



THE PLANNING BOARD OF EFFINGHAM COUNTY, GA
January 27, 2020

I. CALL TO ORDER

Chairman Burns called the meeting to order at 6:00 PM.

II. INVOCATION

Board Member Zipperer gave the invocation

III. PLEDGE TO THE FLAG

Board Member Zipperer led the pledge.

IV. AGENDA APPROVAL

Chairman Burns asked if there were any changes to the agenda. Mr. Brad Smith made a motion to approve the agenda. Mrs. Juanita Golden seconded the motion. The motion carried unanimously.

V. APPROVAL OF MINUTES

Chairman Burns asked if there were any corrections or additions to the December 16, 2019 meeting minutes. Mrs. Juanita Golden made a motion to approve the minutes as read. Mr. Alan Zipperer seconded the motion. The motion carried unanimously.

Members Attending: Mr. David Burns, Mrs. Juanita Golden, Mr. Alan Zipperer, Mr. Peter Higgins, and Mr. Brad Smith

Members Absent:

Staff Present: Mrs. Diane Proudfoot: Zoning Administrator, Mrs. Teresa Concannon: County Planner, Ms. Katie Dunnigan: Planning Board Secretary

Persons Attending: Mr. Dusty Zeigler, Mr. Rhett Roscinski, Mr. Mark Roundtree, Mrs. Betty Zipperer, Mr. Wayne Hurst, Mrs. Linda Heidt, Mrs. Dana Rahn, Mr. Gregg Howze, Mr. Andy Capwell, Mrs. Shirley Calvert, Mr. David Michael Conner Esq., Mr. Travis Bazemore, Mr. Michael Sheffield, Mrs. Cathy Sheffield, Mr. Dennis Hale, Mrs. Sharon Hale, Mr. Alec Metzger, Mrs. Elizabeth Moore, Mr. Robert Ellis, Mr. Zach Conaway, Mrs. Christy McGrath, Mrs. Lauren Jennings, Mrs. Kathy Dillard

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VI. OLD BUSINESS

Tracy Marsh Construction - PUBLIC HEARING (1): The applicant requests to rezone 17.5 acres from **AR-1** to **I-1** for **[Map# 354 Parcel# 28]** located at 2388 US Hwy 80 to allow for a commercial business. **(First District)**.

Chairman Burns recommended that this item and the next agenda item (Tracy Marsh Construction Variance) be heard at the same time.

Mr. Travis Bazemore of EMC Engineering was present to represent the interests of Tracy Marsh Construction. Mr. Bazemore presented that the proposed business at 2388 US Hwy 80 would consist of truck and boat sales in the front of the property, reserving the rear of the property for future development. The current dwelling on the property would be used as an office. Mr. Bazemore said the property was currently surrounded by I-1 zoning, and the property in question must be rezoned to I-1 to permit boat sales.

Mrs. Diane Proudfoot, Zoning Administrator reported that the County Attorney, having reviewed the proposed rezoning, has said that boat sales are permissible only in I-1 zoning at present.

Mr. Peter Higgins asked (with regards to the variance request) where the berm would be located. Mr. Bazemore stated the berm would be on both sides of the property.

Mr. Michael Sheffield was present to speak against the rezoning. Mr. Sheffield, owner of a neighboring property, stated that 2388 US Hwy 80 was surrounded by Agricultural-Residential zoning. He cited Effingham County Zoning Ordinance 3.4: “At no time may buffers be reduced between Commercial, Institutional, or Industrial and Residential uses.” Mr. Sheffield declared his belief that industrial zoning would destroy the area and granting the petition of Tracy Marsh Construction “...is the first domino”.

Mrs. Cathy Sheffield was present to speak against the rezoning. Mrs. Sheffield stated she had previously helped stop a prior petition for rezoning. She said rezoning the property industrial would lead another neighbor, a Mr. Michael Wedincamp to establish a truck staging area, Mrs. Sheffield does not want to see this happen.

Mrs. Vivian Howard was present to speak against the rezoning. Mrs. Howard characterized the neighborhood as “peaceful” and having “fantastic neighbors”. She hoped the Planning Board would recommend disapproval, thereby representing the people.

