



BRYAN COUNTY
PLANNING & ZONING COMMISSION, BOARD OF ADJUSTMENT, and TREE BOARD
MEETING AGENDA

Meeting Date: November 5, 2019
Meeting Time: 6:30 p.m.
42 N. Courthouse St., Pembroke GA.
Commissioner's Meeting Room

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. OLD BUSINESS

TREE BOARD

V#334-19, John Mowry, requesting a variance for the Tree canopy requirements for property located on 1452 Belfast River Rd., Richmond Hill, PIN#056-048.

IV. BOARD OF ADJUSTMENT

V#337-19, Sue Trively with Love's Travel Stop, requesting a variance for additional height and square footage on a Hi-Rise sign and monument sign for property located on 11151 Highway 280, Ellabell, PIN# 029-062.

V#338-19, Dale Adams, requesting a variance to increase the square footage of an accessory structure located on 50 Oakcrest Ct., Richmond Hill, PIN# 0422-088.

V. PLANNING COMMISSION

Z#221-19, Kimberly Blocker, DK&D Ventures LLC, requesting to rezone from R-4 to R-1 for property located on 8382 Highway 280, Black Creek, PIN# 0251-040-01.

Z#222-19, Billy Schwarz & Leo Schwarz Jr., requesting to rezone from B-1 Conditional to B-2 for property located on 3446 Highway 204, Ellabell, PIN# 031-040.

Z#223-19, Paul Cates, requesting to rezone from A-5 to AR-2.5 for property located on 23615 Highway 144, Richmond Hill, PIN# 065-021-07.

VI. OTHER BUSINESS

Discussion of the Planning and Zoning Training Opportunity

Update from staff on the Unified Development Ordinance

VII.

ADJOURNMENT

Please note that agenda items may not be considered in the exact order listed, and all times shown are tentative and approximate. Documents for the record may be submitted prior to the meeting by email, fax, mail, or in person. For questions about the agenda, contact Planning at ayoung@bryan-county.org or (912) 653-5252. The meeting is accessible to the disabled. If you need special accommodations to attend or participate in the meeting per the Americans with Disabilities Act (ADA), please contact Planning at (912) 653-5252. This information can be made in alternative format as needed for persons with disabilities. **Posted: October 29, 2019**



**BRYAN COUNTY
PLANNING & ZONING COMMISSION, BOARD OF ADJUSTMENT, and
TREE BOARD
MINUTES**

**Meeting Date: October 1, 2019
Meeting Time: 6:30 p.m.**

Attendees: Alex Floyd
Boyce Young
Stacy Watson
Joseph Pecenka, II
Steven Scholar
Ronald Carswell

Staff: Audra Miller, Community Development Director
Amanda Clement, Planning Manager
Sara Farr-Newman, Planner II
Ashley Young, Planner Technician

I. CALL TO ORDER

Chairman Scholar called the meeting to order at 6:31 p.m.

II. APPROVAL OF MINUTES

Commissioner Young made a motion to approve the August 8th, 2019 Minutes, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

Chairman Scholar announced that three of the applications on the Agenda for Michael Casey were withdrawn by the applicant. Commissioner Floyd made a motion to amend the agenda, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

III. BOARD OF ADJUSTMENT

1. V#330-19, William Norwood, requesting a Variance for Sec. 1301(a) for a subdivision for property located on 300 Bryan Fisherman's Co-op. Rd., Richmond Hill, PIN# 063-01-085-001.
 - a. Ms. Farr-Newman presented the application, stating the applicant is filling the intent of the Ordinance by paving the road and staff recommends approval of the variance.

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- b. Seth Norwood, applicant, stated they would create an agreement for maintaining the private road.
 - c. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - d. Commissioner Young made a motion to approve the request for V#330-19, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

2. V#326-19, Michael Roberts, requesting a variance for increased size of an accessory structure for property located on 24 Bluff View Dr., Richmond Hill, PIN# 0673-067.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman stated that staff recommended denial based on the lack of a hardship for the requested variance.
 - c. Mike Roberts, applicant, stated the proposed accessory structure or pool house would be built similar to the main existing home and the HOA gave their approval of the accessory structure.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - e. Commissioner Pecenka made a motion to approve the request for V#326-19, and a 2nd was made by Commissioner Watson. Vote 4:1, motion carried. Commissioner Carswell opposed.

3. V#331-19, Jeremy Sahr, requesting a variance for increased size of an accessory structure for property located on 77 N. Huntington Court, Richmond Hill, PIN#0422-101.
 - a. Commissioner Young made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman stated that staff recommended denial based on the lack of a hardship for the requested variance to exceed the 50% of the principle building floor area.
 - c. Jeremy Sahr, applicant, stated he previously purchased the blue prints for the detached garage and the metal structure would not be visible from the road.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - e. Commissioner Watson made a motion to approve the request for V#331-19, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.

4. V#335-19, Richard Doty, requesting a variance for increased size of an accessory structure for property located on 290 Palm Bay Dr., Richmond Hill, PIN#0637-022.
 - a. Commissioner Floyd made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman expressed the difference between a carport and garage. She stated that this would be categorized as an accessory structure and fall within the 200' size requirements for the R-1 zoning district. In which, staff recommended denial as it is not in the intent of the ordinance.

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- c. Richard Doty, applicant, described the intent of use for the accessory structure and the storage of vehicles within the garage. He stated they did obtain HOA approval and stated the structure would look similar to the principle structure with no visibility from adjacent property owners.
 - d. Commissioner Watson made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - e. Commissioner Young made a motion to approve the request for V#335-19, and a 2nd was made by Commissioner Pecenka. Vote 4:1, motion carried. Commissioner Floyd opposed.
5. V#328-19, C. Scott Burns, requesting a variance for setbacks for the use of a convenience market, located on Hwy 204 and Toni Branch Rd., PIN# 0263-009-01.
- a. Commissioner Floyd made a motion to open the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman described the variance application to the Board. She stated the vacant .98 acres was zoned BN and the applicant intended to build a convenience store with gas pumps. She continued by explaining the requested setbacks by the applicant as 62' for the front (75' required front) and 25' for the rear (50' required rear). She noted that the property would require a lot coverage variance, but that was not within the current variance request. She concluded by stating that staff recommended denial based on the variance criteria not being met.
 - c. Scott Burns, applicant, spoke on the setback requests, stating the fuel pumps would be approximately 70' from the property line and the canopy would extend approximately 13' within the front setback. He also stated the owner planned to provide a rear fence along with landscaping. He stated the intent would be to access from Toni Branch Road and work with the Department of Transportation for a possible right turn only access lane on Highway 204.
 - d. Linda Mingledorff, 2216 Highway 204, spoke on her concerns of traffic and the previous accidents at the intersection of Highway 204 and Toni Branch Rd.
 - e. Benjamin Hutchinson, 1791 Toni Branch Rd., spoke on his concerns of the drainage from the proposed site to his property.
 - f. Brian Riggsby, 7333 Highway 280, stated his concerns on the proposed access lane and the property adjacent to the property.
 - g. Sandra Dyer, 1449 Toni Branch Rd., presented a petition from local residents in opposition of the variance application.
 - h. Corey Riggsby, 2283 Highway 204, stated his concerns as the adjacent property owner and the depreciation of his property value.
 - i. Fred Buettner, 131 Dr. Blitch Dr., stated his concerns with traffic and accidents at the intersection of Highway 204 and Toni Branch Rd.
 - j. Charles Coleman, 570 Mack English Rd., stated his concerns with the intersection.
 - k. Judy Bland, 2351 Highway 204, stated her concerns with drainage and the intersection.
 - l. Nicole Kalavsky, 866 Mack English Rd., commented on the current use of storage on the lot and the traffic conditions with the intersection.
 - m. Lester Bland stated his concerns on drainage.
 - n. Charles Hiers, 825 Blue Gill Rd., commented on the intersection and traffic.

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- o. Scott Burns, applicant, stated that the property owner attempted to contact adjacent property owners on the proposed variance. He continued to state that the owner would be conducting a traffic study as required by the Department of Transportation.
 - p. Commissioner Floyd made a motion to close the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - q. Commissioner Floyd made a motion to approve the front setback for V#328-19, and the motion died for lack of a second.
 - r. Commissioner Pecenka made a motion to deny the front setback for V#328-19, and a 2nd was made by Commissioner Carswell. Vote 3:2, motion carried. Commissioners Floyd and Watson opposed.
 - s. Commissioner Floyd made a motion to deny the rear setback for V#328-19, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried unanimously.
 - t. Commissioner Carswell made a motion to close the public hearing, and a 2nd was made by Commissioner Pecenka. Vote 5:0, motion carried.
6. V#332-19, Chad Zittrouer, requesting a variance for decreased parking spaces for property located on 962 Interstate Centre Blvd., Pembroke, PIN#029-025-001-005.
- a. Commissioner Carswell made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman gave an overview of the variance request to decrease the amount of parking spaces from the 79 spaces required to 39 spaces for a commercial location located in the Industrial Park. She stated that the area is subject to the Development Authority Covenants that allow for a reduction in parking spaces, which would allow the 39 parking spaces. Based on the request and the variance is in keeping with the intent of the Ordinance to allow for adequate parking, she concluded that staff recommended approval with the following conditions: If the use or square footage increase, the owner must submit a revised parking analysis to the Development Authority. In addition, the employee parking area must be used as such and any alterations of the area must be approved by the Community Development Director.
 - c. Zittrouer, applicant, stated that the site development is for approximately seven acres but they do plan on a future expansion. He stated that with the current amount of employees, the parking amounts should be sufficient. He concluded that they concurred with the staff recommendations.
 - d. Commissioner Floyd made a motion to approve the variance request with conditions made by staff for V#332-19, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

Commissioner Young made a motion to adjourn as the Board of Adjustment, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

IV. TREE BOARD

Commissioner Floyd made a motion to open as the Tree Board, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

1. V#333-19, Chad Zittrouer, requesting a variance for the Tree canopy requirements for property located on 962 Interstate Centre Blvd., Pembroke, PIN#029-025-001-005.

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- a. Ms. Farr-Newman presented the variance request to the Board. She stated the applicant would like to request 32% of the 40% required tree canopy. She concluded that staff recommended denial as the request is not in keeping with the intent of the Ordinance and the variance criteria are not met.
 - b. Chad Zittrouer, Kern & Co., stated that if the tree plan provided were to be utilized the future build out would mean the trees would be removed. He stated that previous projects in the area were granted waivers at staff level to reduce the tree canopy requirements to 25%.
 - c. Commissioner Carswell made a motion to close the public hearing, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.
 - d. Commissioner Pecenka made a motion to deny the variance request for V#333-19, motion died for lack of a 2nd.
 - e. Commissioner Carswell made a motion to approve the variance request for V#333-19, and a 2nd was made by Commissioner Watson. Commissioner Young recused himself from the vote. Vote 3:1, Commissioner Pecenka opposed.
2. V#334-19, John Mowry, requesting a variance for the Tree canopy requirements for property located on 1452 Belfast River Rd., Richmond Hill, PIN#056-048.
- a. Commissioner Floyd made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Clement presented the variance application to the Tree Board. She gave a brief overview of the history, stating the site consists of an approximately 7.10 acre pond which was the result of excavation and mining activity that was approved to occur on the site in 2013. and the property was later rezoned earlier in the year, and a subdivision plat approved for a 10-lot subdivision. She stated the ordinance requires 40% coverage and the applicant's request is for 29% tree canopy coverage, resulting in a variance request of 11%. She said the applicant stated the pond as the hardship. However, the hardship was created by the owner during the mining project. She concluded that staff recommended denial.
 - c. Travis Bazemore, EMC Engineering, stated that the 40% coverage requirement would be met if they did not include the pond. However, staff had informed the applicant that the pond would have to be included in their coverage area. He stated that without the variance they would have to plant 50 more large trees. He concluded by stating that typical lots have two to three trees with 40' spacing, and without the variance the lots would average eight to ten trees per lot.
 - d. Jennifer Greene, 285 Wicklow Drive, stated the buffer along the adjacent subdivision was no longer there and had been cleared.
 - e. Travis Bazemore, EMC Engineering, stated the 30' buffer along the adjacent subdivision was still existing, but a portion of the back corner would need to be replanted due to previous excavation.
 - f. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - g. Commissioner Young made a motion to table the variance for V#334-19 until proof is given for the rear buffer, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

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Commissioner Pecenka made a motion to close as the Tree Board, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

VI. PLANNING COMMISSION

Commissioner Pecenka made a motion to open as the Planning Commission, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.

A. OTHER BUSINESS

1. SP#03-19, CZM Foundation Equipment, requesting waivers and for site and building design for property located at 962 Interstate Centre Blvd, PIN# 029-025-001-005.
 - a. Ms. Farr-Newman presented the request stating CZM was requesting a waiver on the access drive and the design requirements. She described the proposed waiver to omit the textured and colored pavement, as this is not durable. She also described the proposed modification request asking for less than the required 20% of openings. In conclusion, Ms. Farr-Newman stated that staff recommended approval as the structure is an industrial building and the design will still reflect the design standards.
 - b. Commissioner Floyd made a motion to approve the building and design wavers for SP#03-19, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.

B. OLD BUSINESS

Ms. Miller explained the rezoning issues that were brought before the Community Development Department a few months ago and described the constitutional issues of one changing a zoning without going through the proper protocol. She affirmed that staff researched the records and found the six parcels zoned as A-5 in 2006 and then in 2012, the parcels were zoned as AR-1.5 without any records as to why. She stated that as a Director she had a few options to address the situation. She believed that the best option was to ask the Board of Commissioners to initiate a County rezoning, and they along with the County Attorney and County Administrator moved forward with the rezonings. She concluded that each individual property should be considered independently for each rezoning.

1. Z#211-19, Bryan County Board of Commissioners, initiating a rezoning of property located on Hwy 144 from AR 1.5 to A-5, PIN# 065-021.
 - a. Ms. Clement gave a brief overview of the rezoning and stated that staff had spoken with the owners, the Brown family, which stated they were opposed to the rezoning to A-5.
 - b. Ed Garvin, Real Estate Broker for the Brown Family, stated the family would like to maintain the current zoning of AR-1.5.
 - c. Lee Avery, 23075 Highway 144, stated his concerns on potential development if the AR-1.5 zoning was maintained.
 - d. Ken Greene, 2 Demeries Point, stated he would like the property to be zoned A-5.
 - e. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - f. Commissioner Pecenka made a motion to recommend approval of the rezoning for Z#211-19 with the stipulation that the owners will have the rezoning fee waived if they

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would like to rezone again, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

2. Z#212-19, Bryan County Board of Commissioners, initiating a rezoning of property located at 23287 Hwy 144 from AR 1.5 to A-5, PIN# 065-021-01.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Clement gave a brief overview of the rezoning request.
 - c. Chris Martin, 23287 Highway 144, stated that he brought attention to the zoning discrepancies in 2015 to the Planning and Zoning office, in which he assumed, was modified to show the parcels as A-5. He stated that they would like to be zoned A-5.
 - d. Lee Avery, 23075 Highway 144, stated he was for the rezoning.
 - e. Ken Greene, 2 Demeries Point, stated he was for the rezoning.
 - f. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - g. Commissioner Floyd made a motion to open the voting, and a 2nd was made by Commissioner Pencenka. Vote 5:0, motion carried.
 - h. Commissioner Young made a motion to recommend approval of the rezoning for Z#212-19, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

3. Z#213-19, Bryan County Board of Commissioners, initiating a rezoning of property located on Hwy 144 from AR 1.5 to A-5, PIN# 065-021-02.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Clement gave a brief overview of the rezoning request and stated the owners as the Brown Family.
 - c. Ed Garvin, Real Estate Broker for the Green Family, stated the family would like the zoning to stay at AR-1.5.
 - d. Lee Avery, 23075 Highway 144, stated he was for the rezoning.
 - e. Ken Greene, 2 Demeries Point, stated he was for the rezoning.
 - f. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - g. Commissioner Floyd made a motion to open the regular meeting, and a 2nd was made by Commissioner Pencenka. Vote 5:0, motion carried.
 - h. Commissioner Young made a motion to recommend approval of the rezoning for Z#213-19, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - i. Commissioner Young made a motion to amend his motion to recommend approval of the rezoning for Z#213-19 with the stipulation that the owners will have the rezoning fee waived if they would like to rezone again, all Commissioners were in favor of the amendment.

4. Z#214-19, Bryan County Board of Commissioners, initiating a rezoning of property located on Hwy 144 from AR 1.5 to A-5, PIN# 065-021-04.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.

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- b. Ms. Clement stated the parcel was the third parcel belonging to the Brown Family covering 19.16 acres.
 - c. Ed Garvin, Real Estate Broker for the Green Family, stated the family would like the zoning to stay at AR-1.5.
 - d. Lee Avery, 23075 Highway 144, stated he was for the rezoning.
 - e. Commissioner Young made a motion to close the public hearing, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.
 - f. Commissioner Pecenka made a motion to recommend approval of the rezoning for Z#214-19 with the stipulation that the owners will have the rezoning fee waived if they would like to rezone again, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
5. Z#215-19, Bryan County Board of Commissioners, initiating a rezoning of property located at 23351 Hwy 144 from AR 1.5 to A-5, PIN# 065-021-05.
- a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Clement gave an overview of the rezoning, stating the owner's as Shawn and Meghan Rosenquist who were in favor of the rezoning request.
 - c. Shawn Rosenquist, 23351 Highway 144, stated he was supportive of the A-5 rezoning. He went on to speak on the timeline of the zoning for the property and would like due process.
 - d. Lee Avery, 23075 Highway 144, stated he was for the rezoning.
 - e. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.
 - f. Commissioner Young made a motion to recommend approval of the rezoning for Z#215-19, and a 2nd was made by Commissioner Pecenka. Vote 5:0, motion carried.
6. Z#216-19, Bryan County Board of Commissioners, initiating a rezoning of property located at 23615 Hwy 144 from AR 1.5 to AR 2.5, PIN#065-021-07.
- a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.
 - b. Ms. Clement stated that the property owner, Paul Cates, asked to have the property rezoned to AR-2.5 to allow the property to be subdivided. She stated staff considered the proposed rezoning request and initiated the advertising requirements. She stated that the 2006 zoning maps did indicate the property zoned as A-5.
 - c. Paul Cates, 23615 Highway 144, explained that when purchasing the property from a bank in Richmond Hill, he was told that the property could be split based on the AR-1.5 zoning and proceeded with the survey of the property. He assumed that the survey had been recorded, but found out that it never was approved. He stated that he intended on building a home on the subdivided lot for his ill daughter. To conclude, he stated that he was not opposed to the A-5 zoning, but would like to have the zoning changed to AR-2.5.
 - d. Melvin Sands, 21 Fancy Hall Dr., asked to confirm the zoning and use of the property.
 - e. Lee Avery, 23075 Highway 144, stated he had no objections to the rezoning.
 - f. Ken Greene, 2 Demeries Point, stated he was for the rezoning.
 - g. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.

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- h. Commissioner Pecenka made a motion to open the regular meeting, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - i. Commissioner Pecenka made a motion to recommend rezoning the property to A-5 for case Z#216-19 with the stipulation that the owners will have the rezoning fee waived if they would like to rezone again, and a 2nd was made by Commissioner Floyd. Vote 4:1, motion carried. Commissioner Watson opposed.
 - j. Commissioner Young made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
- C. NEW BUSINESS
1. SD#3128-19, William Norwood, requesting a private road subdivision for property located on 300 Bryan Fisherman's Co-op. Rd., Richmond Hill, PIN# 063-01-085-001.
 - a. Ms. Farr-Newman presented the request to the Board and gave a brief description of the 10-acre subdivision containing six lots. She stated staff recommended approval with conditions as the applicant has complied with the County Standards. She concluded with the conditions as the applicant has to obtain a variance, which was approved, obtain a site evaluation from Environmental Health, and the road is designed and paved in accordance with the approved road section.
 - b. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - c. Seth Norwood, applicant, gave an overview of the project stating it would be a small community with large lots.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - e. Commissioner Pecenka made a motion to open the regular meeting, and a 2nd was made by Commissioner Floyd. Vote 5:0, motion carried.
 - f. Commissioner Pecenka made a motion to approve the request for SD#3128-19 with staff conditions, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 2. Z#218-19, Gary Baccus, requesting to rezone property from AR-1 to B-1 located on 239 Barnard Rd., Richmond Hill, PIN# 055-035.
 - a. Commissioner Carswell made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Farr-Newman presented the request, stating the lot size as 2.5 acres, and currently being used for storage and recreational use. She stated the applicant applied for the rezoning after complaints from neighbors, which notified the Code Enforcement Officer and stated a business operating from the property. Ms. Farr-Newman stated that a petition from nearby property owners was filed with the Community Development Office. She concluded although the Future Land Use Map shows mixed use for future development, the areas surrounding the parcel are residential. With the conclusion, she stated staff recommended denial of the B-1 zoning based on the incompatibility with the residential surroundings.
 - c. Colleen & Gary Baccus, applicants, presented their grievances by stating their current residence is in a neighborhood and storage of the Lawn Business equipment is challenging. When purchasing the lot, they stated it would be used for storage and

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- weekend trips with their RV. Colleen stated they attempted to obtain a building permit for an accessory structure. However, without a primary structure on the lot the County Ordinances do not permit accessory structures. She indicated that they did install an accessory structure and later met with the Code Enforcement Officer. She stated they complied with the stop work order and did not complete the accessory structure and removed the RV from the site. She concluded that after speaking with the Community Development Office, they decided to request a rezoning to B-1.
- d. Robert Nelson, 138 Frugality Hall Rd., presented the Board with a petition from surround property owners. He stated his concerns on the rezoning and was opposed.
 - e. David Newlin, 262 Barnard Rd., stated his opposition of the B-1 zoning.
 - f. Timothy Crawford, 316 Barnard Rd., stated his opposition of the commercial zoning and traffic concerns.
 - g. Gary Baccus, applicant, stated that his employees came to pick up equipment from the site and a neighbor trespassed on the property to confront the employees. He stated that if in order to allow for the equipment storage building he would attempt to rezone to B-1.
 - h. Collen Baccus, applicant, stated they had no intent to operate their business from the property on Barnard Road. She stated that the business was licensed from the City of Richmond Hill. She concluded that in order to clean up the property, they would need to build the accessory structure to store the business equipment.
 - i. Commissioner Carswell made a motion to close the public hearing and into the regular meeting, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - j. Commissioner Pecenka made a motion to recommend denial of the rezoning for Z#218-19, and a 2nd was made by Commissioner Young. Vote 4:1, motion carried. Commissioner Carswell opposed.
3. Z#219-19, McLendon Enterprises, requesting a zoning change from current zoning of AR-1 to A-5 for property located on 300 Power Circle Rd., Ellabell, PIN# 0341-139.
 - a. Commissioner Watson made a motion to open the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Ms. Clement presented the request and stated that the rezoning was associated with the next conditional use application on the agenda. She stated the applicant would like to rezone in order to operate an excavation and mining site. She stated the property was used for mining in 2013 for six acres but would like to extend to thirteen acres. She closed her statements with describing the surrounding properties as AR-1 and A-5 zoned, and staff recommended approval.
 - c. Mark Yarbrough, McLendon Enterprises, stated the property does not currently have any mining activity and that the activity ended approximately two years after the start.
 - d. Commissioner Young made a motion to close the public hearing, and a 2nd was made by Commissioner Pecenka. Vote 5:0, motion carried.
 - e. Commissioner Young made a motion to recommend approval for Z#219-19, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 4. CUP#161-19, McLendon Enterprises, requesting a Conditional Use for the Excavation or mining of sand, gravel or other natural materials, Sec. 1100(b)(xi), on property located at 300 Power Circle Rd., Ellabell, PIN# 0341-139.

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- a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - b. Ms. Clement gave details on the mining operation. She stated the duration of mining to be four years, six days a week from 7:00 a.m. to 5:30 p.m. Monday through Friday and 8:00 a.m. through 5:30 p.m. on Saturday. She continued by stating the excavation to operate approximately thirty traffic trips per day. In conclusion, she stated that staff did approve with the following conditions; a state mining permit be obtained, maintain a three to one slope, edge of the burrow pit not be located at any one point any closer to 50' of a property line, provide 50' setbacks with vegetated buffer, mining activity is limited to the hours stated, six of the pit not exceed thirteen acres without another conditional use permit, and the contractor will maintain Power Circle Road if the mining operation impacts the road.
 - c. Mark Yarbrough, McLendon Enterprises, stated that he could not confirm if the pit would hold water.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Carswell. Vote 5:0, motion carried.
 - e. Commissioner Young made a motion to recommend approval for CUP#161-19, and a 2nd was made by Commissioner Pecenka. Vote 4:1, motion carried. Commissioner Floyd opposed.
5. Z#220-19, McLendon Enterprises, requesting a zoning change from current zoning of AR-1 to A-5 for property located on 711 Groveland-Nevils Rd., Pembroke, PIN# 002-061.
- a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Clement presented the rezoning request, stating the site as 12.48 acres with extended mining of 4.3 acres. She stated that staff did recommend approval as the A-5 zoning district maintains the intent of the comprehensive plan and is compatible with the surrounding areas.
 - c. Mark Yarbrough, McLendon Enterprises, stated they would mine for sand for use of the Ellabell asphalt plant.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
 - e. Commissioner Floyd made a motion to recommend approval for Z#220-19, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried. Commissioner Floyd opposed.
6. CUP#162-19, McLendon Enterprises, requesting a Conditional Use for the Excavation or mining of sand, gravel or other natural materials, Sec. 1100(b)(xi), on property located on 711 Groveland-Nevils Rd., Pembroke, PIN# 002-061.
- a. Commissioner Pecenka made a motion to open the public hearing, and a 2nd was made by Commissioner Watson. Vote 5:0, motion carried.
 - b. Ms. Clement described the area by stating the applicant requested 4.38 acres to be used as the borrow pit. She stated the request for duration would be two years, mining operations to occur six days a week from 7:00 a.m. to 5:30 p.m. Monday through Friday and 8:00 a.m. through 5:30 p.m. on Saturday. She stated with the amount proposed the traffic trips generated from Ponderosa road would be approximately ten traffic trips per day. She concluded that staff recommend approval with the following conditions; a

Richmond Hill

state mining permit be obtained, maintain a three to one slope, edge of the burrow pit not be located at any one point any closer to 50' of a property line, provide 50' setbacks with vegetated buffer, mining activity is limited to the hours stated, and the pit not exceed 4.38 acres without another conditional use permit.

- c. Mark Yarbrough, McLendon Enterprises, stated the project would be the same as the previous project for 300 Power Circle Road and he could not confirm if the pit would hold water.
- d. Eddie Shuman, P. O. Box 209 in Ellabell, stated his opposition with the mining project. He stated the mining had already started and he mentioned his concerns with the access and maintenance of Ponderosa Road.
- e. Mark Yarbrough, McLendon Enterprises, recounted the project would last two years and that if there were issues with Ponderosa Road, McLendon Enterprises would install a culvert to access Groveland-Nevils Road.
- f. Commissioner Pecenka made a motion to close the public hearing, and a 2nd was made by Commissioner Young. Vote 5:0, motion carried.
- g. Commissioner Carswell made a motion to recommend denial of CUP#162-19, and the motion died for lack of a 2nd.
- h. Commissioner Floyd made a motion to recommend approval of CUP#162-19 with the staff recommendations, and a 2nd was made by Commissioner Watson. Vote 4:1, motion approved. Commissioner Carswell opposed.

VII. ADJOURNMENT

Commissioner Young made a motion to adjourn the meeting at 9:22 p.m., and a 2nd was made by Commissioner Pecenka. Vote 5:0, motion carried.

BRYAN COUNTY BOARD OF COUNTY COMMISSIONERS

CASE V#334-19

Public Meeting Date: November 5, 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%.	Addendum to September 24, 2019 Staff Report By Amanda Clement Dated: October 29, 2019
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I. Background

This variance request was tabled by the Planning and Zoning Commission serving as the Tree Board at their October 1, 2019 meeting upon hearing from an adjacent property owner that the rear buffer had been cleared and was no longer there. The Tree Board therefore requested clarification as to the status of the rear buffer.

II. Staff Findings

1. A site visit revealed that the rear tree line and buffer has not been cleared.

Exhibits:

- "A-1" Staff Photos
- "A-2" Applicant Exhibit



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.

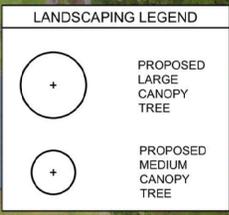
CANOPY REQ'D FOR PROPERTY = 0.4 * 15.65
 CANOPY REQUIRED = 6.26 AC OR 272,686 SF
 CANOPY REQ'D - TREE SAVE AREA = 6.26 AC - 1.97 AC = 4.29 AC
 4.29 AC OF TOTAL CANOPY IS ACTUALLY REQUIRED

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

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
 SURVEY DATE: FEB. 2019
 CHECKED BY: ABM
 SCALE: 1" = 40'
 DATE: JULY 2019

G:\2019\19-0001 - BELFAST LAKE\DWG\19-0001C_DOT_WITH_AERIAL.DWG 10/9/2019 7:48 AM

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 By Amanda Clement Dated: September 24, 2019
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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.

