  

EFFINGHAM COUNTY  
GEORGIA
ITEM NUMBER 6 HAS BEEN WITHDRAWN
Staff Report

Subject: Rezone (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022

Item Description: Braly Investments as Agent for Lamar Allen requests to rezone 15.32 of 96.42 acres from AR-1 to R-6 to allow for a 30-lot single family residential development. Located on Courthouse Road [Map# 390 Parcel# 1]

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 15.32 of 96.42 acre from AR-1 to R-6 to allow for a single family residential development, 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.
- Pursuant to Section 5.8 R-6 Single Family Residential District, the zoning district can be permitted when municipal or county water and sewer service is adjacent to the parcel and capacity is available.
- The proposed 30-lot development will be served by City of Springfield water and sewer, and will be accessed from one entrance on Courthouse Road.

Alternatives
1. Approve the request requests to rezone 15.32 of 96.42 acre from AR-1 to R-6 to allow for a single family residential development, with the following conditions:
   1. Future use of the above-referenced property being rezoned shall meet the requirements of the R-6 zoning district.
   2. Applicant/owner must obtain a Timber Permit prior to removal of trees.
   3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
   4. All wetland impacts must be approved and permitted by USACE and a copy of the jurisdictional determination submitted to Development Services.

2. Deny the request to rezone 15.32 of 96.42 acre from AR-1 to R-6.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments:
1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Water-Sewer Agreement
4. Plat
5. Aerial photograph
6. Deed
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 Braly Investments as Agent for Lamar Allen – (Map # 390 Parcel # 1) from AR-1 to R-6 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 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?

Planning Board Meeting – June, 2022
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 5/3/2022

Applicant/Agent: Braly Investments / Brandon Long

Applicant Email Address: jbrandonglong@gmail.com

Phone #: 912-655-6724

Applicant Mailing Address: PO Box 1655

City: Springfield  State: GA  Zip Code: 31329

Property Owner, if different from above: Lamar Allen

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (If known): 

Phone #: 

Owner’s Mailing Address: 5457 HWY 119 N

City: CLYO  State: GA  Zip Code: 31303

Property Location: Courthouse Road

Proposed Road Access: Courthouse Road

Present Zoning of Property: AR-1  Proposed Zoning: R-6

Tax Map-Parcel # 03900001  Total Acres: 98.42 (SURVEY)  Acres to be Rezoned: 15.32

Lot Characteristics: wooded, undeveloped

WATER

Private Well

✓ Public Water System

SEWER

Private Septic System

✓ Public Sewer System

If public, name of supplier: Effingham County

Justification for Rezoning Amendment:

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

North R-1, R-6  South AR-1, AR-2  East AR-1  West AR-1

Rev 05052021
1. Describe the current use of the property you wish to rezone.

The property is currently wooded and undeveloped.

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

It has limited economic use as timber land. Several single family residential developments have recently been constructed in close proximity to this parcel and City of Springfield utilities are available on it; however, it would have more reasonable economic use as single family residential.

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

The intended use of the property is R-6 single family residential development.

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

Properties adjacent to the south and east have been used as timberlands. Properties across Courthouse Rd have been being used as residential and timberlands. Properties adjacent to the north have recently been developed into residential communities.

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?

Several residential developments have been constructed in close proximity of this property over the last few years on 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?

More residential units will increase traffic, add more caps for utilities, and potentially put more children in school, however, due to the small size of this development, these increases are not considered excessive or burdensome. City of Springfield has adequate capacity to serve the development with water and sewer.

Applicant Signature: 

Date 5/5/22

Rev 05052021
ATTACHMENT B - 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 12/29/2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2753 page 682.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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: ____________________________
Print Name: ________________________________

Owner’s signature: ____________________________
Print Name: ________________________________

Owner’s signature: ____________________________
Print Name: ________________________________

Sworn and subscribed before me this 9th day of MAY, 2022.

[Signature]
Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

I, Lamar Allen, 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 Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: BRALY INVESTMENTS
Applicant/Agent Address: PO BOX 1655
City: SPRINGFIELD State: GA Zip Code: 31329
Phone: 912-655-6724 Email: jbrandlong@gmail.com

Owner's signature: [Signature]

Print Name:

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.

Sworn and subscribed before me this ___ day of ___ 20__

Donna Lee
Notary Public, State of Georgia

Rev 05052021
QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the ___ day of December, 2021 between JAG OF EFFINGHAM COUNTY, LLC, a Limited Liability Company organized and existing under the Laws of the State of Georgia, of the FIRST PART, and F. LAMAR ALLEN 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 bargain, sell, and by these presents remise, release, and forever QUITCLAIM to the SECOND PARTY, his heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTY has or may have in and to the following real estate, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, containing Ninety-Six and Forty-Two hundredths [96.42] acres, more or less, and being designated as Parcel One (1) as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the North by lands of John Charles Unlimited, LLC; on the East-Southeast by Parcel Two (2), being lands of Thomas G. Allen; and by lands of Shirley B. Palmer Estate; on the South by lands of Nettles, by lands of Newton and by lands of Paulk; on the West-Northwest by Courthouse Road.

Express reference is hereby made to the plat of said lands made by Warren E. Poythress, R.L.S. #1953, dated November 28, 2021 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 29, Page 230, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT, to restrictive covenants and easements of record.

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

TO HAVE AND TO HOLD the said described real estate to the said SECOND PARTY so that neither the FIRST PARTY nor its successors or assigns, nor any person claiming under them shall at any time, by any means, have claim or demand or right or title to the aforesaid real estate or appurtenances, or right thereof.

IN WITNESS WHEREOF, FIRST PARTY has caused this QUITCLAIM deed to be duly executed by its appropriate officers thereto duly authorized, its corporate seal affixed and delivered these presents the day and year first above written.

