

# "Exhibit C-9"



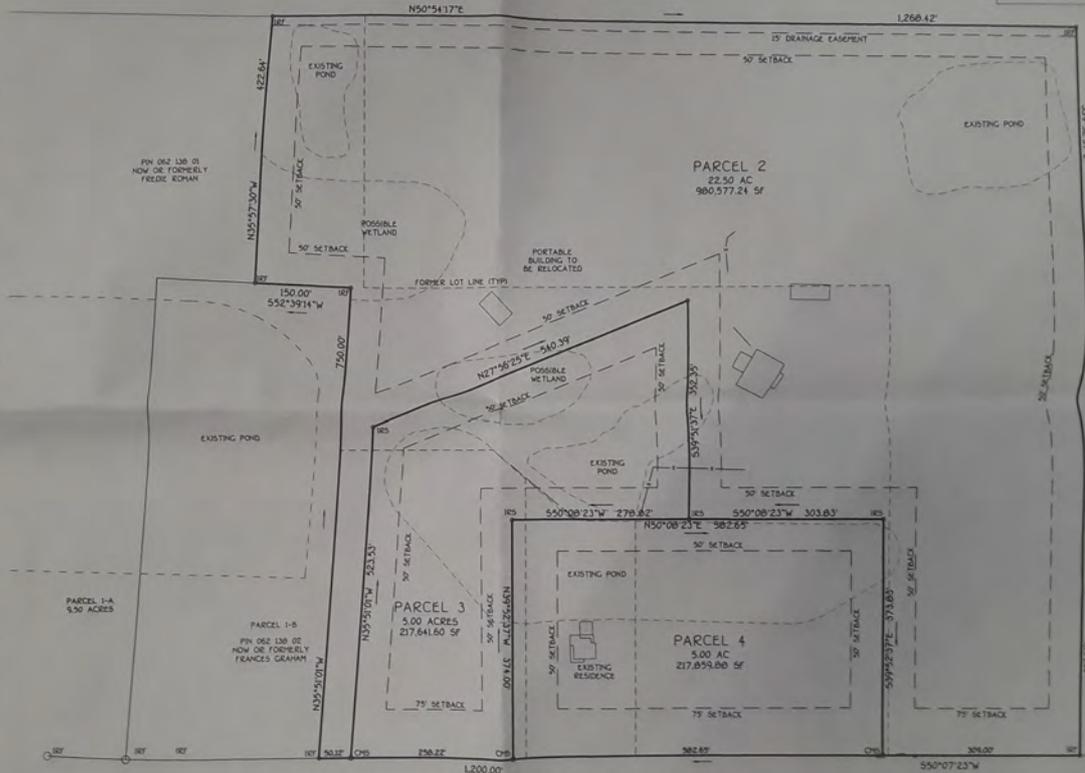
PN 055 060  
 NOW OR FORMERLY  
 RAYGENT LLC  
 C/O RAYTONE TAX SERV  
 LARSON & MCGOWN LLC

**APPROVED UNDER ARTICLE XIII**  
 Approved in accordance with Bryan County  
 Subdivision Regulations.  
 [Signature] 5/22/19  
 Bryan County Planning Director Date  
 [Signature] 8 22 19  
 Bryan County 911 Director Date

- PURPOSE:**
1. THE PURPOSE OF THIS SURVEY IS TO RECOMBINE THESE EXISTING PARCELS ADJUSTING VARIOUS LOT LINES.
  2. TO MY KNOWLEDGE A WETLAND DELINEATION HAS NOT BEEN PERFORMED ON THIS PROPERTY.
  3. ANY WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLANDS WITHOUT PROPER AUTHORIZATION.
  4. IN MY OPINION IN ACCORDANCE WITH F.I.R.M. MAP NO. 150000000 AND NO. 150000030 DATED AUGUST 2, 2008, THIS PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD HAZARDOUS AREA.
  5. DRAINAGEWAYS SHALL BE A MINIMUM OF 300' APART. WATER TO BE PROVIDED BY INDIVIDUAL WELL AND SEWER BY INDIVIDUAL SEWAGE DISPOSAL SYSTEM.
  6. PARCELS 2 CANNOT BE FURTHER SUBDIVIDED UNDER THE PROVISIONS OF SECTION 30.01 OF THE INTAR COUNTY SUBDIVISION ORDINANCE AS AN EXISTING LOT OF RECORD WITH NON-CONTROLLED ROAD FRONTAGES AS THE NON-CONTROLLED FRONTAGE WAS NOT CREATED PRIOR TO LINE 3, 1975. ANY FURTHER SUBDIVISION OF PARCEL 2 WILL REQUIRE EACH NEW LOT CREATED TO MEET THE MINIMUM FRONTAGE REQUIREMENTS FOR THE ZONING DISTRICT IN WHICH IT IS LOCATED.

**NOTE. PROPERTY IS ZONED A-5**  
 FRONT SETBACK - 75'  
 REAR SETBACK - 50'  
 SIDE SETBACK - 50'

**SURVEYORS CERTIFICATION**  
 As required by subsection 10 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 that require prior approval for recording this type of plat as shown in the statements and signature blocks. Such approvals or attestations should be certified with the appropriate governmental bodies by any purchaser or user of this plat to be 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.



BELFAST RIVER ROAD 100' R/W



51-19

Error Of Closure 0.011 1/871.325  
 Error Of Closure Field 1/262.500  
 Final Survey Date 03-30-2019  
 Aerial Error 2' Per Point  
 Total Area 32.50 Acres  
 Total No. Lots 3  
 Equipment Used Sokkia Sert 5 2" Total Station

PLATS AND DEEDS  
 PLAT BOOK 638 PAGE 68  
 PLAT BOOK 637 PAGE 78  
 DEED BOOK 1294 PAGE 107

187

SUNDIAL LAND SURVEYING PC  
 18703097  
 19108 ENC GEORGIA BLVD SUITE 5  
 SAVANNAH, GA 31449  
 912-235-9177



**RECOMBINATION SURVEY**  
 BEING A RECOMBINATION OF PARCEL 2,  
 PARCEL 3 AND PARCEL 4, 20TH GM.  
 DISTRICT, BRYAN COUNTY, GEORGIA,  
 FOR

THH, LLC PROPERTIES, LLC  
 378 BULLITT DRIVE  
 KIDCHOND HILL, GA 31524

# “D” Exhibits – Public Comment

**BRYAN COUNTY BOARD OF ADJUSTMENT**

**CASE V#332-19**

Public Hearing Date: October 1, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Chad Zittrouer of Kern & Co LLC requesting a variance for property located at 145 East Industrial Blvd, PID# 029-025-001-005. The applicant is requesting to decrease the required parking from 79 spaces to 39 spaces. | Staff Report<br>By Sara Farr-Newman<br>Dated: September 26, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a variance requested by Chad Zittrouer, to decrease the required parking from 79 spaces to 39 spaces.

**Representative/Applicant:** Chad Zittrouer of Kern & Co LLC  
P.O. Box 15179  
Savannah, GA 31416

**Owner:** CR Estate LLC  
145 Industrial Blvd  
Pembroke, GA 31321

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Ordinance, Subpart B, Land Development, Appendix B, Zoning, Article V – Appeals, Variances, and Administrative Relief, Section 501 - Variances.
- Bryan County Ordinance, Subpart B, Land Development, Appendix B, Zoning, Article X – Development Standards, Section 1013(d)– Off-road Parking Requirements by use.

**II. General Information**

**1. Application:** A Variance application was placed by Chad Zittrouer on August 30, 2019. After reviewing the application, the Administrator certified the application as being generally complete on September 18, 2019.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on September 12, 2019.

B. Notice was mailed on September 17, 2019 to surrounding landowners within 300' of the exterior boundaries of the property.

D. An on-site notice was posted on September 13, 2019.

**3. Background:** This property consists of 27.721 acres total and is located off of Interstate Centre Blvd in the Development Authority Industrial Park. It is zoned I-1 and is vacant. The area proposed to be developed for the project for an equipment manufacturing operation, is 8.9 acres of the total site. The uses include offices, assembly center, paint booth, and equipment storage.

The front office, which the parking area is proposed to serve, will have approximately 20 employees. The manufacturing area will also have approximately 30 employees, most of whom will park in the paved areas behind the office. Customers will occasionally visit the building, but this will not occur daily as most customers will need to fly in and make special arrangements. The applicant submitted a variance application to allow 39 parking spots.

**4. Requested Variance:** Per Article X, Section 1013(d) of the Bryan County Code of Ordinances, one space is required per 500 square feet of gross floor area for an industrial use. The proposed building is 39,500 square feet, which requires 79 parking spaces. The applicant is requesting a variance of 40 parking spaces.

**5. Exhibits:** The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on August 30, 2019 unless otherwise noted.

**“A” Exhibits- Application:**

A-1 Variance Application

A-2 Site Plan (8/29/19)

**“B” Exhibits- Agency Comments:**

B-1 Engineering (9/10/19)

B-2 Emergency Services (9/16/19)

**“C” Exhibits- Bryan County Supplements**

- C-1 Location Map
- C-2 Notification Map
- C-3 Overview Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

No Public Comments Received

### **III. Analysis Under Section 9, Article V. – Appeals, Variances and Administrative Relief - Variances:**

**Review Criteria:** A variance may be granted by the Board of Adjustment if it finds that:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

**Staff Findings:** Hardships are generally defined by extraordinary and exceptional conditions pertaining to the physical condition of a lot which would prevent it from being used or developed in compliance with the requirements of the zoning ordinance. In this case, there are no unique physical conditions of the lot which would prevent the parking from being provided; however, the Development Authority has a lower parking requirement, which can be found in their covenant requirements. They require one parking space per 1,000 gross square feet of manufacturing space, which in this case results in 39.5 parking spaces. Additionally, the applicant indicated they will not need the parking to serve customers, as they will only rarely visit the facility. There will be a total of approximately 50 employees working at the facility; however approximately half of these employees will be parking in the paved areas behind the office building that are not striped parking areas.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance.

**Staff Findings:** The property is located within the Interstate Centre controlled by the Development Authority. This Park has its own review board and covenants. These do not supersede those of Bryan County; however, they do provide an additional layer of review and the Development Authority has lower parking requirements.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

**Staff Findings:** The hardship is not a result of actions taken by the applicant or property owner.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

**Staff Findings:** The requested variance is in keeping with the intent of the ordinance, which is to provide adequate parking determined by building size and use. The industrial use of this building requires limited parking due to the type of manufacturing (equipment assembly), amount of staff, and limited customer visitation. Additionally, the applicant provided a site plan showing a location for additional parking in the future if needed.

#### **IV. Staff Recommendation**

Approve the requested variance from Article X, Section 1013(d) of the Zoning Ordinance with the following conditions:

1. If the use of the property changes or the total square footage of building space on the property is increased, the owner must submit a revised parking demand analysis to the Community Development Director for review and approval.
2. The paved, unstriped parking area in the rear identified as employee parking on the site plan must be available for employee parking. Any changes to this area must be reviewed and approved by the Community Development Director.

#### **V. Board of Adjustment Decision**

**Recommendation:** The Board of Adjustment may approve the variance as requested, or it may approve the variance requested subject to conditions, or it may deny the requested variance.

The Board of Adjustment may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Decision:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Board of Adjustment hereby approves as proposed/approves with conditions/denies the proposed variance.

# “A” Exhibits – Application

Bryan County Board of Commissioners

Community Development Department



VARIANCE APPLICATION

Refer to Article V, Section 501 of the Zoning Regulations for additional information regarding Variance requirements.

Application Fee: \$150.00

Applicant:

Property Owner

Authorized Agent

Applicant Name: KUMI Co., LLC - CHAO ZITPOUR

Address: P.O. Box 15179

City: SAVANNAH State: GA Zip: 31416

Phone: 912.354.8400 Email: CZITPOUR@KUMICORPORATION.COM  
Cell: 912.547.894

Property Owner (if not applicant): CZM-US

Address: 145 E. INDUSTRIAL BLVD

City: PLEMBROOK State: GA Zip: 31321 Phone: 912.200-7654

Property Information: General Location: 962 INTERSTATE CENTER BLVD

PIN Number (Map & Parcel): 029-025-001-005 Current Zoning District(s): I-1

What section of the Subdivision or Zoning Code are you requesting a variance for? \_\_\_\_\_

Description of Variance Requested: PARKING VARIANCE - REQUIR 79; PROPOSED 39

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

[Signature]  
Applicant Signature

8-30-19  
Date

FOR OFFICE USE ONLY

Case #: V#332-19

Date Received: 8-30-19

Fee Paid

Initial: SF

### Variance Review and Timing

The typical process and timeframe for reviewing variance applications is as follows. The 15-day review period will not begin until the submitted application is certified as being complete.

|  |   |
|--|---|
| <b>Completeness Review</b>   | <b>5</b> business days<br>after Application Submittal |
| <b>Planning &amp; Zoning (P&amp;Z)<br/>Commission Public Hearing</b> | <b>30-60</b> days after Completeness<br>Certification |

### Variance Application Checklist

The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- Proof of Ownership
- Verification of Paid Taxes
- Disclosure Statement
- Authorization by Property Owner
- Written narrative justifying request under the Variance Criteria
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed site plan prepared in accordance with the Site Plan Checklist or residential plot plan prepared in accordance with the Residential Plot Plan Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

\_\_\_\_\_  
Applicant Signature

8-28-19  
\_\_\_\_\_  
Date

Variance Criteria

Variances may only be granted if it is found that the application meets the criteria below. A separate sheet(s) of paper may be used if additional space is needed.

- 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

PARKING UNNECESSARY FOR OUR USE; ADD'L SPACE AVAILABLE IF PARKING INCLUDED AT LATER DATE. TREE CANOPY TO MATCH OTHER FACILITIES IN PARK.

- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance;

BOTH VARIANCES SIMILAR TO OTHER DEVELOPMENTS IN THIS PARK.

- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

THESE ISSUES HAVE BEEN DISCUSSED WITH STAFF. STAFF INDICATED THEY WOULD SUPPORT OUR REQUEST BUT ~~COULD NOT~~ VARIANCE MUST BE VOTED ON BY COMMISSION.

- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

A AREA AVAILABLE TO PROVIDE ADDITIONAL PARKING IF NECESSARY AT FUTURE DATE. TREE CANOPY SIMILAR TO OTHER DEVELOPMENTS.

If you have questions, contact the Community Development Department at one of our office locations.

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Certified: 9/18/19 SEE P&Z Public Hearing Date: 10/1/19



**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain lot, tract and parcel of land situate, lying and being located in the 1380<sup>th</sup> G.M.D., Bryan County, Georgia, and being shown as Parcel 2B (consisting of 27.721 acres) on that plat entitled "Major Subdivision of Lot 1B Interstate Centre II" prepared by Robert K. Morgan, III, G.R.L.S. No. 3087, Thomas & Hutton, dated February 6, 2019, known as Job #21692.0002, and recorded in Plat Record Book 2019, Page 55, Bryan County records.

**BOUHAN  
FALLIGANT**

ATTORNEYS & COUNSELORS AT LAW

One West Park Avenue  
Savannah, GA 31401

Leamon R. Holliday  
912.644.5750  
lrholliday@bouhan.com

June 12, 2019

To Whom It May Concern

Re: Lot 2B as Appears on a Plat Entitled Major Subdivision of Lot 1B  
Interstate Centre II Dated February 6, 2019  
Recorded in Plat Book 2019, Page 55 Bryan County Records

We represent the Development Authority of Bryan County, which recently transferred the property described above to CR Estate, LLC.

The Development Authority's property is not subject to ad valorem tax, and no prior taxes were due on the property. We trust this information is satisfactory for your purposes.

Sincerely,

Bouhan Falligant LLP

By: 

# Bryan County Board of Commissioners



Community Development Department

## DISCLOSURE STATEMENT

Title 36, chapter 67A-3 of O.C.G.A. requires that when any applicant for rezoning action has made, within two years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, to file a disclosure report.

No, I have not made any campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: \_\_\_\_\_

Value of Contribution: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

I have read and understand the above and hereby agree to all that is required by me as the applicant.

  
\_\_\_\_\_  
Signature of Applicant

Personally appeared before me

CHAO ZITROUSK  
\_\_\_\_\_  
Applicant (Print)

Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.

This 29<sup>th</sup> day of Aug 2019

Tricia A Larson  
\_\_\_\_\_  
Notary Public



(Notary Seal)

Bryan County  
Board of Commissioners



Community Development Department

AUTHORIZATION OF PROPERTY OWNER

I, GIULIANO ELO, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Variance application. Further, I authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: CR ESTATE, LLC <sup>CRZ 9-17-19</sup> *gln*

Address: 145 E. INDUSTRIAL BLVD

City: PEMBROKE State: GA Zip Code: 31321

Telephone Number: 912-200-7654 Email: GIULIANO.ELD@CZH-US.COM

*Giuliano ELO*  
Signature of Owner

8-29-19  
Date

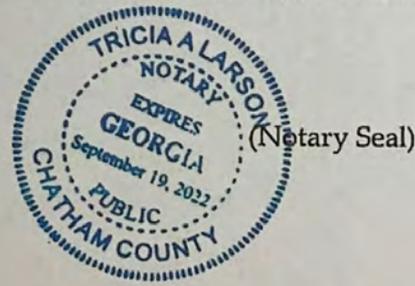
GIULIANO ELO  
Owners Name (Print)

Personally appeared before me  
GIULIANO ELO  
Owner (Print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 29<sup>th</sup> of August 2019

*Tricia A Larson*  
Notary Public



**TOTAL ACREAGE:**  
 PROJECT AREA: 8.8 ACRES X 43,560 SF = 387,684 SF  
 TREES REQUIRED: 40% OF 387,684 SF = 155,074 SF OR 104 TREES

**VARIANCE REQUEST FOR REDUCTION FROM 40% TREE CANOPY TO 32% TREE CANOPY**

**TREES TO BE PLANTED:**  
 6 "QV" LIVE OAK  
 13 "MC" SOUTHERN MAGNOLIA  
 58 "TD" BALD CYPRESS  
 6 "AR" RED MAPLE  
**TOTAL TREES TO BE PLANTED = 83 TREES**

**PARKING TREES**  
 TOTAL PARKING SPACES = 28 PARKING SPACES INCLUDING 2 HC SPACES  
 TREES IN PARKING AREAS = "EQ" = EXCEEDS 1 TREE PER 10 PARKING SPACE REQUIREMENT

**PARKING PERVIOUS LANDSCAPE AREA:** 19,080 SQ FT  
 REQUIRED: 30 SPACES = 7.5% PERVIOUS

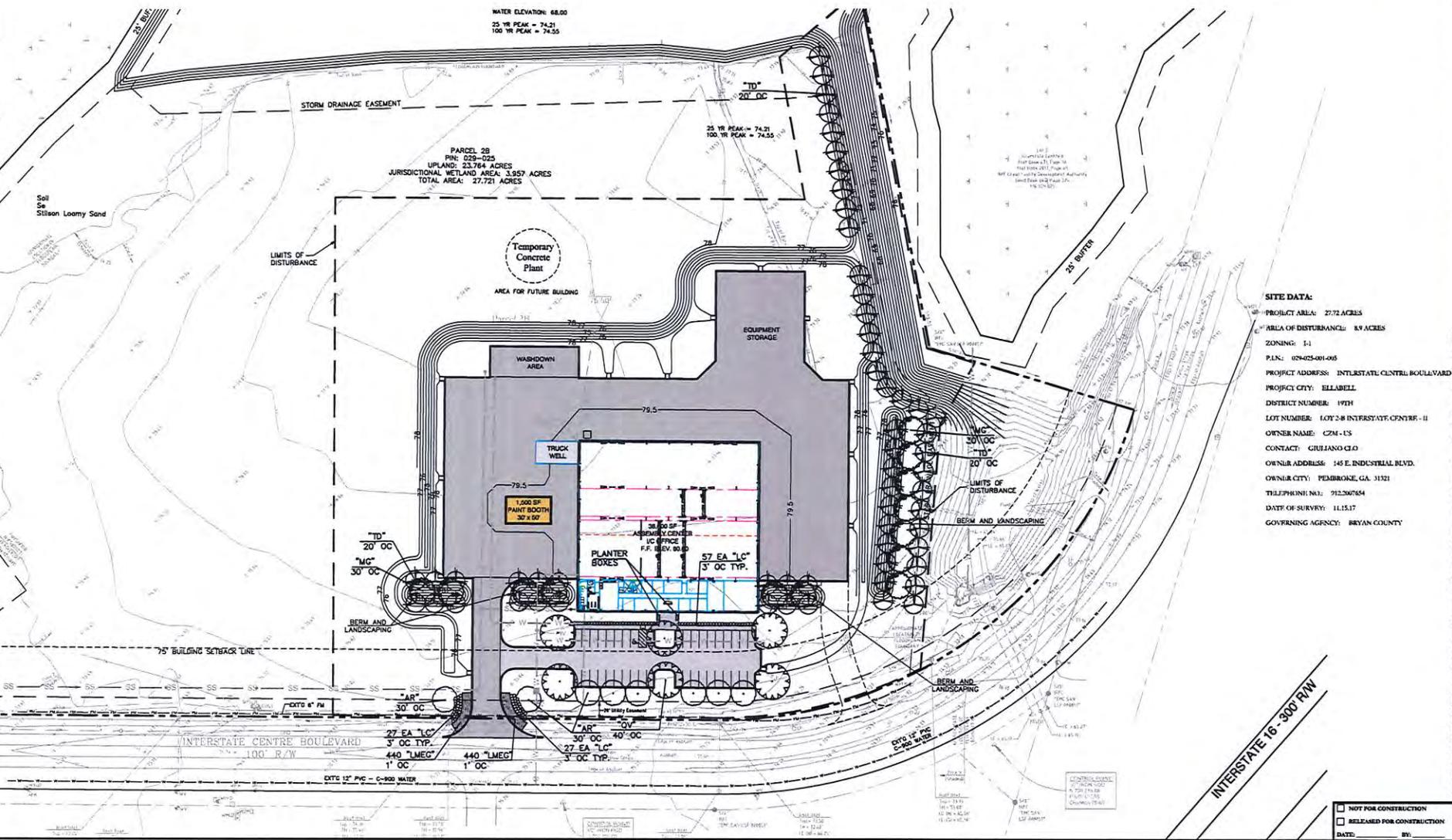
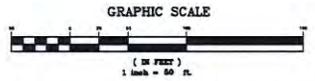
**PROVIDED:**  
 TOTAL SPACES: 79 SPACES  
 PERVIOUS AREA: 5,067 SQ FT  
 % PERVIOUS: 27%

**PARKING REQUIREMENTS:**  
 1 SPACE PER 500 SQ FT GROSS FLOOR AREA.

**BUILDING AREA:**  
 ASSEMBLY CENTER = 38,000 SQ FT.  
 PAINT BOOTH = 1,500 SQ. FT.  
 TOTAL BUILDING AREA: 39,500 SQ. FT./500

**TOTAL PARKING REQUIRED: = 79 SPACES**  
**TOTAL PARKING PROVIDED: = 39 SPACES 1/ C 2 HANDICAPPED**

**VARIANCE REQUEST FOR REDUCTION TO 39 REQUIRED SPACES.**



**SITE DATA:**  
 PROJECT AREA: 27.72 ACRES  
 AREA OF DISTURBANCE: 8.8 ACRES  
 ZONING: I-1  
 P.L.N.: 024-025-001-005  
 PROJECT ADDRESS: INTERSTATE CENTRAL BOULEVARD  
 PROJECT CITY: ELLEBELL  
 DISTRICT NUMBER: 19TH  
 LOT NUMBER: LOT 2-8 INTERSTATE CENTRE - II  
 OWNER NAME: CZM - US  
 CONTACT: CULIANO CLO  
 OWNER ADDRESS: 145 E. INDUSTRIAL BLVD.  
 OWNER CITY: PEMBROKE, GA. 31321  
 TELEPHONE NO.: 912.267.6554  
 DATE OF SURVEY: 11.15.17  
 GOVERNING AGENCY: BRYAN COUNTY

**Kern & Co., LLC**  
 Consulting Engineers & Land Planners  
 117 W. Main Street, Suite A, Marietta, GA 30066  
 TEL: 404.875.1100 FAX: 404.875.1100  
 WWW.KERNANDCO.COM

**PLANS OF  
 CZM FOUNDATION EQUIPMENT  
 AT  
 INTERSTATE CENTRE - II PARCEL C**

**LANDSCAPE PLAN**

DATE: BY: SHEET NO: **L-1**

TOTAL ACREAGE:  
 PROJECT AREA: 8.9 ACRES X 43,560 SF = 387,684 SF  
 TREES REQUIRED: 25% OF 387,684 SF = 96,921 SF OR 65 TREES  
 40% OF 387,684 SF = 155,074 SF OR 104 TREES

TREES TO BE PLANTED:  
 6 "QV" LIVE OAK  
 13 "MG" SOUTHERN MAGNOLIA  
 58 "TD" BALD CYPRESS  
 6 "AR" RED MAPLE  
 TOTAL TREES TO BE PLANTED = 83 TREES  
 ADDITIONAL 24 TREES - TOTAL 107 TREES

PARKING TREES  
 TOTAL PARKING SPACES = 79 PARKING SPACES INCLUDING 2 H/C SPACES

TREES IN PARKING AREAS = 12 - "QV" = EXCEEDS 1 TREE PER 10 PARKING SPACE REQUIREMENT

#1

TOTAL AUTO PARKING AREA: 38,160 SQ FT  
 REQUIRED: 79 SPACES = 10.0% PERVIOUS

PROVIDED:  
 TOTAL SPACES: 79 SPACES  
 PERVIOUS AREA: 10,134 SQ FT  
 % PERVIOUS: 26.6%

#1

GRAPHIC SCALE



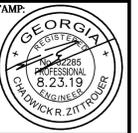
( IN FEET )  
 1 inch = 50 ft.

UTILITIES PROTECTION CENTER



KNOW WHAT'S BELOW.  
 CALL BEFORE YOU DIG.  
 DIAL 811 OR 1-800-282-7411  
 WWW.GEORGIA811.COM  
 CALL THREE WORKING  
 DAYS BEFORE YOU DIG

**Kern & Co., LLC**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 7 Mail Court (3146) P.O. Box 15179 (3116) Savannah, Georgia (912) 354-4900  
 319 Walnut Street Suite A, Statesboro, Georgia 30488 Phone: (912) 225-5372



ORIGINAL RELEASED FOR CONSTRUCTION DATE:

NO DATE REVISION

| NO | DATE | REVISION |
|----|------|----------|
|    |      |          |
|    |      |          |
|    |      |          |

**SITE DATA:**

PROJECT AREA: 27.72 ACRES  
 AREA OF DISTURBANCE: 8.9 ACRES  
 ZONING: I-1  
 P.I.N.: 029-025-001-005  
 PROJECT ADDRESS: INTERSTATE CENTRE BOULEVARD  
 PROJECT CITY: ELLABELL  
 DISTRICT NUMBER: 19TH  
 LOT NUMBER: LOT 2-B INTERSTATE CENTRE - II  
 OWNER NAME: CZM - US  
 CONTACT: GIULIANO CLO  
 OWNER ADDRESS: 145 E. INDUSTRIAL BLVD.  
 OWNER CITY: PEMBROKE, GA. 31321  
 TELEPHONE NO.: 912.2007654  
 DATE OF SURVEY: 11.15.17  
 GOVERNING AGENCY: BRYAN COUNTY

**PLANS OF  
 CZM FOUNDATION EQUIPMENT  
 AT  
 INTERSTATE CENTRE - II PARCEL C**

DRAWING TITLE:

ALTERNATE  
 LANDSCAPE  
 PLAN

SCALE: 1" = 50'

PROJECT NO: 180249.000

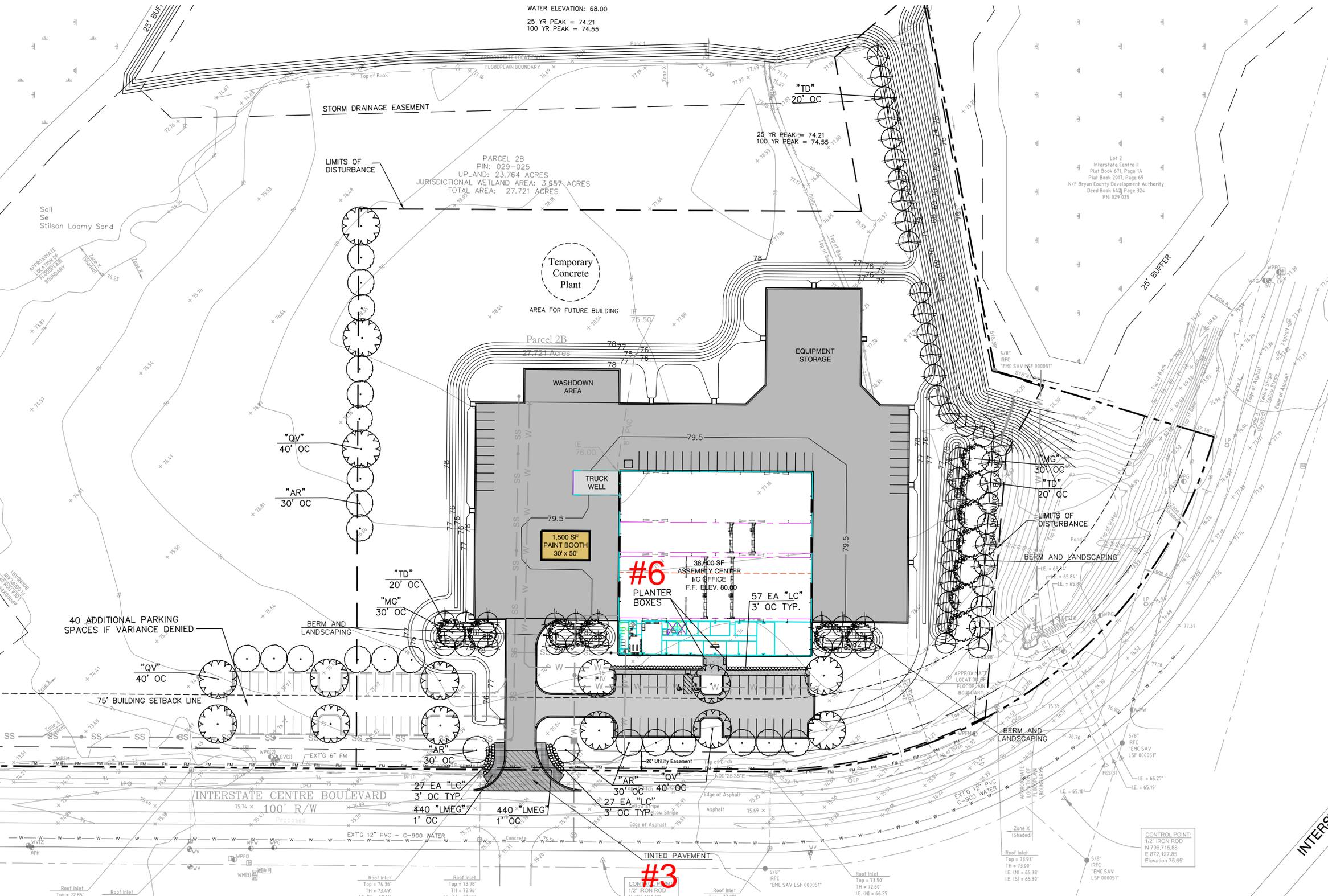
DATE: 8.23.19

DRAWN BY: CRZ

CHECKED BY: CRZ

SHEET NO:

**L-1A**



#6

#3

#1

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: \_\_\_\_\_ BY: \_\_\_\_\_

Fig. 25 Aug 2019 - 11:00am crz/mon  
 DRAWING PATH: G:\2019\180249\180249\_LANDSCAPE\_EXHIBIT.dwg

COPYRIGHT Kern & Co., LLC. © 2019 This drawing and its reproduction are the property of this firm and may not be reproduced, published, or used in any way without the written permission of Kern & Co., LLC.

# “B” Exhibits – Agency Comments



BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse Street
P.O. Box 1071
Pembroke, Georgia 31321
912-653-3893
(Fax) 653-3864

66 Capt. Matthew Freeman Drive
Suite 201
Richmond Hill, Georgia 31324
912-756-7953
(Fax) 756-7951

Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:

CASE # V#332-19 & V#333-19

Zoning Request: Parking Space Variance (V#332-19); proposed 39, required 79 spaces
Canopy Variance (V#333-19); proposed 32%, required 40% canopy coverage

Filed by: Chad Zittrouer

Owners: Kern & Co., LLC

Property address: 962 Interstate Centre Blvd.

Map and Parcel # 029-025-001-005

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct. 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept., 13.

Comments: Applicant should provide documentation and/or testimony as to current parking needs for employees and customers. Plans should indicate area allocated for future parking if necessary along with proposed layout.

[X] Engineering Director [ ] Fire Chief [ ] County Health Director

[ ] Public Works Director [ ] Bryan County Schools (optional)

Signature: [Handwritten Signature] Date: 9-10-19



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

**Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:**

CASE # V#332-19 & V#333-19

**Zoning Request:** \_\_\_\_\_ Parking Space Variance (V#332-19) ; proposed 39, required 79 spaces.  
\_\_\_\_\_ Canopy Variance (V#333-19) ; proposed 32%, required 40% canopy coverage

**Filed by:** Chad Zittrouer

**Owners:** Kern & Co., LLC

**Property address:** 962 Interstate Centre Blvd.

**Map and Parcel #** 029-025-001-005

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct. 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept., 13.

**Comments:** No issue with this.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Engineering Director       Fire Chief       County Health Director

Public Works Director       Bryan County Schools (optional)

Signature: *Fredrick Howell*

Date: 09/16/2019

# “C” Exhibits – Bryan County Supplements



"Exhibit C1"

- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-25-001-005
- Parcels

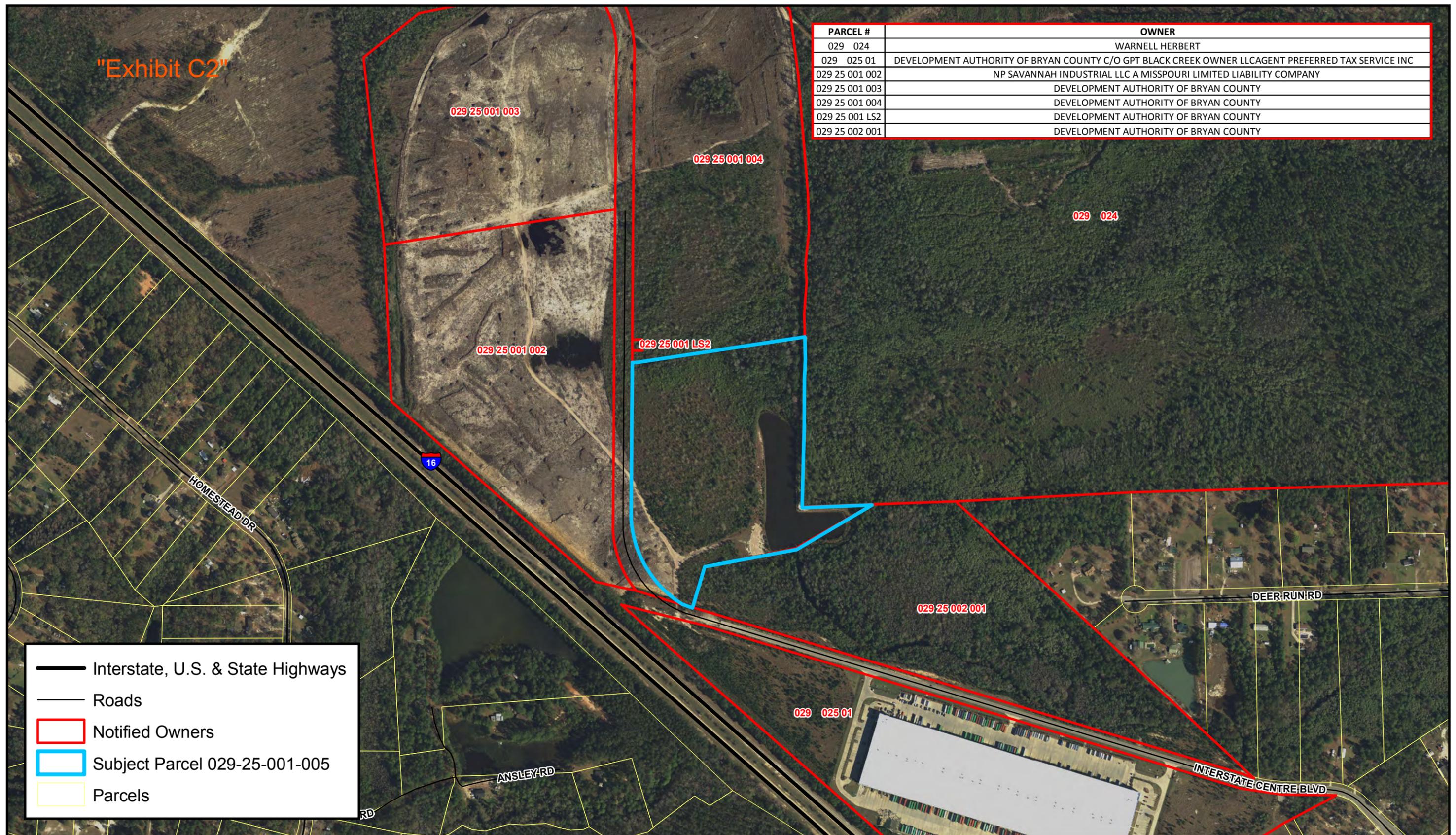


**Location Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 332-19**

DISCLAIMER  
 Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

"Exhibit C2"

| PARCEL #       | OWNER  |
|----------------|--|
| 029 024        | WARNELL HERBERT  |
| 029 025 01     | DEVELOPMENT AUTHORITY OF BRYAN COUNTY C/O GPT BLACK CREEK OWNER LLCAGENT PREFERRED TAX SERVICE INC |
| 029 25 001 002 | NP SAVANNAH INDUSTRIAL LLC A MISSOURI LIMITED LIABILITY COMPANY                                    |
| 029 25 001 003 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 001 004 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 001 LS2 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 002 001 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |



- Interstate, U.S. & State Highways
- Roads
- Notified Owners
- Subject Parcel 029-25-001-005
- Parcels



**Notification Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 332-19**

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"Exhibit C3"



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-25-001-005
- Surrounding Parcels

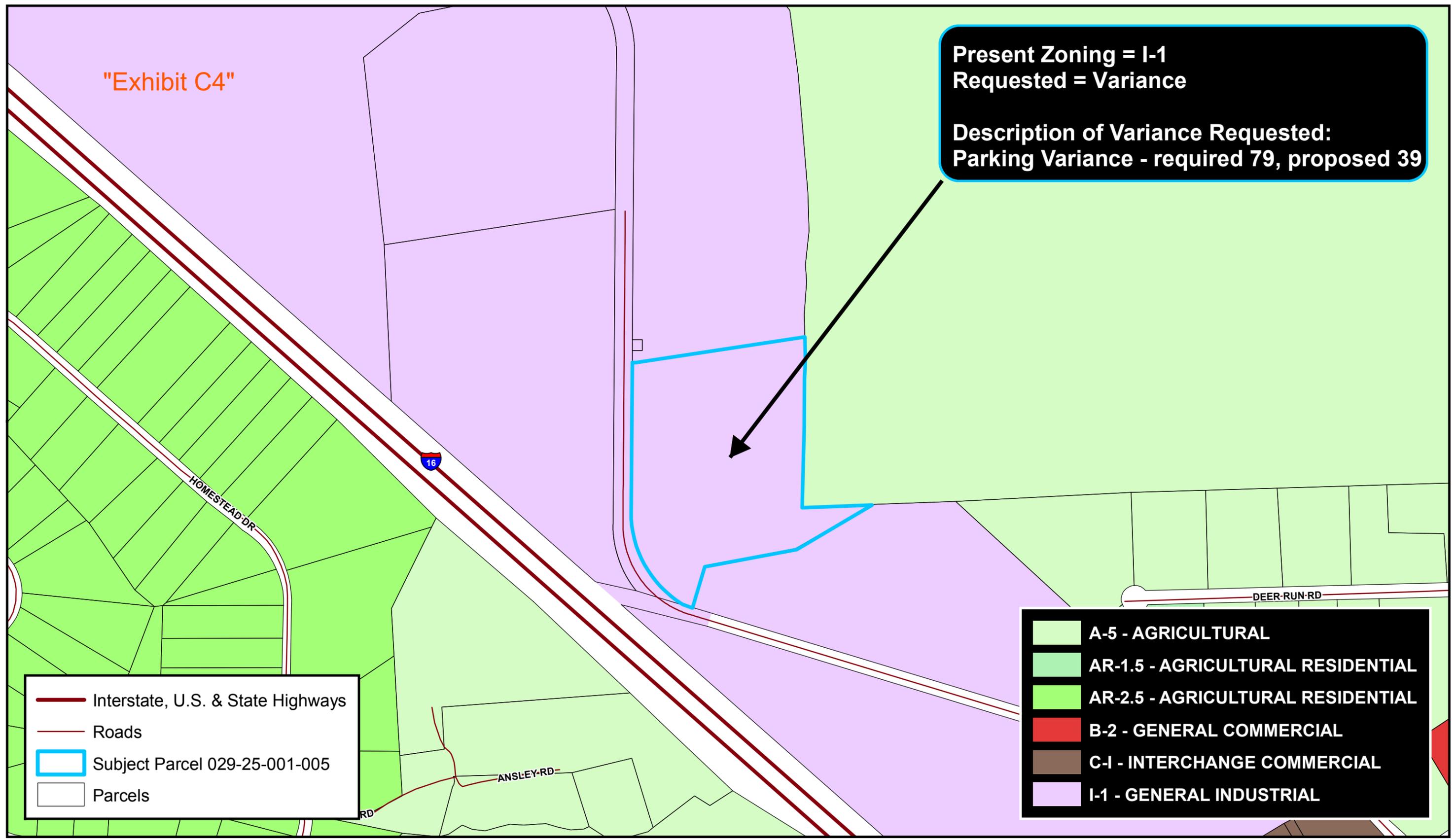


Produced by Bryan County GIS  
September 2019



**Overview Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 332-19**

DISCLAIMER  
Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



# “D” Exhibits – Public Comment

**BRYAN COUNTY TREE BOARD**

**CASE V#333-19**

Public Hearing Date: October 1, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Chad Zittrouer of Kern & Co LLC requesting a variance for property located at 145 East Industrial Blvd, PID# 029 025 001 005. The applicant is requesting to decrease the required tree canopy from 40% to 32%. | Staff Report<br>By Sara Farr-Newman<br>Dated: September 26, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a variance requested by Chad Zittrouer, to decrease the required tree canopy from 40% to 32%.

