Effingham County Georgia
Board of Commissioners

THE PLANNING BOARD OF EFFINGHAM COUNTY, GA
January 10, 2024

I. CALL TO ORDER

Chairman Dave Burns called the meeting to order at 6:02 PM.

II. INVOCATION

Chairman Dave Burns gave the invocation.

III. PLEDGE TO THE FLAG

Chairman Dave Burns led the pledge.

IV. AGENDA APPROVAL

Chairman Dave Burns asked if there were any changes to the agenda. Ms. Kimberly Barlett, Planning Board Secretary stated that there were several changes to the agenda, item 12, item 14, item 15, item, 17, and item 18 has been postponed. Mr. Brad Smith made a motion to approve the agenda. Mr. Ryan Thompson seconded the motion. The motion carried unanimously.

V. APPROVAL OF MINUTES

Chairman Dave Burns asked if there were any corrections or additions to the December 12, 2023, meeting minutes. Mr. Peter Higgins made a motion to approve the minutes as presented. Mr. Brad Smith seconded the motion. The motion carried unanimously.

Members Attending:	**Ryan Thompson, Chairman Dave Burns, Peter Higgins, Brad Smith**
Members Absent:	**Alan Zipperer**
Staff Present:	**Mr. Steve Candler: Director of Development Services, Ms. Chelsie Fernald: Senior Planner, Ms. Samantha Easton: Planner II, Ms. Kimberly Barlett: Planning Board Secretary**
Persons Attending:	**Eric Smith, Kathy Brichacek, Hallie Myers, Scott Burns, Melissa Stille, Cathy Sheffield, Dennis Hills, Michael Redmond, Cindy Pitts, Audra Jennings, Ellis Skinner, Laura Owens, Brittany Wilson, Dale Newman, Ruth Newman, Alec Metzger, Tim Hartley, Mark Jacobs, Anna Clifton, Brandon Wilson, Ruthie Polk, Kimberly Jones, Milton Rahn Jr., Howard Hodges, Donnie Bazemore, Dennis Hales, Sharon Hales, Rhonda Clifton, Cheryl Powell, S. Edge, Aynko Kirland, Cheryl Hinely, Ricky Stille, John**

Newman, Becky Bazemore, Shae Smith, John Sanders, Deann Sanders, Wynell Redmond, Joel Stuart, Leslie Williams, Jay Wilcox, Robert Cope, William McCarthy, James Dasher, Michael Hughes

VI. NEW BUSINESS

Chairman Burns stated all items voted on would be presented at the January 16, 2024, Board of Commissioners meeting at 6:00 pm as a public hearing.

Eric Smith – PUBLIC HEARING (1): the applicant requests a **conditional use** for a **rural business.** Located at 445 Golden Drive. **(Second District) [Map# 450A Parcel# 56]**

Ms. Chelsie Fernald presented this item and staff is recommending alternative one.

Mr. Eric Smith describes his business as a RV repair and maintenance, mostly interior, no collision or mechanical. Also, lighting, faucets, and shower heads. He states he plans to keep it small and is willing to build a privacy fence for neighbors. He states that he will pick up the camper and bring them on site.

Chairman Dave Burns asked how many RVs are on site at a time.

Mr. Eric Smith there are usually 3 to 4 total at a time not including his personal RV.

Mr. Peter Higgins asked if it can be limited to 4 or 5.

Mr. Ryan Thompson asked for clarification is that it is not paint or mechanical work.

Mr. Eric Smith stated he doesn't know how mechanics and can assure he won't do it.

Mr. Ryan Thompson asked if he has employees.

Mr. Eric Smith states he works alone.

Mr. Ryan Thompson asked for clarification on where the RVs will be parked on the property.

Mr. Steve Candler stated a setback condition can be added.

Me. Peter Higgins asked for clarification on the type of fence that will be used to conceal the business.

Ms. Kathy Brichacek expressed concern about her property value decreasing. Where the RVs will be parked on the property and where the fence will be placed. What's the future plans of expansion.

Ms. Chelsie Fernald explained is Mr. Smith were to expand or change the business he would have to come before the board.

Ms. Cheryl Hinely states she lives at 104 Maple Dr. and is concerned if the fence will be a privacy fence and the business will get out of control.

Mr. Peter Higgins stated that code enforcement is the reason that Mr. Smith is will be monitored.

Mr. Steve Candler stated that in the past 7ft privacy fence, which is the max with a permit have been a condition.