JAG OF EFFINGHAM COUNTY, LLC

By: [Signature] [Seal]
F. LAMAR ALLEN, Managing Member

By: [Signature] [Seal]
BETTY A. SKYES, Managing Member

By: [Signature] [Seal]
THOMAS G. ALLEN, Managing Member

Signed, sealed and delivered

In the presence of:

Official Witness - Notary Public

[Signature]
Staff Report

Subject: Sketch Plan (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022

Item Description: Braly Investments as Agent for Lamar Allen requests approval of a sketch plan for Hoswood Subdivision. Located on Courthouse Road, zoned AR-1, proposed zoning R-6 [Map# 390 Parcel# 1]

Summary Recommendation
Staff has reviewed the application, and recommends approval of a sketch plan for Hoswood Subdivision.

Executive Summary/Background
- The request for approval of a sketch plan is a requirement of Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, Section 5.1 – Sketch Plan.
  
  The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan.
- The 30-unit single family residential development will be served by Springfield water and sewer. The water-sewer agreement has been approved.
- The development will be accessed from one entrance on Courthouse Road. There are stub outs to the east and to the south, for connection to future development.
- The parcel is 15.32 total acres. 1.4 acres is undevelopable wetlands. The 13.92-acre upland area includes slightly more than 15% common open space (2.26ac).
- Minimum lot size is 8,500 sf; side setbacks will be 7.5’. There will be a maximum of 1.96 dwellings per gross acreage (15.32ac total); 2.2 units per net acreage (13.932ac buildable).
- Two off-street parking spaces will be provided for each lot, with additional parking at amenity and mail kiosk sites. The development will include open space with benches, a playground, and a ball field.
- Sidewalks will be 4’ wide, and will be installed throughout the neighborhood.
- The pre-application meeting was held on April 28, 2022, and the open space, parking, and connectivity to adjacent parcels were discussed.
- Staff will follow-up with a Notice to Proceed summarizing requirements and recommendations.

Alternatives
1. Approve the sketch plan for “Hoswood Subdivision”.
2. Deny the sketch plan for “Hoswood Subdivision”.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Sketch Plan Application 3. Aerial Photograph
EFFINGHAM COUNTY
SKETCH PLAN SUMITITAL FORM

OFFICIAL USE ONLY
Date Received: __________ Project Number: __________ Classification: __________
Date Reviewed: __________ Reviewed by: __________

Proposed Name of Subdivision 390-1 Tract Subdivision

Name of Applicant/Agent Brandon Long Phone 912-655-6724
Company Name Braly Investments
Address PO Box 1655 Springfield GA 31329

Owner of Record Lamar Allen Phone __________
Address 5457 Hwy 119 N. Springfield, GA 31329

Engineer EMC Engineering Services, Inc. Phone 912-644-3207
Address 27 Chatham Center South, Suite A Savannah GA 31405

Surveyor __________ Phone __________
Address __________

Proposed water City of Springfield Proposed sewer City of Springfield

Total acreage of property 96.42 Acreage to be divided 15.32 Number of Lots Proposed 30

Current Zoning AR-1 Proposed Zoning R-6 Tax map - Block - Parcel No 0390001

Are any variances requested? 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 9 day of MAY 2022

[Signature]

[Stamp]

Page 1 of 3

EFFINGHAM COUNTY
SKETCH PLAN CHECKLIST

OFFICIAL USE ONLY
Subdivision Name: ____________________________ Project Number: ____________________________
Date Received: __________ Date Reviewed: __________ Reviewed by: ____________________________

The following checklist is designed to inform applicants of the requirements for preparing sketch plans for review by Effingham County. Applicants should check off items to confirm that it is included as part of the submission. CHECKLIST ITEMS OMITTED CAN RESULT IN THE APPLICATION BEING FOUND INCOMPLETE AND THEREFORE DELAY CONSIDERATION BY THE BOARD. This checklist must be submitted with the application.

<table>
<thead>
<tr>
<th>Office Use</th>
<th>Applicant Use</th>
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<tbody>
<tr>
<td>(a) Project Information:</td>
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<tr>
<td>✓ 1. Proposed name of development.</td>
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<tr>
<td>✓ 2. Names, addresses and telephone numbers of owner and applicant.</td>
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<td>✓ 3. Name, address and telephone number of person or firm who prepared the plans.</td>
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<tr>
<td>✓ 4. Graphic scale (approximately 1&quot; = 100') and north arrow.</td>
<td></td>
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<tr>
<td>✓ 5. Location map (approximately 1&quot; = 1000').</td>
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<tr>
<td>✓ 6. Date of preparation and revision dates.</td>
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<td>✓ 7. Acreage to be subdivided.</td>
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<tr>
<td>(b) Existing Conditions:</td>
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<td>✓ 1. Location of all property lines.</td>
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<td>✓ 2. Existing easements, covenants, reservations, and right-of-ways.</td>
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<tr>
<td>✓ 4. Sidewalks, streets, alleys, driveways, parking areas, etc.</td>
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<td>✓ 5. Existing utilities including water, sewer, electric, wells and septic tanks.</td>
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<td>✓ 6. Natural or man-made watercourses and bodies of water and wetlands.</td>
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<td>✓ 7. Limits of floodplain.</td>
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<td>✓ 8. Existing topography.</td>
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<tr>
<td>N/A 10. Level Three Soil Survey (if septic systems are to be used for wastewater treatment).</td>
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<td>(c) Proposed Features:</td>
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<td>✓ 1. Layout of all proposed lots.</td>
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<tr>
<td>✓ 2. Proposed new sidewalks, streets, alleys, driveways, parking areas, etc (to include proposed street/road names).</td>
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<tr>
<td>✓ 3. Proposed zoning and land use.</td>
<td></td>
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<td>✓ 4. Existing buildings and structures to remain or be removed.</td>
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<tr>
<td>✓ 5. Existing sidewalks, streets, driveways, parking areas, etc., to remain or be removed.</td>
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<td>✓ 6. Proposed retention/detention facilities and storm-water master plan.</td>
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<th>7. Wastewater infrastructure master plan (to include reuse infrastructure if proposed).</th>
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<td></td>
<td>8. Water distribution infrastructure master plan.</td>
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The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This [9] day of [MAY], 2022

