



(TENTATIVE) BOARD OF COMMISSIONERS REGULAR MEETING AGENDA
Effingham County
Georgia
 Board of Commissioners

March 05, 2024 – 5:00 PM

Effingham County Administrative Complex
 Meeting Chambers

804 South Laurel Street, Springfield GA 31329

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

“Individuals with disabilities who require special needs to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities should contact the County Clerk at 912-754-2123 promptly to afford the County time to create reasonable accommodations for those persons.”

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Agenda

Watch us live on our YouTube page:

<https://www.youtube.com/channel/UC9wRzS6f2pHHZG3IgRk3OUQ>

- I. Call to Order**
- II. Roll Call**
- III. Invocation**
- IV. Pledge to the American Flag**
- V. Agenda Approval** - Consideration of a resolution to approve the agenda.
- VI. Minutes** - Consideration to approve the February 20, 2024 work session and regular session minutes
- VII. Public Comments** - Comments shall pertain to the agenda items only. Should you wish to make remarks, clearly state your full name into the microphone before commencing to speak.
- VIII. Correspondence** - Documents from this meeting are located in the Clerk's Office and on the Board of Commissioner's website.
- IX. Consent Agenda** - This section shall include all routine items for which there will be no discussion. Should a need arise for a debate, the item can be moved to the appropriate area of the agenda.

1. **[2024-086 Agreement]**

Consideration to approve to renew the Mutual Aid Agreement with the American Society for the Prevention of Cruelty to Animals

2. [2024-087 Grant Application]

Consideration to approve submittal of a Grant Application to Firehouse Subs Public Safety Foundation

3. [2024-088 Funding]

Consideration to approve to ratify and affirm a Supplemental Funding Request from Atlas Technical Consultants

X. Unfinished Business - Contains items held from a previous agenda.

1. [2023-606 Second Reading]

Consideration to approve the Second Reading to amend **Part II - Official Code, Chapter 42; Section 42-7 - Firearms** of the Effingham County Code of Ordinances (*1st reading approved 02/06/2023*)

XI. New Business

1. [2024-089 Resolution] *Stephanie Johnson*

Consideration to approve Resolution# 024-012 in celebration of Allen Burns' years of service with the Georgia Coastal Regional Commission

2. [2024-090 Ordinance] *Samantha Eason*

Consideration to approve the First Reading of an Ordinance to amend **Part II - Official Code, Chapter 70 - Taxation, Article II - Business Licenses and Occupation Tax** of the Effingham County Code of Ordinances

3. [2024-091 Ordinance] *Samantha Eason*

Consideration to approve the First Reading of an Ordinance to amend **Part II - Official Code, Appendix C - Zoning Ordinance, Article IX. - Amendments to Map or Text, Section 9.2.3 - Sketch Plan** of the Effingham County Code of Ordinances

4. [2024-092 Ordinance] *Steve Candler*

Consideration to approve the First Reading of an Ordinance to amend **Part II - Official Code, Appendix C - Article V - Table of Permitted Uses** of the Effingham County Code of Ordinances

5. [2024-093 Ordinance] *Steve Candler*

Consideration to approve the First Reading of an Ordinance to amend **Chapter 62** of the Effingham County Code of Ordinances

6. [2024-094 Proposal] *Alison Bruton*

Consideration to approve a Proposal from Pond & Company for the Blue Jay Road Corridor Study and Concept Design

7. [2024-095 Proposal] *Alison Bruton*

Consideration to approve a Proposal of additional services request from Alliance Consulting Engineers for the Courthouse Road Realignment Design Project

8. [2024-096 Change Order] *Alison Bruton*

Consideration to approve Change Order 3 for McWright LLC for Contract 23-ITB-031 related to the renovation/expansion of the EMS headquarters and construction/renovation of the Prison Maintenance building

9. [2024-097 Proposal]

Consideration to approve a Proposal from Inspire Placemaking Collective, Inc. for a Corridor Design Standard

10. [2024-098 Change Order] *Alison Bruton*

Consideration to approve a Change Order #1 for Platinum Paving and Concrete LLC for the FY23/24 LMIG Construction Project

11. [2024-099 Contract] *Alison Bruton*

Consideration to approve Contract 23-ITB-040 with McWright LLC for the construction of the Administrative Building Expansion/Renovation

12. [2024-100 Proposal] *Alison Bruton*

Consideration to approve a Proposal from Raftelis for a Rate and Financial Planning Study

13. [2024-101 Resolution] *Mark Barnes*

Consideration to approve Resolution# 024-013 to amend the Fiscal Year 2024 Budget

14. [2024-102 Agreement] *Tim Callanan*

Consideration to approve an Intergovernmental Agreement between the Cities of Guyton, Rincon and Springfield regarding TSPLOST Bonds collection, distribution, and management.

15. [2024-103 Annexation] *Stephanie Johnson*

Consideration to acknowledge a Petition of Annexation as submitted by the City of Springfield for properties consisting of approximately 65.70 acres located at Webb and McCall Roads **Map# 389 Parcel# 23** and **Map# 390 Parcel# 18B, 20**

16. [2024-104 Form] *Stephanie Johnson*

Consideration to approve to identify a Voting Delegate for consideration of the three (3) remaining seats for Statewide Georgia Opioid Settlement Advisory Commission (GOSAC) Members and Regional Advisory Council (RAC)members

17. [2024-105 Resolution] *Steve Candler*

Consideration to approve Resolution# 024-014 adopting the Fiscal Year 2023 Capital Improvement Element (CIE) annual update

XII. Reports from Commissioners & Administrative Staff

XIII. Executive Session - Discussion of Personnel, Property and Pending Litigation

XIV. Executive Session Minutes - Consideration to approve the February 20, 2024 executive session minutes

XV. Planning Board - 6:00 pm

1. [2024-106 Public Hearing] *Chelsie Fernald*

The Planning Board recommends **approving** an application by **Theodore Carellas** as agent for **Effingham County Industrial Development Authority** to **rezone** 3.97 acres located on **Interstate 16** from **AR-1 to I-1** to allow for the integration into an industrial park. **Map# 331 Parcel# 5A, 4, 3, 13A & 14A** in the **First District**

2. [2024-107 Second Reading]

Consideration to approve the Second Reading of an application by **Theodore Carellas** as agent for **Effingham County Industrial Development Authority** to **rezone** 3.97 acres located on **Interstate 16** from **AR-1 to I-1** to allow for the integration into an industrial park. **Map# 331 Parcel# 5A, 4, 3, 13A & 14A** in the **First District**

3. [2024-108 Public Hearing] *Chelsie Fernald*

The Planning Board recommends **approving** an application by **Robert McCorkle, III** as agent for **Mark G. and Mary D. and Et al** to **rezone** 40 of 280.5 acres located on **Old River Road** from **AR-1 to I-1** to allow for warehousing and logistics. **Map# 304 Parcel# 10** in the **First District**

4. [2024-109 Second Reading]

Consideration to approve the Second Reading of an application by **Robert McCorkle, III** as agent for **Mark G. and Mary D. Cooper and Et al** to **rezone** 40 of 280.5 acres located on **Old River Road** from **AR-1 to I-1** to allow for warehousing and logistics. **Map# 304 Parcel# 10** in the **First District**

5. [2024-110 Public Hearing] *Chelsie Fernald*

The Planning Board recommend **approving** an application by **Rebecca Tucker** as agent for **Farris Floyd** to **rezone** 2 of 7 acres located on **Low Ground Road** from **AR-1 to AR-2** to allow for a new home site. **Map# 350 Parcel# 3C** in the **First District**

6. [2024-111 Second Reading]

Consideration to approve the Second Reading of an application by **Rebecca Tucker** as agent for **Farris Floyd** to **rezone** 2 of 7 acres located on **Low Ground Road** from **AR-1 to AR-2** to allow for a new home site. **Map# 350 Parcel# 3C** in the **First District**

7. [2024-112 Public Hearing] *Chelsie Fernald*

The Planning Board recommends **approving** an application by **James Dasher** as agent for **Lain Nolan Earl Jr.** to **rezone** 185 acres located at **311 Earl Lain Road** from **AR-1 to R-5** to allow for a residential development. **Map# 435 Parcel# 19** in the **Second District**

8. [2024-113 Second Reading]

Consideration to approve a Second Reading of an application by **James Dasher** as agent for **Lain Nolan Earl Jr.** to **rezone** 185 acres located at **311 Earl Lain Road** from **AR-1 to R-5** to allow for a residential development. **Map# 435 Parcel# 19** in the **Second District**

9. [2024-114 Public Hearing] *Chelsie Fernald*

The Planning Board recommends **approving** an application by **Kevin Forbes** as agent for **T&T Exley Properties/ Thomas and Hutton Engineering Co.** to **rezone** 1051

acres located on **Highway 21** from **PD to PD** to allow for the amendment of a Planned Development. **Map# 446D Parcel# 6, 9, & 11** in the **Second District**

10. [2024-115 Second Reading]

Consideration to approve the Second Reading of an application by **Kevin Forbes** as agent for **T&T Exley Properties/ Thomas and Hutton Engineering Co.** to **rezone** 1051 acres located on **Highway 21** from **PD to PD** to allow for the amendment of a Planned Development. **Map# 446D Parcel# 6, 9, & 11** in the **Second District**

11. [2024-116 Public Hearing] *Chelsie Fernald*

The Planning Board recommend **approving** an application by **William Schaffner** to **rezone** 2 of 8.16 acres located at **165 Briarwood Court** from **AR-1 to AR-2** to allow for a subdivision to create new home sites. **Map# 398C Parcel# 11** in the **Second District**

12. [2024-117 Second Reading]

Consideration to approve the Second Reading of an application by **William Schaffner** to **rezone** 2 of 8.16 acres located at **165 Briarwood Court** from **AR-1 to AR-2** to allow for a subdivision to create new home sites. **Map# 398C Parcel# 11** in the **Second District**

13. [2024-118 Public Hearing] *Chelsie Fernald*

The Planning Board recommend **approving** an application by **Penny West** to **rezone** 5 acres located at **3768 Old Dixie Highway South** from **AR-1 to AR-2** to allow for new home sites. **Map# 339 Parcel# 6** in the **Third District**

14. [2024-119 Second Reading]

Consideration to approve the Second Reading of an application by **Penny West** to **rezone** 5 acres located at **3768 Old Dixie Highway South** from **AR-1 to AR-2** to allow for new home sites. **Map# 339 Parcel# 6** in the **Third District**

15. [2024-120 Public Hearing] *Chelsie Fernald*

The Planning Board recommend **approving** an application by **Samuel Bradford** to **rezone** 5 acres located at **800 Savannah Town Road** from **AR-1 to AR-2** to allow for new home sites. **Map# 246 Parcel# 11A** in the **Third District**

16. [2024-121 Second Reading]

Consideration to approve a Second Reading of an application by **Samuel Bradford** to **rezone** 5 acres located at **800 Savannah Town Road** from **AR-1 to AR-2** to allow for new home sites. **Map# 246 Parcel# 11A** in the **Third District**

XVI. Adjournment

Staff Report

Subject: Consideration to allow the Mutual Aid Agreement with the American Society for the Prevention of Cruelty to Animals to continue.

Author: Alison Bruton, Purchasing Agent, Lorna Shelton, Shelter Director

Department: Purchasing and Animal Shelter

Meeting Date: 03-5-2024

Item Description: Mutual Aid Agreement Renewal with ASPCA

Summary Recommendation: Approval to renew

Executive Summary/Background:

- The County has an agreement in place with the ASPCA to facilitate the identification and coordination of assistance and animal rescue efforts. The parties' objective is to maximize the welfare of animals and their care-takers before, during, and after a major incident, and to minimize the loss of life and animal suffering that might occur following such an incident. The agreement runs from 4 April 2017 until 4 April 2022, after which there is an automatic renewal for a period of 5 years.
- In the event of an emergency this agreement will allow the county to request assistance from the American Society for the Prevention of Cruelty to Animals (ASPCA).
- The ASPCA will provide assistance with temporary animal sheltering if an evacuation of our facility becomes necessary.
- Each party shall be responsible for all of its own costs associated with providing assistance unless previously agreed upon arrangements have been made.
- ASPCA personnel and equipment will be, to the greatest extent possible, self-sufficient for operations in areas stricken by disasters or emergencies, including animal cruelty events.
- Each party will be responsible for providing its own insurance coverage.
- The agreement runs from 04-04-17 until 04-04-22, with an automatic renewal for a period of 5 years unless terminated with 15 days written notice by either party at any time.
- The agreement has previously been reviewed and approved to form by the County Attorney.

Alternatives for Commission to Consider

1. Board approval to allow the Mutual Aid Agreement with the American Society for the Prevention of Cruelty to Animals to continue.
2. Cancel the Mutual Aid Agreement with the American Society for the Prevention of Cruelty to Animals by giving 15 days written notice.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Purchasing & Animal Shelter

Funding Source: As needed in emergency situations only

Attachments: Mutual Aid Agreement.



**Mutual Aid Agreement Between
The American Society for the
Prevention of Cruelty to Animals
and
Effingham County, Georgia
“Cooperating Party”**

I. PURPOSE

The purpose of this Mutual Aid Agreement (this “Agreement”) is to create a working relationship between the American Society for the Prevention of Cruelty to Animals (“ASPCA”) and Effingham County (“Cooperating Party”). The parties to this Agreement are the ASPCA and the Cooperating Party (each a “Party” and, collectively, the “Parties”).

The further purpose of this Agreement is to facilitate the identification and coordination of assistance and animal rescue efforts. The Parties’ objective is to maximize the welfare of animals and their care-takers before, during, and after a major incident, and to minimize the loss of life and animal suffering that might occur following such an incident. This Agreement shall be effective as of the date of the last signature below (the “Effective Date”).

The Parties to this Agreement have determined that it is in the best interests of themselves and the communities they shall assist, including but not limited to Effingham County to foster communications and the sharing of resources, personnel, and equipment in the event of an incident that threatens the welfare of animals.

This Agreement provides the broad framework for cooperation and communication between ASPCA and the Cooperating Party in providing assistance and service to animals as well as for other services for which cooperation may be mutually beneficial.

II. CONCEPT OF OPERATIONS: Both ASPCA and the Cooperating Party are separate and independent entities. As such, each Party retains its own identity in providing services, and each Party is responsible for establishing its own policies and financing its own activities.

III. DEFINITIONS

A. Disaster: A disaster shall be defined as any natural or manmade situation that causes animal suffering or creates animal needs that cannot be met by a community, including, but not limited to, the Cooperating Party, without outside assistance.

B. Animal Cruelty: Animal Cruelty shall be defined as any incident involving or related to abuse or neglect of animals.

C. Authorized Representative: The list of names and titles of authorized representatives for each Party shall be attached hereto as “Exhibit A” and shall be updated as needed by each Party by means of a written notification.

IV. MUTUAL UNDERSTANDING

A. The ASPCA is a not-for-profit organization that exists to provide effective means for the prevention of cruelty to animals throughout the United States (the “ASPCA Mission”);

B. The Cooperating Party is an authority that has emergency management and animal control responsibilities for Effingham County, and its mission is to provide, through the highest integrity, a county government which will assure our citizens a safe and healthy environment to encourage and promote a high quality of life.;

C. The ASPCA’s Field Investigations and Response Department (the “ASPCA Field Team”), working in conjunction with local authorities, leads large scale Disaster response operations and assists in large-scale Animal Cruelty case operations (each an “Operation”) across the country;

D. In the event of an Operation, an agency with appropriate authority over affected animals may give temporary custody and/or ownership rights (as applicable) of, or delegate authority over, such animals to the ASPCA;

E. The ASPCA Field Investigations and Response Team often retains custody of a large number of animals during any particular Operation;

F. The ASPCA Field Investigations and Response Team may require the services of volunteers and/or other resources from the Cooperating Party in the event of an Operation;

G. The ASPCA and the Cooperating Party wish to create a mutually beneficial agreement outlining potential services that may be provided by each organization in the event of an Operation; and

H. The ASPCA and the Cooperating Party wish to establish, in advance of any request for assistance, the terms and/or guidelines that will govern a working relationship between the Parties.

V. METHODS OF COOPERATION

In order that the resources of ASPCA and the Cooperating Party may be coordinated and best utilized when providing assistance under this Agreement, both Parties agree to the following principles:

A. Close communication shall be maintained between ASPCA and the Cooperating Party through the use of meetings, telephone conferences, email, and other means in the event of a potential or actual response. This communication will include requests for assistance, situation reports, and other response-related communications. Each Party will

share current data regarding the incident/event, declarations and changes in personnel, policies, and legislation. Interaction and liaison shall be encouraged at all levels of both Parties' organizations.

B. ASPCA and the Cooperating Party will distribute this Agreement internally and shall urge full cooperation. Without limiting the generality of the foregoing, Cooperating Party shall notify potentially responsible agencies, including but not limited to emergency management and appropriate Emergency Support Functions (ESF), law enforcement and/or the fire department, of the arrangement between the Parties under this Agreement.

C. ASPCA and the Cooperating Party will keep each other updated as to the Authorized Representatives to contact for emergency assistance or response.

D. In no event shall the Cooperating Party use the ASPCA name and/or logo for any reason without the express written agreement of the ASPCA, in advance.

VI. RESPONSE COORDINATION

A. Requests for Assistance

1. Cooperating Party may directly contact the Authorized Representative of the ASPCA, and shall provide him/her with the following information when requesting assistance pursuant to this Agreement:

- a) A general description of the situation.
- b) Identification of the emergency service function or functions for which assistance is needed (e.g., emergency medical, search and rescue, transportation, communications, planning and information assistance, resource support, temporary animal sheltering, assistance with investigations of alleged animal cruelty, and other services, etc.).
- c) The amount and type of personnel, equipment, materials, temporary housing, and/or supplies needed, and a reasonable estimate of the length of time that each will be needed.
- d) The need for sites, structures, or buildings to serve as relief centers or staging areas for incoming personnel, goods, equipment, and/or services.
- e) Contact name and number of a person for the responding team to meet.
- f) The means for the responding team to enter the affected area.

g) The names of any other entities which have also been asked to assist.

2. The required information may be provided on the form attached to this Agreement as Exhibit "B," or by any other available means. Said request shall also include information detailing the nature of the original request from the authorities authorizing the response, as applicable. It is understood between the Parties that any response to an event will be based on the National Incident Management System model and fall under the umbrella of the established Emergency Operations Center for each incident. It is further understood between the Parties that any response to a large-scale animal seizure or other similar type of manmade emergency may be under the jurisdiction of federal, state or local law enforcement authorities that are not party to this Agreement.

3. A request for assistance must be in writing by fax, email, or other agreed-upon method. If applicable, the Cooperating Party shall only request the assistance of the ASPCA if the Cooperating Party has approval of the proper authorities that are necessary for the ASPCA to provide the assistance requested. All requests for assistance will be handled on a priority basis, and assistance may be refused if resources are limited, at the sole discretion of the ASPCA.

B. Requests for Volunteers. In some instances, the ASPCA may request employees and/or volunteers of the Cooperating Party to assist in the on-scene and/or sheltering portion of an Operation. This request will be made by means of an email or phone call from the ASPCA to the Cooperating Party. The provision of volunteers by the Cooperating Party shall be subject to the following:

1. Team Leader. If a Cooperating Party provides employees and/or volunteers to assist the ASPCA in an Operation (collectively, the "Cooperating Party Volunteers"), the Cooperating Party must designate one individual as a Cooperating Party Volunteers' "Team Leader." The Team Leader will act as the primary contact for the Cooperating Party Volunteers on any given deployment and shall work with the ASPCA to ensure that the Cooperating Party Volunteers are performing the functions for which they are volunteering and that any of the Cooperating Party Volunteers' concerns are addressed to the best of the ASPCA's ability. For the avoidance of doubt, the Parties acknowledge and agree that the ASPCA shall manage any Cooperating Party Volunteers. A Team Leader must be either:

- a) A Cooperating Party employee; or
- b) A Cooperating Party volunteer who has significant experience successfully managing volunteers on behalf of the Cooperating Party.

2. Responder Responsibilities. The ASPCA shall use its best efforts to provide an advance description of the responsibilities that will be performed by

volunteers with respect to any given Operation; however, the Cooperating Party understands and agrees that volunteers will generally perform activities in a high risk setting that are highly demanding both physically and mentally, and volunteers are often subjected to a significant level of physical and mental stress. For example, volunteers may be required to lift heavy items, and certain qualified volunteers may assist with technical rescue. Cooperating Party shall use its best efforts to provide the ASPCA only with suitable Cooperating Party Volunteers who will be able to endure such strenuous conditions, and Cooperating Party agrees that it shall be responsible for vetting any potential Cooperating Party Volunteers prior to deploying them on any Operation. Cooperating Party shall convey any special requests of potential volunteers to the extent that such information is available to the Cooperating Party.

3. Dismissal of Cooperating Party Volunteers. The ASPCA reserves the right to require any Cooperating Party Volunteers to leave any given Operation for any reason or for no reason. Such determinations shall be made in the sole and absolute discretion of the ASPCA.

4. ASPCA Release of Liability. The Cooperating Party will provide any potential Cooperating Party Volunteer with a copy of the Release of Liability provided by the ASPCA, the current version of which is attached hereto as Exhibit D, for such potential Cooperating Party Volunteer to sign prior to assisting with an Operation. The Cooperating Party shall provide the ASPCA with a signed Release of Liability prior to sending any Cooperating Party Volunteer to assist on any Operation. The Cooperating Party acknowledges and agrees that the ASPCA shall not allow any Cooperating Party Volunteer to assist with an Operation unless such Cooperating Party Volunteer has signed the Release of Liability provided by the ASPCA. In addition, the Cooperating Party shall ensure that, unless the Cooperating Party Volunteer is an employee of the Cooperating Party, the Cooperating Party Volunteer is approved as a volunteer of the Cooperating Party according to the Cooperating Party's customary procedures for retaining volunteers, including but not limited to requiring the Cooperating Party Volunteer to sign the Cooperating Party's volunteer agreement.

5. Insurance. Cooperating Party acknowledges and agrees that Cooperating Party Volunteers are not entitled to medical disability, life insurance coverage or any other compensation from the ASPCA and that Cooperating Party Volunteers are required to carry their own medical insurance (including, if applicable, veterinary professional malpractice insurance).

6. Relationship of Parties. Cooperating Party acknowledges and agrees that while any employee who is sent to an Operation as a Cooperating Party Volunteer

shall be directed by the ASPCA with respect to his or her duties as a volunteer during an Operation, such Cooperating Party Volunteer shall remain an employee of the Cooperating Party and will in no way be considered an employee of the ASPCA.

C. Receipt of Animals by Cooperating Party

1. In the event of a Disaster, Animal Cruelty event and/or large-scale seizure, the ASPCA Field Investigations and Response Team may ask the Cooperating Party to accept animals, using the protocol described herein, when such animals are legally freed for adoption, available for temporary foster, and/or legally freed for custody to be transferred to a third party, by the agency or government entity which has legal ownership over such animal.

2. The Cooperating Party may assist and accept animals from the ASPCA Field Investigations and Response Team (each, an "Animal") ONLY if the Cooperating Party has adequate space and resources to house the Animals humanely and will not euthanize any Animal brought to Cooperating Party by the ASPCA due to lack of space for additional incoming animals.

3. In the event that Animals are transferred by the ASPCA to the Cooperating Party, unless otherwise agreed to by the Parties, the ASPCA will have provided appropriate veterinary medical services and/or behavior evaluations where possible prior to the Animals' transfer. The ASPCA shall provide the Cooperating Party with documentation of such services, where possible.

4. In cases in which the Cooperating Party receives, or is asked to receive, Animal(s) from the ASPCA during an Operation, the Cooperating Party shall:

a) Accept Animals only when the Cooperating Party has the resources and capacity to ensure their humane treatment (including proper food, water, shelter, medical care and exercise and a reasonable expectation of adoption);

b) Assume financial responsibility for the care of the Animal(s), subject to Section VII below;

- c) Not permit any Animal(s) to be used for any experimental purpose whatsoever;
- d) In cases in which the ASPCA has legal ownership of Animal(s), accept the transfer of ownership of such Animal(s) from the ASPCA to the Cooperating Party in accordance with a separate transfer agreement; and
- e) Provide follow-up reporting on final disposition and location of all Animals that were transferred to the Cooperating Party (numbers adopted, transferred, and euthanized).

D. Written Acknowledgment: The ASPCA shall respond to a request for assistance by the quickest practical means. Requests will be considered based upon the resources available at the time the requests are received. Upon receiving such a request, ASPCA will determine whether, and the extent to which, to deploy available resources to the Cooperating Party in accordance with such requests. If additional resources are needed beyond what ASPCA can provide, ASPCA, in conjunction with the Cooperating Party, may coordinate the contact, activation, and deployment of its National Response Partner Network to secure additional resources, subject to the terms of this Agreement. The form attached as Exhibit "C" is provided as an example of the format to be used to insure the transmission of the necessary information.

VII. COSTS OF ASSISTANCE: Each Party shall be responsible for all of its own costs associated with providing assistance unless previous agreed upon arrangements have been made. ASPCA and the Cooperating Party shall not be liable for any portion of any expenses incurred by the other unless it has been expressly agreed upon in writing, prior to the incurrence of the expense.

VIII. PERIOD OF ASSISTANCE: The period of assistance shall be the time (A) beginning with (1) the departure of any personnel and/or equipment of the ASPCA from any point for the purpose of traveling to Cooperating Party in order to provide assistance, or (2) the admission of the first animal into temporary housing facilities provided pursuant to this Agreement; and (B) ending upon (1) the return of all personnel and equipment of the ASPCA, after providing the assistance requested, to their residence or regular place of work, whichever occurs first, or (2) the departure of the last animal that was admitted into temporary housing facilities pursuant to this Agreement.

IX. RELATIONSHIP; SUPERVISION AND CONTROL: Nothing in this Agreement shall be so construed as to create a relationship of employer and employee, or principal and agent, partnership or joint venture as between ASPCA and the Cooperating Party. Nothing in this Agreement shall be so construed as to provide either Party with the authority to bind the

other to any agreement, undertaking, cost, liability or expense of any nature without the express written consent of the other.

Each of the ASPCA and the Cooperating Party shall be separately responsible for the operation and maintenance of its own personnel, equipment, and resources, and each Party's personnel, equipment, and resources shall generally remain under the operational control of such Party. ASPCA shall maintain daily personnel time records, material records, a log of equipment hours, and daily activity reports to be provided upon request. The ASPCA reserves the right under this Agreement to withdraw its resources at any time, subject to reasonable notice to the other Party. Cooperating Party shall provide the ASPCA with at least seventy-two hour advance notification of Cooperating Party's intent to disallow animals to have continued access to temporary housing and at least twenty-four hour advance notification of Cooperating Party's intent to withdraw any other resources or personnel that has been provided to assist the ASPCA unless such notice is not practicable; in which case, such notice as is reasonable shall be provided. Equipment purchased in connection with responding to a Disaster or Animal Cruelty event pursuant to this Agreement will remain the property of the purchasing Party, unless otherwise agreed in writing.

X. FOOD; HOUSING; SELF-SUFFICIENCY: ASPCA personnel and equipment will be, to the greatest extent possible, self-sufficient for operations in areas stricken by Disasters or emergencies, including Animal Cruelty events.

XI. PUBLICITY: During a joint effort, reasonable efforts to promote the identity of both Parties shall be clearly communicated through all available means. ASPCA and the Cooperating Party shall make every effort to keep the public informed of their cooperative efforts. Whenever possible, onsite signage, press releases, interviews and other communications efforts shall indicate the involvement of both ASPCA and the Cooperating Party. When possible, advance notice and review of releases/reports shall be given by each Party to the other. The Parties agree to share photography, videography and other materials that can be used for publicity purposes with the understanding that the Party responsible for procuring said materials is credited as the source; provided, however, that in the case of animal cruelty, the appropriate jurisdictional authority shall have the final approval on any press releases or photographs released in relation to such animal cruelty. The Parties acknowledge and agree that any such photographs, videos, and/or other materials may be used for any lawful purpose, including fundraising purposes. If applicable, Cooperating Party must also secure any and all necessary permission from federal, state, or local law enforcement, if necessary, for use of the materials and shall provide confirmation of such permission to the ASPCA. Without such permission, neither Party may use any materials for publicity purposes that were gathered at any actual or potential crime scene. If applicable, results arising from joint studies between ASPCA and the Cooperating Party shall be jointly owned and both Parties shall retain ownership and access without inhibition.

XII. FUNDRAISING: Cooperating Party recognizes the ASPCA's dependence on voluntary public financial support to carry out Disaster and Animal Cruelty relief efforts. The ASPCA shall be free to make special appeals to the public and to its members, if any, for funding.

XIII. NON-EXCLUSIVE AGREEMENT: This Agreement is non-exclusive; ASPCA and the Cooperating Party reserve the right to form similar agreements with other parties. If more than one party is assisting, it is strongly encouraged that Cooperating Party seek an agreement with both assisting parties that requires all parties share information in a way similar to what is outlined under the above "Methods of Cooperation," section V.

XIV. INSURANCE: ASPCA shall carry its own insurance covering its individual organization and field operations. The Cooperating Party is a department of Effingham County whose employees and assets are covered under the Association County Commissioners of Georgia's Group Self-Insurance Worker's Compensation Fund and Interlocal Risk Management Agency insurance policies.

XV. ASPCA MISSION: In the course of responding to a Disaster or Animal Cruelty event, Cooperating Party shall strive to support the ASPCA's mission of providing effective means for the prevention of cruelty to animals throughout the United States and conduct its operations accordingly.

XVI. CONFIDENTIALITY: To the extent permitted by freedom of information and other public records laws, including but not limited to Georgia Open Records Act (Ga. Code Ann. § 50.18.70 et seq.), ASPCA and Cooperating Party agree to keep, and to ensure that their respective employees, agents, representatives, and volunteers keep, confidential all materials and information that are provided by ASPCA or the Cooperating Party (as the "Disclosing Party") in connection with its performance under this Agreement and that are not made available to the general public, including without limitation, financial information, and information and materials about either Party's or its affiliates' operations, campaigns, and/or strategic or tactical plans (collectively the "Confidential Information").

Neither ASPCA nor the Cooperating Party shall, and each shall ensure that its employees, agents, representatives, and volunteers shall not, use, disclose, or publish any Confidential Information without proper written approval of the Disclosing Party either during or subsequent to the term of this Agreement except that ASPCA's and the Cooperating Party's employees, agents, representatives, and volunteers may use the information during the term of this Agreement to the extent (and only to the extent) necessary to perform services pursuant to this Agreement. All Confidential Information shall at all times be and remain the exclusive property of the Disclosing Party.

XVII. LIABILITY, DEFENSE AND INDEMNITY

A. Claims Arising From Concurrent Acts or Omissions: Cooperating Party hereby agrees to defend itself, and ASPCA hereby agrees to defend itself, from any claim, action or proceeding arising out of the concurrent acts or omissions of Cooperating Party and ASPCA. In such cases, Cooperating Party and ASPCA agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs, except as provided in paragraph XVII(C) below.

B. Joint Defense: Notwithstanding paragraph XVII (A) above, in cases where Cooperating Party and ASPCA agree in writing to a joint defense, Cooperating Party and ASPCA may appoint joint defense counsel to defend the claim, action or proceeding arising out of the concurrent acts or omissions of ASPCA and Cooperating Party. Joint defense counsel shall be selected by mutual agreement of Cooperating Party and ASPCA. Cooperating Party and ASPCA agree to share the costs of such joint defense and any agreed settlement in equal amounts, except as provided in paragraph XVII(C) below or as otherwise provided in such written joint defense agreement. Cooperating Party and ASPCA further agree that neither party may bind the other to a settlement agreement without the written consent of both Cooperating Party and ASPCA.

C. Reimbursement and/or Reallocation: Where a trial verdict or arbitration award allocates or determines the comparative fault of the parties, Cooperating Party and ASPCA may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments and awards, consistent with such comparative fault.

D. Limitation of Liability. Neither Party shall be liable to the other party for any incidental, consequential, indirect, special or punitive damages arising in connection with this Agreement or its termination or the breach of any obligation arising hereunder, whether for breach of contract, tort, negligence or other form of action.

XVIII. ENTIRE AGREEMENT; AMENDMENT; COUNTERPARTS : This Agreement constitutes and contains the entire agreement between the Parties with respect to the subject matter herein, supersedes all prior written or oral understandings and agreements relating thereto, and may not be changed, modified, amended or supplemented, except by written consent of both Parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, and which collectively will be deemed one document.

XIX. PERIODIC REVIEW: ASPCA and the Cooperating Party shall, on an annual basis, on or around the anniversary date of this Agreement, jointly evaluate progress in the implementation of this Agreement and revise and develop new plans or goals as appropriate.

XX. TERM; TERMINATION:  Agreement shall be effective as of the Effective Date and shall remain in effect for five years following the Effective Date. This Agreement shall automatically renew for a period of five years, but may be terminated by fifteen (15) days' written notification from either Party at any time.

[Signature page follows.]

Approved by:

ASPCA



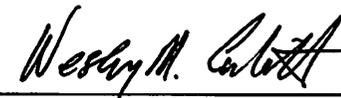
Tim Rickey
Vice President, Field Investigations and Response
American Society for the Prevention of Cruelty to Animals
424 East 92nd Street
New York, NY 10128

8-23-2017

Date

Cooperating Party

Agency Name: Effingham Co. Board of Commissioners



04/04/2017

Print Name: Wesley M. Corbitt

Date

Title: Chairman

County: Effingham

Address: 601 N. Laurel Street
Springfield, GA 31329

EXHIBIT A—AUTHORIZED REPRESENTATIVES

**ORGANIZATION NAME: THE AMERICAN SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS**

424 East 92nd Street
New York, NY 10128

**Authorized Representatives to Contact for Emergency Assistance
Primary Representative**

Name: Dick Green

Title: Sr. Director, Disaster Response

Address: 424 East 92nd Street, New York, NY 10128

Day Phone: 917-675-0653 Night Phone: Same

First Alternate Representative

Name: Tim Rickey

Title: Vice President, Field Investigations and Response

24-hour Telephone Number: 646-599-2742

Address: PO Box 131 St. Clair Mo 63077

Day Phone: 646-599-2742 Night Phone: _____

Second Alternate Representative

Name: Lacie Davis

Title: Disaster Response Manager

Address: 424 East 92nd Street, New York, NY 10128

Day Phone: (646) 942-8939 Night Phone: Same

EXHIBIT A (cont.) – Effingham County:

Mailing Address: 601 N. Laurel Street
City, State, Zip Code: Springfield, GA 31329

Authorized Representatives to Contact for Emergency Assistance

Primary Representative

Name: Lorna Shelton
Title: Director
24-hour Telephone Number: 912-674-6900
Address: 121 Windchime Lane Brooklet GA 30415
Day Phone: 912-754-2109 Night Phone: SAA
Pager: _____ Fax: 912-754-2199

First Alternate Representative

Name: Jessica Kicklighter
Title: Kennel Tech
Address: 3994 Courthouse Rd Guyton GA 31312
Day Phone: 912-665-5636 Night Phone: 912-6567254 (Mom)
Pager: _____ Fax: _____

Second Alternate Representative

Name: Tommy Williams
Title: Humane Services Corpal
Address: Sheriff Office Hwy 21 Springfield GA 31329
Day Phone: 912-650-3601 Night Phone: 912-690-0233
Pager: 912-754-4195 Dispatch Fax: _____

Angela Velazco 210-793-5334 Kennel Tech

5. Need for sites, structures or buildings to serve as relief centers or staging areas for incoming personnel, goods, equipment, and services:

6. Estimated time and a specific place for a representative of Cooperating Party to meet the personnel and equipment of the ASPCA:

7. List the names of other organizations which you have also asked to help or with which you have an existing MAA or MOU:

8. Please list what services you, or another organization, are willing to provide:

EXHIBIT C

ACKNOWLEDGMENT

To be completed by the ASPCA.

AUTHORIZED REPRESENTATIVE: _____

CONTACT NUMBER/PROCEDURES: _____

1. Assistance to be provided:

<u>Resource Type</u>	<u>Amount</u>	<u>Est. Arrival</u>
<u>Date/Time</u>		

2. Availability of Additional Resources:

3. Time Limitations on Resources Provided, if any:

EXHIBIT D**RELEASE OF LIABILITY**

On this ___ day of _____, 20___, I hereby acknowledge that I am a volunteer/employee of _____ (Organization Name) (the "Organization"), and while I am not a volunteer of the American Society for the Prevention of Cruelty to Animals ("ASPCA"), I have voluntarily applied to assist the ASPCA (without compensation) in a disaster and/or cruelty response situation to which the ASPCA is responding.

I AM AWARE THAT WORKING IN A DISASTER AND/OR CRUELTY RESPONSE SITUATION MAY BE HAZARDOUS, AND I AM VOLUNTARILY PARTICIPATING IN THIS ACTIVITY WITH FULL KNOWLEDGE OF THE NATURE AND DANGER INVOLVED AND HEREBY AGREE TO ACCEPT ANY AND ALL RISKS OF INJURY OR DEATH. I FURTHER ACKNOWLEDGE AND AGREE THAT I MAY NOT ASSIST WITH A DISASTER OR CRUELTY RESPONSE OPERATION UNLESS I HAVE MEDICAL INSURANCE.

I recognize that I am not entitled to medical disability, life insurance coverage or any other compensation from the ASPCA and that I am required to carry my own medical insurance (and, if applicable, veterinary professional malpractice insurance). **I acknowledge and agree that if I do not have medical insurance, I may not volunteer for any operation managed by the ASPCA.** I understand that although I registered as a volunteer/employee for the Organization and am not an ASPCA volunteer, this operation is managed by the ASPCA and I may at any time with or without cause be removed from my volunteer position at the sole discretion of the ASPCA. In addition, I understand and agree that the ASPCA will not directly reimburse me for any expenses incurred in connection with my volunteer position.

As lawful consideration for assisting in a disaster and/or cruelty response situation, I hereby agree that I, my heirs, distributees, guardians, legal representatives, and assigns will: (a) keep confidential the location, and details of the disaster and/or cruelty response; (b) not make a claim against, sue, attach the property of, or prosecute the ASPCA for injury or damage resulting from the ASPCA or its affiliates, as a result of my voluntary assistance in a disaster and/or cruelty response situation; and (c) release, indemnify, defend, and hold harmless the ASPCA from all actions, claims, or demands I, my heirs, distributees, guardians, legal representatives, or assigns may have for injury or damage resulting from my assistance in a disaster and/or cruelty response situation.

I agree that while I am voluntarily assisting at an ASPCA-managed operation, the ASPCA may take photographs or video in which I may appear, or permit others to take photographs or video in which I may appear, and that the ASPCA may use or authorize the use of the photographs or video in which I appear in any way it deems appropriate to support its mission, including fundraising purposes.

I HEREBY WARRANT THAT I (A) HAVE THE RIGHT TO ENTER INTO THIS AGREEMENT, (B) AM OVER EIGHTEEN (18) YEARS OF AGE, (C) HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENT, (D) AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A

CONTRACT BETWEEN ME AND THE ASPCA, AND (E) SIGN THIS OF MY OWN FREE WILL.

THIRD-PARTY VOLUNTEER

ASPCA

PRINTED NAME

PRINTED NAME

SIGNATURE

SIGNATURE

Staff Report

Subject: Firehouse Subs Public Safety Foundation Grant
Author: Kathy Candler, Grants Coordinator, presented by Mark W. Barnes, Finance Director
Department: Finance Department
Meeting Date: 3/5/2024
Item Description: Consideration to submit a grant application to Firehouse Subs Public Safety Foundation.

Summary Recommendation:

Staff is recommends approval to submit a grant application to Firehouse Subs Public Safety Foundation.

Executive Summary:

Firehouse Subs Public Safety Foundation was founded in 2005 in the aftermath of Hurricane Katrina. Firehouse Subs founders, Chris Sorensen and Robin Sorensen, traveled to Mississippi where they fed first responders as well as survivors. As they traveled back to Florida exhausted and exhilarated, they knew more was needed and the Firehouse Subs Public Safety Foundation was born. Chris and Robin are generous visionaries and the Foundation’s largest individual donors, and, as members of the Foundation's board of directors, they approve donations for lifesaving equipment and funding for first responders every quarter. They continue to advance the Foundation's mission and have awarded millions of dollars’ worth of lifesaving equipment and resources to fire, police, and public safety organizations across the country.

Effingham County Fire Rescue is experiencing an increase in demand for service, which has increased the demand for training of personnel. These funds will be used to purchase a Smoke Generator and four Smart-Dummy Rescue Manikins for more intense training and to ensure our citizens are provided with the best response possible.

Background:

1. The grant process is competitive.
2. There is no cost share requirement, and the equipment estimate is as follows:

Item	Item Cost	Quantity	Total
10178557 MSA 10178557 Altair 4XR Multigas Detector, (LEL, O2, H2S & CO), Charcoal Case, North American Charger	\$860.31	15	\$12,904.65
MSA-4XKIT MSA Galaxy GX2 Altair 4X and 4XR Automated Gas Detector Complete Test System	\$4157.01	1	\$4157.01
ISP20			(-) \$20.00
GRAND TOTAL			\$ 17,041.66

3. Application deadline is May 4, 2024.

Alternatives for the Commission to Consider:

1. Approve to submission of a grant application to Firehouse Subs Public Safety Foundation.
2. Do not approve to submission of a grant application to Firehouse Subs Public Safety Foundation.
3. Provide Staff with Direction

Recommended Alternative:

Staff recommends Alternative number 1 – Approve to submit a grant application to Firehouse Subs Public Safety Foundation.

Other Alternatives:

N/A

Department Review: *(list departments)*

Effingham County Fire Rescue

Funding Source:

There is no cost share requirement.

Attachments:

1. Firehouse Subs Public Safety Foundation Grant Application Information
2. Fire Rescue Equipment quote

Estimate

Quote# SQ-27322

Bill To

Effingham Co. Fire Rescue & EMA
Hannah R. Jenkins
804 S. Laurel St
Springfield, Georgia 31329
U.S.A
(912) 754-8888

Ship To

Effingham Co. Fire Rescue &
EMA
Hannah R. Jenkins
804 S. Laurel St
Springfield, Georgia 31329
(912) 754-8888

Quote Date : 02/16/2024
Expiry Date : 05/15/2024
Payment Terms : COD

#	Item & Description	Qty	Rate	Amount
1	10178557 MSA 10178557 Altair 4XR Multigas Detector, (LEL, O2, H2S & CO), Charcoal Case, North American Charger	15 Each	860.31	12,904.65
2	MSA-4XKIT MSA Galaxy GX2 Altair 4X and 4XR Automated Gas Detector Complete Test System	1	4,157.01	4,157.01
			Sub Total	17,061.66
			ISP20	(-) 20.00
			Total	\$17,041.66

Looking forward to your business.

Terms & Conditions

Sales rep: Jhon Anderson Betancur ext 103
Free shipping applied
Special bulk discount applied as courtesy for both lines
Additional courtesy discount \$20 off applied



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SIGN IN

Item IX. 2.

Application Guidelines and Required Attachments

Stop Here and Print This Page. You Will not be able to return to this page.

Please prepare the following attachments before you continue. We cannot consider your application if any of the required information is missing.

Background/History

Brief history of your department or organization, and how this grant will benefit your community

Vendor Equipment Quote/Bid

You must provide an official vendor quote with the following information for your grant request to be considered. Submitted quotes MUST meet the requirements below, please read carefully:

- Only one vendor quote must be submitted for related items only, within one equipment category
- Vendor sales representative's first and last name must be included on quote
- Vendor email address must be included on quote
- The name & **physical** address of your organization must be included
- The first & last name of a contact person from your organization must be included
- Only one vendor quote can be submitted. Your application will be marked incomplete if more than one quote is submitted.
- Quote must be itemized
- Online quotes will not be accepted
- Must be dated within six months of the application deadline
- Must contain **only** the item(s) pertaining to your grant request
- The total dollar amount and equipment quantities in the vendor quote **MUST MATCH** the total that your department is requesting on the application
- Include sales tax if applicable and freight charges, if applicable. Firehouse Subs Public Safety Foundation will not be responsible for additional shipping costs or sales tax not included in the submitted quote.
- The cost of maintenance plans and extended warranties are not permissible
- Firehouse Subs Public Safety Foundation will not be responsible for restocking fees or costs related to errors within your quote

Important: Only one vendor quote may be submitted for related items only, within one equipment category. Unrelated equipment cannot be combined into one quote. Examples of **unacceptable** requests include quotes for un-related equipment:

- Cutter, Spreader and Fire Hoses*
- AEDs and gas monitors*

- Requests with more than one quote

* these items do not belong in the same equipment category

Your application will be marked incomplete if multiple quotes are submitted or if a quote containing multiple types of equipment is submitted.

Note: When requesting a quote/bid from a vendor, please share our quote requirements and notify the vendor that you are applying for a grant from our Foundation.

Most Recent Financial Information

Financials must show revenue and expenses and list the name of your organization, city or county.

One of the following options must be submitted:

- A recent - within one month - Balance Sheet which consists of Assets and Liabilities
- A recent - within one month - Profit & Loss Statement also called an Income Statement
- A current year annual budget showing projected income and expenses
- A previous year audit or 990

Equipment Inventory

Inventory documentation must list the name of your organization.

o Please include a list of apparatus, vehicles and other specialized equipment. The lists we receive vary in length depending on the size and type of organization. (For example, include items such as vehicles, extrication equipment, breathing devices, and personal protective equipment/PPE)

o NOTE: Equipment inventory is only required for first responder organizations. If your organization does not have apparatus, vehicles or specialized equipment, please attach a document noting that the organization does not have any applicable inventory.

Internal Revenue Service Form W-9 (Rev. October 2018)

o Please contact your accounting department or treasurer to obtain a completed W-9 form. Your application will not be considered if any of the following sections of your W-9 are missing.

- Name as shown on your income tax return
- Entity Name, ***if different from line 1***
- Federal Tax Classification (including Other explanation if required)

- Exempt payee code (if any)
- Address
- City, State & Zip Code
- Employer ID Number (EIN)
- Signed by an official of the organization
- Dated no more than one year from the submission date of this application

Item IX. 2.

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SIGN IN

Item IX. 2.

Welcome

Congratulations! Your organization has met Firehouse Subs Public Safety Foundation's pre-qualification criteria to be considered for a grant.

Stop Here and Print This Page. You Will not be able to return to this page.

Thank you for your interest in Firehouse Subs Public Safety Foundation, where we are committed to giving back to communities by supporting first responders and public safety organizations with lifesaving equipment and funding resources.

Grants are considered on a quarterly basis by the Foundation's Board of Directors, and ALL applicants will be notified of a decision regarding their application within two months of the grant deadline.

IMPORTANT: A maximum of 600 grant applications will be accepted on a quarterly basis. Once the maximum number of applications is met, the site will close for the remainder of the quarter. Please apply early in order to secure your request.

- Do not send email inquiries to the Firehouse Subs Care Center or through the Firehouse Subs EMS survey.
- Do not phone the Firehouse Subs main office or Firehouse Subs restaurants with grant inquiries.

The grant process is a partnership. We greatly appreciate your cooperation and compliance.

Grant Applicant FAQs

PRINT & REVIEW THIS PAGE. You will not be able to return to this page.

Please Apply Early. Please **do not** contact area restaurants or Firehouse Subs Care Center with grant-related questions.

What does the Firehouse Subs Public Safety Foundation support?

Our Mission is to impact the lifesaving capabilities, and the lives of local heroes and their communities by providing lifesaving equipment and prevention education tools to first responders, non-profits and public safety organizations. All requests must fall within our funding guidelines via firehousesubsfoundation.org/about-us/funding-areas.

If approved, how are the Foundation's grant awards funded?

The Foundation procures grant awards in one of two ways. The procurement method will be determined by the Foundation team.

- Method 1: Direct Purchase made by the Foundation
- Method 2: Memo of Understanding in which funds will be transferred via ACH to the granted organization

Are there items that your Foundation does not support?

All requests must fall within our funding guidelines found on our website via firehousesubsfoundation.org/about-us/funding-areas. Examples of items that are not supported by our board of directors include:

- body cameras
- building exhaust removal systems
- crash data boxes
- dash cams
- drones and drone accessories
- exercise equipment
- guns/firearms/use of force equipment, riot gear, laser pointers (designators) & tasers
- inflatable bounce houses
- license plate readers
- Narcan & TruNar analyzers
- Cardiac Science Powerheart G3 AEDs & Philips FR3 AEDs
- Polar Breeze thermal rehabilitation systems
- portable message signs
- power load stretchers
- promotional items including apparel, costumes & Pluggie the fire plug/Sparky the Fire Dog robots
- radar detectors
- recording devices
- refurbished equipment
- security systems & surveillance equipment
- stop sticks
- throw bots
- traffic road barriers

Who can apply for this grant?

Fire Departments, law enforcement, EMS, municipal & state organizations, public safety organizations, non-profits and schools are encouraged to apply for lifesaving equipment.

If my organization has received a grant award from Firehouse Subs Public Safety Foundation in the past, when can we reapply?

We ask that grant recipients wait a minimum of two years from the date of approval before reapplying.

Does the Foundation provide reimbursements for purchased equipment?

No. If your organization has already purchased the equipment and is seeking reimbursement, please do not apply.

What are the most common reasons a grant application is marked incomplete?

- Quote is missing the required contact information and/or is not itemized
- Financials are outdated and/or do not include both revenues and expenses

- Alternate contact information is the same contact information as the main contact information
- The name of the organization is missing on the inventory and/or financials
- W9 form is missing the required information

Can my organization submit multiple grant applications?

The Foundation does not accept more than one grant request per organization each quarter. If your organization receives a grant, please wait a minimum of two years from the date of approval to apply again.

Is the Firehouse Subs Public Safety Foundation grant a matching grant?

There are no matching funds involved in our organization's grants program.

What is the Foundation's average funding range?

\$15,000-\$35,000 is a guideline. Requests exceeding \$50,000 will be denied.

What financial information should we provide?

Financials must show revenue and expenses and list the name of your organization, city or county. One of the following options must be submitted:

- o A recent - within one month - Balance Sheet which consists of Assets and Liabilities
- o A recent - within one month - Profit & Loss Statement also called an Income Statement
- o A current year annual budget showing projected income and expenses
- o A previous year audit or 990

What is needed for the required vendor quote/bid attachment?

You must provide an official vendor quote with the following information for your grant request to be considered. Submitted quotes MUST meet the requirements below, please read carefully:

- o Only one vendor quote must be submitted for related items only, within one equipment category
- o Vendor sales representative's first and last name must be included on quote
- o Vendor email address must be included on quote
- o The name & **physical** address of your organization must be included
- o The first & last name of a contact person from your organization must be included
- o Only one vendor quote can be submitted. Your application will be marked incomplete if more than one quote is submitted.
- o Quote must be itemized
- o Online quotes will not be accepted
- o Must be dated within six months of the application deadline
- o Must contain **only** the item(s) pertaining to your grant request
- o The total dollar amount and equipment quantities in the vendor quote **MUST MATCH** the total that your department is requesting on the application
- o Include sales tax if applicable and freight charges, if applicable. Firehouse Subs Public Safety Foundation will not be responsible for additional shipping costs or sales tax not included in the submitted quote.
- o The cost of maintenance plans and extended warranties are not permissible
- o Firehouse Subs Public Safety Foundation will not be responsible for restocking fees or costs related to errors within your quote

Important: Only one vendor quote may be submitted for related items only, within one equipment category. Unrelated equipment cannot be combined into one quote. Examples of unacceptable requests include quotes for un-related equipment:

- Cutter, Spreader and Fire Hoses*
- AEDs and gas monitors*
- Requests with more than one quote

* these items do not belong in the same equipment category

Your application will be marked incomplete if multiple quotes are submitted or if a quote containing multiple types of equipment is submitted.

Note: When requesting a quote/bid from a vendor, please share our quote requirements and notify the vendor that you are applying for a grant from our Foundation.

What inventory information should I provide?

Equipment inventory is required for first responder organizations only. If your organization does not have apparatus, vehicles or specialized equipment, please attach a document noting that the organization does not have any applicable inventory, and include the name of your organization on the document.

For first responders: The inventory documentation must list the name of your organization. Please include a list of apparatus, vehicles and other specialized equipment, if applicable. The lists we receive vary in length depending on the size and type of organization. (For example, include items such as vehicles, extrication equipment, breathing devices, and personal protective equipment/PPE).

If my department is located more than 60 miles from a Firehouse Subs restaurant, should I still apply?

Our Foundation focuses its resources in areas served by Firehouse Subs restaurants, however, we recognize the need of rural and volunteer departments throughout the country, and will consider applications outside of the 60-mile guideline.

When can we expect to find out if our grant has been approved or denied?

Grant award notifications will be emailed to ALL applicants within two months after the grant deadline. Please do not contact the Foundation, restaurants or the Firehouse Subs Care Center with questions regarding your grant status.

Does Firehouse Subs Public Safety Foundation fund requests for "use of force"?

Firehouse Subs Public Safety Foundation does not accept grant requests for "use of force" items such as guns, tasers, riot gear, or firearm simulators.

Does the Foundation only work with specific equipment vendors?

No, the Firehouse Subs Public Safety Foundation does not endorse any specific equipment vendor or brand. Our goal is to provide the equipment that best fits the needs of our recipients, at the best possible price, to enable us to help more organizations.

Does the Foundation fund requests for refurbished equipment?

We do not accept grant requests for refurbished or pre-owned equipment.

Does the Foundation fund requests for patent-pending equipment?

We do not accept grant requests for patent-pending products.

Does the Foundation accept requests for partial funding?

We will consider requests for partial funding, however, the balance of funds must be secured and outlined within your grant request. Documentation of partial funding must be included as part of your background/history attachment.

Please prepare the following attachments before you continue. We cannot consider your application if any of the required information is missing.

Background/History

Brief history of your department or organization, and how this grant will benefit your community

Vendor Equipment Quote/Bid

You must provide an official vendor quote with the following information for your grant request to be considered. Submitted quotes MUST meet the requirements below, please read carefully:

- Vendor sales representative first and last name must be included on quote
- Vendor email address must be included on quote
- The name & physical address of your organization must be included
- The first and last name of a contact person from your organization must be included
- Only one vendor quote can be submitted. Your application will be marked incomplete if more than one quote is submitted.
- Quote must be itemized
- Online quotes will not be accepted
- Must be dated within six months of the application deadline
- Must contain only the item(s) pertaining to your grant request
- The total dollar amount and equipment quantities in the vendor quote MUST MATCH the total that your department is requesting
- Include sales tax if applicable and freight charges if applicable
- The cost of maintenance plans and extended warranties are not permissible
- Firehouse Subs Public Safety Foundation will not be responsible for restocking fees or costs related to errors within your quote
- Firehouse Subs Public Safety Foundation will not be responsible for additional shipping costs or tax not included in the submitted quote

Note: When requesting a quote/bid from a vendor, we highly recommend sharing our quote requirements

with the sales representative and making them aware the quote is for a Firehouse Subs Public Safety Foundation grant application.

Most Recent Financial Information

Financials must show revenue and expenses and list the name of your organization, city or county.

One of the following options must be submitted:

- A recent - within one month - Balance Sheet which consists of Assets and Liabilities
- A recent - within one month - Profit & Loss Statement also called an Income Statement
- A current year annual budget showing projected income and expenses
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Equipment Inventory

Inventory documentation must list the name of your organization.

- o Please include a list of apparatus, vehicles and other specialized equipment. The lists we receive vary in length depending on the size and type of organization. (For example, include items such as vehicles, extrication equipment, breathing devices, and personal protective equipment/PPE)
- o NOTE: Equipment inventory is only required for first responder organizations. If your organization does not have apparatus, vehicles or specialized equipment, please attach a document noting that the organization does not have any applicable inventory.

Internal Revenue Service Form W-9 (Rev. October 2018)

o Please contact your accounting department or treasurer to obtain a completed W-9 form. Your application will not be considered if any of the following sections of your W-9 are missing.

- Name as shown on your income tax return
- Entity Name, ***if different from line 1***
- Federal Tax Classification (including Other explanation if required)
- Exempt payee code (if any)
- Address
- City, State & Zip Code
- Employer ID Number (EIN)
- Signed by an official of the organization
- Dated no more than one year from the submission date of this application

We are unable to provide any additional assistance due to the volume of applications received daily. For technical questions, please email Foundation@FirehouseSubs.com.

Firehouse Subs Public Safety Foundation Scholarships Program

FAQs

How can an individual apply for a Firehouse Subs Public Safety Foundation scholarship?

The scholarship program is open to community members as well as Firehouse Subs employees planning to enroll in a part-time or full-time firefighter, law enforcement or emergency medical (paramedic or EMT) program at an accredited two- or four-year college, university or vocational-technical school for the upcoming academic year. Click [here](#) to learn more.

