Effingham County Georgia
Board of Commissioners

THE PLANNING BOARD OF EFFINGHAM COUNTY, GA
July 9, 2024

I. CALL TO ORDER

Chairman Dave Burns called the meeting to order at 6:04PM

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. Ms. Chelsie Fernald, Senior Planner stated that there were changes to the agenda, item 8, has been postponed to August 13th meeting by request of the applicant and the approval of the workshop minutes. Mr. Ryan Thompson stated he must recuse himself from items 16 and the preliminary plat. Mr. Peter Higgins made a motion to approve the agenda. Mr. Brad Smith seconded the motion. The motion carried unanimously.

V. APPROVAL OF MINUTES

Chairman Dave Burns asked if there were any corrections or additions to the June 11, 2024, minutes. Mr. Ryan Thompson made a motion to approve the minutes as presented. Mr. Brad Smith seconded the motion. The motion carried unanimously. Chairman Dave Burns asked if there were any corrections or additions to the June 11, 2024, workshop minutes. Mr. Peter Higgins made a motion to approve the minutes as presented. Mr. Ryan Thompson seconded the motion. The motion carried unanimously.

Members Attending:	**Mr. Ryan Thompson, Chairman Dave Burns, Mr. Peter Higgins**
Members Absent:	**Mr. Alan Zipperer**
Staff Present:	**Mr. Steve Candler: Director of Development Services, Ms. Chelsie Fernald: Senior Planner, Ms. Kimberly Barlett: Planning Board Secretary, Mr. Jonathan Hulme: County Engineer**
Persons Attending:	**Janette Mydell, Jamie Deloach, Pratt Summers, Jake Ford, Keith Ellis, Rebbeca Wilhoite, Claire Kitchen, Roger Kitchen, John**

Blewett, Vee Holmes, Brian Harrelson, Deborah Harrelson, Amy Henry, S. Petra, Gilbert Miller, Walter Ochoa, Mary (Mollie) Patterson, Mike Winkler, Sawn Young, Larissa knight, Stephen Hawkins, Melinda Hawkins, Sandy Ruse, Lyle Ruse, Craig Johnson, David Fogle, Adrian Hoover, Mary Peters, Sharon Meyer, Elizabeth Whitter, David Westberry, Richard Daiss, Sr., Curtis Hinderliter, Gene Payne, Marilee Ambrose, Robert Howell, Luann Howell, Gail H. Carter, Becki Patterson, Betty Robinson, Sandra Cook, Tony Zimlich, David Haymes, Aleida Haymes, Monica Black, Barry Nease, Eden Browne, Richard Dice, Andrew Cooke, Steve Murray, Tag Segars, Larissa Knight, Neil McKenzie, Betty Robinson, Adrian Webber, Savannah Hart, Walle, Brenda Carter, Heather Stafford, Anthony Goethe, Roger Kitchen, Craig Fitzgibbons, Monica Capizzi, Beth Helmy, Paul Iwanski, Brenda Iwanski, Kain Martin, Wanda Goethe, Phil Keiffer, Kevin Ciona, May Tremblay, Roberta Tremblay, Cynthia Chafin, Barry C., John Schwarzkopf, Tommy Allen, Jeremy Zeigler, Craig Ambrose, Michelle Brown, Rene LaMaze, Travis Young, Steven Hill, Brandon Carter, Sarah Carter, Liz Sapp, Kevin Forbes, Joel Stewart, Reginald Rahn, Logan Rahn, Mary Murphy, Melissa Stille, Will Martin, Hilary Woods, Chris Boswell, Cortney Randall, Joseph Rinaldi, James W. Diane N. Kolby Brown, Seth Seckinger, Josh Moody, Damon Rahn

VI. NEW BUSINESS

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

Max Lowry– PUBLIC HEARING (1): the applicant requests a **conditional use** to allow for a Rural business for batting/ catching lessons in AR-1. Located at 400 Earl Lain Road. **(Second District) [Map# 435 Parcel# 20]**

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

Chairman Dave Burns asked if they are aware of all the rules of a rural business and if they meet the square footage. Ms. Chelsie Fernald said yes.