Mr. Ryan Thompson made a motion for approval with conditions: limit of 4 RVs for business, privacy fence of 7 feet around rural business, only interior work and no mechanical and paint. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Hallie Myers- PUBLIC HEARING (2): the applicant requests a **conditional use** for an **Agritourism business.** Located at 729 Ardmore Oaky Road. **(Third District) [Map# 285 Parcel# 5]**

Mr. Brad Smith made a motion for Mr. Ryan Thompson to recuse himself from items 2 and 3. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Hallie Myers states that they serve people with disabilities, build agricultural projects, covered arenas and equine activities for foster kids and children with disabilities.

Mr. Peter Higgins made a motion for approval. The motion was seconded by Mr. Brad Smith and carried unanimously.

Hallie Myers as agent for Blue Sky Acres, Inc. - PUBLIC HEARING (3): requests a **variance** from ordinance Section 3.4.1, to allow for a reduction in the required buffers. Located at 729 Ardmore Oaky Road, zoned **AR-1. (Third District) [Map# 285 Parcel# 5]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Peter Higgins expressed concerns about no buffers for the surrounding parcels.

Ms. Chelsie Fernald clarified the descriptions of the buffers.

Mr. Brad Smtih made a motion for approval. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Mr. Brad Smith made a motion for Mr. Ryan Thompson to return to the board. The motion was seconded by Chairman Dave Burns and carried unanimously.

Mitchell Donaldson - PUBLIC HEARING (4): requests a **variance** from ordinance Section 3.4.1, to allow for a reduction in required buffers. Located at 344 Standard Lane, zoned **I-1. (Third District) [Map# 366A Parcel# 64]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative two. Staff is recommending denial due to the Effingham County Code of Ordinances, section 3.4 Buffers: At no time may buffers be reduced between Commercial, Institutional, or Industrial and Residential uses.

Mr. Mitchell Donaldson stated this property has been industrial from 1989 prior to the current buffer restrictions. The current use for industrial would be useless with buffers in relation to the size of the property. He does not plan to build any structure or buildings. He currently has his raw material consolidation business in Screven County, Bufford, and Hardeeville. They weigh old appliances and dump them.

Chairman Dave Burns asked for clarification of the business.

Mr. Peter Higgins asked if he would be shredding any metals on the property.

Mr. Ryan Thompson asked for clarification on what is the number of buffers being requested.

Chairman Dave Burns asked if the business gets noisy.

Mr. Mithell Donaldson stated hours would be 9a-3p, the excavator may make the noise of a lawn mower.

Mr. Peter Higgins asked for clarification on what was the use of the property before.

Mr. Robert Cope stated he lives behind and does not want to live see old fridges and such in his backyard and that land hasn't been used for industrial purpose in a long time.

Mr. William McCarthy states he is a resident and church goer around in the neighbor and he is concerned with the safety of the children on the school buses. Concerned with the increase of big trucks in and out the property.

Ms. Shae Smith States she mobile home rentals adjacent to the property and is concerned with the elderly that live in the neighborhood and them being subjected to the noise and traffic.

Mr. Steve Candler asked about the disposal of hazardous chemicals.

Mr. Ryan Thompson asked what size trucks and how often would be used to handle the recycling.

Mr. Micthell Donaldson started that it would be like 6 axle trucks.

Chairman Dave Burns and Mr. Ryan Thompson both expressed their concerns about the reduction of the buffers.

Mr. Peter Higgins suggested possibly rezoning to commercial.

Chairman Dasve Burns advised Mr. Donaldson to possibly meet with staff to have a specific plan for buffers before going to the Commissioners.

Mr. Brad Smith made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Jamon Jones as agent for Perez Everado Baca– PUBLIC HEARING (5): requests to **rezone** +/- 17.5 acres from A**R-1** to **I-1** to allow for a concrete plant. Located at 2388 US Hwy 80. **(First District) [Map# 354 Parcel# 28]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Ryan Thomspon asked for clarification on the buffers.

Mr. Scott Burns stated he is the engineer for this project, and he explained the difference on the buffers based on the surrounding parcels zoning. 50 feet buffers from the B-3 side and 150 feet all around.

Ms. Chelsie Fernald explained the buffers requirements and the requirements for recreating a buffer from the ordinance.

Mr. Scott Burns stated that he submitted a landscape buffer sketch plan.

Ms. Melissa Stille states that is a big open field and there is a lot of residential around. She is concerned with the safety of the residents and traffic congestion.

Mr. Peter Higgins asked about the warehouse that was already approved.

Ms. Cathy Sheffield expressed concerned about the lights at night, the hours of operation, the flow of traffic, buffers, and the Silica from concrete endangering the neighbor's health.

Mr. Dennis Hills is concerned about the view from that property. The Silica and the health issues.