**Representative/Applicant:** Chad Zittrouer of Kern & Co LLC  
P.O. Box 15179  
Savannah, GA 31416

**Owner:** CR Estate LLC  
145 Industrial Blvd  
Pembroke, GA 31321

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Ordinance, Subpart B, Land Development, Appendix C, Engineering Design Standards, Article 18 – Tree Protection Plan, Section 1803(b)(3) – Tree Board
- Bryan County Ordinance, Subpart B, Land Development, Appendix C, Engineering Design Standards, Article 18 – Tree Protection Plan, Section 1804(a) – Minimum Canopy Requirement

**II. General Information**

**1. Application:** A Variance application was placed by Chad Zittrouer (Kern & Co LLC) on August 30, 2019. After reviewing the application, the Director certified the application as being generally complete on September 18, 2019.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on September 12, 2019.

B. Notice was mailed on September 17, 2019 to surrounding landowners within 300' of the exterior boundaries of the property.

D. An on-site notice was posted on September 13, 2019.

**3. Background:** This property consists of 27.721 acres with 8.9 acres currently being developed and identified as The Project area. It is located off of Interstate Centre Blvd in the Development Authority Industrial Park. It is zoned I-1 and is vacant. The applicant submitted a variance application to allow 32% tree canopy coverage.

**4. Requested Variance:** Per Article 18, Section 1804(a) of the Bryan County Code of Ordinances, 40 % tree canopy coverage is required. The proposed coverage is 32%. The applicant is requesting a variance of 8%.

**5. Exhibits:** The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Planning office on August 30, 2019 unless otherwise noted.

**“A” Exhibits- Application:**

A-1 Variance Application

A-2 Site Plan (8/29/19)

**“B” Exhibits- Agency Comments:**

B-1 Engineering (9/10/19)

B-2 Emergency Services (9/16/19)

**“C” Exhibits- Bryan County Supplements**

C-1 Location Map

C-2 Notification Map

C-3 Overview Map

C-4 Zoning Map

**“D” Exhibits- Public Comment:**

No Public Comments Received

**III. Analysis - Variances:**

**Review Criteria:** A variance may be granted by the Tree Board if it finds that:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

**Staff Findings:** Hardships are generally defined by extraordinary and exceptional conditions pertaining to the physical condition of a lot which would prevent it from being used or developed in compliance with the requirements of the zoning ordinance. In this case, the lot was cleared of trees prior to the purchase of the property. This circumstance makes providing 40% tree coverage more difficult to achieve, but as shown on the site plan provided this coverage can be provided.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance.

**Staff Findings:** The property is located in the Industrial Centre, which consists of a number of lots currently in use for industrial purposes or planned for future industrial or related purposes. The developed lots have limited canopy coverage that appears to fall below the required 40%. There are also wetlands and grading requirements that impact the overall property, but these are located outside the development area.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

**Staff Findings:** The physical conditions of the property are not a result of actions taken by the applicant or property owner.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

**Staff Findings:** The requested variance is not in keeping with the intent of the ordinance, which is to provide consistent and adequate canopy coverage.

#### **IV. Staff Recommendation**

Deny the requested variance from Article 18, Section 1804(a) of the Engineering Design Standards, because the variance requirements are not met.

#### **V. Tree Board Decision**

**Recommendation:** The Tree Board may approve the variance as requested, or it may approve the variance requested subject to conditions, or it may deny the requested variance.

The Tree Board may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Decision:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Tree Board hereby approves as proposed/approves with conditions/denies the proposed variance.

# “A” Exhibits – Application

Bryan County Board of Commissioners

Community Development Department



VARIANCE APPLICATION

Refer to Article V, Section 501 of the Zoning Regulations for additional information regarding Variance requirements.

Application Fee: \$150.00

Applicant:

Property Owner

Authorized Agent

Applicant Name: KURMI Co., LLC - CHAD ZITTOUR

Address: P.O. Box 15179

City: SAVANNAH State: GA Zip: 31416

Phone: 912.354.8400 Email: CZITTOUR@KURMIENGINEERING.COM

Property Owner (if not applicant): CZM-US

Address: 145 E. INDUSTRIAL BLVD

City: PEMBROKE State: GA Zip: 31321 Phone: 912.200-7654

Property Information: General Location: 962 INTERSTATE CENTER BLVD

PIN Number (Map & Parcel): 029-025-001-005 Current Zoning District(s): I-1

What section of the Subdivision or Zoning Code are you requesting a variance for?

Description of Variance Requested:

TRUCK CANOPY VARIANCE - REQUIRED 40%; PROPOSED 32%

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

Applicant Signature

Date 8-30-19

FOR OFFICE USE ONLY

Case #: V#333-19

Date Received: 8/30/19

Fee Paid

Initial: SF

### Variance Review and Timing

The typical process and timeframe for reviewing variance applications is as follows. The 15-day review period will not begin until the submitted application is certified as being complete.

|  |  |
|--|--|
| <b>Completeness Review</b>   | <b>5 business days<br/>after Application Submittal</b> |
| <b>Planning &amp; Zoning (P&amp;Z)<br/>Commission Public Hearing</b> | <b>30-60 days after Completeness<br/>Certification</b> |

### Variance Application Checklist

The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- Proof of Ownership
- Verification of Paid Taxes
- Disclosure Statement
- Authorization by Property Owner
- Written narrative justifying request under the Variance Criteria
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed site plan prepared in accordance with the Site Plan Checklist or residential plot plan prepared in accordance with the Residential Plot Plan Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

  
\_\_\_\_\_  
Applicant Signature

8-28-19  
\_\_\_\_\_  
Date

Variance Criteria

Variances may only be granted if it is found that the application meets the criteria below. A separate sheet(s) of paper may be used if additional space is needed.

- 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

PARKING UNNECESSARY FOR OUR USE; ADD'L SPACE AVAILABLE IF PARKING  
MOVED AT LATER DATE. TREE CANOPY TO MATCH OTHER FACILITIES IN PARK.

- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance;

BOTH VARIANCES SIMILAR TO OTHER DEVELOPMENTS IN THIS PARK.

- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

THESE ISSUES HAVE BEEN DISCUSSED WITH STAFF. STAFF INDICATED THEY  
WOULD SUPPORT OUR REQUEST BUT ~~COULD NOT~~ VARIANCES MUST BE VOTED ON  
BY COMMISSION.

- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

A AREA AVAILABLE TO PROVIDE ADDITIONAL PARKING IF NECESSARY  
AT FUTURE DATE. TREE CANOPY SIMILAR TO OTHER DEVELOPMENTS.

If you have questions, contact the Community Development Department at one of our office locations.

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Certified: 9/18/19 JEE P&Z Public Hearing Date: 10/1/19

**AFTER RECORDING, RETURN TO:**  
Thomas C. Cullen, Esq.  
Hunter, Maclean, Exley & Dunn, P.C.  
200 E. Saint Julian Street  
Savannah, Georgia 31401

STATE OF GEORGIA            )  
  )  
COUNTY OF BRYAN         )         **LIMITED WARRANTY DEED**

**THIS INDENTURE** is made as of the 14 day of May, 2019, by and between **DEVELOPMENT AUTHORITY OF BRYAN COUNTY** (“Party of the First Part”) and **CR ESTATE LLC**, a Georgia limited liability company (“Party of the Second Part”) (“Party of the First Part” and “Party of the Second Part” to include their respective successors, legal representatives and assigns where the context requires or permits).

**WITNESSETH:**

Party of the First Part, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Party of the Second Part all that tract or parcel of land lying and being in Bryan County, Georgia and being more particularly described hereto attached as Exhibit A (hereinafter referred to as the “Land”):

**TO HAVE AND TO HOLD** the Land, together 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 Party of the Second Part, forever, in fee simple, subject, however, to the permitted exceptions identified on Exhibit B attached hereto and incorporated herein by reference.

**AND** Party of the First Part **WILL WARRANT** and forever defend the right and title to the Land unto Party of the Second Part against the claims of any persons owning, holding or claiming by, through or under Party of the First Part.

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain lot, tract and parcel of land situate, lying and being located in the 1380<sup>th</sup> G.M.D., Bryan County, Georgia, and being shown as Parcel 2B (consisting of 27.721 acres) on that plat entitled "Major Subdivision of Lot 1B Interstate Centre II" prepared by Robert K. Morgan, III, G.R.L.S. No. 3087, Thomas & Hutton, dated February 6, 2019, known as Job #21692.0002, and recorded in Plat Record Book 2019, Page 55, Bryan County records.

**BOUHAN  
FALLIGANT**

ATTORNEYS & COUNSELORS AT LAW

One West Park Avenue  
Savannah, GA 31401

Leamon F. Holliday  
912.644.5750  
lrholliday@bouhan.com

June 12, 2019

To Whom It May Concern

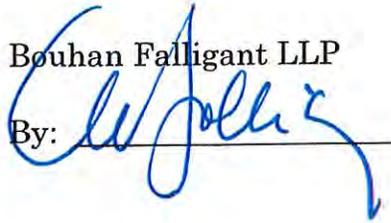
Re: Lot 2B as Appears on a Plat Entitled Major Subdivision of Lot 1B  
Interstate Centre II Dated February 6, 2019  
Recorded in Plat Book 2019, Page 55 Bryan County Records

We represent the Development Authority of Bryan County, which recently transferred the property described above to CR Estate, LLC.

The Development Authority's property is not subject to ad valorem tax, and no prior taxes were due on the property. We trust this information is satisfactory for your purposes.

Sincerely,

Bouhan Falligant LLP

By: 

# Bryan County Board of Commissioners



Community Development Department

## DISCLOSURE STATEMENT

Title 36, chapter 67A-3 of O.C.G.A. requires that when any applicant for rezoning action has made, within two years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, to file a disclosure report.

No, I have not made any campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: \_\_\_\_\_

Value of Contribution: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

I have read and understand the above and hereby agree to all that is required by me as the applicant.

  
\_\_\_\_\_  
Signature of Applicant

Personally appeared before me

CHAO ZITROUSK  
\_\_\_\_\_  
Applicant (Print)

Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.

This 29<sup>th</sup> day of Aug 2019

Tricia A Larson  
\_\_\_\_\_  
Notary Public



(Notary Seal)

Bryan County  
Board of Commissioners



Community Development Department

AUTHORIZATION OF PROPERTY OWNER

I, GIULIANO ELO, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Variance application. Further, I authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: CR ESTATE, LLC <sup>CRZ 9-17-19</sup> *gln*

Address: 145 E. INDUSTRIAL BLVD

City: PEMBROKE State: GA Zip Code: 31321

Telephone Number: 912-200-7654 Email: GIULIANO.ELD@CZH-US.COM

*Giuliano ELO*  
Signature of Owner

8-29-19  
Date

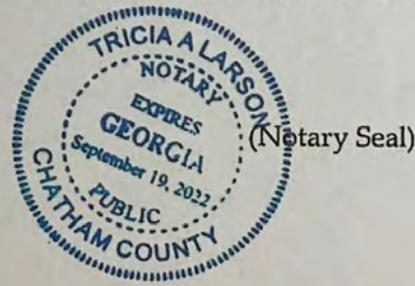
GIULIANO ELO  
Owners Name (Print)

Personally appeared before me  
GIULIANO ELO  
Owner (Print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 29<sup>th</sup> of August 2019

*Tricia A Larson*  
Notary Public



TOTAL ACREAGE:  
 PROJECT AREA: 8.8 ACRES X 43,580 SF = 387,884 SF  
 TREES REQUIRED: 40% OF 387,884 SF = 155,074 SF OR 104 TREES  
**VARIANCE REQUEST FOR REDUCTION FROM 40% TREE CANOPY TO 32% TREE CANOPY**

TREES TO BE PLANTED:  
 6" CVL LIVE OAK  
 13" TYP SOUTHERN MAGNOLIA  
 18" TYP BALD CYPRESS  
 6" AR RED MAPLE  
 TOTAL TREES TO BE PLANTED = 83 TREES

**PARKING TREES**  
 TOTAL PARKING SPACES = 39 PARKING SPACES INCLUDING 2 HVC SPACES  
 TREES IN PARKING AREAS = 6" CVL = EXCEEDS 1 TREE PER 10 PARKING SPACE REQUIREMENT

PARKING PERVIOUS LANDSCAPE AREA: 19,080 SQ FT  
 REQUIRED: 39 SPACES = 7.5% PERVIOUS

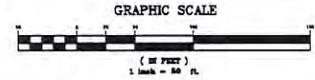
PROVIDED:  
 TOTAL SPACES: 79 SPACES  
 PERVIOUS AREA: 5,877 SQ FT  
 % PERVIOUS: 27%

**PARKING REQUIREMENTS:**  
 15 SPACE PER 500 SQ FT GROSS FLOOR AREA.

**BUILDING AREA:**  
 ASSEMBLY CENTER = 38,000 SQ FT.  
 PAINT BOOTH = 1,500 SQ. FT.  
 TOTAL BUILDING AREA: 39,500 SQ. FT./500  
 TOTAL PARKING REQUIRED: = 79 SPACES

TOTAL PARKING PROVIDED: = 39 SPACES 1/2 C2 HANDICAPPED

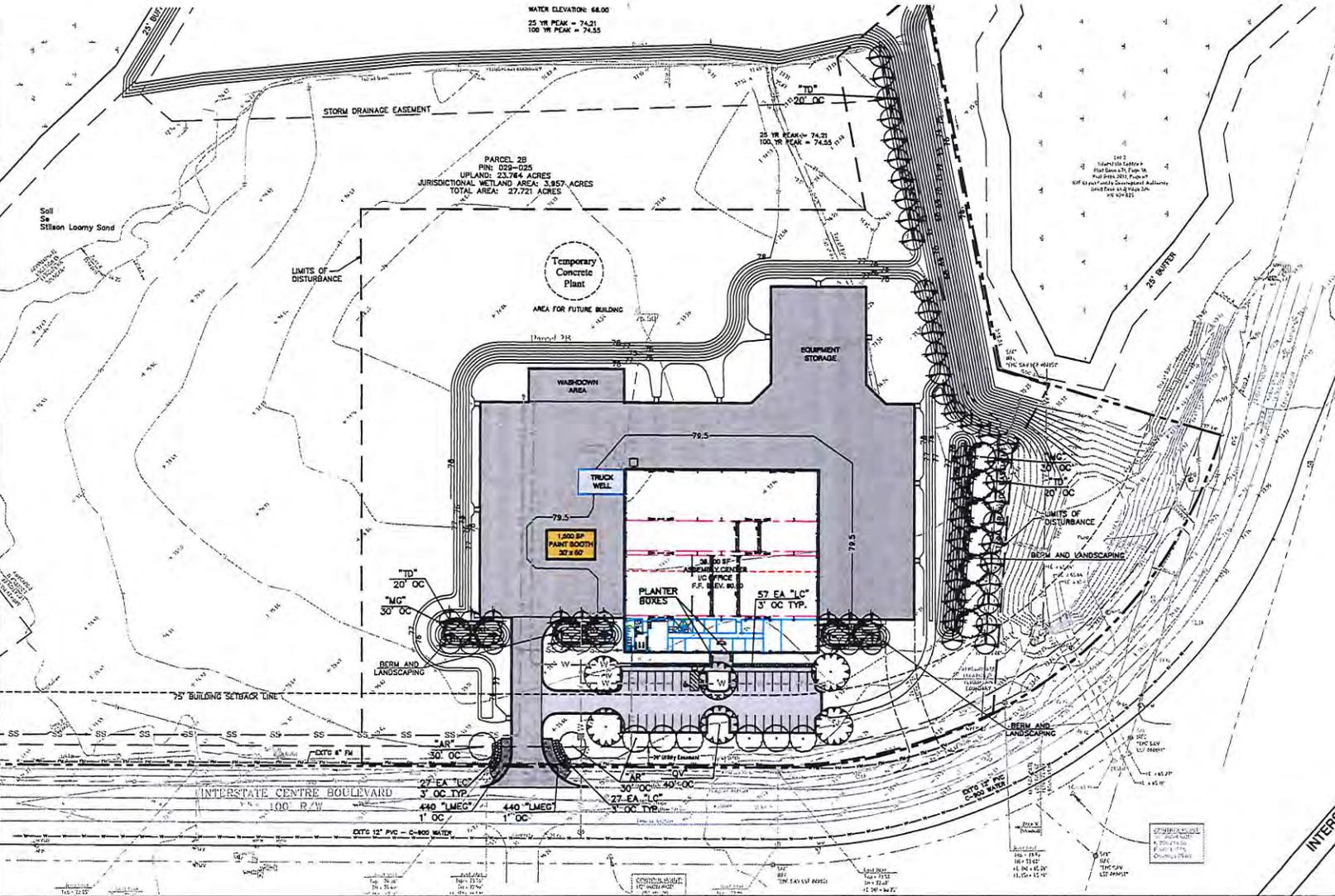
**VARIANCE REQUEST FOR REDUCTION TO 39 REQUIRED SPACES.**



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 DAYS BEFORE YOU DIG



**SITE DATA:**  
 PROJECT AREA: 27.72 ACRES  
 AREA OF DISTURBANCE: 8.9 ACRES  
 ZONING: I-1  
 P.L.N.: 029-025-001-005  
 PROJECT ADDRESS: INTERSTATE CENTRE BOULEVARD  
 PROJECT CITY: ELLEBELLE  
 DISTRICT NUMBER: 19TH  
 LOT NUMBER: LOT 2-B INTERSTATE CENTER - II  
 OWNER NAME: CZM - US  
 CONTACT: GIULIANO C/O  
 OWNER ADDRESS: 145 E. INDUSTRIAL BLVD.  
 OWNER CITY: PEPPERDINE, GA 31321  
 TELEPHONE NO.: 912.2676554  
 DATE OF SURVEY: 11.15.17  
 GOVERNING AGENCY: BRYAN COUNTY

**Kern & Co., LLC**  
 ARCHITECT & LANDSCAPE ARCHITECTS  
 7110 Court (1997) P.O. Box 1070 (1910) Peachtree City, GA 30269  
 770.444.4444  
 319 W. Main Street, Suite A, Marietta, Georgia 30066 (770) 222-1110

**GEORGIA**  
 PROFESSIONAL ARCHITECT  
 No. 22333

**STATE OF GEORGIA**  
 PROFESSIONAL LANDSCAPE ARCHITECT  
 No. 1100

ORIGINAL RELEASED FOR PERMIT REVIEW DATE: \_\_\_\_\_  
 NO DATA REVISION

**PLANS OF  
 CZM FOUNDATION EQUIPMENT  
 CENTER AT  
 INTERSTATE CENTRE - II PARCEL C**

DRAWING TITLE:  
 LANDSCAPE PLAN

SCALE: 1" = 20'  
 PROJECT NO: 18242000  
 DATE: 4.24.19  
 DRAWN BY: CJK  
 CHECKED BY: CJK

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: \_\_\_\_\_ BY: \_\_\_\_\_

SHEET NO:  
**L-1**

TOTAL ACREAGE:  
 PROJECT AREA: 8.9 ACRES X 43,560 SF = 387,684 SF  
 TREES REQUIRED: 25% OF 387,684 SF = 96,921 SF OR 65 TREES  
 40% OF 387,684 SF = 155,074 SF OR 104 TREES

TREES TO BE PLANTED:  
 6 "QV" LIVE OAK  
 13 "MG" SOUTHERN MAGNOLIA  
 58 "TD" BALD CYPRESS  
 6 "AR" RED MAPLE  
 TOTAL TREES TO BE PLANTED = 83 TREES  
 ADDITIONAL 24 TREES - TOTAL 107 TREES

PARKING TREES  
 TOTAL PARKING SPACES = 79 PARKING SPACES INCLUDING 2 H/C SPACES

TREES IN PARKING AREAS = 12 - "QV" = EXCEEDS 1 TREE PER 10 PARKING SPACE REQUIREMENT

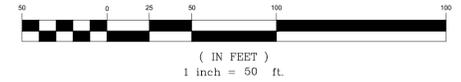
#1

TOTAL AUTO PARKING AREA: 38,160 SQ FT  
 REQUIRED: 79 SPACES = 10.0% PERVIOUS

PROVIDED:  
 TOTAL SPACES: 79 SPACES  
 PERVIOUS AREA: 10,134 SQ FT  
 % PERVIOUS: 26.6%

#1

GRAPHIC SCALE

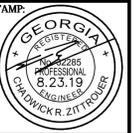


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**Kern & Co., LLC**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 7 Mill Court (3146) P.O. Box 15179 (3116) Savannah, Georgia (912) 354-4900  
 319 Walnut Street Suite A, Statesboro, Georgia 30488 Phone: (912) 225-5372



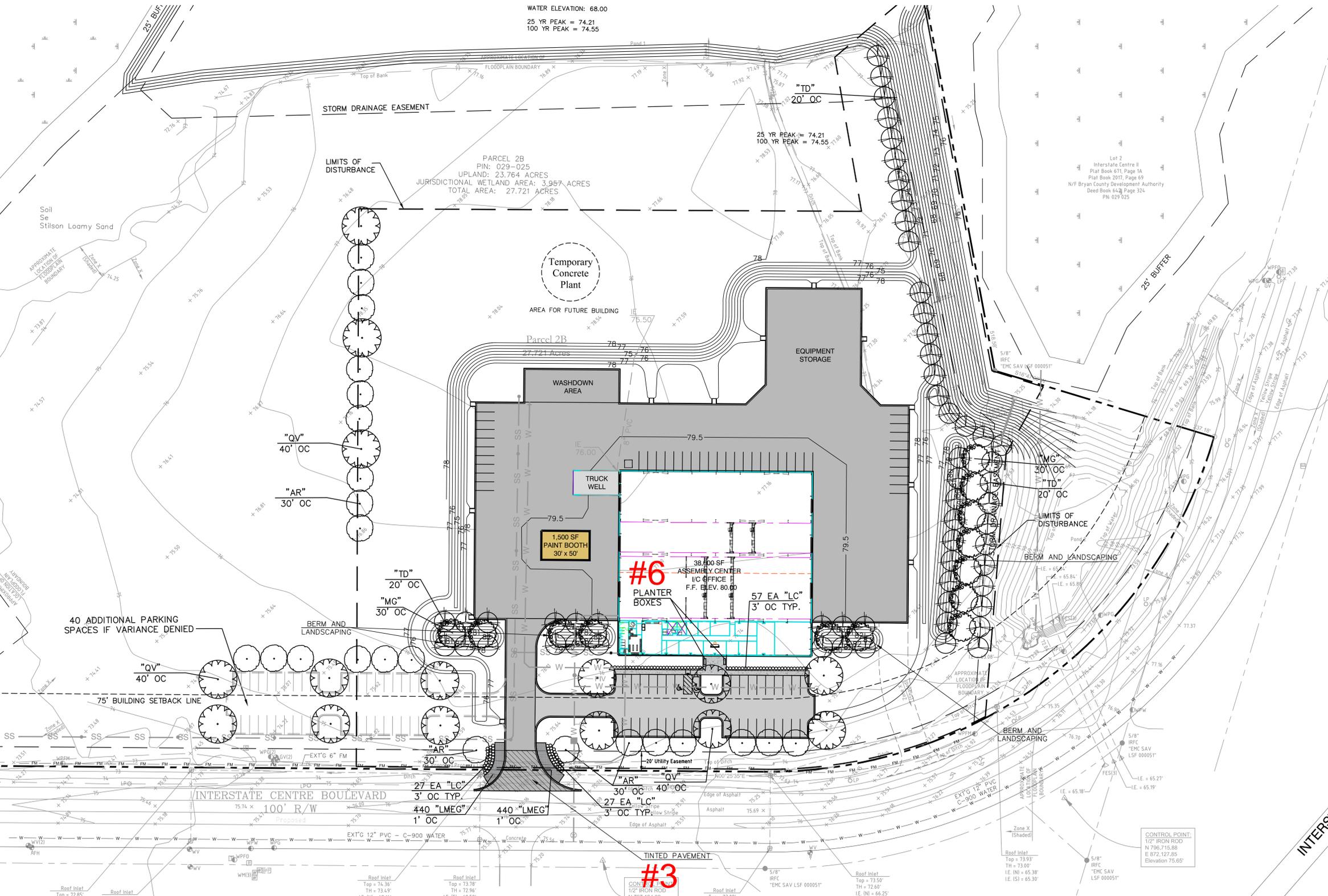
ORIGINAL RELEASED FOR CONSTRUCTION DATE:

NO DATE REVISION

| NO | DATE | REVISION |
|----|------|----------|
|    |      |          |
|    |      |          |
|    |      |          |

**SITE DATA:**

PROJECT AREA: 27.72 ACRES  
 AREA OF DISTURBANCE: 8.9 ACRES  
 ZONING: I-1  
 P.I.N.: 029-025-001-005  
 PROJECT ADDRESS: INTERSTATE CENTRE BOULEVARD  
 PROJECT CITY: ELLABELL  
 DISTRICT NUMBER: 19TH  
 LOT NUMBER: LOT 2-B INTERSTATE CENTRE - II  
 OWNER NAME: CZM - US  
 CONTACT: GIULIANO CLO  
 OWNER ADDRESS: 145 E. INDUSTRIAL BLVD.  
 OWNER CITY: PEMBROKE, GA. 31321  
 TELEPHONE NO.: 912.2007654  
 DATE OF SURVEY: 11.15.17  
 GOVERNING AGENCY: BRYAN COUNTY



#6

#3

#1

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: \_\_\_\_\_ BY: \_\_\_\_\_

**PLANS OF  
 CZM FOUNDATION EQUIPMENT  
 AT  
 INTERSTATE CENTRE - II PARCEL C**

DRAWING TITLE:  
**ALTERNATE  
 LANDSCAPE  
 PLAN**

SCALE: 1" = 50'  
 PROJECT NO: 180249.000  
 DATE: 8.23.19  
 DRAWN BY: CRZ  
 CHECKED BY: CRZ  
 SHEET NO:  
**L-1A**

# “B” Exhibits – Agency Comments



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:

CASE # V#332-19 & V#333-19

Zoning Request:          Parking Space Variance (V#332-19); proposed 39, required 79 spaces  
         Canopy Variance (V#333-19); proposed 32%, required 40% canopy coverage

Filed by: Chad Zittrouer

Owners: Kern & Co., LLC.

Property address: 962 Interstate Centre Blvd.

Map and Parcel # 029-025-001-005

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct. 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept., 13.

Comments: Applicant should provide documentation and/or testimony as to current parking needs for employees and customers. Plans should indicate area allocated for future parking if necessary along with proposed layout.

Engineering Director       Fire Chief       County Health Director

Public Works Director       Bryan County Schools (optional)

Signature: Kurtel Coan      Date: 9-10-19



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

**Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:**

**CASE #** V#332-19 & V#333-19

**Zoning Request:** \_\_\_\_\_ Parking Space Variance (V#332-19) ; proposed 39, required 79 spaces  
\_\_\_\_\_ Canopy Variance (V#333-19) ; proposed 32%, required 40% canopy coverage

**Filed by:** Chad Zittrouer

**Owners:** Kern & Co., LLC

**Property address:** 962 Interstate Centre Blvd.

**Map and Parcel #** 029-025-001-005

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct. 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept., 13.

**Comments:** No issue with this.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Engineering Director       Fire Chief       County Health Director

Public Works Director       Bryan County Schools (optional)

**Signature:** *Fredrick Howell*

**Date:** 09/16/2019

# “C” Exhibits – Bryan County Supplements



"Exhibit C1"

- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-25-001-005
- Parcels

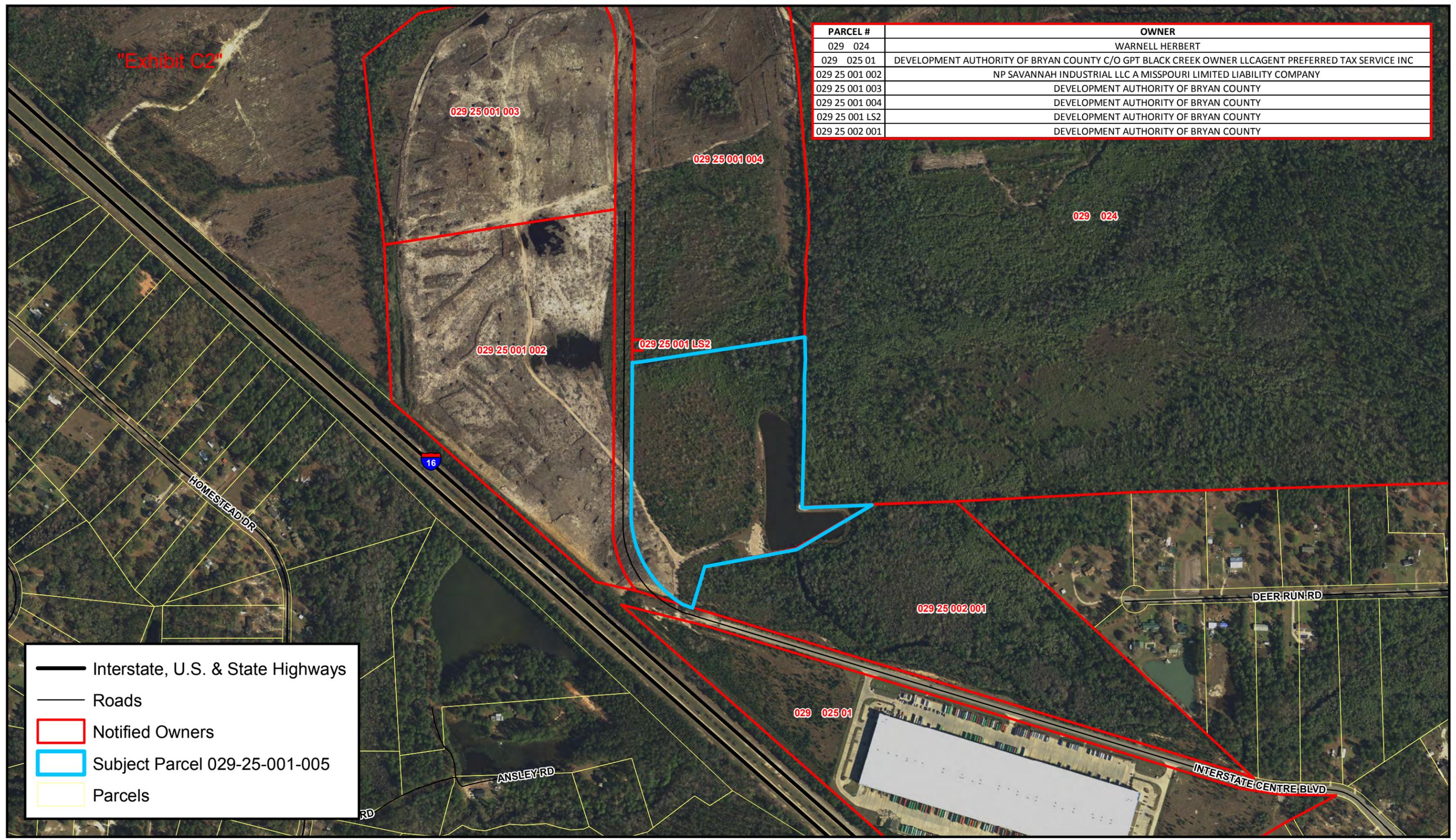


Produced by Bryan County GIS  
September 2019



**Location Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 333-19**

DISCLAIMER  
Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



| PARCEL #       | OWNER  |
|----------------|--|
| 029 024        | WARNELL HERBERT  |
| 029 025 01     | DEVELOPMENT AUTHORITY OF BRYAN COUNTY C/O GPT BLACK CREEK OWNER LLCAGENT PREFERRED TAX SERVICE INC |
| 029 25 001 002 | NP SAVANNAH INDUSTRIAL LLC A MISSOURI LIMITED LIABILITY COMPANY                                    |
| 029 25 001 003 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 001 004 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 001 LS2 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |
| 029 25 002 001 | DEVELOPMENT AUTHORITY OF BRYAN COUNTY  |

- Interstate, U.S. & State Highways
- Roads
- Notified Owners
- Subject Parcel 029-25-001-005
- Parcels

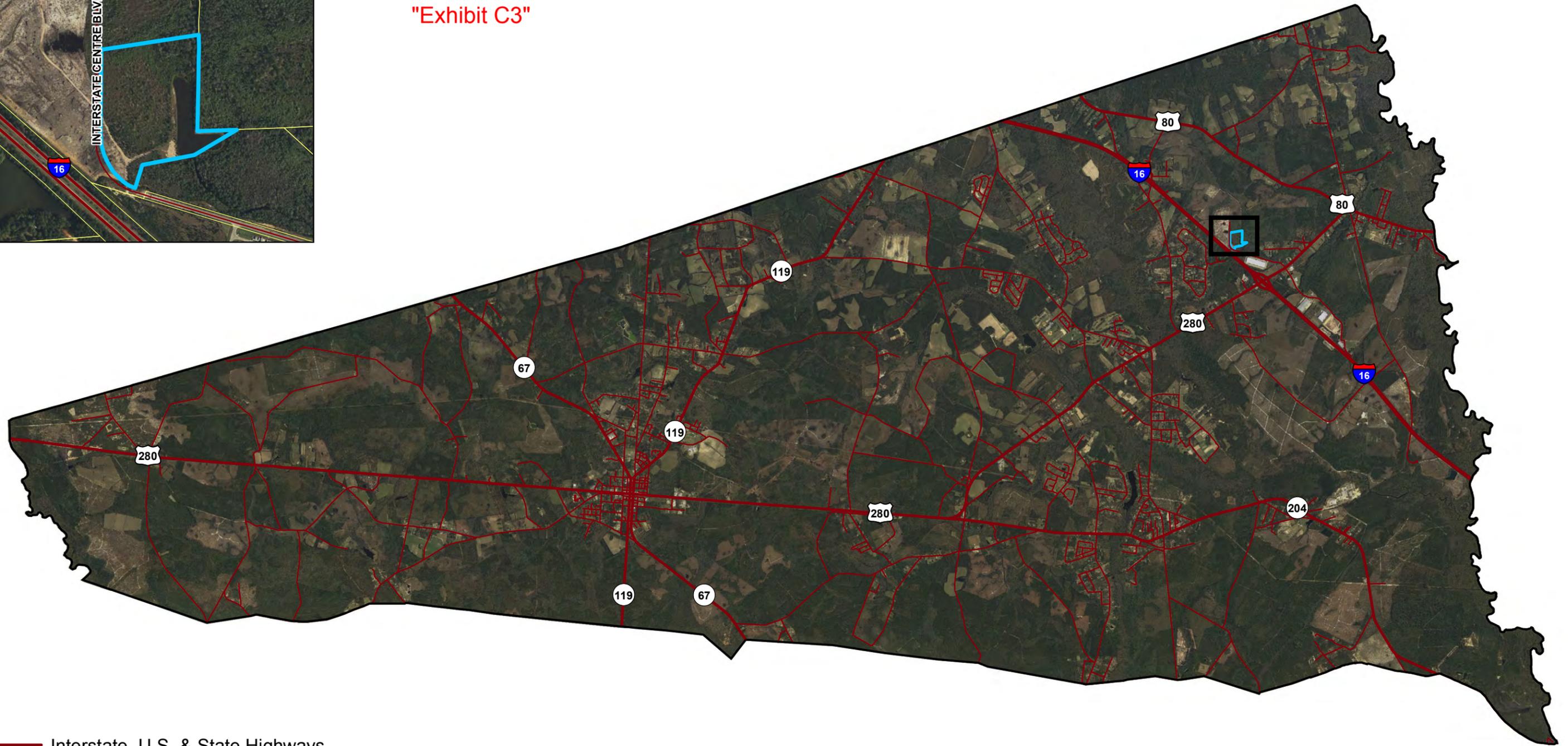


**Notification Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 333-19**

DISCLAIMER  
 Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



"Exhibit C3"



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-25-001-005
- Surrounding Parcels

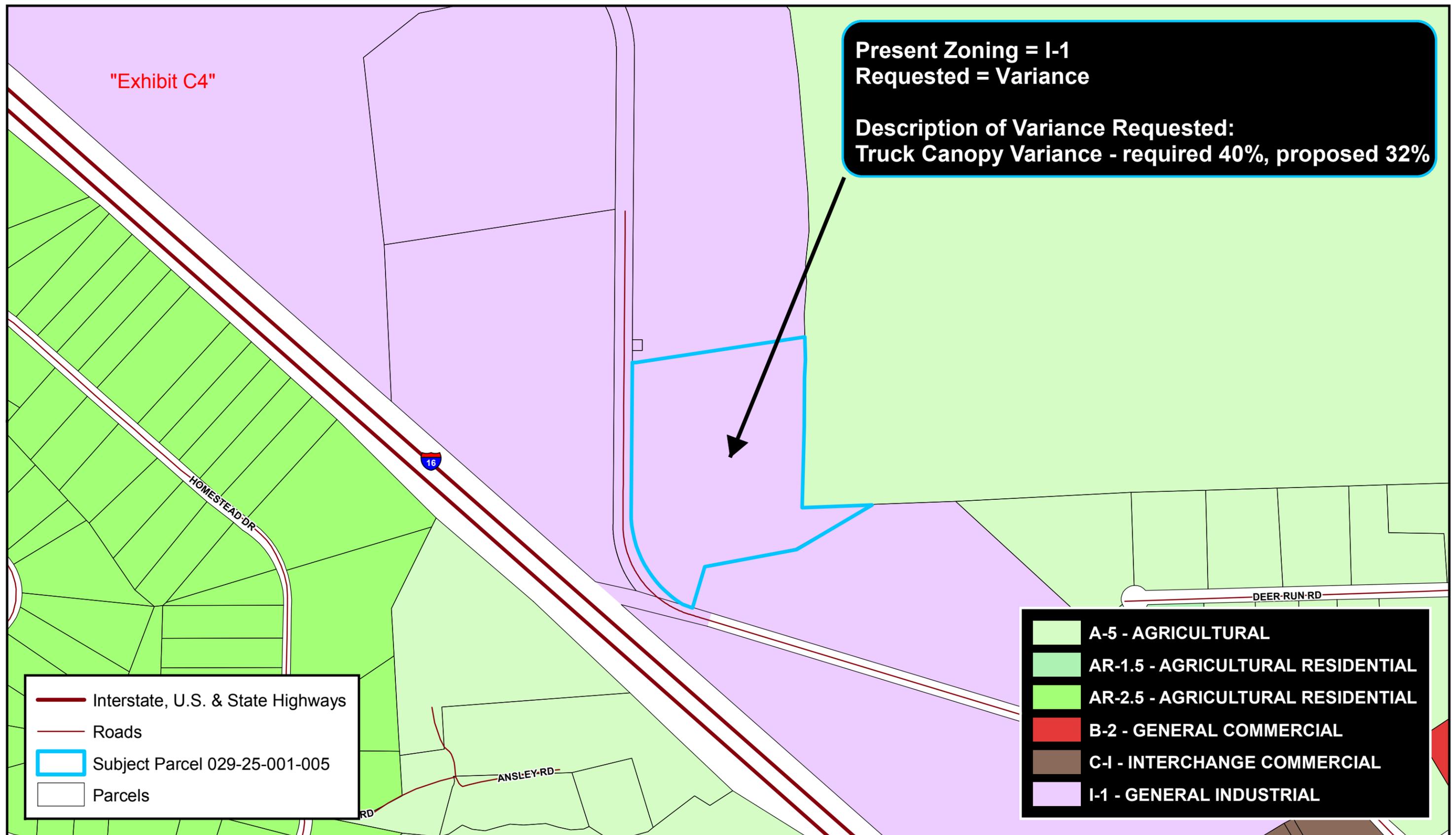


Produced by Bryan County GIS  
September 2019



**Overview Map**  
**Kern & Co., LLC - Chad Zittrover**  
**Case V# 333-19**

DISCLAIMER  
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# “D” Exhibits – Public Comment

**BRYAN COUNTY TREE BOARD**

**CASE V#334-19**

Public Hearing Date: October 1, 2019

|  |  |
|--|--|
| REGARDING THE APPLICATION OF: Simcoe at Belfast, LLC, requesting a variance for property located at 1452 Belfast River Road, PIN# 056-048. The applicant is requesting to decrease the required tree canopy from 40% to 29%. | Staff Report<br>By Amanda Clement<br>Dated: September 24, 2019 |
|--|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a variance requested by Simcoe at Belfast, LLC, to decrease the required tree canopy coverage from 40% to 29%.

**Applicant:** Simcoe at Belfast, LLC  
P.O. Box 1128  
Richmond Hill, GA 31324

**Owner:** Same

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Ordinance, Subpart B, Land Development, Appendix C, Engineering Design Standards, Article 18 – Tree Protection Plan, Section 1803(b)(3) – Tree Board
- Bryan County Ordinance, Subpart B, Land Development, Appendix C, Engineering Design Standards, Article 18 – Tree Protection Plan, Section 1804(a) – Minimum Canopy Requirement

**II. General Information**

**1. Application:** A variance application was placed by Simcoe at Belfast, LLC on August 30, 2019. After reviewing the application, the Director certified the application as being generally complete on August 30, 2019.

**2. Notice:** Public notice for this application was as follows:

- A. Legal notice was published in the Bryan County News on September 12, 2019.
- B. Notice was mailed on September 17, 2019 to surrounding landowners within 300' of the exterior boundaries of the property.
- D. An on-site notice was posted on September 13, 2019.

**3. Background:** The property that is the subject of the variance is a 15.65-acre tract of land, PIN# 056-048. The site consists of a 7.10-acre pond, which was formerly a surface mine permitted under a Conditional Use approval (CUP #141-13) by the Board of Commissioners on August 13, 2013. The final reclamation of the mining facility was certified compliant by the Georgia Department of Natural Resources, Environmental Protection Division and closed on February 21, 2018. The property was later rezoned to R-1, single-family residential on December 11, 2018 (Z#199-18) and a subsequent preliminary plat under the name of Belfast Lake (SD#3087-19) was approved on April 9, 2019, for 10 single-family lots.