Completeness Review	5 business days after Application Submittal
Planning & Zoning (P&Z) Commission Public Hearing	30-60 days after Completeness 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

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;

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



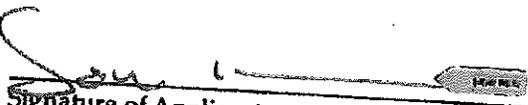
VERIFICATION OF PAID TAXES

The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

056-048

Parcel Identification Number


Signature of Applicant

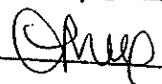
Date 5/22/19

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Name: Tiffany Dien

Title: Tax Clerk

Signature: 

Date: 6/12/19

138

IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home:

Make

Model

Year

Serial #

The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____

Date: _____

FMUMFB
FMUMFB01

CARROL ANN COLEMAN BRYAN COUNTY TAX COMM
Clerk HF Date 2019 06 07 Sequence 110340

6/07/19
13:35:52

Bill Number . . .	2018 017828 Acct	18485R18	Fair Mkt Val	64,200
Taxpayer Name. .	SIMCOE AT BELFAST LLC		Bill Date	2018 08 24
Additional Name.			Due Date	2018 11 15
Address Line 1 .			H/S Code	
Address Line 2 .	PO BOX 3097		Lender Code	
City ST Zip 4. .	RICHMOND HILL GA 31324		Under Appeal	N
Loctn/Desc . . .	PB 659 / PG 3B & PB 660 / PG 3		Bankruptcy	
Map Blk Par Sub.	056	047 01	Dist 03	
Original Bill	Adj & Charges	Payments	Check Notes	Y
553.89	97.74	651.63-	Descriptions	This Tran
			Taxes	
			Assessment Pen	_____
			Interest	_____
			Costs	_____
			Late Penalty	_____
			Other Penalty	_____
553.89	97.74	651.63-	TOTALS	_____
		Last T/A Date	Payment/Adjust	(F/A) P
		PP 2018 11 09	Reason Code	(F13) 00

Email Address:

F1=Options

F3=Return

F4=Delete

F8=Adj to Total

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 Deford, 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)

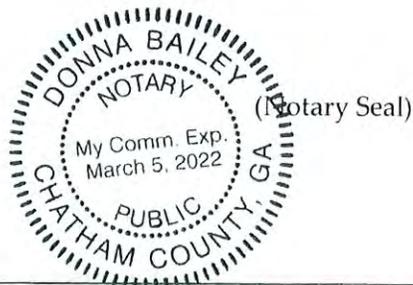
Personally appeared before me

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

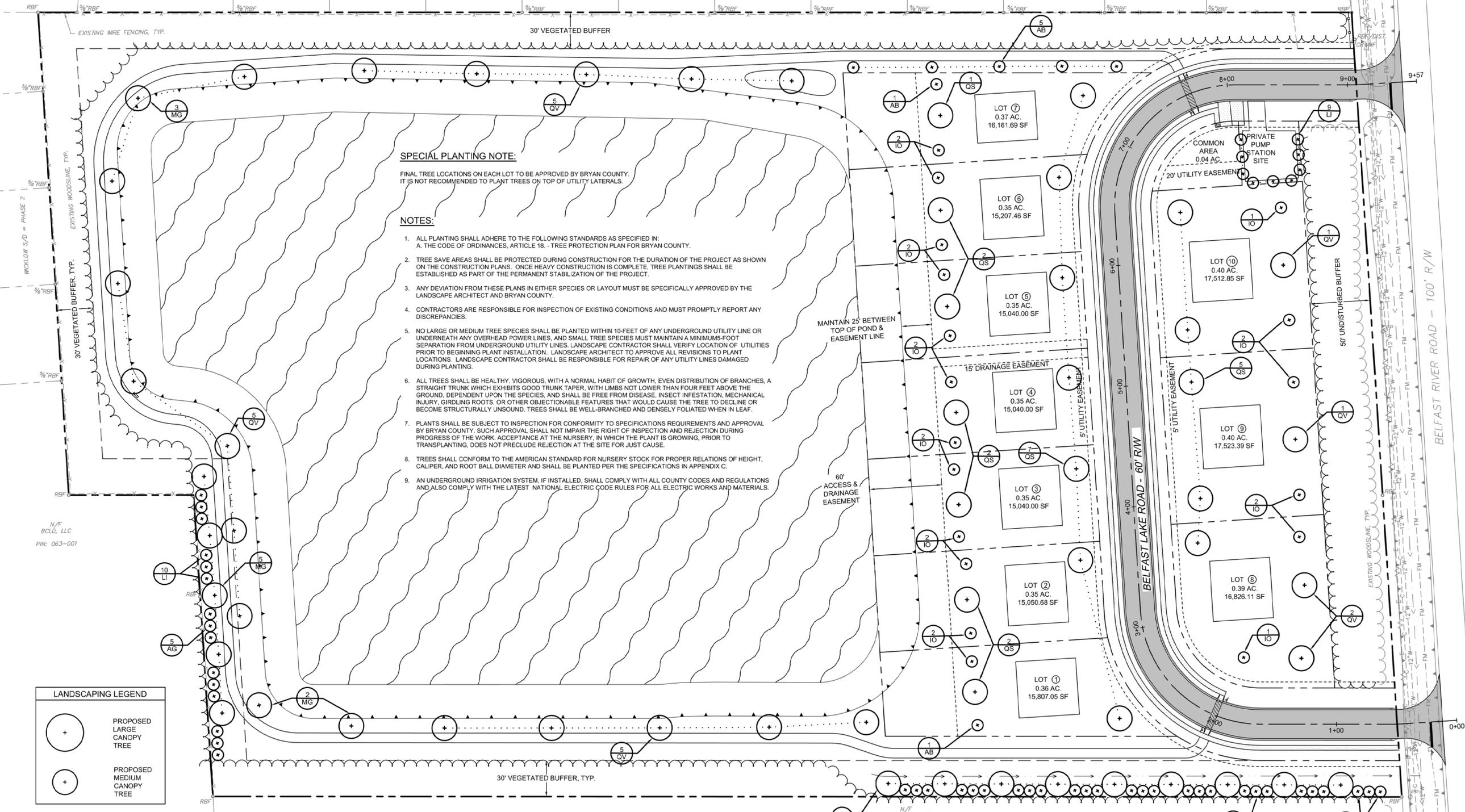
N/F
 CHARLES &
 REE STANDIFORD
 PIN: 056 049 25
 ZONING: R-1

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

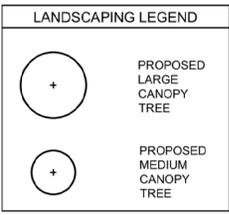


SPECIAL PLANTING NOTE:

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
 SURVEY 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



**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 J. 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
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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

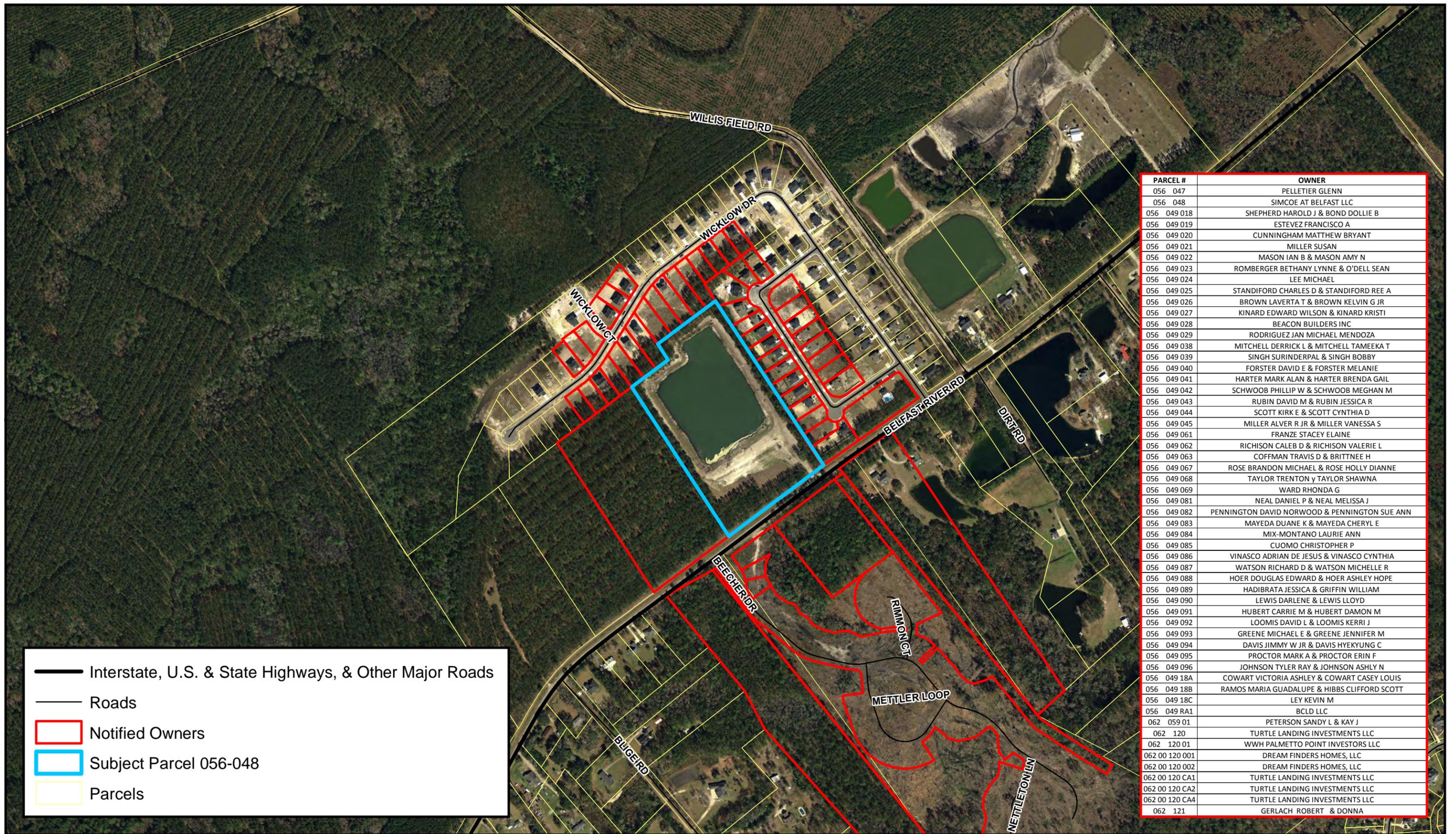


— Interstate, U.S. & State Highways, & Other Major Roads
— Roads
 Subject Parcel 056-048
 Parcels



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

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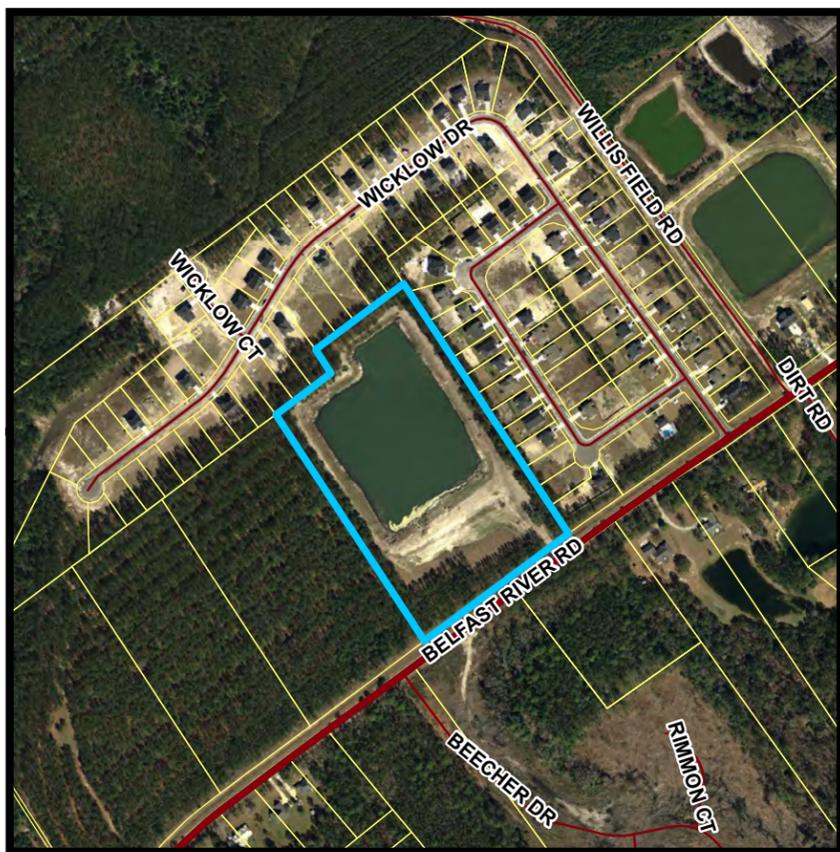
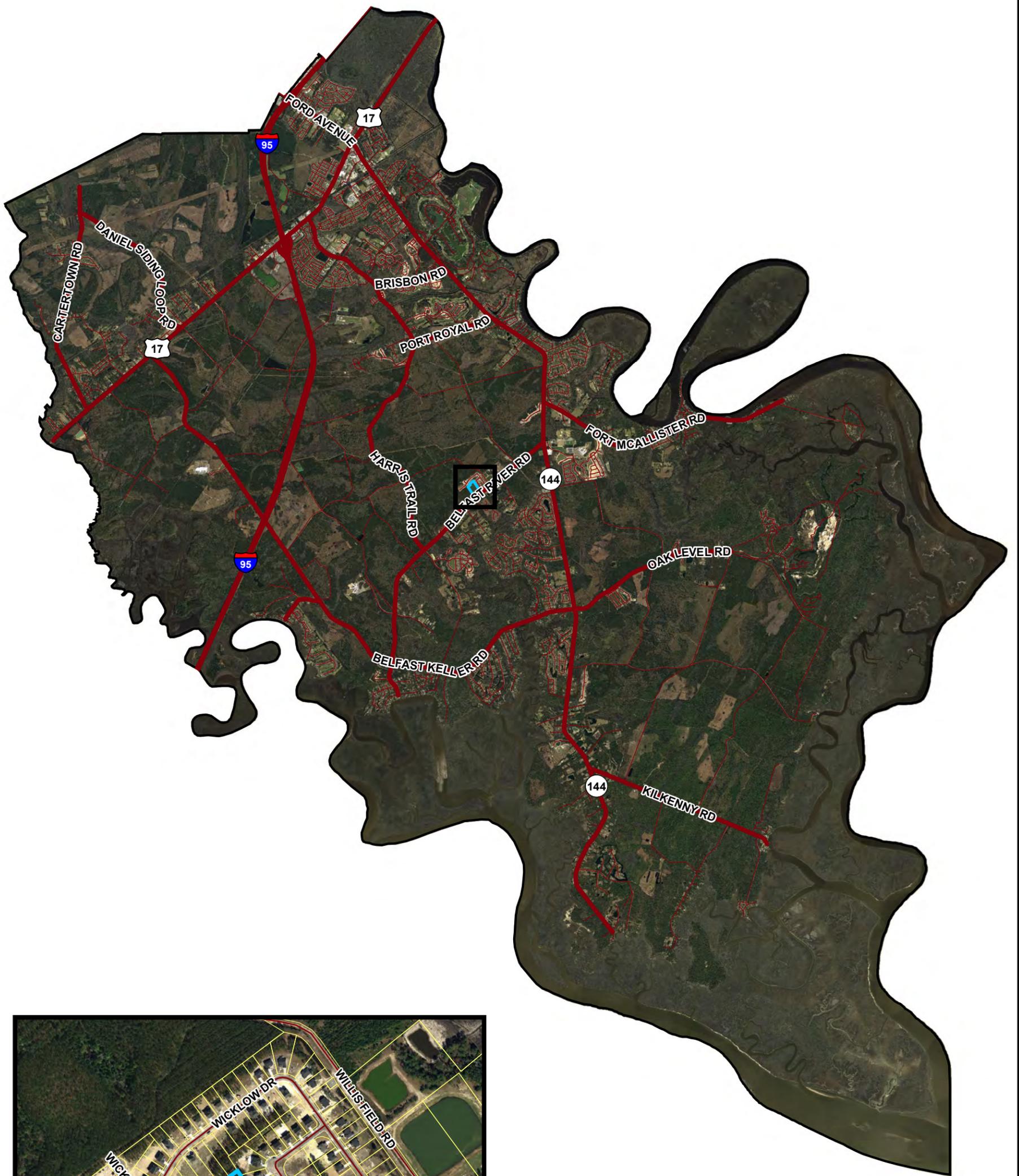
PARCEL #	OWNER
056 047	PELLETIER GLENN
056 048	SIMCOE AT BELFAST LLC
056 049 018	SHEPHERD HAROLD J & BOND DOLLIE B
056 049 019	ESTEVEZ FRANCISCO A
056 049 020	CUNNINGHAM MATTHEW BRYANT
056 049 021	MILLER SUSAN
056 049 022	MASON IAN B & MASON AMY N
056 049 023	ROMBERGER BETHANY LYNNE & O'DELL SEAN
056 049 024	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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- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 056-048
- Surrounding Parcels



Produced by Bryan County GIS
September 2019

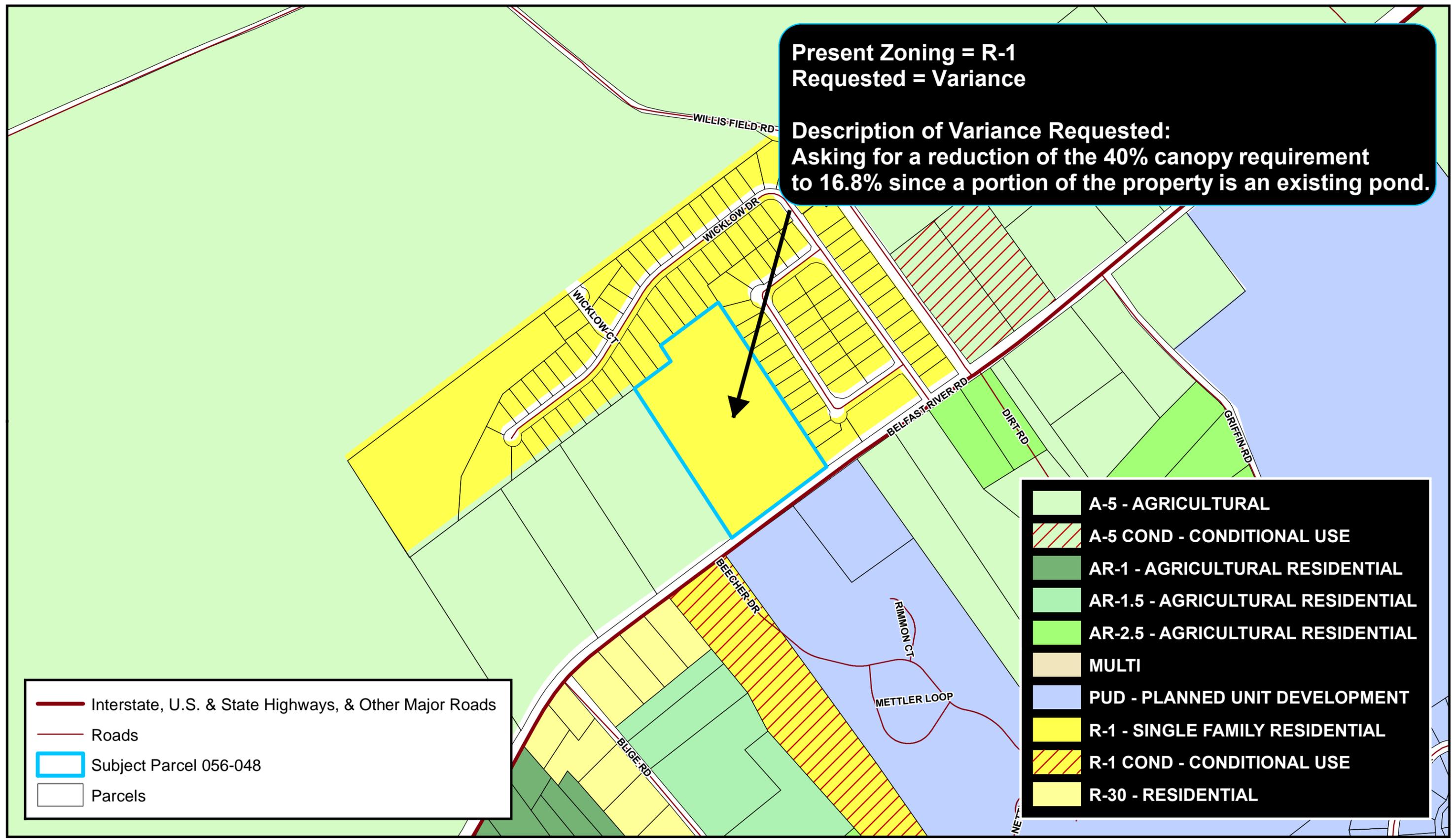


Overview Map Simcoe at Belfast, LLC (John Mowry) Case V# 334-19

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**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 BOARD OF ADJUSTMENT

CASE V#337-19

Public Hearing Date: November 5, 2019

<p>REGARDING THE APPLICATION OF: Sue Trively with Effective Images, Inc., on behalf of Love’s Travel Stop & Country Stores, is requesting a variance for property located at 11151 Hwy 280 E, PIN# 029 062. The applicant is requesting a variance in order to increase the maximum total message area, single message area, height of sign base, total sign height, and total sign width of a freestanding, Hi-Rise sign; and the maximum total message area, height of sign base, and total sign height of a freestanding, Street sign.</p>	<p>Staff Report</p> <p>By: Sara Farr-Newman</p> <p>Dated: October 29, 2019</p>
---	--

I. Application Summary

Requested Action: Public hearing and consideration of a variance requested by Sue Trively with Effective Images, Inc., on behalf of Love’s Travel Stop & Country Stores, requesting a variance to permit larger and taller signs at 11151 Hwy 280 E, PIN# 029 062.

Applicant: Sue Trively
Effective Images, Inc
211 10th St SW
Watertown, SD 57201

Owner: Love’s Travel Stop & Country Stores
10601 N Pennsylvania
Oklahoma City, OK 73126

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 B – Zoning, Article V. – Appeals, Variances, and Administrative Relief, Section 501. - Variances, Bryan County Code of Ordinances. Per the County Ordinance, a 4/5 majority is required to approve a variance.

- Appendix B – Zoning, Article X – Development Standards of General Applicability, Section 1020 – Arterial Roads, Bryan County Code of Ordinances.

II. General Information

1. Application: A variance application was submitted by Sue Trively on October 1, 2019. After reviewing the application, the Director certified the application as being generally complete on October 7, 2019.

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

A. Legal notice was published in the Bryan County News on **October 17, 2019**.

B. Notice was mailed on **October 21, 2019** to surrounding landowners within 300' of the exterior boundaries of the property.

D. An on-site notice was posted on **October 21, 2019**.

3. Background:

The property, 11151 Hwy 280 E, is located along Highway 280 and I-16. Love's Travel Stop and Country Store is currently developing the site with an 11,450 square foot convenience store and a 10,700 square foot tire shop. The master sign plan for the site proposes one hi-rise sign located adjacent to the I-16 North on-ramp, a street sign located adjacent to Highway 280, building signage on both the convenience store and tire shop, ancillary signage for the fuel canopies and truck scales, and directional signage for the site.

The site's location with frontage along I-16 and Highway 280 is a part of the Arterial Road Development Standards Overlay District. This overlay district further restricts the message area, height, and width of freestanding and wall signs based on the size and type of development associated with the signage. As the total commercial floor area proposed for the Love's development is more than 15,000 square feet, but less than 45,000 square feet, it is classified as *Secondary Commercial* under the overlay. Based on the requirements for *Secondary Commercial* signage, staff's review of the master sign plan found that the hi-rise and street sign exceeded the size standards permitted and necessitated the need for a variance. The following tables indicate the permitted message area, height, and width of signs versus what is being requested; areas requiring a variance are highlighted:

Hi-Rise Sign

Size and Type of Development	Maximum Total All Message Areas (Sq. Ft.)	Maximum Single Message Area (Sq. Ft.)	Maximum Height of Sign Base (Ft.)	Maximum Total Sign Height (Ft.)	Maximum Total Sign Width (Ft.)
Secondary Commercial (Required)	200	100	3	12	12
High-Rise Sign (Proposed) <ul style="list-style-type: none"> • Love's/Heart • Arby's • Price Sign • Speedco 	1,531.24 * Sq Ft. includes both sides	-- 171.67 139.95 342 112	66' 2 3/4"	100	36 (Price Sign is the widest)

Street Sign

Size and Type of Development	Maximum Total All Message Areas (Sq. Ft.)	Maximum Single Message Area (Sq. Ft.)	Maximum Height of Sign Base (Ft.)	Maximum Total Sign Height (Ft.)	Maximum Total Sign Width (Ft.)
Secondary Commercial (Required)	100 (50% of 200)	100	3	12	12
Street Sign (Proposed) <ul style="list-style-type: none"> • Love's/Heart • Arby's • Price Sign 	384	-- 84 60 48	9	25	12

4. **Requested Variance:** Per Appendix B – Zoning, Article X – Development Standards of General Applicability, Section 1020 – Arterial Roads, of the Bryan County Code of Ordinances, the following variances are being requested:

High Rise Sign

- An additional 1,331.24 total square feet of message area and to exceed the 100-foot single message area for all four signs
- An additional approximately 63 feet in height for the sign base

- An additional 88 feet in total height
- An additional 24 feet in width

Street Sign

- An additional 284 total square feet of message area
- An additional 6 feet in height for the sign base
- An additional 13 feet in total height

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on October 7, 2019, unless otherwise noted.

“A” Exhibits- Application:

A-1 Variance Application

A-2 Master Sign Plan

“B” Exhibits- Agency Comments:

B-1 Engineering (dated 10-8-19)

B-2 Fire Chief (undated)

B-3 Public Health (dated 10-9-19)

“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. Analysis Under Article V. – Appeals, Variances and Administrative Relief,
Section 501. - Variances:**

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:

High-Rise Sign

The applicant indicated that due to the property's location at the intersection of I-16 and Hwy 280 as well as tall trees in this area, the Hi-Rise sign requires the additional height in order to be viewed by drivers. The applicant also indicated that according to the US Sign Council (USSC), the sign sizes are needed in order to give drivers, including semi-truck drivers, adequate time to decide to exit or pull over and to do so safely if they wish to go to Love's.

The USSC recommendation for signs located on a multi-lane road with a speed limit of 70 MPH, which applies to the location of the Hi-Rise Sign, is 741 square feet. The USSC recommendations for sign size account for a single side, whereas the Bryan County Ordinance requirement for total message area is for both sign faces. Using the USSC recommendation, the proposed Hi-Rise sign is 765.62 square feet, which is slightly above the recommended size.

Staff finds that restricting the height of the Hi-Rise sign to 12' as required by the Arterial Road Standards Overlay District would result in a hardship due to the existing tree buffer which would obstruct the view of the signage from I-16. Once the additional height becomes a factor, limiting the total message area to 200 square feet and total width to 12' presents an additional hardship. The 200 square foot message area and 12' width requirements are based on sign standards developed for nearly parallel, street level visibility. If the height of the sign is increased, this necessitates an increase in the message area and width in order to remain effective.

Street Sign

Staff is unsure of the unnecessary hardship that would result from the strict application of the ordinance when applied to the proposed street sign as no specific hardship was identified for this sign. This sign is proposed to be located along Highway 280 in an area where visibility is not limited.

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:

Hi-Rise Sign

The applicant indicated that there is a large buffer of tall trees between the property and I-16 that will not be removed as they are not located on Love’s property. An inspection of the site reveals that there is a tree buffer along the on-ramp which is located within the interstate right-of-way. This condition is unique to this property as there are very few parcels within the overlay district which abut the on and off ramps of the interstate system where these buffers occur. Therefore, the hardship does result from conditions that are peculiar to this property.

Street Sign

The business fronts on a highway, Highway 280, so the applicant indicated the sign needs to be larger than permitted in order to be easily visible; however, the intent of the Arterial Overlay District is to limit the size and visibility of signage along arterials. All businesses in these areas are subject to these restrictions and staff does not find any peculiar conditions that are unique to this property

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:

Hi-Rise Sign

The existing trees within the interstate right-of-way existed prior to the purchase of the property by Love’s and are not located on the property. Therefore, the hardship did not result from actions taken by the applicant or property owner.

Street Sign

The sign requirements, including the Overlay District, were in place prior to the applicant purchasing the property. Staff has not identified a hardship that would prevent the street sign from complying with the ordinance.

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 intent of the Arterial Road Development Standards Overlay District, which was passed on March 14, 2017, is to preserve and enhance the appearance and operational characteristics of arterial roads within Bryan County. The establishment of uniform sign standards serves to enhance the Love’s Signage Variance Request | **Board of Adjustment**

appearance of development along these arterial roads, but where certain conditions exist, may not serve to improve the operational characteristics. In their request for a variance to the Hi-Rise sign, the applicant has raised the concern regarding a driver's ability to see a sign and react to it, while giving them adequate time to exit the interstate system safely. The requested variance to increase the height of the sign is necessitated by a hardship resulting from conditions that are through no fault of the property owner, and they have based their request for increased message area on recommendations set forth by the US Sign Council which factors in viewer reaction times. Therefore, staff believes that the intent of the ordinance to improve the operational characteristics of I-16, such that public safety is secured, is thereby achieved.

Unlike the Hi-Rise sign, the Street sign can function both aesthetically and operationally per the Arterial Road Development Standards Overlay District restrictions. The proposed location does not have any obstacles to prevent the sign from being visible. A hardship has not been established for the Street sign, therefore, enlarging this sign would not appear to be consistent with the intent of the ordinance.

IV. Staff Recommendation

Staff recommends approval of the Hi-Rise sign variance, because the variance criteria have been met. Staff recommends denial of the variance for the Street Sign, because the variance criteria have not met.

V. Board of Adjustment Decision

Decision: 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 provisions/denies the proposed variance.

“A” Exhibits – Application

Bryan County
Board of Commissioners

"Exhibit A-1"



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: Sue Trively, Effective Images Inc., Agent
on behalf of Love's Travel Stop's & Country Stores

Address: 211 10th St. SW

City: Watertown **State:** SD **Zip:** 57201

Phone: 605.753.9700 **Email:** strively@effective-images.net

Property Owner (if not applican): Love's Travel Stop & Country Stores

Address: 10601 N Pennsylvania

City: Oklahoma City **State:** OK **Zip:** 73126 **Phone:** 405.751.9000

Property Information: General Location: 11151 Hwy 280 E, Ellabell, GA

PIN Number (Map & Parcel): 029 62 (tax parcel) **Current Zoning District(s):** Secondary Commercial

What section of the Subdivision or Zoning Code are you requesting a variance for? Section 1020

Description of Variance Requested Request additional height and square footage on Hi-Rise sign and additional height and square footage on monument sign.

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.

Sue Trively 9/18/19
Applicant Signature Date

FOR OFFICE USE ONLY

Case #: V#337-19 Date Received: 10-1-19 Fee Paid Initial: JMH

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.

Completeness Review	5 business days after Application Submittal
Planning & Zoning (P&Z) Commission Public Hearing	30-60 days after Completeness 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.

Sue Trivelpy
Applicant Signature

9/18/19
Date

Return to:
Rudy Merab
First National Financial Title Services, LLC
3301 Windy Ridge Parkway, Suite # 300
Atlanta, GA 30339
770-916-4354 251709100RY

4
BOOK 007224
FILED IN OFFICE
12/5/2018 13:00 PM
BK:1338 PG:279-282
REBECCA D. GOWE
CLERK OF SUPERIOR
COURT
Bryan County
Return to Owner
REAL ESTATE TRANSFER TAX
PAID= \$510.00

Prepared By and Return to:
Amy Guzzy, Esq.
Love's Travel Stops & Country Stores, Inc.
P.O. Box 26210
Oklahoma City, OK 73126

Send Tax Bills To:
Ryan, LLC
15 West 6th Street, Ste 2400
Tulsa, OK 74119

PT-61 015-2018-002470

STATE OF GEORGIA)
)
COUNTY OF BRYAN)

GENERAL WARRANTY DEED

THIS INDENTURE, made the 28 day of November, in the year two thousand eighteen (2018), between **MICHAEL C. JACKSON**, an individual (hereinafter the "Grantor"), and **LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.**, an Oklahoma corporation (the "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 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does hereby grant, bargain, sell, alien and convey unto Grantee, all of Grantor's right, title and interest in and to the land described in Exhibit A attached hereto and by this reference incorporated herein (the "Property").

SUBJECT to (i) all mineral rights previously reserved or conveyed of record; (ii) ad valorem and real estate taxes for the calendar year 2018 and subsequent years; and (iii) those matters listed on Exhibit B attached hereto.

TO HAVE AND TO HOLD the Property, with all and singular the rights, members and appurtenances thereof, to the same being or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, in FEE SIMPLE.

AND Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons whomsoever.

[Signature and Acknowledgement Pages to Follow]

IN WITNESS WHEREOF, Grantor has executed this deed, as of the day and year above written.

GRANTOR:

X *Michael C. Jackson*
MICHAEL C. JACKSON, an Individual

Signed, sealed and delivered in the presence of:

[Signature]

Unofficial Witness

Meredith Fitzgerald

Notary Public

Notary Seal

My Commission Expires: 12/10/2019



Exhibit A

Legal Description of Property

STATE OF GEORGIA
BRYAN COUNTY

All that certain lot, tract or parcel of land situate, lying and being in the 1380th G.M.D. of Bryan County, Georgia containing 4.48 acres, more or less, being part of Lot 23 as shown on that certain plat recorded in Plat Book 16P at Page 321, being described by metes and bounds as follows: As the Point of Commencement, start at an iron pin found at the Northwestern margin of U.S. Highway 280 which is shown as the Northeastern most point or tract of land surveyed for Buddy Polk as land of Richard Lee by Merlin J. Tomberlin, G.R.L.S., Surveyor, dated July 5, 2001, and of record in Plat Book 109, Page 358, in the Office of Clerk of Superior Court of Bryan County, Georgia; thence run North 59 degrees, 18 minutes, 38 seconds East, along the North right-of-way of U.S. Highway 280 for a distance of 100.61 feet to a concrete monument found; Said monument being the Point of Beginning.

Thence run North 30 degrees, 43 minutes, 08 seconds West, 585.17 feet to an iron pipe found; Thence run North 60 degrees, 05 minutes, 10 seconds East, 182.93 feet to a ½ inch capped rebar set on the West right-of-way of Interstate Center Blvd; Thence run South 89 degrees, 51 minutes, 34 seconds East, along said Interstate Center Blvd, 32.09 feet to an iron pipe found; Thence run South 67 degrees, 33 minutes, 04 seconds East, along said Interstate Center Blvd, being a curve to the right, having a radius of 245.65 feet, for a chord distance of 184.68 feet to a ½ inch capped rebar set; Thence run South 45 degrees, 27 minutes, 24 seconds East, along said Interstate Center Blvd, 146.47 feet to a ½ inch capped rebar set; Thence run South 42 degrees, 48 minutes, 48 seconds East, along said Interstate Center Blvd, 130.14 feet to a ½ inch capped rebar set; Thence run South 39 degrees, 47 minutes, 25 seconds East, along said Interstate Center Blvd, being a curve to the right, having a radius of 860.97 feet, for a chord distance of 90.20 feet to a pk nail set. Thence run South 31 degrees, 05 minutes, 07 seconds West, along a right-of-way flare, 108.43 feet to a ½ inch capped rebar set on the North right-of-way of U.S. Highway 280; Thence run South 57 degrees, 33 minutes, 59 seconds West, along said U.S. Highway 280, 304.50 feet to the Point of Beginning.

Tax Parcel 029 62

Exhibit B

Without Warranty Items

1. Easements, right-of-ways, boundary lines and improvements as shown on Plat recorded at Plat Book F, Page 174; Plat Book K, Page 102; Plat Book 395, Page 9B, Plat book 395, Page 10 and Plat Book 16P, Page 321, aforesaid records.
2. Restrictive Covenants by Southeast Timberlands, Inc., recorded September 18, 1984 in Book 5W, Page 135, aforesaid records, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code, or (b) related to handicap but does not discriminate against the handicapped persons.
3. Rural Post Road Right of Way Deed to County of Bryan, recorded April 12, 2007 in Book 712, Page 351, aforesaid records.

