Effingham County Georgia
Board of Commissioners

THE PLANNING BOARD OF EFFINGHAM COUNTY, GA
October 8, 2024

I. CALL TO ORDER

Chairman Dave Burns called the meeting to order at 6:02 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 stated that there were changes to the agenda. Item 3, Item 5, Item 6, and Item 7 have been postponed to the November 12th meeting. Mr. Peter Higgins 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 September 10, 2024, minutes. Mr. Brad Smith 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 September 10, 2024, Workshop 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. Peter Higgins, Mr. Brad Smith, Mr. Alan Zipperer**
Members Absent:	
Staff Present:	**Mr. Steve Candler: Director of Development Services, Ms. Chelsie Fernald: Senior Planner, Ms. Kimberly Barlett: Planning Board Clerk**
Persons Attending:	**Mr. Hampton Spradley, Mr. Jay Shearouse, Mr. Ragin Edwards, Mr. Tyrone Steele, Ms. Marquita Steele, Mr. Marty Edwards, Mr. Susanne Edwards, Ms. Annette Youmans, Ms. Renee Blessett, Ms. Emily Smith, Mr. Brian Pepe, Ms. Kindall Holiis, Ms. Debbie Johnson, Mr. Chris Johnson, Mr. Lowell Morgan, Mr. Ronald**

Morgan, Mr. Marshall Davis III, Mr. Chad Zittrouer, Ms. Michelle Browne, Mr. Dennis Ulmer Sr., Mr. Hollis Quusheif Sr., Mr. Bobbie Wuesheet, Mr. Greg Pete, Ms. Aubrey Humphreys-Peter, Mr. Terry Humphreys, Ms. Liz Sapp, Mr. Durrell Dasher, Mr. Murray Marshall, Ms. Sussan Dasher, Mr. Greg Gildark, Ms. Julie Perry, Ms. Larissa Knight

VI. NEW BUSINESS

Ms. Kimberly Barlett asked the board to consider a motion to cancel the December 12th Planning Board Meeting due to the holiday and lack of agenda items. Mr. Brad Smith made a motion to cancel the December Planning Board Meeting. Mr. Alan Zipperer seconded the motion, which was carried by all.

Chairman Burns stated all items voted on would be presented at the November 5, 2024, Board of Commissioners meeting at 6:00 pm as a public hearing.

Joshua Moody as agent for Lowell Morgan – PUBLIC HEARING (1): requests to **rezone** +/- 2 out of 22.63 acres from **AR-1** to **AR-2** to allow for permitted uses in AR-2. Located on Hadden Lake. **(Third District) [Map # 441 Parcel # 7]**

Ms. Chelsie Fernald presented this item, and if approved, this will comply with ordinance criteria.

Mr. Josh Moody stated he has lived on the property for 15 years with an established address. His grandparents recently passed away, and he's just trying to clear the estate up. His portion is two acres out of the 22.63 acres that his grandfather handed down to him. He does not plan to add anything or change anything. All the parcels will be split; however, they are more than five acres apart from his parcel. The other parcels will access Union Springs.

Mr. Ryan Thompson asked for clarification on the acreage amount and the other lots. He also asked if the property couldn't be divided into four five-acre lots.

Mr. Josh Moody explained that his uncle is keeping 10 acres in CUVA because he doesn't live there and cannot afford the taxes.

Mr. Peter Higgins asked if Mr. Moody would provide an easement to the parcel behind him. Mr. Moody said no.

Chairman Dave Burns stated they did receive a signed petition from surrounding neighbors and presented it to the clerk in opposition to the request.

Several surrounding neighbors came out to speak in opposition to the request, including:

- They don't want AR-2 in the neighborhoods
- AR-1 will set a precedence for smaller tracts of land and subdivisions in their area
- Privately maintained road
- Previously denied parcel in the area from going to AR-2
- A commissioner made a motion previously that if there were any more rezonings on Hadden Lake Road, the county would have to take over the road
- Request that he split the estate and keep it AR-1
- They want to keep the parcel five acres

Mr. Lowell Morgan III stated he is in charge of his mom and dad's estate, and as the estate owner, he has to do what's in the will. He explained that Josh was not adding anything; he already had an address on Hadden Lake Road. He can't change the will.

Mr. Alan Zipperer stated that the previous situation differed because the Edwards family planned to sell some of their land. Still, Mr. Moody has lived there for 15 years, and his grandaddy left it to him, and that makes a difference.

Chairman Dave Burns agrees. He asked if this AR-2 does set a precedence.

Mr. Steve Candler stated that AR-1 and AR-2 are similar in land use, but he thinks this is a concern of the acreage. He said that there are already non-conforming AR-1s.

Mr. Ryan Thompson explained that he looks at the map to see if there are other AR-2s and if the public shows up opposed to it.

Mr. Brad Smith made a motion for approval with staff recommendations. Mr. Alan Zipperer seconded the motion, and Mr. Ryan Thompson opposed it. The motion carried 4 to 1.

