EFFINGHAM COUNTY PLANNING BOARD  
(TENTATIVE) MEETING AGENDA  
Effingham County Administrative Complex  
Commission Meeting Chambers  
804 S. Laurel Street, Springfield, GA 31329  
March 21, 2022 — 6PM  

(Also aired via Zoom) Dial: +1 301 715 8592  
Meeting ID: 813 3598 8234; Passcode: 820424  
https://us06web.zoom.us/j/81335988234?pwd=VEFSSXliTGRWL3NTdGpQNU93ZHLrUT09

The Georgia Conflict of Interest in Zoning Actions Statute (O.C.G.A. §§ 36-87A-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></td>
<td></td>
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<tr>
<td>II. Invocation</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>
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</tr>
<tr>
<td>V. Minutes</td>
<td>Approval of the February 14, 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>
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</tr>
<tr>
<td>01 Public Hearing</td>
<td>Zeny Carmen Rafael request to rezone 3 of 14 acres from AR-1 to AR-2 to allow for the separation of a home site. Located at 591 Zittrower Road. (First District) [Map# 374 Parcel# 29]</td>
<td></td>
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</tr>
<tr>
<td>02 Sketch Plan</td>
<td>Buckel Design Group, LLC as Agent for Drayton – Parker Companies, LLC: requests approval of a sketch plan for “Parker’s Kitchen at US 80 &amp; SR 17”. Located at US Highway 80 &amp; GA Highway 17 South, zoned B-3. (First District) [Map# 378 Parcels# 40 &amp; 41]</td>
<td></td>
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</tr>
<tr>
<td>03 Public Hearing</td>
<td>Alan Fred Hazard Jr. request to rezone 3.5 acres from AR-1 to AR-2 to allow for the creation of two lots under 5 acres. Located at 3535 Noel C. Conaway Road. (Second District) [Map# 436 Parcel# 44]</td>
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<tr>
<td><strong>04 Public Hearing</strong></td>
<td><em>Shelley McCraw</em> requests a conditional use for a rural business. Located at 238 Griffin Lake Road, zoned AR-1. (Third District) [Map# 234 Parcel# 7]</td>
<td></td>
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</tr>
<tr>
<td><strong>05 Public Hearing</strong></td>
<td><em>LaVon Morell</em> requests to rezone 3.84 of 10.15 acres from AR-1 to AR-2, to allow for the separation of a home site. Located at 151 Savannah Town Road. (Third District) [Map# 264 Parcel# 23]</td>
<td></td>
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</tr>
<tr>
<td><strong>06 Public Hearing</strong></td>
<td><em>Katie McGrory Brown</em> requests a conditional use for a rural business. Located at 716 Floyd Avenue, zoned AR-1. (Third District) [Map# 296 Parcel# 27]</td>
<td></td>
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</tr>
<tr>
<td><strong>07 Public Hearing</strong></td>
<td><em>Jonathan Yates</em> as Agent for <em>Donald A. &amp; Lyn M. Wester</em> request to rezone 38.495 acres from R-1 to AR-1. Located at 2800 Little McCall Road. (Fourth District) [Map# 392 Parcel# 2A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>08 Public Hearing</strong></td>
<td><em>Jonathan Yates</em> as Agent for <em>Donald A. &amp; Lyn M. Wester</em> requests a conditional use to allow for a telecommunications tower. Located at 2800 Little McCall Road, zoned R-1 proposed zoning AR-1. (Fourth District) [Map# 392 Parcel# 2A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>09 Public Hearing</strong></td>
<td><em>On Site Truck Maintenance, LLC</em> as Agent for <em>William Henry Webb</em> requests a conditional use to allow for a semi-truck service business. Located at 1105 Stillwell Road. (Fourth District) [Map# 409 Parcel# 49A]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>10 Public Hearing</strong></td>
<td><em>DR Horton</em> requests a variance from section 6.1, to eliminate the sidewalk requirement for 136 Ramsey Way. Located at Ramsey Landing subdivision, zoned R-1. (Fourth District) [Map# 445C Parcel# 141]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>11 Public Hearing</strong></td>
<td><em>Dennis Trotter</em> as Agent for <em>Krista Seckinger</em> requests to rezone 2 of 23.32 acres from AR-1 to B-2, to allow for the future development of a Dollar General store. Located at 1369 Ebenezer Road. (Fourth District) [Map# 460 Parcel# 48]</td>
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<tr>
<td><strong>VIII. Adjournment</strong></td>
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</tbody>
</table>
Staff Report

Subject: Rezone (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Zeny Carmen Rafael requests to rezone 3 of 14 acres from AR-1 to AR-2 to allow for the separation of a home site. Located at 591 Zittouer Road. Map# 374 Parcel# 29

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 3 of 14 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 applicant wishes to separate a 3-acre home site, and, therefore, must rezone the 3 acres to AR-2.

Alternatives
1. Approve the request to rezone 3 of 14 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 3 of 14 acres from AR-1 to AR-2 to allow for the separation of a home site.

Recommended Alternative: 1
Other Alternatives: 2
Department Review: Development Services
FUNDING: N/A
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

<table>
<thead>
<tr>
<th>APPROVAL</th>
<th>DISAPPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of the rezoning request by applicant Zeny Carmen Rafael – (Map # 374 Parcel # 29) from <strong>AR-1</strong> to <strong>AR-2</strong> zoning.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>1. Is this proposal inconsistent with the county’s master plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>2. Could the proposed zoning allow use that overload existing or proposed public facilities such as street, utilities or schools?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>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?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>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?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>7. Are nearby residents opposed to the proposed zoning change?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>8. Do other conditions affect the property so as to support a decision against the proposal?</td>
</tr>
</tbody>
</table>
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 2/10/2023

Applicant/Agent: Zeny Carmen Rafael

Applicant Email Address: Zeny.carmen@Gmail.com

Phone #: 912-245-1080

Applicant Mailing Address: 591 Zithrower Rd

City: Guyton State: GA Zip Code: 31312

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

Owner’s Email Address (if known): Zeny.carmen@Gmail.com

Phone #: 912-245-1080

Owner’s Mailing Address: 591 Zithrower Rd

City: Guyton State: GA Zip Code: 31312

Property Location: 591 Zithrower Rd

Proposed Road Access: AR-1 AR-3

Present Zoning of Property: AG1 Proposed Zoning: AG2/AG1

Tax Map-Parcel # 374-29 Total Acres: 14 Acres to be Rezoned: 3

Lot Characteristics: Residence vacant

WATER

✓ Private Well

✓ Public Water System

If public, name of supplier:

SEWER

✓ Private Septic System

✓ Public Sewer System

Justification for Rezoning Amendment: sell part of acreage

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

North A61 South A61 East A61 West A61

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

   Backyard

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.

   Housing

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

   Residential

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

   Residential use

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

   No

Applicant Signature: ___________________________ Date 02/10/2022
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 10/25/2013, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2218, page 980.

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 Zeny Carmen Rafael

Owner's signature ______________________________

Print Name William Wesley Peterson

Owner's signature ______________________________

Print Name ______________________________

Sworn and subscribed before me this 10th day of February, 20__.

Kathleen Erin Dunn

Notary Public, State of Georgia

Rev 05052021
Return Recorded Document to:
Carellas & Newberry P.C.
440 Silverwood Centre Drive
Post Office Box 2599

Rincon, Georgia 31326

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Effingham

This Indenture made this 25th day of October, 2013 between Joe B. Oliver, Jr and Julie E. Oliver , of the County of Effingham, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and William Wesley Peterson , as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

All that certain lot, tract or parcel of land situate, lying and being in the 1559th G.M. District, Effingham County, Georgia, being known as Parcel B, as shown and more particularly described on that certain map or plan made by Terry G. Hatchell, R.I.S. #2166, dated March 4, 2008, recorded in Plat Cabinet C, Slide 199 A 1, in the records of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

This being the same property conveyed by Deed of Gift from Joe B. Oliver, Jr. to Julie E. Oliver, conveying a one-half interest, dated May 14, 2008, recorded in Deed Book 1755, page 276, aforesaid records.

This Deed is given subject to all easements and restrictions of record, if any.

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

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

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

Signed, sealed and delivered in the presence of:

Witness

Notary Public

(Seal)

Joe B. Oliver, Jr by H.B. Attorney In Fact

Julie E. Oliver

Julie E. Oliver

(Seal)

(Seal)
February 22, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
   Zeny Carmen Rafael
   591 Zitrouer Road, Guyton GA 31312
   Pin: 374-29
   Total Acres: 14 Acres to be rezoned: 3.0

To Whom It May Concern:

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

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with
   Soil Suitability Description.
4. The following signature block should be used on all plats that require Health
   Department approval
   Based upon the representations of the engineer/surveyor whose seal is affixed
   hereto and supplementary information provided, a review of the plat as represented
   by the said engineer/surveyor finds that this plat complies with the OSSMS
   regulations for a typical size residence of 3 or 4 bedrooms with basic
   appurtenances. Each lot must be reviewed and approved for On-Site Sewage
   Management System placement prior to the issuance of a construction permit.
   Modifications or changes in site designation may void this approval.
This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

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

Sincerely,

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

Subject: Sketch Plan (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Buckel Design Group, LLC as Agent for Drayton-Parker Companies, LLC requests approval of a sketch plan for: “Parker’s Kitchen at US 80 & SR 17”. Located at US Highway 80 & GA Highway 17 South, zoned B-3. Map# 478 Parcels# 40 & 41

Summary Recommendation
Staff has reviewed the application, and recommends approval of a sketch plan for: “Parker’s Kitchen at US 80 & SR 17”.

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.
- Development Services and DPH staff met with the development team on 1/12/2022 via teleconference, and discussed septic system design & approval; stormwater requirements; and fire department requirements (community v. private well). The recombination plat must be recorded before submittal or septic system plans for DPH review.
- The applicant proposes to obtain water service from Water Utility Management.
- All proposed driveways are on state roads. GDOT encroachment permits will be required for site development approval. A 30’ vegetative buffer is required on property boundaries adjacent to R and AR properties.
- The development does not trigger a regional review, as it does not contain more than three diesel fuel pumps, or a half acre of truck parking, or 10 truck parking spaces. Any increase in these features will trigger a regional review.
- Staff directed the design engineers to provide adequate turn radius for trucks to safely access the property form Hwy 17 & Hwy 80.
- A Traffic Impact Assessment is required, and will include analysis of traffic counts and turn lane warrants.
- After Sketch Plan approval, staff will follow-up with a Notice to Proceed, summarizing requirements and recommendations.

Alternatives
1. Approve request for a sketch plan for: “Parker’s Kitchen at US 80 & SR 17”.
2. Deny the request of a sketch plan for: “Parker’s Kitchen at US 80 & SR 17”.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

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

Proposed Name of Subdivision__ Parker's Kitchen at US 80 & SR 17
Name of Applicant/Agent__ Joshua Cox, PE ______________ Phone__ 404-796-8016
Company Name__ Buckel Design Group, LLC
Address__ 3471 Donaville Street, Duluth, GA 30096
Owner of Record__ Drayton-Parker Companies, LLC ______________ Phone__ 912-677-0593
Address__ 17 W. McDonough St., Savannah, GA 31401
Engineer__ Buckel Design Group, LLC / Joshua Cox, PE ______________ Phone__ 404-796-8016
Address__ 3471 Donaville Street, Duluth, GA 30096
Surveyor__ Survey Matters / Nick Mansfield ______________ Phone__ 864-451-0176
Address__ 137 Hillcrest Avenue, Simpsonville, SC 29681

Proposed water__ Water Utility Management Proposed sewer__ on-site treatment w/ septic disposal field
Total acreage of property__ 6.25 Acreage to be divided__ N/A Number of Lots Proposed__ N/A
Current Zoning__ E-3 Proposed Zoning__ N/A Tax map – Block – Parcel No 378-40 & 378-34
Are any variances requested?__ TBD If so, please describe:__ None identified thus far

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

This __________ day of February 2021

Applicant

Notary

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

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

8. Water distribution infrastructure master plan. To be provided by WUM separately.

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

This 11th day of February, 2022

Applicant

Owner

Notary
# BEST, Inc

Bradshaw Environmental Soil Technology, Inc.
P. O. Box 88, Rincon, Georgia 31326

cell: 912-665-0485

**Level 3 Report**

<table>
<thead>
<tr>
<th>County:</th>
<th>Effingham</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>December 6, 2021</td>
</tr>
<tr>
<td>Owner:</td>
<td>Drayton Parker Companies, LLC</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td></td>
</tr>
<tr>
<td>Site Location Address:</td>
<td>2917 US Highway 80</td>
</tr>
<tr>
<td>Subdivision:</td>
<td></td>
</tr>
<tr>
<td>Lot No:</td>
<td></td>
</tr>
<tr>
<td>Map Scale:</td>
<td>1 inch = 100 feet</td>
</tr>
</tbody>
</table>

## Soil Properties

<table>
<thead>
<tr>
<th>Soil Series</th>
<th>Slope</th>
<th>Seasonal High Water Table from existing surface (inches)</th>
<th>Absorption Rate at Recommended Trench Depth (minutes/inch)</th>
<th>Recommended Trench Depth from existing surface (inches)</th>
<th>Suitability Code</th>
<th>Topsoil thickness (inches)</th>
<th>Recommended Height of Mound based on trench depth of 18 inches</th>
<th>24 inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blanton - High</td>
<td>0</td>
<td>48</td>
<td>10</td>
<td>24</td>
<td>A</td>
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<td>10</td>
<td>12</td>
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<td>C</td>
<td>10</td>
<td>30</td>
<td>36</td>
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</tbody>
</table>

## Suitability Code

**A**: These soils are suitable for installation of on-site systems with proper system design, installation and maintenance.

**C**: Because of flooding, shallow seasonal water tables, soil horizons with very slow percolation rates, perched water tables, or imperfect drainage, these soils are not suitable for installation of a conventional on-site system without site modifications, special design or installation. Non-conventional systems and installation must be approved by the local Environmental Health Specialist.

**F**: Because of soil limitations, these soils are unsuitable for installation of an on-site system.

**J**: These soils commonly have percolation rates that are too slow for installation of a conventional on-site system without special design or installation. Non-conventional system design and installation must be approved by the local Environmental Health Specialist.

---

The soil map will have delineated jurisdictional wetlands or approximate wetlands shown. If there are wetlands on the area soil mapped, then a 50 foot set back will be shown from the wetlands.

**Site Specific Notes**: Make sure the proposed adsorption field area is protected during construction of the home and is not allowed to become a storage area for fill dirt, or used for trash pits. Keep heavy equipment from parking or driving on the adsorption filled area. Do not install adsorption fields during wet or rainy periods. Do manage surface water away from drain fields with gutters and swells.

**Disclaimer**: Recommendations are site specific and if not followed will void this report. All recommendations are based on the original undisturbed soil unless otherwise stated. If the site is disturbed from cutting or filling after date of site visit, this report is null and void. Your local Department of Community Health holds full authority in the permitting of on-site disposal systems and may view the soil conditions differently than the Soil Classifier and will have the final say in their county.

**Signed**: Bradshaw
Staff Report

Subject: Rezoning (Second District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Alan Fred Hazard Jr. requests to rezone 3.5 acres from AR-1 to AR-2 allow for the creation of two lots under 5 acres. Located at 3535 Noel C Conaway Road. Map# 436 Parcel# 44

Summary Recommendation
Staff has reviewed the application, and recommends approval of request to rezone 3.5 acres from AR-1 to AR-2 allow for the creation of two lots under 5 acre, with conditions.

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant wishes to subdivide a parcel under 5 acres to create an additional home site and, therefore, must rezone it to AR-2.
- The parcel is located in Scuffletown Estates, a major 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,
    - Lot 1 has been subdivided. No other lots in Scuffletown Estates are less than 2 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.
    - No charge. A second home is already allowed on the AR-1 parcel. The applicant chooses to split the parcel, which requires it to be rezoned.
  - Whether the proposed resubdivision will adversely affect the values of other property within the previously platted subdivision in which the property is located, and
    - No change. A second home is already allowed on the AR-1 parcel.
  - Whether the proposed resubdivision is compatible with the purposes of the Effingham County subdivision regulations.
    - Yes. A second home is already allowed on the AR-1 parcel.

Alternatives
1. Approve the request to rezone 3.5 acres from AR-1 to AR-2 allow for the creation of two lots under 5 acres, with the following conditions:
   1. The lots must meet the requirements of the AR-2 zoning district.
   2. Revised major subdivision final plat must be approved by Environmental Health and the Board of Commissioners, and be recorded before the rezoning can take effect.
2. Deny the request to rezone 3.5 acres from AR-1 to AR-2 allow for the creation of two lots under 5 acres.

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:

APPROVAL_____ DISAPPROVAL_____

Of the rezoning request by applicant Alan Fred Hazard Jr. – (Map # 436 Parcel # 44) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

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

Applicant/Agent: Alan Fred Hazard Jr.

Applicant Email Address: Hazard.recovery@yahoo.com

Phone #: 912-346-3284

Applicant Mailing Address: 3585 Noel C. Conaway Rd.

City: Guyton State: GA Zip Code: 31312

Property Owner, if different from above: 

Owner’s Email Address (if known): 

Phone #: 

Owner’s Mailing Address: 

City: State: Zip Code: 

Property Location: 3585 Noel C. Conaway Rd.

Proposed Road Access: Pecan Lane + Noel C. Conaway


Tax Map-Parcel #: 436-44 Total Acres: 3.5 Acres to be Rezoned: 3.5

Lot Characteristics: Residence, accessory structures

WATER

_____ Private Well

_____ Public Water System

If public, name of supplier: 

SEWER

_____ Private Septic System

_____ Public Sewer System

Justification for Rezoning Amendment: Creating 2 lots under 5 acres

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

North South East West

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

Residential

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

Yes

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

Residential - creating new home site

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

Residential

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

Consistent use with surroundings

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: 2-3-22
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 March 18, 2016, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2387, page 29-80.

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 3rd day of February, 2022.

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 05052021
February 22, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
Alan Fred Hazard Jr.
3535 Noel C. Conaway Road, Guyton GA 31312
Pin: 436-44
Total Acres: 3.50 Acres to be rezoned: 3.50

To Whom It May Concern:

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

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval
   Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.
This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

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

Sincerely,

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

Subject: Conditional Use (Third District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Shelley McCraw requests a conditional use for a rural business. Located at 238 Griffin Lake Road, zoned AR-1. Map# 234 Parcel# 7

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a conditional use for a rural business, with conditions.

Executive Summary/Background
- The request for Rural Business Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article III-General Provisions, Section 3.15B - Rural Business. The Rural Business Conditional use requirements include consideration of:
  - Intent – the proposed business will provide “Mommy & Me” style development and enrichment classes for accompanied young children. As presented, this business would have little to no impact on surrounding properties.
  - Structure – the business will operate out of the existing dwelling, there is a proposed plan to relocate activity to an existing accessory structure which will be renovated for the purpose.
  - Square footage – Neither the area devoted to the business while in the home, nor the entirety of the accessory structure exceed 1,000 square feet.
  - Public Road Frontage – the property has frontage on Griffin Lake Road.
  - Acreage (3 minimum) – the property is 3 acres.

Alternatives
1. Approve request for a conditional use for a rural business, with conditions:
   1. The applicant must obtain an Effingham County Occupational Tax Certificate prior to the start of operation. The business license shall be maintained by annual renewal.
   2. The business shall conform, at all times, to rural business standards as outlined in Section 3.15B.
   3. Applicant shall meet all building permit requirements for the renovation/construction of accessory structures for use in the business.
2. Deny the request a conditional use for a rural business.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments: 1. Conditional Use application
2. Aerial photograph
3. Deed
ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: 1-25-2022

Applicant/Agent: Shelley McCraw

Applicant Email Address: mccraw.shelley1@gmail.com

Phone #: 904-466-9496

Applicant Mailing Address: 238 Griffin Lake Rd

City: Guyton State: Ga Zip Code: 31312

Property Owner, if different from above: Shelley McCraw

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): Same as above

Phone #: Same as above

Owner’s Mailing Address: Same as above

City: State: Zip Code:

Property Location: 238 Griffin Lake Rd, Guyton, Ga

Present Zoning of Property: AR-1 Tax Map-Parcel #234-7 Total Acres 3

CONDITIONAL USE REQUESTED:

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

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

OTHER (provide relevant section of code):

Reason: Mommy and me preschool classes - music, story-time, craft-time, pre-K and Kinder ready curriculum

How does request meet criteria of Section 7.1.6 (see Attachment C): meets requirements

Applicant Signature: Shelley McCraw Date 1-25-2022

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

7-13-2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2100 page 973-974

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

Owner's signature _________________________________

Print Name _________________________________

Owner's signature _________________________________

Print Name _________________________________

Owner's signature _________________________________

Print Name _________________________________

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

Kathleen Erin Dunnigan
Notary Public, State of Georgia
LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of July 1, 2021 by and between

James Travis Doyle
(Hereinafter referred to as the "Grantor"), and

Jared McCraw and Shelley McCraw
, as joint tenants with rights of survivorship
(Hereinafter referred to as "Grantee")

(the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits);

WITNESSETH, THAT:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto said Grantee:

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia, containing 3.00 acres, more or less, and being more and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 22, Folio 78. Said map or plat is hereby incorporated into this description by reference and made a part hereof to better determine the mates, bounds, courses and distances of the property herein conveyed.

Said property containing improvements thereon currently known as 238 Griffin Lake Road, Guyton, GA 31312, PIN 02340007,

(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 anywise appertaining, only to the proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.
AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.

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

Signed, sealed and delivered this 1st day of July, 2021, in the presence of:

[Signature]

Unofficial Witness

[Signature]

James Travis Doyle

Notary Public

My Commission Expires: 04/07/25
RURAL BUSINESS

"Rural business" means an occupation or profession which is conducted either entirely or partially within a dwelling, which is carried on by a principal practitioner who at all times maintains said dwelling as his or her permanent residence, and which employs no more than one employee who does not reside therein.

Rural businesses are permitted as a conditional use only in Agricultural Residential (AR-1 and AR-2) districts, and a rural business may be permitted in said district only if it meets the following criteria:

(a) Intent. A rural business shall be a small office or small-scale retail sales or service-type business which shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood service to the rural-residential area in which it is located. Rural businesses are intended to be of a smaller size, intensity, and scale than commercial uses which would be more commonly found in commercial or business zoning districts. Rural business activities may occur in an accessory structure detached from the principal residence or in a screened area outside of the dwelling. In addition, an applicant for a rural business must have established residency and be living in a residence upon the subject property prior to any application being filed for consideration by the zoning administrator. There are no restrictions on customers coming to the premises.

(b) Each rural business must be reviewed by the planning board and approved by the board of commissioners before any activities in connection with the occupation begin. The planning board may recommend to the board of commissioners that conditions be imposed to insure the orderly operation of the proposed business and its compatibility with the surrounding properties. The board of commissioners may place reasonable conditions on the proposed use as deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties. The planning board and board of commissioners shall hold public hearings as provided in article IX of this ordinance.

(c) Rural businesses shall be limited to no more than 1,000 square feet if in a structure, and 1,000 square feet of land if outside a structure. Should the use require both inside and outside area, the total area used may not exceed 1,000 square feet. If the rural business is to be conducted in the residence, no more than 45 percent of the heated floor space or 1,000 square feet, whichever is less, may be used for the business. The proposed size of the business shall be specified at the time that the application is submitted to the zoning administrator.