Mr. Peter Higgins asked how many people they are expecting.

Mr. Josh Moody explained there will be one instructor who will do two lessons at a time with two or three cars. He stated there is a rock driveway used for parking. The building is 30 x 60 so it's 1800 sqft with two bat cages inside of it. The cage was used for personal use but now an instructor would like to use it for instructional use.

Mr. Ryan Thompson asked if we are fine with that square footage or if a variance is needed.

Ms. Chelsie Fernald stated that we can allow the square footage as a condition.

Mr. Brad Smith made a motion for approval to allow for the extra square footage needed. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Barry Nease– PUBLIC HEARING (2): the applicant requests a **conditional use** for a **Rural business** to allow for a lawn mower repair shop in AR-2. Located at 487 Otis Seckinger Road. **(Second District) [Map# 415 Parcel# 24]**

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

Mr. Barry Nease stated they are currently renting a shop at the end of Hodgeville and 30 and he wants to have his own business. He would like to sell equipment and work on equipment.

Mr. Ryan Thompson asked for clarification about the sales. Mr. Nease said it will be more repairs than sales.

Mr. Ryan Thomspon made a motion for approval with Staff Recommendations. The motion was seconded by Mr. Alan Zipperer and carried unanimously.

Eden Browne– PUBLIC HEARING (3): the applicant requests conditional **use** for an **Agritourism business** in AR-1. Located at 450 Josiah Morgan Road. **(Third District) [Map# 361 Parcel# 1G]**

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

Ms. Eden Browne states that she lives on 38 acres and they're going to sell beekeeping equipment to local beekeepers, anyone in Savannah, or ship out. They have hives on the property that produce honey and they will be approved by the state to sell honey in stores.

Chairman Dave Burns asked how much traffic she anticipates.

Ms. Eden Browne states their busiest time is anywhere between March to May and that's for the overwintered nucs when people want to buy bees. Most of their honey sales will be in stores or online so customers would come mostly to pick up equipment.

Mr. Ryan Thompson asked where the equipment will be and if this gives them room to expand and build more warehouses.

Ms. Eden Browne stated in the warehouse on the property since 2019.

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

David Westberry– PUBLIC HEARING (4): the applicant requests conditional **use** for an **Agritourism business** in AR-1. Located at 584 Laurel Hill Road. **(Third District) [Map# 404 Parcel# 17]**

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

Mr. David Westberry stated he is presenting Dave's blueberry patch, which provides to the community a family friendly u-pick farm experience where individuals, families, and children can come experience picking fresh blueberries. He wants to add strawberries and blackberries and they can purchase seasonal others like figs, fruits, vegetables, farm fresh eggs and local honey. He would also like to provide ice cream during berry season. He intends to have a parking area and build a pavilion type building with a restroom and a place for people to check in and buy their produce and pay for berries. The bulk of his operation is going to be mainly between March and mid-July and plans to be open Friday and Saturday 9 to 5 and, Sunday 1-5. He plans to be officially open in March 2025.

Chairman Dave Burns asked if this would be year-round and if it's the dirt road.

Mr. David Westberry stated the fruit sales may be seasonal but throughout the year you can buy eggs.

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

Walter Ochoa - PUBLIC HEARING (5): requests a **variance** from ordinance Section 74.8, to allow for commercial truck parking at driver's residence. Located at 362 East Deerfield Road, zoned **AR-1. (First District) [Map# 377A Parcel# 25E]**

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

Mr. Peter Higgins asked how many trucks.

Mr. Walter Ochoa stated there are four trucks.

Chairman Dave Burns asked if this was a code enforcement complaint. He asked if there is a privacy fence.

Mr. Peter Higgins asked if he services the trucks on his property.

Mr. Ochoa said no, he doesn't for mechanical work. He used to park his truck at HWY 80, but people would take his truck at night so he brought them home so there would be no more trouble.

