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

<table>
<thead>
<tr>
<th>Item of Business</th>
<th>Action Requested of Planning Board</th>
<th>Previous Action of Board</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Call To Order</td>
<td>6:02pm</td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. Invocation</td>
<td></td>
<td></td>
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<tr>
<td>III. Pledge to the Flag</td>
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<tr>
<td>IV. Agenda Approval</td>
<td>Consideration to approve the agenda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>V. Minutes</td>
<td>Approval of the April 18, 2022 minutes</td>
<td></td>
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</tr>
<tr>
<td>VI. New Business</td>
<td>All items presented during this portion of the meeting will be presented at a future Board of Commissioners Meeting as a Public Hearing (with the exception of pond and residential business approvals)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01 Public Hearing</td>
<td>Stanley Redding III as Agent for Paula M. Redding requests to rezone 2.9 acres from AR-1 to AR-2 to allow for the separation of two home sites. Located on Redding Drive. (First District) [Map# 302 Parcel# 5]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>02 Public Hearing</td>
<td>Lonnie &amp; Candace Bott request a variance to allow for an RV/camper to be used as a temporary dwelling during the construction of a residence. Located at 300 Early Street Extension, zoned AR-1. (Fourth District) [Map# 388 Parcel# 15]</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>03 Public Hearing</td>
<td>Eric &amp; Kristen Reamy request to rezone 10.75 from AR-1 to AR-2 to allow for the separation of a home site. Located at 136</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>Public Hearing</td>
<td>Applicant</td>
<td>Request to</td>
<td>Zoning Change Details</td>
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<tr>
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</tr>
<tr>
<td>04 Public Hearing</td>
<td>W.T. Wasden as Agent for Millen Timber Co.</td>
<td>rezone 46.62 of 52.8 acres from AR-1 to I-1</td>
<td>to allow for a surface mine. Located at 1080 Midland Road. (First District) [Map# 324 Parcel# 115]</td>
</tr>
<tr>
<td>05 Public Hearing</td>
<td>Backwater Expeditions, LLC as Agent for Marie Raimondo</td>
<td>rezone 69.103 acres from AR-1 to PD Recreation</td>
<td>to allow for the development of an ecotourism site. Located at 545 Wylly Road. (Fourth District) [Map# 459 Parcel# 84]</td>
</tr>
<tr>
<td>06 Public Hearing</td>
<td>3 Byrds Development, LLC</td>
<td>rezone 39.46 acres from AR-1 to R-3</td>
<td>to allow for a multi-family residential development. Located on Noel C Conaway Road. (First District) [Map# 352 Parcel# 18]</td>
</tr>
<tr>
<td>07 Public Hearing</td>
<td>Chesterfield, LLC as Agent for Janis Z. Bevill et al.</td>
<td>variance</td>
<td>to reduce required buffer between industrial and various zoned parcels. Located on Hodgeville Road, zoned I-1. (Second District) [Map# 434 Parcels# 24,24A,26,26C]</td>
</tr>
<tr>
<td>08 Public Hearing</td>
<td>Stature Investments as Agent for Ashley Ron Moore</td>
<td>rezone 22.01 acres from AR-1 to I-1</td>
<td>to allow for the development of an industrial warehouse facility. Located off Abercorn Road. (Fifth District) [Map# 477 Parcel# 8]</td>
</tr>
<tr>
<td>09 Public Hearing</td>
<td>Stature Investments as Agent for Ashley Ron Moore</td>
<td>variance</td>
<td>to reduce the required buffer between industrial and various zoned parcels. Located off Abercorn Road, zoned AR-1, proposed zoning I-1. (Fifth District) [Map# 477 Parcel# 8]</td>
</tr>
<tr>
<td>10 Public Hearing</td>
<td>Stature Investments as Agent for Chester R. Porter &amp; Clint R. Porter</td>
<td>rezone 84.38 acres from AR-1 to I-1</td>
<td>to allow for the development of an industrial warehouse</td>
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</tr>
<tr>
<td>11 Public Hearing</td>
<td><strong>Stature Investments</strong> as Agent for <strong>Chester R. Porter &amp; Clint R. Porter</strong> requests a <strong>variance</strong> to reduce the required buffer between industrial and various zoned parcels. Located on Abercorn Road, zoned <strong>AR-1</strong>, proposed zoning <strong>I-1</strong>. (Fifth District) [Map# 477 Parcel# 9]</td>
<td><strong>Withdrawn</strong></td>
<td></td>
</tr>
<tr>
<td>12 Discussion of Meeting Date</td>
<td><strong>Consideration to cancel the scheduled June, 2022 Planning Board meeting and call a special meeting to hear those scheduled agenda items on June 27, 2022</strong></td>
<td></td>
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</tr>
<tr>
<td>VIII. Adjournment</td>
<td><strong>9:45pm</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Subject: Rezone (First District)  
Author: Teresa Concannon, AICP, Planning & Zoning Manager  
Department: Development Services  
Meeting Date: May 16, 2022

Item Description: Stanley Redding III as Agent for Paula M. Redding requests to rezone ~2.9 acres from AR-1 to AR-2 to allow for the creation of two home sites. Located at 109 Redding Drive. Map# 302 Parcel# 5

Summary Recommendation
Staff has reviewed the application, and recommends approval of the request to rezone 2.9 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 to create a new home site. The subdivision will create a 1.95-acre lot and a 1.0-acre lot and, therefore, the entire 2.95 acres must be rezoned to AR-2.

Alternatives
1. **Approve** the request to rezone 2.9 acres from AR-1 to AR-2 to allow for the separation of a home site, with the following conditions:
   1. The lots shall meet the requirements of the AR-2 zoning district.
   2. Minor subdivision plat must be approved by Development Services and Environmental Health and be recorded, before the rezoning can take effect.
2. **Deny** the request to rezone 2.9 acres from AR-1 to AR-2.

Recommended Alternative: 1  
Other Alternatives: 2

Department Review: Development Services  
FUNDING: N/A

Attachments:
1. Rezoning application and checklist  
2. Ownership certificate/authorization
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

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

Of the rezoning request by applicant Stanley Redding III as Agent for Paula M. Redding – (Map # 302 Parcel # 5) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

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

Application Date: 4/1/2022

Applicant/Agent: Stanley Redding III
Applicant Email Address: Seredding1724@gmail.com
Phone #: 912-607-0469

Applicant Mailing Address: 109 Redding Drive
City: Eden State: GA Zip Code: 31807

Property Owner, if different from above: Paula M. Redding
Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): PaulaRedding172@gmail.com
Phone #: 912-607-0537

Owner’s Mailing Address: PO Box 295
City: Eden State: GA Zip Code: 31807

Property Location: 109 Redding Drive
Proposed Road Access: Redding Drive


Tax Map-Parcel #: 302-5 Total Acres: 2.9 Acres to be Rezoned: 2.9

Lot Characteristics: Two residences

WATER

☑️ Private Well

☐ Public Water System

SEWER

☑️ Private Septic System

☐ Public Sewer System

If public, name of supplier:

Justification for Rezoning Amendment: Acresage is under min. 5 acres for AR-1

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

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

   Residential/ag.

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

   No change to land use.

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

   No

Applicant Signature: [Signature]

Date: 4-1-22

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

March 1, 2022, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2768, page 94-94.

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: ________________________________

Owner’s signature: ____________________________
Print Name: ________________________________

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

[Signature]
Notary Public, State of Georgia

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, __________________________, 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: __________________________

Applicant/Agent Address: __________________________

City: __________________________ State: GA Zip Code: 31307

Phone: __________________________ Email: __________________________

Owner’s signature: __________________________

Print Name: __________________________

Personally appeared before me __________________________ (Owner print)

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

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

__________________________
Notary Public, State of Georgia

Rev 05052021
QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, made the 1st day of March, 2022 between STEVEN R. REDDING of the FIRST PART, and PAULA M. REDDING of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby bargain, sell, and by these presents remise, release, and forever QUIET CLAIM to the SECOND PARTY, her heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTY has or may have in and to the following real estate, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 1559th G.M. District of Effingham County, Georgia, being known and designated as Parcel Pour (4), containing Two and Nine Tenths (2.9) acres, more or less.

Express reference is hereby made to the plat of said lands made by Paul Weltman, County Surveyor, Effingham County, Georgia, dated November 15, 1977, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Surveyor’s Record Book “K”, Page 280, for better determining the metes and bounds of said lands above described. Said plat showing a private road running across said property is shown on said plat above referred to.

This being a portion of the property conveyed by Deed from Stanley M. Redding, Jr., Steven R. Redding, and John W. Redding, Sr., as Executors of the Last Will and Testament of Iona C. Redding to Stanley M. Redding, Jr., Steven R. Redding and John W. Redding, Sr., dated October 28, 1997, recorded in said Clerk’s Office in Deed Book 451, Pages 538-539.

SUBJECT to restrictive covenants and easements of record.

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

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

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

Signed, sealed and delivered

In the presence of:

[Seal]

STEVEN R. REDDING

[Seal]

Effingham County Notary Public

[Seal]

https://search.gsc.ca.gov/Imaging/HTML5Viewer.aspx?id=80794021&key1=2768&key2=94&county=51&countyn=EFFINGHAM&userid=725673&appd=4

1/1
Subject: Variance (Fourth District)  
Author: Teresa Concannon, AICP, Planning & Zoning Manager  
Department: Development Services  
Meeting Date: May 16, 2022  
Item Description: Lonnie & Candace Bott request a variance to allow for an RV/camper to be used as a temporary dwelling during the construction of a residence. Located at 300 Early Street Extension, zoned AR-1. Map# 352 Parcel# 79

Summary Recommendation
Staff has reviewed the application, and recommends approval of a variance to allow for an RV/camper to be used as a temporary dwelling during the construction of a residence, with conditions.

Executive Summary/Background
- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
  That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and
  That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- A building permit application (# 202100791) has been approved; site work is underway.
- Applicants wish to live on site during construction of their new home.

Alternatives
1. Approve the request for a variance to allow the use of a camper/RV as a temporary dwelling during the construction of a residence.
   1. The camper may be occupied for up to twelve (12) months during construction.
   2. Upon issuance of the certificate of occupancy for the house construction, the camper shall be vacated and disconnected from the well and septic.
2. Deny the request for a variance to allow for the use of a camper/RV as a temporary dwelling during the construction of a residence

Recommended Alternative: 2  
Other Alternatives: 1

Department Review: Development Services
Attachments: 1. Variance application  
            2. Ownership Certification  
            3. Deed  
            4. Aerial photography  
            FUNDING: N/A
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 3/24/2022

Applicant/Agent: Lonnie & Candace Bath

Applicant Email Address: Bath@Comcast.net

Phone #: 912-228-0234

Applicant Mailing Address: 300 Early St Ext

City: Springfield State: GA Zip Code: 31329

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

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address:

City: ____________________________ State: _______ Zip Code: ________

Property Location: 300 Early St Ext

Name of Development/Subdivision:

Present Zoning of Property: R-1 Tax Map Parcel #: 03803006 Total Acres 5.0

VARIANCE REQUESTED (provide relevant section of code): owner occupied Travel Trailer

Describe why variance is needed: variance to allow owner occupied Travel Trailer during residence construction

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

Peculiar to Particular Property - Temporary hardship during Building Construction - Will be rectified once complete

Applicant Signature: [Signature] Date: 3/29/2022

Rev 05052021
LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of September 11, 2020 by and between

W. Gregg Howze
(Hereinafter referred to as the "Grantor"), and

Lonnie Lamar Bott and Candace Maurine Bott,
as joint tenants with rights of survivorship
(Hereinafter referred to as "Grantee")

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

WITNESSETH, THAT:

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

All that certain lot, tract or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, and containing 5.0 acres, more or less, and being bounded on the northeast by lands of Mertice K Kirkland; on the east by Ebenezer Creek; on the southwest by lands of W. Gregg Howze and Cynthia E Howze; and on the west-northwest by Early Street also known as Old Georgia State Highway #119. Express reference is hereby made to a plat of said lands recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet A, Slide 205F, for better determining the metes and bounds of said lands herein conveyed, containing improvements thereon known as 300 Early Street, Springfield, GA 31339, PIN 03880-015,

(Hereinafter referred to as the "Property")

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

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.
IN WITNESS WHEREOF, the duly authorized officer of Grantor has signed and sealed this Deed on the day and year first above written.

Signed, sealed and delivered this 11th day of September, 2020, in the presence of:

[Signature]
Unofficial Witness

[Signature]
W. Gregg Hoyze

Notary Public
My Commission Expires: [Notarial Seal]
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

9-11-2020

on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 2625174 page A205F.

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 1st day of April, 2022.

Notary Public, State of Georgia

Rev 05052021
NEW DECK, STAIR, RAILING, AND AWNING

EXISTING

NEW DECK, STAIR, AND RAILING

FOR ILLUSTRATION

Project Name
BOTT DOME HOUSE - PORCHES
Project Number
2021_05
Scale
FOR PORCH DRAWINGS

1/8" = 1'-0"
Subject: Rezone (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022
Item Description: Eric & Kristen Reamy request to rezone 10.75 from AR-1 to AR-2 to allow for the separation of a home site. Located at 136 Bunyan Kessler Road. Map# 463 Parcel# 49

Summary Recommendation
Staff has reviewed the application, and recommends approval of a request to rezone 10.75 from AR-1 to AR-2 to allow for the separation of a home site. Located at 136 Bunyan Kessler Road, with conditions.

Executive Summary/Background

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant wishes to subdivide a parcel to create a new home site. The minor subdivision will create a 1.0-acre lot and a 9.75-acre lot, and the applicant wishes to rezone the entire 10.75-acre parcel.

Alternatives
1. Approve the request to rezone 10.75 acres from AR-1 to AR-2 to allow for the separation of a home site, with the following conditions:
   1. The lots shall meet the requirements of the AR-2 zoning district.
   2. Minor subdivision plat must be approved by Development Services and Environmental Health, and be recorded, before the rezoning can take effect.
2. Deny the request to rezone 10.75 acres from AR-1 to AR-2.

Recommended Alternative: 1
Other Alternatives: 2

Department Review: Development Services
FUNDING: N/A

Attachments:
1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Plat
4. Aerial photograph
5. Deed
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL______ DISAPPROVAL______

Of the rezoning request by applicant Eric & Kristen Reamy—(Map # 463 Parcel # 49) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

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

Application Date: 3.9.22

Applicant/Agent: ERIC & KRISTEN REAMY
Applicant Email Address: EJR8117@GMAIL.COM
Phone #: 201-749-2013
Applicant Mailing Address: 136 BUNYAN KESSLER ROAD
City: RINCON State: GA Zip Code: 31326

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

Owner's Email Address (if known):

Owner's Mailing Address:

City: State: Zip Code:

Property Location: Current address is 136 BUNYAN KESSLER

Proposed Road Access: BUNYAN KESSLER Rd


Tax Map-Parcel #: 04630049 Total Acres: 10.75 Acres to be Rezoned: 1 + 9.75

Lot Characteristics: 

WATER

✓ Private Well
✓ Public Water System

SEWER

✓ Private Septic System
✓ Public Sewer System

If public, name of supplier: NA

Justification for Rezoning Amendment: Division of property to give to daughter

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

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

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

   OPEN SPACE

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.

   SINGLE FAMILY HOME

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

   SINGLE FAMILY 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?

   DIVISION TO ALLOW CONSTRUCTION

   OF A NEW 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: Kristen Reyes    Date: 3-9-22
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

January 31, 2019, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2568 page 305.

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 19 day of April, 2022.

Notary Public, State of Georgia

Rev 01132022
STATE OF GEORGIA
COUNTY OF EFFINGHAM

L I M I T E D
W A R R A N T Y D E E D

FILE #: 2018-361

THIS INDENTURE made this 31st day of January, 2019, between William Zarkadas, as party of the first part, hereinafter called Grantor, and Eric J. Reany and Kristen Reany, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, being known and designated as 12.09 acres, more or less, as shown and more particularly described on that certain map or plat made by Paul D. Wilder, R.L.S. No. 1559, dated March 6, 1990, recorded in Plat Record Book 24, Page 114 in the records of the Clerk of the Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

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

This being the same property conveyed by Warranty Deed from Lamar Rahn to William Zarkadas and Deborah J. Zarkadas, dated May 11, 1990, recorded in Deed Book 283, Page 819, aforesaid records.

Less and Except:
All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, being known and designated as 17 of an acre, more or less, as shown and more particularly described on that certain map or plat made by Paul D. Wilder, R.L.S. No. 1559, dated April 18, 2000, recorded in Plat Cabinet B, Slide 86-C in the records of the Clerk of the Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

This being the same property conveyed by Warranty Deed from William Zarkadas to Dyrke L. Spiker, dated May 16, 2006, recorded in Deed Book 638, Page 357, aforesaid records.

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

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

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

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

Signed, sealed and delivered this 31st day of January, 2019, in the presence of:

[Signature]

Witness

Notary Public

[Signature]
Pursuant to O.C.G.A. Section 15-6-67,
I certify that this plat does not require
approval of Effingham County Planning Commission.

Paul D. Wilder, R.L.S. #1559

PLAT OF
0.17 ACRE PORTION OF PROPERTY
OF WILLIAM ZARKADAS
TO BE CONVEYED TO
Dyrke L. Spiker

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

SCALE: 1 INCH = 50 FEET

DATE: APRIL 18, 2000   FILE NO. 00145

Wilder, Stone & Zipperer Land Surveyors, Inc.
(912) 826-5412, PO Box 1490, Rincon, GA 31326

Error of Closure:
Field Data 1/15, 034
Angular Error 6° per point
Adjusted by compass rule
Plat Closure 1/108, 765
Equipment Used:
03° Theodolite
Electronic Distance Meter
NOTE: SUBJECT PROPERTY IS A DIVISION OF MAP & PARCEL 0463 0049 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.

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

REFERENCES:
PCAB BB9 C-2
PS-24 PAGE 194
PS-11 PAGE 167

SURVEY FOR ERIC & KRISTEN REAMY
SURVEY OF 1.00 ACRE
FROM A 10.68 ACRE TRACT
MAP & PARCEL 04630049
LOCATED IN THE 09TH, G.M.D.
EFFINGHAM COUNTY, GEORGIA
SURVEYED 09 FEB 2022
PLAT DRAWN 11 FEB 2022
Subject: Rezoning (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022
Item Description: W.T. Wasden as agent for Millen Timber, requests to rezone 46.62 of 52.80 acres from AR-1 to I-1, for development of a surface mine. Located at 1080 Midland Road. Map# 324 Parcel# 115

Summary Recommendation
Staff has reviewed the application, and recommends denial of the request to rezone 46.62 acres, from AR-1 to I-1, for development of a surface mine.

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 Article V-Uses Permitted in Districts. Pursuant to Sec. 3.17.3.3, excavation activity that requires a state mining permit must be located within the I-1 zoning district.
- Surface Mines are regulated by O.C.G.A. 12-4-70 Georgia Surface Mining Act of 1968, as amended, and Georgia Rule 391-3-3. Pursuant to O.C.G.A 12-4-75 of the Georgia Surface Mining Act, a mining land use plan (MLUP) shall be consistent with the land use in the area of the mine. Mine operators must obtain a letter from the local government stating the mine location is in zoning compliance.
- The proposed site is surrounded by residential development. The area is proposed for residential and agricultural use in the future land use map.
- According to EPD, there are 31 permitted mines in the county; three are on Midland Road.
- The proposed site has extensive wetlands coverage. Pursuant to sec. 3.17(4)(7), all wetlands impacts must be submitted by the USACE. A jurisdictional determination (JD) by the USACE was not submitted with the application. The JD must be submitted with a state mining permit application. The mining land use plan must include a 25' buffer to protect any wetlands on the parcel. If approved, the JD and state mining permit should be submitted to Development Services.
- The proposed surface mine site has frontage on Midland Road, which is not a designated Truck Route. At approved, a Traffic Impact Assessment will be necessary to identify necessary road improvements.

Alternatives
1. Approve the request to rezone 46.62 of 52.80 acres from AR-1 to I-1 for a surface mine, with the following conditions:
   1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
   2. A wetlands delineation and the state mining permit shall be submitted to Development Services.
   3. Applicant shall meet with the county engineer to set the scope of the Traffic Impact Assessment.
   4. Applicant shall obtain a Timber Permit prior to removal of any trees outside the buffer area.
   5. The surface mine site shall meet the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands, Section 3.17.5 Surface Mine Operations – Road Maintenance Requirements, and Sec. 74-8 Designated Truck Routes.
   6. The applicant shall notify Development Services at the time of final reclamation of the surface mine, and close out of this mining operation. Upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, the applicant shall rezone the property to AR-1.

2. Deny the request to rezone 46.62 of 52.80 acres from AR-1 to I-1.

Recommended Alternative: 2
Other Alternatives: 1

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 |

O the rezoning request by applicant W.T. Wasden— (Map # 324 Parcel # 115) from AR-1 to I-1 zoning.

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

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

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

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

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: W. T. WASDEN

Property owner(s): MILLEN TIMBER CO.

(Telephone Number (912) - 829 - 9000 / 912 - 435 - 9977 (cell))

Mailing Address: 882 PROGRESS PLACE, MILLEN GA 30442

Property location: 1080 MIDLAND ROAD

Present zoning: AR-1

Proposed zoning: "I"

Present land-use: TIMBER LAND

Proposed land-use: BAR PIT

Tax Map #: 032401/5 Parcel #: Dist Pa Lot #

Total Acres: 46.62 (52.8) Acres to be rezoned: 46.62

Lot characteristics: POORLY DRAINED TIMBERLAND

Water: N/A Sewer: N/A

Proposed access: ROAD ENTRANCE MIDLAND ROAD

Justification: HIGHEST AND BEST USE

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

North: AR1 South: AR-1 & R1

East: AR-1 West: AR-1

Private well/septic
1. Describe the current use of the property you wish to rezone.

   Grow Timber

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

   The property was only one use.
   Would take 25-30 yrs to mature.

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

   The land will be excavate and
   hauled off the property. The final area
   after excavated will be a large lake.

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

   The adjoining property is wetlands and
   will become a buffer for the lake.

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 lake will be a beautiful area
   to surround the adjoining property

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

   The property will not be excessive travel.
   The entrance will be only short distance to
   access St. Hwy 17

Signed: [Signature]
Date: 4-4-22
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

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

Owner's signature: ___________________________

[Signature]

Owner's signature: ___________________________

Owner's signature: ___________________________
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 1-17-2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2447 page 620.

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 5th day of April, 2020.

[Signature]
Notary Public, State of Georgia

Rev 05052021
STATE OF GEORGIA

COUNTY OF EFFINGHAM

LIMITED WARRANTY DEED

THIS INDENTURE, made this 17th day of January, 2018, between Weyerhaeuser Company, a Washington corporation, whose address is 220 Occidental Avenue South, Seattle, Washington 98104, as Grantor, and Millen Timber Company, a Georgia corporation, whose address is 882 Progress Place, Millen, Georgia 30442, as Grantee;

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee, its successors and assigns, that certain property described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Real Property").