Marshall Davis III- PUBLIC HEARING (2): requests to **rezone** +/- 1 out of 14.27 acres from **AR-1** to **AR-2** to allow for permitted uses in AR-2. It is located on Nease Road. **(Second District) [Map # 375 Parcel # 29D]**

Ms. Chelsie Fernald presented this item, and if approved, this will comply with ordinance criteria.

Mr. Marshall Davis III said he built the house for his in-laws, owned both adjacent lots, and excluded one acre from CUVA.

Mr. Alan Zipperer moved for approval with staff recommendations, which Mr. Peter Higgins seconded. The motion carried unanimously.

Manning Graham- PUBLIC HEARING (3): requests to **rezone** +/- 33.5 acres from **AR-1 to LI** to allow for light industrial uses. Located on Old Augusta Road. **(Fifth District) [Map #476 Parcel # 4E]**

Item Postponed.

Kern and Co., LLC- Chad Zittrouer as agent for the University of Georgia Foundation- Mike Hunter- PUBLIC HEARING (4): requests to **rezone** +/- 25 out of 1338 acres from **AR-1 to PD-MR** to allow for expansion of an existing borrow pit. Located on Hwy 17. **First District) [Map #353 Parcel # 3]**

Ms. Chelsie Fernald presented this item, and if approved, this will comply with ordinance criteria.

Mr. Chad Zittrouer stated he is accompanied by Mr. Stewart Marlow, who has operated this bar pit since 2020. Everything previously set in place with those rezonings will remain in place. He explained that this is an expansion, and the entire property is deed-restricted and can't be developed for residential use, only civil culture for forestry and mining operations.

Mr. Ryan Thompson asked for clarification on the acreage that is being rezoned.

Mr. Chad Zittrouer changed the request to 73 acres, combining the previous I-1 zoning of 48 acres.

Chairman Dave Burns asked if they have any problems with state inspections or outflow.
Mr. Chad Zittrouer stated he is not aware of any significant complaints.

Ms. Tracy Grassi stated she has three ponds fully stocked with brim, catfish, and turtles. Since 2020, when they started mining, her ponds have gone dry, and she lost an untold amount of catfish. She called the county, and they gave her the name of the person who was mining. She asked if they would extend the groundwater back into her ponds, but she never responded. She needs something put in place to protect her ponds, and she had to install a deep water well that feeds the three ponds, and it costs them $1000 a month just to run the well.

Mr. Greg Gildark asked whether the mine was educational or commercial. Chairman Dave Burns said yes, they are selling the dirt.

Ms. Julie Perry asked for clarification on PD-MR and whether further expansions will occur.

Chairman Dave Burns reiterated that the property has a deed and cannot be developed further.

Ms. Chelsie explained the four staff recommendations and rules the mine must adhere to.

Mr. Steve Candler explained what PD-MR is and what it means.

Ms. Larissa Knight stated she was at the meeting in 2019 to oppose the surface mine and was told that the University of Georgia has to create some cash flow. She expressed concerns about the safety of children and wondered why the zoning is planned development and not industrial.

Mr. Steve Candler explained that the covenants trump any zoning. The deed restricts further development.

Mr. Chad Zittrouer clarified that the property is restricted by deed. Regarding the water ducts, he has never heard any questions about Ms. Grassi helping with the water tables. There is still a substantial buffer with the expansion.

Mr. Rayn Thompson asked about the issue with the pond.

Ms. Julie Perry asked if there would be future expansion.

Mr. Chad Zittrouer doesn't know if there is any further expansion; however, he can't speak for Mr. Hunter, but he is not intent to mine for years and years.

Mr. Ryan Thompson motioned for approval with staff conditions, with the additional request that the county engineer and Mr. Zittrouer meet with Ms. Grassi and have a better understanding of the history. Mr. Peter Higgins seconded the motion and carried it unanimously.

Hunter Maclean c/o Josh Yellin as agent for Cassie Hinely- PUBLIC HEARING (5): requests to **rezone** +/- 247.2 acres from **AR-1 to PD-R** to allow for residential development. Located on Sand Hill Road. **(First District) [Map # 298 Parcel # 9]**

Item Postponed

Neil McKenzie as agent for Nick Finland- PUBLIC HEARING (6): requests to **rezone** +/- 221.87 acres from **AR-1 to R-5** to allow for residential development. Located on Goshen Road. **(Second District) [Map #451 Parcel # 41]**

Item Postponed

Kevin Forbes as agent for Kimberly and Rebecca Rahn- PUBLIC HEARING (7): requests to **rezone** +/- 425 acres from **AR-1 to LI** to allow for light industrial development. Located on Rahn Station Road. **(Fourth District) [Map #412 Parcel # 3 & 3A]**

Item Postponed

Ms. Kendall Harville asked how many times an application can be postponed. She is concerned that item five has been delayed several times.

Mr. Steve Candler explained the process of postponement.

Mr. Ryan Thompson asked if any item would be tabled at the November meeting and if it would have to be moved to the January meeting, and that needs to be clarified to everyone involved.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:09 PM.

David A. Bs — 11-12-24

CHAIRMAN OF PLANNING BOARD
EFFINGHAM COUNTY, GEORGIA

DATE

K. Barrett — 11/12/2024

PLANNING BOARD SECRETARY

DATE