Mr. Richard Dice stated he is the president of the local HOA. He doesn't want a residential neighborhood turned into commercial. He doesn't want the trucks to destroy the roads and leak into the lakes. He is concerned that four trucks will turn into 20 trucks. He provided a copy of the petition signed by residents to Ms. Kimberly Barlett. Chairman Dave Burns asked if the HOA didn't have anything against the trucks. Mr. Dice said it does to a certain point, but they have come to county to back them up. He is worried about the children and dump trucks speeding down the road.

Mr. James Payne is concerned because there are already a lot of dump trucks from the pit, and they don't need more cutting through the neighborhood. He is concerned with the children and the dump trucks.

Mr. Michael Winkler states that the roads need to be upgraded. He stated the guy has improved the land and spent money and he feels for him, but he should have asked before he did it.

Ms. Sandra Cook states that she is the secretary for the HOA. She stated that she reported the dump trucks to commissioner Floyd on 4/17 she got a response from Lindsay Freyermuth that dump trucks were being investigated. On 4/17 she got a response from Steve Candler who said the owner is going to come in and attempt to do a business license, which she doesn't know if that was successful. On the 30th of April Commissioner Floyd advised the dump truck situation is being addressed and the citizen will not be able to keep those trucks there and he is not sure is they will have to get the courts involved yet, but they are working on it. On May 14th at one of the Lakeside Board meetings Commissioner Floyd was there, and he advised that the county is taking action on the dump truck situation. On July 1st she sent as message to Commissioner Floyd regarding the Planning board meeting, and she didn't get a copy because she doesn't live near to 362 East Deerfield. The response from commissioner Floyd was the fella with the dump trucks wants a variance so he can park them there and they should send some folks to speak against that if the neighborhood is opposed and it is good for the planning board to know they live under covenants and restrictions that were filed in 1969. On July 8th she sent a message to commissioner Floyd that they were attending. She states that one of the property owners drafted a petition by Benny White who is not there. The petition had an incorrect address and she spoke with the secretary of Planning Board, and she said to bring it in, and it made no difference. She states they have been dealing with this since April.

Mr. Ryan Thompson asked for clarification as to why staff recommended approval.

Ms. Chelsie Fernald explained there is nothing specifically in the ordinance, variance-wise, keeping this from being denied.

Ms. Savannah Hart asked isn't there is a law that says only one commercial truck or business vehicle.

Ms. Chelsie Fernald explained that the ordinance that she is referencing is residential business and that's not what he applied for. The variance is from section 74.8 which is the truck route and being able to take not just the bobtail to his residence.

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

Eric & Hannah Wright - PUBLIC HEARING (6): requests a **variance** from ordinance Section 74.8, to allow for commercial truck parking at driver's residence. Located at 125 Clyde Road, zoned **AR-1. (Fourth District) [Map# 390A Parcel# 1]**

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

Mr. Steve Candler stated this is another code enforcement complaint. He stated he has two current trailers; one is a flatbread, and one is a container.

Chairman Dave Burns stated this these are larger lots not necessarily bound by covenants.

Mr. Peter Higgins asked if there is a fence.

Mr. Reginald C. Rahn states that he has two residential houses right by him and they have a tractor trailer sitting out and flat bed and occasionally the truck. He feels that it is unsightly. He said there is no fence but the neighbor's fence.

Chairman Dave Burns asked if adding a privacy fence is a fair compromise.

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

Steve Murray - PUBLIC HEARING (7): requests a **variance** from ordinance Section 5.1.4, to allow for reduction in required building setbacks. Located at 321 Horseshoe Road, zoned A**R-1. (First District) [Map# 355A Parcel# 13E]**

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

Mr. Peter Higgins asked how big the lot is.

Chairman Dave Burns asked for clarification on reducing the setback from 50 to 8.

Mr. Ryan Thomspon asked if the building separation is a code requirement from zoning. He would rather vary the building separation than the property line.

Chairman Dave Burns asked if there are other properties with two homes.

Ms. Chelsie Fernald showed on the map that there are other properties with a secondary home which is allowed because they are AR-1.

Mr. Steve Murray stated at one time there was mobile home there back before setbacks. He already has a septic tank and water. He states environmental health came out and proved that the septic tank works.