[Signature]

[Name]

Notary

[Notary Seal]

[Name]

Applicant

Owner

Page 3 of 3

State of Georgia

County of Effingham

WATER AND SEWER SERVICE AGREEMENT

This Water and Sewer Service Agreement (the “Agreement”) is made and entered into this 10 day of May, 2022, by and between Braly Investments, LLC (hereinafter referred to as “Developer”), a Georgia limited liability company existing and organized under the laws of the State of Georgia having its principal place of business at 453 Stillwell Road, Springfield, Georgia, and the City of Springfield, Georgia (hereinafter referred to as the “the City”), a municipal corporation having a principal place of business at 130 S. Laurel Street, Springfield, Georgia 31329.

RECITALS:

WHEREAS, the Developer is the owner/lessor/developer of real property consisting of approximately 15 acres (County tax map 390, parcel 1) located at 0 Courthouse Road, Effingham County, Georgia (hereinafter the “Property”); and

WHEREAS, the Property is not located within the City’s corporate boundaries, but is located within the City’s water and sewer service delivery area; and

WHEREAS, Developer plans to develop a residential subdivision on the PROPERTY consisting of approximately 30 residential or equivalent residential units, as shown on the attached drawing entitled “Hosswood Subdivision”, prepared by EMC Engineering Services., LLC and dated April 5, 2020; and

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WHEREAS, the Developer desires that the City serve the Property with potable water and sanitary sewer services; and

WHEREAS, in order to serve the Property with potable water and sanitary sewer services, the City's existing water and sanitary sewer systems will require certain additions, extensions, improvements, and/or modifications by the Developer (all additions, extensions, improvements, modifications and all related infrastructure and equipment contemplated herein are collectively referred to as the “Systems”, and all work related to the design, installation and construction of the Systems is collectively referred to as the “Project”); and

WHEREAS, Developer desires certain commitments from the City in regard to the Systems; and

WHEREAS, the City finds that the provision of potable water and sanitary sewer services to the Property is consistent with and in furtherance of the goals and purposes of the City, and is in the public interest;

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein made, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree as follows:

SECTION 1. Obligations and additional recitals of the Parties.

The recitals listed above are hereby incorporated by reference.

1.1 General
Developer shall be responsible to ensure the Project and Systems conform to City standards, specifications, and regulations.

1.2 Project Engineer

Developer shall retain a competent professional engineer registered in the State of Georgia ("the Project Engineer") to prepare the engineering design for the Systems.

1.3 City's Engineer

The City shall retain a competent professional engineer registered in the State of Georgia ("the City's Engineer") to perform the reviews and inspections described in this Agreement. The City's Engineer shall not be an employee, partner or co-worker of the Project Engineer, nor shall he or she hold a financial interest in the firm at which the Project Engineer is employed.

1.4 Costs

All design, construction, engineering, inspection, and testing costs, and all other costs of any kind incurred in connection with the design and construction of the Systems, and all costs incurred in complying with the provisions of this Agreement shall be borne by the Developer, including without limitation the cost of the work to be performed by the City's Engineer.

1.5 Pre-construction Phase

Prior to commencement of construction of the Systems:

The City's Engineer shall review the plat(s), plans, and any other documents reasonably deemed necessary by the City’s Engineer to confirm that the Systems as designed will meet the City’s specifications, regulations, and standards. The Project
Engineer shall cooperate with the City’s Engineer to include providing all documents reasonably requested by the City’s Engineer. Developer shall reimburse the City for the cost of the City’s Engineer’s review of the plat(s), plans and other documents in the amount specified in the City’s Fee Schedule. If construction of the Systems commences before the City’s Engineer has issued written confirmation that the Systems as designed will meet the City’s specifications, regulations, and standards, the City’s obligations under this Agreement shall terminate and Developer’s rights under this Agreement shall be forfeited.

1.6 Construction Phase

Developer shall be responsible to provide resident inspection by the Project Engineer during construction of the Systems.

If the location, design or installation of the Systems materially deviates from the items noted on the recordable plat(s) the Developer provided to the City prior to commencement of construction, the Developer shall immediately notify the City’s Engineer of the material deviation and shall submit a revised plat(s) to the City’s Engineer which reflects the material deviation. Construction of any material deviation shall not proceed until the City’s Engineer has issued written confirmation that design of the Systems as modified will meet the City’s specifications, regulations, and standards. Developer shall reimburse the City for the cost of the City’s Engineer’s review of the revised plat(s) described in this paragraph in the amount specified in the City’s Fee Schedule.
1.7 Upon completion of construction

After construction of the Systems is complete, Developer shall provide to the City a statement from the Project Engineer certifying that the materials and workmanship of the Systems constructed, including without limitation pipes, bedding, thrust blocks, valves, fire hydrants, manholes, lift station equipment and other related materials and work has been constructed in accordance with the plans that were approved by the City's Engineer during the Pre-Construction Phase (or, if applicable, approved by the City's Engineer during the Construction Phase). Upon request of the City or City's Engineer, Final Project Approval shall be contingent upon the Project Engineer's substantiation by material affidavits from suppliers and by applicable test results for inflow/infiltration, exfiltration, deflection, pressure, leaks, bacteria, compaction and any other tests reasonably required by the City or City's Engineer if and when these are requested.