(d) Any additions or alterations to the residence which will be used for the rural business must be of an architectural style in keeping with the surrounding residential and agricultural development. Any structure built to house the business must be located to the side or rear of the residence, unless it is at least 100 feet from the front property line and meets all applicable side and rear setbacks. The structure must be readily and easily usable for customary agricultural and residential uses.
(e) Any outside area in which the business is conducted, other than parking area, shall be completely enclosed in a manner that the business is not visible from surrounding property.

(f) Only one nonilluminated sign not to exceed 16 square feet is permitted, location to be approved by the zoning administrator. Said location must be at least 15 feet from all property lines.

(g) No more than two commercial ventures (home occupations, residential businesses, and/or rural businesses) shall be allowed in any residence at one time.

(h) Property on which the rural business is proposed must have frontage on a public road.

(i) Parking for customers/clients must be provided on-site, and the location of the parking approved by the zoning administrator.

(j) Days and hours of operation requiring access by the public, customers and/or clients shall be Monday through Saturday, daylight hours only.

(k) Rural business shall be located on property containing at least three acres of land.

(l) Uses permitted (as Rural Businesses):

1. Offices;
2. Beauty shops, barber shops;
3. Retail sales or services of a specialty nature, such as antique shops, specialty food shops, custom furniture stores, custom-made sporting goods shops, and meat cutting as a retail service to the public provided, however, that no slaughtering or wholesale meat cutting or processing is permitted;
4. Small repair shops for appliances, machinery, farm equipment, or automobiles with the following limitations:
   a. Repair shops shall not create noise, noxious odors, or any hazard which would adversely affect the health, safety, or welfare of the adjoining property owners or the neighborhood in general;
   b. Repair shops shall operate during daylight hours only;
   c. No more than two vehicles shall actually be serviced, actively worked on, or repaired at any one time. Any pieces of machinery equipment or vehicles stored for service or awaiting pick-up after servicing shall be parked within an area reserved for that purpose (maximum 1,000 square feet) and designated at the time of approval by the board of commissioners. The storage area must be located to the side or rear of the shop building unless normal operation would generate large amounts of vehicular traffic.

(m) Uses not permitted as rural businesses:

1. Any use which clearly is out of scale or character with an agricultural or residential area.

(Ord. of 12-14-99(2), § 3; Amend. of 12-14-04(1))

APPENDIX C - ZONING ORDINANCE, ARTICLE III. GENERAL PROVISIONS, SECTION 3.15B
What Is Music Together®?

Music Together is an early childhood music and movement program for children from birth through age eight—and the grownups who love them! First offered in 1987, our music classes help little ones develop their innate musicality—and much, much more.

We've Done Our Homework

Our early childhood music curriculum has decades of research behind it, in both music education and child development. We know what we're talking about, and we're good at what we do! And because we recognize that children learn through play, we make everything we do in class engaging and fun.

We're All About Family

We also know that young children learn best from the powerful role models in their lives. That's where you grownups come in! Our family music classes show parents, teachers,
and caregivers how to help their children become confident music-makers just by having fun making music themselves.

We're All About Community

Music Together brings families of all kinds together in a warm, supportive environment where everyone feels comfortable singing, dancing, and jamming. Creating lasting family and community bonds through music is a huge part of our programs.

We're Worldwide

Our classes can be found in more than 3,000 locations in over 40 countries. No matter where they live, all Music Together families sing and dance to the same music in the same fun, informal class setting that is the hallmark of our program.

Use our Class Locator to find a list of classes in your neighborhood!
Picture of main residence with pole barn and external structure to be converted.
Pole barn to be used for outdoor classes
External structure to be converted into classroom
Picture of external structure on back of property
La Von Morell requests to rezone 3.84 of 10.15 acres from AR-1 to AR-2, to allow for the separation of a home site. Located at 519 Savannah Town Road. Map# 264Parcel# 23

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 3.84 of 10.15 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 applicant wishes to subdivide a parcel in a manner that creates one lot under 5 acres and, therefore, must rezone 3.84 acres to AR-2.

Alternatives
1. Approve the request to rezone 3.84 of 10.15 acres from AR-1 to AR-2, with the following conditions:
   1. The lot shall meet the requirements of the AR-2 zoning district.
   2. 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 3.84 of 10.15 acres from AR-1 to AR-2.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments:
1. Rezoning application
2. Ownership certificate
3. Deed
4. Aerial photograph
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ________ DISAPPROVAL ________

Of the rezoning request by applicant La Von Morell-- (Map # 264 Parcel # 23) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

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

Application Date: 2.4.2022

Applicant/Agent: LaVon Morell

Applicant Email Address: lvm88@comcast.com

Phone #: 912-656-6084

Applicant Mailing Address: 519 Savannah Town Road

City: Springfield State: GA Zip Code: 31329

Property Owner, if different from above: LaVon Morell

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address:

City: State: Zip Code:

Property Location: Savannah Town Road (519)

Proposed Road Access: Same


Tax Map-Parcel #: 264-2-3 Total Acres: 10.15 Acres to be Rezoned: 3.84

Lot Characteristics:

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 Parcel

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

North South East West

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

Home

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.

Home

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

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?

Home

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: Jolene Morell  Date: 2.4.2022
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

May 7, 2009, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1850 page 16.

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 4th day of February, 2022.

Notary Public, State of Georgia

Rev 05052021
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 385
SPRINGFIELD, GA 31329

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 7th day of May, 2009, between EDDIE MORELL, JR. of the FIRST PART, and LAVON MORELL of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the natural love and affection he has for son, the said SECOND PARTY herein, has granted, given, conveyed and confirmed and by these presents does grant, give, convey and confirm unto the said party of the SECOND PART, his heirs and assigns, all of the following described property, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 12th G.M. District of Effingham County, Georgia, containing a total of Ten and Fifteen Hundred (10.15) acres, more or less. Said Parcel of land being triangular in shape and being bounded on the northeast by Savannah Town Road; on the southeast by lands of Eddie Morell, Jr.; and on the southwest by lands of J.D. Usher.

Express reference hereby made to the plat of said lands made by Warren E. Poythress, R.L.S. #1953, dated December 17, 2008, recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "D", slide 260 A - 1, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members and appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, his heirs, executors, administrators and assigns, in FEIE-SIMPLE.

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:

EDDIE MORELL, JR. (SEAL)

Unofficial Witness

Official Witness - Notary Public

R. EDWARD REDDICK, JR.
Notary Public, Effingham County, Georgia
My Commission Expires August 23, 2010
February 22, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
Lavon Morell
519 Savannah Town Road, Springfield GA 31329
Pin: 264-23
Total Acres: 10.15 Acres to be rezoned: 3.84

To Whom It May Concern:

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

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

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

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.
This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

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

Sincerely,

Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
Staff Report

Subject: Conditional Use (Third District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Katie McGrory Brown requests a conditional use for a rural business to offer equine therapy to clients. Located at 716 Floyd Avenue, zoned AR-1. Map# 296 Parcel# 27

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a conditional use for a rural business, with conditions.

Executive Summary/Background
- The request for Rural Business Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article III-General Provisions, Section 3.15B - Rural Business. The Rural Business Conditional use requirements include consideration of:
  - Intent – Therapy conducted from an in-home office is an activity which will have little to no impact to surrounding residences. Equine therapy is suitable to the AR-1 zoning of the property. The applicant already has horses on site.
  - Structure – the therapy business will operate out of the existing dwelling. The interaction with horses will take place on the exterior portion of the property.
  - Square Footage – 200 square feet office space.
  - Public Road Frontage – the property has frontage on Floyd Avenue.
  - Acreage (3 minimum) – the property is 7.8 acres.
- The nature of the business will be therapy from an in-home office, and equine therapy.
- The applicant is an established therapist within Effingham County.

Alternatives
1. Approve the conditional use for a rural business, with the following conditions:
   1. The applicant must obtain an Effingham County Occupational Tax Certificate prior to the start of operation. The business license shall be maintained by annual renewal.
   2. The business shall conform, at all times, to rural business standards as outlined in Section 3.15B.
   3. Applicant shall meet all building permit requirements for the renovation/construction of accessory structures for use in the business.

2. Deny the conditional use for a rural business.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments: 1. Conditional Use application
2. Aerial photograph
3. Deed
ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: 01/10/23

Applicant/Agent: Katie Meloney Brown

Applicant Email Address: katieabrown2021eoutlook.com

Phone #: 912-441-1435

Applicant Mailing Address: 716 Floyd Ave
Guyton, GA 31312

Property Owner, if different from above:

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): katieabrown2021eoutlook.com

Phone #: 912-441-1435

Owner’s Mailing Address: 716 Floyd Avenue
Guyton, GA 31312

Property Location: 716 Floyd Avenue Guyton, GA 31312

Present Zoning of Property: AR-1 Tax Map-Parcel # 2916-27 Total Acres 7.8

CONDITIONAL USE REQUESTED:

Section 3.15A - RESIDENTIAL BUSINESS
See Section 3.15A for requirements

Section 3.15B - RURAL BUSINESS
See Section 3.15B for requirements

OTHER (provide relevant section of code):

Reason:

Applicant Signature: Katie Meloney Brown 01/10/23

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

Dec 29, 2021 on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2754 page 309-310

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

Owner’s signature

Katie McGrory Brown

Print Name

Katie McGrory Brown

Owner’s signature

Print Name

Owner’s signature

Print Name

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

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 05052021
LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of 29th day of December, 2021, by and between

Kody L. O’Neal
(Hereinafter referred to as the "Grantor"), and

Sharla D. Brown and Katharine A. Brown
(Hereinafter referred to as "Grantee")

WITNESSETH, THAT:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed by these presents does grant, bargain, sell, and convey and confirm unto said Grantee:

All that certain lot, tract or parcel of land situate, lying and being in Pineaqua, Effingham County, Georgia, shown as “7.80 ACRES” on a plat prepared by Robert D Giguiere, dated January 23, 1932, and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Book 2, page 122 which is incorporated herein by specific reference. Said property containing improvements thereon known as 716 Floyd Avenue, Guyton, Georgia. PIN #02960-027

This being the same property conveyed to Kody L. O’Neal by Deed from Hawk Hammock Construction, LLC recorded in Deed Book 2554, Page 575, aforesaid Clerk’s Office.

Said property containing improvements thereon currently known as 716 Floyd Avenue, Guyton, GA 31312, PIN 02960-00000-027-000

(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 anywise appertaining, only to the proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.
CURRICULUM VITAE

Katie McGrory, M.S., LPC, CPCS, RPT-S
Licensed Professional Counselor & Registered Play Therapist Supervisor

716 Floyd Avenue
Guyton, Georgia 31312
Phone: 912 – 441 – 1435
Fax: 912 – 826 – 2996

COUNSELOR TRAINING:

Clinical Internship, Clinical Psychology, 2005 - 2006
Mary Thompson, LPC, RPT-S
- Provided outpatient counseling services to children, adults, and families
- Conducted initial assessments to determine client eligibility
- Provided case management duties to enrolled clients and their families

EDUCATION:

Master of Science in Clinical Psychology, 2006
Georgia Southern University, Statesboro, Georgia
Summa Cum Laude

Bachelor of Arts in Psychology, 2002
Armstrong Atlantic State University, Savannah, Georgia
Treasurer of the E.B. Twitmyer Psychology Club

LICENSES AND CERTIFICATIONS:

Certified Professional Counselor Supervisor (CPCS)
License No: LPC005642 State of Georgia, May 2021

Registered Play Therapist Supervisor (RPT-S)
Association for Play Therapy, November, 2019

Registered Play Therapist (RPT)
Association for Play Therapy, November, 2009

Licensed Professional Counselor (LPC)
License No: LPC005642 State of Georgia, June 2009

Licensed Associate Professional Counselor (LAPC)
License No: APC001539 State of Georgia, February, 2007 - June 2009
SAMPLE OF POSTMASTER'S TRAINING WORKSHOPS:

- Equine Assisted Psychotherapy (EAGALA)
- Child Centered Play Therapy
- Play Therapy Theory, Skills and Applications
- Play Therapy for Abused and Traumatized Children
- The Use of Therapies for Assessment and Treatment of Children in Play Therapy
- Play Therapy Basics
- Play Therapy with Groups and in the Classroom
- Moving Beyond the Magic: Equine Facilitated Psychotherapy
- Ethics
- Sand Play Therapy: Using Imagery to Help Children Cope with the Challenges of Difficult Times
- Animal-Assisted Play Therapy
- Ethical Legal Issues Related to Play Therapy
- Psychopharmacology and Childhood Disorders
- Play Therapy without Oral Language
- Hopeful and Creative Strategies in Play Therapy to Heal Trauma in Children
- Nonverbal Narratives: When Children Lead the Way
- The Best of Both Worlds: Non-Directive Play Therapy and Directive Play Therapy Strategies for Treating Sexually Abused Children
- Behavior Recovery: Kinder Training + Filial Therapy = Connecting & Learning
- Jungian Analytical Play Therapy
- What Play Therapists Can Learn from Improv
- Children with Medical Conditions: How Play Therapy Helps Deal with Loss
- Group Sandplay in Schools and Clinics
- Theraplay: A Modality to Build and/or Restore Parent/Child Relationships
- Three Methods of Sandplay Therapy: Erica, Lowenfeld and Kalff
- Interplay: Change Your Life, Change Your Practice

PROFESSIONAL PRESENTATIONS:

- Theraplay and Attachment (April, 2019).
- Equine Assisted Psychotherapy and Play Therapy (SGAPT Conference, September, 2016).
- Sand Tray Techniques to Georgia Southern University master’s degree students (April, 2014).
- Play Therapy Techniques to Georgia Southern University master degree students (March, 2014).
- Asperger’s Syndrome to South University master degree students (January, 2014).
• Animal-Assisted Therapy, Play Therapy and Building a Private Practice to South University master degree students and professors (August, 2010).

PROFESSIONAL EXPERIENCE:

06/2009 - Present **K. McGrory Counseling, Inc.** Guyton, Georgia & Rincon, Georgia

**LICENSED PROFESSIONAL COUNSELOR & REGISTERED PLAY THERAPIST**

• Conduct intake assessments on new clients.
• Conduct play therapy with children ages 2 to 10 years old.
• Conduct counseling with adolescents and teens utilizing art, sand tray and expressive techniques.
• Conduct attachment and bonding activities based on Theraplay with children from birth and older.
• Conduct counseling with adults, families, and couples.
• Conduct counseling with horses as my co-therapist with children, adults and families.
• Conduct trainings on play therapy topics.

12/2008 - 12/2009 **St. Mary’s Community Center**, Savannah, Georgia

**COUNSELING COORDINATOR**

• Conduct psychotherapy with adult clients.
• Conduct a stress management group weekly with adult clients.

12/2008 - 12/2009 **Coastal Children’s Advocacy Center**, Savannah, Georgia

**PLAY THERAPIST**

• Conduct psychotherapy with adolescent clients who have been sexually abused or a witness to a violent crime.
• Conduct play therapy with children who have been sexually abused or a witness to a violent crime.

02/2009 - 06/2009 **Teresa Oglesbee, LPC**, Rincon, Georgia

**LICENSED ASSOCIATE PROFESSIONAL COUNSELOR**

• Completed intakes of new clients.
• Conducted psychotherapy with adolescent and adult clients.
• Conducted play therapy with children.

05/2006 - 06/2009 **Mary Thompson, M.S., LPC, RPT/S**, Statesboro, Georgia

**LICENSED ASSOCIATE PROFESSIONAL COUNSELOR**

• Completed intakes of new clients.
• Conducted psychotherapy with adolescent and adult clients.
• Conducted play therapy with children.
• Performed group therapy at a local middle school.
• Conducted assessments on children to detect ADHD, Anxiety disorder and developmental delays.
• Conducted assessments analyzing the strengths and weaknesses in the relationships between children and their parents or guardians.

07/2008 - 12/2008 Parent & Child Counseling Services of Union Mission Savannah, Georgia & Rincon, Georgia

PLAY THERAPIST

• Conducted intake assessments on new consumers.
• Conducted play therapy sessions with children ages 2 1/2 years old to 10 years old.
• Conducted psychotherapy sessions with adolescents utilizing art and other expressive techniques.
• Conducted family therapy sessions.
• Completed Family Violence Intervention Program (FVIP) assessments.
• Conducted process oriented group therapy with children and teenage clients.
• Conducted FVIP group skills training and education with male clients.

05/2007 - 07/2008 Savannah Area Behavioral Health Collaborative of Union Mission, Savannah, Georgia

INTAKE COUNSELOR

• Conducted intake assessments on new consumers.
• Conducted reauthorization of services on return consumers.
• Collaborated with consumers to create their treatment plans.
• Led substance abuse relapse prevention group therapy twice per week.
• Conducted individual therapy with adult consumers.
• Conducted intakes assessments on incarcerated individuals.

07/2006 - 05/2007 Regents Center for Learning Disorders, Georgia Southern University, Statesboro, Georgia

PSYCHOMETRIST

• Administered psychological tests to detect learning disorders and ADHD.
• Wrote reports analyzing test scores and their meanings.
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 Jonathan L. Yates as Agent for Donald A. Wester & Lyn M. Wester – (Map # 392 Parcel # 2A) from R-1 to AR-1 zoning.

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

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

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

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

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

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

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

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

Planning Board Meeting – March 21, 2022
Subject: Rezoning (Fourth District)  
Author: Teresa Concannon, AICP, Planning & Zoning Manager  
Department: Development Services  
Meeting Date: March 21, 2022  
Item Description: Jonathan Yates as Agent for Donald A. & Lyn M. Wester request to rezone 38.495 acres from R-1 to AR-1 to allow for a telecommunications tower. Located at 2800 Little McCall Road. Map# 392 Parcel# 2A

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 38.495 acres from R-1 to AR-1 to allow for a telecommunications tower, with conditions.

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- Pursuant to sections 5.1.2.11 (AR-1) and 14-133(3) Telecommunications Regulations, guyed or lattice towers are permitted in AR-1 as a conditional use, in accordance with the provisions of Article VII - Planning Board (sec. 7.1.6).
- The parcel was part of a 58.43-acre tract rezoned to R-1 in 2006 for The Cottages, a residential subdivision that has not been developed. The 38.495 acres was subdivided in 2019. A house has been constructed in the center of the property.
- The owners wish to enter into a lease agreement for a telecommunications tower. Therefore, they must rezone the parcel to AR-1.
- Due to wetlands coverage, the parcel is unlikely to be further subdivided, and is not suitable for additional development.

Alternatives
1. Approve request to rezone 38.495 acres from R-1 to AR-1, with the following conditions:  
   1. The lot shall meet the requirements of the AR-1 zoning district.
2. Deny the request to rezone 38.495 acres from R-1 to AR-1.

Recommended Alternative: 1  
Other Alternatives: 2

Department Review: Development Services  
FUNDING: N/A

Attachments:  
1. Rezoning application  
2. Ownership certificate  
3. Deed  
4. Aerial photograph
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 01-13-22

Applicant/Agent: Jonathan L. Yates

Applicant Email Address: jly@hellmanyates.com

Phone #: 843-414-9754

Applicant Mailing Address: 105 Broad Street, Third Floor

City: Charleston  State: SC  Zip Code: 29401

Property Owner, if different from above: Donald A. Wester and Lyn M. Wester

Owner’s Email Address (if known): N/A

Phone #: 912-675-4624

Owner’s Mailing Address: P.O. Box 1389

City: Springfield  State: GA  Zip Code: 31329

Property Location: 2800 Little McCall Rd, Springfield, GA 31329

Proposed Road Access: Little McCall Rd.

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

Tax Map-Parcel #: 03920002A00  Total Acres: 38.495  Acres to be Rezoned: 38.495

Lot Characteristics: Very large parcel with a heavy and mature existing tree cover.

WATER

X Private Well

_____Public Water System

If public, name of supplier: ____________________________

SEWER

X Private Septic System

_____Public Sewer System

Justification for Rezoning Amendment: We are requesting a communications tower and related facility to allow AT&T and at least three additional broadband carriers to provide adequate coverage and capacity for wireless voice and broadband to this part of Effingham County.

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

North  AR-1 & R-1  South AR-1  East  R-1  West  AR-1

Rev 05052021
1. Describe the current use of the property you wish to rezone.
   Presently this 38.495 acre property contains the home of Donald and Lyn Wester.

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.
   We are requesting a communications tower and related facility to allow AT&T and at least three additional broadband carriers to provide adequate coverage and capacity for wireless voice and broadband to this part of Effingham County.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   The other properties in the vicinity consist of large timber tracts with heavy vegetative cover and scattered rural residential uses.

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?
   The proposed communications facility is designed to serve the surrounding area by providing effective and essential wireless infrastructure. Wireless infrastructure is now referred to as the fourth utility.

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?
   The proposed zoning change will not cause an excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools. The communications facility only requires power and telco which are available to the Wester property. After a 45-60 day construction period, the unmanned communications facility will only be visited by AT&T 8-10 times per year.

Applicant Signature: [Signature] Date 01.13.22

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

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

June 27, 2019, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2533, page 433.

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: Donald Wester

Owner's signature

Print Name: Lyn Wester

Owner's signature

Print Name: 

Sworn and subscribed before me this 10 day of December, 2021.

Carrie Sikes
Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

We, Donald & Lyn Wester, 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: Jonathan L. Yates for Diamond Communications LLC

Applicant/Agent Address: 105 Broad Street, 3rd Floor

City: Charleston State: SC Zip Code: 29401

Phone: (843) 414-9754 Email: JLC@hellmanyates.com

Owner's signature

Print Name Donald & Lyn Wester

Personally appeared before me Donald Wester Lyn Wester (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 10 day of December, 20 20

Cassie Sikes
Notary Public, State of Georgia

Rev 05052021
WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA
COUNTY OF EFFINGHAM

This Indenture made this 27th day of June, 2019, between BGN Investments, LLC, a limited liability company organized and existing in the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Donald A. Wester and Lyn M. Wester, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 38.495 acres, more or less, that is shown and more particularly described by the plat of survey entitled "Survey of 38.495 AC being subdivided from 58.42 located in the 10th G.M. District of Effingham County, Georgia", made by William Mark Glisson, R.L.S. #3316, dated June 19, 2019, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 238, Slide 104, which is incorporated into this description by specific reference thereto.

This being a portion of the same property conveyed by Acorn 68 Little McCall Road Real Estate, LLC to BGN Investments, LLC as evidenced by that certain Limited Warranty Deed dated August 22, 2014 and recorded in Deed Book 2257, page 498, aforesaid records.

SUBJECT TO that certain Southern Natural Gas Right of Way Easement as shown on the above referenced plat.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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

IN WITNESS WHEREOF, Grantor, by and through its authorized agent, has heretounto set its hand and seal this day and year first above written.

Signed this 29th day of June, 2019 in the presence of:

[Signature]

Catherine [Name]

Unofficial Witness

[Signature]

Notary Public

My commission expires 2/18/23

BGN Investments, LLC

BY: [Signature]

Wilson H. Burns, Member
January 18, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
2800 Little McCall Road Springfield, GA 31329 c/o Jonathan Yates
Pin: 392-2A
Total Acres: 38.495 Acres to be rezoned: 38.495

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from R-1 to AR-1. The proposed rezoning request is given preliminary approval based on the proposed usage not requiring water or sewer connections.