Mr. Dennis Hales was present to speak against the rezoning, saying that if the property was rezoned Tracy Marsh Construction would have the ability to do what they wanted with the property, potentially above and beyond proposed activity. Mr. Hales does not want more noise in association with industrial zoning.

Mrs. Sharon Hales was present to speak against the rezoning. Mrs. Hales stated that rezoning will not make the neighborhood a better place. She cited the Invocation given

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by Mr. Alan Zipperer at the opening of the meeting and implored the board to make a decision in accordance with the Invocation.

Mrs. Juanita Golden made a motion to deny. The motion was seconded by Mr. Peter Higgins and was carried 4-1 with Chairman Burns opposing.

Tracy Marsh Construction - PUBLIC HEARING (2): The applicant requests a variance to reduce the required buffer between **I-1** and **AR-1** from 150’ to 50’ with a berm [Map# 354 Parcel# 28] located at 2388 US Hwy 80. **(First District)**.

Mr. Travis Bazemore was present to speak on behalf of Tracy Marsh Construction. He stated that a full buffer would cause too much reduction of frontage; there would be no issue with complying with the 150’ buffer in the rear due to the presence of wetlands.

Mr. Michael Sheffield was present to speak against the variance. Mr. Sheffield stated that the buffer must be present in the front of the property as well, which would require a berm on the other side of Hwy 80.

Having heard evidence and arguments for the variance during the presentment for the rezoning application (Public Hearing 1), Mrs. Juanita Golden made a motion to deny. The motion was seconded by Mr. Peter Higgins and carried 4-1, with Chairman Burns opposing.

Both the rezoning and the variance requests will be heard at the Board of Commissioners Meeting on February 4, 2020.

VII. NEW BUSINESS

Chairman Burns stated all items voted on would be presented at the February 18, 2020 Board of Commissioners meeting at 6:00 pm as a public hearing (with the exception of residential business and pond requests)

DEA Construction, Inc. (1): The applicant to rezone 18.78 acres for [Map # 301 Parcel #41 & 42] located at 3201 Sandhill Road from **I-1** to **R-1**.**(First District)**.

Mr. Alec Metzger of EMC Engineering was present to speak on behalf of DEA Construction. Mr. Metzger stated that the property was zoned I-1 in 2008 or 2009 for a mine, there was always the intention to return the zoning to AR. Mr. Metzger said the rezoned property would be subdivided in to 5 lots, ranging in size from 1 to 2.67 acres.

Mr. Metzger went on to speak about items 2 and 3 on the meeting agenda, being a sketch plan and variance for DEA Construction. He stated desire to have the sketch plan approved, and, with regards to the variance request, said that more rural subdivisions do not have the need for sidewalks.

No one was present to speak either for or against.

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Mrs. Juanita Golden made a motion to approve the rezoning request. The motion was seconded by Mr. Alan Zipperer and carried unanimously.

DEA Construction , Inc. - PUBLIC HEARING (2): The applicant requests a sketch plan review for [Map# 301 Parcel# 41 &42] located at 3201 Sandhill Road for “Sandhill Road Subdivision”. **(First District)**.

Mrs. Diane Proudfoot read the staff recommendations:

Approve, with the following stipulations:

1. Preliminary plans for development shall be submitted per Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, Section 4.2.2.
2. Development shall comply with the requirements of the R-1 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. Subdivision plat must be approved by the Zoning Administrator.
5. All wetland impacts permitted by USACE.

Mrs. Juanita Golden made a motion to approve, with stipulations. The motion was seconded by Mr. Brad Smith and carried unanimously.

DEA Construction , Inc. - PUBLIC HEARING (3): The applicant requests a variance for [Map# 301 Parcel# 41 &42] located at 3201 Sandhill Road to eliminate the requirement of sidewalks **(First District)**.

Mr. Alan Zipperer asked if the proposed number of lots (5) was the cap on how many lots would be present. Mr. Metzger answered that five was the maximum number of lots that could be created on the property.