Further, after construction of the Systems is complete, Developer shall provide to the City recordable plat(s) in recordable form in a format agreeable to the City showing the location of all Systems within the public easements and/or rights-of-way owned or to be owned by the City. Developer shall provide separate recordable plats for each Phase. Should the Developer fail to provide the plat(s), the City shall not authorize a building permit or water meter to any property to be served by the Systems, nor will the City accept dedication of the Systems.
1.8 Dedication for acceptance by the City.

Upon:

(a) Developer’s completion of construction of the Systems and all related facilities;
(b) Developer’s payment of all fees related to the City’s Engineer’s review and inspections, as well as all other applicable fees;
(c) Developer’s provision of the bond/security referenced in Sec. 2 of this Agreement;
(d) Developer’s provision of “asbuilt” drawings per City specifications.
(e) if any portion of the Systems to be dedicated to the City are located in property or rights-of-way not owned by the City, Developer’s provision to the City of easements adequate to enable the City to operate and maintain the Systems in perpetuity;
(f) if any portion of the Systems are located in property or rights of way owned by a government entity other than the City, Developer’s provision to the City of written confirmation approved and executed by the governing body of that government entity that the City shall be the owner of the Systems if the City accepts dedication thereof;
(g) Developer’s submission to the City of a written request that it accept dedication of the Systems; and
(h) the Projects Engineer’s certification:

i). that the Systems have been constructed in accordance with the plans(s) that were approved by the City’s Engineer during the Pre-Construction Phase (or, if applicable, during the Construction Phase);
ii). that the Systems are adequately designed, and conform to the City’s standards, specifications, and regulations;

iii). that all documents Developer or the Project Engineer were required to submit under this Agreement have been submitted; and

iv.) that the easements are adequate to enable the City to operate and maintain all portions of the Systems to be dedicated to the City, the Mayor and Council shall, subject to approval of the City Staff and City’s Engineer, vote to enter into a Utility Systems Dedication Agreement with the Developer to accept title to, and assume responsibility for maintenance and operation of, those portions of the Systems that are located within public easements and rights-of-way. The City will only accept dedication of those portions of the Systems that are located within public easements and rights-of-way for which the City has an express, recorded right of access and maintenance, which acceptance shall include all rights, title and interest that the Developer has in the Systems serving the Property and also all easements and/or rights-of-way required for the purpose of operation and maintenance thereof. Nothing in this Agreement shall prohibit the City from accepting dedication of the Systems in phases.


For all of the Systems that Developer seeks to dedicate to the City, it shall provide a bond. The bond shall be available for a one year period from the date on which the City Council votes to accept title to the Systems. In the event any portion(s) of the Systems accepted by the City fail or malfunction in any way within one year of the
City's acceptance of dedication of the same, the City shall have the right to reimbursement of all costs to repair the same through the bond if the failure or malfunction is attributable to the action(s) or inaction(s) of the Developer or its agents, employees, contractors, or subcontractors.

SECTION 3. Term.

The City shall have no further obligations under this Agreement, and Developer shall forfeit all of its rights under this Agreement if:

(a) construction of the Systems has not begun within one year of execution of this Agreement;

(b) there is a one (1) year period in which no construction of the Systems occurs; or

(c) Developer defaults on its obligations under this Agreement and fails to cure the same within thirty calendar days after written notice thereof.

SECTION 4. Fees.

As development proceeds under the terms of this Agreement, and at the time of issuance of each meter, and as a condition precedent to issuance of the same, Developer shall be charged and shall pay:

(a) a sanitary sewer capital cost recovery fee for each residential or equivalent residential unit ($5,500.00);

(b) a water capital cost recovery fee for each residential or equivalent residential unit ($2,500.00); and
(c) a water meter installation fee paid for each residential or equivalent residential unit based on those fees in effect at the time of the water and/or sewer connection.

A monthly water and sewer user fee will then apply according to usage and current rates. No water meter will be issued or installed until all applicable fees are paid.

After five years from the date of this Agreement, the City of Springfield shall have the right to adjust all fees related to water and sewer services, provided however that the capital cost recovery fees shall not increase to an amount that exceeds the amount charged to properties located within the corporate boundaries of the City of Springfield.

SECTION 6. No right to reimbursement.

Developer acknowledges and agrees that to the extent any of the Systems constitute extensions of City water or sewer infrastructure, such extensions will only serve the Property. Therefore, Developer acknowledges and agrees that it shall have no right to reimbursement of its expenditures from the City or from any funds or accounts owned or maintained by the City.

SECTION 7. Compliance with Laws.

Developer shall comply with all existing and future City requirements relating to the connection to and use of the City’s water and sewer systems. Subject to the provisions of Section 4 of this Agreement, all provisions of law now or hereafter in

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effect relating to water and sewer service by the City of Springfield shall be applicable to this Agreement.

SECTION 8. Governing Law; Forum Selection.
This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Georgia. Any action arising from this Agreement shall be filed in the Superior Court of Effingham County.

SECTION 9. Entire Agreement.
Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, that are not embodied in this Agreement, and that no other agreement, statement, or promise not contained in this Agreement shall be valid or binding.

SECTION 10. Modification of Agreement.
Any modification or amendment to this Agreement shall be binding only if reduced to writing and approved and executed by the Parties to this Agreement.

SECTION 11. No Waiver.
The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
SECTION 12. Effect of Partial Invalidity.