How can accredited schools apply for scholarship funding?

Accredited schools can apply for scholarship funding in support of firefighter, law enforcement or emergency medical (paramedic or EMT) programs by completing the online grant applications via grants.firehousesubs.com.

We are unable to provide any additional assistance due to the volume of applications received daily. For technical questions, please email Foundation@FirehouseSubs.com.

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APPLICATION CHECKLIST

Before submitting, please check that your application has been submitted completely by reviewing the checklist below. Your application will not be considered if any of information requested throughout the application is missing.

Applicant & Alternate Contact Information

- Main applicant contact information must differ from alternate contact information
 - First and last name, email address and phone number must differ

Background/History Attachment

- Has the following documentation been submitted?
- Background/History- Brief history of your department or organization, and how this grant will benefit your community

Vendor Equipment Quote/Bid

- Does the submitted vendor equipment quote/bid include the following information?
 - Vendor sales representative first and last name
 - Vendor email address
 - The name & *physical* address of your organization
 - The first & last name of a contact person from your organization
 - Only one vendor quote has been submitted
 - The quote must be itemized
 - The quote is dated within six months of the application deadline
 - The quote *only* includes item(s) pertaining to your grant request
 - The total dollar amount and equipment quantities in the vendor quote **MATCH** the total that your department is requesting
 - Include sales tax if applicable and freight charges, if applicable. Firehouse Subs Public Safety Foundation will not be responsible for additional shipping costs or sales tax not included in the submitted quote.
 - Sales tax and freight charges are included, if applicable

Please note: The cost of maintenance plans and extended warranties are not permissible and should not be included in submitted quotes.

Most Recent Financial Information

- Does the submitted financial information include the following information?
 - The organization, city or county name
 - Both revenue and expenses
 - One of the following:
 - A recent - within one month - Balance Sheet which consists of Assets and Liabilities
 - A recent - within one month - Profit & Loss Statement also called an Income Statement
 - A current year annual budget showing projected income and expenses
 - A previous year audit or 990

Equipment Inventory

- Does the submitted equipment inventory include the following information?
 - Organization name
 - A list of your organization's apparatus, vehicles and other specialized equipment

NOTE: Equipment inventory is only required for first responder organizations. If your organization does not have apparatus, vehicles or specialized equipment, please ensure a document is attached noting the organization does not have any applicable inventory.

SAMPLE- Visit FirehouseSubsFoundation.org to apply online.

Internal Revenue Service Form W-9 (Rev. October 2018)

- Does the submitted W-9 include the following requirements?
 - Name as shown on your income tax return
 - Entity Name, *if different from line 1*
 - Federal Tax Classification (including Other explanation if required)
 - Exempt payee code (if any)
 - Address
 - City, State & Zip Code
 - Employer ID Number
 - Signed by an official of the organization
 - Dated no more than one year from the submission date of this application

Staff Report

Subject: Ratification of Approval of a Supplemental Funding Request from Atlas Technical Consultants

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: Public Works/Engineer

Meeting Date: March 5, 2024

Item Description: Supplemental Funding Request from Atlas Technical Consultants

Summary Recommendation: Staff recommends ratification of approval for the Supplemental Funding Request from Atlas Technical Consultants

Executive Summary/Background:

- Atlas submitted this request related to the post design services phase for the Effingham Parkway project. This request is due to the additional work related to the two legs of the roundabout at Gateway Park and Effingham Parkway based on conversations with the GDOT team. Atlas will also handle the preparation of the Use on Construction (UOC) revisions and provide coordination support with Effingham County and BROE.
- This will be a reimbursable expense between Effingham County and BROE. The total cost for the request is \$19,600.00.

Alternatives for Commission to Consider

1. Approval of a Supplemental Funding Request from Atlas Technical Consultants in the amount of \$19,600.00
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, County Engineer, Procurement/Capital Projects

Funding Source: TSPLOST/SPLOST

Attachments: Supplemental Funding Request



February 20, 2024

Mr. Wesley Corbitt
 Chairman
 Effingham County Board of Commissioners
 601 N. Laurel Street
 Springfield, GA 31329

Re: Supplemental Funding Request for Work under EFF008 Work Order # 06
 Effingham Parkway, Effingham County, P.I. 0006700
 Design of east-west legs of Gateway Parkway/Effingham Parkway Roundabout and Use on Construction plans

Dear Chairman, Corbitt-

Please consider this letter as Atlas Technical Consultants (Atlas) request for supplemental funding related to the Post Design services phase for the Effingham Parkway project in Effingham County under the EFF008 Work Order # 06. These costs will be considered as reimbursable under the existing Agreement for PE costs between Effingham County and BROE. This request is due to the additional work related to the addition of two legs of the roundabout that needed design and use on construction revisions along with the revised right-of-way plan sheet at Gateway Parkway and Effingham Parkway.

The work to be performed in the area of roadway design will be utilized in the preparation of Use On Construction (UOC) mainline plan changes so GDOT's contractor can build the Effingham Parkway to be consistent with these plan changes. Atlas will work with Effingham County and GDOT to handle these plan changes and the necessary documentation to obtain GDOT approval of plans.

The additional tasks are listed below with a brief explanation:

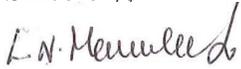
Additional work to prepare UOC Plans (\$19,600)

- ✓ Summarize Revisions
- ✓ Revise Typical Sections
- ✓ Revise Quantities
- ✓ Revise Layout Plans
- ✓ Revise Construction Plan Sheets
- ✓ Revise / Add Profiles
- ✓ Revise / Add Cross Section Sheets
- ✓ Revise Drainage near Roundabout edges
- ✓ Revise Utility Plans
- ✓ Revise Signing and Marking Plans
- ✓ Coordinate Lighting Plan Revisions with Sub
- ✓ Revise Water / Sewer plans (44-series)

- ✓ Revise Erosion Control Plans
- ✓ Make Right of Way Revision for areas to be quit claimed by Effingham County
- ✓ QA-QC
- ✓ Issue UOC Revision

We have enjoyed working for Effingham County and look forward to the successful completion of these time sensitive Use on Construction Plans with the approval of this supplemental funding request in the amount of \$19,600. If there are any questions concerning this information, or if any additional information is needed, please do not hesitate to contact me at 678-728-9064 or on my cell at 404-931-3792.

Sincerely,



L. N. Manchi, P.E., PMP
Project Manager

cc: Tim Callanan, Effingham County Manager
Alison Bruton, Effingham County Procurement and Capital Projects Manager
Jonathan Hulme, Effingham County Engineer

**Effingham County
Effingham Pkwy / Gateway Pkwy Roundabout**

**Detailed Description of
Estimated Project Costs**

Phase: POST
Phase No. N/A

21-Feb-24

Atlas Technical Consultants

1. Direct Labor (Specify)				
Personnel	Est Hours	Rate/Hr	Est. Cost (\$)	Totals
SURVEY UPDATE				
Project Manager		\$250.00		
Survey Proj. Manager (RLS)		\$150.00		
Survey Technician		\$85.00		
Survey Crew (2 Man)		\$120.00		
TOTAL				
ROADWAY DESIGN				
Project Manager	34	\$250.00	\$8,500.00	
Highway Group Manager	3	\$250.00	\$750.00	
Sr. Roadway Engineer	32	\$130.00	\$4,160.00	
Roadway Engineer	54	\$100.00	\$5,400.00	
Roadway Technician / CAD		\$80.00		
Sr. Environmental Planner		\$155.00		
Environmental Planner		\$100.00		
TOTAL	123			\$18,810.00
R/W PLANS				
Project Manager		\$250.00		
Highway Group Manager		\$250.00		
Sr. Roadway Engineer	3	\$130.00	\$390.00	
Roadway Engineer	4	\$100.00	\$400.00	
TOTAL	7			\$790.00
Total Direct Labor				\$19,600.00
2. Other Direct Costs (Specify)				
Plotting/Reproduction				
Travel/Mileage				
Lodging/Meals				
Total Other Direct Costs				
3. Maximum Amount of Contract Proposal (1) + (2)				\$19,600.00

21-Feb-24

MAN-HOUR ESTIMATE													
Task Description	ADMIN			ROADWAY			ENVIRONMENTAL			SURVEYING			
	Principal	Project Manager	Admin Assistant	Highway Group Mgr	Sr. Roadway Engineer	Roadway Engineer	Roadway Tech. / CAD	Sr. Env. Planner	Env. Planner	Env. Technician	Survey Proj. Manager	Survey Technician	Survey Crew (2 Man)
ROADWAY DESIGN													
Project Management													
Project Management / Administration		4											
Coordination Meetings (24)		24											
Coord. with Gateway Conn. Project		4											
Utility Coordination		2											
Road Design													
Fastest Path Analysis													
Typical Sections					4	8							
Geometric Design (Plan, Prof, Xsec)					8	16							
Update Staging Plans													
Utility Plans (inc. conflict review)					2	4							
Drainage Design / Hydrology													
Roadway Drainage Design					2	4							
Drainage Profiles					2	6							
Erosion Control													
BMP Plan Update													
UOC Revision													

Staff Report

Subject: Ordinance Revision
Author: Steve Candler
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II; Chapter 42 Offenses 42-7 – Firearms**

Summary Recommendation

The county commissioners recommended a change to the county firearms ordinance. The proposed amendment was assigned to the Development Services Department for research and suggested changes. The text for most of this ordinance amendment is from the state model provided by the Department of Natural Resources (DNR). Adding the state definitions of terms for the ordinance.

Executive Summary/Background

- The significant changes to the ordinance are the reduction of the yardage around dwellings from 300 yards to 75 yards.
- Most of the ordinance is the model ordinance provided by the Department of Natural Resources.
- The addition of the state requirement about discharging a firearm near a public highway.

Alternatives

Approve an amendment to the Code of Ordinances **Part II; Chapter 42 Offenses 42-7 – Firearms.**

Deny an amendment to the Code of Ordinances **Part II; Chapter 42 Offenses 42-7 -Firearms.**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, County Attorney

FUNDING: N/A

- Attachments:**
1. Draft of Firearms ordinance amendment; Firearms Ordinance - Section 42.-7
 2. GA State Code 16-11-103

STATE OF GEORGIA
EFFINGHAM COUNTY

AMENDMENT TO PART II, CHAPTER 42
OF THE EFFINGHAM COUNTY CODE OF ORDINANCES

AN ORDINANCE TO AMEND PART II, CHAPTER 42 OF THE EFFINGHAM COUNTY ZONING ORDINANCE AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

Section 42-7 is in Part II Official Code; Chapter 42 Offenses as follows:

42-7 Firearms

1. As used in this Code section, the term:
 - a) "Firearm" means any handgun, rifle, or shotgun.
 - b) *Vacant*
 - c) "Public highway" means every public street, road, and highway in this state.
 - d) *Vacant*
 - e) "Sport shooting range" means an area designated and operated by a person or entity for the sport shooting of firearms, target practice, trapshooting, skeet shooting, or shooting sporting clays and not available for such use by the general public without payment of a fee, membership contribution, or dues or without the invitation of an authorized person, or any area so designated and operated by a unit of government, regardless of the terms of admission thereto.
 - f) *Vacant*
 - g) "Unit of government" means any of the departments, agencies, authorities, or political subdivisions of the state, cities, municipal corporations, townships, or villages and any of their respective departments, agencies, or authorities.

2. It shall be unlawful for any person in Effingham County to discharge or shoot any firearms which project lead or any other missile as follows:
 - a) into a dwelling, house, railroad train, boat, aircraft, motor vehicle, or any building or structure used for assembling of people; or
 - b) within seventy-five (75) yards of any occupied building or upon the land of another or across the property line of another without first obtaining written permission of such property owner(s), or
 - c) at a mark, at any inanimate object, or at random, on, along or across a public highway; or
 - d) at or from any motor vehicle, at any person, at any other motor vehicle, or at any building or habitable structure.
 - e) it shall be unlawful for any person, without legal justification, to discharge a firearm on or within 50 yards of a public highway.

3. **Section 42-7** shall not apply to or affect any of the following:

All federal, military, state, county, and municipal law enforcement peace officers possessing the duty and power of arrest whether such officers are within or outside their jurisdictions or on or off duty, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer, or any other person otherwise authorized by Georgia statute; or

- a) Any person lawfully exercising the destruction of dangerous animals, or for lawful nuisance wildlife abatement by persons properly permitted by the Georgia Department of Natural Resources, or in the lawful exercise of trapping by properly licensed trappers; or
- b) In connection with the discharge of blank cartridges for theatrical purposes or for signal purposes in athletic or sporting events, military exercises, funerals, reviews, or memorial events; or
- c) Any citizen when lawfully defending person or property; or
- d) Any citizen or legal entity engaged in the lawful use or legal nonconforming use under any zoning ordinance at any private or commercial sport shooting range.

1. For the purposes of this section a "sport shooting range" means an area designed and operated for the use and discharge of guns, air guns, BB guns, pistols, or other firearms, which project lead or any other missile that received prior approval from Effingham County to operate.

4. It shall be unlawful for any person to discharge a firearm while:

- a) Under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is unsafe for the person to discharge such firearm except in defense of life, health, and property;
- b) The person's alcohol concentration is 0.08 grams or more at any time while discharging such firearm or within three (3) hours after such discharge of such firearm from alcohol consumed before such discharge ended; or
- c) Subject to the provisions of subsection (3) of this Code section, there is any amount of marijuana, or a controlled substance as defined in O.C.G.A. §16-13-21, present in the person's blood or urine, or both, including the metabolites and derivatives of each or both without regard to whether or not any alcohol is present in the person's breath or blood.

5. The fact that any person charged with violating this section is or has been legally entitled to use a drug shall not constitute a defense against any charge of violating this section; provided, however, that such person shall not be in violation of this subsection unless such person is rendered incapable of possessing or discharging a firearm safely as a result of using a drug other than alcohol which such person is legally entitled to use.

6. Any person convicted of violating subsection (3) of this section shall be guilty of a misdemeanor of a high and aggravated nature.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ____ day of _____ 20__.

BOARD OF COMMISSIONERS,
EFFINGHAM COUNTY, GEORGIA

FIRST READING: _____

BY: _____
CHAIRMAN

SECOND READING: _____

ATTEST:

STEPHANIE JOHNSON
EFFINGHAM COUNTY CLERK

Staff Report

Subject: Allen Burns Resolution

Author: Stephanie Johnson, County Clerk

Department: Administration

Meeting Date: 03/05//2024

Item Description: Consideration to approve Resolution# 024-012 in celebration of Allen Burns' years of service with the Georgia Coastal Regional Commission

Summary Recommendation:

Mr. Allen Burns has been a public servant with the Georgia Coastal Regional Commission (CRC) for 16 years and has served his community well. Staff stands in full support of approving this resolution noting some of his many achievements.

Executive Summary:

1. It is the policy of the Board of Commissioners to acknowledge and celebrate those who are making a positive impact in our community.
2. This resolution represents the Board and Staff's appreciation of Mr. Burns and his tireless dedication to the CRC.
3. We extend well wishes to Mr. Burns as he prepares to retire and enjoy some of his favorite hobbies.

Background:

The Coastal Region Commission, a multi-county planning and development agency, was established in 1964 and is dedicated to servicing the 10 counties and 35 cities of Coastal Georgia. Our commission is the second-fastest growing region in the state.

Alternatives for Commission to Consider:

1. Approve Resolution# 024-012 celebrating Mr. Allen Burn's 16 years of service with the Georgia Coastal Regional Commission

Recommended Alternative: Staff recommends Alternative 1

Other Alternatives: N/A

Department Review: Administration

Funding Source: No funding is required.

Attachments:

1. Resolution



RESOLUTION

**FROM THE OFFICE OF THE BOARD OF COMMISSIONERS
OF EFFINGHAM COUNTY, GEORGIA**

***Celebrating Allen Burns' Service
to Effingham County***

WHEREAS, numerous public servants are in government service across our region from the local level up to the federal level, the Board of Commissioners of Effingham County, Georgia strives to support and acknowledge those who perform outstanding stewardship to our county and neighboring affiliates and;

WHEREAS, Mr. Allen Burns has held the post of Executive Director for the Georgia Coastal Regional Commission, the second-fastest growing region in the state, for 16 years. This commission serves 10 counties and 35 cities, and;

WHEREAS, Mr. Burns has an impressive background in Planning and Community and Economic Development dating back to 1980 and;

WHEREAS, he has received a plethora of awards and recognitions to include the NADO Innovative Ward of which he was a multi-year recipient (2010, 2011, 2013, 2014 and 2015), the Palmetto Partnership Award from the Governor (2002) the Catalyst Geospatial Excellence Award from the National States Geographic Information Council (2016) and;

WHEREAS, Mr. Burns was elected to many commissions including Secretary Georgia Association of Regional Commissioners (2010) and Vice President – Georgia Association of Regional Commissioners (2013);

WHEREAS, some of his countless accomplishments as Executive Director for the Georgia Coastal Regional Commission stems from initiating prayer and the pledge to start meetings, implementation of the first Regional Coordinated Transportation System in Georgia, led efforts for first Statewide ESRI contract for Geographical Information Systems (GIS) for all regional commissions and also developed and started the first Regional Plan and planned and introduced the Georgia segment of the East Coast Greenway and;

NOW, THEREFORE, BE IT RESOLVED, we the sitting Commissioners of Effingham County, Georgia recognizes the many successes of and celebrate Mr. Allen Burn's service to Effingham County, the entire State of Georgia, and;

FURTHER BE IT RESOLVED, a copy of this resolution will become part of the Effingham County archives.

Humbly submitted this 5th day of March, in the year of our Lord two thousand and twenty-four

Wesley Corbitt - Chairman

Forrest Floyd - 1st District

Roger Burdette - 2nd District

Jamie Deloach - 3rd District

Reginald Loper - 4th District

Phil Kieffer - 5th District



Staff Report

Public Hearing

Subject: Ordinance Revision
Author: Samantha Easton, Planner II
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Consideration to approve the amendment of the Code of Ordinances **Part II – Official Code: Chapter 70 – Taxation, Article II – Business License and Occupation Tax** of the Effingham County Code of Ordinances.

Summary Recommendation

Due to the increased growth of businesses in Effingham County, we have updated and condensed our Business License Ordinance.

Executive Summary/Background

- Home Occupation, Residential Businesses, and Rural Businesses have been combined into one type of License, being called “Residential Business”. Staff can add limitations of the scope of business under this category.
- Commercial/Industrial Businesses will now require a Life Safety Inspection performed by our Fire Inspector, as well as submitting a Pre-Plan for review by the Fire Department.
- Revocation of business license standards are now documented.
- Signage for Residential Businesses are allowed.
- Section 3.15 of the Zoning Ordinance and Article II of the Taxation Ordinance are now combined into one Ordinance to provide better service to Effingham County Residence.
- Newly Developed Commercial and Industrial Businesses must submit a Sketch Plan for approval by the Planning Board and Board of Commissioners.
- **On February 13, 2024, the Planning Board voted to Table this until April 9, 2024.**

Alternatives

1. **Approve an amendment to the Code of Ordinances Chapter 70 – Taxation; Article II – Business License and Occupation Tax**
2. **Deny an amendment to the Code of Ordinances Chapter 70 – Taxation; Article II – Business License and Occupation Tax**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: FUNDING: N/A

Attachments:

1. Chapter 70 – Taxation, Article II – Business License and Occupation Tax Ordinance

Article II. – Business Licenses and Occupation Tax

Purpose and Intent - The business license ordinance aims to regulate and govern the establishment and operation of businesses within unincorporated Effingham County. It serves as a formal document that allows businesses to operate legally and ensures compliance with various laws, regulations, and standards. By obtaining a business license, companies demonstrate their commitment to operating in a responsible manner, protecting consumer rights, and adhering to health, safety, and environmental requirements. Additionally, the license allows local authorities to monitor and enforce business activities, ensuring fair competition and a level playing field for all enterprises. Overall, the business license ordinance aims to safeguard the interests of the public, promote economic growth, and maintain the integrity of the business environment.

Definitions. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Administrative Fee means a component of an occupation tax that approximates the reasonable cost of handling and processing the occupation tax.

Commercial Business means a business operated out of a commercial or industrial zoned property.

Dominant Line means the type of business, within a multiple-line business, that the greatest amount of income is derived from.

Employee means an individual whose work is performed under the direction and supervision of the employer and whose employer withholds FICA, federal income tax, or state income tax from such individual's compensation, or whose employer issues to such individual for purposes of documenting compensation a form IRS W-2 but not a form IRS 1099.

Location or Office shall include any structure or vehicle where a business, profession, or occupation is conducted but shall not include a temporary or construction work site that serves a single customer or project or a vehicle used for sales or delivery by a business of practitioner of a profession or occupation which has a location or office.

New Commercial/Industrial Business means a business being conducted out of a newly developed location.

Non-Profit Organization means a group organized for purposes other than generating profit and in which no part of the organization's income is distributed to its members, directors, or officers.

Occupation Tax means a tax levied on persons, partnerships, corporations, or other entities for engaging in an occupation, profession, or business for revenue raising purposes.

Practitioner of profession or occupation is one who by state law requires state licensure regulating such profession or occupation. Practitioners of professions and

occupations shall not include a practitioner who is an employee of a business if the business pays an occupation tax.

Residential Business means a business conducted out of a dwelling or an accessory structure located on the property.

Registration Required.

- a. Every person engaging in any business in the county upon which this article levies a fee shall register the business with the clerk on or before January 1st of each year, upon forms to be supplied by the county clerk, giving the name, address and type of business and such other information as may be required by the clerk for the purpose of determining the amount of fee to be assessed by this article. Any person who begins business for a trade or profession in the county after January 1st in any year shall register his name and business as above provided.
- b. All persons holding valid business licenses on or before December 31st shall be presumed to be continually engaged in business for the subsequent year for purposes of license renewal.

Businesses with no location in the state. Registration and assessment of an occupation tax is imposed on those businesses and practitioners of professions or occupations with no location or office in the state if the business's largest dollar volume of business in the state is in the county and the business or practitioner either:

- a. Has one or more employees or agents who exert substantial efforts within the jurisdiction of the county for the purpose of soliciting business or serving customers or clients; or
- b. Owns personal or real property that generates income and is located within the jurisdiction of the county.

Evidence of State Licenses Required

- a. Each person who is licensed by the secretary of state pursuant to O.C.G.A. tit. 43 shall provide evidence of proper and current state licensure before county registration may be issued.
- b. Each person who is licensed by the state shall post the state license in a conspicuous place in the licensee's place of business and shall keep the license there at all times while the license remains valid.

Evidence of state registration required.

- a. Each person who is licensed by the secretary of state pursuant to O.C.G.A. tit. 43 shall provide evidence of proper and current state licensure before county registration may be issued.
- b. Each person who is licensed by the state shall post the state license in a conspicuous place in the licensee's place of business and shall keep the license there at all times while the license remains valid.

Evidence of qualifications required.

- a. Any business required to obtain health permits, bonds, certificates of qualification, certificates of competency, or any other regulatory matter shall

first, before the issuance of a county business registration, show evidence that such requirements have been met.

- b. Any business required to obtain a registration by this article shall first, before the issuance of county business registration, show proof of return and payment of all county ad valorem taxes due in the year preceding that for which the business license is sought and not in dispute, including real and personal property taxes and intangible taxes owed by the business; however, a county business registration shall be issued upon proof that the tax commissioner and the taxpayer have agreed to a plan for the payment of any delinquent taxes owed.

Government Practitioners. Any practitioner whose office is maintained by and who is employed in practice exclusively by the United States, the state, a municipality or county of the state, instrumentalities of the United States, the state, or a municipality or county of the state shall not be required to obtain a license or pay an occupation tax for that practice.

Professionals. Practitioners of professions as described in O.C.G.A. § 48-13-9(c) shall elect as their entire occupation tax one of the following:

- a. The occupation tax is based on the number of employees as outlined in this article.
- b. A fee of \$400.00 per practitioner who is licensed to provide the service, such tax to be paid at the practitioner's office or location. The per-practitioner fee applies to each person in the business who qualifies as a practitioner under the state's regulatory guidelines and framework.
- c. This election is to be made annually and must be done by February 1 of each year.

Administrative Fee and Occupational Tax. A non-prorated, nonrefundable administrative fee in the amount outlined in the county's schedule of fees shall be required on all occupation tax accounts for the initial registration and annual renewal of such accounts. Occupational Tax shall be levied upon those businesses and practitioners of professions and occupations with one or more locations or offices in the unincorporated part of the county and/or upon the applicable out-of-state businesses with no location or office in the state according to O.C.G.A. § 48-13-7 based upon the number of employees or practitioner. The tax rate is determined by the number of employees for each business, trade, profession, or occupation outlined in the county's schedule of fees.

Fee Exemptions. Examples of businesses and practitioners of professions and occupations which local governments are not authorized to subject to regulatory fees (O.C.G.A. § 48-13-9) include, but are expressly not limited to, the following:

- a. Lawyers;
- b. Physicians licensed under Chapter 34 of Title 43 of the Official Code of Georgia;
- c. Osteopaths licensed under Chapter 34 of Title 43 of the Official Code of Georgia;
- d. Chiropractors;
- e. Podiatrists;
- f. Dentists;
- g. Optometrists;
- h. Psychologists;
- i. Veterinarians;

- j. Landscape architects;
- k. Land surveyors;
- l. Practitioners of physiotherapy;
- m. Public accountants;
- n. Embalmers;
- o. Funeral directors;
- p. Civil, mechanical, hydraulic, or electrical engineers;
- q. Architects;
- r. Marriage and family therapists, social workers, and professional counselors;
- s. Dealers of motor vehicles, as defined in paragraph 1 of the Official Code of Georgia, Section 10-1-622;
- t. Owners or operators of bona fide coin-operated amusement machines, as defined in the Official Code of Georgia, Section 48-17-1, and owners or operators of businesses where bona fide coin-operated amusement machines are available for commercial use and play by the public, provided that such amusement machines have affixed current stickers showing payment of annual permit fees, per the Official Code of Georgia, Section 48-17-9;
- u. Merchants or dealers as defined in the Official Code of Georgia, Section 48-5-354 as to their deliveries to businesses and practitioners of professions and occupations in areas zoned for commercial use; and
- v. Any other business, profession, or occupation for which state licensure or registration is required by state law unless the state law regulating such business, profession, or occupation specifically allows for regulation by local governments.

Issuance of Business License or Tax Certificate. An application must be submitted to Development Services. This application must go through a zoning review to verify the property owner, the location of the business, state licenses, etc.

Due Date; Penalty and Interest.

1. Each occupation tax shall be due and payable on January 1 of each year; however, if any person commences business on any date after January 1 in any year, the tax and administrative fee shall be due and payable on the date of the commencement of the business. Should any tax or fee imposed by this article remain due and unpaid for 30 days from the due date, the person liable for the tax or fee shall be subject to **and shall pay a penalty of fifty percent of the tax or fee due, together with interest on the delinquent amounts at a rate of twenty-five percent per month.** When any person commences business on or after July 1 in any year, the tax for the remaining portion of the year shall be 50 percent of the tax imposed for the entire year; however, the administrative fee shall not be reduced.
2. The department of Development Services shall issue the tax registration, and if any person whose duty it is to obtain a registration shall after the registration or occupation tax becomes delinquent, transact or offer to transact, in the county, any profession, trade, or calling subject to this article without having first obtained the registration, such as offender,

shall upon conviction be subject to fine or imprisonment as provided in Section 1-19.

Delinquent Occupation Tax. Any occupation tax and administrative fee not paid within 12 months of the original due date will result in termination of the Business License. If a license is terminated the business owner must reapply for the business license and pay each year of back fees since the license was terminated. {ex. A business license expires on 12/31/23, the occupation tax is \$50 due to number of employees. If not paid by 2/1/24, an additional 50% late fee as well as an additional 25% per month. If not paid by 2/1/25 the license is terminated. If the business owner would like to apply for a new license in 2027 they must pay the renewal fee for each year, as well as all late fees and interest fees.}

Revocation of Business License. Effingham County Board of Commissioners or their designees have the right to revoke any business license if deemed necessary. Standards of revocation may include, but not limited to: operating a business different then the original scope of business stated at time of application, or failure to comply with ordinance provisions.

Mobile Food Vendors. Mobile Food Vendors must get approval from the Department of Public Health. Once they have received their Food Service Permit, they can apply for their business license. If the Commercial Kitchen is based out of a Commercial Business, they will apply for a Commercial Business License; if they have a Commercial Kitchen at their residence, they will apply for a Residential Business License.

General Provisions

Residential Businesses General Provisions. All residential businesses, where permitted in AR-1, AR-2, R Districts, and PD, must meet the following general provisions (Excluding Agritourism Businesses):

1. The residential business shall be clearly incidental and secondary to the use of the dwelling. Internal or external changes which will make the dwelling unit or lot appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting.
2. The residential business shall be conducted entirely within the principal dwelling unit and/or in a properly permitted, approved and fully enclosed accessory building that complies with the standards set forth in Chapter 14.
3. No separate entrance or driveway shall be allowed for the business without proper permitting and approval from Effingham County Development Services.
4. Residential Businesses are allowed one sign on the premises not to exceed 16sqft in size.
5. The residential business shall not be open to the public or receive deliveries earlier than 6:00am or later than 8:00pm. Routine residential-type carriers, such as UPS, and/or Amazon excepted.

6. A residential business shall not generate excessive traffic or produce obnoxious odors, fumes, smoke, dust, heat, glare, noise, vibration, electrical disturbance, or radioactivity or other conditions that will be a nuisance to the surrounding area.
7. Toxic, explosive, flammable, combustible, corrosive, radioactive, or other restricted materials, if any, shall be used, stored and disposed of in accordance with the International Fire Code and National Fire Protection Association Life Safety Code. Activities conducted and material/equipment used shall not be of a nature to require the installation of fire safety features not standard to residential uses.
8. Residential businesses are allowed two (2) employees who do not reside within the dwelling.
9. No more than two (2) residential businesses are permitted in a single residence.
10. Residential businesses may serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations if Effingham County Development Services approves.
 - a. *Parking*. All parking associated with the residential business must be mapped out on a Plot Plan to be approved by Effingham County Development Services before issuance of a business license.
 - b. *Fleet Parking*. Fleet Parking is prohibited in R Zoning Districts, and PD Zoning District. Fleet Parking may be allowed in AR-1 or AR-2 Zoning Districts, if located on a Truck Route or an Arterial Road and approved by Effingham County Development Services via the Sketch Plan Process.
 - c. *Driveways*. GDOT standards must be followed to allow fleet parking for a residential business.
11. Utility Trailers may be used in the operation of the business but must be stored out of view from the road, and only in AR-1 or AR-2 zoning districts.
12. Uses that require customers to come on site to have a service provided for them must be considered under a special approval by Effingham County Development Services.

Examples of such uses are:

Beauty/Barber Shop
Small Scale Mechanic Shop
Accountant
In Home Daycares
Swimming Lessons
Horse Stables

Commercial/Industrial Businesses General Provisions: All commercial, and industrial businesses where permitted in B-1, B-2, B-3, I-1 and PD, must meet the following general provisions (Excluding Agritourism Businesses):

1. All new Commercial/Industrial Businesses must have a Technical Review Committee Meeting with Development Services.
2. All new Commercial/Industrial Businesses must submit a Sketch Plan to go before the Planning Board and Board of Commissioners for approval.
3. All Commercial/Industrial businesses in Effingham County shall have a Life Safety/Fire Safety Inspection.
4. All Commercial/Industrial businesses in Effingham County shall submit a Pre-Plan for review by the Effingham County Fire Department documenting all but not limited to: emergency exits, fire extinguishers, sprinkle rooms, electrical panels and more.

9.2.3 ~~Sketch Plan~~ Preliminary Plan

An applicant must submit a ~~sketch plan~~ **preliminary plan** of the entire contiguous tract after the rezoning has been completed if rezoning for **non-residential uses** and prior to any Land Disturbing Activities or Development Plan Review Permits can be reviewed. If a ~~sketch plan~~ **preliminary plan** is not presented for the entire property, the property directly adjacent to the contiguous tract and under the same ownership not included in the ~~sketch plan~~ **preliminary plan** may not be subdivided for 24 months following the approval of the final plat of the original contiguous property.

The purpose of a ~~sketch plan~~ **preliminary plan** is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the ~~sketch plan~~ **preliminary plan** does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the ~~sketch plan~~ **preliminary plan**.

Suppose an applicant chooses to utilize professional resources (engineer, surveyor, etc.) in preparation of the ~~sketch plan~~ **preliminary plan**. In that case, this shall in no way obligate the county to approve such plans based on the expenditure of time or resources premature to ~~sketch plan~~ **preliminary plan** approval.

9.2.3.1 Scale.

The ~~sketch plan~~ **preliminary plan** shall be drawn at a scale of not less than 100 feet to one inch.

9.2.3.2 Vicinity map.

The ~~sketch plan~~ **preliminary plan** shall include a vicinity map at a scale of approximately one inch, which equals one mile, showing the relationship of the proposed subdivision to the surrounding development.

9.2.3.3 Other Requirements.

The ~~sketch plan~~ **preliminary plan** shall show:

1. Proposed name of development
2. Name, address, and telephone number of petitioner and architect, surveyor, engineer, or designer.
3. **Development Summary must be shown.**
4. Location of natural and/or manmade water bodies if present.
5. Location of jurisdictional wetlands if present.
6. If septic systems are to be used for wastewater treatment, then a soil survey is required.
7. Extent of 100-year flood zone if present.
8. Date of preparation.
9. Total acreage in the tract to be subdivided or phased.
10. Existing and proposed uses of land throughout the development.
11. Other existing features, including buildings, easements, utilities, etc.
12. Approximate topography.
13. Approximate location and width of all streets, driveways, parking lots, detention structures, lighting, fire hydrants and other permanent features, excluding utilities.
14. Zoning classification, owners name, and existing uses of adjacent property.
15. Vegetated Buffers according to Section 3.4 – Buffers.

16. Any additional information as specified by the Effingham County ~~sketch plan~~
Preliminary Plan Review Checklist, as adopted by the board of commissioners.

9.2.3.4 Subdivision of part of property or phasing.

The subdivider shall submit a ~~sketch plan~~ **preliminary plan** of his entire tract even though his present plans call for the actual development of only a part of the property.

*9.2.3.5 Process of ~~sketch plan~~ **Preliminary Plan** Approval*

~~sketch plan~~ **Preliminary plan** for Commercial or Industrial Developments may not be submitted at the same time as a Rezoning Request Application. **Variance Requests may be heard at the same meeting.** ~~sketch plan~~ **Preliminary Plan** may be submitted for the following deadline. This is in case the Planning Board or the Board of Commissioners adds any conditions during the rezoning. The Applicant can submit the ~~sketch plan~~ **preliminary plan** showing these changes before the Board(s) votes to approve or deny.

9.2.3.5 Notice to Proceed

Notice to Proceed will be issued after approval of the ~~sketch plan~~ **preliminary plan** and a member of the Development Services Staff has marked buffers.

If buffers have been removed, a contract and planting diagram must be submitted to Development Services before any permits can be issued.

Staff Report

Subject: Table of Permitted Uses
Author: Steve Candler
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II; Appendix C, Article V – Table of Permitted Uses**

Summary Recommendation

The Board of Commissioners approved a significant amendment to the Table of Permitted Uses in November of 2023. These amendments proposed tonight eliminate any further conflicts in the zoning ordinance and allow for an expansion of existing uses.

Executive Summary/Background

The amendment includes the following changes:

- Ready Mix Concrete Plant: Currently I-1, move to I-2
- Add an R-2 column in residential to include attached townhomes and duplexes
- Add tiny homes as a conditional use in the R-4
- Remove rural business use from the PD zoning district
- Add rural business as a conditional use in AR-1 and AR-2 zoning districts
- Delete from the Retail Category-Plant Gardens and Outdoor Nurseries
- Delete all commercial agricultural from the AR-2
- Insert the land use Airfields as a conditional use in AR-1
- Add Food Processing to B-3 zoning district as a conditional
- Add land use golf courses as a conditional use in R-1 R-2, R-3, R-4, R-5, PD-R and a permitted use in B-1, B-2 and B-3

Alternatives

Approve an amendment to the Code of Ordinances **Part II; Appendix C; Article V – Table of Permitted Uses**

Deny an amendment to the Code of Ordinances **Part II; Appendix C; Article V – Table of Permitted Uses**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, Planning Board

FUNDING: N/A

Attachments: N/A

Staff Report

Subject: Ordinance Revision
Author: Steve Candler
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Consideration of an **amendment** to the Code of Ordinances **Chapter 62 Signs**

Summary Recommendation

The county has a section for Signs in the zoning ordinance-Article III Section 3.38. Chapter 62 conflicts with Article III Section 3.38 and needs to be deleted.

Executive Summary/Background

Development Services is recommending the deletion of Chapter 62-Signs of the Effingham Code of Ordinances. Chapter 62 conflicts with Part II, Article III, Section 3.38 Signs of the zoning ordinance is a more comprehensive and complete ordinance for enforcement of our sign regulations.

Alternatives

Approve an amendment to the Code of Ordinances **Chapter 62 Signs-deletion.**

Deny an amendment to the Code of Ordinances **Chapter 62 Signs**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, County Attorney

FUNDING: N/A

Attachments: 1. Chapter 62
2. Part II, Article III, Section 3.338

3.38 - Signs.

The purpose of this section is to:

- A. Promote the safety of persons and property by providing that signs do not create traffic hazards or hazards due to collapse, fire, collision, decay or abandonment.
- B. To protect the public welfare and county property values by preserving the aesthetic quality of the natural environment.
- C. Promote efficient commercial and non-commercial identification or information by improving the legibility and effectiveness of signs through the control of their number, location, size, appearance, illumination, and animation.
- D. Preserve the right of free speech and expression.

3.38.1 Sign permits. All signs on commercial or industrial property must have a sign permit issued by the Effingham County Zoning Department. Multiple similar signs such as real estate or political signs shall only be required to have a single sign permit. All signs other than temporary event signs shall be required to get a building permit and meet all required wind load and building regulations.

3.38.2 Legal signs.

- A. Any permitted sign which complies with the provisions of this article, and any subsequent amendments hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall require a new permit pursuant to this section.
- B. Any legal sign which does not comply with the provisions of this article solely due to the enactment of an amendment shall, upon the effective date of such amendment, become a nonconforming sign and shall be considered a legal sign unless it is relocated or altered.

3.38.3 Illegal signs. Any existing sign that does not have a permit issued by Effingham County pursuant to this section is hereby deemed to be an illegal sign and such sign and the person or persons responsible for such sign shall be subject to the enforcement and penalty provisions in this title.

3.38.4 Signs exempt from regulation.

- A. Governmental agency signs
- B. Property addresses up to 12 inches in height
- C. Incidental signs one square foot or less

3.38.5 Prohibited signs.

- A. Any sign, except those erected by a governmental agency, in a public street or highway right-of-way.
- B. Inflatable signs.
- C. Signs mounted on a roof or extending above the roofline.

- D. Ribbons, and pennants.
- E. Any sign resembling the shape, size, or color of a governmental traffic sign.
- F. Any sign with lights that resemble the lights used by police, fire, and emergency vehicles.
- G. Any light source on a sign that is directly visible from a vehicle or residence.
- H. Any flashing or intermittent light.
- I. Any sign attached to a natural feature such as a tree or rock.
- J. Any sign attached to a telephone pole or utility pole.
- K. Any unpermitted sign attached to a permitted sign.
- L. No sign shall be placed in or obstruct the view of an area of designated historic interest.

3.38.6 Billboards.

- A. *Uniform size.* The outside measurements of all billboards shall be 12 feet in height and 25 feet in length.
- B. *Location.* The billboard must be on commercial or industrial land. It must be located on a parcel with at least 200 feet of state or federal highway frontage.
- C. *Illumination.* All illuminated billboards shall use base-mounted lights. The light source must not be visible from a vehicle or a residence. No additional lighting shall be allowed.
- D. *Height.* All billboards shall be a minimum of ten feet above grade and a maximum of 30 feet above grade.
- E. *Extrusions prohibited.* Extrusions beyond the face of the billboard, excluding aprons, are prohibited.
- F. *Number of signs per location.* Only one billboard shall be allowed to face the same direction per location. This allows back to back or V formation billboards but prohibits two billboards facing the same direction.
- G. *Spacing.* Billboard location shall be no less than 500 feet from the nearest billboard measuring from the nearest point. No more than three billboards shall be permitted per mile when such billboards are located on the same side of the road.
- H. *Distance from property line.* Billboard structures shall be no less than ten feet from any property line.
- I. *State law.* All billboards must also comply with all aspects of the Georgia Outdoor Advertising Code.
- J. *Changeable copy signs.*
 - 1. General Rule — Animated or changeable copy signs shall be erected, posted, displayed or modified only in accordance with the criteria hereunder as well as all other generally applicable standards of this ordinance related to the location, height, size, and other

characteristics. Billboards that move, flash or simulate movement are prohibited.

2. Each message displayed on any changing billboard display shall remain static for at least ten seconds following the completion of its transition from the previous message. As used in this subsection "static" shall mean a display that is fixed in one position with no portion of the display being in motion or changing in color or light intensity.
3. Changing of image shall be substantially instantaneous, two seconds or less, as seen by the human eye and shall not use fading, rolling, window shading, dissolving or similar effect as part of the change.
4. No display or other effect from any electronically changed billboard shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or which otherwise interferes with the safe operation of a motor vehicle.
5. Video technology in billboards shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following standards. All electronic or digital display unit message boards shall have installed ambient light monitors, and such monitors shall at all times automatically adjust the brightness level of the electronic billboard based on ambient light conditions. Maximum brightness levels for electronic or digital display boards shall not exceed ambient light levels by more than 0.3 foot candles.
6. Any billboard using video technology which malfunctions, fails, or ceases to operate in its usual or normal manner causing therein motion, movement, flashing or any other similar effects shall be repaired or disconnected within 48 hours by the owner or operator of such billboard, and shall be equipped so that it may be turned off by the county in the event of such malfunction or failure.
7. The county shall be permitted to post emergency notices on electronically changeable billboards on 24 hours' notice.
8. Conversion of an existing billboard to an automatic changeable copy video billboard or to add an automatic changeable copy video element to it is allowed only if the billboard as modified will conform with all standards in this section and with all other applicable standards related to the height, size, location and other characteristics of the billboard.

3.38.7 Signs in commercial zones.

- A. Each parcel in a commercial zone is entitled to one freestanding sign for up to 200 feet of street frontage.
- B. Each parcel in a commercial zone may have an additional freestanding sign for each additional 200 feet of street frontage and must be separated by at least 200 feet from any other sign on the property.

- C. A multi-unit building on a single commercial parcel may have multiple tenant panels on a single sign.
- D. No sign shall encroach into the street right-of-way or be within 25 feet of an established street intersection and no sign or support thereof shall obstruct driver visibility.

3.38.8 Number of signs. In addition to any potential free standing sign, each business in a commercial or industrial zone shall be limited to one facade sign, one projecting sign attached to the building and one wall sign for each exposed side of the building other than the front.

3.38.9 Freestanding sign size. The maximum size of the signable area of a freestanding sign is as follows:

- A. In the B-2, B-3, and I-1 districts: 64 square feet for a single tenant parcel or 100 square feet for a multiple tenant parcel.
- B. In the B-1 zoning district: 32 square feet.
- C. In the R-3 and R-4 zoning districts: 50 square feet.
- D. In the R-1, R-1A, and R-2 zoning districts: Six square feet excluding signs at the entrance to neighborhoods which may be up to 24 square feet.
- E. In the CP zoning district: 16 square feet.
- F. In the PD zoning district: Sign regulations not less stringent than the regulations herein must be included in the written development text required by section 5.15.3.3 of the Effingham County Zoning Ordinance.

3.38.10 Height.

- A. *Maximum height.* In all commercial and industrial districts no freestanding sign shall exceed 30 feet from grade.
- B. *Clearance.* No hanging, suspended, or projecting sign shall have a vertical clearance of less than 14 feet over any vehicular public way, nor less than nine feet over any pedestrian public way. Public ways include privately owned sidewalks and drives customarily used by the public.

Permitted Freestanding Signs - By Land Use						
	Agricultural Property	Single and Two Family Residential	Multi-Family Residential	Commercial Property	Industrial Property	Public or Community Use Property
Principal Freestanding Sign — Depending on Zoning District						

Maximum Number	1 per lot	1 per lot	1 per street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage	1 per 200 feet street frontage
Maximum Signable Area	16 square feet	6 square feet	50 square feet	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants	64 square feet for single tenant, 100 square feet for multiple tenants
Maximum Height	6 feet	5 feet	30 feet	30 feet	30 feet	30 feet

3.38.11 *Institutional uses.* Institutional uses are allowed one sign per 200 feet of street frontage with a maximum signable area of 64 square feet regardless of which zoning district they are located in.

3.38.12 *Projections.* No sign shall project more than six feet from the wall of a building.

3.38.13 *Event signs.*

- A. In the B-1, B-2, B-3, I-1, R-3, or R-4 zoning districts one temporary event sign not to exceed 24 square feet in size and not to be displayed for more than 30 days may be located on each parcel. Temporary event signs in these districts must be secured to a building.
- B. In all zoning districts each parcel is entitled to one temporary event sign not to exceed six square feet in size. Such signs may be displayed for the length of the event. Each parcel may have no more than three such events per calendar year.
- C. When there is the threat of a serious wind event the county reserves the right to remove any temporary event sign that it deems to be a hazard to public safety. It will be the responsibility of the sign owner to retrieve any impounded sign from the county zoning office.
- D. Signs not removed within ten days following the occurrence of an event or expiration of the permitted period may be removed by the county zoning office and impounded. The costs of removal shall be charged to the person owning or using the sign or the owner of the building

or premises.

E. Impounded signs will be held for ten days, after which they will be destroyed.

3.38.14 Flags. In the B1, B-2, B-3, and I-1 zoning districts no more than three flags are allowed per parcel. The combined square footage of all flags displayed on a parcel in these districts shall be no more than 64 square feet.

3.38.15 Sign conditions.

- A. *Unsafe signs.* Whenever a sign becomes structurally unsafe or otherwise endangers the safety of the building or the public, the zoning administrator shall order that such sign be made safe or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within ten days of receipt thereof.
- B. *Unmaintained signs.* Whenever a sign is physically damaged or is not maintained and is determined by the zoning administrator to negatively impact the visual character of the surrounding area or pose an unsafe condition, the zoning administrator shall order that such sign be properly maintained or removed. The person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected shall comply with such order within 60 days of receipt thereof.

3.38.16 Nonconforming signs. No nonconforming sign may be relocated or altered other than for routine maintenance without bringing the sign into conformance with the current sign ordinance. A temporary sign may not be considered a nonconforming sign for purposes of grandfathering.

3.38.17 Sign definitions.

Awning: A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. A sign on an awning is considered a projecting sign.

Banner: A sign on a lightweight material that is secured or mounted to a building.

Billboard: A large sign erected along a state or interstate highway and intended to be viewed from travelers on said highway.

Changeable copy. Copy, including text and/or graphics that changes at intervals.

External illumination: Illumination of a sign that is affected by an artificial source of light not contained with the sign itself.

Facade: The side of a building below the eaves.

Flag: Lightweight material, usually with a political symbol, that is attached on one side to a pole.

Flashing illumination: Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when a street graphic is illuminated, including illuminated lighting.

Free standing sign: A sign that is not attached to a building or other structure.

Graphic: Written or pictorial representation.

Historic or scenic area: An area that contains unique historic or scenic characteristics that require special regulations to ensure that street graphics displayed within the area are compatible with its visual character.

Incidental sign: A sign of one square foot or less.

Indirect illumination: A source or external illumination located away from the sign.

Institutional uses: Schools, hospitals, churches, and government facilities.

Internal illumination: A light source that is concealed or contained within a sign.

Monument sign: A sign that is permanently affixed to the ground at its base, supported entirely by the base structure, and not mounted on a pole.

Multi-use building: A building consisting of more than one commercial use.

Neon sign: A sign that is created by bending a neon filled glass tube to form text or graphics.

Nonconforming sign: A sign that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and was in compliance with all ordinances at the time of installation, but which does not presently comply with these regulations.

Pole sign: A freestanding sign other than a billboard that is permanently supported in a fixed location by a pole(s), uprights, or braces from the ground and not supported by a building or a base structure.

Portable sign: A sign not permanently attached to the ground or a building or designed to be permanently attached to the ground.

Projecting sign: A sign attached to and projecting from a wall and not in the same plane as the wall.

Roof sign: A sign that is displayed above the peak or parapet of the building.

Shopping center: A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or are in separate buildings that share a common parking area or entryway.

Sign: Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination.

Signable area: An area within a single continuous perimeter composed of a single rectangle, circle, or triangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

(Ord. of 2-4-97; Amend. of 11-7-06; Ord. of 4-7-09)

Chapter 62 - SIGNS

Footnotes:

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Cross reference— *Buildings and building regulations, ch. 14; planning, ch. 54; zoning ordinance, app. C.***State Law reference**— *Control of signs and signals, O.C.G.A. § 32-6-50 et seq.; unlawful placement of signs within right-of-way of public road, O.C.G.A. § 32-6-51; outdoor advertising near state highways, O.C.G.A. § 32-6-70 et seq.*

ARTICLE I. - IN GENERAL

Secs. 62-1—62-30. - Reserved.

ARTICLE II. - INTERSTATE SIGNS

Sec. 62-31. - Generally.

- (a) This article shall apply to all outdoor advertising signs abutting or visible from the Interstate 16 and 95 right-of-way in the county.
- (b) No sign shall be erected or maintained unless it is in compliance with the regulations of this article.
- (c) Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated.
- (d) All signs located on sites abutting or visible from the Interstate 16 and 95 right-of-way shall conform with O.C.G.A. § 32-6-70 et seq., the Georgia Outdoor Advertising Code, and shall meet all federal and state requirements necessary to obtain a permit under that code. In instances where the sign controls of this article are more strict, these regulations shall apply.
- (e) This article shall also apply to any sign which advertises an activity, business, product, or service.

(Ord. of 10-4-83, § I)

Sec. 62-32. - Prohibited signs.

- (a) Signs imitating warning signals are prohibited. No sign shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles; nor shall any signs use the words, slogans, dimensional shape, and size, or colors of the governmental traffic signs.
- (b) No signs, except traffic signs and signals and informational signs erected by a public agency, are permitted within any street or highway right-of-way.

- (c) Signs painted or attached to natural features such as trees or rocks, telephone poles, utility poles, or fence posts are prohibited.
- (d) Fluttering ribbons and banners are prohibited.
- (e) Signs within 300 feet of any officially designated historical site or monument, except signs pertaining to that particular site or monument, are prohibited.

(Ord. of 10-4-83, § II)

Sec. 62-33. - Regulation for specific types of signs.

- (a) *Home occupation signs.* One nonilluminated professional or business nameplate not exceeding one square foot in area is permitted for a home occupation.
- (b) *Signs of work under construction.* One nonilluminated sign not exceeding 40 square feet in area displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling, and development agencies is permitted upon the premises of any work under construction, alteration, or removal. Such signs shall be removed from the site within 30 days after the completion of the project.
- (c) *Temporary subdivision signs.* Temporary signs, not exceeding 40 square feet in area announcing a land subdivision development, are permitted on the premises of the land subdivision. Such signs shall be spaced not less than 300 feet apart. They shall be removed when 75 percent of the lots are conveyed.
- (d) *Roof signs.* Not more than one roof sign structure may be erected on the roof of any one building. No roof sign structure shall extend more than 25 feet above the elevation of the roof.
- (e) *Wall signs.* Signs on the walls of a building, including signs attached flat against the wall, painted wall signs, and projecting signs, shall meet the following requirements:
 - (1) *Signs on the front surface of a building.* The total area of signs on the exterior front surface of a building shall not exceed 25 percent of the front surface of the building.
 - (2) *Signs on the side and rear surface of a building.* The total area of signs on a side or rear surface of a building shall not exceed 50 percent of the exterior side or rear surface of the building, respectively.
 - (3) *Projecting signs.* Wall signs attached flat against a wall may extend not more than 24 inches from the wall. Signs attached at an angle to a wall may extend outward from the wall of a building not more than five feet.
- (f) *Illuminated signs.* Illuminated devices shall be so placed and so shielded that light from the sign itself will not be cast directly into any residential district, sleeping rooms in any district, or the eyes of an automobile or vehicular driver.
- (g) *Outdoor advertising signs.* Outdoor advertising signs shall meet the following requirements:

- (1) *Uniform size.* The outside measurements of all such signs shall be 12 feet in height and 12 feet in length, with or without trim.
- (2) *Illumination.* All illuminated signs shall use base-mounted lights and shall be activated by photoelectric cells. Additional lighting, including but not limited to neon, animation, and running lights, is prohibited.
- (3) *Height above interstate grade.* All signs shall be a minimum of ten feet above adjacent interstate pavement measuring from the lower portion of the sign face. Signs shall not exceed 30 feet in height. Two signs in the same location (back-to-back) or V formation shall be the same height above the interstate's surface.
- (4) *Extrusions prohibited.* Extrusions beyond the face of the sign, excluding aprons, are prohibited.
- (5) *Number of signs per location.* Only one sign shall be allowed to face the same direction per location. This allows back-to-back or V formation signs but prohibits two signs (side-by-side) facing the same direction.
- (6) *Spacing.* Sign location shall be no less than 500 feet apart measuring from the two closest points.
- (7) *Distance from property lines.* Sign structures shall be no less than ten feet from any property or right-of-way line.
- (8) *Number of signs per interchange quadrant.* Three outdoor advertising signs per quadrant of any interchange adjacent to the interstate highway are allowed. These signs must be within commercially or industrially zoned area as specified in state law and are restricted to an area 1,200 feet long beginning 500 feet from the point where the pavement widens on the main traveled way to accommodate the longest entrance or exit ramp.
- (9) *Historic area locations prohibited.* No sign shall be placed in or obstruct the view of an area of designated historic interest.
- (h) *On-premises signs.* On-premises signs located within 100 feet of a regularly used part of the activity being advertised and located on the same property and for sale or for lease signs located on the property being advertised are permitted.
- (i) *Nonconforming signs.* Any legally erected sign that would become nonconforming as a result of this article will be allowed to remain until purchased by the department of transportation or the county, provided that the sign owner meets the requirements of state laws and rules and regulations governing such signs.

(Ord. of 10-4-83, § III)

Staff Report

Subject: Approval of Proposal from Pond & Company for the Blue Jay Road Corridor Study and Concept Design

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: Public Works/Engineering

Meeting Date: March 5, 2024

Item Description: Blue Jay Road Corridor Study and Concept Design

Summary Recommendation: Staff recommends approval of the proposal from Pond for the Blue Jay Road Corridor Study and Concept Design

Executive Summary/Background:

- Effingham County requested a proposal from Pond & Company for a Blue Jay Road Corridor Study and Concept Design. The boundaries of the project were adjusted to include the City of Rincon area based on their request.
- Pond will evaluate Blue Jay Road from Sandhill Road to SR 21 to determine improvements needed based on current and future use.
- Tasks include base data coordination, traffic analysis, and concept layout.
- Phase 1 (Effingham County Portion) - \$327,072.85
- Phase 2 (City of Rincon Portion) - \$41,089.55
 - City of Rincon has agreed to pay this portion.

Alternatives for Commission to Consider

1. Approval of Proposal from Pond & Company for the Blue Jay Road Corridor Study and Concept Design in the amount of \$327,072.85 for the Effingham County portion of the project
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, T&H, County Engineer, Procurement/Capital Projects

Funding Source: TSPLOST

Attachments: Proposal from Pond

49 Park of Commerce Way, Suite 203
Savannah, Georgia 31405

T: 912.228.3611
www.pondco.com

February 12, 2024

Tim Callanan
County Manager
Effingham County Board of Commissioners
804 S. Laurel Street
Springfield, GA 31329

Re: **Effingham County – Professional Transportation Design Services Fee Proposal –
Blue Jay Road – Corridor Study and Concept Design**

Pond & Company (Pond) is pleased to submit this proposal for transportation engineering design services for the above project. The paragraphs below describe the professional services and fees to accomplish this work.

PROJECT UNDERSTANDING:

Effingham County is looking to evaluate Blue Jay Road, from Sand Hill Road to the McCall Road/Blandford Road intersection, to determine improvements needed based on its current truck route designation and anticipated heavy freight operations and future connectivity. With its connection to Effingham Parkway and SR 21 (11.3 miles) to the east and connection to Sandy Hill Road with eventual extension to US 80 to the west, Blue Jay Road will be one of the main east-west corridors within Effingham County. Tasks will include traffic analysis, as well as the development of a concept layout and associated costs to identify impacts including adjacent properties, utilities, etc. The geometry of this layout will include all necessary tie-ins for various ongoing projects (design files to be provided by Effingham County). Analysis and recommendations will factor in previous studies, including the Effingham Transportation Master Plan (TMP), Coastal Empire Transportation Study, and the Southeast Roadway Network Expansion.

