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.

<table>
<thead>
<tr>
<th>Item of Business</th>
<th>Action Requested of Planning Board</th>
<th>Previous Action of Board</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Call To Order</td>
<td>6:00PM</td>
<td></td>
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<tr>
<td>II. Invocation</td>
<td></td>
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<tr>
<td>III. Pledge to the Flag</td>
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<tr>
<td>IV. Agenda Approval</td>
<td>Consideration to approve the agenda</td>
<td></td>
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<tr>
<td>V. Minutes</td>
<td>Approval of the August 15, 2022 minutes</td>
<td></td>
<td></td>
</tr>
<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>
<td></td>
</tr>
<tr>
<td>01 Public Hearing</td>
<td>Carley &amp; Tyler Dunn request a variance to reduce required building setbacks, to allow for the replacement of a dwelling. Located at 100 Hagin Street, zoned AR-1. (First District) [Map# 296A Parcel# 44]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>02 Public Hearing</td>
<td>Tad Segars requests to rezone 1.28 acres from I-1 to AR-2 to allow for combination with an adjacent parcel. Located on Roebling Road. (First District) [Map# 377 Parcel# 2]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>03 Public Hearing</td>
<td>Richard A. Neidlinger requests a variance to reduce required building setbacks, to allow for the replacement of a dwelling. Located on Highway 119 South, zoned AR-1. (Fourth District) [Map# 367 Parcel# 54]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>04 Public Hearing</td>
<td>Emily Williams as Agent for Suzanne Selph requests to rezone 6.3 acres from AR-1 to AR-2 to allow for the creation of a home site. Located at</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>Event</td>
<td>Description</td>
<td>Decision</td>
<td></td>
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<tr>
<td>05 Public Hearing</td>
<td>John Morgan Bolt &amp; Kelsi Shea Bolt as Agents for Kirby Scott Willis request to rezone 2.15 of 11.52 acres from AR-1 to AR-2, to allow for the separation of a home site. Located at 421 Highbluff Road. (Fourth District) [Map# 393B Parcel# 6]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>06 Sketch Plan</td>
<td>Ashley Mosley as Agent for Victor Vanderlugt requests approval of a sketch plan for “Savannah Marine Terminal Bloomingdale Transloading Fac.”. Located on Old River Road, zoned I-1. (First District) [Map# 304 Parcel# 9]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>07 Public Hearing</td>
<td>Dennis Morris requests to rezone 9.21 acres from AR-2 to I-1 to allow for combination with adjacent industrial-zoned parcels. Located on Old River Road. (First District) [Map# 305 Parcel# 4A]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>08 Public Hearing</td>
<td>Dennis Morris requests a variance to reduce the required buffer between industrial and non-industrial zoned parcels, to allow for industrial development. Located on Old River Road, zoned I-1 &amp; AR-2, proposed zoning I-1. (First District) [Map# 305 Parcels# 3,4,4A.4B Map# 305A Parcel# 46.47</td>
<td>Denied</td>
<td></td>
</tr>
<tr>
<td>09 Public Hearing</td>
<td>Fred Evans requests to rezone 8 of 35.86 acres from AR-1 to I-1 to allow for a GDOT approved borrow source, for a GDOT project. Located on Turkey Trail. (Second District) [Map# 452A Parcel# 10]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>10 Sketch Plan</td>
<td>Gregg Howze requests approval of a sketch plan for “Parcel 465-3TPO Clearing and Grading”. Located on Highway 21 South. (Fifth District) [Map# 465 Parcel# 3TPO]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>VIII. Adjournment</td>
<td>8:15PM</td>
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</tr>
</tbody>
</table>
Staff Report

Subject: Variance (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022

Item Description: Carley & Tyler Dunn request a variance from the required building setbacks, to allow for the replacement of a mobile home. Located at 100 Hagen Street, zoned AR-1. Map# 296A Parcel# 44

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a variance from the required building setbacks, to allow for the replacement of a dwelling, with conditions.

Executive Summary/Background
- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
  - That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and
  - That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- The applicant wishes to replace a mobile home, utilizing the existing dwelling site. The AR-1 zoned property is a non-conforming lot of .39 acres. The current mobile home is being demolished and removed from the site. The applicant wishes to place a new, slightly larger mobile home on the site. The current structure does not meet rear setback requirements. The replacement mobile home cannot move forward due to the location of the drainfield in the front yard.
- The lot is approximately 100’ deep by 150’ wide (variable). The AR-1 front and rear setback requirements are 50’ which would allow no space for a residential structure.
- The proposed new mobile home is 30’ deep X 60’ wide. If placed parallel to Hagen Street, the mobile home will be ~15’ from the rear property boundary.

Alternatives
1. Approve the request for a variance from the required rear building setbacks, to allow for the replacement of a dwelling, with the following conditions:
   1. Permitting of the mobile home and related private well and septic system must be approved by Development Services and Environmental Health before the new dwelling is placed on site.
   2. The lot shall meet all other requirements of the AR-1 zoning district.

2. Deny the request for a variance from the required building setbacks.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A
Attachments:
1. Variance application
2. Ownership certificate/authorization
3. Site Plan
4. Aerial photograph
5. Deed
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 08/04/22

Applicant/Agent: Carley and Tyler Dunn
Applicant Email Address: carleybryanna@gmail.com

Phone #: 912-666-8205

Applicant Mailing Address: 207 Kingsway
City: Ellabell State: GA Zip Code: 31308

Property Owner, if different from above: N/A

Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): N/A

Owner's Mailing Address: N/A

City: N/A State: N/A Zip Code: N/A

Property Location: 100 Hagain Street Guyton GA 31312

Name of Development/Subdivision:

Present Zoning of Property AR-1 Tax Map-Parcel # 296A-44 Total Acres .89

VARIANCE REQUESTED (provide relevant section of code):

Describe why variance is needed: To put a mobile home on property that will fit my family (Reducing set backs) 32 ft (00)

How does request meet criteria of Section 7.1.8 (see Attachment C):

Need set back variance to replace mobile home on nonconforming lot.

Applicant Signature: [Signature] Date 8-26-22

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

July 22, 2022, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2797 page 900.

I hereby certify that I am the owner of the property being proposed for Variance 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 26th day of August, 2022.

Notary Public, State of Georgia

Rev 05052021
WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 22 day of July, 2022, between JOSHUA ALEXANDER SMITH of the FIRST PART, and TYLER L. DUNN and CARLEY B. DUNN of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto the said parties of the SECOND PART, as joint tenants with right of survivorship as defined and created by O.C.G.A. § 44-6-190, then to their heirs, executors and assigns of the survivor, the following described property, to wit:

ALL that certain lot, tract or parcel of land situate, lying and being in the Town of Pineora, 10th O.M. District, Effingham County, Georgia, known and designated as Lot Number One (1), Block Number Fifty-four (54), that is shown and more particularly described by the plat of survey made by Paul Weitman, County Surveyor, dated March 7, 1961, re corded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Surveyor's Record Book H, Page 145, which is incorporated into this description by specific reference thereto.

This being the same property conveyed by Deed from Bambi Lynn Bowers Jones as Executor of the Last Will and Testament of Doris Leah Smith to Joshua Alexander Smith by Deed dated November 13, 2014 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 2267, Page 863.

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 tract or parcel of land, with all and singular the rights, members and appurtenances therunto the same being, belonging, or in anywise appertaining, to the only property use, benefit and behoof of the said parties of the second part, as joint tenants with the right of survivorship as defined above, then to their heirs, executors and assigns of the survivor, forever in Fee Simple.

AND THE SAID party of the FIRST PART, for his heirs and assigns, will warrant and forever defend the right and title to the above described property unto the said parties of the SECOND PART, their heirs and assigns, against the lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

Notary Public

https://search.gasc.ca/Imaging/HTML5viewer.aspx?id=81763684&key1=2797&key2=900&county=51&countynname=EFFINGHAM&userid=725673&appid=4 1/1
State of Ga.
Effingham Co.

Plat of
Twenty-four lots as shown in Tinsley, Ga., 10th G. M. District. Done for and by direction of
Staff Report

Subject: Rezoning (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Tad Segars requests to rezone 1.28 acres from I-1 to AR-2 to allow for combination with an adjacent parcel. Located on Roebling Road. Map# 377 Parcel# 2

Summary Recommendation
Staff has reviewed the application, and recommends approval of the Tad Segars requests to rezone 1.28 acres from I-1 to AR-2 to allow for combination with an adjacent parcel. Located on Roebling 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.
- The parcel was rezoned to I-1 in 2004, for the purpose of obtaining a business license to continue the storage and maintenance of heavy equipment for a land clearing business.
- The current applicant wishes to place a dwelling on the adjacent AR-2 parcel, and possibly combine the parcels for a future recreational development.

Alternatives
1. Approve the request to rezone 1.28 acres from I-1 to AR-2, with the following condition:
   1. The lot shall meet the requirements of the AR-2 zoning district.

2. Deny the request to rezone 1.28 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. 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

Of the rezoning request by applicant Tad Segars– (Map # 377 Parcel# 2) from L-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: 8/12/2022

Applicant/Agent: Tad Segars

Applicant Email Address: tads3gars11@gmail.com

Phone #: 843-338-1244

Applicant Mailing Address: 12 New Orleans Rd.


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: Rockling Rd.

Proposed Road Access: Rockling Rd.


Tax Map-Parcel #: 3172 Total Acres: 1.28 Acres to be Rezoned: 1.28

Lot Characteristics: __________________________________________

WATER

____ Private Well

____ Public Water System

If public, name of supplier: ________________________________________

SEWER

✓ Private Septic System

____ Public Sewer System

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-2

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

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

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

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

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

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?

Applicant Signature: ___________________________ Date 8-12-22
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 1/12/2022, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2750, page 729-730.

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 12 day of August, 2022.

Notary Public, State of Georgia

Chelsie Fernand

Rev 01132022
LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of 11th day of January, 2022, by and between

Tad Segars
(Hereinafter referred to as the “Grantor”), and

One Singleton LLC
(Hereinafter referred to as the “Grantee”)

WITNESSETH, THAT:

GRANTOR, for and in consideration of the sum of TEN AND 00/100 DOLLARS ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed by these presents does grant, bargain, sell, and convey and confirm unto said Grantee:

All those certain lots, tracts or parcels of land situate lying and being in Effingham County, Georgia, designated as Parcel 1 (containing 3.267 acres, more or less) and Parcel 2 (containing 1.287 acres, more or less) upon a map made by Warren E. Poythress for Walter Moody dated June 7, 2005, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Plat Cabinet “C”, Slide 84 D-2. This is the same property conveyed to Edward M. Sahagian and Warren G. Apolin by Warranty Deed dated October 7, 2006, recorded in Deed Book 1349, Page 189, in the aforesaid Clerk’s office. Said map and deed are incorporated herein by reference.

0 Roebling Road, Bloomingdale, Georgia 31302
PIN 03770-002-A00 and 03770 002

Said property containing improvements thereon currently known as 0 Roebling Road, Bloomingdale, GA 31302, PIN 037700C02 & 03770C02A00
(Hereinafter referred to as the “Property”)

SUBJECT, however, to certain restrictions, covenants and easements of record or evidenced by use.
TO HAVE AND TO HOLD the said described Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, only to the proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.

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

Signed, sealed and delivered before me on the day and year first above written,
In the presence of:

Tad Segars

UNOFFICIAL WITNESS

Brandi Griffin

Notary Public

File No.: 2021-245
Limited Warranty Deed
Page 2 of 2
NOTE TO CLERK: Cross reference to that Security
Deed recorded at Deed Book 2552, Page 193,
Effingham County, GA.

