Effingham County Georgia
Board of Commissioners

THE PLANNING BOARD OF EFFINGHAM COUNTY, GA
March 12, 2024

I. CALL TO ORDER

Chairman Dave Burns called the meeting to order at 6:01 PM.

II. INVOCATION

Alan Zipperer gave the invocation.

III. PLEDGE TO THE FLAG

Alan Zipperer 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 Kimberly Barlett, Planning Board Secretary stated that there were changes to the agenda, item 5, has been withdrawn. Mr. Ryan Thompson made a motion to approve the agenda. Mr. Alan Zipperer seconded the motion. The motion carried unanimously.

V. APPROVAL OF MINUTES

Chairman Dave Burns asked if there were any corrections or additions to the February 13, 2024, meeting minutes. Mr. Alan Zipperer made a motion to approve the minutes as presented. Mr. Brad Smith seconded the motion. The motion carried unanimously.

Members Attending:	**Mr. Ryan Thompson, Chairman Dave Burns, Mr. Brad Smith, Mr. Alan Zipperer**
Members Absent:	**Mr. Peter Higgins**
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, Jonathan Hulme: County Engineer**
Persons Attending:	**Andrew Atkins, Alec Metzger, Terra Brantley, Chris Johnson, Caroline Chaney, Anita Butler, Treda Hodge, Harold Hodge, Jim Willis, Clay Price, Stephen Lanier, Cynthia Medlin, James Medlin, Randy Shepard, Scott Monson, Brooke Autry, Cheryl Hinely, Jack Edwards, Glenn Edwards, Brandon Edwards, Kimberly Edwards, Kenneth Souls, Vincent Helmly, Jack Doyle, Steve Murray, Justin**

Murray, Sue Anderson, Brandon Deason, Jackie Harvey, Allen Harvey, Gilbert Miller

VI. NEW BUSINESS

Chairman Burns stated all items voted on would be presented at the April 2, 2024, Board of Commissioners meeting at 6:00 pm as a public hearing.

Steve Murray - PUBLIC HEARING (1): requests a **variance** from ordinance Section 3.38.6, to allow for a reduction in required rad frontage for a billboard. Located on US Hwy 80, zoned **B-2. (First District) [Map# 378 Parcel# 11]**

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

Mr. Ryan Thompson asked for clarification on singular frontage requirements.

No one was present or spoke on behalf on this.

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

Skid Steer Solutions, LLC as agent for **Jack Doyle– PUBLIC HEARING (2):** requests approval for a **pond less than one acre**. Located at 1182 Midland Road. **(First District) [Map# 324 Parcel# 115B02]**

Ms. Chelsie Fernald presented this item and staff is recommending alternative one. The dirt will be moved off site.

Chairman Dave Burns asked for clarification on the minimum size of road or entrance for a pond.

Mr. Andrew Atkins states that he represents Skid Steer Solutions. He wants to make a distinguishment that they are removing the dirt, so it isn't an eye soar. He states he has 2 dump trucks, and his plan is to move the dirt in a timely manner and follow all the rules of the pond. He stated he contacted EPD, and they said they are not involved if it's under 1.07 acres.

Mr. Ryan Thompson asked for clarification on whether the application is for a variance or just pond approval.

Chairman Dave Burns stated that he knows the ordinance has changed, because previously over an acre required an I-1 zoning and approval from the state.

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

Ms. Chelsie Fernald stated the construction entrance and design shall extend 50ft for a mine sight.

Keith Blocker- EB Miles Properties, Inc– PUBLIC HEARING (3): requests to **rezone** +/- 9.21 of 11.03 acres from **AR-1** to **B-3** to allow for subdivision and change of land use. Located on US Hwy 80 W. **(First District) [Map # 378 Parcel # 6 & 7]**

Mr. Alan Zipperer made a motion for Mr. Ryan Thompson to recuse himself from item 3 and carried unanimously.

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

Chairman Dave Burns asked for clarification on the acreage to be rezoned.

Mr. Scott Monson with Thomas and Hutton stated the property upfront has a convenient store and is currently zoned B-3 the property behind will be rezoned and combined. The recombination will allow for an access road.

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

Mr. Alan Zipperer made a motion for Mr. Ryan Thompson to be reinstated to the board. The motion was seconded by Mr. Brad Smith and carried unanimously.