The tree protection plan for the 15.65 acre, 10-lot subdivision identifies 1.97 acres of tree preserve area and proposes an additional 2.63 acres of canopy coverage to be provided by replacement trees, for a total of 4.6 acres or 29% of the gross site area (4.6 acres / 15.65 acres = .29) to be under canopy.

**4. Requested Variance:** Subpart B, Appendix C, Article 18, Section 1804(a) of the Bryan County Code of Ordinances, requires that the site maintain a minimum tree canopy of 40%. The proposed coverage is 29%. Therefore, a variance to reduce the requirement by 11% is being requested.

**6. Exhibits:** The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on August 30, 2019 unless otherwise noted.

**“A” Exhibits- Application:**

- A-1 Variance Application
- A-2 Site Plan

**“B” Exhibits- Agency Comments:**

- B-1 Engineering (9/10/19)
- B-2 Fire Chief (9/16/10)

**“C” Exhibits- Bryan County Supplements**

- C-1 Location Map
- C-2 Notification Map

C-3 Overview Map

C-4 Zoning Map

**“D” Exhibits- Public Comment:**

No Public Comments Received

### **III. Analysis - Variances:**

**Review Criteria:** A variance may be granted by the Tree Board if it finds that:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

**Staff Findings:** The ordinance requires that the site maintain a minimum tree canopy of 40%. It further requires that this percentage be based on the gross site area to be developed. In this case, the gross area totals 15.65 acres, which would require 6.26 acres of canopy coverage, yet nearly half of the project site (7.10 acres) is covered by the existing pond where replacement trees cannot be located. Therefore, the strict application of this ordinance would require that the 6.26 acres of canopy coverage be applied to the remaining 8.55 acres of land area. Since the applicant proposes a total canopy of 4.6 acres, an additional 1.66 acres of tree canopy would be needed in this area. This equates to 48 additional large canopy trees. The applicant believes that the condition of the existing pond presents a hardship as replacement trees cannot be located within the pond area, and that the addition of 48 additional trees would be unnecessary since the remaining land area will maintain 54% canopy coverage as proposed ( $4.6 \text{ acres} / 8.55 \text{ acres} = .54$ ).

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance.

**Staff Findings:** The hardship results from the condition of the existing pond, which covers approximately 7.10 acres and encumbers approximately 45% of the gross site area. Ponds are not uncommon within the vicinity of this site, and are often incorporated into residential developments as drainage / recreation features; however, the size of the pond and percentage of the total site area that it encumbers, does seem to be exceptional. Aside from the pond, there are no other site constraints presented such as topography or soil type suitability, which would further limit the developer’s ability to provide the additional 1.66

acres of canopy coverage as required. Instead, there appears to be enough planting area around the edge of the pond and along the proposed right of way to provide for additional tree plantings if these plantings were spaced the minimum recommended distance of 40' on center as opposed to the approximately 80' as shown.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

**Staff Findings:** The existing pond, as a hardship, does result from actions taken by the applicant and property owner. The pond was created through the reclamation of a prior surface mine which was approved by the Board of Commissioners under a Conditional Use approval (CUP #141-13) on August 13, 2013. This conditional use application was filed by the applicant and property owner.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

**Staff Findings:** The purpose and intent of the ordinance is to prevent the indiscriminate removal of trees within the County, such that adequate canopy coverage is maintained and in order to enhance the aesthetics of property by providing shade, cooling, noise and wind reduction, soil erosion prevention, etc. Through the prior use of the property as a surface mine, this site was - in effect - already approved for the clearing of trees within the pond area; and through that approval process was not required to replenish or replace trees within the pond area. Therefore, their removal was not indiscriminate but permitted. Further, the intent of the ordinance is to provide the citizens of Bryan County with the added advantages of canopy coverage as it relates to the environmental enhancement that coverage provides. To address this, the applicant has demonstrated that the remaining land area – which is unencumbered by the pond - will exceed the 40% canopy requirement, thereby meeting the intent of the ordinance in this regard.

#### **IV. Staff Recommendation**

Deny the requested variance from Article 18, Section 1804(a) of the Engineering Design Standards, because the condition of the pond is a self-created hardship and therefore does not meet criterion # 3 required for a variance.

#### **V. Tree Board Decision**

**Recommendation:** The Tree Board may approve the variance as requested, or it may approve the variance requested subject to conditions, or it may deny the requested variance.

The Tree Board may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Decision:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Tree Board hereby approves as proposed/approves with conditions/denies of the proposed variance.

# “A” Exhibits – Application

# Bryan County Board of Commissioners

Community Development Department



## VARIANCE APPLICATION

Refer to Article V, Section 501 of the Zoning Regulations for additional information regarding Variance requirements.

Application Fee: \$150.00

**Applicant:**

- Property Owner
- Authorized Agent

Applicant Name: SIMCOE AT BELFAST, LLC.  
 Address: P.O. BOX 1128  
 City: RICHMOND HILL State: GA Zip: 31324  
 Phone: 912-729-2920 Email: clay@hoiconstruction.com

Property Owner (if not applicant): SAME AS APPLICANT  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Information: General Location: 1452 BELFAST RIVER ROAD  
 PIN Number (Map & Parcel): 056-048 Current Zoning District(s): R-1

What section of the Subdivision or Zoning Code are you requesting a variance for? ARTICLE 18 - SECT. 1804

Description of Variance Requested: ASKING FOR AN 11% REDUCTION OF THE REQUIRED TREE CANOPY REQUIREMENT FROM 40% TO 29% SINCE A PORTION OF THE PROPERTY IS AN EXISTING POND

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

[Signature]  
 Applicant Signature

9-17-19  
 Date

### FOR OFFICE USE ONLY

Case #: V# 334-19 Date Received: 8/30/19  Fee Paid Initial: AC

**Variance Review and Timing**

The typical process and timeframe for reviewing variance applications is as follows. The 15-day review period will not begin until the submitted application is certified as being complete.

|  |   |
|--|---|
| <b>Completeness Review</b>   | 5 business days<br>after Application Submittal        |
| <b>Planning &amp; Zoning (P&amp;Z)<br/>Commission Public Hearing</b> | <u>30-60</u> days after Completeness<br>Certification |

**Variance Application Checklist**

The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- Proof of Ownership
- Verification of Paid Taxes
- Disclosure Statement
- Authorization by Property Owner
- Written narrative justifying request under the Variance Criteria
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed site plan prepared in accordance with the Site Plan Checklist or residential plot plan prepared in accordance with the Residential Plot Plan Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

*★ G. R. P. Member*  
Applicant Signature

*8/30/19*  
Date

Variance Criteria

Variations may only be granted if it is found that the application meets the criteria below. A separate sheet(s) of paper may be used if additional space is needed.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

40% CANOPY IS REQUIRED FOR EX. POND AREA AS WELL AS DEVELOPMENT AREA

REQUIRED CANOPY FOR A POND DOESN'T MAKE SENSE

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance;

THE POND IS EXISTING AND SHOULD BE REMOVED FROM THE CANOPY COVERAGE CALCS.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify granting a variance shall not be regarded as a self-created hardship.

THE ORDINANCE DOES NOT ACCOUNT FOR PROPERTIES WITH EXISTING NATURAL FEATURES.

IT ONLY USES THE ENTIRE PROPERTY ACREAGE

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

40% TREE COVERAGE IS PROVIDED FOR THE DEVELOPED AREA MINUS THE POND AREA

29% TREE COVERAGE IS PROVIDED FOR THE ENTIRE PROPERTY INCLUDING THE POND AREA

If you have questions, contact the Community Development Department at one of our office locations.

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Certified: 8/30/19 AC P&Z Public Hearing Date: October 1, 2019

1147 0085

2014 SEP -3 AM 8:27

BOOK# PAGE#  
CLERK OF SUPERIOR COURT  
BRYAN COUNTY, GA

HENDERSON LAW FIRM, LLC  
POST OFFICE BOX 580  
10950 FORD AVENUE  
RICHMOND HILL, GA 31324  
70389-04

GEORGIA INTANGIBLE TAX PAID  
\$ 495.00  
9-2-14  
S. Shuman  
Tax Collector/Commissioner  
Bryan County

Return to: HENDERSON LAW FIRM, LLC  
P. O. Box 580  
Richmond Hill, GA 31324  
Our File: 07389-04-10

Note to Clerk:  
The final maturity date of the Note  
secured by this Security Deed is  
September 3, 2019.

Intangible recording tax in the amount of  
\$495.00 is due upon recording.

STATE OF GEORGIA  
COUNTY OF BRYAN

**DEED TO SECURE DEBT, SECURITY AGREEMENT  
AND ASSIGNMENT OF LEASES AND RENTS**

THIS INDENTURE is made this 22nd day of August, 2014, by and between SIMCOE AT BELFAST, LLC, a Georgia limited liability company, party of the first part, hereinafter referred to as "Grantor"; and THE CLAXTON BANK, a Georgia corporation, 121 West Main Street, Post Office Box 247, Claxton, GA 30417 party of the second part, hereinafter referred to collectively with its successors and assigns as "Grantee";

**WITNESSETH:**

FOR AND IN CONSIDERATION of the financial accommodations by Grantee resulting in the obligation which is hereinafter more particularly described, and in order to secure that obligation, Grantor hereby grants, bargains, conveys, assigns and sells unto Grantee the following described land

**TRACT 1:** All those certain lots, tracts or parcels of land, situate, lying and being in Bryan County, Georgia, and being shown as "10.00 acre" on a certain plat of survey entitled "Plat of 10.00 acre, being a Division of a Portion of Rayonier Tract, 20th G.M. District Bryan County, Georgia" for TMH, LLC Properties, dated April 15, 2013, prepared by Michael A. Hussey, G.R.L.S #2509, and recorded in the Office of the Clerk of Superior Court of Bryan County, Georgia in Plat Book 648, Page 1B. For a more particular description of said lot conveyed herein, reference is made to said subdivision map which is incorporated herein by specific reference.

THIS is a portion of the property conveyed to TMH, LLC, by Limited Warranty Deed dated March 18, 2013, and filed in Deed Book 1101, Page 968, Bryan County, Georgia records.

**TRACT 2:** All that certain tract or parcel of land, situate, lying and being in Bryan County, Georgia, and being shown as "5.66 acres" on a certain plat of survey entitled "Subdivision Survey, Being a Re-subdivision of a 12.42 Acre Tract of Lands of Glenn Pelletier, 20th G.M. District, Bryan County, Georgia" for Glen Pelletier, dated July 17, 2014, prepared by Michael A. Hussey, G.R.L.S #2509, and recorded in the Office of the Clerk of Superior Court of Bryan County, Georgia in Plat Book 659, Page 3B. For a more particular description of said property conveyed herein, reference is made to said plat which is incorporated herein by specific reference.

This is a portion of the property conveyed to TMH, LLC by Limited Warranty Deed dated March 18, 2013, and filed in Deed Book 1093, Page 536, Bryan County, Georgia records.

**TOGETHER WITH ANY AND ALL** of the following: (i) all buildings, structures and other improvements now or hereafter located thereon or on any part or parcel thereof and all fixtures affixed or attached, actually or constructively, thereto; (ii) all and singular the tenements, or remainders thereof; (iii) all rents, issues, income, revenues, and profits accruing therefrom, whether now or hereafter due; (iv) all accounts and contract rights now or hereafter arising in connection with any part or parcel thereof of any buildings, structures or improvements now or hereafter affecting the land or any buildings, structures, or improvements thereon; (v) all minerals, flowers, crops, trees, timber, shrubbery and other emblements now or hereafter located thereon or thereunder or on or under any part or parcel thereof; (vi) all estates, rights, title and interest therein, or in any part or parcel thereof; (vii) all equipment, machinery, apparatus, fittings, fixtures whether actually or constructively attached thereto and including all trade, domestic and ornamental fixtures, furniture, furnishings and all personal property of every kind or description whatsoever now or hereafter located thereon, or in or on the buildings, structures and other improvements thereon, and used in connection with the operation and maintenance thereof, and all additions thereto and replacements thereof; and (viii) all buildings, materials, supplies, goods and equipment delivered thereto and placed thereon for the purpose of being affixed to or installed or incorporated or otherwise used in the buildings, structures, or other improvements now or hereafter located thereon or any part or parcel thereof. All of the foregoing are hereinafter sometimes referred to collectively as the "Premises."

TO HAVE AND HOLD the Premises to the only proper use, benefit and behoof of Grantee, forever, in fee simple

GRANTOR WARRANTS that Grantor has good title to the Premises, that Grantor is lawfully seized and possessed of the Premises, that Grantor has the right to convey the Premises, that the Premises are unencumbered except as may be herein expressly provided and that Grantor shall forever warrant and defend the title to the Premises unto Grantee against the claims of all persons whomsoever.

THIS INSTRUMENT IS A DEED passing legal title pursuant to the laws of the State of Georgia governing deeds to secure debt (O.C.G.A. §44-14-60) and security agreement granting a security interest pursuant to the Uniform Commercial Code of the State of Georgia, and it is not a mortgage. This deed and security agreement is made and intended to secure (1) Grantor to Grantee under that Certain promissory note (the "Note") dated August 22, 2014, made by Grantor in favor of Grantee in the original principal amount of ONE HUNDRED SIXTY-FIVE THOUSAND AND 00/100 dollars (\$165,000.00); (ii) any and all renewal or renewals, extension or extensions, modification or modifications

Grantor Initials

Bryan County  
Board of Commissioners



Community Development Department

**DISCLOSURE STATEMENT**

Title 36, chapter 67A-3 of O.C.G.A. requires that when any applicant for rezoning action has made, within two years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, to file a disclosure report.

No, I have not made any campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: \_\_\_\_\_

Value of Contribution: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

I have read and understand the above and hereby agree to all that is required by me as the applicant.

Clay Price, Member  
Signature of Applicant

Personally appeared before me

Clay Price, Simcoe at Defeat, LLC. Member  
Applicant (Print)

Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.

This 30 day of Aug 2019

Cynthia Horne  
Notary Public



Bryan County  
Board of Commissioners



Community Development Department

**AUTHORIZATION OF PROPERTY OWNER**

I, Clay Price, Simcoe Member, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Variance application. Further, I authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Simcoe at Belfast, LLC.

Address: P.O. Box 1128

City: Richmond Hill State: GA Zip Code: 31324

Telephone Number: 912-445-2127 Email: clay@hoiconstruction.com

Clay Price, Simcoe at Belfast, LLC, Member  
Signature of Owner

8/30/19  
Date

Clay Price, Simcoe at Belfast, LLC, Member  
Owners Name (Print)

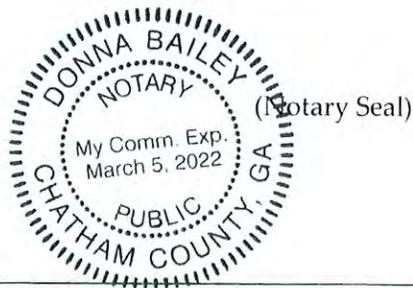
Personally appeared before me

Clay Price, Simcoe at Belfast, LLC, Member  
Owner (Print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 30th of AUGUST, 2019

Donna Bailey  
Notary Public



ROUNDSTONE WAY

PROPOSED PLANT SCHEDULE

| ITEM  | SCIENTIFIC NAME      | COMMON NAME       | QTY | SIZE    | SPACING  | CANOPY COVER (SF PER TREE) | CANOPY COVER (TOTAL SF) |
|-------|----------------------|-------------------|-----|---------|----------|----------------------------|-------------------------|
| MC    | MYRICA CERIFERA      | WAX MYRTLE        | 18  | 2" CAL. | AS SHOWN | 250                        | 4,500                   |
| LI    | LAGERSTROEMIA INDICA | CRAPE MYRTLE      | 18  | 2" CAL. | AS SHOWN | 250                        | 4,500                   |
| AG    | ACER GINNALA         | AMUR MAPLE        | 6   | 2" CAL. | AS SHOWN | 250                        | 1,500                   |
| IO    | ILEX OPACA           | AMERICAN HOLLY    | 18  | 2" CAL. | AS SHOWN | 550                        | 9,900                   |
| AB    | ACER BUERGERIANUM    | TRIDENT MAPLE     | 16  | 2" CAL. | AS SHOWN | 550                        | 8,800                   |
| GS    | QUERCUS SHUMARDII    | SHUMARD OAK       | 19  | 4" CAL. | AS SHOWN | 1500                       | 28,500                  |
| QV    | QUERCUS VIRGINIANA   | LIVE OAK          | 19  | 4" CAL. | AS SHOWN | 1500                       | 28,500                  |
| MG    | MAGNOLIA GRANDIFLORA | SOUTHERN MAGNOLIA | 19  | 4" CAL. | AS SHOWN | 1500                       | 28,500                  |
| TOTAL |                      |                   |     |         |          |                            | 114,700                 |

**TREE CANOPY ANALYSIS**

TOTAL PROPERTY AREA = 15.65 AC.  
 - EXISTING POND AREA: 7.10 AC  
 - TREE SAVE AREA: 1.97 AC  
 - DEVELOPED AREA = 6.58 AC.

CANOPY REQ'D FOR PROPERTY = 0.4 \* 15.65  
 CANOPY REQUIRED = 6.26 AC OR 272,686 SF  
 CANOPY REQ'D - TREE SAVE AREA = 6.26 AC - 1.97 AC = 4.29 AC  
 4.29 AC OF TOTAL CANOPY IS ACTUALLY REQUIRED

TOTAL CANOPY PROVIDED W/ PLANTINGS = 114,700 SF OR 2.63 AC  
 SO THERE IS A SHORTFALL OF 1.66 AC, WHICH EQUATES TO  
 AN 11% SHORTFALL FOR THE TOTAL REQUIRED CANOPY

N/F  
 MARIA G. RAMOS  
 & CLIFFORD HIBBS  
 PIN: 056 049 189  
 ZONING: R-1

N/F  
 MATTHEW CUNNINGHAM  
 PIN: 056 049 20  
 ZONING: R-1

N/F  
 DARRIN T. DUNCAN  
 PIN: 056 049 21  
 ZONING: R-1

N/F  
 IAN & AMY MASON  
 PIN: 056 049 22  
 ZONING: R-1

N/F  
 JORDAN &  
 AMY MORTON  
 PIN: 056 049 23  
 ZONING: R-1

N/F  
 MICHAEL LEE  
 PIN: 056 049 24  
 ZONING: R-1

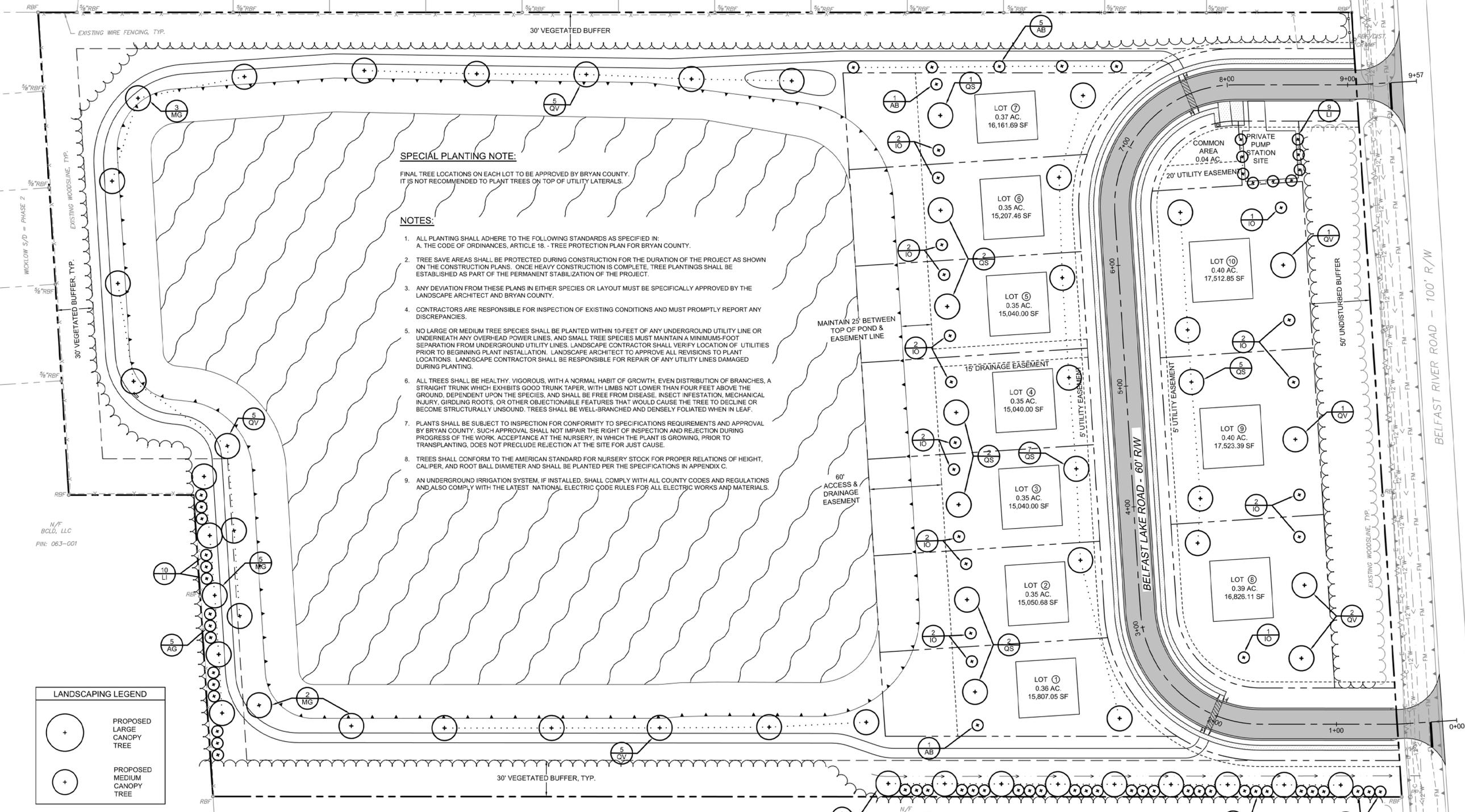
N/F  
 CHARLES &  
 REE STANDIFORD  
 PIN: 056 049 25  
 ZONING: R-1

N/F  
 LAVERTA &  
 KELVIN BROWN  
 PIN: 056 049 26  
 ZONING: R-1

N/F  
 EDWARD W. &  
 KRISTI KNARD  
 PIN: 056 049 27  
 ZONING: R-1

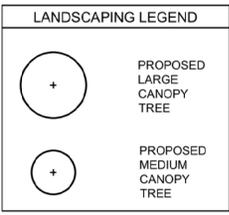
N/F  
 BEACON BUILDERS INC  
 PIN: 056 049 28  
 ZONING: R-1

N/F  
 JAN MICHAEL MENDOZA  
 RODRIGUEZ  
 PIN: 056 049 29  
 ZONING: R-1



**SPECIAL PLANTING NOTE:**  
 FINAL TREE LOCATIONS ON EACH LOT TO BE APPROVED BY BRYAN COUNTY.  
 IT IS NOT RECOMMENDED TO PLANT TREES ON TOP OF UTILITY LATERALS.

- NOTES:**
- ALL PLANTING SHALL ADHERE TO THE FOLLOWING STANDARDS AS SPECIFIED IN:  
 A. THE CODE OF ORDINANCES, ARTICLE 18. - TREE PROTECTION PLAN FOR BRYAN COUNTY.
  - TREE SAVE AREAS SHALL BE PROTECTED DURING CONSTRUCTION FOR THE DURATION OF THE PROJECT AS SHOWN ON THE CONSTRUCTION PLANS. ONCE HEAVY CONSTRUCTION IS COMPLETE, TREE PLANTINGS SHALL BE ESTABLISHED AS PART OF THE PERMANENT STABILIZATION OF THE PROJECT.
  - ANY DEVIATION FROM THESE PLANS IN EITHER SPECIES OR LAYOUT MUST BE SPECIFICALLY APPROVED BY THE LANDSCAPE ARCHITECT AND BRYAN COUNTY.
  - CONTRACTORS ARE RESPONSIBLE FOR INSPECTION OF EXISTING CONDITIONS AND MUST PROMPTLY REPORT ANY DISCREPANCIES.
  - NO LARGE OR MEDIUM TREE SPECIES SHALL BE PLANTED WITHIN 10-FEET OF ANY UNDERGROUND UTILITY LINE OR UNDERNEATH ANY OVERHEAD POWER LINES, AND SMALL TREE SPECIES MUST MAINTAIN A MINIMUMS-FOOT SEPARATION FROM UNDERGROUND UTILITY LINES. LANDSCAPE CONTRACTOR SHALL VERIFY LOCATION OF UTILITIES PRIOR TO BEGINNING PLANT INSTALLATION. LANDSCAPE ARCHITECT TO APPROVE ALL REVISIONS TO PLANT LOCATIONS. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR OF ANY UTILITY LINES DAMAGED DURING PLANTING.
  - ALL TREES SHALL BE HEALTHY, VIGOROUS, WITH A NORMAL HABIT OF GROWTH, EVEN DISTRIBUTION OF BRANCHES, A STRAIGHT TRUNK WHICH EXHIBITS GOOD TRUNK TAPER, WITH LIMBS NOT LOWER THAN FOUR FEET ABOVE THE GROUND, DEPENDENT UPON THE SPECIES, AND SHALL BE FREE FROM DISEASE, INSECT INFESTATION, MECHANICAL INJURY, GIRDLING ROOTS, OR OTHER OBJECTIONABLE FEATURES THAT WOULD CAUSE THE TREE TO DECLINE OR BECOME STRUCTURALLY UNSOUND. TREES SHALL BE WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF.
  - PLANTS SHALL BE SUBJECT TO INSPECTION FOR CONFORMITY TO SPECIFICATIONS REQUIREMENTS AND APPROVAL BY BRYAN COUNTY. SUCH APPROVAL SHALL NOT IMPAIR THE RIGHT OF INSPECTION AND REJECTION DURING PROGRESS OF THE WORK. ACCEPTANCE AT THE NURSERY, IN WHICH THE PLANT IS GROWING, PRIOR TO TRANSPLANTING, DOES NOT PRECLUDE REJECTION AT THE SITE FOR JUST CAUSE.
  - TREES SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK FOR PROPER RELATIONS OF HEIGHT, CALIPER, AND ROOT BALL DIAMETER AND SHALL BE PLANTED PER THE SPECIFICATIONS IN APPENDIX C.
  - AN UNDERGROUND IRRIGATION SYSTEM, IF INSTALLED, SHALL COMPLY WITH ALL COUNTY CODES AND REGULATIONS AND ALSO COMPLY WITH THE LATEST NATIONAL ELECTRIC CODE RULES FOR ALL ELECTRIC WORKS AND MATERIALS.



| NO. | REVISION DESCRIPTION | BY | DATE |
|-----|----------------------|----|------|
|     |                      |    |      |
|     |                      |    |      |



**EMC ENGINEERING SERVICES, INC.**  
 10 Chatham Center South, Suite 100  
 Savannah, GA 31405  
 Ph: (912) 232-6533  
 Fax: (912) 232-4580  
 savannah@emc-eng.com  
 www.emc-eng.com

CIVIL  
 MARINE  
 ENVIRONMENTAL

OFFICE LOCATIONS: ALBANY, ATLANTA, AUGUSTA, BRUNSWICK, COLUMBUS, SAVANNAH, STATESBORO, AND VALDOSTA

**TREE MANAGEMENT PLAN**

**BELFAST LAKE**  
 BELFAST RIVER ROAD  
 BRYAN COUNTY, GEORGIA

Prepared for:  
**SIMCOE AT BELFAST, LLC.**

|              |           |
|--------------|-----------|
| PROJECT NO.: | 19-0001   |
| DRAWN BY:    | TCB       |
| DESIGNED BY: | TCB       |
| SURVEYED BY: | EMC       |
| DATE:        | FEB. 2019 |
| CHECKED BY:  | ABM       |
| SCALE:       | 1" = 40'  |
| DATE:        | JULY 2019 |

G:\2019\19-0001 - BELFAST LAKE.DWG\19-0001C\_001.DWG 9/17/2019 10:11 AM

# “B” Exhibits – Agency Comments

"Exhibit B"



BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:

CASE # V#334-19

Zoning Request: Tree Canopy Variance ; asking for a reduction of the 40% canopy requirement to 16.8%

Filed by: John Mowry

Owners: Simcoe at Belfast, LLC

Property address: 1452 Belfast River Rd.

Map and Parcel # 056-048

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct. 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept. 13.

Comments: NO COMMENT

Engineering Director     Fire Chief     County Health Director

Public Works Director     Bryan County Schools (optional)

Signature: Kate A. Coan    Date: 9-10-19



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

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Map and Parcel # 056-048

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Oct 1 and the Board of Commissioners on NA.

Please return this completed form with any comments/attachments to the Community Development Department by Friday, Sept. 13.

Comments: No Issue with this

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Engineering Director     Fire Chief     County Health Director

Public Works Director     Bryan County Schools (optional)

Signature: *Fredy Howell*

Date: 9/16/2019

# “C” Exhibits – Bryan County Supplements

"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 056-048
- Parcels



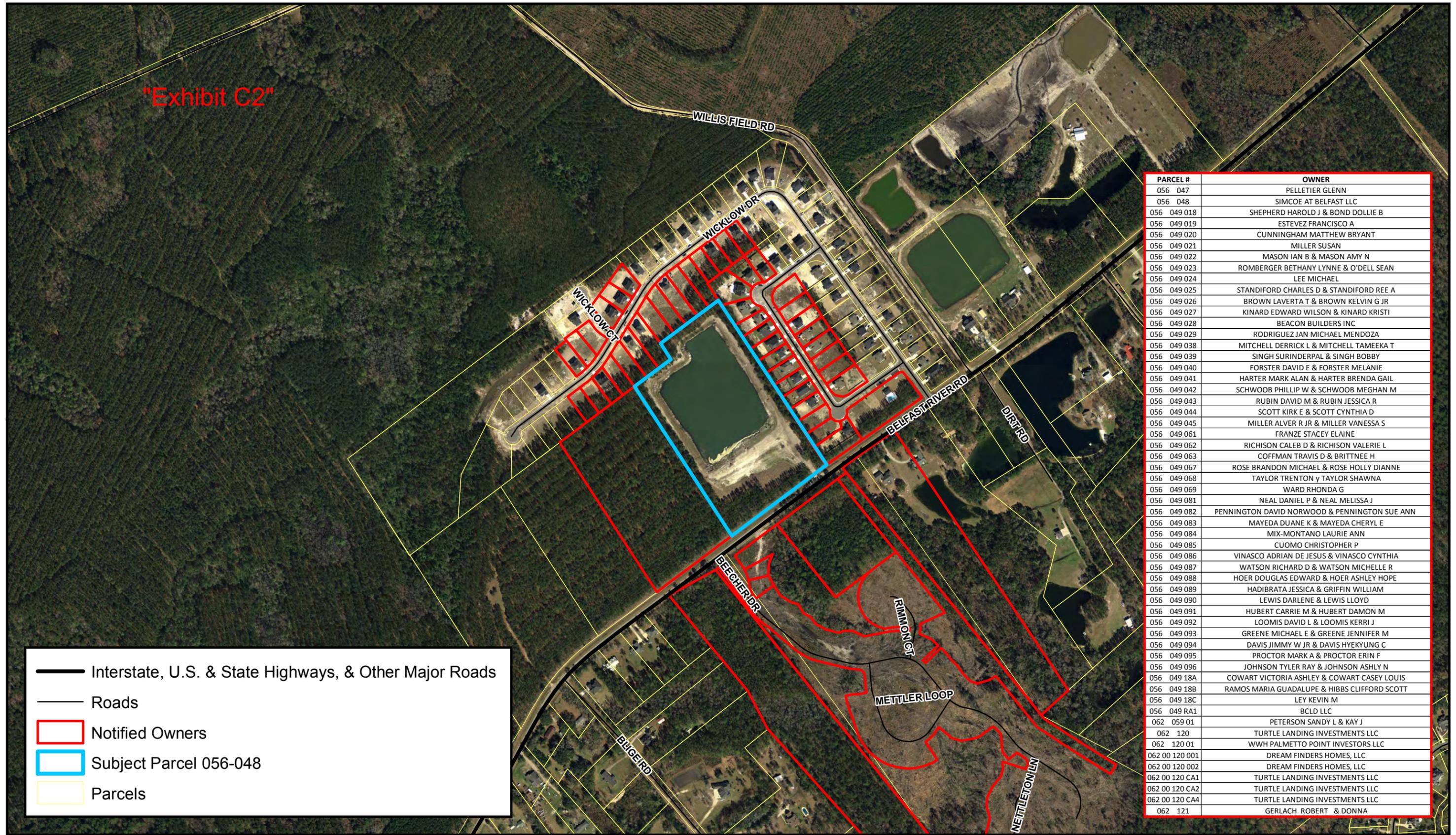
Produced by Bryan County GIS  
September 2019



**Location Map**  
**Simcoe at Belfast, LLC (John Mowry)**  
**Case V# 334-19**

DISCLAIMER  
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"Exhibit C2"



| PARCEL #       | OWNER   |
|----------------|---|
| 056 047        | PELLETIER GLENN                               |
| 056 048        | SIMCOE AT BELFAST LLC                         |
| 056 049 018    | SHEPHERD HAROLD J & BOND DOLLIE B             |
| 056 049 019    | ESTEVEZ FRANCISCO A                           |
| 056 049 020    | CUNNINGHAM MATTHEW BRYANT                     |
| 056 049 021    | MILLER SUSAN                                  |
| 056 049 022    | MASON IAN B & MASON AMY N                     |
| 056 049 023    | ROMBERGER BETHANY LYNNE & O'DELL SEAN         |
| 056 049 024    | LEE MICHAEL                                   |
| 056 049 025    | STANDIFORD CHARLES D & STANDIFORD REE A       |
| 056 049 026    | BROWN LAVERTA T & BROWN KELVIN G JR           |
| 056 049 027    | KINARD EDWARD WILSON & KINARD KRISTI          |
| 056 049 028    | BEACON BUILDERS INC                           |
| 056 049 029    | RODRIGUEZ JAN MICHAEL MENDOZA                 |
| 056 049 038    | MITCHELL DERRICK L & MITCHELL TAMEEKA T       |
| 056 049 039    | SINGH SURINDERPAL & SINGH BOBBY               |
| 056 049 040    | FORSTER DAVID E & FORSTER MELANIE             |
| 056 049 041    | HARTER MARK ALAN & HARTER BRENDA GAIL         |
| 056 049 042    | SCHWOOB PHILLIP W & SCHWOOB MEGHAN M          |
| 056 049 043    | RUBIN DAVID M & RUBIN JESSICA R               |
| 056 049 044    | SCOTT KIRK E & SCOTT CYNTHIA D                |
| 056 049 045    | MILLER ALVER R JR & MILLER VANESSA S          |
| 056 049 061    | FRANZE STACEY ELAINE                          |
| 056 049 062    | RICHISON CALEB D & RICHISON VALERIE L         |
| 056 049 063    | COFFMAN TRAVIS D & BRITTNEE H                 |
| 056 049 067    | ROSE BRANDON MICHAEL & ROSE HOLLY DIANNE      |
| 056 049 068    | TAYLOR TRENTON Y TAYLOR SHAWNA                |
| 056 049 069    | WARD RHONDA G                                 |
| 056 049 081    | NEAL DANIEL P & NEAL MELISSA J                |
| 056 049 082    | PENNINGTON DAVID NORWOOD & PENNINGTON SUE ANN |
| 056 049 083    | MAYEDA DUANE K & MAYEDA CHERYL E              |
| 056 049 084    | MIX-MONTANO LAURIE ANN                        |
| 056 049 085    | CUOMO CHRISTOPHER P                           |
| 056 049 086    | VINASCO ADRIAN DE JESUS & VINASCO CYNTHIA     |
| 056 049 087    | WATSON RICHARD D & WATSON MICHELLE R          |
| 056 049 088    | HOER DOUGLAS EDWARD & HOER ASHLEY HOPE        |
| 056 049 089    | HADIBRATA JESSICA & GRIFFIN WILLIAM           |
| 056 049 090    | LEWIS DARLENE & LEWIS LLOYD                   |
| 056 049 091    | HUBERT CARRIE M & HUBERT DAMON M              |
| 056 049 092    | LOOMIS DAVID L & LOOMIS KERRI J               |
| 056 049 093    | GREENE MICHAEL E & GREENE JENNIFER M          |
| 056 049 094    | DAVIS JIMMY W JR & DAVIS HYEKYUNG C           |
| 056 049 095    | PROCTOR MARK A & PROCTOR ERIN F               |
| 056 049 096    | JOHNSON TYLER RAY & JOHNSON ASHLY N           |
| 056 049 18A    | COWART VICTORIA ASHLEY & COWART CASEY LOUIS   |
| 056 049 18B    | RAMOS MARIA GUADALUPE & HIBBS CLIFFORD SCOTT  |
| 056 049 18C    | LEY KEVIN M                                   |
| 056 049 RA1    | BCLD LLC                                      |
| 062 059 01     | PETERSON SANDY L & KAY J                      |
| 062 120        | TURTLE LANDING INVESTMENTS LLC                |
| 062 120 01     | WWH PALMETTO POINT INVESTORS LLC              |
| 062 00 120 001 | DREAM FINDERS HOMES, LLC                      |
| 062 00 120 002 | DREAM FINDERS HOMES, LLC                      |
| 062 00 120 CA1 | TURTLE LANDING INVESTMENTS LLC                |
| 062 00 120 CA2 | TURTLE LANDING INVESTMENTS LLC                |
| 062 00 120 CA4 | TURTLE LANDING INVESTMENTS LLC                |
| 062 121        | GERLACH ROBERT & DONNA                        |

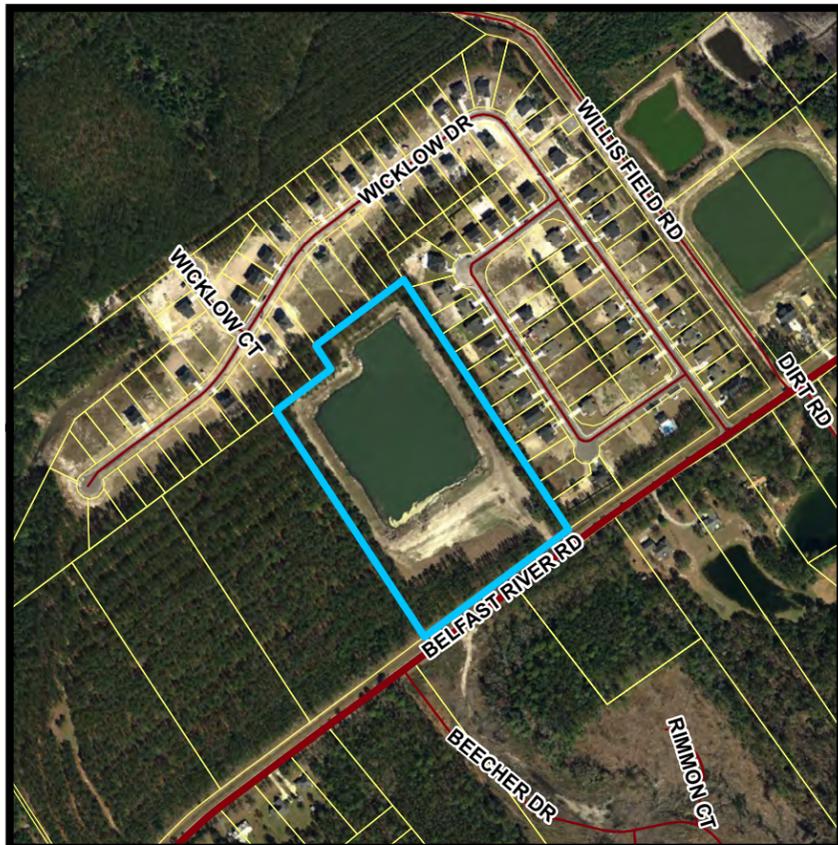
- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Notified Owners
- Subject Parcel 056-048
- Parcels



**Notification Map**  
**Simcoe at Belfast, LLC (John Mowry)**  
**Case V# 334-19**

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"Exhibit C3"



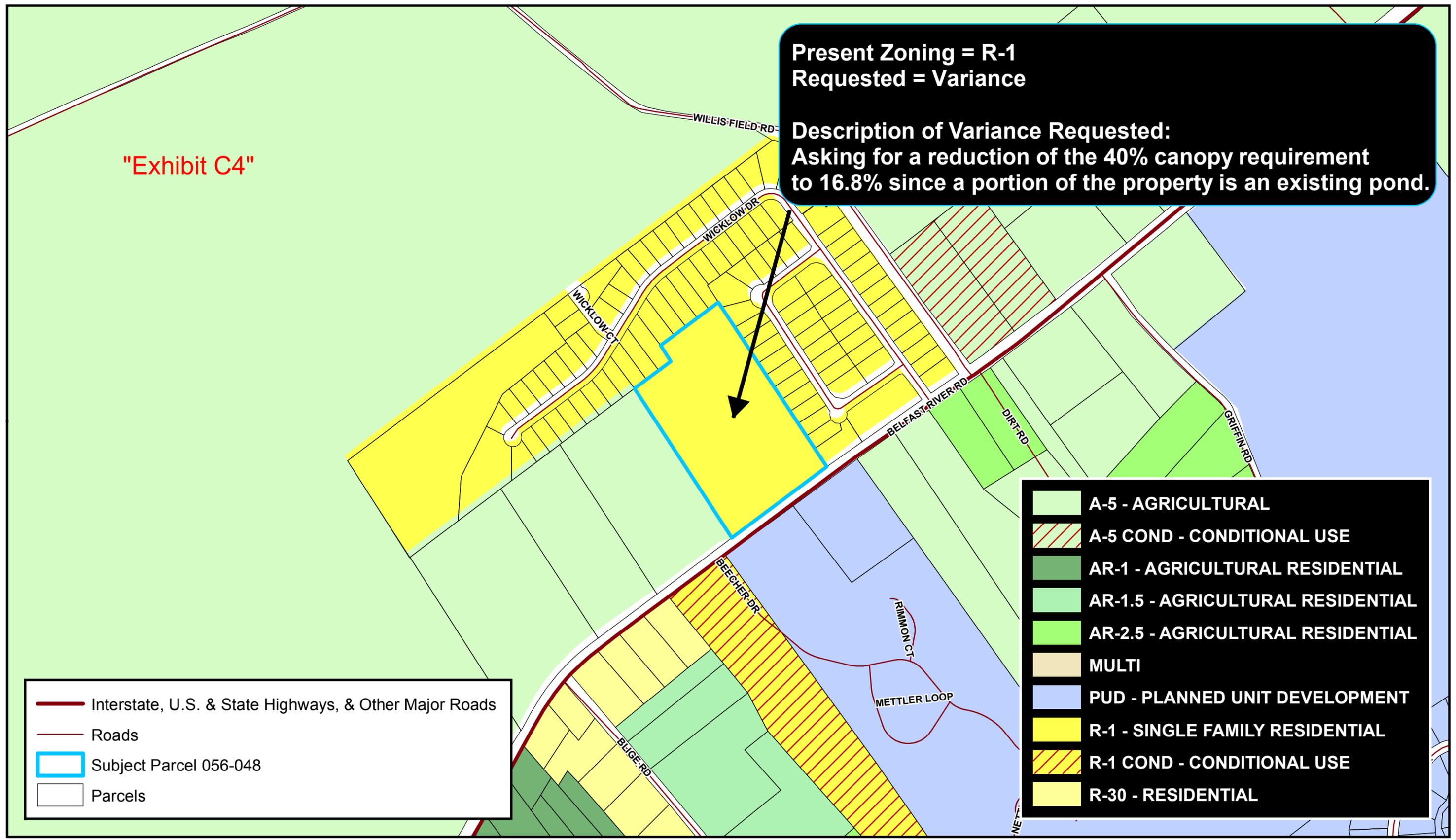
- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 056-048
- Surrounding Parcels



"Exhibit C4"

Present Zoning = R-1  
Requested = Variance

Description of Variance Requested:  
Asking for a reduction of the 40% canopy requirement to 16.8% since a portion of the property is an existing pond.