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

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

Sincerely,

[Signature]

Darrell M. O’Neal, NPA
Environmental Health County Manager
Effingham County Health Department
January 13, 22

**VIA FEDERAL EXPRESS**

Teresa Concannon  
Planning & Zoning Manager  
Effingham County Planning & Engineering  
804 S. Laurel Street,  
Springfield, GA 31329  
(912) 754-2105

Re: Diamond Communications LLC- Site Name: Effingham- Site Address: 2800 Little McCall Road, Springfield, GA 31329 (TMS # 03920002A00)- Telecommunications Facility Application

Dear Ms. Concannon,  

Enclosed, please find the application of Diamond Communications LLC for a proposed 260-foot self-support wireless telecommunication facility to be built for AT&T and at least three (3) wireless broadband carriers. The proposed facility will be on the property of Donald and Lyn Wester, which is located at 2800 Little McCall Road, Springfield, GA 31329, and is designated as Effingham County tax parcel number 03920002A00. This is a very important facility to improve coverage for both voice and advanced data in this section of Effingham County. We are also requesting the rezoning of Donald and Lynn Wester's property from R-1 to AR-1. In addition, we are seeking a variance for the setback from the communication facility to the Wester's home on the property. We have taken the liberty of recasting the relevant sections of the Effingham County Code with our answer to the relevant section in bold beneath. As will be evident from a review of the attached, Diamond Communications LLC and AT&T have not only met, but also have exceeded, all necessary requirements for approval under the Effingham County Tower Regulations, except for the setback to the Wester's home, for which we are requesting a variance.

Section 14-134.- Development Standards

(a) Structural design. New communication towers and increasing size or height to existing towers shall be constructed in accordance with all applicable building codes, and shall meet or exceed current standards and regulations of all applicable federal, state and local authorities.
(1) Maintenance. To ensure the structural integrity of communication towers, the owner of a communication tower shall be in compliance with all applicable local, state and federal maintenance standards for communication towers.

Diamond and AT&T will always be in compliance with all applicable local, state, and federal maintenance standard for communication towers. Please see the letter of Tom Waniekewski of Diamond attached hereto as Exhibit “14” and incorporated herein by reference.

(b) Setbacks and separations. Telecommunications facilities shall comply with the following standards. However, existing alternative tower structures which are conforming uses within the zoning district in which they are located are exempted from the minimum setback and separation requirements of this section.

(1) Communication tower setbacks must be located at a minimum horizontal distance of 1.2 times the length of the complete tower including the highest antenna, measured from the bottom of the tower to the very top of the highest antenna to an existing structure or property line, or in case of a break-away monopole tower, the setback distance shall be 1.2 times the length of the break-away portion of the monopole type tower. Towers placed inside a Subdivision, within 750 feet of residence, shall only be a "monopole type tower" or a camouflage monopole type tower, to blend in with a building or similar or "monopole tree tower" that will blend in with the trees in a forested area.

(2) Guyed and latticed towers shall be a minimum distance of 1,000 feet from any residential structure or public use, excluding street rights-of-way and public access easements.

(3) Guy wires with support anchors are required to meet all setback requirements. Support anchors for guy wires must be protected with a concrete abutment, two feet by two feet and at a height of two feet above the finish grade and depth of two feet below the ground surface or similar approved by the county engineer.

(4) Except as otherwise specified in this article, all telecommunications towers and accessory structures and uses shall comply with development setbacks as required by the zoning district in which the tower is to be located.

(5) Telecommunications towers shall not be permitted within a 1,000-foot radius of another telecommunications tower except within tower farms.

(6) Telecommunications towers shall be set back not less than 100 feet from any property line adjacent to a right-of-way or approved access easement.

(7) Building height limitations in the zoning districts in which a telecommunications facility or alternative tower structure is located shall not apply to such facilities and structures; provided, however, sound engineering evidence must demonstrate that proposed tower height is the minimum necessary to achieve parity.

The Applicant accepts and acknowledges this provision. Please see Sheet C1 of the site plan and drawings by Georgia Professional Engineer David Rainey Cousins attached hereto as Exhibit “1” and incorporated herein by
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reference, which shows the setback for the proposed facility. The closest off
property residential structure is 1068 ft to the North on the property of
Brian Mitchell Logan. The facility is proposed to be 447 ft. from the Wester’s
house for which we are requesting a variance. The nearest existing property
line is more than 228 ft. away from the proposed facility. Furthermore, as
shown in Note #1 on Sheet C-1 in Exhibit “1”, the nearest existing tower is
3.05 miles away from the proposed facility.

(c) Regulatory compliance

(1) All towers and antennae must meet or exceed current standards and regulations as
set forth by the FAA, the FCC and any other agency of the state or federal government
with the authority to regulate communication towers and antennae. If said standards
and regulations are modified then the owners of the communication towers and
antennae governed by this article shall bring such communications towers and antennae
into compliance with such revised standards and regulations within six months of the
effective date of such standards and regulations, unless a more stringent compliance
schedule is mandated by the controlling federal or state agency.

Please see the FAA Notices of Proposed Construction or Alteration – Off-
Airport, attached hereto as Exhibit “4” and incorporated herein by
reference. Additionally, please see AT&T’s FCC Licenses, attached hereto as
Exhibit “5” and incorporated herein by reference. Finally, please see the
FCC Antenna Structure Registration application, attached hereto as Exhibit
“6” and incorporated herein by reference.

(2) Tower owners shall provide documentation showing that each communication tower
is in compliance with all federal and state requirements. Evidence of compliance must be
submitted every 12 months.

The Applicant accepts and acknowledges this provision. In addition, please
see the Regulatory Compliance Letter by Tom Waniek of Diamond
Communications LLC, attached hereto as Exhibit “9” and incorporated
herein by reference.

(d) Security. A chain link fence or wall not less than eight feet in height, from finished grade
equipped with an appropriate anti-climbing device shall be provided around each
communication tower, or the communication center. Access to the tower(s) shall be through a
locked gate. Damaged fencing must be repaired or replaced within 30 days from when the
damage occurred.

The proposed guyed-style wireless communications facility will be enclosed in a
fenced area of 80 ft. by 55 ft. as shown on Sheet C-1.1 of Exhibit “1” and will be
appropriately secured by a chain link fence with a height of eight feet, topped with
three strands of barbed wires as an anti-climbing device for an overall fence height
of nine feet as shown on Sheet C3 of Exhibit “1”.

(e) Lighting. No illumination is permitted on an antenna or tower unless required by the FCC,
FAA, or other state or federal agency of competent jurisdiction in which case the administrator
may review the available lighting alternatives and approve the design that would cause the least disturbance.

The FAA will require illumination and Diamond will deploy a state of the art lighting system, incorporating a downward deflection device that will cause the least disturbance to the surrounding area.

(f) Signs and advertising. Neither the tower nor the tower site shall be used for advertising purposes nor contain any signs for the purpose of advertising. A small sign may be placed on the entrance gate not to exceed four square feet in total area. All signage must be in accordance with Effingham County Ordinances.

Signs for the purpose of identification, warning, emergency function, and contact will be placed as required by applicable state and federal law. Examples of such signs and other signs required by the FCC can be found on Sheet C5 of Exhibit “1”. There will be no advertising signage on the proposed facility.

(g) Visual impact.

(1) Communication towers shall follow FAA painting requirements or FAA published standards for finish color.

(2) Towers shall be the minimum height necessary to provide parity with existing similar tower supported antenna, and shall be freestanding where the negative visual effects are less than would be created by use of a guyed tower.

As shown on Sheet C6 of Exhibit “1”, the proposed tower will incorporated a self-support design. Building and relating structures shall be finished in a neutral color that will blend the tower facility with its natural setting. Furthermore, the tower will maintain a galvanized steel finish, which quickly weather to a dull gray patina, which is non-reflective and emits no glare. All FAA requirements will be followed by Diamond and ATT&T at all times.

(h) Landscaping. Landscaping shall be used to screen the view of the tower compound from adjacent public ways, public property, and residential property and shall consist of the following:

(1) A landscaped buffer area a minimum of ten feet in width shall be maintained around the exterior of the security fencing.

(2) The buffer area is to consist of materials of the evergreen variety which can be expected to grow to form a continuous hedge of at least five feet in height within two years of planting.

(3) Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that which was lost.

(4) Trees and scrubs in the vicinity of the guy wires shall be of a kind that would not exceed 20 feet in height or would not affect the stability of the guys, should they be uprooted, and
shall not obscure visibility of the anchor from the transmission building or security facilities and staff/maintenance.

(5) In lieu of these standards, the administrator may allow use of an alternate detailed plan for landscape and screening, however, such plans must be prepared by a registered landscape architect and satisfy the requirements of this subsection, except cases in which lesser requirements are desirable for adequate visibility for security purposes and/or for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries, and tree farms. In certain locations where the visual impact of the tower would be minimal, such as remote agricultural or rural locations or developed heavy industrial areas, the landscaping requirements may be reduced or waived by the administrator.

As shown on Sheet L-1 of Exhibit “1”, Diamond will plant 32 southern magnolias along the fence line in a 10 ft. wide landscaping buffer.

(i) Principal, accessory, and joint uses.

(1) Accessory structures used in direct support of a tower shall be allowed but not used for offices, vehicle storage, or other outdoor usage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the tower site, unless repairs to the tower and/or related equipment are being made.

(2) Towers may be located on sites containing another principle use in the same buildable area. As long as all of the other siting, setback, separation, and general requirements of this article are met, towers may occupy a parcel meeting the minimum lot size requirements for the zoning district in which it is located. The minimum distance between a tower and other principal use located on the same lot shall be for a monopole or lattice tower the greater of 20 percent of the tower height or 25 feet and for a guy tower the greater of 100 percent breakpoint or 25 feet. If applicant’s engineer certifies, a fall zone or separation greater than listed above, the engineer’s specification governs. The aforementioned separation requirements are required to assure compatibility of land uses and to provide for the health, safety, and welfare of individuals and structures occupying the same site.

(3) Joint use of a site is prohibited when a proposed or existing principal use includes the storage, distribution, or sale of volatile, flammable, explosive, or hazardous materials, including, but not limited to, propane, gasoline, natural gas, and dangerous chemicals.

The Applicant accepts and acknowledges these provisions. Please see Sheet C1 of Exhibit “1”, which shows compliance with the setback regulations. In addition, please see the Fall Zone Certification certified by Georgia Professional Engineer Amy R. Herbst, attached hereto as Exhibit “7” and incorporated herein by reference.

(j) Historic sites. Telecommunications facilities shall not be attached to the facade or parapet of any architecturally significant building or structure located in a recognized historical area. Antennae shall be permitted only on rooftops of buildings and structures a minimum of 50 feet in height, provided that such attachments shall not be visible from adjacent pedestrian walkways or streets, do not adversely impact the structural integrity or significance of the building or structure, and so long as the addition of said antenna adds no more than 20 feet to the height of the structure.
This provision is not applicable, as the applicant is proposing a new standalone wireless communications facility and not one attached to any building or structure, in a recognized historical area or otherwise.

(k) Adherence to FAA regulations. The passage of the ordinance from which this article derives requires adherence to Part 77 of the Federal Aviation Regulations and that all placement of towers and antennae must be approved by the FAA before a building permit or placement is allowed. This approval is generally granted by the completion of form "FAA Form 7460-1 Notice of Proposed Construction or Alteration" or its equivalent.

Please see Exhibit “4” for the FAA Notice of Proposed Construction or Alteration – Off Airport.

Sec. 14-135. - Shared use/colocation.

New telecommunications tower sites shall be developed with the capacity to provide shared use or colocation among two or more providers. New telecommunications towers designed for multiple providers shall be encouraged.

(1) Applicants for new telecommunications tower construction shall document specified intent to permit the shared use/colocation of such facilities with the apparatus/equipment of other commercial wireless telecommunications providers. All applicants shall identify how the applicant will make available such shared use/colocation of the tower and site, including the identification of space suitable for additional equipment.

Please see the Collocation Policy Letter by Tom Waniek of Diamond Communications, attached hereto as Exhibit “8” and incorporated herein by reference.

(2) Applicants for telecommunications towers in locations where there is not technically available space for colocation or shared use shall demonstrate in writing to the development services department that no existing tower or alternative tower structure can accommodate the proposed antenna. Evidence submitted to demonstrate that no existing tower or alternative tower structure can accommodate the proposed antenna shall consist of any of the following documentation:

1. No existing telecommunications facilities or alternative tower structures are located within the geographic area necessary to meet the applicant's engineering requirements.
2. Existing telecommunications facilities or alternative tower structures have insufficient height and cannot be modified to accommodate the applicant's engineering requirements.
3. Existing telecommunications facilities or alternative tower structures do not possess sufficient structural integrity or strength and cannot be modified in such a manner that would support the proposed antenna and related equipment.
4. The proposed antenna would cause interference with the antennae on the existing tower or alternative tower structure, or the antennae on the existing tower or alternative tower structure would cause interference with the applicant's proposed antenna.
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Page 7

Please see the Alternative Candidate Analysis by Tom Waniewski of Diamond Communications, attached hereto as Exhibit “10” and incorporated herein by reference.

(3) Applicants for telecommunications towers in locations where there is not financially feasible available space for shared use/colocation shall demonstrate in writing to the development services department that the fees, costs, or contractual provisions required by the owner in order to share an existing tower or alternative tower structure or to adapt an existing tower or alternative tower structure for shared use/colocation exceed 60 percent of the cost of construction of a new telecommunications tower.

Please see the Alternative Candidate Analysis by Tom Waniewski of Diamond Communications in Exhibit “10”.

(4) Alternative tower structure (accessory use). The construction of a tower as an accessory use to a principal use (alternative tower structure) in a zoning district not permitting wireless telecommunications towers shall comply with the following:

a. Written documentation shall be provided explaining the need for such tower, how the proposed tower relates to the primary purpose and function of the principal use and identifying the location of the alternative tower structure’s antenna on the proposed tower.

b. The accessory tower shall be maintained for the needs of the alternative tower structure. An accessory tower use shall not be exclusively used for the leasing of space to commercial interests.

c. The principal use (alternative tower structure) and the accessory tower shall be under the same ownership.

d. The construction of accessory towers for leasing to commercial interests shall be prohibited on properties where the alternative tower structure is scheduled to be closed or changed into a use that would not permit antenna placement.

e. Such accessory towers shall be monopoles not exceeding height recommendations stated in the applicant’s engineering requirements.

The Applicant accepts and acknowledges these provisions.

Sec. 14-139. Removal of antennae and towers.

A. Any telecommunications facility found not to be in compliance with these regulations or found to constitute a danger to persons or property, shall, upon notice, be brought into compliance or removed within 90 days. Any tower or antenna that is not in use for 12 consecutive months shall be considered abandoned and the owner of such tower or antenna shall remove the same within 90 days of receipt of notice from the administrator. Owners of telecommunications towers shall provide the administrator with a copy of any notice to the FCC concerning the intent to cease operations. The copy shall be given to the administrator at the same time that such notice is submitted to the FCC.
B. If the owner of an abandoned tower or antenna wishes to use such abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all conditions of this article as if such tower were a new tower or antenna.

The Applicant accepts and acknowledges these provisions. Please see the Tower Removal Letter by Tom Waniewski of Diamond Communications, attached hereto as Exhibit “15” and incorporated herein by reference.

In addition, please find the following items in support of this conditional use application: Site Survey, attached hereto as Exhibit “2” and incorporated herein by reference; Structural Design Drawings, attached hereto as Exhibit “3” and incorporated herein by reference; Warranty Deed, attached hereto as Exhibit “11” and incorporated herein by reference; Recorded Plat, attached hereto as Exhibit “12” and incorporated herein by reference; Existing Inventory Letter, attached hereto as Exhibit “13” and incorporated herein by reference; and List of Adjacent Property Owners within 200 ft., attached hereto as Exhibit “16” and incorporated herein by reference.

The request for a variance is necessary due to the unique topography of the Wester property, which includes large areas of wetlands. The strategic placement of the proposed facility on the 38-acre Wester property is consistent with the character of the surrounding area and will have minimal visual impact on adjacent properties due to the incredible heavy and mature tree cover on the Wester property. The purpose of the proposed facility is to provide effective and essential wireless infrastructure to this part of the county, which is consistent with the purpose and intent of Effingham County's regulations for telecommunication towers. By providing this necessary service from this location on the Wester property, the proposed facility will not be detrimental in any way to existing or proposed land uses in the vicinity and will serve the public purposes of the Effingham County ordinance. The proposed facility has been designed for AT&T and colocation by at least three additional broadband carriers. We have fully met all other requirements of the ordinance.

With warmest regards, I am

Yours very truly,

Jonathan L. Yates

JLY:jlc
Enclosures
Subject: Conditional Use (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: Jonathan Yates as Agent for Donald A. & Lyn M. Wester requests a conditional use to allow for a telecommunications tower. Located at 2800 Little McCall Road, zoned R-1 proposed zoning AR-1. Map# 392 Parcel# 2A

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request for a conditional use to allow for a telecommunications tower in AR-1, with conditions.

Executive Summary/Background
- Section 14-133(3) Telecommunications Regulations, permits lattice towers in AR-1 as a conditional use.
- Pursuant to section 5.1.2.11, telecommunications towers may be permitted in AR-1, in accordance with the provisions of section 7.1.6 on a conditional basis.
- Section 7.1.6 provides the following factors for consideration:
  o Shall not adversely affect economic values or physical appearance of the surrounding areas;
    The proposed 260’ tower site is on a 38.495-acre parcel, set back ~1,200’ from Little McCall Road.
  o Physical and environmental effects;
    The tower meets all federal requirements.
  o Buffer zones; and Additional space for parking, landscaping, building, loading zones, and setbacks, to protect adjacent structures or lots from adverse impact.
    The tower site meets all county requirements. Applicant proposes to plant 32 Southern Magnolia along the lease area fence line in a 10’ wide landscaping buffer.
- The applicant’s objectives are to serve the surrounding area by providing effective and essential wireless infrastructure. There are no known antenna structures within a three-mile radius. The proposed tower will support three additional providers, and will be located ~228’ from property line, which is ~128’ more than required (sec. 14-134(b)(6)).
- Pursuant to sec. 14-134(j)(2), towers may be located on sites containing another principal use in the same buildable area. As long as all of the other siting, setback, separation, and general requirements of this article are met, ‘owers may occupy a parcel meeting the minimum lot size requirements for the zoning district in which it is located. The minimum distance between a tower and other principal use located on the same lot shall be for a monopole or lattice tower the greater of 20 percent of the tower height or 25 feet and for a guy tower the greater of 100 percent breakpoint or 25 feet.
- The proposed tower will be located 447’ from the residence on the parcel, at least 228’ from the nearest property boundary, and over 1,000’ from residences in neighboring parcels.

Alternatives
1. Approve request for conditional use to allow for a telecommunications tower in the AR-1 zoning district, with the following conditions:
   1. The lease area will be shown on a plat, which will be reviewed by Development Services.
   2. The tower site shall meet the requirements of Article V - Telecommunications Regulations.
2. Deny the request for conditional use to allow for a telecommunications tower in the AR-1 zoning district.

Recommended Alternative: 1
Other Alternatives: 2
Department Review: Development Services
FUNDING: N/A
ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: 01-13-22

Applicant/Agent: Jonathan L. Yates

Applicant Email Address: jly@hellmanyates.com

Phone # 843-414-9754

Applicant Mailing Address: 105 Broad Street, Third Floor

City: Charleston , State: SC , Zip Code: 29401

Property Owner, if different from above: Donald A. Wester and Lyn M. Wester

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): N/A

Phone # 912-675-4624

Owner’s Mailing Address: P.O. Box 1389


Property Location: 2800 Little McCall Road Springfield, GA 31329

Present Zoning of Property: R-1; Tax Map-Parcel # 0392000A00; Total Acres 38.495

CONDITIONAL USE REQUESTED:

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

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

X OTHER (provide relevant section of code); Communications tower pursuant to Section 14-131 through 14-144.

Reason: We are requesting a communications tower and related facility to allow AT&T and at least three additional broadband carriers to provide adequate coverage and capacity for wireless voice and broadband to this part of Effingham County.

How does request meet criteria of Section 7.1.6 (see Attachment C): Please see attached narrative and exhibits.

Applicant Signature: [Signature] Date 01-13-22

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

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

June 27, 2019, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2533 page 433.

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

Owner’s signature

Print Name Donald Wester

Owner’s signature

Print Name Lyn Wester

Owner’s signature

Print Name

Sworn and subscribed before me this 10 day of December, 2021.

Cassie Sikes
Notary Public, State of Georgia

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

We, Donald & Lyn Wester, 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 Conditional Use application. 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: Jonathan L. Yates for Diamond Communications LLC

Applicant/Agent Address: 105 Broad Street, 3rd Floor

City: Charleston State: SC Zip Code: 29401

Phone: (843) 414-9754 Email: JLC@hellmanyates.com

Owner's signature: Donald & Lyn Wester

Print Name: Donald & Lyn Wester

Personally appeared before me, Donald Wester, Lyn Wester (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 10 day of December, 2021.

Cassie Sikes
Notary Public, State of Georgia

Rev 05052021
WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 27th day of June, 2019, between BGN Investments, LLC, a limited liability company organized and existing in the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Donald A. Wester and Lyn M. Wester, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 38.495 acres, more or less, that is shown and more particularly described by the plat of survey entitled "Survey of 38.495 AC being subdivided from 58.42 located in the 10th G.M. District of Effingham County, Georgia", made by William Mark Glisson, R.L.S. #3316, dated June 19, 2019, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, Slide (04), which is incorporated into this description by specific reference thereto.

This being a portion of the same property conveyed by Acorn 5B Little McCall Road Real Estate, LLC to BGN Investments, LLC as evidenced by that certain Limited Warranty Deed dated August 22, 2014 and recorded in Deed Book 2257, page 496, aforesaid records.

SUBJECT TO that certain Southern Natural Gas Right of Way Easement as shown on the above referenced plat.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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

IN WITNESS WHEREOF, Grantor, by and through its authorized agent, has hereunto set its hand and seal this day and year first above written.

Signed this  27th  day of  June,  2019
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public
My commission expires  2/18/23

BGN Investments, LLC

BY:  [Signature]
Wilson H. Burns, Member

[Notary Public Seal]
January 13, 22

VIA FEDERAL EXPRESS

Teresa Concannon
Planning & Zoning Manager
Effingham County Planning & Engineering
804 S. Laurel Street,
Springfield, GA 31329
(912) 754-2105

Re: Diamond Communications LLC- Site Name: Effingham- Site Address: 2800 Little McCall Road, Springfield, GA 31329 (TMS # 03920002A00)- Telecommunications Facility Application

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3.05 miles away from the proposed facility.

(c) Regulatory compliance

(1) All towers and antennae must meet or exceed current standards and regulations as
set forth by the FAA, the FCC and any other agency of the state or federal government
with the authority to regulate communication towers and antennae. If said standards
and regulations are modified then the owners of the communication towers and
antennae governed by this article shall bring such communications towers and antennae
into compliance with such revised standards and regulations within six months of the
effective date of such standards and regulations, unless a more stringent compliance
schedule is mandated by the controlling federal or state agency.

Please see the FAA Notices of Proposed Construction or Alteration – Off-
Airport, attached hereto as Exhibit “4” and incorporated herein by
reference. Additionally, please see AT&T’s FCC Licenses, attached hereto as
Exhibit “5” and incorporated herein by reference. Finally, please see the
FCC Antenna Structure Registration application, attached hereto as Exhibit
“6” and incorporated herein by reference.

(2) Tower owners shall provide documentation showing that each communication tower
is in compliance with all federal and state requirements. Evidence of compliance must be
submitted every 12 months.

The Applicant accepts and acknowledges this provision. In addition, please
see the Regulatory Compliance Letter by Tom Waniek of Diamond
Communications LLC, attached hereto as Exhibit “9” and incorporated
herein by reference.

(d) Security. A chain link fence or wall not less than eight feet in height, from finished grade
equipped with an appropriate anti-climbing device shall be provided around each
communication tower, or the communication center. Access to the tower(s) shall be through a
locked gate. Damaged fencing must be repaired or replaced within 30 days from when the
damage occurred.