**Bryan County
Board of Commissioners**

Community Development Department



VERIFICATION OF PAID TAXES

The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

029 62
Parcel Identification Number

Captain J. Dickus
Signature of Applicant

September 30, 2019
Date

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Name: Shelia Way Title: Tax Clerk
Signature: Shelia Way Date: 10-7-19

IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home: _____ Make _____
_____ Model _____
_____ Year _____
_____ Serial # _____

_____ The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____ Date: _____

FMUMFB
FMUMFB01

CARROL ANN COLEMAN BRYAN COUNTY TAX COMM
Clerk ST1 Date 2019 10 07 Sequence 110644

10/07/19
11:09:03

Bill Number . . .	2018 016402 Acct	19500R18	Fair Mkt Val	45,160
Taxpayer Name . .	ROBERTS JOHN T		Bill Date	2018 08 24
Additional Name.			Due Date	2018 11 15
Address Line 1 .			H/S Code	
Address Line 2 .	132 CRYSTAL DRIVE		Lender Code	
City ST Zip 4 . .	RINCON	GA 31326	Under Appeal	
Loctn/Desc . . .	LOT 1 PB 675 / PG 6A		Bankruptcy	
Map Blk Par Sub.	029 01 045 001	Dist 03	Check Notes	
Original Bill	Adj & Charges	Payments	Descriptions	This Tran
628.37		628.37-	Taxes	_____
			Assessment Pen	_____
			Interest	_____
			Costs	_____
			Late Penalty	_____
			Other Penalty	_____
			TOTALS	_____
628.37		628.37-	Payment/Adjust	(P/A) P
		Last T/A Date	Reason Code	(F13) 00
		PP 2018 10 31		

Email Address:

F1=Options

F3=Return

F4=Delete

F8=Adj to Total

FMUMFB
FMUMFB01

CARROL ANN COLEMAN BRYAN COUNTY TAX COMM
Clerk ST1 Date 2019 10 07 Sequence 110644

10/07/19
11:07:56

Bill Number . . .	2019 012327 Acct	2520R19	Fair Mkt Val	501,100
Taxpayer Name. .	LOVES TRAVEL STOPS & COUNTRY		Bill Date	2019 08 28
Additional Name.	STORES INC		Due Date	2019 11 15
Address Line 1 .			H/S Code	
Address Line 2 .	10601 N PENNSYLVANIA AVENUE		Lender Code	
City ST Zip 4. .	OKLAHOMA CITY OK 73120		Under Appeal	
Loctn/Desc . . .	DEER RUN L#23 PLAT DB 16P / PG		Bankruptcy	
Map Blk Par Sub.	029 062	Dist 03	Check Notes	
Original Bill	Adj & Charges	Payments	Descriptions	This Tran
5,038.26			Taxes	503826
			Assessment Pen	_____
			Interest	_____
			Costs	_____
			Late Penalty	_____
			Other Penalty	_____
5,038.26			TOTALS	503826
		Last T/A Date	Payment/Adjust	(P/A) P
			Reason Code	(F13) 00

Email Address:

F1=Options

F3=Return

F4=Delete

F8=Adj to Total

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.

Sue Trively
Signature of Applicant

Personally appeared before me

Sue Trively
Applicant (Print)

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

This 24th day of September 1920

[Signature]
Notary Public



Bryan County
Board of Commissioners

Community Development Department



AUTHORIZATION OF PROPERTY OWNER

I, Crystal Vickers, 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: Sue Trively, Effective Images Inc., Agent on behalf of Love's Travel Stops & Country Stores, Inc.

Address: 211 10th St. SW

City: Watertown State: SD Zip Code: 57201

Telephone Number: 605.753.9700 Email: strively@effective-images.net

Crystal Vickers
Signature of Owner

September 30, 2019
Date

Crystal Vickers - Love's Travel Stops & Country Stores, Inc.
Owners Name (Print)

Personally appeared before me

Crystal Vickers
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 September 2019

Jerrold Marsh
Notary Public



(Notary Seal)

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;

Please see attached Narrative of Variance Criteria

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;

Please see attached Narrative of Variance Criteria

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.

Please see attached Narrative of Variance Criteria

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.

Please see attached Narrative of Variance Criteria

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: 10/7/19 P&Z Public Hearing Date: Nov 5, 2019



Ellabell, GA – Love’s Sign Variance Package

September 24, 2019

Applicant:

Sue Trively
Effective Images
211 10th St SW
Watertown, SD, 57201
(Agent on Behalf of Love’s Travel Stop)

Owner:

Love’s Travel Stops and County Stores
10601 N Pennsylvania
Oklahoma City, OK, 73126

RE: Love’s Travel Stop located in the Northeast Quadrant at exit 143 of I-16 and US Hwy 280 Intersection

Outdoor Sign Variance Application/Requests

Nature of variance:

- Increase overall height allowed on the “Hi-Rise” (freestanding sign) to 100’ overall height
- Increase square footage allowed on the “Hi-Rise” (freestanding sign) to 1531.24 total square feet
- Increase square footage allowed on the monument sign to 384 total square feet

Variance Criteria Narrative Statements:

- 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;**

The property lies in the Northwest quadrant of I-16 and Hwy 280 intersection. For drivers on I-16 to have a view of the freestanding Hi-Rise sign over the trees that remain in the right of way, a variance would be necessary. With the majority of Love's patrons being semi-trucks travelling along the interstate system, it is imperative drivers are given adequate time to see the sign and make the decision to safely exit the interstate system to patronize Love's. Without the increased height and area of the sign being requested in the variance, motorists may not be aware that the Love's Travel Stop is located at this location or they may see the sign late and make unsafe exits from the interstate system. The US Sign Council recommends signs based on the complexity of the driving conditions and speed of traffic. The USSC recommends a sign with a minimum of 741 square feet of sign area in an area with multi lanes of traffic, such as an interstate system, traveling at 70 MPH (see attached Freestanding Sign Sizes sheet from the USSC). This size is recommended to give drivers of automobiles time to see the sign, read the sign and then to react to the sign. When you take into consideration it takes semi-truck drivers 40% longer to come to a stop, this would be the minimum size needed for them to make safe lane changes in order to patronize the Love's Travel Stop.

- 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 property is adjacent to I-16 however between the property and the interstate there are tall trees remaining that are in the right of way and which will not be removed. The sign would need to be visible above the height of the trees in order to be effective and serve its purpose. The remaining trees are not on Love's property and therefore cannot be removed by Love's.

- 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 trees that are decreasing the visibility of Love's signage existed prior to Love's purchasing the property. There was no action taken by Love's to create the existing hardship. The sign needs to be visible to drivers before they reach the exit so that there will be a safe ingress onto the exit ramp for drivers to enter the Love's facility.

- 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.**

The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance because the variances being requested are items that increase the level of safety of all patrons of Love's and the surrounding community. The taller sign and additional square footage being requested will help ensure that there is safe ingress and egress to the facility which has a positive impact on the community.

Table 2. Freestanding Sign Sizes

Freestanding Sign Size in Square Feet

Sign Size (Square Feet) = $[(VRT)(MPH)]^2 / 800$

VRT = Viewer Reaction Time MPH = Miles Per Hour

VRT varies with roadside complexity:

simple or 2 lane = 8 seconds / complex or 4 lane = 10 seconds / multi lane = 11 seconds

MPH	Road Complexity	VRT	Sign Size
25	simple / 2 lane	8	50
25	complex / 4 lane	10	78
30	simple / 2 lane	8	72
30	complex / 4 lane	10	112
35	simple / 2 lane	8	98
35	complex / 4 lane	10	153
40	simple / 2 lane	8	128
40	complex / 4 lane	10	200
45	simple / 2 lane	8	162
45	complex / 4 lane	10	253
50	simple / 2 lane	8	200
50	complex / 4 lane	10	312
55	complex / 4 lane	10	378
60	complex / 4 lane	10	450
65	multi lane	11	639
70	multi lane	11	741
75	multi lane	11	850

Source: United States Sign Council

LOVE'S SIGN PACKAGE - ELLABELL, GA

"Exhibit A-2"

		<u>SIGN SQ. FT.</u>
HI-RISE SIGN:	100' OAH	
	10' x 17' 2" Love's & Heart	171.67
	11' 3/4" x 12' 5" Arby's (B-14)	139.95
	9' 6" x 37' Price Sign - 76" Numerals	342.00
	7' X 16' Speedco	112.00
	TOTAL HI-RISE SQUARE FEET:	765.62
STREET SIGN:	25' OAH	
	7' X 12' Love's & Heart	84.00
	4' X 12' Price Sign - 32" NUMERALS	48.00
	5' X 12' Arby's	60.00
	TOTAL STREET SIGN SQUARE FEET:	192.00
BUILDING SIGNS:		
FRONT ELEVATION:	66" x 83" Heart & 58" Love's Letters	131.08
	4' x 5' Echo Heart	20.00
	48" x 53" Arby's logo	17.66
	1' 6 3/4" x 7' Panaflex Love's & Heart	10.94
	TOTAL FRONT ELEVATION SQUARE FEET:	179.68
LEFT ELEVATION:	2' 3" x 8' 5 1/2" Arby's letters	26.08
	TOTAL LEFT ELEVATION SQUARE FEET:	26.08
REAR ELEVATION:	1' 6 3/4" x 7' Panaflex Love's & Heart	10.94
	TOTAL REAR ELEVATION SQUARE FEET:	10.94
	TOTAL BUILDING SIGN SQUARE FEET:	216.70
SPEEDCO BUILDING SIGNS:		
FRONT ELEVATION:	4' x 9' 1" Speedco	36.33
	33" x 42" Heart	9.63
	5' 5" X 10' 3" Digital Display	55.52
	TOTAL FRONT ELEVATION SQUARE FEET:	101.48
LEFT ELEVATIONS:	4' x 9' 1" Speedco	36.33
	24" x 30 1/2" Heart	5.08
	2' x 6 1/2" Michelin	12.08
	2' x 6 1/2" Bridgestone	12.08
	2' x 6 1/2" Good Year	12.08
	2' x 6 1/2" Yokohama	12.08
	TOTAL LEFT ELEVATION SQUARE FEET:	89.73
REAR ELEVATION:	33" x 42" Heart	9.63
	TOTAL REAR ELEVATION SQUARE FEET:	9.63
RIGHT ELEVATION:	33" x 42" Heart	9.63
	TOTAL RIGHT ELEVATION SQUARE FEET:	9.63
	TOTAL SPEEDCO BUILDING SIGN SQUARE FEET:	210.47
FUEL CANOPIES:		
GAS CANOPY:	2' 3 1/2" x 10' 2 1/2" North Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" East Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" South Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" West Elevation	23.39
DIESEL CANOPY:	2' 3 1/2" x 10' 2 1/2" North Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" East Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" South Elevation	23.39
	2' 3 1/2" x 10' 2 1/2" West Elevation	23.39
	TOTAL FUEL CANOPY LOGO SQUARE FEET:	187.12
DIRECTIONAL SIGNS:		
	4' x 8' Love's Directional	32.00
	4' x 8' Love's Directional	32.00
	4' x 8' Love's Directional	32.00
	4' x 8' Love's Directional	32.00
	1' 3" x 1' 3" Arby's Directional	3.90
	1' 3" x 1' 3" Arby's Directional	3.90
	TOTAL DIRECTIONAL SQUARE FEET:	135.80
CAT SCALE SIGN:		
	5' 4 1/2" x 20' Cat Scale Sign	107.50
	2' x 3' Cat Scale Sign	6.00
	TOTAL CAT SCALE SQUARE FEET:	113.50
	TOTAL SQUARE FOOTAGE:	1821.21



DATE:		DATE:	BY:		DATE:	BY:
**4/10/17	REV. #1	**4/17/17	JW	REV. #5:	4/3/19	JW
	REV. #2	**6/9/17	JW	REV. #6:	5/24/19	JW
DRAWN BY:	REV. #3	**10/5/18	JW	REV. #7:	7/16/19	JW
JW	REV. #4	**10/8/18	JW	REV. #8:	9/19/19	JW

LOVE'S HI-RISE ~ ELLABELL, GA

OVERALL HEIGHT: 100'

TOTAL SQ. FT.: 765.62

10' X 17' 2" LOVE'S & HEART = 171.67 SQ. FT.

11' 3/4" X 12' 5" ARBY'S (B-14) = 139.95 SQ. FT.

9' 6" X 36' PRICE SIGN = 342 SQ. FT.

(76" NUMERALS ON PRICE SIGN)

7' x 16' SPEEDCO = 112 SQ. FT.

66' 2 3/4" FROM BOTTOM OF SPEEDCO SIGN TO GRADE

LOVE'S & DIESEL INSTALLED TOWARDS INTERSTATE / HIGHWAY



SIDE B
* SCALE: 3/64" = 1'



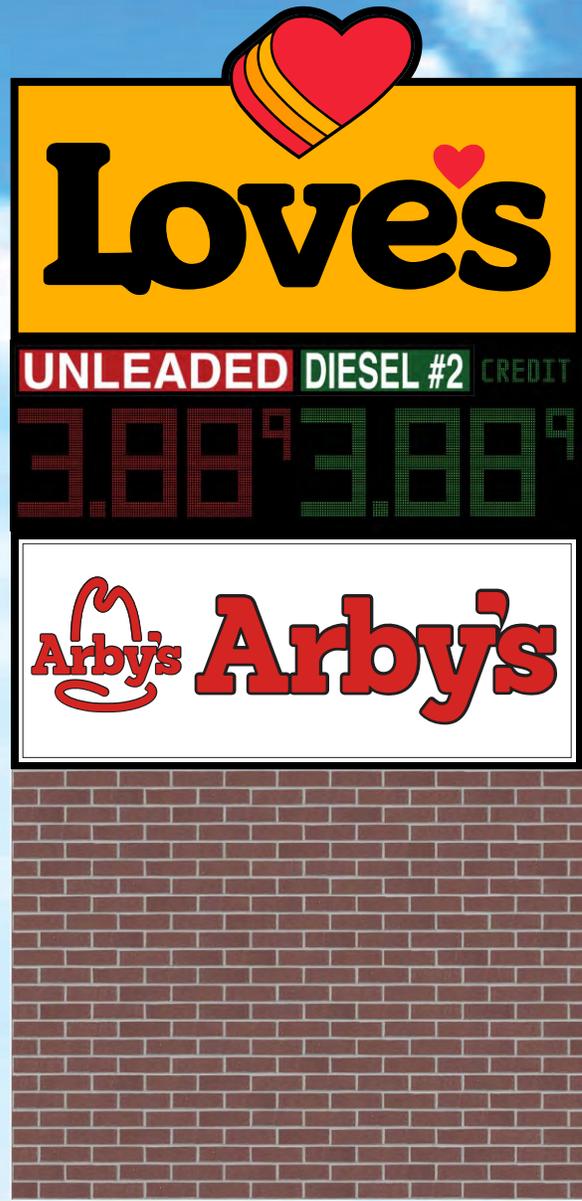
** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	4/10/17	EI1174-1001	4 - 4/5/19 67 JW	3/32" = 1'	JW	

LOVE'S STREET SIGN ~ ELLABELL, GA

OVERALL HEIGHT: 25'	TOTAL SQ. FT.: 192.0
7' X 12' LOVE'S & HEART = 84 SQ. FT.	
4' X 12' PRICE SIGN = 48 SQ. FT. - 32" NUMERALS ON PRICE SIGN	
5' X 12' ARBY'S = 60 SQ. FT.	
9' X 12' STONE BASE	
UNLEADED INSTALLED TOWARDS ROAD	

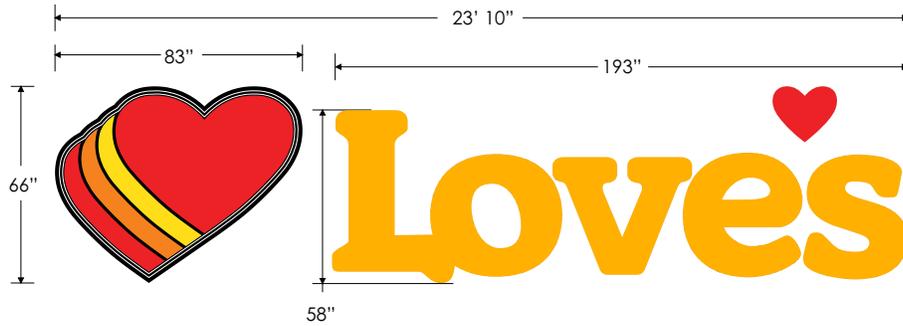
SIDE B
SCALE: 1/8" = 1'



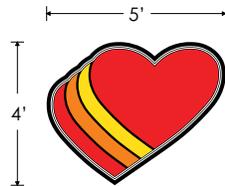
** NOTE: PRODUCT PANEL COPY AND NUMERAL DETAILS TO BE CONFIRMED BY OTHERS.

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	10/5/18	EI1174-1009	3 - 5/28/19 68 JW	1/4" = 1'	JW	

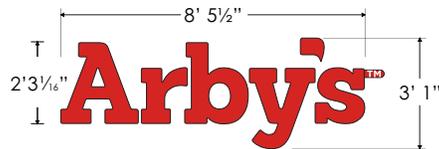
LOVE'S BUILDING SIGNS ~ ELLABELL, GA



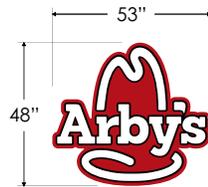
Qty (1) Front elevation
above Main Entrance
LED Illuminated
(131.08 Sq. ft.)



Qty (1) Front elevation
LED Illuminated
(20 Sq. ft. /sign)



Qty (1) Left elevation
LED Illuminated
(26.08 Sq. ft.)



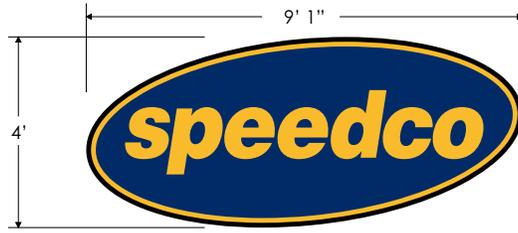
Qty (1) Front elevation
LED Illuminated
(17.66 Sq. ft.)



Qty (1) Front elevation
Qty (1) Rear elevation
Panaflex Logo
(10.94 Sq. ft.)

LOCATION:	DATE:	DRAWING #:	REVISION #:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	4/10/17	EI1174-1003	1 - 4/3/19 69 JW	3/16" = 1'	JW	

SPEEDCO BUILDING SIGNS ~ ELLABELL, GA



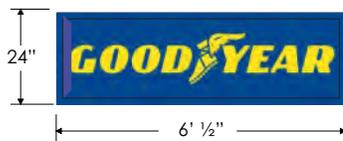
Qty (1) Front elevation
LED Illuminated
(36.33 Sq. ft.)



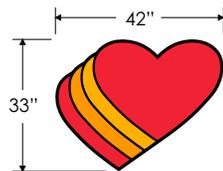
Qty (1) Front elevation
Digital Display
(55.52 Sq. ft.)



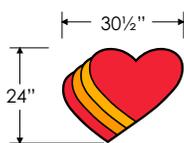
Qty (1) Left elevation
LED Illuminated
(36.33 Sq. ft.)



Qty (4) Left elevation
Illuminated
(12.08 Sq. ft. per sign)
(48.32 Total sq. ft.)



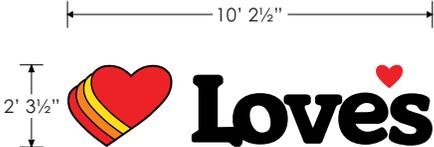
Qty (1) Front elevation
Qty (1) Rear elevation
Qty (1) Right elevation
LED Illuminated
(9.63 Sq. ft.)



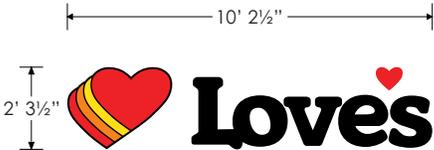
Qty (1) Left elevation
LED Illuminated
(5.08 Sq. ft.)

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	4/10/17	EI1174-1005	4 - 9/19/19 (JW) 70 JW	3/8" = 1'	JW	

LOVE'S FUEL CANOPY SIGNS ~ ELLABELL, GA



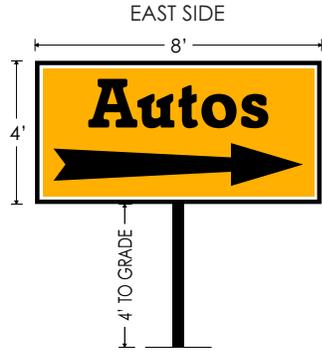
Qty (4) Gas Canopy
(23.39 Sq. ft./sign)



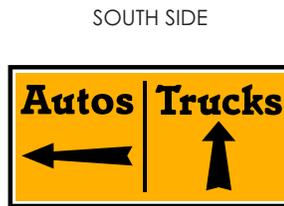
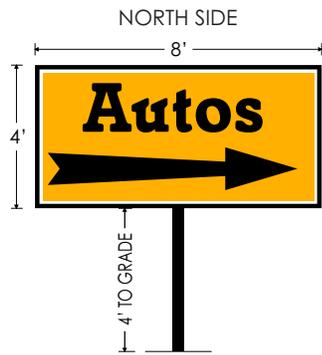
Qty (4) Diesel Canopy
(23.39 Sq. ft./sign)

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:
ELLABELL, GA	4/10/17	EI1174-1006	2 - 4/3/19	3/16" = 1'	JW
			71 JW		

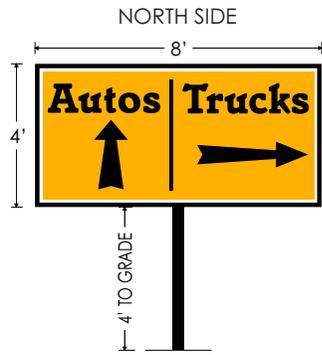
LOVE'S DIRECTIONAL SIGNS ~ ELLABELL, GA



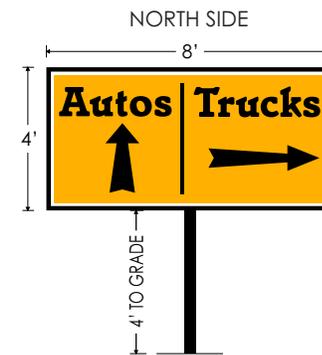
Love's Directional Sign C
at South Auto Entrance
LED Illuminated
(32 sq. ft.)



Love's Directional Sign D
at East Auto Entrance
LED Illuminated
(32 sq. ft.)



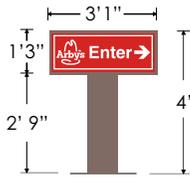
Love's Directional Sign E
at South Truck Entrance
LED Illuminated
(32 sq. ft.)



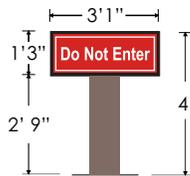
Love's Directional Sign F
at North Truck Entrance
LED Illuminated
(32 sq. ft.)

LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	4/10/17	EI1174-1007	4 - 4/3/19 72 JW	3/16" = 1'	JW	

LOVE'S DIRECTIONAL SIGNS ~ ELLABELL, GA



Directional Sign #28
at Drive-Thru Entrance
(copy may vary)
LED Illuminated
(3.9 sq. ft.)

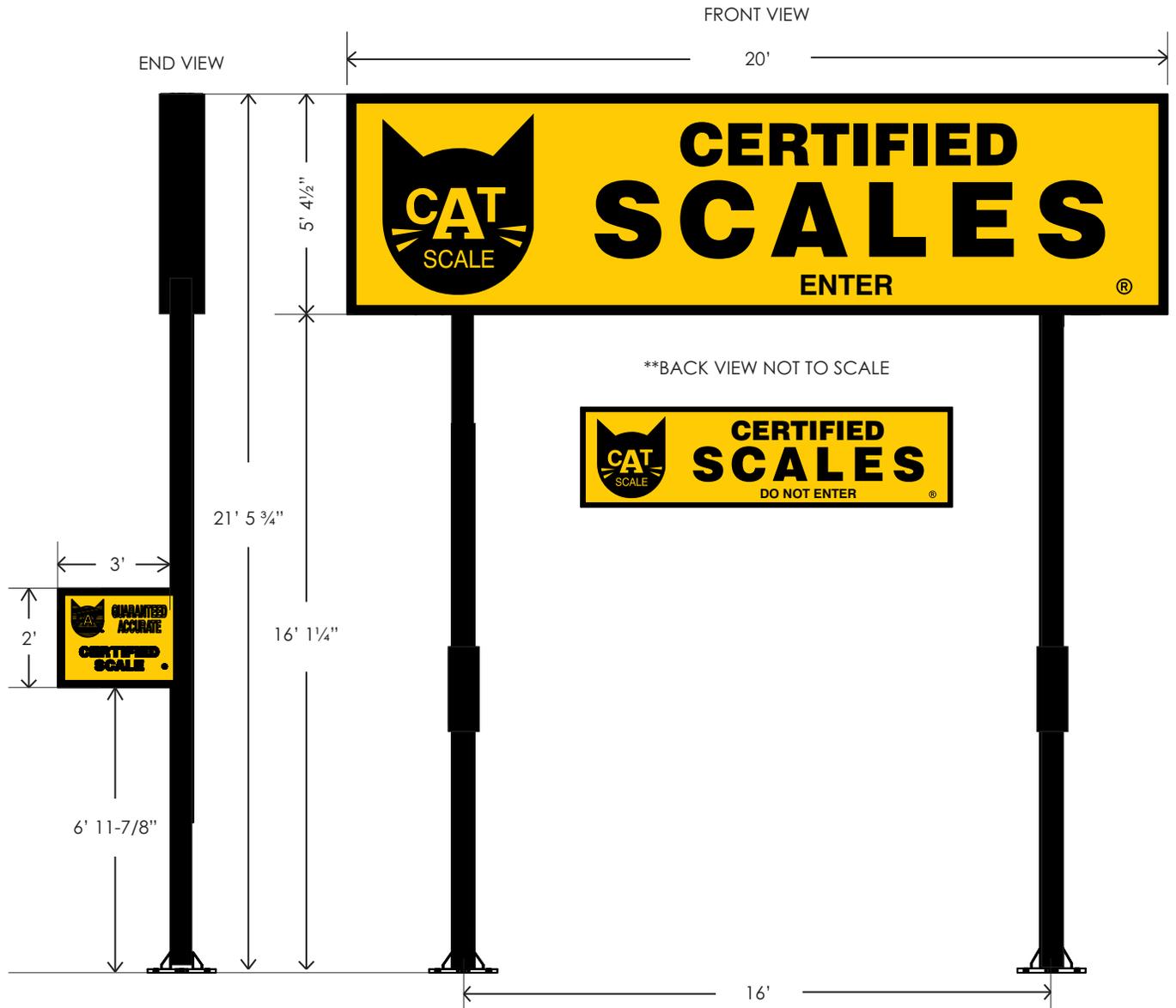


Directional Sign #27
at Drive-Thru Exit
(copy may vary)
LED Illuminated
(3.9 sq. ft.)

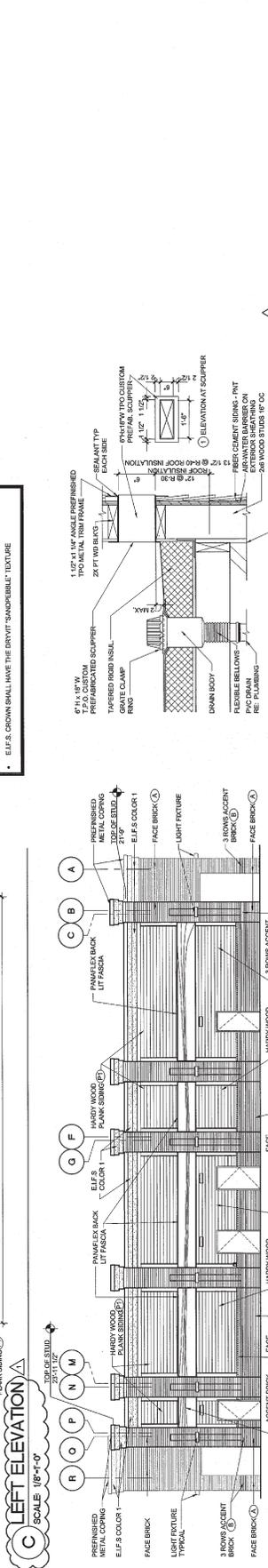
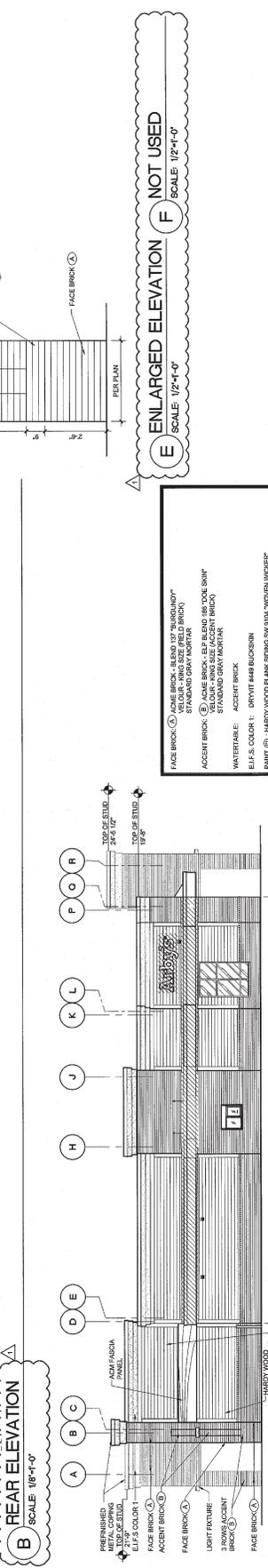
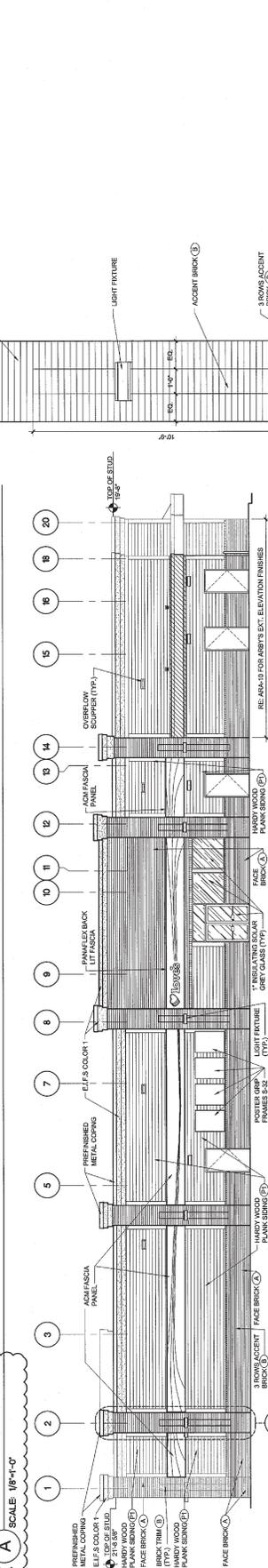
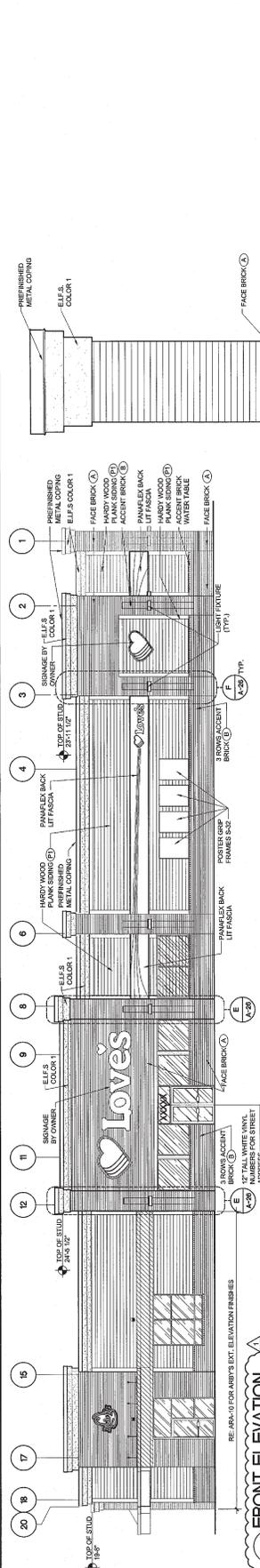
LOCATION:	DATE:	DRAWING #:	REVISION # / DATE:	SCALE:	DRAWN BY:	 PHONE: 605.753.9700
ELLABELL, GA	10/6/18	EI1174-1010	2 - 4/3/19 73 JW	3/16" = 1'	JW	

CAT SCALE SIGNS ~ ELLABELL, GA

OVERALL HEIGHT: 21' 5³/₄"	TOTAL SQ. FT.: 113.50
5' 4 ¹ / ₂ " X 20' CAT SCALE SIGN = 107.5 SQ. FT.	
2' X 3' CAT SCALE SIGN = 6 SQ. FT.	
16' 1 ¹ / ₄ " FROM GRADE TO BOTTOM OF CAT SCALE	



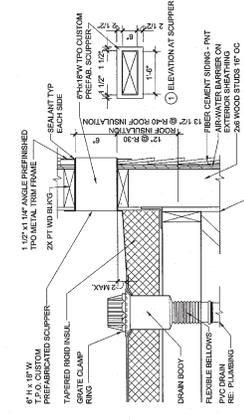
LOCATION:	DATE:	DRAWING #:	REVISION #:	SCALE:	DRAWN BY:
ELLABELL, GA	4/10/17	EI1174-1008	74 0	1/4" = 1'	JW



E ENLARGED ELEVATION F
SCALE: 1/2"=1'-0"

H NOT USED
SCALE: 1/2"=1'-0"

FACE BRICK (A) ACME BRICK - BLEND 37" BURROUGHS (FACE BRICK)
ACCENT BRICK (B) ACME BRICK - ELP BLEND 188 "DOE SKIN" (ACCENT BRICK)
WATERTABLE: ACCENT BRICK
ELF'S COLOR 1: DRY IT AND BUCKSIN
ELF'S COLOR 2: HARDY WOOD PLANK SIDING SW 1014 "WOVEN WICKER"
* ELF'S CHOWN SHALL HAVE THE DRY IT "SANDPAPER" TEXTURE



“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#337-19

Zoning Request: Requesting additional height and square footage on hi-rise sign and additional height and square footage on monument sign.