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 056-048
- Parcels

- A-5 - AGRICULTURAL
- A-5 COND - CONDITIONAL USE
- AR-1 - AGRICULTURAL RESIDENTIAL
- AR-1.5 - AGRICULTURAL RESIDENTIAL
- AR-2.5 - AGRICULTURAL RESIDENTIAL
- MULTI
- PUD - PLANNED UNIT DEVELOPMENT
- R-1 - SINGLE FAMILY RESIDENTIAL
- R-1 COND - CONDITIONAL USE
- R-30 - RESIDENTIAL



# “D” Exhibits – Public Comment

**BRYAN COUNTY PLANNING & ZONING COMMISSION**

**Case SP#01-21**

Planning & Zoning Commission Meeting Date: September 3, 2019

|   |   |
|---|---|
| REGARDING THE APPLICATION OF: CZM, requesting waivers and modifications for site and building design, for property located at 962 Interstate Centre Blvd, PIN# 029 025 001 005 in unincorporated Bryan County, Georgia. The applicant is requesting modifications to the Building and Site Design Guidelines. | Staff Report<br><br>by Sara Farr-Newman<br><br>Dated: August 27, 2019 |
|---|---|

**I. Application Summary**

**Requested Actions:** Consideration for one waiver to the County’s Site Design Guidelines and one modification to the Building Design Guidelines. The Planning and Zoning Commission renders the final decision.

**Applicant**                      **Chad Zittrouer, Kern & Co. LLC**  
**PO Box 15179**  
**Savannah, GA 31416**

**Owner:**                              **CZM Foundation Equipment**  
**145 East Industrial Blvd**  
**Pembroke, GA 31321**

**Applicable Regulations:**

- Bryan County Ordinance, Subpart B Land Development, Appendix A Subdivisions, Article XVII: Site Plan
- Bryan County Ordinance, Subpart B Land Development, Appendix B Zoning, Article III Administration, Section 302 – Development Review Committee

**II. General Information**

**1. Application:** An application for site plan approval was submitted by CZM on July 2, 2019. After reviewing the application, the Director certified the application as being generally complete on July 9, 2019.

**2. Notice:** Public notice was not required

**3. Background:**

The site is located in the Interstate Centre Boulevard. This site is surrounded largely by industrial uses, which are included within the Bryan County Development Authority xxx.

The project is proposed to consist of an assembly center with offices with an associated parking lot and an outdoor storage area for equipment. The parking is located in the front of the building and provides access to the building entrance. The outdoor storage is to the rear of the building and will be by fencing and landscaping.

**4. Exhibits:** The following Exhibits are attached hereto as referenced. All design guideline waiver and modification application documents were received at the Bryan County Community Development office on August 22, 2019, unless otherwise noted.

**“A” Exhibits- Application:**

- A-1 Site Plan Application
- A-2 Proposed Site Plan
- A-3 Proposed Building Elevations

**“B” Exhibits- Agency Comments:**

Staff worked with the Development Authority to ensure the development would be compatible with the Interstate Commerce Center.

**“C” Exhibits- Bryan County Supplements**

- C-1 Vicinity Map
- C-2 Site and Building Design Review Checklist

**III. Bryan County Ordinance, Subpart B Land Development, Appendix B Zoning, Article III, Section 302: Site and Building Design Guidelines:**

1. The applicant is requesting waivers to the Site and Building Design Guidelines. Specifically:

- a. Section 302.6.e.iii. - *Access drives for all non-residential developments with more than 25 parking spaces shall have a minimum driveway throat depth of 25 feet (colored and textured pavement), measured from public right-of-way along adjacent roadway. The county may increase this minimum depth on a case-by-case basis considering use and scale, as well as vehicle trip generation and distribution of the proposed project.*
- b. Section 302.6.u - *Windows and other openings shall be provided along all facades that face a public road. Windows and doors shall comprise at least 20 percent of the wall area below the roofline, lowest point of canopy, bottom of porch fascia or other architectural features defining the middle of the building.*

2. The Planning and Zoning Commission may approve the request or approve the request with conditions upon finding that the design meets each of the design objectives below:

- a. Achieving building and site design that is compatible with its setting while avoiding monotonous uniformity;

**Staff Findings:** The building site is located in an industrial park surrounded by other industrial facilities. This location limits the pedestrian activity and desire to provide pedestrian amenities, as well as building placement. Waiving or modifying building design guidelines meant to enhance the pedestrian experience and building aesthetics is appropriate for this building type and location. This includes different types of pavement on the throat depth and openings. This industrial building will not be accessed by pedestrians.

- b. Protecting property values and enhancing the value of public and private investments through well-planned and well-maintained development;

**Staff Findings:** The design waivers requested will protect property values and result in a well-planned industrial development. This site will be appropriately designed for its purpose and location, which will not be heavily trafficked by outside customers and/or the public. The inclusion of different pavement on the throat depth or additional openings would not enhance the value of an industrial building, and the applicant is providing additional building detail to add interest.

- c. Promoting creative designs that surpass the quality of the minimum design guidelines established herein;

**Staff Findings:** The applicant agreed to modifications to the building that would better fit into the architectural context of the community.

- d. Fostering safe, healthy and sustainable development that becomes increasingly valued in Bryan County as desirable places to live, work, play, and shop as each year passes;

**Staff Findings:** This development will provide a positive contribution to the area. The landscaping and overall design will enhance the site for the employees, who are most likely to make use of the amenities such as the outside seating and pedestrian path to the building.

- e. Ensuring that scale, massing and building details are in proportion to and complementary with the surrounding neighborhood;

**Staff Findings:** The scale of the buildings is appropriate for the location in an industrial park, which generally include larger scale buildings with limited openings and public access.

- f. Avoid the appearance of monotonous tract-type housing by precluding matching designs on adjacent single-family lots;

**Staff Findings:** This is not applicable to this site plan.

- g. Emphasizing entries for people and deemphasizing the mass of garages;

**Staff Findings:** This is not applicable to this development; however, the parking is screened through plantings and incorporates pedestrian walkways.

- h. Requiring materials that are durable in Bryan County's environment;

**Staff Findings:** The materials proposed, which include metal paneling and concrete panels, will be durable in Bryan County's environment.

- i. Promoting walking and biking within and between developments; and

**Staff Findings:** While walking is limited due to the site location and lack of sidewalks, there are pedestrian pathways located internally as well as site amenities. Bike racks are also located next to main entry.

- j. Fostering site development that reflects and reinforces the natural beauty of Bryan County.

**Staff Findings:** The proposed materials and neutral colors will fit well into the site and character of Bryan County while also achieving the applicant's goals for the development.

#### IV. Staff Recommendation

Staff recommends approval of the requested site plan waivers.

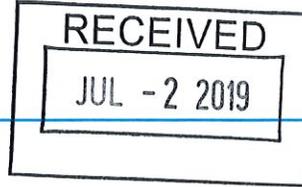
#### V. Planning and Zoning Commission Decision

**Recommendation:** The Commission may approve the modifications as requested, approve the modifications requested subject to conditions, or deny the requested modifications.

► **Motion Regarding Approval of Modifying Design Guidelines:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_\_ to \_\_, the Commission hereby approves as proposed/approves with conditions/denies the requested modifications.

# “A” Exhibits – Application

Bryan County  
Board of Commissioners  
Community Development Department



**SITE PLAN APPLICATION**

Refer to Section 7 of the Interim Development Ordinance for additional information regarding Site Plan requirements.

Application Fee:  Minor Site Plan - \$100.00  Major Site Plan - \$200.00

Applicant:  Property Owner  Authorized Agent  
Applicant Name: Kern & Co. , LLC - Chad Zittrouer  
Address: PO Box 15179  
City: Savannah State: Ga Zip: 31416  
Phone: 912.354.8400 Email: czittrouer@kernengineering.com

Property Owner (if not applicant): CZM Foundation Equipment  
Address: 145 E. Industrial Boulevard  
City: Pembroke State: Ga Zip: 31321 Phone: 912.200.7654

Property Information: General Location: Lot 2 - B, Interstate Centre II - Interstate Centre Boulevard  
PIN Number (Map & Parcel): 02-025-001-005 Current Zoning District(s): I-L  
Acreage: 27.72 Acres Site Total 27.72 Acres Area to be Disturbed 8.9 Acres

Does the proposed development abut a state maintained roadway?  Yes  No

Project Name: CZM Foundation Equipment  
Proposed Project Description: A new 38,000 sf assembly facility including office space with associated parking, utilities, stormwater infrastructure, etc.

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

Applicant Signature: [Signature] Date: 7.2.19

FOR OFFICE USE ONLY  
Case #: SP#~~01-219~~ 03-19 Date Received: 7/2/19  Fee Paid Initial: SF

### Site Plan Review and Timing

The typical process and timeframe for reviewing site plans is as follows. The 20-day review period will not begin until the submitted application is certified as being complete.

|                                 |   |
|---------------------------------|---|
| <b>Completeness Review</b>      | <b>5 business days<br/>after Application Submittal</b>                |
| <b>Planning Director Review</b> | <b>Within <u>20</u> days following Completeness<br/>Certification</b> |

### Site Plan Application Checklist

The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- Completed Authorization by Property Owner form, if applicant is not the property owner
- Proof of Ownership
- Verification of Paid Taxes
- N/A* Environmental Site Assessment
- Tree protection plan in accordance with Article 18 of the Bryan County Engineering Standards
- N/A* Any proposed site development which meets or exceeds the thresholds established by the Department of Community Affairs for a Development of Regional Impact (DRI), must have their project reviewed through the Coastal Regional Commission prior to approval.
- One (1) digital, two (2) 11x17 inch, and two (2) full size copies of the proposed site plan prepared in accordance with the Site Plan Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

  
\_\_\_\_\_  
Applicant Signature

*7-2-19*  
\_\_\_\_\_  
Date

If you have questions, contact the Community Development Department at one of our office locations.

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Certified: 7/9/19 *[Signature]* Site Plan Approval Received: \_\_\_\_\_

**BOUHAN  
FALLIGANT**

ATTORNEYS & COUNSELORS AT LAW

One West Park Avenue  
Savannah, GA 31401

Leamon R. Holliday  
912.644.5750  
lrholliday@bouhan.com

June 12, 2019

To Whom It May Concern

Re: Lot 2B as Appears on a Plat Entitled Major Subdivision of Lot 1B  
Interstate Centre II Dated February 6, 2019  
Recorded in Plat Book 2019, Page 55 Bryan County Records

We represent the Development Authority of Bryan County, which recently transferred the property described above to CR Estate, LLC.

The Development Authority's property is not subject to ad valorem tax, and no prior taxes were due on the property. We trust this information is satisfactory for your purposes.

Sincerely,

Bouhan Falligant LLP

By: 

TOTAL ACREAGE:  
 PROJECT AREA: 8.9 ACRES X 43,560 SF = 387,684 SF  
 TREES REQUIRED: 25% OF 387,684 SF = 96,921 SF OR 65 TREES  
 40% OF 387,684 SF = 155,074 SF OR 104 TREES

TOTAL AUTO PARKING AREA: 38,160 SQ FT  
 REQUIRED: 79 SPACES = 10.0% PERVIOUS

TREES TO BE PLANTED:  
 6 "QV" LIVE OAK  
 13 "MG" SOUTHERN MAGNOLIA  
 58 "TD" BALD CYPRESS  
 6 "AR" RED MAPLE  
 TOTAL TREES TO BE PLANTED = 83 TREES  
 ADDITIONAL 24 TREES - TOTAL 107 TREES

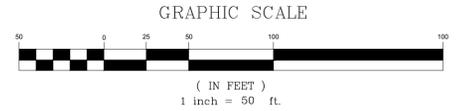
**#1**

PROVIDED:  
 TOTAL SPACES: 79 SPACES  
 PERVIOUS AREA: 10,134 SQ FT  
 % PERVIOUS: 26.6%

**#1**

PARKING TREES  
 TOTAL PARKING SPACES = 79 PARKING SPACES INCLUDING 2 H/C SPACES

TREES IN PARKING AREAS = 12 - "QV" = EXCEEDS 1 TREE PER 10 PARKING SPACE REQUIREMENT

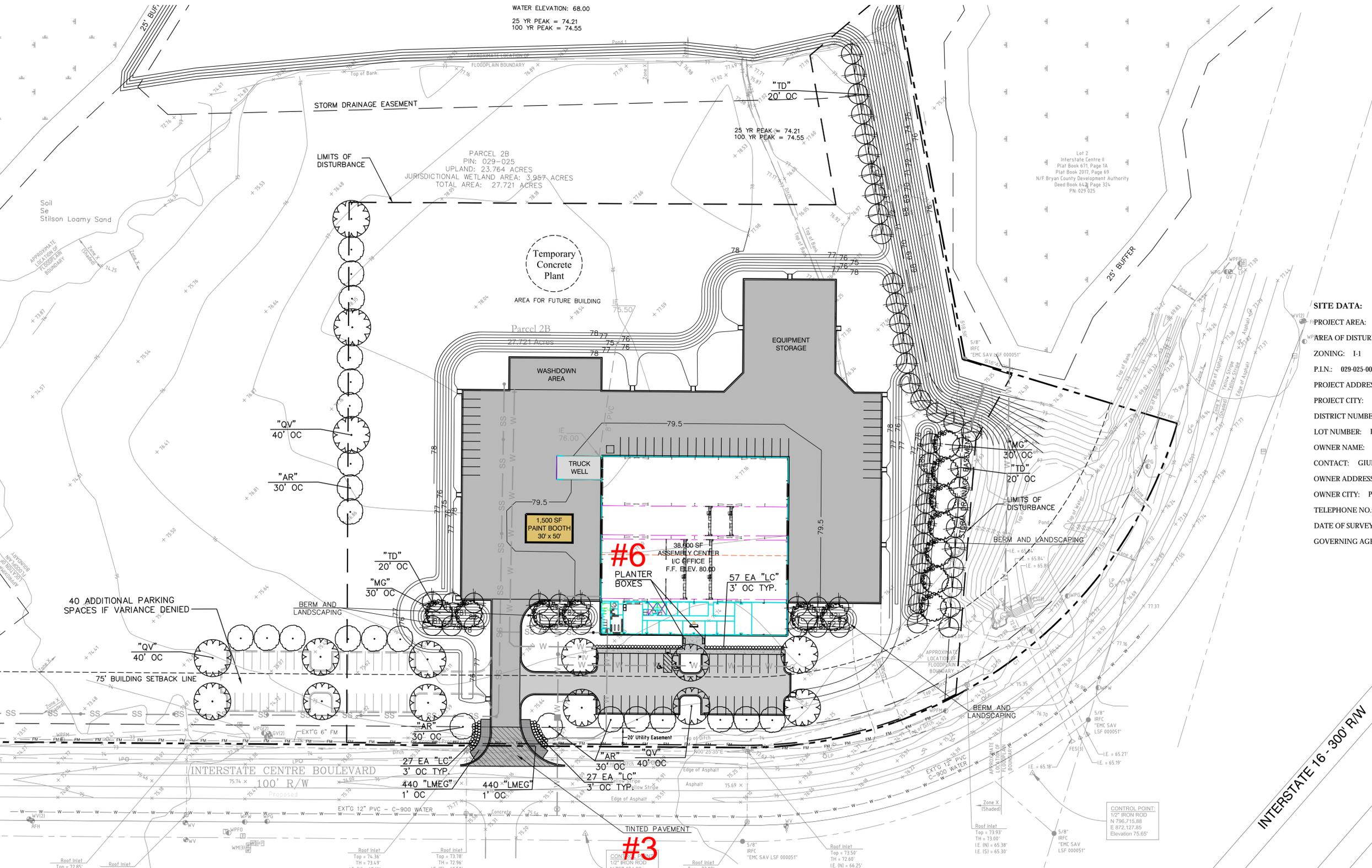


UTILITIES PROTECTION CENTER



KNOW WHAT'S BELOW.  
 CALL BEFORE YOU DIG.  
 DIAL 811 OR 1-800-282-7411  
 WWW.GEORGIA811.COM  
 CALL THREE WORKING DAYS BEFORE YOU DIG

"Exhibit "A-2"



**SITE DATA:**  
 PROJECT AREA: 27.72 ACRES  
 AREA OF DISTURBANCE: 8.9 ACRES  
 ZONING: I-1  
 P.I.N.: 029-025-001-005  
 PROJECT ADDRESS: INTERSTATE CENTRE BOULEVARD  
 PROJECT CITY: ELLABELL  
 DISTRICT NUMBER: 19TH  
 LOT NUMBER: LOT 2-B INTERSTATE CENTRE - II  
 OWNER NAME: CZM - US  
 CONTACT: GIULIANO CLO  
 OWNER ADDRESS: 145 E. INDUSTRIAL BLVD.  
 OWNER CITY: PEMBROKE, GA. 31321  
 TELEPHONE NO.: 912.200.7654  
 DATE OF SURVEY: 11.15.17  
 GOVERNING AGENCY: BRYAN COUNTY

**Kern & Co., LLC**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 7 Mill Court (31469) P.O. Box 15179 (31116) Savannah, Georgia (912) 354-4900  
 319 Walnut Street Suite A, Statesboro, Georgia 30488 Phone: (912) 225-5372



ORIGINAL RELEASED FOR CONSTRUCTION DATE:

| NO | DATE | REVISION |
|----|------|----------|
|    |      |          |
|    |      |          |
|    |      |          |

**PLANS OF  
 CZM FOUNDATION EQUIPMENT  
 AT  
 INTERSTATE CENTRE - II PARCEL C**

DRAWING TITLE:  
**ALTERNATE  
 LANDSCAPE  
 PLAN**

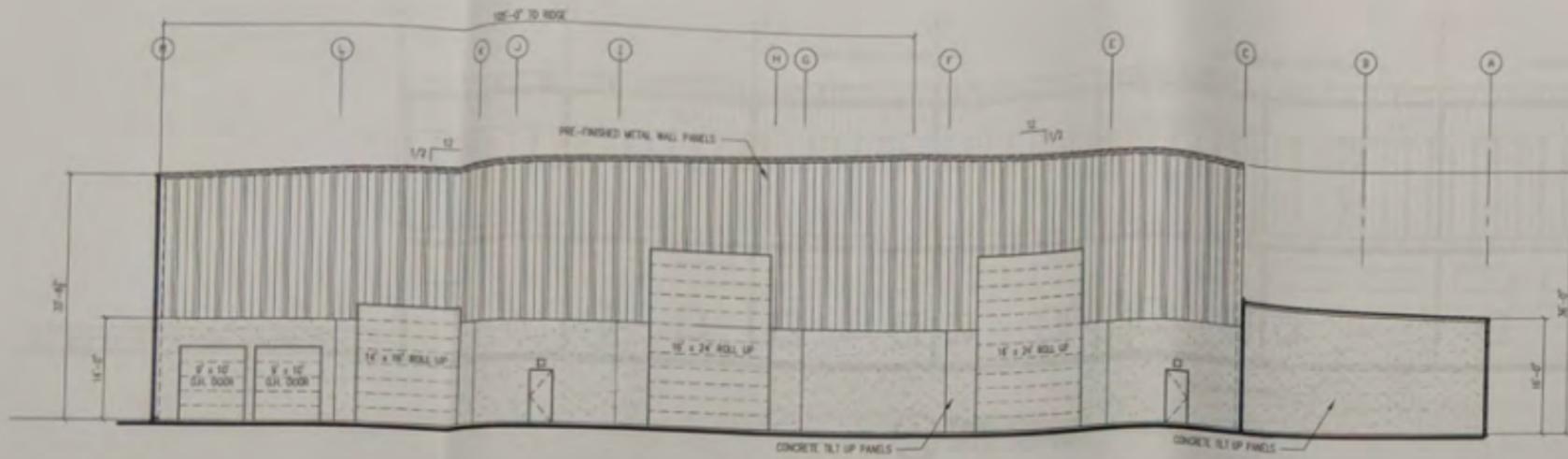
SCALE: 1" = 50'  
 PROJECT NO: 180249.000  
 DATE: 8.23.19  
 DRAWN BY: CRZ  
 CHECKED BY: CRZ  
 SHEET NO:  
**L-1A**

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: \_\_\_\_\_ BY: \_\_\_\_\_

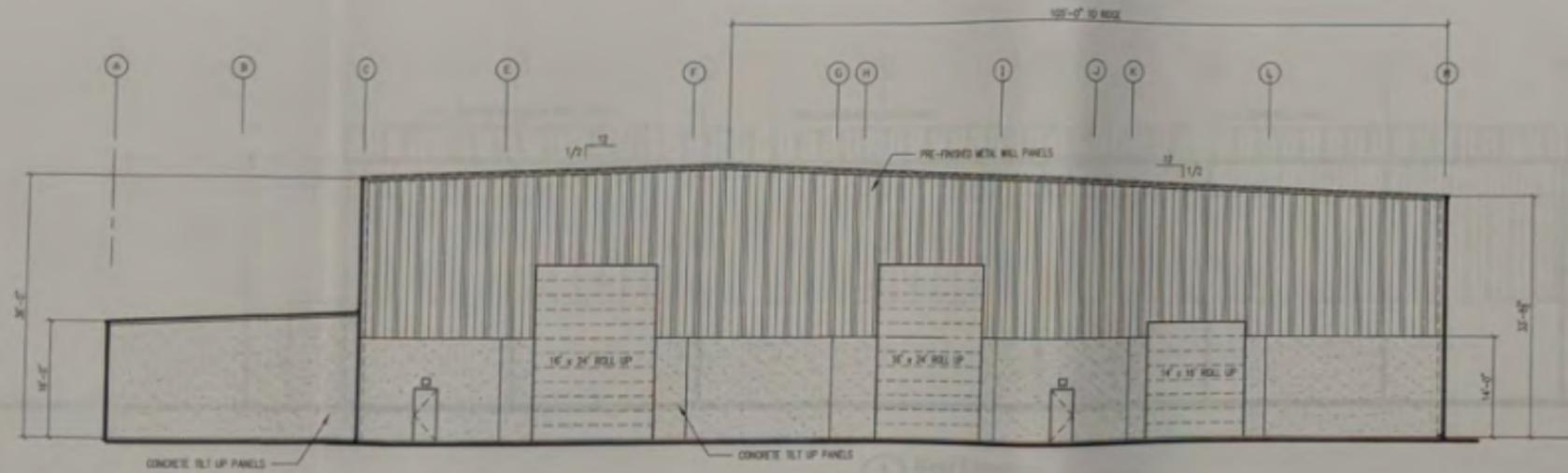
**#1**

Fig. 25 Aug 2019 - 11:00am crz:owner DRAWING PATH: G:\2019\180249\DWG\180249\_LANDSCAPE EXHIBIT.dwg

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1 Side Elevation  
SCALE: 3/32" = 1'-0"



2 Side Elevation  
SCALE: 3/32" = 1'-0"

SEWAS COUNTY BUILDING INSPECTIONS  
REVIEW FOR CODE COMPLIANCE

By: \_\_\_\_\_ Date: \_\_\_\_\_

For the proposed work on the attached site,  
I hereby certify that the same complies with the  
requirements of the Georgia Building Code.

Copyright Kern & Co., LLC. All rights reserved. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Kern & Co., LLC.

**PROPOSED NEW FACILITY FOR  
CZM FOUNDATION EQUIPMENT  
INTERSTATE CENTRE BLVD**

|                     |            |
|---------------------|------------|
| DRAWING TITLE       |            |
| EXTERIOR ELEVATIONS |            |
| PROJECT NO.         | 1000000    |
| DATE:               | 04/20/2014 |
| DRAWN BY:           | KL         |
| CHECKED BY:         | KL         |
| SHEET NO.           | A2.0       |

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: 04/19/2014 BY: KL

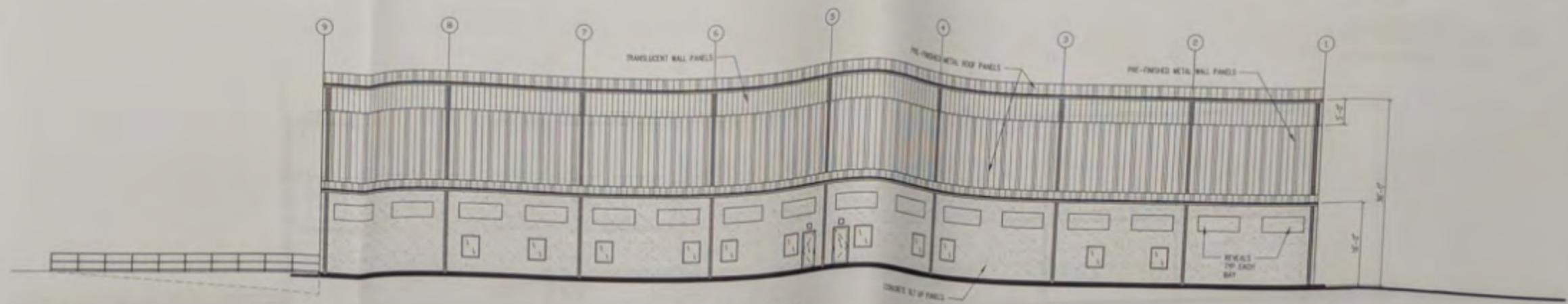
**Kern & Co., LLC.**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists

1010 Peachtree Street, N.E., Suite 1000, Atlanta, Georgia 30309  
 Phone: 404.525.1000 Fax: 404.525.1001 Email: info@kernco.com

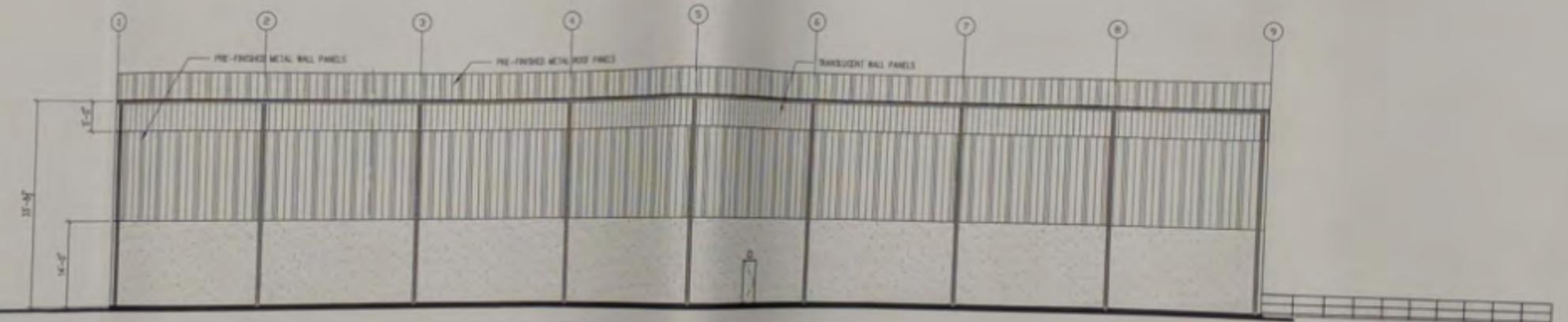


| NO. | DATE | REVISION |
|-----|------|----------|
|     |      |          |
|     |      |          |
|     |      |          |

Kern & Co., LLC. 1010 Peachtree Street, N.E., Suite 1000, Atlanta, Georgia 30309. Phone: 404.525.1000. Fax: 404.525.1001. Email: info@kernco.com



1 Front Elevation  
 ALL SCALE: 3/32" = 1'-0"



2 Rear Elevation  
 ALL SCALE: 3/32" = 1'-0"

**Kern & Co., LLC**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 1001 Greenway • P.O. Box 10170 • Raleigh, North Carolina 27615  
 Phone: 919.876.4400 Fax: 919.876.4403 Email: info@kernco.com



|     |      |          |
|-----|------|----------|
| NO. | DATE | REVISION |
|     |      |          |
|     |      |          |
|     |      |          |

PROPOSED NEW FACILITY FOR  
 CZM FOUNDATION EQUIPMENT  
 INTERSTATE CENTRE BLVD  
 PETERSBURG, GEORGIA

|             |         |
|-------------|---------|
| PROJECT NO. | 080004  |
| DATE        | 8/15/13 |
| DESIGN BY   | JL      |
| DRAWN BY    | DL      |
| CHECKED BY  | DL      |
| SHEET NO.   |         |

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: 08/15/13 BY: [Signature]

A2.1

2,250 SF TOTAL FACE = 2,250.0 SF  
 2,000 SF TRANSLUCENT WALL PANELS = 2,000.0 SF  
 11 WINDOWS @ 11.5 SF (GLASS) EACH = 126.5 SF  
 2 FULL GLASS DOORS @ 15 SF (GLASS) EACH = 30.0 SF  
 OPENINGS COMPRISE 25.5% OF THE WALL AREA



**1**  
**A2.1B** Front Elevation - Alternate  
 SCALE: 3/32" = 1'-0"

USE CITY BUILDING DEPARTMENT  
 REVIEW FOR OER COMPLIANCE  
 I have checked this drawing and find it in compliance with the requirements of the City of  
 Atlanta, Georgia. I am releasing this drawing for construction as shown on the  
 drawing. I am not responsible for any errors or omissions.  
 The architect shall be responsible for the accuracy of the  
 information on this drawing.  
 Date: 8/28/19  
 Signature: [Handwritten Signature]

**Kern & Co., LLC.**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 1 Mid Lane (1045) • P.O. Box 10779 • Smyrna, Georgia 30088  
 Phone (770) 424-2400 • Fax (770) 424-2401 • Email: info@kernco.com



| NO. | DATE | REVISIONS |
|-----|------|-----------|
|     |      |           |
|     |      |           |
|     |      |           |
|     |      |           |

**PROPOSED NEW FACILITY FOR  
 CZM FOUNDATION EQUIPMENT  
 INTERSTATE CENTRE BLVD  
 PEMBERVILLE, GEORGIA**

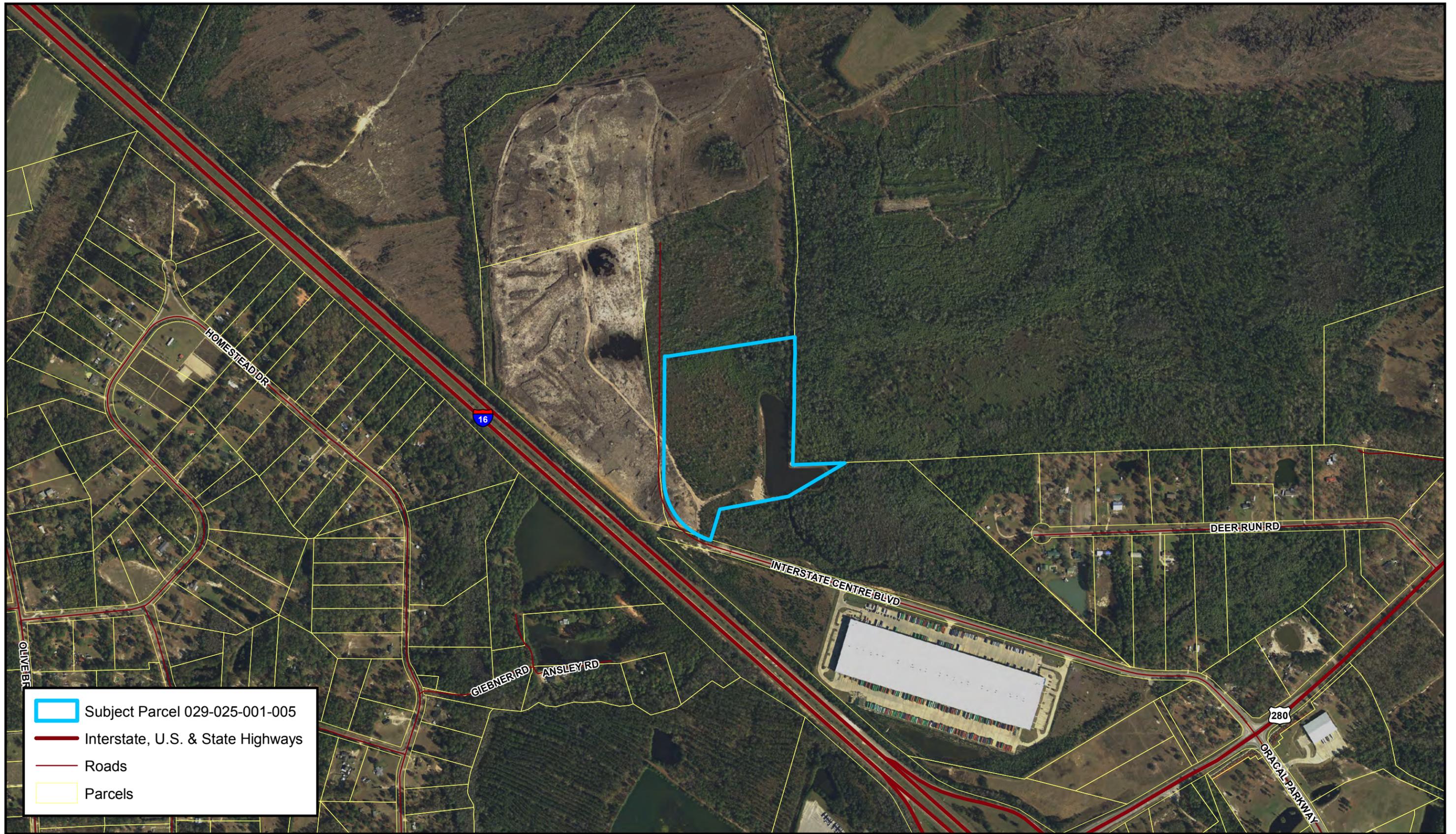
DRAWING TITLE:  
**ALTERNATE  
 EXTERIOR  
 ELEVATIONS**

PROJECT NO: 18010010  
 DATE: 06/10/2019  
 DESIGN BY: rwo/cz  
 DRAWN BY: DLW  
 CHECKED BY: rwo/cz

NOT FOR CONSTRUCTION  
 RELEASED FOR CONSTRUCTION  
 DATE: 8/27/2019, TDO

**A2.1B**

# “C” Exhibits – Bryan County Supplements



|   |                                   |
|---|-----------------------------------|
|  | Subject Parcel 029-025-001-005    |
|  | Interstate, U.S. & State Highways |
|  | Roads                             |
|  | Parcels                           |



**Location Map**  
**CZM**  
**Design Guideline Waiver**

**"Exhibit C-1"**

DISCLAIMER  
 Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



**Bryan County  
 Non-Residential Design Guidelines  
 Interim Development Ordinance  
 Staff Report**

**"Exhibit C-2"**

---



---

**Application Information**

**Address:**  
**Applicant:**  
**Project:**  
**Parcel:**  
**Description:**

---



---

**Design Guidelines**

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Building Placement<br>(11.6.d.i.1-5)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Village Design<br>(11.6.d.ii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Neighborhood<br>Connections (11.6.d.iii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Natural Features<br>(11.6.d.iv)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Pedestrian Access<br>(11.6.d.v.1-3)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Use Conflict<br>(11.6.d.vi.1-3)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Neighborhood Access<br>(11.6.e.i.1-4)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Avoid Conflict<br>(11.6.e.ii.)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|                                      |     |         |                   |                |
|--------------------------------------|-----|---------|-------------------|----------------|
| Throat Depth<br>(11.6.e.ii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--------------------------------------|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Pedestrian Path<br>(11.6.e.iv)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Special Paving<br>(11.6.e.v.1-7)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Pedestrian Features<br>(11.6.e.vi.1-3)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Shared Access Drives<br>(11.6.e.vii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|                                      |     |         |                   |                |
|--------------------------------------|-----|---------|-------------------|----------------|
| Bike Racks<br>(11.6.e.viii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--------------------------------------|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Surface Parking<br>(11.6.f.i)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Small Parking Areas<br>(11.6.f.ii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Parking Location<br>(11.6.f.iii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Parking Connection<br>(11.6.f.iv)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Landscape Corridor<br>(11.6.g.i)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|                                      |     |         |                   |                |
|--------------------------------------|-----|---------|-------------------|----------------|
| Street Trees<br>(11.6.g.ii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--------------------------------------|-----|---------|-------------------|----------------|

|                                       |     |         |                   |                |
|---------------------------------------|-----|---------|-------------------|----------------|
| Accent Trees<br>(11.6.g.iii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---------------------------------------|-----|---------|-------------------|----------------|

|                                   |     |         |                   |                |
|-----------------------------------|-----|---------|-------------------|----------------|
| Tree Type<br>(11.6.g.iv)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|-----------------------------------|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| General Landscape<br>(11.6.g.v)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|                                     |     |         |                   |                |
|-------------------------------------|-----|---------|-------------------|----------------|
| Tree Spacing<br>(11.6.h.i)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|-------------------------------------|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Parking Coverage<br>(11.6.h.ii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|                                |     |         |                   |                |
|--------------------------------|-----|---------|-------------------|----------------|
| Screening<br>(11.6.i)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--------------------------------|-----|---------|-------------------|----------------|

|                                    |     |         |                   |                |
|------------------------------------|-----|---------|-------------------|----------------|
| Project Entry<br>(11.6.j)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|------------------------------------|-----|---------|-------------------|----------------|

|                                     |     |         |                   |                |
|-------------------------------------|-----|---------|-------------------|----------------|
| Building Front<br>(11.6.k)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|-------------------------------------|-----|---------|-------------------|----------------|

|                                   |     |         |                   |                |
|-----------------------------------|-----|---------|-------------------|----------------|
| Service Area<br>(11.6.l)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|-----------------------------------|-----|---------|-------------------|----------------|

|                                       |     |         |                   |                |
|---------------------------------------|-----|---------|-------------------|----------------|
| Outdoor Displays<br>(11.6.m)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---------------------------------------|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Trashing/Recycling<br>(11.6.n)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|                               |     |         |                   |                |
|-------------------------------|-----|---------|-------------------|----------------|
| Lighting<br>(11.6.o)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|-------------------------------|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Building Design<br>(11.6.p.i-vi)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|  |     |         |                   |                |
|--|-----|---------|-------------------|----------------|
| Mass, Scale, and Form<br>(11.6.q.1-vii)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Mass, Scale, and Form<br>(11.6.viii.1-3)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|   |     |         |                   |                |
|---|-----|---------|-------------------|----------------|
| Materials/Finishes<br>(11.6.r)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|---|-----|---------|-------------------|----------------|

|                                |     |         |                   |                |
|--------------------------------|-----|---------|-------------------|----------------|
| Rooflines<br>(11.6.s)<br>Note: | Met | Not Met | Lacks Information | Not Applicable |
|--------------------------------|-----|---------|-------------------|----------------|

Entries  
(11.6.t)  
Note:

Met

Not Met

Lacks Information

Not Applicable

Windows/Openings  
(11.6.u)  
Note:

Met

Not Met

Lacks Information

Not Applicable

**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|  |  |
|--|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned A-5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|--|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 21.18-acre parcel PID# 065 021, in unincorporated Bryan County, Georgia, to A-5, Agricultural.

**Owner:** **Brown Ethel, Cornelius Br  
Shirley Brown Barnett ETA  
c/o Robert L Brown  
PO Box 994  
Richmond Hill, GA 31324**

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on July 18, 2019.

- B. Notice was sent to the affected property owner via certified mail on July 16, 2019.
- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the east side of Hwy 144 just south of Steeple Chase Lane. The property consists of 21.18-acres and is currently undeveloped. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the surrounding property owners believe that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. A certified copy of the official zoning map dated February 14, 2006 indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, adjacent property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map.