The proposed guyed-style wireless communications facility will be enclosed in a
fenced area of 80 ft. by 55 ft. as shown on Sheet C-1.1 of Exhibit “1” and will be
appropriately secured by a chain link fence with a height of eight feet, topped with
three strands of barbed wires as an anti-climbing device for an overall fence height
of nine feet as shown on Sheet C3 of Exhibit “1”.

(e) Lighting. No illumination is permitted on an antenna or tower unless required by the FCC,
FAA, or other state or federal agency of competent jurisdiction in which case the administrator
may review the available lighting alternatives and approve the design that would cause the least disturbance.

The FAA will require illumination and Diamond will deploy a state of the art lighting system, incorporating a downward deflection device that will cause the least disturbance to the surrounding area.

(f) Signs and advertising. Neither the tower nor the tower site shall be used for advertising purposes nor contain any signs for the purpose of advertising. A small sign may be placed on the entrance gate not to exceed four square feet in total area. All signage must be in accordance with Effingham County Ordinances.

Signs for the purpose of identification, warning, emergency function, and contact will be placed as required by applicable state and federal law. Examples of such signs and other signs required by the FCC can be found on Sheet C5 of Exhibit “1”. There will be no advertising signage on the proposed facility.

(g) Visual impact.

(1) Communication towers shall follow FAA painting requirements or FAA published standards for finish color.

(2) Towers shall be the minimum height necessary to provide parity with existing similar tower supported antenna, and shall be freestanding where the negative visual effects are less than would be created by use of a guyed tower.

As shown on Sheet C6 of Exhibit “1”, the proposed tower will incorporated a self-support design. Building and relating structures shall be finished in a neutral color that will blend the tower facility with its natural setting. Furthermore, the tower will maintain a galvanized steel finish, which quickly weather to a dull gray patina, which is non-reflective and emits no glare. All FAA requirements will be followed by Diamond and ATT&T at all times.

(h) Landscaping. Landscaping shall be used to screen the view of the tower compound from adjacent public ways, public property, and residential property and shall consist of the following:

(1) A landscaped buffer area a minimum of ten feet in width shall be maintained around the exterior of the security fencing.

(2) The buffer area is to consist of materials of the evergreen variety which can be expected to grow to form a continuous hedge of at least five feet in height within two years of planting.

(3) Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that which was lost.

(4) Trees and scrubs in the vicinity of the guy wires shall be of a kind that would not exceed 20 feet in height or would not affect the stability of the guys, should they be uprooted, and
shall not obscure visibility of the anchor from the transmission building or security facilities and staff/maintenance.

(5) In lieu of these standards, the administrator may allow use of an alternate detailed plan for landscape and screening, however, such plans must be prepared by a registered landscape architect and satisfy the requirements of this subsection, except cases in which lesser requirements are desirable for adequate visibility for security purposes and/or for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries, and tree farms. In certain locations where the visual impact of the tower would be minimal, such as remote agricultural or rural locations or developed heavy industrial areas, the landscaping requirements may be reduced or waived by the administrator.

As shown on Sheet L-1 of Exhibit “4”, Diamond will plant 32 southern magnolias along the fence line in a 10 ft. wide landscaping buffer.

(i) Principal, accessory, and joint uses.

(1) Accessory structures used in direct support of a tower shall be allowed but not used for offices, vehicle storage, or other outdoor usage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the tower site, unless repairs to the tower and/or related equipment are being made.

(2) Towers may be located on sites containing another principle use in the same buildable area. As long as all of the other siting, setback, separation, and general requirements of this article are met, towers may occupy a parcel meeting the minimum lot size requirements for the zoning district in which it is located. The minimum distance between a tower and other principal use located on the same lot shall be for a monopole or lattice tower the greater of 20 percent of the tower height or 25 feet and for a guy tower the greater of 100 percent breakpoint or 25 feet. If applicant’s engineer certifies, a fall zone or separation greater than listed above, the engineer’s specification governs. The aforementioned separation requirements are required to assure compatibility of land uses and to provide for the health, safety, and welfare of individuals and structures occupying the same site.

(3) Joint use of a site is prohibited when a proposed or existing principal use includes the storage, distribution, or sale of volatile, flammable, explosive, or hazardous materials, including, but not limited to, propane, gasoline, natural gas, and dangerous chemicals.

The Applicant accepts and acknowledges these provisions. Please see Sheet C1 of Exhibit “1”, which shows compliance with the setback regulations. In addition, please see the Fall Zone Certification certified by Georgia Professional Engineer Amy R. Herbst, attached hereto as Exhibit “7” and incorporated herein by reference.

(j) Historic sites. Telecommunications facilities shall not be attached to the facade or parapet of any architecturally or historically significant building or structure located in a recognized historical area. Antennae shall be permitted only on rooftops of buildings and structures a minimum of 50 feet in height, provided that such attachments shall not be visible from adjacent pedestrian walkways or streets, do not adversely impact the structural integrity or significance of the building or structure, and so long as the addition of said antenna adds no more than 20 feet to the height of the structure.
January 13, 22
Page 6

This provision is not applicable, as the applicant is proposing a new standalone wireless communications facility and not one attached to any building or structure, in a recognized historical area or otherwise.

(k) Adherence to FAA regulations. The passage of the ordinance from which this article derives requires adherence to Part 77 of the Federal Aviation Regulations and that all placement of towers and antennae must be approved by the FAA before a building permit or placement is allowed. This approval is generally granted by the completion of form "FAA Form 7460-1 Notice of Proposed Construction or Alteration" or its equivalent.

Please see Exhibit “4” for the FAA Notice of Proposed Construction or Alteration – Off Airport.

Sec. 14-135. - Shared use/colocation.

New telecommunications tower sites shall be developed with the capacity to provide shared use or colocation among two or more providers. New telecommunications towers designed for multiple providers shall be encouraged.

(1) Applicants for new telecommunications tower construction shall document specified intent to permit the shared use/colocation of such facilities with the apparatus/equipment of other commercial wireless telecommunications providers. All applicants shall identify how the applicant will make available such shared use/colocation of the tower and site, including the identification of space suitable for additional equipment.

Please see the Collocation Policy Letter by Tom Waniewski of Diamond Communications, attached hereto as Exhibit “8” and incorporated herein by reference.

(2) Applicants for telecommunications towers in locations where there is not technically available space for colocation or shared use shall demonstrate in writing to the development services department that no existing tower or alternative tower structure can accommodate the proposed antenna. Evidence submitted to demonstrate that no existing tower or alternative tower structure can accommodate the proposed antenna shall consist of any of the following documentation:

1. No existing telecommunications facilities or alternative tower structures are located within the geographic area necessary to meet the applicant’s engineering requirements.
2. Existing telecommunications facilities or alternative tower structures have insufficient height and cannot be modified to accommodate the applicant’s engineering requirements.
3. Existing telecommunications facilities or alternative tower structures do not possess sufficient structural integrity or strength and cannot be modified in such a manner that would support the proposed antenna and related equipment.
4. The proposed antenna would cause interference with the antennae on the existing tower or alternative tower structure, or the antennae on the existing tower or alternative tower structure would cause interference with the applicant’s proposed antenna.
Please see the Alternative Candidate Analysis by Tom Waniewski of Diamond Communications, attached hereto as Exhibit “10” and incorporated herein by reference.

(3) Applicants for telecommunications towers in locations where there is not financially feasible available space for shared use/colocation shall demonstrate in writing to the development services department that the fees, costs, or contractual provisions required by the owner in order to share an existing tower or alternative tower structure or to adapt an existing tower or alternative tower structure for shared use/colocation exceed 60 percent of the cost of construction of a new telecommunications tower.

Please see the Alternative Candidate Analysis by Tom Waniewski of Diamond Communications in Exhibit “10”.

(4) Alternative tower structure (accessory use). The construction of a tower as an accessory use to a principal use (alternative tower structure) in a zoning district not permitting wireless telecommunications towers shall comply with the following:

   a. Written documentation shall be provided explaining the need for such tower, how the proposed tower relates to the primary purpose and function of the principal use and identifying the location of the alternative tower structure’s antenna on the proposed tower.

   b. The accessory tower shall be maintained for the needs of the alternative tower structure. An accessory tower use shall not be exclusively used for the leasing of space to commercial interests.

   c. The principal use (alternative tower structure) and the accessory tower shall be under the same ownership.

   d. The construction of accessory towers for leasing to commercial interests shall be prohibited on properties where the alternative tower structure is scheduled to be closed or changed into a use that would not permit antenna placement.

   e. Such accessory towers shall be monopoles not exceeding height recommendations stated in the applicant’s engineering requirements.

The Applicant accepts and acknowledges these provisions.

Sec. 14-139. Removal of antennae and towers.

A. Any telecommunications facility found not to be in compliance with these regulations or found to constitute a danger to persons or property, shall, upon notice, be brought into compliance or removed within 90 days. Any tower or antenna that is not in use for 12 consecutive months shall be considered abandoned and the owner of such tower or antenna shall remove the same within 90 days of receipt of notice from the administrator. Owners of telecommunications towers shall provide the administrator with a copy of any notice to the FCC concerning the intent to cease operations. The copy shall be given to the administrator at the same time that such notice is submitted to the FCC.
B. If the owner of an abandoned tower or antenna wishes to use such abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all conditions of this article as if such tower were a new tower or antenna.

The Applicant accepts and acknowledges these provisions. Please see the Tower Removal Letter by Tom Waniewski of Diamond Communications, attached hereto as Exhibit “15” and incorporated herein by reference.

In addition, please find the following items in support of this conditional use application: Site Survey, attached hereto as Exhibit “2” and incorporated herein by reference; Structural Design Drawings, attached hereto as Exhibit “3” and incorporated herein by reference; Warranty Deed, attached hereto as Exhibit “11” and incorporated herein by reference; Recorded Plat, attached hereto as Exhibit “12” and incorporated herein by reference; Existing Inventory Letter, attached hereto as Exhibit “13” and incorporated herein by reference; and List of Adjacent Property Owners within 200 ft., attached hereto as Exhibit “16” and incorporated herein by reference.

The request for a variance is necessary due to the unique topography of the Wester property, which includes large areas of wetlands. The strategic placement of the proposed facility on the 38-acre Wester property is consistent with the character of the surrounding area and will have minimal visual impact on adjacent properties due to the incredible heavy and mature tree cover on the Wester property. The purpose of the proposed facility is to provide effective and essential wireless infrastructure to this part of the county, which is consistent with the purpose and intent of Effingham County’s regulations for telecommunication towers. By providing this necessary service from this location on the Wester property, the proposed facility will not be detrimental in any way to existing or proposed land uses in the vicinity and will serve the public purposes of the Effingham County ordinance. The proposed facility has been designed for AT&T and colocation by at least three additional broadband carriers. We have fully met all other requirements of the ordinance.

With warmest regards, I am

Yours very truly,

Jonathan L. Yates

Enclosures
Exhibit 1
GENERAL NOTES:
1. The Survey is prepared exclusively to show site conditions and property boundaries as may be shown herein. Any property boundary information shown herein is a composite of information gathered from current or previous Survey, Plat & Deed Description and/or Assessor’s Tax Maps as may be referenced herein.
2. This Survey is not a Boundary Survey of any Tax Parcels or Deed Tracts, and does not create, modify, or change any existing properties.
3. Survey shown herein was performed under the supervision of a state-registered Land Surveyor and conforms to all applicable State Board Requirements.
4. Instruments used: One or more of: Topcon Total Station, Topcon HiperLite Plus GPS, Carlson Surveyor Data Collector, Delux ULV.
5. Vegetation, improvements (houses, fencing, trees, etc.) are based on field inspection and/or aerial mapping.
6. Any Underground utilities shown according to surface markings made by others, found at time of survey. Additional marked utilities outside the area covered by this survey map may be shown in provided CAD Files. Utility Marks are not to be considered complete: This survey does not relieve design and construction personnel of the responsibility to determine the locations of underground utilities necessary to land disturbance activities.
7. This Survey is in the format required by Clients. Clients are advised that Official Jurisdictions may require the Survey to be presented in another format with additional notes and certifications. In the event other formats, notes or certifications are requested by applicable Jurisdictions, it is the responsibility of the Client to request same be prepared by Surveyor.
8. Geographic Coordinates, if published, meet FAA Accuracy Code IA, are accurate to within ± 20 feet horizontally and ± 3 feet vertically.
9. Any Flood Zone information presented herein is accurate to within ± 1 feet horizontally and ± 2 feet vertically.
10. This survey is not valid without the original signature and the original seal of a State-Licensed Land Surveyor, and is not complete without the total sheets as specified in Survey Title Blocks.

SURVEYOR’S CERTIFICATION:
This Survey is a SPECIFIC PURPOSE SURVEY and does not subdivide or create any new Parcels, or make changes to real property boundaries. The recording of the documents, maps, data, or other instruments which created the parcel or parcels are stated herein. RELOCATION OF THIS PLAN DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS OR COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board for Professional Engineers and Land Surveyors as set forth in O.C.G.A Section 13-4-67.

PROPOSED TOWER LOCATION DATA
Latitude: NORTH: 32° 39'47"00'" 32° 18'17"00'"
Longitude: WEST: 81° 31'01"00'" 81° 18'36"00'"
Ground Elev: 52.3 FEET AMSL (NAVD88)
Benchmark: DP8346 GASA

PARENT TAX PARCEL
DONALD A. WESTER &
LYN M. WESTER
TAX PARCEL: 203910030A00
See Sheet #2

NORTH ORIENTATION

GEORGIA EAST STATE PLANE COORDINATE SYSTEM
Based on GPS Survey relative to NGS CORS Network, NAVD88 (2011)
ELEVATION DATUM: NAVD88, Geoidal 198
DATE OF SURVEY: 11-26-2010
Method: RTK (CORS) Confidence Level: 95%
Positional Accuracy: H= ± 0.10'
P.O.C. EPOCH 2010 20030

FLOOD DATA
FEMA FLOOD MAP PANEL: 1310C02706, Effective Date: 03-16-2015
Surveyed Area appears to lie within ZONE X (Areas of Minimal Flood Hazard)

TITLE EXAMINATION:
See Sheet #5

ADDITIONAL NOTES:
All Wetlands shown herein are delineated by others and according to maps provided by others.
Topographic Information is a composite of Field Survey and Aerial Survey Data

SURVEY RELEASE DATA
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LESSEE'S PREMISES
All that Tract or Parcel of land lying and being in the 10th O.M. District of Effingham County, Georgia, and being a portion of the property of Donald A. Winter and Lyn M. Winter, of record in Deed Book 2513, Page 433, Clerk's Office, Effingham County, Georgia, and being more particularly described as follows:

COMMENCE at a Concrete Monument found at the most Northwesterly Corner of said Premises;
Thence along a Chord Tie Line having a Bearing of S 150'0965 W, a distance of 979.58 feet to the POINT OF BEGINNING;
Thence S 34°25'31" E a distance of 64.00 feet;
Thence S 31°15'39" W a distance of 84.00 feet;
Thence N 54°22'53" W a distance of 60.00 feet;
Thence N 39°23'46" E a distance of 64.00 feet to the POINT OF BEGINNING;
Said tract contains 0.12 Acres (5,040 Square Feet), more or less.

LESSEE'S 20' ACCESS & UTILITY EASEMENT
All that Tract or Parcel of land lying and being in the 10th O.M. District of Effingham County, Georgia, and being a portion of the property of Donald A. Winter and Lyn M. Winter, of record in Deed Book 2513, Page 433, Clerk's Office, Effingham County, Georgia, and being more particularly described as follows:

COMMENCE at a Concrete Monument found at the most Northwesterly Corner of said Premises;
Thence along a Chord Tie Line having a Bearing of S 150'0965 W, a distance of 979.58 feet to the POINT OF BEGINNING;
Thence N 33°53'09" E a distance of 20.00 feet;
Thence S 54°22'53" E a distance of 19.96 feet;
Thence N 40°23'31" E a distance of 315.38 feet;
Thence with a curve to the right with an arc length of 175.28 feet, with a radius of 120.79 feet, with a chord bearing of N 82°10'13" E, with a chord length of 140.30 feet;
Thence with a curve to the left with an arc length of 117.00 feet, with a radius of 165.68 feet, with a chord bearing of S 78°54'26" E, with a chord length of 114.37 feet;
Thence with a curve to the left with an arc length of 244.13 feet, with a radius of 487.68 feet, with a chord bearing of N 68°45'20" E, with a chord length of 244.13 feet;
Thence N 54°22'53" E a distance of 254.50 feet to a point on the Southwestern Right-of-Way Line of Little McCall Road;
Thence S 44°16'43" E along said Right-of-Way Line, a distance of 20.23 feet;
Thence S 34°25'31" W, leaving said Right-of-Way Line, a distance of 322.56 feet;
Thence with a curve to the right with an arc length of 254.41 feet, with a radius of 185.06 feet, with a chord bearing of S 68°45'20" E, with a chord length of 251.75 feet;
Thence with a curve to the right with an arc length of 131.19 feet, with a radius of 128.46 feet, with a chord bearing of N 78°14'20" W, with a chord length of 128.46 feet;

TITLE EXAMINATION
(Surveyor's treatment of Title Examination items is limited to the scope described in ADJNPSF 2016 requirements, Section 6.C. ii., and is limited to determination of the location [within subject Tax Parcel(s)] described by Title Items. Items are mapped herein only when adequately described of record and are within Survey Area. "Blanket" designates items applicable to the entire Parcel (not subject to separate mapping). Surveyors may note where ambiguous or inaccurate descriptions might warrant a review by Title Attorney to establish "listen" or other matters, which are not addressed by Survey.

Reference: Limited Title Report prepared by Old Republic Specialized Commercial Services.

(Note: Title Examination does not include a specific "Exceptions" Section. This survey addresses only those items within the scope cited above.

Item 1: Natural Gas Pipeline Permit, Deed 12441-1, 166-331, 1669-344 & 1669-350
Pipeline Easement, Establishment and Right-of-Way, location Parent Tax Parcel (near SW. Line) as shown herein. (does not cross Lessee's Site).


Item 3: Plat B-349-81:
Item 4: Plat B-65-02:
Plats of land other than Parent Tax Parcel.

Item 5: Plat C-122-F1: Plat of earlier varying lands. Does not show any relevant matters, except for Pipeline Easement, see Item 1.

Item 7: Plat 28-604: Plat of Parent Tax Parcel. Does not show any relevant matters, except for Pipeline Easement, see Item 1.

Item 8: Current Use Assessment, Deed 2578-663: Applies to Parent Tax Parcel. Blanked. Type of influence not addressed.

LEGAL DESCRIPTION OF PARENT TAX PARCEL
SITUATED IN EFFINGHAM COUNTY, STATE OF GEORGIA;
ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE 10TH O.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA, CONTAINING 31.495 ACRES, MORE OR LESS, THAT IS $10,000 AND MORE PARTICULARLY DESCRIBED BY THE PLAT OF SURVEY ENTITLED "SURVEY OF 31.495 AC BEING SURVEYED FROM MIDWAY LOCATED IN THE 10TH O.M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA," MADE BY WILLIAM MAX GLASSON, R.L.S. #516 DATED JUNE 19, 2019, RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA, IN PLAT BOOK 28, SLIDE 604, WHICH IS INCORPORATED INTO THIS DESCRIPTION BY SPECIFIC REFERENCE THERETO.

TAX ID NO: 099200002000

DERIVATION CLAUSE
BEING THE SAME PROPERTY CONVEYED TO DONALD A. WINTER AND LYNN M. WINTER, AS JOINT TENANTS WITH SURVIVORS, GRANTOR, FROM RON INVESTMENTS, LLC, A LIMITED LIABILITY COMPANY, GRANTOR RECORDED 07/06/2011, AS BOOK 2533 PAGE 433 OF EFFINGHAM COUNTY RECORDS.
1.00 GENERAL NOTES

1.01 All materials and workmanship shall conform to the drawings and specifications. All work shall be done in accordance with the latest edition of the state, local, and national codes, ordinances, and or regulations applicable to this project.

1.02 The contractor shall be responsible for coordinating the work of all trades and shall check all dimensions. All discrepancies shall be called to the attention of the project manager and/or engineer and be resolved before proceeding with work. Where there is a conflict between drawings and as-built specifications, the Diamond communications project engineer should be consulted for clarification.

1.03 All information shown on the drawings is relative to existing conditions as shown on the attached site plan and/or survey drawings.

1.04 Contractor shall review and be familiar with site conditions as shown on the attached site plan and/or survey drawings.

1.05 Waveguide bridge and equipment cabinets are shown for reference only. Refer to separate drawings for specific information.

1.06 All finished grasses shall slope minimum 1/4 in./ft. away from equipment in all directions. Contractor shall slope ditches as required to drain away from compound and access drive.

1.07 The proposed tower and tower foundations were designed by others. Tower information provided on these plans is provided for reference purposes only. Notify engineer or project manager of any conflicts or discrepancies.

1.08 The contractor shall provide adequate excavation, staking, and provide all required and necessary information.

1.09 Upon completion of construction, contractor is responsible for removing any damage caused by construction activities. The contractor shall be held responsible for any fill materials that are not compacted.

1.10 The contractor is hereby notified that prior to commencing construction, he is responsible for contacting utility companies involved and shall request electrical notification at the construction site of the location of such utilities. Contractor shall make every effort to avoid conflict with the placement of floodlights as shown on the plans. The contractor or any subcontractor for this contract will be responsible for notifying Georgia 811 at least 72 hours in advance of performing any work by calling the 811 free number (800) 282-7777 (or 811). Any utilities damaged by contractor activities shall be repaired by the contractor, at no expense to the owner.

1.11 Contractor to provide trash and portable toilet facility during construction.

1.12 Contractor to provide fire hose and equivalent as approved by Diamond Communications project manager.

1.13 Contractor to provide any necessary signage per Diamond Communications project manager's instructions. See detail on sheet C-2.
1. Use 2,000 psi concrete, fully consolidated around the post.
2. Where the post is set in rock or concrete, drive a hole 1/2" deep and 1" larger in diameter than the post. Set the post and grout in place, using non-shrink grout.
3. All posts must be plumbed and allowed with one another in both horizontal and vertical planes.
4. Corners and gateposts for chain link fence shall extend above the top strand of barbed wire to provide tensioning for the barbed wire.
5. Provide mowways and gracing at all corner posts where the fence changes direction by more than 30 degrees.
6. The grade of the site and installation of the fence shall provide for no more than a 1" gap between the bottom of the fence material and finish grade.
7. Contractor shall provide hold open devices for all gates at the specified open positions, driven pipe type receivers are not authorized.
8. Contractor shall also provide a mushroom type receiver at the closing position.

**Chain Link Fence and Gate Elevation**

**Site Compound Surface Detail**

**Section at Fence**
GENERAL LANDSCAPE NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ALL WORK WITH THAT OF ALL OTHER CONTRACTORS. THIS PLAN DOES NOT GUARANTEE THE CONSTRUCTION OF THE PLANTED PLANTS OR ANY UTILITIES PRODUCED UNDERGROUND UTILITIES.

2. THE QUALITY AND SIZE OF ALL PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT STANDARDS AS SET FORTH IN THE AMERICAN STANDARD FOR NURSERY STOCK.

3. ALL PLANTS MIND BE WATERED IN ACCORDANCE TO PLANT'S WATER NEEDS AND RECOMMENDED NATURAL WATER PRACTICES. THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT SIZE AND VARIETY OF PLANT MATERIAL IN THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED.