GRANTOR HEREBY EXPRESSLY DISCLAIMS AND NEGATES ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, RELATING TO THE CONDITION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE REAL PROPERTY, IT BEING THE INTENTION OF GRANTOR AND GRANTEE THAT THE REAL PROPERTY BE CONVEYED "AS IS", IN ITS PRESENT CONDITION AND STATE OF REPAIR AND THAT GRANTEE HAS MADE OR CAUSED TO BE MADE SUCH INSPECTION AS IT DEEMS APPROPRIATE. GRANTEE, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, HEREBY WAIVES AND RELEASES GRANTOR FROM ANY AND ALL CONTRACTUAL, STATUTORY, COMMON LAW, AND/OR OTHER LIABILITIES, OBLIGATIONS, CLAIMS OR CAUSES OF ACTION, KNOWN OR UNKNOWN, THAT GRANTEE OR ITS SUCCESSORS AND ASSIGNS MAY BE ENTITLED TO ASSERT AGAINST GRANTOR ARISING IN WHOLE OR IN PART OF, OR RELATING OR CONNECTED IN ANY
WAY TO, THE CONDITION OF THE REAL PROPERTY INCLUDING, BUT NOT LIMITED TO ANY SUCH LIABILITIES, OBLIGATIONS, CLAIMS OR CAUSES OF ACTION BASED IN WHOLE OR IN PART UPON ANY APPLICABLE FEDERAL, STATE OR LOCAL ENVIRONMENTAL LAW, RULE OR REGULATION OR THE ENVIRONMENTAL CONDITION OF THE REAL PROPERTY.

TO HAVE AND TO HOLD the Real Property, together with all and singular the rights, members and appurtenances in any manner appertaining, subject to the matters set forth in Exhibit "B" attached hereto and made a part hereof, unto Grantee, its successors and assigns, forever, in Fee Simple.

And Grantor shall warrant and forever defend the right and title to the Real Property unto Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but against none other; provided, however, that this conveyance is made subject to and there are hereby excepted from the covenants and warranties hereinabove set forth, the matters set forth in Exhibit "B" attached hereto and made a part hereof.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES.]
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the date and year stated below.

Signed, sealed and delivered this 14th day of January, 2018 in the presence of:

[Signature]
William T. Calton
Vice President

[Signature]
Kerri M. Lockwood
Assistant Secretary

[Notary Public Seal]
[Unofficial Witness Signature]
Connie Duke
Notary Public
(NOTARIAL SEAL)
EXHIBIT A

REAL PROPERTY

All that certain lot, tract or parcel of land situate, lying and being in Effingham County, Georgia containing Ninety-seven and 55/100 (97.55) acres, more or less, and being the property conveyed to Union Bag & Paper Corporation by Charles C. Bush and Geraldine (Mrs. C. C.) Bush by deed recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, at Book 112, Page 460, to which deed reference is hereby specially made.
EXHIBIT B

PERMITTED EXCEPTIONS

1. Liens for taxes, assessments and other governmental charges which are not yet due and payable as of the date hereof.

2. All land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Real Property.

3. Any rights of the United States of America, the State of Georgia or others in the use and continuous flow of any brooks, streams or other natural water courses or water bodies within, crossing or abutting the Real Property, including, without limitation, riparian rights and navigational servitudes.

4. Title to that portion of the Real Property, if any, lying below the mean high water mark of abutting tidal waters.

5. All easements, rights-of-way, licenses and other such similar encumbrances of record.

6. All existing public and private roads and streets and all railroad and utility lines, pipelines, service lines and facilities.

7. All encroachments, overlaps, boundary line disputes, shortages in area, parties in possession, cemeteries and burial grounds and other matters not of record which would be disclosed by an accurate survey or inspection of the Real Property.

8. Prior reservations or conveyances of mineral rights or mineral leases of every kind and character.

9. Any loss or claim due to lack of access to any portion of the Real Property.

10. Any loss or claim due to any indefiniteness or uncertainty in the legal description of the Real Property.
April 11, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Rezoning Amendment
W.T. Bill Wasden
1080 Midland Road- Bar Pit
Pin: 324-115
Total Acres: 46.62 Acres to be rezoned: 46.62

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 I-1. 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 Flat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. 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,

[Signature]

Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
Ms. Concannon,
We are in receipt of your notice dated April 25th regarding the rezoning application by W.T. Wasden. We live at 1207 Midland Rd., Guyton and are opposed to this rezoning for several reasons, they are as follows:

1. Air pollution (dirt and dust flying).
2. Noise Pollution (machinery running and dump trucks rolling).
3. Traffic pollution (dump trucks crowding the intersection of Midland and Courthouse roads).
4. Environmental Pollution (digging deep into the earth and into the water table).
5. Damage to property values (who would want to live close to a huge dirt pit). This will damage property values in the area having approximatley 400 homes in close proximity.

This is a residential area not and industrial area. We purchased our parcel of property from W.T. Wasden and was not told by him of plans to dig a dirt pit near our property so there may be legal action taken in that regard.

The residents near the intersection of Midland and Courthouse Roads should be alarmed at this action and the Planning Board should not approve this application

Phyllis Butler
Danny Mckenzie
1207 Midland Road
Guyton Ga. 31312
843-247-2228
May 6, 2021

Via Email to ZoningInfo@effinghamcountygov and kDunnigan@effinghamcountygov
Planning Board and Staff for Effingham County, Georgia
804 S. Laurel St.
Springfield, GA 31329

Dear Effingham County Planning Board Members and Staff:

I am writing to oppose the rezoning application for 46.62 of 52.8 acres at 1080 Midland Road to allow for a surface mine (borrow pit). As an Effingham County resident and taxpayer (for nearly 30 years) who lives near the subject parcel and who has over 15 years of experience as a (now retired) environmental manager, I have both a vested interest in the rezoning decision and a certain perspective that I would like to share with county decision-makers.

The many reasons for my opposition are laid out in the attached document for your consideration. Out of these reasons I would like to discuss in more detail my concerns with 1) potential wetlands impacts and 2) the indefinite nature of a surface mining permit should the rezoning and resulting project be allowed to proceed.

According to the Effingham County, Georgia, Code of Ordinances, Appendix C, Section 3.17, the excavation of land that exceeds 1.0 acres of disturbed area from jurisdictional waters or wetlands is subject to review and approval by the Effingham County Planning Board. As stated in the attachment, both Effingham County GIS and U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) data show that the majority of the subject parcel is classified as wetlands (wetlands code PFO). There is no indication in the application materials that a Jurisdictional Determination for the parcel has been issued by the U.S. Army Corps of Engineers (USACE). Therefore, the regulatory status of the parcel (as related to wetlands) is unknown. Based on the Board’s knowledge of NWI data and its obligations under the zoning ordinance, I ask that you require the applicant to present a Jurisdictional Determination issued by the USACE prior to further consideration of the application. Should any part of the proposed excavation impact jurisdictional wetlands, I request you recommend disapproval of the rezoning request to the County Commission on this basis alone, regardless of whether or not the applicant can secure a USACE permit. My reasoning for this request is because an adverse environmental impact to jurisdictional wetlands for a borrow pit is simply not justified when other alternatives for developing borrow pits are readily available both within and outside of the county.

As concerns the surface mining permitting process with Georgia EPD, I learned after speaking with a regulator from their Land Protection Branch that no deadline is imposed to complete mining operations and subsequent reclamation. The permittee enters a date for these milestones on the application, but may request an amendment to the permit if needed to extend the duration
of mining operations. In this county borrow pits have historically been allowed near residential areas with the assurance from the applicant that upon completion of excavations a “beautiful area” (this applicant’s words) will be created with a lake feature. The problem with this concept is that neither the state nor the county has an effective legal enforcement mechanism to reach this desirable conclusion, and residential neighbors are left with no recourse but to endure industrial operations (digging and hauling) for an indefinite amount of time – a clearly incompatible land use in close proximity to taxpaying homeowners. Accordingly, I’d like to suggest that planning board members and commissioners view rezoning requests related to operation of a borrow pit as though the action will be permanent, and if the nearby area is residential or trending that way, deny such applications.

Thank you for considering my reasons for strongly opposing this rezoning request.

Sincerely,

[Signature]

D. Lawrence Eaddy

Attachment:
Reasons to Deny Rezoning Application for 1080 Midland Road

Cc:
Effingham County Commissioner for District 1, Mr. Forrest Floyd
Effingham County Commissioner Chairman at Large, Mr. Wesley Corbitt
Reasons to Deny Rezoning Application for 1080 Midland Road

- Digging & hauling operations cause erosion and generate noise, dust, and heavy truck traffic, harmful impacts which are not compatible with nearby residential zoning.
- Homeowners have a right to the peaceful enjoyment of their property based on the surrounding zoning at the time they bought their home.
- Georgia Environmental Protection Division regulators state that surface mining permits for borrow pits generally run for years before reclamation (usually creation of a lake). Residential taxpayers should not be expected to endure industrial operations in or near their neighborhoods for years until the property reverts to its former zoning.
- Midland Rd. is restricted to trucks Class 5 or less. Avg. dump truck weights exceed Class 5 & will accelerate damage to the road, costing taxpayers.
- Heavy truck traffic will cause more congestion at the intersection of Midland Rd. and Ga. Hwy. 17.
- According to Effingham County GIS and U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) data, the majority of the subject parcel is classified as wetlands (wetlands code PFO). There is no indication in the application materials that a Jurisdictional Determination for the parcel has been issued by the U.S. Army Corps of Engineers (USACE). Therefore, the regulatory status of the parcel (as related to wetlands) is unknown. Rezoning of the parcel would be ill advised and premature prior to the applicant obtaining a Jurisdictional Determination (JD) from the USACE Regulatory Program.
- Any excavation of land from jurisdictional wetlands of 1.0 acres or more is subject to review and approval by the Planning Board, according to the county zoning ordinance. A JD for the parcel is needed for the Board to fulfill its function, and impacts to jurisdictional wetlands for a borrow pit, even with a permit, are not justified when other areas for fill are available.
- Midland Rd. already has one permitted borrow pit (at 2555 Midland Rd.). Allowing yet another borrow pit will further degrade the agricultural and residential nature of the area.
- The 2019 county land use plan (on Effingham County GIS) shows this and adjacent parcels to be either agriculture or residential – NOT industrial. For a land use plan to have any meaning, zoning decisions must be consistent with the plan.
Boundary Map
CHARLIE BUSH TRACT
Effingham County, Georgia

Charlie Bush, Owner
97.55 Acres

The above plat shown within heavy lines represents a transit survey of 97.55 acres of land owned by Charlie Bush, and being in the 10th J. M. Dist of Effingham County, Georgia, with such lines, corners, and coordinates as found and determined by the plane coordinates of the Georgia coordinate system, East Zone, as shown on plat.

Survey by G. W. Brock
Under Direction of J. Dean Bowen

CERTIFIED & APPROVED
J. Dean Bowen
Circa 1955

PB 1/190
Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022
Item Description: Backwater Expeditions, LLC. As agent for Marie Raimondo, requests to rezone 69.103 acres from AR-1 to PD (Recreation) to allow for the development of an ecotourism site. Located at 545 Wyly Road. Map# 459 Parcel# 84

Summary Recommendation
Staff has reviewed the application, and recommends discussion of the request to rezone 69.103 acres from AR-1 to PD (Recreation) to allow for the development of an ecotourism site.

Executive Summary/Background
- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- Pursuant to Section 5.15 PD – Planned Development District, the applicant may submit a concept plan for review and comment. The PD text and master plan are developed according to the ordinance, and with feedback from staff.
- Based on information from the draft PD document, the proposed gross residential density is 1.4 units per acre (94 units on 69.103 acres). Residential units include 12 cabins; 13 primitive sites; 63 RV pads; 6 staff residences.
- Net density is 2.13 units per acre (94 units on 44.31 developed acres). Commercial development (~5 acres) includes restaurant, store, miniature golf, etc. (table 1-4). Open space (~20 acres) includes ponds, wetlands, and recreation areas.
- There will be 25’ - 50’ vegetative buffer around the perimeter of the development, except where the access and utility easement straddles the property line on the north east property boundary.
- The development is in the Springfield service delivery area. If Springfield is unable to provide service, private water and septic systems will be used. Depending on system design, the proposed water source may be subject to EPD review and approval. During several meetings to discuss the project and the PD rezoning process, staff provided input on requirements for well and septic system approval for a PD rezoning application.
- The Department of Environmental Health is unable to provide septic system approval, as the volume of wastewater, the soil characteristics, and the amount of usable soil are all unknown. EPD is unable to provide pre-approval without a design to review.
- In the absence of water and sewer service availability and/or approval, staff are unable to make a recommendation.

Alternatives
1. Approve the request to rezone 69.103 acres from AR-1 to PD (Recreation).
2. Deny the request to rezone 69.103 acres from AR-1 to PD (Recreation).
3. Provide feedback.

Recommended Alternative: 3

Other Alternatives: 1, 2

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

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ______  DISAPPROVAL ______

Of the rezoning request by applicant **Backwater Expeditions, LLC as Agent for Marie Raimondo**—(Map # 459 Parcel # 84) from **AR-1 to PD Recreation** 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: Backwater Expeditions LLC  Application Date: Jan 11, 2022
Applicant Email Address: brian@backwaterexpeditions.com
Phone # 912-398-6930
Applicant Mailing Address: 226 Magnolia Place
City: Guyton     State: Georgia     Zip Code: 31312

Property Owner, if different from above: Marie Raimondo
Include Signed & Notarized Authorization of Property Owner
Owner’s Email Address (if known): cessna7226g@aol.com
Phone # 609-203-7977 (Joe), 609-203-9050 (Marie)
Owner’s Mailing Address: 16 Cavalier Drive
City: Mercerville     State: New Jersey     Zip Code: 08619

Property Location: 545 Wyly Road Rincon, Georgia
Proposed Road Access: Wyly Road
Present Zoning of Property: AR - 1     Proposed Zoning: PD RV
Tax Map-Parcel # 04590084     Total Acres: 69.103     Acres to be Rezoned: 69.103
Lot Characteristics: Rural woodland

WATER
X Private Well
_____Public Water System
If public, name of supplier: N/A

SEWER
X Private Septic System
_____Public Sewer system

Justification for Rezoning Amendment: Will allow accommodations for tourist visiting the area, it will generate new taxes and revenue with minimal impact.
List the zoning of the other property in the vicinity of the property you wish to rezone:

North: **AR-1; AR-2**

South: **AR-1; AR-2**

East: **AR-1; AR-2**

West: **AR-1; AR-2**

1. Describe the current use of the property you wish to rezone. **AR1**

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. **RV Park/ Campground**

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?

Adjacent properties will benefit from rezoning by allowing for increased tourism therefore increased property values with minimal environmental impact.

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? **No.**

Applicant Signature: [Signature]
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 27, 2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2696, page 4.

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 MARIE RAIMONDO

Owner's signature

Print Name

Owner's signature

Print Name

Sworn and subscribed before me this 10th day of JANUARY, 2020.

Notary Public, State of New Jersey

JENNIFER LENGENFELDER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES
JANUARY 30, 2023

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, ADRIAN WEBBER, 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: Brian Cohen
Applicant/Agent Address: 226 Magnolia Place
City: Guyton State: GA Zip Code: 31312
Phone: 912-398-60930 Email: backwater.bc@gmail.com

Owner's signature: [Signature]

Print Name: MARIE RAIMONDO

Personally appeared before me MARIE RAIMONDO (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 19th day of January, 20 22.

[Notary Public, State of Georgia]

JENNIFER LENGENFELDER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JANUARY 30, 2023

Rev 05052021
STATE OF GEORGIA
COUNTY OF EFFINGHAM

RETURN TO
EDWARD BADEY
ATTORNEY AT LAW
P.O. BOX 225
SPRINGFIELD, GA 31959

THIS INDENTURE, made the 16th day of December, 1999, between
GARY CHRISTOPHER of the FIRST PART, and ROSE DIAMANTO and MARIE RAIMONDO of
the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of
$50,000 ($50.00) Dollars and other valuable considerations, receipt
whereof is hereby acknowledged, does hereby grant, bargain, sell and convey
unto SECOND PARTIES, their heirs and assigns, the following described
property, to-wit:

PARCEL 1 ALL that certain tract or parcel of land situate, lying and
being in the 9th G.M. District of Effingham County, Georgia, containing
Eighty-One Hundredths (.81) of an acre, more or less, and being bounded
on the north by lands of Jennie L. Fall; on the east by Georgia State
Highway #275; on the south by Long Acres Road known as County Road #122
and on the west by lands of Jennie L. Fall.

Express reference is hereby made to the plat of said lands made by Paul
D. Wilder, R.R. #3 dated March 10, 1999 and recorded in the Office
of the Clerk of the Superior Court of Effingham County, Georgia, in
Plat Cabinet B, Slide 74-E, for better determining the metes and
boundaries of said lands herein conveyed.

PARCEL 2 ALL that certain tract or parcel of land situate, lying and
being in the 9th G.M. District of Effingham County, Georgia, containing
Thirty-Eight and Thirty-Four Hundredths (38.34) acres, more or less,
and being bounded on the northeast by Long Acres Road known as County
Road #122; on the southeast by Georgia State Highway #275, by lands of
Piccan Volunteer Fire Department, by lands of Brawdy, by lands of
Oxley, by lands of Hartung, by lands of Darden and by lands of
Lancaster; on the southwest by lands of Groves and by lands of
Rinaldi and on the northwest by lands of Poulas, by lands of Cobham,
by Lananna Drive, by lands of Newton, by lands of Davis and by lands of
Tarleton.

Express reference is hereby made to the plat of said lands made by Paul
D. Wilder, R.R. #3 dated March 22, 1999 and recorded in the Office
of the Clerk of the Superior Court of Effingham County, Georgia, in
Plat Cabinet B, Slide 74-E, for better determining the metes and
boundaries of said lands herein conveyed.

PARCEL 3 ALL that certain tract or parcel of land situate, lying and
being in the 9th G.M. District of Effingham County, Georgia, containing
Sixty-Nine and Twenty-One (.69) acres, more or less, and being bounded
on the north-northeast by lands of Gary Yarno; on the east and
southeast by lands of Hallman; by lands of Ray, by Highlands Road known
as County Road #144, by lands of Garfield and by lands of Savannah Int.
Trucking Co.; on the south-southwest by Half Moon Road known as County
Road #369 and on the northwest by Half Moon Road known as County Road
#378, by lands of Neidinger, by lands of Cross and by Ebenezer Creek.

Express reference is hereby made to the plat of said lands made by Paul
D. Wilder, R.R. #3 dated March 22, 1999 and recorded in the Office
of the Clerk of the Superior Court of Effingham County, Georgia, in
Plat Cabinet B, Slide 74-E, for better determining the metes and
boundaries of said lands herein conveyed.

Said plat showing a sixty foot wide access easement and power line
easement running from High Bluff Road across said lands to the Ebenezer
Creek and to lands of Hallman.

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

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

[Seal]

[Seal]

Signed, sealed and delivered in the presence of:

[Seal]

[Seal]

Date: 3-16-05
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 27, 2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2696, page 4.

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: MARIE RAIMONDO

Owner's signature: ____________________________
Print Name: ____________________________

Owner's signature: ____________________________
Print Name: ____________________________

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

[Signature]
Notary Public, State of New Jersey

JENNIFER LENGENFELDER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JANUARY 30, 2023

Rev 05052021
STATE OF GEORGIA;
COUNTY OF EFFINGHAM;

TO SAVANNAH ELECTRIC & POWER CO.

For and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, the undersigned hereby grant to the Savannah Electric and Power Company, its successors and assigns, the right to construct and maintain an electric transmission and distribution system over and across the land, or upon and along the road adjoining the said land in the County of Effingham, State of Georgia, described as follows:

That certain tract of land in Effingham County having 500 acres more or less and located on the Ebenezer Church Road, being bounded as follows: On the north by Ebenezer Creek, on the east by lands of Ebenezer Church, on the south by lands of Ebenezer Church, G. Groves, W. Overstreet and Ebenezer Church Road, and on the west by lands of Walter Schrom and Willie Overstreet. Said electric transmission and distribution system with accompanying poles, wires, crossarms, guys and other equipment is to be constructed in such manner as the grantee may deem necessary, and permission is hereby given to patrol, repair and renew the same from time to time, and to cut or trim at any time trees which in the judgment of the grantee will interfere with the construction, operation or maintenance of said electric transmission and distribution system.

In Witness Whereof, the Grantor has hereunto set his hand and seal, this 11th day of October, 1916.

In the presence of:

[Signatures]

R. M. Pittman
Notary Public

E. E. Alexander
Notary Publib, St. At Large

[Stamp]

Recorded October 23, 1916.

STATE OF GEORGIA; 
COUNTY OF EFFINGHAM;

TO SAVANNAH ELECTRIC & POWER COMPANY.

For and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, the undersigned hereby grant to the Savannah Electric and Power Company, its successors and assigns, the right to construct and maintain an electric transmission and distribution system over and across the land, or upon and along the road adjoining the said land in the County of Effingham, State of Georgia, described as follows:

That certain tract of land located approximately four (4) miles northwest of Macon, Georgia, being bounded as follows: On the north by lands of J. B. Lettles, on the east by lands of Roland R. Rodgers, on the south by lands of J. B. Lettles, and on the west by lands of R. B. Holsey. Said electric transmission and distribution system with accompanying poles, wires, crossarms, guys and other equipment is to be constructed in such manner as the grantee may deem necessary, and permission is hereby given to patrol, repair and renew the same from time to time, and to cut or trim at any time trees which in the judgment of the grantee will interfere with the construction, operation or maintenance of said electric transmission and distribution system.

In Witness Whereof, the Grantor has hereunto set his hand and seal, this 11th day of October, 1916.

In the presence of:

[Signatures]

R. M. Pittman
Notary Public

E. E. Alexander
Notary Public, St. At Large

[Stamp]

Recorded October 23, 1916.
STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 19th day of APRIL 1990, between MARIE G. LONG of the FIRST PART, and WAYNE R. CROSS of the SECOND PART,

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

ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Fourteen and Sixty-nine Hundredths (14.69) acres, more or less, and being bounded on the north by Ebenezer Creek; on the east by the lands of Thomas O. Long Estate; on the southwest by lands of Thomas O. Long Estate and on the northwest by Half Moon Subdivision.

Express reference is hereby made to a plat of said lands made by Paul D. Wilder, R.L.S. #1589, dated September 27, 1989 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 24, page 197, for better determining the lines and bounds of said lands herein conveyed.

ALSO, hereby conveyed is a right-of-way easement for a road and utility purposes over and across that certain sixty (60) foot wide access easement shown on the above plat extending from High Bluff Road in a northwesterly direction to a point where it intersects with the property above described and then the sixty (50) foot wide power line and access easement extending therefrom in a generally northerly and northwesterly direction to a point where it intersects with Ebenezer Creek. Said right-of-way easement being for the purposes of ingress and egress.