STATE OF California
COUNTY OF Orange

DEED UNDER POWER

THIS INDEBTURE, made effective on 12/7/2021, by and between Patricia Craven
(hereinafter collectively "Borrowers"), acting by and through WILMINGTON SAVINGS FUND
SOCIETY, FSB, AS "TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F, as the duly appointed
agent and Attorney-In-Fact (hereinafter "Lender") as Party of the First Part, and WILMINGTON
SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F, as Party
of the Second Part:

WITNESSETH:

WHEREAS, Borrower did execute and deliver that certain Security Deed to Mortgage
Electronic Registration Systems, Inc., as grantee, as nominee for Carrington Mortgage Services,
LLC, its successors and assigns, dated 10/4/2019, which is recorded in Deed Book 2552, Page 193,
Effingham County, Georgia Records, said Security Deed having been last sold, assigned,
transferred and conveyed to WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF
STANWICH MORTGAGE LOAN TRUST F, by Assignment, recorded at Deed Book 2742, Page 16,
Effingham County Georgia Records, which conveys the property hereinafter described to secure
an indebtedness evidenced by a Note in the original principal amount of $124,301.00; and

WHEREAS, said indebtedness was not paid in accordance with the terms of said Note and
Security Deed and became in default, and under the terms thereof the entire principal and
interest was declared immediately due and payable; and

WHEREAS, the entire indebtedness remaining in default, and in accordance with the
terms of said Security Deed, Lender did advertise said property for sale once a week for four (4)
weeks immediately preceding the sale in the newspaper in Effingham County, Georgia, wherein
the Sheriff carried his advertisements; and

2191-2299A
Deed Under Power / 12/7/2021
CLTX (Non) / Other
WHEREAS, notice of the foreclosure sale was given in compliance with O.C.G.A. § 44-14-162.2. The required notice was rendered by mailing a copy of the Notice of Sale Under Power that was submitted to the publisher of the newspaper wherein the property was advertised for sale, to the Borrower and any other "Debtor" (as defined by O.C.G.A. § 44-14-162.1) at least thirty (30) days prior to the foreclosure sale date of 12/7/2021; and

WHEREAS, Lender, according to the terms of said Security Deed, did expose said property for sale to the highest and best bidder for cash on 12/7/2021 within the legal hours of sale before the Courthouse door in Effingham County, Georgia and offered said property for sale at public outcry; and

WHEREAS, the property hereinafter described was knocked off to the Party of the Second Part, WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F, who was the highest and best bidder for cash, at and for the sum of $104,500.00.

NOW THEREFORE, in consideration of the premises and the above said sum of $104,500.00 in hard paid, the receipt of which is hereby acknowledged, the said Party of the First Part does hereby bargain, sell, transfer and convey unto said Party of the Second Part, its successors and assigns, the following described property:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWN OF MEDRIM, 1559TH G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA, BEING KNOWN AND DESIGNATED AS LOT 34, SECTION 2 OF THE VILLAGE OR TOWN OF MEDRIM, AS SHOWN ON THAT CERTAIN MAP OR PLAT MADE BY J. DEAN GOVERN, GEORGIA REGISTERED LAND SURVEYOR NO. 6, DATED NOVEMBER 6, 1957, RECORDED IN MAP BOOK 2, PAGES 6 AND 7, IN THE RECORDS OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA. FOR A MORE PARTICULAR DESCRIPTION REFERENCE IS HEREBY MADE TO THE AFORESAID PLAT, WHICH IS SPECIFICALLY INCORPORATED HEREIN AND MADE A PART HEREOF.

This conveyance is subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

TO HAVE AND TO HOLD the said property hereinbefore described, together with all and singular the rights, members and appurtenances thereto appertaining, to the only proper use, benefit and behoof of the said Party of the Second Part, its successors, and assigns, in FEE SIMPLE in as full and ample a manner as the said Party of the First Part or said Party's representatives, heirs, successors and assigns, did hold and enjoy same.
IN WITNESS WHEREOF, Lender as Attorney in Fact for Borrower has caused this instrument to be executed in its corporate name by its duly authorized corporate officers and its corporate seal affixed, and has caused this instrument to be made effective on the date first above written.

WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F

By and through their duly appointed attorney-in-fact
Carrington Mortgage Services, LLC by power of attorney recorded herewith.

As Attorney In Fact for

Patricia Craven

By: ______________________

Print Name: Joseph Anthony Barragan
Carrington Mortgage Services, LLC attorney in fact

Title: ______________________

Date: DEC 1, 2020

By: ______________________

Print Name: Kenneth Hung Kwan Ho
Carrington Mortgage Services, LLC attorney in fact

Title: ______________________

Date: DEC 2, 2021

(CORPORATE SEAL)

Signed, sealed and delivered this 21st day of December, 2021 in the presence of:

Witness Patricia Goguen

Print Witness Name

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this 21st day of December, 2021, by Joseph Anthony Barragan, Kenneth Hung Kwan Ho, Patricia Goguen, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public H. Rosa Brass

NOTARY SEAL

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

2191-2299A
Deed Under Power / 12/7/2021
EH/44111/Other
Staff Report

Subject: Variance (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022

Item Description: Richard A. Neidlinger requests a variance from the required rear building setback, to allow for the replacement of a dwelling. Located on Highway 119 South, zoned AR-1. Map# 367 Parcel# 54

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a variance from the required rear building setback, to allow for the replacement of a dwelling, with conditions.

Executive Summary/Background
- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
  
  That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and

  That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- The applicant wishes to replace a mobile home, utilizing the existing dwelling site. The previous structure was non-conforming.
- The AR-1 zoned property has extensive wetlands. Due to variable elevation/slope of the land, and the existing drainfield location, an alternate site with suitable soil is not available.
- AR-1 front and rear setback requirements are 50’.
- The proposed mobile home will be 15’ from the rear property boundary

Alternatives
1. Approve the request for a variance from the required rear building setback, to allow for the replacement of a dwelling, with the following conditions:
   1. Permitting of the mobile home and related private well and septic system must be approved by Development Services and Environmental Health before the new dwelling is placed on site.
   2. The lot shall meet all other requirements of the AR-1 zoning district.

2. Deny the request for a variance to reduce required building setbacks.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments:
1. Variance application
2. Ownership certificate/authorization
3. Site Plan
4. Aerial photograph
5. Deed
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 8/9/2022

Applicant/Agent: Richard A. Neidlinger

Applicant Email Address: Sand68@yahoo.com

Phone #: 912-657-1640

Applicant Mailing Address: 889 Hwy 119 South

City: Springfield State: GA Zip Code: 31329

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: Hwy 119 South

Name of Development/Subdivision: 

Present Zoning of Property AE-1 Tax Map-Parcel # 36754 Total Acres 17.71

VARIANCE REQUESTED (provide relevant section of code): Reduction of rear setback

Describe why variance is needed: the site had a mobile home previously on it. Due to wetlands coverage and slope, and existing drain field, the site location is limited despite acreage.

How does request meet criteria of Section 7.1.8 (see Attachment C):


Applicant Signature: Richard A. Neidlinger Date 8/9/22

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

7/7/2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2704, page 800.

I hereby certify that I am the owner of the property being proposed for Variance 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

Richard A. Reedinger

Print Name

Richard A. Reedinger

Owner's signature

Print Name

Owner's signature

Print Name

Sworn and subscribed before me this 9th day of August, 2029.

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 05052021
QUITCLAIM DEED

STATE OF GEORGIA  COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 11th day of July, 2021 between KAREN H. NEIDLINGER of the FIRST PART, and RICHARD A. NEIDLINGER 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 Sixteen and Eight tenths (16.8) acres, more or less, and being bounded as follows: on the Northeast by lands now or formerly of the estate of J. R. Tebeau; on the Southeast by lands of Harris and Mary Hindsly and by lands of Deal, on the Southwest by lands now or formerly of Wayne and Carwell Shearouse; on the West by lands now or formerly of Wayne Shearouse and lands of Warren Rahn; and on the Northwest by Georgia Highway #119, all as is more fully shown and delineated upon a plat of survey dated April 29, 1972, prepared by Paul Weitman, County Surveyor and recorded in the Surveyor’s Records of Effingham County, Georgia, in Book “J”, Page 143, which plat by reference is made a part of this description.

ALSO, ALL that certain lot or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, containing Ninety-one Hundredths (.91) of an acre, more or less, and being known and designated as Parcel “A”, as shown on the plat thereof hereinafter referred to, said parcel of land being triangular in shape and being bounded on the Northeast by lands of Virginia B. Hinsly, a distance of 222.58 feet; on the Southeast by lands of Virginia B. Hinsly, a distance of 362.39 feet; and on the West by lands of Elizabeth B. Shearouse, a distance of 180.63 feet and by lands of Karen H. Neidlinger, a distance of 226.35 feet.

Express reference is hereby made to the plat of said lands made by Charles E. Stone, R.L.S. #2747, dated June 11, 2004 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet “C”, Slide 49A2, for better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by Deed from Karen H. Neidlinger to Karen H. Neidlinger and Richard A. Neidlinger by Deed dated April 20, 2005 and recorded in said Clerk’s Office in Deed Book 1285, Page 141.

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

[Signature]
KAREN H. NEIDLINGER

[Stamp]
Official Witness - Notary Public

https://search.gsccca.org/imaging/HTML5viewer.aspx?id=78999528&key1=2704&key2=600&county=51&countyname=EFFINGHAM&userid=725673&appid=4
Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Emily Williams as Agent for Suzanne Selph requests to rezone 6.13 acres from AR-1 to AR-2 to allow for the separation of a home site. Located at 205 Sage Pointe Drive. Map# 393B Parcel# 6

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 6.13 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 proposes to split a 6.13-acre lot in to 4.13-acre and 2-acre parcels and, therefore, must rezone it to AR-2.
- The property is located within Sage Pointe subdivision, which is zoned AR-1. Pursuant to section 6.6 Resubdivision, the following criteria must be considered before approving resubdivision within a major subdivision:
  - Whether the size of the proposed lots is compatible with the size of the lots created by the previously approved subdivision,
    - Sage Pointe Subdivision has a mixture of lot sizes. The lots fronting on Lowground Road are between 2-3 acres. The lots along Sage Pointe Drive are all larger than 5 acres.
  - Whether the intended use of the property as previously subdivided has been frustrated by changing economic conditions, by the exercise of eminent domain, or other circumstances.
    - Yes. AR-1 allows for a second dwelling for an immediate family member, but financing is not obtainable without land being attached to the mortgage.
  - Whether the proposed resubdivision will adversely affect the values of other property within the previously platted subdivision in which the property is located, and
    - A second home is permitted in for a family member in the current AR-1 zoning. AR-2 zoning allows for use consistent with the current AR-1 residential use within Sage Pointe.
  - Whether the proposed resubdivision is compatible with the purposes of the Effingham County subdivision regulations.
    - No new services are required.

Alternatives
1. Approve the request to rezone 6.124 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.
   3. The parcels may not be further subdivided.
2. Deny the request to rezone 6.13 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 Emily Williams as Agent Suzanne Selph – (Map # 393B Parcel# 6) 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: 8/19/22

Applicant/Agent: Emily Williams

Applicant Email Address: eswil123@gmail.com

Phone #: 912-678-4050

Applicant Mailing Address: 205 Sage Point Dr.