Mr. Peter Higgins asked if the streets would be dedicated to the county and, if so, would DEA still install road signs. Mr. Metzger responded that the streets would eventually be dedicated to the county and the existing plan included striping and signage.

Mrs. Juanita Golden made a motion to approve the variance request. The motion was seconded by Mr. Brad Smith and carried unanimously.

Elizabeth Moore - PUBLIC HEARING (4): The applicant requests a rural business for [Map# 303 Parcel# 31] located at 356 Harvey Road to operate a small lumber mill, zoned AR-1. **(First District)**

Mrs. Elizabeth Moore was present to represent herself. Mrs. Moore stated the intent to operate a 30” portable lumber mill. The lumber would be taken from fallen or single cut trees. Mrs. Moore said the business would focus on creating “raw edge” products and she would not have people openly buying lumber.

Mr. Peter Higgins stated the opinion that it was a good idea but he didn’t see a large market for the proposed plan and products.

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Mrs. Moore elaborated on the structure of the proposed business saying the sound from the mill would not exceed that of a lawnmower and would not run nights or weekends. She distributed photographs of the original mill, which she stated has historic significance.

Mr. Peter Higgins made the observation that the proposed business could be best classified as a “hobby business” and went on to observe that the property has no road frontage. Mrs. Moore replied that there are two other businesses on the same street without frontage.

Mr. Alan Zipperer asked if Mrs. Moore owned the road (leading from public road to the property). **Mrs. Moore stated she owns the road ½ miles out.**

Chairman Burns directed the question to Mrs. Diane Proudfoot as to why Mrs. Moore was requesting a rural business when it seemed to him like more of a hobby than a business. Mrs. Proudfoot responded that the rural business application was put in at Mrs. Moore’s request.

Mrs. Juanita Golden made a motion to approve the request. The motion was seconded by Mr. Alan Zipperer and was carried unanimously.

South Georgia Custom Homes - PUBLIC HEARING (5): The applicant requests a variance for **[Map# 350 Parcels# 16]** located on Blue Jay Road to eliminate the requirement for sidewalks in Emerald Plantation, Phase II, zoned **R-1. (First District)**

Mr. Alec Metzger of EMC Engineering was present to represent South Georgia Custom Homes. Mr. Metzger said that Effingham subdivisions with larger lots, and ditches, often do not have sidewalks.

Chairman David Burns asked why, since zoning was the same between Phase I and Phase II, why was there not the requirement in Phase I. Mr. Metzger said he was not sure and it had never come up.

Mr. Alan Zipperer asked who would maintain the ditches. Mr. Metzger replied that most people think the ditches are part of their yard and maintain them, otherwise it would be the County’s responsibility.

Mr. Metzger stated that putting in sidewalks would cut in to lots, increase easements, and reduce front yard size. He added that the sidewalks in question would go nowhere.

Mr. Alan Zipperer voiced concern over future ditch maintenance.

Mrs. Juanita Golden made a motion to deny. The motion was seconded by Mr. Alan Zipperer and carried 3-1-1, with Chairman David Burns against and Mr. Brad Smith abstaining.

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South Georgia Custom Homes - PUBLIC HEARING (6): The applicant requests a variance for [Map# 350 Parcel# 16] located on Blue Jay Road to eliminate the requirement for reuse lines in Emerald Plantation Phase II, zoned **R-1 (First District)**.

Mr. Alec Metzger of EMC Engineering was present to speak on behalf of South Georgia Custom Homes. Mr. Metzger stated there are no reuse lines in Emerald Plantation Phase I.

Mr. Alan Zipperer attested that it is not fair to ask a developer to pay for the County's infrastructure. Chairman David Burns agreed.

Mrs. Juanita Golden made a motion to deny. No one seconded and the motion died. Mr. Peter Higgins made a motion to approve. The motion was seconded by Mr. Alan Zipperer and carried 4-1, with Mrs. Juanita Golden abstaining.

South Georgia Custom Homes - PUBLIC HEARING (7): The applicant requests a sketch plan review for [Map# 350 Parcel# 16] located on Blue Jay Road for Emerald Plantation Phase III, zoned **R-1 (First District)**.