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

Kenneth Souls - PUBLIC HEARING (8): requests a **variance** from ordinance Section 3.21.1, to allow for occupation of an RV during home construction. Located at 277 Horseshoe Road, zoned **AR-1. (First District) [Map# 355A Parcel# 3]**

Postponed by applicant to 8/13/24.

Tad Segars- PUBLIC HEARING (9): requests a **variance** from ordinance Section 3.20, to allow for reduction in the required minimum square footage for a single living unit. Located at 953 Roebling Road**. (First District) [Map# 377 Parcel# 2]**

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

Mr. Tad Segars states he owned this tiny house for years and it's on wheels. He intends to spend quite a bit of money on some landscape to further beautify the property.

Mr. Ryan Thompson asked if it will be on foundation or will it be on a chassis.

Mr. Tad Segars stated he would like to keep it on the chassis in case of storm or if he would like to sell it. It has a metal roof and siding.

Mr. Steve Candler said that will be determined by building codes.

Mr. Peter Higgins asked if there will be a septic tank.

Mr. Tad Segars said he will have a septic tank if it is required but it is like camper it has all the tanks and would be dropped at a proper site. He was concerned with the expense of a septic.

Chairman Dave Burns asked for clarification on the variance treated like a permanent home.

Ms. Larissa Knight stated she read the applicants narrative where he talked about financial hardship of not being able to enlarge the existing small home on Hilton Head, so he wanted to place it on this property. He also mentioned he wanted to put a restaurant with a rooftop bar and placement of the tiny home seemed peculiar to her. She stated she pulled up the property record information and Tad or Thadeous Segar is not who's listed as the owner on the property. She then stated the property was last purchased in December 22 and the deed was transferred to One Singleton LLC and the agent is Michael Mogul, a lawyer. She states he might be a fine individual but there are so many discrepancies in what she is seeing going along with this property. She says something about this has a smell to her and she can't put her finger on it. She doesn't think a tiny home is an asset to the community. She says her community is mostly retirees, not transient, and not fancy.

Chairman Dave Burns asked where it will be placed on the property. That's his only concern the tiny home would look out of place.

Mr. Tag Segars states he intends to put the tiny home in the back left corner, and he is not even sure it will be seen from the road.

Mr. Ryan Thompson asked about the narrative of the restaurant and how that relates.

Mr. Tad Segars stated that is a dream of his.

Mr. Ryan Thompson stated he thinks we need to figure out a way to allow for tiny houses. He believes the home being permanent with septic is a must have.

Ms. Chelsie Fernald stated the condition does require that it conforms to all building codes.

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

Malorie Boyd as agent for Mungo Homes of Georgia, LLC- PUBLIC HEARING (10): requests a **variance** from ordinance Section 5.8.6, to allow for reduction in the required in required lot widths in R-6. Located on Hwy 119 S, zoned R-6. **(Third District) [Map# 344 Parcel# 26A]**

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

Mr. Ryan Thompson asked for clarification on what the variance is down to.

Mr. Neil McKenzie with Coleman Company stated the purpose of the variance is to plat lots that don't quite meet the 60-foot lot width. He stated the plans are approved on the third phase and moving forward they have the opportunity to fix anything that was not correct on the sketch plan so they shouldn't be back and asking anymore other than this. He said the lots are oddly shaped and the ones that are most against the ordinance are the pie shaped lots where the front lot width is measured along the front curve there isn't 60-foot. They are measured along the front curve and there is 60 feet but the lots with curves where the two rows intersect the lot width is truly where the two lines would intersect. He would be asking for a reduction to 55 feet.

Mr. Ryan Thompson asked for clarification on the interpretation that the lot widths are measured at the property right of way line not from the front building setback line.

Mr. Neil McKenzie stated that R-6 is the only one that doesn't state that it measured at the building line.