Vincent Helmey as agent for **William Earl Barton Jr. and Treda Hodge – PUBLIC HEARING (4):** requests to **rezone** +/- 2.94 acres from **AR-1** to **AR-2** to allow for subdivision to create new homes sites. Located on Harvey Road. **(First District) [Map# 303 Parcel# 28]**

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

Mr. Vincent Helmey stated the owners have inherited the land from their father and they have joint tenancy and would like to divide the property for the 2 heirs.

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

Adal Sebastian Reyes-Garcia as agent for **E.J. Oetgen– PUBLIC HEARING (5):** requests to **rezone** +/- 1.75 of 19.99 acres from **R-4** to **B-1** to allow for existing mechanic shop to be brought into zoning compliance. Located on Low Ground Road. **(First District) [Map# 399 Parcel# 3D]**

Withdrawn by applicant.

Mr. Steve Candler asked for item 8 to be moved up because applicant needed to leave.

Mr. Ryan Thompson made amotion to amend the agenda to move item 8 to item 6. The motion was seconded by Chairman Dave Burns and carried unanimously.

Anita Butler as agent for Jack L. Edwards– PUBLIC HEARING (8): requests to **rezone** +/- 3.11 of 31.58 acres from **AR-1** to **AR-2** to allow for subdivision to create a new home site. Located on Corinth Church Road. **(Third District) [Map# 312 Parcel# 1]**

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

Mr. Ryan Thompson asked if there are other AR-2 zonings adjacent, because it could be subdivided to 5 acres so not be rezoned.

Ms. Anita Butler stated her father's health is declining and they are subdividing to a family to help with the farm and with the family.

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

SIMCOE Investment Group, LLC as agent for **Grace Community Church of Effingham County, Georgia Inc. – PUBLIC HEARING (6):** requests to **rezone** +/- 29.6 of 39.94 acres from **R-1** to **PD** to

allow for residential development. Located on Goshen Road. **(Second District) [Map# 451 Parcel# 21]**

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

- Based on similar densities and traffic approved at recent Board of Commissioner meetings, and with comparable traffic improvements being completed before permitting of the subdivision. The suggested start of the subdivision shall be fourth quarter of 2025 or first quarter of 2026.
- A 6ft wooden privacy fence shall be abutted against the residential subdivision.
- The Traffic Impact Analysis (TIA) that is suggested within the PD text shall be submitted to Development Services prior to the final plat approval.
- A curfew shall also be imposed within the proposed Homeowners Association (HOA) for the provided open space amenities from 6am to 10pm.
- Per the Effingham County Code of Ordinances, Section 5.15.5.4, a Sketch Plan shall be required and approved before development.

Mr. Ryan Thompson asked if there are significant changes since it was precisely brought before the board.

Mr. Alec Metzger stated the biggest change based on the board was it would be more favorable if the development was pulled away from Goshen Road. About 12 Lights were gotten rid of and pulled back about 450 feet off Goshen Road. The oak trees would be set aside on the church's property so the road would go through wooded area, and lots start after. R-5 was used as a guideline, proposing 78 lots. The setbacks, buffers are met, and the density will be less than 4, at about 3.1 units per acre. They are proposing 22% open space and overflow parking areas. Landscaping and lawn maintenance will be handled by HOA to maintain some uniformity. There is a 30-foot undisturbed buffer with a privacy fence proposed against Paddleford. Along the church is a 25-foot undisturbed buffer and then a 25-foot planted buffer. There will also be 30 Foot buffer along the railroad track. He would like to address to 2 conditions about the enforced curfew. He would like that condition removed because the amenities will not be a ballpark but an open field. He would also like the condition removed about the start of construction because it is a there would be a couple years before buildout in like 2028 or 2029.

Mr. Alan Zipperer is asking for clarification on the number of usable acres.

Mr. Alec Metzger states that the density can be calculated 2 ways and that is the total property divided by the number of units or the net density would be the usable area of the development divided by the number of units. He believes that the county calculates the gross density is how the regulations read.

Chairman Dave Burns asked how many acres of wetlands and how many acres of usable.

Mr. Alec Metzger stated it is about 25 acres of developed area. Due to the smaller lots, they can create bigger more usable open areas.

Chairman Dave Burns asked what size the lots are.

Mr. Alec Metzger stated that are 36 x 90.

Mr. Ryan Thompson asked if the R-5 standards were refenced.