This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property to amend the zoning map to reflect “A-5” zoning.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

No Public Comments Received

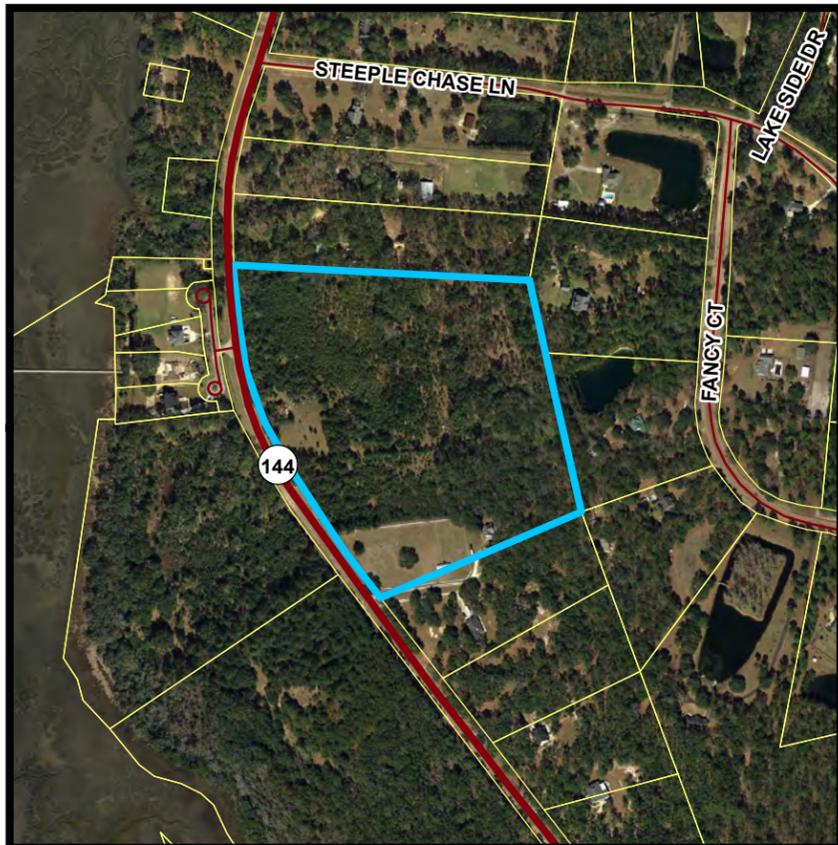
### III. Planning and Zoning Recommendation

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

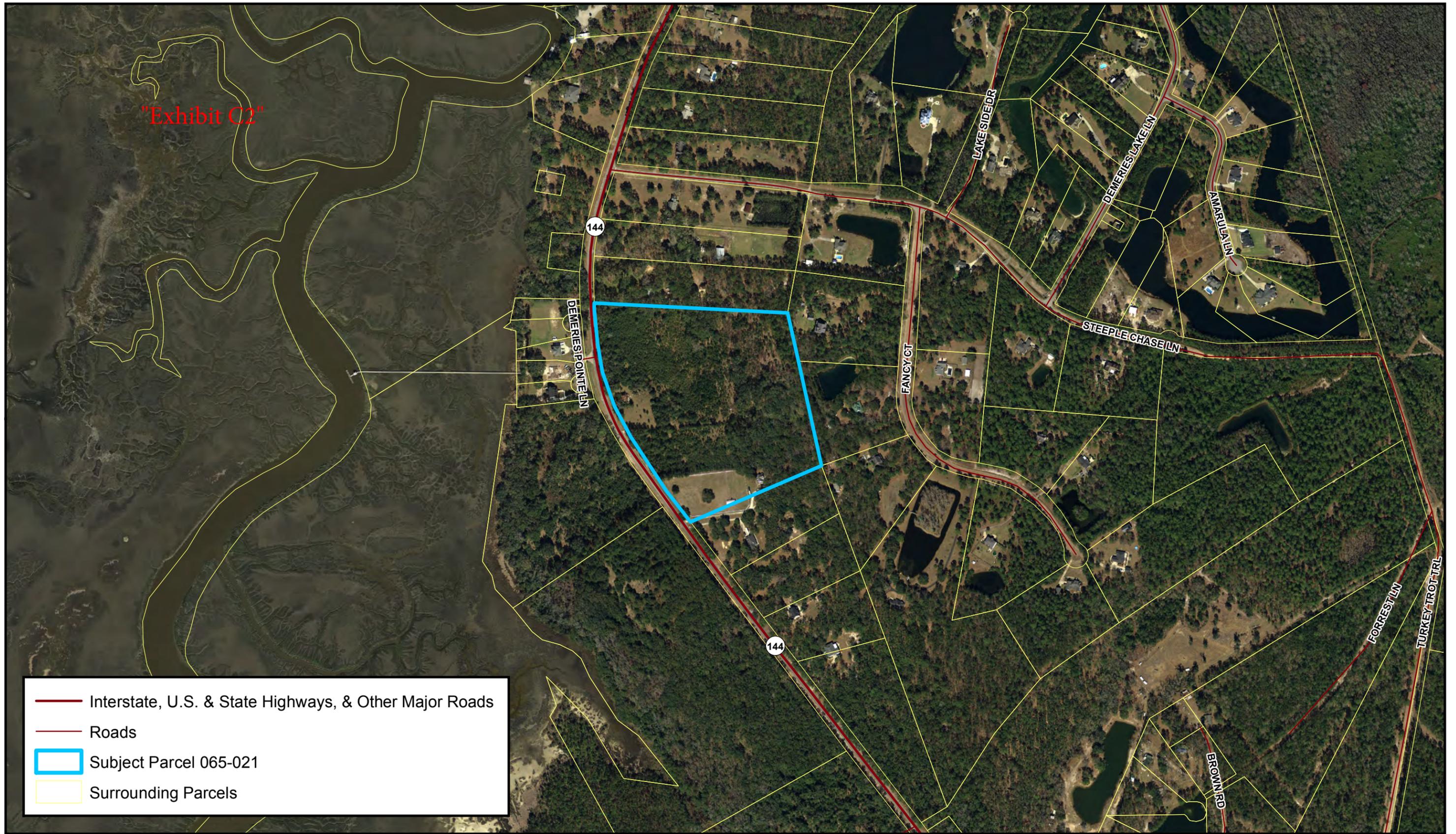
"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021
- Surrounding Parcels



"Exhibit C2"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- ▭ Subject Parcel 065-021
- ▭ Surrounding Parcels



Produced by Bryan County GIS  
July 2019



### Location Map County Initiated Rezoning Case Z# 211-19

**DISCLAIMER**  
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"Exhibit C3"



Interstate, U.S. & State Highways, & Other Major Roads  
 Roads  
 Notified Owners  
 Subject Parcel 065-021  
 Surrounding Parcels

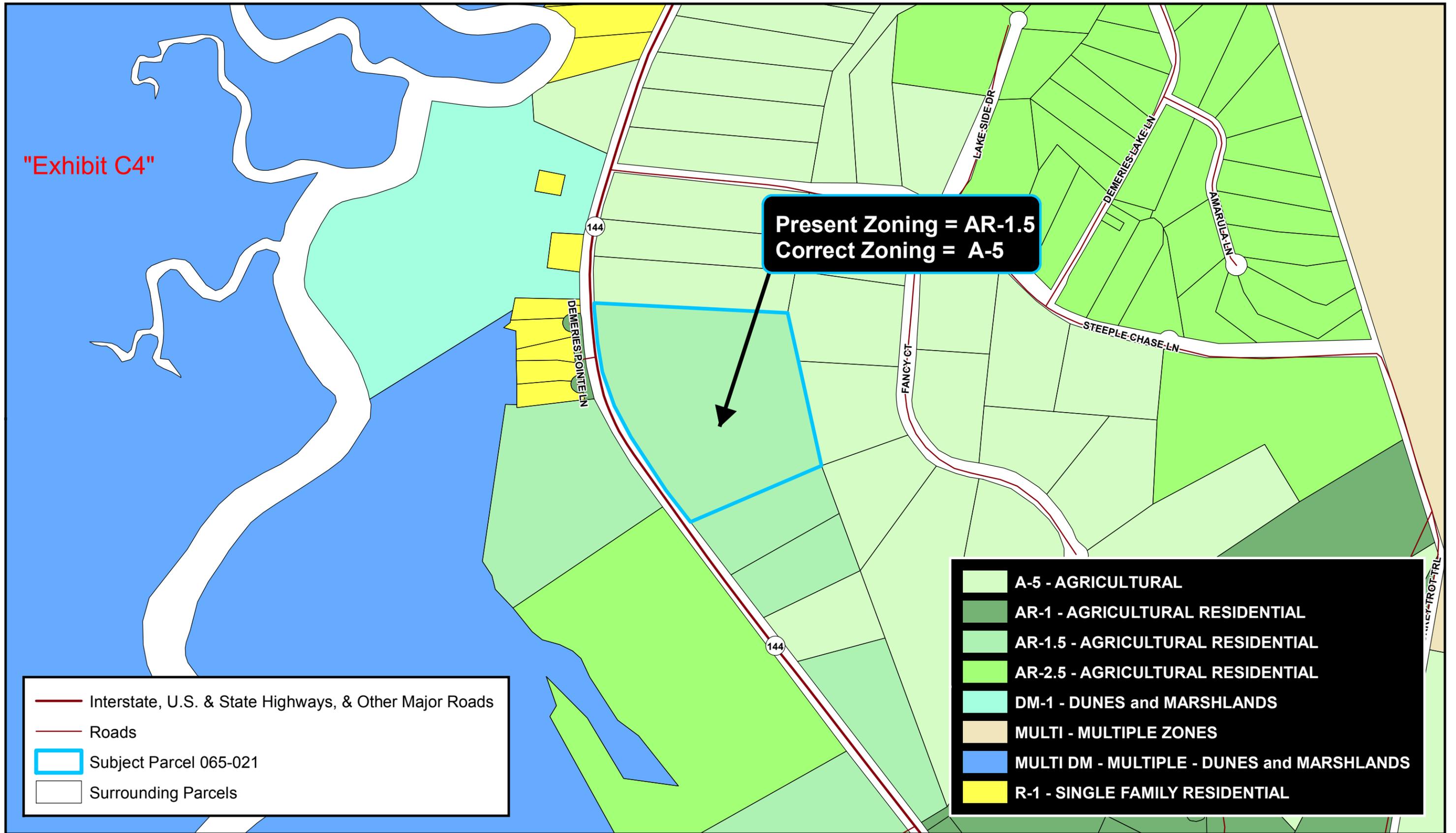
| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADY BETTY   |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKLEROAD STANLEY C JR & MARY K K                  |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPHER A & CARA L                       |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |



**Notification Map**  
**County Initiated Rezoning**  
**Case Z# 211-19**

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"Exhibit C4"



Present Zoning = AR-1.5  
Correct Zoning = A-5

- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021
- Surrounding Parcels

- A-5 - AGRICULTURAL
- AR-1 - AGRICULTURAL RESIDENTIAL
- AR-1.5 - AGRICULTURAL RESIDENTIAL
- AR-2.5 - AGRICULTURAL RESIDENTIAL
- DM-1 - DUNES and MARSHLANDS
- MULTI - MULTIPLE ZONES
- MULTI DM - MULTIPLE - DUNES and MARSHLANDS
- R-1 - SINGLE FAMILY RESIDENTIAL

**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 01 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned A-5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 5-acre parcel PID# 065 021 01, in unincorporated Bryan County, Georgia, to A-5, Agricultural.

**Owner:** Christopher and Cara Martin  
23287 Hwy 144  
Richmond Hill, GA 31324

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on July 18, 2019.

B. Notice was sent to the affected property owner via certified mail on July 16, 2019.

- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the east side of Hwy 144 just south of Steeple Chase Lane. The property consists of 5-acres and is developed with a single family home. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the property owner believes that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property.

A subdivision plat recorded in Plat Book 450, Page 1 on October 29, 1996 identifies the parcel in question as being zoned “A-5” and a certified copy of the official zoning map dated February 14, 2006 also indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, the property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

- D-1 Email from Christopher Martin dated June 25, 2019

### III. Planning and Zoning Recommendation

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-01
- Surrounding Parcels



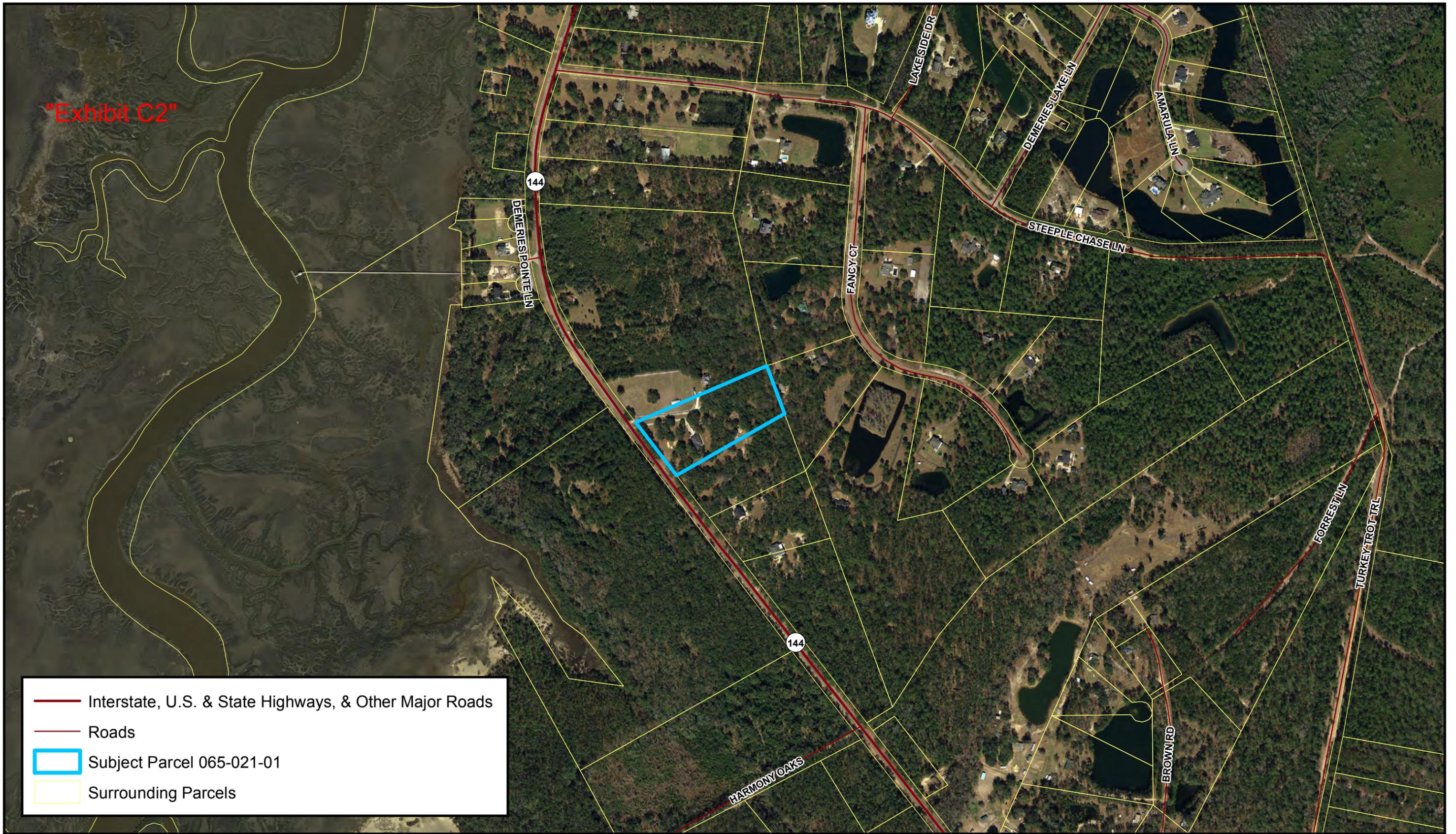
Produced by Bryan County GIS  
July 2019



**Overview Map  
County Initiated Rezoning  
Case Z# 212-19**

DISCLAIMER  
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"Exhibit C2"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-01
- Surrounding Parcels



Produced by Bryan County GIS  
July 2019



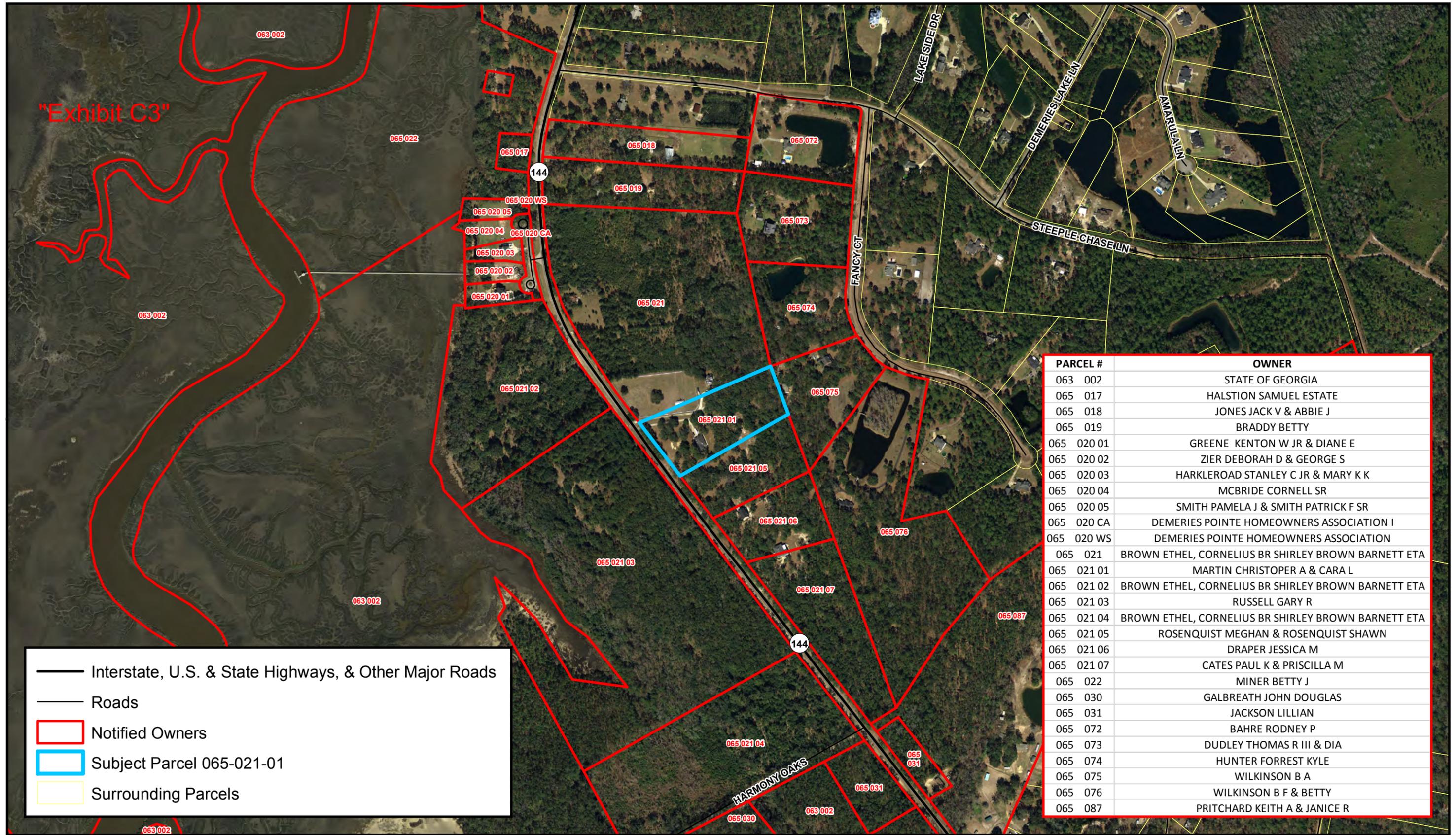
### Location Map County Initiated Rezoning Case Z# 212-19

**DISCLAIMER**  
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"Exhibit C3"

-  Interstate, U.S. & State Highways, & Other Major Roads
-  Roads
-  Notified Owners
-  Subject Parcel 065-021-01
-  Surrounding Parcels

| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADY BETTY   |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKLEROAD STANLEY C JR & MARY K K                  |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPER A & CARA L                        |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |



## Notification Map

### County Initiated Rezoning

### Case Z# 212-19

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"Exhibit C4"

Present Zoning = AR-1.5  
Correct Zoning = A-5

- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-01
- Surrounding Parcels

- A-5 - AGRICULTURAL
- AR-1 - AGRICULTURAL RESIDENTIAL
- AR-1.5 - AGRICULTURAL RESIDENTIAL
- AR-2.5 - AGRICULTURAL RESIDENTIAL
- DM-1 - DUNES and MARSHLANDS
- MULTI - MULTIPLE ZONES
- MULTI DM - MULTIPLE - DUNES and MARSHLANDS
- R-1 - SINGLE FAMILY RESIDENTIAL



Produced by Bryan County GIS  
July 2019



### Zoning Map County Initiated Rezoning Case Z# 212-19

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**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 02 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned A-5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 13-acre parcel PID# 065 021 01, in unincorporated Bryan County, Georgia, to A-5, Agricultural.

**Owner:** **Brown Ethel, Cornelius Br  
Shirley Brown Barnett ETA  
c/o Robert L Brown  
PO Box 994  
Richmond Hill, GA 31324**

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

- A. Legal notice was published in the Bryan County News on July 18, 2019.
- B. Notice was sent to the affected property owner via certified mail on July 16, 2019.
- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the west side of Hwy 144 just south of Steeple Chase Lane. The property consists of 13-acres and is undeveloped. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the surrounding property owners believe that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property.

A subdivision plat recorded in Plat Book 450, Page 8 on December 2, 1996 identifies the parcel in question as being zoned “A-5” and a certified copy of the official zoning map dated February 14, 2006 also indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, the property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

None Received

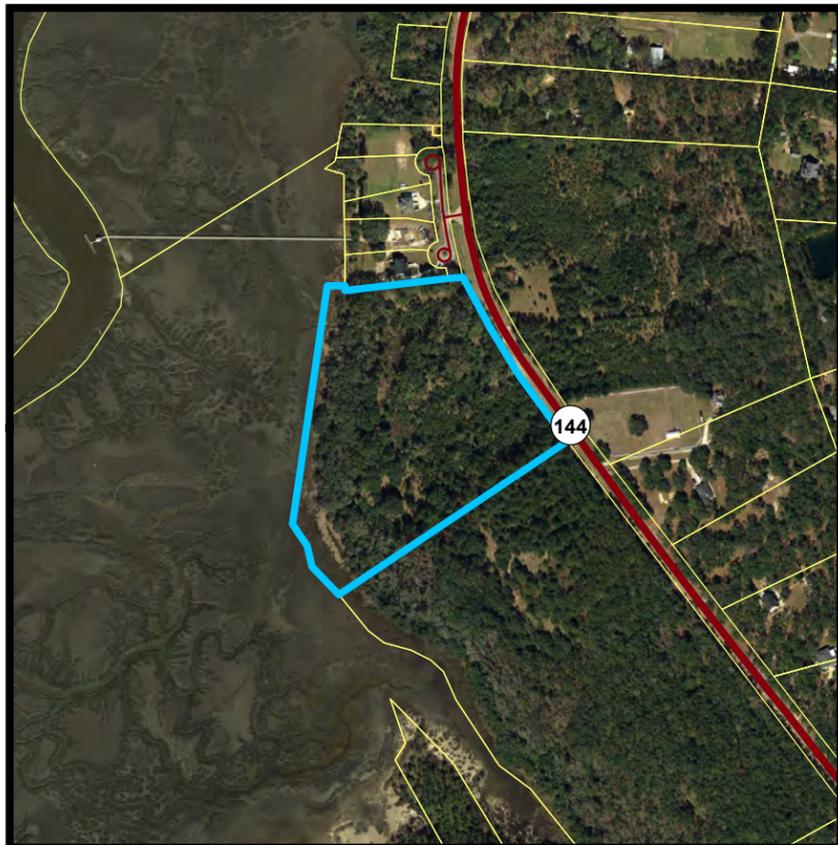
### **III. Planning and Zoning Recommendation**

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

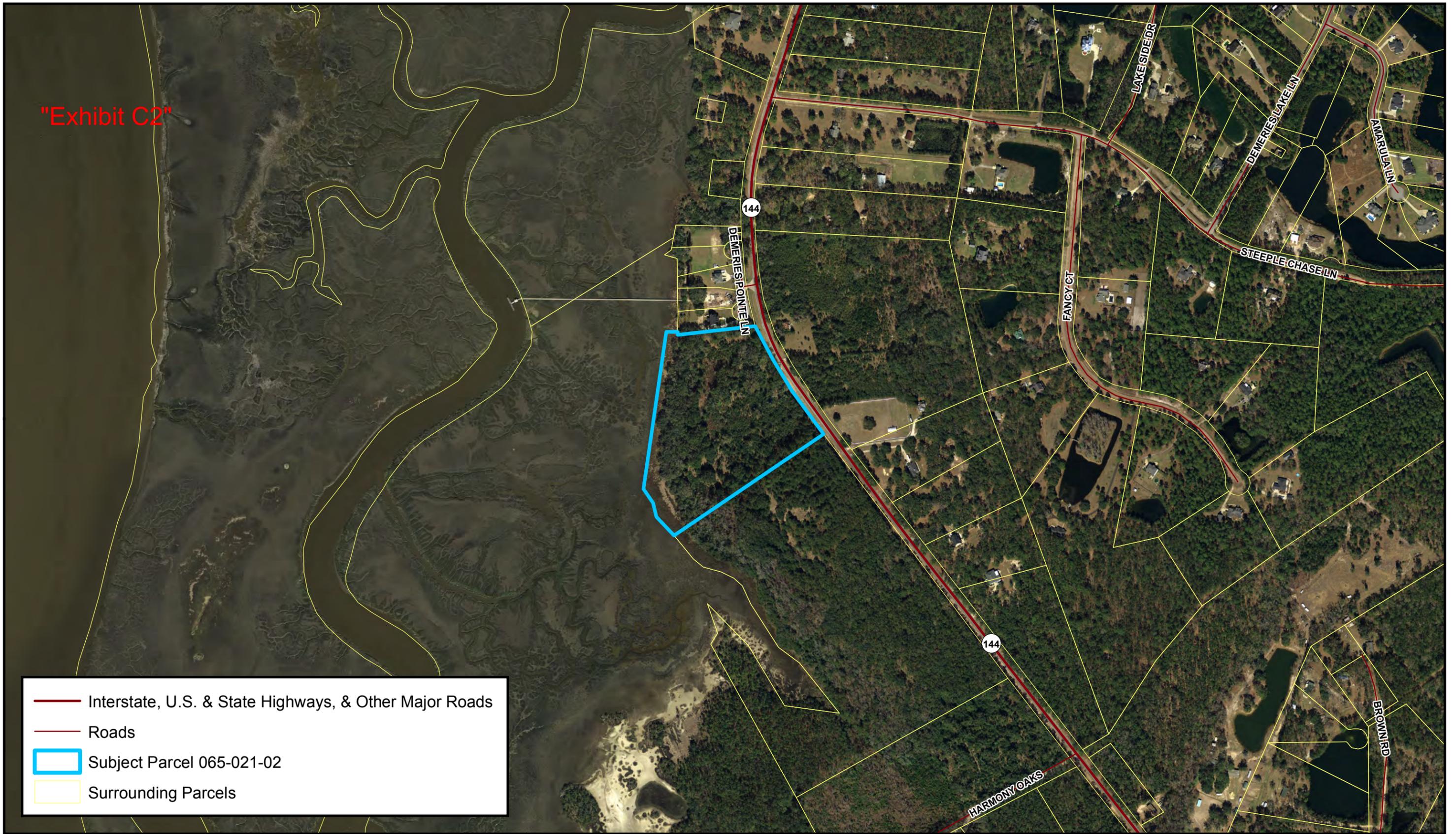
"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-02
- Surrounding Parcels



"Exhibit C2"



-  Interstate, U.S. & State Highways, & Other Major Roads
-  Roads
-  Subject Parcel 065-021-02
-  Surrounding Parcels



Produced by Bryan County GIS  
July 2019



### Location Map County Initiated Rezoning Case Z# 213-19

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"Exhibit C3"

| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADDDY BETTY                                       |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKLEROAD STANLEY C JR & MARY K K                  |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPHER A & CARA L                       |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |

 Interstate, U.S. & State Highways, & Other Major Roads  
 Roads  
 Notified Owners  
 Subject Parcel 065-021-02  
 Surrounding Parcels



## Notification Map

### County Initiated Rezoning

### Case Z# 213-19

DISCLAIMER  
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"Exhibit C4"

Present Zoning = AR-1.5  
Correct Zoning = A-5

- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-02
- Surrounding Parcels

- A-5 - AGRICULTURAL
- AR-1 - AGRICULTURAL RESIDENTIAL
- AR-1.5 - AGRICULTURAL RESIDENTIAL
- AR-2.5 - AGRICULTURAL RESIDENTIAL
- DM-1 - DUNES and MARSHLANDS
- MULTI - MULTIPLE ZONES
- MULTI DM - MULTIPLE - DUNES and MARSHLANDS
- R-1 - SINGLE FAMILY RESIDENTIAL



**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 04 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned A-5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 19.16-acre parcel PID# 065 021 04, in unincorporated Bryan County, Georgia, to A-5, Agricultural.

**Owner:** **Brown Ethel, Cornelius Br  
Shirley Brown Barnett ETA  
c/o Robert L Brown  
PO Box 994  
Richmond Hill, GA 31324**

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

- A. Legal notice was published in the Bryan County News on July 18, 2019.
- B. Notice was sent to the affected property owner via certified mail on July 16, 2019.
- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the west side of Hwy 144 just south of Steeple Chase Lane. The property consists of 19.16-acres and is undeveloped. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the surrounding property owners believe that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property.

A subdivision plat recorded in Plat Book 450, Page 8 on December 2, 1996 identifies the parcel in question as being zoned “A-5” and a certified copy of the official zoning map dated February 14, 2006 also indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, the property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

None Received

### **III. Planning and Zoning Recommendation**

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-04
- Surrounding Parcels



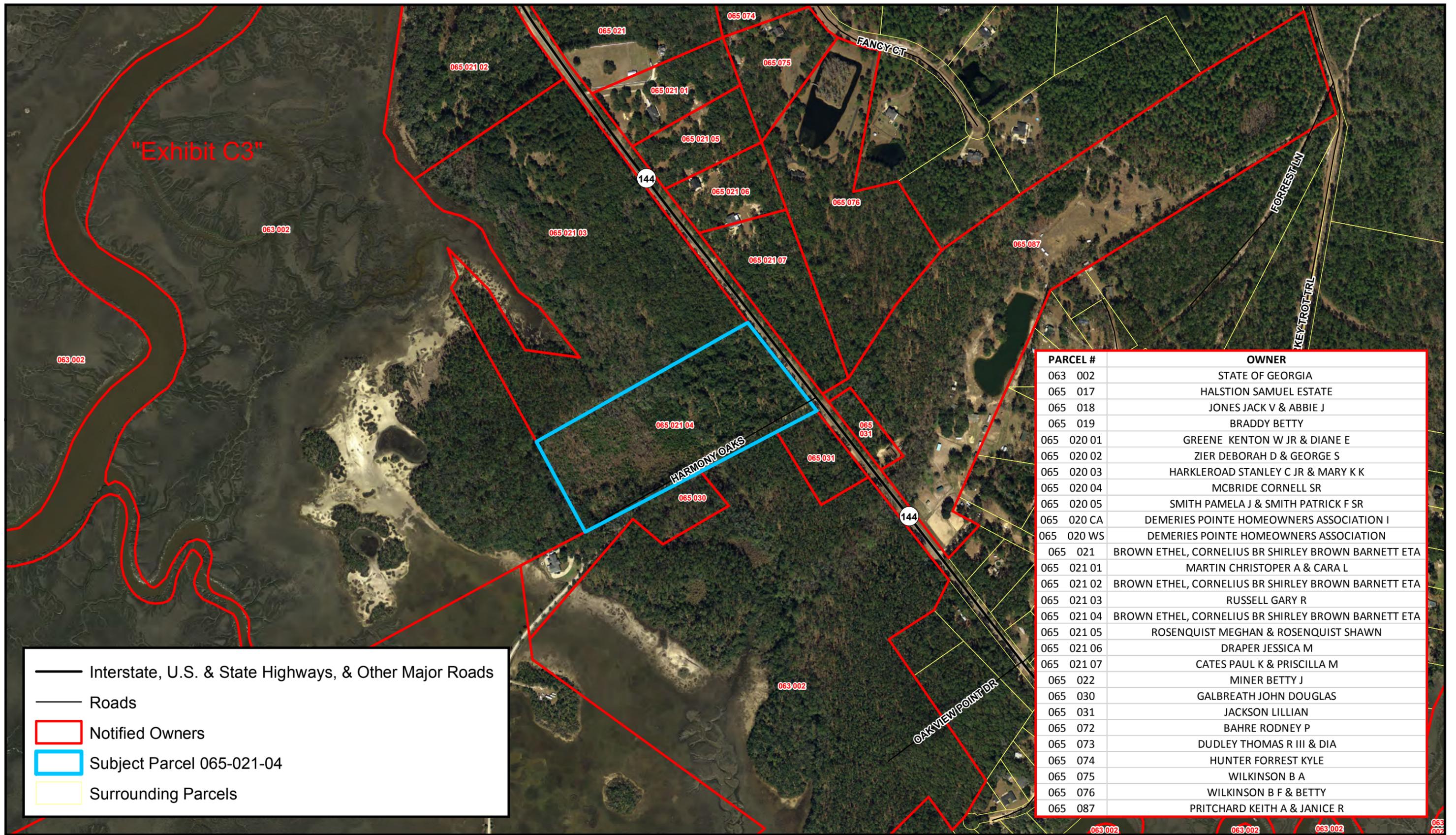


- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-04
- Surrounding Parcels



**Location Map**  
**County Initiated Rezoning**  
**Case Z# 214-19**

**DISCLAIMER**  
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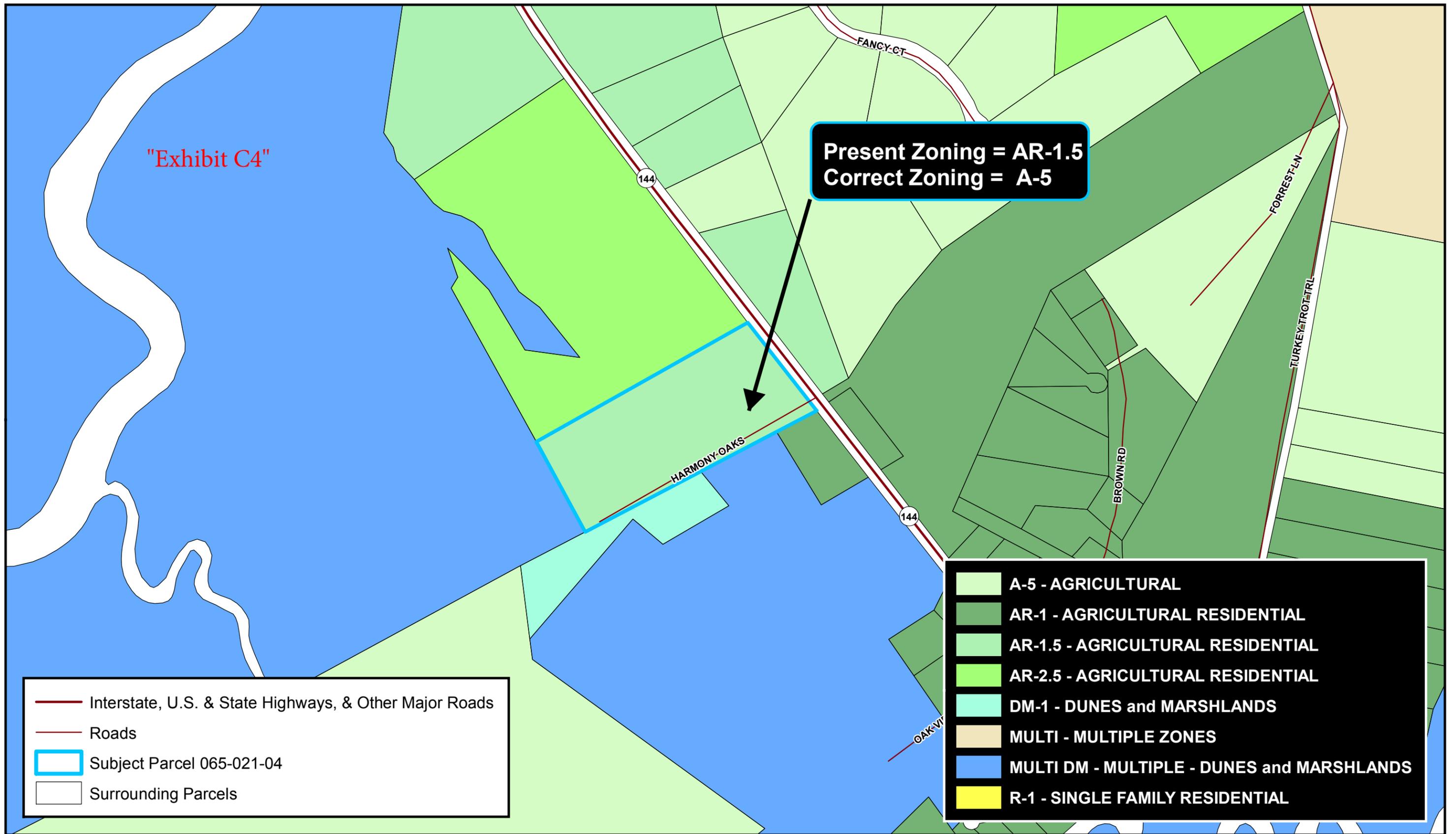
— Interstate, U.S. & State Highways, & Other Major Roads  
 — Roads  
 Notified Owners  
 Subject Parcel 065-021-04  
 Surrounding Parcels

| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADDY BETTY  |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKLEROAD STANLEY C JR & MARY K K                  |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPER A & CARA L                        |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |



**Notification Map**  
**County Initiated Rezoning**  
**Case Z# 214-19**

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**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|   |  |
|---|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 05 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned A-5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|---|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 5-acre parcel PID# 065 021 05, in unincorporated Bryan County, Georgia, to A-5, Agricultural.

**Owner:** **Shawn and Meghan Rosenquist**  
**23351 Hwy 144**  
**Richmond Hill, GA 31324**

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on July 18, 2019.

B. Notice was sent to the affected property owner via certified mail on July 16, 2019.

- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the east side of Hwy 144 just south of Steeple Chase Lane. The property consists of 5.16-acres and is developed with a single family home. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the property owner believes that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property.

A subdivision plat recorded in Plat Book 450, Page 1 on October 29, 1996 identifies the parcel in question as being zoned “A-5” and a certified copy of the official zoning map dated February 14, 2006 also indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, the property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

- D-1 Email from Shawn and Meghan Rosenquist dated June 25, 2019

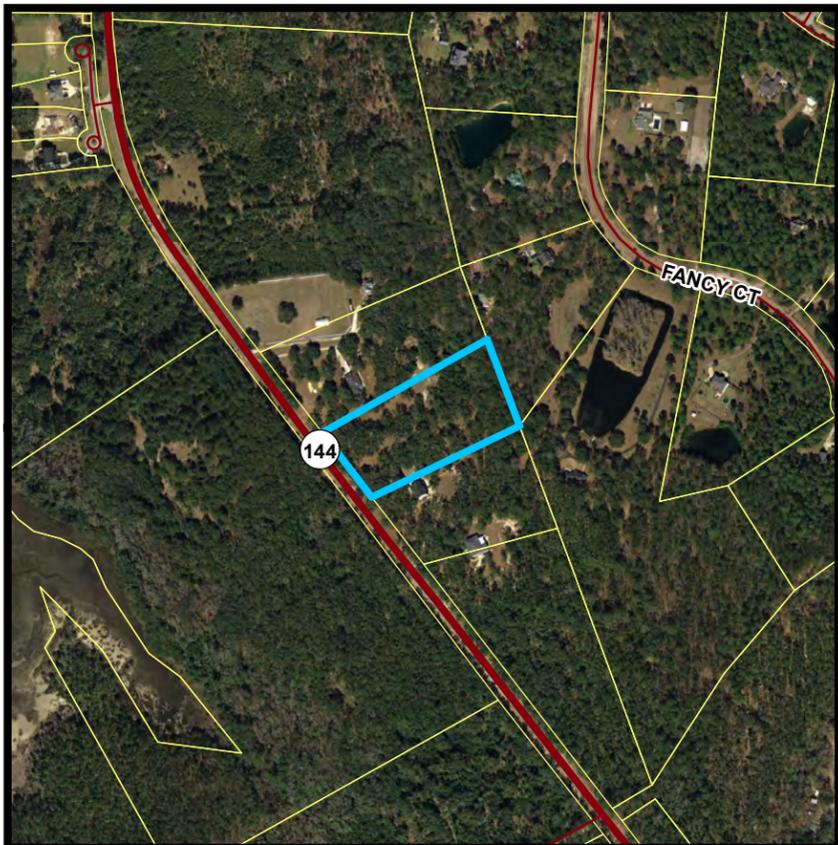
### III. Planning and Zoning Recommendation

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-05
- Surrounding Parcels



"Exhibit C2"

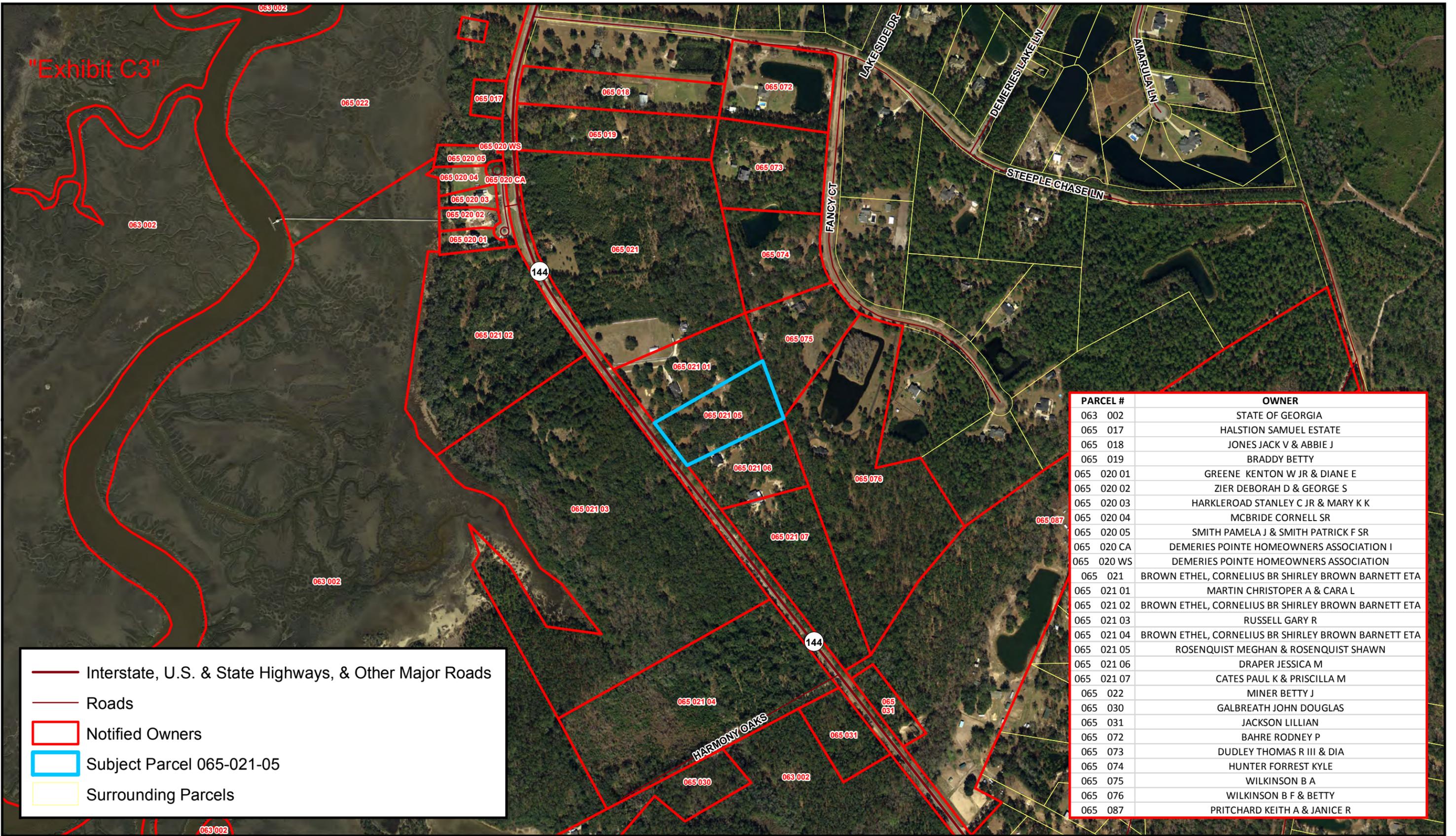
- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-05
- Surrounding Parcels



### Location Map County Initiated Rezoning Case Z# 215-19

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"Exhibit C3"



— Interstate, U.S. & State Highways, & Other Major Roads  
— Roads  
 Notified Owners  
 Subject Parcel 065-021-05  
 Surrounding Parcels

| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADY BETTY   |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKROAD STANLEY C JR & MARY K K                    |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPHER A & CARA L                       |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |



Produced by Bryan County GIS  
July 2019



## Notification Map

### County Initiated Rezoning

### Case Z# 215-19

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"Exhibit C4"

Present Zoning = AR-1.5  
Correct Zoning = A-5

— Interstate, U.S. & State Highways, & Other Major Roads

— Roads

□ Subject Parcel 065-021-05

□ Surrounding Parcels

■ A-5 - AGRICULTURAL

■ AR-1 - AGRICULTURAL RESIDENTIAL

■ AR-1.5 - AGRICULTURAL RESIDENTIAL

■ AR-2.5 - AGRICULTURAL RESIDENTIAL

■ DM-1 - DUNES and MARSHLANDS

■ MULTI - MULTIPLE ZONES

■ MULTI DM - MULTIPLE - DUNES and MARSHLANDS

■ R-1 - SINGLE FAMILY RESIDENTIAL



**BRYAN COUNTY PLANNING & ZONING COMMISSION**

Public Hearing Date: July 30, 2019

|  |  |
|--|--|
| REGARDING THE APPLICATION OF: Bryan County Board of Commissioners, requesting the rezoning of parcel, PID# 065 021 07 in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned AR 2.5, from its current AR 1.5 zoning. | Staff Report<br><br>by Amanda Clement<br><br>Dated: August 6, 2019 |
|--|--|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a rezone map amendment for Bryan County. The application initiated by the Bryan County Board of Commissioners, proposes to change the AR 1.5 Agricultural Residential zoning for a 5.52-acre parcel PID# 065 021 07, in unincorporated Bryan County, Georgia, to AR 2.5, Agricultural Residential.