4. PLANT MATERIALS ARE TO BE SHIPPED TO THE JOB SITE AND DELIVERED WITHIN 7 DAYS AFTER THE ORDER IS PLACED. THE CONTRACTOR SHALL NOTIFY THE OWNER OF THE LANDSCAPE ARCHITECT AND THE OWNER'S REPRESENTATIVE TO PREPARE FOR THE DELIVERY OF THE PLANTS.

5. PLANT MATERIALS ARE TO BE STORED IN A DRY LOCATION AT THE SITE OF THE PROJECT. ALL PLANTS ARE TO BE WATERED IN ACCORDANCE TO NURSERY STOCK RECOMMENDED NATURAL WATER PRACTICES. THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT SIZE AND VARIETY OF PLANT MATERIAL IN THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED.

6. PLANT MATERIALS ARE TO BE STORED IN A DRY LOCATION AT THE SITE OF THE PROJECT. ALL PLANTS ARE TO BE WATERED IN ACCORDANCE TO NURSERY STOCK RECOMMENDED NATURAL WATER PRACTICES. THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT SIZE AND VARIETY OF PLANT MATERIAL IN THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED.

7. THE CONTRACTOR SHALL VERIFY THAT EACH TREE SHOWN ON THE PLANTING PLAN IS PLANTED IN THE CORRECT LOCATION AND THAT IT MEETS THE SPECIFICATIONS SHOWN ON THE PLANTING PLAN. THE CONTRACTOR SHALL VERIFY THAT EACH TREE SHOWN ON THE PLANTING PLAN IS PLANTED IN THE CORRECT LOCATION AND THAT IT MEETS THE SPECIFICATIONS SHOWN ON THE PLANTING PLAN. THE CONTRACTOR SHALL VERIFY THAT EACH TREE SHOWN ON THE PLANTING PLAN IS PLANTED IN THE CORRECT LOCATION AND THAT IT MEETS THE SPECIFICATIONS SHOWN ON THE PLANTING PLAN.
Exhibit 2
LESSEE'S PREMISES
All that Tract or Parcel of land lying and being in the 10th G.M. District of Effingham County, Georgia, and being a portion of the property of Donald A. Wester and Lynn M. Wester, of record in Deed Book 2333, Page 433, Clerk’s Office, Effingham County, Georgia, and being more particularly described as follows:

COMMENCE at a Concrete Monument found at the most Northern Corner of abovemented Property;

Thence along a Chord T1 E. Line having a Bearing of 5° 15' 09'' W., a distance of 975.58 feet to the POINT OF BEGINNING,

Thence S 34° 28' 31'' W., a distance of 96.00 feet;
Thence S 59° 23' 06'' W., a distance of 84.00 feet;
Thence N 54° 23' 51'' W., a distance of 60.00 feet;
Thence N 39° 54' 00'' E., a distance of 84.00 feet to the POINT OF BEGINNING.

Said tract contains 0.12 Acres (5,040 Square Feet), more or less.

LESSEE'S 20' ACCESS & UTILITY EASEMENT
All that Tract or Parcel of land lying and being in the 10th G.M. District of Effingham County, Georgia, and being a portion of the property of Donald A. Wester and Lynn M. Wester, of record in Deed Book 2333, Page 433, Clerk’s Office, Effingham County, Georgia, and being more particularly described as follows:

COMMENCE at a Concrete Monument found at the most Northern Corner of abovemented Property;

Thence along a Chord T1 E. Line having a Bearing of 5° 15' 09'' W., a distance of 975.58 feet to the POINT OF BEGINNING,

Thence N 53° 34' 00'' E., a distance of 28.00 feet;
Thence S 54° 23' 51'' W., a distance of 96.00 feet;
Thence N 40° 23' 59'' E., a distance of 118.00 feet;
Thence with a curve to the right with an arc length of 175.28 feet, with a radius of 200.00 feet, with a chord bearing of N 21° 07' 13'' E., with a chord length of 166.30 feet;
Thence with a curve to the left with an arc length of 117.00 feet, with a radius of 165.00 feet, with a chord bearing of S 70° 54' 26'' W., with a chord length of 116.57 feet;
Thence with a curve to the left with an arc length of 244.38 feet, with a radius of 467.64 feet, with a chord bearing of N 58° 43' 20'' E., with a chord length of 241.84 feet;
Thence N 54° 23' 59'' E., a distance of 324.50 feet to a point on the Southwestern Right-of-Way Line of Little McCaul Road;
Thence S 44° 19' 32'' E., along said Right-of-Way Line, a distance of 29.23 feet;
Thence E 24° 23' 28'' W., leaving said Right-of-Way Line, a distance of 327.56 feet;
Thence with a curve to the right with an arc length of 234.41 feet, with a radius of 357.68 feet, with a chord bearing of N 88° 45' 20'' W., with a chord length of 231.73 feet;
Thence with a curve to the right with an arc length of 131.19 feet, with a radius of 185.00 feet, with a chord bearing of N 76° 34' 26'' W., with a chord length of 128.46 feet.

TITLE EXAMINATION
(Surveyor's treatment of Title Examination items is limited to the scope described in ALTA/ACSM 2016 requirements. Section 4. C.I., and is limited to determination of the location [within subject Tax Parcel(s)] described by Title items. Items are mapped hereon only when adequately described of record and are within Survey Area. `Blanket' show items only to the entire Parcel (not subject to separate mapping). Surveyor may note where ambiguous or incorrect descriptions might warrant a review by Title Attorney to establish "intent" or other matters, which are not addressed by Survey.

References: Limited Title Report, prepared by Old Republic Specialized Commercial Services.

(Note: Title Examination does not include a specific 'Exceptions' Section. This survey addresses only those items within the scope noted above.

Item 1: Natural Gas Pipeline Permit, Deeds 198-243, 1881-31, 1695-344 & 1695-350; Pipeline Permit, Issuance and/or Right-of-Way, located on Parent Tax Parcel (near SW Line) as shown herein. (does not cross Lessee's Site).

Item 2: Plat A-156; Plat lacks information needed to determine a relationship with Parent Tax Parcel. Does not show any matters of relevance.

Item 3: Plat A-339-E1; Plat B-145-C2; Plats of lands other than Parent Tax Parcel.

Item 5: Plat C-102-F1; Plat of earlier existing lands. Does not show any relevant matters, except for Pipeline Easement, see Item 4.

Item 7: Plat C-28-604; Plat of Parent Tax Parcel. Does not show any relevant matters, except for Pipeline Easement, see Item 4.

Item 8: Current Use Assessment, Deed 2512-663: Applies to Parent Tax Parcel. Blanket: Type of influence not addressed.

LEGAL DESCRIPTION OF PARENT TAX PARCEL
SITUATE IN EFFINGHAM COUNTY, STATE OF GEORGIA:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND
SITUATE, LYING AND BEING IN THE 10TH G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA, CONTAINING 39.45 ACRES, MORE OR LESS, THAT IS SHOWN AND MORE PARTICULARLY DESCRIBED BY THE PLAT OF SURVEY ENTITLED "SURVEY OF 38.645 AC BEING SUBDIVIDED FROM 84.42 LOCATED IN THE 10TH G.M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA," MADE BY WILLIAM MARK GLISSON, R.L.S. #313.6, DATED JUNE 19, 1999, RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA, IN PLAT BOOK 28, SLIDE 664, WHICH IS INCORPORATED INTO THIS DESCRIPTION BY SPECIFIC REFERENCE THERETO.

TAX ID NO. 09200002A0

DERIVATION CLAUSE:
BEING THE SAME PROPERTY CONVEYED TO DONALD A. WESTER AND LYNN M. WESTER, AS JOINT TENANTS WITH RIGHT TO SURVIVE, GRANTOR, FROM DONALD A. WESTER AND LYNN M. WESTER, GRANTEE, FROM DONALD A. WESTER AND LYNN M. WESTER, GRANTOR, RECORDED 07/02/2010, AS BOOK 2537 PAGE 423 OF EFFINGHAM COUNTY RECORDS.

TAX ID NO. 09200002A0

DERIVATION CLAUSE:
BEING THE SAME PROPERTY CONVEYED TO DONALD A. WESTER AND LYNN M. WESTER, AS JOINT TENANTS WITH RIGHT TO SURVIVE, GRANTOR, FROM DONALD A. WESTER AND LYNN M. WESTER, GRANTEE, FROM DONALD A. WESTER AND LYNN M. WESTER, GRANTOR, RECORDED 07/02/2010, AS BOOK 2537 PAGE 423 OF EFFINGHAM COUNTY RECORDS.
Exhibit 3
Design Criteria - ANSI/TIA-222-H

- Wind Speed (No Ice): 129 mph
- Wind Speed (Ice): 50 mph
- Design Ice Thickness: 0.50 in
- Risk Category: II
- Exposure Category: C
- Topographic Factor Procedure: Method 1 (Simplified)
- Topographic Category: 1
- Ground Elevation: 57 ft

**Base Reactions**

<table>
<thead>
<tr>
<th>Total Foundation</th>
<th>Individual Feeling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shear (kips)</td>
<td>113.42</td>
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<tr>
<td>Axial (kips)</td>
<td>95.18</td>
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<tr>
<td>Moment (ft-kips)</td>
<td>1088.2</td>
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<tr>
<td>Tension (ft-kips)</td>
<td>77.86</td>
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**Material List**

<table>
<thead>
<tr>
<th>Display</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>12 7/8 OD X 375</td>
</tr>
<tr>
<td>B</td>
<td>10 7/8 OD X 500</td>
</tr>
<tr>
<td>C</td>
<td>8 8/8 OD X 500</td>
</tr>
<tr>
<td>D</td>
<td>5 9/16 OD X 500</td>
</tr>
<tr>
<td>E</td>
<td>5 9/16 OD X 375</td>
</tr>
<tr>
<td>F</td>
<td>4 5/8 OD X 337</td>
</tr>
<tr>
<td>G</td>
<td>3 5/8 OD X 300</td>
</tr>
<tr>
<td>H</td>
<td>2 3/8 OD X 218</td>
</tr>
<tr>
<td>I</td>
<td>L 5 X 3 1/2 X 5/16 (SLV)</td>
</tr>
<tr>
<td>J</td>
<td>L 3 1/2 X 3 1/2 X 14</td>
</tr>
<tr>
<td>K</td>
<td>L 3 1/2 X 3 1/2 X 14 (SLV)</td>
</tr>
<tr>
<td>L</td>
<td>L 4 X 4 X 1/4</td>
</tr>
<tr>
<td>M</td>
<td>L 2 X 2 X 3/16</td>
</tr>
<tr>
<td>N</td>
<td>L 3 X 3 X 1/4</td>
</tr>
<tr>
<td>O</td>
<td>L 2 1/2 X 2 1/2 X 1/4</td>
</tr>
<tr>
<td>P</td>
<td>1 8 3/32</td>
</tr>
<tr>
<td>Q</td>
<td>1 6 667</td>
</tr>
</tbody>
</table>

**Notes**

1. This tower design and, if applicable, the foundation design(s) shown on the following page(s) also meet or exceed the requirements of the 2018 International Building Code.
2. Weights shown are estimates. Final weights may vary.
3. All unequal angles are oriented with the short leg vertical.
4. (6) 1 3/4" dia. x 87'-long F1554 grade 105 anchor bolts per leg.
5. Foundation loads shown are maximums.
6. Azimuths are relative (not based on true north).
7. Transmission lines are to be attached to 15 hole waveguide ladders with stackable hangers.
8. The tower model is S3T1 Series HD1.
9. All brace bolts are A325-X.
10. All braces are A572 Grade 50
11. All legs are A500 (50 ksi Min. Yield).
### Designed Appurtenance Loading

<table>
<thead>
<tr>
<th>Elev</th>
<th>Description</th>
<th>Te-Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>250</td>
<td>3 EH V-Boom - 12ft Face - 3ft Standoff (ATT approved)</td>
<td></td>
</tr>
<tr>
<td>250</td>
<td>(1) 40,000 sq in antenna loading (below top)</td>
<td>(26) 1.5/8&quot;</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Elev</th>
<th>Description</th>
<th>Te-Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>235</td>
<td>(1) 30,000 sq in antenna loading (below top)</td>
<td>(12) 1.5/8&quot;</td>
</tr>
<tr>
<td>230</td>
<td>(1) 30,000 sq in antenna loading (below top)</td>
<td>(12) 1.5/8&quot;</td>
</tr>
</tbody>
</table>
Customer: DIAMOND COMMUNICATIONS LLC
Site: Effingham, GA GA150
260 ft. Model S3TL Series HD1 Self Supporting Tower

PRELIMINARY - NOT FOR CONSTRUCTION -

Notes:
1) Concrete shall have a minimum 28 day compressive strength of 4,500 psi, in accordance with ACI 318-14.

2) Rebar to conform to ASTM specification A615 Grade 60.

3) All rebar to have a minimum of 3" concrete cover.

4) All exposed concrete corners to be chamfered 3/4".

5) The foundation design is based on presumptive clay soil as defined in ANSI/TIA-222-H-2017. It is recommended that a soil analysis of the site be performed to verify the soil parameters used in the design.

6) 5.75' of soil cover is required over the entire area of the foundation slab.

7) The bottom anchor bolt template shall be positioned as closely as possible to the bottom of the anchor bolts.

PLAN VIEW

ELEVATION VIEW

(107.3 cu. yds.)
(1 REQD.; NOT TO SCALE)

CAUTION: Center of tower is not in center of slab.

Rebar Schedule per Mat and per Pier

<table>
<thead>
<tr>
<th>Pier</th>
<th>(22) #9 vertical rebar w/ hooks at bottom w/ #4 rebar ties, two (2) within top 5&quot; of pier then 4&quot; C/C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mat</td>
<td>(58) #10 horizontal rebar evenly spaced each way top and bottom. (232 total)</td>
</tr>
<tr>
<td>Anchor Bolts per Leg</td>
<td>(6) 1.75&quot; dia. x 87&quot; F1554-105 on a 18&quot; B.C. w/ 10.5&quot; max. projection above concrete.</td>
</tr>
</tbody>
</table>

Information contained herein is the sole property of Sabre Industries, constitutes a trade secret as defined by Iowa Code Ch. 550 and shall not be reproduced, copied or used in whole or part for any purpose whatsoever without the prior written consent of Sabre Industries.

7101 Southbridge Dr - P.O. Box 658 - Sioux City, IA 51102-0658 - Phone 712.258.6690 - Fax 712.258.8250
Customer: DIAMOND COMMUNICATIONS LLC
Site: Effingham, GA GA150
280 ft. Model S3TL Series HD1 Self Supporting Tower

PRELIMINARY - NOT FOR CONSTRUCTION -

Notes:
1) Concrete shall have a minimum 28-day compressive strength of 4,500 psi, in accordance with ACI 318-14.

2) Rebar to conform to ASTM specification A615 Grade 60.

3) All rebar to have a minimum of 3" concrete cover.

4) All exposed concrete corners to be chamfered 3/4".

5) The foundation design is based on presumptive clay soil as defined in ANSI/TIA-222-H-2017. It is recommended that a soil analysis of the site be performed to verify the soil parameters used in the design.

6) The bottom anchor bolt template shall be positioned as closely as possible to the bottom of the anchor bolts.

Rebar Schedule per Pier

| Pier | (30) #10 vertical rebar w/ #5 ties, two (2) within top 5" of pier then 12" C/C |

Anchor Bolts per Leg

| (6) 1.75" dia. x 87" F1554-105 on a 18" B.C. w/ 10.5" max. projection above concrete |

Information contained herein is the sole property of Sabre Industries, constitutes a trade secret as defined by Iowa Code Ch. 550 and shall not be reproduced, copied or used in whole or part for any purpose whatsoever without the prior written consent of Sabre Industries.

7101 Southridge Dr - P. O. Box 658 - Sioux City, IA 51102-0658 - Phone 712.258.8690 - Fax 712.258.8250
Notice of Proposed Construction or Alteration - Off Airport

Add a New Case (Off Airport) - Desk Reference Guide V.2018.2.1
Add a New Case (Off Airport) for Wind Turbines - Met Towers (with WT Farm) - WT-Barge Crane - Desk Reference Guide V.2018.2.1

Project Name: DIAMO-000664975-21  
Sponsor: Diamond Towers V LLC

Details for Case: Antenna Tower Effingham GA150

show project summary

Case Status
ASN: 2021-450-41179-0E
Status: Accredited
Public Comments: None

Construction / Alteration Information
Notice Of: Construction
Duration: Permanent

if Temporary : Month: Days:
Work Schedule - Start: 03/22/2022
Work Schedule - End: 09/22/2023
*For temporary crane(s) does the temporary structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, state the reason in the Description of Proposal.

State Filing:

Structure Details
Latitude: 32° 18' 17.03" N
Longitude: 81° 18' 36.59" W
Horizontal Datum: NAD83
Site Elevation (SE): 52 (nearest foot) PASSED
Structure Height (AGL): 269 (nearest foot)
Current Height (AGL): (nearest foot)

Minimum Operating Height (AGL): (nearest foot)

Requested Marking/Lighting:
Recommended Marking/Lighting:
Current Marking/Lighting:

Other:
N/A Proposed Structure

Nearest City:
Nearest State:

See description or location:
Ludlow Road, Effingham, GA 31020
On the Project Summary page upload any certified survey.

Description of Proposal:

Proposed Frequency Bands
Select any combination of the applicable frequencies/powers identified in the Co-located Coexistence Coaltion, Antenna System Co-Location, Voluntary Best Practices, effective 21 Nov 2007, to be evaluated by the FAA when your filing is made within one of the frequency bands listed below. Manually input your proposed frequency(ies) and power using the Add Specific Frequency link.

Add Specific Frequency

Low Freq High Freq Freq Unit ERP ERP Unit
6 7 GHz 55 dBW
10 11.7 GHz 55 dBW
13 11.7 GHz 42 dBW
17.7 19.7 GHz 55 dBW
21.2 23.6 GHz 55 dBW
26.2 36.2 GHz 42 dBW
30.4 80 MHz 2090 W
30.4 80 MHz 1000 W
505 961 MHz 500 W
824 849 MHz 500 W
824 849 MHz 500 W
863 884 MHz 500 W
863 884 MHz 500 W
901 901 MHz 500 W
901 901 MHz 500 W
929 932 MHz 500 W
930 931 MHz 500 W
930 931 MHz 500 W
932 932 MHz 17 dBW
935 940 MHz 1050 W
940 941 MHz 1050 W
1670 1675 MHz 500 W
1718 1765 MHz 500 W
1850 1850 MHz 1050 W
2150 2150 MHz 1050 W
2150 2150 MHz 1050 W
2150 2150 MHz 1050 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W
2730 2730 MHz 500 W

Seth Young
Diamond Towers V LLC

https://oeaaa.faa.gov/oeaaa/external/eFiling/locationAction.jsp?action=showLocationForm&locationID=4963615&row=5
# Notice of Proposed Construction or Alteration - Off Airport

**Project Name:** DIAMO-000664980-21  
**Sponsor:** Diamond Towers V LLC

## Details for Case: Crane Effingham GA150

### Case Status
- **ASN:** 2021-ASO-41191-CE
- **Status:** Accepted
- **Public Comments:** None

### Construction / Alteration Information
- **Date Accepted:** 10/27/2021
- **Date Determined:** None
- **Letters:** None
- **Documents:** None
- **Project Documents:** 10/27/2021 - DIAMOND - 1A Cert...

#### Structure Details
- **Structure Name:** Crane Effingham GA150
- **FCC NOTAM:** N/A
- **FCC Number:** N/A
- **Priority ASN:** N/A

#### Proposed Frequency Bands
- Select any combination of the applicable frequencies/powers identified in the Col Net Coalition, Antenna System Co-Location, Voluntary Best Practices, effective 21 Nov 2007, to be evaluated by the FAA when filing. If one of the frequency bands is used, manually input your proposed frequency and power using the Add Specific Frequency link.

### Structure Summary
- **Structure Type:** Crane
- **Location:** Effingham, GA

## Construction of Proposed Tower Details
- **Construction of Proposed Tower:**
  - **Nearest City:** Guyton
  - **Nearest State:** Georgia
  - **Location Description:** Crane to be used during construction of proposed tower 2021-ASO-41179-02
  - **Location Address:** 127 McCall Blvd, Guyton, GA 31312

---

https://oeaaa.faa.gov/oeaaa/external/eFiling/locationAction.jsp?action=showLocationForm&locationID=49636265&row=0
Exhibit 5
Exhibit 6
Application for Antenna Structure Registration

Purpose of Filing
1) Enter the application purpose: (NE)
   AM – Amendment of a Pending Application
   AU – Administrative Update
   CA – Cancellation of an Antenna Structure Registration
   DI – Notification of an Antenna Structure Dismantlement
   MD – Modification of a Antenna Structure Registration
   NE – Registration of a New Antenna Structure
   NT – Required Construction/Alteration Notification
   OC – Ownership Change
   RE – Registration of a Replacement Antenna Structure
   WD – Withdrawal of a Pending Application

2a) If the answer to 1 is AU, CA, DI, MD, NT, CC or RE, provide the FCC Antenna Structure Registration (ASR) Number.

2b) If the answer to 1 is AM or WD, provide the File Number of the pending application on file.

2c) If the answer to 1 is MD or NT, provide the date the Antenna Structure was constructed or the date it was last altered (mm/dd/yyyy).

2d) If the answer to 1 is DI, provide the date the Antenna Structure was dismantled (mm/dd/yyyy).