Mr. Alec Metzger was present to represent South Georgia Custom Homes. Mr. Metzger stated that Phase III also had attached a variance request to eliminate sidewalks (Public Hearing Item 8).

Mrs. Diane Proudfoot submitted that Phase III of Emerald Plantation is on the opposite side of Blue Jay Road from Phase II, and that the sketch plan does not show sidewalks. Mr. Metzger responded that sidewalks were planned, but not shown.

Mrs. Juanita Golden made a motion to approve the sketch plan. The motion was seconded by Mr. Alan Zipperer and carried 4-1, with Mr. Brad Smith voting against.

South Georgia Custom Homes - PUBLIC HEARING (8): The applicant requests a variance for [Map# 350 Parcel# 16] located on Blue Jay Road to eliminate the requirement for sidewalks in Emerald Plantation Phase III, zoned **R-1 (First District)**.

Mr. Alec Metzger of EMC Engineering was present, representing South Georgia Custom Homes. He stated that this phase of Emerald Plantation tied in to Blue Jay Road.

Mr. Alan Zipperer indicated that he found it difficult to approve or disapprove some sidewalk variances and not others.

Mrs. Juanita Golden made a motion to deny. The motion was seconded by Mr. Brad Smith and carried 4-1, with Mr. Peter Higgins voting against.

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South Georgia Custom Homes - PUBLIC HEARING (9): The applicant requests a variance for [Map# 350 Parcel# 16] located on Blue Jay Road to eliminate the requirement for reuse lines in Emerald Plantation Phase III, zoned **R-1 (First District)**.

Mrs. Juanita Golden made a motion to deny. The motion was not seconded and died. Mr. Peter Higgins made a motion to approve. The motion was seconded by Mr. Brad Smith and carried 4-1, with Mrs. Juanita Golden abstaining.

ZC Timber, LLC - PUBLIC HEARING (10): The applicant requests to rezone 20 +/- acres for [Map# 351 Parcel# 6] located on Blue Jay Road from **AR-1** to **I-1** to allow for a surface mine (**First District**).

Mr. Robert Ellis of Park Engineers was present to speak on behalf of ZC Timber, LLC. Mr. Ellis stated the purpose of the proposed rezoning and went on to say that there is 50' from the proposed buffer to the pit itself.

Mrs. Juanita Golden made a motion to approve with stipulations. The motion was seconded by Mr. Alan Zipperer and carried unanimously.

Christy McGrath - PUBLIC HEARING (11): The applicant requests to rezone 2.51 acres for [Map# 378 Parcel# 26] located at 240 Ranch Road from **AR-1** to **AR-2** to allow for a home site (**First District**).

Mrs. Christy McGrath was present to represent her own interests. She restated the purpose of the rezoning request.

Mrs. Diane Proudfoot read the staff recommendations:

Approval with the following stipulations:

1. The lots must meet the requirements of the AR-2 zoning district.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Mrs. Proudfoot went on to describe and present the current layout of the property; Mrs. McGrath's brother currently resides in the front of the property.

Mrs. Juanita Golden made a motion to approve, with staff recommended stipulations. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Kathy Dillard - Public Hearing (12): The applicant requests to rezone 1 acre for [Map# 415 Parcel# 28] located at 383 Otis Seckinger Road from **AR-1** to **AR-2** to allow for a home site. (**Second District**)

Mrs. Kathy Dillard was present to represent her own interests. Mrs. Dillard stated that she is purchasing this land to establish a home site for her mother. Mrs. Dillard has already obtained easement agreements for road access and water.

Mr. Alan Zipperer made a motion to approve, with staff recommendations:

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Approval with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

The motion was seconded by Mr. Brad Smith and carried unanimously.

Rhett Roscinski - PUBLIC HEARING (13): The applicant requests to rezone 10.12 acres for [Map# 416 Parcel# 3] located at 430 Hodgeville Road from **AR-1** to **B-3** for a diesel repair shop (**Second District**).