If any one or more of the provisions contained herein is held by any court of competent jurisdiction to be invalid, illegal or unenforceable in any respect for any reason, such invalidity, illegality, or unenforceability will not affect any other provision hereof, and this Agreement will be construed as if such invalid, illegal or unenforceable provision had never been contained herein unless the intent of this Agreement cannot be carried out in the absence of such provision. In this regard, the provisions of Section 6, titled “No right to reimbursement” is a material provision for which the intent of this Agreement cannot be carried out in its absence.

SECTION 13. Paragraph Headings.

The headings and subheadings within this Agreement are solely for the convenience of the parties and shall not be construed to modify, explain, or aid in the interpretation of this Agreement.


Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given upon receipt by certified or registered mail or hand delivery as follows:

If to the CITY:

City of Springfield

c/o City Manager Matt Morris
130 S. Laurel Street
Springfield, Georgia 31329

If to DEVELOPER:

Braly Investments, LLC
c/o Brandon Long
SECTION 15. Indemnity

Developer acknowledges and agrees that the work it performs under this Agreement is performed by it and those it retains for its sole benefit. Developer therefore covenants not to sue and agrees to hold the City harmless for any claims and damages allegedly incurred as a result of the work contemplated hereunder, including without limitation work associated with the tie-in to existing City water systems and sanitary sewer systems. Developer further covenants and agrees that the City shall not be liable to Developer for any damages, whether general, special, or consequential, and whether for economic losses, diminution in value, or in any other form.

SECTION 16. Assignment.

This Agreement may not be assigned or transferred in whole or in part by the Developer without the prior written approval of the City, which approval shall not be unreasonably withheld, conditioned, or delayed. Failure to obtain the City's approval of any assignment of this Agreement shall terminate the City's obligations and shall forfeit the Developer's rights hereunder. This Agreement shall bind and inure to the benefit of the parties hereto and their permitted successors and assigns.

SECTION 17. Construction of Agreement.

The Parties acknowledge that each party has participated in the negotiation and preparation of this Agreement. This Agreement therefore shall be construed
without regard to any presumption or other statute or rule of law requiring construction against the party causing the Agreement to be drafted.

IN WITNESS WHEREOF the Developer has executed these presents under seal, and the City has caused these presents to be executed by its proper officer under seal, affixed, this 10th day of May, 2022.

THE CITY OF SPRINGFIELD

BY:
Barton Alderman
Mayor, City of Springfield

ATTEST:
Jennifer Y. Smith
Clerk of Council, City of Springfield

Sworn to and subscribed before me this 12th day of May, 2023.

Dena Cutchens
NOTARY PUBLIC

Sworn to and subscribed before me this 12th day of May, 2023.

NOTARY PUBLIC

Page 13 of 13
Subject: Rezone (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Linda Sims as Agent for Eric Edwards to rezone 7.01 acres from I-1 to B-3 to allow for commercial development. Located at 1204 Mill Pond Road. [Map# 446 Parcel# 7C]

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 7.01 acres from I-1 to B-3 to allow for commercial development, 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 proposed use is sales and storage of overhead garage doors, and associated business activities, which is permitted in the B-3 Highway Commercial District. B-3 is compatible with the surrounding area, which includes industrial and residential development.
- The property is in the Springfield water & sewer service delivery area, but will be served by private well and septic system.
- The proposed development will include two buildings (3,200 sf & 6,000 sf) initially, as well as a future 3,250 sf building.
- A 30’ vegetative buffer is required between the AR and B districts, and a 50’ vegetative buffer between B and Industrial districts.

Alternatives
1. Approve the request to rezone 7.01 acres from I-1 to B-3 to allow for commercial development, with conditions:
   1. The lot shall meet the requirements of the B-3 zoning district.
   2. A Sketch Plan must be submitted for approval.
   3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

2. Deny the request to rezone 7.01 acres from I-1 to B-3

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A
Attachments:
1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Plat
4. Aerial photograph
5. Deed
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 _____

O” the rezoning request by applicant Linda Sims as Agent for K & M Properties, LLC – (Map # 446 Parcel # 7C) from L-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?

Planning Board Meeting – May, 2022
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: May 10, 2022

Applicant/Agent: Linda Sims

Applicant Email Address: lsims@cci-sav.com

Phone #: 912-200-3041

Applicant Mailing Address: 1480 Chatham Parkway, Suite 100

City: Savannah, State: GA Zip Code: 31405

Property Owner, if different from above: Eric Edwards / K & M Effingham Properties, LLC

Owner’s Email Address (if known): eedwards@actionhd.com

Phone #: 912-659-8352

Owner’s Mailing Address: P.O. Box 249

City: Rincon, State: GA Zip Code: 31326

Property Location: 1204 Mill Pond Rd. Rincon, GA 31326

Proposed Road Access: GA Hwy. 275 (Ebenezer Rd.)

Present Zoning of Property: I-1 Proposed Zoning: B-3

Tax Map-Parcel #: 04460007C Total Acres: 7.01 Acres to be Rezoned: 7.01

Lot Characteristics: Primarily vacant, foundation of former structure, existing septic tank and drain field and well.

WATER

☒ Private Well

☐ Public Water System

If public, name of supplier: N/A Letter from the city of Springfield

SEWER

☒ Private Septic System

☐ Public Sewer System

Justification for Rezoning Amendment: Proposed use is better suited for a commercial designation, and buffer relief.

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 Mill Pond Rd and Rail R.O.W.

Rev 01132022
1. Describe the current use of the property you wish to rezone.
   Current use is vacant, with the exception of an existing building foundation, septic tank and well.

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?
   Current zoning requires 300' to residentially zoned properties and creates a developable area of 0.87 acres out of the total 1.01 acres.