Filed by: Sue Trively, Effective Images Inc.

Owners: Love's Travel Stop & Country Stores

Property address: 11151 Highway 280 E, Ellabell

Map and Parcel # 029-062

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019.

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: NONE.

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: Kate D. Coan Date: 10-8-19



**BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street
P.O. Box 1071
Pembroke, Georgia 31321
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Comments: No Issue!

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: [Handwritten Signature] Date: _____



**BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

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Filed by: Sue Trively, Effective Images Inc.

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Property address: 11151 Highway 280 E, Ellabell

Map and Parcel # 029-062

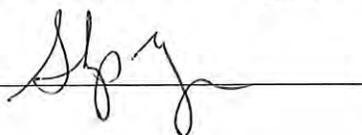
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Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019 .

Comments: _____

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: 

Date: 10/9/19

“C” Exhibits – Bryan County Supplements

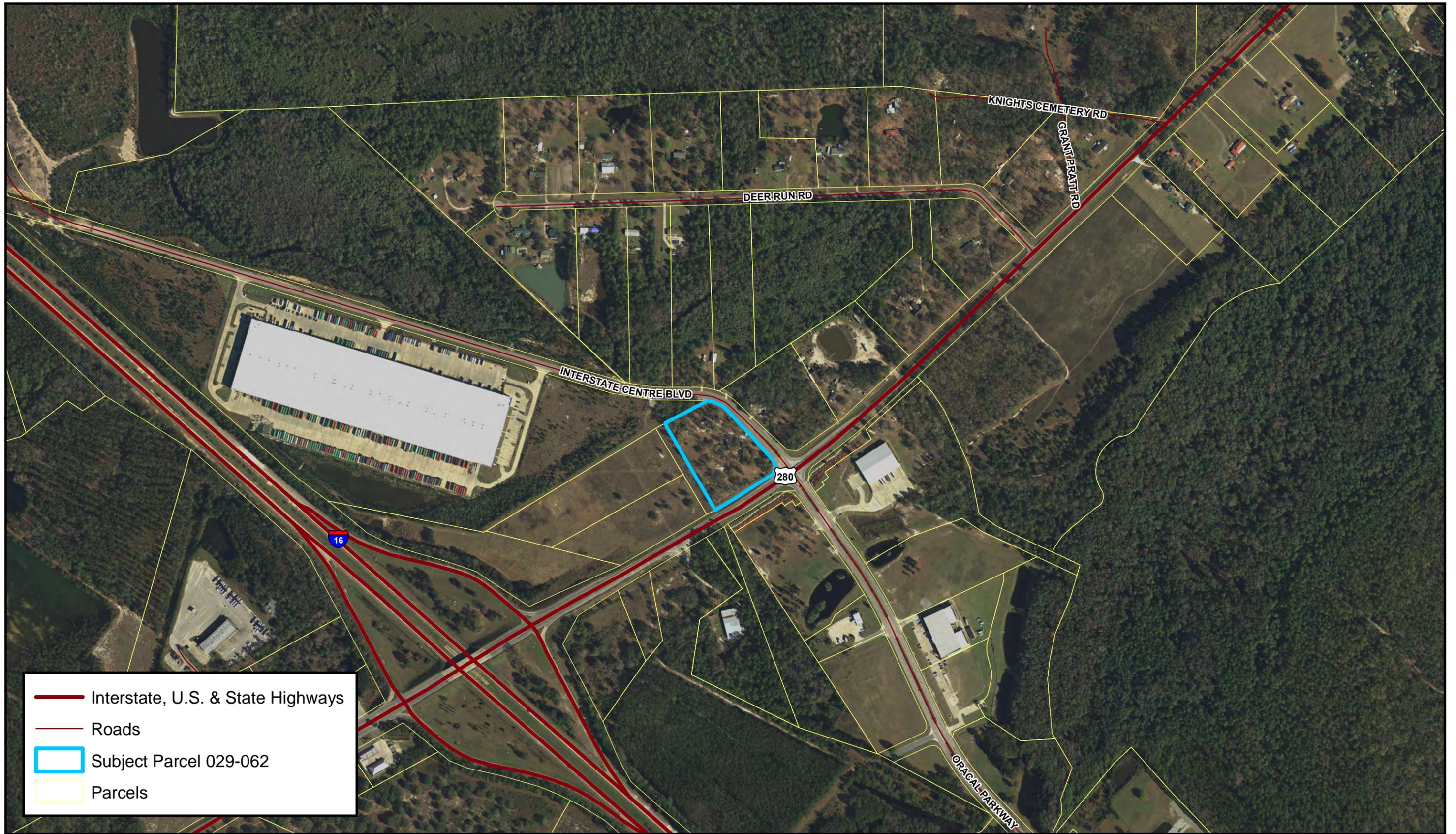


- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-062
- Surrounding Parcels



Overview Map
Sue Trively, Effective Images Inc. / Love's Travel Stop & Country Stores
Case V# 337-19

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.

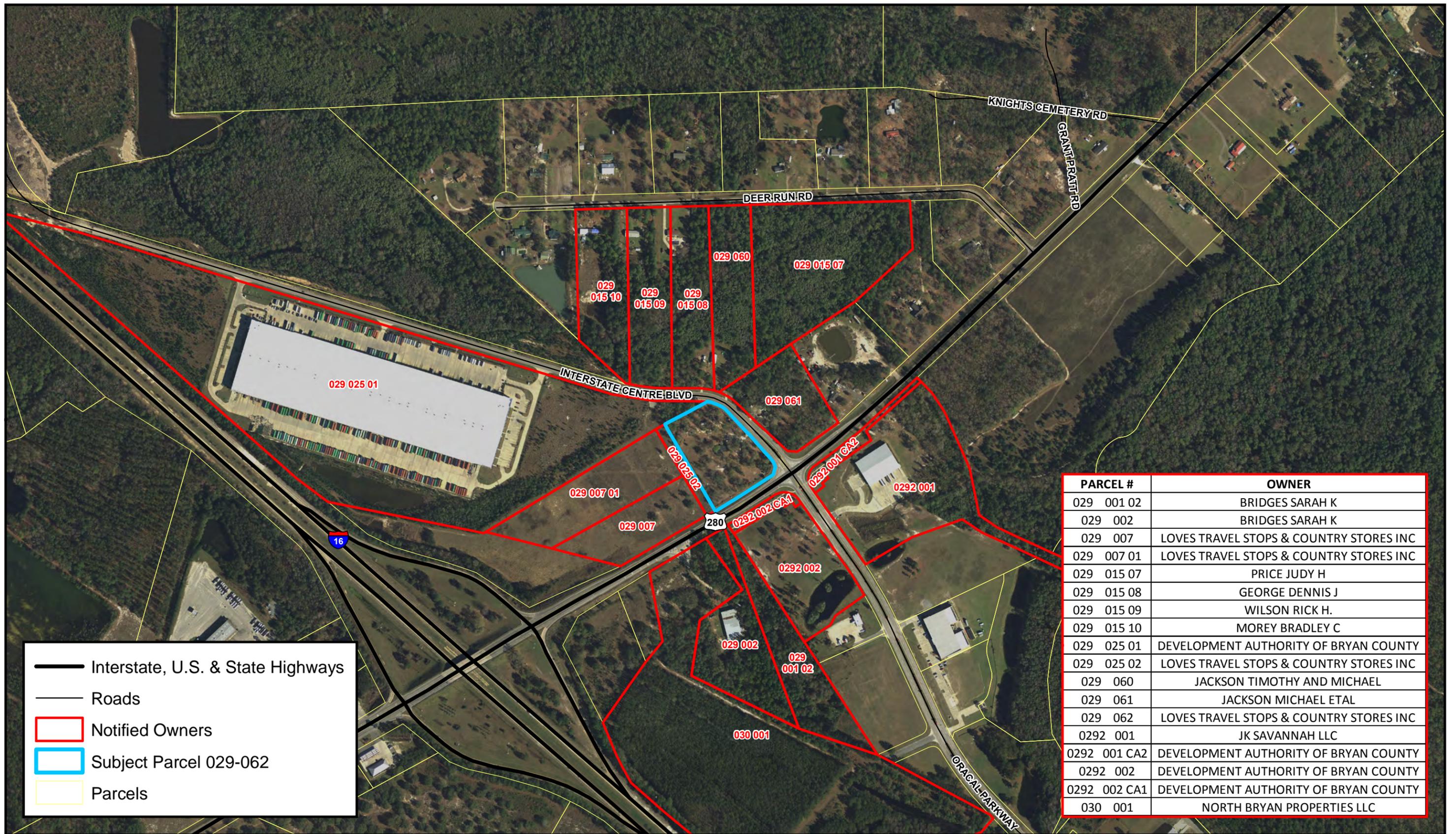


- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-062
- Parcels



Location Map
Sue Trively, Effective Images Inc. / Love's Travel Stop & Country Stores
Case V# 337-19

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— Interstate, U.S. & State Highways
 — Roads
 [Red Outline] Notified Owners
 [Blue Outline] Subject Parcel 029-062
 [Yellow Outline] Parcels

PARCEL #	OWNER
029 001 02	BRIDGES SARAH K
029 002	BRIDGES SARAH K
029 007	LOVES TRAVEL STOPS & COUNTRY STORES INC
029 007 01	LOVES TRAVEL STOPS & COUNTRY STORES INC
029 015 07	PRICE JUDY H
029 015 08	GEORGE DENNIS J
029 015 09	WILSON RICK H.
029 015 10	MOREY BRADLEY C
029 025 01	DEVELOPMENT AUTHORITY OF BRYAN COUNTY
029 025 02	LOVES TRAVEL STOPS & COUNTRY STORES INC
029 060	JACKSON TIMOTHY AND MICHAEL
029 061	JACKSON MICHAEL ETAL
029 062	LOVES TRAVEL STOPS & COUNTRY STORES INC
0292 001	JK SAVANNAH LLC
0292 001 CA2	DEVELOPMENT AUTHORITY OF BRYAN COUNTY
0292 002	DEVELOPMENT AUTHORITY OF BRYAN COUNTY
0292 002 CA1	DEVELOPMENT AUTHORITY OF BRYAN COUNTY
030 001	NORTH BRYAN PROPERTIES LLC

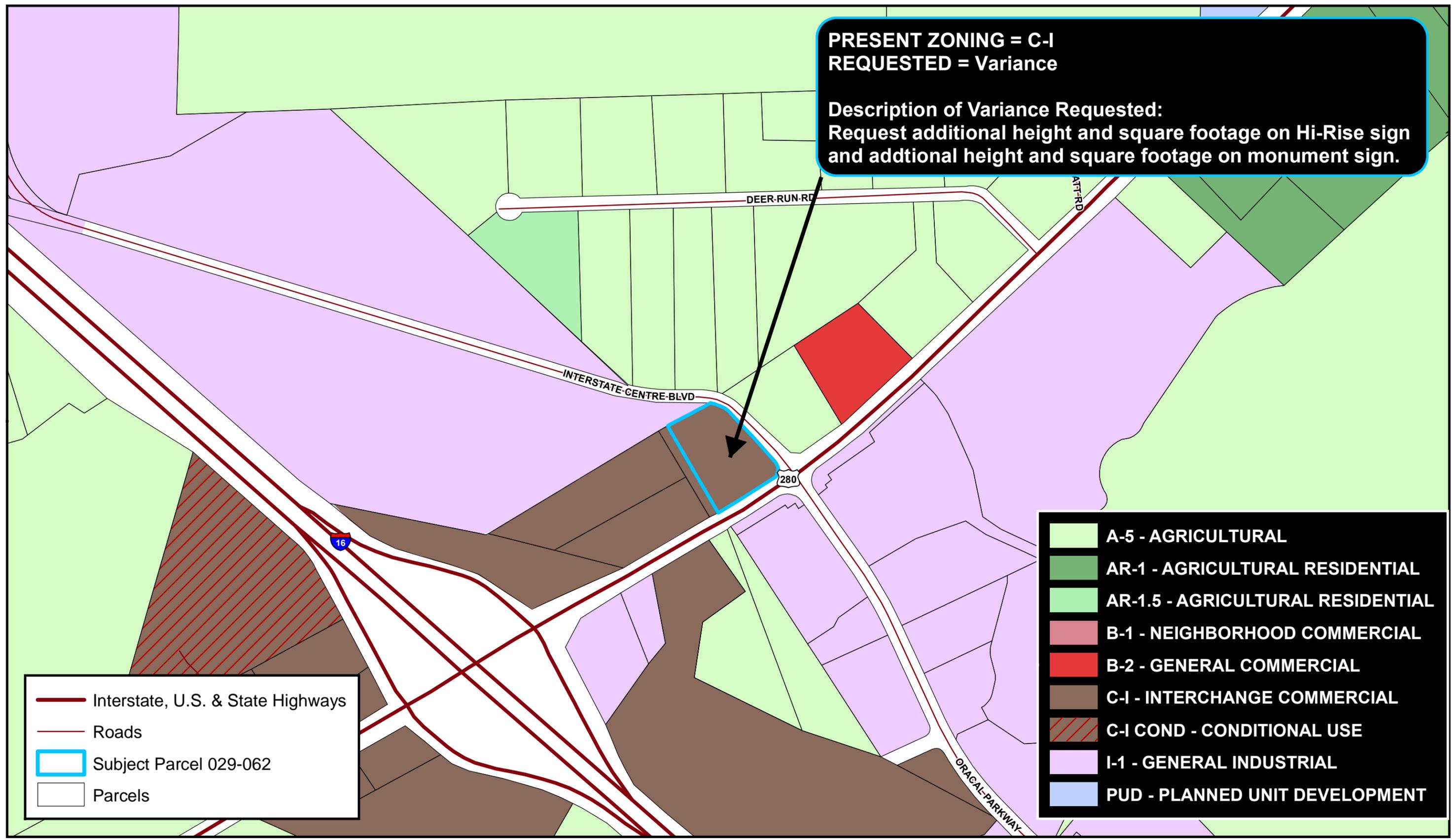


Notification Map
Sue Trively, Effective Images Inc. / Love's Travel Stop & Country Stores
Case V# 337-19

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**PRESENT ZONING = C-I
REQUESTED = Variance**

**Description of Variance Requested:
Request additional height and square footage on Hi-Rise sign
and additional height and square footage on monument sign.**



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-062
- Parcels

- A-5 - AGRICULTURAL
- AR-1 - AGRICULTURAL RESIDENTIAL
- AR-1.5 - AGRICULTURAL RESIDENTIAL
- B-1 - NEIGHBORHOOD COMMERCIAL
- B-2 - GENERAL COMMERCIAL
- C-I - INTERCHANGE COMMERCIAL
- C-I COND - CONDITIONAL USE
- I-1 - GENERAL INDUSTRIAL
- PUD - PLANNED UNIT DEVELOPMENT



“D” Exhibits – Public Comment

None Received

BRYAN COUNTY BOARD OF ADJUSTMENT

CASE V#338-19

Public Hearing Date: November 5, 2019

REGARDING THE APPLICATION OF: Dale Adams is requesting a variance for property located at 50 Oakcrest Court, PIN# 0422-088. The applicant is requesting a variance in order to increase the permitted size of an accessory building.	Staff Report By: Sara Farr-Newman Dated: October 29, 2019
--	---

I. Application Summary

Requested Action: Public hearing and consideration of a variance requested by Dale Adams to construct a 560 square foot pole barn at 50 Oakcrest Court. Accessory buildings are limited to 200 square feet in residentially zoned districts.

Applicant: Dale Adams
50 Oakcrest Ct
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
- Appendix B – Zoning, Article V. – Appeals, Variances, and Administrative Relief, Section 501. - Variances, Bryan County Code of Ordinances. Per the County Ordinance, a 4/5 majority is required to approve a variance.
- Appendix B – Zoning, Article X. – Development Standards of General Applicability, Section 1000(h), Bryan County Code of Ordinances

II. General Information

1. Application: A variance application was submitted by Dale Adams on October 3, 2019. After reviewing the application, the Director certified the application as being generally complete on October 7, 2019.

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

- A. Legal notice was published in the Bryan County News on **October 17, 2019**.
- B. Notice was mailed on **October 16, 2019** to surrounding landowners within 300' of the exterior boundaries of the property.
- D. An on-site notice was posted on **October 21, 2019**.

3. Background:

The applicant is requesting to build a pole barn to serve as a cover for an RV at 50 Oakcrest Court, which is zoned "R-1" and located in the Bailey Plantation neighborhood. The pole barn is proposed to be 40 feet by 14 feet, a total of 560 square feet. The application incorrectly states the size as 20 feet by 14 feet, but the applicant confirmed and the site plan states the correct size. The pole barn is proposed to be located to the rear of the existing home on the property.

4. Requested Variance: Per Appendix B, Article X, Section 1000(h) of the Bryan County Code of Ordinances, in any R district, accessory buildings other than detached garages or authorized guest houses, shall not exceed 15 feet in height or 200 square feet in floor area. The proposed pole barn is proposed to be a total of 560 square feet, which exceeds the allowed size by 360 square feet.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on October 7, 2019, unless otherwise noted.

"A" Exhibits- Application:

A-1 Variance Application

"B" Exhibits- Agency Comments:

B-1 Engineering (10/8/19)

B-2 Fire Chief (10/11/19)

B-3 Public Health (10/9/19)

"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. Analysis Under Article V. – Appeals, Variances and Administrative Relief,
Section 501. - Variances:**

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: The applicant indicated the need to store and protect the RV as a hardship; however, staff does not find this is a hardship requiring a variance to allow a larger accessory structure. The applicant could build a detached garage, which is permitted to be larger, in order to store the RV.

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 applicant indicated that the large size of the RV is a particular hardship. Staff finds that while a 40-foot RV may be larger than the average RV, this is not a hardship as the applicant purchased the RV knowing the size. Additionally, the property, 50 Oakcrest Court, does not have any peculiar conditions that would warrant a variance. The lot is approximately 1.4 acres, which is comparable to surrounding lot sizes.

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 applicant’s request and identified hardship is based upon protection of the RV; however, this is not grounds for a variance as it does not relate to the property. The applicant also purchased the RV knowing the size and that additional protection may be required.

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 applicant indicated this requested variance is in keeping with the intent of the ordinance as it will not be a burden to the neighbors. Staff finds, though, that the requested variance would not be in keeping with the intent of the ordinance as it would grant an exception that would not ordinarily be offered to others in the neighborhood. Additionally, the applicant’s basis for the variance relates to the RV itself and not the property. The intent of the ordinance is to limit the size of accessory structures in residential zoning districts.

IV. Staff Recommendation

Staff recommends denial of the requested variance to Appendix B, Article X, Section 1000(h) of the Bryan County Code of Ordinances, because the variance criteria are not met. If the variance is approved, septic approval must be obtained prior to building per the County Health Director.

V. Board of Adjustment Decision

Decision: 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 provisions/denies the proposed variance.

“A” Exhibits – Application

Bryan County
Board of Commissioners

"Exhibit A-1"



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: Dale Adams
 Address: 50 Oakcrest Ct
 City: Richmond Hill State: GA Zip: 31324
 Phone: 912-313-0773 Email: _____

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

Property Information: General Location: Bailey Plantation
 PIN Number (Map & Parcel): 0422-088 Current Zoning District(s): R-1

What section of the Subdivision or Zoning Code are you requesting a variance for? Sec. 1000 (n)

Description of Variance Requested: Pole Barn - 560 sq ft (20' x 14')

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

10/3/19
 Date

FOR OFFICE USE ONLY

Case #: 338-19 Date Received: 10-3-19 Fee Paid Initial: JMH

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.

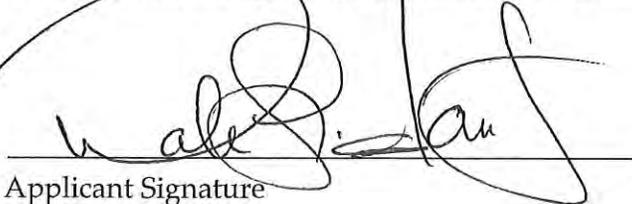
Completeness Review	5 business days after Application Submittal
Planning & Zoning (P&Z) Commission Public Hearing	30-60 days after Completeness Certification

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

10-3-19

Date

Summary

Parcel Number 0422 088
 Location Address 50 OAK CREST CT
 Zip Code 31324
 Legal Description 20GMD L#103 BAILEY PH II P5410:10
 (Note: Not to be used on legal documents)
 Class R3-Residential
 (Note: This is for tax purposes only, Not to be used for zoning.)
 Zoning R-1
 Tax District County Unincorporated (District 03)
 Millage Rate 25.375
 Acres 1.4
 Neighborhood BAILEY PLANTATION (BAIPL)
 Homestead Exemption Yes (S1)
 Landlot/District N/A

[View Map](#)



Owner

ADAMS DALE L & SHERRI L
 50 OAKCREST COURT
 RICHMOND HILL, GA 31324-0000

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	BAILEY PLANTATION	Lot	0	0	0	0	1

Residential Improvement Information

Style One Family
 Heated Square Feet 1390
 Interior Walls Sheetrock
 Exterior Walls Wood
 Foundation Masonry
 Attic Square Feet 0
 Basement Square Feet 0
 Year Built 1994
 Roof Type 310 lb/ Shingle
 Flooring Type Carpet/Tile
 Heating Type Central Heat/AC
 Number Of Rooms 0
 Number Of Bedrooms 3
 Number Of Full Bathrooms 2
 Number Of Half Bathrooms 0
 Number Of Plumbing Extras 3
 Value \$91,000
 Condition Average
 Fireplaces\Appliances PREFAB 1 STY 1 BOX 1
 House Address 50 OAK CREST

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
POOL - FIBERGLASS	2013	14x28 / 0	0	\$8,200
* FEE - FIRE PROTECTION	2010	0x0 / 0	0	\$0
* FEE - TRASH COLLECTION	2010	0x0 / 0	0	\$0

Sales

Sale Date	Sale Price	Grantor	Grantee
4/1/1997	\$98,800	LEWIS LARRY TODD & LEANNE F	ADAMS DALE L & SHERR
6/1/1994	\$90,000		
5/1/1994	\$17,500		
12/1/1993	\$325,000		

Bryan County
Board of Commissioners

Community Development Department



VERIFICATION OF PAID TAXES

_____ The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

_____ The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

0422-088
Parcel Identification Number

[Signature]
Signature of Applicant

10-3-19
Date

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Name: Shelia A. Way

Title: Tax Clerk

Signature: Shelia Way

Date: 10/3/19

IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home: _____ Make _____
_____ Model _____
_____ Year _____
_____ Serial # _____

_____ The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____

Date: _____

Clerk ST1
Date 2019 10 03
Sequence 124102

Bill Number . . . 2019 000062
Taxpayer Name . . ADAMS DALE L & SHERRI L
Payment Made By . ADAMS DALE L & SHERRI L
Check Number . . . 5537
Payment/Adjust . P Reason Code 00

Descriptions	Original Bill	Expected Amt.	Transactn Amt
Taxes	1,593.03	1,593.03	1,593.03
Assessment Pen			
Interest			
Costs			
10% Penalty			
Other Penalty			
TOTALS	1,593.03	1,593.03	1,593.03

F3=Return F5=Detail Taxes F6=Detail Costs F12=Other Bills
F8=Show Checks

PAID
OCT 03 2019
Bryan County, Georgia

DAK
#5537

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.

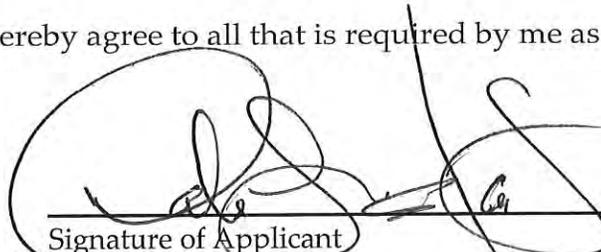
Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

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

Dale Adams
Applicant (Print)

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

This 3rd day of October 2019



Notary Public



(Notary Seal)

Bryan County
Board of Commissioners

Community Development Department



AUTHORIZATION OF PROPERTY OWNER

I, Dale Adams, 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: Dale Adams

Address: 50 Oakcrest Ct.

City: Richmond Hill State: Ga. Zip Code: 31324

Telephone Number: 912 313 0773 Email: dale.adams@xyleminc.com

[Signature]
Signature of Owner

10/3/19
Date

Dale Adams
Owners Name (Print)

Personally appeared before me
Dale Adams
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 3rd of October

8/20/22
Notary Public



(Notary Seal)

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;

The ordinance will not cause a hardship. To store an RV to prevent damage.

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 RV in question is 40 feet long and requires a larger pole barn than normal.

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 Pole Barn is requested to provide coverage to prevent damage to RV.

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.

Pole barn is only used for protection of RV and will not be a burden to neighbors.

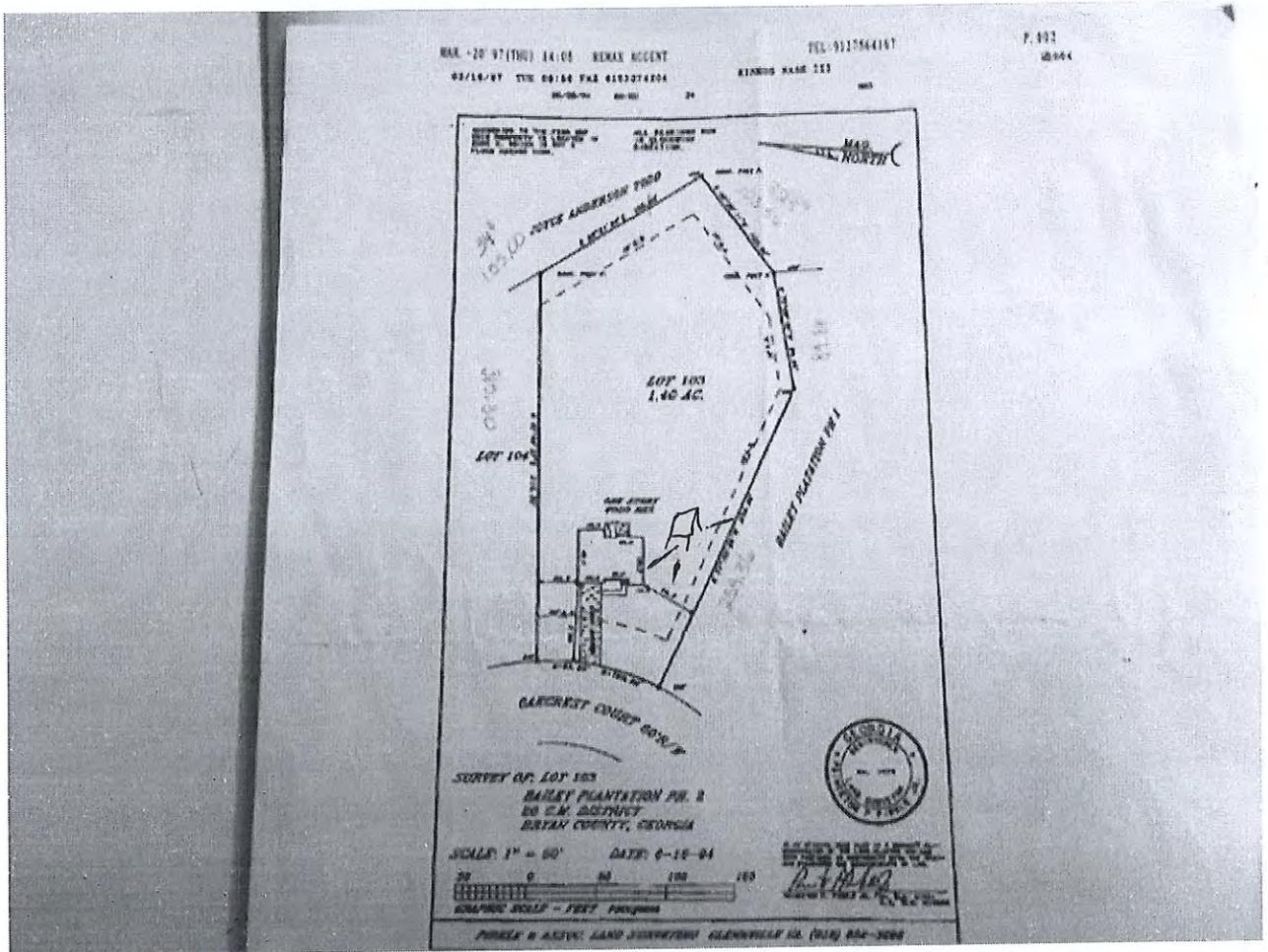
If you have questions, contact the Community Development Department at one of our office locations.

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: 10/7/19 sky P&Z Public Hearing Date: Nov 5, 2019



110' from house to Pole barn
 100' from RS setback fence.

THESE PLANS AND IDEAS AND CONCEPTS CONTAINED HEREIN, INCLUDING DIGITAL INFORMATION ARE THE PROPERTY OF MK WEBER ENGINEERING AND ARE NOT TO BE COPIED, REPRODUCED, MODIFIED OR CHANGED IN ANY FORM OR MANNER WITHOUT WRITTEN PERMISSION OF MK WEBER ENGINEERING. UNAUTHORIZED CHANGES TO THESE DRAWINGS AND WORK NOT DESCRIBED BY THESE DRAWINGS ARE NOT COVERED BY THE ENGINEER CERTIFICATION. VIOLATION OF THE COPYRIGHT LAWS MAY RESULT IN LEGAL ACTION.

THESE PLANS ARE ISSUED FOR A SINGLE PROJECT UTILIZING TRUSSES MANUFACTURED BY BLACKWATER TRUSS SYSTEM, INC.

STRUCTURAL NOTES

GENERAL

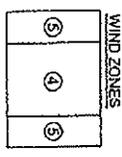
- DESIGN CODE DATA
2015 INTERNATIONAL BUILDING CODE
ASCE 7-10: MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
ASCE 360-05: SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS

- DESIGN LOADS:
TRUSS SPACING: 12'-0"
DEAD LOADS: 5 PSF (MIN) 10 PSF TOTAL
LIVE LOADS: 20 PSF

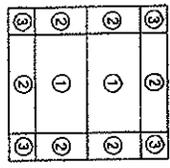
- WIND DESIGN CRITERIA
WIND LOAD: 150 MPH 3 SECOND GUST
NOMINAL DESIGN WIND SPEED: 118 MPH
INTERNAL PRESSURE COEFFICIENT: 0 (OPEN)
EXPOSURE CATEGORY: 1 BUILDING
BASE VELOCITY PRESSURE: 34.3 PSF

- THE CONTRACTOR IS RESPONSIBLE FOR LIMITING THE AMOUNT OF CONSTRUCTION LOAD IMPOSED UPON OR EXISTING STRUCTURAL FRAMING. CONSTRUCTION LOADS SHALL NOT EXCEED THE DESIGN CAPACITY OF THE FRAMING AT THE TIME THE LOADS ARE IMPOSED.