City: Guyton State: GA Zip Code: 31312

Property Owner, if different from above: Suzanne Selph

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): sselph50@aol.com

Phone #: 912-678-4873

Owner’s Mailing Address: Same

City: State: Zip Code:

Property Location: 205 Sage Point Dr. (Sage Point Subdivision)

Proposed Road Access: Sage Point Dr.

Present Zoning of Property: AR1 Proposed Zoning: 1 acre to AR2

Tax Map-Parcel #: 393B-6 Total Acres: 4.13 Acres to be Rezoned: 6.13

Lot Characteristics: Residence

WATER

✔ Private Well

Public Water System

If public, name of supplier: 

SEWER

✔ Private Septic System

Public Sewer System

Justification for Rezoning Amendment: to split the land

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.

   wooded area

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.

   build a home

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

   a home

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 in 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: 8/8/2022
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

15 Feb 22, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2764 page 170.

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

Suzanne Selph

Print Name

Suzanne Selph

Owner’s signature

Print Name

Owner’s signature

Print Name

Sworn and subscribed before me this 8th day of August, 2022.

Kathleen Erin Dunnigan
Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

I, Suzanne Selph, 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: Emily Williams
Applicant/Agent Address: 205 Sage Point Dr.
City: Guyton State: GA Zip Code: 31312
Phone: 912-678-4050 Email: eswil213@gmail.com

Owner's signature: Suzanne Selph
Print Name: Suzanne Selph

Personally appeared before me Suzanne Selph (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 8th day of August, 2020.

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 01132022
WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 15th day of February, 2022, between CHRISTIE K. TWNING and KRISTOPHER A. TWNING of the FIRST PART, and SUZANNE SELPH of the SECOND PART,

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

ALL that certain tract or parcel of land situate, lying and being in the 10th G.M. District of Effingham County, Georgia, containing Six and Thirteen Hundredths (6.13) acres, more or less, being known and designated as Lot Six (6), Sagepointe Subdivision, being bounded, now or formerly, as follows: on the Northwest by Sagepointe Road; on the Northeast by Lot 5, Sagepointe Subdivision; on the Southwest by Lot 8, Effingham County Estates, and on the Northwest by Lot 7, Sagepointe Subdivision. Said property also described by that certain plat of survey made by Paul D. Wilder, R.L.S. #1559, dated April 2, 1997, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "A", Slide 384-D.

For a further description of the property reference is made to the aforementioned plat and the record thereof.

SUBJECT, to the 15-foot wide drainage easement shown on said plat running across the Northwesterly boundary line of said property. Said drainage easement being 30-foot wide and the center of said easement being the Northwesterly boundary line of said property.

FURTHER SUBJECT to the 50-foot wide building setback line shown on said plat running across the Northwesterly boundary line of said property.

ALSO, included in this conveyance is that 2007 ScotBilt Sandpiper mobile home bearing Serial Number SBHGA1::20702464AB, which mobile home has been conveyed and for which a certificate of permanent location dated January 25, 2008 recorded in said Clerk's Office in Deed Book 1719, Page 181 so as to permanently merge said title to the real property heretofore described.

Said property is more commonly known as 205 Sagepointe Drive, Guyton, GA 31312, Map/Parcel number 03938006.

This being the same property conveyed by Christie Kindle Howard and Robert L. Kindle, II to Robert L. Kindle, II and Vickie M. Kindle dated September 22, 2017 and recorded in said Clerk's Office in Deed Book 2429, Page 22.

SUBJECT, to restrictive covenants and easements of record.

This being the same property conveyed by Survivorship Deed from Robert L. Kindle, II and Vickie M. Kindle to Christie K. Twinning and Kristopher A. Twinning dated March 6, 2020 and recorded in said Clerk's Office in Deed Book 2577, Page 859.

SUBJECT, to right-of-way easements to Effingham County recorded in Deed Book 440, Page 217 and Deed Book 287, Page 419.

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, her heirs and assigns, FOREVER IN Fee SIMPLE with full WARRANTY OF TITLE to said property against the claims of all persons whosoever.

IN WITNESS WHEREOF, FIRST PARTIES have hereunto set their hands and affixed their seals and delivered these presents, the day and year first above written.

[Seal]

CHRISTIE K. TWNING

[Seal]

KRISTOPHER A. TWNING

Signed, sealed and delivered in the presence of:

Unofficial Witness

Official Witness - Notary Public

https://search.gscocca.org/imaging/HTML5Viewer.aspx?id=60701426&key1=2764&key2=170&county=51&countyname=EFFINGHAM&userid=725673&appid=4
Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: John Morgan Bolt & Kelsi Shea Bolt as Agents for Kirby Scott Willis request to rezone 2.15 of 11.52 acres from AR-1 to AR-2, to allow for the separation of a home site. Located at 421 Highbuff Road. Map# 459 Parcel# 63

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 2.15 of 11.52 acres from AR-1 to AR-2, to allow for the separation 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 applicants wish to separate 2.15 acres, which include a dwelling. As the separated home site will be less than 5 acres, it does not meet the minimum size requirement for AR-1, and must be rezoned.

Alternatives
1. Approve the request to rezone 2.15 of 11.52 acres from AR-1 to AR-2, to allow for the separation of a home site, with the following conditions:
   1. The lot 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 2.15 of 11.52 acres from AR-1 to AR-2

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A
Attachments: 1. Rezoning application and checklist 4. Deed
2. Ownership certificate/authorization 5. Aerial photograph
3. Plat
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 Joh Morgan Bolt & Kelsi Shea Bolt as Agent for Kirby Scott Willis – (Map # 459 Parcel# 63) 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: 8/10/22

Applicant/Agent: John Morgan Bolt & Kelsi Shea Bolt

Applicant Email Address: kelsisheabolt@gmail.com

Phone #: (912) 168-0774

Applicant Mailing Address: 117 Towne Park Dr. W Apt. 1429

City: Rincon State: GA Zip Code: 31326

Property Owner, if different from above: Kirby Scott Willis

Owner's Email Address (if known): db16rcl@gmail.com

Phone #: (912) 754-1152 (912) 665-0883

Owner's Mailing Address: 421 Highbluff Rd.

City: Rincon State: GA Zip Code: 31326

Property Location: 421 Highbluff Rd.

Proposed Road Access: [ ]


Tax Map-Parcel #: 04590063 Total Acres: 11.52 Acres to be Rezoned: 2.15

Lot Characteristics: Located in "Zone X"

WATER

  [ ] Private Well  [ ] Public Water System

  [ ] Private Septic System  [ ] Public Sewer System

If public, name of supplier: future residential build

Justification for Rezoning Amendment:

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

  North _______ South _______ East 04590063 West _______

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

- Curra land

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.

- Residential property | Homestead

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

- Residential | Homestead

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?

- Less than 5 acres, need rezoning to match surrounding properties (family properties)

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

- No

Applicant Signature: __________________________ Date 8/11/2022

Rev 01132022
AUTHORIZATION OF PROPERTY OWNER

John Morgan Bolt and Kelsi Shea Bolt

I, Kirby Willis, 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: Kirby Scott Willis, John Morgan Bolt & Kelsi Bolt
Applicant/Agent Address: 421 High Bluff Rd, Le17 Towe Park Dr. W
City: Rincon State: GA Zip Code: 31326
Phone: (912) 754-1152 Email: 410h61bol@gmail.com

Owner's signature: John Morgan Bolt & Kelsi Bolt
Print Name: John Morgan Bolt & Kelsi Bolt

Personally appeared before me John Morgan Bolt & Kelsi Bolt (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 11 day of August, 2022

[Notary Seal]

Rev 01/32022
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

7/21/1997, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 442, page 15

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.

[Signature]

Owner's signature

Print Name: Ricky Scott Willis

[Signature]

Owner's signature

Print Name

[Signature]

Owner's signature

Print Name

Sworn and subscribed before me this 16th day of August, 2022

[Seal]

Notary Public, State of Georgia
RETURN TO:
EDWARD REDDICK
ATTORNEY AT LAW
P.O. BOX 385
SPRINGFIELD, GA. 31334

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 21st day of July, 1997, between DAVIE J. DAVIS of the FIRST PART, and KIRBY S. WILLIS 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 those two certain tracts or parcels of land situate, lying and being in the 9th G.H. District of Effingham County, Georgia, containing eight and Forty-four hundredths (8.44) acres, more or less, and being known and designated as Lot 1A and containing Nine and Two hundredths (9.02) acres, more or less, and being known and designated as Lot 2. Said two parcels of land lying adjoining and contiguous and as a whole containing 17.46 acres, more or less, and being bounded on the northeast by Lot 1B; on the southeast by High Bluff Road known as County Road Number 346; on the southwest by Lot 3 and on the northwest by Ebenezer Creek.

Express reference hereby made to a plat of said lands made by Paul D. Wilder, R.L.S. #1599, dated June 2, 1997 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "A", Slide 386-G 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 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 WARRANTRY OF TITLES to said property against the claims of all persons whomever.

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

Signed, sealed and delivered in the presence of:

[Seal]
DAVIE J. DAVIS

[Seal]
Rotary Public Notary

Effingham County, Georgia
Real Estate Transfer Tax

Effingham County, Georgia
Registered Notary Public
Date: 7.28.97

Clerk of Superior Court
NOTE: SUBJECT PROPERTY IS A DIVISION OF MAP & PARCEL 04590063 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.

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

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plot as represented by the said engineer/surveyor finds that this plot complies with the CSMS regulations for a typical site residence of 3 or 4 bedrooms with basic utilities anduka each lot must be reviewed and approved for on site Storm Management System placement prior to the issuance of a construction permit. Modifications or changes to site designation may void this approval. This approval is void if the plat is not recorded within 1 year of the date below.

SIGNING AUTHORITY: TIMOTHY BURKE
PLAT DRAWN BY: JOHN & KELSI BOLT

SURVEY FOR
JOHN & KELSI BOLT
SURVEY OF 2.15 ACRES FROM A 11.52 ACRE TRACT, MAP & PARCEL 04590063
LOCATED IN THE 9TH, C.M.D.
EFFINGHAM COUNTY, GEORGIA
SURVEYED 31 MAY 2022
PLAT DRAWN 22 JUNE 2022
Subject: Sketch Plan (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Ashley Mosley as Agent for Victor Vanderlugt requests approval of a sketch plan for “Savannah Marine Terminal Bloomingdale Transloading Facility.” Located at 1054 Old River Road, zoned I-1. Map# 304 Parcel# 9

Summary Recommendation
Staff has reviewed the application, and recommends denial of a sketch plan for Savannah Marine Terminal Bloomingdale Transloading Facility on Old River Road.

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 original sketch plan proposed a gravel loading and staging area; timber storage; an office with parking for employees; and ~86 pads for triple-stacked containers.
- The property will be served by private well and septic system. One driveway entrance to Old River Road is planned. A new rail spur will be constructed from the existing rail line north of the property.
- A variance to the buffer requirements was approved on May 18, 2021. The undisturbed vegetative buffer will be 75’ along the southern property boundary, and 25’ along the northern property boundary. The concept plan for the buffer variance request proposed storage of 15 shipping containers. The initial sketch plan showed 86 shipping container pads. The revision submitted on 9/13/2022 shows 15 container pads. There are no longer any plans for stacking.
- Shipping container storage is a heavy industrial use. However, the rezoning and variance applications did not refer to stacked container storage, and proposed 15 containers to be stored onsite. The initial sketch plan was a substantial change to the previously submitted concept plan.
- A revised sketch plan was submitted on 9/13/2022. The number of container sites has been reduced to 15, and stacking is no longer planned.