Due to the involvement of the City of Rincon, we are soliciting this proposal into (2) separate phases for funding reasons:

- Phase 1: Effingham County Responsibility – Blue Jay Road, from Sand Hill Road to McCall Road/Blandford Road (east of RR crossing)
- Phase 2: City of Rincon Responsibility – Blandford Road, from Sherwood Road to SR 21

PROFESSIONAL SERVICES:

The work in this proposal will consist of traffic analysis and traffic engineering report, along with concept layout and associated cost estimate. Pond, along with our subconsultants, will provide the traffic analysis and design services necessary for completing the tasks as described herein for Effingham County.

Scope of Work

Phase 1 – Task 1: Base Data Coordination

Task 1.1A: Environmental Services – Pond will complete a preliminary Desktop Environmental and Cultural Resources Screening to identify potential resources or constraints within the project area. More specifically, Pond will conduct a thorough review of publicly available online data sources including, at a minimum:

Environmental:

- Georgia Department of Natural Resources (GADNR) Rare Species and Natural Community Data
- Georgia’s Natural, Archaeological, and Historic Resources Geographic Information System (GNAHRGIS) Ecology Database
- Natural Resource Conservation Service (NRCS) Soils Maps
- United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) Tool
- USFWS National Wetlands Inventory
- U.S. Geological Survey (USGS) National Hydrography Dataset
- USGS National Land Cover Database
- USGS Topographic Maps
- Federal Emergency Management Agency (FEMA) National Flood Hazard Layer
- Environmental Protection Agency (EPA) NEPAassist
- Georgia Environmental Protection Division (GAEPD) Hazardous Site Inventory

Cultural:

- Current and Historic Aerial Photographs (multiple sources)
- GNAHRGIS Cultural Database
- Georgia Archaeological Site File
- National Park Service National Register of Historic Places

Task 1.1B: Environmental Screening Report – An environmental screening report and GIS mapping of identified potential resources/constraints will be provided to document all findings.

Task 1.1C. Geotechnical Services – Pond will utilize the geotechnical subconsultant, Terracon, to complete asphalt pavement cores (21 total) with soil test borings at locations along Goshen Road. See Exhibit A for these locations.

The soil test borings are planned to a depth of 5 feet below existing ground surface. The purpose of the field exploration would be to provide information on the pavement and shallow subsurface soil conditions. Laboratory testing will be completed for all samples. The results of the field and laboratory programs will be evaluated, and a geotechnical engineering report will be prepared under the supervision of a licensed professional engineer. The geotechnical engineering report will provide the following:

- Boring logs with field and laboratory data
- Stratification based on visual soil classification
- Groundwater levels observed during and after the completion of drilling
- Site Location and Exploration Plans

- Subsurface exploration procedures
- Description of subsurface conditions
- Earthwork recommendations including site/subgrade preparation
- Recommended pavement options and design parameters

Deliverables for Task 1.1:

- Environmental Screening Report
- Geotechnical Report

Phase 1 – Task 2: Traffic Analysis

Task 1.2A: Traffic Data Collection – All traffic data collection will be performed by a sub-consultant and provided to Pond. The traffic counts listed below will be collected during an agreed/approved week that schools are in session:

- 6-Hour Turning Movement Count (6:00 – 9:00 AM – 4:00 – 7:00 PM):
 - Blue Jay Rd at SR 17
 - Blue Jay Rd at Emerald Crossing/Ruby Trail
 - Blue Jay Rd at Greystone Dr
 - Blue Jay Rd at Horsepen Rd
 - Blue Jay Rd at Oak Lawn Dr
 - Blue Jay Rd at Ottis Seckinger Rd
 - Blue Jay Rd at Blandford Way
 - Blue Jay Rd at Arcanti Dr
- 12-Hour Turning Movement Count (7:00 AM – 7:00 PM):
 - Blue Jay Rd at Sand Hill Rd
 - Blue Jay Rd at Midland Rd
 - Blue Jay Rd at Hodgeville Rd
 - Blue Jay Rd at McCall Rd West
 - Blue Jay Rd at McCall Rd East
 - Blandford Rd at McCall Rd
- 24-Hour Traffic Volume and Classification Counts:
 - Blue Jay Rd East of Sand Hill Rd
 - Blue Jay Rd East of SR 17
 - Blue Jay Rd East of Midland Rd
 - Blue Jay Rd East of Hodgeville Rd

Task 1.2B: Traffic Analysis – Pond will analyze the traffic along the corridor to determine what lane configuration (along Blue Jay Road) is most suitable for each intersection. Other corridor-wide geometrical and capacity improvements will be evaluated as well to accommodate increased freight, including increased radii at intersection, the addition of turn lanes, etc. Other recommendations from the Effingham Transportation Master Plan (TMP) and Southeast Roadway Network Expansion will be factored in as well.

Pond will coordinate with GDOT regarding the improvements for the Blue Jay Road Extension and Freight Upgrades, included within the Coastal Empire Transportation Study, as well as the Effingham Parkway Extension project. This assumes the input of previously completed and balanced forecasted volumes for Effingham Parkway and planning level traffic forecasting used in the Coastal Empire Study. Pond will coordinate with Effingham County to determine other ongoing developments or approved future developments. Pond will obtain the Traffic Impact Studies (TIS) from the county and input forecasted volumes. No trip generation will be included within this scope of work.

A review of crash history will be completed utilizing GDOT's GEARS and Numetric databases. Capacity analysis will be performed for each intersection using Synchro Software. This analysis will be performed for the AM and PM peak hours of the existing year, opening year, and design year. Analysis of the opening and design years will include a no-build condition. This analysis will be used to determine what improvements and alternatives are necessary to obtain acceptable operations.

The GDOT Intersection Control Evaluation (ICE) tool will be utilized to determine the potential improvements at the intersection of Blue Jay Road at SR 17. Stage 1 with a Waiver Request has been assumed since the existing intersection consists of a roundabout configuration.

Task 1.2C: Traffic Engineering (TE) Report – Pond will document the analysis results and recommendations in a Traffic Engineering Report.

Task 1.2D: Effingham County Review – Pond will submit the TE Report to Effingham County for comment/approval. This task includes (1) meeting with the county to discuss the report. We will respond to (1) round of comments and incorporate appropriate comments into the report.

Deliverables for Task 1.2:

- Traffic Engineering Report including forecast traffic volumes and analysis results

Phase 1 – Task 3: Concept Layout

Task 1.3A: Base Mapping Setup: Pond will utilize the electronic design files (i.e. DGN, DWG, etc) provided by Effingham County to develop the basemapping. This includes any applicable data, including topographic survey, GIS data (i.e. parcel data, roadway data, utility data, and contour information), and adjacent intersection improvement projects within the limits of this project. This information will be overlaid on high-resolution aerial imagery.

Task 1.3B: Concept Layout – Pond will utilize the basemapping from *Task 1.3A* to prepare a concept layout for Blue Jay Road, from Sand Hill Road to McCall Road/Blandford Road. The concept layout will indicate the proposed geometric improvements and potential impacts, including property/right-of-way, utility, etc. In addition, Pond will evaluate the realignment alternative for the intersection of Blue Jay Road at Sandhill Road, due to the possible US 280 extension. The concept will also be sure to accommodate a new sewer force main.

Task 1.3C: Cost Estimate – Pond will prepare a concept-level cost estimate for the concept layout, including right-of-way/property costs (county to provide right-of-way and easement costs).

Task 1.3D: Effingham County Review – Pond will submit the Concept Layout and Cost Estimate to Effingham County for comment/approval. This task includes (1) meeting with the county to discuss the plans. We will respond to (1) round of comments and incorporate appropriate comments into the plans. Pond will then attend a second meeting with the County to review the revised plans and address and final questions.

Deliverables Task 1.3:

- Concept Layout
- Cost Estimate

Phase 2 – Task 1: Traffic Analysis

Task 2.1A: Traffic Data Collection – All traffic data collection will be performed by a sub-consultant and provided to Pond. The traffic counts listed below will be collected during an agreed/approved week that schools are in session:

- 6-Hour Turning Movement Count (6:00 – 9:00 AM – 4:00 – 7:00 PM):
 - Blandford Rd/Ninth St at Sherwood Rd
 - Blandford Rd/Ninth St at Howard Ave
 - Ninth St at Middleground Road
 - Ninth St at Georgia Ave
 - Ninth St at North Carolina Ave
 - Ninth St at SR 21
- 24-Hour Traffic Volume and Classification Counts:
 - Ninth St East of North Carolina Ave

Task 2.1B: Traffic Analysis – Pond will analyze the traffic along the corridor to determine what lane configuration (along Blue Jay Road) is most suitable for each intersection. Other corridor-wide geometrical and capacity improvements will be evaluated as well to accommodate increased freight, including increased radii at intersection, the addition of turn lanes, etc. Other recommendations from the Effingham Transportation Master Plan (TMP) and Southeast Roadway Network Expansion will be factored in as well.

Pond will coordinate with GDOT regarding the improvements for the Blue Jay Road Extension and Freight Upgrades, included within the Coastal Empire Transportation Study, as well as the Effingham Parkway Extension project. This assumes the input of previously completed and balanced forecasted volumes for Effingham Parkway and planning level traffic forecasting used in the Coastal Empire Study. Pond will coordinate with Effingham County/City of Rincon to determine other ongoing developments or approved future developments. Pond will obtain the Traffic Impact Studies (TIS) from the city and input forecasted volumes. No trip generation will be included within this scope of work.

A review of crash history will be completed utilizing GDOT's GEARS and Numetric databases. Capacity analysis will be performed for each intersection using Synchro Software. This analysis will be performed for the AM and PM peak hours of the existing year, opening year, and design year. Analysis of the opening and design years will include a no-build condition. This analysis will be used to determine what improvements and alternatives are necessary to obtain acceptable operations.

The GDOT Intersection Control Evaluation (ICE) tool will be utilized to determine the potential improvements at the intersection of Ninth Street at SR 21. Although Stage 1 with a Waiver Request might be sufficient, Stage 2 will be considered for overall alternative evaluation.

Task 2.1C: Traffic Engineering (TE) Report – Pond will document the analysis results and recommendations in the Traffic Engineering Report included in 1.2C.

Task 2.1D: City of Rincon Review – Pond will submit the TE Report to the City of Rincon for comment/approval. This task includes (1) meeting with the city to discuss the report. We will respond to (1) round of comments and incorporate appropriate comments into the report.

Deliverables for Task 2.1:

- N/A – Included in Phase 1

Phase 2 – Task 2: Concept Layout

Task 2.2A: Base Mapping Setup: Pond will utilize the electronic design files (i.e. DGN, DWG, etc) provided by Effingham County to develop the basemapping. This includes any applicable data, including topographic survey, GIS data (i.e. parcel data, roadway data, utility data, and contour information), and adjacent intersection improvement projects within the limits of this project. This information will be overlaid on high-resolution aerial imagery.

Task 2.2B: Concept Layout – Pond will utilize the basemapping from *Task 2.2A* to prepare a concept layout for Blandford Road, from Sherwood Road to SR 21. The concept layout will indicate the proposed geometric improvements and potential impacts, including property/right-of-way, utility, etc. The overall conceptual layout will be completed in conjunction with the layout in *Task 1.3B*.

Task 2.2C: Cost Estimate – Pond will prepare a concept-level cost estimate for the concept layout, including right-of-way/property costs (county to provide right-of-way and easement costs).

Task 2.2D: City of Rincon Review – Pond will submit the Concept Layout and Cost Estimate to the City of Rincon for comment/approval. This task includes (1) meeting with the city to discuss the plans. We will respond to (1) round of comments and incorporate appropriate comments into the plans. Pond will then attend a second meeting with the city to review the revised plans and address and final questions.

Deliverables Task 2.2:

- N/A – Included in Phase 1

Schedule

Pond has estimated that *Task 1.1* through *Task 2.2* listed above can be completed within (10) months, following Notice to Proceed (NTP) from Effingham County and completion of traffic data collection services. Please note that this schedule timeframe is also dependent on subconsultant scheduling and agency review times.

ASSUMPTIONS:

The design plans will be prepared as a locally funded project and will not be prepared in accordance with all processes and requirement of the GDOT Plan Develop Process (PDP).

Services or tasks not specifically outlined above are excluded and would be considered additional services. Services not included in the scope:

- Full Engineering Design including Preliminary, Right-of-Way, and Final Design Plans
- The Conceptual Layout will consist of a Continuous Roll Plot. No Separate Layouts for the City Versus the County
- The Traffic Engineering Report will consist of a Single Report. No Separate Report for the City Versus the County
- Pond will obtain the Traffic Impact Studies (TIS) from the county and input forecasted volumes. No trip generation will be included within this scope of work.
- Traffic Analysis – Beyond Task 1.2 and 2.1
- Traffic Data Collection – Beyond Task 1.2 and 2.1
- Intersection Geometry for Roundabout Configuration is limited to General Footprint. Performance Checks (i.e. Fastest Path Analysis) will be Excluded
- Trip Generation for Existing or Future Developments
- Intersection Control Evaluation (ICE) Process
- Traffic Signal Plans
- Detailed Field Surveys for Natural or Cultural Resources
- Environmental Permitting
- Right-of-Way Staking, Right of Way Acquisition Services/Assistance
- Post Design, Construction Administration, and Bidding Assistance Services
- Other Items Beyond Scope Listed in Task 1 through Task 3
- Railroad Preliminary Engineering Review or Other Associated Fees
- Structural Design and/or Analysis
- ITS/Signal Communications Plans
- Lighting Plans
- Landscaping Plans
- Subsurface Utility Engineering (SUE) Services
- GDOT Plan Development Process (PDP)
- GDOT Concept Report
- Additional Meetings
- MS4 Analysis/Documentation
- Public Involvement
- Geotechnical Services
- Phasing of Construction and/or Design
- Hydraulic Investigation

49 Park of Commerce Way, Suite 203 T: 912.228.3611
Savannah, Georgia 31405 www.pondco.com

PROFESSIONAL FEES:

Pond proposes to accomplish all tasks for Phase 1 and Phase 2 for a Not-to-Exceed total of \$368,162.40 The fee details are listed in the attached Man-Hour Estimate and are based on the contracted unit rates, not to exceed lump-sum total of \$368,162.40 to be billed on a percent complete basis. The breakdown of Phase 1 and Phase 2 are shown below:

- Phase 1: Effingham County Responsibility – \$327,072.85
- Phase 2: City of Rincon Responsibility – \$41,089.55

If this fee and scope is acceptable, Pond & Company is available to begin work immediately. If you would like to discuss or modify the scope please contact me at FangmannR@pondco.com or Zach Puckett, who will serve as the Project Manager, at PuckettZ@pondco.com or via phone at (678) 336-7740.

Sincerely,

POND & COMPANY



Richard Fangmann, PE, PTOE
Vice-President

Cc: Zach Puckett, PE
Melissa Phillips

Attachments:
Man-Hour Estimates

Client

Signed (Must be an Officer or Authorized Agent)

Typed Name

Title

Date

Pond & Company

Signed (Must be an Officer or Authorized Agent)

Typed Name

Title

Date

Effingham County

Blue Jay Road Corridor Study and Concept Sand Hill Road to SR 21 Project Length 11.2 miles

SUMMARY BY PHASE

COST AMOUNT OF CONTRACT PROPOSAL 2/12/2024

	PHASE AMOUNTS
Phase 1 Base Data Coordination	\$ 39,364.00
Phase 2 Traffic Analysis	\$ 103,848.40
Phase 3 Concept Design	\$ 224,950.00
TOTAL DESIGN COST FOR ALL SEGMENTS	\$ 368,162.40

Effingham County				
Phase 1 Summary				
PROJECT: Blue Jay Road Corridor Study and Concept Sand Hill Road to SR 21				
Phase 1				
Base Data Coordination				
PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	0	\$ 250.00	\$ -	
PROJECT MANAGER	4	\$ 230.00	\$ 920.00	
SENIOR ENGINEER	0	\$ 200.00	\$ -	
MID LEVEL ENGINEER	0	\$ 130.00	\$ -	
SENIOR LANDSCAPE AF	0	\$ 162.84	\$ -	
LANDSCAPE ARCHITECT	0	\$ 131.33	\$ -	
ADMINISTRATIVE	3	\$ 95.00	\$ 285.00	
<hr/>				
TOTAL DIRECT LABOR	7 Manhours		\$	1,205.00
DIRECT COSTS (SPECIFY):				
ITEM	UNIT COST	QUANTITY	TOTALS	
MILEAGE	\$ 0.55	0	\$	-
REPRODUCTION	\$ 150.00	0	\$	-
MAIL & DELIVERY	\$ 50.00	0	\$	-
TRAVEL	\$ -	0	\$	-
			\$	-
Direct Cost Total			\$	-
SUBCONSULTANTS (LIST):				
SUB CONSULTANT			TOTALS	
Environmental - POND			\$	7,524.00
Geotechnical Services			\$	30,635.00
<hr/>				
Subconsultant Sub Total			\$	38,159.00
COST AMOUNT FOR PHASE			\$	39,364.00

Effingham County					
Phase 2 Summary					
PROJECT: Blue Jay Road Corridor Study and Concept Sand Hill Road to SR 21					
Phase 2					
Traffic Analysis					
PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS	
PRINCIPAL	31	\$ 250.00	\$ 7,750.00		
PROJECT MANAGER	67	\$ 230.00	\$ 15,410.00		
SENIOR ENGINEER	142	\$ 200.00	\$ 28,400.00		
MID LEVEL ENGINEER	296	\$ 130.00	\$ 38,480.00		
SENIOR LANDSCAPE AF	0	\$ 162.84	\$ -		
LANDSCAPE ARCHITECT	0	\$ 131.33	\$ -		
ADMINISTRATIVE	12	\$ 95.00	\$ 1,140.00		
TOTAL DIRECT LABOR				548 Manhours	\$ 91,180.00
DIRECT COSTS (SPECIFY):					
ITEM	UNIT COST	QUANTITY	TOTALS		
MILEAGE	\$ 0.67	520	\$	348.40	
REPRODUCTION	\$ 150.00	0	\$	-	
MAIL & DELIVERY	\$ 50.00	0	\$	-	
TRAVEL	\$ -	0	\$	-	
			\$	-	
Direct Cost Total			\$	348.40	
SUBCONSULTANTS (LIST):					
SUB CONSULTANT			TOTALS		
Traffic Counts			\$	12,320.00	
Subconsultant Sub Total			\$	12,320.00	
COST AMOUNT FOR PHASE			\$	103,848.40	

Effingham County				
Phase 3 Summary				
PROJECT: Blue Jay Road Corridor Study and Concept Sand Hill Road to SR 21				
Phase 3				
Concept Design				
PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	13	\$ 250.00	\$ 3,250.00	
PROJECT MANAGER	114	\$ 230.00	\$ 26,220.00	
SENIOR ENGINEER	426	\$ 200.00	\$ 85,200.00	
MID LEVEL ENGINEER	841	\$ 130.00	\$ 109,330.00	
SENIOR LANDSCAPE ARCHITECT	0	\$ 162.84	\$ -	
LANDSCAPE ARCHITECT	0	\$ 131.33	\$ -	
ADMINISTRATIVE	10	\$ 95.00	\$ 950.00	
TOTAL DIRECT LABOR				\$ 224,950.00
1404 Manhours				
DIRECT COSTS (SPECIFY):				
ITEM	UNIT COST	QUANTITY	TOTALS	
MILEAGE	\$ 0.55	0	\$	-
REPRODUCTION	\$ 150.00	0	\$	-
MAIL & DELIVERY	\$ 50.00	0	\$	-
TRAVEL	\$ -	0	\$	-
			\$	-
Direct Cost Total			\$	-
SUBCONSULTANTS (LIST):				
SUB CONSULTANT			TOTALS	
			\$	-
			\$	-
Subconsultant Sub Total			\$	-
COST AMOUNT FOR PHASE			\$	224,950.00

Exhibit D – Site Location

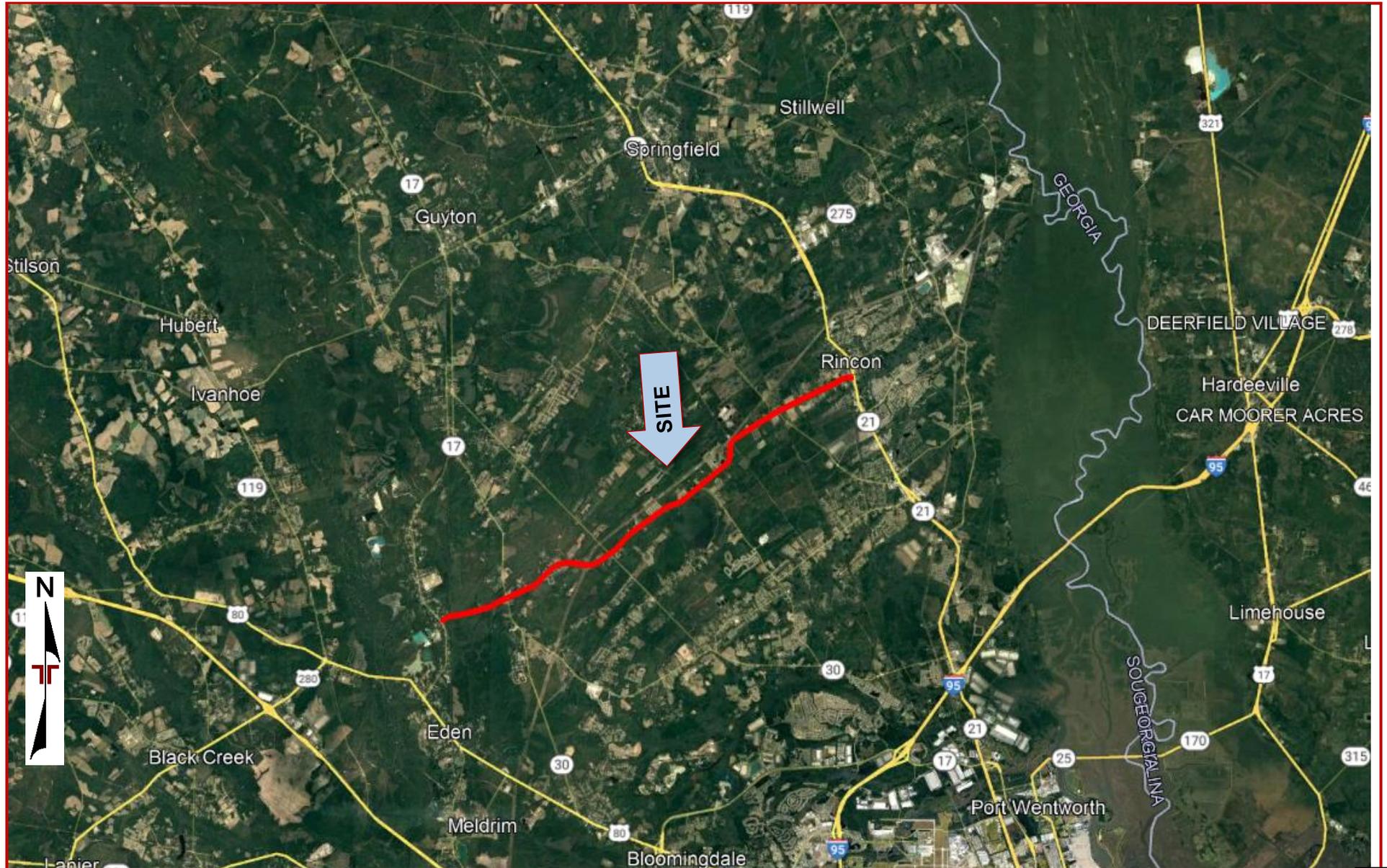


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

MAP PROVIDED BY MICROSOFT BING MAPS

Exhibit E – Anticipated Exploration Plan

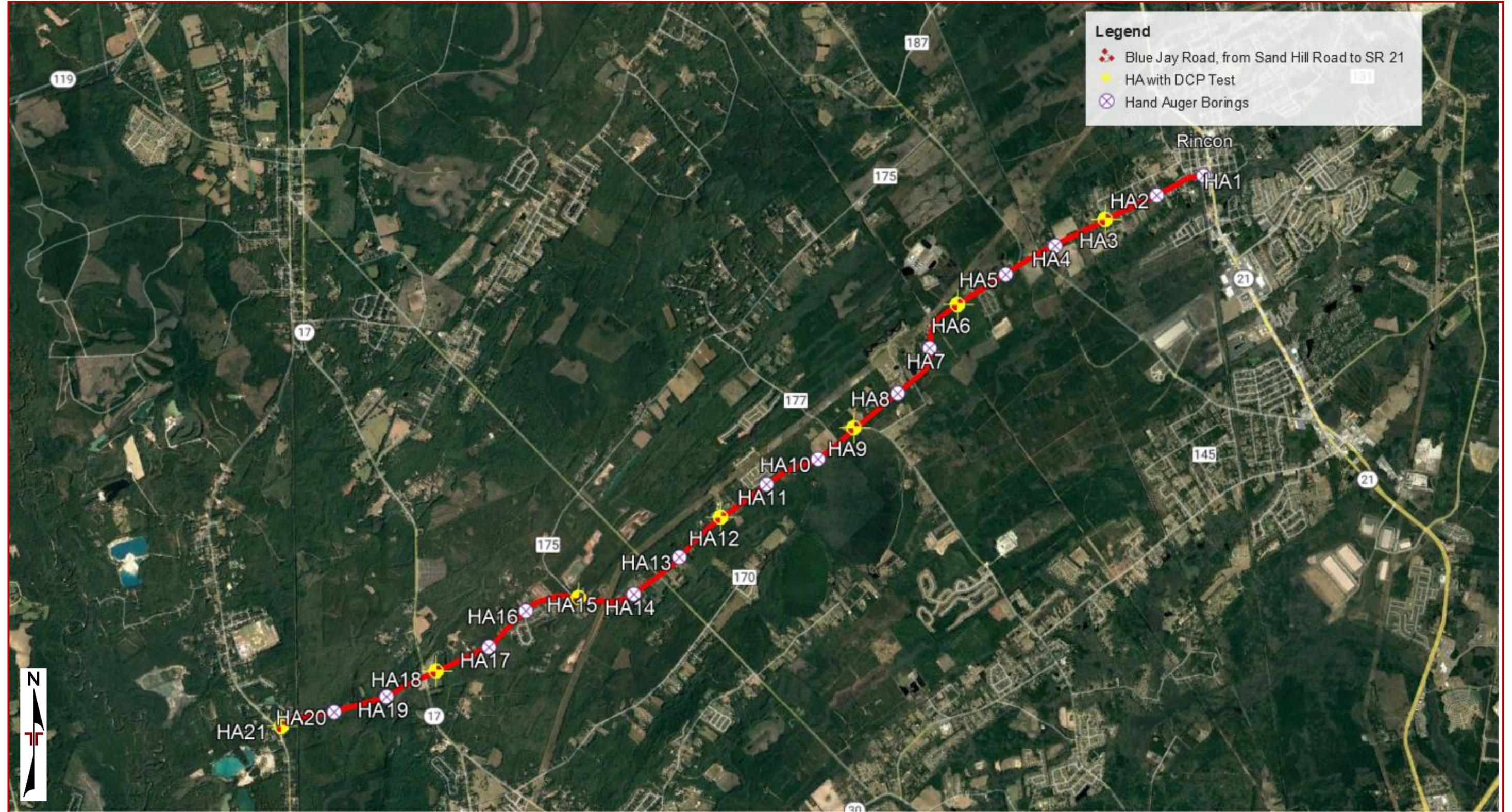


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

MAP PROVIDED BY MICROSOFT BING MAPS

Staff Report

Subject: Approval of Additional Services Request from Alliance Consulting Engineers for the Courthouse Road Realignment Design Project

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: Public Works/Engineering

Meeting Date: March 5, 2024

Item Description: Additional Services Request from Alliance Consulting Engineers for the Courthouse Road Realignment Design Project

Summary Recommendation: Staff recommends Approval of the Additional Services Request from Alliance Consulting Engineers for the Courthouse Road Realignment Design Project

Executive Summary/Background:

- Staff requesting the additional services for the Courthouse Road Realignment which includes the lighting design for the future roundabout and design of left-turn lanes on McCall for the future SR 21 stop light.
- The request from Alliance is a NTE total of \$142,000.00 and will be billed based upon the rates approved in their IDC agreement. (Original Contract: \$405,000.00. New Contract Price: \$547,000.00)

Alternatives for Commission to Consider

1. Approval of Additional Services Request from Alliance Consulting Engineers for the Courthouse Road Realignment Design Project in the amount of \$142,000.00
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, T&H, County Engineer, P/CP

Funding Source: TSPLOST

Attachments: Additional Services Proposal



February 19, 2024
 (Revised February 20, 2024)

Mr. Wesley Corbitt, Board Chairman
 Effingham County Board of Commissioners
 804 South Laurel Street
 Springfield, Georgia 31329

RE: Professional Engineering Services to provide
 Road Realignment Conceptual Plans, Design,
 and Construction Management for
 Courthouse Road in the City of Springfield,
 Effingham County, Georgia
*Additional Services – Lighting Plan and
 McCall Road Left Turn Lanes*
 Project Number: 22164-2051

Dear Mr. Corbitt:

Thank you for giving Alliance Consulting Engineers, Inc. the opportunity to provide this proposal for Additional Professional Engineering Services for Courthouse Road Realignment Project in Effingham County to include a Lighting Plan for the proposed Roundabout at the intersection of Courthouse Road, McCall Road, and Dasher Drive, and left-turn lanes on McCall Road onto GA Highway 21, as depicted on the enclosed Conceptual Plan dated February 16, 2024 prepared by Alliance Consulting Engineers, Inc. It is Alliance Consulting Engineers, Inc.'s understanding that Georgia Department of Transportation (GDOT) intends to install a Traffic Signal at the intersection of McCall Road and GA Highway 21. Alliance Consulting Engineers, Inc. will coordinate the location of Traffic Signal poles/masts with GDOT, and GDOT will coordinate the Traffic Signal Design to provide as part of the bid package. Effingham County would like for Alliance Consulting Engineers, Inc. to provide Professional Engineering Services for design of the left-turn lanes on McCall Road onto GA Highway 21.

Alliance Consulting Engineers, Inc. is currently assisting Effingham County with the Courthouse Road Realignment Project. The Conceptual Plan and Preliminary Engineering Services, including Surveying, Wetlands Delineation, Geotechnical Subsurface Exploration, and Traffic Impact Study (TIS) Report have been completed, and the Preliminary Design is currently in process to be completed in February 2024. Given its current experience on the Courthouse Road Realignment Project and the close proximity of the McCall Road Left-Turn

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Alliance Consulting Engineers, Inc.

124 Verdae Blvd., Bonaventure II, Suite 505 Greenville, SC 29607-3843 Phone 864 284-1740 Fax 864 284-1741 www.allianceCE.com

Mr. Wesley Corbitt, Board Chairman
 Effingham County Board of Commissioners
 February 19, 2024 (*Revised February 20, 2024*) – Page 2 of 4

Lanes, Alliance Consulting Engineers, Inc. is uniquely positioned to assist Effingham County with these Professional Engineering Services.

The following Scope of Services does not include Additional Wetlands Delineation or Geotechnical Subsurface Exploration. Alliance Consulting Engineers, Inc. can provide those Services in a separate proposal if requested by Effingham County.

The proposed Professional Engineering Services for the project are outlined in the following Scope of Services.

I. SCOPE OF SERVICES

1. Courthouse Road Roundabout – Lighting Plan

Alliance Consulting Engineers, Inc. will coordinate the Lighting Plan with the local Electrical Service Provider and Effingham County on the location of light poles at the proposed Roundabout at the Courthouse Road, McCall Road, and Dasher Drive intersection.

2. Topographic and Existing Conditions Survey

Alliance Consulting Engineers, Inc. will provide a Topographic and Existing Conditions Survey of McCall Road and the intersection at GA Highway 21 sufficient to design the new Left-Turn Lanes. The Existing Conditions will include Private Underground Utility Locates within the project boundaries.

3. Preliminary Design

Upon Effingham County's approval of the enclosed Conceptual Plan, Alliance Consulting Engineers, Inc. will conduct up to one (1) site visit for review of existing project conditions and provide preliminary design and cost opinion to Effingham County for review and comment prior to Final Engineering Design and Construction Drawings.

4. Final Engineering Design and Construction Drawings

Upon Effingham County's approval of the Preliminary Design, Alliance Consulting Engineers, Inc. will complete Final Engineering Design that includes a complete set of Construction Drawings to include a Site Plan (depicting Dimensions, Right-of-Way, and Property Lines), Grading Plan, Road Profiles and Cross-Sections, Utility Relocation Plans, and Sediment and Erosion Control Plans, along with Design Details and Technical Specifications. The Technical Specifications will be in the Construction Specifications Institute (CSI) format. Alliance Consulting Engineers, Inc. will prepare up to one (1) Construction Cost Opinion based on the quantities and materials included in the Final Design and Construction Drawings.

5. Permitting Services

Alliance Consulting Engineers, Inc. will identify and prepare necessary permits and applications to satisfy Local and State requirements for design and construction of the project. Required documents will be prepared and submitted to Effingham County for execution, with Effingham County paying the cost of permit applications.

6. Bidding and Award Services

Alliance Consulting Engineers, Inc. will prepare Bidding Documents, including plans and specifications necessary for contractor bidding of the project and assist in preparing a project advertisement and the distribution of Bid Documents. The Bid Documents will be prepared in CSI format. Alliance Consulting Engineers, Inc. will prepare addenda to respond to bidder questions, attend the Bid Opening Meeting, compare and certify Bids received, and recommend award of the project.

7. Construction Administration and Construction Observation Services

Alliance Consulting Engineers, Inc. will arrange and attend a Pre-Construction Meeting, review and maintain a log of Shop Submittals, respond to Requests for Information or Change Order items, maintain a Change Order log, and accept and respond to verbal communication from contractor and Effingham County for coordination. Alliance Consulting Engineers, Inc. will provide Weekly Site Observation Services, review and certify Pay Requests, and develop Punch Lists along with two (2) follow up visits, one (1) final inspection, and receive and review Closeout Documents. Alliance Consulting Engineers, Inc. anticipates construction taking four (4) to six (6) months to complete.

8. Project Close-Out and Record Drawings

Alliance Consulting Engineers, Inc. will prepare close-out documentation and Record Drawings for Effingham County’s use. Alliance Consulting Engineers, Inc. will prepare Record Drawings based on As-Built Surveys provided by the Contractor. One (1) paper copy and electronic files in AutoCad (.dwg) and PDF format will be provided.

II. COMPENSATION

Compensation for these services based on Alliance Consulting Engineers, Inc.’s understanding of the project will be:

1. Courthouse Road Roundabout – Lighting Plan	\$ 6,000
2. Topographic and Existing Conditions Survey	\$ 20,000
3. Preliminary Design	\$ 20,000
4. Final Engineering Design and Construction Drawings	\$ 30,000
5. Permitting Services	\$ 12,500
6. Bidding and Award Services	\$ 7,500
7. Construction Administration and Construction Observation Services	\$ 36,000
8. Project Closeout and Record Drawings	\$ 10,000

Expenses associated with Travel, Printing and Postage are included in the fees above. Costs associated with Permitting, Impact and Application fees will be the responsibility of Effingham County, but will be coordinated by Alliance Consulting Engineers, Inc. The total value of this Proposal shall not exceed \$142,000 without additional authorization and will be billed based upon the agreed upon Man Hour Rates in the current Indefinite Delivery Contract.

Staff Report

Subject: Approval of Change Order 3 for McWright LLC for Contract 23-ITB-031

Author: Alison Bruton, Procurement & Capital Projects Manager

Department: EMS/Prison

Meeting Date: March 5, 2024

Item Description: Approval of Change Order 3 for McWright LLC

Summary Recommendation: Staff recommends approval of CO3 in the amount of \$13,852.00 for McWright LLC for Contract 23-ITB-031 – EMS and Prison Maintenance Building Construction/Renovation

Executive Summary/Background:

- McWright LLC was awarded contract 23-ITB-031 for the renovation/expansion of the EMS Headquarters and construction of the Prison Maintenance building. Albeck Group, LLC is assisting Effingham County in the project management.
- Change Order 1 included four (4) change order requests since the beginning of the construction. COR1 was denied by the County with Albeck's input (request for a door swap and time extension). COR2, 3, and 4 were approved for a total of \$12,081.00
- Change Order 2 included COR6 which was requested by staff to move the electrical service for the sign to the other side of the drive. The total for this request is \$2,179.00.
- Change Order 3 includes power and terminations to the overhead doors (4 at the PMB and 3 at the EMS site) and the extension of 8 conduits at the PMB for future expansion for a total of \$13,852.00.
- Original Contract Price: \$2,942,170.00
- Change Order 1: \$12,081.00
- Change Order 2: \$2,179.00
- Change Order 3: \$13,852.00
- Updated Contract Price: \$2,970,282.00

Alternatives for Commission to Consider

1. Approval of CO3 in the amount of \$13,852.00 for McWright LLC for Contract 23-ITB-031 – EMS and Prison Maintenance Building Construction/Renovation
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Albeck Group, LLC., County Manager, Project Manager

Funding Source: SPLOST

Attachments: Change Order 3 and supporting documentation

Change Order # 3

Project: 23-ITB-031 – EMS/PMB Construction

Contract Date: June 21, 2023

Change Order Effective Date: March 5, 2024

Change Order Issued to: McWright, LLC
1303 Corder Rd
Warner Robins, GA 31088

You are directed to make the following changes to this Contract.

ITEM NO.	DESCRIPTION	Total
COR 7	PMB and EMS OH door power and backup	\$8,463.00
	- Power and terminations to 4 overhead doors at PMB (\$4,230)	
	- Power and terminations to 3 overhead doors at EMS (\$3,175)	
	- GC Liability, bond increase, GC fee (\$1,058)	
COR 8	Extend future conduits at PMB	
	- Labor/material to extend 8 conduits for future expansion	\$5,389.00
	TOTAL	\$13,852.00

The original Contract Sum was.....\$ 2,942,170.00
 Net change by previously authorized Change Orders.....\$ 14,260.00
 The Contract Sum prior to this Change Order was.....\$ 2,956,430.00
 The Contract Sum will be increased by this Change Order.....\$ 13,852.00
 The new Contract Sum including this Change Order will be.....**\$ 2,970,282.00**
 The Contract Time will be increased by **0** days

Owner
 Effingham County Board of Commissioners
 804 S. Laurel Street
 Springfield, GA 31329

Contractor
 McWright, LLC
 1303 Corder Rd
 Warner Robins, GA 31088

By: _____

By: _____

Date: _____

Date: _____



McWright, LLC.

Date: February 7, 2024
Job: Effingham County EMS and PW
Address: 285 1st Street Extension Springfield, GA 31329
Owner: Effingham County Board of Commissioners

Change Order Request #7- PW and EMS OH door power and backup

Reference: Missing from Plan/Owner Request

Scope of Work:

- Power and terminations to (4) overhead doors at Public Works
 - Electrical Sub Quote: \$4,230.00

- Power and terminations to (3) overhead doors at EMS
- Includes backup power like at Guyton Station #13 (see pics for more information)
 - Electrical Sub Quote: \$3,175.00

Total Add Price-\$8,463.00

X

Matthew McMillian
McWright, LLC

McWright LLC		PO Box 903 Boanire, GA 31005 www.mcwrightconstruction.com	
Project:	Effingham County EMS and PW		
COR #:	7		
Date:	2/7/2024		
Description:	OH door Power at PW and EMS		
Architect:	DPR		

Description	Subcontractor	Notes	Price
power to (4) doors at Public Works	Bargeron	no backup power to doors at Public Works	\$ 4,230.00

Description	Subcontractor	Notes	Price
Power and terminations to (3) doors at EMS. Includes back up power setup like at Guyton Station #13 (see pics attached)	Bargeron		\$ 3,175.00

Description	Subcontractor	Notes	Price

Totals	Subcontractor(s) Price		\$ 7,405.00
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Cost Summary	
Subcontractor(s)	\$ 7,405.00
GC General Liability	\$ 203.64
GC Job Overhead Expenses	\$ -
Sub Total	\$ 7,608.64
GC Fee	\$ 608.69
Sub Total	\$ 8,217.33
Bond Premium Increase	\$ 246.52
Total	\$ 8,463.85



Barger Electric Company, LLC

PO Box 58
 10507 Waycross hwy
 Screven, GA 31560
 Phone: (912) 371-0010
 Email: office@bargerelectriccompnay.com

Change Order Item XI. 8.

C/O Date: 8/7/2023

Quoted to: McWright LLC
 PO Box 903
 Bonaire, GA 31005

Regarding Job: Effingham EMS&PW/Springfield/G
 EMS - 285 1st St Ext
 PW - 321 Hwy 119 S
 Springfield, GA 31329

C/O Number:	2	Comments
Sequence:	0	
Owner C/O No:		

Description	Amount
Add 120 volt 20 amp circuit for each of the (4) overhead doors. Including conduit for low voltage wiring to sensors.	0.00

Materials	1,350.00
Labor	2,880.00

Original Contract	\$	287,200.00
Previous Change Orders	\$	3,035.00
Revised Contract	\$	290,235.00
Current Change Order	\$	4,230.00
New Contract Total	\$	294,465.00

Authorized by: _____ Date: _____
 McWright LLC

Representative: _____ Date: _____
 Barger Electric Company, LLC

Barger Electric Company, LLC
 PO Box 58
 10507 Waycross hwy
 Screven, GA 31560

Date: 02/07/24
Internal CO: 7

McWright LLC
 PO Box 903
 Bonaire, GA 31005

Effingham EMS&PW/Springfield/G
 EMS - 285 1st St Ext
 PW - 321 Hwy 119 S
 Springfield, GA 31329

Attn:
Owner CO No:

Power for Overhead Door at EMS	0.00
Materials	1,015.00
Labor	2,160.00

Total this Change Order:	3,175.00
Original Contract:	287,200.00
Previously Approved Change Orders:	0.00
Revised Contract to Date:	290,375.00

Accepted Date: _____

Accepted By: _____

Please sign and return a copy as soon as possible



Michael McMillian <michael@mcwrightconstruction.com>
to turman, jeff.mcwrightllc, dennis, ar ▾

Please confirm this includes the backup power for the doors as well? As per my email with the pictures of what we will copy at Guyton Station #13?

--
Michael McMillian
McWright LLC
(478) 636-0487



Tadpole Turman
to Michael ▾

Yes

Tadpole Turman
Project Manager
P: 912.371.0010
M: 727.457.6355
TTurman@bargeronelectriccompany.com

Below are pics of station #13 that we will copy for the backup power.









McWright, LLC.

Date: February 8, 2024
Job: Effingham County EMS and PW
Address: 285 1st Street Extension Springfield, GA 31329
Owner: Effingham County Board of Commissioners

Change Order Request #8- Extend future conduits at PW

Reference: Owner Request

Scope of Work:

- Labor and material to extend (8) 2.5" conduits to outside of fenced area and provide a marker for future expansion

Total Add Price-\$5,389.00

X

Matthew McMillian
McWright, LLC

McWright LLC		PO Box 903 Boanire, GA 31005 www.mcwrightconstruction.com	
Project:	Effingham County EMS and PW		
COR #:	8		
Date:	2/8/2024		
Description:	Extend PW future conduits		
Architect:	DPR		

Description	Subcontractor	Notes	Price
extend future conduits past the fence area and provide a marker for future expansion	Bargeron		\$ 4,715.00

Description	Subcontractor	Notes	Price

Description	Subcontractor	Notes	Price

Totals	Subcontractor(s) Price		\$ 4,715.00
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Cost Summary	
Subcontractor(s)	\$ 4,715.00
GC General Liability	\$ 129.66
GC Job Overhead Expenses	\$ -
Sub Total	\$ 4,844.66
GC Fee	\$ 387.57
Sub Total	\$ 5,232.24
Bond Premium Increase	\$ 156.97
Total	\$ 5,389.20

Bargeron Electric Company, LLC
PO Box 58
10507 Waycross hwy
Screven, GA 31560

Date: 02/07/24
Internal CO: 6

McWright LLC
PO Box 903
Bonaire, GA 31005

Effingham EMS&PW/Springfield/G
EMS - 285 1st St Ext
PW - 321 Hwy 119 S
Springfield, GA 31329

Attn:
Owner CO No:

Public Works Spare Conduit Extend Past Fence(60ft)	0.00
Materials	3,465.00
Labor	1,250.00

Total this Change Order: 4,715.00
Original Contract: 287,200.00
Previously Approved Change Orders: 0.00
Revised Contract to Date: 291,915.00

Accepted Date: _____

Accepted By: _____

Please sign and return a copy as soon as possible



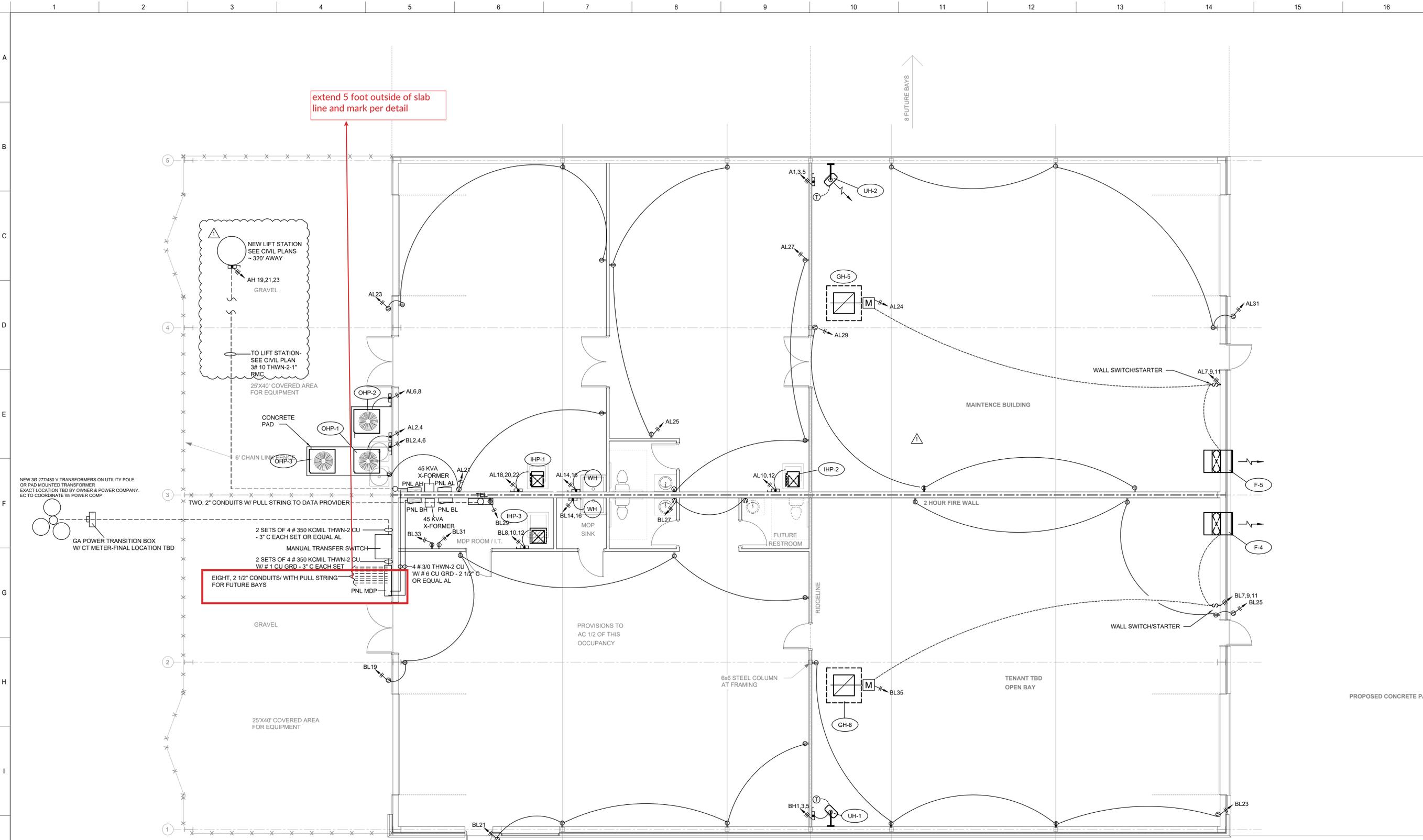
PUBLIC WORKS COMPLEX
321 HWY 119 S SPRINGFIELD GA
EFFINGHAM COUNTY

SCHEDULE OF REVISIONS	
#	DATE
1	ADDED LIFT STATION 7-31-23

PROJECT NUMBER: 2025
PROJECT DATE: 03-15-23
DRAWN BY: SCH
APPROVED BY: KDG

ELECTRICAL POWER PLAN

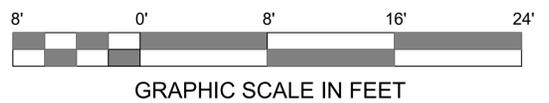
E2



extend 5 foot outside of slab
line and mark per detail

8 FUTURE BAYS

1 ELECTRICAL POWER PLAN
E2 SCALE: 3/16" = 1' - 0"



2022-105

Staff Report

Subject: Approval of Proposal from Inspire Placemaking Collective, Inc. for a Corridor Design Standard

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: Development Services

Meeting Date: March 5, 2024

Item Description: Proposal from Inspire Placemaking Collective, Inc. for a Corridor Design Standard

Summary Recommendation: Staff recommends approval of the Proposal from Inspire Placemaking Collective, Inc. for a Corridor Design Standard for two areas in Effingham County.

Executive Summary/Background:

- Development Services Staff requested the proposal from Inspire to prepare development and design standards for two corridors in Effingham County; Hodgeville Road, and SR 21 from the County Line (Port Wentworth side) through Rincon to the Springfield City Limits.
- This proposal has three phases:
 - Project Area Delineation - \$6,440
 - Amendment Preparation and Graphics - \$23,190
 - Public Hearings - \$4,920
 - Planning Board Meeting (1)
 - County Commission Meeting (1)
 - Total: \$34,550.00
- Inspire is currently working with Development Services staff on the Comprehensive Plan and Ordinance updates.

Alternatives for Commission to Consider

1. Approval of Proposal from Inspire Placemaking Collective, Inc. for a Corridor Design Standard for a total of \$34,550.00
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Dev. Services, County Manager, P/CP

Funding Source: Dev.Services Engineering Services, budget amendment may be needed

Attachments: Inspire Proposal



January 24, 2024

Mr. Steve Candler
 Director of Development Services
 Effingham County Board of Commissioners
 804 South Laurel Street
 Springfield, GA 31329

Sent Via Email: scandler@effinghamcounty.org

Reference: Effingham County Corridor Standards

Dear Mr. Candler:

Inspire Placemaking Collective, Inc. (Inspire) appreciates the opportunity to submit this proposal for professional planning services to prepare development and design standards for the two corridors, locations described in this proposal. This will include studying the areas, proposing recommendations, and preparing proposed text and map amendments to the County's regulations. This proposal provides a brief description of our understanding of the project, our proposed scope of work, and associated fees.

This proposal is solely intended for the services described below. Use of this proposal and resulting documents, including the final deliverables, is limited to the above referenced project and client. No other use is authorized by Inspire.

Scope of Services

Inspire proposes to offer the following basic services as part of this proposal. I will be the designated project manager for this exciting project. I have approximately 20 years of planning experience, focused primarily on ordinance writing, design guidelines, comprehensive planning, development review, and public engagement. Our team is made up of professionals in many different areas of planning, landscape architecture, historic preservation, and architecture, which helps shape a very comprehensive delivery of services.

PHASE 1: Project area delineation

The first phase of the project will include identifying all parcels that should be included within the proposed overlay district, as well as the limits of the district. The following tasks will be completed:

- Identify all parcels to be included within the corridor.
- Prepare GIS mapping of the specific boundary of the overlay district.
- Prepare a GIS Map showing the overlay on the zoning map to identify the map amendments;

PHASE 2: Amendment preparation and graphics

Upon completion of Phase 1, Inspire will prepare a strike through and underlined version of the code demonstrating how the proposed changes would be integrated into the ordinance. This will include creating an

overlay district applicable to both of the corridors with specific development standards. This will include graphics depicting the standards for ease of use. It will also include a scenario for blocks within each of the corridors.

- State what sections of the regulations would be amended;
- Draft amendments
- Graphics depicting building & site standards
- One scenario for a block within each of the corridors

PHASE 3: Public hearings

Inspire will present the proposed amendments to the Planning Board as well as the County Commission.

- Planning Board Meeting (1)
- Town Council Meetings (1)
-

Schedule

The following is the proposed schedule:

Phases and Tasks	2024					
	February	March	April	May	June	July
Phase 1: Project Area Delineation						
GIS map of area						
Creation of overlay						
Phase 2: Amendment Preparation & Graphics						
Draft amendments						
Development & site standards graphics						
Scenarios						
Phase 3: Public Hearings						
Planning Board						
County Commission						
Inspire Coordination & Production						
Staff						

Fee

Our professional fee for the above-described services shall be a lump sum of **\$34,550** to be invoiced on a percent complete basis per the following fee schedule.

PHASE	FEE
PHASE 1: Project area delineation	\$6,440
PHASE 2: Amendment preparation & graphics	\$23,190
PHASE 3: Public hearings	\$4,920
TOTAL	\$34,550

Included in the above fees are reimbursable expenses incurred on the Project’s behalf, including mileage, printing, plotting, photocopies, reproduction, postage, express mail and/or courier services.

Inspire will bill monthly for all work performed and expenses incurred on the Project's behalf. Unpaid invoices after 30 days will accrue service charges at 1 1/2% per month and include any costs of collections and reasonable attorney’s fees.

Should conditions be encountered such that additional services appear to be in the best interest of the project, we would contact you with our recommendations prior to proceeding with any services beyond the scope of this proposal. We will not exceed this proposal amount without written authorization from you.

Exclusions

Without intending to provide an exhaustive list or description of all services or potential services that may be required and that Inspire can provide, the following services are specifically excluded from this proposal:

- Additional meetings
- Illustrative renderings, other than what has been included
- 3D graphic imagery and perspective renderings, other than what has been included
- Attendance at meetings beyond those identified.
- Preparation of schematic site design(s) or alternative analysis.
- Rendered site plans or exhibits for public, community, or neighborhood meetings.

Authorization

Please sign this agreement and return to our office as your authorization of the proposed scope of services and the associated fee. Upon receipt of the signed agreements, we will execute, return a copy to you, and proceed with the performance of our services.

If you choose to accept this proposal by e-mail, your reply e-mail acceptance will serve as your representation to Inspire Placemaking Collective that you have reviewed the proposal and the associated Agreement Terms and Conditions hereby accept as written.

Closure

We appreciate the opportunity to be of service to you. If you have any questions regarding the outlined scope of services, or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,

Inspire Placemaking Collective, Inc., Inc.

Sarah Sinatra Gould, AICP, CZO
Principal

Mr. Wesley Corbitt, Chairman DATE
Effingham County Board of Commissioners

Staff Report

Subject: Approval of Change Order #1 for Platinum Paving and Concrete LLC for the FY23/24 LMIG Construction Project

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: Public Works

Meeting Date: March 5, 2024

Item Description: Change Order #1 for Platinum Paving and Concrete LLC for the FY23/24 LMIG Construction Project

Summary Recommendation: Staff recommends approval of Change Order #1 for Platinum Paving and Concrete LLC for the FY23/24 LMIG Construction Project

Executive Summary/Background:

- Roberts Civil Engineering is serving as the design engineer on this project and Platinum Paving and Concrete is the contractor.
- There has been concern regarding the blowing of cement in the Belmont Glen subdivision, relating to traffic staging and potential construction impacts to the traveling public. After taking additional core samples in three locations along Saddleclub Way, Platinum and Roberts, after additional discussion with T&H, request this change order for a scope change.
- This change order will result in a **deduction** of the contract price in the amount of **-\$61,178.26**.

Alternatives for Commission to Consider

1. Approval of Change Order #1 for Platinum Paving and Concrete LLC for the FY23/24 LMIG Construction Project for a **deduction** of the contract price in the amount of **-\$61,178.26**.
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, County Engineer, T&H, P/CP

Funding Source: LMIG

Attachments: Change Order Request/Documentation

Change Order # 1

Project: FY 23/24 LMIG Construction

Contract Date: September 1, 2023

Change Order Effective Date: March 5, 2024

Change Order Issued to: Platinum Paving and Concrete, LLC

You are directed to make the following changes to this Contract.