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

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

[Signature]
MARIE G. LONG
(SEAL)

Signed, sealed and delivered in the presence of:

[Signature]
HERMINE A. BARTON
Notary Public
Date: 4/12/90
STATE OF GEORGIA

COUNTY OF EFFINGHAM

This agreement made and entered into this 11th day of July, 2001 by and between WAYNE R. CROSS of the First Part and RICHARD A. NEIDLINGER of the Second Part.

WHEREAS, First Party is the owner of a 14.69 acre parcel of land and a 60-foot wide easement which were conveyed to him by deed from Marie G. Long dated April 17, 1990 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 280, page 823, and

WHEREAS, Second Party is the owner of a 14.73 acre parcel of land and a 1/2 acre parcel of land and a 60-foot wide easement which were conveyed to him by deed from Allonia T. Haisten Ginn dated December 7, 1997 and recorded in said Clerk's Office in Deed Book 453, page 250, and

WHEREAS, First Party and Second Party both do hereby recognize, acknowledge and agree to the existence of said easement for both of their use, benefit and for their heirs and assigns use and benefit, and

WHEREAS, Both parties hereto agree that each party hereto, their heirs and assigns shall have use of said easement as a road for ingress and egress, and

WHEREAS, Both parties hereby acknowledge and agree that from time to time there will be certain maintenance to keep said road easement in reasonable repair, and

WHEREAS, the parties hereto desire to enter into this agreement whereby each will participate in the maintenance of said road and for this agreement to be binding upon the parties hereto, their heirs and assigns.

NOW, THEREFORE, in consideration of the mutual benefits flowing to each party hereto and the promises of each to the other, it is agreed as follows, to-wit:

1. Each party hereto shall participate in the maintenance of said road.
2. The portion of the road, which Second Party will participate in the maintenance of, will extend only to Second Party's property.
3. This agreement would be binding upon the parties hereto their heirs and assigns, however, it will not be binding upon the parties hereto once they have conveyed title to the real estate described in their respective deeds above referred to, but maintenance of said easement shall be the responsibility of subsequent owners of the land.

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

WAYNE R. CROSS (SEAL)

RICHARD A. NEIDLINGER (SEAL)

Signed, sealed and delivered in the presence of:

Notary Public

RETURN TO:
EDWARD REDDICK
ATTORNEY AT LAW
P. O. BOX 365
SPRINGFIELD, GA 31329
PD – Recreation
District Planned Development Text
Marie Raimondo Tract for
Backwater Outpost LLC
Prepared by: Brian Cohen – CEO Backwater Outpost

Documents submitted:
Planned Development District Master Plan – Approval requested
Development Text Document – Approval requested
EPD Letter Stating no objections to zoning request – Submitted for review to EPD
Existing Access Easement Agreements – For review
Backwater Outpost Rules and Regulations – For review
Proposed outline of Backwater Outpost industry data – For review

This development text and the attached Planned Development master plan are being submitted for
approval by the Effingham County Board of Commissioners in accordance with the proposed Effingham
County Zoning Ordinance PD-Recreational.

This development text will serve as the original development text for the property. The attached Master
Plan is submitted as an exhibit only to convey the intended character and scale of the development. The
details illustrated in this Master Plan are intended to serve as an aid to the County Commissioners and
the public to visualize the development.

In addition, attached are the rules and regulations for guest of our facility to give a general overview of
operations. Also attached is an outline of the camping industry.

General Description:

Project Name: Backwater Outpost – Wyly Rd.
PIN: 459-84
Size: 69.10 Acres
Location: 545 Wyly Rd.
Current Zoning: AR – 1
Proposed Zoning: PD – Recreational
Developer: Backwater Expeditions LLC

Backwater Outpost – 5x5 Wyly Rd – Environmentally Friendly PD – Recreational development for short
term visitors for 1 night but not to exceed 6 months.

No more than six people are permitted to occupy a site, no unaccompanied minors are permitted. 
Outpost will have controlled access and security.

Our camping facility Backwater Outpost and our commercial section Backwater Trading Post will be built
out in phases along with appropriate services like water, sewer and power. Our development has been
planned and in its final design will be completed with the intent to be harmonious in terms of landscape,
roadways and site layout to minimize impact on the environment and be a benefit to our community.
Development shall be done in a matter that results in minimal impact to the natural resources, wetlands and any existing conditions. All land disturbing activities, EX: roadways, stormwater management plans, potable water, sewer and power services will comply with state and local requirements.

Fifty-foot natural vegetative **Perimeter buffers** will be left in place around the external boundaries of adjoining properties and twenty-five-foot boundary of adjacent roadways. Natural boundaries will be used within the facilities.

The development amenities will be designed to provide a variety of opportunities to the patrons of the campground, our community and the general public. The facilities will be located at various locations throughout the development.

<table>
<thead>
<tr>
<th>Property Breakdown – Table 1-1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Total Property – 545 Wolly Road</strong></td>
</tr>
<tr>
<td>Wetland</td>
</tr>
<tr>
<td>Perimeter Buffer</td>
</tr>
<tr>
<td>Ebenezer Creek Buffer</td>
</tr>
<tr>
<td>Access Easement</td>
</tr>
<tr>
<td><strong>Developmental Area</strong></td>
</tr>
</tbody>
</table>

Backwater Outpost will provide for the operations, maintenance, and repairs of the sites, cabins, amenities and other assets of the Outpost. This will include items such as:

1) Roof Maintenance and Repairs
2) Exterior Maintenance and Repairs
3) Landscaping and Lawn Maintenance
4) Internal roadways
5) Utilities
6) Well and septic systems per EPA/ DPH requirements
7) DPH standards for tourist accommodations

Outpost will comply with NFPA 1194 and Effingham County Fire District.

**Exceptions requested**

No exceptions from the regulations in within the PD ordinance are being requested.
Present Ownership:
Current Owner: Marie Raimondo (Legal Description from deed)

ALL that said certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing sixty-nine and twenty-one (69.21) acres, more or less, and being bounded on the northeast by lands of Gary Yatros; on the east and southeast by lands of Hallman, by lands of Ray, by High Bluff Road known as County Road #346, by lands of Garvin and by lands of Savannah Int. Trucking Co.; on the southwest by Half Moon Road known as County Road #379 and on the northwest by Half Moon Road known as County Road #379, by lands of Nedlinger, by lands of Cross and by Ebenezer Creek.

Express reference is hereby made to the plat of said lands made by Paul D. Wilder, P.L.S. #1559 dated March 22, 1999, and recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, on Patent Cabinet B, Slide 74-E, for better determining the metes and bounds of said lands herein conveyed. Said plat showing a sixty (60) foot wide access easement and power lines easement running from High Bluff Road across said lands to The Ebenezer Creek and to the lands of Hallman.

STATE OF GEORGIA
COUNTY OF EFFINGHAM

THIS INDEBTEDNESS Made the 0 day of December, 1999, between GARY CHRISTOPHER of the FIRST PART, and ROSA DIAMMIO and MARIE RAIMONDO of the SECOND PART.

WITNESSES: FIRST PARTY, for and in consideration of the sum of $10,000 (F$10,000) dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto SECOND PARTIES, their heirs and assigns, the following described property, to wit:

PARCEL 1 ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Eighty-One Hundredths (.81) of an acre, more or less, and being bounded on the north by lands of Jennie L. Fall; on the east by Georgia State Highway #215; on the south by Long Acres Road known as County Road #122 and on the west by lands of Jennie L. Fall.

Express reference is hereby made to the plat of said lands made by Paul D. Wilder, P.L.S. #1559 dated March 30, 1999 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, on Patent Cabinet B, Slide 74-E, for better determining the metes and bounds of said lands herein conveyed.

PARCEL 2 ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Thirty-Eight and Thirty-Four Hundredths (38.34) acres, more or less, and being bounded on the northeast by Long Acres Road known as County Road #122; on the southwest by Georgia State Highway #215; by lands of Minnie Volunteer Fire Department; by lands of Honey, by lands of Oliver, by lands of Bartley, by lands of Darden and by lands of Lancaster, on the southeast by lands of Greenstein and by lands of Radmil and on the northwest by lands of Poulson, by lands of Cobb, by Lenox Drive, by lands of Newton, by lands of Davis and by lands of Tarleton.

Express reference is hereby made to the plat of said lands made by Paul D. Wilder, P.L.S. #1559 dated March 22, 1999 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, on Patent Cabinet B, Slide 74-E, for better determining the metes and bounds of said lands herein conveyed.

PARCEL 3 ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Sixty-Two and Twenty-One (62.21) acres, more or less, and being bounded on the north-northwest by lands of Gary Yatros; on the east and southeast by lands of Hallman, by lands of Ray, by High Bluff Road known as County Road #346, by lands of Garvin and by lands of Savannah Int. Trucking Co.; on the southwest by Half Moon Road known as County Road #379 and on the northwest by Half Moon Road known as County Road #379, by lands of Nedlinger, by lands of Cross and by Ebenezer Creek.

Express reference is hereby made to the plat of said lands made by Paul D. Wilder, P.L.S. #1559 dated March 22, 1999 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, on Patent Cabinet B, Slide 74-E, for better determining the metes and bounds of said lands herein conveyed.

Said plat showing a sixty foot wide access easement and power lines easement running from High Bluff Road across said lands to The Ebenezer Creek and to lands of Hallman.

SUBJECT to restrictive covenants and easements of record.
Proposed Land Uses and Development Standards

Our recreational facility consisting of Backwater Outpost, Backwater Trading Post and Backwater Expeditions will contain a variety of compatible uses to produce a balanced and attractive community.

**Perimeter buffers** will be provided around the property and will vary from 50’ on property boundaries and 25’ on public roadways. Parts of the project are buffered by large acreages of undisturbed forest and preserved wetlands which will provide significantly larger buffers in many locations. All buffers regardless of size will remain undisturbed.

**Ebenezer creek** we are planning to provide 50’ natural buffer. Only limited disturbance for safe creek access.

**Existing access easement** will remain in place.

**Pond** – Plans are to expand the existing pond mainly as a retention pond with water features like fountains to keep water from stagnating and provide a peaceful relaxing area to reflect and natural sound buffer.

**Wetlands** will remain natural and undisturbed.

<table>
<thead>
<tr>
<th>Area Name</th>
<th>Total Units</th>
<th>Total SF</th>
<th>Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Perimeter Buffer</td>
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<td>Ebenezer Creek Buffer</td>
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<td>Access Easement</td>
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<tr>
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<td>64,904.4</td>
<td>1.49</td>
</tr>
<tr>
<td>Wetlands</td>
<td>3</td>
<td>262,666.8</td>
<td>6.03</td>
</tr>
<tr>
<td><strong>Total Fixed</strong></td>
<td><strong>---</strong></td>
<td><strong>922,600.8</strong></td>
<td><strong>21.18</strong></td>
</tr>
</tbody>
</table>
Accommodations and Staff Housing

RV site both Type 1 – Pull thru 60 ft x 80 ft lot and Type 2 – Back-in 50 ft x 50 ft lot both styles will have porous paver parking pads 20 ft x 50 ft for ease and comfort of parking and in compliance to ADA requirement and a patio area of 200 SF, all utilities (water, sewer and electric) will be available to all RV sites located on driver side rear of lot.

Cabins will be on 50 ft x 50 ft lot consisting of 750 SF are to be designed for efficiency and environmental friendly with full services (Kitchen and Bath) and be built off the ground to be less intrusive to the environment and mitigate erosion. Cabins will be built of different styles, shapes and finishes to compliment the surroundings.

Primitive camp sites will be natural 1,600 SF with limited occupancy of no more than six people per site. Primitive campers will park in the commercial parking area and be shuttled to the primitive camp sites by staff.

Security/ Staff housing – Fully furnished able to sleep six, kitchen and three full baths.

Staff Housing – Private residents will be standard fully furnished tiny houses. Will be permanent housing for Backwater staff located within the Outpost.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Total Units</th>
<th>Square Feet</th>
<th>Total SF</th>
<th>Total Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>RV Pads</td>
<td>63</td>
<td>1,400</td>
<td>88,200</td>
<td>2.02</td>
</tr>
<tr>
<td>Cabins</td>
<td>12</td>
<td>750</td>
<td>9,000</td>
<td>0.21</td>
</tr>
<tr>
<td>Primitive Site</td>
<td>13</td>
<td>1,600</td>
<td>20,800</td>
<td>0.48</td>
</tr>
<tr>
<td>Security/ Staff Housing</td>
<td>1</td>
<td>1,200</td>
<td>1,200</td>
<td>0.03</td>
</tr>
<tr>
<td>Cabins</td>
<td>4</td>
<td>3,200</td>
<td>12,800</td>
<td>0.29</td>
</tr>
<tr>
<td>Private Residents</td>
<td>1</td>
<td>4,800</td>
<td>4,800</td>
<td>0.11</td>
</tr>
<tr>
<td><strong>Total Area</strong></td>
<td><strong>136,800</strong></td>
<td><strong>3.14</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Power will be provided by underground service and distributed per Georgia Power. All stormwater infrastructure shall be graded to drain rainwater to avoid puddling and pooling in accordance with Effingham County and State of Georgia standards. Thousand gallons cisterns will be placed in locations around facility to collect stormwater for irrigation and fire suppression.

Per FPD/ DPH standards will be followed for community primary and secondary wells and will be built to support all facility needs. Sewage disposal connections will be provided to each site feeding back to EPD approved septic systems designed for efficiency, environmentally friendly and located in approved locations.

Operations

There will be a monument sign located at the main entrance on Wyly Road. Directional signs will be located throughout the development to aid in traffic flow and area identification. Light pollution to adjacent properties will be minimized by low level lighting, fixture shielding, and natural perimeter buffers per Effingham County codes.
Power will be provided by underground service per requirements. Campground lighting will be low voltage path lighting to be provided within the Outpost to aid pedestrian circulation during evening hours, sites will have reflective numbers with accent lighting. All services will be provided with approved Effingham County/ state of Georgia building codes and conform to DPH standards for tourist accommodations.

Refuse containers with capacity of not less than 30 gallons, stored on platforms at least six inches off the ground and will be placed within one hundred feet of each site. Dumpster to be in concealed in commercial section.

A commercial parking area will be provided for public use to accommodate the commercial uses and primitive campers. A complying monument sign will be adjacent to the parking lot and access road.

All improvements in this Planned Development will be compliant to standard codes and privately owned/maintained and not dedicated to Effingham County. This development will be staffed by full-time employees. The staff will be completely responsible for operations, rule/regulation enforcement, and infrastructure maintenance/repair.

**Backwater Trading Post/ Travel center** – Well be a well equip convenience store less petroleum fuel. In addition to providing normal convenience items, we will add retail, souvenirs, locally sourced products with bathrooms and shower facilities.

**Restaurant** – Standard well equipped 1,000 SF kitchen and 2,400 SF able to accommodate 200 dinner style seating. We are looking to partner with a local restaurateur to increase services provided to our guests and community.

**Parking Area** – For commercial and primitive campers. Containing 279 parking spots natural, crusher run or pavers with 4 handicap spots will be graded to drain rainwater to avoid puddling and pooling. All stormwater infrastructure will be designed and constructed in accordance with Effingham County and State of Georgia standards. In addition, we are proposing a second entrance to property located directly across from Long Acres Rd intersecting Wylly Rd/ High Bluff Rd.

**Museum/ Retail space – (Street strip)** – Related retail spaces for rental. One of the spaces will accommodate our local museum containing history of the people and the area.

**Clubhouse** – Will be a venue area for rental and for conducting classes and corporate retreat, team building, birthdays as well as family activities.

**Cookhouse Pavilion & Fire Pit** – Covered enclosed 1,000 SF commercial kitchen with 1,000 SF screened in seating area for 100 people. Will be available for rental for group activities. One located within the Outpost, and one located in our commercial section.

**Pavilion** – Standard covered open wall picnic area with grill, rental, able to accommodate 80 people.
Bait store and vending — Charging stations and water source for primitive camping area. Located in the primitive sections. Small convince shop area with worms, crickets, hooks, etc. With vending machines for snacks and drinks.

Mini golf course — 36-hole mini golf course open to the general public.

Boat Storage/Shop — Shop for Outpost to store equipment and general maintenance.

Operations — Table 1-4

<table>
<thead>
<tr>
<th>Area Name</th>
<th>Total Units</th>
<th>SF Per Unit</th>
<th>Total SF</th>
<th>Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travel Center/ Store</td>
<td>1</td>
<td>9,600</td>
<td>9,600</td>
<td>0.22</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1</td>
<td>2,400</td>
<td>2,400</td>
<td>0.06</td>
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<tr>
<td>Parking Area (278 spaces)</td>
<td>1</td>
<td>138,085</td>
<td>138,085</td>
<td>3.17</td>
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<tr>
<td>Street Strip – Museum</td>
<td>6</td>
<td>2,400</td>
<td>14,400</td>
<td>0.33</td>
</tr>
<tr>
<td>Clubhouse</td>
<td>1</td>
<td>4,800</td>
<td>4,800</td>
<td>0.11</td>
</tr>
<tr>
<td>Pavilion / Cookhouse</td>
<td>2</td>
<td>2,000</td>
<td>4,000</td>
<td>0.09</td>
</tr>
<tr>
<td>Pavilion</td>
<td>2</td>
<td>800</td>
<td>1,600</td>
<td>0.04</td>
</tr>
<tr>
<td>Bait Shop Vending</td>
<td>1</td>
<td>1,000</td>
<td>1,000</td>
<td>0.02</td>
</tr>
<tr>
<td>Boat Storage/Shop</td>
<td>1</td>
<td>2,400</td>
<td>2,400</td>
<td>0.06</td>
</tr>
<tr>
<td>Miniature Golf</td>
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<td>43,560</td>
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<tr>
<td>Roadway</td>
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<td><strong>Total Area</strong></td>
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<td><strong>479,284.6</strong></td>
<td><strong>479,284.6</strong></td>
<td><strong>11.01</strong></td>
</tr>
</tbody>
</table>

Amenities

Restrooms/ Bath house/ Laundry Combo — Outpost guest will be provided ADA compliant public restrooms with shower facilities, family bathrooms and laundry facilities located throughout the facility.

Public Rest Room — Public restrooms for commercial section and venue area.

Stage/ Movie Screen = Open to the general public for entertainment. Mainly used for fund raising for local Veteran groups, local historical preservation, conservation and other charities.

Playground/ workout stations — will be provided for the campground community.

Multipurpose Athletic Field — Area for playing outdoor games like half rubber, croquet, etc. and team building.
Dog Park – Fenced in exercise area for dogs to play.

Roadways - will be a graded crusher run combination road/walkway with one-way roads 20’ wide providing 14’ road and 6’ walking path. Two-way roads 30’ wide providing 2 – 14’ roadways and 6’ walking path. Roadways will be natural or pavers and will be graded to drain rainwater to avoid puddling and pooling.

<table>
<thead>
<tr>
<th>Amenity Name</th>
<th>Total Units</th>
<th>SF Per Unit</th>
<th>Total SF</th>
<th>Total Acreage</th>
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</thead>
<tbody>
<tr>
<td>Bathrooms/ Laundry</td>
<td>4</td>
<td>3,672</td>
<td>14,688</td>
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<tr>
<td>Public Restrooms</td>
<td>1</td>
<td>2,800</td>
<td>2,800</td>
<td>0.06</td>
</tr>
<tr>
<td>Stage/ Movie Area</td>
<td>1</td>
<td>800</td>
<td>800</td>
<td>0.02</td>
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<tr>
<td>Playground/Fitness</td>
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<tr>
<td>Dog Park</td>
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<td>0.50</td>
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<td><strong>Total Amenities</strong></td>
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<td><strong>61,848</strong></td>
<td><strong>61,848</strong></td>
<td><strong>1.42</strong></td>
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Breakdown – Table 1-6

<table>
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<tr>
<th>Description</th>
<th>Area</th>
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<tr>
<td>Total Property – 545 Wyly Road</td>
<td><strong>69.10 Acres</strong></td>
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<tr>
<td>Wetland</td>
<td>6.03 Acres</td>
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<tr>
<td>Perimeter Buffer</td>
<td>9.20 Acres</td>
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<tr>
<td>Ebenezer Creek Buffer</td>
<td>0.31 Acres</td>
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<tr>
<td>Access Easement</td>
<td>4.42 Acres</td>
</tr>
<tr>
<td>Developmental Area</td>
<td><strong>49.14 Acres</strong></td>
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Allocation Breakdown

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Fixed Property Table 1-2</td>
<td><strong>21.18</strong></td>
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<tr>
<td>Accommodations Table 1-3</td>
<td><strong>3.14</strong></td>
</tr>
<tr>
<td>Operations Table 1-4</td>
<td><strong>11.01</strong></td>
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<tr>
<td>Amenities Table 1-5</td>
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<tr>
<td>Total Developed Property</td>
<td><strong>36.83</strong></td>
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<tr>
<td>Natural/ Green Spaces</td>
<td><strong>32.27</strong></td>
</tr>
<tr>
<td>Total Acres</td>
<td><strong>69.1</strong></td>
</tr>
</tbody>
</table>
PROPOSED BACKWATER OUTPOST AND BACKWATER TRADING POST
Backwater Expeditions (BWE) has been operating as a tour operator in Effingham County, Georgia since 2000 providing personal private tours and canoe/kayak rentals exclusively on Ebenezer Creek. With increased demands for activities in the area BWE has been building out more opportunities and working with others in the community.

Our reputation has allowed us to grow and expansion from our homebased operation to needing to operate out of a brick-and-mortar storefront and to meet the increased demand for accommodations BWE has located a 69.21-acre property located on Ebenezer creek.

In search of more revenue sources and the increase in demand for outdoor activities BWE is proposing to develop Backwater Trading Post featuring our commercial section that will be open to the general public and will feature:

- Welcome center
- Convenience store/ Travel Center/ Sporting Goods, Showers and Rest Room
- Ice Cream/ Soca Fountain
- Museum
- Public Parking Area
- Stage/ Movie Venue area
- Club House
- 36 Hole Mini Golf
- 1 Cookhouse Pavilion
- 1 Rest Room
- Restaurant (110) seating

In addition, we plan to develop Backwater Outpost (BWO) an Eco-friendly RV/ camper and rustic campground. With a total of

- 48 Pull-Thru RV/ Camper sites with a 20’W x 50’D paver parking pad and 150-200 sq ft patio located on spacious 80’W x 60’D sites.
- 15 Back-in RV/ Camper sites with a 20’W x 50’D paver parking pad and 150-200 sq ft patio located on spacious 50’W x 60’D sites.
- All with full hook-ups
- 12Paltform cabins – Custom designed Eco-Friendly Treehouse Tiny-Homes from 450 sq ft to 750 sq ft located on spacious 60’W x 60’ D sites
- 13 Rustic camp sites located on 40’W x 40’D sites
- 2 Pavilions 800 sq ft
- 1 Cookhouse Pavilion 1500 sq ft
- Playground/ Fitness Area 21,780 sq ft
- 4 Full bathhouse/ restroom and laundry 36’D x 102’W
- Bait shop 1,000 sq ft

With walking trails and access to Ebenezer creek BWO will have classes and learning programs to help our clients learn new skills or improve their existing skills. Our mission has been to promote Effingham Counties and its rich history working with our Historical Effingham, Salzburger society and Visit Ebenezer as well as the natural wonders of Ebenezer Creek working with the Rivers Alive and Savannah
River Keepers for cleanups and water quality, and the Georgia Conservancy, City of Springfield and Effingham County for preservation and recreational opportunities.