Chairman Dave Burns stated this parcel has been before the board several times and he is concerned with the big open field.

Mr. Scott Burns stated the hours of operation are 5a-5p. they plan for 20 employees and 20 trucks, with about 10-15 dump trucks and 2 or 3 trips per day.

Mr. Brad Smith made a motion for denial. The motion was seconded by Mr. Peter Higgins and Mr. Ryan Thompson was opposed to the approval. Motion carried 3 to 1.

Michael Redmond as agent for Wynell Redmond- PUBLIC HEARING (6): requests to **rezone** +/- 1.01 acres from **AR-1** to **AR-2** to allow for subdivision for a new home site. Located at 515 Goshen Road. **(Second District) [Map# 466 Parcel# 1]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Michael Redmond stated he is requesting to put a single-family home behind his mom's house.

Mr. Brad Smith made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Peter Higgins and carried unanimously.

James Dasher as agent for Peggy Ann Boykin Beck- PUBLIC HEARING (7): requests to **rezone** +/- 116 acres from **PD** to **PD,** to allow for the amendment of Planned Development. Located on Earl Lain Road. **(Second District) [Map# 436 Parcel# 3] [Map # 435 Parcel # 21, 21A, & 21B]**

Mr. Brad Smith made a motion for Mr. Ryan Thompson to recuse himself from item 7. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. James Dasher stated that 20 lots were added after wetland delineation presented more uplands.

Mr. Michael Hughes is the engineer he stated a flood study was done, and the site is in Zone A. They are waiting on an approval permit from Army Corps of Engineers. He made a request to avoid the sketch plan approval.

Ms. Chelsie Fernald clarified the new lots that were added.

Mr. Michael Hughes stated that a dead-end road was changed to an emergency access only not a secondary access.

Mr. Brad Smith asked hoe thew access would be restricted.

Chairman Dave Burns asked for clarification on lot changes.

Mr. Steve Candler explained the need for a modification to the PD text.

Ms. Chelsie Fernald suggested a condition about buffers on Hodgenville.

Mr. Brad Smith made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Mr. Brad Smith made a motion for Mr. Ryan Thompson to return to the board. The motion was seconded by Chairman Dave Burns and carried unanimously.

Chairman Dave Burns called for a short break – 7:28pm

Chairman Dave Burns called meeting back to order – 7:34pm

Cindy and Steven Pitts- PUBLIC HEARING (8): requests to **rezone** +/- 1.00 acres from **AR-1** to **AR-2** to allow for a new home site. Located at 453 Gracen Road. **(Third District) [Map# 271 Parcel# 40]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Ms. Cindy Pitts stated she wants to build a home on one acre of land for her, her husband and dog.

Ms. Audra Jennings stated she is the sister-n-law of the property owner and the Pitts already have well & septic and everyone is in favor.

Mr. Peter Higgins made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Brad Smith and carried unanimously.

Shannon Skinner - PUBLIC HEARING (9): requests to **rezone** +/- 120.49 acres from **AR-1** to **R-1** to allow for subdivision to develop residential lots. Located on Old Louisville Road. **(Third District) [Map# 251 Parcel# 10]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Ellis Skinner states there will be 33 lots on 120 acres. There are a lot of natural buffers, all homes are on well & septic. He plans to have a covenant, keeping it single family homes at a minimum of 1800 sqft.

Mr. Ryan Thompson asked if the dashes on the site plan shows shared driveways.

Mr. Ellis Skinner stated that only 6 homes will have shared driveways. It is stated there are 2400 sqft of road frontage. He envisioned this to be something that conforms to Effingham County.

Several surrounding parcel owners came forward to voice their objections to the proposed rezoning as well as several emails voicing their concerns and opposition to the rezoning:

- Buffers
- The agricultural lifestyle
- Wetlands
- Drainage
- Infrastructure
- Curve in the road
- Children safety
- Traffic
- Flooding
- Livestock
- Wildlife
- Overcrowding schools

Mr. Steve Candler asked if the driveways could be back loaded instead of facing Old Louisville Rd.

Mr. Ryan Thompson asked about stormwater drainage.

Mr. Alec Metzger is the engineer and state there they will need to do a topographic survey and a drainage study. He stated a level 3 soil test has been completed and the wetlands have been delineated and they are waiting on approval. He does not anticipate there being anymore lots actually after all tests are complete there might be less lots.

Mr. Ryan Thompson asked to see the Future Land Use Map of this parcel.

Ms. Chelsie Fernald stated the closest subdivision is 1.63 miles and she presented the FLUM map.