ITEM NO.	DESCRIPTION	Total
1	Change in Scope – Saddleclub Way	-\$61,178.26
	TOTAL	

The original Contract Sum was.....\$ 4,441,859.03

Net change by previously authorized Change Orders.....\$ 0

The Contract Sum prior to this Change Order was.....\$ 4,441,859.03

The Contract Sum will be increased by this Change Order.....-\$61,178.26

The new Contract Sum including this Change Order will be.....\$ 4,380,680.77

The Contract Time will be increased by 0 days

The Time allowed for completion is therefore **May 27, 2024**

Owner
Effingham County Board of Commissioners
804 S. Laurel Street
Springfield, GA 31329

Contractor
Platinum Paving and Concrete, LLC
11 Gateways Blvd South, Suite 44
Savannah, GA 31419

By: _____

By: _____

Date: _____

Date: _____

Original Bid Price

Biditem	Description	Quantity	Units	Unit Price	Bid Total
230	TRAFFIC CONTROL	1.000	LS	\$ 60,829.00	\$ 60,829.00
235	GRADING COMPLETE	1.000	LS	\$ 49,000.00	\$ 49,000.00
240	ON- SITE CEMENT TREAT	10,411.000	SY	\$ 7.66	\$ 79,748.26
245	PORTLAND CEMENT	246.000	TN	\$ 280.00	\$ 68,880.00
250	RECYCLED ASPH CONC 12.5MM SUPERPAVE	1,100.000	TN	\$ 130.00	\$ 143,000.00
255	CONC CURB & GUTTER, 6" X 24"	50.000	TN	\$ 85.00	\$ 4,250.00
260	SOLID TRAFFIC STRIPE, 5" WHITE	1.420	LM	\$ 2,500.00	\$ 3,550.00
265	SOLID TRAFFIC STRIPE, 5" YELLOW	1.420	LM	\$ 2,500.00	\$ 3,550.00
Original As Bid Total					\$ 412,807.26

January 31, 2024

Hayden Rozier

Project Manager

O: 912.438.8619

M: 912.240-0130

[OUR LOCATIONS](#)



RE: Effingham LMIG Saddle Club Way, Scope of Work Change Request for Pricing

Mr. Rozier,

Platinum Paving and Concrete is pleased to provide the following pricing for the above referenced project.

Biditem	Description	Quantity	Units	Unit Price	Bid Total
230	TRAFFIC CONTROL	1.000	LS	60,829.00	60,829.00
235	EXTRA WORK, RESHAPE, REGRADE, RECOMPACT	9,600.000	SY	7.50	72,000.00
240	4" ASPHALT PATCHING	20.000	TN	250.00	5,000.00
245	ADDL GABC MATERIALS IF REQUIRED	500.000	TN	65.00	32,500.00
250	RECYCLED ASPH CONC 12.5MM SUPERPAVE	1,100.000	TN	130.00	143,000.00
255	2" ASPHALT MILLING	9,600.000	TN	3.25	31,200.00
260	SOLID TRAFFIC STRIPE,5" WHITE	1.420	LM	2,500.00	3,550.00
265	SOLID TRAFFIC STRIPE,5" YELLOW	1.420	LM	2,500.00	3,550.00
Bid Total					\$351,629.00

In an effort to provide the most cost-effective proposal for the work, directed by Roberts Civil Engineering, Platinum Paving and Concrete, LLC (PPC) offers the above pricing as directed. Platinum believes this is the best course of action for the areas described above; however, PPC takes no responsibility for the structural design of the proposed change in scope of work.

But, PPC does believe for the safety of all stakeholders, the CTB as bid option is not the best scope for this highly densified residential application. Unit pricing applies, as always for installed units.

Please let PPC know if additional information is needed, and we look forward to this project's success.

Sincerely,

Robert B. Royal

Robert B. Royal
 Vice President
 Platinum Paving and Concrete, LLC

CC: Josh Reynolds, Chris Boswell, Eli Cousins, Jarrid Ferbert

Staff Report

Subject: Approval of Contract 23-ITB-040 with McWright LLC for the Construction of the Administrative Building Expansion/Renovation

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: County Manager

Meeting Date: March 5, 2024

Item Description: Contract 23-ITB-040 with McWright LLC for the Construction of the Administrative Building Expansion/Renovation

Summary Recommendation: Staff recommends Approval of Contract 23-ITB-040 with McWright LLC for the Construction of the Administrative Building Expansion/Renovation

Executive Summary/Background:

- Effingham County posted an ITB to five (5) Contractors that were selected through the RFQu (Request for Qualifications) process. Three (3) bids were received via the OpenGov portal:
 - McWright LLC - \$3,317,000.00
 - Paul S. Akins Company, Inc. - \$3,354,586.00
 - Lavender & Associates, Inc. - \$3,657,250.00
- After a review by Greenline Architects (designer for the project), Albeck Group (program management), and staff, all recommend award to McWright LLC.

Alternatives for Commission to Consider

1. Approval of Contract 23-ITB-040 with McWright LLC for the Construction of the Administrative Building Expansion/Renovation in the amount of \$3,317,000.00
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, County Engineer, Albeck/Greenline, P/CP

Funding Source: SPLOST

Attachments:

1. Draft Contract
2. Tabulation

23-ITB-040

ADMINISTRATIVE COMPLEX ADDITION AND RENOVATION
CONSTRUCTION



Effingham County
804 S Laurel Street
Springfield, GA 31329

Effingham County
INVITATION FOR BID

23-ITB-040

Administrative Complex Addition and Renovation Construction

I. AGREEMENT

Attachments:

A - McWright Tabulation

1. AGREEMENT

1.1. AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT

23-ITB-040Administrative Complex Addition and Renovation Construction

THIS AGREEMENT is by and between Effingham County Board of Commissioners (“Owner”) and McWright LLC (“Contractor”).

Owner and Contractor hereby agree as follows:

1.2. Article 1 - WORK

Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The Work of the Project consists of selective demolition/renovation and a two-story building addition to the existing County building at 802 S. Laurel Street. The two-story addition is approximately 10,660 SF. Additional work consists of reconfigured enhanced exterior patio and landscaped areas, a new parking lot and reconfiguration of the existing parking lot.

The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows: 23-ITB-040, Administrative Complex Addition and Renovation Construction

1.3. Article 2 - ENGINEER

2.01. The Project has been designed by Effingham County Engineering Department’s Consultant, Greenline Architecture, which is to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to A/E in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

1.4. Article 3 - CONTRACT TIMES

3.01. Time of the Essence

All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

3.02. Days to Achieve Completion and Final Payment

The Work will be completed within 10 months from receipt of a Notice Proceed.

1.5. Article 4 - LIQUIDATED DAMAGES

4.01. Contractor and Owner recognize that time is of the essence as stated in preceding Paragraph and that Owner will suffer financial loss if the Work is not completed within the times specified in Paragraph

above, plus any extensions thereof allowed. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner \$500 for each day that expires after the time specified in Paragraph above entitled "Contract Times" for Completion until the Work is complete.

1.6. Article 5 - CONTRACT PRICE

Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents an amount in current funds equal to \$3,317,000.00, an amount determined pursuant to the fee proposal submitted by the Contractor for 23-ITB-040.

1.7. Article 6 - PAYMENT PROCEDURES

6.01. *Submittal and Processing of Payments*

Contractor shall submit Applications for Payment in accordance with the General Conditions. Applications for Payment will be processed by A/E as provided in the General Conditions.

6.02. *Progress Payments; Retainage*

A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the **25th** day of each month during performance of the Work as provided in the following section 6.02.A.1 immediately following as long as the pay request is received by the **1st** of the month. All such payments will be measured based on the number of units completed times the unit price of each completed unit.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as A/E may determine or Owner may withhold, including but not limited to liquidated damages, in accordance with Paragraph 4.01 above, titled Liquidated Damages.

a. **95** percent of Work completed (with the balance being retainage). The County will retain 5% of the gross value of the completed work as indicated by the current estimate approved by the A/E; and

b. **95** percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to **100** percent of the Work completed, less such amounts as Engineer shall determine and less **150** percent of A/E's estimate of the value of Work to be completed or corrected as shown on the tentative list of items to be completed or corrected.

6.03. *Final Payment*

A. Upon final completion and acceptance of the Work, Owner shall pay the remainder of the Contract Price as recommended by A/E.

1.8. Article 7 - INTEREST

7.01. All moneys not paid when due as provided in The General Conditions and Paragraph 6.02 above, shall bear interest at the rate of 1 percent per annum.

1.9. Article 8 - CONTRACTOR'S REPRESENTATIONS

8.01. In order to induce Owner to enter into this Agreement, Contractor makes the following representations:

A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Contractor has considered the information known to Contractor; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including any specific means, methods, techniques, sequences, and procedures of construction expressly required by the Contract Documents; and (3) Contractor's safety precautions and programs. Based on the information and observations referred to above, Contractor does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

E. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

F. Contractor has given A/E written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by A/E is acceptable to Contractor.

G. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

1.10. Article 9 - CONTRACT DOCUMENTS

9.01. *Contents*

A. The Contract Documents consist of the following:

1. This Agreement, all pages inclusive
2. General Conditions, as listed in 23-ITB-040 document
3. Supplemental Conditions, as listed in 23-ITB-040 document
4. Specifications as listed in the table of contents of the Project Manual.
5. Addenda numbers 1 to 2, inclusive
6. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid.
 - b. Documentation submitted by Contractor prior to Notice of Award.
7. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:

- a. Notice of Award .
- b. Notice to Proceed.
- c. Work Change Directives.
- d. Change Orders.

B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).

C. There are no Contract Documents other than those listed above in this CONTRACTS DOCUMENTS section.

D. The Contract Documents may be amended to provide for additions, deletions, and revisions in the Work or to modify the terms and conditions thereof by either a Change Order or a Work Change Directive.

E. The requirements of the Contract Documents may be supplemented, and minor variations and deviations in the Work may be authorized, by one or more of the following ways:

- A Field Order;
 - 1. A/E's approval of a Shop Drawing or Sample; or
 - 2. A/E's written interpretation or clarification.

1.11. Article 10 - COUNTY'S RIGHT TO SUSPEND OR TERMINATE WORK

A. Termination for Convenience. County may, for its own convenience and at its sole option, without cause and without prejudice to any other right or remedy of County, elect to terminate the Contract by delivering to the Contractor, at the address listed for giving notices in this Contract, a written notice of termination specifying the effective date of termination. Such notice shall be delivered to Contractor at least seven (7) days prior to the effective date of termination.

B. Termination for Default. If the Contractor is adjudged bankrupt or insolvent, or if he makes a general assignment for the benefit of his creditors, or if a trustee or receiver is appointed for the Contractor or for any of his property, or if he files a petition to take advantage of any debtor's act or to reorganize under the bankruptcy or applicable laws, or if he fails to supply sufficient skilled workers or suitable materials or equipment, make payments to Subcontractors or for labor, materials or equipment, or if he disregards laws, ordinances, rules, regulations or orders of any public body having jurisdiction of the Work, or if he otherwise violates any provision of the Contract, then the County may, without prejudice to any other right or remedy, and after giving the Contractor and his surety a maximum of seven (7) days from delivery of a written notice, declare the Contract in default and terminate this Contract. In that event, the County may take possession of the Project and of all materials, equipment, tools, construction equipment and machinery thereon owned by the Contractor. The County may cause the Work to be completed and corrected by whatever method it deems expedient. If called upon by the County to finish the Work, the Contractor's surety shall promptly do so. In any case, the Contractor and its surety shall be liable to the County for any and all damages and costs incurred by the County as a result of any default by the Contractor, including without limitation all costs of completion or correction of the Work, liquidated damages, attorneys' fees, expert fees, and other costs of dispute resolution. Termination of this Contract pursuant to this paragraph may result in disqualification of the Contractor from bidding on future County contracts for a period of time not to exceed five (5) years.

C. If Contractor's services are terminated by the County pursuant to paragraph A or B above, the termination will not affect any rights or remedies of the County then existing or which may thereafter accrue against Contractor or its surety. Any retention or payment of moneys due Contractor by County will not release Contractor from liability. If it is determined that the Contractor was not in default or that the failure to perform is excusable, a termination for default will be considered to have been a termination for the convenience of the County, and the rights and obligations of the parties shall be governed accordingly.

D. In case of termination of this Contract before completion of the Work, Contractor will be paid only for materials and equipment accepted by the County and the portion of the Work satisfactorily performed through the effective date of termination as determined by the County.

E. Except as otherwise provided in this Contract, neither party shall be entitled to recover lost profits, special, consequential or punitive damages, attorney's fees or costs from the other party to this Contract for any reason whatsoever.

F. The parties' obligations pursuant to this Contract shall survive any Acceptance of Work, or expiration or termination of this Contract.

1.12. Article 11 - INDEMNIFICATION

The CONTRACTOR agrees to protect, defend, indemnify, and hold harmless Effingham County, Georgia, its commissioners, officers, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons, or damage to the property or other rights of any person or persons caused by or resulting from the negligence, recklessness, or intentionally wrongful conduct of the CONTRACTOR or other persons or entities employed or utilized by the CONTRACTOR in the performance of the contract. The CONTRACTOR'S obligation to protect, defend, indemnify, and hold harmless, as set forth herein above shall include, but not be limited to, any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. CONTRACTOR further agrees to investigate, handle, respond to, provide defense for, and to protect, defend, indemnify, and hold harmless Effingham County, Georgia, at his sole expense, and agrees to bear all other costs and expenses related thereto, even if such claims, suits, etc., are groundless, false, or fraudulent, including any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employee of the CONTRACTOR or his subcontractors or anyone directly or indirectly employed by any of them. The CONTRACTOR'S obligation to indemnify Effingham County under this Section shall not be limited in any way by the agreed-upon contract price, or to the scope and amount of coverage provided by any insurance maintained by the CONTRACTOR.

1.13. Article 12 - INDEPENDENT CONTRACTOR

Contractor hereby covenants and declares that it is an independent business and agrees to perform the Work as an independent contractor and not as the agent or employee of the County. The Contractor agrees to be solely responsible for its own matters relating to the time and place the services are performed; the instrumentalities, tools, supplies, and/or materials necessary to complete the Work; hiring of consultants, agents, or employees to complete the Work; and the payment of employees, including compliance with Social Security, withholding, and all other regulations governing such matters. The Contractor agrees to be solely responsible for its own acts and those of its subordinates and subcontractors during the life of this Contract. Any provisions of this Contract that may appear to give the County the right to direct Contractor as to the details of the services to be performed by Contractor or to exercise control over such services will be deemed to mean that Contractor shall follow the directions of the County with regard to the results of such services.

1.14. Article 13 - MISCELLANEOUS

13.01. Terms

A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

13.02. Assignment of Contract

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound;

B. and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

13.03. Successors and Assigns

A. County and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

13.04. Severability

A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon County and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

13.05. Contractor's Certifications

A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 13.05:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to

influence the action of a public official in the bidding process or in the Contract execution;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of County, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive County of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of County, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

IN WITNESS WHEREOF, County and Contractor have signed this Agreement. Counterparts have been delivered to County and Contractor. All portions of the Contract Documents have been signed or have been identified by County and Contractor or on their behalf.

This Agreement will be effective on _____ (which is the Effective Date of the Agreement).

COUNTY:

Effingham County Board of Commissioners

By: _____
Title: Chairman

Attest: _____
Title: County Clerk

Address for giving notices:
804 S. Laurel Street
Springfield, GA 31329

CONTRACTOR:

By: _____

Title: _____

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Title: _____

Address for giving notices:

			McWright LLC
Line Item	Description	UOM	Unit Cost
1	Demolition	LS	\$75,000.00
2	Site Work & Exterior Improvements	LS	\$448,500.00
3	Concrete	LS	\$85,000.00
4	Masonry	LS	\$110,000.00
5	Metals	LS	\$30,000.00
6	Carpentry	LS	\$270,000.00
7	Thermal & Water Protection	LS	\$176,450.00
8	Doors & Windows	LS	\$162,000.00
9	Finishes	LS	\$310,000.00
10	Specialties	LS	\$63,000.00
11	Equipment	LS	\$0.00
12	Furnishings	LS	\$62,550.00
13	Plumbing	LS	\$127,000.00
14	HVAC	LS	\$402,000.00
15	Electrical	LS	\$268,050.00
16	Utilities	LS	\$272,000.00
	Allowance #1 (Quantity Allowance: Include		
17	100 cu. Yd. of unsatisfactory soil)	LS	\$3,000.00
	Allowance #2 (Quantity Allowance: Include		
18	100 cu. Yd. of structural fill)	LS	\$4,000.00
	Allowance #3 (Quantity Allowance: Include		
19	50 cu. Yd. of structural fill)	LS	\$2,000.00
20	Allowance #4 (Door Hardware)	LS	\$39,950.00
21	Allowance #5 (Monument Sign)	LS	\$7,500.00
22	General Conditions	LS	\$188,000.00
23	Construction Fee	LS	\$211,000.00
Total			\$3,317,000.00

			Lavender & Associates, Inc.	McWright LLC	Paul S. Akins Company, Inc.
Line Item	Description	UOM	Unit Cost	Unit Cost	Unit Cost
1	Demolition	LS	\$60,000.00	\$75,000.00	\$46,920.00
2	Site Work & Exterior Improvements	LS	\$775,000.00	\$448,500.00	\$550,176.00
3	Concrete	LS	\$67,000.00	\$85,000.00	\$95,541.00
4	Masonry	LS	\$65,000.00	\$110,000.00	\$66,403.00
5	Metals	LS	\$35,000.00	\$30,000.00	\$26,061.00
6	Carpentry	LS	\$290,000.00	\$270,000.00	\$185,233.00
7	Thermal & Water Protection	LS	\$152,000.00	\$176,450.00	\$162,148.00
8	Doors & Windows	LS	\$128,000.00	\$162,000.00	\$153,441.00
9	Finishes	LS	\$370,000.00	\$310,000.00	\$338,499.00
10	Specialties	LS	\$60,000.00	\$63,000.00	\$54,588.00
11	Equipment	LS	\$1,000.00	\$0.00	\$0.00
12	Furnishings	LS	\$100,000.00	\$62,550.00	\$53,550.00
13	Plumbing	LS	\$128,000.00	\$127,000.00	\$124,230.00
14	HVAC	LS	\$415,000.00	\$402,000.00	\$407,260.00
15	Electrical	LS	\$400,000.00	\$268,050.00	\$354,492.00
16	Utilities	LS	\$78,000.00	\$272,000.00	\$81,600.00
17	Allowance #1 (Quantity Allowance: Include 100 cu. Yd. of unsatisfactory soil)	LS	\$3,000.00	\$3,000.00	\$3,300.00
18	Allowance #2 (Quantity Allowance: Include 100 cu. Yd. of structural fill)	LS	\$4,000.00	\$4,000.00	\$4,950.00
19	Allowance #3 (Quantity Allowance: Include 50 cu. Yd. of structural fill)	LS	\$2,000.00	\$2,000.00	\$2,475.00
20	Allowance #4 (Door Hardware)	LS	\$54,750.00	\$39,950.00	\$54,750.00
21	Allowance #5 (Monument Sign)	LS	\$7,500.00	\$7,500.00	\$7,500.00
22	General Conditions	LS	\$200,000.00	\$188,000.00	\$274,000.00
23	Construction Fee	LS	\$262,000.00	\$211,000.00	\$307,469.00
Total			\$3,657,250.00	\$3,317,000.00	\$3,354,586.00

Staff Report

Subject: Approval of Proposal from Raftelis for a Rate and Financial Planning Study

Author: Alison Bruton, Procurement and Capital Projects Manager

Department: County Manager/Finance

Meeting Date: March 5, 2024

Item Description: Proposal from Raftelis for a Rate and Financial Planning Study

Summary Recommendation: Staff recommends Approval of the Proposal from Raftelis for a Rate and Financial Planning Study

Executive Summary/Background:

- Staff requested a proposal from Raftelis for a Rate and Financial Planning Study. Utility rate and financial planning is one of Raftelis' core practice areas, and they have provided similar services to numerous utilities in Georgia and across the country. The financial planning model they will develop can be used by the County to determine future rate adjustments and can be leveraged for future rate and financial planning analyses.
- There are 7 tasks associated with this proposal:
 - Task 1 – Project Initiation and Management
 - Task 2 – Data Collection and Review
 - Task 3 – Financial Plan Development
 - Task 4 – Financial Forecast
 - Task 5 – Rate Structure Review
 - Task 6 – Review Upfront Charges
 - Task 7 – Preparation of Reports and Presentation of Study Results
- The total for this proposal is \$50,000.00.

Alternatives for Commission to Consider

1. Approval of Proposal from Raftelis for a Rate and Financial Planning Study for a total of \$50,000.00
2. Take no action.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Finance, County Manager, P/CP

Funding Source: Dept 111 Consulting, budget amendment may be necessary.

Attachments: Proposal



January 10, 2024

Mr. Tim Callanan
County Manager
Effingham County, GA
480 Edsel Drive, Suite 100
Richmond Hill, GA 31324

Subject: Rate and Financial Planning Study

Raftelis is pleased to submit this statement of qualifications to develop a rate and financial planning study for Effingham County, GA (the “County”) Department of Water Resources. We appreciate the opportunity to submit this proposal, which describes our approach to meeting the County’s objectives.

Raftelis was established in Charlotte, NC in 1993 to provide financial, rate, and management consulting services of the highest quality to water sector utilities. Raftelis now has the largest and most experienced utility financial and management consulting practice in the country, with more than 170 consultants specializing in these services. Our staff has provided rate and/or financial planning assistance to thousands of utilities across the United States.

Utility rate and financial planning is one of Raftelis’ core practice areas, and we have provided similar services to numerous utilities in Georgia and across the country. Over the past decade, Raftelis has completed hundreds of long-term financial models for clients which has supported raising billions in capital. Each of these engagements involved working with the finance team in a collaborative effort to address the development of the long-term financial model. Our work products are recognized for their consistent quality and objectivity. The financial planning model that we will develop can be used by the County to determine future rate adjustments and can be leveraged for future rate and financial planning analyses.

We are proud of the resources that we can offer and welcome the opportunity to be of assistance to the County on this project. Should you have any questions regarding our submittal, please do not hesitate to contact us.

Sincerely,

Bart Kreps
Executive Vice President
bkreps@raftelis.com
704.936.4483

Chad Cowan
Senior Manager
ccowan@raftelis.com
980.221.9461

Approach & Understanding

The scope of services requested by the County involves activities associated with the preparation of a financial forecast to assist the County with its long-term financial planning process. Raftelis' main tasks will be to develop a financial planning model that incorporates customer data, operating costs, and financing of a capital improvement plan and that projects water and sewerage rates including wholesale, industrial and water reuse fees, such that a five-year forecast of debt service coverage and reserve fund levels can be produced.

Task 1: Project Initiation and Management

The project team will conduct a kick-off meeting (virtually) with County staff to confirm the project approach, work plan, schedule, priorities and determine the project's goals and expectations. It will be important to establish a calendar for meetings and due dates for various aspects of the project including coordination on meeting dates and the distribution of drafts of the financial model and any required final reports. This task also addresses the level of effort required throughout the project to coordinate project activities with other members of the team to ensure that all tasks are completed in a timely and efficient manner.

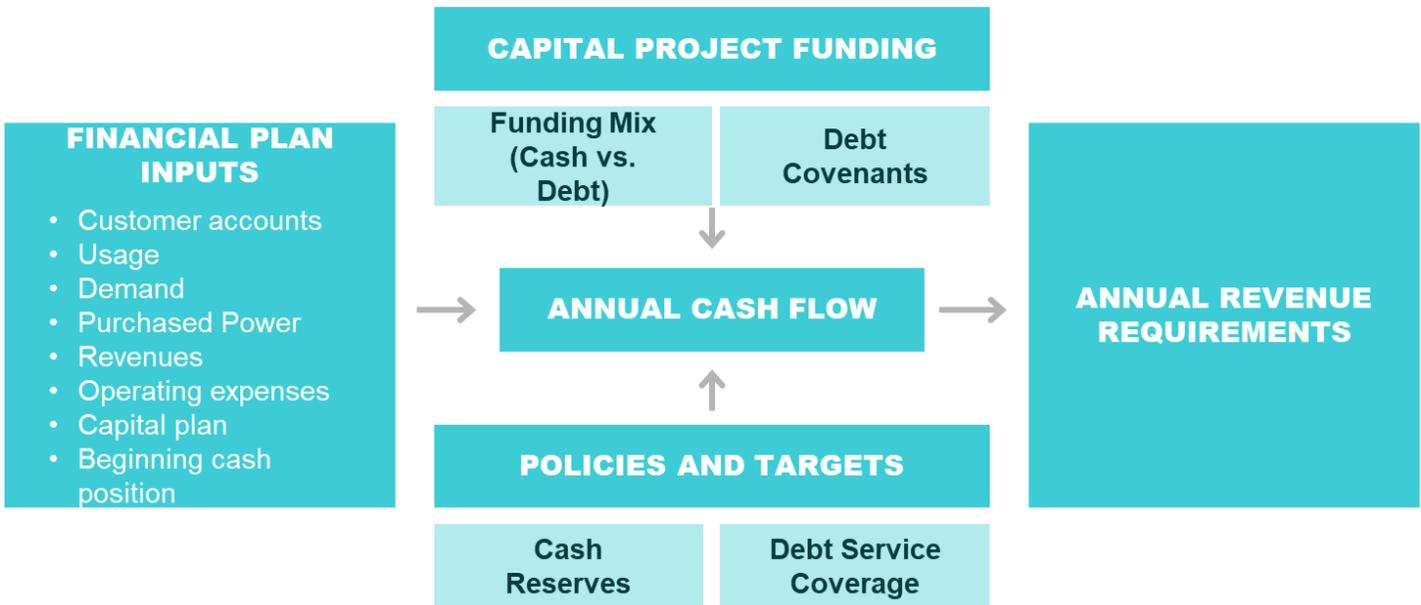
Task 2: Data Collection and Review

A significant amount of information and background data will be needed to develop the model and prepare the report. Raftelis will prepare a data request list to submit to the County and the list will include information related to operating expenses, capital projects, revenues from rates, fees, and other sources, the number and types of accounts, and billable flows for the utility. We will thoroughly review the data as it is critical to appropriately use the most accurate data possible and work closely with County staff to ensure that we all agree on the intended use of what is being provided. Even though we may request additional data or clarification as the study progresses, we will minimize the additional data requests based on effort required to provide the data with the relative impact it has on the analysis.

Task 3: Financial Plan Development

The primary objective of this task is to prepare a multi-year financial forecast for the water and sewer utilities. The projections of revenues and debt service coverage, as well as the analysis and description of operating trends, customer usage, and rate projections, requires the development of a financial planning model. The model will focus on developing a five-year projection of total revenue requirements, or cash needs, which will be based on detailed budget and cost information.

FINANCIAL PLAN ELEMENTS



Projection of Revenues

Raftelis will use the County’s most recent detailed water and sewer budget and then project each line item using various escalation factors, which will be developed with County staff input as well as a review of historical data. The model will incorporate all existing debt issues as well as expected financing scenarios for the capital improvement plan (e.g., PayGo, reserve-funded capital expenditures, State Revolving Fund Loans, SPLOST, Grants and future Revenue Bonds, etc.).

We will then use the County’s current water and sewerage rate structures and projected water/sewerage rates to estimate the revenues generated from user rates and charges over the forecast period. To project revenues, we will use detailed customer information such as the number of customers by class and meter size and water flow by customer class. We will also ask for historical data to project future water/wastewater demands. Projected customer demand will then be applied to water/sewerage rates to determine revenues. The financial planning model will be set up so that percentage changes can be applied to base charges and volumetric rates independently as well as separately for water and sewerage. The projections will assume the existing rate structures remain in place, but rates will be set so that the enterprise’s annual cash needs are met, including sufficient debt service coverage ratios and reserve fund balances. We will also evaluate revenues from other sources, such as miscellaneous fees, penalties, connection fees, etc. that, depending on specifications in the County’s Bond Resolution, if applicable, may be available for calculating debt service coverage.

The financial planning model will focus on providing the flexibility to change key assumptions related to customer growth, water and sewerage usage trends, and the timing and amount of future capital investments and associated debt service to determine the impact on customers, overall financial condition, and key metrics for debt service coverage and liquidity (reserves). The financial planning model will be developed in Excel and will be a formal deliverable provided to the County at the end of the engagement. While the financial planning model will not be designed to calculate cost-justified rates and charges based on detailed cost-of-service analyses, the financial planning model will already house detailed information on the County’s water and sewer budget, revenues, and customer data that can be leveraged by the County to perform cost-of-service-based allocations and evaluate alternative rate designs in the future.

Development of Revenue Requirements

The revenue requirement represents the overall level of revenue necessary to fund operations and maintenance expenses (O&M), routine repair and replacement capital expenditures, and repayment of debt service (current and future) while maintaining compliance with bond ordinances and achieving the financial management objectives. Determining the revenue requirement involves a detailed cash flow forecast, which compares projected baseline revenues to projected expenditures and identifies any adjustments to revenues that may be necessary to fund utility operations in a financially sustainable manner such as the following:

- **Projection of O&M Expenses:** Water and sewer budgets will serve as the starting point for the projection of O&M expenses. We will prepare a projection of operation and maintenance expenses and non-operating expenses. To project these expenses, we may need to account for adjustments for expected future changes in O&M expenses such as adding new personnel or programs that are not currently captured in the existing budgets or one-time expenses, which are not expected to be incurred in the future. Inflationary adjustments account for expected future inflation in O&M expenses after accounting for budget performance and any incremental expenses. We will work closely with County staff to reasonably project the costs, especially with the current impact of high inflation rates.

- **Projection of Routine and Major Capital Expenditures and Financing:** The cash flow impact of routine and major capital expenditures is dependent on the County’s capital improvement plan (CIP) and the approach to financing it. This step involves developing a financing plan that identifies the County’s water and sewer capital projects (routine and major) and the mix of cash and debt used to finance them. The model will incorporate all existing debt issues as well as expected financing scenarios for the capital improvement plan (e.g., PayGo, reserve-funded capital expenditures, future revenue bonds, and other financing sources). The future debt service, as well as the impact on the bond covenants, will be accounted for in the projections and will inform the revenue adjustments.

Task 4: Financial Forecast

Based on the data collected in Task 3, we will develop a detailed cash flow forecast that will compare projected revenues to forecast revenue requirements. We will discuss existing financial policies and objectives (formal and informal) and evaluate the performance of the utility relative to key financial ratios (e.g., days cash, capital structure, and debt service coverage).

This forecast will be a key product of the financial planning model and will be formatted to show a forecast of revenues, expenses, debt service, and debt service coverage consistent with the specific definitions and requirements identified in the trust indenture or bond order, if needed. Adjustments to net income will be identified to determine income available for debt service (for calculating the debt service coverage ratios for each year in the forecast period), consistent with the specific requirements identified in the legal documents authorizing the debt.

Raftelis will conduct an on-site meeting with County staff to review the draft financial forecast.

Task 5: Rate Structure Review

We will evaluate the County’s current water and sewer rate structure with specific focus on its industrial rate as well as development of a potential wholesale rate and water re-use rate. It is our understanding the County serves a large industrial customer that currently pays only the cost of potable water provided by the City of Savannah. The County wishes to examine the additional transmission related costs associated with providing service to the industry and ensure its industrial rate equitably recovers this cost. We also understand the County is considering the construction of a water re-use line from its wastewater treatment facility that will serve the same industrial customer. If constructed, the County will need to develop a separate water re-use rate for this type of service. Additionally, the County is contemplating providing wholesale services to several new customers and needs to establish a wholesale rate.

Task 6: Review Upfront Charges

Raftelis will evaluate the County’s existing upfront fees assessed to new customers connecting to the water and sewer system. Our review will consider the cost basis and methodologies used to assess any current fees, to ensure they equitably recover appropriate levels of costs and are consistent with industry guidelines and state legislation. The type of calculation methodology used will depend on the specific fee and the intended cost recovery. For example, capacity fees are one-time charges assessed to new water and sewer customers to recover a proportional share of capital costs incurred to provide service availability and capacity for new customers. There are several accepted methodologies used to calculate capacity fees that consider either historical capital investments, future capital improvements, or a combination of the two. Tap fees are typically associated with recovering costs associated with the physical connection to the utility system. Calculation methodologies typically include a build-up of labor, material, and equipment costs associated with connecting a customer to the system. We will work with County staff and provide recommendations on the most appropriate upfront fee structure.

Task 7: Preparation of Reports and Presentation of Study Results

Raftelis will develop and provide the County a draft report that describes the study process along with recommendations. The draft report will be submitted to County staff for review and comment. Comments and revisions will be incorporated before finalizing the report. A final report will be delivered to the County, which can be used at the County’s discretion. Raftelis can also be available to present study results to elected officials. We have assumed one presentation in this scope of services.

Qualifications and Commitment

Our project approach described here is based on about 30 years of successful engagements to help utilities located throughout the United States set rates and address other financial planning issues. Our work products are familiar to the various parties involved in providing public finance support for utilities, which has allowed us to successfully provide planning tools for numerous clients. Furthermore, Raftelis’ status as a registered Municipal Advisor further demonstrates our proactive efforts and commitment to providing the highest level of support and assistance to our clients, particularly as it relates to debt issuance support services. As a registered Municipal Advisor firm, Raftelis has a legal fiduciary duty, and a duty of care and loyalty, to look after the best interests of our clients, providing an extra level of assurance to the County.

Proposed Fee

We propose to complete the scope of work as detailed in this engagement letter for a lump sum amount of \$50,000. It is our practice to bill monthly based on the percent of the project complete. Total fees and expenses will be limited to the lump sum amount unless specific approval for an adjustment in scope is received from the County.

Wesley Corbitt, Chairman

Date Approved

Staff Report

Subject: FY 2024 Budget Amendment
Author: Mark W. Barnes, Finance Director
Department: Finance Department
Meeting Date: 3/5/24
Item Description: Consideration to approve an amendment to the FY 2024 budget.

Summary Recommendation:

Staff is requesting approval of an amendment to the FY 2024 budget.

Executive Summary:

Each year the Board of Commissioners proposes a tentative budget. During the year, the Board receives requests from agencies and department heads to adjust the budget. Additionally, other factors, such as revenue, may fluctuate thereby allowing the Board to direct that additional expenditures be made. Therefore, a formal budget resolution incorporating these factors is made to adjust the budget accordingly.

Background:

Georgia Law 6-81-3. Requires the establishment of fiscal year; requirement of annual balanced budget; adoption of budget ordinances or resolutions generally; budget amendments; uniform chart of accounts. Section (b)(1) notes that each unit of local government shall adopt and operate under an annual balanced budget for the general fund, each special revenue fund, and each debt service fund in use by the local government. The annual balanced budget shall be adopted by ordinance or resolution and administered in accordance with this article.

The budget amendment attached reflects the following changes:

1. Allocating opioid settlement funds towards ECSO's purchase of naloxone.

Alternatives for Commission to Consider:

1. Approve the resolution to amend the budget for FY 2024.
2. Do not approve the resolution.
3. Provide staff with direction.
- 4.

Recommended Alternative:

Staff recommends Alternative number 1 – Approve the resolution to amend the budget for FY 2024.

Other Alternatives:

N/A

Department Review:

Finance

Funding Source:

Fund Balance

Attachments:

FY 2024 budget amendment resolution

Resolution# _____

**State of Georgia
County of Effingham**

RESOLUTION TO AMEND THE FY 2024 BUDGET

WHEREAS, the FY 2024 budget of Effingham County was adopted on June 6th, 2023 and; WHEREAS, it is necessary to further amend said budget to reflect desired changes and; NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County Effingham, Georgia that the following amendment be made:

DEPT	DEPT NAME	ACCT NAME	ACCT NO.	TYPE	AMOUNT	DESCRIPTION
017	ECSO	OPERATING SUPPLIES	100-3310-017-53-1102	EXP	14000.00	allocate funds for ECSO naloxone purchase
017	ECSO	CASH CARRY FORWARD	100-38-9015	FB	-14000.00	allocate opioid settlement funds for naloxone
						0.00 net entries

This amendment allocates funding for ECSO operating supplies for naloxone resupply.

Approved this _____ day of _____ 2024.

Attest:

Stephanie D. Johnson, County Clerk

Wesley M. Corbitt, Chairman

Staff Report

Subject: Intergovernmental Agreement Between City of Guyton, City of Rincon, City of Springfield and the Board of Commissioners of Effingham County for the 2023 TSPLOST Bond Distribution

Author: Tim Callanan, County Manager

Department: County Manager

Meeting Date: March 5, 2024

Item Description: Consideration to approve an Intergovernmental Agreement between the Cities of Guyton, Rincon and Springfield regarding TSPLOST Bonds collection, distribution, and management.

Summary Recommendation: On August 15, 2023, Effingham County entered into an Intergovernmental Agreement with the municipalities (Guyton, Rincon and Springfield) to collect 1% sales tax (TSPLOST) to be used for expanding and improving roads, drainage and pedestrian infrastructure. On November 7, 2023 the results of the referendum were in favor of the imposition of the tax and the issuance of up to \$60,000,000 of general obligation bonds of Effingham County.

Executive Summary/Background:

- The distribution will be based on population by the most recent decennial census.
- Guyton's bond allocation will be \$2,118,000.00
- Rincon's bond allocation will be \$10,128,000.00
- Springfield's bond allocation will be \$2,508,000.00
- Effingham's bond allocation will be \$45,246,000.00

Alternatives for Commission to Consider:

1. Approve the IGA between Effingham County and the Cities of Guyton, Rincon and Springfield.
2. Do not approve the proposed agreement.
3. Provide Staff with direction.

Recommended Alternative:

Staff recommends alternative 1 – Approve the IGA between Effingham County and the Cities of Guyton, Rincon and Springfield.

Other Alternatives:

None

Department Review: *(list departments)*

County Attorney, County Manager

Funding Source:

The entire cost is being covered by a transportation special purpose local option sale tax on county sales.

Attachments:

Intergovernmental Agreement Between the City of Guyton and the Board of Commissioners of Effingham County
 Intergovernmental Agreement Between the City of Rincon and the Board of Commissioners of Effingham County
 Intergovernmental Agreement Between the City of Springfield and the Board of Commissioners of Effingham County

INTERGOVERNMENTAL CONTRACT

THIS INTERGOVERNMENTAL CONTRACT, is dated as of February 13, 2024, and is by and among EFFINGHAM COUNTY, GEORGIA, a political subdivision of the State of Georgia (the “County”), and the CITY OF GUYTON (“Guyton”), a municipal corporation of the State of Georgia.

WITNESSETH:

WHEREAS, Part 1 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“O.C.G.A.”) (the “Act”) authorizes the imposition of a one percent transportation sales and use tax (the “Transportation Sales Tax”) to fund transportation purposes in the special districts created pursuant to O.C.G.A. § 48-8-261 which correspond with the geographical boundaries of the counties of the State of Georgia; and

WHEREAS, the Act authorizes the imposition of the Transportation Sales Tax and authorizes the distribution of proceeds from the Transportation Sales Tax to the county governing authority and any qualified municipalities in accordance with an intergovernmental agreement entered into for such purpose; and

WHEREAS, O.C.G.A. § 48-8-263 further authorizes the approval and issuance of general obligation debt in conjunction with the imposition of the Transportation Sales Tax, the issuance of such debt shall be issued and validated in accordance with O.C.G.A. § 36-82-1, *et seq.*; and

WHEREAS, Article IX, Section III, Paragraph I of the Constitution of the State provides that, in pertinent part, any county, municipality or other political subdivision of the State may contract for any period not exceeding fifty years with each other or with any public agency, public corporation, or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, for such activities, services or facilities which the county, municipality or public authority is authorized by law to undertake or provide; and

WHEREAS, in accordance with the Act, the Board of Commissioners of Effingham County adopted a resolution on September 19, 2023 to impose, levy and collect a Transportation Sales Tax within the County conditioned upon the approval by a majority of the qualified voters residing within the County voting in a referendum thereon to be held on November 7, 2023, and said resolution was delivered to the Effingham County Board of Elections and Registration, as election superintendent for the County, who issued a call for the referendum as described in said resolution; and

WHEREAS, in accordance with the Act, the County, Guyton and the other qualified municipalities of Effingham County entered into an intergovernmental agreement dated as of August 15, 2023 (the “TSPLOST Contract”), providing for the distribution of the proceeds of the Transportation Sales Tax and setting forth the issuance of general obligation bonds of the County; and

WHEREAS, said referendum was held on November 7, 2023 in accordance with said resolution and call, and the results of the referendum were in favor of the imposition of the Transportation Sales Tax and the issuance of up to \$60,000,000 of general obligation bonds of Effingham County (the “**Bonds**”); and

WHEREAS, Guyton has requested that the County provide up to \$2,118,000 of the proceeds of the Bonds to fund a portion of the Guyton projects approved in the referendum and Guyton has agreed to enter into this contract to provide for certain payments to be made to the County for payment of the Bonds if the proceeds of the Transportation Sales Tax are insufficient to make such payments on the Bonds; and

WHEREAS, it is now necessary that the County and Guyton set forth their respective legal rights, responsibilities and obligations regarding the proposed issuance of the Bonds and the repayment of the Bonds.

NOW THEREFORE, for and in consideration of the foregoing and for the benefit of the citizens of the County and Guyton and the respective representations, covenants and agreement hereinafter set forth, the parties hereby agree as follows:

Section 1. Transportation Sales Tax Proceeds. It is the intent of the parties that the County and Guyton receive a combination of the proceeds of the Transportation Sales Tax and the proceeds of the Bonds in accordance with the percentages as provided by the TSPLOST Contract. It is projected that the Transportation Sales Tax will raise an estimated amount of \$120,000,000 over five (5) years: 75.41% to be received by the County and 3.53% to be received by Guyton.

Section 2. Issuance of the Bonds. The principal amount of the Bonds to be issued by the County shall not exceed \$60,000,000, and Guyton will receive up to \$2,118,000 of the proceeds of the Bonds (plus any applicable original issue premium or less any original issue discount generated from the bond sale) for its projects. Upon the issuance of the Bonds, Guyton’s *pro rata* percentage of the proceeds it receives from the Bonds will be Guyton’s respective percentage of the principal of and interest due on the Bonds. The County and Guyton shall share proportionately in the costs of issuance of the Bonds, which proportionate share shall be deducted from the proceeds of the Bonds. Guyton’s *pro rata* percentage of the Transportation Sales Tax used to pay principal of and interest on the Bonds will be reduced from its 3.53% share of the Transportation Sales Tax.

Section 3. Accounts for Payment of the Bonds. The County will create and establish two special accounts which shall be designated as the “TSPLOST Proceeds Account” and the “Debt Service Account.” Upon the issuance and delivery of the Bonds, and in accordance with the Act, no part of the net proceeds of the Transportation Sales Tax received in any year shall be used for any purpose until all debt service requirements of the Bonds for that year have first been satisfied. The County will deposit all proceeds of the Transportation Sales Tax into the TSPLOST Proceeds Account, and upon the issuance of the Bonds, the County will transfer into the Debt Service Account proceeds of the Transportation Sales Tax until all debt

service requirements of the Bonds for that Bond Year (as defined in the bond resolution providing for the issuance of the Bonds) have been satisfied.

Section 4. Security for Payment of the Bonds; Tax Levy to Make Payments.

(a) The Bonds shall be a general obligation debt of the County. In accordance with the Act, the Bonds will be secured by and first payable from the proceeds of the Transportation Sales Tax.

(b) If in any Bond Year (as defined in the bond resolution providing for the issuance of the Bonds), the proceeds of the Transportation Sales Tax are insufficient to satisfy the debt service requirements on the Bonds, and upon written notification by the County of such deficiency at least 30 days prior to a payment date on the Bonds, Guyton agrees to (i) remit payments to the County of amounts sufficient to pay its *pro rata* share of the principal of and interest due on the Bonds (the “**Contract Payments**”) at least 15 days prior to such payment date on the Bonds, and (ii) levy, to the extent necessary, an *ad valorem* tax on all taxable property located within the limits of Guyton subject to taxation for such purposes, at such rate or rates as may be necessary to produce revenues to pay such Contract Payments.

(c) The obligations of Guyton to make payments required in this Contract in the manner herein specified and to perform and observe the other agreements on its part contained herein shall be absolute and unconditional, regardless of any contingencies whatever and notwithstanding any circumstances or occurrences that may arise or take place hereafter, and shall not be subject to diminution by set-off, counterclaim, abatement, or otherwise. The City will exercise its powers of taxation to the extent necessary to pay the amounts required to be paid hereunder and will make available and use for the payment of its obligations incurred hereunder all such taxes levied and collected for that purpose together with funds received from any other source. The City, in order to make such funds available for such purpose in each fiscal year, will in its general revenue, appropriation, and budgetary measures whereby its tax funds or revenues and the allocation thereof are controlled or provided for in each fiscal year during the term of this Contract, include sums sufficient to satisfy the payments required to be made under this Contract, whether or not any other sums are included in such measure, until all payments required to be made hereby shall have been made in full. The obligations of the City to make the payments provided for pursuant to the terms of this Contract shall constitute a general obligation of the City and a pledge of the full faith and credit of the City to provide the funds required to fulfill such obligation.

Section 5. Validation of the Bonds. The Bonds have been validated in accordance with the laws of the State of Georgia.

Section 6. Tax Covenants. Guyton agrees that (i) it will not expend the proceeds of the Bonds nor take any other action which would cause the interest on the Bonds to be included in the gross income of the owner thereof for federal income tax purposes; (ii) it will not make, or permit, any use of the proceeds from the issue and sale of the Bonds which would cause the Bonds to be classified as an “arbitrage bond” within the meaning of § 148(a) of the Code and any Treasury Regulations promulgated thereunder as such provisions may apply to obligations issued

as of the date of issuance of the Bonds; and (iii) it will comply with, and take such action and make such payments as may be permitted or required by § 148(f) of the Code, to ensure that the Bonds do not constitute "arbitrage bonds" within the meaning of § 148(a) of the Code; provided that any such payments shall be made by Guyton.

IN WITNESS WHEREOF, Effingham County and the City of Guyton have caused their duly authorized officers to hereunto set their hands and affix their respective corporate seals, the day and year first above written.

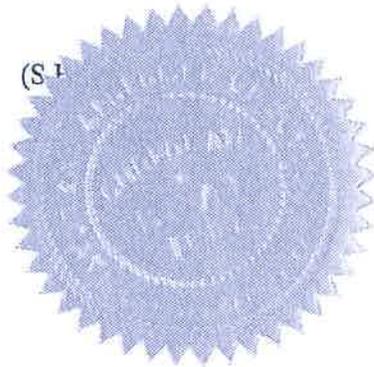
EFFINGHAM COUNTY, GEORGIA

(S E A L)

By: _____
Chairman
Board of Commissioners of Effingham County

Attest: _____
County Clerk

CITY OF GUYTON, GEORGIA



By: _____
Mayor

Attest: _____
City Clerk

Agreement approved as to form by City Attorney

By: _____
Benjamin M. Perkins
City Attorney for the City of Guyton, Georgia

INTERGOVERNMENTAL CONTRACT

THIS INTERGOVERNMENTAL CONTRACT, is dated as of _____, 2024, and is by and among EFFINGHAM COUNTY, GEORGIA, a political subdivision of the State of Georgia (the “**County**”), and the CITY OF RINCON (“**Rincon**”), a municipal corporation of the State of Georgia.

WITNESSETH:

WHEREAS, Part 1 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“**O.C.G.A.**”) (the “**Act**”) authorizes the imposition of a one percent transportation sales and use tax (the “**Transportation Sales Tax**”) to fund transportation purposes in the special districts created pursuant to O.C.G.A. § 48-8-261 which correspond with the geographical boundaries of the counties of the State of Georgia; and

WHEREAS, the Act authorizes the imposition of the Transportation Sales Tax and authorizes the distribution of proceeds from the Transportation Sales Tax to the county governing authority and any qualified municipalities in accordance with an intergovernmental agreement entered into for such purpose; and

WHEREAS, O.C.G.A. § 48-8-263 further authorizes the approval and issuance of general obligation debt in conjunction with the imposition of the Transportation Sales Tax, the issuance of such debt shall be issued and validated in accordance with O.C.G.A. § 36-82-1, *et seq.*; and

WHEREAS, Article IX, Section III, Paragraph I of the Constitution of the State provides that, in pertinent part, any county, municipality or other political subdivision of the State may contract for any period not exceeding fifty years with each other or with any public agency, public corporation, or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, for such activities, services or facilities which the county, municipality or public authority is authorized by law to undertake or provide; and

WHEREAS, in accordance with the Act, the Board of Commissioners of Effingham County adopted a resolution on September 19, 2023 to impose, levy and collect a Transportation Sales Tax within the County conditioned upon the approval by a majority of the qualified voters residing within the County voting in a referendum thereon to be held on November 7, 2023, and said resolution was delivered to the Effingham County Board of Elections and Registration, as election superintendent for the County, who issued a call for the referendum as described in said resolution; and

WHEREAS, in accordance with the Act, the County, Rincon and the other qualified municipalities of Effingham County entered into an intergovernmental agreement dated as of August 15, 2023 (the “**TSPLOST Contract**”), providing for the distribution of the proceeds of the Transportation Sales Tax and setting forth the issuance of general obligation bonds of the County; and

WHEREAS, said referendum was held on November 7, 2023 in accordance with said resolution and call, and the results of the referendum were in favor of the imposition of the Transportation Sales Tax and the issuance of up to \$60,000,000 of general obligation bonds of Effingham County (the “**Bonds**”); and

WHEREAS, Rincon has requested that the County provide up to \$10,128,000 of the proceeds of the Bonds to fund a portion of the Rincon projects approved in the referendum and Rincon has agreed to enter into this contract to provide for certain payments to be made to the County for payment of the Bonds if the proceeds of the Transportation Sales Tax are insufficient to make such payments on the Bonds; and

WHEREAS, it is now necessary that the County and Rincon set forth their respective legal rights, responsibilities and obligations regarding the proposed issuance of the Bonds and the repayment of the Bonds.

NOW THEREFORE, for and in consideration of the foregoing and for the benefit of the citizens of the County and Rincon and the respective representations, covenants and agreement hereinafter set forth, the parties hereby agree as follows:

Section 1. Transportation Sales Tax Proceeds. It is the intent of the parties that the County and Rincon receive a combination of the proceeds of the Transportation Sales Tax and the proceeds of the Bonds in accordance with the percentages as provided by the TSPLOST Contract. It is projected that the Transportation Sales Tax will raise an estimated amount of \$120,000,000 over five (5) years: 75.41% to be received by the County and 16.88% to be received by Rincon.

Section 2. Issuance of the Bonds. The principal amount of the Bonds to be issued by the County shall not exceed \$60,000,000, and Rincon will receive up to \$10,128,000 of the proceeds of the Bonds (plus any applicable original issue premium or less any original issue discount generated from the bond sale) for its projects. Upon the issuance of the Bonds, Rincon’s *pro rata* percentage of the proceeds it receives from the Bonds will be Rincon’s respective percentage of the principal of and interest due on the Bonds. The County and Rincon shall share proportionately in the costs of issuance of the Bonds, which proportionate share shall be deducted from the proceeds of the Bonds. Rincon’s *pro rata* percentage of the Transportation Sales Tax used to pay principal of and interest on the Bonds will be reduced from its 16.88% share of the Transportation Sales Tax.

Section 3. Accounts for Payment of the Bonds. The County will create and establish two special accounts which shall be designated as the “TSPLOST Proceeds Account” and the “Debt Service Account.” Upon the issuance and delivery of the Bonds, and in accordance with the Act, no part of the net proceeds of the Transportation Sales Tax received in any year shall be used for any purpose until all debt service requirements of the Bonds for that year have first been satisfied. The County will deposit all proceeds of the Transportation Sales Tax into the TSPLOST Proceeds Account, and upon the issuance of the Bonds, the County will transfer into the Debt Service Account proceeds of the Transportation Sales Tax until all debt

service requirements of the Bonds for that Bond Year (as defined in the bond resolution providing for the issuance of the Bonds) have been satisfied.

Section 4. Security for Payment of the Bonds; Tax Levy to Make Payments.

(a) The Bonds shall be a general obligation debt of the County. In accordance with the Act, the Bonds will be secured by and first payable from the proceeds of the Transportation Sales Tax.

(b) If in any Bond Year (as defined in the bond resolution providing for the issuance of the Bonds), the proceeds of the Transportation Sales Tax are insufficient to satisfy the debt service requirements on the Bonds, and upon written notification by the County of such deficiency at least 30 days prior to a payment date on the Bonds, Rincon agrees to (i) remit payments to the County of amounts sufficient to pay its *pro rata* share of the principal of and interest due on the Bonds (the “**Contract Payments**”) at least 15 days prior to such payment date on the Bonds, and (ii) levy, to the extent necessary, an *ad valorem* tax on all taxable property located within the limits of Rincon subject to taxation for such purposes, at such rate or rates as may be necessary to produce revenues to pay such Contract Payments.

(c) The obligations of Rincon to make payments required in this Contract in the manner herein specified and to perform and observe the other agreements on its part contained herein shall be absolute and unconditional, regardless of any contingencies whatever and notwithstanding any circumstances or occurrences that may arise or take place hereafter, and shall not be subject to diminution by set-off, counterclaim, abatement, or otherwise. The City will exercise its powers of taxation to the extent necessary to pay the amounts required to be paid hereunder and will make available and use for the payment of its obligations incurred hereunder all such taxes levied and collected for that purpose together with funds received from any other source. The City, in order to make such funds available for such purpose in each fiscal year, will in its general revenue, appropriation, and budgetary measures whereby its tax funds or revenues and the allocation thereof are controlled or provided for in each fiscal year during the term of this Contract, include sums sufficient to satisfy the payments required to be made under this Contract, whether or not any other sums are included in such measure, until all payments required to be made hereby shall have been made in full. The obligations of the City to make the payments provided for pursuant to the terms of this Contract shall constitute a general obligation of the City and a pledge of the full faith and credit of the City to provide the funds required to fulfill such obligation.

Section 5. Validation of the Bonds. The Bonds have been validated in accordance with the laws of the State of Georgia.

Section 6. Tax Covenants. Rincon agrees that (i) it will not expend the proceeds of the Bonds nor take any other action which would cause the interest on the Bonds to be included in the gross income of the owner thereof for federal income tax purposes; (ii) it will not make, or permit, any use of the proceeds from the issue and sale of the Bonds which would cause the Bonds to be classified as an “arbitrage bond” within the meaning of § 148(a) of the Code and any Treasury Regulations promulgated thereunder as such provisions may apply to obligations issued

as of the date of issuance of the Bonds; and (iii) it will comply with, and take such action and make such payments as may be permitted or required by § 148(f) of the Code, to ensure that the Bonds do not constitute "arbitrage bonds" within the meaning of § 148(a) of the Code; provided that any such payments shall be made by Rincon.

IN WITNESS WHEREOF, Effingham County and the City of Rincon have caused their duly authorized officers to hereunto set their hands and affix their respective corporate seals, the day and year first above written.

EFFINGHAM COUNTY, GEORGIA

(SEAL)

By: _____
Chairman
Board of Commissioners of Effingham County

Attest: _____
County Clerk

CITY OF RINCON, GEORGIA

(SEAL)



By: [Signature]
Mayor

Attest: [Signature]
City Clerk

Agreement approved as to form by City Attorney

By: _____
Benjamin M. Perkins
City Attorney for the City of Rincon, Georgia

INTERGOVERNMENTAL CONTRACT

THIS INTERGOVERNMENTAL CONTRACT, is dated as of February 13, 2024, and is by and among EFFINGHAM COUNTY, GEORGIA, a political subdivision of the State of Georgia (the “**County**”), and the CITY OF SPRINGFIELD (“**Springfield**”), a municipal corporation of the State of Georgia.