**Owner:** Paul and Priscilla Cates  
23615 Hwy 144  
Richmond Hill, GA 31324

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Bryan County Zoning Ordinance, Article VI, Amendments

**II. General Information**

**1. Application:** The Bryan County Board of Commissioners initiated the rezoning request at their July 9, 2019 regular meeting.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on July 18, 2019.

B. Notice was sent to the affected property owner via certified mail on July 16, 2019.

- C. Notice was sent to Surrounding Land Owners on July 16, 2019.
- D. The site was posted for Public Hearing on July 16, 2019.

**3. Background:** The subject property is located on the east side of Hwy 144 just south of Steeple Chase Lane. The property consists of 5.52-acres and is developed with a single family home. It is currently depicted as being zoned “AR 1.5” Agricultural Residential District on the County’s GIS and printed maps; however, the surrounding property owner believes that this is in error, and that the parcel in question should be zoned “A-5” Agricultural District. This concern was presented to the Board of Commissioners at their regular meeting on July 9, 2019, and at that time, the Board of Commissioners directed Community Development Department staff to proceed with a County initiated rezoning of the property.

A subdivision plat recorded in Plat Book 450, Page 1 on October 29, 1996 identifies the parcel in question as being zoned “A-5” and a certified copy of the official zoning map dated February 14, 2006 also indicates an “A-5” zoning. In addition, staff has reviewed zoning files and meeting minutes since 2006 to locate any official record of approval to rezone these parcels to “AR 1.5”, and the search has yielded none. Since no record of approval has been located, the property owners believe this to be a mapping error, which occurred when the County transitioned to a GIS based zoning map. Regardless of the error, the Cates have relied upon guidance from the planning and zoning office which referenced the “AR 1.5” zoning to suggest that the 5.52-acre parcel could be subdivided into two parcels measuring 3-acres and 2.52-acres. The Cates have worked with a surveyor to mark the area of these new lots; and is requesting a rezoning to “AR 2.5” in order to allow them to proceed with the subdivision as proposed.

**4. Exhibits:** The following Exhibits are attached hereto as referenced.

**“A” Exhibits- Application:**

N/A

**“B” Exhibits- Agency Comments:**

None provided

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

D-1 Letter from Paul and Priscilla Cates dated July 12, 2019

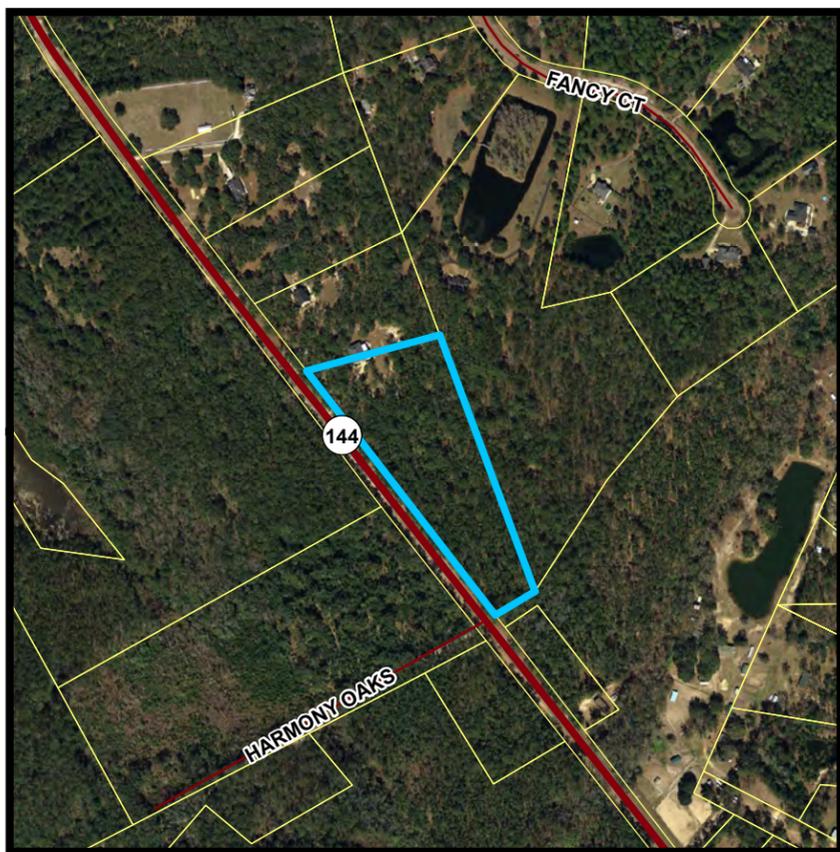
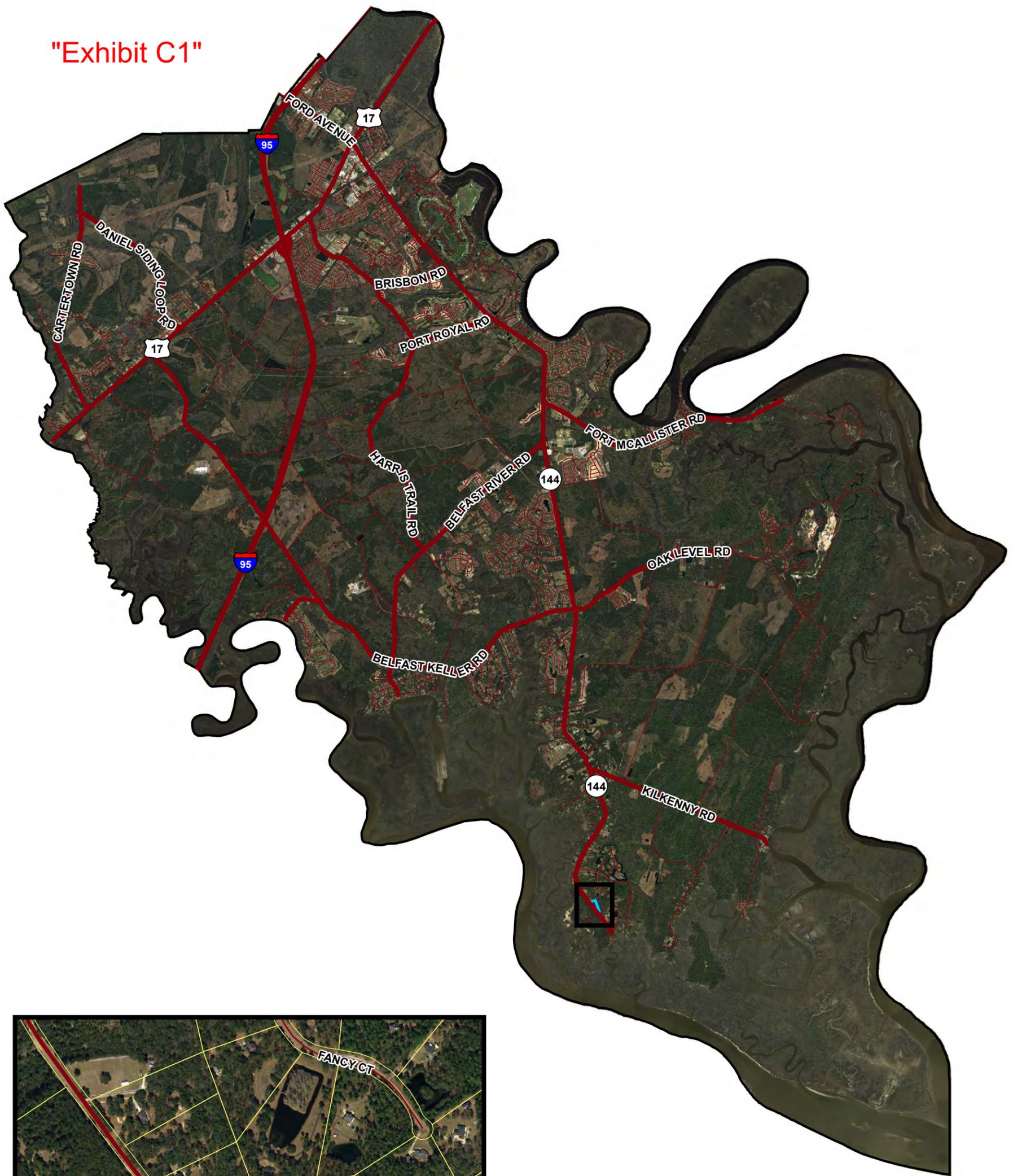
**III. Planning and Zoning Recommendation**

**Recommendation:** The Commission may recommend that the amendment be granted as requested, or it may recommend approval of the amendment requested subject to provisions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed amendment.

"Exhibit C1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-07
- Surrounding Parcels



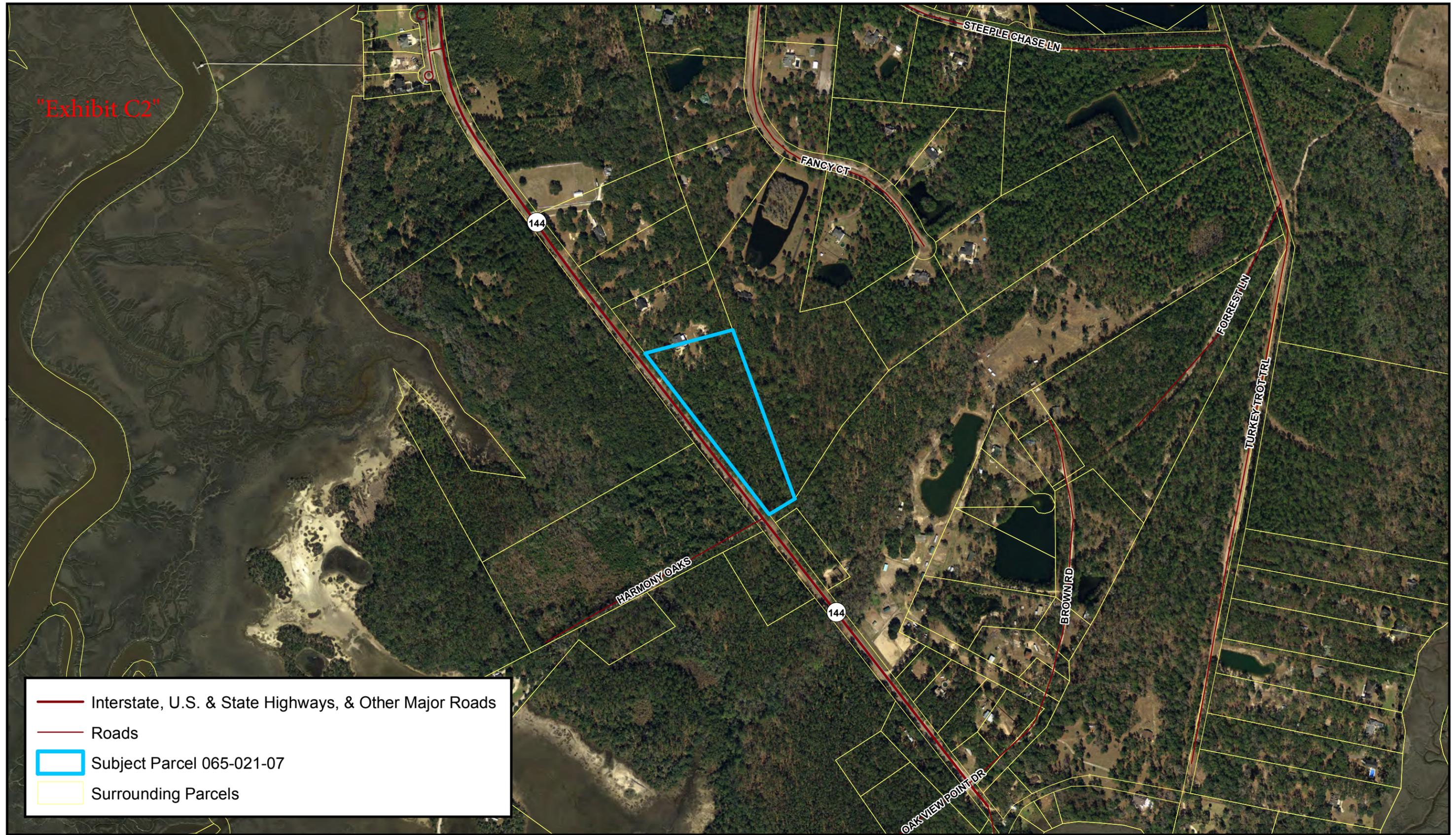
Produced by Bryan County GIS  
July 2019



**Overview Map  
County Initiated Rezoning  
Case Z# 216-19**

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"Exhibit C2"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 065-021-07
- Surrounding Parcels

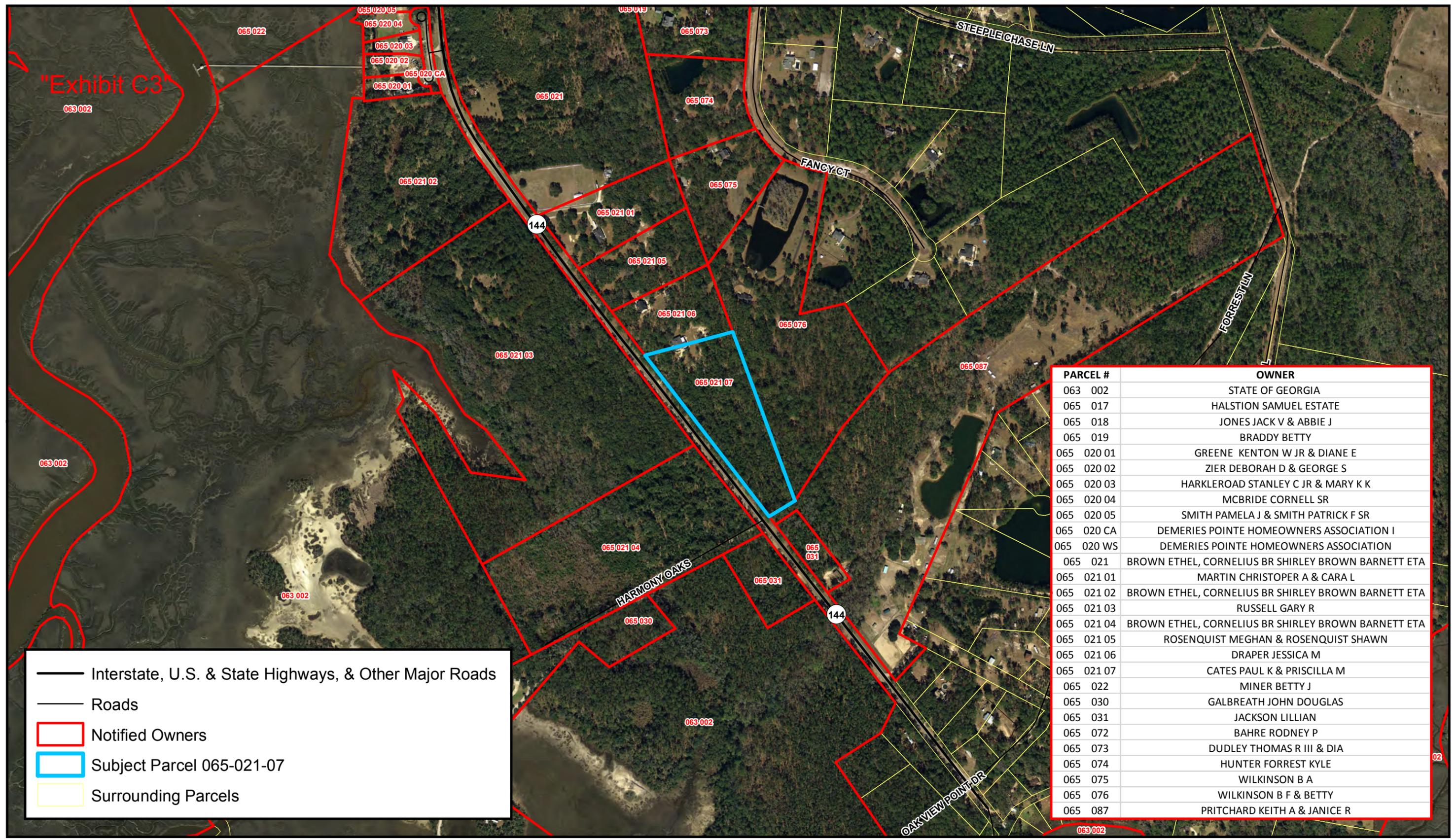


Produced by Bryan County GIS  
July 2019



### Location Map County Initiated Rezoning Case Z# 216-19

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"Exhibit C3"

- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Notified Owners
- Subject Parcel 065-021-07
- Surrounding Parcels

| PARCEL #   | OWNER   |
|------------|---|
| 063 002    | STATE OF GEORGIA                                    |
| 065 017    | HALSTION SAMUEL ESTATE                              |
| 065 018    | JONES JACK V & ABBIE J                              |
| 065 019    | BRADDY BETTY  |
| 065 020 01 | GREENE KENTON W JR & DIANE E                        |
| 065 020 02 | ZIER DEBORAH D & GEORGE S                           |
| 065 020 03 | HARKLEROAD STANLEY C JR & MARY K K                  |
| 065 020 04 | MCBRIDE CORNELL SR                                  |
| 065 020 05 | SMITH PAMELA J & SMITH PATRICK F SR                 |
| 065 020 CA | DEMERIES POINTE HOMEOWNERS ASSOCIATION I            |
| 065 020 WS | DEMERIES POINTE HOMEOWNERS ASSOCIATION              |
| 065 021    | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 01 | MARTIN CHRISTOPER A & CARA L                        |
| 065 021 02 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 03 | RUSSELL GARY R                                      |
| 065 021 04 | BROWN ETHEL, CORNELIUS BR SHIRLEY BROWN BARNETT ETA |
| 065 021 05 | ROSENQUIST MEGHAN & ROSENQUIST SHAWN                |
| 065 021 06 | DRAPER JESSICA M                                    |
| 065 021 07 | CATES PAUL K & PRISCILLA M                          |
| 065 022    | MINER BETTY J                                       |
| 065 030    | GALBREATH JOHN DOUGLAS                              |
| 065 031    | JACKSON LILLIAN                                     |
| 065 072    | BAHRE RODNEY P                                      |
| 065 073    | DUDLEY THOMAS R III & DIA                           |
| 065 074    | HUNTER FORREST KYLE                                 |
| 065 075    | WILKINSON B A                                       |
| 065 076    | WILKINSON B F & BETTY                               |
| 065 087    | PRITCHARD KEITH A & JANICE R                        |



## Notification Map

### County Initiated Rezoning

### Case Z# 216-19

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**BRYAN COUNTY PLANNING & ZONING COMMISSION**

CASE SD#3128-19

Public Hearing Date: September 3, 2019

|  |   |
|--|---|
| REGARDING THE APPLICATION OF: William Norwood LLC, requesting a private road lot split for property located at 300 Bryan Fisherman’s Co-Op Rd, PIN# 063 01 085 001. The applicant is requesting to subdivide the parcel with a private road. | Staff Report<br>by Sara Farr-Newman<br>Dated: August 27, 2019 |
|--|---|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a private road lot split for Bryan County. The application by William Norwood LLC proposes to create a private road and six lots from parcel PIN# 063 01 085 001, located off of Bryan Fisherman’s Co-Op Road, in unincorporated Bryan County, Georgia.

**Representative:** William & Seth Norwood

**Owner:** William Norwood LLC  
PO Box 472  
Richmond Hill, GA 31324

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Appendix A – Subdivisions, Article XIII – Minor Subdivisions, Section 1303

**II. General Information**

**1. Application:** A subdivision application was submitted by William Norwood, on August 1, 2019. After reviewing the application, the Director certified the application as being generally complete on August 8, 2019. Per the IDO, the Planning and Zoning Commission has final authority for approving or denying Private Road Lot Split plats.

**2. Notice:** Public notice for this application was as follows:

- A. Legal notice was published in the Bryan County News on August 15, 2019.
- B. Notice was sent to Surrounding Land Owners on August 19, 2019.
- C. The site was posted for Public Hearing on August 19, 2019.

**3. Background:** The 10-acre tract is located off of Bryan Fisherman Co-Op Road in South Bryan County. The applicant is proposing to subdivide the tract into six parcels of 1.5 acres each. The subdivision also proposes a 600-foot-long private road, which will provide access to all lots. This road length was approved via a variance on July 2, 2019 (V#322-19). The applicant plans to sell these parcels for individual homes.

**4. Exhibits:** The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on August 1, 2019, unless otherwise noted.

**“A” Exhibits- Application:**

- A-1 Minor Subdivision Application
- A-2 Proposed Private Road Lot Split Plat

**“B” Exhibits- Agency Comments:**

- B-1 Engineering Comments Revised (August 12, 2019)
- B-2 Public Health Comments (August 16, 2019)
- B-3 Fire Chief comments (August 23, 2019)

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map

**“D” Exhibits- Public Comment:**

No Public Comments Received

**III. Sec. 2. Article XIII: Minor Subdivisions:**

**Section 1302. Limitation on Subsequent Minor Subdivisions.** The minor subdivision process may be used no more than once for any parcel that is included within the boundaries of a minor subdivision or is a

remaining portion of a parcel that was previously subdivided using the minor subdivision process. The limitation of this section applies only to private road lot splits.

► **Staff comment:** If approved, the parcel cannot be subdivided again, which must be noted on the plat.

**Section 1303. Approval Criteria for Private Road Lot Splits.**

a. All lots created by a simple lot split shall comply with the minimum area and dimensional standards of Bryan County’s zoning and subdivision regulations.

► **Staff comment:** The lot is zoned AR-1.5, which requires a minimum lot size of 1.5 acres and frontage of 150 feet. The size of the parcels meet this requirement and a cul-de-sac is proposed at the end of the road. The frontage is only required to be 35% of the regularly required frontage on a cul-de-sac, which is 52.5 feet. The proposed cul-de-sac lots meet this requirement; however, the proposed road configuration must also be approved by engineering.

b. Each lot shall be independently accessible from an abutting public or existing private road created in compliance with applicable Bryan County Standards.

► **Staff comment:** The new lots will be accessible from the private road, which must be constructed per Bryan County Standards and the paving detail previously provided. Engineering will approve the final road plans.

c. No public road shall be created through the private lot split process, but the plat may include the dedication of public right-of-way for the widening of existing public roads abutting lots included in the lot split.

► **Staff comment:** No public road is being created.

d. Private roads shall be placed in a private road right-of-way at least forty (40) feet in width, unless the County Engineer finds that greater width is needed due to topography, drainage, or private road alignment. Private roads for lot splits shall comply with the Private County Road Dirt Standards in areas designated for the agricultural and low density residential future land use category in the Comprehensive Plan and with the Private County Road Crush and Run Standards in areas designated for other future land use categories.

► **Staff comment:** A 40-foot right-of-way is proposed for the new private road. The private road must meet the paving standard per the approved variance and the Engineering Department. A dirt road will not be permitted.

- e. Private roads shall not exceed three hundred (300) feet in length from the edge of the nearest public right-of-way to most distant property line along the road or driveway.

► **Staff comment:** The private road is over 600 feet in length; however, a variance was approved July 2, 2019 (V#322-19) to allow the proposed road length.

- f. Off-site utility improvements are limited to water and/or sewer line extensions of not more than two-hundred (200) feet from the nearest property line of the subdivision.

► **Staff comment:** The applicant is located within 1,000 feet of public water; however, the Engineering Department determined that due to the current water system configuration the subdivision is not required to tie into the system. Septic and well will be permitted, but must be approved by the Environmental Health Department.

- g. The applicant shall submit a Homeowners Association document that shall be recorded with the final plat that assigns ownership of and responsibilities for the maintenance of private roads and drainage systems. A note in accordance with section 1701 shall be included on the plat. The responsible party shall be one or more of the lot owners in the subdivision.

► **Staff comment:** The applicant previously provided a document assigning ownership and responsibility for the maintenance of the road with their private road variance (V#322-19). The required note has been provided on the plat.

- h. Off-site storm water improvements are limited to abutting rights-of-way or easements, which may be used only with the owner's consent.

► **Staff comment:** No off-site storm water improvements have been proposed.

#### **IV. Staff Recommendation**

Staff recommends approval of the private road lot split with the following conditions:

1. The variance is approved for the subdivision of a plat created after November 1995;

2. A final site evaluation and approval is provided to staff from Environmental Health; and
3. The road is designed and paved in accordance with the approved road section from file V#322-19.

## **V. Approval**

**Decision:** The Commission may approve the minor subdivision as requested, or it may approve the minor subdivision subject to provisions, or it may deny the minor subdivision.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Approval:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby approves as proposed/approves with provisions/denies the proposed minor subdivision.

# “A” Exhibits – Application

Bryan County Board of Commissioners

Community Development Department



MINOR SUBDIVISION APPLICATION

Refer to Article XIII of the Subdivision Regulations for additional information regarding Minor Subdivision requirements.

- Application Type & Fee: [x] Private Road Lot Split \$250.00, [ ] Simple Lot Split \$100.00, [ ] Conveyance Plat \$100.00, [ ] Lot Line Adjustment \$25.00, [ ] Plat Correction \$25.00, [ ] Dedication Plat \$25.00, [ ] Combination Plat \$25.00

Applicant: [ ] Property Owner, [ ] Authorized Agent. Applicant Name: William Norwood LLC, Address: PO Box 472, City: Richmond Hill, State: GA, Zip: 31324, Phone: (912) 312-5532, Email: snorwoodconstruction@gmail.com

Property Owner (if not applicant): Address: City: State: Zip: Phone:

Property Information: General Location: 300 Bryan Fisherman's Co-op Rd. PIN Number (Map & Parcel): 063 01 085 001 Current Zoning District(s): AR 1.5 Acreage: 10 Parcel Total 10 Area to be Subdivided 10 Number of Lots: Existing 1 Proposed 6

Will the minor subdivision require the extension of existing water or sewer facilities? [ ] Yes [x] No Are there any existing structures on the site? [ ] Yes [x] No If yes, are any to remain? [ ] Yes [ ] No

Proposed Subdivision Description: For the 10 Acre parcel to be split into 6 1.5 acre residential lots accessed by a 600' private Rd. with a cul-de-sac bubble

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

Applicant Signature: [Signature] Date: 07-05-19

FOR OFFICE USE ONLY

Case #: 3128-19 Date Received: 8-1-19 [x] Fee Paid Initial: JMH

### Minor Subdivision Review and Timing

The typical process and timeframe for reviewing minor subdivisions is as follows. The 30-day review period will not begin until the submitted application is certified as being complete.

|   |  |
|---|--|
| <b>Completeness Review</b>  | 5 business days<br>after Application Submittal                   |
| <b>Planning Director Review</b>   | Within <u>30</u> days following Completeness<br>Certification    |
| <b>Planning &amp; Zoning<br/>Commission Action (Private<br/>Road Lot Splits only)</b> | Within <u>30-60</u> days following Completeness<br>Certification |

### Minor Subdivision Application Checklist

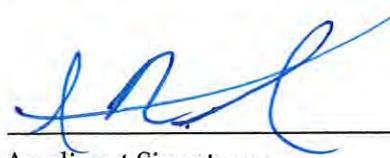
The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- ~~N/A~~ Completed Authorization by Property Owner form, if applicant is not the property owner
- Proof of Ownership
- Verification of Paid Taxes
- ~~N/A~~ Plans for the extension of water or sewer from existing facilities to the lot service lines, if applicable
- ~~N/A~~ Environmental Site Assessment or affidavit in accordance with Section 512(b) of the Subdivision Regulations
- ~~N/A~~ Georgia Department of Transportation approval for any subdivision abutting a road maintained by the State of Georgia
- ~~N/A~~ A jurisdictional wetlands delineation of the land to be subdivided or a letter from a soils scientist certifying that no wetlands exist on the land to be subdivided. For properties where wetlands are identified, the limits of any wetlands shall be surveyed and included on the plat along with a certification from the soils scientist verifying the delineation.
- ~~N/A~~ Base flood elevation data for subdivisions greater than fifty (50) lots or five (5) acres and that are located within a Special Flood Hazard Area without an established Base Flood Elevation shall be provided in accordance with Section 105-76 of the Flood Damage Prevention Ordinance. Should an acceptable building envelope in conformance with all required subdivision standards be provided on each lot within the subdivision, then the owner may add the following note to the plat in lieu of providing this data: "No building permits of any kind shall

be issued within the Special Flood Hazard Area until a base flood elevation has been established in accordance with Section 105-76 of the Flood Damage Prevention Ordinance”.

- WSP* Private Road Lot Splits shall require a Land Disturbance Activity Permit and plans for the grading and surfacing of the planned private road. In lieu of providing this information at the time of subdivision, the owner may add the following note to the plat: “No building permits will be issued for any construction until the private road is constructed in accordance with the Bryan County Engineering and Design Standards”. *Adande*
- One (1) copy of the existing plats or deeds which created the affected lots or parcels
- One (1) digital, two (2) 11x17 inch, and two (2) full size copies of the proposed minor subdivision plat prepared in accordance with the Plat Requirement Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

  
\_\_\_\_\_  
Applicant Signature

07-05-19  
\_\_\_\_\_  
Date

**If you have questions, contact the Community Development Department at one of our office locations.**

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

**FOR OFFICE USE ONLY**

Completeness Crt'd: 8/8/2019 *MS* Final Plat Reviewed: \_\_\_\_\_ P&Z Action: \_\_\_\_\_

STATE OF GEORGIA  
COUNTY OF Bryan

**WARRANTY DEED**

THIS INDENTURE made this 25 day of JUNE, 2019, between

**Kevin W. Smith ,**

as party or parties of the first part, hereinafter called Grantor, and

**William Norwood, LLC,**

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 DOLLARS and other good and valuable consideration (\$10.00) 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, the following described property:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN BRYAN COUNTY, GEORGIA, AND BEING KNOWN AND DESIGNATED AS TRACT A-A, 10.0 ACRES, AS SHOWN ON THAT CERTAIN PLAT OF SURVEY RECORDED IN AFORESAID RECORDS IN PLAT BOOK 662, PAGE 4-A, TO WHICH SPECIFIC REFERENCE IS MADE AND INCORPORATED HEREIN.

SUBJECT, TO THOSE CERTAIN COVENANTS, RESTRICTIONS AND OTHER MATTERS CONTAINED IN THAT CERTAIN DEED TO TMH, LLC, RECORDED IN AFORESAID RECORDS IN DEED BOOK 1167, PAGE 856, AS MORE FULLY SET FORTH IN SAID DEED AND IN THAT CERTAIN DEED IN FAVOR OF KEVIN M. SMITH RECORDED IN AFORESAID RECORDS IN DEED BOOK 1167, PAGE 865. BOTH DEEDS ARE INCORPORATED HEREIN.

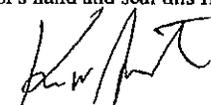
MORE COMMONLY KNOWN AS 300 BRYAN FISHERMANS COOP ROAD, RICHMOND HILL, GA 31324  
MAP/PARCEL 063 02 085 001

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 first day and year first above written.

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Kevin W. Smith (Seal)

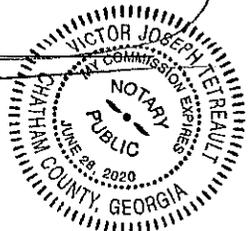
Witness \_\_\_\_\_

\_\_\_\_\_  
(Seal)

Notary Public  
My commission expires \_\_\_\_\_

\_\_\_\_\_  
(Seal)

[Attach Notary Seal]



**RECORDATION REQUESTED BY:**

Colony Bank  
Savannah HWY 17  
115 S Grant ST  
PO Box 989  
Fitzgerald, GA 31750

**WHEN RECORDED MAIL TO:**

Colony Bank  
Savannah HWY 17  
115 S Grant ST  
PO Box 989  
Fitzgerald, GA 31750

**SEND TAX NOTICES TO:**

Colony Bank  
Savannah HWY 17  
115 S Grant ST  
PO Box 989  
Fitzgerald, GA 31750

Tetreault & Associates, LLC  
100 E Montgomery Crossroads, Suite B  
Savannah, GA 31406



\*2515\*

**SECURITY DEED**

**THIS SECURITY DEED** dated June 25, 2019, is made and executed between William Norwood, LLC, whose address is PO Box 472, Richmond Hill, GA 31324-0472 (referred to below as "Grantor") and Colony Bank, whose address is 115 S Grant ST, PO Box 989, Fitzgerald, GA 31750 (referred to below as "Lender").

**GRANT OF SECURITY DEED.** FOR AND IN CONSIDERATION of the financial accommodations to Grantor by Lender resulting in the obligation which is hereinafter more particularly described, and in order to secure that obligation, Grantor hereby grants, bargains, conveys, transfers, assigns and sells to Lender, with power of sale, all of Grantor's right, title, and interest in and to the following described real property: **The Real Property is located in Bryan County, State of Georgia and is described as follows:**

**See Exhibit A, which is attached to this Security Deed and made a part of this Security Deed as if fully set forth herein.**

**TOGETHER WITH ANY AND ALL of the following:** (i) all buildings, structures and Improvements now or hereafter located on the real property or on any part or parcel thereof and all fixtures affixed or attached, actually or constructively, thereto; (ii) all and singular the tenements, hereditaments, easements and appurtenances belonging thereunto or in any wise appertaining thereto and the reversion and reversions, remainder or remainders thereof; (iii) all Rents accruing therefrom, whether now or hereafter due; (iv) all accounts and contract rights now or hereafter arising in connection with any part or parcel thereof or any buildings, structures or improvements now or hereafter located thereon, including without limitation all accounts and contract rights in and to all leases or undertakings to lease now or hereafter affecting the land or any buildings, structures, or improvements thereon; (v) all minerals, flowers, crops, trees, timber, shrubbery and other emblements now or hereafter located thereon or thereunder or on or under any part or parcel thereof; (vi) all estates, rights, title and interest therein, or in any part or parcel thereof; (vii) all equipment, machinery, apparatus, fittings, fixtures, furniture, furnishings, mobile homes, modular homes and all personal property of every kind or description whatsoever now or hereafter located thereon, or in or on the buildings, structures and Improvements thereon, and used in connection with the operation and maintenance thereof, and all additions thereto and replacements thereof; and (viii) all building materials, supplies, goods and equipment delivered thereto and placed thereon for the purpose of being affixed to or installed or incorporated or otherwise used in the buildings, structures or other Improvements now or hereafter located thereon or any part or parcel thereof.

**The Real Property or its address is commonly known as 10 Acres +/- at 300 Bryan Fishermans Coop Rd, Richmond , GA 31324.**

**CROSS-COLLATERALIZATION.** In addition to the Note, this Security Deed secures all obligations, debts and liabilities, plus interest thereon, of Grantor to Lender, or any one or more of them, as well as all claims by Lendar against Grantor or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, direct or indirect, determined or undetermined, absolute or contingent, liquidated or unliquidated, whether Grantor may be liable individually or jointly with others, whether obligated as guarantor, surety, accommodation party or otherwise, and whether recovery upon such amounts may be or hereafter may become barred by any statute of limitations, and whether the obligation to repay such amounts may be or hereafter may become otherwise unenforceable.

**FUTURE ADVANCES.** In addition to the Note, this Security Deed secures all future advances made by Lender to Grantor whether or not the advances are made pursuant to a commitment. Specifically, without limitation, this Security Deed secures, in addition to the amounts specified in the Note, all future amounts Lender in its discretion may loan to Grantor, together with all interest thereon.

**THIS SECURITY DEED, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS**

**SECURITY DEED  
(Continued)**

Page 2

UNDER THE NOTE IN THE ORIGINAL PRINCIPAL AMOUNT OF \$221,250.00 WHICH HAS THE MATURITY DATE OF JUNE 25, 2020, THE RELATED DOCUMENTS, AND THIS SECURITY DEED. THIS CONVEYANCE SHALL BE CONSTRUED AS A DEED PASSING TITLE AND NOT AS A MORTGAGE. IT IS THE INTENTION OF GRANTOR AND LENDER TO CREATE A PERPETUAL OR INDEFINITE SECURITY INTEREST IN THE REAL PROPERTY DESCRIBED IN THIS SECURITY DEED PURSUANT TO O.C.G.A. 44-14-80 AND TO AGREE THAT TITLE SHALL NOT REVERT TO GRANTOR FOR A PERIOD OF TWENTY (20) YEARS FROM THE DATE OF THIS SECURITY DEED. HOWEVER, NOTHING IN THIS PARAGRAPH WILL IMPAIR LENDER'S RIGHTS TO COLLECTION OF THE INDEBTEDNESS AND FORECLOSURE OF THE SECURITY INTEREST IF THE INDEBTEDNESS IS NOT REPAYED WHEN DUE. THIS SECURITY DEED IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

**PAYMENT AND PERFORMANCE.** Except as otherwise provided in this Security Deed, Grantor shall pay to Lender all amounts secured by this Security Deed as they become due and shall strictly perform all of Grantor's obligations under this Security Deed and the Related Documents.

**POSSESSION AND MAINTENANCE OF THE PROPERTY.** Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

**Possession and Use.** Until Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property.

**Duty to Maintain.** Grantor shall maintain the Property in tenable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

**Compliance With Environmental Laws.** Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Grantor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Security Deed. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Grantor or to any other person. The representations and warranties contained herein are based on Grantor's due diligence in investigating the Property for Hazardous Substances. Grantor hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Grantor becomes liable for cleanup or other costs under any such laws; and (2) agrees to indemnify, defend, and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Security Deed or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Grantor's ownership or interest in the Property, whether or not the same was or should have been known to Grantor. The provisions of this section of the Security Deed, including the obligation to indemnify and defend, shall survive the payment of the indebtedness and the satisfaction and reconveyance of the lien of this Security Deed and shall not be affected by Lender's acquisition of any interest in the Property, whether by foreclosure or otherwise.

**Nuisance, Waste.** Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

**Removal of Improvements.** Grantor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

**Lender's Right to Enter.** Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Security Deed.

**Compliance with Governmental Requirements.** Grantor shall promptly comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

**Duty to Protect.** Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

**DUE ON SALE - CONSENT BY LENDER.** Lender may, at Lender's option, declare immediately due and payable all sums secured by this Security Deed upon the sale or transfer, without Lender's prior written consent, of all or any part of the Property, or any interest in the

**SECURITY DEED  
(Continued)**

Page 4

**Grantor's Report on Insurance.** Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

**LENDER'S EXPENDITURES.** If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Security Deed or any Related Documents, including but not limited to Grantor's failure to comply with any obligation to maintain Existing Indebtedness in good standing as required below, or to discharge or pay when due any amounts Grantor is required to discharge or pay under this Security Deed or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Security Deed also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

**WARRANTY; DEFENSE OF TITLE.** The following provisions relating to ownership of the Property are a part of this Security Deed:

**Title.** Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in the Existing Indebtedness section below or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Security Deed, and (b) Grantor has the full right, power, and authority to execute and deliver this Security Deed to Lender.

**Defense of Title.** Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Lender under this Security Deed, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

**Compliance With Laws.** Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

**Survival of Representations and Warranties.** All representations, warranties, and agreements made by Grantor in this Security Deed shall survive the execution and delivery of this Security Deed, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's Indebtedness shall be paid in full.