Antenna Structure Ownership Information
3) Select one of the entity types:
   ( ) Individual
   ( ) Unincorporated Association
   ( ) Trust
   ( ) Government Entity
   ( ) Corporation
   (X) Limited Liability Company
   ( ) General Partnership
   ( ) Limited Partnership
   ( ) Consortium
   ( ) Limited Liability Partnership
   ( ) Other: ____________________________

4) FCC Registration Number (FRN):
   0027173103

5) Assignor FCC Registration Number (FRN):

6) First Name (if individual):

7) Legal Entity Name (if not an individual):
   Diamond Towers V LLC

8) Attention To:
   Compliance Dept.-GA150

9) P.O. Box:

10a) Street Address 1:
    210 Mountain Ave
    Unit 519

10b) Street Address 2:

11) City:
    Springfield

12) State:
    NJ

13) Zip Code:
    07081

14) Telephone Number (xxx-xxx-xxxx):
    (202) 648-4429

15) Fax Number (xxx-xxx-xxxx):

16) E-mail Address:
    sberry@diamondcomm.com

FCC Form 854 - Page 1
June 2021
### Contact Representative Information

<p>| | | | |</p>
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<thead>
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<th></th>
<th></th>
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<td>17</td>
<td>First Name (if individual)</td>
<td>MI:</td>
<td>Last Name:</td>
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<tr>
<td>18</td>
<td>Business Name:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Diamond Towers V LLC</td>
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<td></td>
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<td>Attention To:</td>
<td>20</td>
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<tr>
<td></td>
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<td></td>
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<td>State:</td>
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<td></td>
<td>Springfield</td>
<td></td>
<td>NJ</td>
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<tr>
<td>25</td>
<td>Telephone Number (xxx-xxx-xxxx):</td>
<td>26</td>
<td>Fax Number: (xxx-xxx-xxxx):</td>
</tr>
<tr>
<td></td>
<td>(262) 649-4429</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>E-mail Address:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:sberry@diamondcomm.com">sberry@diamondcomm.com</a></td>
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### Antenna Structure Information

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<tbody>
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<td>28a</td>
<td>Latitude (DD-MM-SS.S):</td>
<td>28b</td>
<td>North or South:</td>
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<tr>
<td>32-18-17.0</td>
<td>North</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28a</td>
<td>Latitude (DD-MM-SS.S):</td>
<td>29b</td>
<td>East or West:</td>
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<td>29a</td>
<td>Longitude (DDD-MM-SS.S):</td>
<td>30</td>
<td>Street Address or Geographic Location:</td>
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<tr>
<td>081-18-36.6</td>
<td>Little McCall Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>City:</td>
<td>32</td>
<td>County:</td>
</tr>
<tr>
<td>Guyton</td>
<td>EFFINGHAM</td>
<td></td>
<td></td>
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<tr>
<td>33</td>
<td>State:</td>
<td>34</td>
<td>Zip Code:</td>
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<tr>
<td>GEORGIA</td>
<td>31312</td>
<td></td>
<td></td>
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<tr>
<td>35</td>
<td>Elevation of site above mean sea level (meters):</td>
<td>16.0 meters</td>
<td></td>
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<tr>
<td>36</td>
<td>Overall height above ground level (AGL) of the supporting structure without appurtenances:</td>
<td>79.2 meters</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Overall height above ground level (AGL) of the antenna structure including all appurtenances:</td>
<td>82.0 meters</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Overall height above mean sea level (add items 35 and 37 together):</td>
<td>98.0 meters</td>
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<tr>
<td>39a</td>
<td>Enter the type of structure on which the antenna will be mounted:</td>
<td>L TOWER</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Building</td>
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<td></td>
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<tr>
<td>BANT</td>
<td>Building with Antenna on Top</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BMAST</td>
<td>Building with Mast</td>
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<tr>
<td>BPIPE</td>
<td>Building with Pipe</td>
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<td>BPOLE</td>
<td>Building with Pole</td>
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<tr>
<td>BRIDG</td>
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<tr>
<td>BTWR</td>
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<tr>
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<td>Guyed Structure Used For Communication Purposes</td>
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<td></td>
</tr>
<tr>
<td>LTOWER</td>
<td>Lattice Tower</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAST</td>
<td>Mast</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MTOWER</td>
<td>Monopole</td>
<td></td>
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<tr>
<td>NN TANN</td>
<td>Guyed Tower Array</td>
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<tr>
<td>NNL TANN</td>
<td>Lattice Tower Array</td>
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<tr>
<td>NNMTANN</td>
<td>Monopole Array</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PIPE</td>
<td>Any type of Pipe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POLE</td>
<td>Any type of Pole</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RIG</td>
<td>Oil or Other Type of Rig</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIGN</td>
<td>Any type of Sign or Billboard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SILO</td>
<td>Any type of Silo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STACK</td>
<td>Smoke Stack</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TANK</td>
<td>Any type of Tank (water, gas, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TREE</td>
<td>When used as a support for an antenna</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UPOLE</td>
<td>Utility Pole/Tower used to provide service (electric, telephone, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39b</td>
<td>Number of Towers in Array:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39c</td>
<td>Position of this Tower in the Array:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40a</td>
<td>Array Center Latitude (DD-MM-SS.S):</td>
<td>40b</td>
<td>North or South</td>
</tr>
<tr>
<td>41a</td>
<td>Array Center Longitude (DD-MM-SS.S):</td>
<td>41b</td>
<td>East or West:</td>
</tr>
</tbody>
</table>
### Proposed Marking and/or Lighting

42) Enter the proposed marking and/or lighting: (7)

See Form 854 Item 42 Instructions for detailed tier and lighting information.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>4) FAA Style B</td>
</tr>
<tr>
<td>Paint Only</td>
<td>5) FAA Style D</td>
</tr>
<tr>
<td>Other</td>
<td>7) FAA Style E</td>
</tr>
<tr>
<td></td>
<td>8) FAA Style F</td>
</tr>
<tr>
<td></td>
<td>9) FAA Style A</td>
</tr>
<tr>
<td></td>
<td>10) FAA Style G</td>
</tr>
</tbody>
</table>

### FAA Notification

43) FAA Study Number:  
44) Date Issued:

### Environmental Compliance

45) Does the applicant request a waiver of the Commission’s rules for environmental notice prior to construction due to an emergency situation?  
(No) Yes or No

46a) If the answer to 45 is No, is another federal agency taking responsibility for environmental review of the Antenna Structure?  
(No) Yes or No

46b) If the answer to 46a is Yes, indicate why:

1) The Antenna Structure is on Federal Land and the landholding agency is taking responsibility for the environmental review of the Antenna Structure.

2) Another federal agency has agreed with the FCC in writing to take responsibility for the environmental review of the Antenna Structure.

46c) If the answer to 46a is Yes, provide the name of the federal agency taking responsibility for the environmental review of the Antenna Structure.

| Name |

47) If the answers to 45 and 46a are No, provide the National Notice Date for the application to be posted on the FCC’s website (mm/dd/yyyy):  
Date: **11/10/2021**

48) Is the applicant submitting an environmental assessment?  
(No) Yes or No

49) Does the applicant certify that grant of Authorizations at this location would not have a significant environmental effect pursuant to Section 1.1307 of the FCC’s rules?  
(Yes) Yes or No

50) If the answer to 49 is Yes, select the basis for this certification.

1) The construction is exempt from environmental notification (other than due to another agency’s review) and it does not fall within one of the categories in Section 1.1307(a) or (b) of the FCC’s rules.

2) The construction is exempt from environmental notification due to another agency’s review, and the other agency has issued a Finding of No Significant Impact.

3) The environmental notification has been completed, and the FCC has notified the applicant that an Environmental Assessment is not required under Section 1.1307(c) or (d) of the FCC’s rules, and the Construction does not fall within one of the categories in Section 1.1307(a) or (b) of the FCC’s rules.

4) The FCC has issued a Finding of No Significant Impact.

51) If the answer to 50 is 3 or 4, enter the date that Local Notice was provided (mm/dd/yyyy).  
Date:
Certification Statements

1) The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

2) The applicant certifies that neither the applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

<table>
<thead>
<tr>
<th>Signature (Typed or Printed Name of Party Authorized to Sign) (For OC Applications, to be completed by Assignee)</th>
</tr>
</thead>
<tbody>
<tr>
<td>52) First Name: Sarah</td>
</tr>
<tr>
<td>Mi:</td>
</tr>
<tr>
<td>Last Name: Schaaf</td>
</tr>
<tr>
<td>Suffix:</td>
</tr>
<tr>
<td>53) Title: VP-Regulatory Compliance</td>
</tr>
<tr>
<td>54) Signature: Sarah Schaaf</td>
</tr>
<tr>
<td>55) Date: Oct 27, 2021</td>
</tr>
</tbody>
</table>

Signature (Typed or Printed Name of Party Authorized to Sign) (For OC Applications, to be completed by Assignor)

| 56) First Name: |
| Mi: |
| Last Name: |
| Suffix: |
| 57) Title: |
| 58) Signature: |
| 59) Date: |
ASR Application Search
Application A1204384

File Number: A1204384
Registration Number:
NEPA:
Status: Pending
Purpose: Amendment
Mode: Interactive

Structure Type: LTOWER - Lattice Tower
Location (in NAD83 Coordinates):
Lat/Long: 32-18-17.0 N 081-18-36.6 W
City, State: Guyton, GA
Zip: 31312
Center of AM Array:

Heights (meters):
Elevation of Site Above Mean Sea Level: 16.0
Overall Height Above Mean Sea Level: 98.0

Proposed Marking and/or Lighting:
FAA Style E

FAA Notification:
FAA Study

FRN: 0027173103

Owner:
Diamond Towers V LLC
Attention To: Compliance Dept.-GA150
210 Mountain Ave
Unit 619
Springfield, NJ 07081

Contact:
Attention To: Compliance Dept.-GA150
210 Mountain Ave
Unit 619
Springfield, NJ 07081

Does the applicant request a Waiver of the Commission's rules for environmental notice? No

Is the applicant submitting an Environmental Assessment? No

Constructed
Dismantled
EMI: No
Date Received: 11/02/2021
Entered: 11/02/2021

Address: Little McCall Road
County: EFFINGHAM
Position of Tower in Array:

Overall Height Above Ground (AGL): 82.0
Overall Height Above Ground w/o Appurtenances: 79.2

Owner Entity: Limited Liability Company
Type:

P: (262)649-4429
F:
E: sberry@diamondcomm.com
Is another Federal Agency taking responsibility for environmental review?
No

Reason for another Federal Agency taking responsibility for environmental review

Name of Federal Agency

National Notice Date
11/03/2021

Authorized Party
Schaef, Sarah

Receipt Date
11/02/2021

Title
VP-Regulatory Compliance

Comments
None

Date
10/27/2021

Event
New Application Received

Date | Description | Existing Value | Requested Value
--- | --- | --- | ---
11/02/2021 | Application : Identify the change type as Major or Minor | Minor | Major
11/02/2021 | Environmental Compliance : National Notice Date | 11/10/2021 | 11/03/2021

Pleading Type
None

Filer Name

Description

Date Entered

Date
None

Description

Type
None

Description

Date Entered
January 12, 2022

Karey Vawter  
Diamond Communications  
820 Morris Turnpike, Suite 104  
Short Hills, NJ 07078

RE: 260' Self-Supporting Tower for Effingham, GA

Dear Mr. Vawter,

Upon receipt of order, we propose to design and supply the above referenced tower for a Basic Wind Speed of 129 mph with no ice and 30 mph with .5" ice, Risk Category II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles. The tower is designed with an engineered break-away point at the midheight of the tower. This would effectively result in a fall radius of 130' or less.

Sincerely,

Amy R. Herbst, P.E.  
Senior Design Engineer

[Stamp: GEORGIA No. SE000655 PROFESSIONAL ENGINEER AMY R. HERBST]

[Signature: 1/12/22]
Exhibit 8
October 25, 2021

Teresa Concannon, AICP
Planning & Zoning Manager
Effingham County Board of Commissioners
601 N Laurel Street
(912)754-8083

Re: Conditional Use Application for proposed wireless telecommunications facility to be located on Parcel ID No. 03920002A00 – Collocation/Shared Use Letter

Dear Ms. Concannon,

Please accept this letter to indicate that Diamond Communications, LLC will comply with the requirements of Article V, Section 14-135(1) of the Effingham County Code of Ordinances:

Diamond Communications, LLC shall be willing to allow other commercial wireless telecommunications providers to co-locate on the proposed communications tower in the future, subject to engineering capabilities of the structure, frequency considerations and proper compensation from the additional user.

Please contact me should you have any questions at (610) 585-6853 or twanie@diamondcomm.com

Sincerely,

[Signature]

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
Exhibit 9
October 25, 2021

Teresa Concannon, AICP
Planning & Zoning Manager
Effingham County Board of Commissioners
601 N Laurel Street
(912)754-8063

Re: Conditional Use Application for proposed wireless telecommunications facility to be located on Parcel ID No. 03920002A00 – Regulatory Compliance

Dear Ms. Concannon,

Please accept this letter to indicate that Diamond Communications, LLC will comply with the requirements of Article V, Section 14-134(c)(1) of the Effingham County Code of Ordinances:

Diamond Communications, LLC, its successors and assigns, shall ensure that the proposed facility will meet or exceed current standards and regulations as set forth by the FAA, the FCC and any other agency of the state or federal government with the authority to regulate communication towers and antennae. If said standards and regulations are modified then Diamond Communications, LLC, its successors and assigns, shall bring such communications towers and antennae into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal or state agency.

Please contact me should you have any questions at (610) 585-6853 or twaniewski@diamondcomm.com

Sincerely,

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
Exhibit 10
Diamond Towers Site: Effingham

Alternative Candidate Analysis

Diamond Towers submits this document to address alternative candidates it considered during its site selection process on behalf of AT&T. Diamond Towers was issued a 0.40 mile search ring near little McCall Road and Patterson Drive with a requested antenna centerline of at least 250'.

Existing Structures in the Search Ring

Diamond Towers was able to confirm that there were no existing towers, nor other objects of 250' in height within the specified search area, nor within a reasonable distance outside the search ring.

Existing Structures outside of the Search Ring

Diamond Towers then located the nearest existing tower locations as shown on the attached map in a four (4) mile radius from the original search ring location:
This map illustrates a four (4) mile radius from the proposed search ring center in red, and as shown on the map, there are five (5) towers within that radius:

<table>
<thead>
<tr>
<th>Competing Structure (Details)</th>
<th>Type (Tower, RT etc.)</th>
<th>Height</th>
<th>Centers on Tower</th>
<th>Coord</th>
<th>Dist (mi), Dir</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 TCC</td>
<td>Monopole</td>
<td>199</td>
<td>1</td>
<td>32.26366, 81.261107</td>
<td>2.68 NE</td>
</tr>
<tr>
<td>3 Townelo</td>
<td>Monopole</td>
<td>209</td>
<td>1</td>
<td>32.26088, 81.260869</td>
<td>3.24 N</td>
</tr>
<tr>
<td>5 Cullne</td>
<td>Guyed</td>
<td>210</td>
<td>1</td>
<td>32.26247, 81.261446</td>
<td>3.27 NW</td>
</tr>
<tr>
<td>11. Ewingham County</td>
<td>Guyed</td>
<td>310</td>
<td>1</td>
<td>32.26283, 81.262847</td>
<td>3.72 NW</td>
</tr>
</tbody>
</table>

Each of these towers is too far from both the original search ring and the proposed site to fill the gap identified by AT&T.

**Raw Land Properties Considered**

The majority of the land in or near the search ring and proposed site location is controlled by a timber company (Usher 412 Restoration LLC), along with some rural residential lots. Diamond, on behalf of AT&T, attempted to find any available location to lease and worked with some neighboring property owners, including Candidate A – Jaudon, and Candidate B – Mack. Ultimately, Mr. Jaudon turned down Diamond’s proposal to not interfere with future development and the Mack property had too many wetlands to overcome with setback issues. Diamond located the property on the Wester property where it would not interfere with wetlands nor neighbor setbacks.
Conclusion

In conclusion, there are no existing towers or structures that can accommodate the applicant’s proposed antenna. This document certifies that:

- No existing towers or structures of height are located within the geographic search ring area or within a reasonable distance outside of it.
- The nearest existing tower or structure is over 3.05 miles away and does not meet AT&T’s coverage objectives.

Diamond Towers has leased property from a willing landlord whose property will be developed in accordance with County regulations.

I certify that the foregoing is true and correct:

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
Exhibit 11
WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 27th day of June, 2019, between BGN Investments, LLC, a limited liability company organized and existing in the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Donald A. Wester and Lyn M. Wester, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 38.495 acres, more or less, that is shown and more particularly described by the plat of survey entitled "Survey of 38.495 AC being subdivided from 58.42 located in the 10th G.M. District of Effingham County, Georgia", made by William Mark Glisson, R.I.S. #3310, dated June 19, 2019, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 2257, Slide Lc04, which is incorporated into this description by specific reference thereto.

This being a portion of the same property conveyed by Acorn 6B Little McCall Road Real Estate, LLC to BGN Investments, LLC as evidenced by that certain Limited Warranty Deed dated August 22, 2014 and recorded in Deed Book 2257, page 496, aforesaid records.

SUBJECT TO that certain Southern Natural Gas Right of Way Easement as shown on the above referenced plat.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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

IN WITNESS WHEREOF, Grantor, by and through its authorized agent, has hereunto set its hand and seal this day and year first above written.

Signed this 07\th day of June, 2019
in the presence of:

Catherine Jones

Unofficial Witness

Notary Public

My commission expires 2/18/23

(Notary Public Seal)

BGN Investments, LLC

BY: [Signature]

Wilson H. Burns, Member
Exhibit 13
October 25, 2021

Teresa Concannon, AICP
Planning & Zoning Manager
Effingham County Board of Commissioners
601 N Laurel Street
(912)754-8063

Re: Conditional Use Application for proposed wireless telecommunications facility to be located on Parcel ID No. 03920002A00 – Existing Inventory Letter

Dear Ms. Concannon,

Please accept this letter to indicate, as required by Article V, Section 14-137(1) of the Effingham County Code of Ordinances, that Diamond Communications, LLC currently has no existing towers or antennas located in or within one mile of the border of Effingham County.

Please contact me should you have any questions at (610) 585-6853 or twaniecki@diamondcomm.com

Sincerely,

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
Exhibit 14
October 25, 2021

Teresa Concaron, AICP
Planning & Zoning Manager
Effingham County Board of Commissioners
601 N Laurel Street
(912)754-8063

Re: Conditional Use Application for proposed wireless telecommunications facility to be located on Parcel ID No. 03920002A00 – Building Codes/Safety Standards

Dear Ms. Concaron,

Please accept this letter to indicate that Diamond Communications, LLC will comply with the requirements of Article V, Section 14-134(a) of the Effingham County Code of Ordinances:

Diamond Communications, LLC, its successors and assigns, shall ensure that the proposed facility will be designed, constructed, and maintained in compliance with standards contained in applicable local building codes and current standards and regulations of all applicable federal, state, and local authorities. The proposed tower will possess the structural capacity to accommodate at least three other uses comparable to the initial user. Furthermore, Diamond Communications, LLC, its successors and assigns, shall conduct periodic inspections of the proposed facility to ensure structural integrity. Inspections shall be conducted by a structural engineer licensed to practice in the state with the results of said inspection being provided to the administrator.

Please contact me should you have any questions at (610) 585-6853 or twaniewski@diamondcomm.com

Sincerely,

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
October 25, 2021

Teresa Concannon, AICP
Planning & Zoning Manager
Effingham County Board of Commissioners
601 N Laurel Street
(912)754-8063

Re: Conditional Use Application for proposed wireless telecommunications facility to be located on Parcel ID No. 03920002A00 – Tower Removal Letter

Dear Ms. Concannon,

Please accept this letter to indicate that Diamond Communications, LLC will comply with the requirements of Article V, Section 14-134(c)(1) of the Effingham County Code of Ordinances:

As required by Article V, Section 14-139(a) of the Effingham County Code of Ordinances, Diamond Communications, its successors and assigns, provide this statement declaring itself, its successors and assigns of being responsible for the removal of the proposed wireless communications transmission facility within 90 days of the facility no longer being in use for twelve consecutive months or in compliance with Effingham County’s regulations, or found to constitute a danger to persons or property.

Please contact me should you have any questions at (610) 585-6853 or twaniewski@diamondcomm.com

Sincerely,

Thomas Waniewski
Diamond Communications
SVP – Site Acquisition
Exhibit 16
<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Owner</th>
<th>Address</th>
<th>City/State/Zip</th>
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<tbody>
<tr>
<td>770000000038000</td>
<td>LOGAN BRIAN MITCHELL AND LINDSAY A</td>
<td>2750 LITTLE MCCALL RD</td>
<td>RINCON GA 31326</td>
</tr>
<tr>
<td>391000000022000</td>
<td>VICK MARK O JR AND NATASHA H</td>
<td>2694 LITTLE MCCALL RD</td>
<td>RINCON GA 31326</td>
</tr>
<tr>
<td>392000000010000</td>
<td>JAUDON JOSEPH E SR</td>
<td>2978 LITTLE MCCALL RD</td>
<td>RINCON GA 31326</td>
</tr>
<tr>
<td>770000000039000</td>
<td>WESTER DONALD A AND LYN M</td>
<td>PO BOX 1389</td>
<td>RINCON GA 31326</td>
</tr>
<tr>
<td>770000000039000</td>
<td>BGN INVESTMENTS LLC</td>
<td>PO BOX 1628</td>
<td>SPRINGFIELD GA 31329</td>
</tr>
<tr>
<td>392000000020000</td>
<td>BGN INVESTMENTS LLC</td>
<td>PO BOX 1628</td>
<td>SPRINGFIELD GA 31329</td>
</tr>
<tr>
<td>770000000040000</td>
<td>NEIDLINGER DARRYL M</td>
<td>8880 SADDLE TRL</td>
<td>SPRINGFIELD GA 31329</td>
</tr>
<tr>
<td>392000000040000</td>
<td>JAUDON JOSEPH E SR AND JOSEPH E JR</td>
<td>2978 LITTLE MCCALL RD</td>
<td>BALL GROUND GA 30107</td>
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<tr>
<td>006400000008A00</td>
<td>USHER 412 RESTORATION LLC</td>
<td>4 MARSH HARBOR DR N</td>
<td>KINCON GA 31326</td>
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<td>SAVANNAH GA 31410</td>
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<td>HUDSON MICHAEL E SR AND GLORIA J</td>
<td>3034 LITTLE MCCALL ROAD</td>
<td>RINCON GA 31326</td>
</tr>
<tr>
<td>770000000063000</td>
<td>HUDSON MICHAEL E SR AND GLORIA J</td>
<td></td>
<td>RINCON GA 31326</td>
</tr>
</tbody>
</table>
January 14, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
2800 Little McCall Road Springfield, GA 31329 c/o Jonathan Yates
Pin: 392-2A
Total Acres: 38.495 Acres to be rezoned: 38.495

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from R-1 to AR-1. The proposed rezoning request is given preliminary approval based on the proposed usage not requiring water or sewer connections.

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

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

Sincerely,

Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
Staff Report

Subject: Conditional Use (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022

Item Description: On Site Truck Maintenance, LLC as Agent for William Henry Webb requests a conditional use to allow for a diesel truck and semi-truck service business. Located at 1105 Stillwell Road, zoned B-2. Map# 409 Parcel# 49A

Summary Recommendation
Staff has reviewed the application, and recommends denial of a conditional use to allow for a semi-truck service business in B-2

Executive Summary/Background
- The request for conditional use is a requirement of Article V - Uses Permitted in Districts, Sec. 5.1.2 Conditional Uses.
- The parcel was rezoned to B-2 in 2006, with a condition to “allow tractor and equipment sales and service only”.
- The applicant wishes to provide general maintenance repairs on diesel trucks/semi-trucks.
- The B-2 zoning district does not include diesel truck/semi-truck service or repair as either a permitted or a conditional use. B-2 conditional uses include “Commercial Parking Areas” and “Automobile Service”. The applicant’s other option was to apply for B-3 zoning, where “Automobile Sales, Service, and Service” is a permitted use, and “Automotive Paint and Body Shops” is a conditional use.
- There are two farm supply-related businesses on Stillwell Road, which generate truck traffic and include onsite storage of trucks and containers. Stillwell Road is not a designated truck route.
- The applicant estimates that 8-10 trucks will be present at any time, with no vehicle on site for more than three days. Business hours will be 8am-6pm, Monday-Friday, and 8am-2pm on Saturday.
- A 30’ vegetative buffer is required between commercial and AR uses. The sketch plan must include information on water and sewer service, access management, and any planned improvements.
- The property is in the Springfield service delivery area.

Alternatives
1. Approve the request for a conditional use to allow for a semi-truck service business.
2. Deny the request for a conditional use to allow for a semi-truck service business.

Recommended Alternative: 2
Department Review: Development Services
Attachments: 1. Conditional Use application 2. Deed

Other Alternatives: 1
FUNDING: N/A

3. Aerial photograph
ATTACHMENT A - CONDITIONAL USE APPLICATION

Application Date: 2.14.22

Applicant/Agent: On Site Truck Maintenance LLC

Applicant Email Address: 100 Eagle Drive Springfield GA 31329
OSMUSAU@OUTLOOK.COM
Phone #: 912-370-2310

Applicant Mailing Address: 100 Eagle Drive Springfield GA 31329

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

Owner’s Email Address (if known): 

Phone #: 706-682-6019

Owner’s Mailing Address: 1045 Stillwell Rd. Springfield, GA 31329

Property Location: 1045 Stillwell Rd. Springfield, GA 31329

Present Zoning of Property: B2 Tax Map-Parcel #: 04090049A00 Total Acres: 7

CONDITIONAL USE REQUESTED:

Section 3.15A - RESIDENTIAL BUSINESS
See Section 3.15A for requirements

Section 3.15B - RURAL BUSINESS
See Section 3.15B for requirements

✓ OTHER (provide relevant section of code):

Reason: Semi truck/diesel repair is higher intensity use than permitted in B-2 by right.