ROOFS	DESIGN PRESSURE (DLT)	DESIGN PRESSURE (ASD)
TRIBUTARY AREA 10SF	POSITIVE (PSF) NEGATIVE (PSF)	POSITIVE (PSF) NEGATIVE (PSF)
ZONE 1	20.3 -35.2	12.2 -21.1
ZONE 2	20.3 -59.0	12.2 -35.4
ZONE 3	20.3 -88.8	12.2 -53.3
TRIBUTARY AREA 100SF	POSITIVE (PSF) NEGATIVE (PSF)	POSITIVE (PSF) NEGATIVE (PSF)
ZONE 1	19.1 -33.0	11.4 -19.8
ZONE 2	19.1 -50.8	11.4 -30.5
ZONE 3	19.1 -75.4	11.4 -45.8
WALLS	DESIGN PRESSURE	DESIGN PRESSURE
TRIBUTARY AREA 30SF	POSITIVE (PSF) NEGATIVE (PSF)	POSITIVE (PSF) NEGATIVE (PSF)
ZONE 4	35.2 -38.2	21.1 -22.9
ZONE 5	32.2 -59.0	19.3 -35.4
TRIBUTARY AREA 500SF	POSITIVE (PSF) NEGATIVE (PSF)	POSITIVE (PSF) NEGATIVE (PSF)
ZONE 4	28.8 -31.3	17.3 -18.8
ZONE 5	26.4 -43.7	15.8 -26.2



3'-0" EDGE DISTANCE



ROOF

- THE STRUCTURE IS DESIGNED TO FUNCTION AS A UNIT UPON COMPLETION. THE CONTRACTOR IS RESPONSIBLE FOR DESIGNING AND FURNISHING ALL TEMPORARY BRACING AND/OR SUPPORT THAT MAY BE REQUIRED AS THE RESULT OF THE CONTRACTOR'S CONSTRUCTION METHODS AND/OR SEQUENCES. THE STRUCTURAL ENGINEER ASSUMES NO LIABILITY FOR THE STRUCTURE DURING CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION AND ALL JOB SITE SAFETY.

- VERIFY ALL DIMENSIONS PRIOR TO THE START OF CONSTRUCTION - DO NOT SCALE DRAWINGS.

- CONCRETE
FOOTING AND FOUNDATION WALL
SLAB ON GRADE
ALL OTHER CIP CONCRETE
CONCRETE REINFORCING STEEL

- STEEL
ANGLES, PLATES, AND CHANNELS 36 KSI, ASTM A36
SQUARE AND RECTANGULAR HSS 46 KSI, ASTM A500 GRADE B, 14 GAUGE
BOLTS @ RIDGE (PEAK):
BOLTS @ TRUSS TO POST CONN.
WELDING ELECTRODES

- WOOD
2x6 AND SMALLER SPF NO. 2 OR BETTER
MINIMUM DESIGN VALUES

- 2x8 AND LARGER HEAVIER NO. 2 OR BETTER
MINIMUM DESIGN VALUES

- 6x8 DR 8x8 WD POST TREATED SOUTHERN YELLOW PINE (SPY)
MINIMUM DESIGN VALUES
Fb 1,400 PSI
E 1,800,000 PSI
- ROOF & WALL SHEATHING
ROOF METAL PANELS SHALL BE 29 GA. x 3" WIDE W/ 9 RIBS

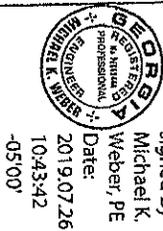
Job # 1292

Adams, Dale
912-313-0773
50 Oakcrest Hill
Richmond Hill, Ga
31324



3200 W. 29th St.
Panama City, FL 32405
mkweber.com

Michael K. Weber, P.E.
A.L.P.E. #34758-E
Digitally signed by Michael K. Weber, PE

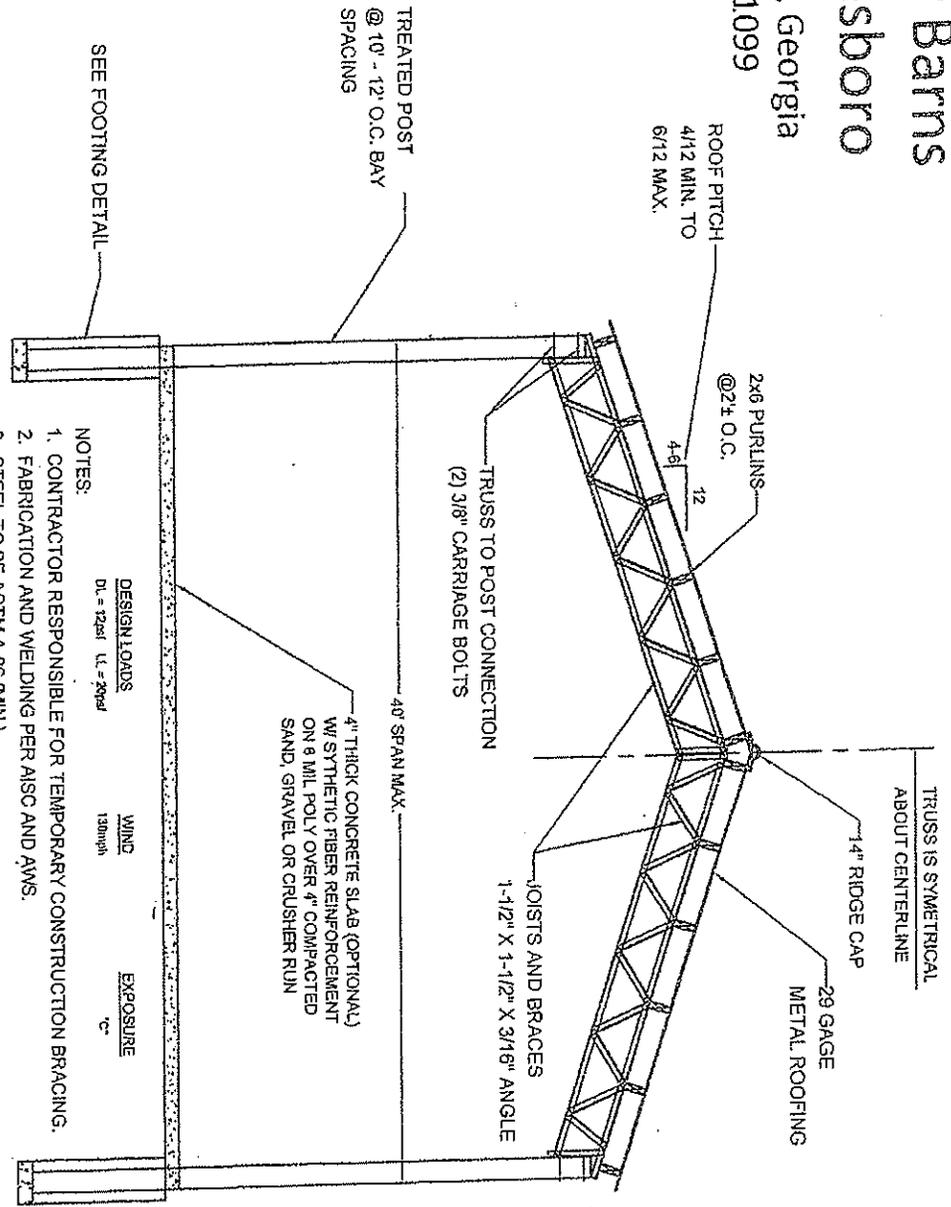


20' - 40' Truss Drawings
Blackwater Truss Systems
8736 Hwy 87 N.
Milton, FL 32570

Project No. 17007-81
Drawn By JMG
Checked By MKW
Drawing Number S100

Armour Barns of Statesboro

Statesboro, Georgia
(912) 681-1099



NOTE: (OPTIONAL SIDING)
SIDING TO BE HAROY PLANK OR 29 GAGE STEEL
MOUNTED TO 2X6 CROSS MEMBERS SPACED AT 2' ON CENTER.

- NOTES:
1. CONTRACTOR RESPONSIBLE FOR TEMPORARY CONSTRUCTION BRACING.
 2. FABRICATION AND WELDING PER AISC AND AWS.
 3. STEEL TO BE ASTM A-36 (MIN.).
 4. CONCRETE TO BE 3000 PSI (MIN.) COMPRESSIVE STRENGTH.
 5. ASSUMED ALLOWABLE SOIL BEARING = 2000 PSF (MIN.)

DESIGN LOADS	WIND	EXPOSURE
D.L. = 22psf L.L. = 20psf	15mph	C

BUILDING SECTION

SCALE: N.T.S.

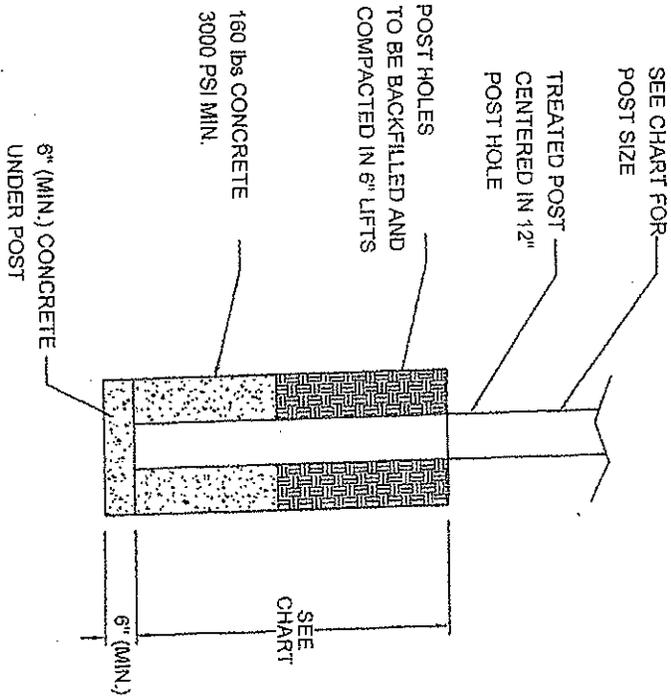
Job # 1292



Adams, Dale
912-313-0773
50 Oakcrest Hill
Richmond Hill, Ga
31324

Armour Barns of Statesboro

Statesboro, Georgia
(912) 681-1099



FOOTING DETAIL
SCALE: N.T.S.

EAVE HEIGHT	POST SIZE (MIN.)	POST DEPTH (MIN.)	POST HOLE DIA.
10'	6"X6"	3'2"	12"
12'	6"X6"	3'6"	12"
14'	6"X6"	4'0"	12"
16'	8"X8"	4'8"	18"
18'	8"X8"	5'5"	16"
20'	10"X10"	6'0"	24"

Job # 1292

Adams, Dale

912-313-0773

50 Oakcrest Hill

Richmond Hill, Ga

31324



“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#338-19

Zoning Request: Requesting additional square footage for an accessory structure (Sec. 1000(h))

Filed by: Dale Adams

Owners: Same as above

Property address: 50 Oakcrest Ct., Richmond Hill in Bailey Plantation

Map and Parcel # 0422-088

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019.

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: NONE.

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: Kristi Connor Date: 10.8.19



**BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

51 North Courthouse Street
P.O. Box 1071
Pembroke, Georgia 31321
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Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: No Issue!

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: [Signature] Date: _____



**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 Oct. 11, 2019.

Comments: Must have septic approval prior to building

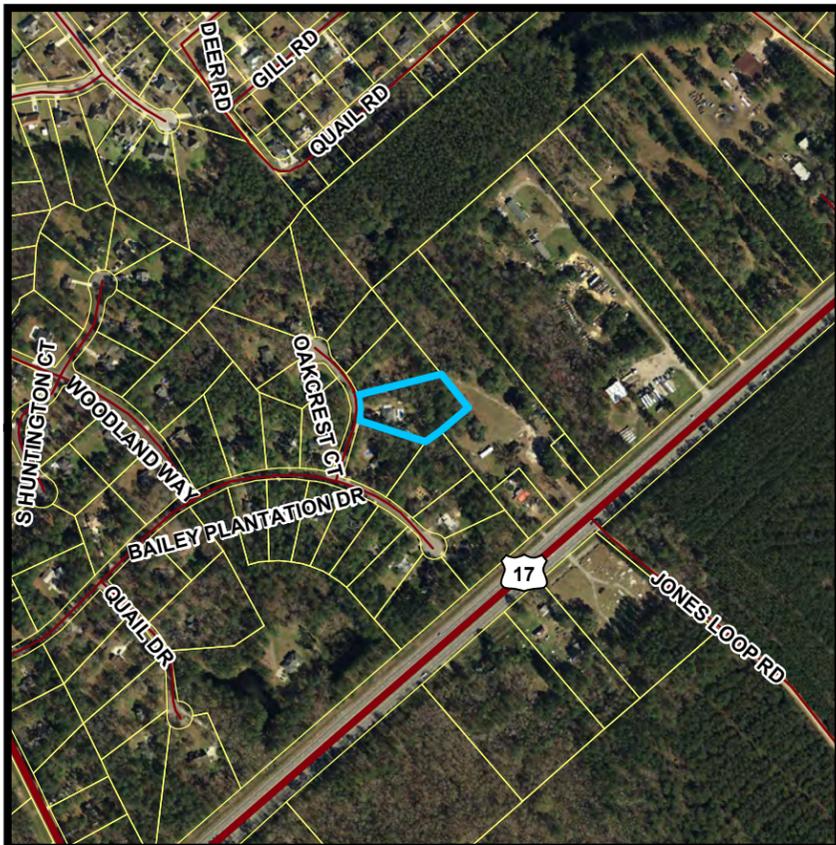
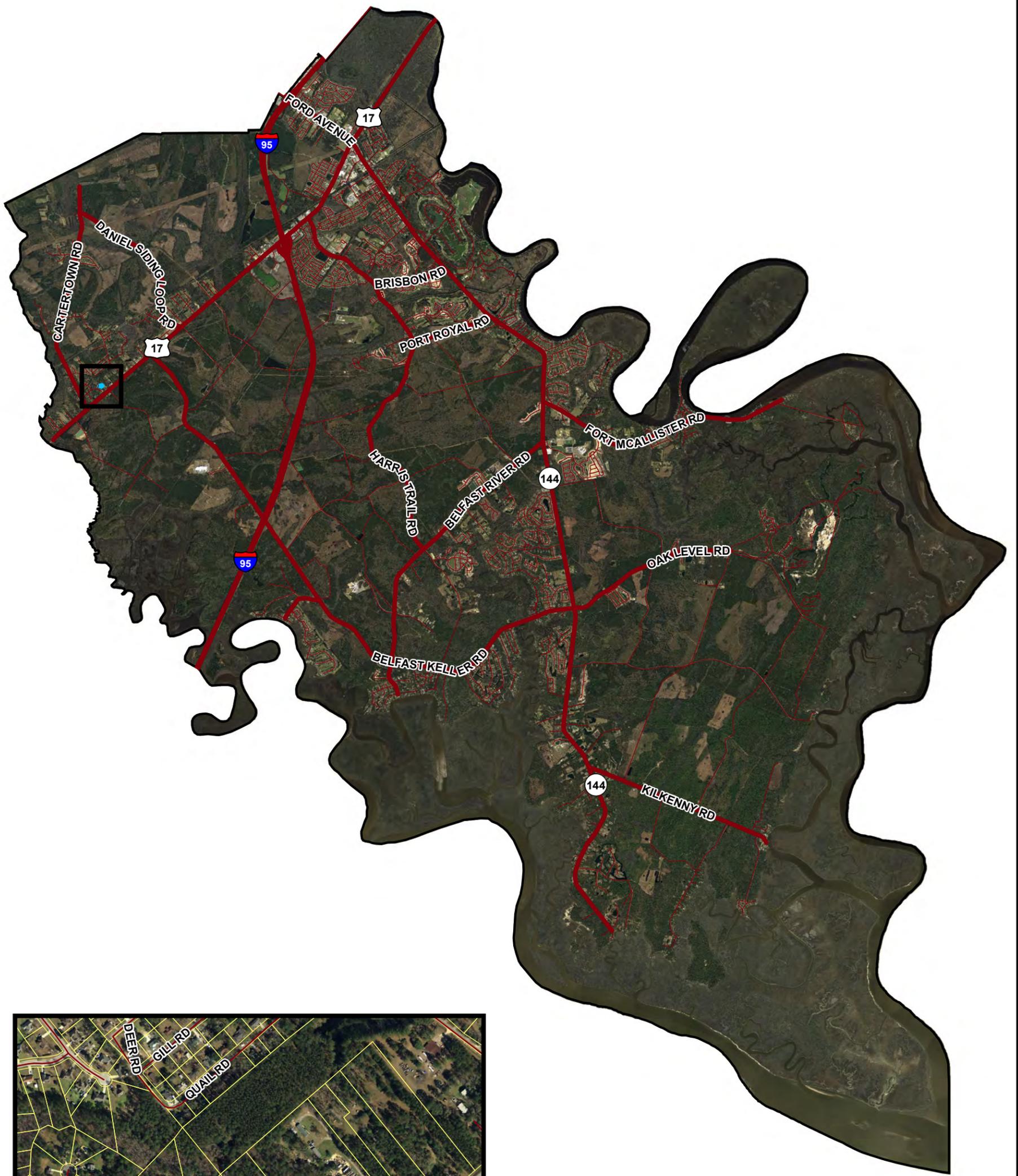
Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: *[Handwritten Signature]*

Date: 10/9/19

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 0422-088
- Surrounding Parcels

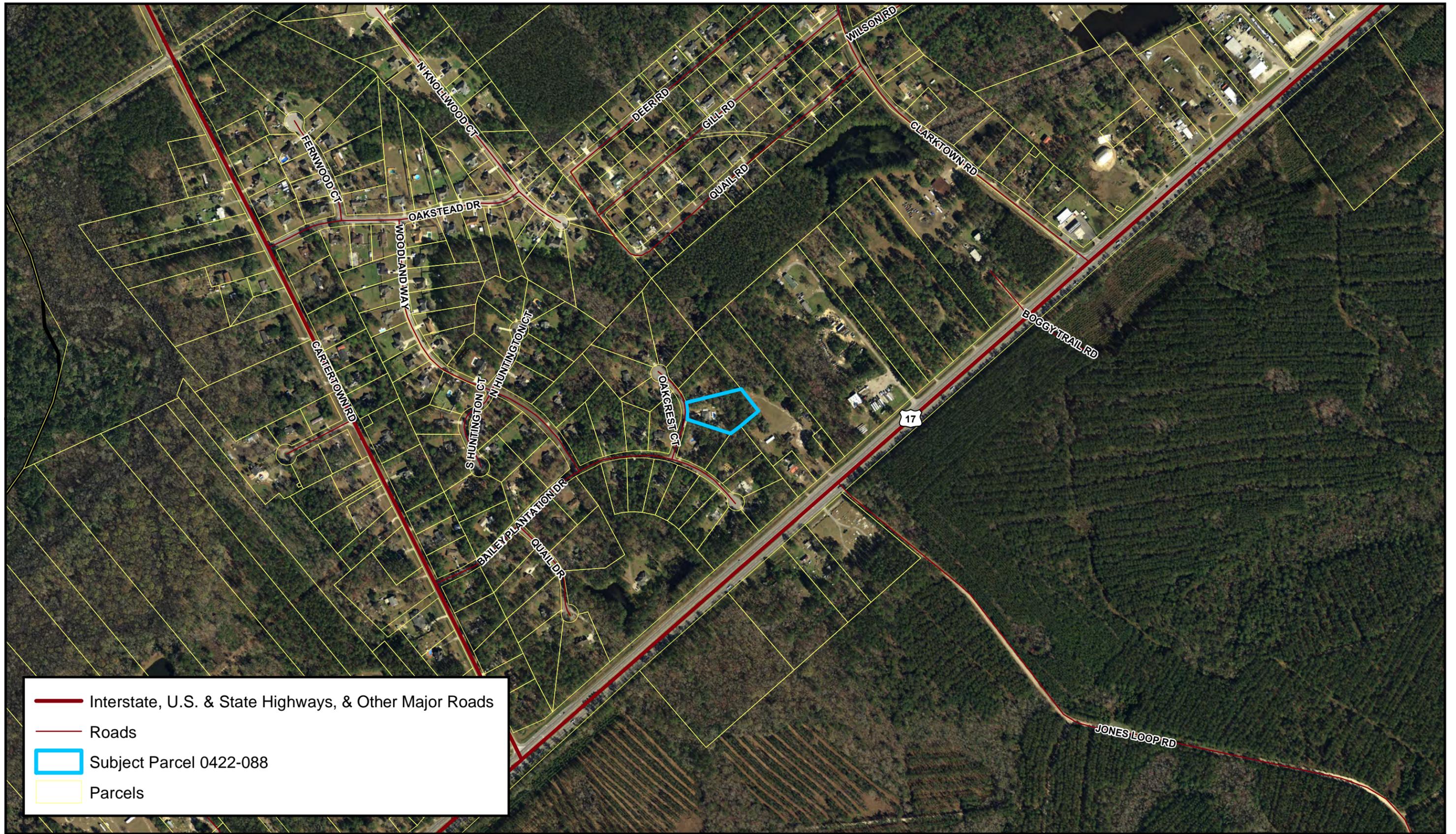


Produced by Bryan County GIS
October 2019



**Overview Map
Dale Adams
Case V# 338-19**

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 Pensacola 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 Pensacola assumes no responsibility or liability for modified data.

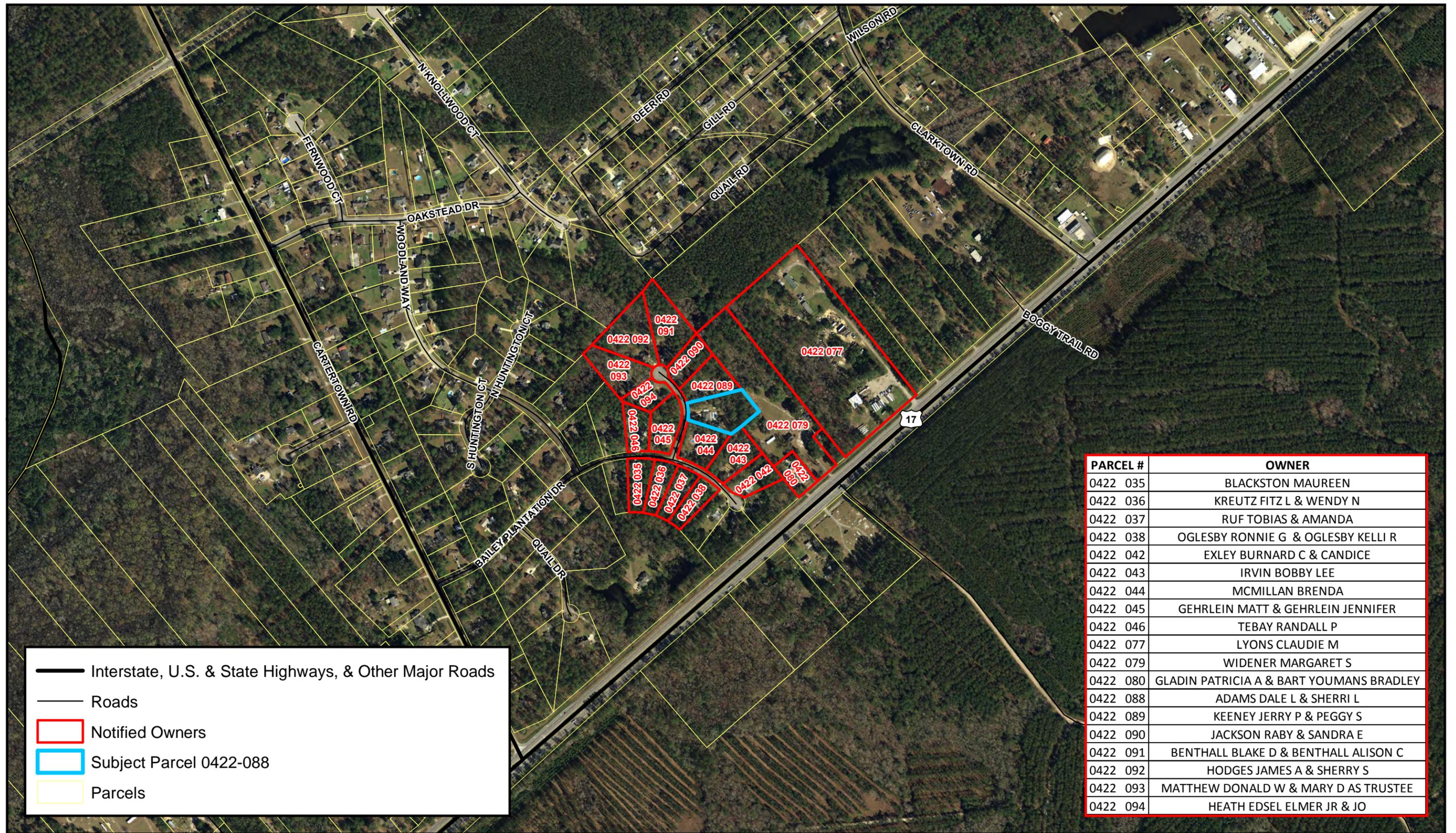


- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Subject Parcel 0422-088
- Parcels



Location Map
Dale Adams
Case V# 338-19

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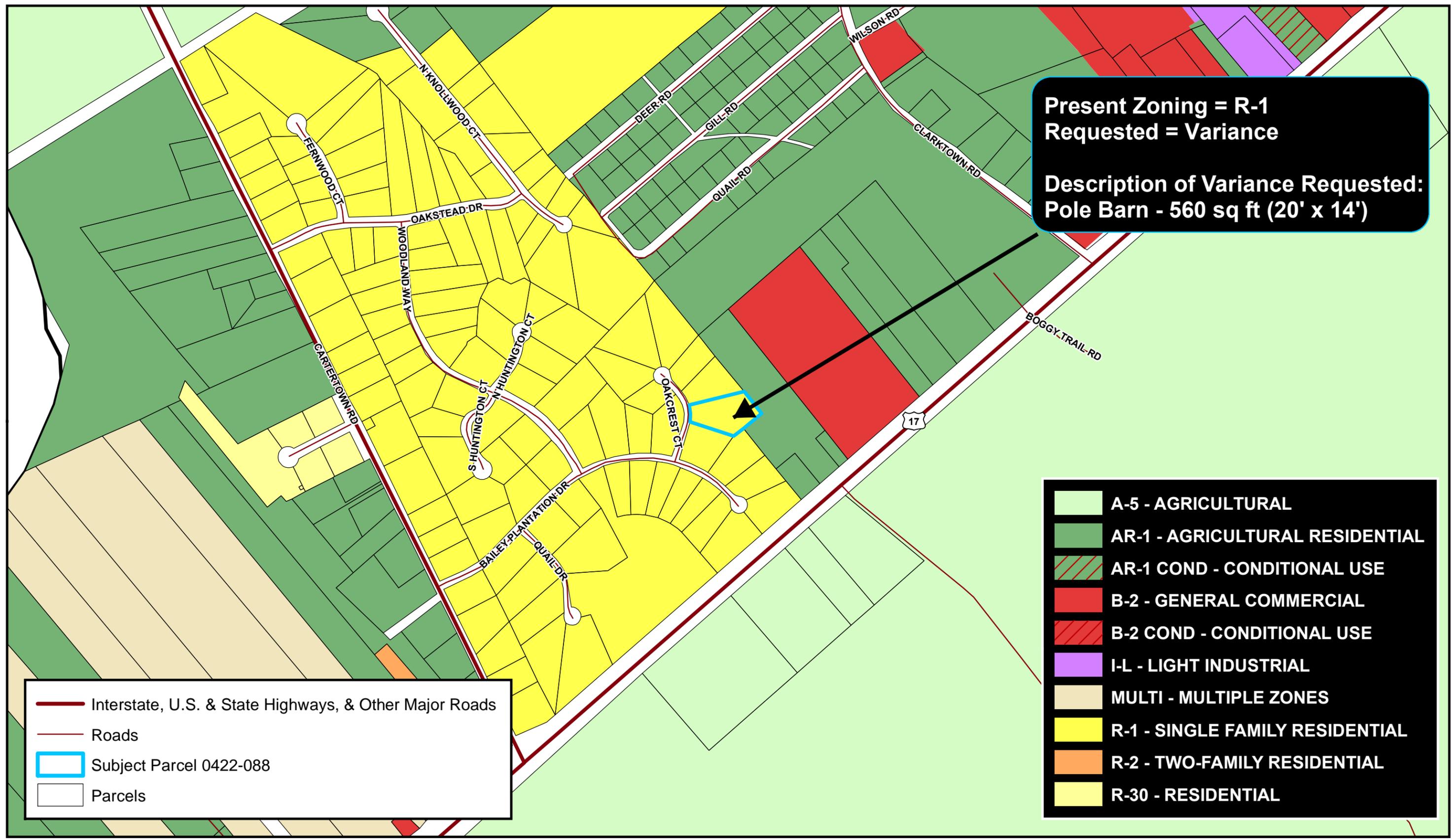
PARCEL #	OWNER
0422 035	BLACKSTON MAUREEN
0422 036	KREUTZ FITZ L & WENDY N
0422 037	RUF TOBIAS & AMANDA
0422 038	OGLESBY RONNIE G & OGLESBY KELLI R
0422 042	EXLEY BURNARD C & CANDICE
0422 043	IRVIN BOBBY LEE
0422 044	MCMILLAN BRENDA
0422 045	GEHRLEIN MATT & GEHRLEIN JENNIFER
0422 046	TEBAY RANDALL P
0422 077	LYONS CLAUDIE M
0422 079	WIDENER MARGARET S
0422 080	GLADIN PATRICIA A & BART YOUMANS BRADLEY
0422 088	ADAMS DALE L & SHERRI L
0422 089	KEENEY JERRY P & PEGGY S
0422 090	JACKSON RABY & SANDRA E
0422 091	BENTHALL BLAKE D & BENTHALL ALISON C
0422 092	HODGES JAMES A & SHERRY S
0422 093	MATTHEW DONALD W & MARY D AS TRUSTEE
0422 094	HEATH ESEL ELMER JR & JO

Interstate, U.S. & State Highways, & Other Major Roads
 Roads
 Notified Owners
 Subject Parcel 0422-088
 Parcels



Notification Map
Dale Adams
Case V# 338-19

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.



Present Zoning = R-1
Requested = Variance

Description of Variance Requested:
Pole Barn - 560 sq ft (20' x 14')

— Interstate, U.S. & State Highways, & Other Major Roads
 — Roads
 □ Subject Parcel 0422-088
 □ Parcels

□ A-5 - AGRICULTURAL
 □ AR-1 - AGRICULTURAL RESIDENTIAL
 □ AR-1 COND - CONDITIONAL USE
 □ B-2 - GENERAL COMMERCIAL
 □ B-2 COND - CONDITIONAL USE
 □ I-L - LIGHT INDUSTRIAL
 □ MULTI - MULTIPLE ZONES
 □ R-1 - SINGLE FAMILY RESIDENTIAL
 □ R-2 - TWO-FAMILY RESIDENTIAL
 □ R-30 - RESIDENTIAL



“D” Exhibits – Public Comment

None Received

BRYAN COUNTY PLANNING & ZONING COMMISSION

CASE Z#221-19

Public Hearing Date: November 5, 2019

REGARDING THE APPLICATION OF: Kimberly Blocker representing DK&D Ventures LLC, requesting the rezoning of 8466 Highway 280, parcel PIN# 0251 040, in unincorporated Bryan County, Georgia. The applicant is requesting a 0.959 acre portion of the property be rezoned "R-1", from its current "R-4" zoning.	Staff Report by Sara Farr-Newman Dated: October 29, 2019
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I. Application Summary

Requested Action: Public hearing and consideration of a rezoning map amendment for Bryan County. The application by Kimberly Blocker representing DK&D Ventures LLC, proposes to change the "R-4" Manufactured Housing Park District, zoning for a 0.959-acre portion of a 11.44-acre parcel, PIN# 0251 040, in unincorporated Bryan County, Georgia, to "R-1", Single Family Residential.

Applicant: Kimberly S. Blocker
DK&D Ventures LLC
PO Box 614
Black Creek, GA 31308

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
- Appendix B – Zoning, Article VI. – Amendments, Section 610. – Standards Governing the Exercise of Zoning Power ("standards"), Bryan County Code of Ordinances
- Appendix B - Zoning, Article XI. – Uses Permitted in Districts, Section 1105. – "R-1" Single Family Residential Districts Bryan County Code of Ordinances.

II. General Information

1. Application: A rezoning application was submitted by Kimberly Blocker representing DK&D Ventures LLC on September 30, 2019. After reviewing the application, the Director certified the application as being generally complete on September 30, 2019.

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

- A. Legal notice was published in the Bryan County News on **October 17, 2019**.
- B. Notice was sent to Surrounding Land Owners on **October 16, 2019**.
- C. The site was posted for Public Hearing on **October 21, 2019**.

3. Background: DK&D Ventures LLC currently owns two pieces of land adjacent to one another. 8466 Highway 280 is 10.220 acres (Tract 2) and is zoned "R-4". 8382 Highway 280 (Tract 1) is 1 acre and is zoned "R-1". The applicant plans to adjust the lot lines of Tract 1, which is currently an L-shape, to create a rectangular piece of property a total of 1.959 acres. The land proposed to be rezoned will be removed from Tract 2 and added to Tract 1 as shown on the attached plat of the proposed subdivision. Tract 2, known as Ken's Mobile Home Park, is currently zoned "R-4", so the applicant is requesting the rezoning of the approximately 0.959-acre piece being added to Tract 1 to "R-1" to match Tract 1's current "R-1" zoning prior to staff approving the lot line adjustment.