3. Describe the use that you propose to make of the land after rezoning.
   The proposed use will be the location of (2) businesses with a future sales/showroom building.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   The property to the north is Rincon Fire Station #2 and various industrial warehouses and businesses. The property to the south and east is undeveloped with a residential classification. To the west is a County R.O.W that is a gravel road, beyond that is a Rail R.O.W.

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?
   This zoning will be a good transitional density zoning for the adjacent properties in a corridor that has industrial uses. It will be a suitable step down from intense industrial to residential 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?
   The proposed zoning and businesses will not have an impact to the existing streets, the deliveries will be with smaller (box) trucks. The applicant is requesting the use of a septic system and well since this property will not be served by the local provider. The businesses will not impact the enrollment of the existing schools.

Applicant Signature: [Signature]

Date: 5-10-22
ATTACHMENT B - 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

8/25/2021

on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2719, page 270-270.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, 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 ____________________________

Print Name ________________________________

Owner’s signature ____________________________

Print Name ________________________________

Owner’s signature ____________________________

Print Name ________________________________

Sworn and subscribed before me this 10th day of May, 2022.

_____________________________
Notary Public, State of Georgia

Rev 01132022
AUTHORIZATION OF PROPERTY OWNER

I, Eric Edwards, 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 Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Linda Sims / Coleman Company, Inc.

Applicant/Agent Address: 1480 Chatham Parkway, Suite 100

City: Savannah, State: GA Zip Code: 31405

Phone: 912-200-3041 Email: lsims@cci-sav.com

Owner's signature: [Signature]

Print Name: Eric S. Edwards

Personally appeared before me Eric Edwards (Owner print)

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

Sworn and subscribed before me this _____ day of May, 2022

[Stamp]

Notary Public, State of Georgia
Subject: Conditional Use (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Linda Sims as Agent for Eric Edwards request a conditional use to allow for the repair and painting of aviation parts in B-3 zoning. Located at 1204 Mill Pond Road, zoned I-1, proposed zoning B-3. [Map# 446 Parcel# 7C]

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a conditional use to allow for the repair and painting of aviation parts in B-3 zoning, with conditions.

Executive Summary/Background
• Conditional Uses in the B-3 zoning district are outlined Appendix C – Zoning Ordinance, Article V-Uses Permitted in districts, Section 5.11.2
• While aviation parts are not specifically described as a conditional use, automotive paint and body shops are listed, and mirror the intended activity and intensity of use as described by the applicant
• A conditional use is necessary for the business to operate in B-3 zoning district. The alternative is to maintain I-1 zoning, which will not work due to buffer requirements.

Alternatives
1. Approve the request for a conditional use to allow for the repair and painting of aviation parts in B-3.
2. Deny the request for a conditional use.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: May 10, 2022

Applicant/Agent: Linda Sims

Applicant Email Address: lsim@cct-sav.com

Phone #: 912-200-3041

Applicant Mailing Address: 1480 Chatham Parkway, Suite 100

City: Savannah, State: GA Zip Code: 31405

Property Owner, if different from above: Eric Edwards / K & M Effingham Properties, LLC

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): eedwards@actionohd.com

Phone #: 912-659-8352

Owner’s Mailing Address: P.O. Box 249

City: Rincon, State: GA Zip Code: 31326

Property Location: 204 Mill Pond Rd. Rincon, GA 31326

Present Zoning of Property L-1 Tax Map-Parcel # 04460007C Total Acres 7.01

Rezoning to B-3 application submitted 5-10-2022

CONDITIONAL USE REQUESTED:

Section 3.15A – Residential Business
See Section 3.15A for requirements

Section 3.15B – Rural Business
See Section 3.15B for requirements

X OTHER (provide relevant section of code): Section 5.11.2

Reason: Conditional Uses in the B-3 Highway Commercial district - Automotive paint/body shops

How does request meet criteria of Section 7.1.6 (see Attachment C): The requested conditional use
is for painting and repair of aviation parts and will not be as intensive use as a automotive body shop.

Applicant Signature: [Signature] Date 5-10-22

Rev 05052021
ATTACHMENT B - 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 8/25/2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2719 page 270-270.

I hereby certify that I am the owner of the property being proposed for Conditional Use approval, 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

Print Name Eric S. EDWARDS

Owner's signature

Print Name

Owner's signature

Print Name

Sworn and subscribed before me this 1st day of May, 2022.

Notary Public, State of Georgia

Rev 05052021
I, Eric Edwards, 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 Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Linda Sims / Coleman Company, Inc.

Applicant/Agent Address: 1480 Chatham Parkway, Suite 100

City: Savannah, State: GA Zip Code: 31405

Phone: 912-200-3041 Email: lsims@cci-sav.com

Owner's signature: [Signature]

Print Name: Eric S. Edwards

Personally appeared before me Eric Edwards (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.

Sworn and subscribed before me this _______ day of May _____, 20__

[Signature]
Notary Public, State of Georgia
LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE made this 25th day of August, 2021, between N & W Enterprises, LLC, A Georgia Limited Liability Company, as party of the first part, hereinafter called Grantor, and K & M Effingham Properties, LLC, A Georgia Limited Liability Company, as party 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 NO/100 DOLLARS ($10.00) 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, being known as Parcel 3 (7.01 acres, more or less), as shown and more particularly described on that certain map or plat made by Adolph M. Micheli, R.L.S. No. 1323, dated July 16, 2021 and recorded in Plat Book 29, Page 130 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.

Subject, however, to all valid restrictions, easements, and rights of way of record.

This being a portion of the property conveyed by Warranty Deed from Weston Enterprises, Inc. and Thomas Neidlinger Logging, Inc. to N&W Enterprises, LLC, dated June 8, 2006, recorded in Deed Book 1465, Page 25, aforesaid records.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 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 by, through and under the above named Grantor.