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

Kacie Ridgeway as agent for Herbert Nease– PUBLIC HEARING (11): requests to **rezone** +/- 0.69 acres from **AR-1** to **AR-2** to allow for subdivision to combine a lot. Located at 2740 Sand Hill Road. **(First District) [Map # 301 Parcel # 4]**

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

No one was present to speak in favor of or against this item.

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

Terrie Williamson- PUBLIC HEARING (12): requests to **rezone** +/- 4 acres from **AR-1** to **AR-2**to allow for subdivision to create a new home site. Located at 440 Wylly Road. **(Fourth District) [Map # 460 Parcel # 102]**

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

Mr. Ryan Thompson asked if the four-acre lot can be subdivided in the future.

No one was present to speak in favor of or against this item.

Mr. Betty Robinson asked if it will be two lots.

Mr. Brad Smith made a motion for approval with the stipulation that any further subdivision would have to come before the board. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Michael Morgan- PUBLIC HEARING (13): requests to **rezone** +/- 5.25 acres from **R-1** to **AR-1** to allow for the creation of a new home site. Located at 2887 Rincon-Stillwell Road. **(Fifth District) [Map #462 Parcel # 35]**

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

No one was present to speak in favor of or against this item.

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

William Martin as agent for Ron Womack- PUBLIC HEARING (14): requests to **rezone** +/- 10.90 acres from **AR-2 & R-1** to **AR-1** to allow for the development of a school. Located on Blue Jay Road. **(Second District) [Map # 432 Parcel # 41] [Map # 414 Parcel # 3A]**

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

Mr. Peter Higgins asked if this is the board of education public school.

Chairman Dave Burns asked for clarification on the parcels being combined.

Ms. Chelsie Fernald stated this is Board of Education property so to be able to combine the lots for the development of the school the zoning needs to be the same.

No one was present to speak in favor of or against this item.

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

Adrian Webber as agent for Ralph E. Graham- PUBLIC HEARING (15): requests to **rezone** +/- 2 acres from **R-4 & B-3** to **B-3** to allow for the removal of a condition and new business services. Located at 3554 Hwy 21 N. **(Third District) [Map # 315 Parcel # 8A & 9]**

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

Chairman Dave Burns asked for clarification if the R-4 is being removed.

Ms. Chelsie Fernald stated the two parcels will be combined to B-3 with the removal of the condition for a dog training facility and to use for their high-end automotive restoration company.

Ms. Adrian Webber is representing the owners of Commando Customs, and they are looking to move the business to Effingham. They are buying all three parcels however their current desire is just to use the two parcels to operate their business. She states there are currently no plans for the larger parcel.

Mr. Ryan Thomspon asked what the function of the business is.

Ms. Adrian Webber states they do custom classic restoration for high-end vehicles, and they don't have a lot of traffic. There will be four full-time employees. It will be appointment only, but it takes months for these vehicles to be finished and they plan on having security. They plan to build something similar to the current warehouse but very nice and high-end.

Mr. Ryan Thomspon asked if working on the cars would be internal. Ms. Webber said yes.

Ms. Chelsie Fernald stated if the zoning is approved, they will have to come back for site plan approval.

Mr. Ryan Thompson asked about the specificity of the condition placed on the B-3. The board discussed the purpose of a condition placed on the rezoning and without putting a limitation on it they could propose any use in B-3.

Mr. Ryan Thompson made a motion for approval of the rezoning to B-3 with the limitation of the auto restoration use. The motion was seconded by Mr. Peter Higgins and carried unanimously

Chairman Dave Bruns called for a recess – 7:30PM Back at – 7:35PM

Kevin Forbes as agent for Christopher Boswell- PUBLIC HEARING (16): requests to **rezone** +/- 20.93 acres from **I-1** to **HI** to allow for the removal of conditions and an addition of industrial use. Located at 1020 Old River Road. **(First District) [Map # 304 Parcel # 5]**

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

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

Mr. Peter Higgins asked if they will be removing the berm.