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

"A" Exhibits- Application:

- A-1 Rezoning Application
- A-2 Survey

"B" Exhibits- Agency Comments:

- B-1 Public Health Comments (10/9/19)
- B-2 Engineering Comments (10/8/19)
- B-3 Fire Chief Comments (10/11/19)

"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. Analysis Under Article VI - Amendments, Section 610. Standards Governing the Exercise of Zoning Power:

In considering any Zoning Map Reclassifications, the following Standards shall be considered, as they may be relevant to the application, by the Planning Director, Planning Commission and County Commission. Such considerations shall be based on the most intensive Uses and maximum density permitted in the requested Reclassification, unless limitations to be attached to the zoning action are requested by the applicant:

1. Whether the proposed reclassification is in conformance with the Comprehensive Plan;

Staff Findings: The Bryan County Comprehensive Plan’s Character Area and Future Land Use Map shows that future development in this area is suited for Community Crossroads, and recommends rezoning for the following zoning classifications: “BN”, “B-1”, and overlay districts. This rezoning does not conform to this future land use and goals; however, this rezoning does not significantly change the zoning of the area and maintains the residential character that currently exists for these properties.

2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this Ordinance.

Staff Findings: Rezoning the parcel, as requested, is in keeping with the overall zoning scheme, despite not being in conformance with the Future Land Use Map. The surrounding parcels are a variety of zonings, including “AR-1”, “B-1”, and “B-2”. Rezoning this small portion of property would simply enlarge the existing “R-1” parcel and avoid having multiple zonings on one piece of property. It would not create an additional “R-1” lot and would maintain clarity with the zoning.

3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one (1) mile of the subject Lot;

Staff Findings: The proposed reclassification to “R-1”, Single Family Residential, would be compatible with the overall character and land use pattern. This rezoning is simply to ensure the entire parcel is zoned “R-1” with the lot line adjustment. It would not impact the overall character or land use pattern as it would not allow additional development in the area.

4. The adequacy of public facilities and services intended to serve the Lot proposed to be reclassified, including but not limited to: roads, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services;

Staff Findings: The rezoning will not impact any public facilities or services as it is for a small portion of property being added to the existing "R-1" parcel.

5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.

Staff Findings: There are no known archeological, historical, or cultural resources, which will be impacted by the proposed reclassification.

6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby Lots or the preservation of the integrity of any adjacent neighborhoods;

Staff Findings: The rezoning is unlikely to adversely affect the existing uses or usability of adjacent lots or neighborhoods as it will maintain the character of the existing land use.

7. Whether the proposed reclassification could adversely affect market values of nearby Lots;

Staff Findings: No evidence or research has been presented either in support of or in opposition to this request, which would suggest that the proposed use will or will not adversely affect the market values of nearby lots.

8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to: Schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the County or Board of Education to provide;

Staff Findings: The proposed use should have limited impact on public services.

9. Whether there are other existing or changing conditions affecting the use and development of the Lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification;

Staff Findings: The rezoning is being requested due to a lot line adjustment to create consistent zoning on the parcel.

10. The existing Uses and zoning of nearby Lots;

Staff Findings: Nearby lots have a variety of zonings including “B-2”, “B-1”, and “AR-1”. The uses include single family residences, self-storage facilities, and commercial businesses.

11. The extent to which the value of the Lot proposed to be reclassified is diminished by its existing zoning restrictions;

Staff Findings: The rezoning is being requested for a portion of property being added to an existing “R-1” lot, so this criterion is not applicable; however not rezoning this portion would result in a lot with multiple zoning districts.

12. The extent that any diminished property value of the Lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public;

Staff Findings: This standard is not applicable due to the rezoning being for a small portion of property to create consistent zoning.

13. The relative gain to the public, as compared to the hardship imposed upon Petitioner, by the existing zoning restrictions.

Staff Findings: The petitioner’s goal is to create a consistent zoning on the parcel, which is already developed with a single family home, so there is no gain to the public not to approve the rezoning.

14. The suitability of the Lot proposed to be reclassified for its current and proposed zoned purposes; and

Staff Findings: A portion of property currently zoned “R-4”, approximately 0.959 acres, is being added to the adjacent “R-1” zoned property. The rezoning is being requested so the entire property will be zoned “R-1” once combined. The 0.959 acres proposed for rezoning, is suitable for the current zoned purposes only if it were to remain with the current lot; however, since it is proposed to be combined with the adjacent parcel, it is more suitable for “R-1” zoning.

15. The length of time the Lot proposed to be reclassified has been non-income producing as zoned.

Staff Findings: The lot is currently developed with a single family home and is not income producing. This is not proposed to change.

16. Whether the proposed reclassification would create an isolated District unrelated to adjacent and nearby Districts;

Staff Findings: The proposed reclassification would not create an isolated district.

17. Whether there are substantial reasons why the Lot cannot be used in accordance with this existing zoning classification;

Staff Findings: If the property is not approved to be rezoned, the applicant will not be permitted to adjust the lot line as the portion of property would not meet the standards for "R-4" zoning and would create a lot with multiple zoning districts.

18. Applications for a Zoning Map Reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

Staff Findings: The applicant has submitted a proposed plat.

IV. Staff Recommendation

Staff recommends approving the rezoning from "R-4" to "R-1", for the .959 acre portion, because it meets the standards for rezoning.

V. Planning and Zoning Commission 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/conditions, or it may recommend that the amendment be denied.

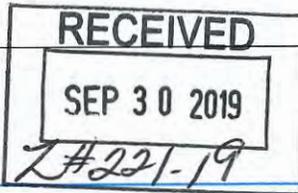
The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **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/conditions/denial of the proposed amendment.

“A” Exhibits – Application

Bryan County
Board of Commissioners

Community Development Department



"Exhibit A-1"



REZONING APPLICATION

Refer to Article VI of the Zoning Regulations for additional information regarding text and zoning map amendments.

FEE

Application Fee: \$165.00

APPLICANT/OWNER INFORMATION

Applicant:

- Property Owner
- Authorized Agent

Applicant Name: Kimberly S. Blocker Mgr DK&D Ventures LLC
 Address: P.O. Box 614 8382 US Hwy 280 E
 City: Black Creek State: GA Zip: 31308
 Phone: 912-682-0830 Email: ksblocker614@yahoo.com

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

PROPERTY INFORMATION

Property Address or General Location: 8382 US Hwy 280 E Black Creek GA 31308
 PIN Number(s) (Map & Parcel): 0251-040-01 Total Acreage: 1.239
 Current Zoning District(s): R-1 + R-4 Proposed Zoning District(s): R-1
(small portion is zoned R-4) (small portion of acreage is R-4)

Existing Use of Property: Residence
 Proposed Use of Property: Residence

FOR OFFICE USE ONLY

Case #: Z# 221-19 Date Received: 9-30-19 Fee Paid Initial: [Signature]

REZONING REVIEW AND TIMING

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

Completeness Review	<u>5</u> business days after Application Submittal
Development Review Committee	Within <u>30</u> days of following Completeness Certification
Planning & Zoning (P&Z) Commission Public Hearing	<u>30-60</u> days following Development Review Committee
Board of Commissioners (BOC) Public Hearing	Within <u>31</u> days following public hearing

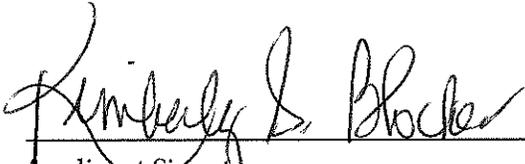
MAP AMENDMENT APPLICATION CHECKLIST

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 ✓
- Disclosure Statement ✓
- Written impact analysis prepared with respect to each of the standards enumerated on Page 3 of this application form. This analysis is required for all reclassifications to PUD, I-1, WP, I-L, B-2, R-3, R-4 and WB-3; and all other reclassifications of lots at least 20 acres in size in the AR 1.5, R-30, R-1, R-2, B-1, O and WB-2. ✓
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed concept plan
- Traffic Impact Analysis – Required for proposed uses generating more than 1,000 average daily trips or will concentrate 300 or more average daily trips per day through a single access point
- Traffic Design Analysis – Required for proposed uses that do not meet the threshold for a Traffic Impact Analysis but will generate 200 or more average daily trips

APPLICANT CERTIFICATION AND ACKNOWLEDGMENT

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

9-30-19
Date

REZONING STANDARDS

The standards below shall be considered for any rezoning request. The required impact analysis should be prepared on a separate sheet(s) of paper.

1. Whether the proposed reclassification is in conformance with the comprehensive plan.
2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this ordinance.
3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one mile of the subject lot.
4. The adequacy of public facilities and services intended to serve the lot proposed to be reclassified, including, but not limited to, roads, parks, and recreational facilities, police and fire protections, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services.
5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.
6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby lots or the preservation of the integrity of a [any] adjacent neighborhoods.
7. Whether the proposed reclassification could adversely affect market values of nearby lots.
8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to, schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the county or board of education to provide.

9. Whether there are other existing or changing conditions affecting the use and development of the lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification.
10. The existing uses and zoning of nearby lots.
11. The extent to which the value of the lot proposed to be reclassified is diminished by its existing zoning restrictions.
12. The extent that any diminished property value of the lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public.
13. The relative gain to the public, as compared to the hardship imposed upon petitioner, by the existing zoning restrictions.
14. The suitability of the lot proposed to be reclassified for its current and proposed zoned purposes.
15. The length of time the lot proposed to be reclassified has been non-income producing as zoned.
16. Whether the proposed reclassification would create an isolated district unrelated to adjacent and nearby districts.
17. Whether there are substantial reasons why the lot cannot be used in accordance with this existing zoning classification.
18. Applications for a zoning map reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

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
 Richmonnd Hill, GA 31324
 Phone: 912-756-3177
 Fax: 912-756-7951

FOR OFFICE USE ONLY

Completeness Crt'd: 9/30/19 SEF DRC Meeting Date: _____ P&Z Hearing Date: 11/5/19
 BOC Hearing Date: 11/12/19

Bryan County
Board of Commissioners

Community Development Department



AUTHORIZATION OF PROPERTY OWNER

DK+D Ventures, LLC
I, Kimberly S. Blocker, 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 Rezoning 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: Kimberly S. Blocker, Manager, DK+D Ventures, LLC

Address: P.O. Box 614 8382 U S Hwy 280 E

City: Black Creek State: GA Zip Code: 31308

Telephone Number: 912-2682-0830 Email: ksblocker614@yahoo.com

Kimberly S. Blocker
Signature of Owner

9-30-19
Date

Kimberly S. Blocker
Owners Name (Print)

Personally appeared before me

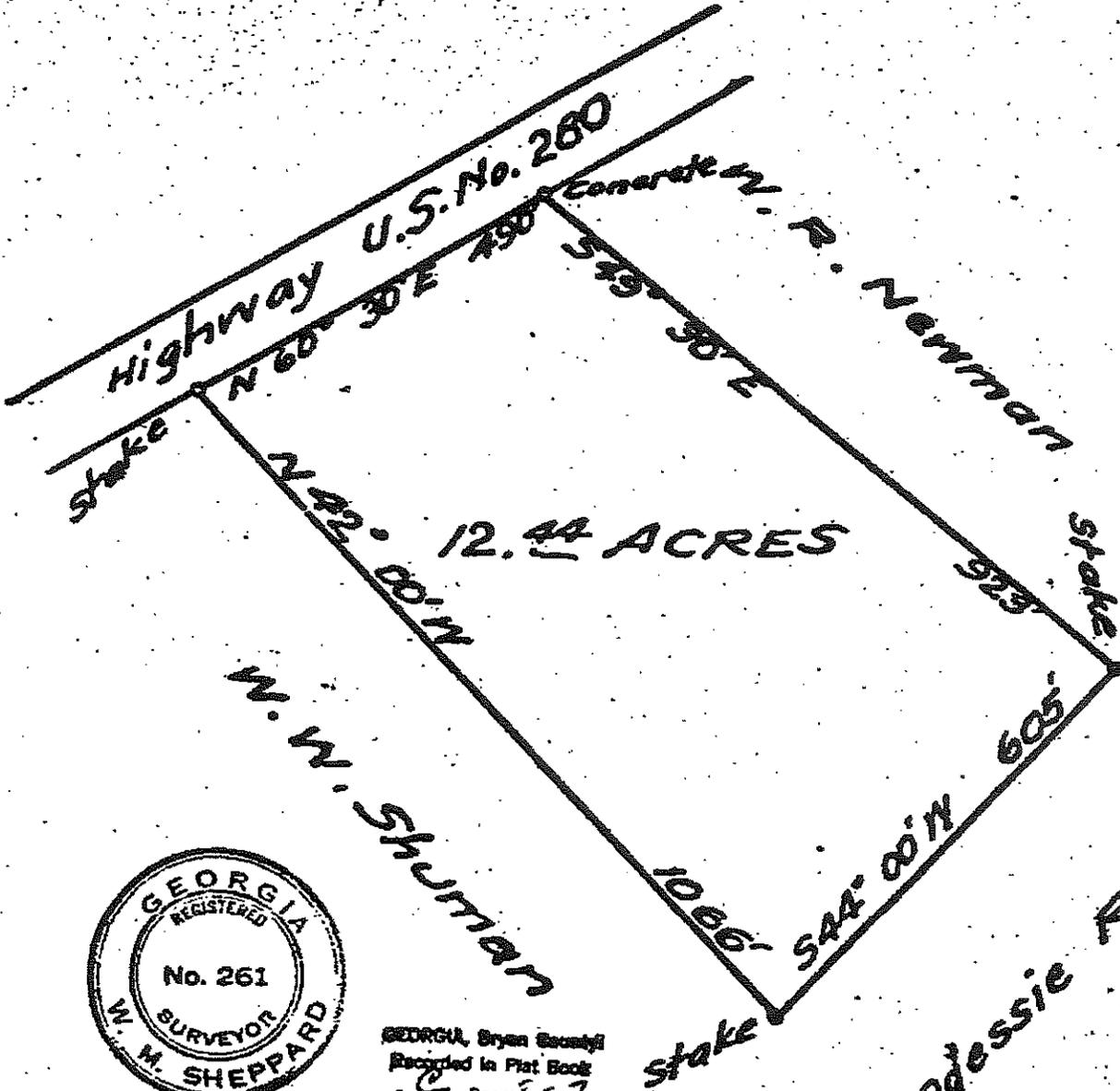
Kimberly S. Blocker
Owner (Print)

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 Sept 2019

[Signature]
Notary Public





GEORGIA, Bryan County
 Recorded in Plat Book
 Page 12
 DATE 1/9/64
 W. M. Sheppard
 Clerk Sup. Court

Scale: 1 Inch = 200 Feet

GEORGIA
 1380 G.M.D.
 BRYAN COUNTY

PLAT OF LAND
 Surveyed for
 KENNETH D. SHUMAN

January 9, 1964.

W. M. Sheppard
 Surveyor
 Cert. No. 261.

Bryan County
Board of Commissioners

Community Development Department



VERIFICATION OF PAID TAXES

The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

0251-040-01

Parcel Identification Number

Kimberly S. Blaker

Signature of Applicant

9-30-19

Date

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Name: *Amanda Smoyer*

Title: *tax/tag/title clerk*

Signature: *[Signature]*

Date: *9/30/19*

IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home: _____ Make _____
_____ Model _____
_____ Year _____
_____ Serial # _____

_____ The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____

Date: _____

FMUMFB
FMUMFB01

CARROL ANN COLEMAN BRYAN COUNTY TAX COMM
Clerk JS1 Date 2019 08 29 Sequence 101505

8/29/19
10:15:15

Bill Number . . .	2018 005284 Acct	15476R18	Fair Mkt Val	137,930
Taxpayer Name . .	DK & VENTURES LLC		Bill Date	2018 08 24
Additional Name .			Due Date	2018 11 15
Address Line 1 .			H/S Code	LC
Address Line 2 .	P O BOX 614		Lender Code	
City ST Zip 4 . .	ELLABELL	GA 31308	Under Appeal	
Loctn/Desc . . .	1380GMD 3-L-289	01/13/64 PBC:3	Bankruptcy	
Map Blk Par Sub .	0251 040 01	Dist 03	Check Notes	
Original Bill	Adj & Charges	Payments	Descriptions	This Tran
463.24		463.24-	Taxes	
	12.35	12.35-	Assessment Pen	
			Interest	
			Costs	
			Late Penalty	
463.24	12.35	475.59-	Other Penalty	
			TOTALS	
		Last T/A Date	Payment/Adjust	(P/A) P
		PP 2019 03 01	Reason Code	(F13) 00

Email Address:

F1=Options

F3=Return

F4=Delete

F8=Adj to Total

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.

Kimberly S. Blocker

Signature of Applicant

Personally appeared before me

Kimberly S. Blocker

Applicant (Print)

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

This 30th day of Sept 2019

[Signature]

Notary Public



September 30, 2019

Impact Analysis of Requested Reclassification of Zoning of
8382 U S Hwy 20 E, Black Creek, GA 31308

This rezoning application is for property located at 8382 U S Highway 280 E, Black Creek, GA 31308. A new survey of this property has been completed increasing the acreage from 1.0 acres to 1.239 acres. A small portion of this newly added acreage is currently zoned R-4. The purpose of this request for rezoning is to change the portion that is currently zoned R-4 to R-1, thereby making the entire acreage (1.239) zoned as R-1.

This request is in conformance with the comprehensive plan, improves the overall zoning scheme, and helps carry out the purposes of this ordinance since the entire acreage (1.239) will be zoned the same: R-1.

Re-classing the entire 1.239 acres to R-1 is compatible with and positively impacts the overall character and land use pattern of the area. There are adequate public facilities and services available to service the lot proposed to be reclassified.

This reclassification will not adversely affect any known archaeological, historical, cultural, or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion, or sedimentation of flooding.

This reclassification will not adversely affect the existing uses of adjacent or nearby lots and it will not adversely affect the preservation of the integrity of any adjacent neighborhoods.

The proposed reclassification will not adversely affect the market values of nearby lots.

The proposed reclassification will not require an increase in the existing levels of public services of any kind.

There are no other existing or changing conditions affecting the use and development of the lot proposed to be reclassified that would give supporting grounds for disapproval of the proposed reclassification. Approving the reclassification would ensure the lot is zoned one way – as residential R-1, which would be uniform and enhance the reasoning for approval of the proposed reclassification.

The existing use of the adjoining property is R-4 and is currently used as a mobile home park.

The value of the existing lot which is currently zoned R-1 for approximately 1.0 acres and zoned R-4 for approximately .239 acres will be enhanced by rezoning to a complete 1.239 acres R-1 lot and thereby would increase the marketability.

Having a uniform lot zoned completely as R-1 is more esthetically pleasing to the public, instead of having a portion zoned as R-4 and unable to utilize this portion for which it is zoned – since the R-4 portion is only approximately .239 acres.

As petitioner, although we do not have the desire to utilize any portion of this 1.239 acres lot for anything other than R-1 residential, the hardship in making the change to completely R-1 is only the time involved, but the gain to the public is uniformity in the lot zoning.

Since the majority of the lot is currently R-1, we would like to request the additional acreage added by the new survey be zoned as R-1 instead of R-4.

This property was purchased in 1964. This particular acreage has never been income producing.

This proposed reclassification will not create an isolated district unrelated to adjacent and nearby districts.

As the .239 acre added to the existing 1.0 acre according to the new survey surrounds two sides of the existing acre and is not wide enough to use as its current zoning of R-4. Since we do not want to utilize the R-4 zoning in any way on the 1.239 acres, we request the zoning be made R-1 for the entire 1.239 acres.

We appreciate your taking the time to consider this rezoning request.

Before New Survey



Overview



Legend

-  Parcels
-  Roads
-  Fort Stewart

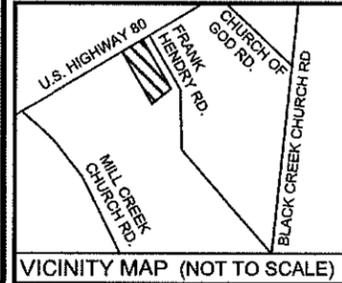
Parcel ID	025104001	Owner	DK & VENTURES LLC	Last 2 Sales			
Class Code	Residential		P O BOX 614	Date	Price	Reason	Qual
Taxing District	County Unincorporated		ELLABELL GA 31308	7/18/2006	0	QC	U
	County Unincorporated	Physical Address	8382 E HWY 280	1/1/1964	0	UQ	U
Acres	1	Assessed Value	Value \$136930				

(Note: Not to be used on legal documents)

Date created: 9/30/2019
 Last Data Uploaded: 9/30/2019 6:27:46 AM

Developed by  **Schneider**
 GEOSPATIAL

LINE	BEARING	HORIZ DIST
L1	N59°18'01"E	224.54'
L2	N59°18'01"E	265.28'
L3	N58°59'54"E	116.45'
L4	S46°54'37"W	182.35'



ZONED:
R-1
R-4

BUILDING SET BACKS:
FRONT = 45'
SIDES = 15'
REAR = 35'

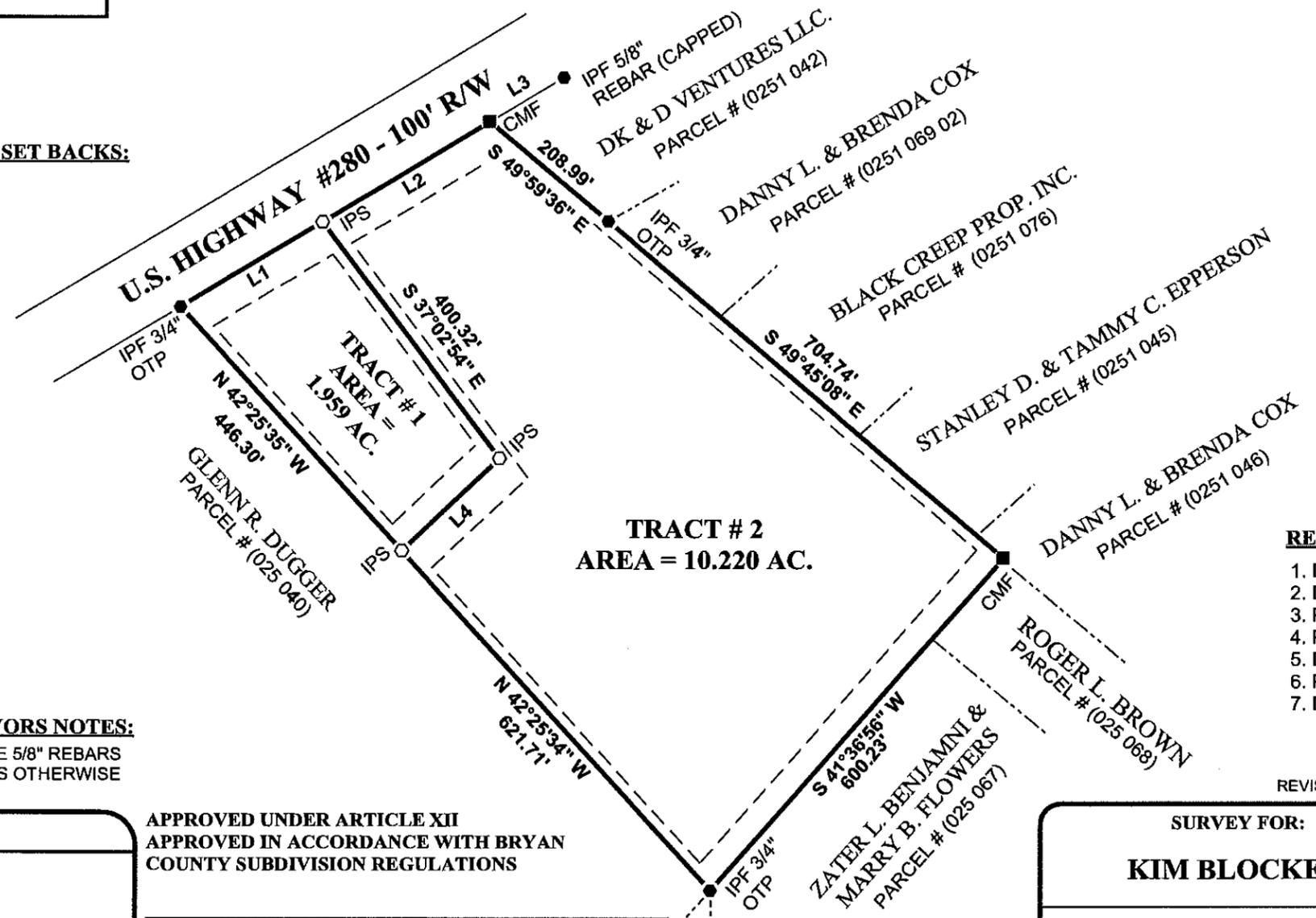
**MINOR SUBDIVISION OF 12.177 ACRES
BEING SUBDIVIDED INTO TWO LOTS
LOCATED IN THE 1380th G.M. DISTRICT
OF BRYAN COUNTY, GEORGIA**



RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON - ES TOTAL STATION, SOKKIA GRX2, AND A TESLA DATA COLLECTOR.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. "TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978".
5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67) IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN. THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT A EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE

SURVEYORS NOTES:
1. IPS ARE 5/8" REBAR UNLESS OTHERWISE NOTED



- REFERENCES:**
1. DB 653 PG 4
 2. DB 51 PG 414
 3. PL BK 576 PG 6A
 4. PL BK 482 PG 10
 5. DB 655 PG 528
 6. PL BK G-2 PG 74
 7. DB 5R PG 58

SURVEYOR CERTIFICATION

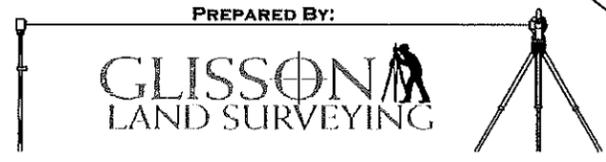
AS REQUIRED BY SUBSECTION (d) OF O.C.C.A. SECTION OF 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.C.A. SECTION 15-6-67

William Mark Glisson 10/28/2019
WILLIAM MARK GLISSON RLS #3316 DATE
 200' 0 200' 400'
 GRAPHIC SCALE 1" = 200'



APPROVED UNDER ARTICLE XII
APPROVED IN ACCORDANCE WITH BRYAN
COUNTY SUBDIVISION REGULATIONS

PLANNING DIRECTOR _____ DATE _____
 911 ADDRESS DIRECTOR _____ DATE _____



PREPARED BY:
WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR
 GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964
 377 TUCKER ROAD, CLAXTON, GEORGIA 30417
 RINCON: (912) 826 - 5283 CLAXTON: (912) 282 - 7052
 WMGLISSON@BELLSOUTH.NET

DEVIN S. & JUSTIN CAMERON
 PARCEL # (025 053)

REVISED 10/28/2019

SURVEY FOR:	
KIM BLOCKER	
COUNTY: BRYAN	STATE: GEORGIA
GMD: 1380 TH	SUBD:
DATE: 09/09/2019	SCALE: 1" = 200'
FILE NUMBER: 19305	
TOTAL AREA: = 12.177 AC. LOT:	
FIELD SURVEY DATE: 08/31/2019	

“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 # Z#221-19

Zoning Request: Rezone from R-4 to R-1 for the use of a residence.

Filed by: Kimberly Blocker, Mgr for DK& D Ventures, LLC

Owners: DK& D Ventures, LLC

Property address: 8382 Highway 280 E, Black Creek

Map and Parcel # 0251-040-01

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019.

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: No comments if the lot currently exists.

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: Kate D. Cooper Date: 10-8-19



**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
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Property address: 8382 Highway 280 E, Black Creek

Map and Parcel # 0251-040-01

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019 .

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019 .

Comments: No Issues!

Engineering Director **Fire Chief** **County Health Director**

Public Works Director **Bryan County Schools (optional)**

Signature: *[Handwritten Signature]* **Date:** _____

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 0251-040-01
- Surrounding Parcels



Produced by Bryan County GIS
October 2019



Overview Map
Kimberly S. Blocker, Mgr DK & D Ventures LLC
Case Z# 221-19

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.



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 0251-040-01
- Parcels

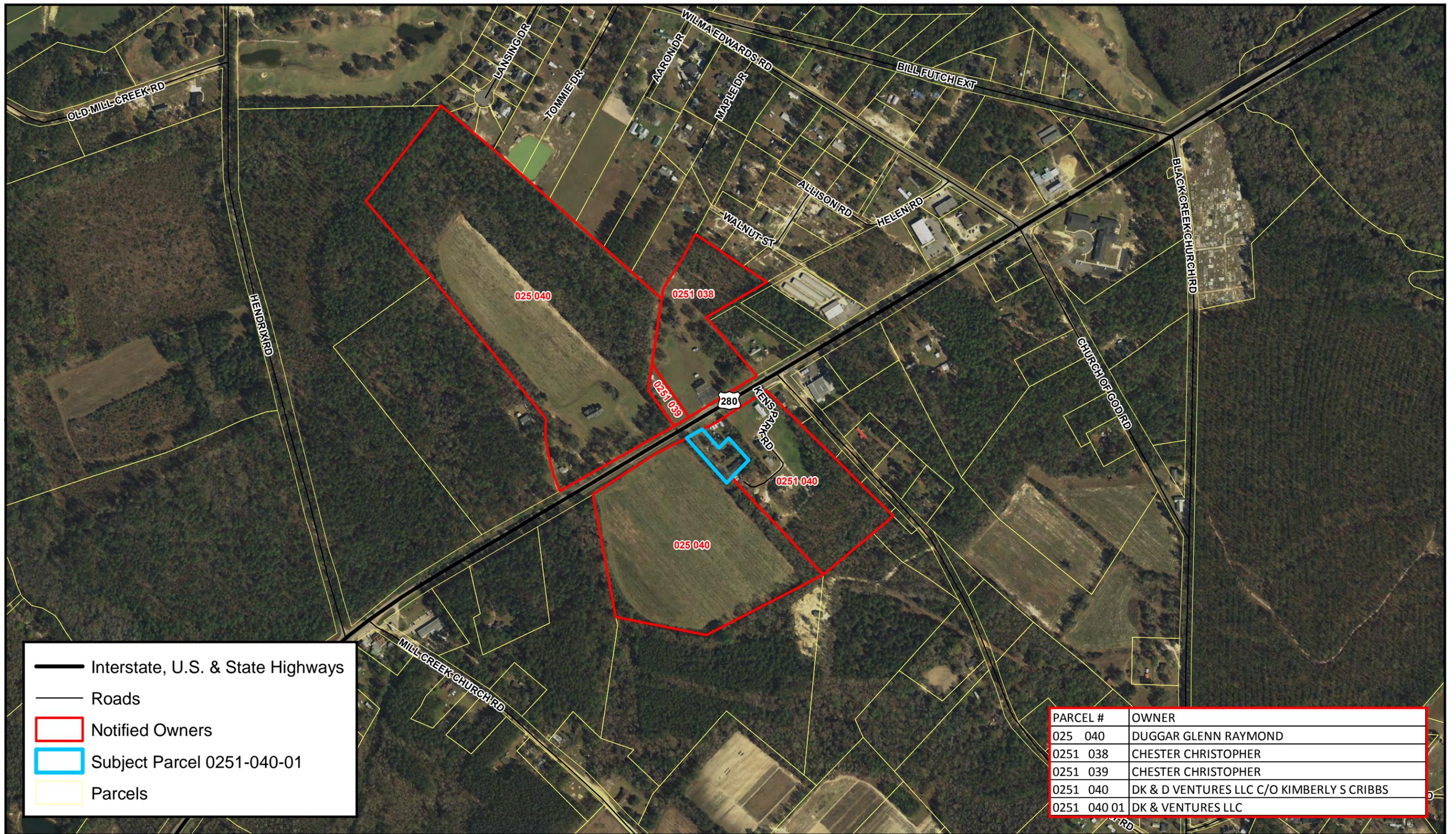


Produced by Bryan County GIS
October 2019



Location Map
Kimberly S. Blocker, Mgr DK & D Ventures LLC
Case Z# 221-19

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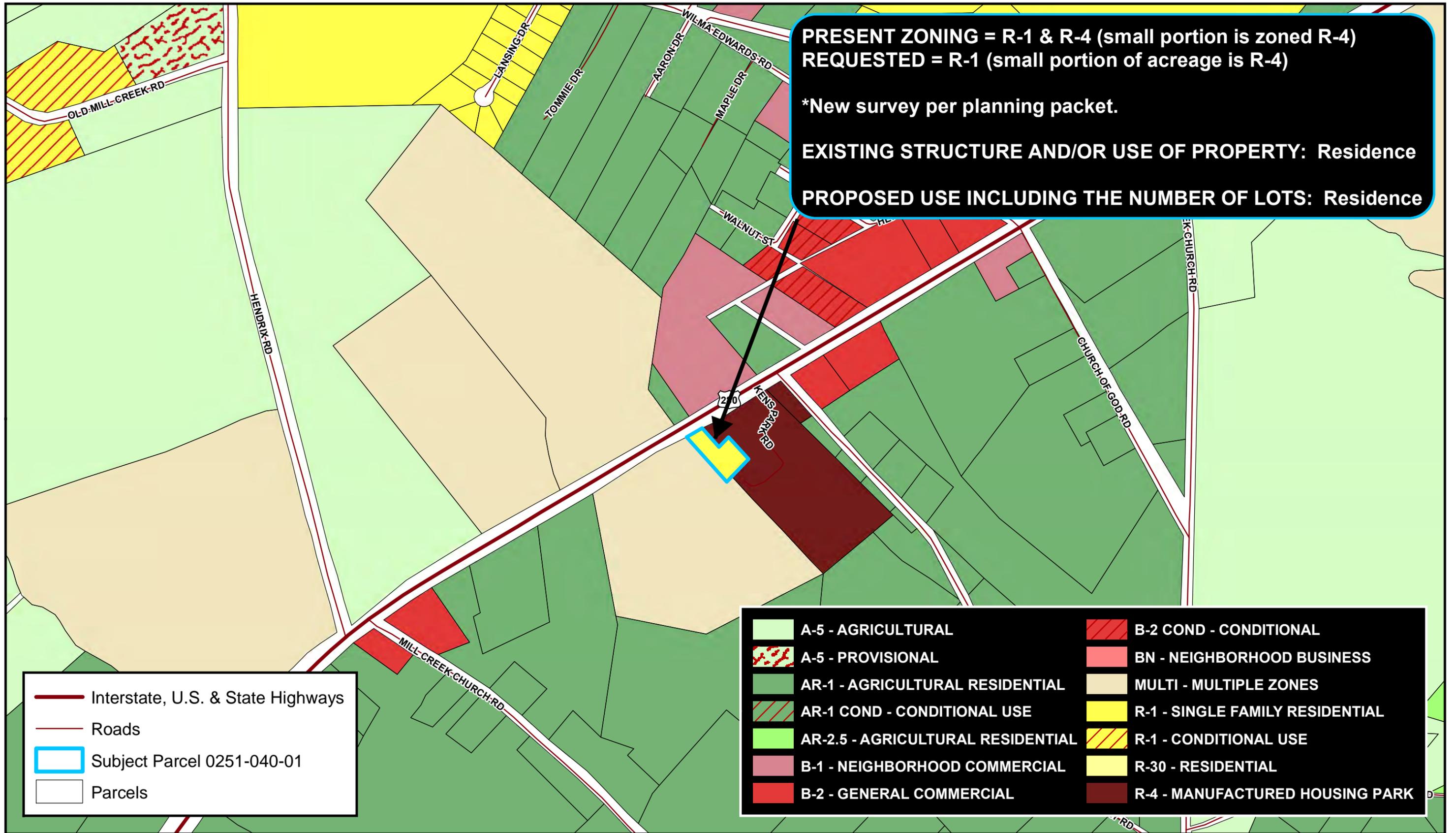
— Interstate, U.S. & State Highways
 — Roads
 Notified Owners
 Subject Parcel 0251-040-01
 Parcels

PARCEL #	OWNER
025 040	DUGGAR GLENN RAYMOND
0251 038	CHESTER CHRISTOPHER
0251 039	CHESTER CHRISTOPHER
0251 040	DK & D VENTURES LLC C/O KIMBERLY S CRIBBS
0251 040 01	DK & VENTURES LLC



Notification Map
Kimberly S. Blocker, Mgr DK & D Ventures LLC
Case Z# 221-19

DISCLAIMER
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“D” Exhibits – Public Comment

None Received

BRYAN COUNTY PLANNING & ZONING COMMISSION

CASE Z#222-19

Public Hearing Date: November 5, 2019

REGARDING THE APPLICATION OF: Billy and Leo Schwarz Jr., requesting the rezoning of 3446 Hwy 204, PIN# 031-040, in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned "B-2", General Commercial, from its current "B-1", Conditional zoning.	Staff Report By: Amanda Clement Dated: October 29, 2019
---	---

I. Application Summary

Requested Action: Public hearing and consideration of a rezoning map amendment for Bryan County. The application by Billy W Schwarz and Leo V Schwarz Jr., proposes to change the "B-1" Neighborhood Commercial District zoning for the property located at 3446 Hwy 204, PIN# 031 040, in unincorporated Bryan County, to "B-2" General Commercial District.