Alternatives
1. Approve the sketch plan for “Savannah Marine Terminal Bloomingdale Transloading Facility”.
   1. Stacking of shipping containers is prohibited.
   2. The reduced buffer approved on 5/18/2021 is associated only with the sketch plan submitted on 9/13/2022. All other future uses of this site shall be subject to additional review, and reconsideration of the buffer variance.

2. Deny the sketch plan for “Savannah Marine Terminal Bloomingdale Transloading Facility”

Recommended Alternative: 2
Other Alternatives: 1

Department Review: Development Services
FUNDING: N/A

EFFINGHAM COUNTY
SKETCH PLAN SUBMITTAL FORM

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

Proposed Name of Subdivision: Savannah Marine Terminal Bloomingdale Transloading Fac.

Name of Applicant/Agent: Ashley D. Mosley, PE
Company Name: SCE Engineering
Address: 313 E 65th St Savannah, GA 31405

Owner of Record: Victor Vanderlugt
Address: 530 Magazine Ave., Savannah, GA 31415

Engineer: Ashley D. Mosley
Address: 313 E 65th St Savannah, GA 31405

Surveyor: Warren B Poythress
Address: 991 Hunters Road, Sylvania, GA 30467

Proposed water system: Existing
Proposed sewer system: Existing

Total acreage of property: 10 AC
Acreage to be divided: N/A
Number of Lots Proposed: N/A

Current Zoning: I-1
Proposed Zoning: N/A
Tax map - Block - Parcel No: 37 - 00 - 29 - 304 - 9

Are any variances requested? NONE
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 ______ day of ______, 20__

Notary

________________________________________________________
Danielle Kinser
NOTARY PUBLIC
Chatham County, GEORGIA
My Commission Expires 12/16/2006

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

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

This ___ day of ________________, 20__.  

[Signature]

Notary

Danielle Kinner  
NOTARY PUBLIC  
Chatham County, GEORGIA  
My Commission Expires 12/16/2022

[Signature]

Owner

Danielle Kinner  
NOTARY PUBLIC  
Chatham County, GEORGIA  
My Commission Expires 12/16/2025

Page 3 of 3  
Ashley D. Mosley, F.E.
SCE Engineering
313 E 65th St
Savannah, GA 31405

Dear Ms. Mosley,

I am pleased to provide you with a review of the Sketch Plan submitted for Savannah Marine Terminal – Transloading Facility, which can be found below.

**Sketch Plan Review**

**Submittal Documents** Sketch Plan .................................................................................. Aug. 2022

**Comments:**

1. For industrial zoned property, the street buffer shall equal the required zoning buffer necessary for the property across the street. In this case it would be 25-ft.

2. Please show the right of way for Old River Road on the sketch plan. Furthermore, show any driveway access points.

3. The Sketch Plan Checklist, submitted with the application, has all of the items checked as ‘Y’ for yes, however, upon review all those items are not included in the submitted sketch plan. Please review the checklist and add any missing items to the proposed sketch plan.

4. The original proposed use for the site, as described in the zoning variance application, was to be a grain and timber distribution. However, the underground grain hopper is no longer included and the timber storage was reduced by about ½. Is this still the same proposed land use, or have there been modifications.

5. Please include the location for the underground grain hopper on the plan. This item was included on the proposed concept plan.

6. Please include the location of the scale for containers/trucks on the plan. This item was included on the proposed concept plan.

7. Please provide a parking calculation for the proposed site.
   a. It shall be noted that the parking spaces for passenger vehicles was reduced by ½ since the previously submitted concept plan.
8. There shall be adequate access to the office building from the passenger vehicle parking area, especially the handicap parking space.

9. Please identify the loading spaces on the plans. Section 3.30.6 of the county ordinance provides the schedule for number of spaces per area of storage. Keep in mind the minimum space for truck loading shall be: 30-ft in length, 12-ft in width.
   a. Keep in mind that there needs to be enough space to maneuver the design vehicle through site to and from the applicable loading spaces.
   b. It shall be noted that there was a large area for truck parking and misc. storage on the concept plan that is not included in the proposed sketch plan.

10. Please identify the location of the proposed outlet for the site's stormwater management system on the plans. The full analysis of the stormwater management system is not required at this stage in the process, but the major features/structures should be included. The plan for the routing of stormwater should be clear.

11. Is any type of solid waste disposal area going to be proposed? If so, include depict this on the plan. Keep in mind that the applicable truck used to access any dumpster needs to be able to maneuver through the site.

12. The roadside drainage shall not be impeded by the proposed driveway construction. Ensure that a culvert is included in the design.

13. It is understood that an extent of this site is being proposed with some form of gravel/aggregate material, however at a minimum, the county right of way needs to utilize proper paving.

14. Is there any plan in place for the water distribution/wastewater serving the site?

15. Please provide some form of delineation for the wetlands on site. It is annotated that there are wetlands, but there is no line defining those limits.

16. It shall be noted that the railroad owner will need to issue an approval of the proposed rail plans prior to final approval of final site development plans.

Sincerely,

Trevor Shoemaker
Project Manager
EOM
CHANGES
SUBMITTED ON
9/13/2022
Subject: Rezoning (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Dennis Morris requests to rezone 9.21 acres from AR-2 to I-1 to allow for combination with adjacent industrial-zoned parcels. Located on Old River Road Map# 305 Parcel# 4A

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 9.21 acres from AR-2 to I-1 to allow for combination with adjacent industrial-zoned parcels, with conditions.

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The concept plan depicts a 350,948 sf warehouse, with 150' to 200' buffers on the I-1 property.
- Warehousing is a heavy industrial use, and 300’ undisturbed vegetative buffers between industrial and residential zoned land are required.
- Old River Road is not a county truck route. However, the proposed development is close to the I-16 interchange. A Traffic Study will be necessary to assess the need for turn lanes.
- The development will be served by private well and septic system.
- The parcels for the proposed development are in flood zone AE. A LOMR application to FEMA will be required, to authorize fill to build the site above the base flood elevation.
- This parcel is intended as the site of the stormwater detention for the proposed warehouse development site. Those parcels were rezoned to I-1 on November 2, 2021.

Alternatives
1. **Approve** the request to rezone 9.21 acres from AR-2 to I-1 to allow for combination with adjacent industrial-zoned parcels, with the following conditions:
   1. A Sketch Plan must be submitted for approval before site development plans are submitted.
   2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
   3. All wetland impacts must be approved and permitted by USACE, and the Jurisdictional Determination must be submitted during the site development plan review process.
   4. Development plans must meet the requirements of **Section 5.12 I-1 Industrial Districts**.
   5. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.

2. **Deny** the request to rezone 9.21 acres from AR-2 to I-1.

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 ______

Of the rezoning request by applicant Dennis Morris – (Map # 305 Parcel# 4A) from AR-2 to I-1 zoning.

Yes No 1. Is this proposal inconsistent with the county’s master plan?

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

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

Yes No 4. Does the property which is proposed to be rezoned have a 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

Dennis Morris

Applicant/Agent: ______________________________________________________
lakesidewatercom@aol.com
Applicant Email Address: ____________________________________________
Phone # _912-658-9455___________________________________
Applicant Mailing Address: 222 Creekwood Drive
City: __________________________ State: GA Zip Code: 31302

Property Owner, if different from above: ________________________________

Owner’s Email Address (if known): ____________________________________
Phone # _____________________________
Owner’s Mailing Address: ____________________________________________
City: __________________________ State: __________ Zip Code: __________

Property Location: Old River Road
Proposed Road Access: Old River Road

Tax Map-Parcel #: 03050004A00 Total Acres: 9.21 Acres to be Rezoned: 9.21

Lot Characteristics: Undeveloped, various vegetation.

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_l-1 South_AR-2 East_AR-2 West_l-1/AR-2

Rev 05052021
1. Describe the current use of the property you wish to rezone.
   Undeveloped with various vegetation.

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.
   It is the owner's desire to construct a detention pond on the property.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   Residential houses and undeveloped woodlands.

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?
   Adjacent property is zoned I-1.

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: 8/11/22
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 1/25/2020, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2801 page 780-781.

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  ________________
Dennis C. Morris

Print Name  ________________
Dennis C. Morris

Owner’s signature  ________________

Print Name  ________________

Owner’s signature  ________________

Print Name  ________________

Sworn and subscribed before me this 12 day of August, 2022.

Chelsie Fernald
Notary Public, State of Georgia

Rev 05052021
QUITCLAIM DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 25th day of July, 2022 between CHATHAM WATER UTILITY, LLC of the FIRST PART, and DENNIS C. MORRIS AND KIMBERLE J. MORRIS 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 PARTIES, as joint tenants with right of survivorship as defined and created by O.C.G.A. § 44-6-190, then to the heirs, executors and assigns of the survivor, 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 1559th G.M. District of Effingham County, Georgia, being known and designated as Tract #1, containing Nine and Two Hundred Seven Thousandths (9.207) acres, more or less, as shown on the plat thereof hereinafter referred to. Said parcel of land being irregular in shape and being bounded on the North by lands now or formerly of Kimberle J. Morris; on the Northeast by Lot 10, by the 60-foot wide right-of-way of Lazy Lagoon Court; on the East-Northeast by Lots 11, 12, 13, 14 and 15, River Road Farms Subdivision; on the Southeast by Tract #2 being shown and designated as the "Well Site"; on the South-Southwest by Lots 18, 19, 20 and 21, said Subdivision, and on the Northwest by lands now or formerly of Kimberle J. Morris.

Express reference is hereby made to the plat of said lands made by William Mark Gilson, R.L.S. #3316, dated February 21, 2022 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 29, Page 361 for better determining the metes and bounds of said lands hereinafore conveyed.

This being a portion of the property conveyed by Limited Warranty Deed from Lakeside Water Company to Chatham Water Utility, LLC dated January 31, 2017 and recorded in said Clerk’s Office in Deed Book 2388, Page 732.

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 PARTIES as joint tenants with the right of survivorship as defined above, then to the heirs, executors and assigns of the survivor, forever in Fee Simple 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 seal affixed and delivered these presents the day and year first above written.

CHALMAM WATER UTILITY, LLC

BY: MARK V. SMITH, MANAGER

(SEAL)

Signed, sealed and delivered
In the presence of:

[Signatures]

ELIZABETH SKIDMORE ECHENBAUGH
Notary Public, Georgia
Effingham County
My commission expires: 07-19-2013
bp
Staff Report

Subject: Variance (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Denis Morris requests a variance from section 3.4 Buffers, to reduce the required buffer between industrial and various zoned parcels. Located on Old River Road, zoned I-1 & AR-2, proposed zoning I-1. Map# 305 Parcel# 4A

Summary Recommendation
Staff has reviewed the application, and recommends denial of the request for a variance from section 3.4 Buffers, to reduce the required buffer between industrial and various zoned parcels.

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

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

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

- Warehouse Distribution Centers are a heavy industrial use. The proposed development in the attached rezoning exhibit (dated 8-10/2022) is surrounded to the north, south, and west by residential lots in the AR-2 zoning district. To the east are parcels in the B-2 and I-1 zoning district.
- The scale of the proposed warehouse development (350,948 sf) does not trigger regional review.
- The required vegetative buffer between heavy industrial and AR zoning districts is 300'. The proposed buffer reduction is from 300' to 200' along the western boundary of the development site, and 150' along the north and south boundaries of the development site. Included in the southern boundary of the development site is the stormwater pond.
- The other parcels in the proposed development site were rezoned to I-1 in November 2021.
- The buffer requirements for heavy industrial development were discussed at those public hearings.
- A buffer variance would be best decided as part of the sketch plan review process, to ensure that any buffer reduction was approved for a specific planned use. I-1 industrial permits a wide variety of uses.