**EXISTING INDEBTEDNESS.** The following provisions concerning Existing Indebtedness are a part of this Security Deed:

**Existing Lien.** The security interest arising under this Security Deed securing the Indebtedness may be secondary and inferior to an existing lien. Grantor expressly covenants and agrees to pay, or see to the payment of, the Existing Indebtedness and to prevent any default on such indebtedness, any default under the instruments evidencing such indebtedness, or any default under any security documents for such indebtedness.

**No Modification.** Grantor shall not enter into any agreement with the holder of any security deed, mortgage, deed of trust, or other security agreement which has priority over this Security Deed by which that agreement is modified, amended, extended, or renewed without the prior written consent of Lender. Grantor shall neither request nor accept any future advances under any such security agreement without the prior written consent of Lender.

**Assignment of Proceeds.** Grantor hereby transfers and assigns to Lender any and all proceeds, in excess of the amount required to satisfy the Existing Indebtedness, which may be or become payable by reason of foreclosure under the Existing Indebtedness. Grantor further authorizes, directs and instructs that any and all such proceeds be paid directly to Lender and not to Grantor, up to the full extent required to satisfy the Indebtedness, and Grantor hereby releases and relinquishes any and all right, title, interest and claims in and to such proceeds to that extent. The term "foreclosure" as used in this paragraph shall mean or include, without limitation, foreclosure of all or any part of the Property by exercise of any power of sale contained in the Existing Indebtedness, judicial foreclosure, conveyance in lieu of foreclosure, or other means.

**CONDEMNATION.** The following provisions relating to condemnation proceedings are a part of this Security Deed:

**Proceedings.** If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

**Application of Net Proceeds.** If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, Lender may at its election require that all or any portion of the net proceeds of the award be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the award shall mean the award after payment of all reasonable attorneys' fees and costs and expenses, including court costs that are incurred by Lender in connection with the

**SECURITY DEED  
(Continued)**

Page 5

condemnation.

**IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES.** The following provisions relating to governmental taxes, fees and charges are a part of this Security Deed:

**Current Taxes, Fees and Charges.** Upon request by Lender, Grantor shall execute such documents in addition to this Security Deed and take whatever other action is requested by Lender to perfect and continue Lender's security interest on the Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Security Deed, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Security Deed.

**Taxes.** The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Security Deed or upon all or any part of the indebtedness secured by this Security Deed; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the indebtedness secured by this type of Security Deed; (3) a tax on this type of Security Deed chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the indebtedness or on payments of principal and interest made by Grantor.

**Subsequent Taxes.** If any tax to which this section applies is enacted subsequent to the date of this Security Deed, this event shall have the same effect as Default, and Lender may exercise any or all of its available remedies for Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

**SECURITY AGREEMENT; FINANCING STATEMENTS.** The following provisions relating to this Security Deed as a security agreement are a part of this Security Deed:

**Security Agreement.** This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

**Security Interest.** Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Security Deed in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Security Deed as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

**Addresses.** The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Security Deed may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Security Deed.

**FURTHER ASSURANCES; ATTORNEY-IN-FACT.** The following provisions relating to further assurances and attorney-in-fact are a part of this Security Deed:

**Further Assurances.** At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refilled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Security Deed, and the Related Documents, and (2) the liens and security interests created by this Security Deed as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

**Attorney-In-Fact.** If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

**FULL PERFORMANCE.** If Grantor pays all the indebtedness, including without limitation all future advances, when due, and otherwise performs all the obligations imposed upon Grantor under this Security Deed, Lender shall execute and deliver to Grantor a suitable satisfaction of this Security Deed and suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Grantor will pay, if permitted by applicable law, any reasonable termination fee as determined by Lender from time to time.

**DEFAULT.** Default will occur if payment of the indebtedness in full is not made immediately when due.

**LENDER'S REMEDIES AND POWER OF SALE.** Upon Default Lender shall have the following rights, powers, and remedies:

**Accelerate Indebtedness.** Lender, at Lender's option and election and without notice to Grantor, may declare all or any portion of the indebtedness to be immediately due and payable, whereupon the same shall be and shall become due and payable forthwith without presentment demand, protest or notice of any kind, all of which are expressly waived by Grantor.

**Entry and Possession.** Lender may enter upon the Property, or any part thereof, and take possession of the Property, excluding therefrom Grantor and all agents, employees and representatives of Grantor; employ a manager of the Property or any part thereof;

**SECURITY DEED  
(Continued)**

Page 6

hold, store, use, operate, manage, control, maintain and lease the Property or any part thereof; conduct business thereon; make all necessary and appropriate repairs, renewals, and replacements; keep the Property insured; and carry out or enter into agreements of any kind with respect to the Property.

**Collection of Rents.** Lender may collect and receive all Rents from the Property and apply the same to the Indebtedness, after deducting therefrom all costs, charges, and expenses of taking, holding, managing, and operating the Property, including the fees and expenses of Lender's attorneys, and agents.

**Payments.** Lender may pay any sum or sums deemed necessary or appropriate by Lender to protect the Property or any part of the Property or Lender's interest in the Property.

**Other Remedies.** Lender may exercise all rights and remedies contained in any Related Document, heretofore, concurrently herewith or in the future executed by Grantor in favor of Lender in connection with the transactions resulting in the Indebtedness or any part thereof.

**Appointment of Receiver.** Lender may make application to any court and be entitled to the appointment of a receiver to take charge of the Property or any part thereof without alleging or proving, or having any consideration given to, the insolvency of Grantor, the value of the Property as security for the Indebtedness, or any other matter usually incident to the appointment of a receiver.

**UCC Remedies.** With respect to the Personal Property in which a security interest is herein granted, Lender may exercise any or all of the rights accruing to a secured party under this Security Deed, the Uniform Commercial Code (Sections 11-9-101 et. seq. of the Ga. Code Annotated) and any other applicable law. Grantor shall, if Lender requests, assemble all such Personal Property and make it available to Lender at a place or places to be designated by Lender, which shall be reasonably convenient to Grantor and Lender. Any notice required to be given by Lender of a public or private sale, lease or other disposition of the Personal Property or any other intended action by Lender may be delivered personally to Grantor or may be deposited in the United States mail with postage prepaid duly addressed to Grantor at the address of Grantor last known to Lender at least five (5) business days prior to such proposed action, and shall constitute reasonable and fair notice to Grantor of any such action.

**Power of Sale.** Lender may sell the Property, or any part thereof or any interest therein, separately, at Lender's discretion, with or without taking possession thereof, at public sale before the courthouse door of the county in which the Property, or any part thereof, is located, to the highest bidder for cash, after first giving notice of the time, place and terms of such sale by advertisement, published once a week for four weeks (without regard for the number of days) in a newspaper in which advertisements of sheriff's sales are published in such county. The advertisement so published shall be notice to Grantor, and Grantor hereby waives all other notices. Lender may bid and purchase at any such sale, and Lender may execute and deliver to the purchaser or purchasers at any such sale a sufficient conveyance of the Property, or the part thereof or interest therein sold. Lender's conveyance may contain recitals as to Default under this Security Deed, which recitals shall be presumptive evidence that all preliminary acts prerequisite to such sale and conveyance were in all things duly complied with. The recitals made by Lender shall be binding and conclusive upon Grantor, and the sale and conveyance made by Lender shall divest Grantor of all right, title, interest and equity that Grantor may have had in, to and under the Property, or the part thereof or interest therein sold, and shall vest the same in the purchaser or purchasers at such sale. Lender may hold one or more sales hereunder until the Indebtedness has been satisfied in full. Grantor hereby constitutes and appoints Lender as Grantor's agent and attorney-in-fact to make such sale, to execute and deliver such conveyance and to make such recitals, and Grantor hereby ratifies and confirms all of the acts and doings of Lender as Grantor's agent and attorney-in-fact hereunder. Lender's agency and power as attorney-in-fact hereunder are coupled with an interest, cannot be revoked by insolvency, incompetency, death or otherwise, and shall not be exhausted until the Indebtedness has been satisfied in full. The proceeds of each sale by Lender hereunder shall be applied first to the costs and expenses of the sale and of all proceedings in connection therewith, including attorneys' fees if applicable, then to payment of the Indebtedness, and the remainder, if any, shall be paid to Grantor. If the proceeds of any sale are not sufficient to pay the Indebtedness in full, Lender shall determine, at Lender's option and in Lender's discretion, the portions of the Indebtedness to which the proceeds (after deducting therefrom the costs and expenses of the sale and all proceedings in connection therewith) shall be applied and in what order the proceeds shall be so applied. Grantor covenants and agrees that, in the event of any sale pursuant to the agency and power herein granted, Grantor shall be and become a tenant holding over and shall deliver possession of the Property, or the part thereof or interest therein sold, to the purchaser or purchasers at the sale or be summarily dispossessed in accordance with the provisions of law applicable to tenants holding over.

**Cumulative Remedies.** All rights and remedies set forth in this Security Deed are cumulative and in addition to any right or remedy provided for by statute, or now or hereafter existing at law or in equity, including without limitation the right of Lender to collect or enforce the Indebtedness with or without taking action with respect to the Property. Lender may, at Lender's election and at Lender's discretion, exercise each and every such right and remedy concurrently or separately. Except as may be prohibited by applicable law, all of Lender's rights and remedies, whether evidenced by this Security Deed or by any other writing, shall be cumulative and may be exercised singularly or concurrently.

**Attorneys' Fees; Expenses.** If any part of the Indebtedness is collected by or with any assistance from or consultation with an attorney at law, Grantor shall pay to Lender as Lender's attorneys' fees, fifteen percent (15%) of such amount collected. Whether or not any court action is involved, and to the extent not prohibited by law, all attorneys' fees and all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees and title insurance, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

**SECURITY DEED  
(Continued)**

Page 7

**NOTICES.** Any notice required to be given under this Security Deed, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Security Deed. All copies of notices of foreclosure from the holder of any prior security interest which has priority over this Security Deed shall be sent to Lender's address, as shown near the beginning of this Security Deed. Any party may change its address for notices under this Security Deed by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Unless otherwise provided or required by law, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

**MISCELLANEOUS PROVISIONS.** The following miscellaneous provisions are a part of this Security Deed:

**Amendments.** This Security Deed, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Security Deed. No alteration of or amendment to this Security Deed shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

**Annual Reports.** If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

**Caption Headings.** Caption headings in this Security Deed are for convenience purposes only and are not to be used to interpret or define the provisions of this Security Deed.

**Governing Law.** This Security Deed will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Georgia without regard to its conflicts of law provisions. This Security Deed has been accepted by Lender in the State of Georgia.

**Choice of Venue.** If there is a lawsuit, Grantor agrees upon Lender's request to submit to the jurisdiction of the courts of Ben Hill County, State of Georgia.

**No Waiver by Lender.** Lender shall not be deemed to have waived any rights under this Security Deed unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Security Deed shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Security Deed. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Security Deed, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

**Severability.** If a court of competent jurisdiction finds any provision of this Security Deed to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Security Deed. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Security Deed shall not affect the legality, validity or enforceability of any other provision of this Security Deed.

**Merger.** There shall be no merger of the interest or estate created by this Security Deed with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

**Successors and Assigns.** Subject to any limitations stated in this Security Deed on transfer of Grantor's interest, this Security Deed shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Security Deed and the indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Security Deed or liability under the indebtedness.

**Time is of the Essence.** Time is of the essence in the performance of this Security Deed.

**Waiver of Notice and Hearing and Homestead Exemption.** Grantor expressly waives: (1) any right Grantor may have under the Constitution of the State of Georgia or the Constitution of the United States of America to notice or to a judicial hearing prior to the exercise of any right or remedy provided to Lender by this Security Deed and Grantor waives Grantor's rights, if any, to set aside or invalidate any sale under power duly consummated in accordance with the provisions of this Security Deed on the ground (if such be the case) that the sale was consummated without prior notice or judicial hearing or both; and (2) all homestead exemption rights, if any, which Grantor or Grantor's family may have pursuant to the Constitution and laws of the United States, the State of Georgia or any other State of the United States, in and to the Property as against the collection of the indebtedness, or any part of the indebtedness. All waivers by Grantor in this provision have been made voluntarily, intelligently and knowingly by Grantor, after Grantor has been afforded an opportunity to be informed by counsel of Grantor's choice as to possible alternative rights. Grantor's execution of this Security Deed shall be conclusive evidence of the making of such waivers and that such waivers have been voluntarily, intelligently and knowingly made.

**DEFINITIONS.** The following capitalized words and terms shall have the following meanings when used in this Security Deed. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words

**SECURITY DEED  
(Continued)**

Page 8

and terms not otherwise defined in this Security Deed shall have the meanings attributed to such terms in the Uniform Commercial Code:

**Borrower.** The word "Borrower" means William Norwood, LLC and includes all co-signers and co-makers signing the Note and all their successors and assigns.

**Default.** The word "Default" means the Default set forth in this Security Deed in the section titled "Default".

**Environmental Laws.** The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., or other applicable state or federal laws, rules, or regulations adopted pursuant thereto.

**Existing Indebtedness.** The words "Existing Indebtedness" mean the indebtedness described in the Existing Liens provision of this Security Deed.

**Grantor.** The word "Grantor" means William Norwood, LLC.

**Hazardous Substances.** The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

**Improvements.** The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

**Indebtedness.** The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Lender to enforce Grantor's obligations under this Security Deed, together with any amounts expended to preserve and protect the Property and together with interest on such amounts as provided in this Security Deed. Specifically, without limitation, Indebtedness includes the future advances set forth in the Future Advances provision, together with all interest thereon and all amounts that may be indirectly secured by the Cross-Collateralization provision of this Security Deed.

**Lender.** The word "Lender" means Colony Bank, its successors and assigns.

**Note.** The word "Note" means the promissory note dated June 25, 2019, in the original principal amount of **\$221,250.00** from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. The maturity date of the Note is June 25, 2020.

**Personal Property.** The words "Personal Property" mean all equipment, fixtures, mobile homes, modular homes, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached, affixed to or used in the operation of the Real Property excluding only that property which by operation of law is Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

**Property.** The word "Property" means collectively the Real Property and the Personal Property.

**Real Property.** The words "Real Property" mean the real property, interests and rights, as further described in this Security Deed less and except the Personal Property.

**Related Documents.** The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

**Rents.** The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

**Security Deed.** The words "Security Deed" mean this Security Deed between Grantor and Lender, and includes without limitation all assignments and security interest provision relating to the Personal Property and the Rents.

SECURITY DEED  
(Continued)

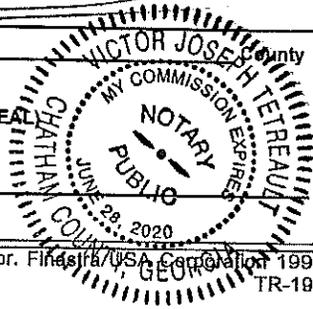
IN WITNESS WHEREOF, THIS SECURITY DEED HAS BEEN SIGNED BY THE UNDERSIGNED, WHO ACKNOWLEDGES A COMPLETED COPY  
HEREOF. THIS SECURITY DEED IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS SECURITY DEED IS AND SHALL CONSTITUTE  
AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.

Signed, Sealed and Delivered in the presence of:

X \_\_\_\_\_  
Unofficial Witness

Notary Public, \_\_\_\_\_

(NOTARY SEAL)



My Commission expires: \_\_\_\_\_

GRANTOR:

WILLIAM NORWOOD, LLC

By: \_\_\_\_\_ (Seal)  
William G. Norwood, III, Manager/Member of  
William Norwood, LLC

By: \_\_\_\_\_ (Seal)  
Seth A. Norwood, Member of William  
Norwood, LLC

EXHIBIT "A"  
LEGAL DESCRIPTION

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN BRYAN COUNTY, GEORGIA, AND BEING KNOWN AND DESIGNATED AS TRACT A-A, 10.0 ACRES, AS SHOWN ON THAT CERTAIN PLAT OF SURVEY RECORDED IN AFORESAID RECORDS IN PLAT BOOK 662, PAGE 4-A, TO WHICH SPECIFIC REFERENCE IS MADE AND INCORPORATED HEREIN.

SUBJECT, TO THOSE CERTAIN COVENANTS, RESTRICTIONS AND OTHER MATTERS CONTAINED IN THAT CERTAIN DEED TO TMH, LLC, RECORDED IN AFORESAID RECORDS IN DEED BOOK 1167, PAGE 856, AS MORE FULLY SET FORTH IN SAID DEED AND IN THAT CERTAIN DEED IN FAVOR OF KEVIN M. SMITH RECORDED IN AFORESAID RECORDS IN DEED BOOK 1167, PAGE 865. BOTH DEEDS ARE INCORPORATED HEREIN.

MORE COMMONLY KNOWN AS 300 BRYAN FISHERMANS COOP ROAD,  
RICHMOND HILL, GA 31324  
MAP/PARCEL 063 02 085 001



BRYAN COUNTY
PLANNING & ZONING DEPARTMENT

51 North Courthouse Street
P.O. Box 1071
Pembroke, Georgia 31321
912-653-3893
Fax 912-653-3864

66 Captain Matthew Freeman Drive
Suite 201
Richmond Hill, Georgia 31324
912-756-3177
Fax 912-756-7951

AFFIDAVIT
FOR ARTICLE V
EXEMPTION FROM ENVIRONMENTAL SITE ASSESSMENT

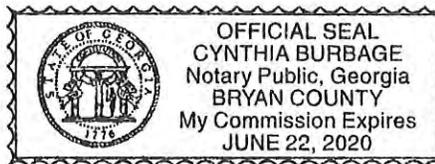
Owner's Name: William Norwood LLC Phone number: (912) 312-5532

Street address of location: 300 Co-op Rd. Richmond Hill GA 31324

The signing of this statement certifies that I, Seth Norwood, owner of the lot with the tax parcel number 063 01 085 001, understand that the Articles XIII, XIV, and XV of the Subdivision allow exemption from Zoning Ordinance Article V, which requires an Environmental Site Assessment of all properties subdivided in Bryan County. I acknowledge that the aforementioned property has (i) never been used as a landfill and has (ii) no environmentally dangerous situation existing on the property.

[Signature] 8/6/19
Signature of Owner Date

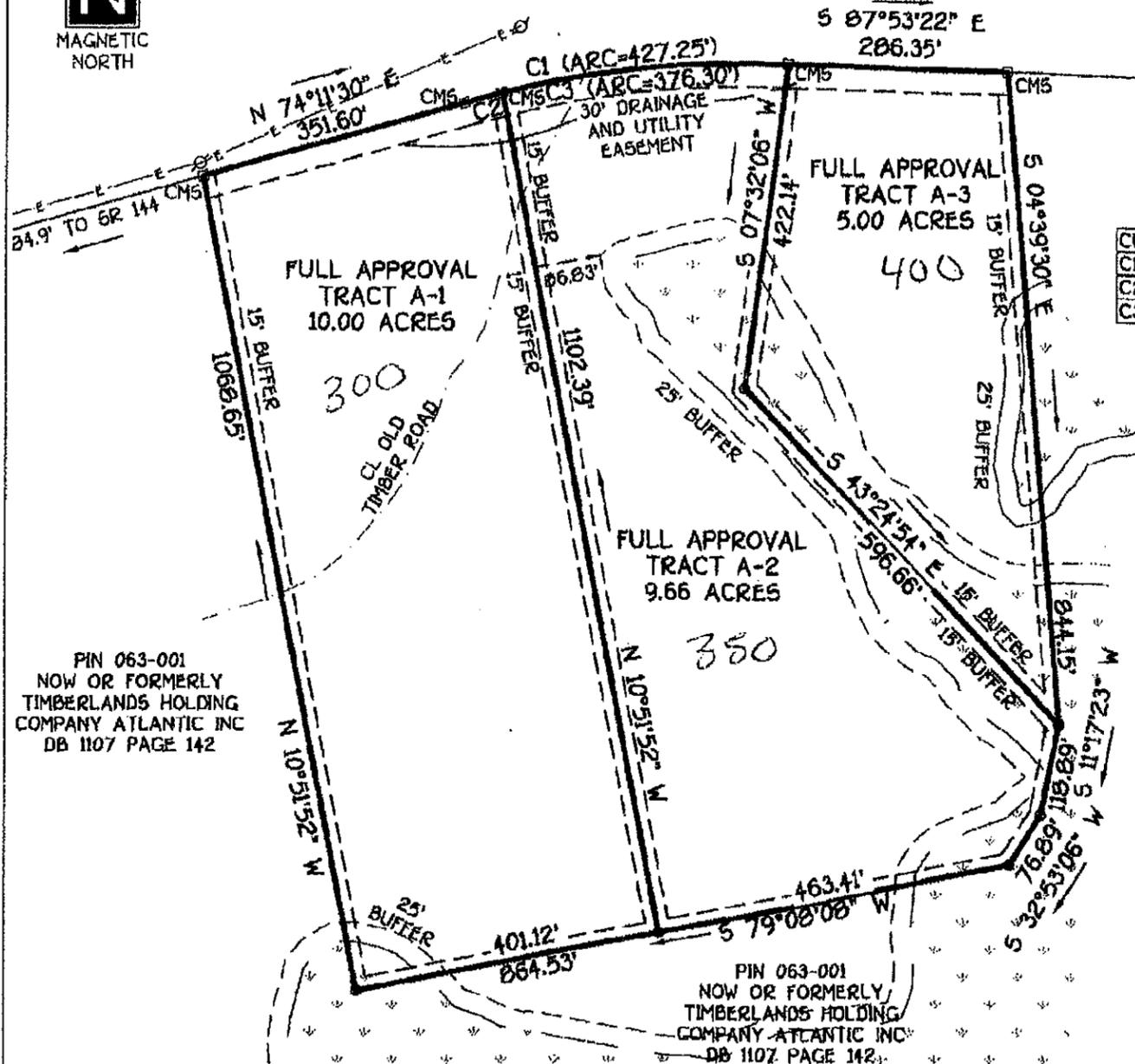
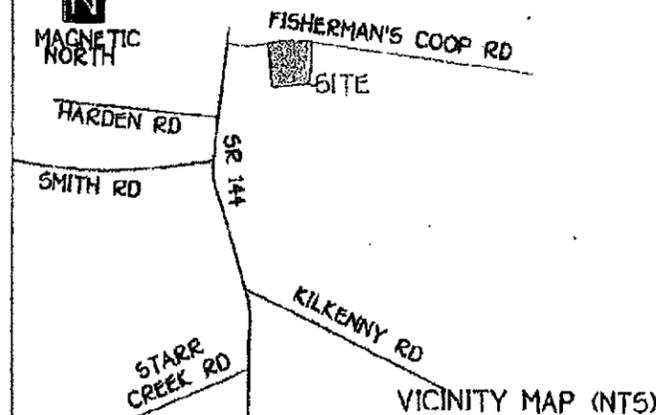
Cynthia Burbage
Notary Public
Signed and Sealed this 6th
day of August, 2019.





BRYAN FISHERMANS COOP  
ROAD 100' R/W

BK 662 PG 4A



| CURVE | RADIUS   | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1    | 1366.13' | 427.25'    | S 83°09'04" W | 425.51'      |
| C2    | 1366.13' | 50.95'     | S 75°15'36" W | 50.95'       |
| C3    | 1366.13' | 376.30'    | S 84°13'10" W | 375.11'      |

PIN 063-001  
NOW OR FORMERLY  
TIMBERLANDS HOLDING  
COMPANY ATLANTIC INC  
DB 1107 PAGE 142

**FILED**  
**02:40 P.M.**  
**3/20/2015**  
**BRYAN COUNTY**  
**BECKY CROWE**  
**CLERK**

APPROVED UNDER ARTICLE XIV  
Approved in accordance with Bryan County  
Subdivision Regulations.

*[Signature]* 12-18-14  
Planning Director Date of Approval

*[Signature]* 12/18/14  
911 Address Director Date of Approval

PIN 063-001  
NOW OR FORMERLY  
TIMBERLANDS HOLDING  
COMPANY ATLANTIC INC  
DB 1107 PAGE 142

PIN 063-001  
NOW OR FORMERLY  
TIMBERLANDS HOLDING  
COMPANY ATLANTIC INC  
DB 1107 PAGE 142

REFERENCES:  
PLAT BOOK 619 PAGE 1B  
PLAT BOOK 619 PAGE 2A  
DEED BOOK 1107 PAGE 142

NOTE: PROPERTY IS ZONED A-5  
FRONT SETBACK - 50'  
REAR SETBACK - 50'  
SIDE SETBACK - 50'

NOTES:

1. WETLANDS SHOWN ARE BASED ON SOIL SCIENTIST LOCATION AND NOT SURVEYED OR VERIFIED BY THE U.S. ARMY COE.
2. ANY WETLANDS ARE UNDER THE JURISDICTION OF THE U. S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLANDS WITHOUT PROPER AUTHORIZATION.
3. BUILDING PERMITS WILL BE ISSUED IN THE BUILDABLE AREA OR ANY OTHER AREA AS DETERMINED BY THE COUNTY ENGINEER.
4. IN MY OPINION, IN ACCORDANCE WITH F.I.R.M. MAP NO. 13029C0375C AND 13029C0400C DATED MARCH 2, 2009, THIS PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD HAZARD AREA.

Error Of Closure (Plat): 1/653,810  
Error Of Closure (Field): 1/42,550  
Field Survey Date: 8-26-2014  
Angular Error: 2" Per Point  
Total Area: 24.66 Acres  
Total No. Lots: 3  
Equipment Used: Sokkia Set 5 2" Total Station

IRF - IRON ROD FOUND  
CMF- CONC MONUMENT FOUND  
CMS- CONC MONUMENT SET  
ALL CORNERS ARE IRON ROD  
SET UNLESS OTHERWISE  
NOTES



Michael A. Hussey  
Ga. Reg. L.S. No. 2509

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67

SUNDIAL LAND SURVEYING  
LSF000957  
100 COMMERCE COURT  
POOLER, GA 31322  
912-748-2147

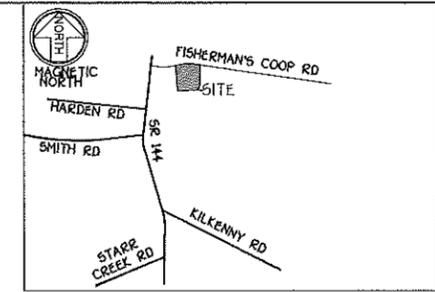


**SUBDIVISION SURVEY**  
**BEING A 24.66 ACRE DIVISION OF**  
**A PORTION OF LANDS OF**  
**TIMBERLANDS HOLDING COMPANY**  
**ATLANTIC, INC., 20TH G.M.**  
**DISTRICT, BRYAN COUNTY,**  
**GEORGIA**

FOR: TMH, LLC PROPERTIES  
379 BLUFF DRIVE RICHMOND  
HILL, GA 31324

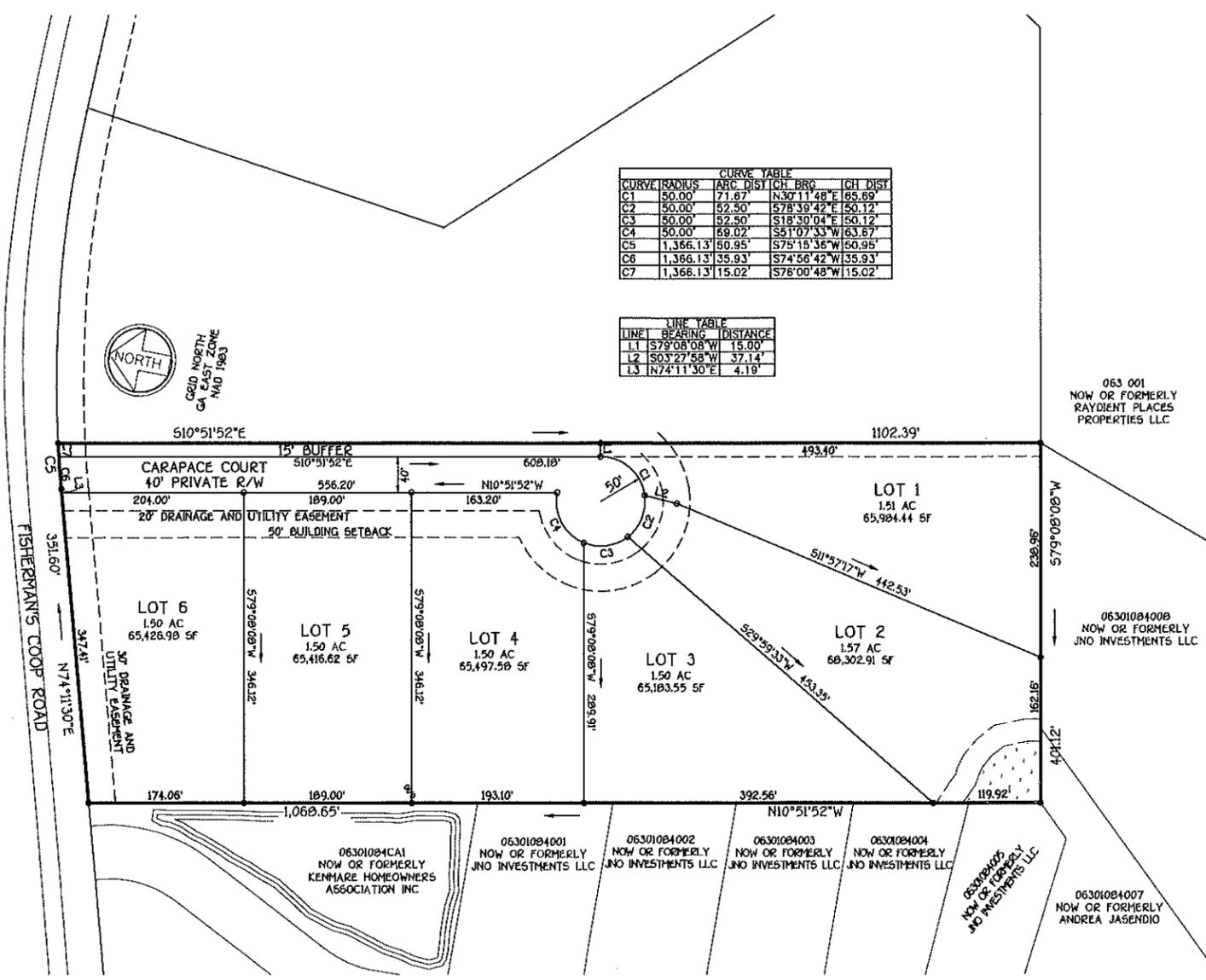
DATE: 12-17-2014 SCALE: 1" = 200'

"Exhibit A-2"



| CURVE TABLE |           |          |             |          |
|-------------|-----------|----------|-------------|----------|
| CURVE       | RADIUS    | ARC DIST | CH. BRG.    | CH. DIST |
| C1          | 50.00'    | 71.67'   | N30°11'48"E | 65.69'   |
| C2          | 50.00'    | 52.50'   | S78°30'42"E | 50.12'   |
| C3          | 50.00'    | 52.50'   | S18°30'04"E | 50.12'   |
| C4          | 50.00'    | 69.02'   | S51°07'33"W | 63.67'   |
| C5          | 1,366.13' | 50.95'   | S75°15'36"W | 50.95'   |
| C6          | 1,366.13' | 35.93'   | S74°56'42"W | 35.93'   |
| C7          | 1,366.13' | 15.02'   | S76°00'48"W | 15.02'   |

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S79°08'08"W | 15.00'   |
| L2         | S03°27'58"W | 37.14'   |
| L3         | N74°11'30"E | 4.19'    |



APPROVED UNDER ARTICLE XIII

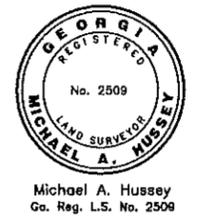
Planning Director \_\_\_\_\_ Date of Approval \_\_\_\_\_

911 Address Director \_\_\_\_\_ Date of Approval \_\_\_\_\_

Planning and Zoning Chairman \_\_\_\_\_ Date of Approval \_\_\_\_\_

**SURVEYORS CERTIFICATION**

As required by subsection (b) 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 that require prior approval for recording this type of plat as shown in the statements and signature blocks. 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.

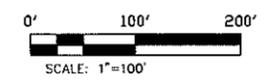


**SPECIAL NOTES:**

1. Bryan County will not maintain, repair or replace any Private Roads and Drainage Systems. The responsibility for such maintenance, repair or replacement is addressed in a Maintenance Agreement between the Developer of the Subdivision and the purchasers of Lots within the Subdivision. Any purchasers of Lots within this Subdivision are urged to carefully review such Maintenance Agreement to determine the party or parties responsible for the maintenance of the Private Roads and Drainage Systems and the source of the funds to provide such maintenance.
2. No building permits will be issued for any construction until the private road is constructed in accordance the road detail on the approved plans.

**NOTES:**

1. THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THIS PROPERTY INTO 6 SINGLE FAMILY RESIDENTIAL LOTS.
2. THIS PROPERTY IS ZONED AR-1.5.
3. WETLANDS SHOWN ARE BASED ON SOIL SCIENTIST LOCATION AND HAVE NOT BEEN VERIFIED BY THE U.S. ARMY COE.
4. ANY WETLANDS ARE UNDER THE JURISDICTION OF THE U. S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLANDS WITHOUT PROPER AUTHORIZATION.
5. IN MY OPINION, IN ACCORDANCE WITH F.I.R.M. MAP NO. 13029C0295D AND NO. 13029C0375D DATED AUGUST 2, 2010, THIS PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD HAZARD AREA.
6. WATER TO BE PROVIDED BY INDIVIDUAL WELL AND SEWER BY INDIVIDUAL SEWAGE DISPOSAL SYSTEM.
7. THIS PARCEL MAY NOT BE SUBDIVIDED AGAIN UNDER ARTICLE XIII AS APPROVED.
8. ALL PROPERTY CORNERS ARE MONUMENTED USING IRON REBAR SET UNLESS OTHERWISE SHOWN.



Error Of Closure (Plat) 1/671,326  
 Error Of Closure (Field) 1/32,500  
 Field Survey Dates: 07-31-2019  
 Angular Error: 2" Per Point  
 Total Area: 10.00 Acres  
 Total No. Lots: 6  
 Equipment Used: Sokkia Set 5 2" Total Station

**PLATS AND DEEDS:**  
 PLAT BOOK 630 PAGE 68  
 PLAT BOOK 657 PAGE 78  
 DEED BOOK 1294 PAGE 907

**SUNDIAL LAND SURVEYING, PC**  
 LSF000957  
 11900 KING GEORGE BLVD  
 SAVANNAH, GA 31419  
 912-235-2477

**SETBACKS:**  
 FRONT SETBACK - 50'  
 REAR SETBACK - 50'  
 SIDE SETBACK - 35' INTERIOR  
 - 40' STREET

**CASTAWAY COVE**  
 PRIVATE SUBDIVISION SURVEY  
 BEING A SUBDIVISION OF PARCEL A 10.00  
 ACRE PARCEL, 20TH G.M. DISTRICT, BRYAN  
 COUNTY, GEORGIA,  
 FOR  
 NORWOOD CONSTRUCTION

DATE: 07-31-2019

# “B” Exhibits – Agency Comments



BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

66 Capt. Matthew Freeman Drive  
Suite 201  
Richmond Hill, Georgia 31324  
912-756-7953  
(Fax) 756-7951

Article XIII, Section 302 of the Bryan County Zoning Ordinance requires that we secure comments from the Engineering Director, Fire Chief, County Health Director, and Public Works Director on the following zoning application:

CASE # SD#3128-19

Zoning Request: Request for a Private Road Lot Split, creating a new private road with six single family lots

Filed by: Seth Norwood / William Norwood, LLC, PO Box 472, Richmond Hill

Owners: Same

Property address: 300 Bryan Fisherman's Co-op Road

Map and Parcel # 063-01-085-001

This issue is scheduled for a public hearing with the Planning and Zoning Commission on 9/3/2019 and the Board of Commissioners on 9/10/2019.

Please return this completed form with any comments/attachments to the Community Development Department by 8/16/2019.

Comments: • DEVELOPER shall submit construction drawings AND DETAILS FOR REVIEW AND APPROVAL.  
• Plat shall contain standard verbiage for privately OWNED AND MAINTAINED ROADS AND UTILITIES.  
• DUE TO CURRENT WATER SYSTEM CONFIGURATION TIE-IN FOR SUBDIVISION IS NOT REQUIRED SUBJECT TO ANY COMMENTS BY FIRE CHIEF AND COUNTY HEALTH DIRECTOR FOR A COMMUNITY SYSTEM AND INDIVIDUAL SEPTIC SYSTEMS

Engineering Director       Fire Chief       County Health Director

Public Works Director       Bryan County Schools (optional)

Signature: Kirk A. Coan      Date: 8-12-19



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
(Fax) 653-3864

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Please return this completed form with any comments/attachments to the Community Development Department by 8/16/2019.

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Engineering Director**       **Fire Chief**       **County Health Director**

**Public Works Director**       **Bryan County Schools (optional)**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



**BRYAN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street  
P.O. Box 1071  
Pembroke, Georgia 31321  
912-653-3893  
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Please return this completed form with any comments/attachments to the Community Development Department by 8/16/2019.