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

Signed, sealed and delivered this 25th day of August, 2021, in the presence of:

Amy B. Hughes
Witness
Notary Public

Edward L. Newberry, Jr.
Notary Public, Effingham County, GA
My Commission Expires June 24, 2024

N & W Enterprises, LLC

By: Richard A. Neidlinger, Sole Member

https://search.gsccca.org/Imaging/HTML5Viewer.aspx?id=79398700&key1=2719&key2=... 3/14/2022
STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE made this 25th day of August, 2021, between N & W Enterprises, LLC, A Georgia Limited Liability Company, as party of the first part, hereinafter called Grantor, and K & M Effingham Properties, LLC, A Georgia Limited Liability Company, as party 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 NO/100 DOLLARS ($10.00) 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 5th G.M. District, Effingham County, Georgia, being known as Parcel 3 (`7.01 acres, more or less), as shown and more particularly described on that certain map or plat made by Adolph M. Micheli, R.L.S. No. 1523, dated July 16, 2021 and recorded in Plat Book 29, Page 130 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.

Subject, however, to all valid restrictions, easements, and rights of way of record.

This being a portion of the property conveyed by Warranty Deed from Weston Enterprises, Inc. and Thomas Neildfinger Logging, Inc. to N&W Enterprises, LLC, dated June 8, 2006, recorded in Deed Book 1465, Page 25, aforesaid records.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 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 by, through and under the above named Grantor.

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

Signed, sealed and delivered this 25th day of August, 2021, in the presence of:

Witness

EDWARD L NEUBERRY JR
Notary Public
Effingham County, GA
My Commission Expires June 21, 2024

N & W Enterprises, LLC

By: Richard A. Neildfinger, Sole Member
Staff Report

Subject: Sketch Plan (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: June 13, 2022
Item Description: Linda Sims as Agent for Eric Edwards requests approval of a sketch plan for: “ACTION OVERHEAD DOOR WAREHOUSES”. Located at 1204 Mill Pond Road, zoned I-1, proposed zoning B-3. [Map# 446 Parcel# 7C]

Summary Recommendation
Staff has reviewed the application, and recommends approval of a sketch plan for “ACTION OVERHEAD DOOR WAREHOUSES”.

Executive Summary/Background
- The request for approval of a sketch plan is a requirement of Appendix B – Subdivision Regulations, Article V-Plan and Plot Requirements, Section 5.1 – Sketch Plan. The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan. The proposed industrial development will be served by private well and septic system, as Springfield has declined service.
- The property is in the Springfield water & sewer service delivery area, but will be served by private well and septic system.
- The proposed development will include two buildings (3,200 sf & 6,000 sf) initially, as well as a future 3,250 sf building.
- A 30’ vegetative buffer is included between the AR and B districts, and a 50’ vegetative buffer between B and Industrial districts.
- At the March 3, 2022 pre-application meeting, we discussed buffers, stormwater management, the site development review process, and access management.
- The commercial development will be served by a single driveway on Ebenezer Road, with no access to Mill Pond Road. Access to Ebenezer Road / Hwy 275 will require a GDOT encroachment permit.
- Staff will follow-up with a Notice to Proceed summarizing requirements and recommendations.

Alternatives
1. Approve the sketch plan for “ACTION OVERHEAD DOOR WAREHOUSES”.
2. Deny the sketch plan for “ACTION OVERHEAD DOOR WAREHOUSES”.

Recommended Alternative: 1 Other Alternatives: 2

Department Review: Development Services FUNDING: N/A

Attachments: 1. Sketch Plan Application 3. Aerial Photograph
EFFINGHAM COUNTY
SKETCH PLAN SUMITTAL FORM

OFFICIAL USE ONLY
Date Received: ______________ Project Number: ______________ Classification: ______________
Date Reviewed: ______________ Reviewed by: ______________

Proposed Name of Subdivision________________________________________________________
Name of Applicant/Agent_ Linda Sims ___________ Phone_ 912-200 3041_____________________
Company Name_ Coleman Company, Inc._______________________________________________
Address_ 1480 Chatham Parkway Savannah, GA 31405__________________________
Owner of Record_ K & M Effingham Properties__ Phone_ 912-659-8352___________________
Address_ P.O. Box 249 Rincon, GA 31326__________________________________________
Engineer_ Coleman Company Inc.__ Phone_ (912) 200 3041___________________________
Address_ 1480 Chatham Parkway Suite 100 Savannah, GA 31405_______________________
Surveyor_ Adolph N. Michelis Assoc. __ Phone_ (912) 829-3978________________________
Address_ 790 Sandy Ridge Rd. Sylvania, GA 30467____________________________________
Proposed water_ DEEP WELL__ Proposed sewer_ SEPTIC TANK__________________________
Total acreage of property_ 7.01__ Acreage to be divided_ N/A__ Number of Lots Proposed_ N/A__
Current Zoning_ __ Proposed Zoning_ N/A__ Tax map – Block – Parcel No_ 04460007-3__
Are any variances requested? __yes___ If so, please describe: Reduction of 300' Buffer to residentially zoned property to 25'__

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

This 8th day of MARCH, 2022__________________________
Applicant_ EARLE S. EDWARDS__________________________
Owner_ Tracie McIntyre__________________________
Notary Public, Chatham County, GA My Commission Expires February 24, 2023

EFFINGHAM COUNTY
SKETCH PLAN CHECKLIST

OFFICIAL USE ONLY
Subdivision Name: ______________________ Project Number: ______________________
Date Received: __________ Date Reviewed: __________ Reviewed by: ______________

The following checklist is designed to inform applicants of the requirements for preparing sketch plans for review by Effingham County. Applicants should check off items to confirm that it is included as part of the submission. **CHECKLIST ITEMS OMITTED CAN RESULT IN THE APPLICATION BEING FOUND INCOMPLETE AND THEREFORE DELAY CONSIDERATION BY THE BOARD.** This checklist must be submitted with the application.