Alternatives
1. Approve the request for a variance from section 3.4 Buffers, to reduce the required buffer between industrial and various zoned parcels.
   1. The reduced buffer is approved only for the warehouse development in the aforementioned rezoning exhibit (dated 8/10/2022). All other future uses of this site shall be subject to additional review, and reconsideration of the buffer variance.

2. Deny the request for a variance from section 3.4 Buffers, to reduce the required buffer between industrial and various zoned parcels.

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services
FUNDING: N/A
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 8-12-2022

Dennis Morris

Applicant/Agent: __________________________________________

Applicant Email Address: lakesidewatercom@aol.com

Phone #: 912-658-9455

Applicant Mailing Address: 222 Creekwood Drive

City: Bloomingdale State: GA Zip Code: 31302

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: Old River Road

03050004, 03050004B, 03050003, 0305A046, 0305A047, 03050004A00

I-1 & AR-2, Tax Map-Parcel #__________ Total Acres 38.38 (I-1), 9.21 (AR-2)

VARIANCE REQUESTED (provide relevant section of code): 5.12 I-1 Industrial Districts - Buffers

Describe why variance is needed: Buffer Variance for AR-2 next to I-1. Requesting Buffer from 300' to 200'(rear) & 150'(side) for future construction of a warehouse and detention ponds as shown on Rezoning Exhibit.

How does request meet criteria of Section 7.1.8 (see Attachment C): __________________________

The width of property does not allow for a warehouse development with 300' buffers on all sides.

Applicant Signature: ____________________ Date 8/15/2022

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 1-24-2002, 4-25-2005, 8-29-2006, 10-5-2012, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book _____________ page _____________.

I hereby certify that I am the owner of the property being proposed for Variance 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 __________, 20 ___________.

______________________________
Notary Public, State of Georgia

Rev 05052021
QUITCLAIM DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 25th day of July, 2022, between CHATHAM WATER UTILITY, LLC of the FIRST PART, and DENNIS C. MORRIS AND KIMBERLE J. MORRIS 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 PARTIES, as joint tenants with right of survivorship as defined and created by O.C.G.A. § 44-6-190, then to the heirs, executors and assigns of the survivor, 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 1559th G.M. District of Effingham County, Georgia, being known and designated as Tract #1, containing Nine and Two Hundred Seven Thousandths (9.207) acres, more or less, as shown on the plat thereof hereinafter referred to. Said parcel of land being irregular in shape and being bounded on the North by lands now or formerly of Kimberle J. Morris; on the Northeast by Lot 10, by the 60-foot wide right-of-way of Lazy Lagoon Court; on the East-Northeast by Lots 11, 12, 13, 14 and 15, River Road Farms Subdivision; on the Southeast by Tract #2 being shown and designated as the "Well Site"; on the South-Southwest by Lots 18, 19, 20 and 21, said Subdivision, and on the Northwest by lands now or formerly of Kimberle J. Morris.

Express reference is hereby made to the plat of said lands made by William Mark Glisson, R.L.S. #3316, dated February 21, 2022 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 29, Page 361 for better determining the metes and bounds of said lands hereinafore conveyed.

This being a portion of the property conveyed by Limited Warranty Deed from Lakeside Water Company to Chatham Water Utility, LLC dated January 31, 2017 and recorded in said Clerk's Office in Deed Book 2388, Page 732.

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 PARTIES as joint tenants with the right of survivorship as defined above, then to the heirs, executors and assigns of the survivor, forever in Fee Simple 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 seal affixed and delivered these presents the day and year first above written.

CHATHAM WATER UTILITY, LLC

BY: MARK V. SMITH MANAGER

[SEAL]

Signed, sealed and delivered
In the presence of:

[Signature]

Official Witness - Notary Public
My commission expires: 07-25-2023

[Notary Seal]

ELIZABETH SKIDMORE ESCHENAUER
Notary Public, Georgia
Effingham County
My Commission Expires 07-25-2023
EXHIBIT A

42.4 ACRES

EXHIBIT PREPARED FOR: DAVID H. MASON, REALTOR
1599 N. G.M.D., EFFINGHAM COUNTY, GEORGIA.

FILE NO.: 05-06-11
FILE NAME: INPUT.BMP & INPUT.TXT
SCALE: 1" = 300'
DATE: MAY 24, 2000

https://search.gsccca.org/imaging/HTMLViewer.aspx?id=19430604&key1=1062&key2=262&county=51&countynames=EFFINGHAM&userid=344288&...
Staff Report

Subject: Rezoning (Second District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Fred Evans requests to rezone 8 of 35.86 acres from AR-1 to I-1 to allow for a GDOT approved borrow source for a GDOT project. Located on Turkey Trail Map #452A Parcel #10

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 8 of 35.86 acres from AR-1 to I-1 to allow for a GDOT approved borrow source for a GDOT project.

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Pursuant to Sec. 3.17.3.3, excavation activity that involves movement of soil off-site must be located within the I-1 zoning district.
- The proposed GDOT approved borrow source site has frontage on the Effingham Parkway construction site. The applicant indicates that all dirt will be transported directly to the construction site. External roads are not expected to be used for more than 25% of the dirt from this borrow source.

Alternatives
1. Approve the request to rezone 8 of 35.86 acres from AR-1 to I-1, with conditions:
   1. This rezoning allows a GDOT approved borrow source for a GDOT project. No other I-1 uses are allowed.
   2. The dirt shall be transported directly to the Effingham Parkway construction site.
   3. The site shall meet the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
   4. The site shall meet the requirements of Section 3.17.5 Surface Mine Operations – Road Maintenance Requirements, if there is an entrance on a county-maintained road.
   5. The business operator shall meet the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes, if county-maintained roads are used to transport dirt.
   6. The applicant shall notify the Development Services Department at the time of final reclamation of the GDOT approved borrow source, and shall rezone the property to AR-1.

2. Deny the request to rezone 8 of 35.86 acres from AR-1 to I-1.

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:

\[\text{APPROVAL} \quad \text{DISAPPROVAL}\]

Of the rezoning request by applicant Fred Evans – (Map # 452A Parcels# 10) from AR-1 to L-1 zoning.

Yes No? 1. Is this proposal inconsistent with the county’s master plan?

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

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

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

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

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

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

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?
ATTACHMENT A - REZONING AMENDMENT APPLICATION

Application Date: 

Applicant/Agent: Fred Evans

Applicant Email Address: FredEvans7294@yahoo.com

Phone #: 912 713 4747

Applicant Mailing Address: 1310 Cerritos Circle

City: Pooler State: GA Zip Code: 31322

Property Owner, if different from above: Same As 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: Oakley Trl (Coldbrook Subdivision)

Proposed Road Access: Keller Rd

Present Zoning of Property: Residential Proposed Zoning: Industrial/Commercial

Tax Map-Parcel #452A-1D Total Acres: 35.86 Acres to be Rezoned: 8

Lot Characteristics: Woodland

WATER

✓ Private Well

SEWER

✓ Private Septic System

Public Water System

Public Sewer System

If public, name of supplier: N/A

GDOT approved borrow source for a GDOT project

Justification for Rezoning Amendment: MINING OPERATION - REQUIRES I-1 ZONING.

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

North AR-1 South CHATHAM East AR-1 West AR-1

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

Woodlot

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. GDOT approved borrow source for a GDOT construction project:

For use in Effingham Parkway

Construction by Balfour Beatty

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

Woodlot / Residential / Swamp / Wetlands

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

No change

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

No, trucks moving dirt plow to use the roadway that is under construction

Applicant Signature: 

Date: 26 July 2022

Rev 01132022
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

Sept 20 1989, on file in the office of the Clerk of the Superior Court of
Effingham County, in Deed Book 272, page 446.

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 21st day of July, 20 22.

Chelsie Fernaud
Notary Public, State of Georgia

Rev 01132022
IN THE SUPERIOR COURT OF EFFINGHAM COUNTY
STATE OF GEORGIA

THE BOARD OF COMMISSIONERS OF
EFFINGHAM COUNTY, GEORGIA

v.

0.760 ACRES-OF LAND; CERTAIN ACCESS
RIGHTS; FRED E. EVANS; and THU L. EVANS

ORDER AND JUDGMENT

The petition in the above-stated case with declaration of taking attached, and the certificate of the Clerk showing the filing of such petition and declaration and deposit into court of the sum of money estimated as just compensation for the property taken, as authorized by O.C.G.A. § 32-3-1 et seq.,

IT IS CONSIDERED, ORDERED, and ADJUDGED:

(1) That the property described in the petition of the Petitioner and in the declaration of taking filed concurrently therewith, being shown to be within the bounds of the required right-of-way of Effingham County, is hereby condemned in fee simple to the use of the Board of Commissioners of Effingham County, together with such rights as described in such petition and declaration, under authority of said Code section; and

The Board of Commissioners of Effingham County and its successors are hereby vested with full, complete and unencumbered title to such property and/or rights for the purpose described in said petition and declaration; but nothing contained herein is to be construed as depriving the named Respondent, or any person, firm, association or company having an interest in, title to, or claim against said property of the right to appeal the estimated amount of just compensation to a jury in this court, or of the right to apply for the appointment of a special master to review and determine the correctness of the amount of estimated compensation, as so deposited, or the right
to petition the court to vacate and set aside said declaration and this judgment, but this shall be construed only as vesting title and right of possession in petitioner/condemnor, as contemplated by the aforesaid Code section;

(2) The Board of Commissioners of Effingham County having applied to me for immediate possession of said property, and it being provided in O.C.G.A. § 32-13-12 that "[t]he court shall have power to fix the time, the same to be not later than 60 days from the date of filing of the declaration of taking, as provided in O.C.G.A. § 32-3-6, within which and the terms upon which the parties in possession shall be required to surrender possession to the petitioner," let the parties in possession of such property, as well as the named condemnees, be served with a copy of said petition and declaration of taking, and this Order, and they are hereby directed to show cause before me at _____ on the ____ day of ______, 2020, Effingham County Courthouse, Springfield, Georgia, why possession of said property should not be surrendered to the Board of Commissioners of Effingham County on a day certain, not later than 60 days from the date of said filing of the declaration of taking.

(3) That a copy of this petition and of said declaration be served upon the tax-collecting authorities of this County.

(4) It being the purpose of this Order, in this respect, to make certain so far as is possible that all parties having title to, or interest in, or claims against the described property be given notice of the pendency of this proceeding, it is further ordered that such additional service be made as may be called for by the allegations of the petition, together with the provisions of O.C.G.A. § 32-3-1 et seq. for such service; and, further that the Clerk of Superior Court shall cause a citation to be issued and published in the official newspaper of said County, entitled in this cause, describing the property condemned in this proceeding, reciting also the filing of the declaration of taking by condemnor, setting forth the names of the parties known or believed to be the owners, or having an interest in, or claims against said property and citing such parties, as well as all others claiming any title to or interest in said property, or in said funds on deposit with the Clerk, which amount shall be set out in such citation, to appear in this court and make known their claims; and let such
citation be published in such newspaper for two consecutive weeks, beginning with the week of __________, 2020.

Let this order be filed as a part of the record in this case.

SO ORDERED, this __________ day of __________, 2020.