Applicant: Billy W Schwarz & Leo V Schwarz Jr.
3446 Highway 204
Ellabell, GA 31308

Representative: Buddy Howard
1079 Homestead Drive
Ellabell, GA 31308

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
- Appendix B - Zoning, Article VI. – Amendments, Section 610. – Standards Governing the Exercise of Zoning Power ("standards"), Bryan County Code of Ordinances
- Appendix B - Zoning, Article XI. – Uses Permitted in Districts, Section 1111. – "B-2" General Commercial Districts, Bryan County Code of Ordinances

II. General Information

1. Application: A rezoning application was submitted by Billy W. Schwarz and Leo V. Schwarz, Jr. on October 4, 2019. After reviewing the application, the Director certified the application as being generally complete on October 4, 2019.

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

A. Legal notice was published in the Bryan County News on **October 17, 2019**.

B. Notice was sent to Surrounding Land Owners on **October 21, 2019**.

C. The site was posted for Public Hearing on **October 21, 2019**.

3. Background:

The subject property is located on the south side of Highway 204, between its intersection with Black Creek Church Road and Clarence Smith Road. This site is approximately 2.5 acres in size and is developed with a manufactured home, a 3,750 square foot storage building, and other accessory structures. The applicant proposes a rezoning to “B-2” General Commercial District to allow for a church. The application materials further state that the church consists of approximately 20 members and that they will use the existing building.

County GIS data reflects this property as being zoned “B-1”, Conditional; yet a record of the “B-1” approval cannot be located to determine the permitted conditional use of the property.

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

“A” Exhibits- Application:

A-1 Rezoning Application

“B” Exhibits- Agency Comments:

B-1 Engineering Comments (dated 10-8-19)

B-2 Public Health Comments (dated 10-9-19)

“C” Exhibits- Bryan County Supplements

C-1 Overview Map

C-2 Location Map

C-3 Notification Map

“D” Exhibits- Public Comment:

None

III. Analysis Under Article VI. - Amendments, Section 610. - Standards Governing the Exercise of Zoning Power:

In considering any Zoning Map Reclassifications, the following Standards shall be considered, as they may be relevant to the application, by the Planning Director, Planning Commission and County Commission. Such considerations shall be based on the most intensive uses and maximum density permitted in the requested reclassification, unless limitations to be attached to the zoning action are requested by the applicant:

1. Whether the proposed reclassification is in conformance with the Comprehensive Plan.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of North Bryan County shows that future development for the subject site is Agricultural Low Density Residential with appropriate neighborhood commercial uses being concentrated within the Community Crossroads commercial node located between the intersections of Highway 204/Black Creek Church Road and Highway 204/Wade Carter Road. Where appropriate, neighborhood commercial uses within the Community Crossroads commercial node are limited to small-scale commercial and retail uses as provided for under the “BN” and/or “B-1” zoning districts.

2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this Ordinance.

Staff Findings: The intent of the “B-2” zoning district is to provide locations for large countywide businesses that generate larger traffic volumes, and generally require sufficient access to major highways/intersections. Rezoning the subject parcel to “B-2” would not improve the overall zoning scheme as the current scheme and proposed Future Land Use Map encourages commercial development to remain within the Community Crossroads node in order to prevent commercial sprawl along the Highway 204 corridor.

3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one (1) mile of the subject Lot.

Staff Findings: Within one (1) mile of the site is the intersection of Highway 204 and Black Creek Church Road, which has developed into a commercial intersection with the Zip N Food Store, zoned “B-2”, and a new Dollar General, zoned “B-2”. Other commercially zoned properties contiguous to this intersection extend along the east side of Black Creek Church Road north of this intersection and along the north side of Highway 204 east of this intersection. In addition to these, there are a few isolated and sporadically zoned commercial districts in the area.

These lots, although zoned for commercial uses, are primarily still utilized for residential purposes and have not yet been developed into commercial properties. Also within one (1) mile of the site are three churches: Ellabell United Methodist Church, located at 3079 Hwy 204, zoned “AR-1”; Ellabell Church of Christ, located at 3458 Hwy 204, zoned “AR-1”; and Ellabell First Baptist Church, located at 3425 Hwy 204, zoned “AR-1”. Due to the mix of uses within the vicinity, an additional rezoning to “B-2” General Commercial District may not impact the overall character of the area; however, it could disrupt the land use pattern which encourages the contiguous development of commercial properties and concentration nearest the intersection.

4. The adequacy of public facilities and services intended to serve the Lot proposed to be reclassified, including but not limited to: roads, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services.

Staff Findings: Based upon the applicant’s intended use of the property to convert the existing 3,750 square foot structure into a church, the Institute of Transportation Engineers’ (ITE) Trip Generation Manual estimates that an average of 26 trips per day (6.95 trips a day per 1,000 square feet of floor area) could be generated from the site on a weekday, and 103.6 trips per day (27.63 trips per 1,000 square feet of floor area) could be generated from the site on a Sunday. According to the North Bryan County Transportation Study completed by Thomas & Hutton in 2016, the Highway 204 corridor between Black Creek Church Road and the Bryan/Chatham County line is currently operating at an acceptable Level of Service (LOS) A. As the number of trips generated by the proposed use does not meet the threshold to require a Traffic Impact or Traffic Design Analysis, it is assumed that if limited to the proposed use and size, the existing road network should be adequate to serve the church use. The adequacy of other public facilities and services to support the full range of uses permitted under the proposed “B-2” zoning were not thoroughly addressed, as the applicant’s impact analysis and documentation lacked sufficient information for review.

5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.

Staff Findings: The Georgia Natural, Archaeological, and Historic Resources map does not reveal any known archeological, historical, or cultural resources. Neither the National Wetlands Inventory map, nor the recorded plat, reveals any wetlands; and the FEMA F.I.R.M. maps identify this property as being located outside of the Special Flood Hazard Area, and within the X-shaded zone. Based on this information, it would not appear that the proposed reclassification would adversely affect any of the specified resources.

6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby Lots or the preservation of the integrity of any adjacent neighborhoods.

Staff Findings: The proposed use as a church should not adversely affect the existing uses or usability of adjacent or nearby lots or the preservation of the integrity of the nearby and adjacent residential properties, as churches are commonly located in close proximity to residential neighborhoods; however, the intensity of other uses which could be permitted under the requested “B-2” zoning district have the potential to adversely affect the existing uses and neighborhoods by introducing uses which have a tendency to produce heavier traffic and/or noise generated from the site.

7. Whether the proposed reclassification could adversely affect market values of nearby Lots.

Staff Findings: No evidence or research has been presented either in support of or in opposition to this request, which would suggest that the proposed use will have an adverse effect on the market values of nearby lots.

8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to: Schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the County or Board of Education to provide.

Staff Findings: The applicant did not provide sufficient information to make the case that the proposed reclassification to “B-2” would not require an increase in existing levels of public services. Based on the information that was provided, specific to the church use, the site would be expected to generate approximately 103.6 trips/day (27.63 trips per 1,000 square feet of floor area) at the most, which should not require an increase in existing levels of services for roads.

9. Whether there are other existing or changing conditions affecting the use and development of the Lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification.

Staff Findings: There are no apparent existing or changing conditions affecting the use and development of the subject site.

10. The existing Uses and zoning of nearby Lots.

Staff Findings: Adjacent properties are zoned “AR-1” Agricultural Residential Districts and “A-5” Agricultural District. Other nearby zoning includes “R-30” Residential Districts and “B-2” General Commercial Districts.

11. The extent to which the value of the Lot proposed to be reclassified is diminished by its existing zoning restrictions.

Staff Findings: The existing zoning restrictions of the property do not appear to diminish the value of the lot. The site is currently developed with a manufactured home, a 3,750 square foot storage building, and other accessory structures.

12. The extent that any diminished property value of the Lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public.

Staff Findings: Staff has not identified any diminished property value of the lot resulting from its existing zoning restrictions.

13. The relative gain to the public, as compared to the hardship imposed upon Petitioner, by the existing zoning restrictions.

Staff Findings: The relative gain to the public for the subject property to remain agriculturally and residentially zoned is the promotion and protection of the rural character of Highway 204, by preventing commercial sprawl along this corridor outside of the Community Crossroads node as identified on the County’s Future Land Use Map.

14. The suitability of the Lot proposed to be reclassified for its current and proposed zoned purposes.

Staff Findings: The current use of the property is residential, and the proposed use of the property is for a church. At this time, the applicant has not presented any detailed development plans for the site and the application lacks sufficient information in order to determine if the lot is suitable for the full range of uses permitted under the proposed “B-2” zoning district. Despite this, staff notes that the use of a church is generally permitted in agricultural and residential zoning districts, and the lot should be suitable for this specific use.

15. The length of time the Lot proposed to be reclassified has been non-income producing as zoned.

Staff Findings: The lot is currently developed for residential uses and is not income producing.

16. Whether the proposed reclassification would create an isolated District unrelated to adjacent and nearby Districts.

Staff Findings: The proposed reclassification would create a more intense zoning district, which is unrelated to the adjacent Agricultural and Residential zoning districts.

17. Whether there are substantial reasons why the Lot cannot be used in accordance with this existing zoning classification.

Staff Findings: The lot can continue to be used as is currently zoned, or can be rezoned to a less intense zoning district allowing for the proposed use as a church.

18. Applications for a Zoning Map Reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

Staff Findings: The applicant has presented a specific plan to utilize the site as a church.

IV. Staff Recommendation

Staff recommends denial of the rezoning as requested, as the application lacks sufficient information to demonstrate that the request to rezone to “B-2” General Commercial is in the best interest of the County. Staff would, however, support a rezoning to the less intense zoning district of “AR-2.5” which would allow for the proposed use of a church as a permitted use.

V. Planning & Zoning Commission Recommendation

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

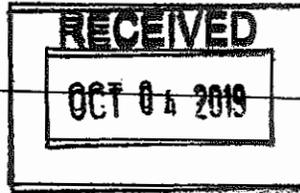
The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **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 rezoning.

“A” Exhibits – Application

Bryan County
Board of Commissioners
Community Development Department



REZONING APPLICATION

Refer to Article VI of the Zoning Regulations for additional information regarding text and zoning map amendments.

FEE

Application Fee: \$165.00

APPLICANT/OWNER INFORMATION

Applicant: Property Owner Authorized Agent
Applicant Name: Billy w Schwarz & Leo v Schwarz Jr.
Address: 3446 Hwy 204
City: Ellabell State: Ga Zip: 31308
Phone: 912 856-2312 Email: _____

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

PROPERTY INFORMATION

Property Address or General Location: 3446 Hwy 204
PIN Number(s) (Map & Parcel): 031040 Total Acreage: 2.5
Current Zoning District(s): B-1 Cond. Proposed Zoning District(s): B-2
County Unincorp. (District 03)
Existing Use of Property: Personal
Proposed Use of Property: CHURCH

FOR OFFICE USE ONLY

Case #: Z# 222-19 Date Received: 10/4/19 Fee Paid Initial: TR

REZONING REVIEW AND TIMING

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

Completeness Review	5 business days after Application Submittal
Development Review Committee	Within 30 days of following Completeness Certification
Planning & Zoning (P&Z) Commission Public Hearing	30-60 days following Development Review Committee
Board of Commissioners (BOC) Public Hearing	Within 31 days following public hearing

MAP AMENDMENT 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
- Disclosure Statement
- Written impact analysis prepared with respect to each of the standards enumerated on Page 3 of this application form. This analysis is required for all reclassifications to PUD, I-1, WP, I-L, B-2, R-3, R-4 and WB-3; and all other reclassifications of lots at least 20 acres in size in the AR 1.5, R-30, R-1, R-2, B-1, O and WB-2.
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed concept plan **N/A**
- Traffic Impact Analysis – Required for proposed uses generating more than 1,000 average daily trips or will concentrate 300 or more average daily trips per day through a single access point **?**
- Traffic Design Analysis – Required for proposed uses that do not meet the threshold for a Traffic Impact Analysis but will generate 200 or more average daily trips **?**

APPLICANT CERTIFICATION AND ACKNOWLEDGMENT

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

Leo V Schwanz Jr

Billy W Schwarz

Applicant Signature

10/21/19

Date

REZONING STANDARDS

The standards below shall be considered for any rezoning request. The required impact analysis should be prepared on a separate sheet(s) of paper.

1. Whether the proposed reclassification is in conformance with the comprehensive plan.
2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this ordinance.
3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one mile of the subject lot.
4. The adequacy of public facilities and services intended to serve the lot proposed to be reclassified, including, but not limited to, roads, parks, and recreational facilities, police and fire protections, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services.
5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.
6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby lots or the preservation of the integrity of a [any] adjacent neighborhoods.
7. Whether the proposed reclassification could adversely affect market values of nearby lots.
8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to, schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the county or board of education to provide.

9. Whether there are other existing or changing conditions affecting the use and development of the lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification.
10. The existing uses and zoning of nearby lots.
11. The extent to which the value of the lot proposed to be reclassified is diminished by its existing zoning restrictions.
12. The extent that any diminished property value of the lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public.
13. The relative gain to the public, as compared to the hardship imposed upon petitioner, by the existing zoning restrictions.
14. The suitability of the lot proposed to be reclassified for its current and proposed zoned purposes.
15. The length of time the lot proposed to be reclassified has been non-income producing as zoned.
16. Whether the proposed reclassification would create an isolated district unrelated to adjacent and nearby districts.
17. Whether there are substantial reasons why the lot cannot be used in accordance with this existing zoning classification.
18. Applications for a zoning map reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

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: <u>10/4/19</u> ^{SEF}	DRC Meeting Date: <u>10/10/19</u>	P&Z Hearing Date: <u>11/5/19</u>
BOC Hearing Date: <u>11/12/19</u>		

Bryan County
Board of Commissioners



Community Development Department

AUTHORIZATION OF PROPERTY OWNER

I, Billy w Schwarz & Leo v Schwarz 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

I authorize the person named below to act as applicant in the pursuit of a Rezoning 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: Buddy Howard

Address: 1079 Homestead Dr.

City: Ellabell State: GA Zip Code: 31508

Telephone Number: 912-6676291 Email: _____

Leo V Schwarz Jr.
Billy W Schwarz

Signature of Owner
LEO V SCHWARZ JR
Billy W Schwarz

Owners Name (Print)

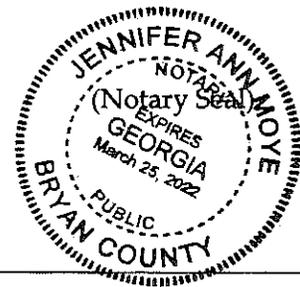
10/2/19
Date

Personally appeared before me
Leo V. Schwarz
Billy W. Schwarz
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 2nd of Oct 2019

Jennifer Ann Maye
Notary Public



Bryan County
Board of Commissioners



Community Development Department

VERIFICATION OF PAID TAXES

 X The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

 X The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

031040

Parcel Identification Number

Levi Schwanz Jr.

Billy W Schwanz

Signature of Applicant

10/2/19

Date

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Name: Jessi Shuman

Title: Tax Clerk

Signature: Jessi Shuman

Date: 10/4/19

IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home: _____ Make
_____ Model
_____ Year
_____ Serial #

_____ The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____ Date: _____

FMUMFB
FMUMFB01

CARROL ANN COLEMAN BRYAN COUNTY TAX COMM
Clerk JS1 Date 2019 10 04 Sequence 111442

10/04/19
11:15:07

Bill Number . . .	2018 017274	Acct	3003R18	Fair Mkt Val	52,570
Taxpayer Name. .	SCHWARZ BILLY W & SCHWARZ LEO			Bill Date	2018 08 24
Additional Name.	V JR			Due Date	2018 11 15
Address Line 1 .				H/S Code	
Address Line 2 .	3446 HIGHWAY 204			Lender Code	
City ST Zip 4. .	ELLABELL		GA 31308	Under Appeal	
Loctn/Desc . . .	4D311 6/10/74	\$12 000	PBC425/B	Bankruptcy	
Map Blk Par Sub.	031	040	Dist 03	Check Notes	
Original Bill	Adj & Charges		Payments	Descriptions	This Tran
865.59			865.59-	Taxes	
	6.84		6.84-	Assessment Pen	
				Interest	
				Costs	
				Late Penalty	
865.59	6.84		872.43-	Other Penalty	
				TOTALS	
			Last T/A Date	Payment/Adjust	(P/A) P
			PP 2019 01 08	Reason Code	(F13) 00

Email Address:

F1=Options

F3=Return

F4=Delete

F8=Adj to Total

2019 taxes are due
on November 15, 2019.

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.

Leo V Schwarz Jr.
Billy W Schwarz

Signature of Applicant

Personally appeared before me

Leo V. Schwarz
Billy W Schwarz

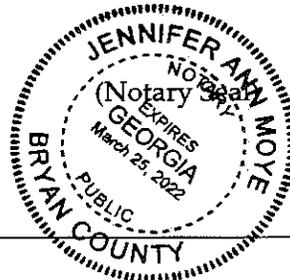
Applicant (Print)

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

This 2nd day of Oct 2019

Jennifer Ann Moye

Notary Public



- 1- YES - WE ARE PROPOSING HAVING A CHURCH AT THIS LOCATION WHICH HAS A MEMBERSHIP OF 20 MEMBERS
- 2- YES - THE BUILDING HAS BEEN SITTING FOR APP. 5 TO 7 YEARS WE ARE CLEANING IT TO PREPARING IT TO BE A CHURCH
- 3- NO - IT HAS A CHURCH ACROSS 204 IT HAS A CHURCH APP. 4 TO 500 YDS ON THE SAME SIDE OF 204 HWY.
- 4- YES - THE PROPERTY HAS 2 SEPTIC TANKS AND A DEEP WELL
- 5- NO
- 6- NO
- 7- NO
- 8- NO

Using existing building

“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 # Z#222-19

Zoning Request: Rezone from B-1 Conditional to B-2 for the use of a church.

Filed by: Billy Schwarz & Leo Schwarz Jr.

Owners: Same as above

Property address: 3446 Highway 204, Ellabell

Map and Parcel # 031-040

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019.

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: Unable to comment due to insufficient documentation needed to determine/evaluate potential impacts.

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: Kirk J. Coan

Date: 10-8-19



BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse Street
P.O. Box 1071
Pembroke, Georgia 31321
912-653-3893
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Map and Parcel # 031-040

This issue is scheduled for a public hearing with the Planning and Zoning Commission on Nov. 5, 2019 and the Board of Commissioners on Nov. 12, 2019.

Please return this completed form with any comments/attachments to the Community Development Department by Oct. 11, 2019.

Comments: Septic and water well information. Kitchen? Daycare?
Secding? # of sects

Questions prior to approval

Must have plot plan

Engineering Director Fire Chief County Health Director

Public Works Director Bryan County Schools (optional)

Signature: [Signature]

Date: 10/9/19

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 031-040
- Surrounding Parcels



Overview Map
Billy W Schwarz & Leo V Schwarz Jr.
Case Z# 222-19

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.

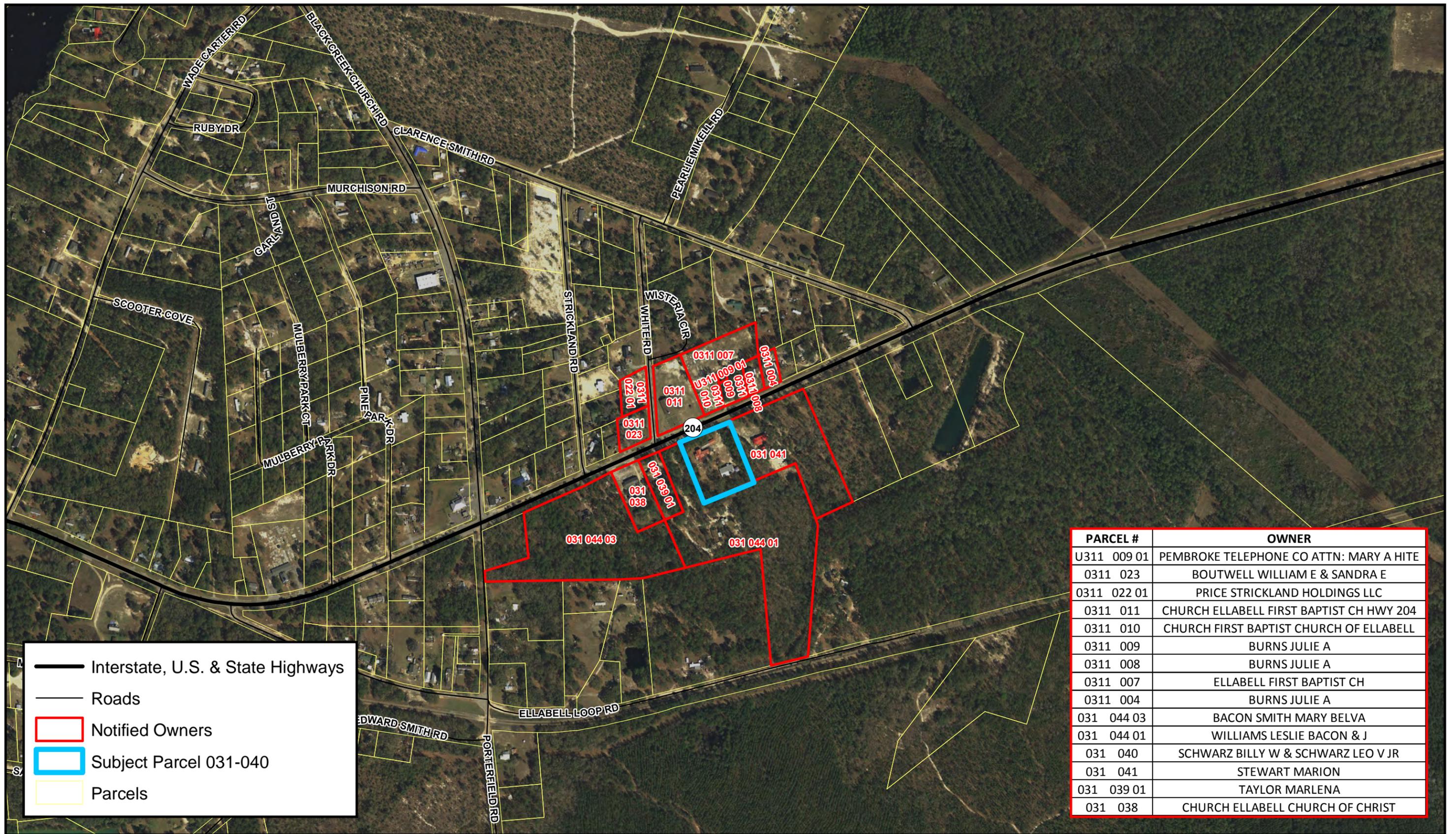


	Interstate, U.S. & State Highways
	Roads
	Subject Parcel 031-040
	Parcels



Location Map
Billy W Schwarz & Leo V Schwarz Jr.
Case Z# 222-19

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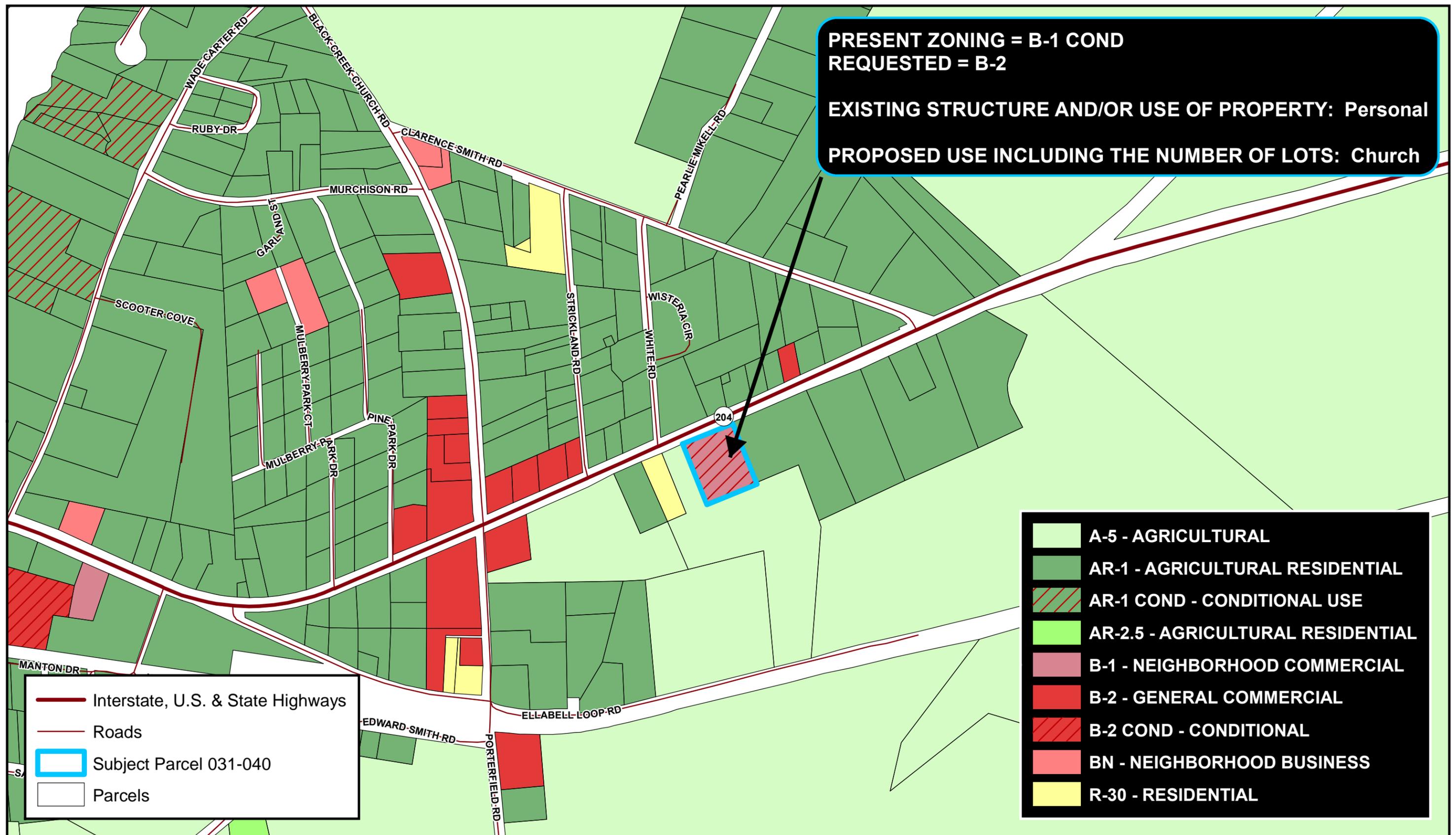
PARCEL #	OWNER
U311 009 01	PEMBROKE TELEPHONE CO ATTN: MARY A HITE
0311 023	BOUTWELL WILLIAM E & SANDRA E
0311 022 01	PRICE STRICKLAND HOLDINGS LLC
0311 011	CHURCH ELLABELL FIRST BAPTIST CH HWY 204
0311 010	CHURCH FIRST BAPTIST CHURCH OF ELLABELL
0311 009	BURNS JULIE A
0311 008	BURNS JULIE A
0311 007	ELLABELL FIRST BAPTIST CH
0311 004	BURNS JULIE A
031 044 03	BACON SMITH MARY BELVA
031 044 01	WILLIAMS LESLIE BACON & J
031 040	SCHWARZ BILLY W & SCHWARZ LEO V JR
031 041	STEWART MARION
031 039 01	TAYLOR MARLENA
031 038	CHURCH ELLABELL CHURCH OF CHRIST

Interstate, U.S. & State Highways
 Roads
 Notified Owners
 Subject Parcel 031-040
 Parcels



Notification Map
Billy W Schwarz & Leo V Schwarz Jr.
Case Z# 222-19

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**PRESENT ZONING = B-1 COND
REQUESTED = B-2**

EXISTING STRUCTURE AND/OR USE OF PROPERTY: Personal

PROPOSED USE INCLUDING THE NUMBER OF LOTS: Church

— Interstate, U.S. & State Highways

— Roads

□ Subject Parcel 031-040

□ Parcels

- A-5 - AGRICULTURAL
- AR-1 - AGRICULTURAL RESIDENTIAL
- ▨ AR-1 COND - CONDITIONAL USE
- AR-2.5 - AGRICULTURAL RESIDENTIAL
- B-1 - NEIGHBORHOOD COMMERCIAL
- B-2 - GENERAL COMMERCIAL
- ▨ B-2 COND - CONDITIONAL
- BN - NEIGHBORHOOD BUSINESS
- R-30 - RESIDENTIAL



“D” Exhibits – Public Comment

None Received

BRYAN COUNTY PLANNING & ZONING COMMISSION

CASE Z#223-19

Public Hearing Date: November 5, 2019

REGARDING THE APPLICATION OF: Paul and Priscilla Cates, requesting the rezoning of 23615 Highway 144, PIN# 065-021-07, in unincorporated Bryan County, Georgia. The applicant is requesting the property be rezoned "AR-2.5", Agricultural Residential District, from its current "A-5", Agricultural District, zoning.	Staff Report By: Amanda Clement Dated: October 29, 2019
---	---

I. Application Summary

Requested Action: Public hearing and consideration of a rezoning map amendment for Bryan County. The application by Paul and Priscilla Cates, proposes to change the "A-5" Agricultural District zoning for the property located at 23615 Highway 144 PIN# 065-021-07, in unincorporated Bryan County, to "AR-2.5" Agricultural Residential District.