The Planning Board members reviewed the FLUM map and agreed this property is far from agricultural/residential.

Mr. Ryan Thompson made a motion for denial. The motion was seconded by Mr. Brad Smith and carried unanimously.

Mark Jacobs - PUBLIC HEARING (10): requests to **rezone** +/- 20.41 acres from **AR-1** to **AR-2** to allow for subdivision to create new home sites. Located on Hwy 119 S and at 475 Little McCall Road. **(Third District) [Map# 320 Parcel# 50D & 52]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Mark Jacobs stated the purpose of the rezoning is to allow kids to buy and build property behind his current home. He purchased the adjoining property behind him to preserve the woods. He wants to take advantage of the newly passed family subdivision ordinance.

Mr. Ryan Thompson asked for clarification on more than 3 properties accessing one easement.

Mr. Steve Candler state that was changed in the family subdivision ordinance.

Mr. Ryan Thompson asked for clarification on purpose of rezoning the front lot.

Mr. Jay Wilcox stated he plans to subdivide for his own daughter and wanted to make sure the subdivision was for the purpose of family. His only concern is if it's sold to others.

Mr. Mark Jacobs stated lot #1 is under contract to a builder to build a home. He does not want his children to not be able to sell to another individual, if committing to the family subdivision.

Mr. Peter Higgins asked for clarification on each lot, and which are for individual or family.

Mr. Ryan Thompson asked why the McCall Road property is rezoning to AR-2.

Mr. Brad Smith made a motion for approval with the condition of keeping the 9-acre lot at AR-1. The motion was seconded by Mr. Ryan Thompson and carried unanimously.

Milton Rahn Jr. - PUBLIC HEARING (11): requests to **rezone** +/- 0.078 acres from **AR-1** to **AR-2** to allow for the division of an encroachment of a shed from surrounding parcel. Located on Lexington Ave Ext. **(Fifth District) [Map# 447 Parcel# 3]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one.

Mr. Milton Rahn Jr. stated he's getting older and is trying to prevent a problem in the future, by moving the sheds that's on their property.

Mr. Peter Higgins made a motion for approval with staff recommendations. The motion was seconded by Mr. Brad Smith and carried unanimously.

Jay Maupin – Maupin Engineering as agent for Salvador Figeuroa - PUBLIC HEARING (12): requests to **rezone** +/- 1.36 acres from **R-1** to **B-3** to allow for an office building. Located on Chimney Road. **(Fifth District) [Map# 476C Parcel# 17,18, & 19]**

Postponed

Donnie Bazemore - PUBLIC HEARING (13): requests to **rezone** +/- 1.58 acres from **R-1** to **B-3** to allow for a car lot. Located at 5947 GA Hwy 21 S. **(Fifth District) [Map# 465 Parcel# 1C]**

Ms. Chelsie Fernald presented the item and staff is recommending alternative one with the following conditions:

- A final plat showing that the parcel has been taken out of the Goshen Terrace Subdivision before the zoning can take effect.
- Buffers shall be maintained per the Effingham County Code of Ordinances, Section 3.4.1
- A Sketch Plan must be approved by the Board of Commissioners before site development plans are submitted.

Mr. Alec Metzger presented 2 letters of support from surrounding properties. He stated the property has been in the family for 30 years and the owners want to relocate the current Rincon Car Lot. There are 5 employees and cars will be delivered by drivers and not by a car hauler. The house will be converted to a sales office. Parking will be added, and all accessed from Lweis Drive with gravel and concrete sidewalks. He anticipates very low traffic impact of about 5 cars per day. He states this probably the last property on Hwy 21 that isn't commercial.

Mr. Dave Burns asked about the Buffers.

Mr. Alec Metzger is asking to remove the condition of a final plat showing that parcel taken out of Goshen Terrace Subdivision. He stated he has never had to do that, and it is a useless step that would delay the process. He stated the deeds and rezoning would show record.

Mr. Ryan Thompason asked staff for clarification on this condition.

Mr. Steve Candler state that subdivisions are researched by plats.

Chairman Dave Burns stated the county attorney can possibly answer that question.

Mr. Ryan Thompson asked about stormwater and the sketch plan.

Mr. Alec Metzger stated they will be adding gravel and possibly storage area for run-off.

Mr., Ryan Thompson asked if the applicant is willing to limit to this use and eliminate other uses.

Mr. Donnie Bazemore stated this is a family business and wants to keep it neat clean. His hour of operation is Monday to Friday 9a-6p and 10a-2p on Saturday, closed on Sundays. He stated that he was tried before 2 times not he wasn't prepared.