[Signature]
Judge, Superior Court, Effingham County
State of Georgia

PREPARED BY:

George L. Lewis
Georgia Bar No. 450377
Katherine E. Lewis
Georgia Bar No. 458305

LEWIS LAW
P.O. Box 61505
Savannah, Georgia 31420
(912) 629-0671
ORDER AND JUDGMENT

The petition in the above-stated case with declaration of taking attached, and the certificate of the Clerk showing the filing of such petition and declaration and deposit into court of the sum of money estimated as just compensation for the property taken, as authorized by O.C.G.A. § 32-3-1 et seq.,

IT IS CONSIDERED, ORDERED, and ADJUDGED:

(1) That the property described in the petition of the Petitioner and in the declaration of taking filed concurrently therewith, being shown to be within the bounds of the required right-of-way of Effingham County, is hereby condemned in fee simple to the use of the Board of Commissioners of Effingham County, together with such rights as described in such petition and declaration, under authority of said Code section; and

The Board of Commissioners of Effingham County and its successors are hereby vested with full, complete and unencumbered title to such property and/or rights for the purpose described in said petition and declaration; but nothing contained herein is to be construed as depriving the named Respondent, or any person, firm, association or company having an interest in, title to, or claim against said property of the right to appeal the estimated amount of just compensation to a jury in this court, or of the right to apply for the appointment of a special master to review and determine the correctness of the amount of estimated compensation, as so deposited, or the right
to petition the court to vacate and set aside said declaration and this judgment, but this shall be
construed only as vesting title and right of possession in petitioner/condemnor, as contemplated
by the aforesaid Code section;

(2) The Board of Commissioners of Effingham County having applied to me for
immediate possession of said property, and it being provided in O.C.G.A. § 32-13-12 that "[t]he
court shall have power to fix the time, the same to be not later than 60 days from the date of filing
of the declaration of taking, as provided in O.C.G.A. § 32-3-6, within which and the terms upon
which the parties in possession shall be required to surrender possession to the petitioner," let the
parties in possession of such property, as well as the named condemnees, be served with a copy of
said petition and declaration of taking, and this Order, and they are hereby directed to show cause
before me at _____ on the _____ day of ______, 2020, Effingham County Courthouse,
Springfield, Georgia, why possession of said property should not be surrendered to the Board of
Commissioners of Effingham County on a day certain, not later than 60 days from the date of said
filing of the declaration of taking.

(3) That a copy of this petition and of said declaration be served upon the tax-collecting
authorities of this County.

(4) It being the purpose of this Order, in this respect, to make certain so far as is possible
that all parties having title to, or interest in, or claims against the described property be given notice
of the pendency of this proceeding, it is further ordered that such additional service be made as
may be called for by the allegations of the petition, together with the provisions of O.C.G.A. § 32-
3-1 et seq. for such service; and, further that the Clerk of Superior Court shall cause a citation to
be issued and published in the official newspaper of said County, entitled in this cause, describing
the property condemned in this proceeding, reciting also the filing of the declaration of taking by
condemnor, setting forth the names of the parties known or believed to be the owners, or having
an interest in, or claims against said property and citing such parties, as well as all others claiming
any title to or interest in said property, or in said funds on deposit with the Clerk, which amount
shall be set out in such citation, to appear in this court and make known their claims; and let such
citation be published in such newspaper for two consecutive weeks, beginning with the week of

[Signature]

Let this order be filed as a part of the record in this case.

SO ORDERED, this [date] day of [date] 2020.

[Signature]

Judge, Superior Court, Richmond County
State of Georgia

PREPARED BY:

George L. Lewis
Georgia Bar No. 450377
Katherine E. Lewis
Georgia Bar No. 458305

LBWIS LAW
P.O. Box 61509
Savannah, Georgia 31420
(912) 629-0671
STATE OF GEORGIA

COUNTY OF EFFINGHAM

WARRANTY DEED

THIS INDENTURE made and entered into this 3rd day of June, 1989, between DAVID S. CAPALLO, WILLIAM C. MEEHAN, and ROBERT A. WYNN, Grantors, and FRED E. EVANS and THU L. EVANS, of said State and County, Grantees:

WITNESSETH:

That the Grantors, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Grantees, their heirs and assigns, the following described property, to wit:

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia, known as Lot 9, said lot being particularly described with reference to a map or plat dated March 28, 1989, prepared by Lamar O. Reddick & Associates, Land Surveyors, for FRED EVANS and THU EVANS, and recorded in Plat Record Book 24, folio 138 in the office of the Clerk of Superior Court of Effingham County, Georgia, a copy of said map or plat being attached and marked as Exhibit "A". Said Lot 9 being described as follows: beginning at a marker located on the southeast corner of Lot 8 of the Coldbrook Plantation and proceeding thence South 34 degrees 27 minutes 09 seconds East a distance of 241.36 feet to a marker; thence South 38 degrees 04 minutes 50 seconds West a distance of 1,504.69 feet to a marker; thence South 38 degrees 06 minutes 17 seconds West a distance of 448.77 feet to a marker; thence North 52 degrees 25 minutes 29 seconds West a distance of 331.03 feet to a marker; thence North 42 degrees 07 minutes 57 seconds West a distance of 283.59 feet to a marker; thence North 21 degrees 30 minutes 50 seconds West a distance of 81.11 feet to a marker; thence North 00 degrees 53 minutes 42 seconds West a distance of 342.51 feet to a marker; thence
SUNTRUST BANK
RETURN TO:
Name: Debbie Eaton
Bank: SunTrust Consumer Lending Services
Address: P.O. Box 305053
Nashville, TN 37230-5053

RELEASE OF DEED TO SECURE DEBT

SUNTRUST BANK hereby declaring itself to be the true and lawful owner and holder of a promissory note made payable to SUNTRUST BANK which said note is secured by a Deed to Secure Debt, identified below and the obligation which it secures, has been paid and fully satisfied, and hereby consents to and directs that the Office of the Clerk of Superior Court is authorized and directed to cancel that deed of record as provided in SECTION 44-14-4 OF The Official Code of Georgia Annotated for other mortgage cancellations.

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, SunTrust Bank does hereby release said Deed to Secure Debt.

Grantor: FRED E EVANS AND THU L EVANS
Date of Deed to Secure Debt: DEC 7TH 1993
Original Principal Amount Secured by Deed to Secure Debt: $18,446.00
Place of Recording: EFFINGHAM County, GEORGIA
Date of Recording: DEC 16 1993
BOOK 347 PAGE 559
Grantee: TRUST CO BANK OF GA

IN WITNESS WHEREOF, SunTrust Bank has caused this release to be executed this 23RD day of DEC 2003.

WITNESSES:

Debbie Eaton

Angelica Munoz

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The foregoing instrument was acknowledged before me this 23RD day of DEC, 2003 by JOVETTA M. WOODARD., as its VICE PRESIDENT of the above identified SunTrust Bank on behalf of and as the act and deed of SunTrust Bank and who is personally known to me and who did not take an oath.

Account Number: 315-00086070040002
SAVANNAH

Revised 07/19/02

My Commission Expires NOV. 24, 2007
North 16 degrees 19 minutes 26 seconds West a distance of 82.47 feet to a marker; thence North 61 degrees 20 minutes 15 seconds East a distance of 1,856.11 feet to the point of beginning. Said Lot 9 containing more or less 30.13 acres. Said Lot 9 being bounded on the North by Lot 8 of the Coldbrook Plantation, on the East by the Southern Natural Gas Right of Way, on the South by Lots 11 and 10 of the Coldbrook Plantation, and on the West by Turkey Trail Road. For a more complete description of said lot and its exact metes and bounds, reference is hereby made to the aforesaid recorded map or plan of said Subdivision and Phase, which map or plan, by this reference, is incorporated herein and made a part her eof.

AND

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia, and in Chatham County, Georgia known as Lot 10, said lot being particularly described with reference to a map or plat dated March 28, 1989, prepared by Lamar O. Reddick & Associates, Land Surveyors, for FRED EVANS and THU EVANS, and recorded in Plat Record Book 24, folio 137 in the office of the Clerk of Superior Court of Effingham County, Georgia, a copy of said map or plat being attached and marked as Exhibit "A". Said Lot 10 being described as follows: beginning at a marker located on Turkey Trail Road and the Southern corner of Lot 9 of the Coldbrook Plantation and proceeding thence North 38 degrees 06 minutes 17 seconds East a distance of 448.77 feet to a marker; thence South 53 degrees 50 minutes 32 seconds East a distance of 805.98 feet to a marker; thence South 64 degrees 55 minutes 50 seconds West a distance of 62.85 feet to a marker; thence South 56 degrees 28 minutes 30 seconds West a distance of 198.50 feet to a marker; thence South 43 degrees 57 minutes 14 seconds West a distance of 227.07 feet to a marker; thence North 52 degrees 22 minutes 32 seconds West a distance of 691.48 feet to the point of beginning. Said Lot 10 containing more or less 7.65 acres. Said Lot 10 being bounded on the North by Lot 9 of the Coldbrook Plantation, on the East by Lot 11 of the Coldbrook Plantation, on the South by Beaver Court Road and on the West by Turkey Trail Road. For a more complete description of said lot and its exact metes and bounds, reference is hereby made to the aforesaid recorded map or plan of said Subdivision and Phase, which map or plan, by this reference, is incorporated herein and made a part hereof.

Said Lot 10 being part of the property conveyed to David S. Capallo, William C. Meehan, Robert R.
Quattlebaum, Lawrence Rathbun, and Robert A. Wynn by
the Georgia Baptist Foundation, Inc. December 1, 1986
and recorded in Deed Book 241, folio 54 in the office
of the Clerk of Superior Court of Effingham County,
Georgia on January 15, 1987, and transferred by
Lawrence Rathbun to the Grantors, said transference
being recorded in the Office of the Clerk of Superior
Court of Effingham County, Georgia in Deed Book 254,
Folio 264.

This conveyance is executed and delivered subject
to all valid restrictive covenants, easements and
rights-of-way of record, including, but not limited to
those Restrictive Covenants published December 14, 1988
by the Goldbrook Partnership.

This conveyance is executed and delivered subject
to that certain Timber Deed executed by the Grantors to
Georgia-Pacific Corporation dated January 16, 1989 and
recorded February 1, 1989 in the office of the Clerk of
Superior Court of Effingham County, Georgia in Deed
Book 263, Folio 655.

TO HAVE AND TO HOLD the same, together with all rights,
members, and appurtenances thereunto belonging or in anywise
appertaining to the said Grantees, to their own proper use,
benefit, and behoof, in as full, ample, and complete a manner as
the same was possessed or enjoyed by the said Grantors.
IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first above written.

David V. Capallo
DAVID S. CAPALLO

William C. Meehan

WILLIAM C. MEEHAN

Robert A. Winn

ROBERT A. WINN

Signed, sealed, and delivered in the presence of us, the day and year first above written.

Lynn A. Bennett
WITNESS

Karen M. Tootle
NOTARY PUBLIC, CHATHAM COUNTY GEORGIA

KAREN M. TOOTLE
Notary Public, Chatham County, Ga.
My Commission Expires July 15, 1990

Effingham County, Georgia
Real Estate Transfer Tax
Pll $ 9.20
Date 9-20-89
Effingham County

GEORGIA, COUNTY OF EFFINGHAM
Clerk's Office, Superior Court

Not for Record at 12 o'clock......P...SEP'T 20, 1989

Recorded in Deed Book........... Folio....

........................................... 19

........................................... Glo
DEED TO SECURE DEBT

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, made this 3rd day of July, 1989.

between FREE EARL EVANS and THU L. EVANS

of the State of GEORGIA and County of CHATHAM

Grantor, and

SEA ISLAND BANK

of the State of GEORGIA and County of EFFINGHAM

Grantee.