Applicant Signature: __________________________ Date __________________________
AUTHORIZATION OF PROPERTY OWNER

I, William Henry Webb, 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 Conditional Use application. 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: Danny Joseph Flores Zaldivar
Applicant/Agent Address: 100 Eggle Drive
City: Springfield State: GA Zip Code: 31309
Phone: 912 376 7210 Email: OSYM-SAUV@OUTLOOK.com

Owner's signature: William Henry Webb
Print Name: William Henry Webb

Personally appeared before me William Henry Webb (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 14th day of February, 2022.

Kathleen Erin Dunnigan
Notary Public, State of Georgia

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date March 2, 2005, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 12410 page 143.

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

Owner's signature William Henry Webs
Print Name William Henry Webs

Owner's signature
Print Name

Owner's signature
Print Name

Owner's signature
Print Name

Sworn and subscribed before me this 14th day of February 2022.

Kathleen Dunnigan, Jr.
Notary Public, State of Georgia

Rev 05052021
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 385
SPRINGFIELD, GA 31329

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 2nd day of MARCH, 2005, between EMILY E. WEBB of the FIRST PART, and WILLIAM H. WEBB of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the natural love and affection she has for her son, the said SECOND PARTY herein, has granted, given, conveyed and confirmed and by these presents does grant, give, convey and confirm unto the said party of the SECOND PART, his heirs and assigns, all of the following described property, 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 Twenty-Five and Eighty-Nine Hundredths (25.89) acres, more or less, and being bounded on the north by lands of Helmy; on the east by lands of Emily H. Webb (shown as Henry Webb); on the south by the Stillwell Road, known as County Road #308; on the west by lands of William H. Webb (shown as William Henry Webb); also or the south by lands of William Henry Webb; and on the west (again) by lands of James Zittrouer.

Express reference hereby made to the plat of said lands made by Neal B. Ackerman, R.L.S. #1128, dated December 12, 2004 and recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "C", slide 150-2, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members and appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, his heirs, executors, administrators and assigns, in FEESIMPLE.

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:

Unofficial Witness

Official Witness - Notary Public
My commission expires: 2-06
NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM CO. GA., COMMUNITY PANEL NO. 130075 0090 B, THIS PROPERTY IS LOCATED IN ZONE X3 (OUTSIDE THE 500 YEAR FLOODPLAIN)
FIELD EOC < 1:20,000
PLAT NOT ADJUSTED
NIKON TOTAL STATION NTD-4

WILLIAM HENRY WEBB
30.49 ACRES

Survey of:
25.89 ACRES OF LAND
LOCATED IN THE 11th GMD,
EFFINGHAM CO. GEORGIA
TO BE ADDED TO AND MADE A PART OF THE ADJOINING 30.49 ACRE TRACT IN THE SAME OWNERSHIP,
SURVEY FOR:
WILLIAM HENRY WEBB
DATE: DEC. 12, 2004
BUILDING IS SERVED BY EXISTING WELL AND SEPTIC SYSTEM

ZONING=B-2 TYPE=COMMERCIAL/INDUSTRIAL RURAL

FLOOD NOTE:
THIS PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE "V"
PER F.E.M.A. FLOOD INSURANCE RATE MAP.
SEE COMMUNITY MAP 13103C, PANEL 257E
NOT A SPECIAL FLOOD HAZARD AREA
MAP EFFECTIVE 03/16/2016

MATTHEW D. CLARK, PLS
65 WAYSIDE DR
ELLABELL, GA 31308
CELL: (912) 247-0996
DATE: FEBRUARY 15, 2022
JOB No. 18000
DRAWN BY: MDC

PREPARED FOR: WILLIAM WEBB

SITE PLAN OF 7.0 ACRES
FOR WILLIAM WEBB

SITE PLAN

EFFINGHAM COUNTY, GA
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 409-49

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 409-49 AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

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

WHEREAS, WILLIAM H. WEBB has filed an application to rezone 7 acres, map and parcel number 409-49 consisting of 25.89 acres, shown on the attached map and plat, located in the 4TH commissioner district, from AR-1 to B-2; and

WHEREAS, notice of this hearing was published in the Effingham County Herald on 03/10/06; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 03/10/06; and

WHEREAS, signs giving notice of all public hearings were placed on the property by the Zoning Administrator on 03/10/06;

IT IS HEREBY ORDAINED THAT 7 acres map and parcel number 409-49, consisting of 25.89 acres, located in the 4TH commissioner district, is rezoned from AR-1 to B-2;

IT IS FURTHER ORDAINED that the following special conditions shall attach to this rezoning decision:

1. The subject property is rezoned to B-2 to allow tractor and equipment sales and service only.

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

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY:
VERNIA H. PHILLIPS, CHAIRPERSON

ATTEST:
PATRICE MORRIS
COUNTY CLERK

FIRST READING: 4/13/06
SECOND READING: 5/21/06
Staff Report

Subject: Variance (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022
Item Description: DR Horton requests a variance from section 6.1, to eliminate the sidewalk requirement in a major subdivision. Located at 136 Ramsey Way, zoned R-1. Map# 445C Parcel# 141

Summary Recommendation
Staff has reviewed the application, and recommends denial of the request for a variance from the sidewalk requirement for 136 Ramsey Way.

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.
- Applicant requests a waiver from the requirement to include a sidewalk at 136 Ramsey Way, due to topographical conditions.
- Ramsey Landing Architectural Review Guidelines (2012) note that sidewalks are not required or several lots, including #141. Effingham County is not party to these guidelines.
- Neighboring properties include sidewalks. Lots can be graded, or retaining walls added, to create a flat surface for sidewalks.
- A sidewalk was included on lot 142, contrary to the Architectural guidelines. It ends abruptly, with no transition to curb. This presents a safety issue for pedestrians, strollers, scooters, etc.
- Ramsey Landing is a gated, private subdivision; the County does not maintain these roads. The HOA is therefore responsible for construction, maintenance, and safety of the sidewalks.

Alternatives
1. Approve the request for a variance from the sidewalk requirement.
2. Deny the request for a variance from the sidewalk requirement.

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Variance application
2. Ownership Certification
3. Deed
4. Aerial photography
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 2/14/22

D.R. Horton /cml Date/

Applicant/Agent: ckaten@drrhorton.com

Applicant Email Address: 

Phone #: 843-476-7294

30 Silver Lake Drive

Applicant Mailing Address: 

City: Bluffton  State: SC  Zip Code: 29909

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: Lot 141- 136 Ramsey Way Parcel no. 445C-141

Name of Development/Subdivision: Ramsey Landing

Present Zoning of Property R-1  Tax Map-Parcel # 0445C-00000  Total Acres .97.84

VARIANCE REQUESTED (provide relevant section of code): Section 6.1

Describe why variance is needed: Slopes in the right of way and topography of the lots make it infeasible to provide sidewalk along these lots within the development.

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

Section 7.1.8.1 identifies exceptional topographical conditions. The slopes in front of these lots would make the installation of a sidewalk, especially in areas of driveway crossings, infeasible and tying it into the surrounding areas with sidewalk would result in a sidewalk that is difficult to navigate due to extreme slopes.

Applicant Signature: /cml Date 2-15-2022

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

February 16, 2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2663 page 480-484.

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 15th day of February, 2022.

Notary Public, State of South Carolina

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, Sean T. Ware (Out of City Operations), 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 Variance application. 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: Carl Aten

Applicant/Agent Address: 30 Silver Lake Drive

City: Bluffton State: SC Zip Code: 29910

Phone: 843-476-7294 Email: CATEN@charente.com

Owner's signature: Sean T. Ware

Print Name: Sean T. Ware

Personally appeared before me Sean T. Ware (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 22 day of February, 2022.

[Signature]

Notary Public, State of South Carolina

Rev 05052021
LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, made as of this 16th day of February, 2021, by and between RAMSEY LANDING SOFIT, LLC, a Georgia limited liability company (hereinafter referred to as "Grantor"), and D.R. HORTON, INC., a Delaware corporation (hereinafter referred to as "Grantee") (the terms Grantor and Grantee to include their respective successors, legal representatives, and assigns where the context hereof requires or permits).

WITNESSETH: That.

Grantor, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy, and sufficiency of which being hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does hereby grant, bargain, sell, and convey unto Grantee, subject to all matters of record, all that tract or parcel of land commonly referred to as Ramsey Landing, Phase I, located in the Ninth District of Effingham County, Georgia, and being more particularly described on Exhibit A attached hereto and incorporated herein by this reference (such land, the "Property").

TO HAVE AND TO HOLD the above-described Property, together with all and singular the rights, members, easements and appurtenances thereof, and all of Grantor's right, title, and interest in any public rights-of-way adjoining the Property, to the same being, belonging, or in any way appertaining, to the only proper use, benefit, and behoof of Grantee, subject to the Permitted Exceptions on attached Exhibit B, forever, in FEE SIMPLE.

AND, SUBJECT TO the Permitted Exceptions on attached Exhibit B, Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed under seal as of the day and year first above written.

GRANTOR:

RAMSEY LANDING SOFIV, LLC, a Georgia limited liability company

By: SCORPION OPPORTUNITY FUND MANAGER IV, LLC, a Georgia limited liability company, Manager

By: Lawrence R. Siegel, Manager

[SEAL]

Signed, sealed and delivered in the presence of:

[Unofficial Witness]

Sworn to and subscribed before me this 15th day of February, 2021.

[Notary Public]

My commission expires: August 31, 2024

[NOTARY SEAL]

Signature Page to Limited Warranty Deed
EXHIBIT A

Legal Description

All those certain lots, tracts or parcels of land situate, lying and being known as LOTS 69, 70, 71 110-115 117, 118, 120-124, 126, 127, 129-133, 141-147, 185-189, RAMSEY LANDING PHASE I, as shown on that certain subdivision plat entitled "RAMSEY LANDING, PHASE I, 5TH G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA", prepared for Ramsey Plantation Development Company, Inc. by Southeast Engineering and Environmental, dated January 2, 2007, and being recorded in Plat Cabinet C, Pages 151 A-F and Plat Cabinet C, Pages 152 A-B; in the Office of the Clerk of the Superior Court of Effingham County, Georgia. For a more detailed description as to courses, metes and bounds of the property described herein, reference is hereby made to said plat of record.
EXHIBIT B

Permitted Exceptions

1. Such state of facts as shown on those plats recorded in Plat Cabinet C, Page 78 B-1; Plat Cabinet C, Pages 151 A-F; and Plat Cabinet C, Pages 152 A-B, Effingham County, Georgia Records.

2. Declaration of Covenants, Conditions, and Restrictions for Ramsey Landing II by the Coastal Bank, dated October 7, 2011, as recorded in Deed Book 2044, Page 357, as amended by First Amendment to Declaration of Covenants, Conditions, and Restrictions for Ramsey Landing II, dated September 7, 2012, and recorded in Deed Book 2126, Page 1, aforesaid records.


5. Easement from Ramsey Plantation Development Co., LLC to Georgia Power Company recorded in Deed Book 1780, Page 207, aforesaid records.


10. All taxes for the year 2020 and subsequent years, not yet due and payable.

11. Any additional taxes, interest and/or penalties which may be assessed for current and prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records of the city or county in which the Property is located.

12. All matters as would be disclosed by a current and accurate survey and inspection of the Property, including without limitation, encroachments, encumbrances, easements, measurements, violations, adverse circumstances, variations in area or content, party walls, or riparian rights.

Exhibit B to Limited Warranty Deed
13. Other utility easements and rights-of-ways of record that do not materially affect Grantee’s intended use or the value of the Property.
RAMSEY LANDING II SUBDIVISION
ARCHITECTURAL REVIEW GUIDELINES

August 21, 2012
1.0 INTRODUCTION

These Guidelines explain the architectural review procedures and outline useful information and requirements that will be helpful in the design and construction of homes at Ramsey Landing II Subdivision ("Ramsey II") as authorized by the Declaration of Protective Covenants for Ramsey Landing II Subdivision, dated October 7, 2011, recorded in Deed Book 2044, page 357, Effingham County, Georgia, records, including any and all amendments and modifications thereto (the "Declaration"). They are intended to assure that all improvements at Ramsey II are aesthetically compatible with each other and are constructed to reflect the quality and permanence of the Ramsey II community.

In order to perform these functions in an efficient and expeditious manner, the Declarant, as defined in the Declaration, or the Association (in the event that one is ever created) shall administer these guidelines or may, in its sole discretion, assign these duties to an Architectural Review Committee ("ARC"). Currently, these guidelines are being administered by the Declarant.

2.0 APPLICATION REVIEW PROCEDURES

2.1 Applicability

a. New Construction Review procedures. ARC approval under the New Construction Review procedures shall be required prior to site disturbance for the construction of any structure or structures and associated improvements on a previously undeveloped site. Proposed improvements subject to said review shall include, but not be limited to, the creation of any building, fence, wall, swimming pool, screening device or other structure.

b. Modification Review procedures. ARC approval under the Modification Review procedures shall be required prior to site disturbance for the commencement of any modification, alteration, addition to, or removal of an existing structure and/or its associated improvements. Proposed modifications subject to review shall include but not be limited to, all additions, exterior changes or modifications to any building, fence, wall, swimming pool, screening device or other structure.

2.2 Applications for Review. When an Applicant submits plans to the ARC for approval, as discussed below, the submission shall include the Application in the form attached hereto. The Application shall be used as a transmittal record of the submission and ARC's response as to the submission shall be made on a copy of the Application.

2.3 ARC Response Time. In many cases, the ARC will render a decision at the next scheduled ARC meeting, but in all cases the ARC will render and mail (or make available for pick up) a written decision no later than thirty (30) days following the date of proper submittal of a complete application. In the event that the ARC fails to mail, or make available for pickup, a
1.0 INTRODUCTION

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2.3 ARC Response Time. In many cases, the ARC will render a decision at the next scheduled ARC meeting, but in all cases the ARC will render and mail (or make available for pick up) a written decision no later than thirty (30) days following the date of proper submittal of a complete application. In the event that the ARC fails to mail, or make available for pickup, a
response to any Application within thirty (30) days following date of proper submittal, said Application shall be deemed approved.

2.4 Actions Permitted by ARC. The ARC's decision may be:

b. approval.
c. approval with conditions
d. disapproval with explanation
e. deferral pending submission of more information
f. incomplete application

All decisions will be made in writing, but shall in no way relieve the Applicant of his or her responsibility and liability for adherence to any applicable ordinances and codes.

2.5 Actions Permitted by ARC. Disapproved or deferred submissions may be revised and resubmitted for review and approval at the next scheduled meeting after a decision has been rendered. The Applicant or his or her representative may ask to personally address the ARC at its next scheduled meeting.

3.0. NEW CONSTRUCTION REVIEW

The review procedure for new construction is divided into two (2) steps. The Applicant is responsible for initiating each step.

3.1 Step One: Plan Approval. A request for Plan Approval must contain the following:

1. Application

2. Site Plan (2 sets at minimum 1/8" = 1.0' scale) showing the location of the house, driveway, walks, property lines, easements, setbacks, and all trees over thirty (30) inches in diameter at chest height.

3. Building Plans (2 sets at minimum 1/8" = 1.0') shall include floor plans, elevations, building sections, and details of entrances, caves, dormers, shutters, and other similar details.

4. Exterior Material, Finish and Color Samples

1. Stucco: 8"x8" square
2. Brick and grout: 14"x2.5" size from manufacturer
3. Roofing: No smaller than 5"x7" piece
4. Paint swatches - 3½" x 2½" size of trim and fascia board, siding, shutters, front door, garage door

Page 2
5. Such additional information as requested by ARC

Construction must commence within (1) year of Plan Approval or Plan Approval is void: A
conditional approval is not deemed a Plan Approval until said conditions have been satisfied and
confirmed by ARC or an ARC representative in manner required by the conditional approval.

3.2 STEP TWO: Final Site Inspection.

1. Final Site Inspection  
   
   Upon completion of construction, Applicant
   shall schedule a final site inspection with the
   ARC representative to verify compliance
   with the Plan Approval.

The ARC shall have the right and duty to enter upon and inspect any lot at any time before,
during or after the completion of work for which a Plan Approval has been obtained. Applicants
are forewarned that the Declarant or the Association, as the case may be, has broad discretionary
powers regarding the remedy or removal of any non-complying improvement constructed at
Ramsey II. In this regard, if the ARC finds that an improvement was not performed or
constructed in substantial compliance with the submittals receiving Plan Approval, the Declarant
or the Association, as the case may be, may remedy or remove the non-complying improvement
and charge all costs associated with such action to the Applicant or its builder.

3.3 Plan Changes During Construction. All changes to the approved plans,
elevations, and schedules after issuance of Plan Approval must be submitted to the ARC for
review in accordance with the procedures specified in Step 2 above. The Applicant shall submit
sufficient written information to allow ARC to fully understand the proposed alteration or
addition. Such information could be as simple as a letter with a material sample or picture, or as
complex as the submittals required in Step 2. The Applicant is encouraged to submit changes at
the earliest possible time to avoid project delays.

3.4 Preliminary Clearing Approval. Generally, no site disturbance activities shall be
performed on any lot until a Plan Approval is issued pursuant to the New Construction Review
or Modification Review procedures, except for careful underbrushing to facilitate laying out the
improvements and flagging trees. Notwithstanding the foregoing, it may become desirable under
certain circumstances to commence site disturbance prior to submission of plans in order to
achieve the economies of clearing multiple lots or to facilitate the sale of a lot. Such approval
may be granted by the ARC on a case by case basis subject to conditions imposed by the ARC.

4.0 MODIFICATION REVIEW

Modification Review is a streamlined review procedure for minor modifications to
existing improvements not requiring multiple inspections. Substantial modifications may, in the
reasonable discretion of ARC, require compliance with the New Construction Review
procedures. Therefore, Applicant should contact the ARC for guidance prior to requesting a
Modification Review. This section shall not apply to plan changes during new construction or to structural additions to existing construction, both of which are governed by the New Construction Review procedures.

4.1 Plan Approval. Prior to modifying existing improvements, the Applicant must obtain Plan Approval from the ARC. The request for Plan Approval must contain the following for ARC review:

1. Application

2. Information as Required Any of the following reasonably necessary to indicate extent of proposed improvement in sufficient detail to allow review:
   a. Written Description of Modification
   b. Site Plan, for modifications other than exterior material, finish and color changes
   c. Building Plans, if applicable
   d. Exterior Material, Finish and Color Schedule, if applicable

4.2 Plan Changes During Construction. All changes to the approved plans, elevations, and schedules after issuance of a Ramsey II Plan Approval must be submitted to the ARC for review in accordance with the procedures specified in Step 1 above. The Applicant shall submit sufficient written information to allow ARC to fully understand the proposed alteration or addition. Such information could be as simple as a letter with a material sample or picture, or as complex as the submittals required in Step 1. The Applicant is encouraged to submit changes at the earliest possible time to avoid project delays.

5.0 BUILDING DESIGN GUIDELINES

5.1 Residential Purposes. No structure on a lot shall be used for a purpose other than private residential use.

5.2 One Dwelling. Only one single family dwelling, not to exceed two stories in height, shall be erected on a lot.

5.3 Site Placement. All buildings and other improvements shall be placed as approved by the ARC. The existing topography and landscape shall be disturbed as little as possible, such that the maximum number of desirable trees and other natural features will be preserved.
5.4 **Building Setbacks.** The following minimum building setback lines are required:

A. Front - 50 feet  
B. Side (Interior) - 15 feet  
C. Side (Street) – 25 feet  
D. Rear – 35 feet  

The ARC may grant an exception for the above minimum setbacks in a case where a home site would be rendered unbuildable due to its size, shape or topography, and to save existing trees.

5.5 **Building Size.** The following minimum square footage of heated living area, exclusive of screened or unscreened porches, patios, terraces, garages and carports, is required for main residential dwelling structures, excluding accessory buildings.

**Neighborhood I**  
(Lots 1-60, (only including Lots 17, 31, 33, and 45 if added)

A. 1800 square foot minimum  

B. 2100 square foot minimum for Lots adjoining lots sold as of 10/1/11  
Lot Numbers (inclusive): 16-20, 25-34, 38, 44-49

**Neighborhood II**  
(Lots 61-248 (only including Lots 79, 87, 96, 100, 101, 109, 116, 128, 149, 184, 199, 220, 241 if added)

A. 2100 square foot minimum  

B. 2500 square foot minimum for Lots adjoining lots sold as of 10/1/11  

No building may contain more than two (2) stories of living space or have a garage for more than three (3) cars, without the prior written consent of the ARC. A two-story dwelling must contain at least 60% of the minimum square footage stated above on the first floor. A one-story dwelling containing a bonus room constructed in attic space or over a garage and containing not more than 300 square feet shall not be considered a two story dwelling for purposes of this section.

5.6 **Design Theme.** The design theme for each home shall be consistent with the overall theme of the Ramsey II community.
5.7 Exterior Materials. Finish building materials shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be brick, stone, stucco, dryvit, wood (not plywood or similar material), or other approved natural material. No simulated brick or stone shall be permitted. Vinyl siding shall not be used as an exterior building materials, except that high grade vinyl may be used on fascia, soffit, cornice, gable ends, trim areas, and to compliment the primary exterior material.

5.8 Exterior Colors. Finish colors shall be applied consistently to all sides of the building. Acceptable colors shall include, but not be limited to neutral colors with traditional trim colors and muted pastels common to the southeastern coastal region. All exterior wood must be painted or stained except for decks, docks, fences and other structures constructed out of treated or decorative lumber and not visible from the street.

5.9 Exterior Trim and Decoration. Exterior window and door trim and similar decorations shall all be of the same color and material, unless otherwise approved, and shall be either of the same material as exterior walls or directly compatible. Fascia, gutters and downspouts shall blend in and be directly compatible with the architectural detail of the exterior walls.

5.10 Roof. Roof pitches and overhangs may vary as necessary by architectural design; however, no flat roofs are allowed as a major structural element and no other unusually steep roof or other unusual roof lines are allowed. A minimum of eight (8) feet high to twelve (12) feet horizontal slope is required. All roof stacks, flashings, metal chimney caps and gutters shall be painted to match approved roof colors or trim. Roof stacks and plumbing vents shall be placed on rear slopes where possible.

5.11 Roof Colors and Materials. Roof colors and textures shall be an integral part of the exterior color scheme of the building. Approved roofing materials include, but are not limited to fiberglass shingles, asphalt shingles, Masonite shingles, cedar wood shingles or shakes, concrete tiles with natural color and texture, natural clay tiles, copper, copper simulated or standing seam tin.

5.12 Windows. Wood, vinyl clad wood, vinyl and metal windows are allowed, provided that metal windows must be anodized bronze or factory finished colors compatible with the primary and trim color. Reflective glass is prohibited.

5.13 Garages. All residential dwellings shall include a side or rear facing attached garage with at least 450 square feet of area and adequate to house two (2), but not more than three (3) automobiles and shall include adequate space for storage, provided that garages cannot face any street. The garage door shall be compatible with the color of the other exterior finishes of the building. No garage shall be converted to other usage without the substitution of another garage.

5.14 Driveways and Sidewalks. All driveways shall be paved with asphalt or concrete.

Page 6
from the road or street to the garage. Lot owners with more than two vehicles are suggested to extend their driveways (parking pad) to allow extra cars to be parked on their lot on the side of their homes. No extra vehicles can be parked on the street except in special cases approved by the Declarant.