Mr. Alan Zipperer asked for clarification on the 25 acres that are usable and what are the setbacks on the lots. How wide the houses are.

Mr. Alec Metzger stated the front setback is 15 feet, side is 7.5 feet, side on the street is 15 feet and the rear is 25 feet.

Mr. Ryan Thompson asked for clarification on off street parking with a 15 feet front setback.

Mr. Alec Metzger stated the car can be parked in the right of way. There will be a garage and then room for two cars in the driveway, then an additional 20 is parking spaces throughout.

Mr. Steve Candler stated that the ordinance actually says no permanent structure within the setbacks or right of way but in the past people have been allowed to put driveways and sidewalks in the setbacks.

Mr. Ryan Thompson stated the homes are the widths of townhouses.

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:

- Traffic
- Wetlands and drainage
- Stormwater and water table
- Infrastructure
- Buffers
- Density increase
- Townhome sized homes
- Decreased Privacy
- Increased mosquitos from retention ponds
- Light and noise pollution
- Destruction of natural beauty and loss of wildlife habitat
- Safety Concerns
- Decrease in property values
- Structural damage form railroad vibration

Mr. James Medlin spoke about this being possible rental home community. He also questions the reason for the PD zoning, why can't it be the R zoning.

Mr. Steve Candler stated Federal Law does not allow us to distinguish between rentals and single-family homes.

Ms. Caroline Cheney stated she is the real estate agent representing the church and the church spent months with SIMCOE Investment Group discussing the buffers and the protection of Oak Trees. The church would like to use the money to continue the work within the county and in the community they serve.

Mr. Ryan Thompson wanted to clarify that the homes are not townhouses, and he did not mean to infer that. He wanted to clarify the buffer standards. He is appreciative of the fact that there is additional open space along the adjacent neighborhood. He also asked for clarification on when the TIA is needed. These are the narrowest single-family lots that he has ever seen.

Mr. Alan Zipperer stated that he is struggling with the number of houses on a small amount usable land.

Chairman Dave Burns stated that he is struggling with the PD zoning versus R-5. He does not want to see PD becoming the new trend.

Mr. Alec Metzger stated the reason for PD, is because it gives the flexibility and some design. The PD text allows you to show exactly what they are doing and how they want it to be. The whole density of the property is 2.6 units per acre with wetlands and everything, so the net density is 3.1.

Mr. Steve Candler stated in the ordinance rewrite the PD is being addressed as more of a traditional plan unit development.

Mr. Alan Zipperer made a motion for denial because he can't get past the density of homes in that small area. The motion was seconded by Mr. Brad Smith and carried unanimously.

Mr. Steve Candler asked the Chairman to ask the applicant if he wants to withdraw the sketch plan or if he plans to keep it on the agenda for tonight.

Stephen Lanier – PUBLIC HEARING (7): requests to **rezone** +/- 1.00 of 1.92 acres from **AR-1** to **AR-2** to allow for a non- conforming parcel to brought into compliance. Located on Sisters Ferry Road. **(Third District) [Map# 386 Parcel# 36]**

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

No one was present or spoke on behalf on this.

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

Sue Anderson as agent for SB Homes, LLC– PUBLIC HEARING (9): requests to **rezone** +/- 5.272 acres from **AR-1** to **R-1** to allow for an addition to residential lots. Located on Old Louisville Road. **(Third District) [Map# 272 Parcel# 27A, 27]**

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

Ms. Sue Anderson stated she represents SB Homes the owner has 35 acres adjacent that they just want to conform the remaining parcels.

Chairman Dave Burns asked for clarification on the acreage for both parcels.

The chairman noticed a discrepancy that both parcels were listed on the agenda, but the wrong acreage amount is listed and advertised.

Mr. Brandon Deason stated it was all messed up. The signs read 5.272 acres and not the remaining acres of 6.9 acres. He expressed concerns about drainage onto his property.

Mr. Steve Candler stated that Kimberly puts the signs out and the signs have the same acreage and not the other parcels correct acreage. The signs are required by law. If the signs are wrong, then we can only vote on the 5.272 acres and maybe table the other.

Chairman Dave Burns stated we can vote on the one parcel of 5.272 because it was advertised correctly. It was established that the 5.272 acres is the 272-27A. Sue Anderson was told that we can have another hearing to rectify the mistake and to discuss with staff.

Ms. Chelsie Fernald asked Ms. Kimberly Barlett how the Ad was stated.