Mr. Rhett Roscinski was present to represent his own interests. Mr. Roscinski stated that his business had grown unexpectedly and rezoning is needed to allow for the expansion of the business. He went on to say that his business was invested in giving back to the community.

Mrs. Diane Proudfoot, Zoning Administrator, presented staff recommendations: Denial, as the property was developed for residential uses appropriate for the AR-1 zoning district. Those uses are prohibited in B-3. The rezoning application states that the present use is “Residence with Auxiliary Building”. No site development plans or proposal to reconstruct the auxiliary building for commercial use have been submitted.

Mr. Roscinski said he had purchased 5 additional acres to accommodate his business. He said he believes the issue (the reason his business is drawing resistance from neighbors) is because it is diesel based repair. Mr. Roscinski went on to say that his intention is for his family to move to the house at the front of the property and the mobile home the family currently resides in can be removed, as mobile homes are not permitted in commercial zoning. He also stated that he had been previously unaware that he was not in compliance with County ordinance.

Mrs. Proudfoot stated that Mr. Roscinski’s business did not meet the criteria for a rural business classification.

Mr. David Michael Conner, Esq. was present to speak against the rezoning as attorney for Mr. Dusty Zeigler, neighbor of Mr. Roscinski. Mr. Conner presented the Board with notebooks, describing them as containing: a photo log of large scale vehicles, a section (Tab 3) with an overview of the site which he described as a “heavy duty commercial outfit”, and a section (Tab 6) of nighttime activity to include large trucks. Mr. Conner stated that the area roads were not built for the vehicles associated with Mr. Roscinski’s business, and that Mr. Roscinski had yet to present a hazardous waste removal plan. Mr. Conner said that the rezoning of Mr. Roscinski’s property would be “spot zoning”, having earlier stated that the surrounding neighborhood’s zoning was characterized as AR.

Mr. Dusty Zeigler was present to speak against the rezoning. Mr. Zeigler owns the property adjacent to Mr. Roscinski. Mr. Zeigler stated that the photos in the material submitted by Mr. Conner reflected a timeline from the beginning of known operations on the property to present. Mr. Zeigler inquired as to why the County was not stopping

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the activity on Mr. Roscinski’s property. Mr. Zeigler and Mr. Roscinski share an easement. Mr. Conner elaborated on Mr. Zeigler’s description of the photos, saying that some dated back to 1/15/2020.

Mr. Roscinski stated that he had not been repairing vehicles at the location, he has been conducting mobile repairs off site since being notified he was not in compliance. Mr. Roscinski said Code Enforcement had been to the site within the past month to evaluate if the business was currently operational.

Mr. Peter Higgins requested a copy Greg Hood’s (Code Enforcement Officer) report.

Mr. Roscinski went on to say that all vehicles currently on site are personal vehicles. He stated the company had grown from earnings of \$50,000 in 2017, to earnings of \$1.3 million in 2019. Mr. Roscinski informed the Board that there was no business activity at night.

Mr. Zeigler implored the Board to look at the submitted photographs, saying that while the frequency had diminished, the activity has continued. He went on to say that allowing Mr. Roscinski to continue was allowing Mr. Roscinski to circumvent the process.

Mr. Peter Higgins stated that he thought Mr. Roscinski had a great business, but in the wrong place. Chairman David Burns added the he agreed the rules had not been followed.

Mr. Roscinski said he had been unaware of the zoning requirements

Mr. Alan Zipperer made a motion to deny. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Rhett Roscinski - PUBLIC HEARING (14): The applicant requests a rural business for [Map# 416 Parcel# 3] located at 430 Hodgeville Road (**Second District**).

Mrs. Diane Proudfoot, Zoning Administrator, outlined the criteria for a Rural Business, saying the total square footage of property use could not exceed 1000 sq ft.

Mr. Rhett Roscinski stated that he had submitted a business plan in August showing how his business could operate within the 1000 sq ft restriction. Mr. Michael Conner stated that the current business associated structure on the property is 6000 sq ft. Mr. Roscinski replied that the building was “multidirectional”, serving for both personal and professional uses.

Mr. Alan Zipperer made a motion to deny. The motion was seconded by Mr. Brad Smith and carried unanimously.