All Lots, unless otherwise noted, will have a poured in place, standard, un-dyed concrete sidewalk along any and all streets for the entire length of such street(s). Sidewalks will not be required on Lots #87, 133, 132, 131, 130, 129, 118, 117, 116, 115, 142, 141, 189, 188, 187, 185, and 184. The sidewalk will be constructed by the Lot Owner. The concrete will not be patterned, colored or impregnated with aggregate. It will have a light broom finish over the entire horizontal surface. The finished upper elevation of the sidewalk will be four inches (4") higher than the back edge of the concrete curbing along the street(s). Sidewalks will have a control joint approximately every ten feet (10').

The sidewalk on Lot #88 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #87. The sidewalk on Lot #128 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #129. The sidewalk on Lot #119 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #118. The sidewalk on Lot #114 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #115. The sidewalk on Lot #143 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #142. The sidewalk on Lot #183 will be turned to end at the back edge of the concrete curbing along the street at the boundary of Lot #184.

5.15 Chimneys. Any exposed portion of a chimney outside of the building shall be constructed solely of bricks, stone, stucco, or wood. If the fireplace is a metal (self-insulated) type with a metal spark arrester at the top of the chimney, this arrester must have a shroud or surround.

5.16 Fences and Walls. All fences and walls must be approved by the ARC. Side and rear yard fences and walls are permitted to entirely enclose or define property lines of individual home sites, and to enclose service areas, patios, gardens, pet enclosures, swimming pools or other areas requiring privacy, subject to the easement rights of the Association and utility companies. All fences and walls must be attractive from both sides. No fence shall be constructed closer to the front lot property line than the rear corner of any residence. The fence facing the road shall be of a type approved by the ARC. All fencing shall be installed professionally and installation shall be approved by Declarant. Approval of one type of fencing for one lot does not require approval of that type of fencing for any other lot.

5.17 Service Court. A service court, or drying yard area, hidden from view from any adjacent street, and from the adjoining lots, must be constructed so as to provide space for garbage and trash cans, wood piles, clothes drying area and other similar usage.

5.18 Accessory Structures. No more than one (1) detached single family residential dwelling shall be erected on a home site. The ARC may approve accessory structures (such as
garages, gazebos, guest houses, servants' quarters, and the like) that are detached from a main residential dwelling so long as they are not erected prior to construction of the main residential dwelling and are not intended to be held for lease. The addition of accessory structures shall be subject to the applicable building setback lines.

5.19 Window Air Conditioning Units. No window air conditioning units shall be permitted. Use of through-the-wall units for bonus rooms and accessory buildings may be approved by the ARC in limited circumstances. Where possible, all exterior air conditioning units shall be screened from view from the street.

5.20 Utility Service. No lines, wires or other devices for communications purposes, including telephone, television, date and radio signals, or for transmission of electric current or energy, shall be constructed or placed on any home site unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvement. In addition, all gas, water, sewer, oil and other pipes for gas or liquid transmission shall also be placed underground or within or under buildings. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements.

5.21 Games and Play Structures. All basketball backboards and any other fixed games and play structures shall be located at the side or rear of the building, or on the inside portion of the corner home sites within setback lines. Wooden play structures are preferred. However, metal swing sets are allowed provided they are painted to blend in with the landscaping. Forest green, walnut brown and black are acceptable colors.

5.22 Swimming Pools and Tennis Courts. Any swimming pool or tennis court to be constructed upon any home site shall be subject to review by the ARC.

5.23 Signs. No advertising sign or advertising matter of any kind shall be created upon or displayed, or otherwise exposed to view on any lot, except for standard size real estate sales signs and builder signs during construction in a form approved by the ARC. In no event will any sign be larger than twenty-four inches (24") by twenty-four inches (24"). No other window displays or advertising shall be maintained or permitted on any lot.

5.24 Lighting. All exterior lighting shall be consistent and complimentary in design to the style and character of the home and be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to concealed uplighting or downlighting and the style and type of lighting shall not be visible from streets and other common areas and no color lens or lamps are permitted. No lighting of tennis courts is permitted unless approved by the ARC.

5.25 Lawn Furnishings. No bird baths, frog ponds, flag poles, lawn sculptures, artificial plants, bird houses, rock gardens, or similar types of accessories and lawn furnishings are permitted on any home site without prior approval of the ARC.
5.26 **Interior Design.** The ARC will not normally comment on or reject a home because of its interior elements, except in cases where those features affect the exterior appearance.

5.27 **Antennas.** No antenna for transmission or reception of radio or television signals or any other form of electromagnetic radiation shall be erected, used or maintained, except that satellite dishes less than 24" in diameter or antennas less than 20" by 20" may be installed if screened from view of the road and adjacent properties.

5.28 **Drainage and Grading.** No drainage ditches, cuts, swales, streams, impoundments, ponds, lakes; no mounds, knolls, dams or hills; and no other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water and drainage patterns may be created, destroyed, altered or modified without the prior consent of the ARC.

5.29 **Construction Times.** Construction activities shall only take place on the property between the hours of 7:00 A.M. and 7:00 P.M., Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday. No construction activities shall be allowed on the property at any other times and no construction activities shall be allowed on the property on Sundays, Thanksgiving Day, Christmas Day, and New Years Day.

5.30 **Trees.** In order that the natural beauty of the home site may be preserved, no living tree having a diameter of twenty-four (24) inches or more, as measured four (4) feet from the natural grade, shall be destroyed or removed from the property unless approved by the ARC in connection with its approval of the plans and specifications for the construction of improvements on the property. Shade trees shall not be planted in locations that would immediately or in the future create a nuisance, seriously shade a pool or screen the view of an adjoining lot.

5.31 **Grass and Irrigation.** All yards within each home site not covered with pavement, buildings, shrubs or groundcover shall be completely sodded or planted with grass. Centipede and St. Augustine grass are preferred. Any sodded areas facing a street shall utilize an underground irrigation system.

5.32 **Natural Vegetation and Mulch.** All areas within each home site not covered with pavement, buildings, shrubs, groundcover or grass shall be left in natural vegetation or covered with pine straw, or pine, cypress or other acceptable mulch in accordance with a landscape plan approved by the ARC. Gravel, rocks and artificial turf will not by substituted for lawns.

5.33 **Mailboxes.** All mailboxes shall have black iron posts with a black mailbox, and shall be of consistent material to be approved by the ARC. The style of mailbox shall be consistent throughout the neighborhood as determined by the ARC. No brick frame, wood or other products are acceptable. Mailboxes shall be installed at the sole cost and expense of the Owner.
6.0 REGULATORY COMPLIANCE. Plans submitted for ARC review must comply with all applicable building codes, zoning regulations and the requirements of all agencies having jurisdiction over the project. It is the responsibility of the Applicant to obtain all necessary permits. Regulatory approvals do not preclude the authority and responsibility of the ARC for design review and vice versa.

7.0 ENFORCEMENT. These Guidelines may be enforced by Declarant or Association, as the case may be, by bringing suit at law or in equity to recover monetary damages or to enjoin by preliminary injunction, temporary restraining order, or other equivalent relief any actual or threatened violation of the Guidelines, or both of the preceding.

8.0 WAIVER, AMENDMENT AND THIRD PARTY BENEFIT. The Declarant or Association maintains the right from time to time, at their sole discretion, to waive, amend or modify these procedures and Guidelines. Neither the Declarant or Association, nor its agents, representatives or employees shall be liable for failure to follow these Guidelines as herein defined. These Guidelines confer no third party benefit or rights upon any entity, person or Applicant.

9.0 NON-LIABILITY OF THE DECLARANT, ASSOCIATION AND ARC. The Declarant, Association and ARC, their respective members, successors, assigns, agents, representatives or employees shall not be liable for damages or otherwise to anyone submitting plans to the ARC for approval, or to any action of the Declarant, Association, or ARC with respect to any submission, or for failure to follow these Guidelines. The role of the Declarant, Association and ARC is directed toward review and approval of site planning, appearance, architectural vocabulary and aesthetics. The Declarant, Association, and ARC assume no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of materials.

10.0 ACCURACY OF INFORMATION. Any Applicant submitting plans to the ARC shall be responsible for verification and accuracy of all components of such submissions, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

11.0 APPLICANT REPRESENTATION. The Applicant represents by the act of entering into the review process with the ARC that all representatives of Applicant, including, but not limited to, Applicant’s architect, engineer, contractors, subcontractors, and their agents and employees, shall be made aware by the Applicant of all applicable requirements of the ARC and shall abide by these Guidelines and the Declaration with respect to approval of development plans and specifications.

Page 10
RAMSEY LANDING II SUBDIVISION

ARCHITECTURAL REVIEW COMMITTEE

Application and Checklist

General Information and Approval Summary:

Date of Submittal: __________  Requested Hearing Date: _______________

Lot: ______________________

ARC Approval Requested (Check One):

____ NEW CONSTRUCTION REVIEW
____ MODIFICATION REVIEW
____ RESUBMISSION
____ APPEAL
____ OTHER: ________________

Date Considered: __________________  Date Approved: __________________

Inspection Requested:

____ FINAL SITE APPROVAL  Requested Date: __________

OTHER: ______________________ Requested Date: ______________

Owner:
Home Phone: __________________
Business Phone: ______________
Mailing Address: _____________

Builder: _____________________
Contact:_____________________
Business Phone: ______________
Address: _____________________

Emergency 24 hours Phone: __________________

Architect: __________________
Contact:_____________________
Business Phone: ______________
Address: ____________________
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**PLAN APPROVAL SUMMARY**

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RESOLUTION OF BOARD OF DIRECTORS
OF RAMSEY LANDING II PROPERTY OWNERS ASSOCIATION, INC.

THIS RESOLUTION (the "Resolution") is entered into this _____ day of _____, 2012, by all members of the BOARD OF DIRECTORS OF RAMSEY LANDING II PROPERTY OWNERS ASSOCIATION, INC., a Georgia non-profit corporation (the "Board").

WITNESSETH:

WHEREAS, pursuant to Section 3.15 of the Bylaws of the Ramsey Landing II Property Owners Association, Inc., the Board does desire to hereby consent to the adoption of the following actions which would otherwise have been taken by the Board at a duly called meeting;

NOW, THEREFORE, the Board does hereby take the following actions:

1. The Board hereby consents to and approves the First Amendment to the Declaration of Covenants, Conditions and Restrictions for Ramsey Landing II.


IN WITNESS WHEREOF, all members of the Board have duly executed this Resolution, to be effective as of the day and year first above written.

[Signature]
Chapman Bennett, Sole Director
PHOTOGRAPHS PROVIDED BY APPLICANT
Sidewalk will be 1 ft 4 in above curb.

Slope is raising 4 ft every 10 ft.
NOTIFICATION TO BUYER

- PROVIDED BY APPLICANT -
Date: 02/18/22

To: Joseph and Jennifer Butler

From: Sean Ware, DR Horton

Re: Conditional CO for 136 Ramsey Way

Dear Joseph and Jennifer,

This letter is to make you aware of the variance that has been submitted to Effingham County in reference to the sidewalk issue. The zoning ordinance for Effingham County is that sidewalks need to be installed unless there are any unique physical circumstances in topography that will not allow a sidewalk.

The topography of the land from curb to homesite is not conducive to installing a sidewalk. The variance has been filed so that a sidewalk would not be necessary.

The Effingham County Board meets on March 21 and a decision will be issued on April 5. Effingham County is issuing a 60-Day Conditional CO allowing you to occupy the home. If the decision is made that sidewalks are not necessary, a permanent CO will be issued. If the decision is made to install the sidewalk, DR Horton will move forward at that time to fulfill the request and upon completion, the CO will be issued.

Please initial below that you acknowledge this condition at time of closing.

Joseph Butler [Signature] 02/21/22 1:47 PM EST Jennifer Butler [Signature] 02/21/22 1:46 PM EST

Thank you for your understanding.

Sean Ware

DVP of City Operations

D.R. HORTON

390 Silver Lake Road, Bluffton, SC 29910

o: 843-278-6796   m: 843-677-9111

Sworn and subscribed to me this day.

February, 18, 2022

Mark Strange

Notary Signature

Notary Expiration 8/18/2030

Notary Seal
Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: March 21, 2022

Item Description: Dennis Trotter as Agent for Krista Seckinger requests to rezone 2 of 23.32 acres from AR-1 to B-2, to allow for the future development of a Dollar General store, located at 1369 Ebenezer Road. Map# 460 Parcel# 48

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 2 of 23.32 acres from AR-1 to B-2, to allow for the future development of a Dollar General store, 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.
• Retail businesses are a permitted use in the B-2 General Commercial District. B-2 is compatible with the surrounding area, which includes residential development, a school complex, and an undeveloped property zoned B-2 across Ebenezer Rd.
• The property is in the Springfield water & sewer service delivery area.
• The proposed development will be 10,640 sf store clad in brick, stone, or stucco, with no exposed metal wall panels. Other decorative features, such as shutters and awnings, are proposed.
• A 30' vegetative buffer is required between R and B districts. Wetlands to the west ensure that even with additional development of the parent parcel, there will be extensive buffering between commercial and adjacent residential uses.
• Staff met with the applicant via Zoom on 2/28/2022, and discussed exterior building materials, the speed limit on Long Pond and Ebenezer Roads, and the sketch plan process. The applicant is working with GDOT on a driveway design permit.

Alternatives
1. Approve the request to rezone 2 of 23.32 acres from AR-1 to B-2, with the following conditions:
   1. Minor subdivision plat must be recorded before the rezoning can take effect.
   2. The lot shall meet the requirements of the B-2 zoning district.
   3. A Sketch Plan must be approved by the Board of Commissioners before site development plans are submitted.
   4. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
   5. All wetland impacts must be approved and permitted by USACE.
   6. A traffic study must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements.

2. Deny the request to rezone 2 of 23.32 acres from AR-1 to B-2

Recommended Alternative: 1
Department Review: Development Services
Attachments: 1. Rezoning application
            2. Ownership certificate

Other Alternatives: 2
FUNDING: N/A
3. Deed
4. Aerial photograph
Effingham County Rezoning Checklist

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

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

Check List:

The Effingham County Planning Commission recommends:

Approval_______  Disapproval_______

Of the rezoning request by applicant Dennis Trotter as Agent for Krista Seekinger- (Map # 460 Parcel # 48) from AR-1 to B-2 zoning.

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

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

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

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

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

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

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

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

Application Date: 1/12/2022

Applicant/Agent: Dennis Trotter
Applicant Email Address: dennis@jordantrotter.com
Phone #: 706-951-0147
Applicant Mailing Address: 3638 Walton Way Ext, Suite 200
City: Augusta State: GA Zip Code: 30909
Property Owner, if different from above: Krista Seckinger
Owner’s Email Address (if known): KJSECK@gmail.com
Phone #: 423-400-2043
Owner’s Mailing Address: 913 Crest Drive
City: Chickamauga State: GA Zip Code: 30707

Property Location: Northwest corner of Ebenezer Road and Long Bridge Road (1369 Ebenezer Rd)

Proposed Road Access: Full access on Long Bridge Road and right in/out on Ebenezer Road


Tax Map-Parcel #: 460-48 Total Acres: 23.32 Acres to be Rezoned: 2.00

Lot Characteristics: Currently a large wooded lot with an older home on the corner. Some floodzone and wetlands along the rear portion of the property

WATER

_____ Private Well 

SEWER

_____ Public Water System

_____ Private Septic System

_____ Public Sewer System

If public, name of supplier: 

Justification for Rezoning Amendment: In order to develop a Dollar General store

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

North AR-1 South B-3 & R-2 East R-6 West AR-1
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 1/12/2022

Applicant/Agent: Dennis Trotter

Applicant Email Address: dennis@jordantrotter.com

Phone #: 706-951-0147

Applicant Mailing Address: 3638 Walton Way Ext, Suite 200

City: Augusta State: GA Zip Code: 30909

Property Owner, if different from above: Krista Seckinger

Owner’s Email Address (if known): KJSECK@gmail.com

Phone #: 423-400-2043

Owner’s Mailing Address: 913 Crest Drive

City: Chickamauga State: GA Zip Code: 30707

Property Location: Northwest corner of Ebenezer Road and Long Bridge Road (1369 Ebenezer Rd)

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Lot Characteristics: Currently a large wooded lot with an older home on the corner. Some floodzone and wetlands along the rear portion of the property

WATER

_____ Private Well

_____ Public Water System

SEWER

_____ Private Septic System

_____ Public Sewer System

If public, name of supplier: ________________________________

Justification for Rezoning Amendment: In order to develop a Dollar General store

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

North AR-1 South B-3 & R-2 East R-6 West AR-1

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

The property is currently a large wooded lot with an old home. The property has been vacant for years.

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

The home on the property has been vacant for years and has no economic value.

The current zoning allows for the up to 1 single family house for every 5 acres.

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

We are proposing a 10,640 square foot Dollar General store. Our proposed building will have all four walls clad in brick, stone, or stucco, with no exposed metal wall panels. The building will also contain a combination of brick details, soldier courses, awnings, and decorative shutters to provide additional enhancement. The remaining portion of the property not being rezoned will create a natural buffer from the surrounding homes and our site plan accounts for a 30’ buffer per the ordinance, that will stay if the remainder of the property is further developed or rezoned in the future.

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

There is new neighborhood (Sundance) being developed to the west of our site. The majority of the property to the north and east is single-family homes on larger lots. To the south is higher density residential (Brookstone) and on the corner there is a vacant home zoned B-3.

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?

We believe this is a suitable use for this property as this is a growing residential area and our store will serve as a convenience to these homes.

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?

This intersection was recently improved with a traffic circle and there is water and sewer located to the south (Brookstone Neighborhood) and to the west (Raindance Subdivision). This use would not be burdensome to the existing street, transportation facilities, utilities, or schools in this area.

Applicant Signature  

Date 1/14/21  

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 20, 2007, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1653 page 37

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 Karla Seckinger

Owner's signature ____________________________

Print Name ____________________________

Owner's signature ____________________________

Print Name ____________________________

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

Notary Public, State of New Hampshire
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 20, 2007, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1863, page 37.

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: Krista Seckinger

Owner's signature
Print Name

Owner's signature
Print Name

Owner's signature
Print Name

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

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

I, Karla Seckinger, 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:  Dennis Trotter

Applicant/Agent Address:  3638 Walton Way Ext, Suite 200

City:  Augusta  State: GA  Zip Code: 30909

Phone:  706.736.1031  Email: dennis@jordantrotter.com

Owner's signature:  Karla Seckinger

Print Name:  Karla Seckinger

Personally appeared before me, Karla Seckinger, (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 13th day of January, 2022.

Notary Public, State of New Hampshire
AUTHORIZATION OF PROPERTY OWNER

I, Krista Seckinger, 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: Dennis Trotter

Applicant/Agent Address: 3638 Walton Way Ext, Suite 200

City: Augusta State: GA Zip Codes 30909

Phone: 706.736.1031 Email: dennis@jordantrotter.com

Owner's signature: ____________________________

Print Name: Krista Seckinger

Personally appeared before me Krista Seckinger (Owner print)

Who swears before me 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 13th day of January 2022

Brittany Egbert
Notary Public, State of Georgia

[Notary Public Seal]

BRITTANY EGBERT
Notary Public, Georgia
Columbia County
My Commission Expires
October 03, 2025
WHEREAS, Thyrza Janelle Robinson Seckinger, died a resident of Effingham County, Georgia, on the 14th day
of November, 2004, leaving a will dated January 9th, 2001, which has been probated in solemn form in said County on
November 19th, 2004, in the General Court of Justice Superior Court Division thereof; and
WHEREAS, under the terms of said will the following described property was devised to KRISTA JANELLE
SECKINGER and KARLA SUE SECKINGER:

All that certain lot or parcel of land situate, lying and being in the 9th G.M. District, Effingham
County, Georgia, containing three and eight-tenths (3.8) acres, more or less, bounded on the
northeast by the Rincon-Stillwell Public Road; on the southeast by State of Georgia Highway
#275; on the southwest by lands of Evelyn Zeigler; and on the northwest by lands of Calvin L.
Seckinger, as well as the home located thereon and the household and kitchen furniture therein.

All that certain lot or parcel of land situate, lying and being in the 9th G.M. District, Effingham
County, Georgia, containing three-tenths (0.3) acres, more or less, bounded on the north by State
of Georgia Highway #275; on the east by lands of M. L. Wilson; and on the southwest by the
Rincon-Stillwell Highway, as shown on a map or plat made by Paul Wettman, C.D., November 9,
1968, recorded in Book L, page 507 of the Surveyor’s Records of Effingham County, Georgia.

All that certain lot or parcel of land situate lying and being in the 9th G.M. District, Effingham
County, Georgia, containing Twelve and three-tenths (12.3) acres, more or less, and being
bounded as follows: on the Northeast by the Rincon-Stillwell Highway; on the Southeast by lands
of Mrs. Effie W. Seckinger; on the Southwest by channel of branch and across branch lands of
John D. Zeigler; and on the Northwest by channel of branch, and across branch lands of
Continental Can Corporation and lands of John D. Zeigler.

For a more particular description of the above conveyed lands reference is herein had to a map or
plat of same made by Paul Wettman, County Surveyor, dated November 10, 1970, and recorded in

All that certain lot, tract or parcel of land situate, lying and being in the 9th District, G.M.
Effingham County, GA, containing Eleven (11) acres, more or less, and being bounded as follows:
on the North by lands of W.J. Overstreet, the channel of a branch being the line; on the East by
lands of said W.J. Overstreet; on the South by State Highway # 275, known as the Rincon
Road; and on the West by lands of the Estate of G.W. Seckinger. For a more particular
description of the above conveyed tract of land reference is herein specifically had to a map or
plat of same made by Paul Wettman, County Surveyor of said County, and recorded in his office

WHEREAS, the undersigned duly qualified as Executor of the estate of the deceased
JANELLE ROBINSON SECKINGER and is now administering the estate under the terms of said will and it
has been determined that all debts and claims against the estate have been fully paid.

NOW, THEREFORE, the undersigned, as Executor of the will of said THYRZA JANELLE ROBINSON
SECKINGER hereby agrees to the devise of said property under the terms of said will, so that full fee-simple title
thereunto is vested in the said KRISTA JANELLE SECKINGER and KARLA SUE SECKINGER as provided in said will.

WITNESS my hand and seal, this 16th day of July, 2007.

01653 0038

TITLE NOT EXAMINED OR CERTIFIED BY SCRIVENER

Signed, sealed and delivered in the presence of:

[Signature]

NOTARY PUBLIC
DATE NOTARIZED

[Seal]

Krista Janelle Seckinger, Executor of the
Estate of Thyrsa Janelle Robinson Seckinger, Deceased

[Seal]

Karla Sue Seckinger, Executor of the
Estate of Thyrsa Janelle Robinson Seckinger, Deceased
February 9, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
Dennis Trotter
1369 Ebenezer Road Springfield, GA 31329
Pin: 460-483
Total Acres: 23.32 Acres to be rezoned: 2.0

To Whom It May Concern:

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

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

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

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.
This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

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

Sincerely,


Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
February 17, 2022

Trotter General, LLC  
3638 Walton Way Ext, Suite 200  
Augusta, GA 30909

RE:  Ebenezer Road and Long Bridge Road, Rincon GA  
Parcel 460-48  
Water & Sewer Availability & Capacity Letter

To Whom It May Concern:

Water and sewer services are currently available to the proposed 1 lot development at the above referenced location. All costs to connect to the existing water and sewer infrastructure will be paid by the developer.

The City of Springfield currently has adequate water and sewer capacity to service a single standalone Dollar General on the 23.32 acre parcel.

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

Sincerely,

[Signature]

Matthew A. Morris  
City Manager
PARKING STALL DIMENSIONS: 16.5' X 9'