Our facility will provide accommodations for tourist to stay and explore our area and patronize our local businesses. The camping industry has seen impressive consistent growth of 120% from 2014 to 2020. Timing is everything, and with the health benefits of outdoor activities being promoted by our government and health care providers.

As the COVID took over many lives in 2020, 10 million new campers joined the ranks of over 86 million camping households in the US. Below are some impressive facts:

- Over 55% prefer private campgrounds.
- Over 60% of people will travel 100-150 miles to camp
- Over 70% choose a campground for atmosphere.
- Over 69% choose for attractions/ activities in the area.
- Over 60% travel for fishing.
- Over 40% for tours and sightseeing.
- Over 45% look for entertainment options. • Over 65% tent camp
- Over 40% RV camp.
- Over 30% and rising are looking for full-service cabins.
- Over 50% of campers are female.
- Over 55% are millennials (1981-1996); Over 30% are Gen-X (1965-1980); and over 15% are the Baby Boomers (1946-1964) and the Silent (1928-1945)
- The medium income is around $50K a year with over 40% making $100K and up.
- The typical camper will spend between $50 to $100 a day in the local community.

Area tourism is a year-round activity, although April, May and June are generally the busiest, it is spread evenly across the year. In early May 2020, the Wall Street Journal hailed RV vacations as “The safest way to travel” for a leisure trip, and Forbes also dubbed 2020 as “The year of RV travel”. In addition, March 2020 the US Travel Association reports that 68% of people feel safer traveling by personal vehicle over taking a domestic flight.

With the new normal coming into play people are looking to expand their outdoor activities or just traveling more and are looking into RV, campers and camping as a safer alternative to other forms of domestic travel and hotels, many sites health concerns as the top reason.

Activities for Effingham County are limited and with increased tourism increases business and opportunities for businesses to locate in this area.

Travel and tourism generated over $50 Billion in total economic impact for Georgia. With over $8 million for Savannah alone. Tourism drives the economy by creating jobs, new opportunities for businesses and tax revenue for the government to support the services the resident’s demand.
BACKWATER OUTPOST RULES AND REGS

Backwater Outpost is a destination with a lot going on.

We are ECO friendly and provide a natural woodland environment.

We ask all guest to respect their surroundings, wildlife and be considerate of others.

**Caution:** *Wildlife is Wild*, harassing, harming, or provoking wildlife and/or feeding of alligators is prohibited and will be cause for ejection. (With NO REFUND!)

Office hours are 7AM to 9PM Sunday thru Saturday unless otherwise posted. Staff are available on call for emergency 24/7. Access is gate controlled and monitored for safety.

Laundry is available 24/7

**RV and Camper Check-In:** 1 PM  
**Check-Out:** 12 PM

**Cabin and Tree House Check-In:** 3 PM  
**Check-Out:** 11 AM

**QUIET TIME: 9 PM TO 7 AM SUNDAY TO SATURDAY** (Unless special event with prior approval)

To be considerate of our community. No loud music, No abusive language! No domestic dispute being heard by other campers, disorderly conversations and or actions are not permitted anytime on the Outpost. These types of behavior will not be permitted or tolerated for any reason. You will be asked to leave.

Site and/or rental fees are due and payable prior to occupying your site. RV, Camper and tent sites include one family/unit of 4 persons per site. All others are considered visitors. (Maximum of 6 per site with a $10 fee each over 4 at check-in) Over 6 persons in a group and are required to rent additional sites.

You MUST check-in at office prior to going to your site. Visitors are allowed between the hours of 9 AM and 9 PM but must check IN and OUT with the office. Persons spending the night are not considered visitors and are required to pay $10 to stay within your accommodations after check-in.

**Early check-in or Late check-out: Are subject to availability and must be cleared with the office in advance.** Late check out are depending on availability and time. Subject to TEN DOLLOR per hour fee or FULL DAY charge if not arranged in advance and subject to availability. We do have drop zones to park for FIVE DOLLORS per hour with a 4-hour Max limit. (Limited spots and subject to availability)

**Holiday weekends are subject to a three-day minimum.**

*Trashcans and recycling containers* are provided throughout the Outpost. Please help us to keep our area clean. Trash is picked up daily, we ask that it be placed in secure bags and placed in locations provided. Please do not leave garbage at your site, leave it as you found it. If you have other than just normal garbage, please contact the office to arrange for pickup. Anyone leaving trash unsecured, bottles and/or cans will be fined $35 cleanup fee.

*Campfires* are permitted in designated areas only with fire rings, firepits, or fireplaces, ONLY! Burn only wood, No trash! Violato’s will be subject to $35 cleanup fee.

*Firearms* are not needed and prohibited outside your domicile or vehicle. Be RESPONSIBLE.
Alcohol is not a problem until it is a problem, RESPECT! and Common Sense!

Bicycles — State law requires children under 16 must wear helmet. No riding after dark or on walking trails. Effingham County has several bike lanes for road bikes.

Golf Carts/ Side-by-side — Must be registered at office upon check-in; must have valid insurance and only driven by insured who is over the age of 18. Abuse of rules will result in removal from campground.

Swimming — Swimming isn’t allowed at the landing. Alligators and snakes are in the area.

Pets - Domestic pets are allowed with a two-pet limit per site and may not run loose or left tied up or unattended. Please scoop the Poop! Remember others walk around the park.

In general:

- No digging in the ground or roadways.
- No cutting, damaging or defacing living trees or plants.
- No washing of RV’s or vehicle.
- No fireworks.

Backwater Outpost LLC is privately owned natural campground and assumes no responsibility for property loss, damage or personal injury. The Outpost boundaries are marked and must be respected. Crossing on to private property can be subject to prosecutions. Respect others property and stay with-in our 69-acre facility.

By entering the Outpost constitutes permission for Backwater Outpost to photograph our visitors and use resulting pictures for any lawful purpose without compensation.

Basically, rules are for the ones without common scene or respect. Don’t be that person.

We provide a multitude of activities and educational opportunities. Please check out our activities list throughout the facility. Please let us know if we can assist with planning activities in our beautiful low country.
Parcels ID: 04590084
Class Code: Agricultural
Taxing District: 01-County
Owner: RAIMONDO MARIE
16 CAVALIER DR
HAMILTON, NJ 08619
Physical Address: 545 WYLLY RD
County: Effingham
Acres: 69.21
Assessed Value: Value $259580

Last 2 Sales:
Date: 5/27/2021
Price: 0
Reason: U
Qual: U

Date created: 11/7/2021
Last Data Updated: 11/8/2021 8:02:38PM
Developed by Schneider
GEOVATA
Staff Report

Subject: Rezoning (First District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022

Item Description: 3 Byrds Development, LLC requests to rezone 39.46 acres from AR-1 to R-3 to allow for a multi-family residential development. Located on Hwy 30. (First District) [Map# 352 Parcel# 18]

Summary Recommendation
Staff has reviewed the application, and recommends denial of the request to rezone 39.46 acres from AR-1 to R-3 to allow for a 355-unit multi-family residential development on Hwy 30.

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.
- Permitted uses in R-3 include single and multi-family housing and some commercial uses.
- The R-3 multi-family zoning district allows up to 9 units per acre, and requires at least 15% of net usable area as common outdoor open space.
- The proposed 355-unit townhome/apartment development includes a clubhouse, playgrounds, and common areas. Specific acreage for common open space are not specified on the concept plan.
- The applicant proposes to extend a water and sewer lines 1000' to the main line on Hwy 30. There is a limit to sewer system capacity at this time. A recently rezoned R-6 tract on Zittrouer Road is limited to 25 ERU within the first 18 months of development. If approved, this development would likely be limited too.
- If rezoning is approved, the applicant must submit a sketch plan and clarify infrastructure design & ownership, parcel subdivision, parking needs, and housing types.
- The property is located on Hwy 30, near low to medium density residential development. Residential Lot sizes in the area are 6,600 sf – 8,500 sf (R-6 & PD); 12,000 sf – 1 acre (R-1); and large lot AR properties.
- There are two R-3 zoned properties within two miles. One has an approved sketch plan (141 units on 16.95 ac=8.3 units per acre). The other is church-owned, and has no development plan.
- The proposed 9-unit per acre density represents an incompatible increase in density for the area.
- If rezoning is approved, a Traffic Impact Assessment will be required.

Alternatives
1. Approve request to rezone 39.46 acres from AR-1 to R-3 to allow for a multi-family residential development, with the following conditions:
   1. Future use of the above-referenced property being rezoned shall meet the requirements of the R-3 zoning district.
   2. A Sketch Plan meeting the requirements of the Subdivision Regulations must be submitted for review and approval before site development plans are submitted.
   3. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
   4. A Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
   5. 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 39.46 acres from AR-1 to R-3.

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services
FUNDING: N/A
2. Ownership certificate/authorization 4. Aerial photograph
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL______  DISAPPROVAL______

Of the rezoning request by applicant 3 Byrds Development, LLC – (Map # 352 Parcel # 18) from AR-1 to R-3 zoning.

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

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

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

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

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

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

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

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

Application Date: 03/09/2022

Applicant/Agent: 3 Byrds Development, LLC

Applicant Email Address: m.byrd@mattbyrdhomes.com

Phone # 912-704-6400

Applicant Mailing Address: 122 Canal Street, Suite 108

City: Pooler State: GA Zip Code: 31322

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: Noel C. Conaway Road (Hwy 30)

Proposed Road Access: Noel C. Conaway Road (Hwy 30)

Present Zoning of Property: AR-1 Proposed Zoning: R-3

Tax Map-Parcel # 03520018 Total Acres: 39.46 Acres to be Rezoned: 39.46

Lot Characteristics: Rectangle in shape

WATER

____ Private Well

X __ Public Water System

SEWER

____ Private Septic System

X __ Public Sewer System

If public, name of supplier: Effingham County

Justification for Rezoning Amendment: To develop a multi-family community.

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

North AR-1 South R6 East AR-2 West AR-1

Rev 01132022
ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 03/09/2022

Applicant/Agent: 3 Byrds Development, LLC
Applicant Email Address: m.byrd@mattbyrdhomes.com
Phone # 912-704-6400
Applicant Mailing Address: 122 Canal Street, Suite 108
City: Pooler State: GA Zip Code: 31322

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: Noel C. Conaway Road (Hwy 30)
Proposed Road Access: Noel C. Conaway Road (Hwy 30)

Present Zoning of Property: AR-1 Proposed Zoning: R-3
Tax Map-Parcel #03520018 Total Acres: 39.46 Acres to be Rezoned: 39.46

Lot Characteristics: Rectangle in shape

WATER

_____ Private Well
X Public Water System

SEWER

_____ Private Septic System
X Public Sewer System

If public, name of supplier: Effingham County

Justification for Rezoning Amendment: To develop a multi-family community.

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

North AR-1 South R6 East AR-2 West AR-1

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

Currently zoned as AR-1.

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.

We would like to rezone the property to R-3 and develop a multi-family community with multiple common areas, playgrounds, picnic areas, trails, and a clubhouse.

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

There are multiple R-6 communities alongside Hwy 30, and a R-3 zoned property next to the High School.

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?

Similar in use to the two mini R-6 communities across the street on Hwy 30.

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 3/9/22
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

02/15/1990, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 278 page 303.

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

Owner’s signature_______________________________________________________

Print Name____________________________________________________________

Owner’s signature_______________________________________________________

Print Name____________________________________________________________

Owner’s signature_______________________________________________________

Print Name____________________________________________________________

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

Notary Public, State of Georgia

[Notary Seal]
After recording return to:
McManamy Jackson Hollis, LLC
415 Eisenhower Drive, No. 1
Savannah, Georgia 31406
File No. 2022-2284MJHS

STATE OF GEORGIA

COUNTY OF Effingham

EXECUTOR’S DEED

THIS INDENTURE, made and entered into this 15th day of March, 2022, by and between
STEPHEN CRAIG NORTH, AS EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF ROBERT M.
NORTH, JR., deceased, as Party of the First Part and 3 BYRDS DEVELOPMENT, LLC, a Georgia
limited liability company, as Party of the Second Part.

-WITNESSETH-

WHEREAS, ROBERT M. NORTH, JR. died testate in Effingham County, Georgia on January 5,
2021 and upon the petition of Stephen Craig North, Letters Testamentary under the Last Will and
Testament of the said Robert M. North, Jr., deceased, were issued to the said STEPHEN CRAIG
NORTH by order of the Probate Court of Effingham County, Georgia dated March 12, 2021.

WHEREAS, all of the debts and taxes due upon said Estate have been satisfied.

WHEREAS, the said Executor continues to actively manage the affairs of the Estate and no
Assent to Devise has been granted.
NOW THEREFORE, said Party of the First, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, has granted, bargained, sold and convey unto the said Party of the Second Part, its successors and assigns, all of the following described tract or parcel of land, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Party of the Second Part, its successors and assigns, forever in FEE SIMPLE.

IN WITNESS WHEREOF, the undersigned has hereunto set his/her hand and seal on the day and year first above written as the date hereof.

Signed, sealed and delivered in the presence of:  

By: ____________________________ (SEAL)

STEPHEN CRAIG NORTH,
AS EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF ROBERT M. NORTH, JR., deceased.

WITNESS

______________________________

NOTARY PUBLIC
STATE OF: Georgia
COUNTY OF: Barrow

PAUL A. FOIL
BARROW COUNTY, GEORGIA
EXHIBIT “A”

Legal Description of Property

All those lots, tracts or parcels of land, lying, situate and being in the Effingham County, Georgia, known as Parcel #1 and Parcel #2 upon a plat thereof entitled “Plat of Division of J.R. Conaway Estate” prepared by Paul D. Wilder, Georgia Registered Land Surveyor, recorded in Plat Book 16, Page 197, in the office of the Clerk of Superior Court of Effingham County, Georgia. Said Parcel #1 was conveyed to Robert M. North, Jr. by Warranty Deed dated February 15, 1990, recorded in Deed Book 278, Page 303, in the aforesaid Clerk’s Office; and said Parcel #2 was conveyed to Robert M. North, Jr. by Warranty Deed dated March 31, 1992, recorded in Deed Book 310, Page 561, in the aforesaid Clerk’s Office. Said plat and deeds are incorporated herein by reference.

0 Noel Conaway Road, Guyton, Georgia 31312
Tax PIN 03520018
QUIT CLAIM DEED

This indenture, made this 14th day of March, 2022 between MICHAEL MEYERS NORTH and ELIZABETH BROXTON, collectively party of the first part, and 3 BYRDS DEVELOPMENT, LLC, a Georgia limited liability company, as party of the second part,

WITNESSETH

Party of the first part, for and in consideration of the sum of One ($1.00) Dollar and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, convey, release and forever quitclaim unto the second party, its heirs, successors and assigns, all my undivided interest in and to the following described property, to wit:

All those lots, tracts or parcels of land, lying, situate and being in the Effingham County, Georgia, known as Parcel #1 and Parcel #2 upon a plat thereof entitled “Plat of Division of J.R. Conaway Estate” prepared by Paul D. Wilder, Georgia Registered Land Surveyor, recorded in Plat Book 16, Page 197, in the office of the Clerk of Superior Court of Effingham County, Georgia. Said Parcel #1 was conveyed to Robert M. North, Jr. by Warranty Deed dated February 15, 1990, recorded in Deed Book 278, Page 303, in the aforesaid Clerk’s Office, and said Parcel #2 was conveyed to Robert M. North, Jr. by Warranty Deed dated March 31, 1992, recorded in Deed Book 310, Page 561, in the aforesaid Clerk’s Office. Said plat and deeds are incorporated herein by reference.

0 Noel Conaway Road, Guyton, Georgia 31312
Tax PIN 03520018

SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements and appurtenances thereunto belonging or in any wise appertaining unto the second party, its heirs, successors and assigns, so that neither first party nor its heirs, successors and assigns, nor any person or persons claiming under it shall have, claim or demand and right to the above-described property, or its appurtenances.

REMAINDER OF PAGE INTENTIONALLY BLANK

SIGNATURE PAGE TO FOLLOW
SIGNATURE PAGE TO QUITCLAIM DEED

IN WITNESS WHEREOF, the first party has caused these presents to be executed by its authorized signatory hereto on the day and year first above written.

Signed, sealed and delivered

in the presence of:

Witness

By: [Signature]
MICHAELE MEYERS NORTH
(Seal)

Notary Public

Notary Seal:
QUIT CLAIM DEED

This indenture made this ___ day of March, 2022 between MICHAEL MEYERS NORTH and ELIZABETH BROXTON, collectively party of the first part, and 3 BYRDS DEVELOPMENT, LLC, a Georgia Limited liability company, as party of the second part,

WITNESSETH

Party of the first part, for and in consideration of the sum of One ($1.00) Dollar and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, convey, release and forever quitclaim unto the second party, its heirs, successors and assigns, all my undivided interest in and to the following described property, to wit:

All those lots, tracts or parcels of land, lying, situate and being in the Effingham County, Georgia, known as Parcel #1 and Parcel #2 upon a plat thereof entitled “Plat of Division of J.R. Conaway Estate” prepared by Paul D. Wilder, Georgia Registered Land Surveyor, recorded in Plat Book 16, Page 197, in the office of the Clerk of Superior Court of Effingham County, Georgia. Said Parcel #1 was conveyed to Robert M. North, Jr. by Warranty Deed dated February 15, 1990, recorded in Deed Book 278, Page 303, in the aforesaid Clerk’s Office, and said Parcel #2 was conveyed to Robert M. North, Jr. by Warranty Deed dated March 31, 1992, recorded in Deed Book 310, Page 561, in the aforesaid Clerk’s Office. Said plat and deeds are incorporated herein by reference.

0 Noel Conaway Road, Guyton, Georgia 31312

Tax PIN 03520018

SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements and appurtenances thereunto belonging or in any wise appertaining unto the second party, its heirs, successors and assigns, so that neither first party nor its heirs, successors and assigns, nor any person or persons claiming under it shall have, claim or demand and right to the above-described property, or its appurtenances.

REMAINDER OF PAGE INTENTIONALLY BLANK

SIGNATURE PAGE TO FOLLOW
SIGNATURE PAGE TO QUITCLAIM DEED

IN WITNESS WHEREOF, the first party has caused these presents to be executed by its authorized signatory hereto on the day and year first above written.

Signed, sealed and delivered

in the presence of:

Witness

By: ELIZABETH BROXTON (Seal)

Notary Public

Notary Seal:
Homestead Application

Please wait to apply for homestead until your name appears under the "Owner" section below.

Assessment Notice

2021 Assessment Notice [PDF]
2020 Assessment Notice [PDF]

Summary

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>03S2001B</th>
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<tr>
<td>Location Address</td>
<td>NOEL C CONWAY RD</td>
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<tr>
<td>Legal Description</td>
<td>39.46 AC</td>
</tr>
<tr>
<td>Class</td>
<td>A5-Agricultural</td>
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<tr>
<td>Zoning</td>
<td>AR-1</td>
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<td>Tax District</td>
<td>01-County (District 01)</td>
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<tr>
<td>Millage Rate</td>
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<td>Acres</td>
<td>39.46</td>
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<td>Neighborhood</td>
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<td>Homestead Exemption</td>
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<td>Landlot/District</td>
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Owner

NORTH ROBERT M JR
215 NORTH LN
RINCON, GA 31326

Rural Land

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<th>Type</th>
<th>Calculation Method</th>
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Accessory Information

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Sales

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<th>Plat Book / Page</th>
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<th>Reason</th>
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<th>Grantee</th>
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<td>2/15/1990</td>
<td>278 303</td>
<td>16 197</td>
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<td>Unqualified - Vacant</td>
<td>NORTH ROBERT M JR</td>
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Valuation

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<th>Year</th>
<th>Previous Value</th>
<th>Land Value</th>
<th>Improvement Value</th>
<th>Accessory Value</th>
<th>Current Value</th>
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Photos
No data available for the following modules: CUVA Renewal Letter, Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Permits, Sketches.
Item Description: Chesterfield, LLC as Agent for Janis Z. Bevill et al. requests a variance from section 3.4, to reduce the required buffer between industrial and various zoned parcels. Located on Hodgeville Road, zoned I-1. [Map# 434 Parcels# 24,24A,26,26C]

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

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

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

• Warehouse Distribution Centers are a heavy industrial use. The 76.84-acre collection of parcels is bordered to the north and northwest by industrial zoned land. It is bordered to the south, southwest, and east by residential and commercial zoned properties.

• The scale of the proposed warehouse development exceeds the threshold (500,000 gross sf) to be considered a Development of Regional Impact (DRI). The Coastal Regional Commission determined that the project (DRI # 3654) warranted regional review; requested comments; and completed a DRI report.

• The project is not consistent with the Regional Future Development Map, which shows the project site area as Rural. Rural areas are not expected to urbanize or require urban services in the next 20 years.

• The county Future Land Use map indicates the project site is in an Agriculture area. Agriculture areas include uses such as farming, livestock, timber harvesting, or recreation.

• The required buffer between heavy industrial and AR/R zoning districts is 300’.

• The proposed buffer reduction is from 300’ to 75’ along all boundaries with AR and R zoning districts.

• 434-24 and 434-24A were rezoned to I-1 in 2021. The buffer requirements for heavy industrial development were discussed at those public hearings.

• The collection of parcels does not present any exceptional topographical features; the proposed 1.596 million sf of warehousing cannot be developed without significant reductions to the required buffers.

• Given the low-intensity residential uses of the land to the south, southwest, and east at Hodgeville Road, there is no case to be made for reducing the buffer on the industrial tract. The solution is to reduce the scale of the development to allow for inclusion of a 300’ vegetative buffer to screen the heavy industrial use and allow for stormwater filtration.

Alternatives
1. Approve the request for a variance from section 3.4 to reduce required setbacks.
2. Deny the request for a variance from section 3.4 to reduce required setbacks.