Ms. Kimberly Barlett stated the Ad ran the same as the agenda.

Mr. Alan Zipperer made a motion for approval for 272-27A, which is 5.272 acres with staff recommendations. The motion was seconded by Mr. Ryan Thompson and carried unanimously.

Brooke Autry as agent for Yong Rong Liu– PUBLIC HEARING (10): requests to **rezone** +/- 8.6 acres from **AR-1** to **B-1** to allow for commercial/ business opportunities. Located at 2497 Hwy 21 S. **(Fifth District) [Map# 429 Parcel# 18A]**

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

Mr. Ryan Thompson asked if there is no specific use proposed. He asked the depth of the parcel. It is a deep parcel, so he wanted to make sure rezoning the entire piece was wise.

Ms. Brooke Autry stated that is speculative zoning and the owner wants to leave his options open.

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

Ms. Chelsie Fernald stated the parcel is 1100 feet from the front property line to the back.

VII. SKETCH PLAN

SIMCOE Investment Group, LLC – SKETCH PLAN (1): requests approval of **sketch plan** for "Goshen Church Tract". Located at 1094 Goshen Road, zoned **R-1 proposed zoning PD. (Second District) [Map# 451 Parcel# 21]**

Mr. Alec Metzger presented this item and reiterated the information that was provided from the rezoning.

Chairman Dave Burns stated that's there probably one house that is 40 feet from the adjacent neighborhood.

Mr. Ryan Thompson asked about the use for the open space or will it be preserved. He is concerned with clearing a space for the HOA to maintain might be a burden in the future.

Mr. Alec Metzger stated it would be cleared and grass for a play area and picnic areas.

Mr. Steve Candler stated that he met with Mr. Metzger and the main concern was the 25-foot buffer from the right of way from the railroad track, however the 30-foot buffer that is proposed is sufficient. They added a fence plus the 30-foot undisturbed buffer.

Mr. Ryan Thompson asked for clarification on reviewing this with the denial recommendation.

Mr. Ryan Thompson made a motion, assuming the commission approves the PD language to approve the PD Sketch Plan as it is presented tonight. The motion was seconded by Mr. Alan Zipperer and Mr. Brad Smith was opposed. The motion carried 3 to 1.

Craig Johnson – SKETCH PLAN (2): requests approval of **sketch plan** for "Stillwell Pines". Located on Stillwell Road, zoned **AR-1. (Fourth District) [Map# 427 Parcel# 14B]**

Mr. Craig Johnson stated this is a wedding venue that is a little under 5,000 sqft and he is dealing with parking issues. He initially thought they could park on the grass, but based on the ordinance grass is not acceptable surface for vehicles and must be maintained in a dust free condition. He is proposing to put a rock base down, which a mixture of 57 stones and other rocks that can be graded. He is concerned with the cost of asphalt or paving and the runoff to control with a pond. The building was built and structured in 2016. He wanted to discuss the buffer to the adjacent property, but he is the owner and its more than 150 feet away.

Chairman Dave Burns asked about the number of parking spaces and will the handicap spaces be paved.

Mr. Steve Candler would ask that any recommendation from the planning board would be to not enforce the buffer because of dual ownership. He stated that if the parking suitable Mr. Johnson would need to mention in the sketch plan that it's a variance from the requirements of the ordinance for being paved, but the property that exist would benefit from absorption than it would an impervious surface.

Mr. Ryan Thompson asked if the driveway is existing and is it width of a residential or commercial driveway. He is concerned about where the driveway meets the asphalt not being paved.

Mr. Craig Johnson wanted to clarify the structure that was thought to be an addition, will be a courtyard area, confined with a privacy fence.

Mr. Jonathan Hulme the county engineer would recommend that the entrance for the venue be paved, maybe up to the 30-foot setback, then it can go to gravel.

Mr. Ryan Thomspon asked if the suggestion would be up to the property or the right of way line. The right of way should be protected.

Mr. Jonathan Hulme stated he is open to it being paved up to the right of way.

Mr. Craig Johnson asked if asphalt milling would be suitable.

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

Mr. Ryan Thompson stated that he wants to make sure that it was clear that they are in support of the idea not having an impervious surface for parking.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 PM.

CHAIRMAN OF PLANNING BOARD
EFFINGHAM COUNTY, GEORGIA

4-9-24
DATE

PLANNING BOARD SECRETARY

4/9/24
DATE