WITNESSETH: That, Whereas, Grantor is justly indebted to Grantee in the sum of

FIFTY-FIVE THOUSAND & NO/100 DOLLARS ($55,000.00)

in lawful money of the United States, and has agreed to pay the same, with interest thereon, according to the terms of a certain note (the "Note") given by Grantor to Grantee, bearing even date herewith, with final payment being due on MAY 17, 1992

the Note, by reference, being made a part hereof;

NOW, Therefore, in consideration of the premises and of the sum hereinabove set forth, Grantor has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following property, to-wit:

SEE ATTACHED EXHIBIT "A"

GEORGIA INTANGIBLE TAX PAID

$165.00

September 20, 1989

Henry J. Wilkins, Tax Comm.
EFFINGHAM COUNTY, GA.

TOGETHER with all buildings, structures and other improvements now or hereafter located on the property hereinbefore described, or any part and parcel thereof; and

TOGETHER with all rights, title and interest of Grantor in and to the minerals, flowers, shrubs, crops, trees, timber and other emblements now or hereafter on said property or under or above the same or any part or parcel thereof; and

TOGETHER with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging or in any wise pertaining, and all reversion or reversion, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, claim and demand whatsoever of Grantor in and to the same and of, in and to every part and parcel thereof; and

TOGETHER with all machinery, apparatus, equipment, fittings, fixtures, whether actually or constructively attached to said property and including all trade, domestic and ornamental fixtures, and articles of personal property of every kind and nature whatsoever (hereinafter collectively called "Equipment"), now or hereafter located in, upon or under said property or any part thereof and used or useable in connection with any present or future operation of said property and now owned or hereafter acquired by Grantor; including, but not limited to the generality of the foregoing, all heating, air-conditioning, freezing, lighting, laundry, ironing and power equipment; engines; pipes; pumps; tanks; motors; conduits; switchboards; plumbing; lifting; cleaning; fire prevention; fixtures; refrigerating; ventilating and communications apparatus; boilers; ranges; furnaces, oil burners or units thereof; appliances; air-cooling and air-conditioning apparatus; vacuum cleaning systems; elevators; escalators; shades; awnings; screens; storm doors and windows; stoves; wall beds; refrigerators; attached cabinets; partitions; ducts and compressors; rugs and carpets; draperies; furniture and furnishings; together with all additions thereto and replacements thereof; and Grantee hereby agreeing with respect to all additions and replacements to execute and deliver from time to time such further instruments as may be requested by Grants to confirm the conveyance, transfer and assignment of any of the foregoing; and

TOGETHER with any and all rents which are now due or may hereafter become due by reason of the renting, leasing and bailment of property improvements thereon and Equipment; and
Together with any and all awards or payments, including interest thereon, and the right to receive the same, as a result of (a) the exercise of the right of eminent domain, (b) the alteration of the grade of any street, or (c) any other injury to, taking of, or decrease in value of, the premises, to the extent of all amounts which may be allowed by law in connection with such award or payment, and of all claims, rights, causes of action, losses, damages, and expenses incurred by Grantee in connection with the collection of such award or payment.

To have and to hold the said premises hereby granted (all of which are collectively referred to herein as the "Premises") to the use, benefit and enjoyment of the Grantor and his assigns, forever, in fee simple.

Grantee warrants that Grantor has good title to the Premises, and is lawfully seized and possessed of the Premises and every part thereof, and has the right to convey same, that the Premises are unencumbered except as may be herein expressly provided; and that Grantee will forever and hereafter defend the Premises unto Grantor against the claims of all persons, so far as the same can be defended by the instrument hereof.

This instrument is a deed and security agreement passing legal title pursuant to the laws of the State of Georgia governing loan or security deeds and security agreements and is not to be construed as a security agreement under the Note in accordance with the terms thereof, together with any and all other indebtedness now owing or which may hereafter be owing to Grantor by Grantee, however incurred, including advances by the Grantor or any transferee of the Grantor for the purpose of paying taxes or other charges, payments required in connection with the Premises (whether or not such taxes or other charges, payments or advances are made prior to or subsequent to the execution and delivery of this deed), and all renewals or renewals or extensions or modifications or modifications or consolidations or consolizations of the Note or other indebtedness, either in whole or in part (all of which are collectively referred to herein as the "Secured Indebtedness").

1. Grantee shall pay to Grantee the Secured Indebtedness with interest thereon as in the Note and this deed provided.

2. The term "payment" means the payment of a sum of money, payable in cash, or in any other manner, as may be agreed upon by the parties hereto. Grantee is to be paid by the owner of the real property described in the deed, in accordance with the terms and conditions of the deed and the Note. Any payment made by Grantee to Grantee shall be paid to Grantee by the owner of the real property described in the deed, in accordance with the terms and conditions of the deed and the Note.

3. In consideration of the payment of the Secured Indebtedness and the interest thereon, the grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.

4. The grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.

5. The grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.

6. The grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.

7. The grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.

8. The grantor hereby grants to the grantee a right, title, and interest in and to the Premises, subject to all the terms and conditions of this deed.
9. Upon the occurrence of any one of the following events (herein called "event of default"):

   (i) should Grantor fail to pay the Secured Indebtedness, or any part thereof, when and as the same shall become due and payable;
   (ii) should any warranty of Grantor herein contained, or contained in any instrument, transfer, conveyance, assignment or loan agreement given or entered into by Grantor, or in any Secured Indebtedness, prove false or misleading in any material aspect;
   (iii) should the Premises be subject to actual or threatened waste, or any part thereof be removed, demolished or materially altered so that the value of the Premises be diminished as hereinafter provided except as provided for in Article 7 hereof;
   (iv) should any federal tax lien or claim of lien for labor or material be filed of record against Grantor or the Premises and not be removed by payment or bond within 30 days from date of recording;
   (v) should any claim of priority to this deed by title, lien or otherwise be asserted in any legal or equitable proceeding;
   (vi) should Grantor, if a corporation, be liquidated, dissolved or chaper or otherwise be dissolved, or, if a partnership or business association, be dissolved, reorganized, continued or otherwise be terminated or expire;
   (vii) should the Grantor make an assignment for the benefit of creditors, file or have filed against Grantor a petition for relief under any chapter of the Bankruptcy Code, or should any other receiver, trustee, or assignee be appointed for or of any part of the Premises for the benefit of creditors, in any form satisfactory to Grantor, Grantor’s successor in interest and any and all subrogation rights shall be additional and cumulative to the security to this instrument;

10. In the event of default, the entire Secured Indebtedness immediately due, payable and collectible, regardless of maturity, and, in that event, the entire Secured Indebtedness shall become immediately due, payable and collectible, and thereupon, Grantee may sell and dispose of the Premises at public or private sale, in the usual manner, in the county where the Premises are located, or in such other county as the Grantor shall designate, at any time after the occurrence of an event of default hereunder, without reference to the Grantor or any other party and without notice, to any person, except to the Grantor, and shall have the right to execute such conveyances, assignments and agreements as may be necessary to secure the Premises to the purchaser or purchasers at such sale to any person, corporation, or association to be aforesaid, and the purchaser or purchasers shall be the successors in interest of the Grantor and shall be entitled to all of the rights of the Grantor and shall be entitled to all of the rights of the Grantor and any other party who may have any interest thereunder, at any sale or otherwise.

11. All or any part of the Premises is sold, conveyed or otherwise transferred without obtaining the prior written consent of Grantor, and the entire Secured Indebtedness shall become immediately due, payable and collectible, and all of the rights of the Grantor, herein granted, and all of the rights of the Grantor, herein granted, shall be immediately and without notice exercised by the Grantor and any other party, without prejudice to the rights of the Grantor and any other party, without prejudice to the rights of the Grantor and any other party, and if any part thereof may be, to the

12. The Grantor hereby waives and renounces all homestead and exemption rights provided for by the Constitution and Laws of the United States or the State of Georgia, and to the Premises as the collection of the Secured Indebtedness, or any part thereof, and Grantor agrees that where, by the terms of the conveyance or the Note secured hereby, a day is named or fixed for the payment of any sum of money or the performance of any act required hereby, this time stated enters into the consideration of the entire Premises, and if any part thereof may be, to the

13. The rights of Grantor, granted and arising under the clauses and covenants contained in this deed and the Note, shall be separate, distinct and cumulative of other powers and rights herein granted and all other rights of the Grantor which Grantor may have in law or equity, and none of them shall be in preservation as security of law except as provided by law for the Secured Indebtedness only, prior to such sale or transfer (a) Grantor determines that the credit of all cash or other payment on account of the Premises or any Secured Indebtedness is paid in full, and (b) the purchaser or transferee executes an assumption agreement that is acceptable to Grantor and that obligates the purchaser or transferee to pay in full, and (c) the purchaser or transferee executes an assumption agreement that is acceptable to Grantor and that obligates the purchaser or transferee to pay in full, and (d) the purchaser or transferee executes an assumption agreement that is acceptable to Grantor and that obligates the purchaser or transferee to pay in full, and (e) the purchaser or transferee executes an assumption agreement that is acceptable to Grantor and that obligates the purchaser or transferee to pay in full, and (f) the purchaser or transferee executes an assumption agreement that is acceptable to Grantor and that obligates the purchaser or transferee to pay in full.

14. Any indulgence or delay on the part of the Grantees or their successors in granting any security for the amount due the Grantee, or the acquiescence of any person or corporation liable for the payment of such amounts.

In case of any sale under this deed by virtue of the exercise of the power herein granted, or pursuant to any order in any judicial proceedings or otherwise, the Premises or any part thereof may be sold in one parcel and as entirety, or in such parcels, manner or order as Grantor in its sole discretion may elect, and one or more exercises of the powers herein granted shall not extinguish or exhaust the power unless the entire Premises are sold and the entire Secured Indebtedness paid in full.

Signed, sealed and delivered in the presence of:

FRED BAILD EVANS

THU L. EVANS

Notary Public

County

EXHIBIT "A"

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia, known as Lot 9, said lot being particularly described with reference to a map or plat dated March 28, 1989, prepared by Lamar O. Reddick & Associates, Land Surveyors, for FRED EVANS and THU EVANS, and recorded in Plat Record Book 24, folio 138 in the office of the Clerk of Superior Court of Effingham County, Georgia, a copy of said map or plat being attached and marked as Exhibit "A". Said Lot 9 being described as follows: beginning at a marker located on the southeast corner of Lot 8 of the Coldbrook Plantation and proceeding thence South 34 degrees 27 minutes 09 seconds East a distance of 241.36 feet to a marker; thence South 38 degrees 04 minutes 50 seconds West a distance of 1,584.69 feet to a marker; thence South 38 degrees 06 minutes 17 seconds West a distance of 448.77 feet to a marker; thence North 52 degrees 25 minutes 29 seconds West a distance of 331.03 feet to a marker; thence North 42 degrees 07 minutes 57 seconds West a distance of 283.59 feet to a marker; thence North 21 degrees 30 minutes 50 seconds West a distance of 81.11 feet to a marker; thence North 00 degrees 53 minutes 42 seconds West a distance of 342.51 feet to a marker; thence North 16 degrees 19 minutes 26 seconds West a distance of 82.47 feet to a marker; thence North 61 degrees 20 minutes 15 seconds East a distance of 1,856.11 feet to the point of beginning. Said Lot 9 containing more or less 30.13 acres. Said Lot 9 being bounded on the North by Lot 8 of the Coldbrook Plantation, on the East by the Southern Natural Gas Right of Way, on the South by Lots 11 and 10 of the Coldbrook Plantation, and on the West by Turkey Trail Road. For a more complete description of said lot and its exact metes and bounds, reference is hereby made to the aforesaid recorded map or plan of said Subdivision and Phase, which map or plan, by this reference, is incorporated herein and made a part hereof.