Recommended Alternative: 2

Other Alternatives: 1

Department Review: Development Services
FUNDING: N/A
Attachments: 1. Variance application
            2. Deed
            3. Ownership Certification
            4. Aerial photography
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 3/30/22

Applicant/Agent: CHESTERFIELD, LLC. ATTN: CHANCE RAEHN

Applicant Email Address: CRAEHN@CHESTERFIELDLLC.COM

Phone #: 912-667-0828

Applicant Mailing Address: 100 BULL STREET, SUITE 200

City: SAVANNAH    State: GA    Zip Code: 31401

Property Owner, if different from above: BEVILL, JANIS Z. & ZITTOUER, KATHY Z. / CHILDRENS LEZ/ LBZ LLC / ZIPPERER, ERNEST W

Owner's Email Address (if known): __________________________

Phone #: __________________________

Owner's Mailing Address: 1616 BLUE JAY ROAD

City: RINCON    State: GA    Zip Code: 31326

Property Location: HODGEVILLE ROAD, 1,720' FROM GOSHEN ROAD

Name of Development/Subdivision: N/A

Present Zoning of Property 1-1 Tax Map-Parcel # 26,26C Total Acres 269

VARIANCE REQUESTED (provide relevant section of code): 3.4.1

Describe why variance is needed: THE APPLICATION OF A 300' BUFFER RESULTS IN APPROX 60% OF THE 434-24A PROPERTY BEING IMPACTED BY BUFFER AND WETLANDS RENDERING IT UNDEVELOPABLE FOR WAREHOUSE CONSTRUCTION. A 0' LOT LINE BUFFER IS ALSO REQUESTED BETWEEN SIMILAR USES THAT ARE PART OF A COMMON DEVELOPMENT.

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

IRREGULAR SIZE OF LOT TO ACCOMMODATE WAREHOUSE CONSTRUCTION

Applicant Signature: [Signature]

Date: 3.30.2022

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 6/16/2006, on file in the office of the Clerk of the Superior Court of Effingham County, in Dcdd Book 1468 page 436.

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: Alan B Zipperer
Print Name: Alan B Zipperer

Owner’s signature: Janice Bellamy Zipperer
Print Name: Janie Z Bellamy

Owner’s signature: Kathy Zitrara
Print Name: Kathy Zitrara

Sworn and subscribed before me this 30th day of March, 2012.

[Signature]
Notary Public, State of Georgia

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, Alan B Zipperer, 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: CHESTERFIELD, LLC. ATTN: CHANCE RAEHN
Applicant/Agent Address: 100 BULL STREET, SUITE 200
City: SAVANNAH State: GA Zip Code: 31401
Phone: 912-667-0828 Email: CRAEHN@CHESTERFIELDLLC.COM

Owner’s signature: Alan B Zipperer / Lamar E Zipperer
Print Name: Alan B Zipperer / Lamar E Zipperer

Personally appeared before me Alan B Zipperer (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 30th day of March, 2022.

Notary Public, State of Georgia

Rev 05052021
Alan Zipperer has my permission to sign as property owner for the purpose of submitting a zoning application. Submitted by Kathy Zittrouer.

Sent from my iPhone

On Mar 30, 2022, at 11:12 AM, Alan Zipperer <AZipperer@diamondcp.blz> wrote:

I need each of you to send me a letter or email today giving me permission to sign as property owner for the purpose of submitting the zoning application. The other option is each of you come to the office today and sign it, I am ok either way.
Thanks, Alan
Janis Z. Bevill
1262 Old Tusculum Road
Springfield, Georgia 31329

March 30, 2022

To whom it may concern:

I, hereby authorize Alan B. Zipperer to sign a variance on my behalf.

Janis Z. Bevill

[Signature]
Alan Zipperer

From: Lamar Zipperer <lamarzipperer@gmail.com>
Sent: Wednesday, March 30, 2022 12:11 PM
To: Alan Zipperer
Subject: Re: zoning changes

Alan:

You have my permission to sign as property owner for the purpose of submitting the above zoning application which I understand is for a setback variance.

If you need additional information or action from me please let me know.

Regards,

Lamar E. Zipperer

On Wed, Mar 30, 2022 at 11:12 AM Alan Zipperer <AZipperer@diamondcp.biz> wrote:

I need each of you to send me a letter or email today giving me permission to sign as property owner for the purpose of submitting the zoning application. The other option is each of you come to the office today and sign it, I am ok either way.

Thanks, Alan

--
Lamar E. Zipperer
Consulting Forester LLC
3574 Newington Highway
Sylvania, GA. 30467
Ga. Registered Forester 1432
Home (912) 829-4241
Cell (912) 682-2946
lzipperer@planters.net
lamarzipperer@gmail.com

The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or use of the information contained herein is strictly prohibited. If you have received this communication in error, please notify the sender immediately by replying to the message and delete the message from your computer.
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
PO BOX 385
SPRINGFIELD, GA 31329

STATE OF GEORGIA

COUNTY OF EFFINGHAM

06 JUN 16 PK 1:16

RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
PO BOX 385
SPRINGFIELD, GA 31329

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 16th day of June, 2006, between BOBBY L. ZIPPERER and DOROTHY W. ZIPPERER of the FIRST PART, and JANIS Z. BEVILL, KATHY Z. ZITTOUER and ALAN B. ZIPPERER of the SECOND PART,

WITNESSETH: FIRST PARTIES, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, do hereby bargain, sell, and by these presents remise, release, and forever QUIET CLAIM to the SECOND PARTIES, their heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTIES have or may have in and to the following real estate, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Seventy-Six and Eighty-Four Hundredths (76.84) acres, more or less, and being known and designated as Parcel Two (2) as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the northeast by lands of Zipperer Estate; on the east and southeast by lands of H.W. Jenkins, Sr. Estate; also on the southwest by lands of Pauline M. Cooler; on the southwest by Hogeville Road, known as County Road #140; and on the west and northwest by Parcel 1, as shown on said plat hereinafter referred to.

Express reference is hereby made to a plat of said lands made by Warren E. Poythress, R.L.S. #5953, dated March 15, 1993 and recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "A", slide 224-E, for better determining the metes and bounds of said lands herein conveyed.

This being the same tract or land conveyed by deed from Charles E. Zipperer to Bobby L. Zipperer dated July 8, 1993 and recorded in said Clerk's office in Deed Book 335, page 737.

Also inclosed in this conveyance is the 20-foot wide private easement described in said deed and this deed is also subject to said 20-foot wide private easement.

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

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

Signed, sealed and delivered in the presence of:

BOBBY L. ZIPPERER (SEAL)
DOROTHY W. ZIPPERER (SEAL)

Unofficial Witness

Official Witness - Rotary Pulpit

jw
STATE OF GEORGIA
COUNTY OF EFFINGHAM

WARRANTY DEED

THIS WARRANTY DEED is made this 14th day of May, 2015, by LAMAR ERNEST ZIPPERER, hereinafter referred to as "Grantor," to CHILDREN'S LEZ/LBZ, LLC, a Georgia limited liability company, hereinafter referred to as "Grantee."

WITNESSETH:

For and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, the receipt and sufficiency of which hereby are acknowledged, Grantor hereby gives, grants, bargains, sells, transfers, assigns and conveys unto Grantee and Grantee's successors and assigns, all of Grantor's right, title and interest in and to the following described property:

That certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Eighty-one and Eighty-four Hundredths (81.84) acres, more or less, and being known and designated as Parcel 1 as shown on the plat hereinafter referred to. Said parcel of land being bounded on the northeast by lands of Zipperer Estate; on the southeast by Parcel 2 as shown on said plat hereinafter referred to; on the west by lands of Union Camp Corporation and on the northwest by lands of Ernert W. Zipperer. Express reference is hereby made to a plat of said lands made by Warren E. Poythress, R.I.S. #1953, dated March 15, 1993 and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet "A", slide 224E, for better determining the metes and bounds of said lands herein conveyed.

Subject, however, to that certain 20' wide private easement which extends from the Hodgeville Road and meanders along the common boundary line of Parcels 1 and 2 as shown on the plat above referred to and at points along the line the 20' private easement would extend over on Parcel 1 in its entirety and then at certain points it would extend over on Parcel 2 in its entirety and at points split the
common boundary line, which easement is reserved by Bobby L. Zipperer and Charles E. Zipperer, their heirs, administrators and assigns.

Subject also, however, to all (if any) other indebtedness, restrictions, covenants and easements of record or evidenced by use, as applicable.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements and appurtenances thereunto belonging or in anywise appertaining (altogether, the "Premises"), unto Grantee and Grantee's successors and assigns in fee simple forever.

AND, LASTLY, GRANTOR WARRANTS, except as limited in the legal description of the Premises, that Grantor is seised of the Premises in fee simple, has good right to convey the Premises and will forever defend the title to the Premises.

IN WITNESS WHEREOF, Grantor has executed this deed under seal, effective at the time first set forth above.

\[Signature\]
LAMAR ERNEST ZIPPERER, Grantor

Signed, sealed and delivered in the presence of:

\[Signature\]
Witness

\[Signature\]
Notary Public

\[Signature\]
Notary Public, Chatham County GA
My Commission Expires July 1, 2017

(Note: Title not examined by preparer.)
STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INSTRUMENT, Made the 7th day of December, 1889, between WILLIAM H. ZIPPERER of the FIRST PART, and ERNEST W. ZIPPERER 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 his 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 PARTY, 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 9th G.N. District of Effingham County, Georgia, containing One Hundred Forty-one and Forty-nine Hundredths (141.49) acres, more or less, and being known and designated as Parcel One (1), as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded nor or formerly as follows:
On the northeast by lands of the Estate of C. K. Zipperer (shown on the plat hereinafter referred to) as Mary Kline Sichel; on the southeast by lands of Jenkins Estate and by Parcel Two (2), as shown on said plat; on the southwest and northwest by lands of Union Camp Corporation.

Express reference is hereby made to a plat of said lands made by Warren E. Berryessa, I.L.S. #195, dated December 12, 1933 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 12, page 203, for better determining the lines and bounds of said lands herein conveyed.

[Signature]
WILLIAM H. ZIPPERER (SEAL)

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

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:

[Signature]

GEORGIA, COUNTY OF EFFINGHAM

Clerk's Office, Superior Court

[Recorded at...]

[Recorded in Plat Book...]

[Recorded in Plat Book...]

[Recorded in Plat Book...]

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[Recorded in Plat Book...]
DEVELOPMENT OF REGIONAL IMPACT REPORT

Prepared for
Effingham County, Georgia
DRI #3654: Zipperer Tract
May 5, 2022

Coastal Regional Commission

Prepared by:
Coastal Regional Commission
1181 Coastal Dr. SW
Darien, GA
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1. APPLICATION INFORMATION

1.1 Jurisdiction
Effingham County, Georgia
DRI # 3654
Zipperer Tract

1.2 Applicant
Chesterfield
912-667-0828
CRaehn@chesterfieldllc.com

2. PROJECT DESCRIPTION

2.1 Summary
DRI 3654 is industrial and distribution warehousing. The project site is located at parcel number 04340024 and 04340024A00. The action requested is a variances. The project is expected to be complete in 2026.

3. PARCEL DATA

3.1 Size of Property
04340024 is approximately 81.84 Acres and 04340024A00 is approximately 76.84 Acres.

3.2 General Location
Tax Parcel ID: 04340024 and 04340024A00 located off of Hodgeville Rd.

According to the United States Census Bureau, the 2019 population of Effingham County was estimated to be 64,296.
4. LAND USE INFORMATION

4.1 Site Map
The site plan for use of the property is attached.

4.2 Built Features
The site is currently vacant.

4.3 Future Development Map Designation (Character Area)
The Future Land Use Map from Effingham County's comprehensive plan indicates that the project site is determined to be Agriculture.

4.4 Zoning District
The site is currently zoned I-1 Heavy Industrial to allow for warehousing.

5. CONSISTENCY AND COMPATIBILITY ANALYSIS

5.1 Consistency with the Comprehensive Plan
The Effingham County Comprehensive Plan was adopted in 2019. The Future Land Use Map designates the DRI property for rural and developed.
6. CONSISTENCY WITH REGIONAL PLAN OF COASTAL GEORGIA

6.1 Regional Development Map and Defining Narrative

The Regional Development Map illustrates the desired future land use patterns from the regions’ Areas Requiring Special Attention and the regions’ Projected Development Patterns using the following categories:

   a. Conservation   c. Developed
   b. Rural         d. Developing

The Regional Future Development Map illustrates the area as Rural. This category is for areas that are not expected to urbanize or require urban services in the next 20 years.

6.2 Guiding Principles of the Regional Plan

Guiding Principles identify those overarching values which are to be utilized and evaluated for all decisions within the region. This section provides the analysis of the consistency between the proposed DRI and the Guiding Principles in the Regional Plan.

6.3 Guiding Principles for Water and Wastewater

Seven guiding principles are identified in the Regional Plan for water and wastewater:

1. Require the use of green building strategies to minimize water demand.
2. Promote the use of a standardized protocol to forecast water needs to meet reasonable future water needs throughout region.
3. Promote use of purple pipe and grey water techniques and use of surface water in addition to groundwater where appropriate.
4. Promote water conservation through use of a tiered rate system.
5. Promote the use of the best available technology, dependent on soil type, for wastewater treatment.
6. Large areas of Coastal Georgia are beyond the reach of urban wastewater infrastructure, or centralized wastewater treatment facilities. To ensure sustainable communities, require proper siting, design, construction, use, and maintenance of decentralized wastewater treatment, or ISTS (Individual Sewage Treatment Systems).
7. Pursue regional coordination in provision of water and wastewater facilities.

6.4 Guiding Principles for Stormwater Management

Five guiding principles are identified in the Regional Plan for Stormwater Management:
1. Encourage development practices and sitings that do not significantly impact wetlands and habitat areas or allow for the preservation and conservation of wetlands and habitat areas through appropriate land use practices.

2. Promote the use of coast-specific quality growth principles and programs, such as the Green Growth Guidelines, Earthcraft Coastal Communities and the Coastal Supplement to the Georgia Stormwater Management Manual, to guide site planning and development.

3. Minimize impervious coverage wherever possible. The level of impervious cover in a development, rather than population density, is the best predictor of whether development will affect the quality of water resource.

4. Develop stormwater programs across the region.

5. Pursue State-level funding for regional water quality monitoring activities due to the statewide importance of coastal waters and estuaries.

6.5 Guiding Principles for Transportation

Seven guiding principles are identified in the Regional Plan for Transportation:

1. Provide the forum and the support to coordinate regional multi-modal transportation, including rail, airports, and public transportation, and also the planning and development of street connectivity and transit-oriented developments.

2. Promote the establishment of regional transportation compact(s) to provide a forum for local governments and MPO’s to communicate and discuss transportation issues and decisions in the Coastal Region. These compacts do not replace the existing federal and State processes mandated in law, but provide a forum to communicate issues, ideas and discussions.

3. Promote coordination among agencies and jurisdictions in development of a region-wide, multi-modal transportation network, including transit, where applicable.

4. Encourage the coordination of transportation network improvements and land use planning.

5. Promote coordinated public infrastructure and school location planning with land use planning.

6. Maintain a human scale environment with context sensitive design practices.

7. Work to establish dedicated revenue source(s) for transportation improvements.

6.6 Guiding Principles for Historic and Cultural Resources

Eleven guiding principles are identified in the Regional Plan for Historic and Cultural Resources:

1. Encourage local governments to examine proposed development areas prior to development approval and require mitigation to significant resources.
2. Encourage development practices and sitings that do not significantly impact cultural and historical areas.
3. Maintain viewsheds of significant cultural and historic assets.
4. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
5. Designate culturally and/or archaeological and/or historically significant resource management areas for potential acquisition and/or protection.
6. Educate residents and visitors regarding the statewide importance of this region’s cultural and historic resources.
7. Encourage utilization and cooperation of museums, universities, foundations, non-government organizations, professional associations, and private firms to advise and monitor management.
8. Promote the establishment of partnerships for the development and utilization of incentives to restore, remediate or reuse cultural resources as appropriate.
9. Compile the traditional lore and knowledge of local people and integrate their understandings and practices into planning and development.
10. Encourage coordination among agencies and jurisdictions in developing and funding heritage conservation land uses and ensuring public access to publicly held and supported conservation areas.
11. Promote designation of Main Street and Better Home Town Communities.

6.7 Guiding Principles for Natural Resources

Twenty guiding principles are identified in the Regional Plan for Natural Resources:

1. Promote the protection, restoration, enhancement and management of natural resources.
2. Continue the traditional use of land and water (such as farming, forestry, fishing, etc.) as feasible, provided that any significant impacts on resources can be prevented or effectively mitigated.
3. Protect and enhance Coastal Georgia’s water resources, including surface water, groundwater, and wetlands and ground water recharge areas.
4. Protect and enhance water quality, quantity and flow regimes.
5. Commit to investing in the protection of natural resources before any restoration and/or remediation is needed.
6. Encourage the restoration and protection of wetlands to provide flooding, storm and habitat protection.
7. Maintain viewsheds of significant natural resources.
8. Enhance access to natural resources for recreation, public education, and tourist attractions as appropriate within the protection mission.
9. Encourage utilization of universities, foundations, and non-government organizations to advise, monitor, and enhance management.
10. Promote the establishment of partnerships and funding mechanisms for the development and utilization of incentives to restore, rehabilitate, protect or reuse natural resources as appropriate.
11. Encourage development practices and sitings that do not significantly impact environmentally sensitive areas.
12. Promote low impact design practices that protect natural resources.
13. Promote to local governments a program of monitoring installation and impacts of individual and community docks along the coast.
14. Promote the monitoring of cumulative impacts of waterfront development along the coast.
15. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
16. Encourage the development and use of a method to place a value on ecosystem services.
17. Promote the identification of innovative funding sources and development of ecosystem services markets (e.g. carbon, storm buffers, traditional land and water uses).
18. Promote the Adopt-a-Wetland program in areas that can be used as reference sites and that are within projected development areas.
19. Encourage coordination among agencies and jurisdictions in developing and funding conservation land uses and ensuring public access to publicly held and supported conservation areas.
20. Encourage coordination among agencies in studying the impacts of climate change and sea level rising.

6.8 Guiding Principles for Regional Growth Management

Twenty-three guiding principles are identified in the Regional Plan for Growth Management:

1. Encourage development that enhances the desired character of each of the region’s cities and towns.
2. Avoid establishment of new land uses which may be incompatible with existing adjacent land uses.
3. Protect our military installations from land use changes that jeopardize their mission through creation or implementation of Joint Land Use Studies (JLUS).
4. Promote growth in those areas that can be efficiently served by infrastructure, such as water, wastewater and transportation.
5. Encourage infill development as an alternative to expansion.
6. Focus new development in compact nodes that can be served by public or community infrastructure providers.
7. Maintain and enhance the scenic character of our rural highways and county roads.
8. Encourage clustered developments, particularly in areas that are suitable and proposed for development, that maximize open spaces, protect natural, cultural and historic resources, preserve wildlife habitat, and include green, low impact development strategies.
9. Encourage local governments to allow green, low impact developments as an alternative to traditional development standards and develop incentives encouraging their use.

10. Limit development in sensitive areas located near marshes and waterways, to low impact development that maintains our coastal character, while recognizing and protecting the sensitive environment.

11. Strongly encourage that new developments have minimal impacts on vital wetlands, coastal hammocks, marshes, and waterways.

12. Discourage lot-by-lot water and wastewater treatment systems for multiple lot developments.

13. Promote green building techniques to maximize energy efficiency and water conservation and minimize post construction impacts on the environment.

14. Encourage the development of a “transfer of development rights” (TDR) program.

15. Encourage development and compliance with minimum uniform land use and development standards for all local governments to adopt within the region.

16. Encourage coordination among agencies and jurisdictions in land use planning, regulation, review and permitting.

17. Promote affordable housing options.

18. Encourage the placement of new schools near existing infrastructure.

19. Partner with state, federal, non-governmental organizations and local governments to provide guidance on critical natural areas, land conservation efforts, and land use practices within each jurisdiction. Provide assistance in all outreach efforts forthcoming from this initiative.

20. Pursue opportunities for continuing education as it relates to regional issues.

21. Encourage enactment of impact fees to defray costs of new development.

22. Consider planning and/or managing a catastrophic event.

23. Promote reduction, reuse and recycle practices.

6.9 Guiding Principles on Business and Industry

Fourteen guiding principles are identified in the Regional Plan for Business and Industry.

1. Promote strategic distributions of business and industry across the region consistent with natural, cultural, historic and industrial resource strategies and encourage partnerships and collaboration between economic development agencies.

2. Investigate ways to share costs and benefits across jurisdictional lines for both regional marketing and project support.

3. Incorporate community plans for the strategic use of land for manufacturing, distribution, etc., while recognizing and respecting natural resources and the unique differences between communities.

4. Coordinate with the Georgia Ports Authority (GPA) to identify their needs and identify mechanisms for the economic development industry
to strengthen the GPA and its presence in logistics, distribution, and workforce development.

5. Leverage and incorporate the region’s military installations (Fort Stewart Army Base, Hunter Army Airfield and Kings Bay Naval Base) and the Federal Law Enforcement Training Center to recruit economic development projects.

6. Incorporate Herty Advanced Materials Development Center’s experience and position as a development center for the commercialization of materials and create incentives to retain a portion of pilot plant opportunities as new Georgia industries and to assist development authorities in increasing recruitment win rates.

7. Promote the historic nature, natural beauty and successful past and present performance of Coastal Georgia as a location site for film and clean high-tech industry and as a recruitment tool for opportunities.

8. Incorporate the Center of Innovation’s (C0I) statewide logistics plan into a regional strategy to assist in the recruitment of companies and leverage as support for industry.

9. Coordinate federal, State and local economic development funding programs and initiatives that affect the coast.

10. Enhance workforce development by collaborating with business, industry, and planning of educational entities that provide necessary workforce skills.

11. Increase existing industry retention and expansion rates.

12. Promote downtown revitalization efforts to enhance job creation and location of business and offices within downtown areas.

13. Incorporate current and future needs for housing, infrastructure, and natural resource protection into economic development initiatives.

14. Encourage international economic developments that support strategic industry sectors.

15. Enhance economic development and tourism opportunities by increasing cross functional communication.

6.10 Guiding Principles for Agricultural Lands

Ten guiding principles are identified in the Regional Plan for Agricultural Lands.

1. Strongly discourage the conversion of prime farmland to urban uses as it represents a loss to the region’s landscape.

2. Wise use and protection of basic soil and water resources helps to achieve practical water quality goals and maintain viable agriculture.

3. Viable agriculture is the backbone of a functioning network of agriculture, open space, and natural areas and a range of strategies should be used to ensure the value of agricultural land.

4. Promote learning about culinary traditions and culture.

5. Encourage agricultural biodiversity.

6. Promote local food traditions and provide opportunity for education of where food comes and how our food choices affect the rest of the world.

7. Promote connecting producers of foods with consumers through events and farmers markets.
8. Promote biodiversity through educational events and public outreach, promoting consumption of seasonal and local foods.
9. Promote community gardens within urban settings.
10. Encourage regional tasting events of local foods, music, talks, forums, workshops, and exhibitions in favor of local agricultural products.