Mr. Chris Boswell stated when he purchased the property the berm was never there, and he didn't realize all the conditions were on there. He would like to propose a privacy fence and pave everything in the back and do heavy duty mill down the right of way so there's no more rock dust, which is one of the biggest concerns with the residents. He states that it is already heavy industrial, and he doesn't plan to change anything that's already there but to improve it. None of the previous conditions were enforced for 20 years. He stated that he has spoken with a couple neighbors and given them his personal phone number and said if there's any concerns, he'll make it right. He stated that putting a berm would take up the right of way, he is proposing a 10-foot fence with screening so that residents wouldn't have to see, and it would catch any dust particles. He states that he was unaware of the hours of operation limitation.

Chairman Dave Burns asked if staff thinks a 10-foot privacy fence it fair and if the old conditions will no longer be in place. Mr. Steve Candler said yes.

Mr. Chris Boswell stated he will make accommodations after speaking with the residents about concrete trucks at night. He would ask for no conditions regarding the hours of operation.

Mr. Steve Candler suggested that it be based on code enforcement because he spoke with the residents and if hours become an issue, we can address with code enforcement.

Mr. Brad Smith made a motion for approval with staff with the stipulations of adding a 10-foot privacy fence and paving the access roads. The motion was seconded by Mr. Peter Higgins and carried unanimously

Mr. Peter Higgins made a motion for Mr. Ryan Thompson to return. The motion was seconded by Chairman Dave Burns and carried unanimously.

Greg Coleman as agent for KFJT Enterprises - PUBLIC HEARING (17): requests to **rezone** +/- 144.04 acres from **AR-1 & R-4** to **LI** to allow for industrial uses. Located at 662 Godley Road. **(First District) [Map # 399 Parcel # 3 & 3D]**

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

Mr. Greg Coleman stated this has come to Planning Board before, but they are back under new ownership. The bulk of the remaining lands are wetlands and there is a minimum of 750 feet wetland width buffer in between the residential properties to the west. They are trying to rezone the balance of the property surrounding the surface mine for future development. With a 300-foot buffer on Godley and 50 feet from the already zoned industrial parcel.

Mr. Ryan Thompson asked for clarification on the buffers.

Mr. Peter Higgins asked about the last time this request was heard and there was a big outcry about how Godley Road couldn't handle the heavy trucks.

Mr. Greg Coleman stated that he, along with commissioner Floyd met with Bloomingdale city council and mayor and they tried to work things out with them. He thinks the traffic would not have a big impact on Effingham County roadway systems, but the road is certainly going to need some work. It is a two-lane road that hasn't been repaved in quite some time.

Mr. Jonathan Hulme stated the length from Otgen and Hwy 80 is about 1.38 miles.

Mr. Greg Coleman stated there was a meeting with Bloomingdale along with Commissioner Floyd and they offered to fix the road from Hwy 80 all the way back up and they were told that they would not permit or allow them to fix the road and if they did fix it then it would be the developers responsibility to own and maintain that road in perpetuity. The access is in Effingham County, but the traffic will go to Highway 80. He agrees that before development to occur something would have to be worked out with the roads.

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:

- Roads can't handle the Truck traffic
- Potholes in the road
- Speeding trucks

Mr. Ryan Thompson asked for a view of the map. He thinks the use is transitioning but he does think there's a legitimate concern over the roads.

Mr. Greg Coleman stated there is no planned development at this time and he is willing to do a traffic study before the sketch plan if needed.

Mr. Ryan Thompson made a motion for approval with staff conditions plus a future traffic study that's submitted before or with any future site plan that clearly defines necessary improvements for whatever the future use proposed. The motion was seconded by Mr. Peter Higgins and carried unanimously.

Greg Coleman as agent for KFJT Enterprises - PUBLIC HEARING (18): requests to **rezone** +/- 10 acres from **AR-1 & I-1** to **HI** to allow for heavy industrial uses. Located on Godley Road. **(First District) [Map # 399 Parcel # 3 & 3R]**

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

Mr. Greg Coleman stated this site has been a problem with the previous owner. The new owners are in the process of cleaning up the gypsum and they've been coordinating with staff. They do have a potential user for the site for a mobile concrete plant. The plant would only be making 250 yards of concrete so that's 20 to 25 trucks a day.