WITNESSETH:

WHEREAS, Part 1 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“**O.C.G.A.**”) (the “**Act**”) authorizes the imposition of a one percent transportation sales and use tax (the “**Transportation Sales Tax**”) to fund transportation purposes in the special districts created pursuant to O.C.G.A. § 48-8-261 which correspond with the geographical boundaries of the counties of the State of Georgia; and

WHEREAS, the Act authorizes the imposition of the Transportation Sales Tax and authorizes the distribution of proceeds from the Transportation Sales Tax to the county governing authority and any qualified municipalities in accordance with an intergovernmental agreement entered into for such purpose; and

WHEREAS, O.C.G.A. § 48-8-263 further authorizes the approval and issuance of general obligation debt in conjunction with the imposition of the Transportation Sales Tax, the issuance of such debt shall be issued and validated in accordance with O.C.G.A. § 36-82-1, *et seq.*; and

WHEREAS, Article IX, Section III, Paragraph I of the Constitution of the State provides that, in pertinent part, any county, municipality or other political subdivision of the State may contract for any period not exceeding fifty years with each other or with any public agency, public corporation, or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, for such activities, services or facilities which the county, municipality or public authority is authorized by law to undertake or provide; and

WHEREAS, in accordance with the Act, the Board of Commissioners of Effingham County adopted a resolution on September 19, 2023 to impose, levy and collect a Transportation Sales Tax within the County conditioned upon the approval by a majority of the qualified voters residing within the County voting in a referendum thereon to be held on November 7, 2023, and said resolution was delivered to the Effingham County Board of Elections and Registration, as election superintendent for the County, who issued a call for the referendum as described in said resolution; and

WHEREAS, in accordance with the Act, the County, Springfield and the other qualified municipalities of Effingham County entered into an intergovernmental agreement dated as of August 15, 2023 (the “**TSPLOST Contract**”), providing for the distribution of the proceeds of the Transportation Sales Tax and setting forth the issuance of general obligation bonds of the County; and

WHEREAS, said referendum was held on November 7, 2023 in accordance with said resolution and call, and the results of the referendum were in favor of the imposition of the Transportation Sales Tax and the issuance of up to \$60,000,000 of general obligation bonds of Effingham County (the “**Bonds**”); and

WHEREAS, Springfield has requested that the County provide up to \$2,508,000 of the proceeds of the Bonds to fund a portion of the Springfield projects approved in the referendum and Springfield has agreed to enter into this contract to provide for certain payments to be made to the County for payment of the Bonds if the proceeds of the Transportation Sales Tax are insufficient to make such payments on the Bonds; and

WHEREAS, it is now necessary that the County and Springfield set forth their respective legal rights, responsibilities and obligations regarding the proposed issuance of the Bonds and the repayment of the Bonds.

NOW THEREFORE, for and in consideration of the foregoing and for the benefit of the citizens of the County and Springfield and the respective representations, covenants and agreement hereinafter set forth, the parties hereby agree as follows:

Section 1. Transportation Sales Tax Proceeds. It is the intent of the parties that the County and Springfield receive a combination of the proceeds of the Transportation Sales Tax and the proceeds of the Bonds in accordance with the percentages as provided by the TSPLOST Contract. It is projected that the Transportation Sales Tax will raise an estimated amount of \$120,000,000 over five (5) years: 75.41% to be received by the County and 4.18% to be received by Springfield.

Section 2. Issuance of the Bonds. The principal amount of the Bonds to be issued by the County shall not exceed \$60,000,000, and Springfield will receive up to \$2,508,000 of the proceeds of the Bonds (plus any applicable original issue premium or less any original issue discount generated from the bond sale) for its projects. Upon the issuance of the Bonds, Springfield’s *pro rata* percentage of the proceeds it receives from the Bonds will be Springfield’s respective percentage of the principal of and interest due on the Bonds. The County and Springfield shall share proportionately in the costs of issuance of the Bonds, which proportionate share shall be deducted from the proceeds of the Bonds. Springfield’s *pro rata* percentage of the Transportation Sales Tax used to pay principal of and interest on the Bonds will be reduced from its 4.18% share of the Transportation Sales Tax.

Section 3. Accounts for Payment of the Bonds. The County will create and establish two special accounts which shall be designated as the “TSPLOST Proceeds Account” and the “Debt Service Account.” Upon the issuance and delivery of the Bonds, and in accordance with the Act, no part of the net proceeds of the Transportation Sales Tax received in any year shall be used for any purpose until all debt service requirements of the Bonds for that year have first been satisfied. The County will deposit all proceeds of the Transportation Sales Tax into the TSPLOST Proceeds Account, and upon the issuance of the Bonds, the County will transfer into the Debt Service Account proceeds of the Transportation Sales Tax until all debt

service requirements of the Bonds for that Bond Year (as defined in the bond resolution providing for the issuance of the Bonds) have been satisfied.

Section 4. Security for Payment of the Bonds; Tax Levy to Make Payments.

(a) The Bonds shall be a general obligation debt of the County. In accordance with the Act, the Bonds will be secured by and first payable from the proceeds of the Transportation Sales Tax.

(b) If in any Bond Year (as defined in the bond resolution providing for the issuance of the Bonds), the proceeds of the Transportation Sales Tax are insufficient to satisfy the debt service requirements on the Bonds, and upon written notification by the County of such deficiency at least 30 days prior to a payment date on the Bonds, Springfield agrees to (i) remit payments to the County of amounts sufficient to pay its *pro rata* share of the principal of and interest due on the Bonds (the “**Contract Payments**”) at least 15 days prior to such payment date on the Bonds, and (ii) levy, to the extent necessary, an *ad valorem* tax on all taxable property located within the limits of Springfield subject to taxation for such purposes, at such rate or rates as may be necessary to produce revenues to pay such Contract Payments.

(c) The obligations of Springfield to make payments required in this Contract in the manner herein specified and to perform and observe the other agreements on its part contained herein shall be absolute and unconditional, regardless of any contingencies whatever and notwithstanding any circumstances or occurrences that may arise or take place hereafter, and shall not be subject to diminution by set-off, counterclaim, abatement, or otherwise. The City will exercise its powers of taxation to the extent necessary to pay the amounts required to be paid hereunder and will make available and use for the payment of its obligations incurred hereunder all such taxes levied and collected for that purpose together with funds received from any other source. The City, in order to make such funds available for such purpose in each fiscal year, will in its general revenue, appropriation, and budgetary measures whereby its tax funds or revenues and the allocation thereof are controlled or provided for in each fiscal year during the term of this Contract, include sums sufficient to satisfy the payments required to be made under this Contract, whether or not any other sums are included in such measure, until all payments required to be made hereby shall have been made in full. The obligations of the City to make the payments provided for pursuant to the terms of this Contract shall constitute a general obligation of the City and a pledge of the full faith and credit of the City to provide the funds required to fulfill such obligation.

Section 5. Validation of the Bonds. The Bonds have been validated in accordance with the laws of the State of Georgia.

Section 6. Tax Covenants. Springfield agrees that (i) it will not expend the proceeds of the Bonds nor take any other action which would cause the interest on the Bonds to be included in the gross income of the owner thereof for federal income tax purposes; (ii) it will not make, or permit, any use of the proceeds from the issue and sale of the Bonds which would cause the Bonds to be classified as an “arbitrage bond” within the meaning of § 148(a) of the Code and any Treasury Regulations promulgated thereunder as such provisions may apply to obligations

issued as of the date of issuance of the Bonds; and (iii) it will comply with, and take such action and make such payments as may be permitted or required by § 148(f) of the Code, to ensure that the Bonds do not constitute "arbitrage bonds" within the meaning of § 148(a) of the Code; provided that any such payments shall be made by Springfield.

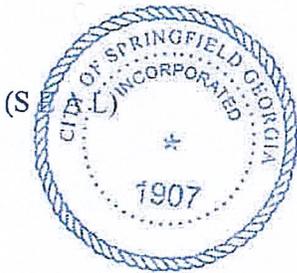
IN WITNESS WHEREOF, Effingham County and the City of Springfield have caused their duly authorized officers to hereunto set their hands and affix their respective corporate seals, the day and year first above written.

EFFINGHAM COUNTY, GEORGIA

(S E A L)

By: _____
Chairman
Board of Commissioners of Effingham County

Attest: _____
County Clerk



CITY OF SPRINGFIELD, GEORGIA

By: Barton A. Alderman
Mayor

Attest: Henry Y. Smith
City Clerk

Agreement approved as to form by City Attorney

By: Benjamin M. Perkins
Benjamin M. Perkins
City Attorney for the City of Springfield, Georgia

Staff Report

Subject: City of Springfield Annexation - Map# 389 Parcel# 23 and Map# 390 Parcel# 18B, 20

Author: Stephanie Johnson, County Clerk

Department: Administration

Meeting Date: March 5, 2024

Item Description: Consideration to acknowledge a Petition for Annexation as submitted by the City of Springfield for properties consisting of approximately 65.70 acres located at Webb and McCall Roads Map# 389 Parcel# 23 and Map# 390 Parcel# 18B, 20.

Summary Recommendation:

According to an aerial photography provided by Effingham County GIS data, this parcel is contiguous with other properties within the city limits of Springfield.

Executive Summary:

As required under state law O.C.G.A §36-36-6 upon accepting an application for annexation or a petition for annexation, the governing authority of the annexing municipality shall provide written notice to the governing authority of the county where the proposed annexation is located.

A public hearing of the City of Springfield's Planning & Zoning Board and the Mayor and City Council will be held March 19, 2024, at 6:00 pm to consider this petition. Said property is currently zoned AR-1 and AR-2, proposed zoning upon annexation will be AR-1 and R-1.

Background:

Annexation documentation was received via hand delivered mail from the City of Springfield. These parcels identified as **Map# 389 Parcel# 23** (owned by Vitor Batista) consisting of 2.037 acres, **Map# 390 Parcel# 18B** (owned by Jason & Jincy Hinley) consisting of 15.97 acres and **Map# 390 Parcel# 20** (owned by Burns Brothers Investments, LLC.) consisting of approximately 47.69 acres. These properties are within the City of Springfield's water and sewer service area.

Alternatives for Commission to Consider:

1. Acknowledge the Petition Requesting Annexation as presented by the City of Springfield
2. Do not approve the Petition Requesting Annexation.

Recommended Alternative: Staff leaves the decision to the Board's discretion.

Other Alternatives: N/A **Department Review:** Administration

Funding Source: No funding is required related to this request.

Attachments:

1. Petitions for Annexation
2. Aerial Map (related parcels and depicting city boundary)



Tim Callanan
 County Administrator, Effingham County
 804 S. Laurel Street
 Springfield, GA 31329

2/23/2024

Reference: Notice of Annexation Petition regarding parcels 389-23, 390-18B, 390-20

Dear Mr. Callanan

In accordance with O.C.G.A. §§ 36-36-6 and 36-36-111, please be advised that the City of Springfield, Georgia, by the authority vested in the Mayor and Council of the City by Article 2 of Chapter 36, Title 36 of the Official Code of Georgia Annotated, will vote whether or not to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Council on April 9, 2024.

The properties being considered for annexation are:

Parcel ID:	Current Address*	Current County Zoning	Requested Zoning	Intended Use in next 12 months	Acreage
389-23	225 Webb Rd	AR-2	R-1	Residential	2.04
390-20	923 McCall Rd	AR-1	AR-1	Continue Existing Use	47.69
390-18B	1051 McCall Rd	AR-1	R-1	Residential Lots	15.97

A plat and legal description of these properties is enclosed, along with a copy of the annexation petitions and a map showing the location of the area requesting annexation.

Pursuant to O.C.G.A. § 36-36-7 and O.C.G.A. § 36-36-9, you must notify the governing authority of the City of Springfield, in writing and by certified mail, return receipt requested, of any county facilities or property located within the property to be annexed within 5 business days of receipt of this letter. If the County has an objection under O.C.G.A. § 36-36-113, in accordance with the statutory objection and resolution process, you must notify the City of Springfield within 45 calendar days of the receipt of this notice.

The following public hearings will be held regarding the rezoning of the property being considered for annexation. Requested rezoning for each parcel are listed above.

**Public Hearing of the Planning & Zoning Board and The Mayor and City Council:
 March 19, 2024 at 6:00pm**

Sincerely,

 Erin Phillips,
 Planning and Development Director



Springfield

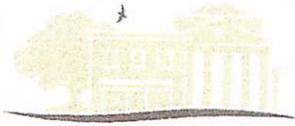


Legend

- Road Names**
- Roads**
 - City Roads
 - Private Roads
 - County Roads
 - State Roads
 - Federal Roads
 - Unknown Roads
 - Proposed Roads
- Railroads**
- County Parcels**
- Effingham County Boundary**
- Springfield Parcels**
- City Boundary**

This map is a user generated static output from rightspot.spateng.com website and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

23 Feb, 2024



City of Springfield

Community Development Department

130 S. Laurel Street
PO Box 1
Springfield, GA 31329
(912) 754-7617

Application for Annexation

Tax Map Number: 03890023 Date: 2-8-24

Address of subject property: 225 webb Rd Springfield Ga 31329

Owner of Property: Vitor Batista

Owner's Address: 105 Brookfield PL. Guyton Ga 31312

Telephone Number: 912 604 0917

Housing Units: 0 Other Buildings: ~~0~~ /

Total Acreage 2.037

Please Include the Following:

- A. Sketch Site Plan - Show location of existing buildings and other improvements, if applicable.
- B. Property Description - A legal description and plat.
- C. Copy of Property Deed
- D. Current Zoning Certification letter
- E. Fee - No fees required.
- F. Petition Requesting Annexation – Owner(s) must complete Page 2.
- G. Authorization by Property Owner – Owner(s) must complete Page 3.



 Applicant Signature

Petition Requesting Annexation

DATE 2-8-24

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD, GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Springfield, Georgia, and extend the City boundaries to include the same.

2. The description of such territory area is as follows:

Address/Location of Property: 225 Webb Rd Springfield Ga 31329

Current Tax Map Number: 03890023

See description attached.

3. Is the territory described herein contiguous, or across the road from the City's current boundaries? (if yes, see page 4)

Yes No

4. It is requested that this territory to be annexed shall be zoned:

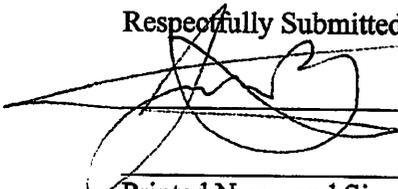
(R-1) R-2 R-3 R-4 B-1 I-1 PUD DT RO AR-1

for the following reasons:

To create 2 - one acre lots for stick built homes. to be on well & septic unless public services are available by City of Springfield.

WHEREFORE, the Petitioners pray that the City Council of the City of Springfield, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Springfield, Georgia.

Respectfully Submitted,



Printed Name and Signature of Owner(s)

PT-61 051-2019-001185

Return Recorded Document to:
The Ratchford Firm
1575 Highway 21 South
Springfield, GA 31329

Our File #: 19-207

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 6th day of May, 2019, between Sandro Batista and Celia Dalabrida Batista, of the County of Effingham, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Joao Vitor Batista, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee,

All that certain lot, tract or parcel of land situate, lying and being in the 11th G.M. District, Effingham County, Georgia, containing 2.04 acres, more or less, that is shown and more particularly described by the plat of survey made by George M. Ferreira, R.L.S. #2607, dated July, 1995, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet A, Slide 349 G, which is incorporated into this description by specific reference thereto.

This being the same property conveyed by Sandro Batista to Sandra Batista and Celia Dalabrida Batista as evidenced by that certain Quitclaim Deed with Right of Survivorship, dated March 20, 2015, recorded in Deed Book 2292, page 154, aforesaid records.

SUBJECT HOWEVER to all restrictive covenants, easements and rights-of-way of record.

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

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

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

Signed this 6th day of May, 2019

In the presence of:

Catherine J. Jones
Unofficial Witness

Notary Public
My commission expires: 2/18/23

(Notary Public Seal Affixed)



Sandro Batista (Seal)
Celia Dalabrida Batista (Seal)

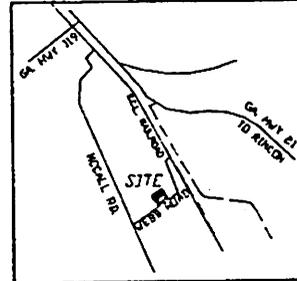
Book A349 Page G2
Date 4/8/1996

APPROVED BY EFFINGHAM COUNTY DEPARTMENT OF PUBLIC HEALTH DIVISION OF ENGINEERING AND SANITATION

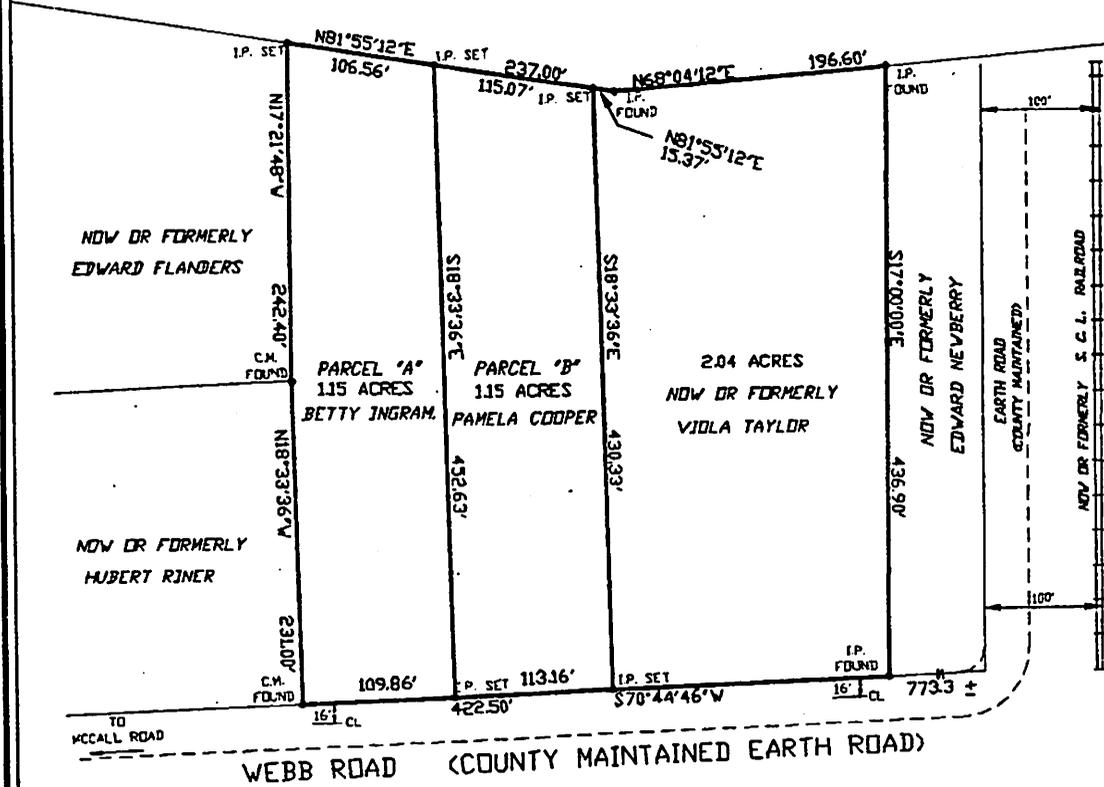
James H. Whisenand 3-5-96
DIRECTOR DATE
Norming L. Graham

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR

Joseph J. Parisi 3/5/96
ZONING ADMINISTRATOR DATE



NDV OR FORMERLY
R. C. DASHER



**SUBDIVISION OF A 4.34 ACRE PARCEL
BEING IN THE ELEVENTH G. M. DISTRICT,
EFFINGHAM COUNTY, GEORGIA.**



PARCEL "A" SURVEYED FOR BETTY L. INGRAM.
PARCEL "B" SURVEYED FOR PAMELA J. COOPER

IN MY OPINION IN ACCORDANCE WITH F.I.R.M. 130076-0090-B REVISED MARCH 30, 1987, THIS PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD HAZARD ZONE

GEORGE M. FERREIRA
8 LAWRENCE DRIVE
SAVANNAH, GEORGIA
31406-(912)334-6561

PLAT REFERENCE:
PLAT BOOK 13 PAGE 79
Error of closure - Field: 1/30,160
Error of closure - Plot: 1/369,708
Equipment Used: Total Station
Angular Error: 1" Per Point

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ALL ANGLES, BEARINGS, MEASUREMENT OF COURSES, DISTANCES AND MONUMENT LOCATION ARE AS SHOWN AND HAVE BEEN PROVEN BY LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW, 1978.



Scale 1" = 100'

GEORGIA R.L.S. #2607

JULY 23 1995

City of Springfield

Community Development Department

130 S. Laurel Street
PO Box 1
Springfield, GA 31329
(912) 754-7617

Application for Annexation

Tax Map Number: 03900020 Date: 2-14-24

Address of subject property: 923 McCall Rd

Owner of Property: Burns Brothers Investments, LLC

Owner's Address: 6529 Clyo - Kildare Rd Newington, GA 30446

Telephone Number: 912-213-2391

Housing Units: — Other Buildings: —

Total Acreage 47.69

Please Include the Following:

- A. Sketch Site Plan - Show location of existing buildings and other improvements, if applicable.
- B. Property Description - A legal description and plat.
- C. Copy of Property Deed
- D. Current Zoning Certification letter
- E. Fee - No fees required.
- F. Petition Requesting Annexation – Owner(s) must complete Page 2.
- G. Authorization by Property Owner – Owner(s) must complete Page 3.

Joseph A. Burns
Applicant Signature

Petition Requesting Annexation

DATE 2-14-24

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD,
GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Springfield, Georgia, and extend the City boundaries to include the same.

2. The description of such territory area is as follows:

Address/Location of Property: 923 McCall Rd.

Current Tax Map Number: 03900020

See description attached.

3. Is the territory described herein contiguous,
or across the road from the City's current boundaries? Yes No
(if yes, see page 4)

4. It is requested that this territory to be annexed shall be zoned:

R-1 R-2 R-3 R-4 B-1 I-1 PUD DT RO **AR-1**

for the following reasons: No Zoning Change

WHEREFORE, the Petitioners pray that the City Council of the City of Springfield, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Springfield, Georgia.

Respectfully Submitted,

Joseph A. Burns

Joseph A. Burns

Printed Name and Signature of Owner(s)

DOC# 008827
FILED IN OFFICE
10/18/2019 03:41 PM
BK:2552 PG:2-3
ELIZABETH Z. HURSEY
CLERK OF SUPERIOR COURT
EFFINGHAM COUNTY
REAL ESTATE TRANSFER
TAX PAID: \$750.00

PT-101 051-2019-002733
Our File #: 19-440

Return Recorded Document to:
The Ratchford Firm
1676 Highway 21 South
Springfield, GA 31329

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 10th day of October, 2019, between Betty A. Sikes and her husband, Robert D. Sikes, F. Lamar Allen and his wife, Bobbie A. Allen, Thomas G. Allen and his wife Kathryn F. Allen, of the County of Effingham, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Burns Brothers Investments, LLC, a limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee,

All that certain tract or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, containing Twenty (20) acres, more or less, and being bounded as follows: on the north by the right of way of the Savannah & Atlanta Railway; on the east by lands now or formerly of B.L. Rahn; on the south by the McCall Public Road; and on the west by lands now or formerly of Green Dickey.

AND ALSO, All that certain tract or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, containing Eighty-Three (83) acres, more or less, and being bounded as follows: on the north by lands formerly of J.L. Bowman; on the east by the right-of-way of Savannah & Atlanta Railway; on the southeast by lands of Dasher; on the south by lands of Dickey; and on the west by the McCall Public Road and lands now or formerly of J.A. Hodges and Green Dickey.

This being the same property conveyed one-half undivided interest by Juanita R. Allen to Betty A. Sikes, and her husband, Robert D. Sikes, F. Lamar Allen and his wife Bobbie A. Allen, Thomas G. Allen and his wife Kathryn F. Allen as evidenced by that certain Deed dated December 29, 2005 recorded in Deed Book 1386, page 384, aforesaid records. And also this being the same property conveyed one-half undivided interest by Juanita R. Allen to Betty A. Sikes, and her husband, Robert D. Sikes, F. Lamar Allen and his wife Bobbie A. Allen, Thomas G. Allen and his wife Kathryn F. Allen as evidenced by that certain Deed dated January 3, 2006 recorded in Deed Book 1388, page 165,

The retracement survey entitled "Property Survey for Burns Brothers Investments, LLC", of the above existing parcels has been prepared by Warren E. Poythress, R.L.S. 1953, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, page 667-667, which is incorporated in to this description by specific reference thereto.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.

Said property has a current property tax identification number of 03900-020-00.

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

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

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

Signed this 10th day of October, 2019 in the presence of:

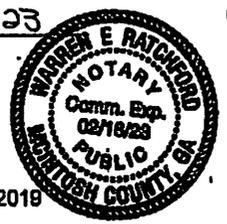
Catherine J. Jones
Unofficial Witness
Notary Public

Betty A. Sikes (Seal)
Betty A. Sikes

Robert D. Sikes by Betty A. Sikes (Seal)
Robert D. Sikes POA

My commission expires 2/18/23

(Notary Public Seal Affixed)



(See Durable Power of Attorney recorded in Deed Book 2548, page 447, Effingham, Georgia records)

Signed this 10th day of October, 2019 in the presence of:

Catherine J. Jones
Unofficial Witness
Notary Public

F. Lamar Allen (Seal)
F. Lamar Allen

Bobbie A. Allen (Seal)
Bobbie A. Allen

My commission expires 2/18/23

(Notary Public Seal Affixed)



Signed this 10th day of October, 2019 in the presence of:

Catherine J. Jones
Unofficial Witness
Notary Public

Thomas G. Allen (Seal)
Thomas G. Allen

Kathryn F. Allen (Seal)
Kathryn F. Allen

My commission expires 2/18/23

(Notary Public Seal Affixed)



3883633903
PARTICIPANT ID

BK:28 PG:667-667
P2019000202

FILED IN OFFICE
CLERK OF COURT
10/08/2019 05:36 PM
ELIZABETH Z. HURSEY, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA

Elizabeth Z. Hursey

SURVEYOR'S CERTIFICATION

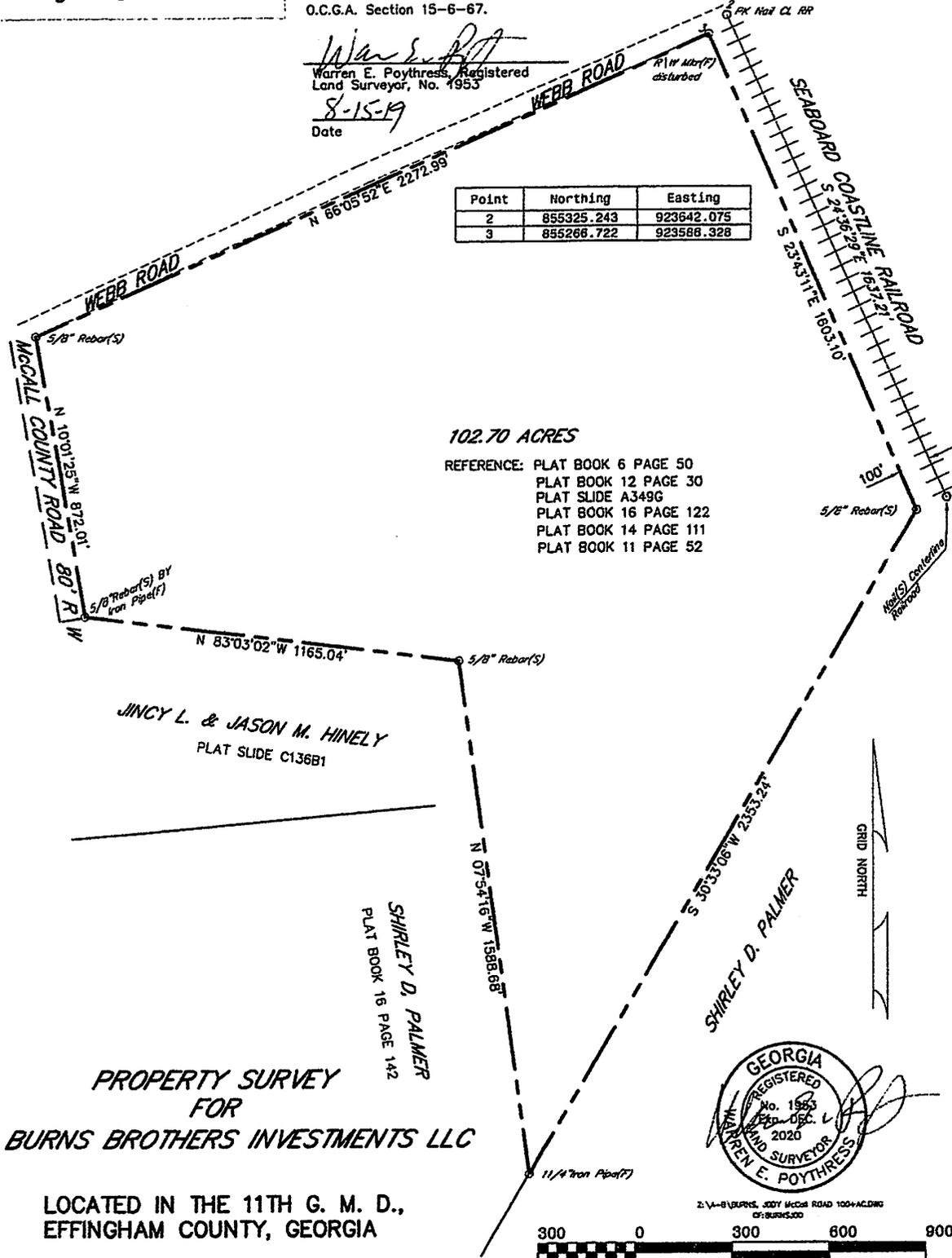
The plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATION OR REQUIREMENTS OR SUITABILITY FOR ANY USE FOR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

DATE: AUGUST 15, 2019
By: Warren E Poythress
Registered Land Surveyor No. 1953
Address: 991 Hunters Road
Sylvania, Georgia 30467
Cell Phone - 912-531-1453
Telephone: 912-857-3288
Equipment - Sokkia GRS2 - GPS
Topcon 303
FINAL PLAT CLOSURE = 1206006

Item XI. 15.

Warren E. Poythress
Warren E. Poythress, Registered
Land Surveyor, No. 1953
8-15-19
Date

Point	Northing	Easting
2	855325.243	923642.075
3	855266.722	923588.328



102.70 ACRES

- REFERENCE: PLAT BOOK 6 PAGE 50
PLAT BOOK 12 PAGE 30
PLAT SLIDE A349G
PLAT BOOK 16 PAGE 122
PLAT BOOK 14 PAGE 111
PLAT BOOK 11 PAGE 52

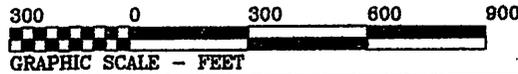
JINCY L. & JASON M. HINELY
PLAT SLIDE C136B1

SHIRLEY D. PALMER
PLAT BOOK 16 PAGE 142

SHIRLEY D. PALMER

PROPERTY SURVEY
FOR
BURNS BROTHERS INVESTMENTS LLC

LOCATED IN THE 11TH G. M. D.,
EFFINGHAM COUNTY, GEORGIA





City of Springfield

Community Development Department

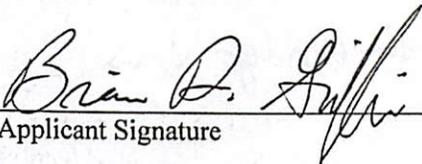
130 S. Laurel Street
PO Box 1
Springfield, GA 31329
(912) 754-7617

Application for Annexation

Tax Map Number: 03900018300 Date: 2/7/2024
 Address of subject property: 1051 McCall RD
 Owner of Property: Jasen + Jincy Hinkley
 Owner's Address: 1051 McCall RD, Springfield, GA
 Telephone Number: (912) 663-0833
 Housing Units: 1 Other Buildings: 0
 Total Acreage 15.97

Please Include the Following:

- A. Sketch Site Plan - Show location of existing buildings and other improvements, if applicable.
- B. Property Description - A legal description and plat.
- C. Copy of Property Deed
- D. Current Zoning Certification letter
- E. Fee - No fees required.
- F. Petition Requesting Annexation – Owner(s) must complete Page 2.
- G. Authorization by Property Owner – Owner(s) must complete Page 3.


 Applicant Signature

Petition Requesting Annexation

DATE 2/7/2024

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD, GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Springfield, Georgia, and extend the City boundaries to include the same.

2. The description of such territory area is as follows:

Address/Location of Property: 1051 McGill RD

Current Tax Map Number: 039000181300

See description attached.

3. Is the territory described herein contiguous, or across the road from the City's current boundaries? (if yes, see page 4)

Yes No

4. It is requested that this territory to be annexed shall be zoned:

R-1 R-2 R-3 R-4 B-1 I-1 PUD DT RO AR-1

for the following reasons:

Plan for property is to make a single family, large lot subdivision.

WHEREFORE, the Petitioners pray that the City Council of the City of Springfield, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Springfield, Georgia.

Respectfully Submitted,

Brian D. Griffin w/permission of the Hinds
Brian D. Griffin

Printed Name and Signature of Owner(s)

Authorization by property owner

I swear that I am the owner of the property which is the subject matter of the attached application, as is shown in the records of Effingham County, Georgia. I authorize the person named below to act as applicant in the pursuit of an annexation request of this property.

Name of Applicant: JASON MARK HINELY

Address: 1051 Mccall Rd

<u>SPRINGFIELD</u>	<u>GA</u>	<u>31329</u>
City	State	Zip Code

Telephone Number: (912) 663-0833


Signature of Owner

FILED
BOOK
PAGE NO.

BOOK PAGE
01515 0235

06 SEP 11 AM 10:13

ELIZABETH Z. HURSEY
CLERK E.G.S.C.

Effingham County, Georgia
Real Estate Transfer Tax
Paid \$ 0.00
Date 9-11-06
Elizabeth Z. Hursey
Clerk of Superior Court

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

STATE OF GEORGIA COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 16th day of August, 2006, between TONYA P. WARD formerly Tonya Palmer of the FIRST PART, and JINCY L. HINELY and JASON M. HINELY of the SECOND PART,

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

ALL that certain tract or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, containing Fifteen and Ninety-Seven Hundredths (15.97) acres, more or less, and being bounded on the north by lands of Juanita R. Allen; on the east by lands of Juanita R. Allen; on the south by lands of Shirley D. Palmer; and on the west by the McCall Road, known as County Road #176.

Express reference hereby made to the plat of said lands made by Adolph N. Michelis, R.L.S. #1323, dated August 1, 2006 and recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "C", slide 136 B1, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

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

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

Tonya P. Ward (SEAL)
TONYA P. WARD

Tonya Palmer (SEAL)
formerly TONYA PALMER

Signed, sealed and delivered
in the presence of:
Berinda M. Elliott
Unofficial Witness
R. Edward Reddick, Jr.
Official Witness - Notary Public
[seal]



APPROVED BY THE EFFINGHAM COUNTY DEPARTMENT OF PUBLIC HEALTH, DIVISION OF ENGINEERING AND SANITATION. SPECIFIC BUILDING SITES REQUIRE ADDITIONAL REVIEW AND APPROVAL.

Deborah Seal 9/8/06
DIRECTOR DATE:

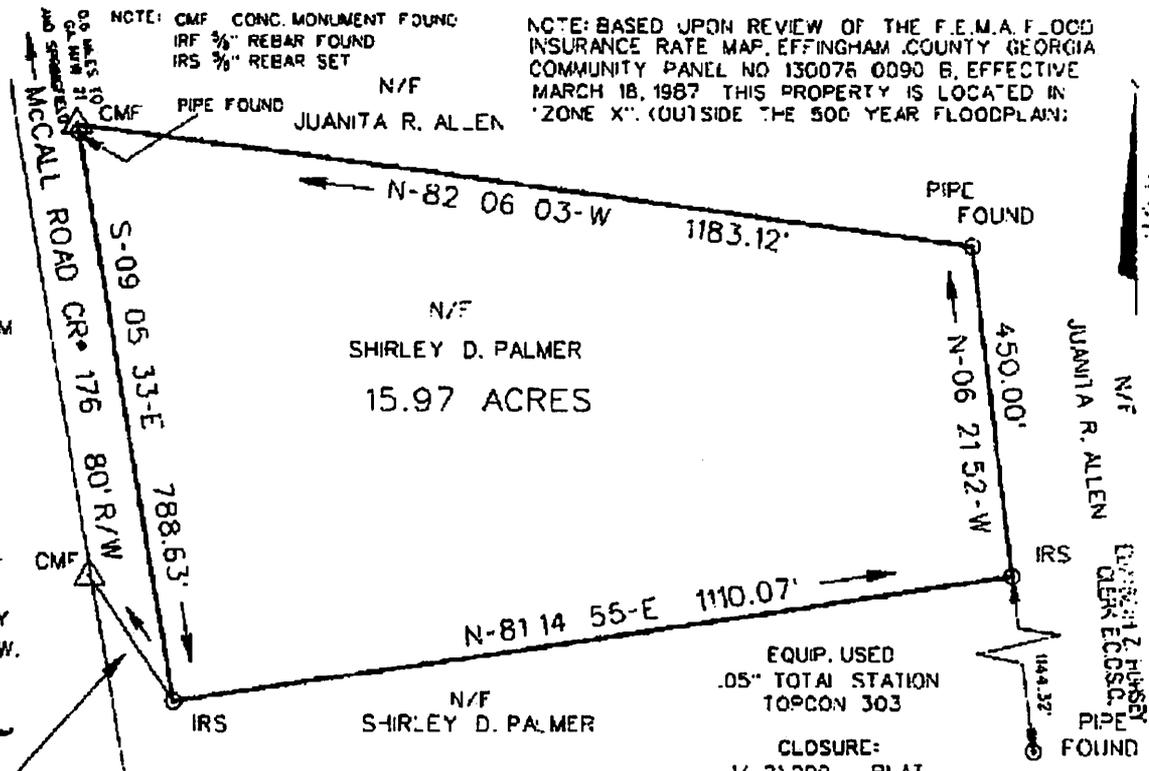
APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR

Pat Leahy 8/2/2006
ZONING ADMINISTRATOR DATE:

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM REQUIREMENTS OF LAW.

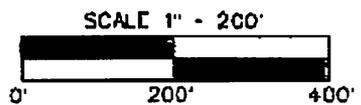


Adolph N. Michelis
ADOLPH N. MICHELIS R.L.S.
Go. Reg. L.S. • 1323
736 SANDY RIDGE ROAD
SYLVANIA, GEORGIA 30467
PH (912) 829 3972



OFFSITE TIE LINE
N-33 21 55-W 199.34'
PLAT BY WARREN E. POYTHRESS, FOR R.C. DASHER.
DATE 03-20-1984

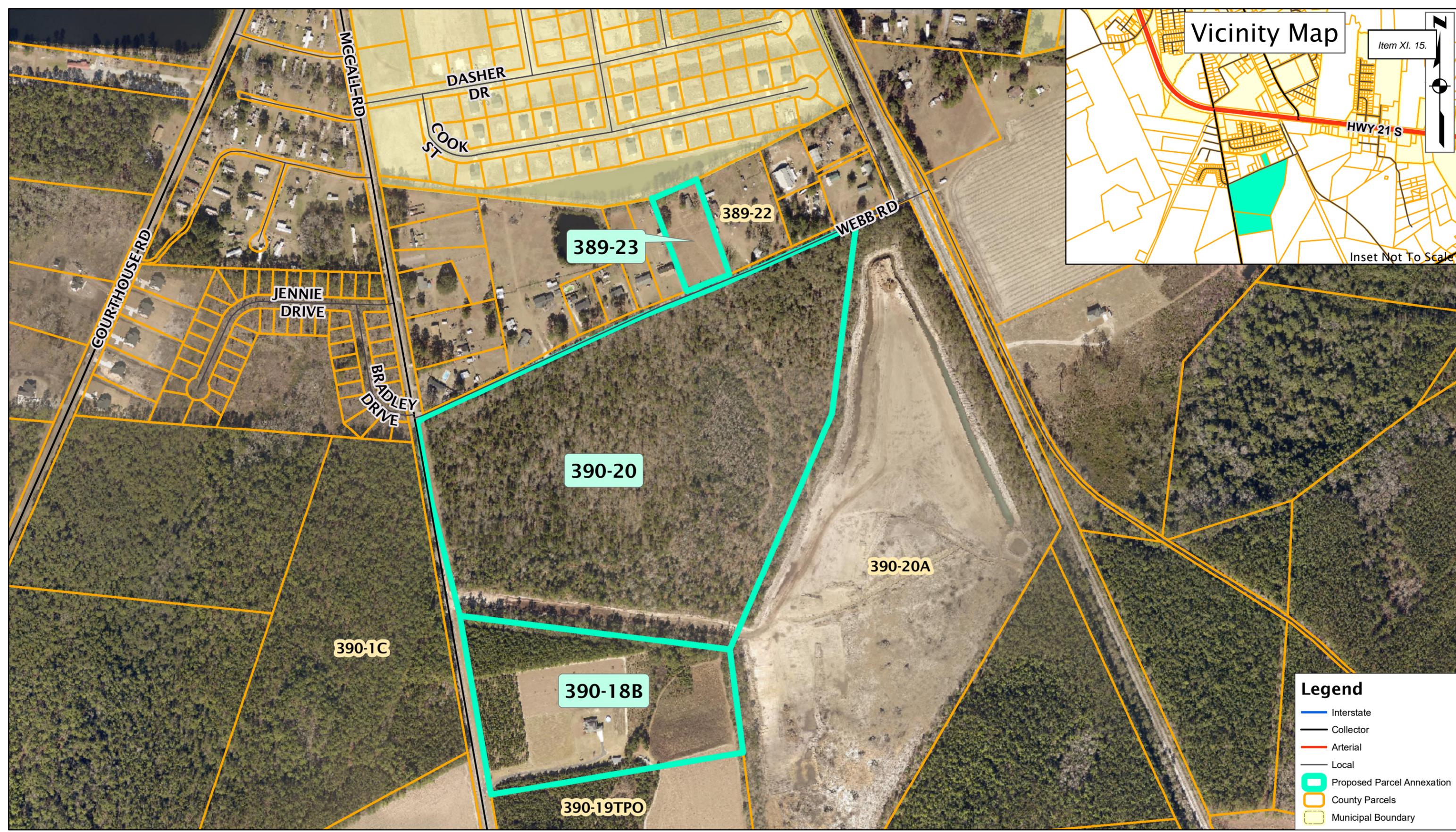
REFERENCE MAPS
PLAT BY WARREN E. POYTHRESS FOR R.C. DASHER. DATE 3-20-84



SURVEY FOR
JINCY AND JASON HINELY
SURVEY OF 15.97 ACRES
DIVIDED FROM THE LANDS
OF SHIRLEY D. PALMER
LOCATED IN THE 11TH G.M.D.
EFFINGHAM COUNTY, GEORGIA
SURVEYED 31 JULY 2006
PLAT DRAWN 01 AUG. 2006

06 SEP 11 AM 10:11

PLAT 236
PAGE 1 B-1



NOTICE OF ANNEXATION BY CITY OF SPRINGFIELD
389-23, 390-20, & 390-18B

Effingham County Board of Commissioners Meeting March 5, 2024
Springfield Public Hearing March 19, 2024

Staff Report

Subject: GOSAC/RAC Voting Delegate Form

Author: Stephanie Johnson, County Clerk

Department: Administration

Meeting Date: 03/05//2024

Item Description: Consideration to approve to identify a Voting Delegate for consideration of the three (3) remaining seats for Statewide Georgia Opioid Settlement Advisory Commission (GOSAC) Members and Regional Advisory Council (RAC) Members

Summary Recommendation:

Georgia is one of three states participating in the national Opioid Distributor and Janssen Settlements. The settlement terms require the creation of GOSAC and RAC councils to assess grant applications and recommend funding for the regional portion of the opioid settlement funds.

Participating local governments are required to vote on three GOSAC representatives and the RAC members for their respective regions. Staff recommends approval.

Executive Summary:

1. Each participating local government will receive one vote as part of this process.
2. There are six (6) regions: Effingham County will be part of the Region 5 – Regional Advisory Council (RAC).
3. Each region must have at least three (3) members and as many as seven (7). The settlement agreement and four (4) were recommended by the Department of Behavioral Health & Developmental Disabilities (DBHDD)
4. The voting delegate form is to be submitted to the ACCG no later than Friday, March 15, 2024.

Background:

A Memorandum of Understanding has been entered into between the State of Georgia and Participating Local Governments as part of Georgia's participation in the national Opioid Distributor and Janssen Settlements.

Alternatives for Commission to Consider:

1. To approve to identify Chairman Wesley Corbitt as participating local government voting delegate for GOSAC and RAC Slate Consideration
2. Identify another individual for consideration.

Recommended Alternative: Staff recommends Alternative 1

Other Alternatives: N/A

Department Review: Administration

Funding Source: Funding for advertising allocated from the Elections Office budget.

Attachments:

1. Voting Delegate Form



191 Peachtree Street NE, Suite 700 • Atlanta, GA 30303



201 Pryor Street, SW • Atlanta, GA 30303

ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA & GEORGIA MUNICIPAL ASSOCIATION

TO: Participating Local Governments to Georgia’s Opioid Distributor Settlement, including Cities, Counties, Sheriffs, Community Service Boards, Hospitals and Hospital Authorities, Etc.

FROM: Dave Wills, ACCG Executive Director & Larry Hanson, GMA Executive Director

DATE: February 15, 2024

SUBJECT: Identification of Voting Delegate for Consideration of Three Statewide Georgia Opioid Settlement Advisory Commission Members (GOSAC) and Regional Advisory Council (RAC) Members

The Memorandum of Understanding between the State of Georgia and Participating Local Governments as part of Georgia’s participation in the national Opioid Distributor and Janssen Settlements requires the creation of the Georgia Opioid Settlement Advisory Commission (GOSAC) and Regional Advisory Councils (RACs) to assess grant applications and recommend funding for the regional portion of the opioid settlement funds. As part of the settlement, Participating Local Governments are required to vote on three GOSAC representatives and the RAC members for their respective regions.

Each Participating Local Government will receive one vote as part of this process. This vote will be held at regional, in-person meetings (see the attached list), and the voting delegate must be present to cast his or her vote on behalf of the Participating Local Government. The slate will be approved if the majority of the voting delegates present vote in favor of it. Additional information on the regional meetings will be emailed to the voting delegates.

Please complete and return this form no later than March 15, 2024 to ACCG Administration & Operations Director Beth Brown at bbrown@accg.org as a scanned email attachment or photo. If you choose to send it as a photo, please make sure the information provided below is clear and easy to read. Your prompt attention to this matter is greatly appreciated.

PARTICIPATING LOCAL GOVERNMENT VOTING DELEGATE FOR GOSAC AND RAC SLATE CONSIDERATION

Name

Title

Participating Local Government

Email

Date

For questions or additional information, please contact Beth Brown at bbrown@accg.org or 770-262-5092.

ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA & GEORGIA MUNICIPAL ASSOCIATION

REGIONAL MEETINGS

Region 1

March 21 @ 10 a.m.

Dawson County Government Center/Courthouse
BOC Assembly Room (2nd Floor)
25 Justice Way
Dawsonville, GA 30534

Region 2

March 25 @ 2 p.m.

Greene County Administration Building
1034 Silver Drive
Greensboro, GA 30642

Region 3

March 20 @ 10 a.m.

Rockdale County CE Steele Community Center
1040 Oakland Avenue
Conyers, GA 30012

Region 4

March 26 @ 2 p.m.

Colquitt County Administration Building
101 East Central Avenue
Moultrie, GA 31678

Region 5

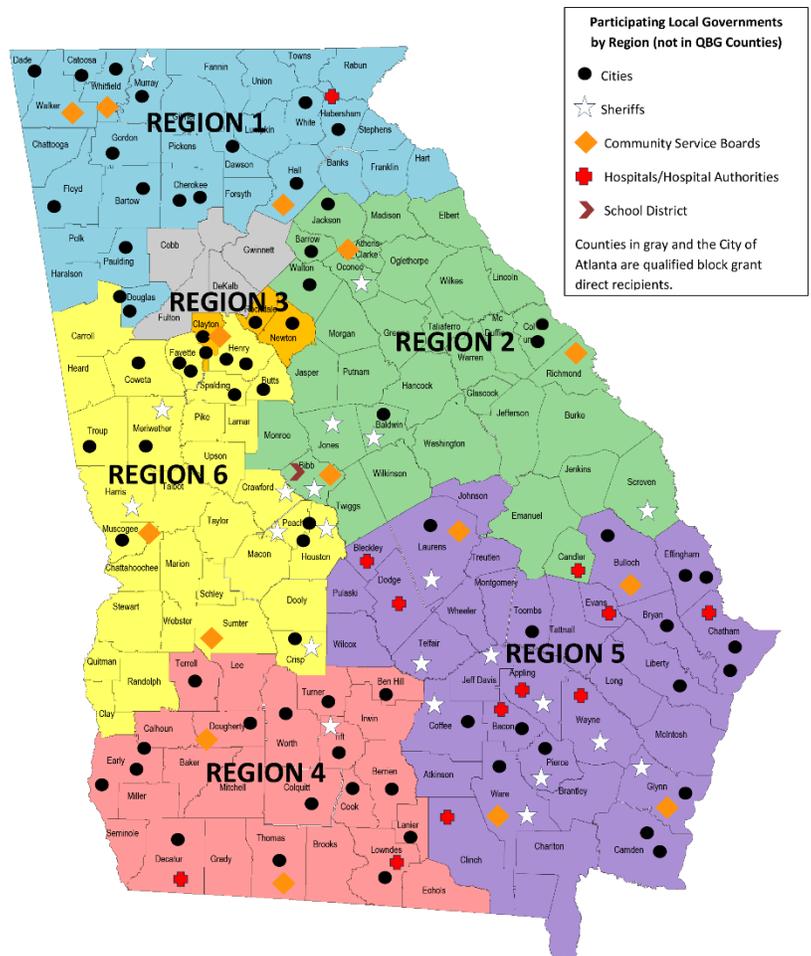
March 26 @ 10 a.m.

Appling County Courthouse Annex
BOC Meeting Room (2nd Floor)
69 Tippins Street
Baxley, GA 31513

Region 6

March 27 @ 10 a.m.

Harris County Library
7511 SR 116
Hamilton, GA 31811



Staff Report

Subject: Annual update to Capital Improvements Element
Author: Steve Candler, Director of Development Services
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Consideration to approve a resolution adopting the FY2023 Capital Improvement Element (CIE) annual update.

Summary Recommendation

The Georgia Department of Community Affairs and the Coastal Regional Commission of Georgia have approved the FY2023 Financial Report and Capital Improvements Element (CIE), which can now be adopted by the Board of Commissioners to ensure continuation of Qualified Local Government status.

Executive Summary/Background

- Development Impact Fees are intended to ensure that adequate public facilities are available to serve new growth and development.
- The CIE annual update is a required report for all jurisdictions that collect impact fees, and includes a financial report and a schedule of improvements.
- Staff has updated the Impact Fee Financial Report and the schedule of improvements.
- The CIE annual update has been reviewed and approved by the Department of Community Affairs, and can now be adopted by the Board of Commissioners.
- Adoption of the annual CIE update is necessary to maintain the county's Qualified Local Government status with the Department of Community Affairs.

Alternatives for Commission to Consider

1. Approve the resolution adopting the FY 2023 CIE annual update.
2. Take no action

Recommended Alternative: Alternative 1

Other Alternatives: N/A

Department Review: Finance Department; Development Services Department

Funding Source: No new funding requested.

Attachments:

1. Resolution to adopt the FY2023 CIE annual update.
2. 2023 CIE annual update
3. 2023 Financial Report
4. 2023 CIE Update - Approval from DCA

**STATE OF GEORGIA
EFFINGHAM COUNTY**

RESOLUTION TO ADOPT

WHEREAS, Effingham County has prepared a 2023 update to the Effingham County Capital Improvements Element; and

WHEREAS, the annual update of the Capital Improvements Element was prepared in accordance with the Development Impact Fee Compliance Requirements and the Minimum Planning Standards and Procedures for Local Comprehensive Planning adopted by the Board of Community Affairs, pursuant to the Georgia Planning Act of 1989, and a public hearing was held on March 5, 2024; and

WHEREAS, the draft Capital Improvements Element was submitted for review to the Coastal Regional Commission of Georgia, and was subsequently approved by the Coastal Regional Commission of Georgia and forwarded to, and approved as meeting the minimum standards, by the Georgia Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED that the Effingham County Board of Commissioners does hereby adopt the Capital Improvements Element 2023 update that includes the Financial Report and the Short Term Work Program covering the five-year period 2024-2028.

Adopted this ____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

STEPHANIE JOHNSON
COUNTY CLERK

ANNUAL FINANCIAL REPORT FOR

FY 2023

(1) Public Facility Type	County Wide Roads				County Wide Parks & Recreation		County Wide Public Safety		Water		Sewer		TOTAL	
(2) Service Area FY 2023														
(3) Beginning Impact Fee Fund Balance FY 2023					45,343.63			-						45,343.63
(4) Impact Fees Collected FY 2023														-
(4.1) Dept. of Transportation Reimbursement FY 2021														-
(4.2) Interfund Paid														-
(5) Accrued Interest FY 2023														36.28
(6) Project Expenditures FY 2023														-
(7) Administrative Costs FY 2023														-
(8) Impact Fee Refunds FY 2023														-
(9) Ending Impact Fee Fund Balance FY 2023														45,379.91

(10) Impact Fees Encumbered FY 2023	-	45,379.91	-	-	-	-	45,379.91
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45,379.91

Effingham County 2024-2028 Capital Improvement Element Update

PUBLIC SAFETY								
COUNTYWIDE								
Public Facility:	Service Area:	Project Description	Start Date	End Date	Cost Estimate	IF %	Funding Source	Status/Remarks
Sheriff's Jail, Office Admin. Complex, Storage			2012	2024	\$16,425,000	25%	Jail Fund / SPLOST	Complete
Fire Vehicles/Apparatus			2015	2023	\$1,150,000	0%	Fire Fund / SPLOST	Complete
Berryville / Stillwell Fire Station			2015	2017	\$75,000	0%	Fire Fund/SPLOST	Complete
South Effingham Fire Station*			2015	2025	\$550,000	0%	Fire Fund	In Progress
Ardmore-Oakey Fire Station			2015	2020	\$75,000	0%	Fire Fund/SPLOST	Complete
EMS Vehicles/ Apparatus			2014	2024	\$650,000	0%	SPLOST	Complete

* Formerly known as Hodgeville / Ledessie Zeigler

ROADS & BRIDGES								
COUNTYWIDE								
Public Facility	Service Area	Project Description	Start Date	End Date	Cost Estimate	IF %	Funding Source	Status/Remarks
Effingham Parkway			2016	2025	\$120,000,000	58%	I.F./SPLOST/GDOT/FED.	In Progress
Old River Road & 116 interchange			2010	2021	\$250,000	0%	FED/GDOT/SPLOST	Complete
Resurfacing			2014	2024	\$8,113,133	0%	SPLOST	Ongoing
Blue Jay Road & McCall			2012	2021	\$400,000	0%	SPLOST	Complete

Public Facility		PARKS & RECREATION						
Service Area		COUNTYWIDE						
Project Description	Start Date	End Date	Cost Estimate	IF %	Funding Source	Status/Remarks		
HWY 21 Recreation Complex/Gym Renovations Phase 1 Park Promenade/Ulmer Park	2014	2023	\$3,800,000	14%	I.F./SPLOST	Complete		
	2014	2017	\$79,000		Pending	Cancelled.		

Public Facility		SEWER						
Service Area		UNINCORPORATED EFFINGHAM COUNTY						
Project Description	Start Date	End Date	Cost Estimate	IF %	Funding Source	Status/Remarks		
Old Augusta Rd.	2006	2017	\$5,000,000	0%	Pending	Completed		
Lift station #5, #11, #9 pump upgrades	2014	2020	\$270,000	0%	W/S fund	LS#5 Completed LS#9 Completed LS#11 Completed		
Sprayfield upgrades	2013	2024	\$75,000	0%	W/S fund	Completed		

Public Facility		WATER						
Service Area		UNINCORPORATED EFFINGHAM COUNTY						
Project Description	Start Date	End Date	Cost Estimate	IF %	Funding Source	Status/Remarks		
Loop from Greystone to Midland Rd.	2014	2017	\$680,000	0%	W/S fund	Complete		
Loop from Emerald Plantation to Marlow Elem.	2015	2021	\$1,400,000	0%	W/S fund	In progress		
County Line Booster Station	2014	2021	\$1,500,000	0%	W/S fund	Complete		

Staff Report

Subject: Rezoning (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Theodore Carellas** as agent for **Effingham County Industrial Development Authority** requests to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park. Located on Interstate 16. **[Map# 331 Parcel# 5A, 4, 3, 13A, & 14A]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to rezone the parcels to industrial to integrate into the existing industrial park that currently borders it.
- Currently, the parcels are vacant and not developed.
- These parcels are adjacent to Interstate 16, per the Effingham County Code of Ordinances:
Where a property line runs adjacent to federally designated interstate highways, regardless of zoning or proposed use, that section of the property is exempt from all buffer requirements along the property line with frontage on the interstate highway.
- Per the Effingham County Code of Ordinances – Table of Permitted Uses, the following are permitted within an industrial zoned parcel:

<ul style="list-style-type: none"> - Veterinarians - Butcher Shop with Abattoir - Retail – Building Supply - Retail – General - Plant Gardens & Outdoor Nurseries - Repair Shops - Rural Business - Boat Sales & Repairs - Commercial EV charging stations (Wholesale) - Gas Stations (less than 10 pumps) - Clubs/Private Recreation Facilities - Commercial Riding Stables - Outdoor Amusement Parks – Temporary - Telecommunication Towers - Solid Waste Facilities/Landfills (Materials Recovery & Trash Transfer) 	<ul style="list-style-type: none"> - Government Owned EV Charging Stations - Bus Stations - Assembly or Fabrication (Not Manufacturing) - Manufacturing - Laboratories & Research Facilities - Metal Plating and/or Smelting (Heavy Industrial Only) - Ready-Mix Concrete Facilities (Heavy Industrial Only) - Wholesale Operations - Warehouse Facilities - Food Processing - Taxidermy - Enclosed Storage - Screened Storage - Self Storage Mini Storage Facilities
---	---
- Industrial zoning would be consistent with the Future Land Use map for this area, as the parcels are projected to be industrial.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion to approve with Staff recommendations. Mr. Peter Higgins second and the motion carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park, with the following conditions:

- If the parcels are to be recombined, a plat shall be approved by Development Services, and recorded, before the zoning effect.
- Buffers shall be adhered to per the Effingham County Code of Ordinances, Article III, Section 3.4 Buffers.