6.11 Guiding Principles for Communities for a Lifetime - Livable Communities

Twelve guiding principles are identified in the Regional Plan for Communities for a Lifetime/Livable Communities:

1. The CRC promotes the concept of Lifelong Communities – places where people of all ages and abilities have access to the public landscape and services which enable them to live healthy and independent lives.

2. For a Lifelong Community to be truly successful it must be a complete community. Complete communities include the direct characteristics that at a minimum meet the needs of the user population, but also provided for a greater civic good by including elements that are beneficial to the environment, sensitive to a broad population and embrace economic/financially feasible regimes.

3. The region will encourage and promote the underlying issues that must be included in a Lifelong Community. The seven (7) basic tenets of a Lifelong Community are:
   a. Connectivity – the physical connection of streets, pedestrian networks and public spaces that promote ease of access, a direct coexistence with the existing urban fabric and barrier free mobility for all.
   b. Pedestrian access and transit – focuses on the access to public or privately supported methods of mass transit-oriented forms of mobility and focuses on pedestrian forms of mobility as a primary or equal method of transportation when compared to conventional vehicular modes.
   c. Neighborhood retail and services – proximity to vital and relevant supporting uses and services are necessary for a successful Lifelong Community. Mixture of uses, walkable streets and services oriented to a range of population needs is the context of this issue.

4. Social interaction – social interaction with the full range of the population is a proven requirement of lifelong communities. Pedestrian accessible streets and dwellings, a full stratum of dwelling types, community programming elements and careful placement of improvements are key components in creating a socially vibrant community.

5. Dwelling types – a range of dwelling types within a walkable range is crucial to meet the social, economic and physical goals of a lifelong community. Creative architectural and planning solutions, a strong but flexible regulatory framework and policies that promote efficient and sustainable methods of construction are among the crucial requirements of this issue.
Green infrastructure planning provides an alternative to what is common practice in many communities: conserving land on a piecemeal basis without the benefit of a large framework plan that allows a comprehensive approach to land conservation. Areas of protected open space should follow natural features for recreation and conservation purposes, including greenways that link ecological, cultural and recreational amenities.

Green infrastructure shall be considered first in the planning process and in reviewing comprehensive plans, zoning, development review processes and performance standards.

Principles for green infrastructure include identifying what is to be protected in advance of development; providing for linkage between natural areas; and designing a system that operates at different functional scales, across political jurisdictions, and through diverse landscapes. Additional principles include sound scientific and land use planning practices, providing funding upfront as a primary public investment (for example, through a dedicated tax or other funding mechanism), emphasizing the benefits to people and nature, and using the green infrastructure as the planning framework for conservation and development. The concept of green infrastructure planning is based on a strategic approach to ensuring environmental assets of natural and cultural value are integrated with land development, growth management and built infrastructure planning at the earliest stage.

Greenspace or greenway land needs to be set aside for pedestrian, equestrian, and bicycle connections between schools, churches, recreation areas, city centers, residential neighborhoods, and commercial areas. Open-space, parks, trails, greenways, and natural undeveloped land are not individual but an integrated and organized system. Green infrastructure is as an interconnected system. Key physical, natural, ecological, landscape, historical, access and recreational assets contribute to the functionality of the green infrastructure network. The green infrastructure network weaves together a network of recreational and nature areas. Properly planned greenways provide efficient pedestrian linkages that can serve as alternative transportation to and from work, to services and other daily destinations. Greenway linkages serve as outdoor recreation for biking, walking, and jogging. Green infrastructure encourages the creation of transportation corridors and connections, which can foster ecotourism, tourism and outdoor recreation.

7.4 Wetlands

According to the developer, the project site contains wetlands.
8. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

8.1 Population and Employment Trends

<table>
<thead>
<tr>
<th>County</th>
<th>2000</th>
<th>2010</th>
<th>2020</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effingham</td>
<td>37,535</td>
<td>52,250</td>
<td>80,563</td>
<td>112,062</td>
</tr>
</tbody>
</table>

Source: U.S. Census; Georgia Office of Planning and Budget

The county’s population is expected to grow from its 2000 level of 37,535 to 112,062 by 2030, according to the US Census and the Governor’s Office of Planning and Budget. The Coastal Region’s population in 2030 is projected to be 962,956, which is an increase from the 2000 level of 558,350.

Effingham County, is a growing county in the region and had a 2019 population estimate of 64,296 according to the US Census. The 2010 Census population of Effingham County in 2000 was 37,535.

The Coastal Georgia region supported 312,400 jobs in 2000, and is expected to support 435,050 jobs in 2030. The Effingham County unemployment rate in 2017 was 4.1 percent.

9. CRC Resources

9.1 Coastal Stormwater Supplement

The CRC applauds Effingham County for adopting the CSS Ordinance and/or ensuring the Coastal Stormwater Supplement (CSS) is implemented for stormwater management.

9.2 Regional Design Guidelines

The CRC recommends that the Effingham County ensure that new development creates an environment that contributes to the region’s character. The Georgia Coastal Regional Character Design Guidelines for the development are appropriate to implement quality growth.

The ‘Character Region’ for this area is Rural Ridge and may utilize the ‘Character Area Key’ for Commercial.

For technical assistance contact Karen Saunds, Grant Specialist at ksaunds@crc.ga.gov.
SITE PLAN
PROVIDED BY THE APPLICANT
EFFINGHAM COUNTY
FUTURE LAND USE MAP
& ZONING DISTRICTS MAP
Staff Report

Subject: Rezoning (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022

Item Description: **Stature Investments** as Agent for **Ashley Ron Moore** requests to **rezone** 22.01 acres from AR-1 to I-1 to allow for the development of an industrial warehouse facility. Located off Abercorn Road. [Map# 477 Parcel# 8]

Summary Recommendation
Staff has reviewed the application, and recommends **denial** of the request to **rezone** 22.01 acres from AR-1 to I-1 to allow for the development of an industrial warehouse facility.

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. Warehousing is a permitted use in I-1 (Heavy Industrial).
- The scale of the proposed warehouse development exceeds the threshold (500,000 gross sf) to be considered a Development of Regional Impact (DRI). The Coastal Regional Commission determined that the project (DRI # 3653) warranted regional review; requested comments; and completed a DRI report.
- The project is not consistent with the Regional Future Development Map, which shows the project site area as **Rural**. Rural areas are not expected to urbanize or require urban services in the next 20 years.
- The county Future Land Use map indicates the project site is in Undeveloped and Agriculture areas. Agriculture areas include uses such as farming, livestock, timber harvesting, or recreation.
- The City of Savannah I&D water line is located under the proposed parking area in the southeast of the development site.
- The required buffer between heavy industrial and AR/R zoning districts is 300'. The proposed development does not meet that requirement.
- The applicant proposes to use Abercorn Road for access to Old Augusta Road. Abercorn Road is a recently re-paved county-maintained road, and is not a designated truck route. The county-owned Abercorn Landing is located at the end of Abercorn Road.

Alternatives
1. **Approve** the request to **rezone** 22.01 acres from AR-1 to I-1, with the following conditions:
   1. Applicant must submit a sketch plan for review.
   2. Development plans must meet the requirements of **Section 5.12 I-1 Industrial Districts**.
   3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention**.
   4. All wetland impacts must be approved and permitted by USACE, and the approved Jurisdictional Determination must be submitted during the site development plan review process.
   5. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
   6. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.

2. **Deny** the request to **rezone** 22.01 acres from AR-1 to I-1.

**Recommended Alternative:** 2

**Other Alternatives:** 1

**Department Review:** Development Services

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

**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_______

O’the rezoning request by applicant Stature Investments as Agent for Ashley Ron Moore – (Map # 477 Parcel # 8) from AR-1 to I-1 zoning.

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

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

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

Yes  No ?  4. Does the property which is proposed to be rezoned have a 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: 3/9/2022

Applicant/Agent: Stature Investments/Yash Desai

Applicant Email Address: ydesai@statureinvestmentsus.com

Phone #: 912.398.0280

Applicant Mailing Address: 118 Pipemakers Circle, Suite 100

City: Pooler
State: GA
Zip Code: 31322

Property Owner, if different from above: Ashley Ron Moore

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known):

Phone 

Owner’s Mailing Address: 103 Rommel Avenue

City: Garden City
State: GA
Zip Code: 31408

Property Location: Southern end of county off Old Augusta Road South

Proposed Road Access: Access from Abercorn Road

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

Tax Map-Parcel #: 147-8
Total Acres: 22.01
Acres to be Rezoned: 22.01

Lot Characteristics:

WATER

_____Private Well
_____Public Water System

SEWER

_____Private Septic System
_____Public Sewer System

If public, name of supplier: Effingham County

Justification for Rezoning Amendment: continued demand for warehouse space due to GA Ports growth

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

North AR-1 South I-1 East AR-1 West AR-1

Rev 05052021
1. Describe the current use of the property you wish to rezone.
   heavily wooded with personal hunting camp

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.
   industrial warehouse distribution

4. Describe the use of the other property in the vicinity of the property you wish to rezone?
   low density 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?
   rezoning is appropriate due to close proximity of the Old Augusta Road truck route

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?
   no

Applicant Signature: [Signature]
Date 3.9.27
AUTHORIZATION OF PROPERTY OWNER

I, Ashley Ron Moore, being duly sworn upon his/her oath, being of sound mind and good 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: Statute Investments/Yash Desai

Applicant/Agent Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Phone: 912.398.0280 Email: ydesai@statueinvestments.com

Owner's signature: ____________________________

Print Name: Ashley Ron Moore

Personally appeared before me Ashley Ron Moore (Owner print)

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

Sworn and subscribed before me this _______ day of ________ 20 ________

__________________________
Notary Public, State of Georgia

STATE OF CALIFORNIA COUNTY OF SAN DIEGO
Subscribed and sworn to (or affirmed before me on the 17th day of June, 1986 by Ashley Ron Moore, P.O. Box 258, who appeared before me.

PAOLA DIAZ
Commission No. 2845547
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
Commission Expires February 12, 2022

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 1/20/2006, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1395, page 235.

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 Ashley Ron Moore

Owner's signature

Print Name

Owner's signature

Print Name

Owner's signature

Print Name

Sworn and subscribed before me this __________ day of __________, 20___

Notary Public, State of Georgia

STATE OF CALIFORNIA COUNTY OF SAN DIEGO
Subscribed and sworn to (or affirmed) before me in the City of __________, __________, ASHELY RON MOORE, who appeared before me on the basis of satisfactory evidence to be the person(s) who appeared before me, who appeared before me.

PAOLA DIAZ
Commission No. 2346647
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
Commission Expires February 12, 2023

Rev 05052021
DEVELOPMENT OF REGIONAL IMPACT REPORT

Prepared for
Effingham County, Georgia
DRI #3653
105 ACRE OLD AUGUSTA DEVELOPMENT
May 5, 2022

Prepared by:
Coastal Regional Commission
1181 Coastal Dr. SW
Darien, GA
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1. APPLICATION INFORMATION

1.1 Jurisdiction
Effingham County, Georgia
DRI # 3653

0.05 Acre Old Augusta Development

1.2 Applicant
Stature Investments US
912-398-0280
YDesai@StatureInvestmentsUS.com

2. PROJECT DESCRIPTION

2.1 Summary
DRI 3653 is an industrial/distribution warehouse. Warehouse could be approximately 820,000 square feet, with access from Old Augusta Road. The project site is located at Old Augusta Road, parcels 04770008 and 04770009. The action requested is a variance and rezoning. The project is expected to be complete in 2024.

3. PARCEL DATA

3.1 Size of Property
04770008 is approximately 22.01 Acres and 04770009 is approximately 84.38 Acres.

3.2 General Location
Tax Parcel ID: 04770008 and 04770009 located off of Old Augusta Rd. S

According to the United States Census Bureau, the 2019 population of Effingham County was estimated to be 64,296.
4. LAND USE INFORMATION

4.1 Site Map
The site plan for use of the property is attached.

4.2 Built Features
The site is currently vacant.

4.3 Future Development Map Designation (Character Area)
The Future Land Use Map from Effingham County's comprehensive plan indicates that the project site is determined to be part Commercial and part Agriculture.

4.4 Zoning District
The site is currently zoned AR-1. There is a request for zoning change to I-1 Heavy Industrial to allow for warehousing.

5. CONSISTENCY AND COMPATIBILITY ANALYSIS

5.1 Consistency with the Comprehensive Plan
The Effingham County Comprehensive Plan was adopted in 2019. The Future Land Use Map designates the DRI property for Agriculture and Undeveloped.
6. CONSISTENCY WITH REGIONAL PLAN OF COASTAL GEORGIA

6.1 Regional Development Map and Defining Narrative

The Regional Development Map illustrates the desired future land use patterns from the regions' Areas Requiring Special Attention and the regions' Projected Development Patterns using the following categories:

a. Conservation  
b. Rural  
c. Developed  
d. Developing

The Regional Future Development Map illustrates the area as Rural. This category is for areas that are not expected to urbanize or require urban services in the next 20 years.

6.2 Guiding Principles of the Regional Plan

Guiding Principles identify those overarching values which are to be utilized and evaluated for all decisions within the region. This section provides the analysis of the consistency between the proposed DRI and the Guiding Principles in the Regional Plan.

6.3 Guiding Principles for Water and Wastewater

Seven guiding principles are identified in the Regional Plan for water and wastewater:

1. Require the use of green building strategies to minimize water demand.
2. Promote the use of a standardized protocol to forecast water needs to meet reasonable future water needs throughout region.
3. Promote use of purple pipe and grey water techniques and use of surface water in addition to groundwater where appropriate.
4. Promote water conservation through use of a tiered rate system.
5. Promote the use of the best available technology, dependent on soil type, for wastewater treatment.
6. Large areas of Coastal Georgia are beyond the reach of urban wastewater infrastructure, or centralized wastewater treatment facilities. To ensure sustainable communities, require proper siting, design, construction, use, and maintenance of decentralized wastewater treatment, or ISTS (Individual Sewage Treatment Systems).
7. Pursue regional coordination in provision of water and wastewater facilities.

6.4 Guiding Principles for Stormwater Management

Five guiding principles are identified in the Regional Plan for Stormwater Management:
1. Encourage development practices and sitings that do not significantly impact wetlands and habitat areas or allow for the preservation and conservation of wetlands and habitat areas through appropriate land use practices.

2. Promote the use of coast-specific quality growth principles and programs, such as the Green Growth Guidelines, Earthcraft Coastal Communities and the Coastal Supplement to the Georgia Stormwater Management Manual, to guide site planning and development.

3. Minimize impervious coverage wherever possible. The level of impervious cover in a development, rather than population density, is the best predictor of whether development will affect the quality of water resource.

4. Develop stormwater programs across the region.

5. Pursue State-level funding for regional water quality monitoring activities due to the statewide importance of coastal waters and estuaries.

6.5 Guiding Principles for Transportation

Seven guiding principles are identified in the Regional Plan for Transportation:

1. Provide the forum and the support to coordinate regional multi-modal transportation, including rail, airports, and public transportation, and also the planning and development of street connectivity and transit-oriented developments.

2. Promote the establishment of regional transportation compact(s) to provide a forum for local governments and MPO’s to communicate and discuss transportation issues and decisions in the Coastal Region. These compacts do not replace the existing federal and State processes mandated in law, but provide a forum to communicate issues, ideas and discussions.

3. Promote coordination among agencies and jurisdictions in development of a region-wide, multi-modal transportation network, including transit, where applicable.

4. Encourage the coordination of transportation network improvements and land use planning.

5. Promote coordinated public infrastructure and school location planning with land use planning.

6. Maintain a human scale environment with context sensitive design practices.

7. Work to establish dedicated revenue source(s) for transportation improvements.

6.6 Guiding Principles for Historic and Cultural Resources

Eleven guiding principles are identified in the Regional Plan for Historic and Cultural Resources:

1. Encourage local governments to examine proposed development areas prior to development approval and require mitigation to significant resources.
2. Encourage development practices and sitings that do not significantly impact cultural and historical areas.
3. Maintain viewsheds of significant cultural and historic assets.
4. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
5. Designate culturally and/or archeological and/or historically significant resource management areas for potential acquisition and/or protection.
6. Educate residents and visitors regarding the statewide importance of this region’s cultural and historic resources.
7. Encourage utilization and cooperation of museums, universities, foundations, non-government organizations, professional associations, and private firms to advise and monitor management.
8. Promote the establishment of partnerships for the development and utilization of incentives to restore, remEDIATE or reuse cultural resources as appropriate.
9. Compile the traditional lore and knowledge of local people and integrate their understandings and practices into planning and development.
10. Encourage coordination among agencies and jurisdictions in developing and funding heritage conservation land uses and ensuring public access to publicly held and supported conservation areas.
11. Promote designation of Main Street and Better Home Town Communities.

6.7 Guiding Principles for Natural Resources

Twenty guiding principles are identified in the Regional Plan for Natural Resources:

1. Promote the protection, restoration, enhancement and management of natural resources.

2. Continue the traditional use of land and water (such as farming, forestry, fishing, etc.) as feasible, provided that any significant impacts on resources can be prevented or effectively mitigated.

3. Protect and enhance Coastal Georgia’s water resources, including surface water, groundwater, and wetlands and ground water recharge areas.

4. Protect and enhance water quality, quantity and flow regimes.

5. Commit to investing in the protection of natural resources before any restoration and/or remediation is needed.

6. Encourage the restoration and protection of wetlands to provide flooding, storm and habitat protection.

7. Maintain viewsheds of significant natural resources.

8. Enhance access to natural resources for recreation, public education, and tourist attractions as appropriate within the protection mission.

9. Encourage utilization of universities, foundations, and non-government organizations to advise, monitor, and enhance management.
10. Promote the establishment of partnerships and funding mechanisms for the development and utilization of incentives to restore, rehabilitate, protect or reuse natural resources as appropriate.
11. Encourage development practices and sitings that do not significantly impact environmentally sensitive areas.
12. Promote low impact design practices that protect natural resources.
13. Promote to local governments a program of monitoring installation and impacts of individual and community docks along the coast.
14. Promote the monitoring of cumulative impacts of waterfront development along the coast.
15. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
16. Encourage the development and use of a method to place a value on ecosystem services.
17. Promote the identification of innovative funding sources and development of ecosystem services markets (e.g. carbon, storm buffers, traditional land and water uses).
18. Promote the Adopt-a-Wetland program in areas that can be used as reference sites and that are within projected development areas.
19. Encourage coordination among agencies and jurisdictions in developing and funding conservation land uses and ensuring public access to publicly held and supported conservation areas.
20. Encourage coordination among agencies in studying the impacts of climate change and sea level rising.

6.8 Guiding Principles for Regional Growth Management

Twenty-three guiding principles are identified in the Regional Plan for Growth Management:

1. Encourage development that enhances the desired character of each of the region’s cities and towns.
2. Avoid establishment of new land uses which may be incompatible with existing adjacent land uses.
3. Protect our military installations from land use changes that jeopardize their mission through creation or implementation of Joint Land Use Studies (JLUS).
4. Promote growth in those areas that can be efficiently served by infrastructure, such as water, wastewater and transportation.
5. Encourage infill development as an alternative to expansion.
6. Focus new development in compact nodes that can be served by public or community infrastructure providers.
7. Maintain and enhance the scenic character of our rural highways and county roads.
8. Encourage clustered developments, particularly in areas that are suitable and proposed for development, that maximize open spaces, protect natural, cultural and historic resources, preserve wildlife habitat, and include green, low impact development strategies.
9. Encourage local governments to allow green, low impact developments as an alternative to traditional development standards and develop incentives encouraging their use.
10. Limit development in sensitive areas located near marshes and waterways, to low impact development that maintains our coastal character, while recognizing and protecting the sensitive environment.
11. Strongly encourage that new developments have minimal impacts on vital wetlands, coastal hammocks, marshes, and waterways.
12. Discourage lot-by-lot water and wastewater treatment systems for multiple lot developments.
13. Promote green building techniques to maximize energy efficiency and water conservation and minimize post construction impacts on the environment.
14. Encourage the development of a “transfer of development rights” (TDR) program.
15. Encourage development and compliance with minimum uniform land use and development standards for all local governments to adopt within the region.
16. Encourage coordination among agencies and jurisdictions in land use planning, regulation, review and permitting.
17. Promote affordable housing options.
18. Encourage the placement of new schools near existing infrastructure.
19. Partner with state, federal, non-governmental organizations and local governments to provide guidance on critical natural areas, land conservation efforts, and land use practices within each jurisdiction. Provide assistance in all outreach efforts forthcoming from this initiative.
20. Pursue opportunities for continuing education as it relates to regional issues.
21. Encourage enactment of impact fees to defray costs of new development.
22. Consider planning and/or managing a catastrophic event.
23. Promote reduction, reuse and recycle practices.

6.9 Guiding Principles on Business and Industry

Fourteen guiding principles are identified in the Regional Plan for Business and Industry.

1. Promote strategic distributions of business and industry across the region consistent with natural, cultural, historic and industrial resource strategies and encourage partnerships and collaboration between economic development agencies.
2. Investigate ways to share costs and benefits across jurisdictional lines for both regional marketing and project support.
3. Incorporate community plans for the strategic use of land for manufacturing, distribution, etc., while recognizing and respecting natural resources and the unique differences between communities.
4. Coordinate with the Georgia Ports Authority (GPA) to identify their needs and identify mechanisms for the economic development industry
to strengthen the GPA and its presence in logistics, distribution, and workforce development.

5. Leverage and incorporate the region’s military installations (Fort Stewart Army Base, Hunter Army Airfield and Kings Bay Naval Base) and the Federal Law Enforcement Training Center to recruit economic development projects.

6. Incorporate Herty Advanced Materials Development Center’s experience and position as a development center for the commercialization of materials and create incentives to retain a portion of pilot plant opportunities as new Georgia industries and to assist development authorities in increasing recruitment win rates.

7. Promote the historic nature, natural beauty and successful past and present performance of Coastal Georgia as a location site for film and clean high-tech industry and as a recruitment tool for opportunities.

8. Incorporate the Center of Innovation’s (COI) statewide logistics plan into a regional strategy to assist in the recruitment of companies and leverage as support for industry.

9. Coordinate federal, State and local economic development funding programs and initiatives that affect the coast.

10. Enhance workforce development by collaborating with business, industry, and planning of educational entities that provide necessary workforce skills.

11. Increase existing industry retention and expansion rates.

12. Promote downtown revitalization efforts to enhance job creation and location of business and offices within downtown areas.

13. Incorporate current and future needs for housing, infrastructure, and natural resource protection into economic development initiatives.

14. Encourage international economic developments that support strategic industry sectors.

15. Enhance economic development and tourism opportunities by increasing cross functional communication.

6.10 Guiding Principles for Agricultural Lands

Ten guiding principles are identified in the Regional Plan for Agricultural Lands.