Mr. Steve Candler stated this was a code violation for operating without a business license and an EPD violation for Gypsum. He stated there is currently traffic coming from the site for the Gypsum and it tends to give off a foul odor when it rains.

Chairman Dave Burns asked if this would be incorporated with the other rezoning request. Mr. Coleman said no.

Ms. Nancy Winkler stated there is a ranch that all the kids go to, and they ride on that road with dump trucks. The trucks are tearing up the road and endangering the kids riding the horses.

Chairman Dave Burns is concerned the last one was light industrial and this is heavy.

Mr. Ryan Thompson asked about the buffers against the AR-1.

Chairman Dave Burns asked if there are any drawings showing the buffers.

Mr. Greg Coleman stated they would have to address how to buffer the parcel with the site plan. He states the site is already cleared and it may need some type of combination of berms. Mr. Thompson stated that it should require buffers.

Mr. Ryan Thompson made a motion for approval with all current buffer standards in place, recommendations as well as when the future site plan comes through, we expect a traffic impact analysis to be submitted and show impacts of that future use and what mitigation needs to happen to Godley Road. The motion dies.

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

Neil McKenzie as agent for Carson Company Unlimited, LLC - PUBLIC HEARING (19): requests to **rezone** +/- 25.77 acres from **AR-1 to PD** to allow for mixed use development. Located at 1369 Ebenezer Road. **(Fifth District) [Map # 460 Parcel # 48]**

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

Mr. Neil McKenzie stated they are proposing a mixed-use plan development. The property is three parcels that are bound by the roundabout but it's all one pin. They are proposing to split the parcels in three, one being multifamily residential 15.2 acres and parcel two would be commercial 10.4 acres and then the additional parcel would remain open space and recreational. He stated they do meet the minimum requirements of the PUD and the parcels are under the same ownership. On parcel one they would propose allowing single family detached and attached which include town homes and duplex and two-family dwellings would be allowed. Mobile homes and apartments would not be allowed. He states on parcel two would allow all the uses that are in B-2 based classification which include gas stations and mini storage. He states the townhomes would be individually sold, there will be a 75-foot buffer from the parcel line to the project and a 30-foot buffer between Long Bridge and parcel one. Parcel two is split whereas it has a gas station and convenience on the front that front Ebenezer and then in the back what's shown is mini storage, but the allowed uses would be retail, or anything allowed in B-2 with a 50-foot

perimeter buffer around the entire parcel. He states as far as the development standards go, they have tried to mimic R-3 for parcel one and B-2 for parcel two. As far as the standard go for parcel one, they are asking to decrease the front yard setback from 35 feet to 25 feet but then they would increase the buffer from single family to the west to the multi family use from 35 feet to 75 feet. They plan to change the commercial parcel in the B-2 classification is adding the use of gas station convenience and self-storage. The tabulation of the open space is currently 27 % open space as opposed to the 20 % minimum that's required. He plans for the main access for the two parcels to be off Long bridge with other access points that could be accessed from Ebenezer, which is a GDOT controlled road. He stated that they anticipate pedestrian connectivity from the neighborhood and the public right of way into their project and would like to make it a walk and live type area. They would commit to a traffic study with any improvements from the study they would commit to installing. He states that they have a letter from Springfield that states they would be willing to provide utilities once capacity is available, not any time soon but they will commit to providing water and sewer. He states they have imposed some architectural standards to the tone of the Ebenezer corridor. He is proposing for the residential and commercial piece they would not allow any vinyl they would encourage brick and hardy board, 12-inch overhangs, and architectural shingles. Each townhome will have an individual driveway and a pull-in garage. They also have front porches would need to be a minimum of 6-foot depth and some side elevation requirements for single story homes. They do have sign height limits and screening requirements for mechanical equipment. He stated that the county has earmarked this area to be developed.

Mr. Ryan Thompson asked for clarification on where the buffers are written out. Right now, its undefined. What is proposed for the commercial architectural standards.

Mr. Neil McKenzie stated they are not written in the PD text yet and they can certainly be added, they will commit to planting capacity. He stated there are no specific standards in place for the commercial, but they would be open to limiting lighting.