AND

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia, and in Chatham County, Georgia known as Lot 10, said lot being particularly described with reference to a map or plat dated March 28, 1989, prepared by Lamar O. Reddick & Associates, Land Surveyors, for FRED EVANS and THU EVANS, and recorded in Plat Record Book 24, folio 137 in the office of the Clerk of Superior Court of Effingham County, Georgia, a copy of said map or plat being attached and marked as Exhibit "A". Said Lot 10 being described as follows: beginning at a marker located on Turkey Trail Road and the Southern corner of Lot 9 of the Coldbrook Plantation and proceeding thence North 38 degrees 06 minutes 17 seconds East a distance of 448.77 feet to a marker; thence South 53 degrees 50 minutes 32 seconds East a distance of 805.98 feet to a marker; thence South 64 degrees 55 minutes 50 seconds West a distance of 62.85 feet to a marker; thence South 56 degrees 28 minutes 30 seconds West a distance of 198.50 feet to a marker; thence South 43 degrees 57 minutes 14
records West a distance of 227.07 feet to a marker; thence North 62 degrees 22 minutes 32 seconds West a distance of 691.46 feet to the point of beginning. Said Lot 10 containing more or less 7.65 acres. Said Lot 10 being bounded on the North by Lot 9 of the Coldbrook Plantation, on the East by Lot 11 of the Coldbrook Plantation, on the South by Bever Court Road and on the West by Thrity Trail Road. For a more complete description of said lot and its exact metes and bounds, reference is hereby made to the foregoing recorded map or plan of said Subdivision and Phase, which map or plan, by this reference, is incorporated herein and made a part hereof.

Said Lot 10 being part of the property conveyed to David S. Capello, William C. Meehan, Robert R. Quattlebaum, Lawrence Rathbun, and Robert A. Wynn by the Georgia Baptist Foundation, Inc. December 1, 1986 and recorded in Deed Book 241, folio 54 in the office of the Clerk of Superior Court of Effingham County, Georgia on January 15, 1987, and transferred by Lawrence Rathbun to the Grantors, said transfer being recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia in Deed Book 254, Folio 264.

This conveyance is executed and delivered subject to all valid restrictive covenants, easements and rights-of-way of record, including, but not limited to those Restrictive Covenants published December 14, 1986 by the Coldbrook Partnership.

This conveyance is executed and delivered subject to that certain Timber Deed executed by the Grantors to Georgia-Pacific Corporation dated January 10, 1989 and recorded February 1, 1989 in the office of the Clerk of Superior Court of Effingham County, Georgia in Deed Book 263, folio 655.
Subject: Sketch Plan (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: September 19, 2022
Item Description: Gregg Howze requests approval of a sketch plan for “Parcel 465-TPO Clearing and Grading”. Located on Highway 21 South. Zoned B-3. Map# 465 Parcel# 3TPO

Summary Recommendation
Staff has reviewed the application, and recommends approval of a sketch plan for “Parcel 465-TPO Clearing and Grading”.

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 parcel is in the B-3 zoning district. There are no development plans at this time. The sketch plan is submitted in order to apply for a land disturbing activity (LDA) permit, so the property can be cleared for marketing.
- At the July 11, 2022 pre-application meeting, staff provided feedback on the requirements for a sketch plan when no particular development is planned. The applicant made revisions as requested.
  - Access to the site from Hwy 21 will be aligned with the traffic signal at McCall Road. Access to county ROW will be facilitated through the existing stub-out extending from Goshen Commercial Drive.
  - The onsite stormwater bypass ditch will outfall to Hwy 21.
  - The limits of clearing and grading are shown on the sketch plan; all drainage features are labelled
- Staff will follow-up with a Notice to Proceed summarizing requirements and recommendations.

Alternatives
1. Approve the sketch plan for “Parcel 465-TPO Clearing and Grading”.
2. Deny the sketch plan for “Parcel 465-TPO Clearing and Grading”.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

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

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

Proposed Name of Subdivision Parcel 465-3 TPO Clearing & Grading

Name of Applicant/Agent Gregg Howze Phone 912-663-8588
Company Name H and H Real Estate Investments, Inc.
Address 130 San Marco Drive, Tybee Island, GA 31328
Owner of Record H and H Real Estate Investments, Inc. Phone
Address Same as applicant
Engineer EMC Engineering Services, Inc. Phone 912-644-3207
Address 27 Chatham Center South, Suite A Savannah GA 31405
Surveyor Phone
Address

Proposed water Effingham County Proposed sewer Effingham County
Total acreage of property 29.91 Acreage to be divided n/a Number of Lots Proposed 1
Current Zoning B-3 Proposed Zoning B-3 Tax map – Block – Parcel No 04650003TPC
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 29 day of JUNE, 2022

Applicant

Notary

Owner

[Signature]

[Signature]
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>
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<th>Office Use</th>
<th>Applicant Use</th>
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(a) Project Information:

✓  1. Proposed name of development.
✓  2. Names, addresses and telephone numbers of owner and applicant.
✓  3. Name, address and telephone number of person or firm who prepared the plans.
✓  4. Graphic scale (approximately 1"=100') and north arrow.
✓  5. Location map (approximately 1" = 1000').
✓  6. Date of preparation and revision dates.
N/A  7. Acreage to be subdivided.

(b) Existing Conditions:

✓  1. Location of all property lines.
✓  2. Existing easements, covenants, reservations, and right-of-ways.
✓  4. Sidewalks, streets, alleys, driveways, parking areas, etc.
✓  5. Existing utilities including water, sewer, electric, wells and septic tanks.
✓  6. Natural or man-made watercourses and bodies of water and wetlands.
✓  7. Limits of floodplain.
✓  8. Existing topography.
N/A  10. Level Three Soil Survey (if septic systems are to be used for wastewater treatment).

(c) Proposed Features:

✓  1. Layout of all proposed lots.
✓  2. Proposed new sidewalks, streets, alleys, driveways, parking areas, etc (to include proposed street/road names).
✓  3. Proposed zoning and land use.
✓  4. Existing buildings and structures to remain or be removed.
✓  5. Existing sidewalks, streets, driveways, parking areas, etc., to remain or be removed.
✓  6. Proposed retention/detention facilities and storm-water master plan.
The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This ___________ day of ___________, __________.

[Signature]

Notary

[Notary Seal]

[Owner]

[Owner Signature]
September 12th 2022
CC: Liberto Chacon, P.E.
     Eric Larson, P.E.
     Teresa Concannon, AICP
     Chelsie Fernald

Travis Bazemore
EMC Engineering Services
27 Chatham Center South, Suite A
Savannah, GA 31405

Dear Mr. Bazemore,

I am pleased to provide you with a recommendation for Approval of the revised sketch plan submitted under the title of Parcel No. 465-3TPO Clearing & Grading.

Site Plan Review

Submittal Documents Sketch Plan (Clearing & Grading) ........................................ Aug. 2022

We have reviewed the submittal for the referenced project. The plans were reviewed for general conformance with the requirements of Effingham County. This review of the submitted site plans does not relieve the Owner, Designer and Contractor, or their representatives, from their individual or collective responsibility to comply with the applicable provisions of the County, State and Federal Laws and Engineering Standards, and all Development Codes that apply to Effingham County. This review is not to be construed as a check of every item in the plans or construction. Failure of this office to note any conflict with said requirements does not relieve the developer from compliance.

To the best of our knowledge, information and belief, it is our opinion that the sketch plan is in general conformance with Effingham County’s applicable design standards, codes and ordinances. We hereby recommend Approval of the proposed sketch plan.

Please contact me if you have any questions. I can be reached via email or phone at tshoemaker@eomworx.com or 912-445-0050 ext. 2400.

Sincerely,

Trevor Shoemaker
Trevor Shoemaker
Project Manager
EOM
August 25, 2022

Mr. Eric Larson, PE  
County Engineer  
Effingham County, GA

RE: Parcel No. 465-3TPO Clearing & Grading Sketch Plan  
EMC Project # 22-0014

Dear Mr. Larson:

We received plan review comments from EOM Operations (Trevor Shoemaker) dated August 18, 2022 and the following responses are how they have been addressed:

1. Access to the future development from the County ROW shall be facilitated through the existing stub-out extending from Goshen Commercial Dr. The access to site from the State ROW will need to be aligned with McCal Road. The proposed stormwater pond and site grading will need to be revised to provide adequate space for future access from these locations.
   The plan has been revised to provide space for future access on to SR 21 and Goshen Commercial Drive.

2. Some grade lines should be shown for the proposed on-site stormwater ditch. Connectivity to the intended receiving stormwater system needs to be included.
   The on-site stormwater ditch is a bypass ditch for flows coming on to the project site. It will flow and outfall into SR 21 ROW. The centerline of the ditch has flow arrows on it which delineate the direction of the flow.

3. Please identify what extents of the site are intended to be cleared and graded during the proposed LDA. As shown, only the pond and onsite drainage ditch is shown to have improvements.
   a. Please show the proposed grading for the full extent of the site, such that it is clear how stormwater will be routed through the site. Given that the majority of the developable area is currently wetland, it is likely that this area will be graded as well.
   b. Provide any information that will bring clarity to how the proposed grading plan intends to manage off-site stormwater runoff.
   The sketch plan submitted is showing the proposed woodsline, which will be the limits of clearing, but was not labeled. The plan has been revised to show this being labeled. Flow arrows and labels have also been added to the plans showing how off-site and on-site runoff drains into the pond. The proposed stormwater ditch has been labeled as a bypass ditch.

4. Label specific stormwater management features such as:
   a. Berm/Ditch that defines the pond shape
      Pond Berm has been labeled on revised sketch plan as requested.
b. Weir-Outfall location for the pond.
   Pond Outfall has been labeled on revised sketch plan as requested.

c. The outlet of the proposed onsite drainage ditch
   Proposed drainage ditch outfalls into the GDOT ROW

d. The stormwater inlets from off-site and on-site to stormwater management features.
   Proposed stormwater pipes are already labeled on the plans. There are no proposed inlets.

5. Ponds must be a minimum of 50 ft from property lines.
   This is not applicable for this project.

6. Is the “Approximate Location of Project Access” the access point for the clearing and grading process only, or is this intended to be a development site access point as well?
   Yes this access will be temporary to complete the current proposed project, which is to clear and rough grade the site only. Another sketch plan will be required for any future development and will show any proposed access points.

7. Is that a culvert being proposed at the “Approximate Location of Project Access”. Please provide additional information.
   Yes there will be a storm pipe needed for this access point to be able to cross over the bypass ditches. Pipe has been labeled on the plans.

8. A proposed drainage easement should be indicated on the sketch plan for the stormwater ditch being installed to facilitate stormwater from the pond on the adjacent site to the public row. See the Effingham County Stormwater Management Local Design Manual for dimensions.
   Drainage easements have been shown and labeled on the plan for the stormwater pond and bypass ditch.

9. Is this site intended to be subdivided at any point in the development process?
   At this time we have no idea what the property owner intends to do with the property other than clear and rough grade it and get it ready to market to sell for potential development in the future. It is possible that it could be subdivided in the future.

Sincerely,

Travis Bazemore
Senior Design Engineer