Recess: Chairman David Burns called for a break at **7:47 PM**. The meeting resumed at **7:54 PM**.

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James Thompson - PUBLIC HEARING (15): The applicant requests to rezone 3.67 acres for [Map# 221 Parcel# 9] located at 810 Shearwood Road from **AR-1** to **B-3** to allow for light fabrication and storage (**Third District**) .

Mrs. Betty Zipperer was present to speak on behalf of Mr. James Thompson III. She stated the rezoning was for the purpose of renting the existing commercial building to pay taxes on the property. The prospective tenant would use the building to build horse jumps, store trusses.

Mrs. Diane Proudfoot, Zoning Administrator, said the building on the property is a 19,800 sq ft warehouse. The building was previously used to manufacture countertops and was rezoned from I-1 to R-1 in 2007. The distance to the entrance road is 700 ft. She added that Mrs. Zipperer is acting as proxy for Mr. Thompson, who holds Power of Attorney for his mother, who is the owner of the property.

Mrs. Melissa Hall was present to speak against the rezoning. Mrs. Hall owns the adjacent property and stated that the shared road is unable to handle the traffic that would be a result of business involving trusses. She asked who would then be responsible for maintaining the road.

Mr. Woody Hall was present to speak against the rezoning. Mr. Hall shared the concerns of Mrs. Hall and added his observation that the road already had issues after rain with current traffic.

Mrs. Tina Hall was present to speak against the rezoning. Mrs. Hall stated was concerned about potential traffic, and how that might create a safety issue for children.

Mr. Mark Roundtree was present to speak against the rezoning. Mr. Roundtree said his main concern was also the road. He stated that trusses required vehicles that accommodate wide loads. Mr. Roundtree went on to say that there were no neighboring businesses.

Chairman David Burns inquired as to whether the opinion of those against the rezoning would be different if the county was to maintain the road. Mr. Roundtree observed that the section of road which had been upgraded by the county was “excellent”.

Mr. Alan Zipperer made a motion to deny based on the potential road issues. The motion was seconded by Mr. Brad Smith and carried unanimously.

Wayne Hurst - PUBLIC HEARING (16):The applicant requests to rezone 4 acres for [Map# 223 Parcel# 2 & 2A] located at 1563 George Hurst Road from **AR-1** to **AR-2** to allow for a home site (**Third District**) .

Mr. Hurst was present to represent his own interests. Mr. Hurst stated that multiple divisions were necessary to create the home sites he required for his family. The proposed divisions had already been approved by the Health Department.

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Mrs. Diane Proudfoot clarified that there must be rezone to divide the property due to the characterization of an AR-1 lot being over 5 acres.

Mr. Alan Zipperer made a motion to approve, with staff recommendations:

Approval with the following stipulations:

1. The lots must meet the requirements of the AR-2 zoning district.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

The motion was seconded by Mr. Brad Smith and carried unanimously.

Linda Heidt - PUBLIC HEARING (17): The applicant requests to rezone 2 acres for [Map# 290 Parcel# 1] located at 2954 Springfield Egypt Road from **AR-1** to **AR-2** to allow for a home site (**Third District**).

Mrs. Linda Heidt was present to represent her own interests. Mrs. Heidt stated she wished to rezone the 2 acres for the purpose of separating and selling the house on her property.

Mr. Peter Higgins made a motion to approve. The motion was seconded by Mrs. Juanita Golden and carried unanimously.

Mary Derryberry - PUBLIC HEARING (18): The applicant requests to rezone 3 acres for [Map# 316 Parcel# 18] located at 1563 George Hurst Road from **B-2** to **AR-2** to allow for a home site (**Third District**).

Mrs. Dana Rahn was present to speak on behalf of Mrs. Derryberry.

Mr. Peter Higgins made a motion to approve with staff recommendations:

Approval with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

The motion was seconded by Mr. Brad Smith and carried unanimously.

Wesley Shaw - PUBLIC HEARING (19): The applicant requests to rezone 17.77 acres for [Map# 420 Parcel# 21B] located on Goldkist Road from **I-1** to **AR-1** to allow for a home site (**Third District**).