2. **Deny** the request for to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an indus

Item XV. 1.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

RZN-23-17

Rezoning Application

Status: Active

Submitted On: 12/11/2023

Primary Location

0

Owner**Applicant** Theodore Carellas 912-661-4646 tcarellas@carellaslaw.com POBox 2599440 Silverwood Centre Dr
Rincon, GA 31326

Staff Review

 **Planning Board Meeting Date***

02/13/2024

 **Board of Commissioner Meeting Date***

03/05/2024

 **Notification Letter Description ***

integration into an industrial park.

 **Map #***

331

 **Parcel #***

5A, 4, 3, 13A, 14A

 **Staff Description**

5 lot rezoning

 **Georgia Militia District***

1559

 **Commissioner District***

1st

 **Public Notification Letters Mailed**

01/15/2024

 **Board of Commissioner Ads**

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Internal Documents

🔒 Rezoning Checklist



Carellas.doc

🔒 ZMA Template



No File Uploaded

🔒 Staff Report



No File Uploaded

🔒 Completed Rezoning Checklist



No File Uploaded

🔒 Approval/Denial Letter



No File Uploaded

🔒 Signed ZMA



No File Uploaded

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Theodore T Carellas

Applicant Email Address*

TCarellas@Carellaslaw.com

Applicant Phone Number*

9128267100

Applicant Mailing Address*

POBox 2599, 440 Silverwood Centre Drive

Applicant City*

Rincon

Applicant State & Zip Code*

GA

Applicant Zip Code*

31326

Property Owner Information

Owner's Name*

Effingham County Industrial Development Authority

Owner's Email Address*

BHerndon@EffinghamIndustry.com

Owner's Phone Number*

9123923000

Owner's Mailing Address*

777 Old Augusta Road S

Owner's City*

Rincon

Owner's State & Zip Code*

GA

Owner's Zip Code*

31326

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

I-1 (Industrial)

Map & Parcel *

331-5A,4,3,13A,14A

Road Name*

Interstate 16

Proposed Road Access* ?

Savannah Portside International Parkway

Total Acres *

3.97

Acres to be Rezoned*

3.97

Lot Characteristics *

undeveloped land

Water Connection *

Public Water System

Name of Supplier*

Effingham County

Sewer Connection

Private Septic System

Justification for Rezoning Amendment *

Property was acquired by ECIDA since it is an "island" in Effingham County Industrial Development Authority's industrial park surrounded by Industrial zoned land on all sides except for one side bounded by Interstate 16. The property was acquired to integrate it into the existing industrial park, Savannah Portside International Park.

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

North*

I-1

South*

I-1

East*

West*

I-1

Interstate 16

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

vacant undeveloped land

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

No

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

It will be integrated into the industrial park that it borders.

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

Industrial park owned by Effingham County Industrial Development Authority

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

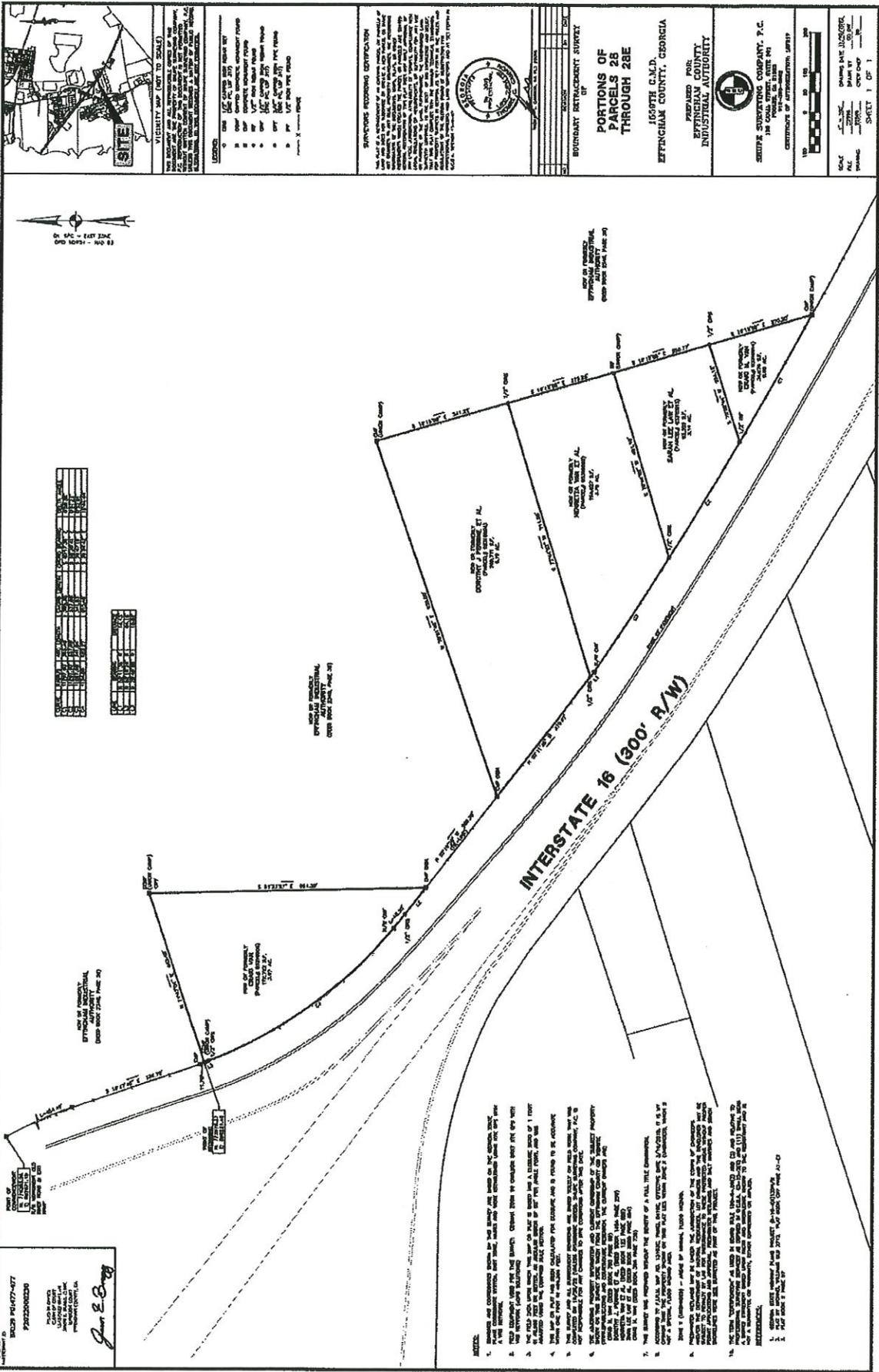
The rezoning is entirely consistent.

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

No

Digital Signature*

 Theodore T Carellas
Dec 6, 2023



331-5A, 4, 3, 13A, 14A



1/8/2024

Roads

Tax Parcels

Tax Parcel Labels Efn_fin_cache

- Red: Band_1
- Green: Band_2
- Blue: Band_3

195

Item XV. 1.

Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin
INCREMENT P, USGS, EPA, USDA

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Theodore Carellas as agent for Effingham County Industrial Development – (Map # 331 Parcels # 5A, 4, 3, 13A, 14A)** from AR-1 to I-1 zoning.

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

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

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

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

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

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

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

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

1.) B.S.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL *JEH* DISAPPROVAL _____

Of the rezoning request by applicant **Theodore Carellas as agent for Effingham County Industrial Development – (Map # 331 Parcels # 5A, 4, 3, 13A, 14A)** from AR-1 to I-1 zoning.

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P.H.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Theodore Carellas as agent for Effingham County Industrial Development – (Map # 331 Parcels # 5A, 4, 3, 13A, 14A)** from AR-1 to I-1 zoning.

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- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL _____

Of the rezoning request by applicant **Theodore Carellas as agent for Effingham County Industrial Development – (Map # 331 Parcels # 5A, 4, 3, 13A, 14A)** from AR-1 to I-1 zoning.

- Yes No? ✓ 1. Is this proposal inconsistent with the county’s master plan?
- Yes No? ✓ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? ✓ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? ✓ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? ✓ 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? ✓ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? ✓ 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? ✓ 8. Do other conditions affect the property so as to support a decision against the proposal?

A.Z.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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OLK
I refused myself

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

Of the rezoning request by applicant **Theodore Carellas as agent for Effingham County Industrial Development – (Map # 331 Parcels # 5A, 4, 3, 13A, 14A)** from AR-1 to I-1 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
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- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Theodore Carellas** as agent for **Effingham County Industrial Development Authority** requests to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park. Located on Interstate 16. **[Map# 331 Parcel# 5A, 4, 3, 13A, & 14A]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to rezone the parcels to industrial to integrate into the existing industrial park that currently borders it.
- Currently, the parcels are vacant and not developed.
- These parcels are adjacent to Interstate 16, per the Effingham County Code of Ordinances:
Where a property line runs adjacent to federally designated interstate highways, regardless of zoning or proposed use, that section of the property is exempt from all buffer requirements along the property line with frontage on the interstate highway.
- Per the Effingham County Code of Ordinances – Table of Permitted Uses, the following are permitted within an industrial zoned parcel:

<ul style="list-style-type: none"> - Veterinarians - Butcher Shop with Abattoir - Retail – Building Supply - Retail – General - Plant Gardens & Outdoor Nurseries - Repair Shops - Rural Business - Boat Sales & Repairs - Commercial EV charging stations (Wholesale) - Gas Stations (less than 10 pumps) - Clubs/Private Recreation Facilities - Commercial Riding Stables - Outdoor Amusement Parks – Temporary - Telecommunication Towers - Solid Waste Facilities/Landfills (Materials Recovery & Trash Transfer) 	<ul style="list-style-type: none"> - Government Owned EV Charging Stations - Bus Stations - Assembly or Fabrication (Not Manufacturing) - Manufacturing - Laboratories & Research Facilities - Metal Plating and/or Smelting (Heavy Industrial Only) - Ready-Mix Concrete Facilities (Heavy Industrial Only) - Wholesale Operations - Warehouse Facilities - Food Processing - Taxidermy - Enclosed Storage - Screened Storage - Self Storage Mini Storage Facilities
---	---
- Industrial zoning would be consistent with the Future Land Use map for this area, as the parcels are projected to be industrial.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion to approve with Staff recommendations. Mr. Peter Higgins second and the motion carried unanimously.

Alternatives

1. **Approve** the request to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an industrial park, with the following conditions:
 - If the parcels are to be recombined, a plat shall be approved by Development Services, and recorded, before the zoning effect.
 - Buffers shall be adhered to per the Effingham County Code of Ordinances, Article III, Section 3.4 Buffers.

2. **Deny** the request for to **rezone** +/- 3.97 acres from **AR-1** to **I-1** to allow for integration into an indus

Item XV. 2.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

331-5A, 4 ,3 ,13A, & 14A

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

331-5A, 4 ,3 ,13A, & 14A

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, THEODORE CARELLAS AS AGENT FOR EFFINGHAM COUNTY INDUSTRIAL DEVELOPMENT has filed an application to rezone three and ninety-seven hundredth (3.97) +/- acres; from AR-1 to I-1 to allow for integration into an industrial park; map and parcel number 331-5A, 4 ,3, 13A, & 14A, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT three and ninety-seven hundredth (3.97) +/- acres; map and parcel number 331-5A, 4 ,3 ,13A, & 14A, located in the 1st commissioner district is rezoned from AR-1 to I-1 to allow for integration into an industrial park, with the following conditions:

- If the parcels are to be recombined, a plat shall be approved by Development Services, and recorded, before the zoning effect.
- Buffers shall be adhered to per the Effingham County Code of Ordinances, Article III, Section 3.4 Buffers.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Robert McCorkle, III** as agent for **The Coopers** requests to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics. Located on Old River Road. **[Map# 304 Parcel# 10]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to rezone the parcel to industrial for warehousing and logistic use.
- To the South and East is residentially zoned parcels and to the North is industrially zoned parcels.
- Per the Effingham County Code of Ordinances – **Table of Permitted Uses**, *Warehouse Facilities* are a permitted use within both light and heavy industrial.
- The required buffers between industrially zoned parcels and residentially zoned parcels are 300 feet, unless the applicant utilizes the option of a berm, as expressed with the Effingham County Code of Ordinance, **3.4.1**

Buffers

1. *Berms, subject to the following standards if encroaching within a buffer:*
 - a. *Minimum slope of 4:1*
 - b. *Maximum height of the berm shall be based on the width as provided below and shall be reduced by six feet for every one foot of berm height:*
 - i. *For a 25 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 150 feet buffer. The 150 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 115 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - ii. *For a 16 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 200 feet buffer. The 200 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 165 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - iii. *For a 10 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 240 feet buffer. The 240 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 180 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - iv. *The height of the berm is measured perpendicular off the nearest adjacent property line using the natural grade, height cannot be determined by infill grade.*
 - v. *Major subdivisions with rear or side facing homes will install a six (6) foot tall berm with approved landscaping material at the apex of the berm. Minimum width of the berm is fifteen (15) feet at the base.*

- The Future Land Use Map has this parcel projected as transitional, with the back portion of the property in a conservation district.
- At the February 13, 2024, Planning Board meeting, Mr. Ryan Thompson made a motion for approval with Staff recommendations and added two additional recommendations:
 - Buffers along Old River Road and any adjacent properties with different ownership shall have a berm.
 - The acreage that is being rezoned shall be subdivided.
- Mr. Alan Zipperer second the motion. It carried 4-1 with Mr. Brad Smith opposing.

Alternatives

1. Approve the request to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and

- A Sketch Plan shall be required.
- Buffers shall be adhered to per the Effingham County Code of Ordinances, *Article III, Section 3.4 Buffers*.
- Buffers along Old River Road and any adjacent properties with different ownership shall have a berm.
- The acreage that is being rezoned shall be subdivided.

2. Deny the request for to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

RZN-23-20

Rezoning Application

Status: Active

Submitted On: 12/20/2023

Primary Location1180 Old River Road
Bloomingdale, GA 31302**Owner**COOPER MARK G AND MARY
D AND LAURA
MADELINE AND MARK
DANIEL P O BOX 72 FURMAN,
SC 29921**Applicant** Robert McCorkle 912-232-6141 rlm@mccorklejohnson.com 319 Tattnall Street
Savannah, GA 31401

Staff Review **Planning Board Meeting Date***

02/13/2024

 **Board of Commissioner Meeting Date***

03/05/2024

 **Notification Letter Description ***

industrial warehousing and logistics.

 **Map #***

304

 **Parcel #***

10

 **Staff Description**

REZONING TO I-1 FOR WAREHOUSE AND LOGISTICS

 **Georgia Militia District***

1559

 **Commissioner District***

1st

 **Public Notification Letters Mailed**

01/15/2024

 **Board of Commissioner Ads**

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Internal Documents

🔒 Rezoning Checklist



Carellas.doc

🔒 ZMA Template



No File Uploaded

🔒 Staff Report



No File Uploaded

🔒 Completed Rezoning Checklist



No File Uploaded

🔒 Approval/Denial Letter



No File Uploaded

🔒 Signed ZMA



No File Uploaded

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Robert L. McCorkle, III

Applicant Email Address*

rlm@mccorklejohnson.com

Applicant Phone Number*

912-232-6141

Applicant Mailing Address*

319 Tattnell Street

Applicant City*

Savannah

Applicant State & Zip Code*

GA 31401

Property Owner Information

Owner's Name*

Mark G. Cooper, Mary D. Cooper, Laura
Madeline Cooper and Mark Daniel
Cooper

Owner's Email Address*

mgcooper4@hotmail.com

Owner's Phone Number*

803-942-8906

Owner's Mailing Address*

P.O. Box 72

Owner's City*

Furman

Owner's State & Zip Code*

SC 29921

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More
Acres)

Proposed Zoning of Property*

I-1 (Industrial)

Map & Parcel *

03040010

Road Name*

Old River Road

Proposed Road Access* 

Total Acres *

Old River Road

280.5

Acres to be Rezoned*

40

Lot Characteristics *

See plat.

Water Connection *

Sewer Connection

Private Well

Private Septic System

Justification for Rezoning Amendment *

Highest and best use of the property given rezonings in the area.

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

North*

South*

I-1

AR-1

East*

West*

I-1, B-2, R-1

AR-1

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

Vacant land

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

Only as agriculture.

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

Industrial warehousing and logistics.

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

Residential to the south and east. Industrial to the north and north east.

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

Given the recent industrial rezonings and the change in uses in the area, Industrial rezonings will allow uses consistent with nearby properties and unlock the highest and best use given the property location.

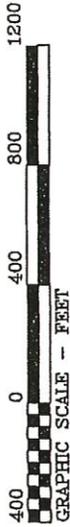
Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

No. Industrial uses are consistent with the change in use in the surrounding area.

Digital Signature*

Robert L. McCorkle, III
Dec 20, 2023

APPROVAL EFFINGHAM COUNTY:
APPROVED FOR RECORDING BY
EFFINGHAM COUNTY ZONING
ADMINISTRATION.



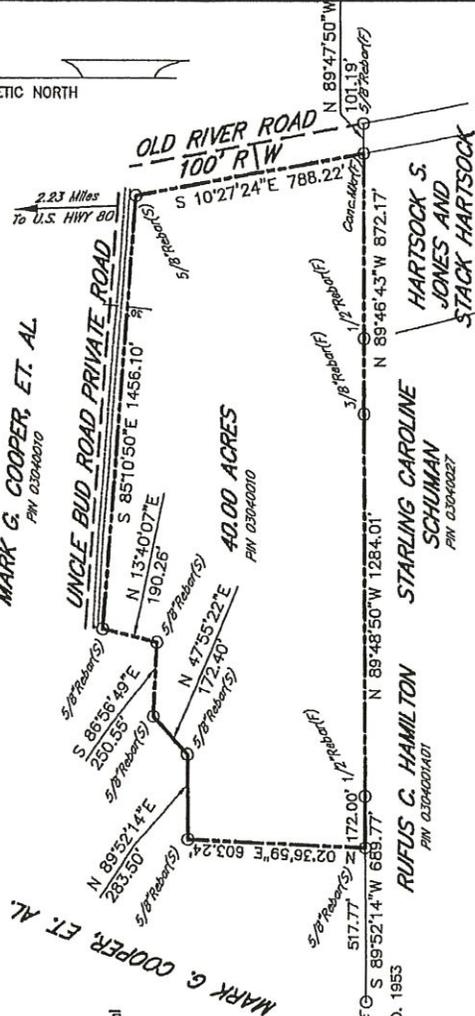
DATE: AUGUST 12, 2022
By: Warren E. Poythress
Registered Land Surveyor No. 1953
Address: 991 Hunters Road
Sylvania, Georgia 30467
Cell Phone: 912-531-1453
Telephone: 912-857-3288
Equipment - Sokkia GRS2 - GPS
Topcon 303
FINAL PLAT CLOSURE = 860989

ZONING ADMINISTRATOR DATE

SURVEYOR'S CERTIFICATION

As required by subsection(d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificated, signatures, stamps or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Warren E. Poythress
WARREN E. POYTHRESS, REGISTERED LAND SURVEYOR, NO. 1953
8-12-22
DATE



Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, this lot is being subdivided for Estate purposes and is NOT approved for construction with the requirements of the Department of Public Health, Chapter 311-3-1. THIS PROPERTY IS VOID IF THE PLAT IS NOT RECORDED WITHIN 1 YEAR OF THE DATE BELOW.

PROPERTY DIVISION FOR
MARK G. COOPER, MARY D. COOPER,
LAURA M. COOPER, AND MARK
DANIEL COOPER

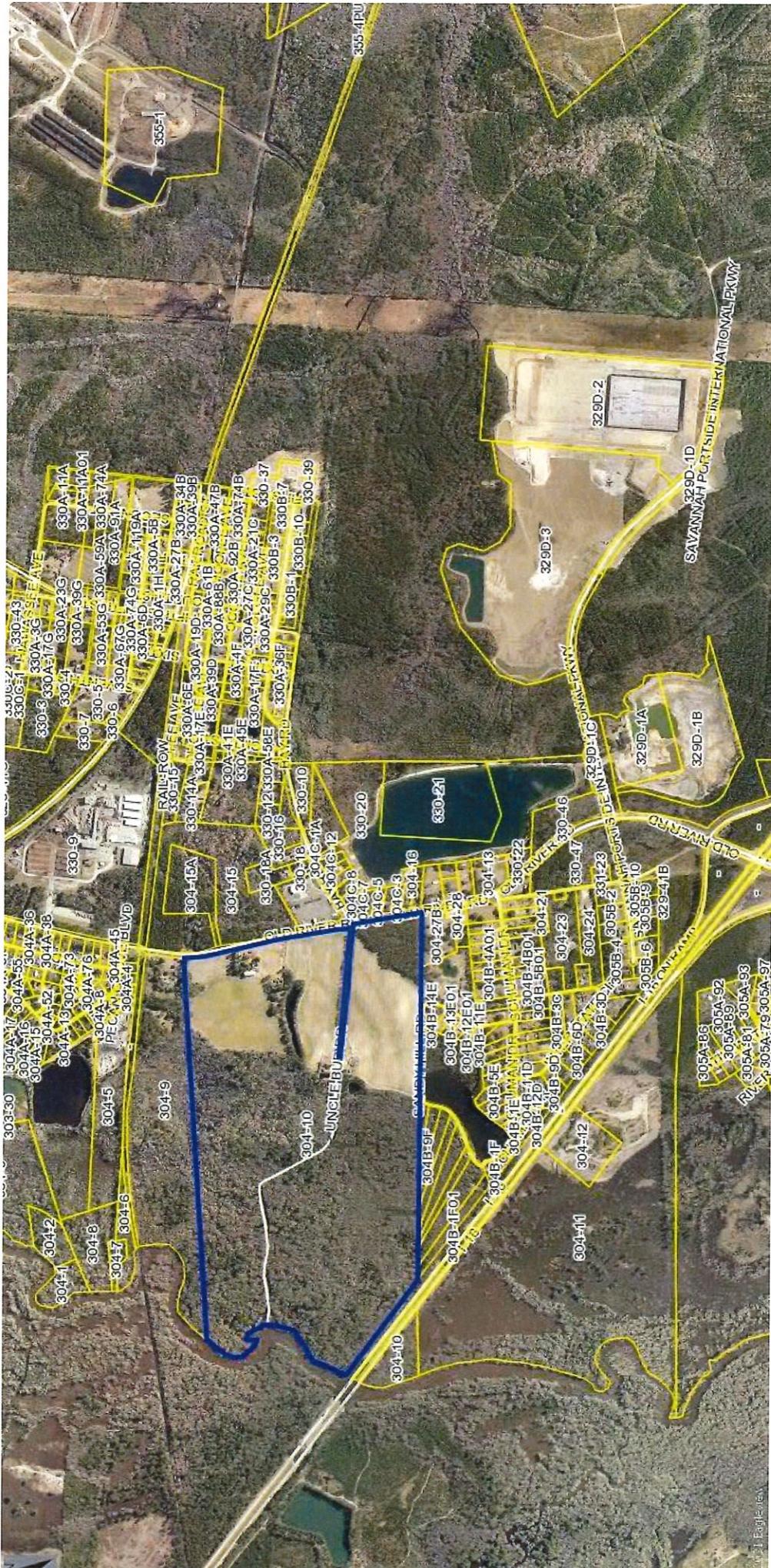
LOCATED IN THE 1559TH G. M. D.,
EFFINGHAM COUNTY, GEORGIA



Signing Authority: DARREL ONEAL Title: _____

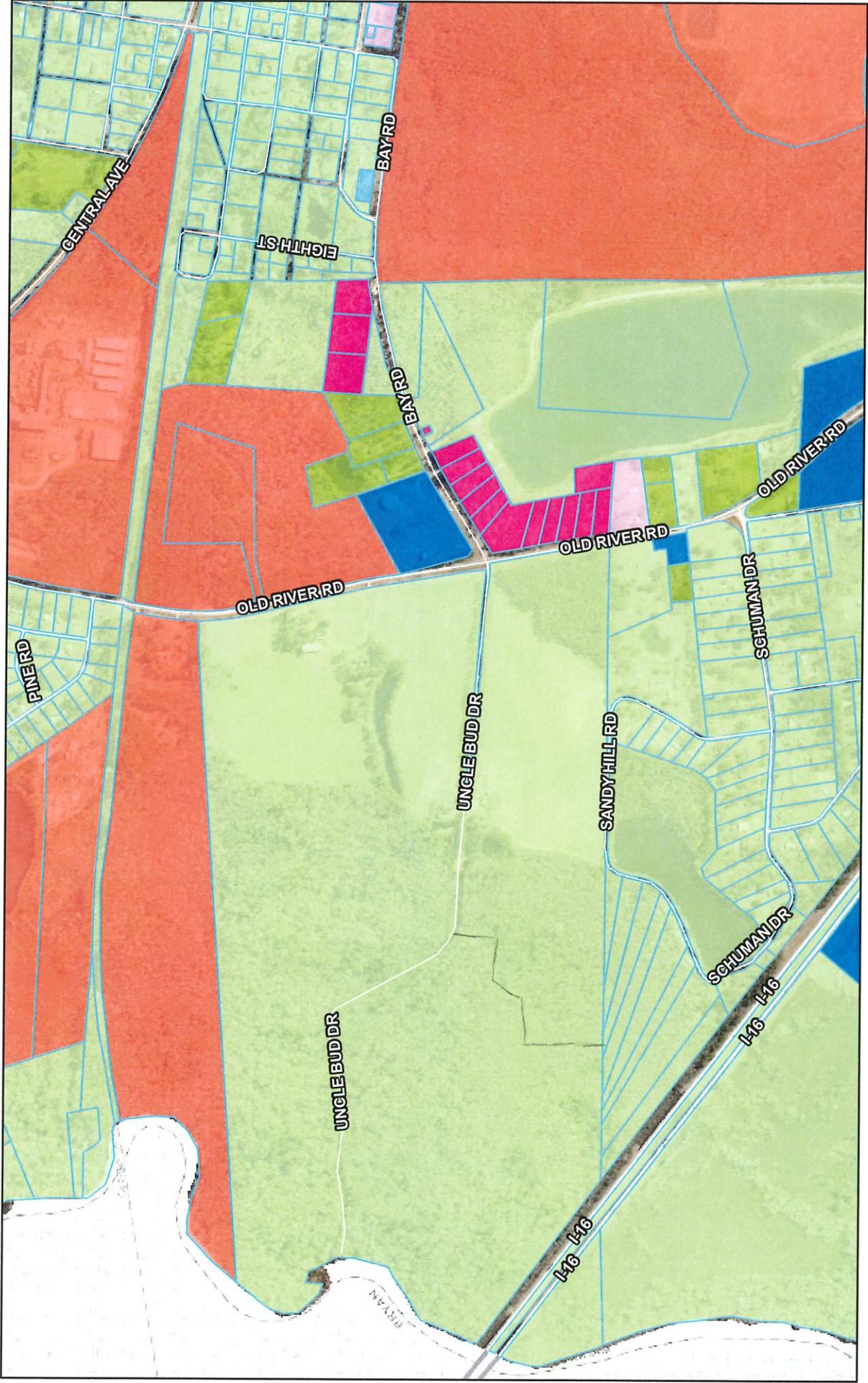
2-10-07-CORRECTED OLD RIVER ROAD, INC. OF COOPER

304-10



304-10

Item XV. 3.



1/8/2024

1:13,091

0 0.07 0.15 0.3 0.3 mi
 0 0.15 0.3 0.6 km

Effingham County BOC, Esri, HERE, Garmin, INCREMENT P, Intermap
 USGS, METI/NASA, EPA, USDA

Roads

- Light Blue: Tax Parcels
- Dark Blue: Tax Parcel Labels

Effingham County Zoning

- Light Green: AR-1
- Dark Green: AR-2
- Light Blue: B-3
- Light Pink: R-1
- Light Red: R-2
- Dark Blue: B-2
- Light Blue: I-1
- Dark Blue: I-1
- Dark Blue: B-2
- Dark Blue: B-2
- Dark Blue: B-2

Efn_fin_cache

- Red: Band_1
- Green: Band_2
- Blue: Band_3

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL X

Of the rezoning request by applicant **Robert McCorkle, III as agent for The Coopers**– (Map # 304 Parcel # 10) from AR-1 to I-1 zoning.

- Yes No? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

3.) B.S.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL P.H. DISAPPROVAL _____

Of the rezoning request by applicant **Robert McCorkle, III as agent for The Coopers**– (Map # 304 Parcel # 10) from AR-1 to I-1 zoning.

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Robert McCorkle, III as agent for The Coopers**– (Map # 304 Parcel # 10) from AR-1 to I-1 zoning.

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

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Robert McCorkle, III as agent for The Coopers**– (Map # 304 Parcel # 10) from AR-1 to I-1 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AS.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X *4:1* DISAPPROVAL _____

Of the rezoning request by applicant **Robert McCorkle, III as agent for The Coopers**— (Map # 304 Parcel # 10) from AR-1 to I-1 zoning.

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

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

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

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

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

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

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

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

[Handwritten signature]

*Recommendation
but as this
is why I
recommended
require that
be in*

R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Robert McCorkle, III** as agent for **The Coopers** requests to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics. Located on Old River Road. **[Map# 304 Parcel# 10]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to rezone the parcel to industrial for warehousing and logistic use.
- To the South and East is residentially zoned parcels and to the North is industrially zoned parcels.
- Per the Effingham County Code of Ordinances – **Table of Permitted Uses**, *Warehouse Facilities* are a permitted use within both light and heavy industrial.
- The required buffers between industrially zoned parcels and residentially zoned parcels are 300 feet, unless the applicant utilizes the option of a berm, as expressed with the Effingham County Code of Ordinance, **3.4.1**

Buffers

1. *Berms, subject to the following standards if encroaching within a buffer:*
 - a. *Minimum slope of 4:1*
 - b. *Maximum height of the berm shall be based on the width as provided below and shall be reduced by six feet for every one foot of berm height:*
 - i. *For a 25 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 150 feet buffer. The 150 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 115 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - ii. *For a 16 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 200 feet buffer. The 200 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 165 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - iii. *For a 10 feet high berm, the buffer requirement is reduced from a 300 feet buffer to a 240 feet buffer. The 240 feet wide buffer includes 35 feet of natural and undisturbed buffer and remaining buffer is the berm. If the berm base is beyond 180 feet, the berm extends into the property and not the 35- foot undisturbed area.*
 - iv. *The height of the berm is measured perpendicular off the nearest adjacent property line using the natural grade, height cannot be determined by infill grade.*
 - v. *Major subdivisions with rear or side facing homes will install a six (6) foot tall berm with approved landscaping material at the apex of the berm. Minimum width of the berm is fifteen (15) feet at the base.*

- The Future Land Use Map has this parcel projected as transitional, with the back portion of the property in a conservation district.
- At the February 13, 2024, Planning Board meeting, Mr. Ryan Thompson made a motion for approval with Staff recommendations and added two additional recommendations:
 - Buffers along Old River Road and any adjacent properties with different ownership shall have a berm.
 - The acreage that is being rezoned shall be subdivided.
- Mr. Alan Zipperer second the motion. It carried 4-1 with Mr. Brad Smith opposing.

Alternatives

1. Approve the request to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and

- A Sketch Plan shall be required.
- Buffers shall be adhered to per the Effingham County Code of Ordinances, *Article III, Section 3.4 Buffers*.
- Buffers along Old River Road and any adjacent properties with different ownership shall have a berm.
- The acreage that is being rezoned shall be subdivided.

2. Deny the request for to **rezone** +/- 40 of 280.5 acres from **AR-1** to **I-1** to allow for warehousing and logistics.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
304-10

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
304-10

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, ROBERT MCCORKLE, III AS AGENT FOR THE COOPERS has filed an application to rezone forty (40) +/- acres; from AR-1 to I-1 to allow for warehousing and logistics; map and parcel number 304-10, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024 and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT forty (40) +/- acres; map and parcel number 304-10, located in the 1st commissioner district is rezoned from AR-1 to I-1 to allow for warehousing and logistics, with the following conditions:

- A Sketch Plan shall be required.
- Buffers shall be adhered to per the Effingham County Code of Ordinances, Article III, Section 3.4 Buffers.
- Buffers along Old River Road and any adjacent properties with different ownership shall have a berm.
- The acreage that is being rezoned shall be subdivided.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Rebecca Tucker** as agent for **Farris Floyd** requests to **rezone +/- 2 of 7 acres from AR-1 to AR-2** to allow for a new home site. Located on Low Ground Road. **[Map# 350 Parcel# 3C]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone +/- 2 of 7 acres from AR-1 to AR-2** to allow for a new home site.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is subdividing the 2 acres to create a new home site.
- Due to the 2 acres falling under that 5-acre threshold for AR-1 zoning, the new parcel must rezone to AR-2 to be in zoning conformance.
- The rezoning is consistent with the Future Land Use Map which has this parcel project as agricultural/residential.
- At the February 13, 2024, Planning Board meeting, Mr. Ryan Thompson made a motion for approval with Staff recommendations. Mr. Brad Smith second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone +/- 2 of 7 acres from AR-1 to AR-2** to allow for a new home site, with the following conditions:

- A subdivision plat shall be submitted to Development Services, and recorded, before zoning will take effect.

2. Deny the request for to **rezone +/- 2 of 7 acres from AR-1 to AR-2** to allow for a new home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

RZN-23-21

Rezoning Application

Status: Active

Submitted On: 12/28/2023

Primary Location

Owner

Applicant Rebecca Tucker 912-657-1838 rebeccarf99@yahoo.com 61 hidden creek dr
Guyton, GA 31312**Staff Review** **Planning Board Meeting Date***

02/13/2024

 **Board of Commissioner Meeting Date***

03/05/2024

 **Notification Letter Description ***

a new home site.

 **Map #***

350

 **Parcel #***

3C

 **Staff Description**

Rezoning 2 acres to create a new home site

 **Georgia Militia District***

1559

 **Commissioner District***

1st

 **Public Notification Letters Mailed**

01/15/2024

 **Board of Commissioner Ads**

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

Farris Floyd

Applicant Email Address*

rebeccarf99@yahoo.com

Applicant Phone Number*

912-728-4470

Applicant Mailing Address*

138 Dasher Rd

Applicant City*

Guyton

Applicant State & Zip Code*

Ga

🏠 Applicant Zip Code*

31312

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

AR-2 (Agricultural Residential Less than 5 Acres)

Map & Parcel *

350-3C

Road Name*

Low Ground Road

Proposed Road Access* ?

Total Acres *

driveway already in place

7

Acres to be Rezoned*

2

Lot Characteristics *

Vacant

Water Connection *

Sewer Connection

Private Well

Private Septic System

Justification for Rezoning Amendment *

To create a new home site

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

North*

South*

Ar-1

AR-1

East*

West*

AR-1

AR-1

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

Wooded land - Vacant

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

No

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

To build a new residence on 2 acres of land

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

Residential

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

Residential

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

No, traffic will remain the same

Digital Signature*

Rebecca Floyd Tucker
Dec 28, 2023

**SURVEY OF 7.00 ACRES BEING
SUBDIVIDED FROM PARCEL #1
OF THE ESTATE OF MRS LULA F. ALE
LOCATED IN THE 1559 TH G.M. DISTRICT
OF EFFINGHAM COUNTY, GEORGIA**

BK:28 PG:381-381
P2018000140
FILED IN OFFICE
CLERK OF COURT
09/06/2018 01:03 PM
ELIZABETH Z. HURSEY, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA
Elizabeth Z. Hursey

- RESERVED FOR THE CLERK OF COURT
1. THE FIELD DATA WAS COLLECTED USING A TOPCON, ES TOTAL STATION, SOKKIA GRX2, AND A TESLA DATA COLLECTOR.
 2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
 3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
 4. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978.
 5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
 6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN, THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE

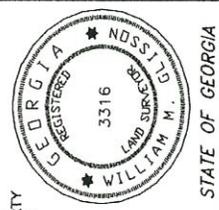
SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION OF 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

William Mark Glisson **WILLIAM MARK GLISSON RLS #3316** DATE **8/12/2018**

400' 0 400' 800'
GRAPHIC SCALE 1"=400'

Townsend PC



STATE OF GEORGIA

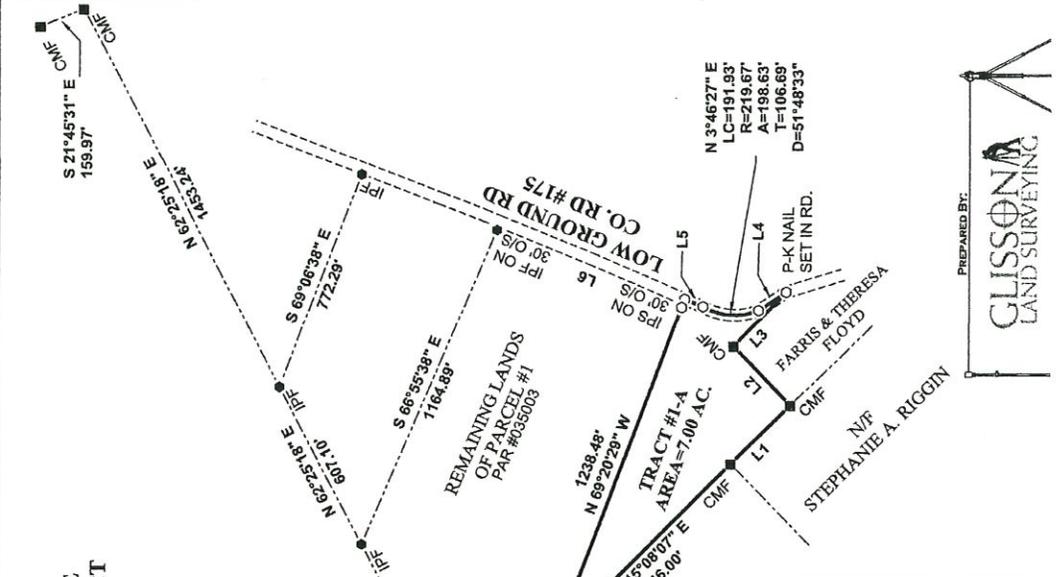
LINE	BEARING	HORIZ DIST
L1	S44°09'34"E	286.81'
L2	N45°43'22"E	281.02'
L3	S45°17'32"E	256.69'
L4	N33°08'33"W	114.01'
L5	N22°00'39"E	67.99'
L6	S22°43'30"W	682.52'

REFERENCES:
1. PL BK D-108 PG C-1

APPROVED BY EFFINGHAM COUNTY
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENGINEERING AND SANITATION
Anna Paul 8-24-18
DIRECTOR DATE

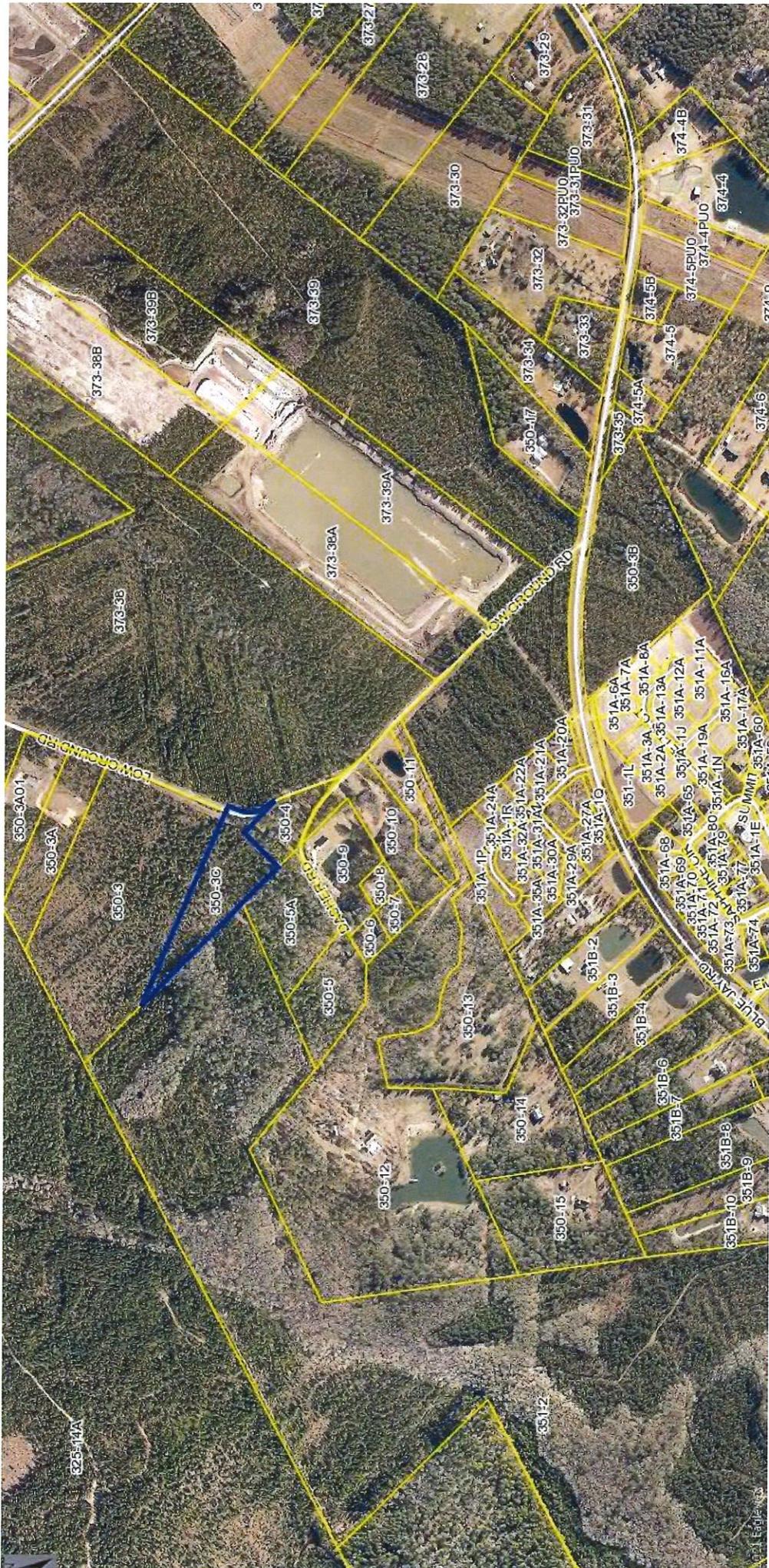
APPROVED FOR RECORDING BY EFFINGHAM
COUNTY ZONING ADMINISTRATOR.
Sheryl C. Cund 8/29/18
ZONING ADMINISTRATOR DATE

SURVEY FOR:	FERRIS FLOYD
COUNTY:	EFFINGHAM STATE: GEORGIA
GMD:	1559 th SUBD:
DATE:	08/08/2018 SCALE: 1"=400'
FILE NUMBER:	18301
TOTAL AREA:	7.00 AC. LOT:
FIELD SURVEY DATE:	08/01/2018



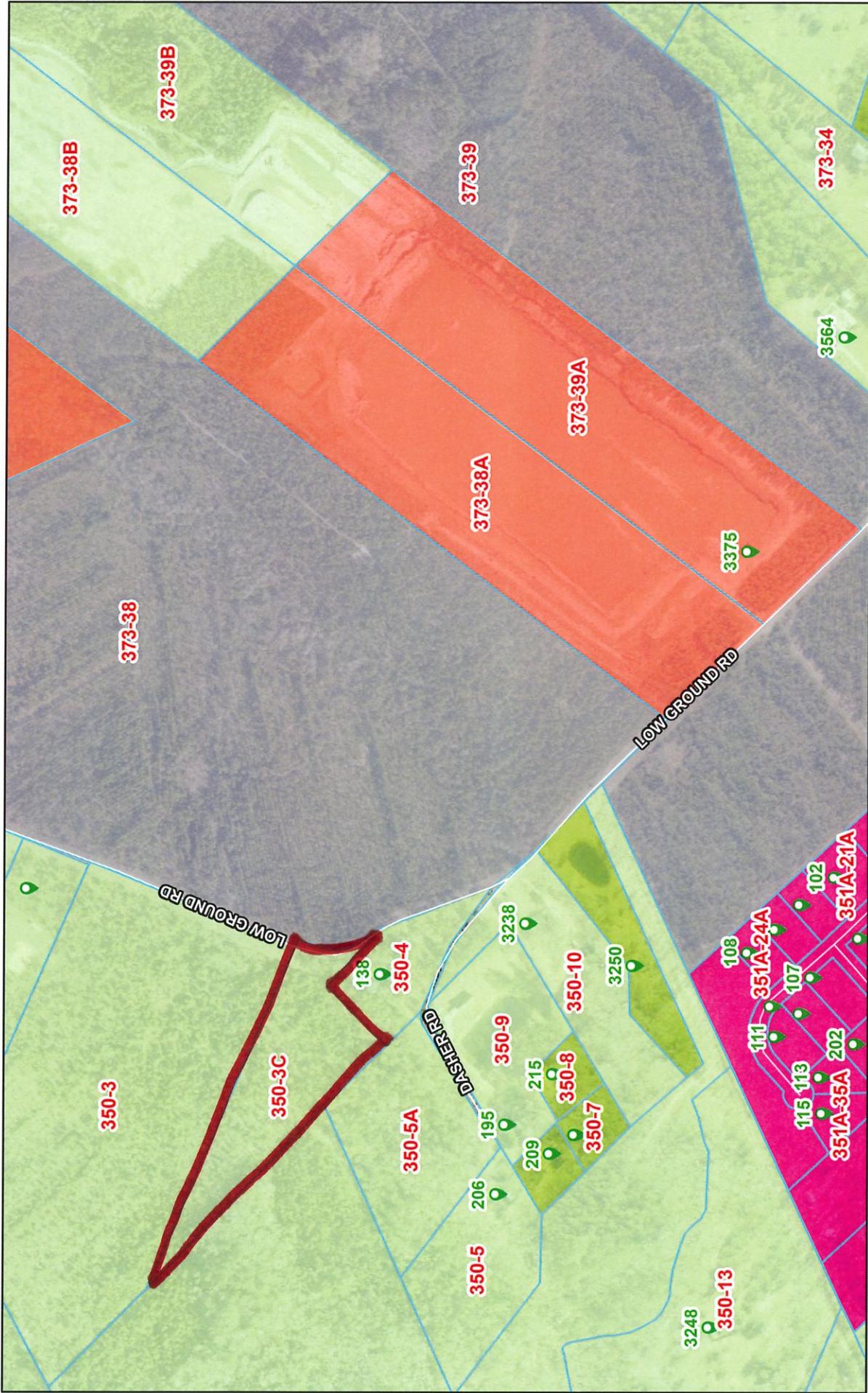
PREPARED BY:
GLISSON
LAND SURVEYING
WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964
377 TUCKER ROAD, CLAYTON, GEORGIA 30417
RINCON: (812) 826 - 5283 CLAYTON: (812) 282 - 7052
WMGLISSON@BELLSOUTH.NET

350-3C



Item XV. 5.

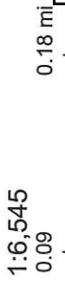
350-3C



12/28/2023

Legend

- Addresses: Green pin icon
- Roads: Blue line icon
- Tax Parcels: Blue outline icon
- Tax Parcel Labels: Green box icon
- Effingham County Zoning: AR-1 (light green), R-1 (pink), I-1 (orange)
- Efn_fin_cache: Other (grey)
- AR-2 (light green)
- AR-1 (light green)
- AR-1A (pink)
- AR-1B (orange)
- AR-1C (light green)
- AR-1D (pink)
- AR-1E (orange)
- AR-1F (light green)
- AR-1G (pink)
- AR-1H (orange)
- AR-1I (light green)
- AR-1J (pink)
- AR-1K (orange)
- AR-1L (light green)
- AR-1M (pink)
- AR-1N (orange)
- AR-1O (light green)
- AR-1P (pink)
- AR-1Q (orange)
- AR-1R (light green)
- AR-1S (pink)
- AR-1T (orange)
- AR-1U (light green)
- AR-1V (pink)
- AR-1W (orange)
- AR-1X (light green)
- AR-1Y (pink)
- AR-1Z (orange)
- Red: Band_1 (red)
- Green: Band_2 (green)
- Blue: Band_3 (blue)



Item XV. 5.

Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin
INCREMENT P, USGS, EPA, USDA

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Robecca Tucker as agent for Farris Floyd– (Map # 350 Parcel # 3C)** from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

4.) B.S.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PH DISAPPROVAL _____

Of the rezoning request by applicant **Robecca Tucker as agent for Farris Floyd– (Map # 350 Parcel # 3C)** from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
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- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.H.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

Of the rezoning request by applicant **Robecca Tucker as agent for Farris Floyd-** (Map # 350 Parcel # 3C) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

A. Z.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Robecca Tucker as agent for Farris Floyd**– (Map # 350 Parcel # 3C) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Rebecca Tucker** as agent for **Farris Floyd** requests to **rezone** +/- 2 of 7 acres from **AR-1** to **AR-2** to allow for a new home site. Located on Low Ground Road. **[Map# 350 Parcel# 3C]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 2 of 7 acres from **AR-1** to **AR-2** to allow for a new home site.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is subdividing the 2 acres to create a new home site.
- Due to the 2 acres falling under that 5-acre threshold for AR-1 zoning, the new parcel must rezone to AR-2 to be in zoning conformance.
- The rezoning is consistent with the Future Land Use Map which has this parcel project as agricultural/residential.
- At the February 13, 2024, Planning Board meeting, Mr. Ryan Thompson made a motion for approval with Staff recommendations. Mr. Brad Smith second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 2 of 7 acres from **AR-1** to **AR-2** to allow for a new home site, with the following conditions:

- A subdivision plat shall be submitted to Development Services, and recorded, before zoning will take effect.

2. Deny the request for to **rezone** +/- 2 of 7 acres from **AR-1** to **AR-2** to allow for a new home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
350-3C

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
350-3C

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, REBCCA TUCKER AS AGENT FOR FARRIS FLOYD has filed an application to rezone two (2) +/- acres; from AR-1 to AR-2 to allow for a new home site; map and parcel number 350-3C, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024 and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT two (2) +/- acres; map and parcel number 350-3C, located in the 1st commissioner district is rezoned from AR-1 to AR-2 to allow for a a new home site, with the following conditions:

- A subdivision plat shall be submitted to Development Services, and recorded, before zoning will take effect.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **James Dasher** as agent for **Lain Nolan Earl Jr.** requests to **rezone +/- 185 acres from AR-1 to R-5** to allow for a residential development. Located at 311 Earl Lain Road. **[Map# 435 Parcel# 19]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone +/- 185 acres from AR-1 to R-5** to allow for a residential development.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing an approximate 260 single family detached residential development that will be served by County water and sewer.
- The proposed development is the second phase of the approved Fetzer Lakes Development that was approved by the Board of Commissioners on January 17, 2023.
- This development, if approved, will be the first R-5 zoning approved for the county.
- Per Effingham County Code of Ordinances, R-5 zoning must meet the following requirements:

- *Where applicable. This zoning district will only be allowed if municipal or county water and sewer service is adjacent to the parcel and capacity is available or a state permitted, privately owned community water and sewer system is constructed or available and can provide assurance of capacity.*
- *Required utilities. All properties in the R-5 zoning district shall be connected to water and sewer systems. No individual septic systems shall be permitted.*
- *Maximum density. Minimum zero point one five-acre lot, with no more than five dwelling units per net usable acre.*

Permitted uses.

- *Site-built and class A single-family detached dwellings.*
- *Home occupations, as provided in article III, section 3.15.*
- *Customary accessory buildings incidental to the above permitted uses.*
- *Government owned utilities, except publicly owned treatment plants permitted by the state and water storage facilities in excess of 1,000,000 gallon capacity, provided that wells, pump stations, meter stations, and water storage facilities shall be enclosed by a painted or chain link fence or wall at least six feet in height above the finished grade and provided there is neither office nor commercial operation nor storage of vehicles or equipment on the premises.*
- *Parks, recreational areas, playgrounds, public or private swimming pools.*
- *Planned single-family home communities with the following requirements:*
 - (a) *A homeowners' association shall be established, or management company identified. Said association or company shall operate pursuant to subdivision covenants, which are submitted to county with the final plat. It is the intent that said association or company will provide oversight of the development standards and maintenance of common areas and amenities. 1. Covenants shall include a provision that no more than 20 percent of homes in the community may be rented until at least 12 months has elapsed since issuance of the certificate of occupancy.*
 - (b) *The management company overseeing rentals shall pay an occupation tax and register with the county annually, pursuant to article II, business and occupation tax, for a license to operate a planned single-family home community.*
 - (c) *Walls in excess of 20 feet in length facing a street shall be broken up with entry elements, windows or wall offsets at least two feet deep.*
 - (d) *A minimum of two decorative elements shall be added to the front façade including but not limited to decorative shutters, decorative lighting, trellises, cornices, or similar architectural elements. (e) Maximum lot coverage of 45 percent shall be applied per lot on which each individual single-family residence sits.*
 - (e) *Maximum lot coverage of 45 percent shall be applied per lot on which each individual single-family residence sits.*

Lot and building requirements.

- *Area: 6,600 sq. ft (0.15 acres)*

- Width: Minimum 50 feet
- Maximum Height: 35 feet
- Minimum front setback: 15 feet
- Stairs (but not porches) may encroach up to five feet into front yard setback
- Minimum side setback (interior): 7.5 feet (or 3 feet provided minimum building separation of 15 feet is maintained)
- Minimum side setback (street): 15 feet
- Minimum rear setback: 25 feet
- Maximum lot coverage: 45%

****All building setbacks shall be shown on final subdivision plat****

- Open space requirements.
 - All developments in the R-5 zoning district shall provide 15 percent of net usable area as common outdoor open space. Open space calculations shall be shown on the sketch plan and subdivision plat. Common outdoor open space shall mean areas accessible to all residents of the development. Common outdoor open space can include passive or active recreation areas, pathways, swimming pools, and open areas for congregating, per article II, definitions.
 - (a) Common outdoor open space shall feature paths or walkable areas, landscaping, seating, lighting and other amenities to make the area more functional and enjoyable for a range of users, taking into consideration potential noise issues due to the configuration of the site.
 - (b) Ten percent of net usable area allocated as common open space shall be greenspace. The implementation of a conservation easement is strongly encouraged.
 - (c) A homeowners association or some other entity shall be created to maintain the amenities and open space in good condition.
- Subdivision design requirements.
- Roads and rights-of-way.
 - (a) Roads in R-5 developments shall have a minimum of 60-foot right-of-way, with a minimum paved area as follows: 1. Twenty-two-foot road pavement width is only permitted if homes have rear alley access. Signage is required indicating that on-street parking is prohibited. 2. Twenty-eight-foot road pavement width, with parking on one side, is permitted if parking side is clearly delineated. Signage indicating parking side is required. 3. Thirty-six-foot road pavement width, with parking permitted on both sides.
 - (b) R-5 developments shall have curb and gutter throughout.
 - (c) Streets in the R-5 developments shall have four-foot-wide sidewalks on any side of any street that contains houses. A tree no less than two inches dbh shall be planted at a rate of one for every two houses in the two-foot section of grass between the sidewalk and the curb.
 - (d) If lots are platted parallel to arterial, collector, or local (if outside of existing platted subdivision) road right-of-way, the following is required: 1. Provide minimum 20-foot landscaped strip and a residential street, with residential lot facing arterial, collector, or local road right-of-way. 2. Provide minimum 30-foot vegetative buffer and residential lot may have rear yard facing arterial, collector, or local road right-of-way.
- Parking requirements. Two off street parking spaces shall be provided for each single-family dwelling. These spaces can be in a garage, carport, or driveway accessed from the front or rear of the parcel. One additional space per every five units shall be provided for overflow off-street parking.
- Development standards. The follow design elements shall be included:
 - (a) Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar manufactured finish stone; and wood, cement plank, fiber plank, traditional three coat stucco, or other materials of like appearance.
 - (b) Buildings shall utilize design features from the following list, totaling at least four points, to provide visual relief along the front of the dwelling unit. Unless otherwise specified, features are worth one point: 1. Dormers (functional or false); 2. Gables; 3. Recessed entries; 4. Covered front porches, at least six feet in depth (two points); 5. Pillars or posts; 6. Two or more brick masonry pattern bond treatments; 7. Side or rear loaded garage or carport (three points); 8. Bay windows (minimum 24-inch projection); 9. Multi-season porch or sunroom on rear of house (three points).
 - (c) The garage shall not occupy more than 40 percent of the total building façade.
 - (d) At least 20 percent of the wall space of the front façade shall be windows and doors. Windows shall be provided with trim.