1. Strongly discourage the conversion of prime farmland to urban uses as it represents a loss to the region’s landscape.

2. Wise use and protection of basic soil and water resources helps to achieve practical water quality goals and maintain viable agriculture.

3. Viable agriculture is the backbone of a functioning network of agriculture, open space, and natural areas and a range of strategies should be used to ensure the value of agricultural land.

4. Promote learning about culinary traditions and culture.

5. Encourage agricultural biodiversity.

6. Promote local food traditions and provide opportunity for education of where food comes and how our food choices affect the rest of the world.

7. Promote connecting producers of foods with consumers through events and farmers markets.
8. Promote biodiversity through educational events and public outreach, promoting consumption of seasonal and local foods.
9. Promote community gardens within urban settings.
10. Encourage regional tasting events of local foods, music, talks, forums, workshops, and exhibitions in favor of local agricultural products.

6.11 Guiding Principles for Communities for a Lifetime - Livable Communities

Twelve guiding principles are identified in the Regional Plan for Communities for a Lifetime/Livable Communities:

1. The CRC promotes the concept of Lifelong Communities — places where people of all ages and abilities have access to the public landscape and services which enable them to live healthy and independent lives.

2. For a Lifelong Community to be truly successful it must be a complete community. Complete communities include the direct characteristics that at a minimum meet the needs of the user population, but also provided for a greater civic good by including elements that are beneficial to the environment, sensitive to a broad population and embrace economic/financially feasible regimes.

3. The region will encourage and promote the underlying issues that must be included in a Lifelong Community. The seven (7) basic tenets of a Lifelong Community are:
   a. Connectivity — the physical connection of streets, pedestrian networks and public spaces that promote ease of access, a direct coexistence with the existing urban fabric and barrier free mobility for all.
   b. Pedestrian access and transit — focuses on the access to public or privately supported methods of mass transit-oriented forms of mobility and focuses on pedestrian forms of mobility as a primary or equal method of transportation when compared to conventional vehicular modes.
   c. Neighborhood retail and services — proximity to vital and relevant supporting uses and services are necessary for a successful Lifelong Community. Mixture of uses, walkable streets and services oriented to a range of population needs is the context of this issue.
   d. Social interaction — social interaction with the full range of the population is a proven requirement of lifelong communities. Pedestrian accessible streets and dwellings, a full stratum of dwelling types, community programming elements and careful placement of improvements are key components in creating a socially vibrant community.
   e. Dwelling types — a range of dwelling types within a walkable range is crucial to meet the social, economic and physical goals of a lifelong community. Creative architectural and planning solutions, a strong but flexible regulatory framework and policies that promote efficient and sustainable methods of construction are among the crucial requirements of this issue.
f. Healthy living – accessibility to fitness, education, cultural and health maintenance programming elements are vital to a successful lifelong community and are the primary concerns of this issue.
g. Environmental and Sustainable Solutions – the creation of a complete community includes provisions for the appropriate preservation of natural and cultural resources. Promotion of sustainable construction techniques, preservation of natural and cultural resources, innovative methods of power generation and integrated food production are among some of primary components related to successfully executing this issue.

4. The region will determine its “aging readiness” to provide programs, policies and services that address the needs of older adults.
5. The region will determine its “aging readiness” to ensure that communities are “livable” for persons of all ages.
6. The region will harness the talent and experience of older adults
7. To determine “age readiness,” local comprehensive plans should review:
   a. Demographics;
   b. Quantity, quality, and type of existing housing stock;
   c. Land use patterns; and
   d. Quantity, quality, and type of recreational needs.
8. Comprehensive plans will promote development patterns and design features to meet the needs of seniors.
9. Comprehensive plans and ordinances will promote Universal Design/Accessible Building Standards for buildings as well as recreational areas.
10. Comprehensive plans will include goals and objectives that specifically address the aging population.
11. Consider seniors and the elderly when reviewing site plans for new construction and/or renovations.
12. The region will ensure comprehensive plans permit basic services within walking distance recognizing it is a great convenience for all residents but an absolute necessity for an aging population.

6.12 Guiding Principles for Coastal Vulnerability and Resilience

Three guiding principles are identified in the Regional Plan for Coastal Vulnerability and Resilience.

1. The region believes that a community’s resilience is measured by its sustained ability to prepare for, respond to, and fully bounce back from crises.
2. The region’s strength is in our community’s resilience and in understanding the region’s vulnerabilities, and in taking positive collective actions to limit the impact of a disruptive crisis, and recovering rapidly from disasters.
3. The region believes in collaborating with a wide range of community resilience experts, community leaders and private sector partners to work together to increase collective capacities to respond to adversity with increased resources, competence, and connectedness to one another.
7. REGIONAL RESOURCE PLAN AND RIR

7.1 The Regional Resource Plan
The Regional Resource Plan (RIR) identifies Cultural and Historic and Natural Resources of regional importance. The Regional Resource Plan provides recommended best development practices, protective measures and policies for local governments to use within one mile of a regionally important resource. The project site includes wetlands and flood plains. Wetlands impacts due to site development and access. Flood zone A on site.

7.2 Area Requiring Special Attention
The Areas Requiring Special Attention map designates the site as being within an Area of Rapid Development. This designation is for areas where the pace of development may outpace the availability of community facilities & services.

7.3 Natural Resources
Green Infrastructure
The U.S. Environmental Protection Agency defines Green Infrastructure as management approaches and technologies that utilize enhance and/or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. This management approach attempts to keep stormwater onsite. It incorporates vegetation and natural resources as much as possible in development and redevelopment.

Green Infrastructure has a number of benefits, including reduced runoff, groundwater recharge, higher air quality, better aesthetics, reduces costs, lowers impacts on climate change, and provides environmental benefits that surpass improved water quality.

Coastal Georgia's Green Infrastructure network is defined as a natural life support system of parks and preserves, woodlands and wildlife areas, wetlands and waterways, greenways, cultural, historic and recreational sites and other natural areas all with conservation value. A potential impact as a result of premature or poorly planned conversion of land to other uses is the failure to adequately protect and conserve natural resources such as wetlands, flood plains, native vegetation, lakes, streams, rivers, natural groundwater aquifer recharge areas, and other significant natural systems. The river corridors, floodplains and tributary streams are considered to be critical green infrastructure components, as they supply key social, economic and environmental benefits for local communities and provide important habitats for wildlife.
Green infrastructure planning provides an alternative to what is common practice in many communities: conserving land on a piecemeal basis without the benefit of a large framework plan that allows a comprehensive approach to land conservation. Areas of protected open space should follow natural features for recreation and conservation purposes, including greenways that link ecological, cultural and recreational amenities.

Green infrastructure shall be considered first in the planning process and in reviewing comprehensive plans, zoning, development review processes and performance standards.

Principles for green infrastructure include identifying what is to be protected in advance of development; providing for linkage between natural areas; and designing a system that operates at different functional scales, across political jurisdictions, and through diverse landscapes. Additional principles include sound scientific and land use planning practices, providing funding upfront as a primary public investment (for example, through a dedicated tax or other funding mechanisms), emphasizing the benefits to people and nature, and using the green infrastructure as the planning framework for conservation and development. The concept of green infrastructure planning is based on a strategic approach to ensuring environmental assets of natural and cultural value are integrated with land development, growth management and built infrastructure planning at the earliest stage.

Greenspace or greenway land needs to be set aside for pedestrian, equestrian, and bicycle connections between schools, churches, recreation areas, city centers, residential neighborhoods, and commercial areas. Open-space, parks, trails, greenways, and natural undeveloped land are not individual but an integrated and organized system. Green infrastructure is as an interconnected system. Key physical, natural, ecological, landscape, historical, access and recreational assets contribute to the functionality of the green infrastructure network. The green infrastructure network weaves together a network of recreational and nature areas. Properly planned greenways provide efficient pedestrian linkages that can serve as alternative transportation to and from work, to services and other daily destinations. Greenway linkages serve as outdoor recreation for biking, walking, and jogging. Green infrastructure encourages the creation of transportation corridors and connections, which can foster ecotourism, tourism and outdoor recreation.

7.4 Wetlands

According to the developer, the project site contains wetlands.
8. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

8.1 Population and Employment Trends

<table>
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<th>2000</th>
<th>2010</th>
<th>2020</th>
<th>2030</th>
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<tr>
<td>Effingham</td>
<td>37,535</td>
<td>52,250</td>
<td>80,563</td>
<td>112,062</td>
</tr>
</tbody>
</table>

Source: U.S. Census; Georgia Office of Planning and Budget

The county’s population is expected to grow from its 2000 level of 37,535 to 112,062 by 2030, according to the US Census and the Governor’s Office of Planning and Budget. The Coastal Region’s population in 2030 is projected to be 962,956, which is an increase from the 2000 level of 558,350.

Effingham County, is a growing county in the region and had a 2019 population estimate of 64,296 according to the US Census. The 2010 Census population of Effingham County in 2000 was 37,535.

The Coastal Georgia region supported 312,400 jobs in 2000, and is expected to support 435,050 jobs in 2030. The Effingham County unemployment rate in 2017 was 4.1 percent.

9. CRC Resources

9.1 Coastal Stormwater Supplement

The CRC applauds Effingham County for adopting the CSS Ordinance and/or ensuring the Coastal Stormwater Supplement (CSS) is implemented for stormwater management.

9.2 Regional Design Guidelines

The CRC recommends that the Effingham County ensure that new development creates an environment that contributes to the region’s character. The Georgia Coastal Regional Character Design Guidelines for the development are appropriate to implement quality growth.

The ‘Character Region’ for this area is Rural Ridge and may utilize the ‘Character Area Key’ for Commercial.

For technical assistance contact Karen Saunds, Grant Specialist at ksaunds@crc.ga.gov.
SITE PLAN
PROVIDED BY THE APPLICANT
EFFINGHAM COUNTY
FUTURE LAND USE MAP
& ZONING DISTRICTS MAP
PUBLIC COMMENTS
( No Comments )
Staff Report

Subject: Variance (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022

Item Description: Stature Investments as Agent for Ashley Ron Moore requests a variance section 3.4 Buffers to reduce the required buffer between industrial and various zoned parcels. Located off Abercorn Road, zoned AR-1, proposed zoning I-1. (Fifth District) [Map# 477 Parcel# 8]

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

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

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

- Warehouse Distribution Centers are a heavy industrial use. The 22-acre parcel is surrounded by AR zoned land. The required buffer between heavy industrial and AR zoning districts is 300’.

- The proposed buffer reduction is from 300’ to 100’ along boundaries with AR zoned properties to the north and west. 477-8 will be combined with 477-9, the parcel to the east.

- The parcel does not present any exceptional topographical features; the proposed 820,800 sf warehouse cannot be developed without significant reductions to the required vegetative buffers.

- Given the low-intensity uses of the land to the north, west, and east, there is no case to be made for reducing the buffer on the industrial tract. The solution is to reduce the scale of the development to allow for inclusion of a 300’ vegetative buffer to screen the heavy industrial use and allow for stormwater filtration.

Alternatives
1. Approve the request for a variance from section 3.4 to reduce required buffers.
2. Deny the request for a variance from section 3.4 to reduce required buffers.

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: 3/9/2022

Applicant/Agent: Stature Investments/Yash Desai

Applicant Email Address: ydessai@statureinvestmentsus.com

Phone #: 912.398.0280

Applicant Mailing Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Property Owner, if different from above: Ashley Ron Moore

Include Signed & Notarized Authorization of Property Owner

Owner’s Email Address (if known): 

Phone #: 

Owner’s Mailing Address: 103 Rommel Avenue

City: Garden City State: GA Zip Code: 31408

Property Location: Abercorn Road off Old Augusta Road South

Name of Development/Subdivision: n/a

Present Zoning of Property AR-1 Tax Map-Parcel # 47-8 Total Acres 22.01

VARIANCE REQUESTED (provide relevant section of code): Buffer

Describe why variance is needed: 300' buffer is excessive as compared to other jurisdictions. 300' buffer reduces the developable footprint significantly.

How does request meet criteria of Section 7.1.8 (see Attachment C): irregular size of lot to accommodate warehouse construction

Applicant Signature: 

Date 3/9/2022

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 1/20/2006, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1395, page 235.

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: Ashley Ros Moore

Owner's signature: 

Print Name: 

Owner's signature: 

Print Name: 

Sworn and subscribed before me this ______ day of ____________, 20____

Notary Public, State of Georgia

STATE OF CALIFORNIA COUNTY OF SAN DIEGO
Subscribed and sworn to (or affirmed) before me this day of ________________, 20______

Commission Expires February 12, 2005

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, Ashley Ron Moore, 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: Statute Investments/Yash Desai

Applicant/Agent Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Phone: 912,398,3280 Email: ydesai@statureinvestmentusa.com

Owner's signature: Ashley Ron Moore

Print Name: Ashley Ron Moore

Personally appeared before me Ashley Ron Moore (Owner print)

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

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

Notary Public, State of Georgia

(Notary Seal)

PAOLA DIAZ
Commission No. 2480547
NOTARY PUBLIC - CALIFORNIA
San Diego County
Commission Expires February 12, 2026

Rev 05052021
Subject: Rezoning (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022
Item Description: Stature Investments as Agent for Chester R. Porter & Clint R. Porter requests to rezone 84.38 acres from AR-1 to I-1 to allow for the development of an industrial warehouse facility. Located on Abercorn Road. [Map# 477 Parcel# 9]

Summary Recommendation
Staff has reviewed the application, and recommends denial of the request to rezone 84.38 acres from AR-1 to I-1 to allow for the development of an industrial warehouse facility.

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. Warehousing is a permitted use in I-1 (Heavy Industrial).
- The scale of the proposed warehouse development exceeds the threshold (500,000 gross sf) to be considered a Development of Regional Impact (DRI). The Coastal Regional Commission determined that the project (DRI # 3653) warranted regional review; requested comments; and completed a DRI report.
- The project is not consistent with the Regional Future Development Map, which shows the project site area as Rural. Rural areas are not expected to urbanize or require urban services in the next 20 years.
- The county Future Land Use map indicates the project site is in Undeveloped and Agriculture areas. Agriculture areas include uses such as farming, livestock, timber harvesting, or recreation.
- The City of Savannah I&D water line is located under the proposed parking area in the southeast of the development site.
- The required buffer between heavy industrial and AR/R zoning districts is 300'. The proposed development does not meet that requirement.
- The applicant proposes to use Abercorn Road for access to Old Augusta Road. Abercorn Road is a recently re-paved county-maintained road, and is not a designated truck route. The county-owned Abercorn Landing is located at the end of Abercorn Road.

Alternatives
1. Approve the request to rezone 84.38 acres from AR-1 to I-1, with the following conditions:
   1. Applicant must submit a sketch plan for review.
   2. Development plans must meet the requirements of Section 5.12 I-1 Industrial Districts.
   3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
   4. All wetland impacts must be approved and permitted by USACE, and the approved Jurisdictional Determination must be submitted during the site development plan review process.
   5. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
   6. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.

2. Deny the request to rezone 84.38 acres from AR-1 to I-1.

Recommended Alternative: 2
Other Alternatives: 1
Department Review: Development Services
FUNDING: N/A
Attachments:
1. Rezoning application and checklist
2. Ownership certificate/authorization
3. Plat
4. Aerial photograph
5. Deed
EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

  APPROVAL_______  DISAPPROVAL_______

Of the rezoning request by applicant Stature Investments as Agent for Chester R. Porter & Clint R. Porter – (Map # 477 Parcel # 9) from AR-1 to I-1 zoning.

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

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

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

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

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

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

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

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

Application Date: 3/9/2022

Applicant/Agent: Stature Investments/Yash Desai

Applicant Email Address: ydesai@statureinvestmentsus.com

Phone #: 912.398.0280

Applicant Mailing Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Property Owner, if different from above: Chester R. Porter & Clint R. Porter

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address: PO Box 634

City: Rincon State: GA Zip Code: 31326

Property Location: Southern end of county off Old Augusta Road South

Proposed Road Access: Access from Abercorn Road

Present Zoning of Property: AR-1

Proposed Zoning: I-1

Tax Map-Parcel #: 477-9

Total Acres: 84.38

Acres to be Rezoned: 84.38

Lot Characteristics:

WATER

___ Private Well

___ Public Water System

SEWER

___ Private Septic System

___ Public Sewer System

If public, name of supplier: Effingham County

Justification for Rezoning Amendment: continued demand for warehouse space due to GA Ports growth

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

North AR-1 South I-1 East AR-1 West AR-1

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

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.
   industrial warehouse distribution

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   low density 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?
   rezoning is appropriate due to close proximity of the Old Augusta Road truck route

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?
   no

Applicant Signature: [Signature]       Date ____________________________
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 1/24/2014, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2229 page 771.

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 Chester R. Porter

Owner's signature

Print Name Clint R. Porter

Owner's signature

Print Name

Sworn and subscribed before me this 18th day of March, 2022

[Signature]

Notary Public, State of Georgia

Rev 05052021
AUTORIZATION OF PROPERTY OWNER

I, Chester R. Porter & Clint R. Porter, 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: Stature Investments/Yash Desai

Applicant/Agent Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31326

Phone: 912.398.0280 Email: ydesai@statureinvestmentsus.com

Owner's signature: Chester R. Porter

Print Name: Chester R. Porter

Personally appeared before me Chester R. Porter (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 18th day of March, 2022

JOANN R HUGHES
NOTARY PUBLIC
Bryant County
State of Georgia
My Comm. Expires August 18, 2022

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 1/24/2014, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2229 page 771.

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: Chester R. Porter

Owner’s signature ___________________________________________

Print Name: Clint R. Porter

Owner’s signature ___________________________________________

Print Name: ______________________________________________

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

________________________________________________________
Notary Public, State of Georgia

Rev 05052021
DEED OF GIFT

STATE OF GEORGIA,
COUNTY OF EFFINGHAM

This Indenture made this 24th day of January, 2014, between CHESTER R. PORTER, of the County of Effingham, State of Georgia, as party of the first part, hereinafter called Grantor, and CHESTER R. PORTER and CLINT R. PORTER, as tenants in common with survivorship, as parties of the second part, hereinafter called Grantees (the words “Grantor” and “Grantees” to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of ONE AND 00/100'S ($1.00) Dollar 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 given, granted and conveyed, and by these presents does give, grant and convey unto the said Grantees, 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 9th GM District, Effingham County, Georgia, containing 84.34 acres, more or less, being bounded on the North by property of Jesse W. Exley; on the East by property of the City of Savannah; on the South by property of Robert E. McCormick; and on the West by property of Jesse W. Exley, as shown and more particularly described or that certain plat by Paul D. Wilder, dated April 12, 1996, recorded in the office of the Clerk of superior Court of Effingham County, Georgia, in Plat Book A, slide 354C, said plat being specifically incorporated herein for any and all purposes including, specifically, for determination of the exact location of the boundaries of said property.

This being the same property conveyed to Chester R. Porter by Quitclaim Deed from Mary Porter, dated March 10, 1998, recorded in Deed Book 463, page 366, aforesaid records.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as 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.

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

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

Signed, sealed and delivered in the presence of:

[Signature]

(Seal)

[Signature]

(Seal)

Title Not Examined or Certified by Scrivener

Notary Public
DEVELOPMENT OF REGIONAL IMPACT REPORT

Prepared for
Effingham County, Georgia
DRI #3653
105 ACRE OLD AUGUSTA DEVELOPMENT
May 5, 2022

Coastal Regional Commission of Georgia

Prepared by:
Coastal Regional Commission
1181 Coastal Dr. SW
Darien, GA
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1. APPLICATION INFORMATION

1.1 Jurisdiction
Effingham County, Georgia
DRI # 3653
105 Acre Old Augusta Development

1.2 Applicant
Stature Investments US
912-398-0280
YDesai@StatureInvestmentsUS.com

2. PROJECT DESCRIPTION

2.1 Summary
DRI 3653 is an industrial/distribution warehouse. Warehouse could be approximately 820,000 square feet, with access from Old Augusta Road. The project site is located at Old Augusta Road, parcels 04770008 and 04770009. The action requested is a variance and rezoning. The project is expected to be complete in 2024.

3. PARCEL DATA

3.1 Size of Property
04770008 is approximately 22.01 Acres and 04770009 is approximately 84.38 Acres.

3.2 General Location
Tax Parcel ID: 04770008 and 04770009 located off of Old Augusta Rd. S

According to the United States Census Bureau, the 2019 population of Effingham County was estimated to be 64,296.
4. LAND USE INFORMATION

4.1 Site Map
The site plan for use of the property is attached.

4.2 Built Features
The site is currently vacant.

4.3 Future Development Map Designation (Character Area)
The Future Land Use Map from Effingham County's comprehensive plan indicates that the project site is determined to be part Commercial and part Agriculture.

4.4 Zoning District
The site is currently zoned AR-1. There is a request for zoning change to I-1 Heavy Industrial to allow for warehousing.

5. CONSISTENCY AND COMPATIBILITY ANALYSIS

5.1 Consistency with the Comprehensive Plan
The Effingham County Comprehensive Plan was adopted in 2019. The Future Land Use Map designates the DRI property for Agriculture and Undeveloped.
6. CONSISTENCY WITH REGIONAL PLAN OF COASTAL GEORGIA

6.1 Regional Development Map and Defining Narrative

The Regional Development Map illustrates the desired future land use patterns from the regions’ Areas Requiring Special Attention and the regions’ Projected Development Patterns using the following categories:

a. Conservation  
b. Rural  
c. Developed  
d. Developing

The Regional Future Development Map illustrates the area as Rural. This category is for areas that are not expected to urbanize or require urban services in the next 20 years.

6.2 Guiding Principles of the Regional Plan

Guiding Principles identify those overarching values which are to be utilized and evaluated for all decisions within the region. This section provides the analysis of the consistency between the proposed DRI and the Guiding Principles in the Regional Plan.

6.3 Guiding Principles for Water and Wastewater

Seven guiding principles are identified in the Regional Plan for water and wastewater:

1. Require the use of green building strategies to minimize water demand.
2. Promote the use of a standardized protocol to forecast water needs to meet reasonable future water needs throughout region.
3. Promote use of purple pipe and grey water techniques and use of surface water in addition to groundwater where appropriate.
4. Promote water conservation through use of a tiered rate system.
5. Promote the use of the best available technology, dependent on soil type, for wastewater treatment.
6. Large areas of Coastal Georgia are beyond the reach of urban wastewater infrastructure, or centralized wastewater treatment facilities. To ensure sustainable communities, require proper siting, design, construction, use, and maintenance of decentralized wastewater treatment, or ISTS (Individual Sewage Treatment Systems).
7. Pursue regional coordination in provision of water and wastewater facilities.

6.4 Guiding Principles for Stormwater Management

Five guiding principles are identified in the Regional Plan for Stormwater Management:
1. Encourage development practices and sitings that do not significantly impact wetlands and habitat areas or allow for the preservation and conservation of wetlands and habitat areas through appropriate land use practices.