Chairman Dave Burns asked about the lighting plan and if there is a mechanic garage.

Mr. Ryan Thompason stated B-3 is that most intense use and a condition should be considered.

Mr. Brad smith made a motion for approval with staff recommendations, with the stipulation that it used for the proposed use. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Consideration of a **revision** to the Code of Ordinances – **PUBLIC DISSUSSION (14): Part II – Official Code, Chapter 54 – Section 54-3 – Commercial Corridor**

Postponed

Consideration of a **revision** to the Code of Ordinances – **PUBLIC DISSUSSION (15): Part II – Official Code, Appendix B – Subdivisions**

Postponed

Consideration of a **revision** to the Code of Ordinances – **PUBLIC DISSUSSION (16): Part II – Official Code, Appendix C – Article V- Table of permitted uses**

Chairman Dave Burns asked if this can be tabled to 2/13/24024 planning board meeting.

Mr. Peter Higgins made a motion to table this item to 2/13/24 motion was seconded by Mr. Brad Smith and carried unanimously.

Consideration of a **revision** to the Code of Ordinances – **PUBLIC DISSUSSION (17): Part II – Official Code, Appendix C – Article IX – Section 9.2.3 – Sketch Plan**

Postponed

Consideration of a **revision** to the Code of Ordinances – **PUBLIC DISSUSSION (18): Part II – Official Code, Appendix C – Article III – Section 3.15 – Business Licenses**

Postponed

VII. SKETCH PLAN

Donnie Bazemore – SKETCH PLAN (1): requests approval of **sketch plan** for "Rincon Car Lot". Located at 5947 GA Hwy 21 S, zoned **R-1. (Fifth District) [Map# 465 Parcel# 1C]**

Ms. Samantha Easton presented the item and staff is recommending alternative one with conditions.

Mr. Alec Metzger stated the stipulations are being added to the staff report and not conveyed before. He states all conditions will be adhered to expect he is requesting to remove condition A, which is a. The Pond is moved further south adding more distance between it and the buffer.

Ms. Samanatha Easton stated that it is to make sure the pond doesn't encroach the buffer.

Mr. Steve Candler reminded the board of a previous incident where the pond was too close to the buffer and was dug up. The condition is to ensure they aware.

Mr. Peter Higgins made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Brad Smith and carried unanimously.

Howard Hodges – SKETCH PLAN (2): The applicant requests approval of **sketch plan**. Located on GA Hwy 21, zoned **R-4. (Third District) [Map# 315 Parcel# 8]**

Ms. Samantha Easton presented the item and staff is recommending alternative one with conditions such as, the applicant needs to submit an engineered site plan and adhere to the new buffer ordinance and submit a $20,000 Warranty Bond or Letter of Credit.

Chairman Dave Burns asked if the site plan was done by an engineer.

Ms. Samanatha Easton stated is does not have an engineered stamp on it.

Mr. Ryan Thompson asked for clarification on whether the site plan needed to be engineered.

Ms. Samanatha Easton stated and engineered site plan in a requirement in the R-4 ordinance.

Mr. Ryan Thompason asked if the sketch plan meet the buffers.

Ms. Samantha Easton state the lot size is not in compliance and does not meet the acreage for an RV park.

Mr., Howard Hodges stated there are heavy vegetation around the property and there is an engineered sketch plan, but he was unaware it needed to ne submitted.

Ms. Sammantha Easton believes all the lots are under 35 feet in width and less than 2500 sqft.

Chairman Dave Burns asked if they deny can they get the revisions to the Board of Commissioners.

Mr. Ryan Thompson asked for clarification on if the bond that the changed will happen to the sketch plan.

Ms. Chelsie Fernald stated that the sketch plan doesn't meet the intent of the ordinance and this bond is to ensure that the conditions placed on the sketch plan are met.

Mr. Ryan Thompson made a motion for denial, with staff recommendations. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Ms. Anna Clifton stated they are just trying to reopen what was already there and she is curious about the denial.

Ms. Samanatha Easton stated it doesn't match what the ordinance requires.

Ms. Anna Clifton asks how to move the lots.

Chairman Dave Burns stated it is nonconforming and it needs to be brought up to the current standards.

Mr. Ryan Thompson stated that if the changes can't be made then they need to request variances for the buffers and lot sizes.

Mr. Steve Candler explained what a variance is.

VIII. ADJOURNMENT

There being no further business, the meeting adjourned at 9:12 PM.

CHAIRMAN OF PLANNING BOARD
EFFINGHAM COUNTY, GEORGIA

2-13-24
DATE

PLANNING BOARD SECRETARY

2-13/24
DATE