Applicant: Paul and Priscilla Cates
23615 Highway 144
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
- Appendix B - Zoning, Article VI. – Amendments, Section 610. – Standards Governing the Exercise of Zoning Power ("standards"), Bryan County Code of Ordinances
- Appendix B - Zoning, Article XI. – Uses Permitted in Districts, Section 1101. – "AR-2.5" Agricultural Residential Districts, Bryan County Code of Ordinances

II. General Information

1. Application: A rezoning application was submitted by Paul Cates on October 11, 2019. After reviewing the application, the Director certified the application as being generally complete on October 11, 2019.

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

A. Legal notice was published in the Bryan County News on **October 17, 2019**.

B. Notice was sent to Surrounding Land Owners on **October 21, 2019**.

C. The site was posted for Public Hearing on **October 21, 2019**.

3. Background:

The subject property is located on the east side of Highway 144 just north of its terminus with Fancy Hall Drive. The site is approximately 5.52 acres in size and is developed with a single family home. The applicant proposes a rezoning to “AR-2.5” Agricultural Residential District to allow for the lot to be further subdivided into two tracts, measuring 3-acres and 2.52-acres.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on October 11, 2019, unless otherwise noted.

“A” Exhibits- Application:

A-1 Rezoning Application

“B” Exhibits- Agency Comments:

None Received

“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 10-29-2019)

III. Analysis Under Article VI. - Amendments, Section 610. - Standards Governing the Exercise of Zoning Power:

In considering any Zoning Map Reclassifications, the following Standards shall be considered, as they may be relevant to the application, by the Planning Director, Planning Commission and County Commission. Such considerations shall be based on the most intensive uses and maximum density permitted in the requested reclassification, unless limitations to be attached to the zoning action are requested by the applicant:

1. Whether the proposed reclassification is in conformance with the Comprehensive Plan.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of South Bryan County shows that future development for the subject site is to remain Low Density Residential. The Low Density Residential character area assumes that future development in the southern portion of the south end of the County will require five or more acres in order to obtain a suitable building site due to the prevalence of wetlands and Special Flood Hazard Areas; but also recognizes that there are areas that may be suitable for a denser development pattern. As the area where the rezoning is proposed is not impacted by wetlands or a Special Flood Hazard Area, then the development of lots smaller than 5 acres remains in conformance with the intent of the Comprehensive Plan.

2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this Ordinance.

Staff Findings: The intent of the “AR-2.5” zoning district is to provide for large lot single family and manufactured home development in a rural environment. The overall zoning scheme within the area consists of “A-5”, “AR-2.5”, and “AR-1” zoning, which have a similar intent to provide for large lot single family development. The proposed reclassification is compatible with this overall zoning scheme in the area.

3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one (1) mile of the subject Lot.

Staff Findings: Within one (1) mile of the site are the Demeries Pointe, Demeries Lake, Quail Hamlet, Fancy Hall, and Steeple Chase subdivisions. These subdivisions include lots ranging in size from 1-acre to 5-acres or more. The proposed reclassification of the subject property to “AR-2.5” would remain compatible with this overall character and land use pattern.

4. The adequacy of public facilities and services intended to serve the Lot proposed to be reclassified, including but not limited to: roads, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services.

Staff Findings: The existing and proposed lot will be serviced by individual septic systems and private wells. The site has direct access to Highway 144, which is a 2-lane, paved state road.

5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.

Staff Findings: The Georgia Natural, Archaeological, and Historic Resources map does not reveal any known archeological, historical, or cultural resources. Neither the National Wetlands Inventory map, nor the recorded plat, reveals any wetlands; and the FEMA F.I.R.M. maps identify this property as being located outside of the Special Flood Hazard Area, and within the X-shaded zone. Based on this information, it would not appear that the proposed reclassification would adversely affect any of the specified resources.

6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby Lots or the preservation of the integrity of any adjacent neighborhoods.

Staff Findings: The surrounding properties are also low density residential, so the proposed reclassification should not have a negative impact on them.

7. Whether the proposed reclassification could adversely affect market values of nearby Lots.

Staff Findings: No evidence or research has been presented either in support of or in opposition to this request, which would suggest that the proposed use will have an adverse effect on the market values of nearby lots.

8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to: Schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the County or Board of Education to provide.

Staff Findings: The maximum number of additional lots that could be created under the proposed rezoning is one (1). The addition of one (1) lot within this area should have a minimal impact on existing services.

9. Whether there are other existing or changing conditions affecting the use and development of the Lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification.

Staff Findings: There are no apparent existing or changing conditions affecting the use and development of the subject site.

10. The existing Uses and zoning of nearby Lots.

Staff Findings: Adjacent properties are zoned “A-5” Agricultural District and “AR-1” Agricultural Residential District. Other nearby zoning districts include “AR-2.5” Agricultural Residential District, “R-1” Single Family Residential District, and “DM-1” Dunes and Marshlands District.

11. The extent to which the value of the Lot proposed to be reclassified is diminished by its existing zoning restrictions.

Staff Findings: The existing zoning restrictions of the property do not appear to diminish the value of the lot as the site is currently developed with a single family home. Under the current “A-5” zoning, a minimum of 5 acres is required per lot. If rezoned to “AR-2.5”, then a minimum of 2.5 acres would be permitted, and an additional lot could be created.

12. The extent that any diminished property value of the Lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public.

Staff Findings: There is not a significant public benefit to restricting this property to one 5.52-acre lot versus two (2) lots measuring 3-acres and 2.52 acres.

13. The relative gain to the public, as compared to the hardship imposed upon Petitioner, by the existing zoning restrictions.

Staff Findings: There does not appear to be a relative gain to the public for the subject property to remain “A-5” as opposed to “AR-2.5”.

14. The suitability of the Lot proposed to be reclassified for its current and proposed zoned purposes.

Staff Findings: The lot is suitable for both zonings.

15. The length of time the Lot proposed to be reclassified has been non-income producing as zoned.

Staff Findings: The lot is currently developed for residential use and is not income producing.

16. Whether the proposed reclassification would create an isolated District unrelated to adjacent and nearby Districts.

Staff Findings: The proposed reclassification would not create an isolated District unrelated to adjacent and nearby Districts, as the property immediately adjacent to the south is “AR-1”, and the property across the street is “AR-2.5”.

17. Whether there are substantial reasons why the Lot cannot be used in accordance with this existing zoning classification.

Staff Findings: There are no substantial reasons why the lot cannot be used in accordance with the existing zoning classification.

18. Applications for a Zoning Map Reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

Staff Findings: The applicant has specific plans to subdivide the property into two (2) lots, measuring 3-acres and 2.52-acres.

IV. Staff Recommendation

Staff recommends approval of the rezoning from “A-5” to “AR-2.5”.

V. Planning & Zoning Commission Recommendation

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

“A” Exhibits – Application

Bryan County
Board of Commissioners

"Exhibit A-1"



Community Development Department

REZONING APPLICATION

Refer to Article VI of the Zoning Regulations for additional information regarding text and zoning map amendments.

FEE

Application Fee: \$165.00

APPLICANT/OWNER INFORMATION

Applicant:

- Property Owner
- Authorized Agent

Applicant Name: Paul K. Cates
 Address: 23615 GA Highway 144
 City: Richmond Hill State: GA Zip: 31324
 Phone: 912-727-2206 Email: funtimesavannah@gmail.com

Property Owner (if not applicant): Priscilla M. Cates

Address: 23615 GA Highway 144
 City: Richmond Hill State: GA Zip: 31324 Phone: 912-727-2206

PROPERTY INFORMATION

Property Address or General Location: 23615 GA Highway 144 Richmond Hill, GA 31324
 PIN Number(s) (Map & Parcel): 065-021-07 Total Acreage: 5.52
 Current Zoning District(s): A5 Proposed Zoning District(s): A2.5

Existing Use of Property: Resident

Proposed Use of Property: Resident

FOR OFFICE USE ONLY

Fee Waived

Case #: Z# 223-19

Date Received: 10-11-19

Fee Paid

Initial: ymH

REZONING REVIEW AND TIMING

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

Completeness Review	5 business days after Application Submittal
Development Review Committee	Within 30 days of following Completeness Certification
Planning & Zoning (P&Z) Commission Public Hearing	30-60 days following Development Review Committee
Board of Commissioners (BOC) Public Hearing	Within 31 days following public hearing

MAP AMENDMENT 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
- Disclosure Statement
- Written impact analysis prepared with respect to each of the standards enumerated on Page 3 of this application form. This analysis is required for all reclassifications to PUD, I-1, WP, I-L, B-2, R-3, R-4 and WB-3; and all other reclassifications of lots at least 20 acres in size in the AR 1.5, R-30, R-1, R-2, B-1, O and WB-2.
- One (1) 8 ½ x 11 inch, and One (1) full size copy of the proposed concept plan
- Traffic Impact Analysis – Required for proposed uses generating more than 1,000 average daily trips or will concentrate 300 or more average daily trips per day through a single access point
- Traffic Design Analysis – Required for proposed uses that do not meet the threshold for a Traffic Impact Analysis but will generate 200 or more average daily trips

APPLICANT CERTIFICATION AND ACKNOWLEDGMENT

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

Paul K. Gato

Applicant Signature

Oct 11th 2019

Date

REZONING STANDARDS

The standards below shall be considered for any rezoning request. The required impact analysis should be prepared on a separate sheet(s) of paper.

1. Whether the proposed reclassification is in conformance with the comprehensive plan.
2. Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this ordinance.
3. Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one mile of the subject lot.
4. The adequacy of public facilities and services intended to serve the lot proposed to be reclassified, including, but not limited to, roads, parks, and recreational facilities, police and fire protections, schools, stormwater drainage systems, water supplies, wastewater treatment, and solid waste services.
5. Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding.
6. Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby lots or the preservation of the integrity of a [any] adjacent neighborhoods.
7. Whether the proposed reclassification could adversely affect market values of nearby lots.
8. Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to, schools, parks and recreational facilities, stormwater drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the county or board of education to provide.

9. Whether there are other existing or changing conditions affecting the use and development of the lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification.
10. The existing uses and zoning of nearby lots.
11. The extent to which the value of the lot proposed to be reclassified is diminished by its existing zoning restrictions.
12. The extent that any diminished property value of the lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public.
13. The relative gain to the public, as compared to the hardship imposed upon petitioner, by the existing zoning restrictions.
14. The suitability of the lot proposed to be reclassified for its current and proposed zoned purposes.
15. The length of time the lot proposed to be reclassified has been non-income producing as zoned.
16. Whether the proposed reclassification would create an isolated district unrelated to adjacent and nearby districts.
17. Whether there are substantial reasons why the lot cannot be used in accordance with this existing zoning classification.
18. Applications for a zoning map reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme.

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 Cr't'd: 10/11/19 AC DRC Meeting Date: — P&Z Hearing Date: NOV. 5
 BOC Hearing Date: NOV 12

Bryan County
Board of Commissioners

Community Development Department



AUTHORIZATION OF PROPERTY OWNER

I, Paul K. Cates, 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 Rezoning 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: Paul K. Cates

Address: 23615 EA Highway 144

City: Richmond Hill State: Georgia Zip Code: 31324

Telephone Number: 912-727-2206 Email: funtimesavannah@gmail.com

Paul K. Cates
Signature of Owner

October 11th 2019
Date

PAUL K. CATES
Owners Name (Print)

Personally appeared before me

Paul K. Cates
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 11th of October



(Notary Seal)

[Signature]
Notary Public

Bryan County
Board of Commissioners

Community Development Department



VERIFICATION OF PAID TAXES

Rezoing

The undersigned verifies that all Bryan County property taxes, billed to date to the parcel listed below, have been paid in full to the Tax Commissioner of Bryan County, Georgia.

The undersigned verifies that all Bryan County fire and garbage taxes for the parcel listed below have been paid in full to the Tax Commissioner of Bryan County, Georgia.

065-021-017

Parcel Identification Number

Paul K. Cate

Signature of Applicant

Oct 11th 2019

Date

BRYAN COUNTY TAX COMMISSIONER'S USE ONLY

Payment of all taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

2019-Taxes pd.

Name: Maria Rodriguez

Title: Tax clerk

Signature: Maria Rodriguez

Date: 10-11-19

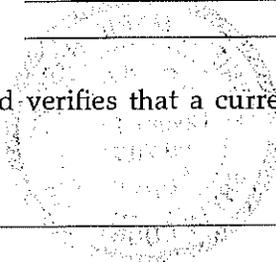
IF APPLYING FOR A MOBILE HOME PERMIT, PLEASE COMPLETE THE FOLLOWING:

Manufactured Home: _____ Make
_____ Model
_____ Year
_____ Serial #

_____ The undersigned verifies that a current Bryan County Decal has been issued for the mobile home referenced above.

Signature: _____

Date: _____



**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.

Paul K. Cates
Signature of Applicant

Personally appeared before me

PAUL R. CATES
Applicant (Print)

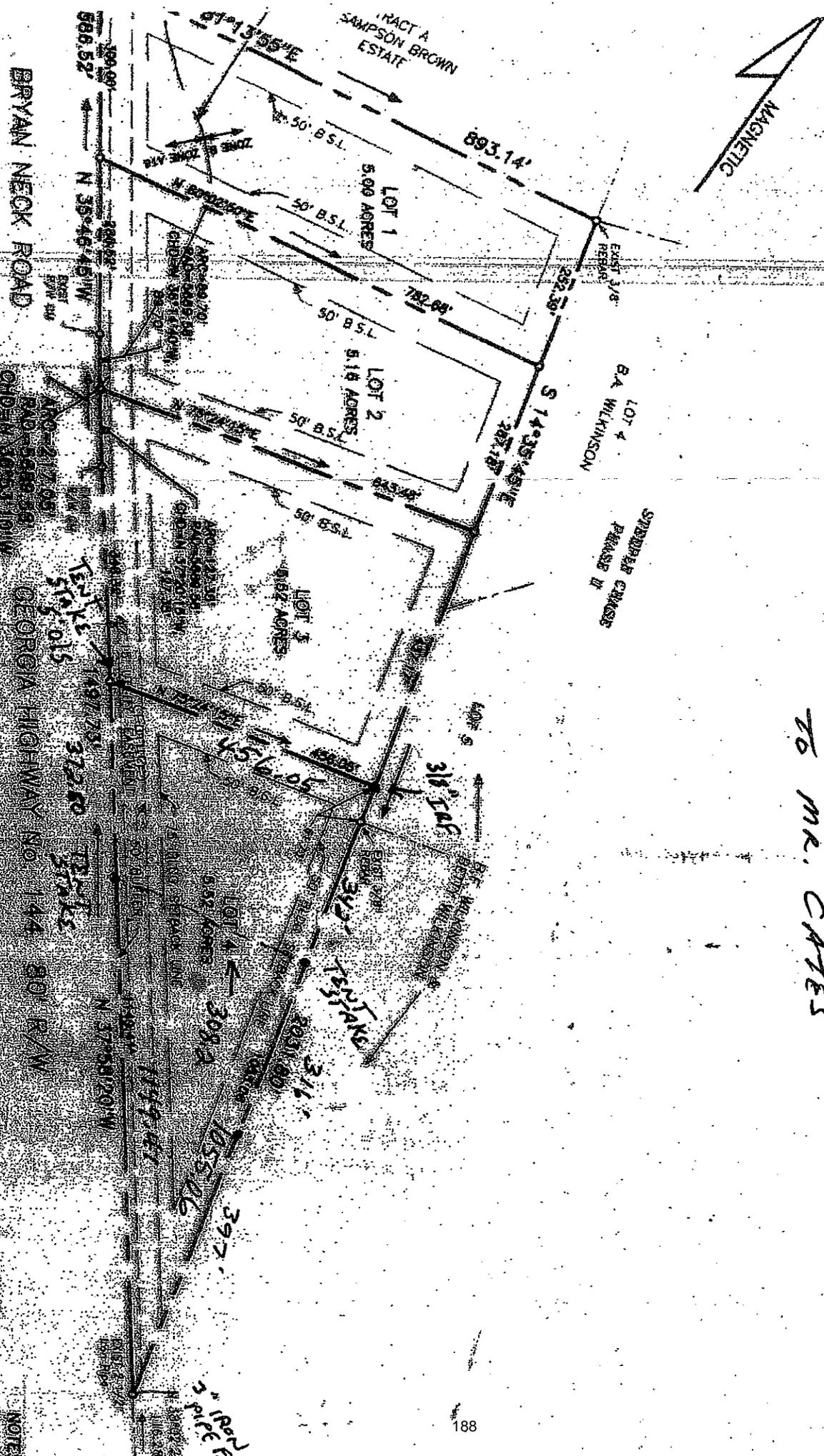
Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.

This 11th day of October 2019

[Signature]
Notary Public



(Notary Seal)



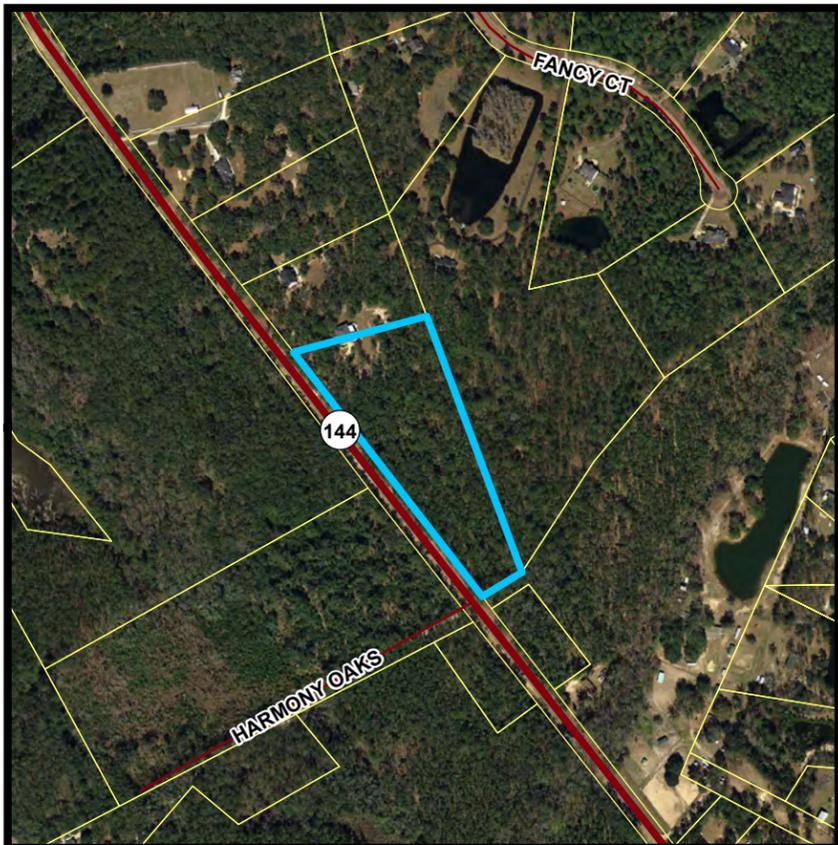
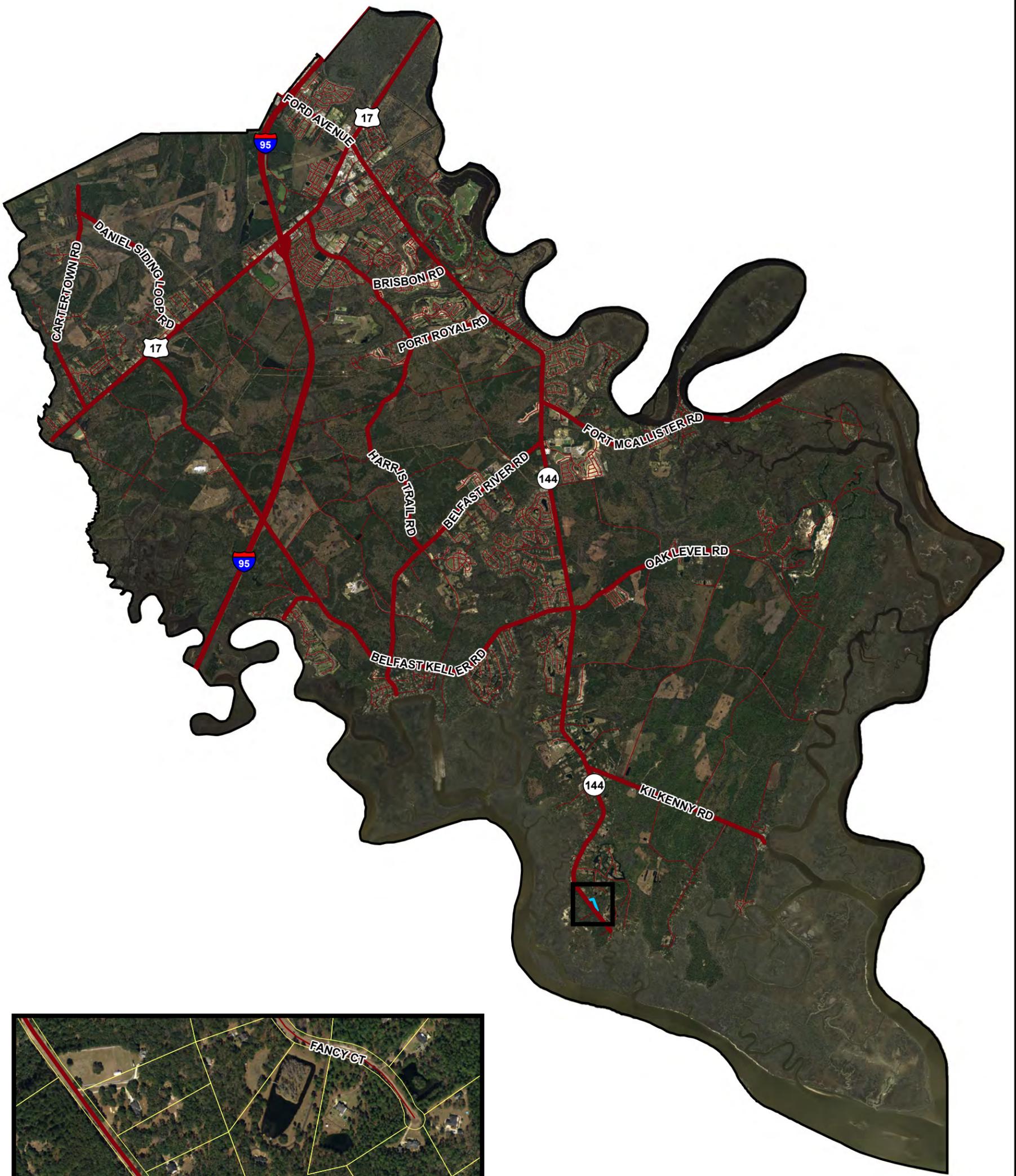
DIANE PLEASE MAIL THIS
 SKETCH WITH INVOICE
 TO MR. CATES

NOTES

“B” Exhibits – Agency Comments

None Received

“C” Exhibits – Bryan County Supplements



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

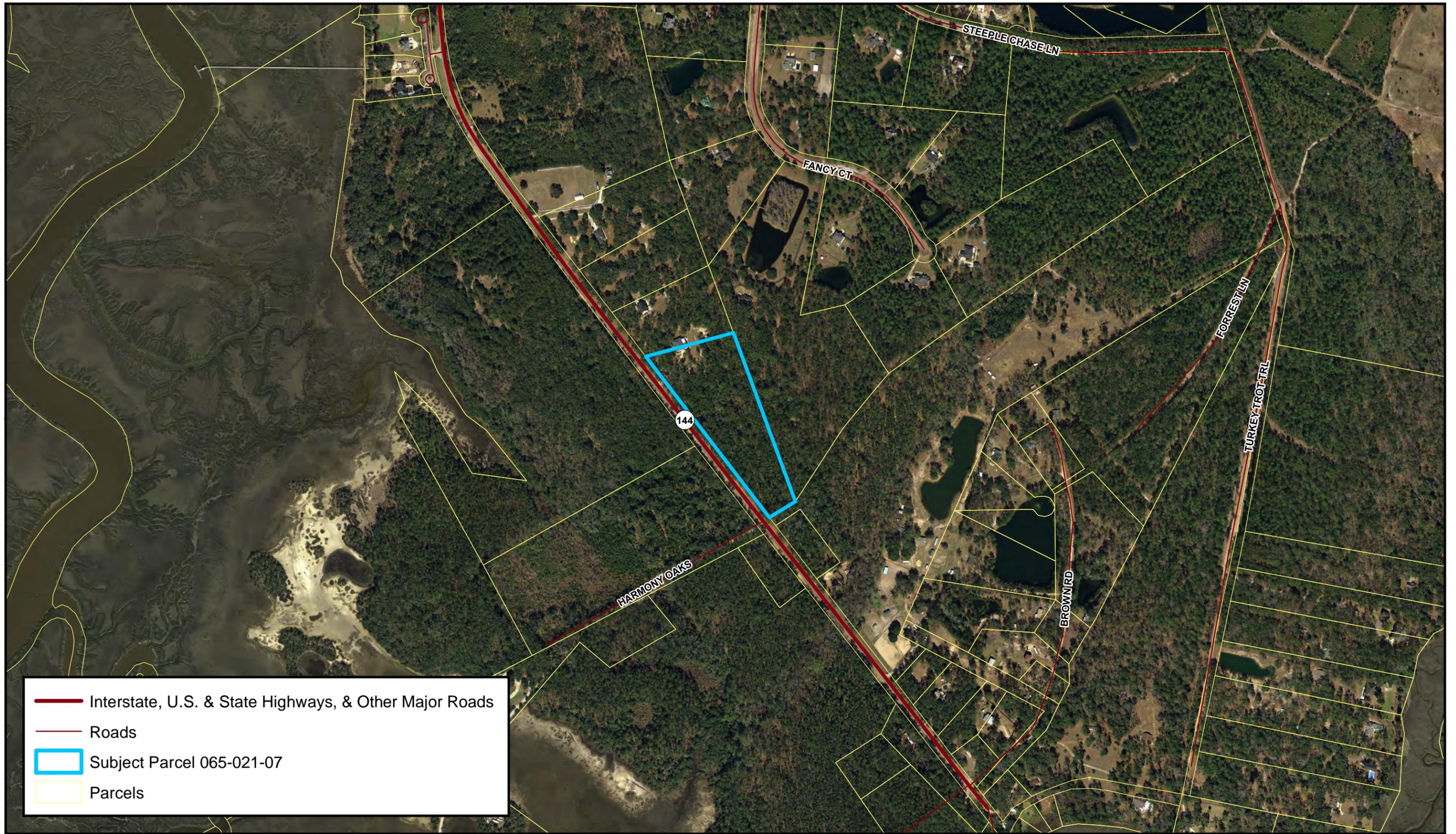


Produced by Bryan County GIS
October 2019



Overview Map
Paul K. Cates
Case Z# 223-19

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 Pensbroke 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 Pensbroke assumes no responsibility or liability for modified data.

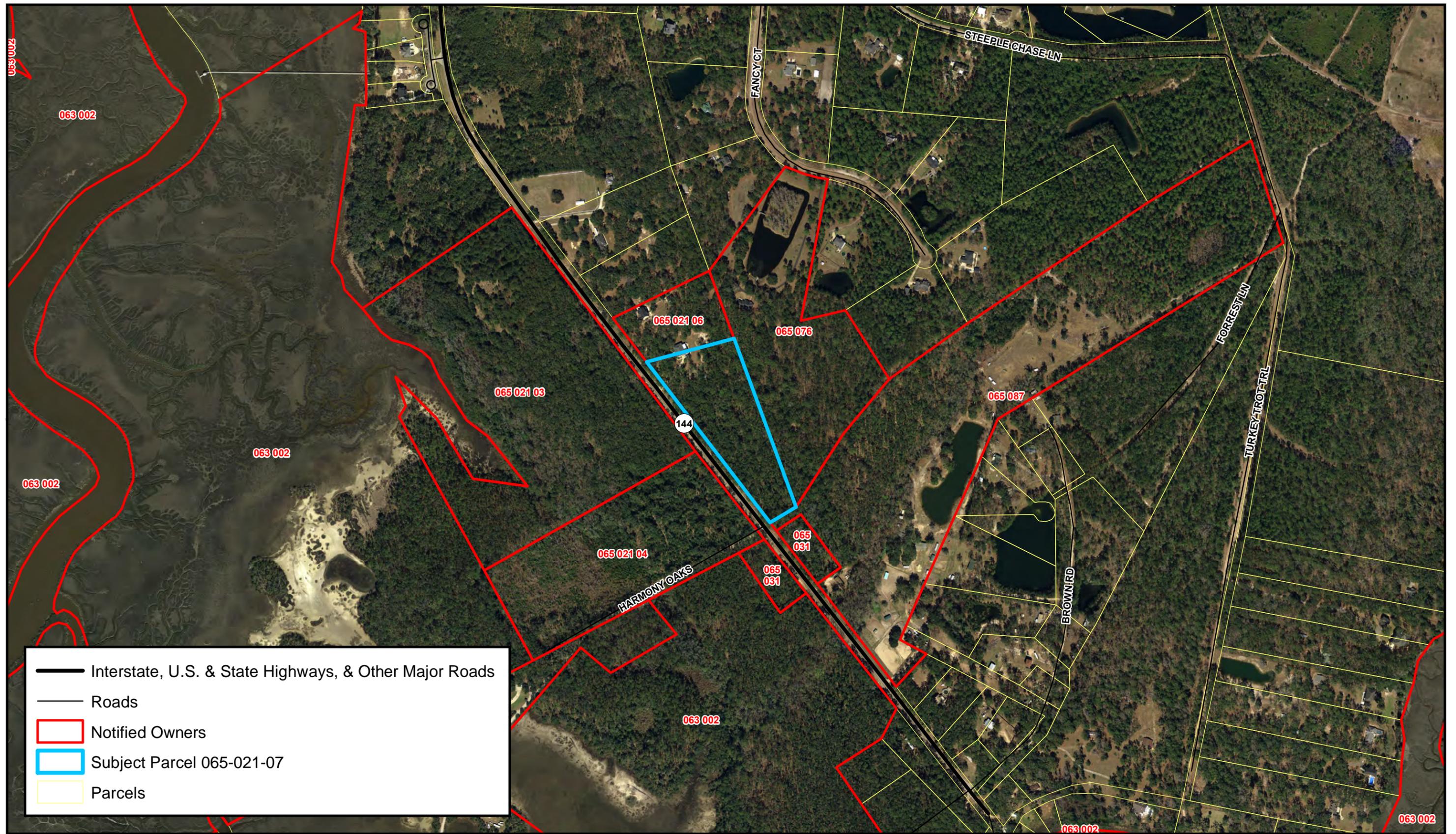


— Interstate, U.S. & State Highways, & Other Major Roads
— Roads
 Subject Parcel 065-021-07
 Parcels



Location Map
Paul K. Cates
Case Z# 223-19

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Notification Map
Paul K. Cates
Case Z# 223-19

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PRESENT ZONING = A-5
REQUESTED = AR-2.5

EXISTING STRUCTURE AND/OR USE OF PROPERTY: Resident

PROPOSED USE INCLUDING THE NUMBER OF LOTS: Resident

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

— Roads

□ Subject Parcel 065-021-07

□ Parcels

□ A-5 - AGRICULTURAL

□ AR-1 - 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



“D” Exhibits – Public Comment

Amanda Clement

From: Chris Martin <wynnstarfarm72@gmail.com>
Sent: Tuesday, October 29, 2019 7:48 AM
To: Amanda Clement
Subject: case file Z#223-19 Paul Cates rezoning

Dear Ms. Clement and Planning and Zoning Department of Bryan County,

My name is Christopher A. Martin, and I reside at 23287 Highway 144 in the same subdivision as Mr. Cates known as Harmony Oaks. I am writing in support of Mr. Cates requested rezoning of his property from A5 to AR2.5. This is parcel 065-021-07 located at 23615 Highway 144, Richmond Hill, GA 31324. While our area is generally A5 with some exceptions, his particular piece of property is rare in that it is long and narrow and has a lot of road frontage on the highway and can easily be divided into two parcels. Mr. Cates also has a hardship in needing to build a home for his daughter who has health issues and needs to be close to the Cates. I believe Mr. Cates will do a nice and professional job in building a second home that will be beneficial to his family as well as the area around him.

I will be unable to make the meeting in Pembroke on Nov. 5th because of work. Please let Planning and Zoning know my support for the rezoning and let me know if you have any questions or concerns.

Best Regards,

Christopher Martin
23287 Highway 144
Richmond Hill, GA 31324
912-727-2540 (H)
912-660-1493 (C)
wynnstarfarm72@gmail.com