(e) The minimum roof overhang shall be 12 inches, exclusive of porches and patios.

(f) The minimum landscaping shall be as follows: 1. Two large trees (one in the front yard, one in the rear yard):

Mature size = 40 inches to 60 inches;

Planted size = Two-inches cal.

2. Two small trees (one in the front yard, one in the rear yard):

Mature size = 15 inches to 40 inches;

Planted size = Two-inches cal.

3. Four large shrubs (near foundation; 25 percent in rear yard):

Mature size = Five-inches to eight inches;

Planted size = 30 inches.

4. Eight small shrubs (near foundation; 25 percent in rear yard):

Mature size = Two-inches to four inches;

Planted size = 20 inches.

- R-5 Rezoning application requirements. Applicant shall submit the following documentation in addition to the rezoning application:

(a) A completed R-5 development standards submittal form and checklist.

(b) A subdivision concept plan showing the lots, road configuration, and all calculations (open space, etc.).

(c) A timeline delineating when the development will begin and estimated time of completion.

(d) Exhibits and descriptions of materials that clearly demonstrate the intent of the developer to meet the requirements of section 5.8.10, development standards.

- Per the Effingham County R-5 Ordinance, there must 15% of net usable area as common outdoor open space. The applicant has provided over 35 acres of open space.
- The applicant is currently working as part of the Planned Development for the first phase of this development to improve Earl Lain Road.
- This rezoning is consistent with the Future Land Use Map, this parcel is projected as agriculture/residential.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion for approval with Staff recommendations. Mr. Peter Higgins second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 185 acres from **AR-1** to **R-5** to allow for a residential development, with the following conditions:

- A Sketch Plan must be approved before site development plans are submitted.
- Site Development Plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
- All wetland impacts must be approved and permitted by USACE.
- A Traffic Impact Assessment shall be submitted during development plan review process.

2. Deny the request for to **rezone** +/- 185 acres from **AR-1** to **R-5** to allow for a residential development.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:

1. Rezoning application and checklist

2. Plat

3. Deed

4. Ownership certificate/authorization

5. Aerial photograph

RZN-24-4

Rezoning Application

Status: Active

Submitted On: 1/5/2024

Primary Location

311 Earl Lain Road

Guyton, GA 31312

Owner

LAIN NOLAN EARL JR

311 EARL LAIN RD GUYTON,

GA 31312

Applicant

 Ryan Thompson

 912-547-5724

 thompson.r@tandh.com

 50 Park of Commerce

Way

Savannah, GA 31405

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Notification Letter Description *

a residential development.

 Map #*

435

 Parcel #*

19

 Staff Description

 Georgia Militia District*

9

 Commissioner District*

2nd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/12/2024

🔒 Planning Board Ads

02/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Fetzer Lakes Developments, LLC (James Dasher)

Applicant Email Address*

James@JamesDasher.com

Applicant Phone Number*

912-663-6239

Applicant Mailing Address*

PO Box 1250

Applicant City*

Rincon

Applicant State & Zip Code*

Georgia 31326

Property Owner Information

Owner's Name*

Nolan Lain, Jr.

Owner's Email Address*

nelain@hotmail.com

Owner's Phone Number*

912-657-3036

Owner's Mailing Address*

311 EARL LAIN RD

Owner's City*

GUYTON

Owner's State & Zip Code*

GA 31312-6252

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

R-5 (Single Family Design Residential)

Map & Parcel *

04350-00000-019-000

Road Name*

Earl Lain Road

Proposed Road Access* 

Earl Lain Road via Hodgeville and Kolic Helmey

Total Acres *

180.8

Acres to be Rezoned*

180.8

Lot Characteristics *

Typical of the area, mixture of wooded and agricultural field. There is an existing home site on the property.

Water Connection *

Public Water System

Name of Supplier*

Effingham County

Sewer Connection

Public Sewer System

Name of Supplier*

Effingham County

Justification for Rezoning Amendment *

To allow for the construction of a quality, planned residential development served by public water and sewer that will also help to reduce the amount of unpaved public roadway in the County.

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

North*

AR-1 and R-1

South*

AR-1 and R-1

East*

R-1

West*

AR-1 and PD

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

Undeveloped land with one existing home.

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

No

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

A planned, HOA controlled residential community.

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

Residential and agricultural.

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

This development is well suited in that it is a continuation of the residential use development pattern of this area.

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

No, nothing excessive or burdensome. In fact there will be improvements made to Earl Lain Road that will benefit the county beyond just the proposed development.

Digital Signature*

✓ James W. Dasher
Jan 5, 2024

SITE INFORMATION

APPLICANT
 FEITZER LAKES DEVELOPMENT, LLC
 1114 PENNY LANE, GUYTON, GA 31312

OWNER
 NOLAN EARL LAIN, JR.

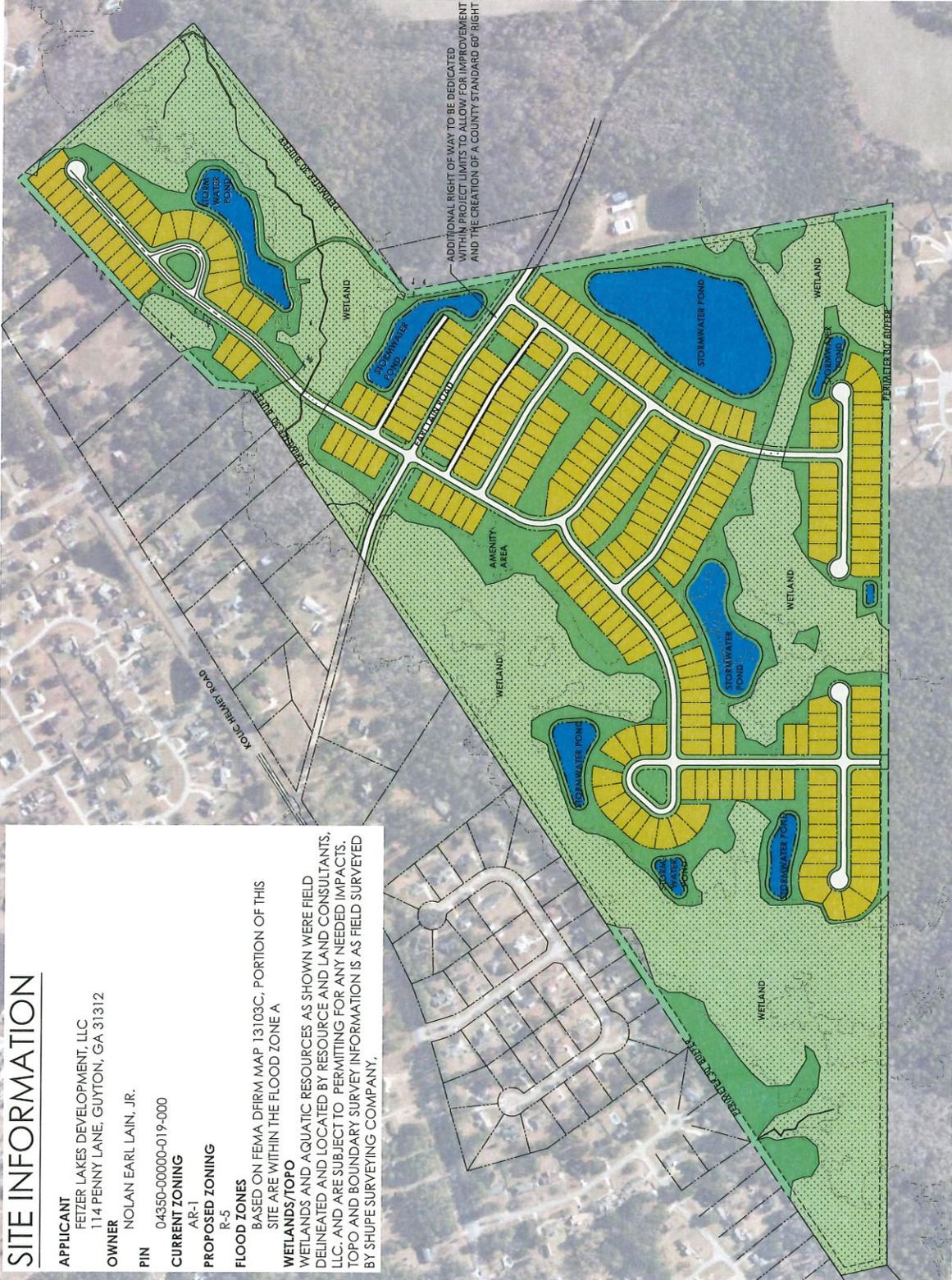
PIN 04350-00000-019-000

CURRENT ZONING
 AR-1

PROPOSED ZONING
 R-5

FLOOD ZONES
 BASED ON FEMA DFIRM MAP 13103C, PORTION OF THIS SITE ARE WITHIN THE FLOOD ZONE A

WETLANDS/TOPO
 WETLANDS AND AQUATIC RESOURCES AS SHOWN WERE FIELD DELINEATED AND LOCATED BY RESOURCE AND LAND CONSULTANTS, LLC, AND ARE SUBJECT TO PERMITTING FOR ANY NEEDED IMPACTS. TOPO AND BOUNDARY SURVEY INFORMATION IS AS FIELD SURVEYED BY SHUPE SURVEYING COMPANY.



VICINITY MAP - 1" = 2000'

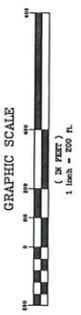
+/-260 SINGLE FAMILY DETACHED LOTS
 (FINAL YIELD MAY INCREASE OR DECREASE UPON FINAL DESIGN AS LONG AS THE R-5 STANDARDS ARE MET)

SITE SUMMARY
 TOTAL SITE = 180.8 AC.
 WETLANDS = 69.6 AC.
 NET USABLE AC. = 111.2 AC.

OPEN SPACE SUMMARY
 MIN R-5 OPEN SPACE REQUIRED = 16.7 AC.
 15% OF NET USABLE AREA = > 35 AC.
 OPEN SPACE PROVIDED = > 35 AC.

NOTES:

- 1) WATER AND SEWER WILL BE PROVIDED BY EFFINGHAM COUNTY.
- 2) DUE TO THE NATURAL CONFIGURATION OF UPLAND/WETLAND ON THE SITE, THIS PLAN REQUEST ANY NECESSARY VARIANCES TO ALLOW FOR THE CUL-DE-SAC AND BLOCK LENGTHS AS SHOWN ON THE LAYOUT.



Development Standards	
Size	Detached Single-Family 6,600 SF minimum
Width	*50' minimum
Max Lot Coverage	45%
Height (Maximum)	35'
Setbacks (Minimum)	
Front	15'
Side (interior)	7.5'
Side (street)	15'
Rear	25'

*As measured at front setback line. Minimum may be reduced for pie shaped lots on cul-de-sacs or tight radii.

WESTGATE PHASE 2 - ZONING SUBDIVISION CONCEPT PLAN

EFFINGHAM COUNTY, GA
 JANUARY 2024

PREPARED FOR:
 FEITZER LAKES
 DEVELOPMENT, LLC

JF30019.1000

50 PARK OF COMMERCE WAY
 SAVANNAH, GA 31406-23300
 WWW.THOMASANDHUTTON.COM



The map illustrates a general plan of the development and is not intended to be used for any other purpose. It is subject to change without notice. Dimensions, boundaries and position locations are for illustrative purposes only and are subject to an accurate survey and property description.

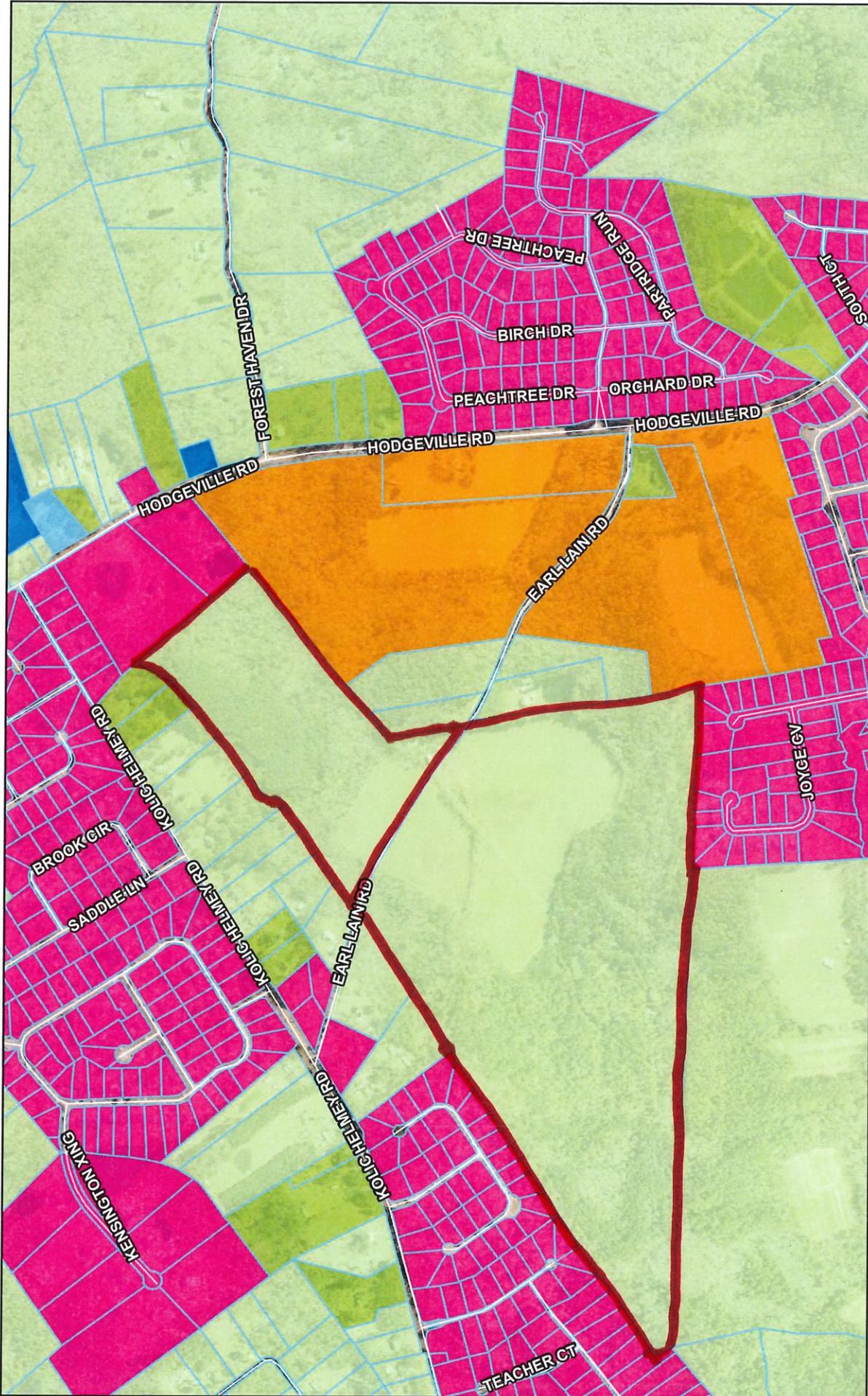
Item XV. 7.

435-19 (3111 EARL LAIN RD)



Item XV. 7.

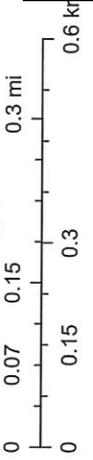
435-19 (311 EARL LAIN RD)



1/8/2024

- Roads
- Tax Parcels
- Tax Parcel Labels
- Effingham County Zoning
 - AR-1
 - AR-2
 - R-1
 - R-4
 - B-2
 - B-3
 - PD-R
- Efn_fin_cache
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1:13,091



Item XV. 7.

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS METI/NASA, EPA, USDA, Effingham County BOC

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL _____

Of the rezoning request by applicant **James Dasher as agent for Lain Nolan Earl Jr.– (Map # 435 Parcel # 19)** from AR-1 to R-5 zoning.

- Yes No? 1. Is this proposal inconsistent with the county’s master plan?
- No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

5.) B.S.

9.5

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.H.

9.5

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APPROVAL

DISAPPROVAL

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D.B.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

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Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AS.

9.5

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CHECK LIST:

A I recused myself

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

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RT.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **James Dasher** as agent for **Lain Nolan Earl Jr.** requests to **rezone +/- 185 acres from AR-1 to R-5** to allow for a residential development. Located at 311 Earl Lain Road. **[Map# 435 Parcel# 19]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone +/- 185 acres from AR-1 to R-5** to allow for a residential development.

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- *Site-built and class A single-family detached dwellings.*
- *Home occupations, as provided in article III, section 3.15.*
- *Customary accessory buildings incidental to the above permitted uses.*
- *Government owned utilities, except publicly owned treatment plants permitted by the state and water storage facilities in excess of 1,000,000 gallon capacity, provided that wells, pump stations, meter stations, and water storage facilities shall be enclosed by a painted or chain link fence or wall at least six feet in height above the finished grade and provided there is neither office nor commercial operation nor storage of vehicles or equipment on the premises.*
- *Parks, recreational areas, playgrounds, public or private swimming pools.*
- *Planned single-family home communities with the following requirements:*
 - (a) *A homeowners' association shall be established, or management company identified. Said association or company shall operate pursuant to subdivision covenants, which are submitted to county with the final plat. It is the intent that said association or company will provide oversight of the development standards and maintenance of common areas and amenities. 1. Covenants shall include a provision that no more than 20 percent of homes in the community may be rented until at least 12 months has elapsed since issuance of the certificate of occupancy.*
 - (b) *The management company overseeing rentals shall pay an occupation tax and register with the county annually, pursuant to article II, business and occupation tax, for a license to operate a planned single-family home community.*
 - (c) *Walls in excess of 20 feet in length facing a street shall be broken up with entry elements, windows or wall offsets at least two feet deep.*
 - (d) *A minimum of two decorative elements shall be added to the front façade including but not limited to decorative shutters, decorative lighting, trellises, cornices, or similar architectural elements. (e) Maximum lot coverage of 45 percent shall be applied per lot on which each individual single-family residence sits.*
 - (e) *Maximum lot coverage of 45 percent shall be applied per lot on which each individual single-family residence sits.*

Lot and building requirements.

- *Area: 6,600 sq. ft (0.15 acres)*

- *Width: Minimum 50 feet*
- *Maximum Height: 35 feet*
- *Minimum front setback: 15 feet*
- *Stairs (but not porches) may encroach up to five feet into front yard setback*
- *Minimum side setback (interior): 7.5 feet (or 3 feet provided minimum building separation of 15 feet is maintained)*
- *Minimum side setback (street): 15 feet*
- *Minimum rear setback: 25 feet*
- *Maximum lot coverage: 45%*

****All building setbacks shall be shown on final subdivision plat****

- *Open space requirements.*
- *All developments in the R-5 zoning district shall provide 15 percent of net usable area as common outdoor open space. Open space calculations shall be shown on the sketch plan and subdivision plat. Common outdoor open space shall mean areas accessible to all residents of the development. Common outdoor open space can include passive or active recreation areas, pathways, swimming pools, and open areas for congregating, per article II, definitions.*
 - (a) *Common outdoor open space shall feature paths or walkable areas, landscaping, seating, lighting and other amenities to make the area more functional and enjoyable for a range of users, taking into consideration potential noise issues due to the configuration of the site.*
 - (b) *Ten percent of net usable area allocated as common open space shall be greenspace. The implementation of a conservation easement is strongly encouraged.*
 - (c) *A homeowners association or some other entity shall be created to maintain the amenities and open space in good condition.*
- *Subdivision design requirements.*
- *Roads and rights-of-way.*
 - (a) *Roads in R-5 developments shall have a minimum of 60-foot right-of-way, with a minimum paved area as follows:1. Twenty-two-foot road pavement width is only permitted if homes have rear alley access. Signage is required indicating that on-street parking is prohibited.2. Twenty-eight-foot road pavement width, with parking on one side, is permitted if parking side is clearly delineated. Signage indicating parking side is required.3. Thirty-six-foot road pavement width, with parking permitted on both sides.*
 - (b) *R-5 developments shall have curb and gutter throughout.*
 - (c) *Streets in the R-5 developments shall have four-foot-wide sidewalks on any side of any street that contains houses. A tree no less than two inches dbh shall be planted at a rate of one for every two houses in the two-foot section of grass between the sidewalk and the curb.*
 - (d) *If lots are platted parallel to arterial, collector, or local (if outside of existing platted subdivision) road right-of-way, the following is required:1. Provide minimum 20-foot landscaped strip and a residential street, with residential lot facing arterial, collector, or local road right-of-way.2. Provide minimum 30-foot vegetative buffer and residential lot may have rear yard facing arterial, collector, or local road right-of-way.*
- *Parking requirements. Two off street parking spaces shall be provided for each single-family dwelling. These spaces can be in a garage, carport, or driveway accessed from the front or rear of the parcel. One additional space per every five units shall be provided for overflow off-street parking.*
- *Development standards. The follow design elements shall be included:*
 - (a) *Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar manufactured finish stone; and wood, cement plank, fiber plank, traditional three coat stucco, or other materials of like appearance.*
 - (b) *Buildings shall utilize design features from the following list, totaling at least four points, to provide visual relief along the front of the dwelling unit. Unless otherwise specified, features are worth one point:1.Dormers (functional or false);2.Gables;3.Recessed entries;4.Covered front porches, at least six feet in depth (two points);5.Pillars or posts;6.Two or more brick masonry pattern bond treatments;7.Side or rear loaded garage or carport (three points);8.Bay windows (minimum 24-inch projection);9.Multi-season porch or sunroom on rear of house (three points).*
 - (c) *The garage shall not occupy more than 40 percent of the total building façade.*
 - (d) *At least 20 percent of the wall space of the front façade shall be windows and doors. Windows shall be provided with trim.*

(e) The minimum roof overhang shall be 12 inches, exclusive of porches and patios.

(f) The minimum landscaping shall be as follows: 1. Two large trees (one in the front yard, one in the rear yard):

Mature size = 40 inches to 60 inches;

Planted size = Two-inches cal.

2. Two small trees (one in the front yard, one in the rear yard):

Mature size = 15 inches to 40 inches;

Planted size = Two-inches cal.

3. Four large shrubs (near foundation; 25 percent in rear yard):

Mature size = Five-inches to eight inches;

Planted size = 30 inches.

4. Eight small shrubs (near foundation; 25 percent in rear yard):

Mature size = Two-inches to four inches;

Planted size = 20 inches.

- R-5 Rezoning application requirements. Applicant shall submit the following documentation in addition to the rezoning application:

(a) A completed R-5 development standards submittal form and checklist.

(b) A subdivision concept plan showing the lots, road configuration, and all calculations (open space, etc.).

(c) A timeline delineating when the development will begin and estimated time of completion.

(d) Exhibits and descriptions of materials that clearly demonstrate the intent of the developer to meet the requirements of section 5.8.10, development standards.

- Per the Effingham County R-5 Ordinance, there must 15% of net usable area as common outdoor open space. The applicant has provided over 35 acres of open space.
- The applicant is currently working as part of the Planned Development for the first phase of this development to improve Earl Lain Road.
- This rezoning is consistent with the Future Land Use Map, this parcel is projected as agriculture/residential.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion for approval with Staff recommendations. Mr. Peter Higgins second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 185 acres from **AR-1** to **R-5** to allow for a residential development, with the following conditions:

- A Sketch Plan must be approved before site development plans are submitted.
- Site Development Plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
- All wetland impacts must be approved and permitted by USACE.
- A Traffic Impact Assessment shall be submitted during development plan review process.

2. Deny the request for to **rezone** +/- 185 acres from **AR-1** to **R-5** to allow for a residential development.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

435-19

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

435-19

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, JAMES DASHER AS AGENT FOR LAIN NOLAN EARL JR. has filed an application to rezone one hundred and eighty-five (185) +/- acres; from AR-1 to R-5 to allow for residential development; map and parcel number 435-19, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT one eighty-five (185) +/- acres; map and parcel number 435-19, located in the 2nd commissioner district is rezoned from AR-1 to R-5 to allow for a residential development with the following conditions:

- A Sketch Plan must be approved before site development plans are submitted.
- Site Development Plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
- All wetland impacts must be approved and permitted by USACE.
- A Traffic Impact Assessment shall be submitted during development plan review process.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Kevin Forbes** as agent for **T&T Exley Properties/Thomas and Hutton Engineering Co.** requests to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development. Located on Highway 21. **[Map# 446D Parcel# 6,9,11]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The original PD-MU document, approved in 2008, designates acreage in the northern most parcels as multi-family housing to serve as a transition between industrial and residential use and provide diversity of housing to the County.
- The change to the PD document was submitted for a DRI which was completed on May 10, 2023. Comments on the project were from the City of Savannah: “Effingham County should coordinate with City of Savannah since it does utilize City of Savannah water through a municipality water supply agreement.”
- The applicant proposes to amend the PD document to remove the multi-family residential and replace it with industrial warehouses.
- A similar application was withdrawn in September of 2023 from the Board of Commissioners, the applicant has returned with a new application and addressed the previous concerns within the PD text:
 - No rail spur will be permitted with Exley Tract North
 - No container storage will be permitted within Exley Tract North
 - The minimum height of berms, as indicated by the PD text, will be 25 feet.
- Per the proposed PD Text:
 - Berm A shall be installed and completed in connection with buildings 2 or 3;
 - Berm B shall be installed and completed in connection with buildings constructed in the area of building 4;
 - Berm C shall be installed and completed in connection with buildings constructed in the area of building 5;
 - Berm D shall be installed and completed in connection with buildings constructed in the area of building 6.
- The applicant is proposing the maximum of 630,000 sq. ft. of Highway Commercial and 9,500,000 sq. ft. of Industrial.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made motion for approval with the following added recommendations:
 - A temporary ready-mix concrete plant may be constructed during the duration of the project, not permanent.
 - The berm will be simultaneously constructed with the warehouse as soon as the warehouse begins.
 - When clearing begins within the 150’ buffer area, the berm construction must begin.
- Mr. Peter Higgins second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development, with the following conditions:

- A GDOT Permit for access onto US Highway 21 will be required.
- A Sketch Plan shall be required, per Effingham County Code of Ordinances section 5.15.5.4
- A temporary ready-mix concrete plant may be constructed during the duration of the project, not permanent.
- The berm will be simultaneously constructed with the warehouse as soon as the warehouse begins.
- When clearing begins within the 150' buffer area, the berm construction must begin.

2. Deny the request for to **rezone** +/- 1051 acres from **PD residential** to **PD industrial** to allow for the amendment of a Planned Development.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:

- | | | |
|---------------------------------------|--|----------------------|
| 1. Rezoning application and checklist | 2. Plat | 3. Deed |
| 4. PD Text | 5. Ownership certificate/authorization | 6. Aerial photograph |

RZN-24-1

Rezoning Application

Status: Active

Submitted On: 1/3/2024

Primary Location

Owner

Applicant

 Kevin Forbes

 912-667-4210

 forbes.k@tandh.com

 50 Park of Commerce
Way

Savannah , GA 31405

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Notification Letter Description *

the amendment of a Planned Development.

 Map #*

466D

 Parcel #*

1,6,9,11,10,4,16,15,5,17,1B,3,14,7,8,12,13,1C

 Staff Description

 Georgia Militia District*

9

 Commissioner District*

2nd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

T&T Exley Properties/Thomas and Hutton Engineering Co.

Applicant Email Address*

tomexley2@gmail.com;
forbes.k@tandh.com

Applicant Phone Number*

912-658-1625

Applicant Mailing Address*

996 Old Augusta Rd

Applicant City*

Rincon

Applicant State & Zip Code*

GA 31326

Rezoning Information

Present Zoning of Property*

PD (Planned Development)

Proposed Zoning of Property*

PD (Planned Development)

Map & Parcel *

0466D011, 0466D009, 0466D006,
0466D001

Road Name*

Highway 21

Proposed Road Access* ?

New access road to come off Hwy 21

Total Acres *

1051

Acres to be Rezoned*

1051

Lot Characteristics *

Mostly wooded with some wetland areas.

Water Connection *

Public Water System

Name of Supplier*

Effingham County

Sewer Connection

Public Sewer System

Name of Supplier*

Effingham County

Justification for Rezoning Amendment *

An industrial zoning designation would match the adjacent property designation of GITC which would allow warehouse or similar development in a common location.

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

North*

Residential/Agricultural

South*

Industrial

East*

West*

Industrial/Hwy 21

Railroad

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

Property is undeveloped and part of the Exley Tract North & South PD-MU Development. Property consists mostly of woods.

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

Yes, highway commercial and 1,350 residential units.

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

Property will be used for industrial development. Buildings such as warehouses or manufacturing, ancillary truck trailer, and uses described in the Exley Tract North & South PD-MU Development Text dated 01-03-2024.

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

Property to the north is residential and west is currently CSX railroad. Property to the south is industrial and east is Highway 21.

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

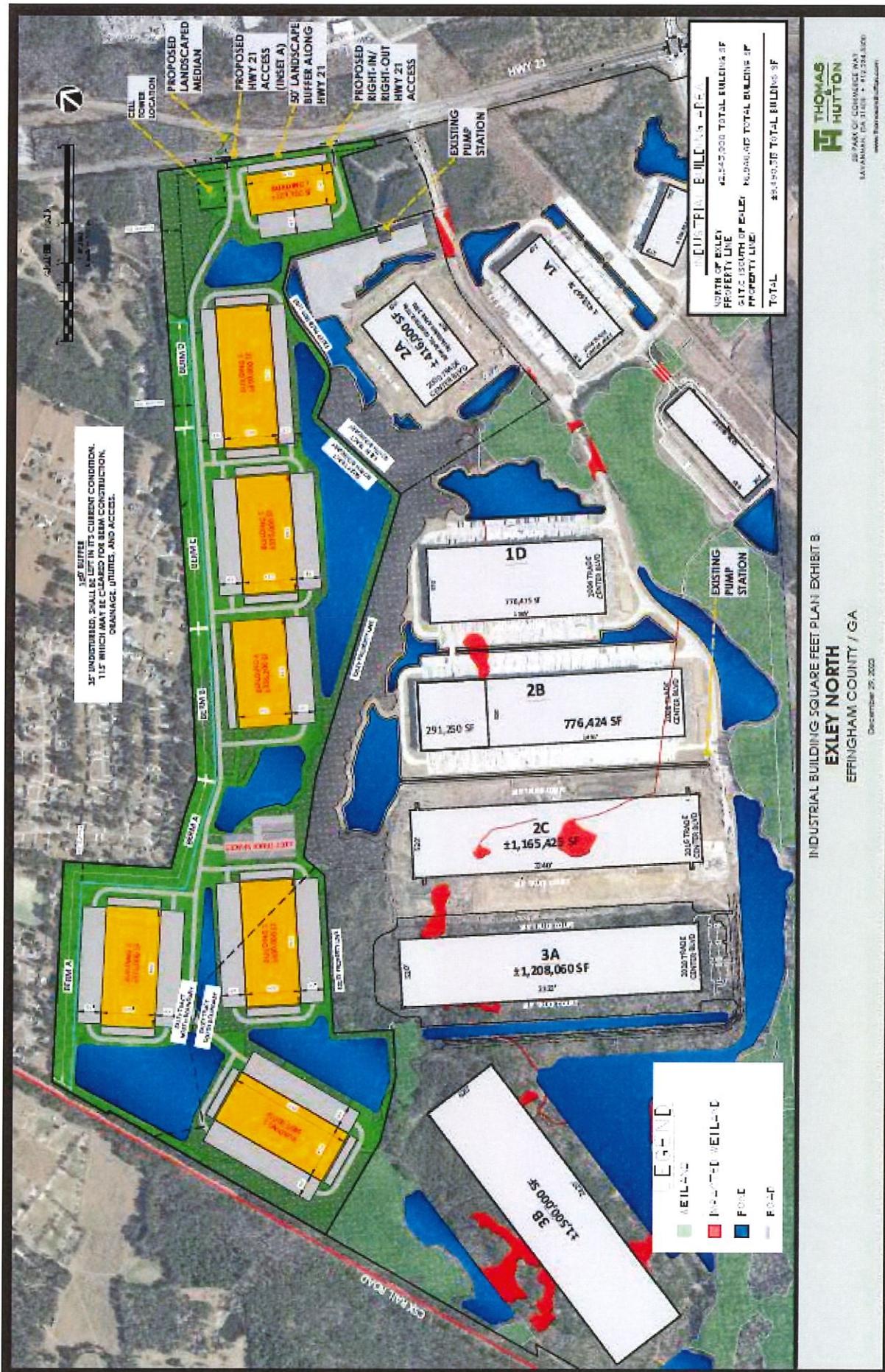
This zoning will allow additional warehouses to be located adjacent to existing warehouses to the south. Proposed use will provide a better visual buffer to the north than the high density residential that is currently approved.

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

No.

Digital Signature*

Kevin Forbes
Jan 3, 2024



EXLEY TRACT



1/14/2024

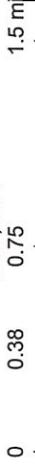
Roads

Tax Parcel Labels

Municipal Boundaries Efn_fin_cache

- Red: Band_1
- Green: Band_2
- Blue: Band_3

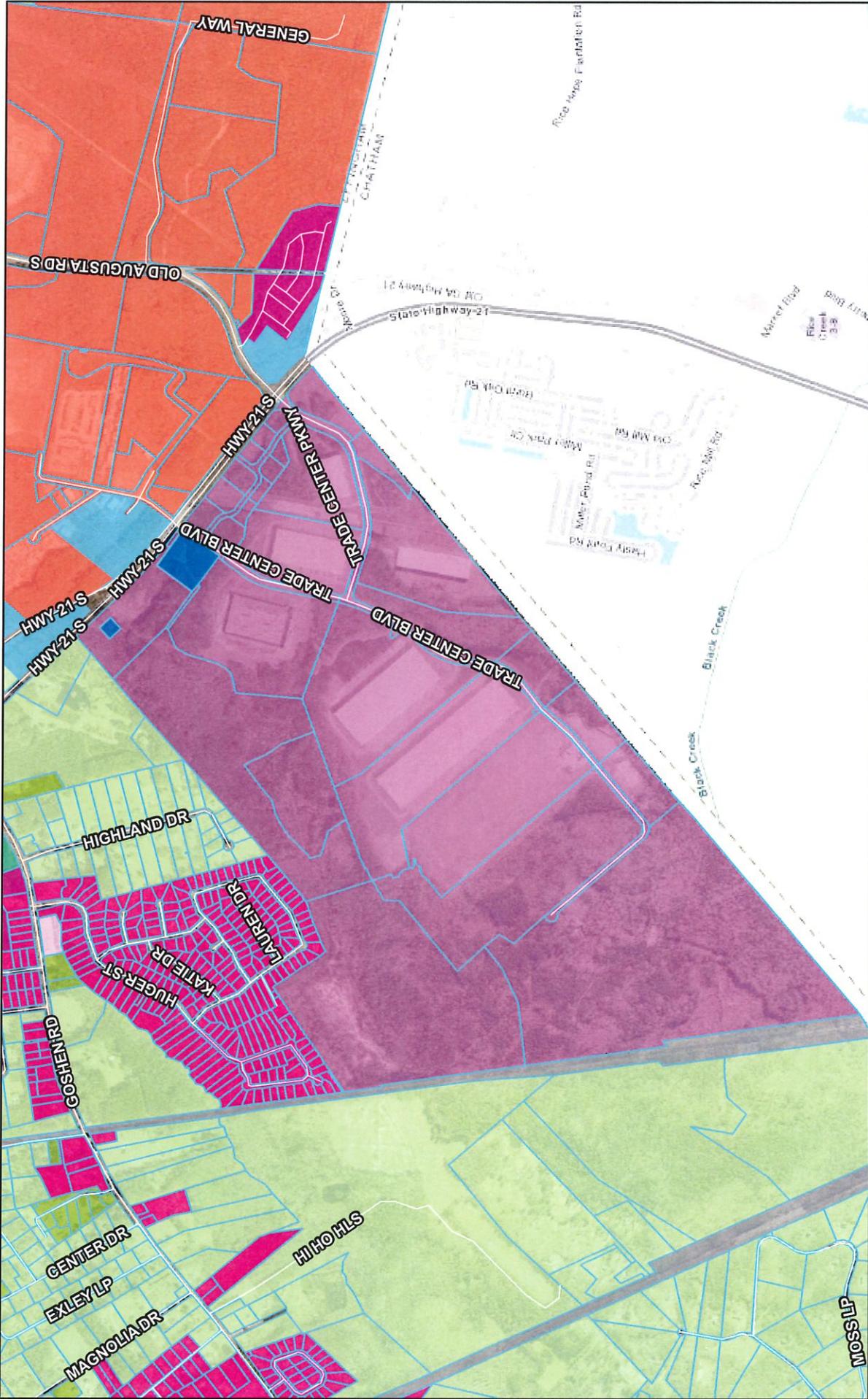
1:52,362



Item XV. 9.

Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin
 INCREMENT P, USGS, METINASA, EPA, USDA

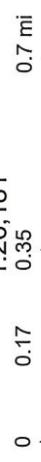
EXLEY TRACT



1/3/2024

Roads	I-1	Efn_fin_cache
Tax Parcels	B-1	Red: Band_1
Tax Parcel Labels	R-1	Green: Band_2
	AR-1	Blue: Band_3
	AR-2	
	B-2	
	B-3	
	PD	
	Other	

1:26,181



Item XV. 9.

Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin
INCREMENT P, USGS, METINASA, EPA, USDA

EXLEY TRACT NORTH & SOUTH**PD–MU DEVELOPMENT TEXT**~~09-06-23~~01-03-2024

PREPARED FOR:

T&T EXLEY PROPERTIES, LLC**SLC ACQUISITIONS, LLC****CHESTERFIELD, LLC**

PREPARED BY:

THOMAS & HUTTON ENGINEERING CO.

EXCEPT FOR THE INCREASE IN INDUSTRIAL GROSS DENSITY AND REMOVAL OF BUFFERS AND SETBACKS BETWEEN EXLEY TRACT NORTH AND EXLEY TRACT SOUTH, APPROVAL OF THE CHANGES REQUESTED IN THIS TEXT AMENDMENT SHALL ONLY CHANGE CONDITIONS AFFECTING THE PROPERTY IN EXLEY TRACT NORTH

Documents submitted for Approval:

1. Development Text – Initially Approved June 11, 2008, Modified May 8, 2018 and further Modified July 20, 2021, the only change being the Removal from the PDMU of future Old Augusta Road connector to Effingham Parkway as a condition, "...releasing the developer from the proposed right of way reservation; map and parcel 466-multiple, located in the 2nd commissioner district...". Approval of this Document dated ~~09-06-23~~01-03-2024 with Exhibits is requested.
2. Exley Tract North & South Planned Development District– Mixed Use District Exhibit, (formerly Exhibit II dated June 11, 2008, Modified as Exhibit I May 8, 2018, Modified July 20, 2021), further modified ~~August 23, 2023~~ December 29, 2023, and attached as Exhibit A hereto and further described in Paragraph 7a below.
3. Industrial Building Square Feet Plan Exhibit B dated ~~August 23~~ December 29, 2023 attached hereto and further described in Paragraph 7b below.
4. Industrial Setback & Berm Exhibit C dated ~~August 23~~ December 29, 2023, attached hereto and further described in Paragraph 7c below.
5. The Stormwater Management Local Design Manual for Exley Tract North & South, (formerly Exhibit III) Exhibit D attached hereto and further described in Paragraph 7d below.

6. Exley Tract North & South Land Disturbing Activity Restriction Exhibit E dated ~~August 23~~ December 29, 2023 attached hereto and further described in Paragraph 7e below.

7. Description of Exhibits:
 - a) Exhibit A is described in Paragraph 2 above.
 - b) Exhibit B is an illustration of the location of proposed warehouse buildings north of the Exley Property Line and the actual location of the existing warehouse buildings south of the Exley Property Line which, when combined, may be a maximum of 9,500,000 square feet of warehouses plus 630,000 square feet of commercial. Provided a change does not result in an encroachment into the 150 -foot Buffer, the location, orientation, size and shape of each building and stormwater detention facilities may be altered by the Developer.
 - c) Exhibit- C is an illustration of where sections of Berms A, B & C will be built in relation to the warehouses, plus a diagram and a profile of the Berms; and
 - d) Exhibit D is the Stormwater Management Local Design Manual for Exley Tract North & South previously approved in 2008, 2018 and 2021 and still applicable to the Exley Tract North & South PD-MU.
 - e) Exhibit E shows the 450 feet wide area, "conditional buffer", in which no land disturbing activity may occur unless the applicable Berm A, ~~Berm B~~, Berm C, or Berm D is also being constructed simultaneously. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction.

The provisions of this PD-MU Development Text describing Maximum Industrial Building square feet, Buffers, Setbacks and Berms are submitted jointly and inseparably for Approval by the Effingham County Board of Commissioners, in accordance with the Effingham County Zoning Ordinance. The Exhibits described in Paragraph 7b and Paragraph 7c above shall establish the maximum development and building setbacks with respect to Exley Tract North and South, and the building location, orientation, size and shape on Exley Tract North are for illustration purposes only. Development Plans will be submitted for Approval as required by the Effingham County Development ordinances.

This project is being developed in phases according to the schedule included in Section K of this document. The Exhibits are submitted at a

scale of one inch equals 300 feet to provide for a comprehensive view of the project on a manageable paper size.

A. General Description

Project Name: Exley Tract North & South
 PIN #: 466D-1, 466D-6, 466D-9, 466D-11, 466D-10, 466D-4, 466D-16, 466D-15, 466D-5, 466D-17, 466D-1B, 466D-3, 466D-14, 466D-7, 466D-8, 466D-12, 466D-13, 466D-1C
 Size: ±1,051 Acres
 Location: Highway 21
 Current Zoning: PD – MU
 Proposed Zoning: PD - MU
 Developer: T & T Exley Properties LLC, SFG CH Master Devco LLC, SFG CH GTC Master Devco LLC, Effingham County Industrial Development Authority, SFG CH GTC 1A LLC, DE Well Group LLC, LEX Savannah 1004 TCP LLC, BBK GA Trade Center LLC, Savannah Trade Center Ind II LLC, SFG CH GTC 3A LLC, SFG CH GTC 3B LLC

Exley Tract North & South is a PD–MU consisting of Industrial, and Commercial developments and associated infrastructure. The property consists of approximately 1,051 acres, located on Highway 21 at the Effingham/Chatham County line.

B. Present Ownership and Property Location

The undeveloped property in the PDMU is currently owned by T&T Exley Properties, LLC, SFG CH Master Devco LLC, SFG CH GTC 1A LLC and the Effingham County Industrial Development Authority.

The above said tract or parcel of land known as Exley Tract North & South is bounded on the north by Goshen Villa Subdivision, Westwood Farms Subdivision, David Howes, Elizabeth R Huger, Alice Hurst; (additional property owners north of the said tract or parcel can be found in Section VII); on the south by lands of SFG CH Chatham Tract, LLC, SFG CH Chatham Tract II, LLC, Rice Creek Investors No. 7, LLC, Rice Creek Investors No 2, LLC, R.C. Land Associates, LLC, Rice Creek Homeowners Association of Port Wentworth, Inc, and Sam L. Varnedoe, et.al.; on the east by lands of Verizon Wireless, and Highway 21, and on the west by CSX rail road, said tract or parcel of land containing 1,051 acres more or less.

C. Proposed Land Uses and Development Standards

The following are the districts and permitted uses that are included within this project. These districts are established to control the uses allowed within this development.

Industrial Districts

Industrial uses shall be consistent with the uses outlined in this document identified in the Effingham County Zoning Ordinance I-1 District with the exception of an increased square footage allowed for warehousing.

1. Assembly or fabrication of **previously manufactured** parts, including but not limited to the following:
 - a) Apparel and other textiles products;
 - b) Electronic and other electric equipment, electric generator, and distribution equipment;
 - c) Fabric samples;
 - d) Furniture and fixtures;
 - e) Industrial machinery and equipment;
 - f) Instruments and related products;
 - g) Lumber and wood products, **excluding** the processing of material for the production of paper and allied products;
 - h) Metal products;
 - i) Plastic and rubber products;
 - j) Transportation equipment.
2. Boat sales.
3. Duplicated
4. Automotive sales and repairs.
5. Automotive storage, **excluding** junk yards.
6. Florist – retail and wholesale.
7. Manufacturing (**light**) of, including but not limited to the following:
 - a) Bakery products;
 - b) Beverages, including alcoholic beverages;
 - c) Communication equipment;
 - d) Computer and office equipment;
 - e) Electrical lighting and wiring equipment;
 - f) Electronic equipment;

- g) Fabricated metals, **excluding** use of blast furnaces and drop forges;
 - h) Grain mill products;
 - i) Audio and visual equipment;
 - j) Appliances;
 - k) Ice;
 - l) Meat products, **excluding** slaughtering, dressing, and rendering;
 - m) Medical instruments and supplies;
 - n) Pharmaceutical products.
8. Offices.
 9. Printing and publishing.
 10. Provided the recycling process is conducted inside a building, except for unprocessed material which may be stored outside not more than 25 feet high, Recycling centers are allowed in Exley Tract North.
 11. Repair of any goods, equipment, and vehicles of which the manufacture, assembly or sales are permitted in this district.
 12. Research facilities.
 13. Vocational schools.
 14. Utility operations centers.
 15. Warehousing less than 2,000,000 square feet per building.
 16. Ready-mix concrete facilities **shall not be allowed in Exley Tract North.**
 17. Railroad side-tracks, spurs and appurtenance **shall not be allowed in Exley Tract North.**
 18. Rail Spur – a sidetrack off of a mainline accessing industrial buildings for the purpose of loading and unloading goods **shall not be allowed in Exley Tract North.**
 19. Trailer storage.
 20. **Container stacking is not permitted in Exley Tract North.**

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Highway Commercial

Commercial uses shall be consistent with the uses identified in the Effingham County Zoning Ordinance Highway Commercial District (B-3), as amended in this document as Land Use Highway Commercial.

Common Space

Common Space shall include stormwater control measures (including, but not limited to, lagoons, swales, dry detention, infiltration areas, etc.), natural areas, lands to be donated, project buffers and/or setbacks, Public and private easements, and rights-of-way (excluding internal vehicular road rights-of-way). Common space shall be required to be a minimum of 10 percent of the Gross Acreage within land uses.

Green Space

Green Space shall include wetlands and Common Space as defined above. The percentage of property in Green Space may be reduced based on permits to fill wetlands, however the percentage of Common Space cannot be reduced lower than the percentages described under the Common Space definition above.

Property owner's association and covenants shall be created for the Industrial park or a management company shall be designated to maintain common areas.

Site Development within this project will also be governed by the Effingham County Subdivision Regulations, as amended by this document and by restrictive covenants developed by T&T Exley Properties, LLC, SLG Acquisitions, and Chesterfield LLC and/or Successors for the Industrial and Commercial areas in Exley Tract South. The restrictive covenants for Exley Tract North shall be exclusively developed by T&T Exley Properties and/or Successors.

Provisions for the development standards are summarized in Table C-1.

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Table C-1: Development Standards				
	Multi-Family	Community Recreational	Industrial	Highway Commercial
Lot Size				
Width**	N/A	N/A	N/A	N/A
Depth (Minimum)	N/A	N/A	N/A	N/A
Height (Maximum)	N/A	N/A	75'*** 56'****	75'***
Setbacks (Minimum)				
Front	N/A	N/A	25'	35'
Side	N/A	N/A	See note below*	See note below*
Rear	N/A	N/A	10'	10'
Gross Density	N/A	N/A	9,500,000 square feet	630,000 square feet

* Distance between buildings shall be as required by Effingham County adopted building codes and available fire flow.

** Lot Widths are measured at the front setback line.

*** Building height shall be allowed to be a maximum of 75 feet if adequate fire flows and fire equipment are available to the site. This stipulation only applies to the Exley Tract South.

**** Building height shall be allowed to be a maximum of 56 feet if adequate fire flows and fire equipment are available to the site; this stipulation only applies to the Exley Tract North.

Additional Conditions:

- 1- Buildings and other impervious areas in this project shall not be held to maximum lot coverage on a lot-by-lot basis. The project will be held to the open space and setback standards as outlined in this document.

- 2- The industrial portion of the Exley Tract South property shall not be used for a short line railroad switchyard without at least a 300-foot vegetated buffer to the nearest residential developed property.
- 3- No railroad spur loading area shall be closer than 200 feet to a residential property line.
- 4- During construction and prior to the applicable section of Berm A, Berm B or Berm C being completed, construction activity shall be allowed Monday through Saturday provided it does not begin earlier than 7:00am nor end later than the earlier to occur of sundown or 7:30pm each day.
- 5- As shown on Exhibit E, ~~no land disturbing activity may be conducted and no building, driveway, parking area, or other impervious surface may be installed in the "conditional buffer" closer than 450 feet of the Exley Tract North and South northern property line unless the applicable section of the 25 feet tall Berm is **constructed simultaneously with the land disturbing activity and building or other construction.** Berms shall begin construction in tangent with correlating land disturbance activity and be completed prior to the issuance of a Certificate of Occupancy for their corresponding building. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction. The applicable Berm shall be completed prior to Effingham County issuing a Certificate of Occupancy for a building or Effingham County allowing for any other disturbed areas to be used for non-construction activities within the 450 feet.~~

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4-Buffers:

Based on the anticipated use of the land along the existing power and gas easements that bisect this project Effingham County shall impose no buffers to those easement boundaries. Effingham County shall impose a 50-foot buffer adjacent to highway 21 (to be landscaped in compliance with the Chamber of Commerce Gateway Program or approved by the zoning administrator if the program is not yet in place), a 10 foot buffer between the Industrial and commercial use and the communication tower property, and a 20 foot buffer between the Highway Commercial and Industrial Uses within this project.

In addition, Effingham County shall impose a 150 feet Buffer adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors, which shall be used for:

- A. a 35 feet wide **UNDISTURBED Buffer** section along the Exley Tract North and South northern property line adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors, which shall be left in its current condition and hereafter undisturbed and free of all utilities;
- B. a 115 feet wide section along the southern line of the 35 feet **UNDISTURBED Buffer** where the Buffer is adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors that may be cleared and used for each of the following; (1) a 25 feet tall (minimum height) Berm which will be landscaped and irrigated (see Exhibit C dated ~~August 23~~ December 29, 2023 berm design plus description in Section D 1 below) in order to sustain the vegetation installed thereon, (2) drainage, including installation of drainage structures, ponds and ditches, (3) installation of security fencing and (4) providing such limited pervious access as may be necessary to construct and maintain the Berm, drainage and fencing; and
- C. a ~~30-150~~ feet wide **Buffer** section along the Exley Tract North and South northern property line adjacent to Alice Huger Hurst and/or successors, which shall be left in its current condition and hereafter undisturbed except for drainage and the repair of the existing fencing or its replacement. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction.;

- D. Except for the four (4) conditions listed in B above, no vertical building, concrete, asphalt or other impervious paving may be placed inside the 150 feet Buffer.
- E. There shall be no **Buffer** along the CSX railroad property.
- F. Except for the 35 feet **UNDISTURBED Buffer section described above**, the perimeter buffers may include the use of berms, fencing, plantings or a combination of these methods as determined by the Developer, subject to approval by County Manager or designee.
- G. In the event a railroad sidetrack is installed in Exley Tract South within the 25-foot buffer adjacent to the Railroad the 25-foot buffer shall be placed east of the new sideline. Railroad and road crossings across this buffer to access sidelines shall be considered an allowed use within the buffer.
- H. All tree plantings shall be in accordance with the Effingham County buffer ordinance.
- I. There shall be a "conditional buffer" of 450 feet as shown on Exhibit E and as described above.

5-Setbacks:

- A. Except as described in paragraph 4-Buffers, Setbacks will apply to the perimeter of the property based on Table C-1 above and the use approved for this project.
- B. The setback line for buildings and impervious surfaces adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors shall be 150 feet subject to the conditions described in paragraph 4-Buffers.

6-Berms:

T&T Exley Properties, LLC or their successors in title acknowledge and agree that each party shall construct a **berm**, as required by the Terms of this Text, having a minimum height of 25' in the areas indicated on the Industrial Setback & Berm Exhibit C dated ~~August 23~~December 29, 2023. Each party shall be responsible for constructing and maintaining the required berms in accordance with the Industrial Building Square Feet Plan Exhibit B and the Industrial Setback and Berm Exhibit C, dated ~~August 23~~December 29, 2023, as it corresponds to its respective property. Without limiting the foregoing, Berm A shall be installed and completed in connection with any Buildings constructed in the area of Buildings 2 or 3, Berm B shall be installed and completed in connection with any Buildings constructed in the area of Building 4 and Berm C shall be installed and completed in connection with any Buildings constructed in the area of Buildings 5, and Berm D shall be installed and completed in connection with any Buildings constructed in the area of Building-~~or~~ 6. **Said Berms shall be constructed simultaneously with the land disturbing activity and building or other construction.** No berm shall be installed for any building, driveway, parking area, or other impervious surface that is not closer than 450 feet to the northern property line. The berms, when constructed, shall be compacted to a minimum of 25' in height with a minimum 2:1 side slope, stabilized with vegetative cover and irrigation, and otherwise completed in accordance with the berm specifications as shown in Exhibit C dated ~~August 23~~December 29, 2023. The berm, landscaping and irrigation shall be completed in phases, substantially depicted as Berm A, Berm B ~~and~~ Berm C, and Berm D on the Industrial Setback and Berm Exhibit C, in each case on or before the issuance by Effingham County of the certificate of occupancy with respect to the corresponding building, so that each completed building is screened from the neighboring residential properties to the north that share a common property line with the Exley Tract North and South northern property line adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors. ~~No Berm shall be required along the Northern Property Line on Property approved for Highway Commercial Use.~~

D. Except for Sections E and F below which are included for Approval in the amended text described in Paragraph 1 above, each of the Sections

below are Exceptions that were Requested and Previously Approved by the Effingham County Commission in 2008, 2018 and 2021

The information included in this Development Text shall govern the Zoning and Subdivision regulations for this project. In the event of any conflict this document shall govern. (See Section C for additional conditions)

Due to the nature of this development, the applicant shall reserve the right to negotiate shared parking facilities between similar uses. The benefits of reducing parking areas include:

- minimizing stormwater runoff from parking areas, thus reducing potential water quality impacts;
- Varying time periods of use;

Provided changes to the street layout, individual building location, size and shape as shown on Exhibit C do not encroach into the 150 feet Buffer, they shall be made at the sole choice of the Developer.

Article VII. Section 7.1.13 – Street right-of-way widths.

The table shown below replaces the requirements of section 7.1.13:

Curb & Gutter Streets:

	Street Classification	Pavement Width	Right-of-Way Width
(a)	Local Street		
	2-lane	22'	50'
	2-lane with parking (1-side)	31'	50'
	2-lane with parking (2-sides)	40'	60'
(b)	Collector Street		
	2-lane	24'	60'
	2-lane with left turn	36'	60'
	2-lane Blvd. Section	12' lanes 8' median	60'
	4-lane Blvd. Section	24' of lanes (2 @ 12' each) 8' median	80'
(c)	Arterial Street	N/A	N/A

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Roadside Swale:

	Street Classification	Pavement Width	Shoulder Width	Ditch	Right-of-Way Width
(a)	Local Street				
	2-lane	22'	4'	12'	60'
(b)	Collector Street				
	2-lane	24'	6'	16'	80'
	4-lane	48'			104'
(c)	Arterial Street	N/A			N/A

Restatement of approved PD–MU Waiver of the Water Resources Protection Ordinance**Section 3. Waivers to Stormwater Management Requirements:**

All of the conditions listed in section 3 of the Water Resource Protection Ordinance are waived on the sole basis of section 3.1b. This section allows for the County or its Agent to waive the requirements of the Water Resource Protection Ordinance and the Stormwater Management Local Design Manual and replace them with alternative minimum requirements for on-site management of stormwater discharges.

The Stormwater Management Local Design Management Design Manual for Exley Tract North and South (formerly approved in 2008, 2018 and 2021 as Exhibit III) is included as Exhibit D in this PD Zoning application package as the alternate minimum requirements for on-site management of stormwater discharges. This document takes precedent over Effingham County's current Water Resource Protection Ordinance and Stormwater Management Local Design Management Design Manual. In event of a conflict between any of the documents the governing document shall be in the following order: governing – Stormwater Management Local Design Management Design Manual for Exley Tract North and South, 2nd – Water Resource Protection Ordinance and 3rd – Stormwater Management Local Design Manual.