Mr. Gregg Howze was present to speak for Mr. Wesley Shaw. Mr. Andrew Capwell joined Mr. Howze at the podium to speak for his own interests which were the same rezoning request, on an adjacent property, for the next item (Public Hearing Item 20). Mr. Howze, who sold the properties to both Mr. Shaw and Mr. Capwell, stated that he had thought he had already rezoned the property prior to selling it to Mr. Shaw. Mr. Howze went on to say that the Shaw property had not been part of the nearby factory site.

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Mr. Alan Zipperer made a motion to approve with staff recommendations:

Approval with the following stipulations:

1. Lot must meet the requirements of the AR-1 zoning district.
2. Report on soil testing (2010 stipulation) for the site must be provided to Development Services.
3. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

The motion was seconded by Mrs. Juanita Golden and carried unanimously.

Andrew Capwell - PUBLIC HEARING (20): The applicant requests to rezone 5 acres for [Map# 420 Parcel# 21B01] located at 305 Goldkist Road from I-1 to AR-1 to allow for a home site (Third District) .

Mr. Andrew Capwell was present to represent his own interests. Mr. Capwell expressed that his request was the “same thing” as Item 19 on the agenda.

Mr. Alan Zipperer made a motion to approve with staff recommendations:

Approval with the following stipulations:

1. Lot must meet the requirements of the AR-1 zoning district.
2. Report on soil testing (2010 stipulation) for the site must be provided to Development Services.
3. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

The motion was seconded by Mr. Peter Higgins and carried unanimously.

Beacon Builders - PUBLIC HEARING (21): The applicant requests a variance for [Map# 347 Parcel# 8] located on Courthouse Road to eliminate the requirement for sidewalks in Barrister Landing, zoned R-1 (Fourth District) .

Mr. Michael Roach of Thomas and Hutton was present to represent Beacon Builders. Mr. Roach stated that the development ties in to Barrister Crossing, a neighboring development which does not have sidewalks.

Mr. Brad Smith made a motion to deny. The motion was seconded by Mr. Alan Zipperer and was carried unanimously.

Beacon Builders - PUBLIC HEARING (22): The applicant requests a variance for [Map# 347 Parcel# 8] located on Courthouse Road to eliminate the requirement for reuse lines in Barrister Landing, zoned R-1 (Fourth District) .

Mr. Michael Roach was present to represent Beacon Builders. Mr. Roach stated that water reuse tie ins were located 3.6 miles away.

Mr. Peter Higgins made a motion to approve. The motion was seconded by Mr. Alan Zipperer and was approved unanimously.

Shirley Calvert - PUBLIC HEARING (23): The applicant requests a variance for [Map# 459 Parcel# 50A] located at 200 Tommy Long Road to allow for a camper to

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be used as a temporary dwelling until a permanent residence is purchased and set up, zoned **AR-2 (Fourth District)**.

Mrs. Shirley Calvert was present to represent her own interests. Mrs. Calvert stated she was waiting for the approval of a permit for a mobile home. Her son is currently residing in the camper.

Mrs. Diane Proudfoot stated that Code Enforcement had been sent out due to a complaint about the camper.

Mr. Brad Smith made a motion to approve the variance request for 6 months with staff recommendations:

Denial, applicant has not submitted an application for a building permit.

Should the Board chose to recommend approval, the following stipulations are recommended:

1. A complete application for a building permit to install a mobile home must be submitted to Development Services within 30 days of Board of Commissioners’ approval.
2. If application is not submitted to Development Services by the specified deadline, the camper must be removed.
3. The Health Department must approve sanitation for the camper.
4. The camper may be occupied for up to 6 months, and shall be removed from the property upon the issuance of a certificate of occupancy for the new dwelling.

The motion was seconded by Mr. Alan Zipperer and carried unanimously.

VIII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:24 PM.

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| CHAIRMAN OF PLANNING BOARD EFFINGHAM COUNTY, GEORGIA | DATE |
| _____ | _____ |
| PLANNING BOARD SECRETARY | DATE |