2. Promote the use of coast-specific quality growth principles and programs, such as the Green Growth Guidelines, Earthcraft Coastal Communities and the Coastal Supplement to the Georgia Stormwater Management Manual, to guide site planning and development.

3. Minimize impervious coverage wherever possible. The level of impervious cover in a development, rather than population density, is the best predictor of whether development will affect the quality of water resource.

4. Develop stormwater programs across the region.

5. Pursue State-level funding for regional water quality monitoring activities due to the statewide importance of coastal waters and estuaries.

6.5 Guiding Principles for Transportation

Seven guiding principles are identified in the Regional Plan for Transportation:

1. Provide the forum and the support to coordinate regional multi-modal transportation, including rail, airports, and public transportation, and also the planning and development of street connectivity and transit-oriented developments.

2. Promote the establishment of regional transportation compact(s) to provide a forum for local governments and MPO’s to communicate and discuss transportation issues and decisions in the Coastal Region. These compacts do not replace the existing federal and State processes mandated in law, but provide a forum to communicate issues, ideas and discussions.

3. Promote coordination among agencies and jurisdictions in development of a region-wide, multi-modal transportation network, including transit, where applicable.

4. Encourage the coordination of transportation network improvements and land use planning.

5. Promote coordinated public infrastructure and school location planning with land use planning.

6. Maintain a human scale environment with context sensitive design practices.

7. Work to establish dedicated revenue source(s) for transportation improvements.

6.6 Guiding Principles for Historic and Cultural Resources

Eleven guiding principles are identified in the Regional Plan for Historic and Cultural Resources:

1. Encourage local governments to examine proposed development areas prior to development approval and require mitigation to significant resources.
2. Encourage development practices and sitings that do not significantly impact cultural and historical areas.
3. Maintain viewsheds of significant cultural and historic assets.
4. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
5. Designate culturally and/or archeological and/or historically significant resource management areas for potential acquisition and/or protection.
6. Educate residents and visitors regarding the statewide importance of this region's cultural and historic resources.
7. Encourage utilization and cooperation of museums, universities, foundations, non-government organizations, professional associations, and private firms to advise and monitor management.
8. Promote the establishment of partnerships for the development and utilization of incentives to restore, remEDIATE or reuse cultural resources as appropriate.
9. Compile the traditional lore and knowledge of local people and integrate their understandings and practices into planning and development.
10. Encourage coordination among agencies and jurisdictions in developing and funding heritage conservation land uses and ensuring public access to publicly held and supported conservation areas.
11. Promote designation of Main Street and Better Home Town Communities.

6.7 Guiding Principles for Natural Resources

Twenty guiding principles are identified in the Regional Plan for Natural Resources:

1. Promote the protection, restoration, enhancement and management of natural resources.
2. Continue the traditional use of land and water (such as farming, forestry, fishing, etc.) as feasible, provided that any significant impacts on resources can be prevented or effectively mitigated.
3. Protect and enhance Coastal Georgia’s water resources, including surface water, groundwater, and wetlands and ground water recharge areas.
4. Protect and enhance water quality, quantity and flow regimes.
5. Commit to investing in the protection of natural resources before any restoration and/or remediation is needed.
6. Encourage the restoration and protection of wetlands to provide flooding, storm and habitat protection.
7. Maintain viewsheds of significant natural resources.
8. Enhance access to natural resources for recreation, public education, and tourist attractions as appropriate within the protection mission.
9. Encourage utilization of universities, foundations, and non-government organizations to advise, monitor, and enhance management.
10. Promote the establishment of partnerships and funding mechanisms for the development and utilization of incentives to restore, rehabilitate, protect or reuse natural resources as appropriate.

11. Encourage development practices and sitings that do not significantly impact environmentally sensitive areas.

12. Promote low impact design practices that protect natural resources.

13. Promote to local governments a program of monitoring installation and impacts of individual and community docks along the coast.

14. Promote the monitoring of cumulative impacts of waterfront development along the coast.

15. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.

16. Encourage the development and use of a method to place a value on ecosystem services.

17. Promote the identification of innovative funding sources and development of ecosystem services markets (e.g. carbon, storm buffers, traditional land and water uses).

18. Promote the Adopt-a-Wetland program in areas that can be used as reference sites and that are within projected development areas.

19. Encourage coordination among agencies and jurisdictions in developing and funding conservation land uses and ensuring public access to publicly held and supported conservation areas.

20. Encourage coordination among agencies in studying the impacts of climate change and sea level rising.

6.8 Guiding Principles for Regional Growth Management

Twenty-three guiding principles are identified in the Regional Plan for Growth Management:

1. Encourage development that enhances the desired character of each of the region’s cities and towns.

2. Avoid establishment of new land uses which may be incompatible with existing adjacent land uses.

3. Protect our military installations from land use changes that jeopardize their mission through creation or implementation of Joint Land Use Studies (JLUS).

4. Promote growth in those areas that can be efficiently served by infrastructure, such as water, wastewater and transportation.

5. Encourage infill development as an alternative to expansion.

6. Focus new development in compact nodes that can be served by public or community infrastructure providers.

7. Maintain and enhance the scenic character of our rural highways and county roads.

8. Encourage clustered developments, particularly in areas that are suitable and proposed for development, that maximize open spaces, protect natural, cultural and historic resources, preserve wildlife habitat, and include green, low impact development strategies.
9. Encourage local governments to allow green, low impact developments as an alternative to traditional development standards and develop incentives encouraging their use.

10. Limit development in sensitive areas located near marshes and waterways, to low impact development that maintains our coastal character, while recognizing and protecting the sensitive environment.

11. Strongly encourage that new developments have minimal impacts on vital wetlands, coastal hammocks, marshes, and waterways.

12. Discourage lot-by-lot water and wastewater treatment systems for multiple lot developments.

13. Promote green building techniques to maximize energy efficiency and water conservation and minimize post construction impacts on the environment.

14. Encourage the development of a “transfer of development rights” (TDR) program.

15. Encourage development and compliance with minimum uniform land use and development standards for all local governments to adopt within the region.

16. Encourage coordination among agencies and jurisdictions in land use planning, regulation, review and permitting.

17. Promote affordable housing options.

18. Encourage the placement of new schools near existing infrastructure.

19. Partner with state, federal, non-governmental organizations and local governments to provide guidance on critical natural areas, land conservation efforts, and land use practices within each jurisdiction. Provide assistance in all outreach efforts forthcoming from this initiative.

20. Pursue opportunities for continuing education as it relates to regional issues.

21. Encourage enactment of impact fees to defray costs of new development.

22. Consider planning and/or managing a catastrophic event.

23. Promote reduction, reuse and recycle practices.

6.9 Guiding Principles on Business and Industry

Fourteen guiding principles are identified in the Regional Plan for Business and Industry.

1. Promote strategic distributions of business and industry across the region consistent with natural, cultural, historic and industrial resource strategies and encourage partnerships and collaboration between economic development agencies.

2. Investigate ways to share costs and benefits across jurisdictional lines for both regional marketing and project support.

3. Incorporate community plans for the strategic use of land for manufacturing, distribution, etc., while recognizing and respecting natural resources and the unique differences between communities.

4. Coordinate with the Georgia Ports Authority (GPA) to identify their needs and identify mechanisms for the economic development industry
to strengthen the GPA and its presence in logistics, distribution, and workforce development.

5. Leverage and incorporate the region’s military installations (Fort Stewart Army Base, Hunter Army Airfield and Kings Bay Naval Base) and the Federal Law Enforcement Training Center to recruit economic development projects.

6. Incorporate Herty Advanced Materials Development Center’s experience and position as a development center for the commercialization of materials and create incentives to retain a portion of pilot plant opportunities as new Georgia industries and to assist development authorities in increasing recruitment win rates.

7. Promote the historic nature, natural beauty and successful past and present performance of Coastal Georgia as a location site for film and clean high-tech industry and as a recruitment tool for opportunities.

8. Incorporate the Center of Innovation’s (COI) statewide logistics plan into a regional strategy to assist in the recruitment of companies and leverage as support for industry.

9. Coordinate federal, State and local economic development funding programs and initiatives that affect the coast.

10. Enhance workforce development by collaborating with business, industry, and planning of educational entities that provide necessary workforce skills.

11. Increase existing industry retention and expansion rates.

12. Promote downtown revitalization efforts to enhance job creation and location of business and offices within downtown areas.

13. Incorporate current and future needs for housing, infrastructure, and natural resource protection into economic development initiatives.

14. Encourage international economic developments that support strategic industry sectors.

15. Enhance economic development and tourism opportunities by increasing cross functional communication.

6.10 Guiding Principles for Agricultural Lands

Ten guiding principles are identified in the Regional Plan for Agricultural Lands.

1. Strongly discourage the conversion of prime farmland to urban uses as it represents a loss to the region’s landscape.

2. Wise use and protection of basic soil and water resources helps to achieve practical water quality goals and maintain viable agriculture.

3. Viable agriculture is the backbone of a functioning network of agriculture, open space, and natural areas and a range of strategies should be used to ensure the value of agricultural land.

4. Promote learning about culinary traditions and culture.

5. Encourage agricultural biodiversity.

6. Promote local food traditions and provide opportunity for education of where food comes and how our food choices affect the rest of the world.

7. Promote connecting producers of foods with consumers through events and farmers markets.
8. Promote biodiversity through educational events and public outreach, promoting consumption of seasonal and local foods.
9. Promote community gardens within urban settings.
10. Encourage regional tasting events of local foods, music, talks, forums, workshops, and exhibitions in favor of local agricultural products.

6.11 Guiding Principles for Communities for a Lifetime - Livable Communities

Twelve guiding principles are identified in the Regional Plan for Communities for a Lifetime/Livable Communities:

1. The CRC promotes the concept of Lifelong Communities – places where people of all ages and abilities have access to the public landscape and services which enable them to live healthy and independent lives.

2. For a Lifelong Community to be truly successful it must be a complete community. Complete communities include the direct characteristics that at a minimum meet the needs of the user population, but also provided for a greater civic good by including elements that are beneficial to the environment, sensitive to a broad population and embrace economic financially feasible regimes.

3. The region will encourage and promote the underlying issues that must be included in a Lifelong Community. The seven (7) basic tenets of a Lifelong Community are:
   a. Connectivity – the physical connection of streets, pedestrian networks and public spaces that promote ease of access, a direct coexistence with the existing urban fabric and barrier free mobility for all.
   b. Pedestrian access and transit – focuses on the access to public or privately supported methods of mass transit-oriented forms of mobility and focuses on pedestrian forms of mobility as a primary or equal method of transportation when compared to conventional vehicular modes.
   c. Neighborhood retail and services – proximity to vital and relevant supporting uses and services are necessary for a successful Lifelong Community. Mixture of uses, walkable streets and services oriented to a range of population needs is the context of this issue.
   d. Social interaction – social interaction with the full range of the population is a proven requirement of lifelong communities. Pedestrian accessible streets and dwellings, a full stratum of dwelling types, community programming elements and careful placement of improvements are key components in creating a socially vibrant community.
   e. Dwelling types – a range of dwelling types within a walkable range is crucial to meet the social, economic and physical goals of a lifelong community. Creative architectural and planning solutions, a strong but flexible regulatory framework and policies that promote efficient and sustainable methods of construction are among the crucial requirements of this issue.
f. Healthy living—accessibility to fitness, education, cultural and health maintenance programming elements are vital to a successful lifelong community and are the primary concerns of this issue.

g. Environmental and Sustainable Solutions—the creation of a complete community includes provisions for the appropriate preservation of natural and cultural resources. Promotion of sustainable construction techniques, preservation of natural and cultural resources, innovative methods of power generation and integrated food production are among some of primary components related to successfully executing this issue.

4. The region will determine its “aging readiness” to provide programs, policies and services that address the needs of older adults.

5. The region will determine its “aging readiness” to ensure that communities are “livable” for persons of all ages.

6. The region will harness the talent and experience of older adults

7. To determine “age readiness,” local comprehensive plans should review:
   a. Demographics;
   b. Quantity, quality, and type of existing housing stock;
   c. Land use patterns; and
   d. Quantity, quality, and type of recreational needs.

8. Comprehensive plans will promote development patterns and design features to meet the needs of seniors.

9. Comprehensive plans and ordinances will promote Universal Design/Accessible Building Standards for buildings as well as recreational areas.

10. Comprehensive plans will include goals and objectives that specifically address the aging population.

11. Consider seniors and the elderly when reviewing site plans for new construction and/or renovations.

12. The region will ensure comprehensive plans permit basic services within walking distance recognizing it is a great convenience for all residents but an absolute necessity for an aging population.

6.12 Guiding Principles for Coastal Vulnerability and Resilience

Three guiding principles are identified in the Regional Plan for Coastal Vulnerability and Resilience.

1. The region believes that a community’s resilience is measured by its sustained ability to prepare for, respond to, and fully bounce back from crises.

2. The region’s strength is in our community’s resilience and in understanding the region’s vulnerabilities, and in taking positive collective actions to limit the impact of a disruptive crisis, and recovering rapidly from disasters.

3. The region believes in collaborating with a wide range of community resilience experts, community leaders and private sector partners to work together to increase collective capacities to respond to adversity with increased resources, competence, and connectedness to one another.
7. REGIONAL RESOURCE PLAN AND RIR

7.1 The Regional Resource Plan
The Regional Resource Plan (RIR) identifies Cultural and Historic and Natural Resources of regional importance. The Regional Resource Plan provides recommended best development practices, protective measures and policies for local governments to use within one mile of a regionally important resource. The project site includes wetlands and flood plains. Wetlands impacts due to stc development and access. Flood zone A on site.

7.2 Area Requiring Special Attention
The Areas Requiring Special Attention map designates the site as being within an Area of Rapid Development. This designation is for areas where the pace of development may outpace the availability of community facilities & services.

7.3 Natural Resources
Green Infrastructure
The U.S. Environmental Protection Agency defines Green Infrastructure as management approaches and technologies that utilize enhance and/or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. This management approach attempts to keep stormwater onsite. It incorporates vegetation and natural resources as much as possible in development and redevelopment.

Green infrastructure has a number of benefits, including reduced runoff, groundwater recharge, higher air quality, better aesthetics, reduces costs, lowers impacts on climate change, and provides environmental benefits that surpass improved water quality.

Coastal Georgia’s Green Infrastructure network is defined as a natural life support system of parks and preserves, woodlands and wildlife areas, wetlands and waterways, greenways, cultural, historic and recreational sites and other natural areas all with conservation value. A potential impact as a result of premature or poorly planned conversion of land to other uses is the failure to adequately protect and conserve natural resources such as wetlands, flood plains, native vegetation, lakes, streams, rivers, natural groundwater aquifer recharge areas, and other significant natural systems. The river corridors, floodplains and tributary streams are considered to be critical green infrastructure components, as they supply key social, economic and environmental benefits for local communities and provide important habitats for wildlife.
Green infrastructure planning provides an alternative to what is common practice in many communities: conserving land on a piecemeal basis without the benefit of a large framework plan that allows a comprehensive approach to land conservation. Areas of protected open space should follow natural features for recreation and conservation purposes, including greenways that link ecological, cultural and recreational amenities.

Green infrastructure shall be considered first in the planning process and in reviewing comprehensive plans, zoning, development review processes and performance standards.

Principles for green infrastructure include identifying what is to be protected in advance of development; providing for linkage between natural areas; and designing a system that operates at different functional scales, across political jurisdictions, and through diverse landscapes. Additional principles include sound scientific and land use planning practices, providing funding upfront as a primary public investment (for example, through a dedicated tax or other funding mechanism), emphasizing the benefits to people and nature, and using the green infrastructure as the planning framework for conservation and development. The concept of green infrastructure planning is based on a strategic approach to ensuring environmental assets of natural and cultural value are integrated with land development, growth management and built infrastructure planning at the earliest stage.

Greenspace or greenway land needs to be set aside for pedestrian, equestrian, and bicycle connections between schools, churches, recreation areas, city centers, residential neighborhoods, and commercial areas. Open-space, parks, trails, greenways, and natural undeveloped land are not individual but an integrated and organized system. Green infrastructure is as an interconnected system. Key physical, natural, ecological, landscape, historical, access and recreational assets contribute to the functionality of the green infrastructure network. The green infrastructure network weaves together a network of recreational and nature areas. Properly planned greenways provide efficient pedestrian linkages that can serve as alternative transportation to and from work, to services and other daily destinations. Greenway linkages serve as outdoor recreation for biking, walking, and jogging. Green infrastructure encourages the creation of transportation corridors and connections, which can foster ecotourism, tourism and outdoor recreation.

7.4 Wetlands

According to the developer, the project site contains wetlands.
8. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

8.1 Population and Employment Trends

<table>
<thead>
<tr>
<th>County</th>
<th>2000</th>
<th>2010</th>
<th>2020</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effingham</td>
<td>37,535</td>
<td>52,250</td>
<td>80,563</td>
<td>112,062</td>
</tr>
</tbody>
</table>

*Source: U.S. Census, Georgia Office of Planning and Budget*

The county’s population is expected to grow from its 2000 level of 37,535 to 112,062 by 2030, according to the US Census and the Governor’s Office of Planning and Budget. The Coastal Region’s population in 2030 is projected to be 962,956, which is an increase from the 2000 level of 558,350.

Effingham County, is a growing county in the region and had a 2019 population estimate of 64,296 according to the US Census. The 2010 Census population of Effingham County in 2000 was 37,535.

The Coastal Georgia region supported 312,400 jobs in 2000, and is expected to support 435,050 jobs in 2030. The Effingham County unemployment rate in 2017 was 4.1 percent.

9. CRC Resources

9.1 Coastal Stormwater Supplement

The CRC applauds Effingham County for adopting the CSS Ordinance and/or ensuring the Coastal Stormwater Supplement (CSS) is implemented for stormwater management.

9.2 Regional Design Guidelines

The CRC recommends that the Effingham County ensure that new development creates an environment that contributes to the region’s character. The *Georgia Coastal Regional Character Design Guidelines* for the development are appropriate to implement quality growth.

The ‘Character Region’ for this area is *Rural Ridge* and may utilize the ‘Character Area Key’ for *Commercial*.

For technical assistance contact Karen Saund, Grant Specialist at ksaund@crc.ga.gov.
SITE PLAN
PROVIDED BY THE APPLICANT
EFFINGHAM COUNTY
FUTURE LAND USE MAP
& ZONING DISTRICTS MAP
PUBLIC COMMENTS
( No Comments )
Subject: Variance (Fifth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: May 16, 2022
Item Description: Stature Investments as Agent for Chester R. Porter & Clint R. Porter requests a variance section 3.4 Buffers to reduce the required buffer between industrial and various zoned parcels. Located on Abercorn Road, zoned AR-1, proposed zoning I-1. [Map# 477 Parcel# 9]

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

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

  That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- Warehouse Distribution Centers are a heavy industrial use. The 84.38-acre parcel is bordered by AR zoned land to the north, east, and west. The required buffer between heavy industrial and AR zoning districts is 300’.
- The proposed buffer reduction is from 300’ to 100’ along boundaries with AR zoned properties to the north and west, and from 300’ to 25’ along the eastern boundary. 477-9 will be combined with 477-8, the parcel to the west.
- The parcel does not present any exceptional topographical features; the proposed 820,800 sf warehouse cannot be developed without significant reductions to the required vegetative buffers.
- Given the low-intensity uses of the land to the north, west, and east, there is no case to be made for reducing the buffer on the industrial tract. The solution is to reduce the scale of the development to allow for inclusion of a 300’ vegetative buffer to screen the heavy industrial use and allow for stormwater filtration.

Alternatives
- 1. Approve the request for a variance from section 3.4 to reduce required buffers.
- 2. Deny the request for a variance from section 3.4 to reduce required buffers.

Recommended Alternative: 2

Department Review: Development Services
Attachments: 1. Variance application
2. Ownership Certification

Other Alternatives: 1

FUNDING: N/A
3. Deed
4. Aerial photography
ATTACHMENT A - VARIANCE APPLICATION

Application Date: 3/9/2022

Applicant/Agent: Stature Investments/Yash Desai

Applicant Email Address: ydesai@statureinvestmentsus.com

Phone #: 912.398.0280

Applicant Mailing Address: 118 Pipermakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Property Owner, if different from above: Chester R. Porter, Clint R. Porter

Owner’s Email Address (if known):

Phone #

Owner’s Mailing Address: PO Box 634

City: Rincon State: GA Zip Code: 31326

Property Location: Abercorn Road off Old Augusta Road South

Name of Development/Subdivision: n/a

Present Zoning of Property: AR-1 Tax Map-Parcel #: 477-9 Total Acres: 84.38

VARIANCE REQUESTED (provide relevant section of code): Buffer

Describe why variance is needed: 300' buffer is excessive as compared to other jurisdictions.

300' buffer reduces the developable footprint significantly.

How does request meet criteria of Section 7.1.8 (see Attachment C): irregular size of lot to accommodate warehouse construction.

Applicant Signature: [Signature] Date: 3/9/2022

Rev 05052021
ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 1/24/2014, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2229 page 771.

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 Chester R. Porter

Owner's signature ________________________________
Print Name Clint R. Porter

Owner's signature ________________________________
Print Name ________________________________

Sworn and subscribed before me this 18 day of 4March, 2022

Joann R. Hughes
Notary Public, State of Georgia

Rev 05052021
AUTHORIZATION OF PROPERTY OWNER

I, Chester R. Porter & Clint R. Porter, 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: Statute Investments/Yash Desai

Applicant/Agent Address: 118 Pipemakers Circle, Suite 100

City: Pooler State: GA Zip Code: 31322

Phone: 912.398.0260 Email: ydesai@statuireinvestmentsus.com

Owner’s signature: Chester R. Porter

Print Name: Chester R. Porter

Personally appeared before me Chester R. Porter (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 18 day of MARCH, 2022

Joann R Hughes
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 1/24/2014, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2229 page 771.

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 Chester R. Porter

Owner's signature

Print Name Clint R. Porter

Sworn and subscribed before me this __________ day of __________, 20 __________.

Notary Public, State of Georgia
BLACK BRANCH TERMINALS LLC
3901 W BRAOD ST
RICHMOND, VA 23230

EXETER OLD AUGUSTA LAND LLC, FIVE
100 MATSONFORD RD | STE 250
RADNOR, PA 19087

MILL CREEK HUNTING PRESERVE INC
P O BOX 131
RINCON, GA 31326

MOORE ASHLEY RON
103 ROMMELL RD
GARDEN CITY, GA 31408

PHILLIPS LISA E & TIMOTHY E JR
270 ABERCORN RD
RINCON, GA 31326

PHILLIPS LISA E
270 ABERCORN RD
RINCON, GA 31326

SPIKES WILLIAM ROGER III AND JENNIE
652 RALPH RAHN RD
RINCON, GA 31326

STATE OF GEORGIA
40 CAPITAL SQUARE SW
ATLANTA, GA 30334