<table>
<thead>
<tr>
<th>Office Use</th>
<th>Applicant Use</th>
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<tbody>
<tr>
<td>(a) Project Information:</td>
<td></td>
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<tr>
<td>✔ 1. Proposed name of development.</td>
<td></td>
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<tr>
<td>✔ 2. Names, addresses and telephone numbers of owner and applicant.</td>
<td></td>
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<tr>
<td>✔ 3. Name, address and telephone number of person or firm who prepared the plans.</td>
<td></td>
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<tr>
<td>✔ 4. Graphic scale (approximately 1&quot;=100') and north arrow.</td>
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<td>✔ 5. Location map (approximately 1&quot; = 1000').</td>
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<td>✔ 6. Date of preparation and revision dates.</td>
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<td>✔ 7. Acreage to be subdivided. n/a</td>
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<tr>
<td>(b) Existing Conditions:</td>
<td></td>
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<tr>
<td>✔ 1. Location of all property lines.</td>
<td></td>
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<td>✔ 2. Existing easements, covenants, reservations, and right-of-ways.</td>
<td></td>
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<tr>
<td>✔ 3. Buildings and structures. n/a</td>
<td></td>
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<td>✔ 4. Sidewalks, streets, alleys, driveways, parking areas, etc.</td>
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<td>✔ 5. Existing utilities including water, sewer, electric, wells and septic tanks.</td>
<td></td>
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<td>✔ 6. Natural or man-made watercourses and bodies of water and wetlands. n/a</td>
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<td>✔ 7. Limits of floodplain. n/a</td>
<td></td>
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<tr>
<td>✔ 8. Existing topography.</td>
<td></td>
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<tr>
<td>✔ 10. Level Three Soil Survey (if septic systems are to be used for wastewater treatment).</td>
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<tr>
<td>(c) Proposed Features:</td>
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<tr>
<td>✔ 1. Layout of all proposed lots.</td>
<td></td>
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<tr>
<td>✔ 2. Proposed new sidewalks, streets, alleys, driveways, parking areas, etc (to include proposed street/road names).</td>
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<tr>
<td>✔ 3. Proposed zoning and land use.</td>
<td></td>
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<tr>
<td>✔ 4. Existing buildings and structures to remain or be removed.</td>
<td></td>
</tr>
<tr>
<td>✔ 5. Existing sidewalks, streets, driveways, parking areas, etc., to remain or be removed.</td>
<td></td>
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<tr>
<td>✔ 6. Proposed retention/detention facilities and storm-water master plan.</td>
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</tbody>
</table>
7. Wastewater infrastructure master plan (to include reuse infrastructure if proposed).
8. Water distribution infrastructure master plan.

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

This 8th day of March, 2022

[Signature]
Applicant

[Signature]
Owner

Tracie T. McIntyre
Notary Public, Chatham County, GA
My Commission Expires February 24, 2023
March 16, 2022

Eric Edwards  
Action Overhead Door  
145 Industrial Blvd  
Rincon GA, 31326

RE: Ebenezer Road  
Parcel 446-7C  
Water & Sewer Availability & Capacity Letter

To Whom It May Concern:

Water and sewer services will not be furnished to the proposed development at this location.

If I may be of further assistance, please contact me at (912)754-7617 or mmorris@springfieldga.org.

Sincerely,

Matthew A. Morris  
City Manager
**Soil Suitability Codes**

- **C**: Because of shallow water tables these soils are not suitable for installation of a conventional on-site system without site modifications, special designs or installation.
- **F**: Because of soil limitations, these soils are unsuitable for installation of an on-site system.

**Site Specific Notes**

- Different products could affect the recommended trench depth and/or mound height.

- Ocilla A soils have 6-10 inches of topsoil. If the proposed system is whitewash above this layer, it should be moved out and stored onsite. After the mound has been constructed to the recommended height, the topsoil should be put over the top of the mound.

- Mandarin soils have 15-22 inches of combined topsoil and sporadic material (es). These layers should be mixed into the system footprint. After the mound has been constructed to the recommended height, the topsoil should be put over the top of the mound.

- Keep heavy equipment from parking and driving over the septic area which could cause compaction of the soils.

- Keep absorption fields away from wells and wet or rainy periods which could result in reduced system performance due to damage of the soil structure.

- No backhoe was encountered within 60 inches of the existing soil surface.

The information in the soil report is based on soils classified in the field by field observations. Soil borings were located using a GC-300 Amerec 900 sub-meter GPS using real-time SBASS connection. RC Laboratories soils surveys that meet or exceed all standards in the Manual for On-Site Sewage Management Systems, published by the GA-DOH. Soil boundary lines should be considered as a transition zone where one soil type transitions into another soil type, not an exact boundary. System should not be placed within 15-feet of unstable boundary lines. Recommendations are site specific and not followed without this report. All recommendations are based on installation from the original soil surface unless otherwise stated. Any changes or alterations made to this soil profile or information without consent of the Soil Scientist. If the site is disturbed for cutting or filling after the date of site visit, the Soil Scientist whose soil test affected to this report and his recommendations are null and void. Your local Health Department holds full authority in the permitting of on-site disposal systems and may require soil conditions differently than the Soil Scientist and without the knowledge in this capacity. RLC does design, install, maintain or permit on-site disposal systems.