Mr. Steve Candler explained that undisturbed buffer needs to be in their language.

Mr. Ryan Thompson asked for clarification on the term multifamily versus the sketch plan that only shows townhomes. He also is questioning the density and heights of the buildings on the commercial side.

Mr. Neil McKenzie stated the Multifamily name came from the R-3 classification, but they can change the name to residential. As far as the B-2 classification it allows B-2. Mr. Steve Candler stated that residential is not allowed in B-2 anymore as per the Table of permitted uses.

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:

- Ebenezer schools are already overcrowded
- Traffic
- No more gas stations
- No more storage units
- No room to expand the roads
- Not enough water
- Clearing land with no development
- Retain rural lifestyle
- Keep Effingham country
- Infrastructure
- School traffic
- Gas stations bring transient people
- Need to slow down the growth

- The BOC date is the same night as open house for the schools
- Not in favor of townhouses
- No commercial
- Decrease in property values
- It was mentioned that Commissioner Phil Keifer stated that roundabout is the gateway to Historic Ebenezer and that sort of development has no place in that location
- Going to force their community to become gated to keep out the riff raff and vagabonds from the gas station
- Children at the bus stops with the construction traffic
- Would like the county to put up a sign that says no trucks between 7-5
- Cars turning around in their neighborhood
- Fire protection
- Homeowners insurance is doubling
- Historic Ebenezer
- Christmas in July for the Developers
- The uncertainty of what the developer is proposing
- Get back to acre and five-acre developments
- Go back to rural status
- Destroy the historical area
- Congestion at the roundabout
- Run-off
- Noise pollution
- Light pollution
- No sidewalks
- Pollution
- Roundabout is too little
- Quality of Life
- Preserve residential areas
- Land preservation
- What happened to the scenic byway
- Impact taxes rising
- Circles are not meant to have commercial activity
- Increased accidents

Chairman Dave Burns reiterated that Ebenezer is highway 275 and it is a Georgia State Highway, and it is leading to a historical area, and he doesn't want to make another mistake with 82 units on 15 acres.

Mr. Neil McKenzie stated he appreciates all the comments and has taken a lot of notes. In lieu of a vote he would like to go back and address these items, but he they do vote they have time to fix some things before the commissioner meeting.

Mr. Ryan Thompson stated that is a node but there is a lot that would need to be addressed for him to feel comfortable with the PD.

Mr. Peter Higgins stated based on the density and the outcry of commercial he would make a motion for denial, and they need to make some changes.

Mr. Peter Higgins made a motion for denial. The motion was seconded by Mr. Brad Smith and carried 3 to 1. Mr. Ryan Thompson did not vote.

Chairman Dave Burns stated to the public that every month at 4 o'clock they have a workshop and all they talk about is the rules and ordinances that make up this county and since they've been doing it no one has showed up. The meetings are dictated and governed by rules so if they want to change the development ideas we have to change our rules.

Mr. Steve Candler explained to the public when the county has a workshop and when all meetings occur monthly. The chances of moving the BOC meeting are difficult.

Mr. Joanathan Hulme announced to the public regarding the safety of traffic there is a safe street for all public input meeting on July 17.

VII. PREMLINARY PLAT

Liberty Street Development, LLC- Douglas Hill as agent for Nolan Earl Lain, Jr. (1): requests approval for a **preliminary plat** for "West Gate Phase 2". Located on Earl Lain, zoned **R-5. (Second District) [Map# 435 Parcel# 19]**

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

Mr. Steve Candler presented this item and is recommending alternative one.

Mr. Peter Higgins asked for clarification on access.

Mr. Jonathan Hulme stated they are paving Earl Lain.

Chairman Dave Burns asked about the green space requirements.

Ms. Chelsie Fernald stated 10% usable green space.

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

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:39PM.

CHAIRMAN OF PLANNING BOARD
EFFINGHAM COUNTY, GEORGIA

8-13-24
DATE

PLANNING BOARD SECRETARY

08/13/2024
DATE