**Comments:** No Issues with this!  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> <b>Engineering Director</b>  | <input checked="" type="checkbox"/> <b>Fire Chief</b>           | <input type="checkbox"/> <b>County Health Director</b> |
| <input type="checkbox"/> <b>Public Works Director</b> | <input type="checkbox"/> <b>Bryan County Schools (optional)</b> |  |

**Signature:** Freddy Howell

**Date:** 08/23/2019

# “C” Exhibits – Bryan County Supplements

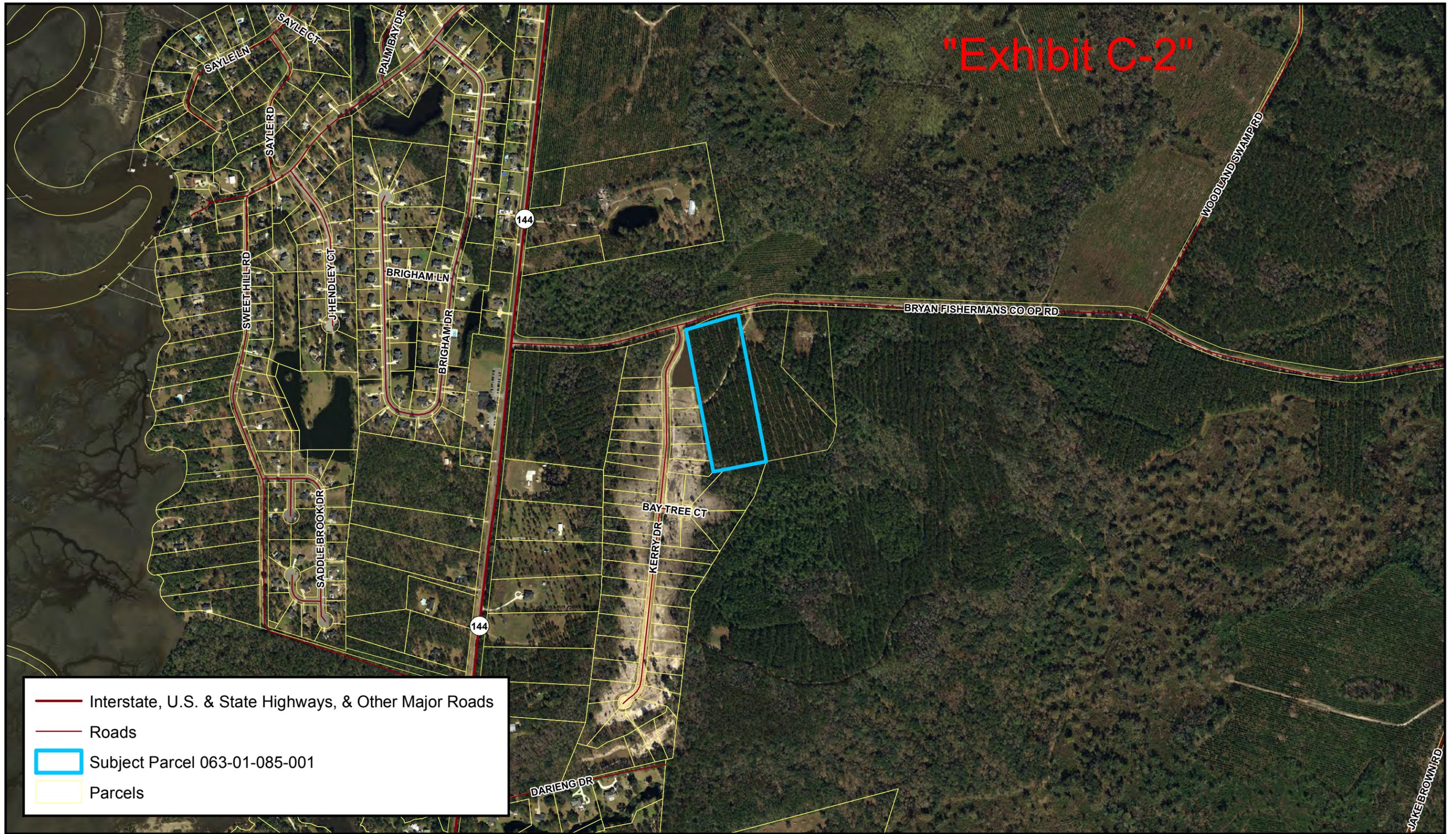
# "Exhibit C-1"



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 063-01-085-001
- Surrounding Parcels



"Exhibit C-2"



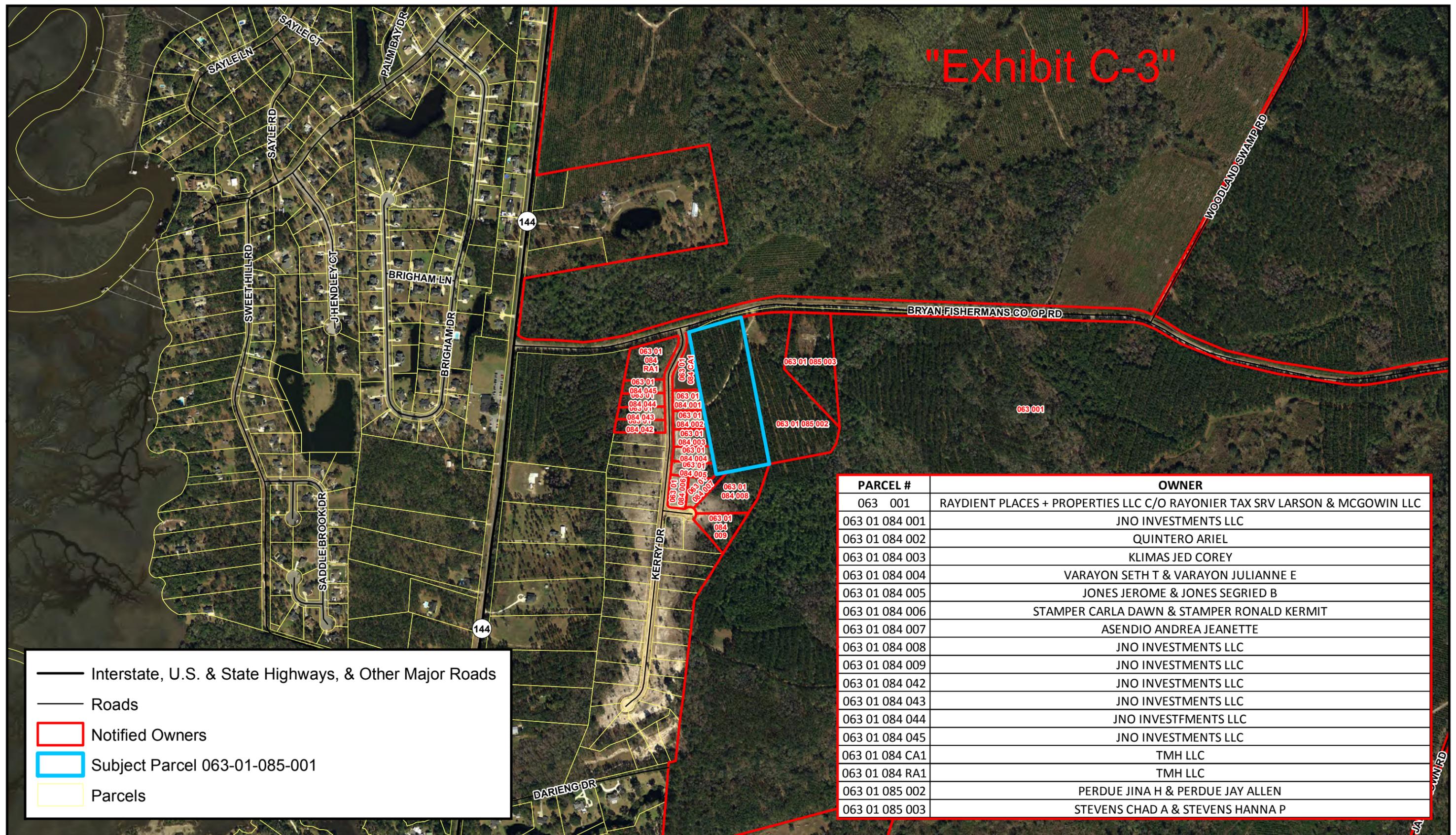
- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 063-01-085-001
- Parcels



**Location Map**  
**Seth Norwood/William Norwood LLC**  
**Case SD# 3128-19**

DISCLAIMER  
 Information represented in this compilation from numerous digital GIS resources is solely for planning and illustration purposes. It is not suitable for site specific decision making. The accuracy of this product is dependent upon the source data and therefore the accuracy cannot be guaranteed. The areas depicted in this GIS Map Product are approximate, and is not necessarily accurate to surveying or engineering standards. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for the information contained therein or if information is used for other than its intended purpose. Reproduction, dissemination, altering this data is not authorized without prior consent. Bryan County, City of Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

"Exhibit C-3"



Interstate, U.S. & State Highways, & Other Major Roads  
 Roads  
 Notified Owners  
 Subject Parcel 063-01-085-001  
 Parcels

| PARCEL #       | OWNER  |
|----------------|--|
| 063 001        | RAYDIENT PLACES + PROPERTIES LLC C/O RAYONIER TAX SRV LARSON & MCGOWIN LLC |
| 063 01 084 001 | JNO INVESTMENTS LLC  |
| 063 01 084 002 | QUINTERO ARIEL   |
| 063 01 084 003 | KLIMAS JED COREY   |
| 063 01 084 004 | VARAYON SETH T & VARAYON JULIANNE E  |
| 063 01 084 005 | JONES JEROME & JONES SEGRIED B   |
| 063 01 084 006 | STAMPER CARLA DAWN & STAMPER RONALD KERMIT                                 |
| 063 01 084 007 | ASENDIO ANDREA JEANETTE  |
| 063 01 084 008 | JNO INVESTMENTS LLC  |
| 063 01 084 009 | JNO INVESTMENTS LLC  |
| 063 01 084 042 | JNO INVESTMENTS LLC  |
| 063 01 084 043 | JNO INVESTMENTS LLC  |
| 063 01 084 044 | JNO INVESTMENTS LLC  |
| 063 01 084 045 | JNO INVESTMENTS LLC  |
| 063 01 084 CA1 | TMH LLC  |
| 063 01 084 RA1 | TMH LLC  |
| 063 01 085 002 | PERDUE JINA H & PERDUE JAY ALLEN   |
| 063 01 085 003 | STEVENS CHAD A & STEVENS HANNA P   |



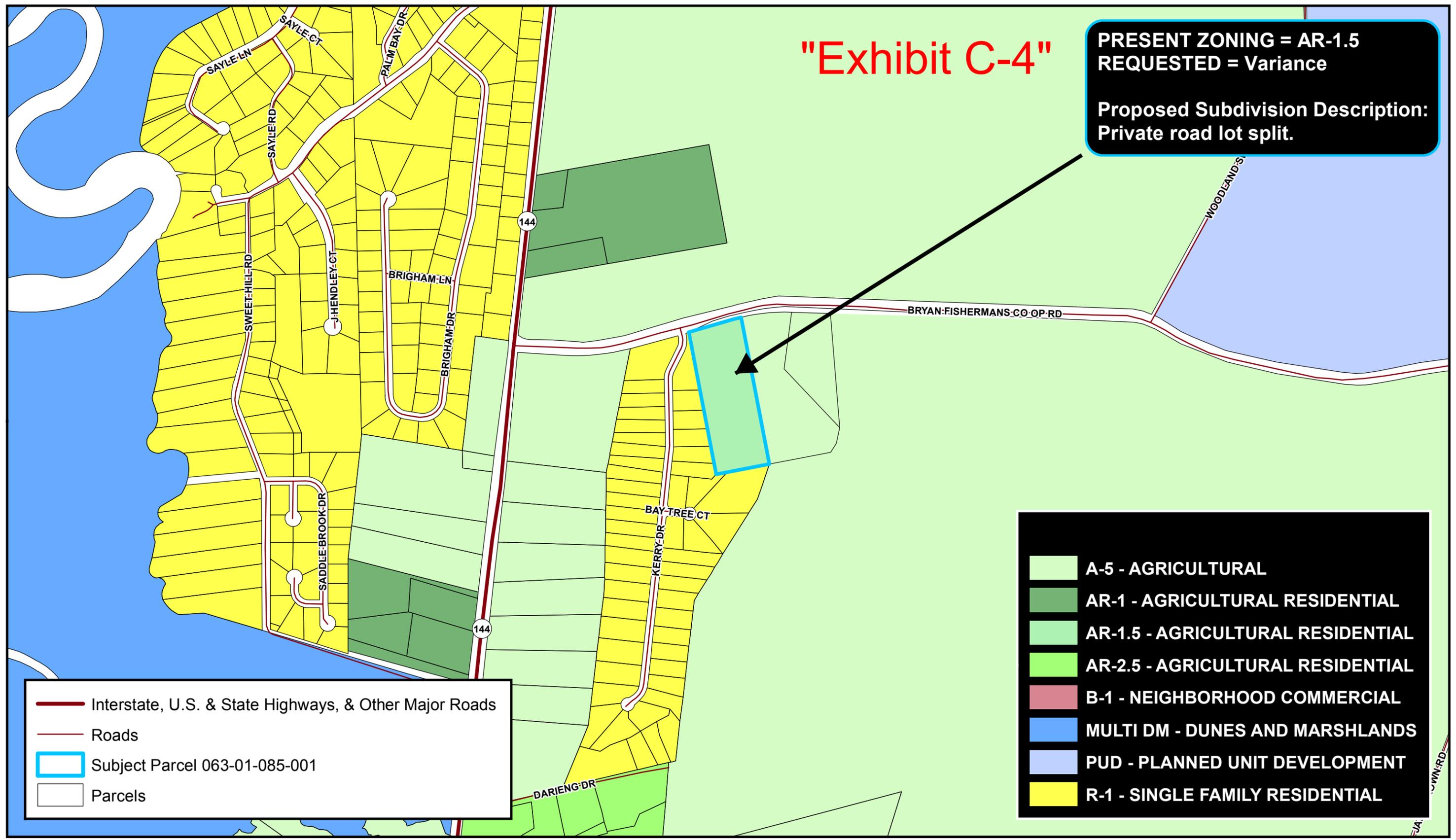
**Notification Map**  
**Seth Norwood/William Norwood LLC**  
**Case SD# 3128-19**

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# "Exhibit C-4"

**PRESENT ZONING = AR-1.5**  
**REQUESTED = Variance**

**Proposed Subdivision Description:**  
**Private road lot split.**



— Interstate, U.S. & State Highways, & Other Major Roads  
 — Roads  
 [Blue Outline] Subject Parcel 063-01-085-001  
 [Black Outline] Parcels

- [Light Green] A-5 - AGRICULTURAL
- [Dark Green] AR-1 - AGRICULTURAL RESIDENTIAL
- [Light Green] AR-1.5 - AGRICULTURAL RESIDENTIAL
- [Bright Green] AR-2.5 - AGRICULTURAL RESIDENTIAL
- [Pink] B-1 - NEIGHBORHOOD COMMERCIAL
- [Blue] MULTI DM - DUNES AND MARSHLANDS
- [Light Blue] PUD - PLANNED UNIT DEVELOPMENT
- [Yellow] R-1 - SINGLE FAMILY RESIDENTIAL



# “D” Exhibits – Public Comment

**BRYAN COUNTY PLANNING & ZONING COMMISSION**

**CASE SD#3129-19**

Public Hearing Date: September 3, 2019

|  |   |
|--|---|
| REGARDING THE APPLICATION OF: Michael Casey requesting a private road lot split for property located on Belfast River Road, PIN# 062 141, 062 142, 062 143. The applicant is requesting to subdivide the parcel with a private road. | Staff Report<br>by Sara Farr-Newman<br>Dated: August 27, 2019 |
|--|---|

**I. Application Summary**

**Requested Action:** Public hearing and consideration of a private road lot split. The application by Michael T. Casey, Jr. proposes to create a private road and one additional lot from parcels PIN# 062 141, 062 142, 062 143, located off of Belfast River Road, in unincorporated Bryan County, Georgia.

**Applicant:** Michael T. Casey, Jr.  
379 Bluff Drive  
Richmond Hill, GA 31324

**Owner:** (Parcels 062 142 and 062 143)  
Belhaven Barn LLC  
1051 Belfast River Road  
Richmond Hill, GA 31324

(Parcel 062 141)  
Michael T. Casey, Sr.  
1076 Belfast River Road  
Richmond Hill, GA 31324

**Applicable Regulations:**

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 66. Zoning Procedures, Georgia Code O.C.G.A. 36-66
- Appendix A – Subdivisions, Article XIII – Minor Subdivisions, Section 1303

**II. General Information**

**1. Application:** A subdivision application was submitted by Michael Casey, on August 2, 2019. After reviewing the application, the Director certified the application as being generally complete on August 5, 2019. Per the Subdivision Ordinance, the Planning and Zoning Commission has final authority for approving or denying Private Road Lot Split plats.

**2. Notice:** Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on August 15, 2019.

B. Notice was sent to Surrounding Land Owners on August 19, 2019.

C. The site was posted for Public Hearing on August 19, 2019.

**3. Background:** This property, along with surrounding parcels, have undergone several changes over the past couple of years, all at the request of the current property owner/applicant. A timeline of these changes is below:

- May 2, 2012 – Subdivision plat recorded in Plat Book 638, Page 6B creating four parcels (Parcel 1, 2, 3, and 4), all of which were accessible from Belfast River Road.
- July 3, 2014 – Subdivision plat recorded in Plat Book 655, Page 8A subdividing Parcel 1 and creating a new Parcel 1-A and Parcel 1-B, and with all lots still accessed from Belfast River Road.
- September 11, 2014 – Lot line adjustment recorded in Plat Book 657, Page 7B, changing the shape of Parcel 2 and Parcel 3, and with all lots still accessed from Belfast River Road.
- August 17, 2015 – Lot line adjustment and combination plat recorded in Plat Book 665, Page 5A reducing the size of Parcel 3 by adding a portion of this parcel to Parcel 1-A, and with all lots still accessed from Belfast River Road.
- Approved August 22, 2019 – Lot line adjustment, not yet recorded, changing the boundary lines of Parcels 2, 3, and 4, and creating non-continuous frontage for Parcel 2, consisting of 309 feet on the eastern portion and frontage of 50.12 feet on the western portion. At this time, all parcels within the original subdivision boundaries are still accessed from Belfast River Road.

The applicant is proposing to subdivide the now existing Parcel 2 (22.50 acres) into two parcels, Parcel 2 consisting of 13.76 acres and Parcel 2A consisting of 8.03 acres, and to establish a new private road.

**4. Exhibits:** The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on August 5, 2019, unless otherwise noted.

**“A” Exhibits- Application:**

A-1 Minor Subdivision Application

A-2 Proposed Plat (August 25, 2019)

**“B” Exhibits- Agency Comments:**

- B-1 Engineering Comments
- B-2 Public Health Comments

**“C” Exhibits- Bryan County Supplements**

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map
- C-5 Subdivision plat recorded in Plat Book 638, Page 6B
- C-6 Subdivision plat recorded in Plat Book 655, Page 8A
- C-7 Lot line adjustment recorded in Plat Book 657, Page 7B
- C-8 Lot line adjustment and combination plat recorded in Plat Book 665, Page 5A
- C-9 Lot line adjustment approved August 22, 2019, not yet recorded

**“D” Exhibits- Public Comment:**

No Public Comments Received

**III. Sec. 2. Article XIII: Minor Subdivisions:**

**Section 1302. Limitation on Subsequent Minor Subdivisions.** The minor subdivision process may be used no more than once for any parcel that is included within the boundaries of a minor subdivision or is a remaining portion of a parcel that was previously subdivided using the minor subdivision process. The limitation of this section applies only to private road lot splits.

► **Staff comment:** If approved, the parcel cannot be subdivided again, which must be noted on the plat.

**Section 1303. Approval Criteria for Private Road Lot Splits.**

- a. All lots created by a simple lot split shall comply with the minimum area and dimensional standards of Bryan County’s zoning and subdivision regulations.

► **Staff comment:** The lots are zoned A-5, which requires a minimum lot size of 5 acres; minimum lot width of 200 feet; and minimum frontage requirements of 250 feet along arterial roads, and 200 feet

along minor local roads. When fronting on a cul-de-sac, the minimum frontage requirement may be reduced to 35% of the required road frontage. Parcel 2 is proposed to be 13.76 acres in size, approximately 612' wide, and with 309' of frontage along the arterial Belfast River Road, meeting the required standards. Parcel 2A is proposed to be 8.03 acres in size, approximately 655' wide, and with approximately 135' of frontage along the proposed minor local, cul-de-sac road, meeting the required standards. While Parcel 3 meets the minimum lot size, lot width, and frontage requirements, the proposed location of the private road will restrict the parcel's ability to establish a future driveway connection, as access points along Belfast River Road require at least 350' of separation. Parcel 4 remains unaffected by the proposed changes.

- b. Each lot shall be independently accessible from an abutting public or existing private road created in compliance with applicable Bryan County Standards.

► **Staff comment:** Parcels 2 and 4 will continue to obtain access from Belfast River Road. Lot 2A is proposed to be accessed via the proposed private road, and Parcel 3 should be required to access the private road as well, if approved. As indicated in criterion (e) below, the proposed private road does not meet county standards.

- c. No public road shall be created through the private lot split process, but the plat may include the dedication of public right-of-way for the widening of existing public roads abutting lots included in the lot split.

► **Staff comment:** No public road is being created.

- d. Private roads shall be placed in a private road right-of-way at least forty (40) feet in width, unless the County Engineer finds that greater width is needed due to topography, drainage, or private road alignment. Private roads for lot splits shall comply with the Private County Road Dirt Standards in areas designated for the agricultural and low density residential future land use category in the Comprehensive Plan and with the Private County Road Crush and Run Standards in areas designated for other future land use categories.

► **Staff comment:** A 50-foot right-of-way is proposed for the new private road. The property is identified as Conservation Land in the Comprehensive Plan; this designation means that the Private County Road Crush and Run Standards must be met.

e. Private roads shall not exceed three hundred (300) feet in length from the edge of the nearest public right-of-way to most distant property line along the road or driveway.

► **Staff comment:** The private road is approximately 565 feet in length. A variance (V#327-19) has been requested to increase this standard; however, Staff is recommending denial of this variance.

f. Off-site utility improvements are limited to water and/or sewer line extensions of not more than two-hundred (200) feet from the nearest property line of the subdivision.

► **Staff comment:** This standard is not applicable, because lots will use individual septic and well.

g. The applicant shall submit a Homeowners Association document that shall be recorded with the final plat that assigns ownership of and responsibilities for the maintenance of private roads and drainage systems. A note in accordance with section 1701 shall be included on the plat. The responsible party shall be one or more of the lot owners in the subdivision.

► **Staff comment:** The applicant indicated on the plat that the owners of Parcel 2A will be responsible for road maintenance. The required note has been provided on the plat; but Staff recommends that, if approved, the plat be revised to require Parcel 3 access the private road and share in the maintenance. A Homeowner’s Association document has not been submitted.

h. Off-site storm water improvements are limited to abutting rights-of-way or easements, which may be used only with the owner’s consent.

► **Staff comment:** Not applicable.

#### **IV. Staff Recommendation**

Staff recommends denial of the private road lot split, because the private road is not in compliance with the standards.

#### **V. Planning and Zoning Commission Decision**

**Recommendation:** The Commission may approve the minor subdivision as requested, or it may approve the minor subdivision subject to provisions, or it may deny the minor subdivision. If approved, staff recommends that the following conditions be placed on the approval:

1. The cul-de-sac bulb radius shall comply with County Design Standards.
2. A letter from an environmental consultant confirming the wetland boundaries.
3. Note on plat indicating all lots with frontage on the private road will be accessed from this road.
4. A Homeowner's Association document for the maintenance of the private road shall be submitted and recorded with the final plat.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Approval:** Having considered the evidence in the record, upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by vote of \_\_ to \_\_, the Commission hereby approves as proposed/approves with provisions/denies the proposed minor subdivision.

# “A” Exhibits – Application

Bryan County  
Board of Commissioners

"Exhibit A-1"



Community Development Department



MINOR SUBDIVISION APPLICATION

Refer to Article XIII of the Subdivision Regulations for additional information regarding Minor Subdivision requirements.

- Application Type & Fee:
- Private Road Lot Split \$250.00
  - Simple Lot Split \$100.00
  - Conveyance Plat \$100.00
  - Lot Line Adjustment \$25.00
  - Plat Correction \$25.00
  - Dedication Plat \$25.00
  - Combination Plat \$25.00

Applicant:

- Property Owner
- Authorized Agent

Applicant Name: Michael T. Casey Jr.  
 Address: 379 Bluff Dr.  
 City: Rahway Hill State: GA Zip: 31324  
 Phone: 912 312-0421 Email: Tracy57@aol.com

Property Owner (if not applicant):

Michael T. Casey Jr.  
 Address: 379 Bluff Dr.  
 City: Rahway Hill State: GA Zip: 31324 Phone: 912 312-0421

Property Information: General Location: Bluff Hill across from Griffin Rd.

PIN Number (Map & Parcel): \_\_\_\_\_ Current Zoning District(s): A-5

Acreage: 22.50 Parcel Total 3 Area to be Subdivided 22.50

Number of Lots: Existing 1 Proposed 3

Will the minor subdivision require the extension of existing water or sewer facilities?  Yes  No

Are there any existing structures on the site?  Yes  No

If yes, are any to remain?  Yes  No

Proposed Subdivision Description: WANT TO create (2) 5 ACRE PARCELS out of 22.50 LEAVING 12.50 ACRES

Applicant Certification: I hereby certify that I am the owner or authorized agent of the property being proposed for subdivision, and that I have answered all of the questions contained herein and know the same to be true and correct.

[Signature]  
Applicant Signature

9-2-19  
Date

FOR OFFICE USE ONLY

Case #: SD#3129-19 Date Received: 8-2-19  Fee Paid Initial SF

### Minor Subdivision Review and Timing

The typical process and timeframe for reviewing minor subdivisions is as follows. The 30-day review period will not begin until the submitted application is certified as being complete.

|  |   |
|--|---|
| Completeness Review  | 5 business days<br>after Application Submittal            |
| Planning Director Review   | Within 30 days following Completeness<br>Certification    |
| Planning & Zoning<br>Commission Action (Private<br>Road Lot Splits only) | Within 30-60 days following Completeness<br>Certification |

### Minor Subdivision Application Checklist

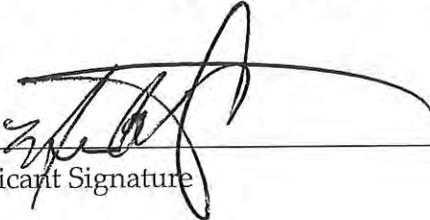
The following information must be included with your submittal. Any omission of the items below will result in a delay of your request. Place a check next to each item included with your submission.

- Completed Application
- Completed Authorization by Property Owner form, if applicant is not the property owner
- Proof of Ownership
- Verification of Paid Taxes
- Plans for the extension of water or sewer from existing facilities to the lot service lines, if applicable
- Environmental Site Assessment or affidavit in accordance with Section 512(b) of the Subdivision Regulations
- Georgia Department of Transportation approval for any subdivision abutting a road maintained by the State of Georgia
- A jurisdictional wetlands delineation of the land to be subdivided or a letter from a soils scientist certifying that no wetlands exist on the land to be subdivided. For properties where wetlands are identified, the limits of any wetlands shall be surveyed and included on the plat along with a certification from the soils scientist verifying the delineation.
- Base flood elevation data for subdivisions greater than fifty (50) lots or five (5) acres and that are located within a Special Flood Hazard Area without an established Base Flood Elevation shall be provided in accordance with Section 105-76 of the Flood Damage Prevention Ordinance. Should an acceptable building envelope in conformance with all required subdivision standards be provided on each lot within the subdivision, then the owner may add the following note to the plat in lieu of providing this data: "No building permits of any kind shall

be issued within the Special Flood Hazard Area until a base flood elevation has been established in accordance with Section 105-76 of the Flood Damage Prevention Ordinance”.

- Private Road Lot Splits shall require a Land Disturbance Activity Permit and plans for the grading and surfacing of the planned private road. In lieu of providing this information at the time of subdivision, the owner may add the following note to the plat: “No building permits will be issued for any construction until the private road is constructed in accordance with the Bryan County Engineering and Design Standards”.
- One (1) copy of the existing plats or deeds which created the affected lots or parcels
- One (1) digital, two (2) 11x17 inch, and two (2) full size copies of the proposed minor subdivision plat prepared in accordance with the Plat Requirement Checklist

**Applicant Acknowledgement:** I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

  
\_\_\_\_\_  
Applicant Signature

9-2-19  
\_\_\_\_\_  
Date

If you have questions, contact the Community Development Department at one of our office locations.

51 North Courthouse Street  
Pembroke, GA 31321  
Phone: 912-653-3893  
Fax: 912-653-3864

66 Capt. Matthew Freeman Drive  
Richmond Hill, GA 31324  
Phone: 912-756-3177  
Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Crt'd: 8-5-19 Final Plat Reviewed: \_\_\_\_\_ P&Z Action: 9/3/19

Bryan County  
Board of Commissioners

Community Development Department



AUTHORIZATION BY PROPERTY OWNER

I, Michael T. Casey JR being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia

He/She authorizes the person named below to act as applicant in the pursuit of a subdivision of their property.

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Michael T. Casey JR

Address: 379 BIRCH DR.

City: Buckhead Hill State: GA Zip Code: 30324

Telephone Number: (907) 312-0421 Email: tcasey5711@yahoo.com

[Signature]  
Signature of Owner

9-2-19  
Date

Michael T. Casey JR  
Owners Name (Print)

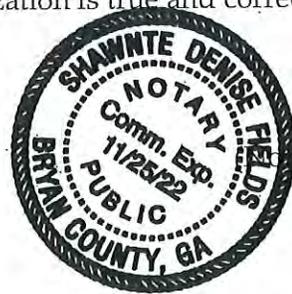
Personally appeared before me

Michael T. Casey JR  
Owner (Print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 2 of August

[Signature]  
Notary Public



(Notary Seal)

PIN #  
062-141

BRYAN COUNTY  
CLERK OF COURTS

1050 0450

2012 MAY -2 AM 11:45

BOOK# \_\_\_\_\_ PAGE# \_\_\_\_\_  
CLERK OF SUPERIOR COURT  
BRYAN COUNTY, GA  
REBECCA G. CROWE

Bryan County, Georgia  
Real Estate Transfer Tax

Paid 36.30

015-2012-000624

5-2-12  
P. Simmons  
Clerk of Superior Court

(SPACE ABOVE THIS LINE FOR RECORDING OFFICE USE)

STATE OF GEORGIA

COUNTY OF BRYAN

}  
}  
}

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into this 27th day of April, 2012, between TMH, LLC, a Georgia limited liability company, as Party of the First Part, and MICHAEL T. CASEY, SR., as Party of the Second Part.

- WITNESSETH -

THAT the said Party of the First Part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable considerations to it in hand paid by the said Party of the Second Part, at and before the sealing of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Party of the Second Part, HIS heirs, executors, administrators, successors and assigns, the following described property, to-wit:

All those certain lots, tracts or parcels of land, situate, lying and being in Bryan County, Georgia, and being shown as "PARCEL 4, 5.00 ACRES" on a certain plat of survey entitled "Parcels 2, 3 and 4, being a Division of a Portion of Rayonier Tract, 20th G.M. District Bryan County, Georgia" for TMH, LLC Properties, dated January 1, 2011, prepared by Michael A. Hussey, G.R.L.S #2509, and recorded in the Office of the Clerk of Superior Court of Bryan County, Georgia in Plat Book 438, Page 443. For a more particular description of said lot conveyed herein, reference is made to said subdivision map which is incorporated herein by specific reference. Said property is presently known as 1076 Belfast River Road, Richmond Hill, GA 31324.

SUBJECT, HOWEVER, to those certain covenants and restrictions as contained in that certain Limited Warranty Deed from Rayonier Forest Resources, L.P. to TMH, LLC, recorded in Book 1050 Page 446 Bryan County, Georgia records, including a restriction which provides that the land conveyed shall not be used for the purpose of a mobile home park nor shall any mobile, modular, or manufactured homes, recreational vehicles (permanent or non-permanent), house trailers, panelized and pre-cut homes, (other than temporary sales and construction

HENDERSON  
LAW FIRM LLC  
Post Office Box 560  
Richmond Hill, GA 31324  
(912) 758-2831  
Our File: 09287-02-10

*2/18*

1050

trailers) be placed on any of the Property conveyed hereby, said covenant shall expire upon the tenth (10th) anniversary of the date of this document being recorded in the public records of Bryan County, Georgia. Reference to the afore-

Further subject, however, to all valid restrictions, easements and rights of way

BOOK# \_\_\_\_\_ PAGE# \_\_\_\_\_  
CLERK OF SUPERIOR COURT  
BRYAN COUNTY, GA  
REBECCA G. COOPER

is a portion of the property conveyed to TMH, LLC by Limited Warranty Deed dated April 27, 2012, and filed in Deed Book 1050 Page 440. Bryan County, Georgia records.

TO HAVE AND TO HOLD the above-described property, together with all and singular, the rights, members, hereditaments and appurtenances unto the same belonging or in anywise appertaining, unto the said Party of the Second Part, their heirs, executors, administrators, successors and assigns, in fee simple forever;

AND LASTLY, the said Party of the First Part, for itself and its successors and assigns, will warrant and forever defend the right and title to the above-described property unto the said Party of the Second Part, his heirs, executors, administrators, successors and assigns, against the claims of all persons claiming under, by or through said Party of the First Part.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed in its name and on its behalf, on the day and year first above written as the date hereof.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

TMH, LLC

Irish Conley  
Rebecca G. Cooper  
Notary Public,  
Bryan County, Georgia

By: Tara Michelle Casey (L.S.)  
Tara Michelle Casey, Member/Manager

[NOTARIAL SEAL]





BK: 1357 PG: 932

TRACT TWO: 062 - 142

All that certain lot, tract or parcel of land, situate, lying and being in Bryan County, Georgia, and being shown as "Parcel 3, 11.55 ACRES" on a certain plat of survey entitled "Recombination Survey, Being a recombination of Parcel 3 and Parcel A-1, 20th G.M. District, Bryan County, Georgia" for TMH, LLC Properties, dated April 27, 2015, prepared by Michael A. Hussey, G.R.L.S #2509, and recorded in the Office of the Clerk of Superior Court of Bryan County, Georgia in Plat Book 665, Page 5A. For a more particular description of said lot conveyed herein, reference is made to said subdivision map which is incorporated herein by specific reference.

TITLE TO THE WITHIN PROPERTIES HAS NOT BEEN EXAMINED NOR CERTIFIED BY THE PREPARER OF THIS DEED.

TOGETHER WITH ALL AND SINGULAR, the buildings, dwellings, houses, outhouses, improvements, easements, hereditaments, rights, members and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, claim or demand whatsoever at law or in equity of the Party of the First Part of, in or to the same, or any part thereof.

TO HAVE AND TO HOLD the above-described and conveyed property and premises free and clear of any claim or claims by the Party of the First Part, or any person or persons claiming under or through it.

IN WITNESS WHEREOF, the said Party of the First Part has caused its name to be signed and its corporate seal affixed by its authorized officers on the day and year first above written as the date hereof.

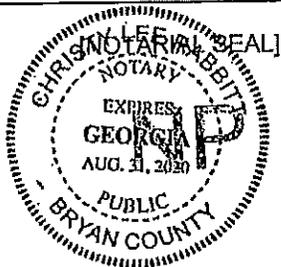
Signed, sealed and delivered  
in the presence of:

TMH, LLC

Irish Conlay  
Unofficial Witness

By: Tara Michelle Casey  
Tara Michelle Casey, Sole Member (Title)

Notary Public



Bryan County  
Board of Commissioners

Community Development Department



**AUTHORIZATION BY PROPERTY OWNER**

I, Tara M. Casey, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia

He/She authorizes the person named below to act as applicant in the pursuit of a subdivision of their property.

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Michael T. Casey Jr.

Address: 379 Bluff Dr.

City: Richmond Hill State: GA Zip Code: 31324

Telephone Number: (902) 312-0421 Email: tcasey5711@yahoo.com

Mary Casey  
Signature of Owner

8-27-19  
Date

Tara M. Casey  
Owners Name (Print)

Personally appeared before me

Tara M. Casey  
Owner (Print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 27th of August 2019

Teresa Dinh  
Notary Public



(Notary Seal)

Bryan County  
Board of Commissioners

Community Development Department



**AFFIDAVIT FOR ARTICLE V**  
**EXEMPTION FROM ENVIRONMENTAL SITE ASSESSMENT**

Owner's Name Tara M. Casey Phone number: 912-756-5711

Street Address of Location: 1051 Belfast River Rd.

The signing of this statement certifies that I, Tara M. Casey, owner of the lot with the tax parcel number 062-142 / 062-143 understand that subdivisions applied for under Article XIII of the Subdivision regulations, may qualify for an exemption from Article V, which requires an Environmental Site Assessment of all properties subdivided in Bryan County. In accordance with Article V, Section 512, I acknowledge that the aforementioned property has (1) never been used as a landfill and has (2) no environmentally dangerous situation existing on the property.

Tara M. Casey  
Signature of Owner

Personally appeared before me

Tara M. Casey  
Applicant (Print)

Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.

This 27<sup>th</sup> day of August 2019

Teresa Dinh  
Notary Public

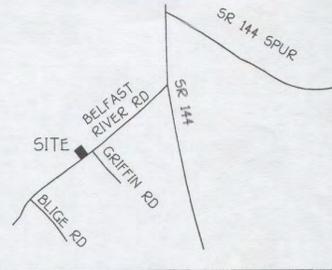


(Notary Seal)

"Exhibit A-2"



PIN 055 060  
NOW OR FORMERLY  
RAYDIENT LLC  
C/O RAYONIER TAX SRV  
LARSON & MCGOWIN LLC



VICINITY MAP (NTS)

APPROVED UNDER ARTICLE XIII

Planning Director \_\_\_\_\_ Date of Approval \_\_\_\_\_

911 Address Director \_\_\_\_\_ Date of Approval \_\_\_\_\_

Planning and Zoning Chairman \_\_\_\_\_ Date of Approval \_\_\_\_\_

NOTES:

1. THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE PARCEL 2 INTO 3 LOTS.
2. WETLAND AREAS SHOWN ARE BASED ON THE NWI MAPS AND HAVE NOT BEEN VERIFIED BY THE COE.
3. ANY WETLANDS ARE UNDER THE JURISDICTION OF THE U. S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLANDS WITHOUT PROPER AUTHORIZATION.
4. IN MY OPINION, IN ACCORDANCE WITH F.I.R.M. MAP NO. 13029C0295D AND NO. 13029C0375D DATED AUGUST 2, 2018, THIS PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD HAZARD AREA.
5. DRIVEWAYS SHALL BE A MINIMUM OF 35' APART.
6. WATER TO BE PROVIDED BY INDIVIDUAL WELL AND SEWER BY INDIVIDUAL SEWAGE DISPOSAL SYSTEM.
7. PARCELS 2A SHALL SHARE THE MAINTENANCE RESPONSIBILITY OF THE 50' PRIVATE ROAD RIGHT-OF-WAY.
8. THERE SHALL BE NO FURTHER SUBDIVISION OF PARCEL 2A AS IT PERTAINS TO THE APPROVAL UNDER ARTICLE XIII.
9. NO BUILDING PERMITS WILL BE ISSUED FOR ANY CONSTRUCTION UNTIL THE PRIVATE ROAD IS CONSTRUCTED IN ACCORDANCE WITH THE BRYAN COUNTY ENGINEERING AND DESIGN STANDARDS.

Error Of Closure (Plat): 1/871,326  
Error Of Closure (Field): 1/32,500  
Field Survey Date: 01-31-2019  
Angular Error: 2" Per Point  
Total Area: 22.50 Acres  
Total No. Lots: 2  
Equipment Used: Sokkia Set 5 2" Total Station

PLATS AND DEEDS:  
PLAT BOOK 638 PAGE 6B  
PLAT BOOK 657 PAGE 7B  
DEED BOOK 1294 PAGE 907

NOTE: PROPERTY IS ZONED A-5  
FRONT SETBACK - 75'  
REAR SETBACK - 50'  
SIDE SETBACK - 50'

SURVEYORS CERTIFICATION

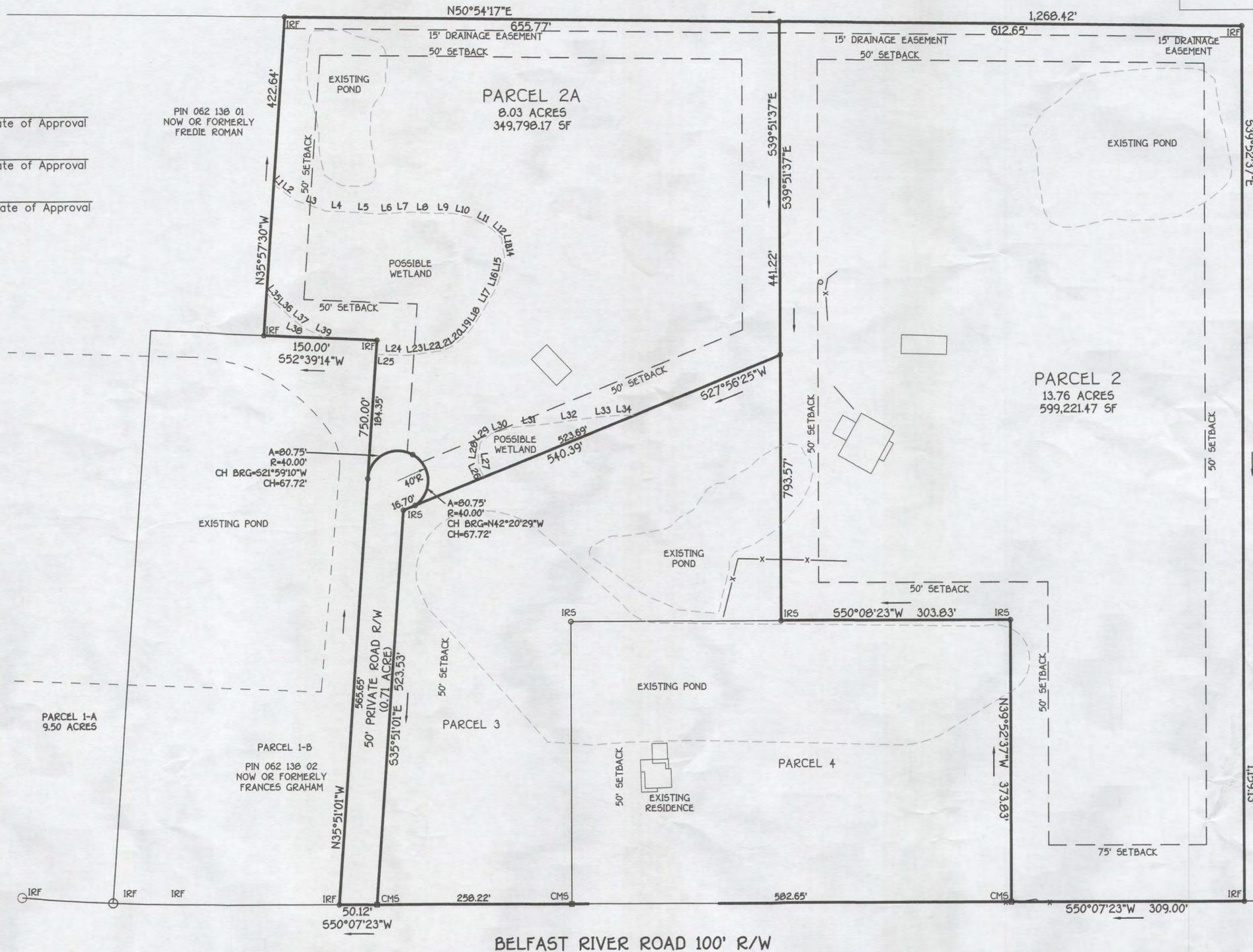
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions that require prior approval for recording this type of plat as shown in the statements and signature blocks. Such approvals or affirmations, should 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.



Michael A. Hussey  
Ga. Reg. L.S. No. 2509

SPECIAL NOTE:

Bryan County will not maintain, repair or replace any Private Roads and Drainage Systems. The responsibility for such maintenance, repair or replacement is addressed in a Maintenance Agreement between the Developer of the Subdivision and the purchasers of Lots within the Subdivision. Any purchasers of Lots within this Subdivision are urged to carefully review such Maintenance Agreement to determine the party or parties responsible for the maintenance of the Private Roads and Drainage Systems and the source of the funds to provide such maintenance.



| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S78°49'27"E | 4.88'    |
| L2   | N86°39'17"E | 30.60'   |
| L3   | N69°45'52"E | 44.11'   |
| L4   | N52°34'32"E | 29.70'   |
| L5   | N54°12'27"E | 40.39'   |
| L6   | N46°54'34"E | 23.53'   |
| L7   | N47°46'17"E | 19.29'   |
| L8   | N53°29'18"E | 31.47'   |
| L9   | N50°07'23"E | 24.02'   |
| L10  | N62°15'07"E | 25.11'   |
| L11  | N79°39'34"E | 29.43'   |
| L12  | S86°32'06"E | 19.60'   |
| L13  | S45°52'55"E | 12.12'   |
| L14  | S50°30'16"E | 12.58'   |
| L15  | S28°41'44"E | 21.28'   |
| L16  | S20°32'26"E | 21.03'   |
| L17  | S10°06'12"E | 30.62'   |
| L18  | S07°59'36"E | 26.54'   |
| L19  | S01°18'54"E | 16.36'   |
| L20  | S09°58'21"W | 23.73'   |
| L21  | S25°17'03"W | 14.36'   |
| L22  | S42°12'27"W | 25.39'   |
| L23  | S43°25'11"W | 21.56'   |
| L24  | S52°05'44"W | 36.54'   |
| L25  | S55°30'32"W | 5.88'    |
| L26  | N65°24'32"W | 12.44'   |
| L27  | N47°47'29"W | 15.46'   |
| L28  | N31°12'54"W | 19.79'   |
| L29  | N11°28'54"W | 19.07'   |
| L30  | N33°50'18"E | 28.82'   |
| L31  | N44°31'07"E | 47.90'   |
| L32  | N42°20'39"E | 59.71'   |
| L33  | N45°13'37"E | 29.90'   |
| L34  | N50°07'23"E | 24.96'   |
| L35  | S73°56'28"E | 16.05'   |
| L36  | S88°08'06"E | 31.51'   |
| L37  | N89°28'12"E | 21.17'   |
| L38  | N75°07'42"E | 20.84'   |
| L39  | N76°08'02"E | 11.06'   |

PIN 055 060  
NOW OR FORMERLY  
RAYDIENT LLC  
C/O RAYONIER TAX SRV  
LARSON & MCGOWIN LLC

RECEIVED  
AUG 23 2019

MINOR SUBDIVISION SURVEY

BEING A SUBDIVISION OF PARCEL 2,  
20TH G.M. DISTRICT, BRYAN COUNTY,  
GEORGIA.

FOR  
TMH, LLC PROPERTIES LLC  
379 BLUFF DRIVE  
RICHMOND HILL, GA 31324

SUNDIAL LAND SURVEYING, PC  
L5F000957  
1190B KING GEORGE BLVD, SUITE 5  
SAVANNAH, GA 31419  
912-235-2477