E. Percentage of Land Uses

Table E-1 indicates acreages of land uses planned for Exley Tract North and South.

TABLE E-1: LAND USES					
	TOTAL ACRES (+/-)	UPLAND ACRES (+/-) Wetland Impacts	COMMON SPACE ACRES (+/-)	TOTAL GREEN SPACE ACRES (+/-)	PERCENT OF TOTAL ACRES IN GREEN SPACE (+/-) *
Industrial	989 <u>1,015</u>	718 <u>737</u>	99 <u>102</u> (10%)	370 <u>380</u>	37%
Multi-family	N/A	N/A	N/A	N/A	N/A
Highway Commercial	62 <u>36</u>	55 <u>36</u>	64 ** (10%)	134 **	21 <u>10</u> **
Future Highway 21 Connector	N/A	N/A	N/A	N/A	N/A
Total	1,051	773	10 <u>65</u>	38 <u>43</u>	<u>37</u> <u>6</u> %

* Values are based on current planning and may vary based on Green Space definition as outlined in Section C.

** Common space and green space is currently assumed to be 10% of total acreage until site development plans for these areas are proposed. The 10% assumption is to anticipate appropriate detention and/or drainage infrastructure areas.

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F. Proposed Maximum Units and Building Square Footage

Table F-1 summarizes the maximum building square footage and project gross density are listed at the bottom of the table.

Land Use	Units or Building Square Footage
Multi-family	N/A
Highway Commercial	630,000 sf
Industrial	9,500,000 sf

G. Proposed Dedication of Public Use

Streets and Utility Easements:

All streets and utility easements will be presented to the Effingham County Board of Commissioners for acceptance as public streets and easements or dedicated to the Property Owners Association. Acceptance of street dedications shall be at the discretion of the Effingham County Board of Commissioners.

H. Open Space, Courts, Walks, and Common Areas

Wetlands

US Army Corps of Engineers Jurisdictional Wetlands will be owned by the developer until presented to Effingham County for dedication or dedicated to the Property Owners Association. If presented to Effingham County, acceptance of these dedications shall be at the discretion of the Effingham County Board of Commissioners. No machine clearing, or logging shall be allowed in the preserved wetland portion of the property without the expressed written approval of the zoning administrator.

Lakes

Lakes will be located throughout Exley Tract to manage stormwater runoff for both quantity and quality. The lakes will be designed to aid in attenuating the design storm events to pre-development flow rates. Lakes shall be owned and maintained by the developer until such time as these facilities are dedicated to the Property Owners Association or Effingham

County. Acceptance of these dedications shall be at the discretion of the Effingham County Board of Commissioners.

I. Utilities

Water and sewer will be provided by Effingham County. These utilities within this development will be installed by the developer and dedicated to Effingham County upon acceptance by the Board of Commissioners or designee.

Stormwater management will be handled through a series of detention ponds. These ponds shall be designed based on the Stormwater Management Local Design Manual included as Exhibit D to this application. All plans will be reviewed and approved by the Effingham County Engineer prior to construction.

J. Access, Parking, Signs and Buffers

Access to the site will be from Highway 21. Improvements required to provide access to the project will be designed, permitted, and constructed by the Developer.

A tenant/property owner identification sign shall be located at the entrance of the industrial park. The sign shall be in place no later than the occupancy of the last available parcel.

As mentioned in section D, shared parking is anticipated among the uses in order to decrease the amount of unproductive surface parking needed. These shared parking arrangements will be presented in conjunction with subsequent development plans.

Any lighting used for this development will be designed in a manner to avoid any negative impacts to adjacent properties. All pole lighting shall be shielded, downward facing, no taller than the nearest building and maximum height of 35 feet.

Buffers for the project are shown on Exhibit B, Exhibit C, Exhibit E and further described in Section C of this document.

K. Development Schedule

Based on historical sales in surrounding areas, it is anticipated this project will be built out in approximately 8 years for Industrial and 10 years for

commercial. This schedule is based on current market conditions and may vary over time.

L. Installation of Improvements

The developer of any parcel within this PD–MU shall be responsible for improvements (excluding any utilities specifically agreed to be installed by Effingham County) required to develop the parcel consistent with this application. This requirement shall be met as market conditions warrant and are not set to a specific timetable.

THIS REVISED PLANNED DEVELOPMENT TEXT INCLUDING EXHIBITS is hereby Approved this ___ day of _____, 202___ by the Board of Commissioners, Effingham County, Georgia.

Wesley Corbitt
Chairman,
Effingham County Commission

Stephanie D. Johnson
Clerk
Effingham County

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

BS.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PEH

DISAPPROVAL _____

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from PD to PD zoning.

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

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.H.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

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

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

A.Z.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

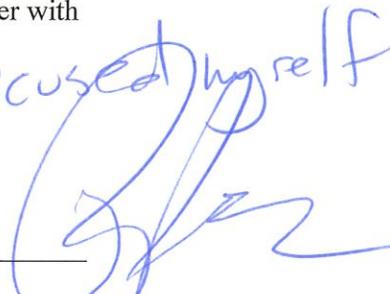
After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

I recused myself


Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from PD to PD zoning.

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

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Kevin Forbes** as agent for **T&T Exley Properties/Thomas and Hutton Engineering Co.** requests to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development. Located on Highway 21. **[Map# 446D Parcel# 6,9,11]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The original PD-MU document, approved in 2008, designates acreage in the northern most parcels as multi-family housing to serve as a transition between industrial and residential use and provide diversity of housing to the County.
- The change to the PD document was submitted for a DRI which was completed on May 10, 2023. Comments on the project were from the City of Savannah: “Effingham County should coordinate with City of Savannah since it does utilize City of Savannah water through a municipality water supply agreement.”
- The applicant proposes to amend the PD document to remove the multi-family residential and replace it with industrial warehouses.
- A similar application was withdrawn in September of 2023 from the Board of Commissioners, the applicant has returned with a new application and addressed the previous concerns within the PD text:
 - No rail spur will be permitted with Exley Tract North
 - No container storage will be permitted within Exley Tract North
 - The minimum height of berms, as indicated by the PD text, will be 25 feet.
- Per the proposed PD Text:
 - Berm A shall be installed and completed in connection with buildings 2 or 3;
 - Berm B shall be installed and completed in connection with buildings constructed in the area of building 4;
 - Berm C shall be installed and completed in connection with buildings constructed in the area of building 5;
 - Berm D shall be installed and completed in connection with buildings constructed in the area of building 6.
- The applicant is proposing the maximum of 630,000 sq. ft. of Highway Commercial and 9,500,000 sq. ft. of Industrial.
- At the February 13, 2024, Planning Board meeting, Mr. Alan Zipperer made motion for approval with the following added recommendations:
 - A temporary ready-mix concrete plant may be constructed during the duration of the project, not permanent.
 - The berm will be simultaneously constructed with the warehouse as soon as the warehouse begins.
 - When clearing begins within the 150’ buffer area, the berm construction must begin.
- Mr. Peter Higgins second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone +/- 1051 acres from PD residential to PD industrial** to allow for the amendment of a Planned Development, with the following conditions:

- A GDOT Permit for access onto US Highway 21 will be required.
- A Sketch Plan shall be required, per Effingham County Code of Ordinances section 5.15.5.4
- A temporary ready-mix concrete plant may be constructed during the duration of the project, not permanent.
- The berm will be simultaneously constructed with the warehouse as soon as the warehouse begins.
- When clearing begins within the 150' buffer area, the berm construction must begin.

2. Deny the request for to **rezone** +/- 1051 acres from **PD residential** to **PD industrial** to allow for the amendment of a Planned Development.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

466D-6,9,11

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

466D-6,9,11

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, KEVIN FORBES AS AGENT FOR T&T EXLEY PROPERTIES/ THOMAS AND HUTTON ENGINEERING CO. has filed an application to rezone one thousand and fifty-one (1051) +/- acres; from PD to PD o allow for the amendment of a planned development; map and parcel number 466D-6,9,11, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT one thousand and fifty-one (1051) +/- acres; map and parcel number 466D-6,9,11, located in the 2nd commissioner district is rezoned from PD to PD to allow for the amendment of a planned development, with the following conditions:

- A GDOT Permit for access onto US Highway 21 will be required.
- A Sketch Plan shall be required, per Effingham County Code of Ordinances section 5.15.5.4
- A temporary ready-mix concrete plant may be constructed during the duration of the project, not permanent.
- The berm will be simultaneously constructed with the warehouse as soon as the warehouse begins.
- When clearing begins within the 150' buffer area, the berm construction must begin.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Willam Schaffner** requests to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court. **[Map# 398C Parcel# 11]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is requesting to subdivide their property to create two, one-acre parcels for their children.
- A 60' private access easement will be utilized for one of the parcels, as it does not have road frontage. The other parcel will have riad frontage. Per Effingham County Code of Ordinances, the road frontage required for an AR-2 parcel is 100'.
- The applicant is requesting to rezone to AR-2 as the new parcels fall under the 5-acre threshold for AR-1.
- At the February 13, 2024, Planning Board meeting Mr. Brad Smith made a motion for approval with Staff recommendations. Mr. Alan Zipperer second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court, with the following conditions:

- A plat must be submitted to Development Services for approval & signature, then recorded, before zoning takes effect.

2. Deny the request for to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

RZN-23-22

Rezoning Application

Status: Active

Submitted On: 12/28/2023

Primary Location

165 Briarwood Court

Guyton, GA 31312

Owner

SCHAFFNER WILLIAM E

165 BRIARWOOD CT

GUYTON, GA 31312

Applicant William Schaffner 912-658-4850 mrbillyschaffner@gmail.com 165 Briarwood Ct
Guyton, GA 31312

Staff Review

 **Planning Board Meeting Date***

02/13/2024

 **Board of Commissioner Meeting Date***

03/05/2024

 **Notification Letter Description ***

subdivision to create new home sites.

 **Map #***

398C

 **Parcel #***

11

 **Staff Description** **Georgia Militia District***

1559

 **Commissioner District***

2nd

 **Public Notification Letters Mailed**

01/15/2024

 **Board of Commissioner Ads**

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

William Schaffner

Applicant Email Address*

mrbilyschaffner@gmail.com

Applicant Phone Number*

912-658-4850

Applicant Mailing Address*

165 Briarwood Ct

Applicant City*

Guyton

Applicant State & Zip Code*

GA 31312

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

AR-2 (Agricultural Residential Less than 5 Acres)

Map & Parcel *

398C-11

Road Name*

Briarwood Ct

Proposed Road Access* ?

Total Acres *

Existing

8.16

Acres to be Rezoned*

2

Lot Characteristics *

partially wooded, dry

Water Connection *

Sewer Connection

Private Well

Private Septic System

Justification for Rezoning Amendment *

desire to set aside 2 one acre lots for owner's children to build on

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

North*

South*

AR-1

AR-1

East*

West*

AR-1

AR-1

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

not currently in use

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

no

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

build a single family home

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

Most properties in the neighborhood are 1-2 acres with single family homes. Some are grandfathered in as AR-1 but would be AR-2 otherwise. There are also several R-1 lots with single family homes on the same street.

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

The use will be identical to the surrounding properties

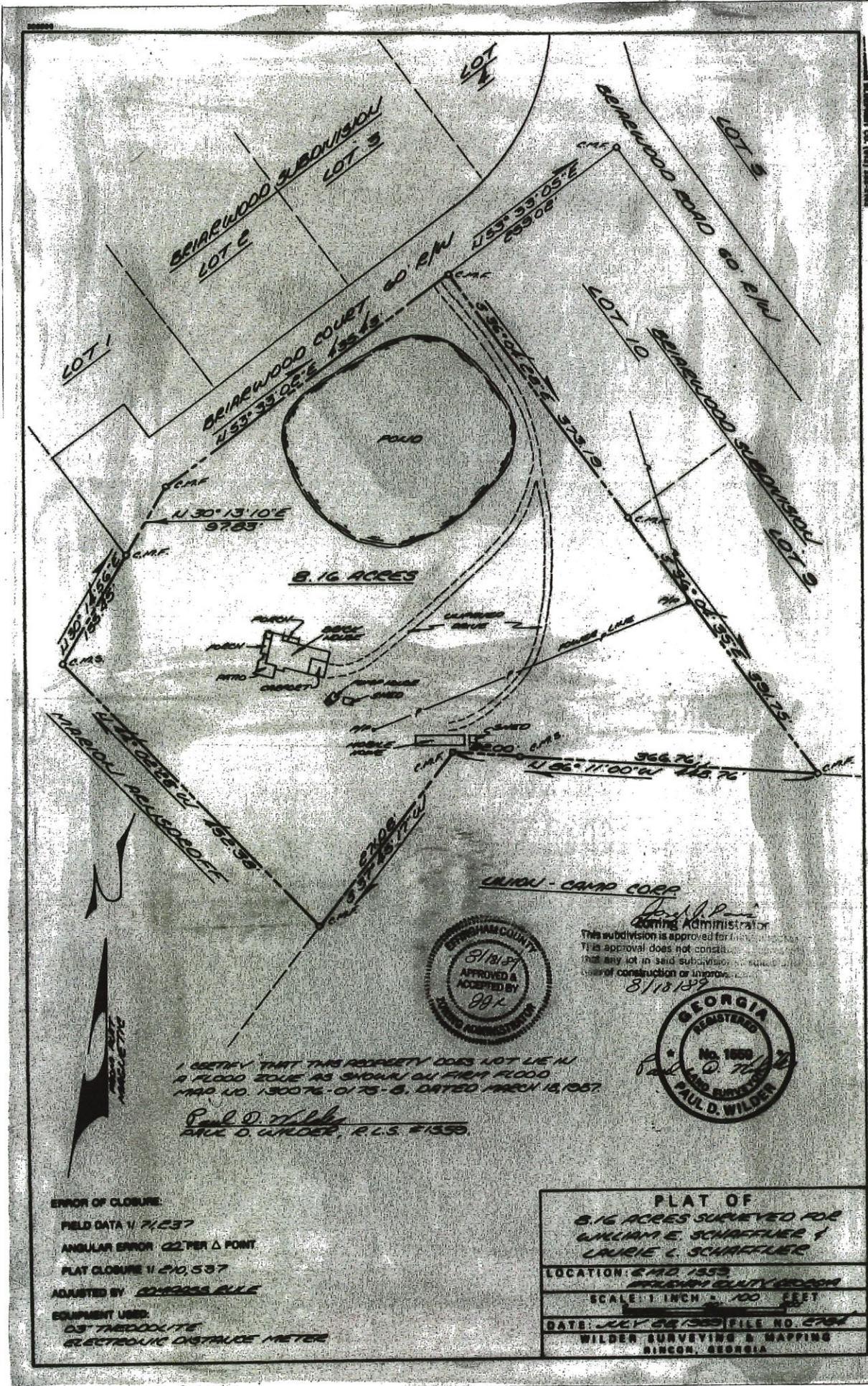
Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

none at all

Digital Signature*

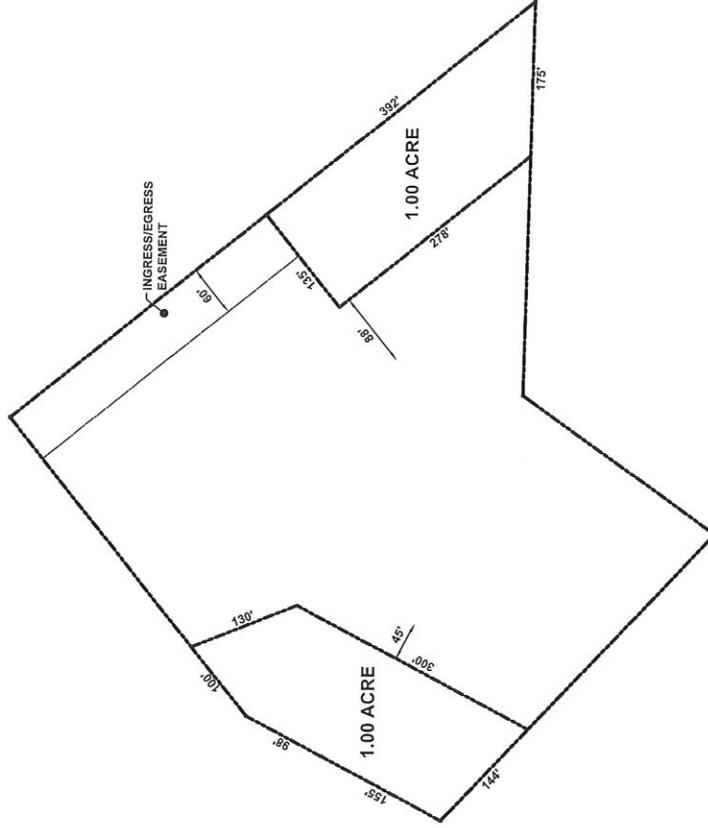
✓ William Earl Schaffner

Dec 28, 2023



JAMES M. ANDERSON & ASSOC
REGISTERED LAND SURVEYORS
P.O. BOX 884, 104 OAK ST
MABLETON, GA 30449
PHONE: (478) 784-2002

GND NORTH-CA EAST ZONE



PROPERTY EXHIBIT FOR:
BILLY SCHAFFNER

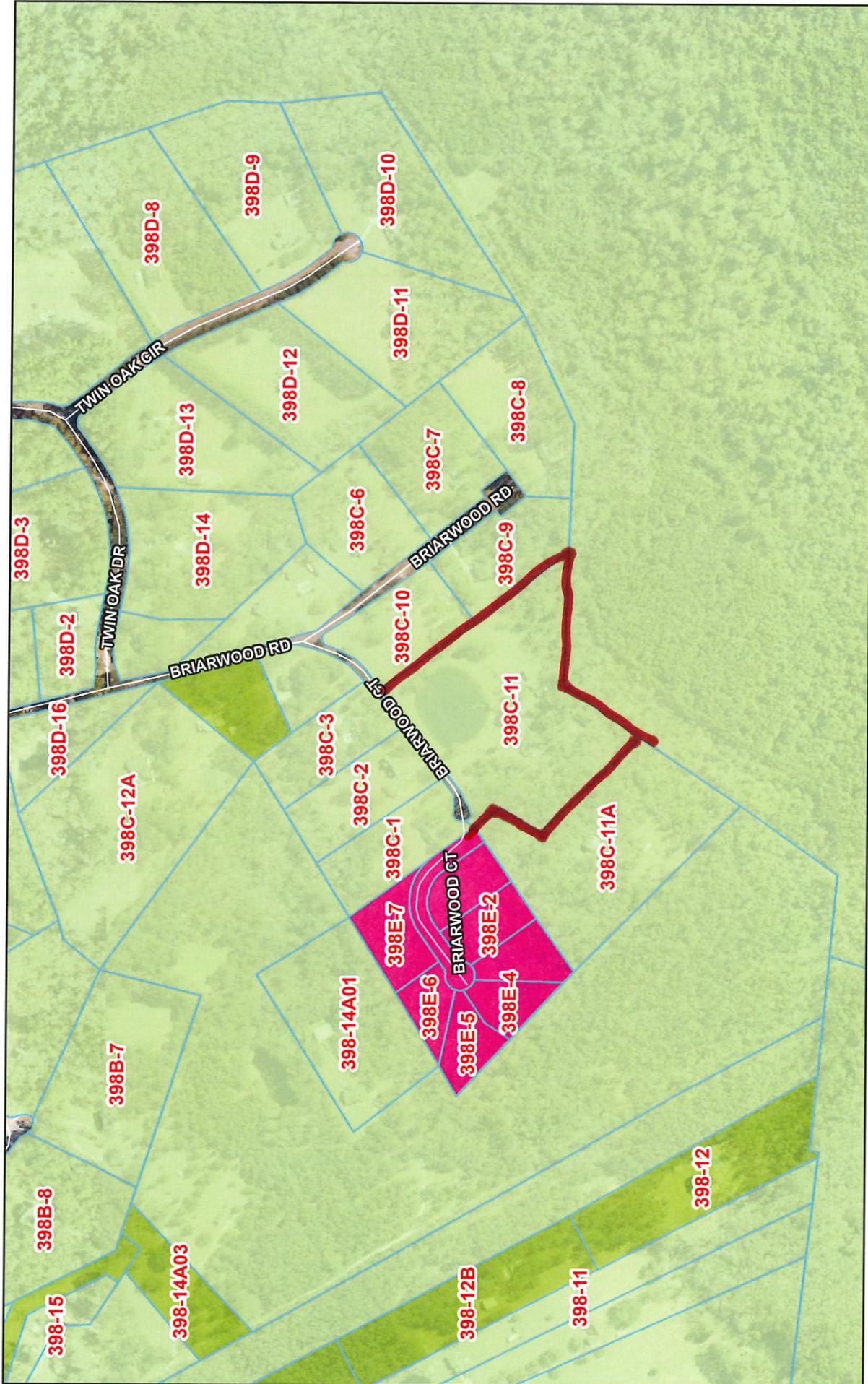
LOCATION: 1559TH, G.M.D. EFFINGHAM CO., GA.
SURVEYED: JUNE 29, 2023

DRAWN DATE: JUNE 29, 2023
BY: JAMES MATTHEW ANDERSON-GA. R.L.S. 3280
SCALE: 1" = 100'



JN23048.ORD & JN23048EXHIBIT.DWG

398C-11 165 BRIARWOOD COURT



12/29/2023

Roads

Tax Parcels

Tax Parcel Labels

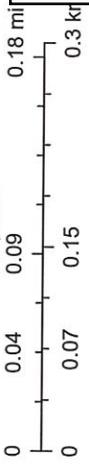
Effingham County Zoning

- AR-1
- AR-2
- R-1
- R-1 Efn_fin_cache

Color Legend:

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:6,545



Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin
INCREMENT P, USGS, EPA, USDA

Item XV. 11.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **William Schaffner--(Map # 398C Parcel # 11)** from AR-1 to AR-2 zoning.

- Yes No? 1. Is this proposal inconsistent with the county's master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

7.) B.S.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL 

DISAPPROVAL _____

Of the rezoning request by applicant **William Schaffner**— (Map # 398C Parcel # 11) from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

Of the rezoning request by applicant **William Schaffner--(Map # 398C Parcel # 11)** from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL 

DISAPPROVAL _____

Of the rezoning request by applicant **William Schaffner**— (Map # 398C Parcel # 11) from AR-1 to AR-2 zoning.

- Yes No 1. Is this proposal inconsistent with the county's master plan?
- Yes No 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No 4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?
- Yes No 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No 7. Are nearby residents opposed to the proposed zoning change?
- Yes No 8. Do other conditions affect the property so as to support a decision against the proposal?



R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Willam Schaffner** requests to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court. **[Map# 398C Parcel# 11]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is requesting to subdivide their property to create two, one-acre parcels for their children.
- A 60' private access easement will be utilized for one of the parcels, as it does not have road frontage. The other parcel will have riad frontage. Per Effingham County Code of Ordinances, the road frontage required for an AR-2 parcel is 100'.
- The applicant is requesting to rezone to AR-2 as the new parcels fall under the 5-acre threshold for AR-1.
- At the February 13, 2024, Planning Board meeting Mr. Brad Smith made a motion for approval with Staff recommendations. Mr. Alan Zipperer second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court, with the following conditions:

- A plat must be submitted to Development Services for approval & signature, then recorded, before zoning takes effect.

2. Deny the request for to **rezone** +/- 2 of 8.16 acres from **AR-1** to **AR-2** to allow for a subdivision to create new home sites. Located at 165 Briarwood Court.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
398C-11

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
398C-11

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, WILLIAM SCHAFFNER has filed an application to rezone two (2) +/- acres; from AR-1 to AR-2 to allow for subdivision to create new home sites; map and parcel number 398C-11, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT two (2) +/- acres; map and parcel number 398C-11, located in the 2nd t commissioner district is rezoned from AR-1 to AR-2 to allow for subdivision to create new home sites, with the following conditions:

- A plat must be submitted to Development Services for approval & signature, then recorded, before zoning takes effect.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Penny West requests to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site. Located at 3768 Old Dixie Highway South. **[Map# 339 Parcel# 6]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to subdivide the property. In do so, the parcel will no longer be a conforming Ar-1 lot and will need to be zoned AR-2.
- This parcel is currently served by private well and septic.
- The Future Land Use Map has this parcel projected as agriculture.
- At the February 13, 2024, Planning Board meeting, Mr. Peter Higgins made motion for approval with Staff recommendations. Mr. Brad Smith second the motion and it carried unanimously.

Alternatives

- 1. Approve** the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site, with the following conditions:
 - A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.
- 2. Deny** the request for to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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

RZN-23-19

Rezoning Application

Status: Active

Submitted On: 12/20/2023

Primary Location

3768 Old Dixie Highway South
Springfield, GA 31329

Owner

WEST PENNY BARNES
P O BOX 704 SPRINGFIELD,
GA 31329

Applicant

 Penny West
 912-678-2603
 pennywest1100@gmail.com
 360 Clyo Shawnee Rd
Springfield, Georgia
31329

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Staff Description

Creating another home site

 Georgia Militia District*

11

 Commissioner District*

3rd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/21/2024

 Planning Board Ads

01/17/2024

 Request Approved or Denied

—

 Letter & ZMA Mailed

—

RZN-23-19

Rezoning Application

Status: Active

Submitted On: 12/20/2023

Primary Location

3768 Old Dixie Highway South
Springfield, GA 31329

Owner

WEST PENNY BARNES
P O BOX 704 SPRINGFIELD,
GA 31329

Applicant

 Penny West
 912-678-2603
 pennywest1100@gmail.com
 360 Clyo Shawnee Rd
Springfield, Georgia
31329

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Staff Description

Creating another home site

 Georgia Militia District*

11

 Commissioner District*

3rd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/21/2024

 Planning Board Ads

01/17/2024

 Request Approved or Denied

—

 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

PENNY WEST

Applicant Email Address*

PENNYWEST1100@GMAIL.COM

Applicant Phone Number*

9126782603

Applicant Mailing Address*

PO BOX 704

Applicant City*

SPRINGFIELD

Applicant State & Zip Code*

GA 31329

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

AR-2 (Agricultural Residential Less than 5 Acres)

Map & Parcel *

339 6

Proposed Road Access*

OLD DIXIE HWY

Total Acres *

5

Acres to be Rezoned*

5

Lot Characteristics *

WOODED

Water Connection *

Sewer Connection

Private Well

Private Septic System

Justification for Rezoning Amendment *

CREATING OF ANOTHER HOME SITE

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

North*

South*

AR1

AR1

East*

West*

AR1

AR1

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

RESIDENTIAL

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

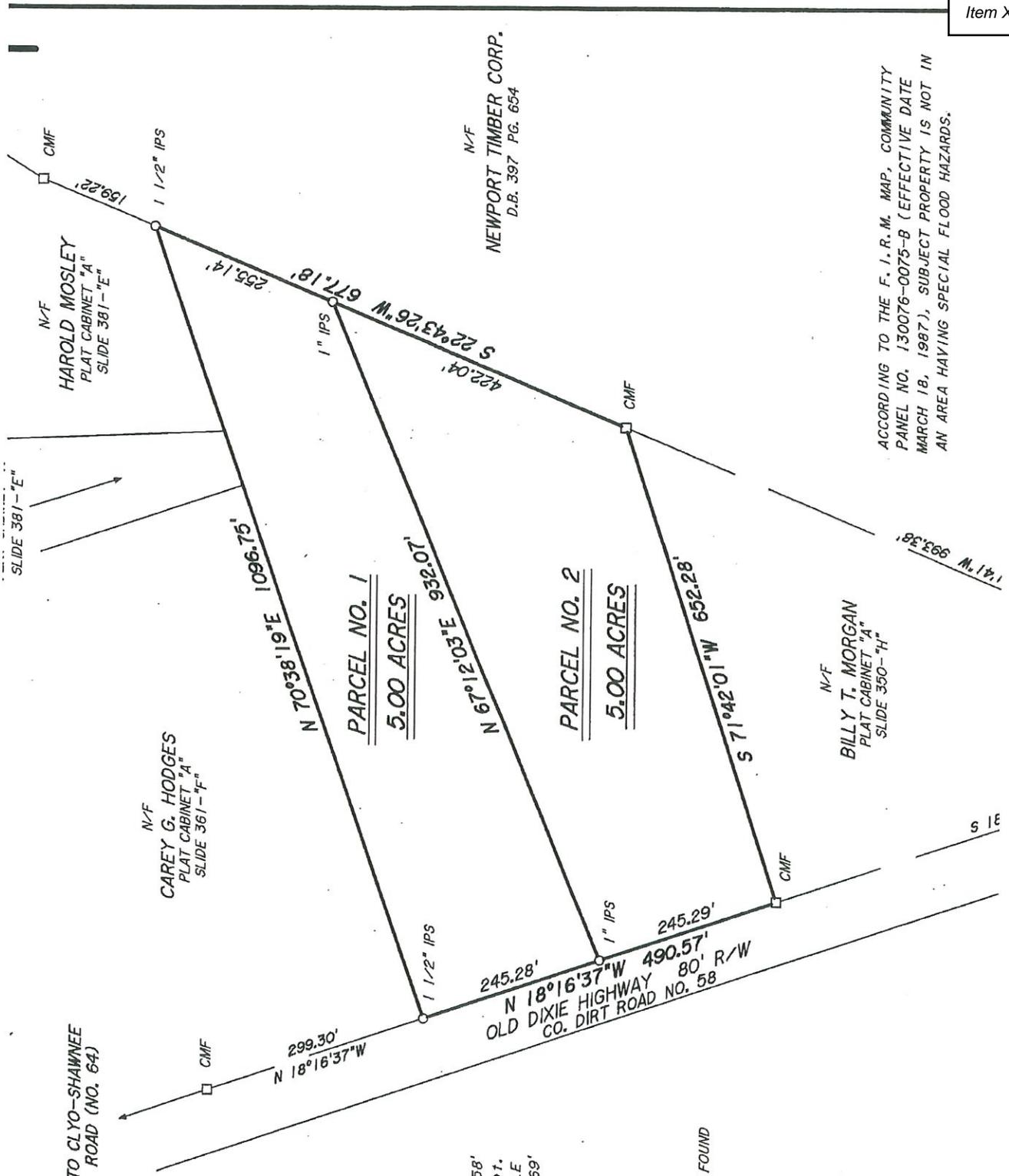
YES

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

RESIDENTIAL

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

RESIDENTIAL

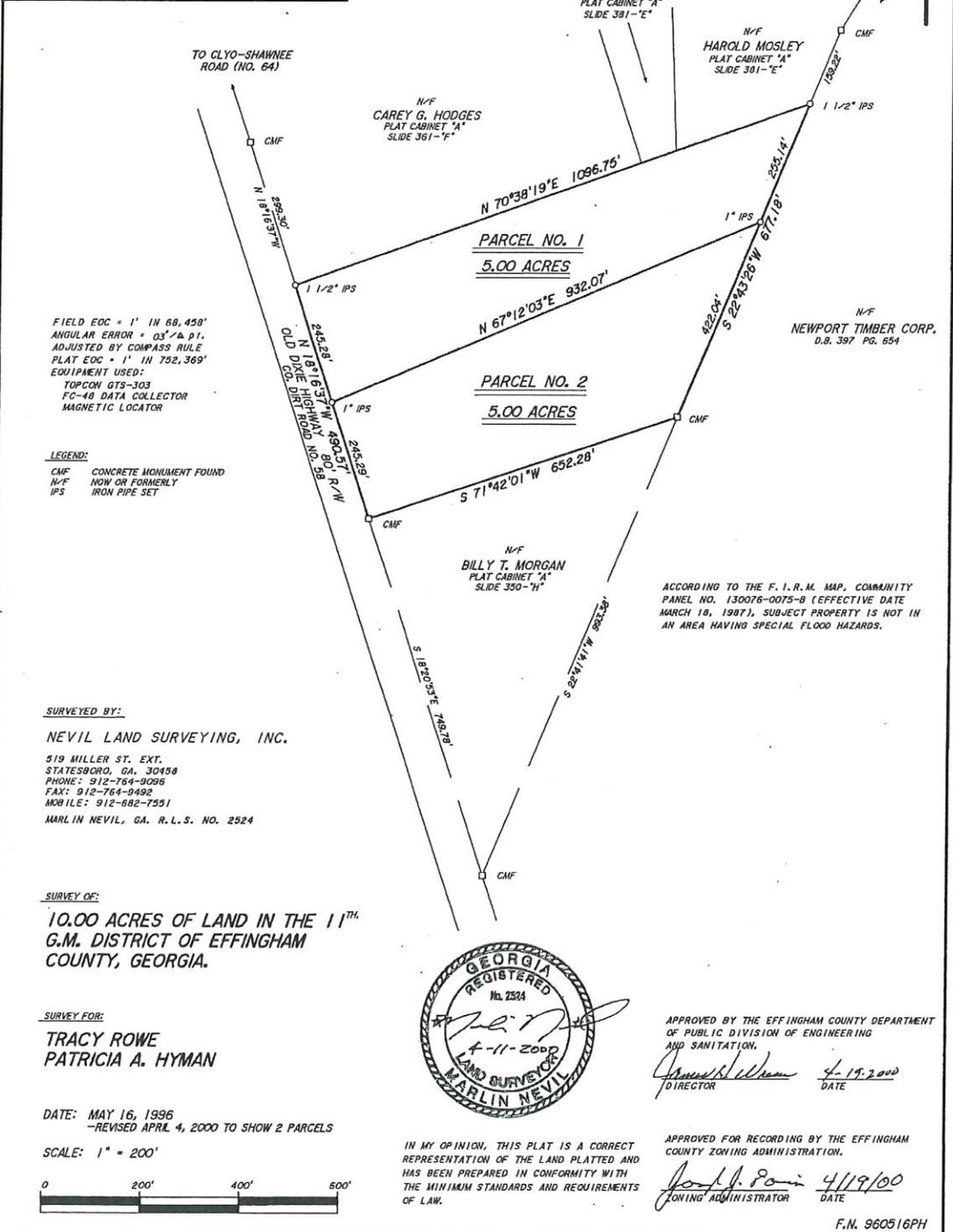
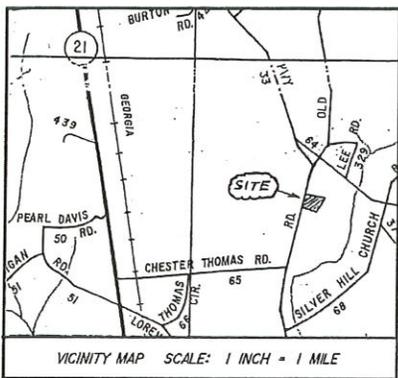


FIELD EOC = 1' IN 68,458'
 ANGULAR ERROR = 03' Δ PT.
 ADJUSTED BY COMPASS RULE
 PLAT EOC = 1' IN 752,369'
 EQUIPMENT USED:
 TOPCON GTS-303
 FC-48 DATA COLLECTOR
 MAGNETIC LOCATOR

LEGEND:
 CMF CONCRETE MONUMENT FOUND
 N/F NOW OR FORMERLY
 IPS IRON PIPE SET

ACCORDING TO THE F.I.R.M. MAP, COMMUNITY
 PANEL NO. 130076-0075-B (EFFECTIVE DATE
 MARCH 18, 1987), SUBJECT PROPERTY IS NOT IN
 AN AREA HAVING SPECIAL FLOOD HAZARDS.

Filed for Record
 Book B86 Page A1
 Date 4/21/2000



3768 OLD DIXIE HWY S (339-6)



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Item XV. 13.

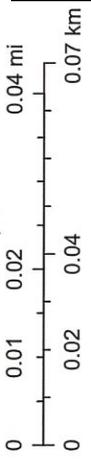
339-6



2/12/2024

-  Addresses
-  Tax Parcels
-  Efn_fin_cache
-  Tax Parcel Labels
-  Red: Band_1
-  Green: Band_2
-  Blue: Band_3

1:1,636



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Effingham Coun BOC

Item XV. 13.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL _____

Of the rezoning request by applicant **Penny West**– (Map # 339 Parcel # 6) from **AR-1** to **AR-2** zoning.

- Yes No? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

8.) B.S.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PSH

DISAPPROVAL _____

Of the rezoning request by applicant **Penny West**– (Map # 339 Parcel # 6) from AR-1 to AR-2 zoning.

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

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Penny West**– (Map # 339 Parcel # 6) from **AR-1** to **AR-2** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL _____

Of the rezoning request by applicant **Penny West**– (Map # 339 Parcel # 6) from AR-1 to AR-2 zoning.

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

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

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

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

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

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

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

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

A.2 .

9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

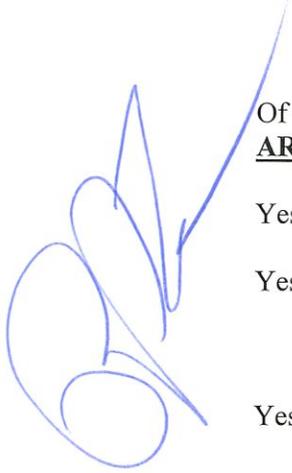
CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Penny West**– (Map # 339 Parcel # 6) from AR-1 to AR-2 zoning.



- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: Penny West requests to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site. Located at 3768 Old Dixie Highway South. **[Map# 339 Parcel# 6]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is proposing to subdivide the property. In do so, the parcel will no longer be a conforming Ar-1 lot and will need to be zoned AR-2.
- This parcel is currently served by private well and septic.
- The Future Land Use Map has this parcel projected as agriculture.
- At the February 13, 2024, Planning Board meeting, Mr. Peter Higgins made motion for approval with Staff recommendations. Mr. Brad Smith second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site, with the following conditions:

- A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.

2. Deny the request for to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for a new home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

339-6

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

339-6

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, PENNY WEST has filed an application to rezone five (5) +/- acres; from AR-1 to AR-2 to allow for new home sites; map and parcel number 339-6, located in the 3rd commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT five (5) +/- acres; map and parcel number 339-6, located in the 3rd commissioner district is rezoned from AR-1 to AR-2 to allow for new home sites, with the following conditions:

- A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK

Staff Report

Subject: Rezoning (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Samual Bradford** requests to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites. Located at 800 Savannah Towne Road. **[Map# 246 Parcel# 11A]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is requesting to subdivide the parcel to create home sites for his children.
- The applicant is aware that according to the National Wetlands Inventory, there are significant wetlands on the property. A wetlands delineation will be needed for any building construction.
- The Future Land Use Map does have this parcel projected as agriculture.
- At the February 13, 2024, Planning Board meeting, Mr. Peter Higgins made a motion for approval with Staff recommendations. Mr. Alan Zipperer second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites, with the following conditions:

- A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.

2. Deny the request for to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites.

Recommended Alternative: 1**Other Alternatives: 2**

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Rezoning application and checklist
 4. Ownership certificate/authorization

2. Plat
 3. Deed
 5. Aerial photograph

RZN-23-18

Rezoning Application

Status: Active

Submitted On: 12/19/2023

Primary Location

800 Savannah Town Road
Springfield, GA 31329

Owner

BRADFORD SAMUEL J &
KATHY M
800 SAVANNAH TOWN RD
SPRINGFIELD, GA 31329

Applicant

 Samuel Bradford
 404-859-3285
 sam.j.bradford@gmail.com
 800 Savannah town rd
Springfield, Ga 31329

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Staff Description

REZONING TO CREATE NEW HOME SITES

 Georgia Militia District*

12

 Commissioner District*

3rd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/21/2024

 Planning Board Ads

01/17/2024

 Request Approved or Denied

—

 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

Samuel Bradford

Applicant Email Address*

Sam.j.bradford@gmail.com

Applicant Phone Number*

404 859 3285

Applicant Mailing Address*

800 savannah town rd

Applicant City*

Springfield

Applicant State & Zip Code*

31329

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

AR-2 (Agricultural Residential Less than 5 Acres)

Map & Parcel *

246-11a

Proposed Road Access*

Savannah town rd

Total Acres *

5

Acres to be Rezoned*

5

Lot Characteristics *

One home

Water Connection *

Sewer Connection

Private Well

Private Septic System

Justification for Rezoning Amendment *

Rezoning for lots subdeved

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

North*

South*

A r 1

A r 1

East*

West*

A r 1

a r 1

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

residential

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

Yes

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

residential lots

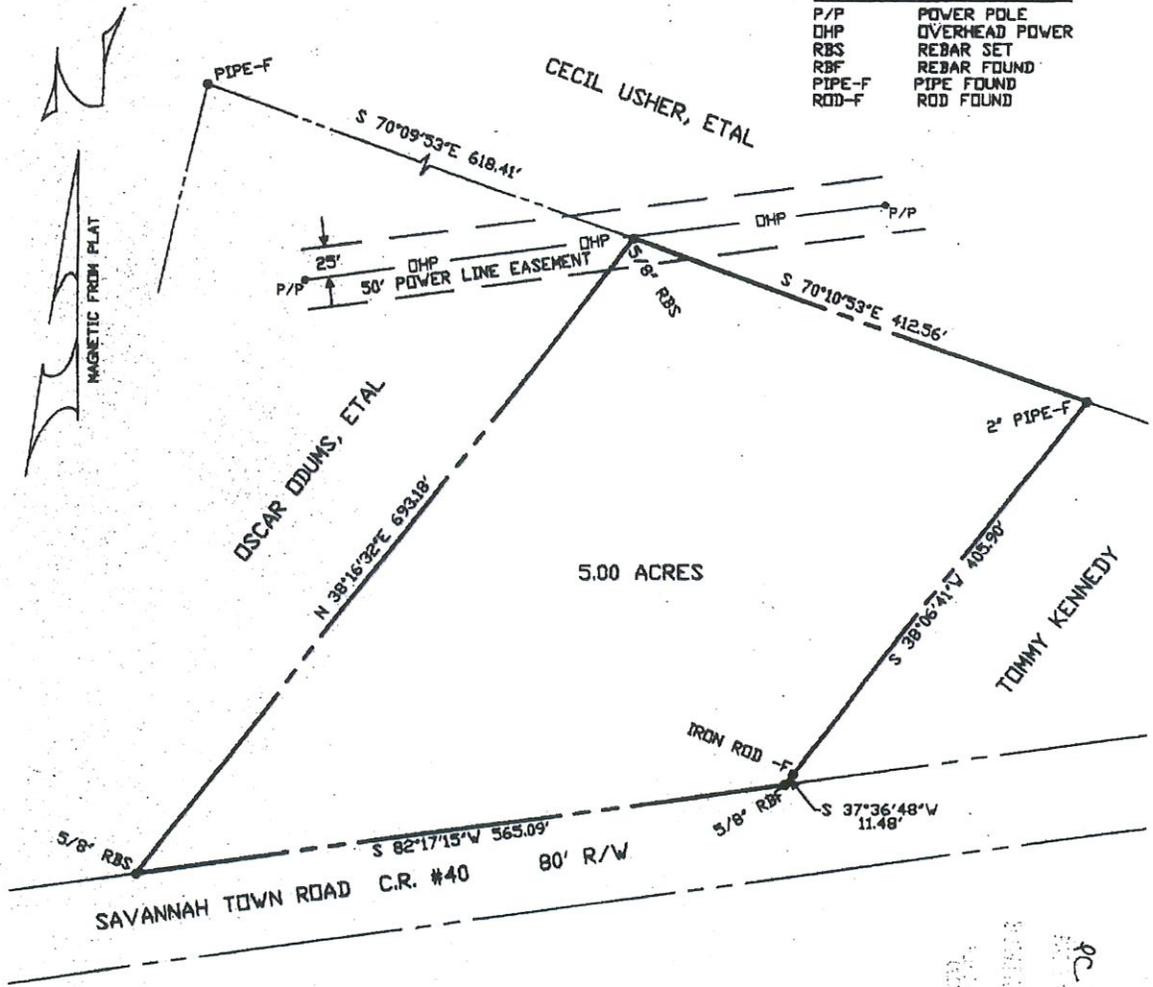
Describe the uses of the other property in the vicinity of the property you wish to rezone?*

Residenal

PC C 5197B-1

LEGEND

P/P	POWER POLE
DHP	OVERHEAD POWER
RBS	REBAR SET
RBF	REBAR FOUND
PIPE-F	PIPE FOUND
ROD-F	ROD FOUND



PC
B-1-191
C-191

ERROR OF CLOSURE:
 FIELD DATA 1/ 141,880'
 ANGULAR ERROR 03" PER ^ POINT
 ADJUSTED BY COMPASS RULE
 PLAT CLOSURE 1/ 272,017'
 EQUIPMENT USED:
 03" THEODOLITE
 ELECTRONIC DISTANCE METER

REFERENCES:

- PLAT OF 24.39 ACRES SURVEYED FOR OSCAR ODUM BY PAUL D. WILDER DATED JULY 20, 1979.
- DEED BOOK 291, PAGES 184-185
- SURVEYOR'S RECORD F, PAGE 470
- DEED BOOK 249, PAGE 403



APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR.

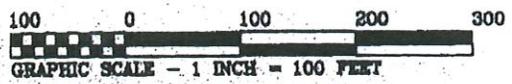
[Signature]
 ZONING ADMINISTRATOR DATE 1/25/2008

PLAT OF
 5.00 ACRES
 DIVIDED FROM THE PROPERTY OF
 OSCAR ODUMS, ETAL
 SURVEYED FOR
 WILLIAM M. & BETTY A. ODUMS

LOCATION: G.M.D. 12,
 EFFINGHAM COUNTY, GEORGIA

DATE: JANUARY 03, 2008 FILE NO. 01109JH

WILDER & STONE LAND SURVEYORS, INC.
 (912) 826-5412, PO BOX 1490 RINCON, GA 31326

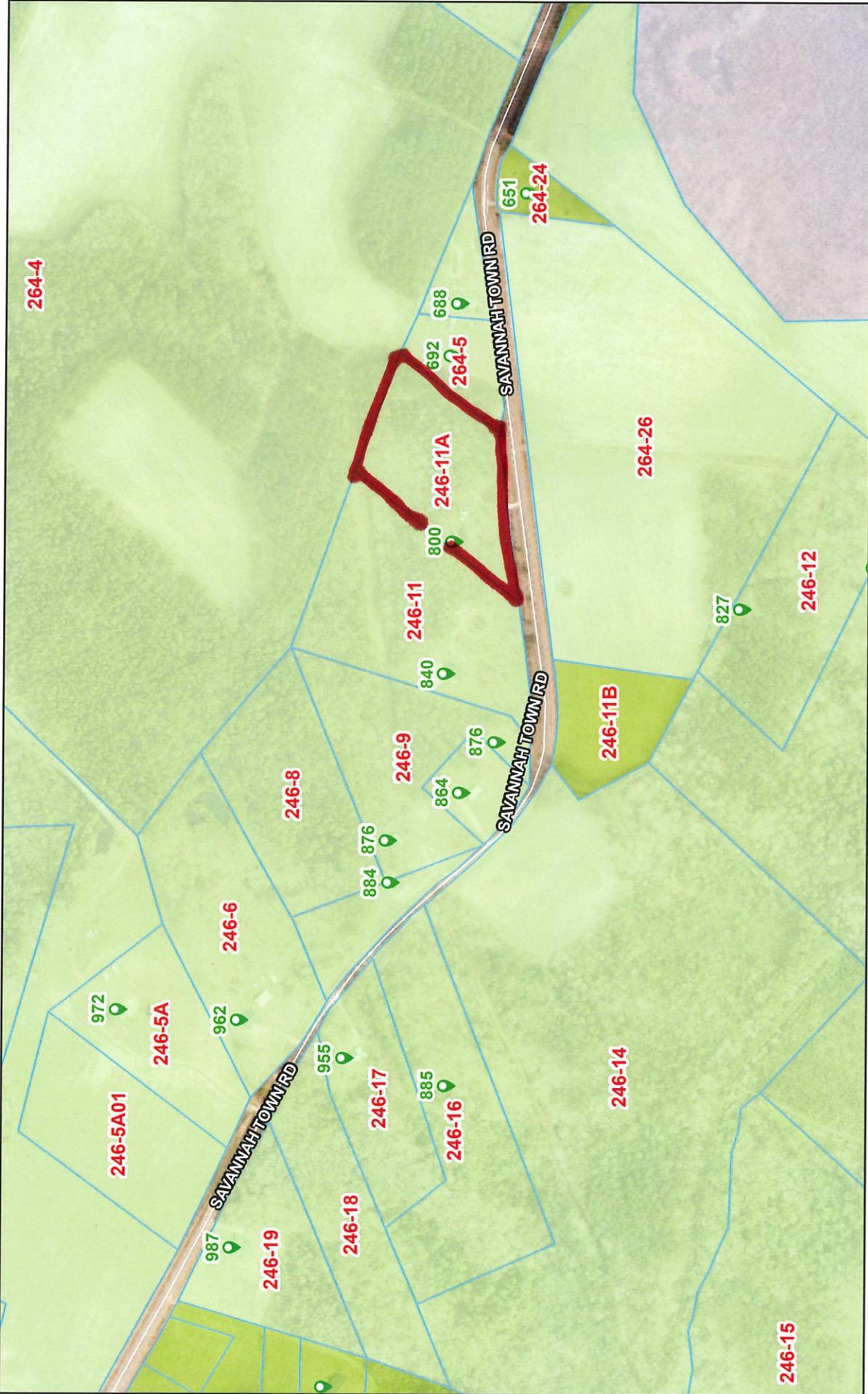


800 SAVANNAH TOWN RD (246-11A)



Item XV. 15.

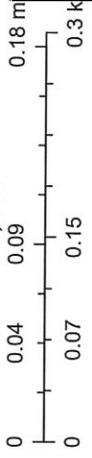
800 SAVANNAH TOWN RD (246-11A)



12/20/2023

- Addresses
- Tax Parcels
- AR-1
- Tax Parcel Labels
- AR-2
- Eflingham County Zoning
- CP
- Red: Band_1
- Green: Band_2
- Blue: Band_3

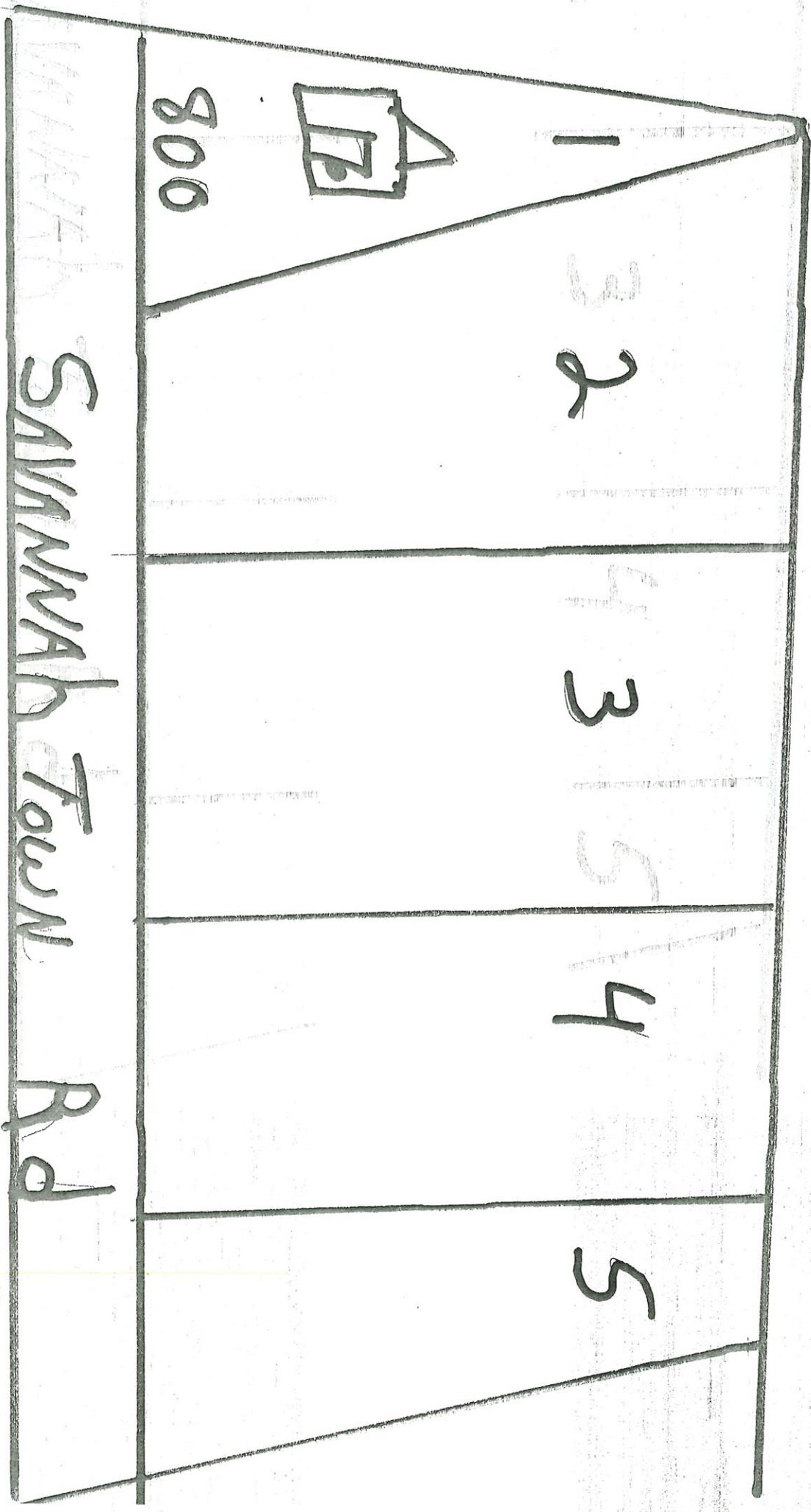
1:6,545



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Eflingham Cour
BOC

Item XV. 15.

MAP # 246 Parcel # 11A



9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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

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

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL DISAPPROVAL

Of the rezoning request by applicant **Samuel Bradford**– (Map # 246 Parcel # 11A) from AR-1 to AR-2 zoning.

- Yes No? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

9) B.S.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PH

DISAPPROVAL _____

Of the rezoning request by applicant **Samuel Bradford**– (Map # 246 Parcel # 11A) from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
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- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.H.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Samuel Bradford**– (Map # 246 Parcel # 11A) from AR-1 to AR-2 zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
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- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL _____

Of the rezoning request by applicant **Samuel Bradford**– (Map # 246 Parcel # 11A) from AR-1 to AR-2 zoning.

- Yes No? ✓ 1. Is this proposal inconsistent with the county’s master plan?
- Yes No? ✓ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No? ✓ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No? ✓ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No? ✓ 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No? ✓ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No? ✓ 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? ✓ 8. Do other conditions affect the property so as to support a decision against the proposal?

A. Z .

9.5

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL _____

Of the rezoning request by applicant **Samuel Bradford**– (Map # 246 Parcel # 11A) from AR-1 to AR-2 zoning.

- Yes No 1. Is this proposal inconsistent with the county’s master plan?
- Yes No 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No 7. Are nearby residents opposed to the proposed zoning change?
- Yes No 8. Do other conditions affect the property so as to support a decision against the proposal?

R.T.

Staff Report

Subject: 2nd Reading – Zoning Map Amendment
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: March 5, 2024
Item Description: **Samual Bradford** requests to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites. Located at 800 Savannah Towne Road. **[Map# 246 Parcel# 11A]**

Summary Recommendation

Staff and Planning Board have reviewed the application and recommend **approval** of the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- The applicant is requesting to subdivide the parcel to create home sites for his children.
- The applicant is aware that according to the National Wetlands Inventory, there are significant wetlands on the property. A wetlands delineation will be needed for any building construction.
- The Future Land Use Map does have this parcel projected as agriculture.
- At the February 13, 2024, Planning Board meeting, Mr. Peter Higgins made a motion for approval with Staff recommendations. Mr. Alan Zipperer second the motion and it carried unanimously.

Alternatives

1. Approve the request to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites, with the following conditions:

- A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.

2. Deny the request for to **rezone** +/- 5 acres from **AR-1** to **AR-2** to allow for new home sites.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

246-11A

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.

246-11A

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, SAMUEL BRADFORD has filed an application to rezone five (5) +/- acres; from AR-1 to AR-2 to allow for new home sites; map and parcel number 246-11A, located in the 3rd commissioner district, and

WHEREAS, a public hearing was held on March 5, 2024, and notice of said hearing having been published in the Effingham County Herald on February 14, 2024; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on January 17, 2024; and

IT IS HEREBY ORDAINED THAT five (5) +/- acres; map and parcel number 246-11A, located in the 3rd commissioner district is rezoned from AR-1 to AR-2 to allow for new home sites, with the following conditions:

- A plat must be approved and signed by Development Services, then recorded, before zoning can take effect.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK