



BRYAN COUNTY
PLANNING & ZONING COMMISSION AND BOARD OF ADJUSTMENT
MEETING AGENDA

Meeting Date: Apr. 18, 2023

Meeting Time: 6:30 p.m.

**Board of Commissioner's Meeting Room
66 Captain Matthew Freeman Dr., Richmond Hill, Georgia**

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FOR MARCH MEETING
- III. PLANNING AND ZONING COMMISSION – PUBLIC HEARING ITEMS
 1. Conditional Use Permit (Project 20220424), Chad Zittrouer with Kern & Co., LLC, requesting a Conditional Use for a surface mine in the “A-5” zoning district. Property is located at 106 Croft Road and 281 Bell Road in the northern end of Unincorporated Bryan County. PIN# 033-001 and 033-003.
 2. PD Amendment (Project 20230002), James Stuckey with T.R. Long Engineering, representing Watergrass, LLC, requesting a PD Amendment to remove Phase 3 from the Watergrass Subdivision “PD” Master Plan. Property is located in the Watergrass Subdivision on Belfast River Road in the southern end of Unincorporated Bryan County. Parent Parcel PIN# 057-107.
 3. Rezoning (Project 20230002), James Stuckey with T.R. Long Engineering, representing Watergrass, LLC, requesting to rezone 32.60 acres from “PD” to “A-5”. Property is located in the Watergrass Subdivision on Belfast River Road in the southern end of Unincorporated Bryan County. Parent Parcel PIN# 057-107.
 4. Subdivision (Project 20230165), Wilton Thompson, representing Sarah Zipperer, requesting a to subdivide one acre from a 3.65-acre parcel. Property is located at 216 Emiline Lane, in the northern end Unincorporated Bryan County. PIN# 0271-032.
 5. Rezoning (Project 20230143), Kathleen Myers, requesting to rezone 3.93 acres from “RR-2.5” to “RR-1”. Property is located at 250 Roberts Rd., in the northern end Unincorporated Bryan County. PIN# 028-020.
- IV. BOARD OF ADJUSTMENT – PUBLIC HEARING ITEMS
 1. Variance (Project 20230143), Kathleen Myers, requesting a variance to reduce the side setback requirement for an existing shed. Property is located at 250 Roberts Rd., in the northern end Unincorporated Bryan County. PIN# 028-020.
- V. OTHER BUSINESS

VI. 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 the Bryan County Community Development Department at (912) 756-7962. 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 us at (912) 756-7962. This information can be made in alternative format as needed for persons with disabilities.

Posted: April 11, 2023

Board of Commissioner's Meeting Room, Richmond Hill



BRYAN COUNTY
PLANNING & ZONING COMMISSION AND BOARD OF ADJUSTMENT
MINUTES

Meeting Date: March 21, 2023

Meeting Time: 6:30 p.m.

Attendees: Alex Floyd, Vice Chairman
Ronald Carswell
Michelle Guran
Joseph Pecenka
Stacy Watson
Kevin Bowes

Absent: Stephanie Falls

Staff: Amanda Clement, Assistant Community Development Director
Sara Farr-Newman, Planner II
Brett Kohler, Planner II
Dawn Monaco, Planning Technician

I. CALL TO ORDER

Chairman Floyd called the meeting to order at 6:30 p.m.

II. APPROVAL OF MINUTES

Commissioner Pecenka made a motion to approve the February 21, 2023 minutes, a second was made by Commissioner Carswell. Vote 4:0, motion carried.

Board of Commissioner's Meeting Room, Richmond Hill

III. BOARD OF ADJUSTMENT – PUBLIC HEARING ITEMS

1. Variance (Project 20230084), Joshua Burke, requesting a variance to reduce the side setback requirement from 15 ft. to 5 ft. and the rear setback requirement from 35 ft. to 5 ft. Property is located at 174 Belle Island Ct., in the southern end of Unincorporated Bryan County. PIN# 0714-018.
 - a. Commissioner Guran made a motion to open the public hearing. A second was made by Commissioner Pecenka. Vote 4:0, motion carried.
 - b. Sara Farr-Newman presented the request. She stated staff recommended denial.
 - c. James Joshua Burke, applicant, spoke in favor of the request.
 - d. Tracy and Heather Wilkerson, 140 Belle Island Lane, spoke against the request.
 - e. Aaron Young, 55 Belle Island Way, spoke against the request.
 - f. Email received from Marvin Vickery, 203 Belle Island Ct, read by acting Chairman Floyd, spoke against the request.
 - g. Commissioner Guran made a motion to close the public hearing. A second was made by Commissioner Pecenka. Vote 4:0, motion carried.
 - h. Commissioner Pecenka made a motion to deny the variance request. A second was made by Commissioner Guran. Vote 4:0, motion carried.

IV. PLANNING AND ZONING COMMISSION – PUBLIC HEARING ITEMS

1. Re-zoning (Project 20230025), Virginia Spell, requesting to re-zone 4.04 acres from the "A-5" zoning district to the "RR-2.5" zoning district. Property located at 2381 Bill Futch Rd., in the northern end of Unincorporated Bryan County. PIN# 024-013.
 - a. Commissioner Guran made a motion to open the public hearing. A second was made by Commissioner Carswell. Vote 4:0, motion carried.
 - b. Brett Kohler presented the request. He stated staff recommended approval.
 - c. Commissioner Guran made a motion to close the public hearing. A second was made by Commissioner Carswell. Vote 4:0, motion carried.
 - d. Commissioner Watson made a motion to approve the rezoning request with staff recommendations. A second was made by Commissioner Guran. Vote 4:0, motion carried.

Commissioner Kevin Bowes arrived at 6:51 p.m. and voted on remaining agenda items beginning at line 3.d.

Items 2 (two) and 3 (three) were presented together but voted upon separately.

2. Re-zoning (Project 20230080), Scott Allison with Coleman Co., representing Jonny Young, requesting to re-zone 6.12 acres from the "RR-1" zoning district to the "A-5" zoning district. Property is located at 215 Fox Rd., in the southern end of Unincorporated Bryan County. PIN# 0601123; and
3. Conditional Use (Project 20230080), Scott Allison with Coleman Co., representing Jonny Young, requesting a Conditional use Permit to allow animal boarding for dogs in the "A-5" zoning district. Property is located at 215 Fox Rd., in the southern end of Unincorporated Bryan County. PIN# 0601123.
 - a. Commissioner Guran made a motion to open the public hearing. A second was made by Commissioner Carswell. Vote 4:0. Motion carried.

Board of Commissioner's Meeting Room, Richmond Hill

- b. Sara Farr-Newman, presented the requests. She stated staff recommended approval of the rezoning and the conditional use permit with conditions.
 - c. Scott Allison, Coleman and Co., spoke in favor of the request.
 - d. Commissioner Guran made a motion to close the public hearing. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.
 - e. Commissioner Pecenka made a motion to approve the re-zoning request. A second was made by Commissioner Guran. Vote 5:0, motion carried.
 - f. Commissioner Pecenka made a motion to approve the Conditional Use Permit with no conditions. A second was made by Commissioner Guran. Vote 5:0, motion carried.
4. Conditional Use w/ Variance (Project 20230088), Byron Lewis with Rooster's Bar-N, requesting a Conditional Use to establish an accessory structure for an existing tavern. Applicant is also requesting a variance to reduce the structure's front setback. Property is located at 6930 Hwy 280 in the northern end of Unincorporated Bryan County. PIN# 0261008.
- a. Commissioner Guran made a motion to open the public hearing. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
 - b. Amanda Clement presented the request. She stated staff recommended denial of the conditional use permit and variance request.
 - c. Commissioner Guran made a motion to close the public hearing. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.
 - d. Commissioner Carswell made a motion to approve the conditional use permit and variance request. There was no second, motion failed.
 - e. Commissioner Guran made a motion to deny the conditional use permit and variance request. A second was made by Commissioner Watson. Vote 4:1, motion carried. Commissioner Pecenka, Commissioner Guran, Commissioner Watson, Commissioner Bowes voted in favor of the motion. Commissioner Carswell voted against the motion.

V. OTHER BUSINESS

- a. Newly appointed Commissioner Kevin Bowes was introduced by Amanda Clement.
- b. The meeting with county attorney Aaron Kappler was rescheduled to the May 16 meeting.

VI. ADJOURNMENT

The meeting was adjourned by Vice Chairman Floyd at 7:37 p.m.

Approved on this _____ day of _____, _____ by action of the Commission.

Board of Commissioner's Meeting Room, Richmond Hill

Stephanie Falls, Chairman

ATTEST:

Dawn Monaco, Secretary to the Commission

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20220424

Public Meeting Date: April 18, 2023

REGARDING THE APPLICATION OF: Chad Zittrouer of Kern & Co., LLC, requesting a Conditional Use Permit for an "Excavation and Mining" (borrow pit) operation to be located on the east side of Eldora Road north of its intersection with Bell Road, PIN# 033-001 and 033-003, in unincorporated Bryan County, Georgia.	Staff Report By: Amanda Clement Dated: April 11, 2023
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I. Application Summary

Requested Action: Public hearing and consideration of a Conditional Use Permit. The application by Chad Zittrouer is requesting a Conditional Use Permit for an "Excavation and Mining" (borrow pit) operation to be located on the east side of Eldora Road north of its intersection with Bell Road, PIN# 033-001 and 033-003, in unincorporated Bryan County, Georgia

Owner(s): Margie L Davis
c/o John A Davis Jr.
4076 Old Groveland Road
Pembroke, GA 31321

Angie D Utley & Tonya Redmond
106 Croft Road
Ellabell, GA 31308

Applicant/Representative: Chad Zittrouer
Kern & Co., LLC
PO Box 15179
Savannah, GA 31416

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 Unified Development Ordinance, Article III, Division 4. Conditional Use Permits
- Bryan County Unified Development Ordinance, Article VII, Division 3. Specific Use Standards, Section 114-731. Excavation and Mining

II. General Information

1. Application: A Conditional Use application was received by the Director on June 3, 2022. The Director certified the application as being generally complete on February 27, 2023, upon completion of the Traffic Impact Analysis.

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

A. Legal notice was published in the Bryan County News on **March 30, 2023**

B. Notice was mailed on **April 3, 2023**

C. An on-site notice was posted on **April 3, 2023**

3. Background: The subject parcel is located on the east side of Eldora Road north of its intersection with Bell Road and consists of a total of 187.4 acres. The applicant is requesting conditional use approval for 104 acres which are proposed to be disturbed for the use as a borrow pit. The applicant has submitted a site plan denoting the limits of the proposed borrow pit at 76 acres with an estimated volume of 1,800,000 cubic yards (CY). The estimated duration for mining the pit is 8 years. The proposed hours of operation are Monday through Saturday from sunrise to sunset. The borrow pit will be accessed via a haul road extending from Eldora Road, approximately ¼ mile north of Warnell Farm Road. The pit will be operated by Landyard Development.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on June 3, 2022, unless otherwise noted.

“A” Exhibits- Application:

A-1 Authorization of Property Owner Form

A-2 Disclosure Statement

A-3 Conditional Use Criteria Form

A-4 Concept Plan (March 22, 2023)

A-5 Wetland Exhibit

A-6 Project Narrative

“B” Exhibits- Agency Comments:

B-1 DRC Comments (June 20, 2022)

“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 as of the date of this report

III. Analysis under Article III, Division 4. Conditional Use, Section 114-332:

A conditional use is permitted only if the applicant demonstrates that the proposed use and its operation:

1. Comply with all regulations of the applicable zoning district and any applicable supplemental use regulations unless specifically modified through the approval process.

Staff Findings: Per the Unified Development Ordinance (UDO), the proposed use as an “Excavation and Mining” (borrow pit) operation is a conditional use within the “A-5” Zoning District, which is consistent with the property’s zoning. The applicant has provided information verifying they will meet or intend to meet the specific supplemental use regulations governing Excavation and Mining activities as set forth in Section 114-731 of the Unified Development Ordinance. Section 114-731, requires the following:

- 1) Excavation activities that have greater than one acre of disturbed area must obtain a State mining permit. A copy of the approved State mining permit must be submitted to the development services office prior to work commencing.
- 2) All projects must comply with best management practices as outlined in the "Manual for Soil and Sediment Control in Georgia" as specified in O.C.G.A. § 12-7-6.
- 3) Side slopes of any excavated area must be constructed at a 3:1 slope (one foot in elevation change per three feet of horizontal distance) from the top of the excavation to the bottom at all times during construction and at completion of the excavation.
- 4) All disturbed areas will have a permanent stand of grass established at completion.

- 5) No digging, processing or hauling activities shall take place except between the hours of sunrise and sunset Monday through Saturday.
 - 6) All wetland impacts must be approved by the USCOE.
2. Conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted.

Staff Findings: According to the Bryan County Comprehensive Plan, the overall general character of the surrounding area is Low Density and Agricultural. The zoning and existing land uses of nearby and adjacent parcels are as follows:

	Zoning	Existing Land Use
North	"AG-5" Agricultural and Residential (Bulloch County)	Residential and vacant undeveloped lands
South	"A-5" Agricultural	Residential and vacant undeveloped lands
East	"A-5"	Ogeechee River
West	"RR-1" Rural Residential / "B-2" General Commercial	Residential

The immediate vicinity is predominantly rural/agricultural in character and contains residential uses. The site on which the borrow pit will sit is 187.4 acres in size, while the pit which will be excavated is 76 acres in size. The area to be excavated is setback from Eldora Road and is buffered with existing vegetation on the south, east and west sides. Along the northern boundary, where there are gaps in the natural buffer, the applicant plans to install berms with plantings.

3. Are served by adequate public facilities as set forth herein.

Staff Findings: The proposed use of a borrow pit will have the greatest impact on public roads. To determine whether the County public roads are adequate to serve the use, the applicant was required to prepare and submit a Traffic Impact Analysis (TIA). The TIA was prepared by TR Long Engineering, P.C. The conclusions of the report found that the site trips to the borrow pit would have minimal impact on the roads and that the County level of service standards would be maintained.

4. Do not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

Staff Findings: Borrow pits are temporary in nature. Once the fill material is excavated, then the pit is reclaimed, usually as a pond. In this scenario, the anticipated duration for the use to occur is 8 years. Therefore, the use of the property for a borrow pit, should not impede the long-term development or improvement of surrounding properties.

5. Are not detrimental to or endanger the public health, safety, comfort or general welfare.

Staff Findings: Borrow pits measuring larger than one acre in size are required to obtain a Surface Mining Permit through the State of Georgia, Environmental Protection Division (EPD). As the pit that is being proposed is greater than 1 acre in size, it will be reviewed by EPD and be subject to their compliance evaluations.

6. Promote the public health and welfare sufficiently to outweigh individual interests that are adversely affected by the establishment of the proposed use.

Staff Findings: With the construction of the Hyundai manufacturing plant underway along with other warehousing/industrial developments in the North Bryan Industrial Development Region, there is a demand and need for fill dirt to support new construction. Having this use locate in proximity to where development is occurring, reduces the distance that fill dirt must travel to be brought onto a site, which in turn can limit the impact on roadways.

IV. Staff Recommendation

Staff recommends approval of the conditional use with the following conditions:

- (1) A final Site Development and Buffer Plan conforming to the specific supplemental use regulations governing Excavation and Mining operations as set forth in Section 114-731 of the Unified Development Ordinance shall be submitted for review and approval prior to the commencement of any land disturbing/excavation activities on site.
- (2) The size of the borrow pit shall not exceed the 76 acres as shown on the concept plan entitled "Plans of Davis/Utley Parcels for Landyard Development", prepared by Kern & Co., LLC and dated March 21, 2023. Any proposed expansion of the pit shall require an amendment to the conditional use approval.
- (3) The applicant shall obtain a state mining permit from the Department of Natural Resources, Environmental Protection Division. A copy of the approved state mining permit must be submitted to the Community Development Department prior to work commencing.

V. Planning & Zoning Commission Recommendation

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

AUTHORIZATION BY PROPERTY OWNER* Exhibit A-1

I, Chip Davis, 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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
- Rezoning
- Variance
- Administrative Appeal
- Subdivision
- Demolition Permit
- Temporary use/special event

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Kern & Co., LLC - Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Chip Davis
Signature of Owner

Date

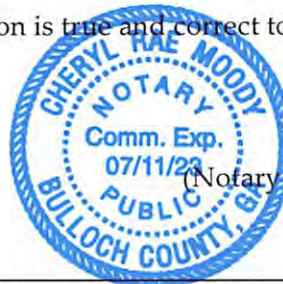
Chip DAVIS
Owners Name (Print)

Personally appeared before me
Chip Davis
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 12th of May

Cheryl Rae Moody
Notary Public



(Notary Seal)

Name of Representative: Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Chip Davis
Signature of Owner

Date

Chip Davis
Owners Name (Print)

Personally appeared before me
Chip Davis
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 12th of May

Cheryl Rae Moody
Notary Public

(Notary Seal)



***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**

AUTHORIZATION BY PROPERTY OWNER*

I, Angie Utley, 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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
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Name of Applicant: Kern & Co., LLC - Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Angie D. Utley
Signature of Owner

5/12/22
Date

Angie D. Utley
Owners Name (Print)

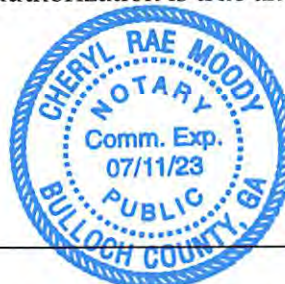
Personally appeared before me

Angie Utley
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 12th of May

Cheryl Rae Moody
Notary Public



(Notary Seal)

Name of Representative: Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Angie D. Utley
Signature of Owner _____ Date _____

Angie D. Utley
Owners Name (Print) _____

Personally appeared before me

Angie Utley
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 12th of May

(Notary Seal)

Cheryl Rae Moody
Notary Public _____



***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**

AUTHORIZATION BY PROPERTY OWNER*

I, Tonya Redmond, 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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
- Rezoning
- Variance
- Administrative Appeal
- Subdivision
- Demolition Permit
- Temporary use/special event

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Kern & Co., LLC - Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Tonya Redmond
Signature of Owner

6/9/22
Date

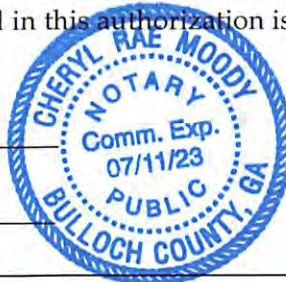
Tonya Redmond
Owners Name (Print)

Personally appeared before me
Tonya Redmond
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 9th of June

Cheryl Rae Moody
Notary Public



(Notary Seal)

Name of Representative: Chad Zittrouer

Address: P O Box 15179

City: Savannah State: GA Zip Code: 31416

Telephone Number: 912-354-8400 Email: czittrouer@kemengineering.com

Tony Redmond
Signature of Owner

6/9/22
Date

Tonya Redmond
Owners Name (Print)

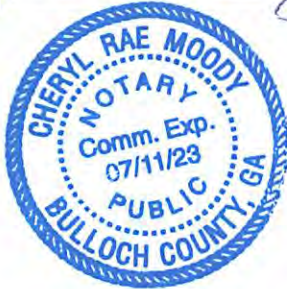
Personally appeared before me
Tonya Redmond
Owner (Print)

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 9th of June

(Notary Seal)

Cheryl Rae Moody
Notary Public



***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**



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

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.

A handwritten signature in blue ink that reads "Angie D. Kelly".

Signature of Applicant

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

ryan County
Board of Commissioners

Exhibit A-3



Community Development Department

IMPACT ANALYSIS FOR CONDITIONAL USE PERMITS

The standards below shall be considered for any conditional use permit. Applicants must complete this form and include with their application. Attach additional sheets as need.

A conditional use is permitted only if the applicant demonstrates the proposed use and its operation:

1. Comply with all regulations of the applicable zoning district and any applicable supplemental use regulations unless specifically modified through the approval process.

Concur to comply with regulations regarding the zoning district and any applicable supplemental use regulations.

2. Conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted.

Concur to comply with character of neighborhood conformance, the location at the rear of the property has been specifically selected for this purpose.

3. Are served by adequate public facilities as set forth herein.

It is our opinion adequate public facilities exist for the intended use.

4. Do not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

Does not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district, the location at the rear of the property has been specifically selected for this purpose.

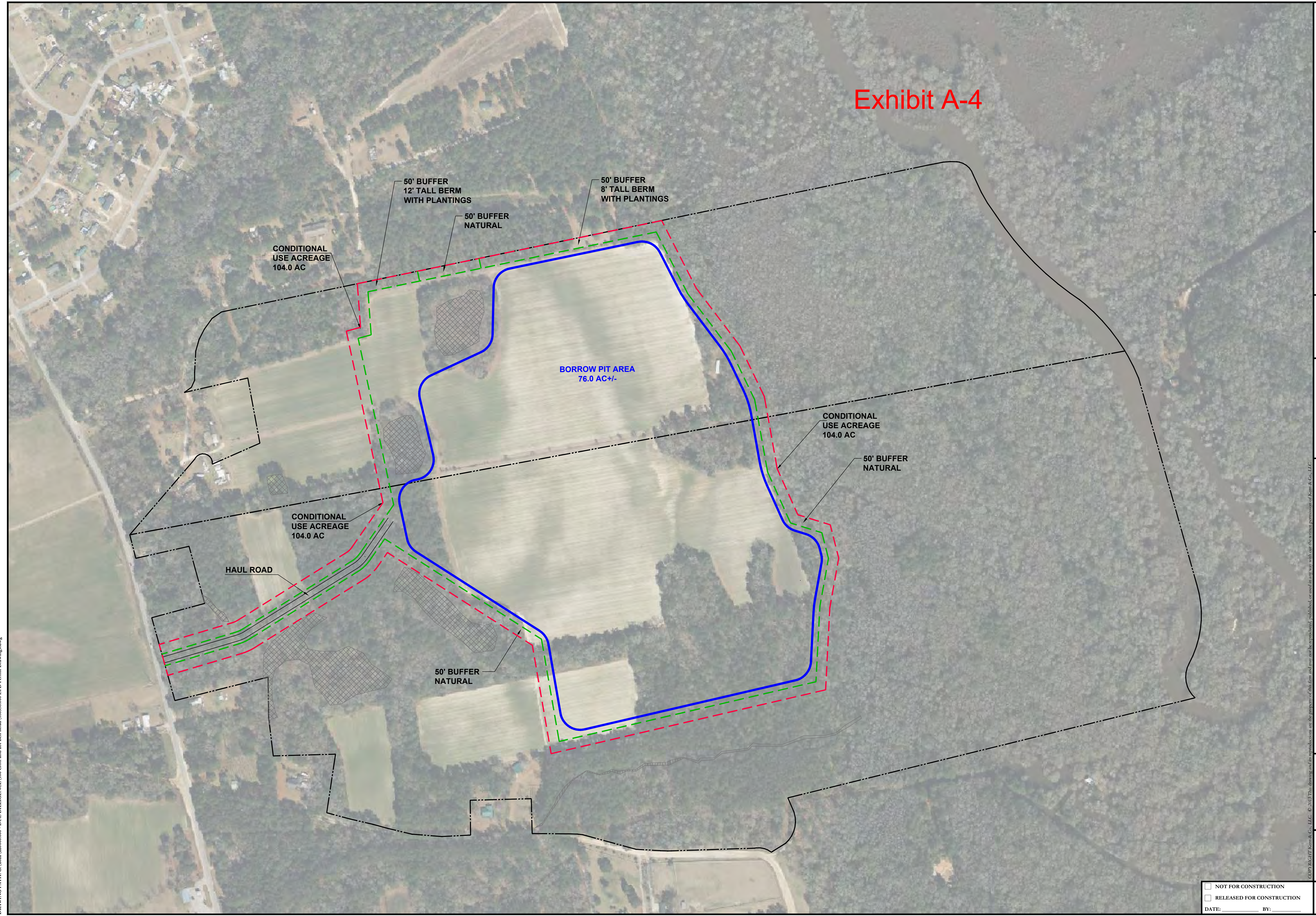
. Are not detrimental to or endanger the public health, safety, comfort, or general welfare.

It is our opinion the intended use is not detrimental to or endanger the public health, safety, comfort or general welfare.

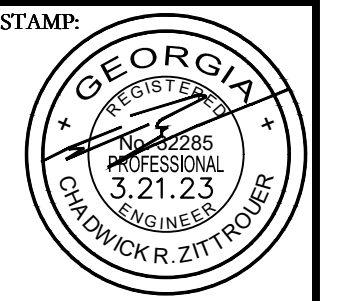
6. Promote the public health and welfare sufficiently to outweigh individual interests that are adversely affected by the establishment of the proposed use.

It is our opinion the intended use promotes the public health and welfare sufficiently to outweigh individual interests that are adversely affected. The purpose of the conditional use is to provide projects which are planned and/or are underway with an adequate borrow source which is in close proximity to the said projects.

Exhibit A-4



Kern & Co., LLC
 Consulting Engineers • Land Surveyors • Land Planners
 Architects • Landscape Architects • Environmental Scientists
 7 Mill Court (31406) P.O. Box 15179 (31416) Savannah, Georgia 31416
 319 Walnut Street Suite A, Statesboro, Georgia 30488 Phone: (912) 225-3373



STAMP:

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ORIGINAL RELEASED FOR CONSTRUCTION DATE:

NO	DATE	REVISION

PLANS OF DAVIS/UTLEY PARCELS FOR LANDYARD DEVELOPMENT

DRAWING TITLE:
SURFACE MINE CONDITIONAL USE PLAN

SCALE: 1"=200'
 PROJECT NO: 220221.000
 DATE: 3.21.23
 DRAWN BY: CRZ
 CHECKED BY: CRZ

NOT FOR CONSTRUCTION
 RELEASED FOR CONSTRUCTION
 DATE: _____ BY: _____

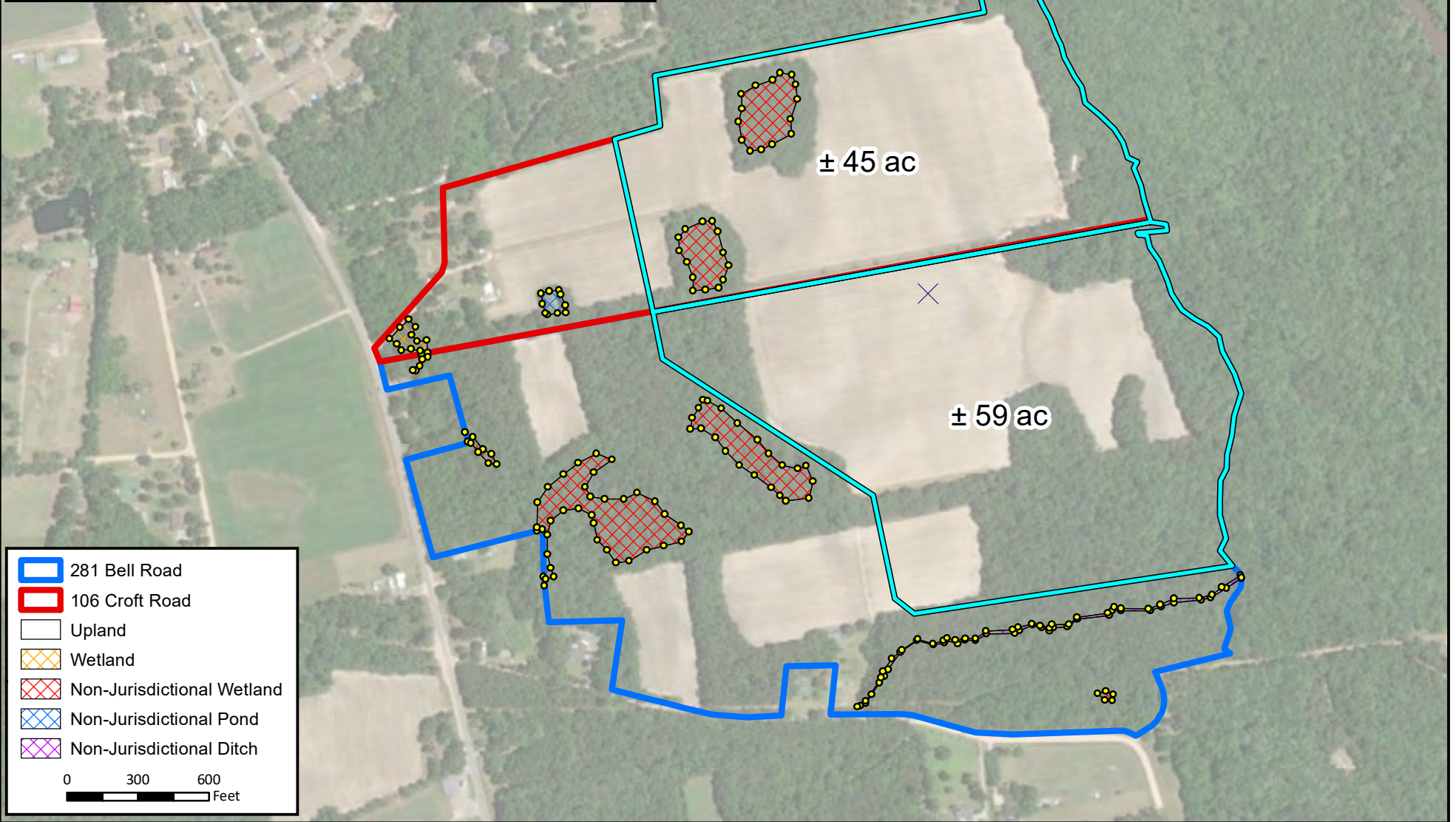
SHEET NO:
C1

COPYRIGHT Kern & Co., LLC. © 2013. This drawing and its reproduction are the property of this firm and may not be reproduced, published, or used in any way without the written permission of Kern & Co., LLC.

Tract	Upland (ac)	Wetland (ac)	NJD Features (ac)	Total (ac)
281 Bell Road	122.2	0.03	5.0	127.2
106 Croft Road	57.4	0.3	2.5	60.2
Total	179.6	0.3	7.5	187.4



Exhibit A-5



	281 Bell Road
	106 Croft Road
	Upland
	Wetland
	Non-Jurisdictional Wetland
	Non-Jurisdictional Pond
	Non-Jurisdictional Ditch

0 300 600
Feet

RLC Project No.: 22-115
 Figure No.: 1
 Prepared By: ZM
 Sketch Date: 4/29/2022
 Map Scale : 1 inch = 600 feet

**106 Croft Road
 & 281 Bell Road**
 Bryan County, Georgia

Wetland Exhibit

Prepared For: Lanyard Development



**RESOURCE+LAND
 CONSULTANTS**
 41 Park of Commerce Way, Ste 101
 Savannah, GA 31405
 tel 912.443.5896 fax 912.443.5898



Project Narrative –

The Davis/Utley Parcels (033-001 & 033-003) would like to request permission for the excavation or mining of sand, gravel or other natural materials on the above reference property. The request only pertains to the 104 acres presented on the attached property sketch. The petitioner acknowledges in the conditional use in the zoning district, all local, state and federal regulations must be met prior to operation.

In addition, as the applicant and representative listed for the property owner, I, _____ Chad Zittrouer – Kern and Co., LLC, would like to identify Landyard Development, Rob Lee, as the operator/co-applicant.

Estimate Volume: 1,800,000 CY

Loads per Day: 100-115

Estimate Duration: 8 Years

Operating Ordinance: between hours of sunrise to sunset Monday through Saturday (per county ordinance)

Plan Review Comments**Exhibit B-1****Engineering - Mark Hopkins -
mhopkins@bryan-county.org****DRC Review Complete****Review Comments:****Fire - Robbie Jordan -
rjordan@bryan-county.org****DRC Review Complete****Review Comments:**

No further information is needed at this time.

**Public Health - Michael May -
michael.may@dph.ga.gov****DRC Review Complete****Review Comments:****Public Works - Cory Lauber -
clauber@bryan-county.org****DRC Review Complete****Review Comments:****Zoning - Amanda Clement -
aclement@bryan-county.org****DRC Review Complete****Review Comments:**

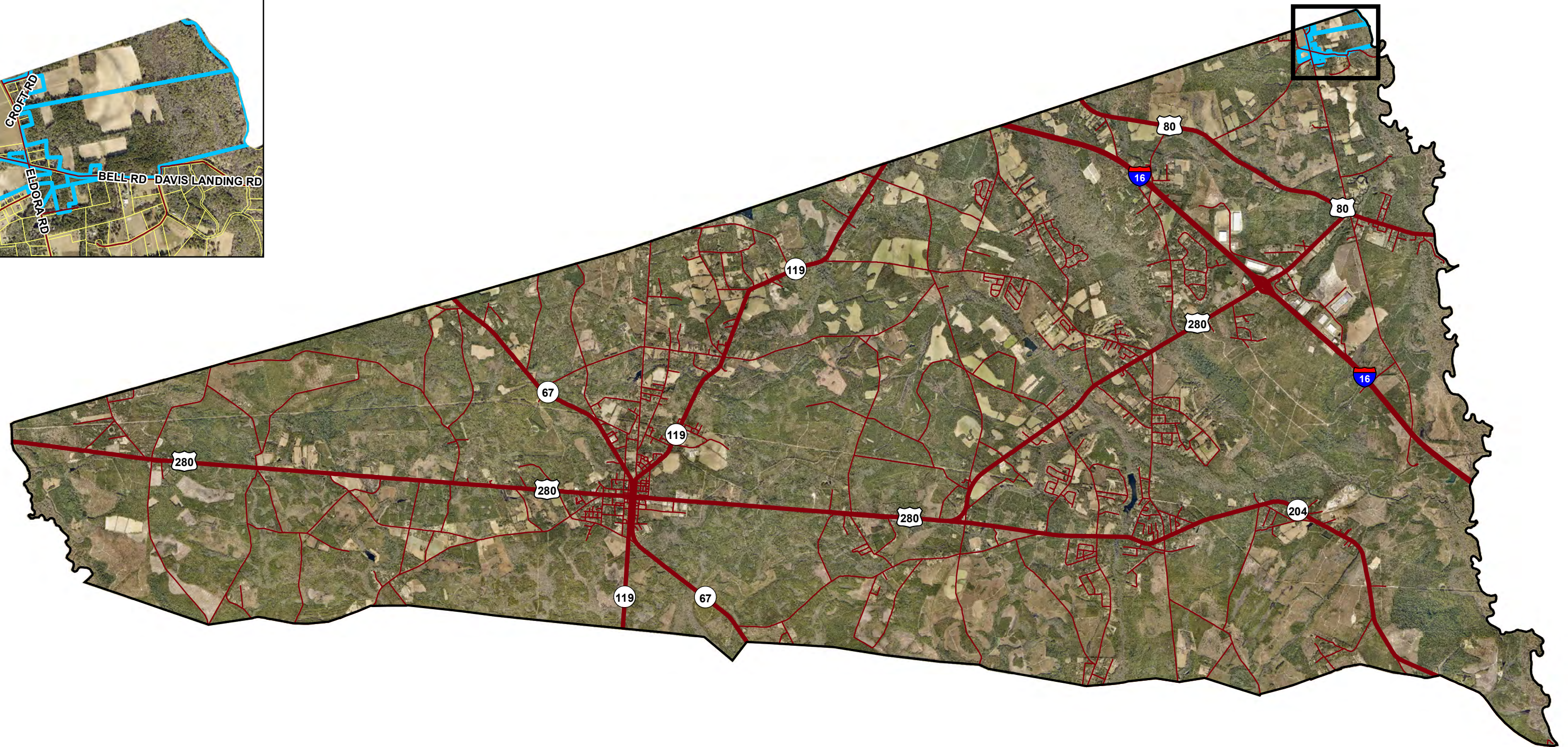
1. Concept plan needs to be updated to show proposed access, it would also be helpful to label the adjacent road names for reference.
2. Concept plan needs to distinguish between the conditional use boundary/acreage and the pit boundary/acreage. Right now it is understood that the Conditional Use boundary is 104 acres, but we need to know the acreage for the pit.
3. A buffer plan needs to be provided along the northern portion of the tract. This abuts several residential properties that are across the Bulloch County line.
4. A Traffic Impact Assessment (TIA) will be required. Based on an initial conversation with the Bryan County Engineering Director, this should address access point, need for turn lanes, Warnell Farms Road, intersections at both 80 and Eldora Road, and the 80/280 intersection with signal and roundabout. In accordance with Section 114-428, you should correspond with the Engineering Director to finalize the scope for this TIA. The TIA must be completed/approved, prior to this department scheduling this item for a public hearing with either our Planning and Zoning Commission or Board of Commissioners.

Advisory Comments:

1. Supplemental Conditions listed under Section 114-731 of the Unified Development Ordinance (attached) will apply to this request.

**Bryan County Public Schools - Amanda Clement -
aclement@bryan-county.org****DRC Review Complete****Review Comments:**

No comments received.



- Interstate, U.S. & State Highways
- Roads
- Subject Parcels 033-001 & 033-003
- Parcels



Produced by Bryan County GIS
February 2023

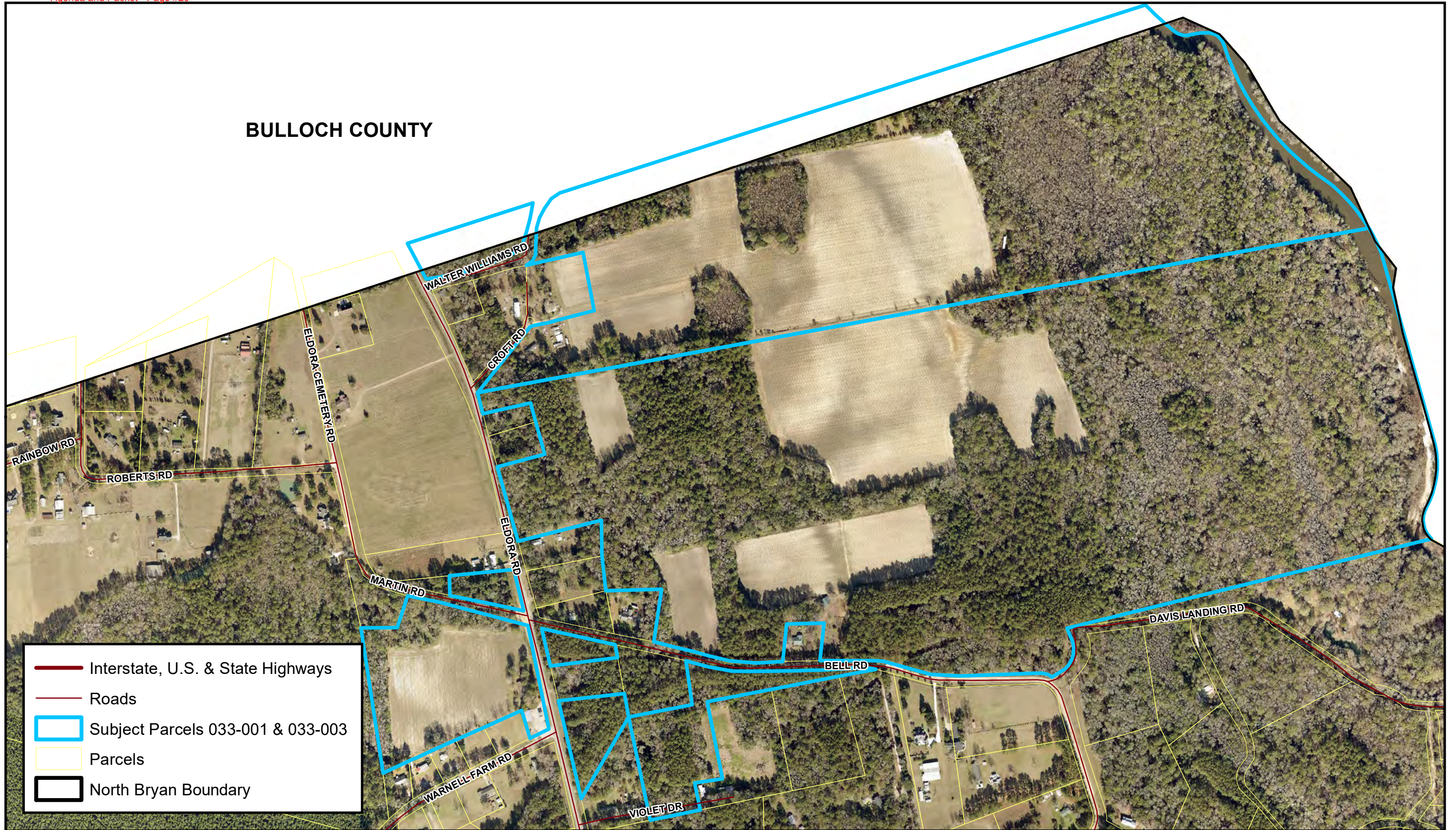


Overview Map
Davis-Utley Surface Mine - Eldora Rd
Project # 20220424 - Conditional Use

Exhibit C-1

DISCLAIMER
Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

BULLOCH COUNTY



- Interstate, U.S. & State Highways
- Roads
- Subject Parcels 033-001 & 033-003
- Parcels
- North Bryan Boundary



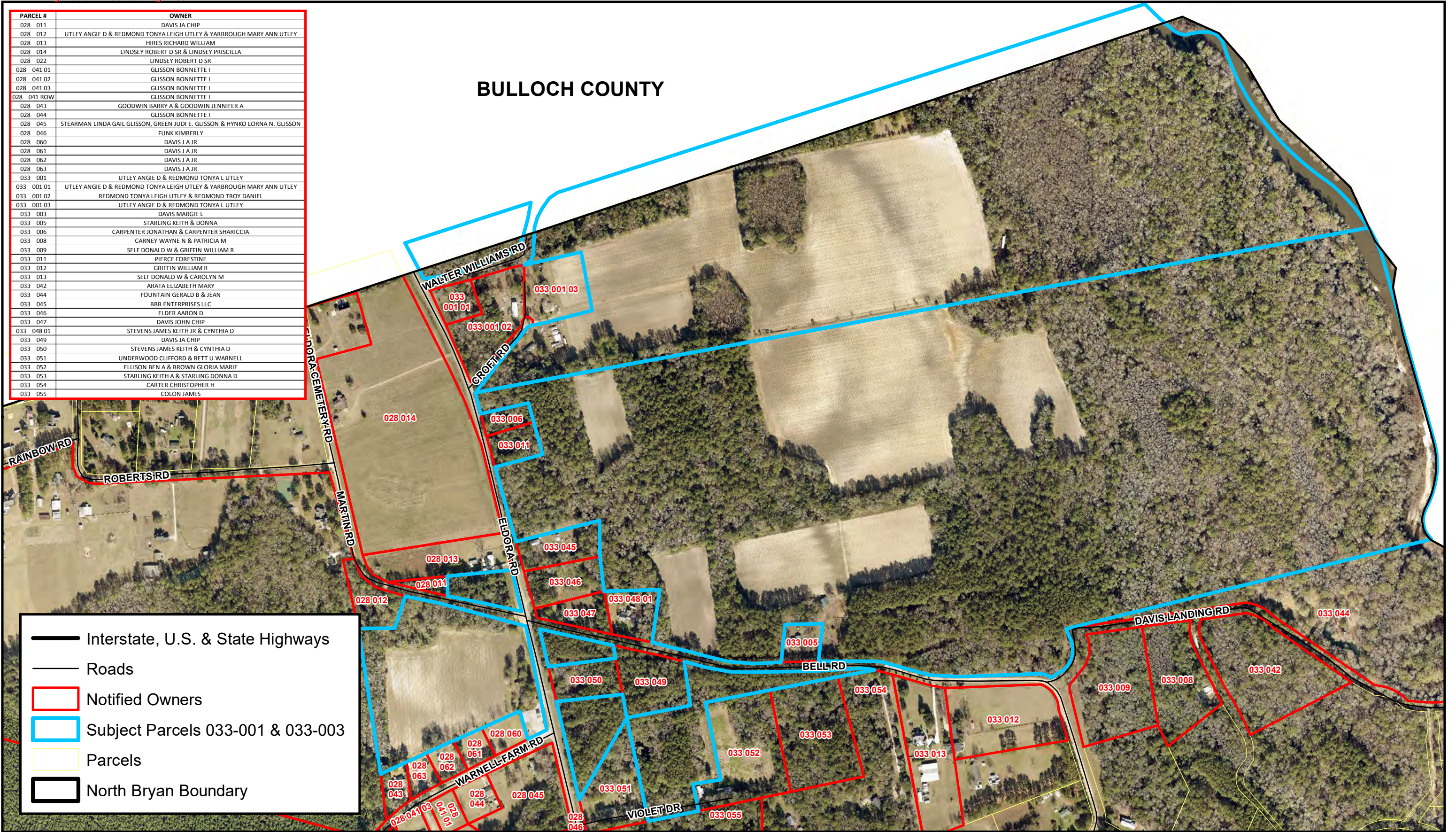
Location Map
Davis-Utley Surface Mine - Eldora Rd
Project # 20220424 - Conditional Use

Exhibit C-2

DISCLAIMER
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PARCEL #	OWNER
028 011	DAVIS JA CHIP
028 012	UTLEY ANGIE D & REDMOND TONYA LEIGH UTLEY & YARBROUGH MARY ANN UTLEY
028 013	HIRES RICHARD WILLIAM
028 014	LINDSEY ROBERT D SR & LINDSEY PRISCILLA
028 022	LINDSEY ROBERT D SR
028 041 01	GLISSON BONNETTE I
028 041 02	GLISSON BONNETTE I
028 041 03	GLISSON BONNETTE I
028 041 ROW	GLISSON BONNETTE I
028 043	GOODWIN BARRY A & GOODWIN JENNIFER A
028 044	GLISSON BONNETTE I
028 045	STEARMAN LINDA GAIL GLISSON, GREEN JUDI E. GLISSON & HYNKO LORNA N. GLISSON
028 046	FUNK KIMBERLY
028 060	DAVIS J A JR
028 061	DAVIS J A JR
028 062	DAVIS J A JR
028 063	DAVIS J A JR
033 001	UTLEY ANGIE D & REDMOND TONYA L UTLEY
033 001 01	UTLEY ANGIE D & REDMOND TONYA LEIGH UTLEY & YARBROUGH MARY ANN UTLEY
033 001 02	REDMOND TONYA LEIGH UTLEY & REDMOND TROY DANIEL
033 001 03	UTLEY ANGIE D & REDMOND TONYA L UTLEY
033 003	DAVIS MARGIE L
033 005	STARLING KEITH & DONNA
033 006	CARPENTER JONATHAN & CARPENTER SHARRICIA
033 008	CARNEY WAYNE N & PATRICIA M
033 009	SELF DONALD W & GRIFFIN WILLIAM R
033 011	PIERCE FORESTINE
033 012	GRIFFIN WILLIAM R
033 013	SELF DONALD W & CAROLYN M
033 042	ARATA ELIZABETH MARY
033 044	FOUNTAIN GERALD B & JEAN
033 045	BBB ENTERPRISES LLC
033 046	ELDER AARON D
033 047	DAVIS JOHN CHIP
033 048 01	STEVENS JAMES KEITH JR & CYNTHIA D
033 049	DAVIS JA CHIP
033 050	STEVENS JAMES KEITH & CYNTHIA D
033 051	UNDERWOOD CLIFFORD & BETT U WARNELL
033 052	ELLISON BEN A & BROWN GLORIA MARIE
033 053	STARLING KEITH A & STARLING DONNA D
033 054	CARTER CHRISTOPHER H
033 055	COLON JAMES

BULLOCH COUNTY



- Interstate, U.S. & State Highways
- Roads
- Notified Owners
- Subject Parcels 033-001 & 033-003
- Parcels
- North Bryan Boundary



Notification Map Davis-Utley Surface Mine - Eldora Rd Project # 20220424 - Conditional Use

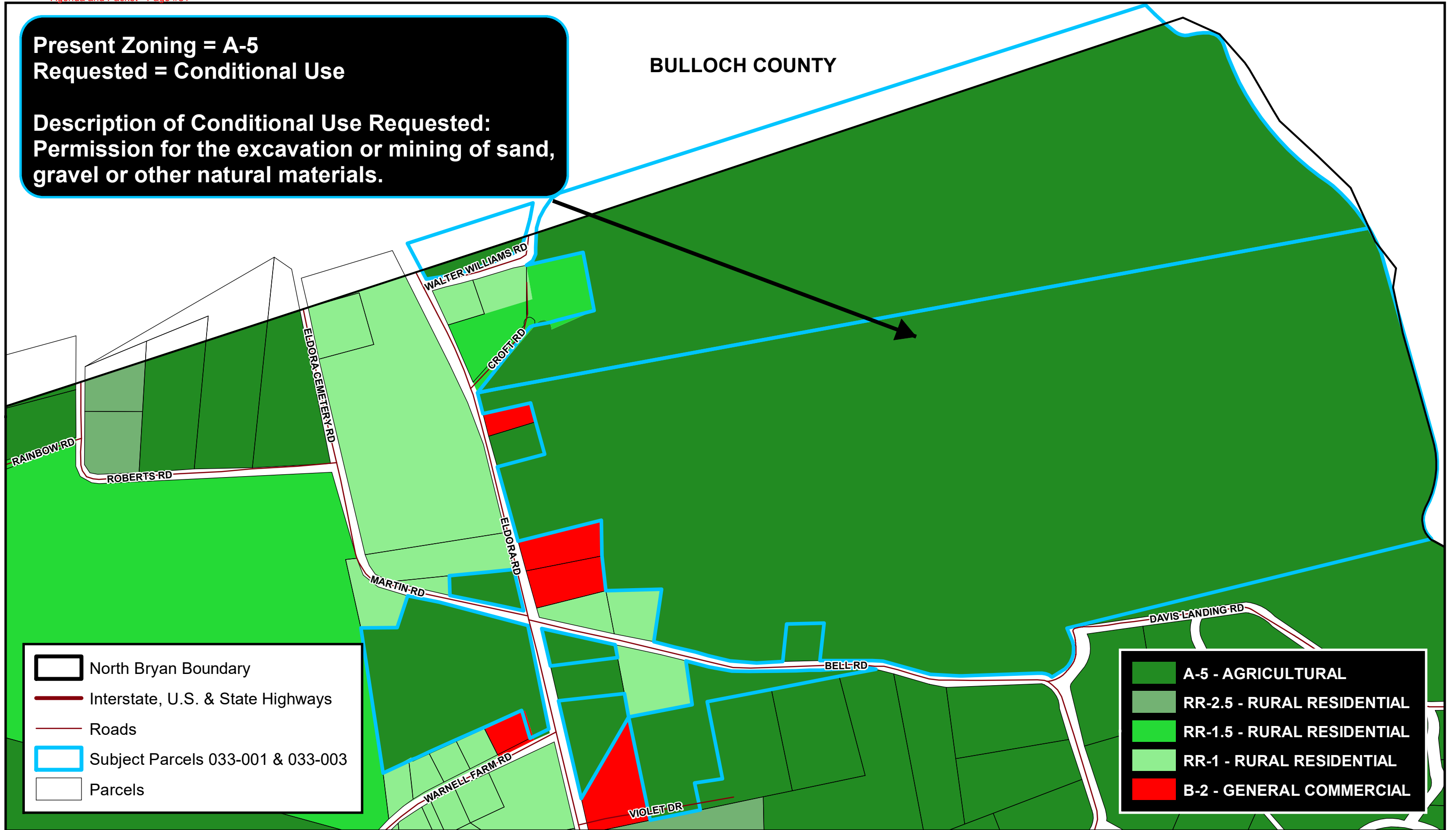
Exhibit C-3

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Present Zoning = A-5
Requested = Conditional Use

Description of Conditional Use Requested:
Permission for the excavation or mining of sand, gravel or other natural materials.

BULLOCH COUNTY



- North Bryan Boundary
- Interstate, U.S. & State Highways
- Roads
- Subject Parcels 033-001 & 033-003
- Parcels

- A-5 - AGRICULTURAL
- RR-2.5 - RURAL RESIDENTIAL
- RR-1.5 - RURAL RESIDENTIAL
- RR-1 - RURAL RESIDENTIAL
- B-2 - GENERAL COMMERCIAL

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230002

Public Hearing Date: April 18, 2023

REGARDING THE APPLICATION OF: T.R. Long Engineering, on behalf of Watergrass, LLC, requesting a PD Amendment to remove Phase 3 of the Watergrass Development. The property is located on Belfast River Road, Parent PIN# 057-107, in unincorporated Bryan County, Georgia.	Staff Report By: Sara Farr-Newman Dated: April 11, 2023
--	---

I. Application Summary

Requested Action: Public hearing and consideration for a Major PD Amendment. The application by Watergrass, LLC, proposes removal of Phase 3 of the Watergrass Subdivision, in unincorporated Bryan County, Georgia.

Applicant/Owner: Watergrass, LLC
379 Bluff Drive
Richmond Hill, GA 31324

Representative/Engineer: Joseph Stuckey
T.R. Long Engineering
1000 Towne Center Blvd
Pooler, GA 31322

Applicable Regulations:

- Bryan County Unified Development Ordinance, Article III. – Division 3. Planned Development, Section 114-325, Preliminary Development Plan and Section 114-326, Final Development Plan.

II. General Information

1. Application: A PD Amendment application was submitted by T.R. Long Engineering, on behalf of Watergrass, LLC, on January 3, 2023. After reviewing the application, the Director certified the application as being generally complete on March 8, 2023.

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

- A. Legal notice was published in the Bryan County News on **March 30, 2023**.
- B. Notice was sent to Surrounding Land Owners on **April 3, 2023**.
- C. The site was posted for Public Hearing on **April 3, 2023**.

3. Background: The subject property is located on the southeast side of Belfast River Road south of the intersection with Harris Trail Road. The parent parcel was rezoned “PD”, Planned Development District, on April 11, 2017. The final plats for Phases 1 and 2 have been approved and recorded. The PD was amended by the Board of Commissioners on October 9, 2018, to add the third phase. This amendment proposes to remove the third and final phase in order to close out the development with the two completed phases. An associated application proposes to rezone the third phase to “A-5” and subdivide into at least 4 lots, two of which are proposed to be combined with adjacent lots. The changes to the PD as a result of the proposed amendment are shown in the table below:

Change	With Phase 3	Amendment	Change
Total Area (Acres)	139.96	103.73	36.23
Gross Building Acreage	67.27	43.0	24.27
Number of Lots	190	140	50
Open Space Required (20% of buildable acreage, does not include more than 50% wetlands)	13.45 Acres Required	8.6 Acres Required;	4.85 Acres
Open Space Provided	19.55 Acres Upland 36.40 Acres Wetlands (50% of Total)	6.69 Acres Upland 26.54 Acres Wetlands (50% of Total)	12.86 Acres Upland 9.86 Acres Wetlands

The UDO specifies in Section 114-326 that a major amendment to a Development Plan shall be reviewed as a Preliminary Development Plan under Section 114-325.

4. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on January 3, 2023 unless otherwise noted.

“A” Exhibits- Application:

- A-1 Authorization of Property Owner Form
- A-2 Concept Plan
- A-3 Revised Master Plan (Revised January 26, 2023)
- A-4 Narrative
- A-5 Right of First Refusal (March 8, 2023)

“B” Exhibits- Agency Comments:

- B-1 Development Review Committee (DRC) Comments (January 23, 2023)

“C” Exhibits- Bryan County Supplements

- C-1 Overview Map
- C-2 Location Map
- C-3 Notification Map
- C-4 Zoning Map
- C-5 Watergrass Master Plan with Phase 3

“D” Exhibits- Public Comment:

None Received

III. Article III. Division 3. Planned Development, Section 114-325. Preliminary Development Plan Review Criteria:

Each of the following criteria must be satisfied prior to preliminary development plan approval.

1. The application demonstrates that it will achieve the purposes of the PD District and this section.

Staff Findings: Phases 1 and 2 of the Watergrass Development will remain unchanged from their current development pattern, with the amendment removing only Phase 3. The remaining phases will continue to meet the intentions of the original PD zoning and development plan as their development is already underway and largely completed.

2. The proposed PD district is consistent with the comprehensive plan.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of South Bryan County adopted in July of 2018, and amended on March 10, 2020, shows the subject site as being within the “Low Density Suburban” character area, which is suitable for subdivision development. The proposed amendment, should the “A-5” rezoning be approved, will be required to have lots a minimum of 5 acres in size. Large lot residential development is compatible with the “Low Density Suburban” character area. The first two phases of Watergrass will remain unchanged and zoned “PD”.

3. The mix and intensity of uses is compatible with the existing and proposed adjacent land uses.

Staff Findings: The proposed PD Amendment in conjunction with the “A-5” rezoning will be compatible with adjacent properties. These properties are zoned agricultural and rural residential, and are used for residential purposes. The larger lots proposed will be consistent with the more rural characteristics of these surrounding lots.

4. The proposed land uses are meeting a market demand.

Staff Findings: Both the current proposed “PD” development with smaller lots and the large lot residential development proposed by removing the area from the “PD” zoning provide types of development that serve consumer demand.

5. The PD furthers the county’s goal of providing a diverse use of land and balances residential and commercial development.

Staff Findings: There is no commercial proposed in the current PD or as part of the amendment.

6. Whether the proposed PD will adversely affect: known archeological, historical, cultural resources such as cemeteries and historic buildings, environmental resources, water or air quality, ground water recharge areas or drainage patterns, or soil erosion or flooding.

Staff Findings: There will be an overall reduction in lots based on the proposed amendment, rezoning, and subdivision. The PD Amendment, as well as the already completed drainage improvements within the development, will address concerns with stormwater runoff on adjacent properties. The proposed amendment will also reduce impacts on the large areas of wetlands and the Special Flood Hazard areas in Phase 3. The removal of Phase 3 in order to rezone to “A-5” and subdivide into large lot residential will also result in reduction of the amount of property that will be cleared and graded. This helps protect the existing trees and natural elements of the property. There are no known cultural resources that would be adversely impacted by this PD amendment.

7. The preliminary development plan conforms to all applicable provisions of this UDO.

Staff Findings: The required recreational amenities for the Watergrass PD include an amenities center, recreation areas, and a leisure path along Belfast River Road. The leisure path condition was amended May 10, 2022 to allow a fee in lieu, which has been paid by the developer. The amenities center, located in Phase 1, is also complete. The original Master Plan for Phase 3 of Watergrass showed the detention pond as a recreation area, but this will be removed with the amendment. The remaining area in Phases 1 and 2 will still meet the recreation and open space requirements without this use. Sidewalks internal to the development will provide for connectivity throughout the subdivision.

8. The proposed development is in an area of the county that is appropriate.

Staff Findings: The area proposed to be amended is adjacent to large residential lots off an unpaved road, Bodaford. The proposed amendment to remove Phase 3, previously proposed for 50 lots, and utilize it for large lot residential development, is appropriate in this residential area.

9. Existing or proposed roads, utilities and other public facilities and services will be adequate to accommodate demands from existing and proposed development.

Staff Findings: The new parcels previously part of Phase 3 will be accessed via a private road off Bodaford Road. There are three other lots accessed via this road that were created by the owner, as well. This road will serve a total of five lots, presuming Parcel D and Parcel A are combined with adjacent lots as proposed. Based on the concept plan, this subdivision with the adjacent parcels included falls under the Large Lot Subdivision Standards. These standards require the road have a 40-foot right of way and be constructed to County Rock Road Standards. Should the amendment be approved, the final version of the plat will be submitted for staff approval to include review of the access to ensure engineering and zoning standards are met. The new lots will be served by well and septic.

The remaining PD will now utilize a cul-de-sac at the end of the Coby Lane extension and combine the land remaining from the Brennan Drive ROW extension with the adjacent lots. Curbing and sidewalks will also be extended as required. Revised construction plans will be provided to ensure the changes meet all Bryan County Engineering Standards.

10. Private amenities will be sufficient to meet the demands from all proposed phases of development within the PD district.

Staff Findings: The amenities, including the pool/community area, are located in Phase 1, so will not be impacted by the amendment. Additionally, the open space requirements will continue to be met for the reduced development size. Per the original approval, 20% of the land area is required to be set aside for open space with no more than 50% of the wetlands being included. With the removal of Phase 3, this results in a requirement of 8.6 acres of open space. Phases 1 and 2 will maintain 6.69 acres of upland and 26.54 acres of wetlands as open space, meeting the requirement.

11. The proposed development patterns and design are superior to development that could occur under conventional zoning.

Staff Findings: This standard does not apply to the proposed amendment, as the applicant is proposing to remove a phase from the “PD” district in order to rezone to “A-5”, which is a conventional zoning district.

12. The phasing plan ensures that all development will be fully served by the required infrastructure as each phase is developed.

Based on the preliminary review, the proposed PD Amendment will be fully served by infrastructure. The Watergrass PD district permits 190 lots for all three phases. Phase 1 includes 58 lots and Phase 2 includes 82 lots, which are served by public utilities and are already established. The Phase proposed for removal will be served by well and septic and a private road.

IV. Staff Recommendation

Staff recommends approval of the Watergrass PD Amendment to remove Phase 3 with the following conditions:

1. Construction plans are submitted and approved showing the changes to Colby Lane, sidewalks, curbing, and drainage prior to completion of the road bond for Phase 2;
2. The rezoning to “A-5”, Agricultural District, is approved;

as it otherwise complies with the requirements.

V. Planning & Zoning Commission Recommendation

Recommendation: The Commission may recommend that the preliminary plat be approved, conditionally approved, or 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 conditions/denial of the proposed preliminary plat.

“A” Exhibits – Application

AUTHORIZATION BY PROPERTY OWNER*

"Exhibit A-1"

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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
- Rezoning
- Variance
- Administrative Appeal
- Subdivision
- Demolition Permit
- Temporary use/special event

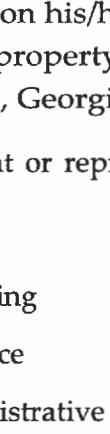
I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Tim Casey

Address: 379 Bluff Drive


City: Richmond Hill State: Georgia Zip Code: 31324

Telephone Number: 912-312-0421 Email: mtcasey2@icloud.com


Signature of Owner

1-3-2023
Date

Tim Casey
Owners Name (Print)

Personally appeared before me

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 January 2023

Michelle C. Adams, Notary Public
Notary Public



Name of Representative: Joseph J Stuckey III, PLS

Address: 1000 Towne Center BLVD Suite 304

City: Pooler State: Georgia Zip Code: 31322

Telephone Number: 912 335-1046 Email: jstuckey@trlongeng.com

[Signature]
Signature of Owner

1-3-2023
Date

Tim Casey
Owners Name (Print)

Personally appeared before me
Michael T. Casey Jr
Owner (Print)

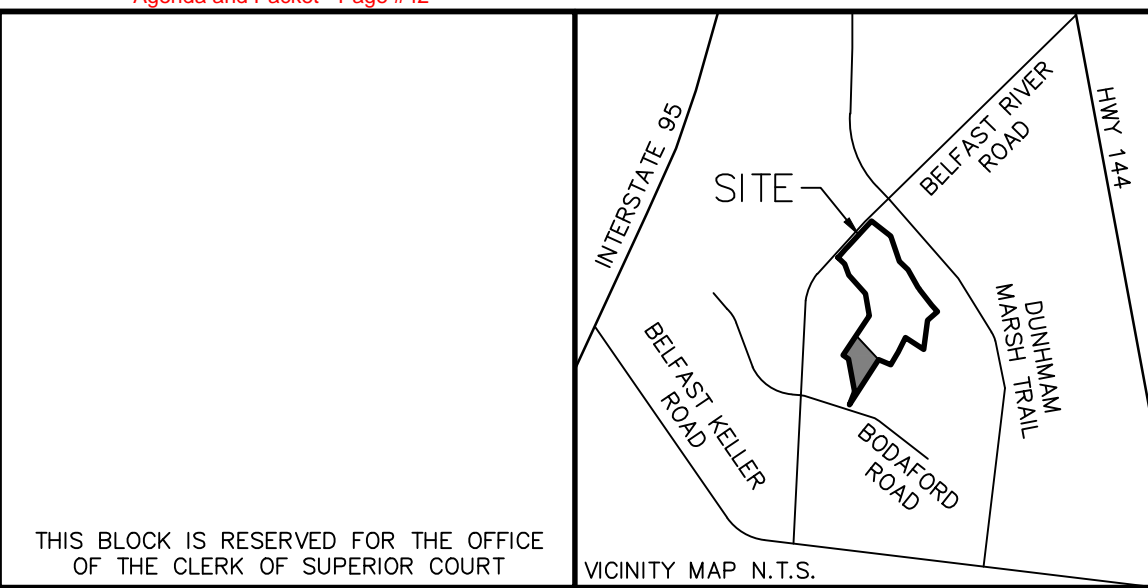
Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 3rd of January 2023

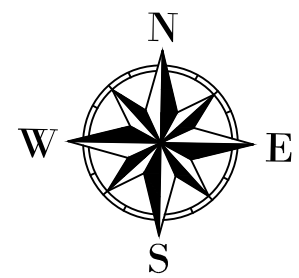
Michelle C Adams, Michelle Adams
Notary Public



***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**



"Exhibit A-2"



GEORGIA STATE PLANE
NAD 83, US SURVEY FEET

BELFAST RIVER RD (100' R/W)

THIS BLOCK IS RESERVED FOR THE OFFICE OF THE CLERK OF SUPERIOR COURT

VICINITY MAP N.T.S.

N/F CHRISTINE CAMPBELL ETAL
PARCEL # 056-011

N/F CAMPBELL ESTATE
PARCEL # 056-012

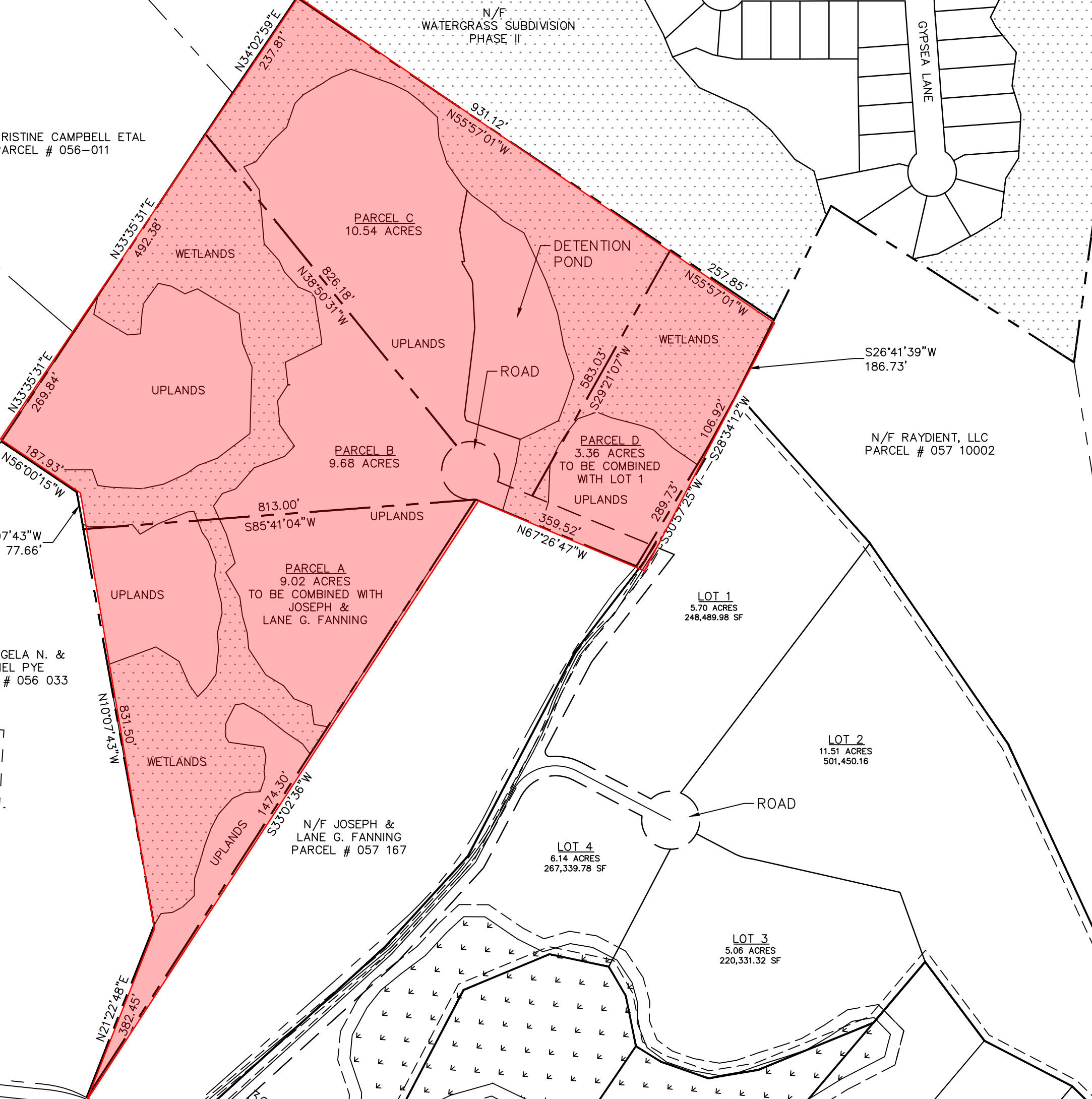
N/F ANGELA N. &
DANIEL PYE
PARCEL # 056 033

N/F JOSEPH &
LANE G. FANNING
PARCEL # 057 167

N/F RAYDIENT, LLC
PARCEL # 057 10002

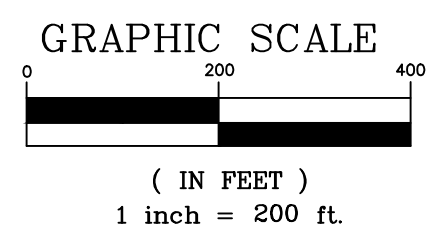
N/F KERRY & KYLE KINCAID
TAX # 057 00 104 002

N/F AMANDA & RICHARD WELCH
TAX # 05700 104001



BODAFORD ROAD

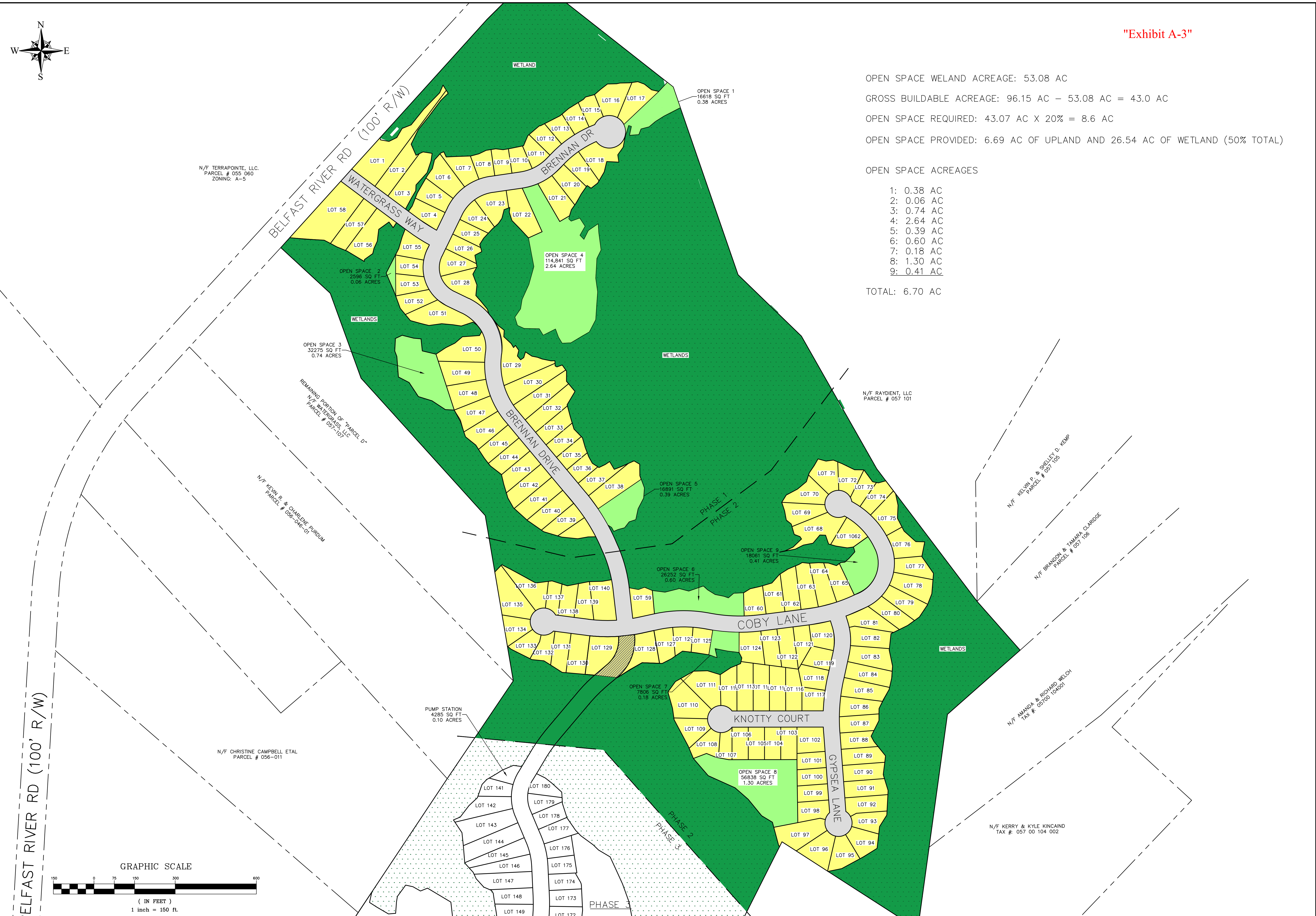
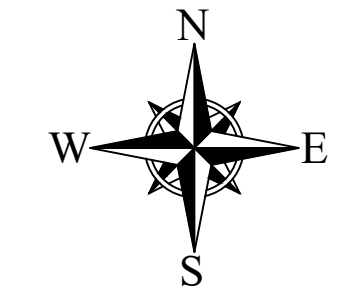
50' DRAINAGE
AND UTILITY
ESMT



**PRELIMINARY SKETCH
FOR
REMAINING PROPERTY OF
WATERGRASS DEVELOPMENT
20TH G.M. DISTRICT, BRYAN COUNTY, GEORGIA**

<p>T. R. Long Engineering, P.C. 114 North Commerce Street Hinesville, Georgia 31313 (912) 368-5664 (912) 368-7206 Fax</p>	<p>WATERGRASS DEVELOPMENT BRYAN COUNTY, GEORGIA 20th G.M. DISTRICT TAX PARCEL: 057 107 PLAT DATE: OCTOBER 14, 2022 FILE NUMBER: 2016-77 PAGE 1 OF 1</p>
--	---

"Exhibit A-3"



OPEN SPACE WELAND ACREAGE: 53.08 AC
 GROSS BUILDABLE ACREAGE: 96.15 AC - 53.08 AC = 43.0 AC
 OPEN SPACE REQUIRED: 43.07 AC X 20% = 8.6 AC
 OPEN SPACE PROVIDED: 6.69 AC OF UPLAND AND 26.54 AC OF WETLAND (50% TOTAL)

OPEN SPACE ACREAGES

- 1: 0.38 AC
- 2: 0.06 AC
- 3: 0.74 AC
- 4: 2.64 AC
- 5: 0.39 AC
- 6: 0.60 AC
- 7: 0.18 AC
- 8: 1.30 AC
- 9: 0.41 AC

TOTAL: 6.70 AC

N/F TERRAPINTE, LLC.
 PARCEL # 055 060
 ZONING: A-5

OPEN SPACE 2
 2596 SQ FT
 0.06 ACRES

OPEN SPACE 4
 114,841 SQ FT
 2.64 ACRES

OPEN SPACE 3
 32275 SQ FT
 0.74 ACRES

N/F RAYDIENT, LLC
 PARCEL # 057 101

N/F KEVIN R. & CHARLENE PURDUM
 PARCEL # 056-248-01

N/F KELVIN P. & SHELLEY D. KEMP
 PARCEL # 057 105

N/F BRADYON & TAMARA CLARIDGE
 PARCEL # 057 106

N/F AMANDA & RICHARD WELCH
 TAX #: 05700 106001

N/F CHRISTINE CAMPBELL ETAL
 PARCEL # 056-011

N/F KERRY & KYLE KINCAID
 TAX #: 057 00 104 002

PUMP STATION
 4285 SQ FT
 0.10 ACRES

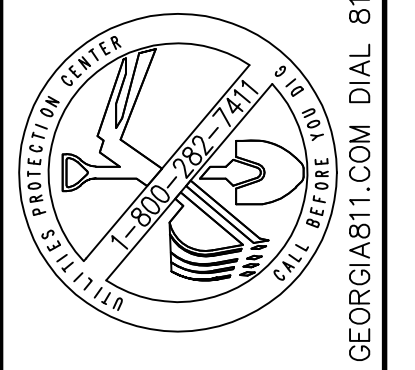
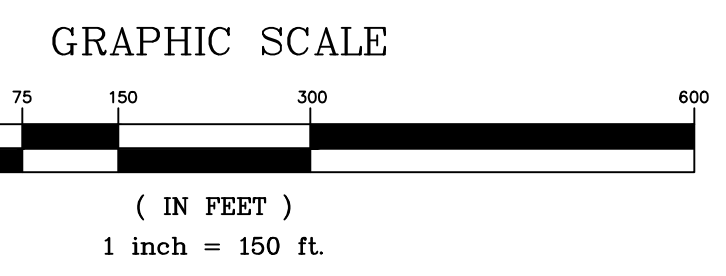
OPEN SPACE 8
 56838 SQ FT
 1.30 ACRES

OPEN SPACE 6
 26232 SQ FT
 0.60 ACRES

OPEN SPACE 9
 18061 SQ FT
 0.41 ACRES

OPEN SPACE 5
 16891 SQ FT
 0.39 ACRES

OPEN SPACE 7
 7806 SQ FT
 0.18 ACRES



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HINESVILLE:
 114 North Commerce Street
 Hinesville, Georgia 31313
 (912) 368-5664
 POOLER:
 1000 Towne Center Blvd
 Suite 304
 Pooler, Georgia 31322
 (912) 335-1046



WATERGRASS DEVELOPMENT
 EXHIBIT OVERALL LAYOUT

SHEET NAME:
 PHASE 1 & 2
 SITE LAYOUT

REVISIONS:

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

INITIAL DATE: 06/29/2016
 DRAWN BY: MHR
 CHECKED BY: TRL
 PROJECT #: 2016-77

SHEET NUMBER:
C-1

GEORGIA 811.COM DIAL 811
 GSWCC# 0000020134

TAX PARCEL NUMBER: CITY, COUNTY, STATE
 www.trlongeng.com

114 North Commerce Street
Hinesville, Georgia 31313
(912) 368-5664 Office
(912) 368-7206 Fax



1000 Towne Center Blvd.
Suite 304
Pooler, Georgia 31322
(912) 355-1046

January 5, 2023

"Exhibit A-4"

Sara Farr-Newman, AICP
Planner II
Community Development Department
Bryan County BOC
Capt. Matthew Freeman Drive
Richmond Hill, Georgia 30605

PUD AMENDMENT

Re: Watergrass Phase 3 PUD Amendment
TRL Job #: 2016-77H

Dear Mrs. Farr-Newman:

We are requesting a PUD Amendment for the Watergrass Development of Belfast River Road located in the 20th G.M. District, Bryan County, Georgia.

The request of this amendment is to remove Phase 3 portion from the original PUD. The owner's intent for this area is to change the zoning to Agricultural 5 and sell the remaining property as large tracts or Estate Tracts. The tracts will be approximately 9 acres to 15 acres in size.

The original PUD development was approved in 2018 for 185 lots located on 139.96 acres. The minimum lot size for this PUD was 6000 square feet. The development was divided into three phases. Phases 1 and 2 have been constructed. Phase 1 consisted of 58 lots and Phase 2 consisted of 82 lots. The Phase 3 was to consist of approximately 36.23 Acres and 41 lots with community areas.

OPEN SPACE REQUIREMENTS

The calculations show that the open space requirements have been met for Phase 1 and Phase 2 combined. Phase 1 had a total acreage of 28.95 and Phase 2 had a total area of 45.60 plus wetlands areas to remain part of Watergrass LLC. The total gross area is 96.15 AC.

The open Space or community space requirement is 8.6 Acres based on the calculations below. The open space provided for phase 1 and phase 2 is 6.69 acres of upland and 26.54 acres of wetlands. The 26.54 acres is allowable 50% of the wetlands that can count towards open space.

Open Space Wetland Acreage: 53.08 AC
Gross Buildable Acreage: 96.15 AC – 53.08 AC = 43.07 AC
Open Space Required: 43.07 AC x 20% = 8.6 AC

Open Space Provided: 6.69 acres of upland and 26.54 acres of wetland (50% total)

The previous phases do not require any open space from Phase 3 to meet the requirements.

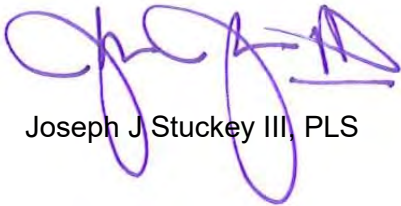
BENEFITS OF AMENDMENT

The benefit of removing this from the existing PUD will reduce the density of houses in the area. Originally there was a proposed 41 new lots with a minimum size of 6000 square feet. If this amendment and the rezoning request is approved the lots will be approximately 9 acres to 15 acres in size. The original zoning for this area is Agricultural 5 and the intent is to return it to Agricultural 5. This reduction in lot size will allow reduce traffic and impacts to public utilities on the surrounding area.

Again, this request for amendment is to remove Phase 3 portion from the original PUD. The owner's intent for this area is to change the zoning to Agricultural 5 and sell the remaining property as large tracts or Estate Tracts. The tracts will be approximately 9 acres to 15 acres in size.

Should you have any questions, comments, or need additional information please contact us.

Sincerely,



Joseph J Stuckey III, PLS

"Exhibit A-5"

THIRD AMENDMENT TO LOT PURCHASE AGREEMENT

This **THIRD AMENDMENT TO LOT PURCHASE AGREEMENT** (this "Amendment"), dated as of February 15, 2023, is made by and between **Watergrass, LLC**, a Georgia limited liability company ("Seller"), and **D.R. Horton, Inc.**, a Delaware corporation ("Buyer").

Recitals

WHEREAS, Buyer and Seller entered into that certain Lot Purchase Agreement effective as of April 7, 2020, as amended by Amendment to Lot Purchase Agreement dated as of October 19, 2020, and by Second Amendment to Lot Purchase Agreement dated as of October 8, 2021 (as amended, the "Agreement"), with respect to Lots located in Chatham County, Georgia as more particularly described therein (the "Property"); and

WHEREAS, Buyer has purchased all of the Lots which are the subject of the Agreement prior to the date hereof; and

WHEREAS, Seller has requested, and Buyer has agreed, that Buyer waive and release the Right of First Offer granted to Buyer in the Agreement with respect to adjacent lands owned by Seller; and

WHEREAS, Buyer and Seller now desire to amend the Agreement further on the terms set forth in this Amendment.

NOW, THEREFORE, in consideration of these premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

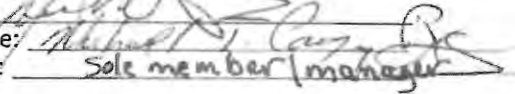
1. Incorporation of Recitals; Definitions. The foregoing Recitals are true and correct and incorporated herein by this reference. Unless otherwise defined herein, capitalized terms used in this Amendment shall have the meaning ascribed to such terms in the Agreement.
2. Right of First Offer. Section 35 of the Agreement, entitled "Right of First Offer", is hereby deleted in its entirety and the following substituted therefor: "35. [Intentionally Omitted]"
3. Electronic Signatures. This Amendment may be executed by hand-signatures or by electronic signatures using DocuSign or other similar technology. Such signatures may be transmitted by facsimile or email. Any such electronic transmissions of signatures shall be deemed to constitute originals. In addition, either party and/or the Escrow Agent may rely upon any electronic transmission of any document that is properly executed by the other party. The ratification of this Amendment by any of the Authorized Officers on behalf of Buyer also may be accomplished by either hand signature or by electronic signature using DocuSign or other similar technology. Except as otherwise provided herein, the Electronic Signatures in Global and National Commerce Act and any parallel, corresponding or similar state law or regulation shall not apply to the execution of this Amendment.
4. Corporate Ratification. NOTWITHSTANDING ANY OTHER PROVISION HEREIN, NEITHER THIS AMENDMENT NOR ANY FUTURE AMENDMENT TO THE AGREEMENT SHALL BE A VALID, BINDING AND ENFORCEABLE OBLIGATION OF BUYER UNLESS AND UNTIL SUCH DOCUMENT IS RATIFIED IN WRITING BY ONE OF THE FOLLOWING EXECUTIVE OFFICERS OF BUYER (EACH, AN "AUTHORIZED OFFICER"): DONALD R. HORTON, DAVID V. AULD, BILL W. WHEAT, MICHAEL J. MURRAY, THOMAS F. HILL, JR., OR BRADFORD C. BRUNDAGE.
5. Miscellaneous. Except as modified by this Amendment, the Agreement remains unmodified and in full force and effect. The Agreement and this Amendment shall be read and construed as one instrument, but in the event of a conflict between the Agreement and this Amendment, the terms of this Amendment shall control. This Amendment shall be governed and construed in accordance with the laws of the state in which the Property is located. This Amendment shall inure to the benefit of and be binding upon the heirs, successors and permitted assigns of the parties hereto. This Amendment may be executed in multiple counterparts which, taken as a whole, shall constitute one instrument. This Amendment may be executed by facsimile signature.

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date above written.


SELLER:

Watergrass, LLC, a Georgia limited liability company

By: 
Name: Michael T. Casper
Title: Sole member/manager


BUYER:

D.R. Horton, Inc., a Delaware corporation

By: 
Sean T. Ware, its City Manager

BUYER'S CORPORATE RATIFICATION:

D.R. Horton, Inc., a Delaware corporation

DocuSigned by:
By: 
Name: Bradford C. Brundage
Title: Coastal Carolina Regional President

“B” Exhibits – Agency Comments

**Zoning - Sara Farr-Newman -
snewman@bryan-county.org**

DRC Review Complete

Review Comments:

1. Provide an updated Master Plan showing the removal of Phase 3 with updated calculations for open space, density, common areas, etc. by end of day Friday, January 27, 2023.
 2. Provide additional information on planned sidewalk extensions, curbing, etc. for road as it will no longer extend to Phase 3.
 3. The property is currently shown with access through adjacent properties. Provide additional information verifying proposed road type (dirt, gravel, etc) and ownership of these properties and/or owner authorization of this access by end of day Friday, January 27, 2023.
 4. Provide documentation from DR Horton indicating they are aware of the rezoning and amendment and support of the proposal.
-

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Portion of Parcel 057-107
- Parcels

"Exhibit C-1"



Produced by Bryan County GIS
January 2023



Overview Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Amendment to Zoning Conditions

DISCLAIMER
Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



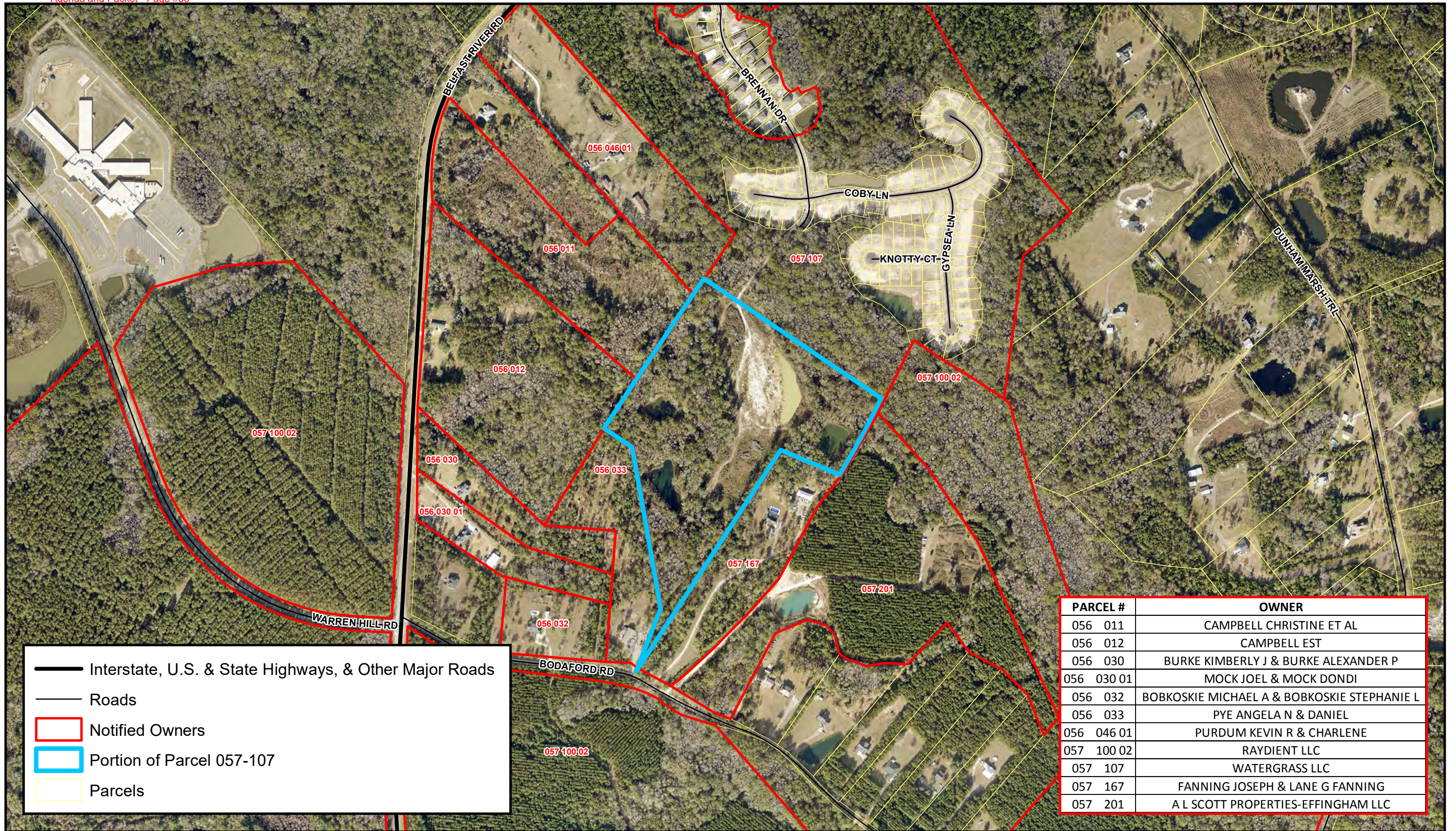
— Interstate, U.S. & State Highways, & Other Major Roads
— Roads
 Portion of Parcel 057-107
 Parcels



Location Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Amendment to Zoning Conditions

"Exhibit C-2"

DISCLAIMER
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Interstate, U.S. & State Highways, & Other Major Roads
 Roads
 Notified Owners
 Portion of Parcel 057-107
 Parcels

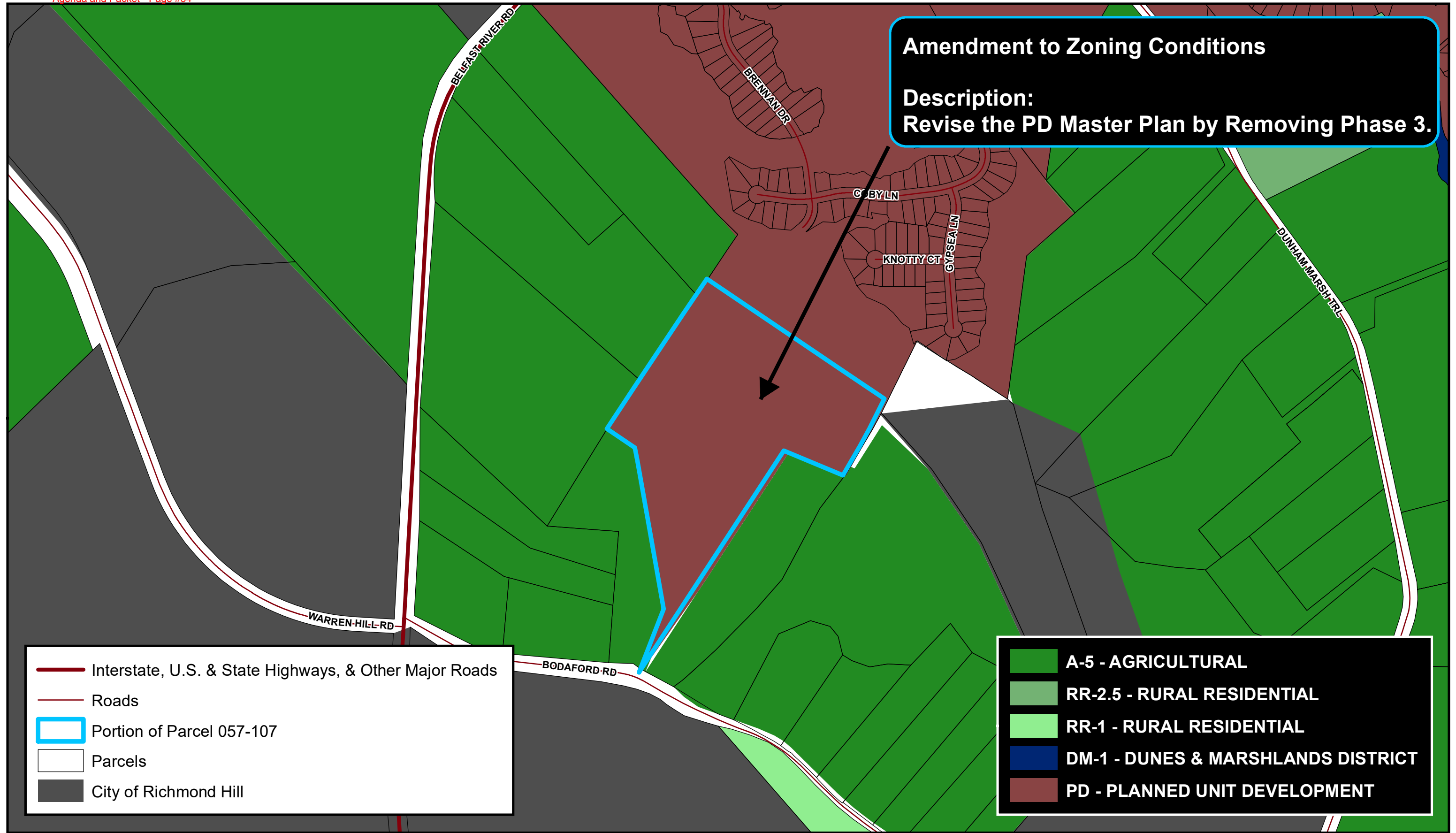
PARCEL #	OWNER
056 011	CAMPBELL CHRISTINE ET AL
056 012	CAMPBELL EST
056 030	BURKE KIMBERLY J & BURKE ALEXANDER P
056 030 01	MOCK JOEL & MOCK DONDI
056 032	BOBKOSKIE MICHAEL A & BOBKOSKIE STEPHANIE L
056 033	PYE ANGELA N & DANIEL
056 046 01	PURDUM KEVIN R & CHARLENE
057 100 02	RAYDIENT LLC
057 107	WATERGRASS LLC
057 167	FANNING JOSEPH & LANE G FANNING
057 201	A L SCOTT PROPERTIES-EFFINGHAM LLC



Notification Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Amendment to Zoning Conditions

"Exhibit C-3"

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Zoning Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Amendment to Zoning Conditions

"Exhibit C-4"

DISCLAIMER
 Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

“D” Exhibits – Public Comment

None Provided

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230002

Public Hearing Date: April 18, 2023

REGARDING THE APPLICATION OF: T.R. Long Engineering, on behalf of Watergrass, LLC, requesting rezoning of Phase 3 of the Watergrass Development. The property is located on Belfast River Road, Parent PIN# 057-107 in unincorporated Bryan County, Georgia.	Staff Report By: Sara Farr-Newman Dated: April 11, 2023
--	---

I. Application Summary

Requested Action: Public hearing and consideration of a zoning map amendment in unincorporated Bryan County. The application by T.R. Long Engineering, on behalf of Watergrass, LLC, proposes to change the “PD” Planned Development Zoning for Phase 3 of the development located off Brennan Drive, PIN# 057-107, to “A-5” Agricultural Zoning District.

Owner: Watergrass, LLC
379 Bluff Drive
Richmond Hill, GA 31324

Applicant/Representative: Joseph Stuckey
T.R. Long Engineering
1000 Towne Center Blvd
Pooler, GA 31322

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 Unified Development Ordinance, Article III, Division 2. Code Text/Map Amendments (Rezoning)
- Bryan County Unified Development Ordinance, Article V, Division 4. Agricultural and Rural Residential Districts

II. General Information

1. Application: A rezoning application was received by the Director on January 3, 2023. After reviewing the application, the Director certified the application as being generally complete on March 8, 2023.

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

A. Legal notice was published in the Bryan County News on **March 30, 2023**.

B. Notice was sent to Surrounding Land Owners on **April 3, 2023**.

C. The site was posted for Public Hearing on **April 3, 2023**.

3. Background: The subject property is located on the southeast side of Belfast River Road, south of the intersection with Harris Trail Road. The parent parcel was rezoned "PD", Planned Development District, on April 11, 2017. The PD was amended by the Board of Commissioners on October 9, 2018, to add the third phase. The applicant is requesting to rezone Phase 3 of the property to "A-5", Agricultural District, in order to create large lot residential development. An associated PD Amendment application proposes to remove this property from the PD in order to complete the development with the 2 phases already developed.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on January 3, 2023, unless otherwise noted.

"A" Exhibits- Application:

A-1 Disclosure Statement

A-2 Owner Authorization

A-3 Impact Analysis for Rezoning Requests (Revised January 18, 2023)

A-4 Concept Plat

A-5 Right of First Refusal (March 8, 2023)

A-6 Revised Master Plan (January 26, 2023)

"B" Exhibits- Agency Comments:

B-1 DRC Comments (January 23, 2023)

"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 III, Division 2. Code Text/Map Amendments
(Rezoning), Section 114-313:**

In its review of an application for a zoning map amendment, staff and hearing bodies shall consider the following criteria. No single factor is controlling except for criterion 1. If the request is not consistent with the Comprehensive Plan, the application shall be denied unless the applicant submits an application for Comprehensive Plan Amendment and such request is approved. For all other criteria, each criterion must be weighed in relation to the other criteria. The Hearing Body shall not consider any representations made by the applicant that, if the change is granted, the rezoned property will be used for only one of the possible uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

1. **Consistency.** Whether the proposed amendment is consistent with the adopted Comprehensive Plan and helps carry out the purposes of this UDO.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of South Bryan County adopted in July of 2018, and amended on March 10, 2020, shows the subject site as being within the “Low Density Suburban” character area, which is suitable for subdivision development. The “A-5” rezoning will require lots a minimum of 5 acres in size. Large lot residential development is compatible with the “Low Density Suburban” character area. The first two phases of Watergrass will remain unchanged and zoned “PD”.

2. **Compatibility with Neighboring Lands.** Whether the proposed reclassification is compatible with or would negatively impact the overall character or land use pattern on an abutting property or neighborhood near the subject property.

Staff Findings: The proposed rezoning is compatible with adjacent properties. The immediately adjacent properties are zoned “A-5”, Agricultural District. The properties across Bodaford Road, which is proposed to be used for property access, are zoned “RR-1”, Rural Residential District, or located within the City of Richmond Hill. The rezoning will result in larger lots with a lower density than Phase 3 of Watergrass., with two of the lots planned to be combined with adjacent lots. The rezoning will maintain compatibility with the large lot residential and agricultural character of the area.

3. **Adequacy of Public Facilities and Services.** Whether public facilities and services, 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, are adequate to serve projected demands from development allowed by the amendment.

Staff Findings:

- a) Roads: Access to the property will be off Bodaford Road, an unpaved County road, via a private road, which will be required to meet County Rock Road Standards.
- b) Parks and Recreational Facilities: Recreational facilities will not be significantly impacted by the proposed rezoning.
- c) Police and Fire Protection: The Bryan County Sheriff's Office and Bryan County Emergency Services provide police and fire protection for the subject property. The rezoning will have minimal impact on these services.
- d) Schools: The Richmond Hill Elementary School, Carver Elementary School, Francis Meeks Elementary School, Richmond Hill Middle School, and Richmond Hill High School serve South Bryan County. They will not be significantly impacted by this rezoning.
- e) Stormwater drainage systems: The rezoning will reduce impact on the stormwater drainage systems by permitting fewer and larger lots.
- f) Water Supply and Wastewater Treatment: The lots will be served by well and septic. Public Health indicated due to the large lots as shown on the concept plan they do not have concerns about this proposal. Soils information has also been provided to public health.

In general, the rezoning will not significantly impact public facilities and services.

4. **Adverse Impacts.** Whether the proposed reclassification will adversely affect known archaeological, historical, cultural or environmental resources; negatively impact water or air quality; negatively impact ground water recharge areas or drainage patterns; or increase soil erosion or flooding.

Staff Findings: The FEMA F.I.R.M. maps indicate the northern portion of the property is located within a Special Flood Hazard Area, Zone AE. The property also has wetlands throughout; however, the rezoning will require larger lots than the current "PD" zoning, resulting in less impact and

development within these environmentally sensitive areas. There are no known archaeological, historical, or cultural resources identified that would be impacted.

5. **Suitability as Presently Zoned.** Whether the property is suitable for authorized uses as presently zoned.

Staff Findings: The property proposed to be rezoned is currently zoned “PD” and planned to be developed as Phase 3 of Watergrass, which would add approximately 50 lots to the development. The proposed rezoning to “A-5” and related PD Amendment will reduce the impact of development to adjacent lots. There will also be no additional traffic from Phase 3 entering and exiting Watergrass.

The private road right of way proposed for access was already approved via a minor plat for an adjacent lot, so the rezoning will not result in a new curb cut from Bodaford. Given the property’s location within the “Low Density Suburban Characteristics” character area, as is defined by the County Comprehensive Plan’s Character Area and Future Land Use Map, staff finds the site to be suitable for the proposed “A-5” Agricultural Zoning District.

6. **Net Benefits.** Whether the relative gain to the public exceeds the hardships imposed upon the applicant by the existing zoning restrictions.

Staff Findings: The existing “PD” Zoning District is compatible with the other adjacent phases of the Watergrass development, and was previously reviewed and approved due to its compatibility with the area. However, given the intent of the “Low Density Suburban Characteristics” character area to provide a range of residential lots and uses that also preserve the character of the area, as well as the fact that these lots include wetlands and special flood hazard areas, rezoning will have a positive impact on the public.

7. **Development Plans.** Whether the applicant has plans for development of the property. Applications for multifamily or non-residential zoning classifications carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme unless a concept plan is submitted with the application.

Staff Findings: The applicant applied for a related PD Amendment in order to permit the removal of Phase 3 in conjunction with the rezoning for large lot residential development. The PD Amendment will be reviewed in a separate staff report.

8. **Market Demand.** Whether there is projected demand for the property as currently zoned, which may be determined by the length of time the property has failed to produce income or be used

productively as zoned, or whether there are substantial reasons why the lot cannot be used in accordance with the existing zoning classification.

Staff Findings: The property is currently zoned for residential purposes as part of the Watergrass PD, and the owner plans to continue the residential use on larger lots that are not part of the Watergrass development.

9. **Health, Safety, and Welfare.** Whether the proposed map amendment bears a substantial relationship to the public health, safety or general welfare.

Staff Findings: The proposed map amendment to rezone this tract in order to allow large lot residential does not bear a substantial relationship to the public health, safety or general welfare, though it will allow preservation of environmentally sensitive areas that could be beneficial for the public.

IV. Staff Recommendation

Based on the findings within this report and the request's consistency with the County's Comprehensive Plan's Character Area and Future Land Use Map, Staff recommends approval of the requested rezoning.

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 conditions/denial of the proposed rezoning.

Ordinance Number: _____

Date: _____

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND OFFICIAL ZONING MAP OF BRYAN COUNTY, GEORGIA, BY REZONING A ±44-ACRE TRACT OF LAND (**OWNED BY WATERGRASS LLC**) AND LOCATED OFF BRENNAN DR REFERENCED BY TAX MAP/PARCEL 057-107 BY CHANGING SAID PROPERTY FROM A “PD” PLANNED DEVELOPMENT ZONING CLASSIFICATION TO AN “A-5” AGRICULTURAL ZONING CLASSIFICATION.

BE IT ORDAINED AND ENACTED BY THE COUNTY COMMISSIONERS OF BRYAN COUNTY, GEORGIA.

SECTION 1. FINDINGS The Bryan County Board of Commissioners finds that the property described in Section 3 of this Ordinance was zoned and classified under the Unified Development Ordinance of Bryan County and the official Zoning Map adopted pursuant thereto as a “PD” zoning classification. The Bryan County Board of Commissioners, with the consent of the owner(s) of the property described in Section 3 of this Ordinance, have submitted to the Bryan County Planning and Zoning Commission proposed changes or amendments to the Unified Development Ordinance of Bryan County and the official Zoning Map adopted pursuant thereto in order to amend the zoning district and classification of the property described in Section 3 of this Ordinance from a “PD” zoning classification to an “A-5” zoning classification. The Board of Commissioners finds that the Bryan County Planning and Zoning Commission has reviewed the proposed changes or amendments to the Unified Development Ordinance of Bryan County and the official Zoning Map, and the Planning and Zoning Commission has prepared and submitted its recommendations on the proposed amendments and changes, wherein the Planning and Zoning Commission has stated its findings and evaluations of the request.

SECTION 2. ZONING ORDINANCE AND MAPS AMENDED. The Unified Development Ordinance of Bryan County and the official Zoning Map, adopted pursuant thereto, are hereby amended by amending and changing the zoning district and zoning classification of the property described in Section 3 of this Ordinance from a “PD” zoning classification to an “A-5” zoning classification, and in accordance with and pursuant to the authority conferred by §36-66-1, *et. seq.*, O.C.G.A, and Section 114-313 of the Unified Development Ordinance of Bryan County.

SECTION 3. DESCRIPTION OF PROPERTY. The property which is the subject of this Ordinance is described as follows: A portion of that certain piece, parcel or tract of land containing approximately a 44-acre tract of land, located off Brennan Dr, Phase 3 of Watergrass, referenced by tax map/parcel 057-107, Bryan County, Georgia.

SECTION 4. PUBLIC HEARING. The Bryan County Board of Commissioners shall hold a public hearing on this Ordinance and provide at least fifteen but not more than 45 days’ notice

of the time and place by publishing said notice in a newspaper of circulation in Bryan County, Georgia, and posting a notice on the property at least fifteen days prior to conducting such public hearing, as required by §36-66-4 O.C.G.A, and Section 114-218 of the Unified Development Ordinance of Bryan County, before this Ordinance shall become effective.

SECTION 5. REPEAL OF INCONSISTENT ORDINANCES OR LAWS. All ordinances and laws in conflict with this Ordinance are hereby repealed and amended to the extent of such conflict and the official Zoning Map of Bryan County is hereby amended, consistent with the provisions of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

ADOPTED THIS __DAY OF ____, 2023.

BRYAN COUNTY BOARD OF COMMISSIONERS

BY: _____
Carter Infinger, Chairman

ATTEST: _____
Lori Tyson
County Clerk

1st Reading: April 11, 2023
Public Hearing: April 18, 2023
2nd Reading: May 9, 2023

“A” Exhibits – Application

Bryan County Board of Commissioners

"Exhibit A-1"



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



AUTHORIZATION BY PROPERTY OWNER* "Exhibit A-3"

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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
- Rezoning
- Variance
- Administrative Appeal
- Subdivision
- Demolition Permit
- Temporary use/special event

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Tim Casey

Address: 379 Bluff Drive


City: Richmond Hill State: Georgia Zip Code: 31324

Telephone Number: 912-312-0421 Email: mtcasey2@icloud.com


Signature of Owner

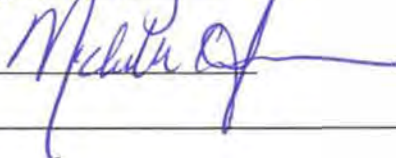
1-3-2023
Date

Tim Casey
Owners Name (Print)

Personally appeared before me

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 January 2023

Michelle C. Adams, 
Notary Public



Name of Representative: Joseph J Stuckey III, PLS

Address: 1000 Towne Center BLVD Suite 304

City: Pooler State: Georgia Zip Code: 31322

Telephone Number: 912 335-1046 Email: jstuckey@trlongeng.com

[Signature]
Signature of Owner

1-3-2023
Date

Tim Casey
Owners Name (Print)

Personally appeared before me

[Signature]
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.

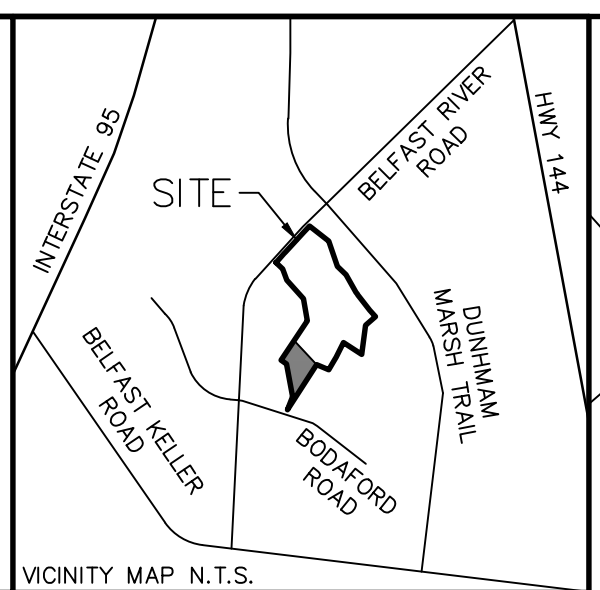
This Day 3rd of January 2023

[Signature]
Notary Public

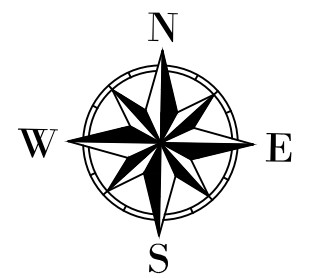


***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**

"Exhibit A-4"

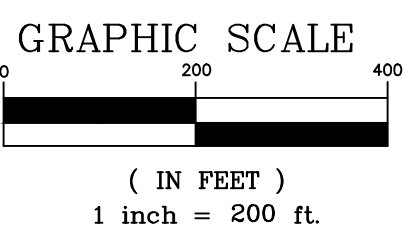
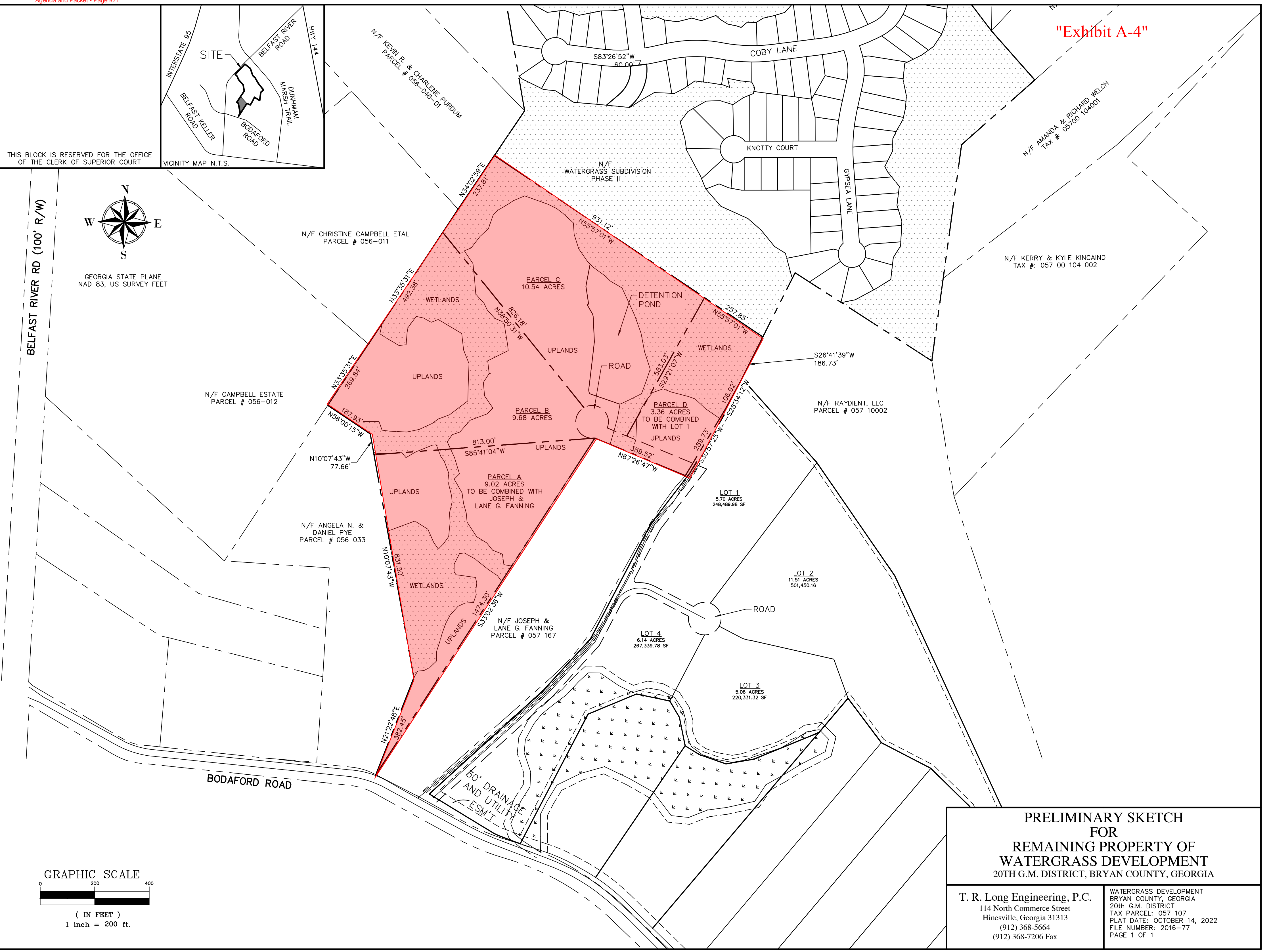


THIS BLOCK IS RESERVED FOR THE OFFICE OF THE CLERK OF SUPERIOR COURT



GEORGIA STATE PLANE NAD 83, US SURVEY FEET

BELFAST RIVER RD (100' R/W)



**PRELIMINARY SKETCH
FOR
REMAINING PROPERTY OF
WATERGRASS DEVELOPMENT
20TH G.M. DISTRICT, BRYAN COUNTY, GEORGIA**

<p>T. R. Long Engineering, P.C. 114 North Commerce Street Hinesville, Georgia 31313 (912) 368-5664 (912) 368-7206 Fax</p>	<p>WATERGRASS DEVELOPMENT BRYAN COUNTY, GEORGIA 20TH G.M. DISTRICT TAX PARCEL: 057 107 PLAT DATE: OCTOBER 14, 2022 FILE NUMBER: 2016-77 PAGE 1 OF 1</p>
--	---

THIRD AMENDMENT TO LOT PURCHASE AGREEMENT

"Exhibit A-5"

This **THIRD AMENDMENT TO LOT PURCHASE AGREEMENT** (this "Amendment"), dated as of February 15, 2023, is made by and between **Watergrass, LLC**, a Georgia limited liability company ("Seller"), and **D.R. Horton, Inc.**, a Delaware corporation ("Buyer").

Recitals

WHEREAS, Buyer and Seller entered into that certain Lot Purchase Agreement effective as of April 7, 2020, as amended by Amendment to Lot Purchase Agreement dated as of October 19, 2020, and by Second Amendment to Lot Purchase Agreement dated as of October 8, 2021 (as amended, the "Agreement"), with respect to Lots located in Chatham County, Georgia as more particularly described therein (the "Property"); and

WHEREAS, Buyer has purchased all of the Lots which are the subject of the Agreement prior to the date hereof; and

WHEREAS, Seller has requested, and Buyer has agreed, that Buyer waive and release the Right of First Offer granted to Buyer in the Agreement with respect to adjacent lands owned by Seller; and

WHEREAS, Buyer and Seller now desire to amend the Agreement further on the terms set forth in this Amendment.

NOW, THEREFORE, in consideration of these premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Incorporation of Recitals; Definitions. The foregoing Recitals are true and correct and incorporated herein by this reference. Unless otherwise defined herein, capitalized terms used in this Amendment shall have the meaning ascribed to such terms in the Agreement.

2. Right of First Offer. Section 35 of the Agreement, entitled "Right of First Offer", is hereby deleted in its entirety and the following substituted therefor: "35. [Intentionally Omitted]"

3. Electronic Signatures. This Amendment may be executed by hand-signatures or by electronic signatures using DocuSign or other similar technology. Such signatures may be transmitted by facsimile or email. Any such electronic transmissions of signatures shall be deemed to constitute originals. In addition, either party and/or the Escrow Agent may rely upon any electronic transmission of any document that is properly executed by the other party. The ratification of this Amendment by any of the Authorized Officers on behalf of Buyer also may be accomplished by either hand signature or by electronic signature using DocuSign or other similar technology. Except as otherwise provided herein, the Electronic Signatures in Global and National Commerce Act and any parallel, corresponding or similar state law or regulation shall not apply to the execution of this Amendment.

4. Corporate Ratification. NOTWITHSTANDING ANY OTHER PROVISION HEREIN, NEITHER THIS AMENDMENT NOR ANY FUTURE AMENDMENT TO THE AGREEMENT SHALL BE A VALID, BINDING AND ENFORCEABLE OBLIGATION OF BUYER UNLESS AND UNTIL SUCH DOCUMENT IS RATIFIED IN WRITING BY ONE OF THE FOLLOWING EXECUTIVE OFFICERS OF BUYER (EACH, AN "AUTHORIZED OFFICER"): DONALD R. HORTON, DAVID V. AULD, BILL W. WHEAT, MICHAEL J. MURRAY, THOMAS F. HILL, JR., OR BRADFORD C. BRUNDAGE.

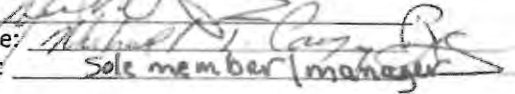
5. Miscellaneous. Except as modified by this Amendment, the Agreement remains unmodified and in full force and effect. The Agreement and this Amendment shall be read and construed as one instrument, but in the event of a conflict between the Agreement and this Amendment, the terms of this Amendment shall control. This Amendment shall be governed and construed in accordance with the laws of the state in which the Property is located. This Amendment shall inure to the benefit of and be binding upon the heirs, successors and permitted assigns of the parties hereto. This Amendment may be executed in multiple counterparts which, taken as a whole, shall constitute one instrument. This Amendment may be executed by facsimile signature.

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date above written.


SELLER:

Watergrass, LLC, a Georgia limited liability company

By: 
Name: Michael T. Casper
Title: Sole member/manager

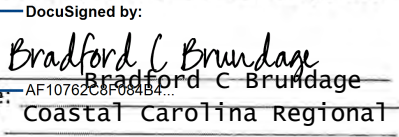
BUYER:

D.R. Horton, Inc., a Delaware corporation

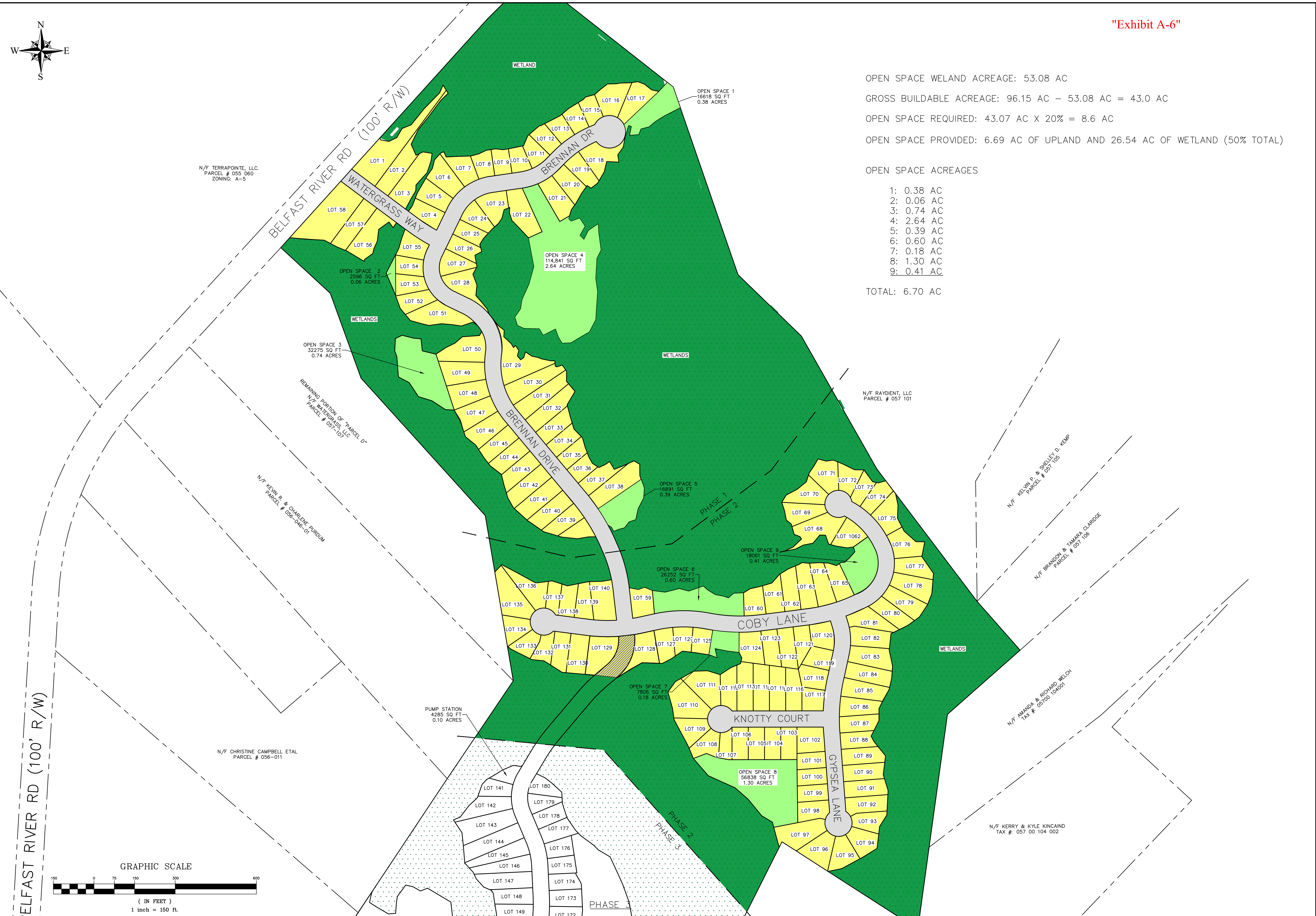
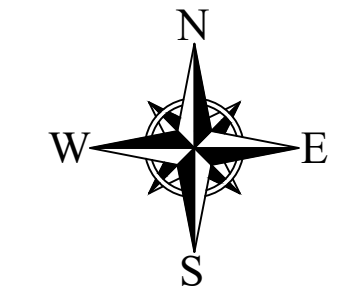
By: 
Sean T. Ware, its City Manager

BUYER'S CORPORATE RATIFICATION:

D.R. Horton, Inc., a Delaware corporation

DocuSigned by:

By: Bradford C. Brundage
Name: Bradford C. Brundage
Title: Coastal Carolina Regional President

"Exhibit A-6"



OPEN SPACE WELAND ACREAGE: 53.08 AC
 GROSS BUILDABLE ACREAGE: 96.15 AC - 53.08 AC = 43.0 AC
 OPEN SPACE REQUIRED: 43.07 AC X 20% = 8.6 AC
 OPEN SPACE PROVIDED: 6.69 AC OF UPLAND AND 26.54 AC OF WETLAND (50% TOTAL)

OPEN SPACE ACREAGES

- 1: 0.38 AC
- 2: 0.06 AC
- 3: 0.74 AC
- 4: 2.64 AC
- 5: 0.39 AC
- 6: 0.60 AC
- 7: 0.18 AC
- 8: 1.30 AC
- 9: 0.41 AC

TOTAL: 6.70 AC

N/F TERRAPINTE, LLC.
 PARCEL # 055 060
 ZONING: A-5

OPEN SPACE 2
 2596 SQ FT
 0.06 ACRES

OPEN SPACE 4
 114,841 SQ FT
 2.64 ACRES

OPEN SPACE 3
 32275 SQ FT
 0.74 ACRES

OPEN SPACE 5
 16891 SQ FT
 0.39 ACRES

OPEN SPACE 6
 26232 SQ FT
 0.60 ACRES

OPEN SPACE 9
 18061 SQ FT
 0.41 ACRES

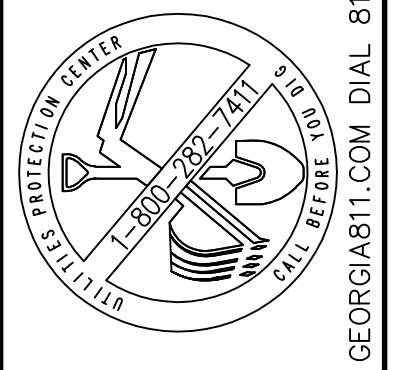
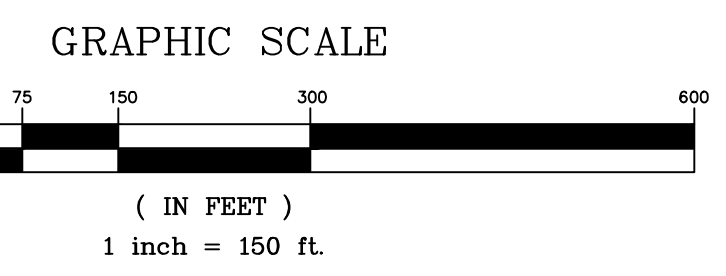
OPEN SPACE 7
 7806 SQ FT
 0.18 ACRES

OPEN SPACE 8
 56838 SQ FT
 1.30 ACRES

PUMP STATION
 4285 SQ FT
 0.10 ACRES

N/F CHRISTINE CAMPBELL ETAL
 PARCEL # 056-011

N/F KERRY & KYLE KINCAID
 TAX #: 057 00 104 002



THIS DRAWING IS THE PROPERTY OF T. R. LONG ENGINEERING, P.C. AND MAY NOT BE REPRODUCED, COPIED, OR PARTIALLY COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF T. R. LONG ENGINEERING, P.C. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS CONTAINED WITHIN THIS SET OF DOCUMENTS AND SHALL REPORT ANY DISCREPANCIES TO T. R. LONG ENGINEERING, P.C. FOR IMMEDIATE RESOLUTION.

HINESVILLE:
 114 North Commerce Street
 Hinesville, Georgia 31313
 (912) 368-5664

POOLER:
 1000 Towne Center Blvd
 Suite 304
 Pooler, Georgia 31322
 (912) 335-1046



WATERGRASS DEVELOPMENT
 EXHIBIT OVERALL LAYOUT

SHEET NAME:
 PHASE 1 & 2
 SITE LAYOUT

REVISIONS:

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

INITIAL DATE: 06/29/2016
 DRAWN BY: MHR
 CHECKED BY: TRL
 PROJECT #: 2016-77

SHEET NUMBER:
C-1

“B” Exhibits – Agency Comments

Plan Review Comments

Bryan County Public Schools - Sara Farr-Newman -
snewman@bryan-county.org

"Exhibit B-1"

No Review Done

Review Comments:

Fire - James Holton -
jholton@bryan-county.org

DRC Review Complete

Review Comments:

Public Health - Michael May -
michael.may@dph.ga.gov

DRC Review Complete

Review Comments:

A soil report has been submitted to the Bryan County Health Department and is currently under review.

No further action is required at this time.

Public Works - Keith Page - 912-220-2449
kpage@bryan-county.org

DRC Review Complete

Review Comments:

Zoning - Sara Farr-Newman -
snewman@bryan-county.org

DRC Review Complete

Review Comments:

1. See comments on PD amendment.

Engineering - Mark Hopkins -
mhopkins@bryan-county.org

DRC Review Complete

Review Comments:

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Portion of Parcel 057-107
- Parcels

"Exhibit C-1"



Produced by Bryan County GIS
January 2023



Overview Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Rezoning

DISCLAIMER
Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

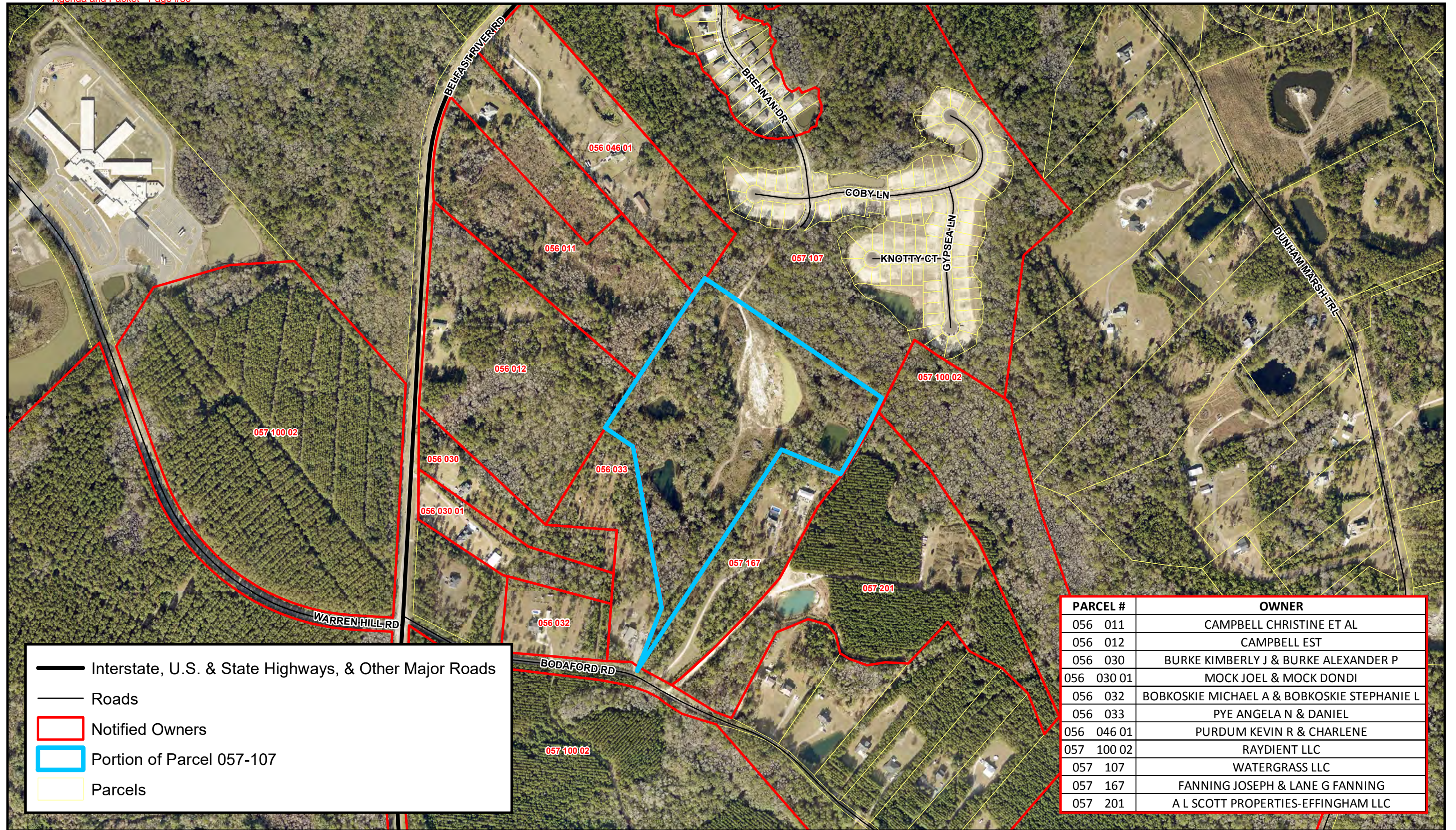


- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Portion of Parcel 057-107
- Parcels



Location Map
Watergrass LLC - Watergrass Subdivision "Exhibit C-2"
Project # 20230002 - Rezoning

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PARCEL #	OWNER
056 011	CAMPBELL CHRISTINE ET AL
056 012	CAMPBELL EST
056 030	BURKE KIMBERLY J & BURKE ALEXANDER P
056 030 01	MOCK JOEL & MOCK DONDI
056 032	BOBKOSKIE MICHAEL A & BOBKOSKIE STEPHANIE L
056 033	PYE ANGELA N & DANIEL
056 046 01	PURDUM KEVIN R & CHARLENE
057 100 02	RAYDIENT LLC
057 107	WATERGRASS LLC
057 167	FANNING JOSEPH & LANE G FANNING
057 201	A L SCOTT PROPERTIES-EFFINGHAM LLC

- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Notified Owners
- Portion of Parcel 057-107
- Parcels



Notification Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Rezoning

"Exhibit C-3"

DISCLAIMER
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Present Zoning = PD
Requested Zoning = A-5

Proposed Use:
Split into four large lots.



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- Portion of Parcel 057-107
- Parcels
- City of Richmond Hill

- A-5 - AGRICULTURAL
- RR-2.5 - RURAL RESIDENTIAL
- RR-1 - RURAL RESIDENTIAL
- DM-1 - DUNES & MARSHLANDS DISTRICT
- PD - PLANNED UNIT DEVELOPMENT



Produced by Bryan County GIS
January 2023



Zoning Map
Watergrass LLC - Watergrass Subdivision
Project # 20230002 - Rezoning

"Exhibit C-4"

DISCLAIMER
Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.

“D” Exhibits – Public Comment

None Provided

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230165

Public Hearing Date: April 18, 2023

REGARDING THE APPLICATION OF: Wilton Thomson, representing Sarah Zipperer, requesting a Sketch Plat approval to establish two (2) residential lots from a 3.63-acre tract of land located on Emiline Lane, Parent PIN# 0271 032.	Staff Report By: Brett Kohler Dated: April 11, 2023
--	---

I. Application Summary

Requested Action: Public hearing and consideration of a Sketch Plat. The application by Wilton Thomson, representing Sarah Zipperer, requesting a Sketch Plat approval to establish two (2) residential lots from a 3.63-acre tract of land located at 219 Emiline Lane, Parent PIN# 0271 032.

Representative: Wilton Thomson
189 Mill Creek Church Rd
Ellabell, Ga 31308

Applicant/ Owner: Sarah Brenda J Zipperer
219 Emiline Lane
Ellabell, Ga 31308

Applicable Regulations:

- Unified Development Ordinance, Article III. – Development Procedures Requiring Public Hearings, Division 8. – Major Subdivisions, Section 114-365. – Sketch Plat
- Unified Development Ordinance, Article IV. – Development Procedures Requiring Administrative Review, Division 1. – Minor Plats
- Unified Development Ordinance, Article II. – General Development Procedures, Section 114-215. – Minor Amendments and Major Amendments

II. General Information

1. Application: A Sketch Plat application was submitted by Wilton Thomson on February 27, 2023 when the requirement for a sketch plat was identified through review of the proposed subdivision application.

After reviewing the application, the Director certified the application as being generally complete on March 3, 2023.

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

- A. Legal notice was published in the Bryan County News on **March 30, 2023**.
- B. Notice was sent to Surrounding Land Owners on **April 3, 2023**.
- C. The site was posted for Public Hearing on **April 3, 2023**.

3. Background: The subject property is located between Emiline Lane and Mannie English Rd, it is Lot D-35 of the Heritage Acres Phase D Subdivision. The property is 3.63 acres and is zoned "RR-1", Rural Residential Zoning District. The applicant is proposing to subdivide the property into two (2) new lots. The current mobile home would remain on lot D-35, while a one-acre lot would have road frontage on Mannie English Road. The proposed subdivision meets all other ordinance requirements including lot width.

The Bryan County Unified Development Ordinance (UDO) generally recognizes two subdivision approval processes: Major and Minor. The minor subdivision process enables the creation of a maximum of ten (10) buildable lots and is subject to staff approval. The major subdivision process enables the creation of more buildable lots and is subject to a Planning and Zoning recommendation and Board of Commissioners approval. Ordinarily, this two (2)-lot subdivision would be processed as a minor subdivision under a staff level review; however, the 3.63-acre tract of land that is the subject of this request, was created by major subdivision, Heritage Acres Phase D, recorded on April 14, 1986. Therefore, any further subdivision of this tract of land would be considered a major amendment per the UDO, Article II – General Development Procedures, Section 114-215 – Minor Amendments and Major Amendments, as it increases the number of lots in the subdivision. For that reason, this application is being processed under the procedural requirements as are identified under Article III, Division 8, Section 114-365 of the Unified Development Ordinance.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on March 3, 2023, unless otherwise noted.

"A" Exhibits- Application:

- A-1 Sketch Plat (revised February 24, 2023)
- A-2 Property Owner Authorization

"B" Exhibits- Agency Comments:

No Comments Provided

“C” Exhibits- Bryan County Supplements

C-1 Overview Map

C-2 Location Map

C-3 Notification Map

C-4 Zoning Map

“D” Exhibits- Public Comment:

None Received

III. Article III. Division 8. Major Subdivision, Section 114-365. Sketch Plat Review Criteria:

Each of the following criteria must be satisfied prior to sketch plat approval.

1. The application is consistent with the Comprehensive Plan, as well as any other adopted plans for roads, alleys, trails, parks, playgrounds, and public utility facilities.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of North Bryan County adopted in July of 2018, and amended on March 10, 2020, shows the subject site as being within the “Low Density and Agricultural” character area. This character area consists mainly of large lots utilized for agriculture, timbering, and rural residential development. Recommended zoning in this district includes PD, A-5, RR-2.5, RR-1.5, and RR-1. ¹ The requested subdivision if approved will result in an approximately 1-acre lot and a 2.63 acre lot , both zoned “RR-1”. Therefore, the plat is in conformance with the Comprehensive Plan.

2. The proposed subdivision complies with applicable County, State and Federal regulations.

Staff Findings: Based on the preliminary review, the proposed subdivision to establish two (2) residential lots will comply with applicable County, State and Federal regulations. Should the sketch plat be approved, a final review will be completed to ensure the final plat complies with the County’s Plat Requirement Checklist.

3. Traffic impacts from the proposed development will be mitigated.

¹ The Bryan County 2018 Comprehensive Plan with Land Use Amendment lists the “PUD” and “A/AR” zoning districts as the recommended district under the Low-Density and Agricultural character area. With the adoption of the County’s Unified Development Ordinance on December 8, 2020, effective January 12, 2021, these districts were renamed.

Staff Findings: Access to the two (2) proposed lots will be provided via Emiline Lane (a County maintained dirt road) and Mannie English Rd (a County maintained paved road). Based on the Institute of Traffic Engineers' (ITE) anticipated number of trips generated by the two residential lots, the proposed subdivision does not meet the threshold to require a traffic impact or traffic design analysis. Public Works and Engineering did not indicate concerns with access, and only one additional driveway is proposed.

4. The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties.

Staff Findings: The overall character within the immediate area is primarily rural residential, and the land use pattern reflects large lot residential development. The surrounding area consists of residential uses with all properties adjacent also zoned "RR-1". The request to subdivide this tract of land into two (2) new single-family lots will not conflict with the existing large lot development.

5. The proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development.

Staff Findings: Public facilities serving the area of the proposed subdivision are as follows:

- a) Roads: Access to the new lot will be provided via Mannie English Road, which is a paved County maintained road.
- b) Parks and Recreational Facilities: Hendrix Park provides public recreation facilities for North Bryan County.
- c) Police and Fire Protection: The Bryan County Sheriff's Office and Bryan County Emergency Services provide police and fire protection for the subject property.
- d) Schools: Bryan County Elementary School, Bryan County Middle School, and Bryan County High School serve North Bryan County.
- e) Stormwater drainage systems: Stormwater drainage will not be significantly impacted. Grading and drainage will be reviewed with the permit for the new home.
- f) Water Supply and Wastewater Treatment: The site is not located within the Bryan County water and sewer service area and will therefore have to be serviced by private well and septic. The property owner will need to acquire all necessary approvals/permits by the

County's Health Department for the use of septic systems. The Department of Public Health did not have concerns based on lot size and use.

In general, the addition of a new rural residential lot should have a nominal impact on the facilities listed above.

6. That the subdivision design provides adequate amenities and connectivity to roads, sidewalks and trails.

Staff Findings: The two (2)-lot subdivision that is being proposed represents a minor request, which does not warrant the need for additional amenities and does not meet the County's threshold for requiring private recreational improvements. In addition to this, there are no new public or private roads that are proposed to serve the development. All lots will have access to existing County maintained roads.

7. That the sketch plat demonstrates a layout that minimizes clearing and grading and protects existing trees.

Staff Findings: Mass clearing and grading of the site is not proposed. The individual home site will be cleared and graded as needed and will be reviewed as a part of the building permit and inspections process.

8. The sketch plat addressed the need for and provides the general location of stormwater management facilities for the proposed development, as well as identifying discharge point(s) from the tract.

Staff Findings: Mass clearing and grading of the site is not proposed. The individual home site will be cleared and graded as needed and will be reviewed as a part of the building permit and inspections process. Culverts and other stormwater management facilities will be reviewed by the Engineering Department as part of the permitting review.

IV. Staff Recommendation

Subject to the approval of the associated rezoning request, Staff recommends approval of the Sketch Plat, with the following conditions:

1. The property owner must file an application with the County's Public Health Department for final review and approval of the use of individual septic systems. Public Health approval will need to be obtained prior to the recording of the final plat.

V. Planning & Zoning Commission Recommendation

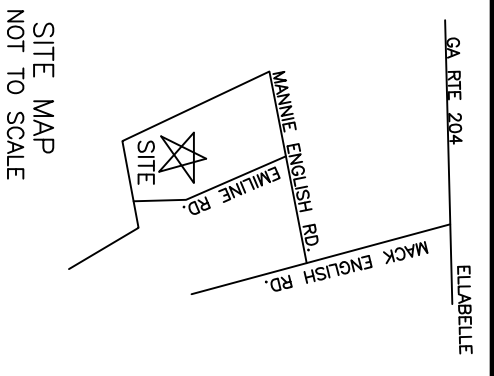
Recommendation: The Commission may recommend that the rezoning be granted as requested, or it may recommend approval of the rezoning requested subject to provisions, or it may recommend that the rezoning be denied.

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

Exhibit A-1



A SUBDIVISION OF LOT D-35, HERITAGE ACRES, PHASE D, PB 334 PG 1. SURVEY FOR: **BLACK CREEK PROPERTIES, INC.**

LOT D-35 PLAT E.O.C. 1' IN 209,663'
LOT D-35A PLAT E.O.C. 1' IN 261,091'

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

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE BRYAN COUNTY UNIFIED DEVELOPMENT ORDINANCE REGULATIONS PERTAINING TO MINOR PLATS, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING.

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE OF APPROVAL _____
DATE OF BOARD APPROVAL _____

GRID NORTH TAKEN FROM GPS OBSERVATION AND IS UNADJUSTED. THE BEARINGS SHOWN ON THIS SURVEY MAY DIFFER FROM THOSE SHOWN ON PREVIOUS SURVEYS EVEN THOUGH THE LINES AREA THE SAME.

THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION.

CURRENT OWNER: SARAH B. ZIPPERER
PB 334 PG 1; DB 1231 PG 358

FLOOD NOTE: ACCORDING TO FEMA MAP ID 13029G0175D, EFFECTIVE DATE 05 MAY 2014 THE AREA SURVEYED DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA.

RECORD TAX PARCEL: 0271 032
ZONED: RR-1
SETBACKS: SBL = SETBACK LINE
FRONT- 50'
REAR- 50'
SIDE- 35'

STATE OF GEORGIA
BRYAN COUNTY
1380th G.M.D.

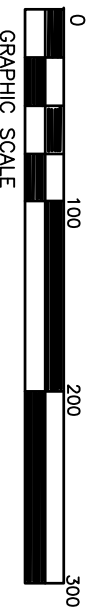
PLAT DATE: 24 FEBRUARY 2023
FIELD SURVEY: 22 FEBRUARY 2023

NOTE: THIS SURVEY WAS PERFORMED USING RTK SURVEYING METHODS. ALL SURVEY CONTROL COLLECTED WITH GPS HAD A TOLERANCE OF 0.05' WITH A 95% CONFIDENCE LEVEL.
ADJUSTMENT - LEAST SQUARES

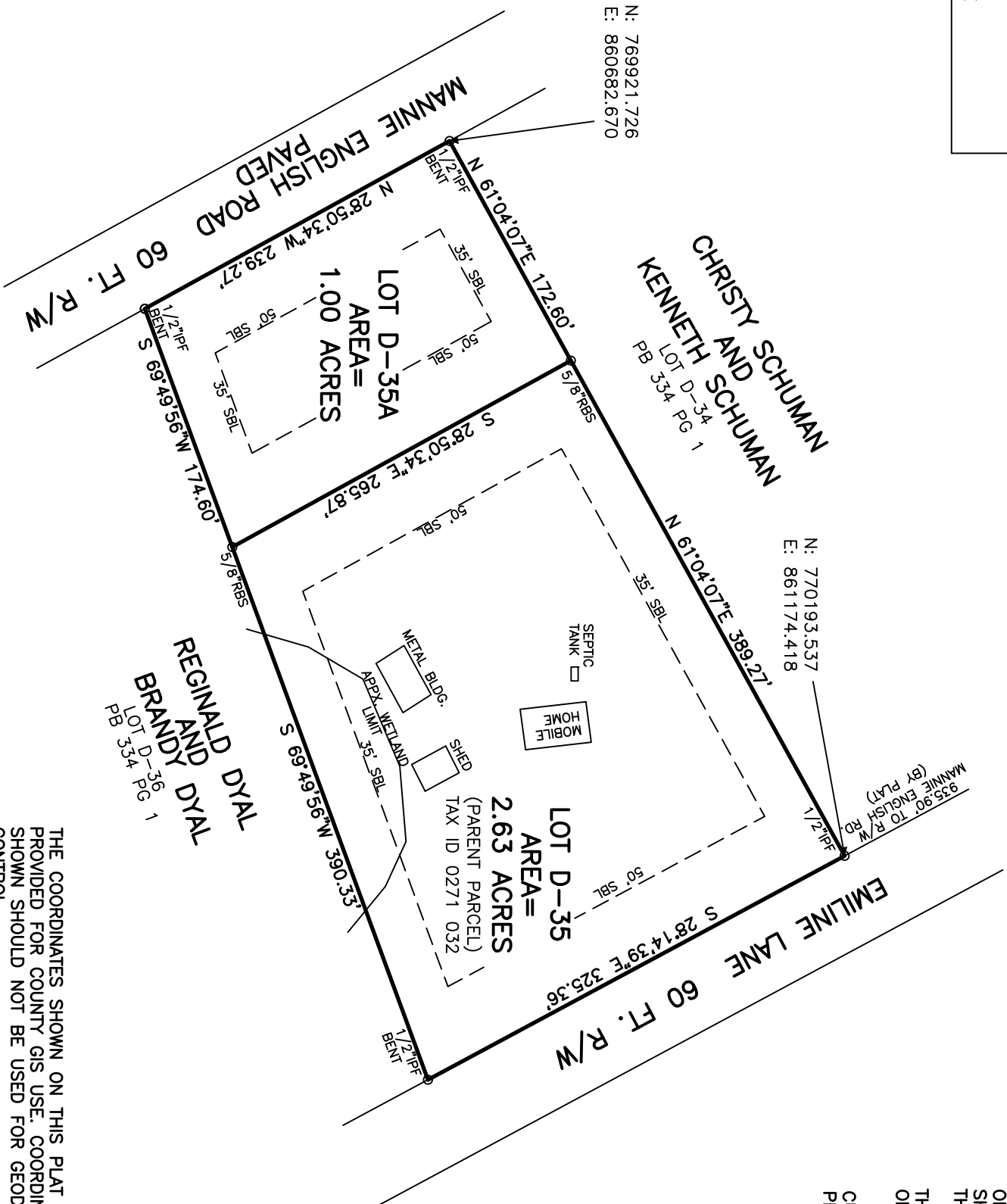
EQUIPMENT USED
ELECTRONIC TOTAL STATION
STONEX S10 GNSS BASE AND ROVER.

IPS= IRON PIN SET
IPF= IRON PIN FOUND
RBF= REBAR FOUND
RBS= REBAR SET
CMF(R)= CONCRETE MONUMENT FOUND (BROKE)
CMS= CONCRETE MONUMENT SET

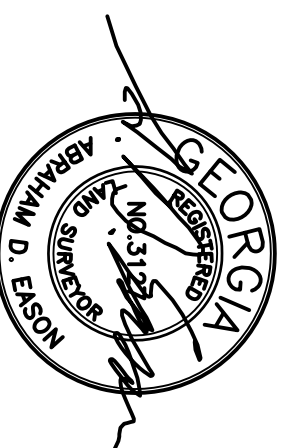
SCALE- 1 INCH= 100 FEET



FILE #230212
DRAWN BY: ADE



THE COORDINATES SHOWN ON THIS PLAT ARE PROVIDED FOR COUNTY GIS USE. COORDINATES SHOWN SHOULD NOT BE USED FOR GEODETIC CONTROL.



EASON LAND SURVEYING
P.O. BOX 753
CLAXTON, GA. 30417
(912) 739-7143
LSF 000047

GRID NORTH-GA EAST ZONE

AUTHORIZATION BY PROPERTY OWNER*

I, Sarah B. Zipperer, 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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- Comprehensive Plan Amendment
- Conditional Use Permit
- Site Plan
- Planned Development
- Administrative Relief
- Rezoning
- Variance
- Administrative Appeal
- Subdivision
- Demolition Permit
- Temporary use/special event

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Sarah B. Zipperer

Address: 216 Emiline Lane

City: Elkabet State: GA Zip Code: 31308

Telephone Number: 912-856-9385 Email: Sarah.Zipperer@ADAPTHealth.com

Sarah B Zipperer
Signature of Owner

3/22/23
Date

Sarah B Zipperer
Owners Name (Print)

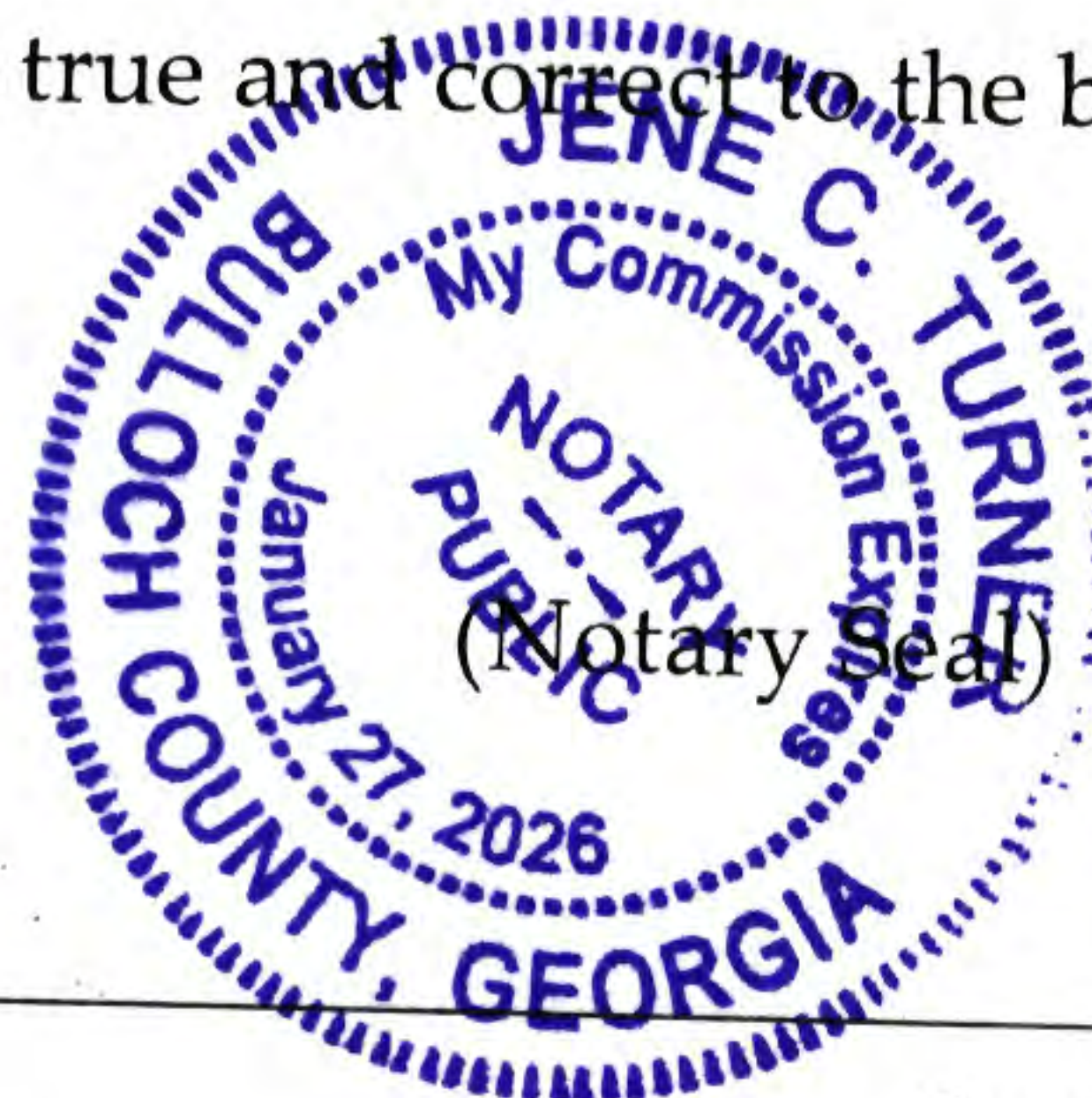
Personally appeared before me

Sarah B Zipperer
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 22nd of March

Jane C. Turner
Notary Public



Name of Representative: Wilton S Thomson Jr

Address: 189 Millcreek church Rd

City: Ellabell State: Georgia Zip Code: 31308

Telephone Number: 912-665-0434 Email: _____

Sarah B Zipperer
Signature of Owner

3/22/23
Date

Sarah Zipperer
Owners Name (Print)

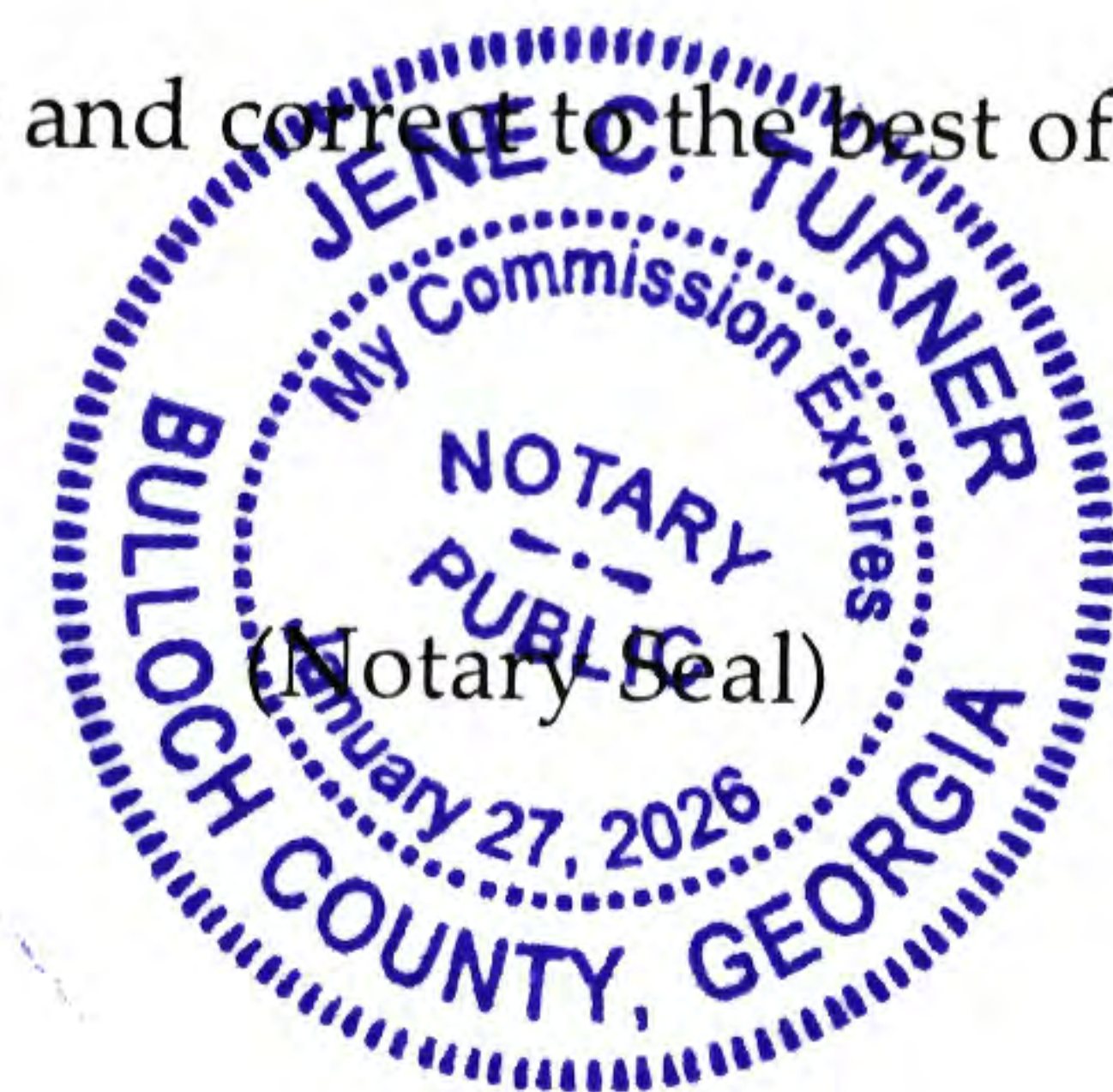
Personally appeared before me

Sarah Zipperer
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 22nd of March

Jene C Turner
Notary Public



***IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY, EACH OWNER MUST COMPLETE AND EXECUTE AN AUTHORIZATION FORM.**

“B” Exhibits – Agency Comments

Zoning - Brett Kohler -
bkohler@bryan-county.org

DRC Review Complete

Review Comments:

Advisory Comments:

1. Provide the updated Owner Authorization Form with Mr. Thomson as the representative and Sarah as the owner, it needs to be a new one.

Bryan County Public Schools - Brett Kohler -
bkohler@bryan-county.org

No Review Done

Review Comments:

Fire - James Holton -
jholton@bryan-county.org

DRC Review Complete

Review Comments:

Public Health - Michael May -
michael.may@dph.ga.gov

DRC Review Complete

Review Comments:

Please contact the Bryan County Health Department for private well and/or septic needs for this property.

One acre of usable land is required for lots requiring private well and septic. A Level III soil report is required with the septic application.

Please contact the Bryan County Health Department for assistance and questions.

912-756-2636

Public Works - Keith Page - 912-220-2449
kpage@bryan-county.org

DRC Review Complete

Review Comments:

Engineering - Mark Hopkins -
mhopkins@bryan-county.org

DRC Review Complete

Review Comments:

If approved, applicant needs to adhere to the Bryan County Engineering Design Manual for driveway design and installation.

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 0271-032
- Parcels



Overview Map
Zipperer - Emiline Ln
Project # 20230165 - Minor Plat Subdivision

DISCLAIMER
 Information represented in this compilation from numerous 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, Richmond Hill, or City of Pembroke assumes no responsibility or liability for modified data.



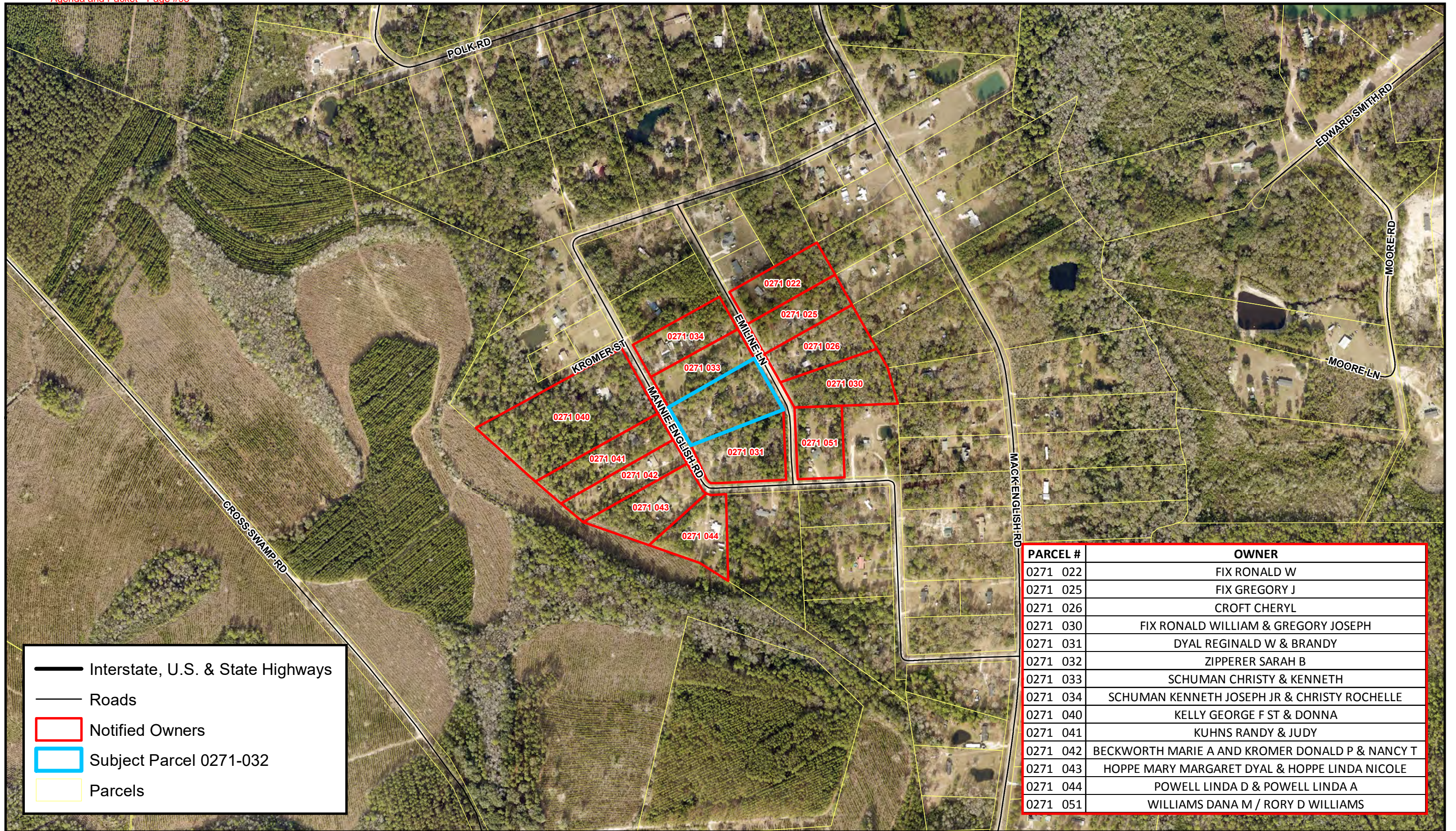
- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 0271-032
- Parcels



Location Map
Zipperer - Emiline Ln
Project # 20230165 - Minor Plat Subdivision

Exhibit C-2

DISCLAIMER
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-  Interstate, U.S. & State Highways
-  Roads
-  Notified Owners
-  Subject Parcel 0271-032
-  Parcels

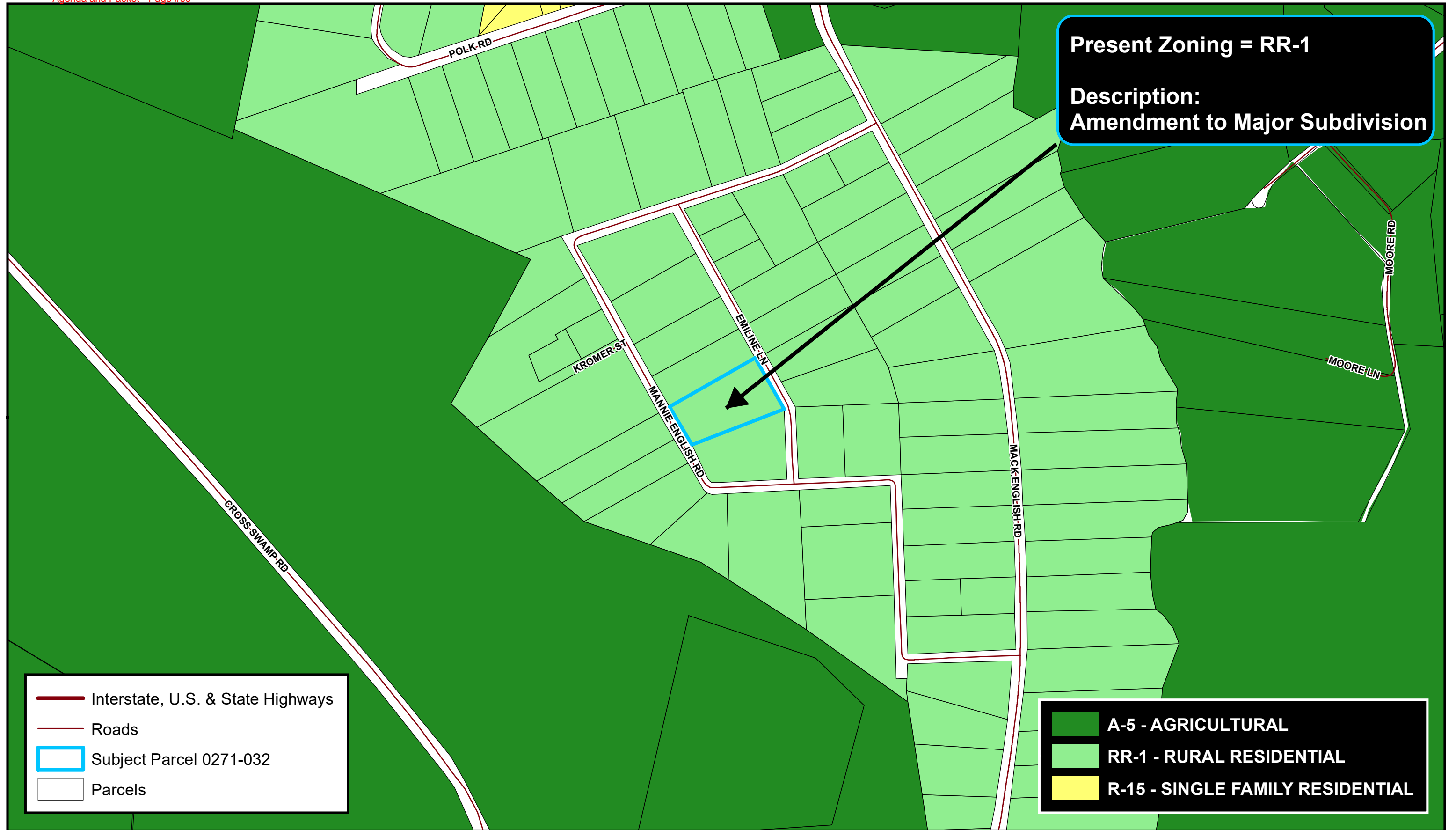
PARCEL #	OWNER
0271 022	FIX RONALD W
0271 025	FIX GREGORY J
0271 026	CROFT CHERYL
0271 030	FIX RONALD WILLIAM & GREGORY JOSEPH
0271 031	DYAL REGINALD W & BRANDY
0271 032	ZIPPERER SARAH B
0271 033	SCHUMAN CHRISTY & KENNETH
0271 034	SCHUMAN KENNETH JOSEPH JR & CHRISTY ROCHELLE
0271 040	KELLY GEORGE F ST & DONNA
0271 041	KUHNS RANDY & JUDY
0271 042	BECKWORTH MARIE A AND KROMER DONALD P & NANCY T
0271 043	HOPPE MARY MARGARET DYAL & HOPPE LINDA NICOLE
0271 044	POWELL LINDA D & POWELL LINDA A
0271 051	WILLIAMS DANA M / RORY D WILLIAMS



Notification Map
Zipperer - Emiline Ln
Project # 20230165 - Minor Plat Subdivision

Exhibit C-3

DISCLAIMER
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Present Zoning = RR-1
Description:
Amendment to Major Subdivision

- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 0271-032
- Parcels

- A-5 - AGRICULTURAL
- RR-1 - RURAL RESIDENTIAL
- R-15 - SINGLE FAMILY RESIDENTIAL



Produced by Bryan County GIS
 March 2023



Zoning Map
Zipperer - Emiline Ln
Project # 20230165 - Minor Plat Subdivision

Exhibit C-4

DISCLAIMER
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“D” Exhibits – Public Comment

None Provided

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230143

Public Hearing Date: April 18, 2023

REGARDING THE APPLICATION OF: Kathleen Myers, requesting the rezoning of a 3.921-acre tract of land located at 250 Roberts Road, PIN# 028 020. The applicant is requesting the property be rezoned to the "RR-1", Rural Residential District, from its current "RR-2.5", Rural Residential District, zoning.	Staff Report By: Brett Kohler Dated: April 11, 2023
--	---

I. Application Summary

Requested Action: Public hearing and consideration of a zoning map amendment in unincorporated Bryan County. The application by Kathleen Myers, proposes to change "RR-2.5", Rural Residential zoning for a 3.921-acre tract of land located at 250 Roberts Road, PIN# 028 020, to "RR-1" Rural Residential District.

Applicant/Owner: Kathleen Myers
250 Roberts Rd
Ellabell, GA 31308

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 Unified Development Ordinance, Article III, Division 2. Code Text/Map Amendments (Rezoning)
- Bryan County Unified Development Ordinance, Article V, Division 4. Agricultural and Rural Residential Districts

II. General Information

1. Application: A rezoning application was received by the Director on February 15, 2023. After reviewing the application, the Director certified the application as being generally complete on February 15, 2023.

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

A. Legal notice was published in the Bryan County News on **March 30, 2023**.

B. Notice was sent to Surrounding Land Owners on **April 3, 2023**.

C. The site was posted for Public Hearing on **April 3, 2023**.

3. Background: The subject property is located at 250 Roberts Road, just south of the Bulloch County Line. The property currently has a manufactured home on the front portion of the property and is zoned “RR-2.5”, Rural Residential Zoning District. The applicant is proposing to rezone the entire property, to “RR-1”, Rural Residential Zoning, in order to subdivide the property. The subdivision would be needed in order to place an additional home for a family member.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on February 15, 2023, unless otherwise noted.

“A” Exhibits- Application:

A-1 Disclosure Statement

A-2 Impact Analysis for Rezoning Requests

A-3 Concept Plat

“B” Exhibits- Agency Comments:

B-1 DRC Comments (March 16, 2023)

“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 III, Division 2. Code Text/Map Amendments
(Rezoning), Section 114-313:**

In its review of an application for a zoning map amendment, staff and hearing bodies shall consider the following criteria. No single factor is controlling except for criterion 1. If the request is not consistent with the Comprehensive Plan, the application shall be denied unless the applicant submits an application for Comprehensive Plan Amendment and such request is approved. For all other criteria, each criterion must

be weighed in relation to the other criteria. The Hearing Body shall not consider any representations made by the applicant that, if the change is granted, the rezoned property will be used for only one of the possible uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

1. **Consistency.** Whether the proposed amendment is consistent with the adopted Comprehensive Plan and helps carry out the purposes of this UDO.

Staff Findings: The Comprehensive Plan Character Areas and Future Land Use Map of North Bryan County adopted in July of 2018, and amended on March 10, 2020, shows the subject site as being within the “Low Density and Agricultural” character area. This character area consists of low-density development at 1 unit per acre or less due to the lack of infrastructure and natural elements such as wetlands and special flood hazard areas. Recommended zoning includes the proposed “RR-1” zoning as well as the existing “RR-2.5” zoning. The proposed rezoning is consistent with this character area and maintains the recommended density.

2. **Compatibility with Neighboring Lands.** Whether the proposed reclassification is compatible with or would negatively impact the overall character or land use pattern on an abutting property or neighborhood near the subject property.

Staff Findings: The overall character within the immediate area is primarily large lot residential. The subject lot will continue to be used for residential purposes with the existing home. The remaining land will be proposed for adding an additional manufactured home. The rezoning and proposed lot changes will have minimal impact on adjacent properties. The large lot residential character of the area will be maintained.

3. **Adequacy of Public Facilities and Services.** Whether public facilities and services, 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, are adequate to serve projected demands from development allowed by the amendment.

Staff Findings:

- a) Roads: Access to the property will be off Roberts Road, a County owned dirt road. Only one additional driveway is proposed.

- b) Parks and Recreational Facilities: Recreational facilities will not be impacted by the proposed rezoning.
- c) Police and Fire Protection: The Bryan County Sheriff's Office and Bryan County Emergency Services provide police and fire protection for the subject property. No additional development is proposed that would require additional services.
- d) Schools: Bryan County Elementary School, Bryan County Middle School, and Bryan County High School serve North Bryan County.
- e) Stormwater drainage systems: The addition of the one home will not bear a substantial impact to stormwater drainage.
- f) Water Supply and Wastewater Treatment: The site is served by well and septic. The additional home will also be served by well and septic systems.

In general, the rezoning and minor subdivision will not impact public facilities and services as minimal changes are being proposed to the existing residential uses.

4. **Adverse Impacts.** Whether the proposed reclassification will adversely affect known archaeological, historical, cultural or environmental resources; negatively impact water or air quality; negatively impact ground water recharge areas or drainage patterns; or increase soil erosion or flooding.

Staff Findings: The FEMA F.I.R.M. maps indicate the property is located outside of the Special Flood Hazard Area and is located within a zone X. There are no indication of potential wetlands shown on the National Wetlands Inventory for this parcel. There are no additional known archaeological, historical, cultural, or environmental resources identified that would be impacted.

5. **Suitability as Presently Zoned.** Whether the property is suitable for authorized uses as presently zoned.

Staff Findings: The property proposed to be rezoned is an existing lot with a home on it. The surrounding lots include agricultural zonings with residential uses as well as other rural residential zonings. Given the property's location within the "Low Density and Agricultural" character area, as is defined by the County Comprehensive Plan's Character Area and Future Land Use Map, staff finds the site to be equally suitable for the existing "RR-2.5" zoning district and the proposed "RR-1" Rural Residential zoning district.

6. **Net Benefits.** Whether the relative gain to the public exceeds the hardships imposed upon the applicant by the existing zoning restrictions.

Staff Findings: The existing “RR-2.5” zoning district does conform to the overall low-density residential and rural character of the area; however, given the intent of the “Low Density and Agricultural” character area to provide larger lot residential that preserves a rural character and the fact that public water and sewer is not available in this area, rezoning and allowing the proposed manufactured home to be placed after a lot split will have minimal impact on the public. Minimal to no additional traffic will be generated as no other changes are proposed to the use.

7. **Development Plans.** Whether the applicant has plans for development of the property. Applications for multifamily or non-residential zoning classifications carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme unless a concept plan is submitted with the application.

Staff Findings: The applicant has indicated they would like to subdivide the property to place a manufactured home. This subdivision will be submitted and reviewed at a staff level as a minor plat should the rezoning be approved as well as subsequent building permit.

8. **Market Demand.** Whether there is projected demand for the property as currently zoned, which may be determined by the length of time the property has failed to produce income or be used productively as zoned, or whether there are substantial reasons why the lot cannot be used in accordance with the existing zoning classification.

Staff Findings: The property is currently used for residential purposes, and the owner plans to retain ownership of the property, while allowing a manufactured home to be placed for a family member.

9. **Health, Safety, and Welfare.** Whether the proposed map amendment bears a substantial relationship to the public health, safety or general welfare.

Staff Findings: The proposed map amendment to rezone this tract in order to allow it to be subdivided for the remaining portion of the property to have one additional dwelling does not bear a substantial relationship to the public health, safety or general welfare.

IV. Staff Recommendation

Based on the findings within this report and the request’s consistency with the County’s Comprehensive Plan’s Character Area and Future Land Use Map, staff recommends approval of the requested rezoning.

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 conditions/denial of the proposed rezoning.

“A” Exhibits – Application

Bryan County Board of Commissioners

Exhibit "A-1"



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.

Kathleen Myers
Signature of Applicant



IMPACT ANALYSIS FOR REZONING REQUESTS

The standards below shall be considered for any rezoning request. Applicants must complete this form and include it with their application. Attach additional sheets as needed.

1. Whether the proposed amendment is consistent with the adopted Comprehensive Plan and helps carry out the purposes of this UDO.

yes

2. Whether the proposed reclassification is compatible with or would negatively impact the overall character or land use pattern on an abutting property or neighborhood near the subject property.

yes

3. Whether public facilities and services, 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, are adequate to serve projected demands from development allowed by the amendment.

yes

4. Whether the proposed reclassification will adversely affect known archaeological, historical, cultural or environmental resources; negatively impact water or air quality; negatively impact ground water recharge areas or drainage patterns; or increase soil erosion or flooding.

no

5. Whether the property is suitable for authorized uses as presently zoned.

Exhibit "A-2"

no I want to add another home

6. Whether the relative gain to the public exceeds the hardships imposed upon the applicant by the existing zoning restrictions.

N/A

7. Whether the applicant has plans for development of the property. Applications for multifamily or non-residential zoning classifications carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme unless a concept plan is submitted with the application.

adding another home

8. Whether there is projected demand for the property as currently zoned, which may be determined by the length of time the property has failed to produce income or be used productively as zoned, or whether there are substantial reasons why the lot cannot be used in accordance with the existing zoning classification.

N/A

9. Whether the proposed map amendment bears a substantial relationship to the public health, safety or general welfare.

no

LINE	BEARING	HORIZ DIST	LINE	BEARING	HORIZ DIST
L1	S77°44'54"W	14.63'	L3	N89°26'44"E	19.87'
L2	N89°48'54"E	20.96'	L4	N4°30'20"E	15.59'

SURVEY OF PARCEL#:(028 020)BEING SUBDIVIDED INTO TWO PARCELS OF LAND LOCATED IN THE 1380th G.M. DISTRICT OF BRYAN COUNTY, GEORGIA



FLOOD INFORMATION:
 FEMA FLOOD MAP :(13029C0080D)
 EFFECTIVE DATE:(05/05/2014)
 THIS AREA IS NOT LOCATED IN A FLOOD HAZARD AREA

FLOOD ZONE:
 "X" AREA OF MINIMAL FLOOD HAZARD

PROPOSED ZONING:
 RR 1

BUILDING SET BACKS:
 FRONT = 50'
 SIDE = 35'
 REAR = 50'

RESERVED FOR THE CLERK OF COURT

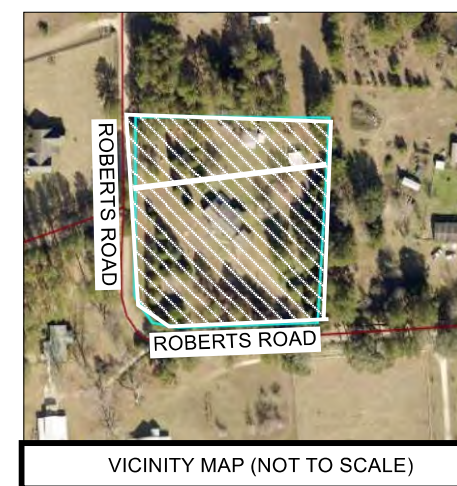
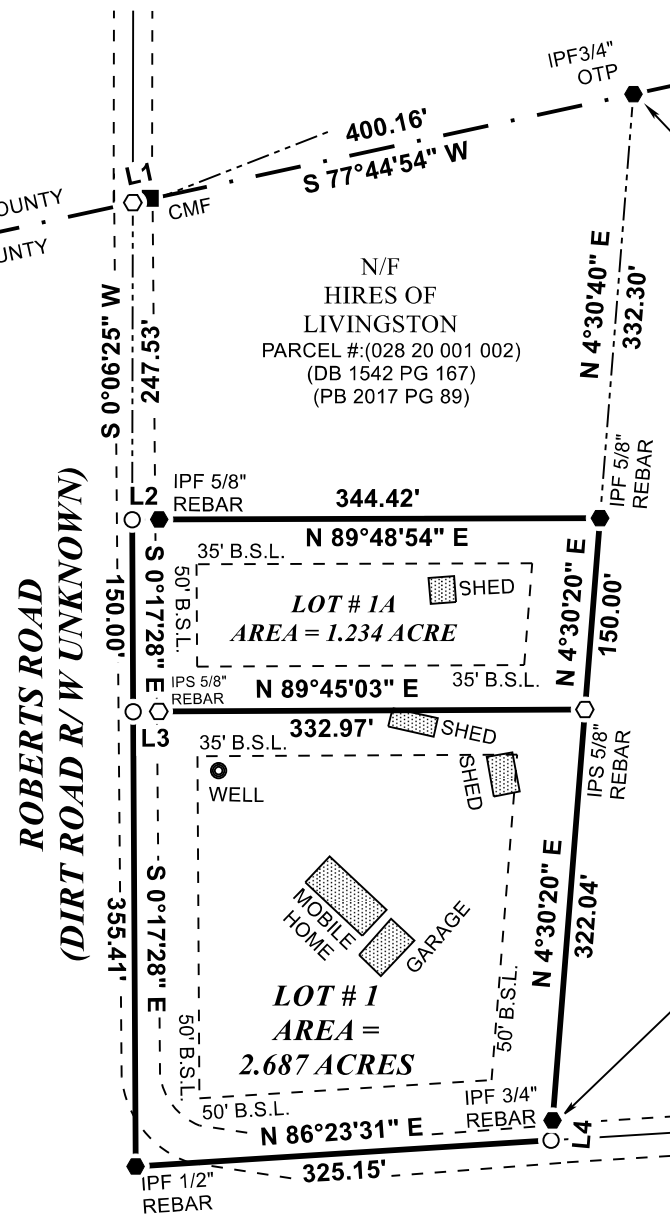
1. THE FIELD DATA WAS COLLECTED USING A TOPCON - ES TOTAL STATION, CARLSON RTX DATA COLLECTOR AND A CARLSON BRx6+ GPS.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE 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 EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE
7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A FIELD CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET, AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

I HEREBY CERTIFY THA THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE BRYAN COUNTY UNIFIED DEVELOPMENT ORDANCE REGULATIONS PERTAINING TO MINOR PLATS AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING.

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

Exhibit "A-3"

N = 814258.668
 E = 876365.962



N = 813456.821
 E = 876302.734

- REFERENCES:**
1. DB 1435 PG 475
 2. PB 356 PG 4

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 RLS #3316

DATE _____



GRAPHIC SCALE 1" = 150'

STATE OF GEORGIA

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

SURVEY FOR:

KATHLEEN MAYERS

COUNTY: BRYAN STATE: GEORGIA

GMD: 1380th

DATE: 02/08/2023 SCALE: 1" = 150'

FILE NUMBER: 23122 DRAWN BY:KJ

TOTAL AREA: = 3.921 ac.

FIELD SURVEY DATE: 01/30/2023

“B” Exhibits – Agency Comments

**Bryan County Public Schools - Brett Kohler -
bkohler@bryan-county.org**

No Review Done

Review Comments:

**Fire - James Holton -
jholton@bryan-county.org**

DRC Review Complete

Review Comments:

**Public Health - Michael May -
michael.may@dph.ga.gov**

DRC Review Complete

Review Comments:

Please contact the Bryan County Health Department for private well and/or septic needs for this property.

One acre of usable land is required for lots requiring private well and septic. A Level III soil report is required with the septic application.

Please contact the Bryan County Health Department for assistance and questions.

912-756-2636

**Public Works - Keith Page - 912-220-2449
kpage@bryan-county.org**

DRC Review Complete

Review Comments:

**Zoning - Brett Kohler -
bkohler@bryan-county.org**

DRC Review Complete

Review Comments:

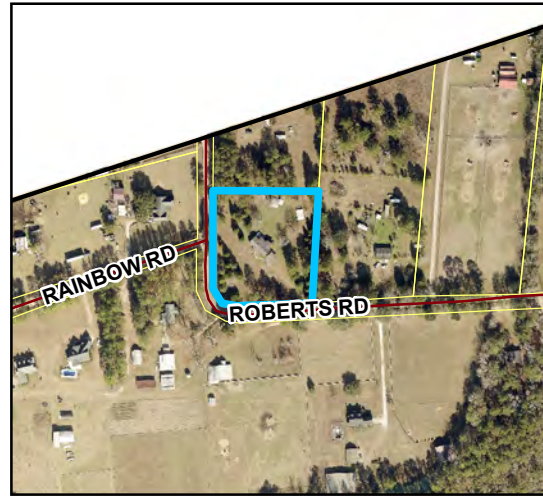
**Engineering - Mark Hopkins -
mhopkins@bryan-county.org**



DRC Review Complete

Review Comments:

Applicant was advised to apply for an encroachment permit for driveway installation and to adhere to the design standards of the Bryan County Engineering Manual.

“C” Exhibits – Bryan County Supplements



-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 028-020
-  Parcels

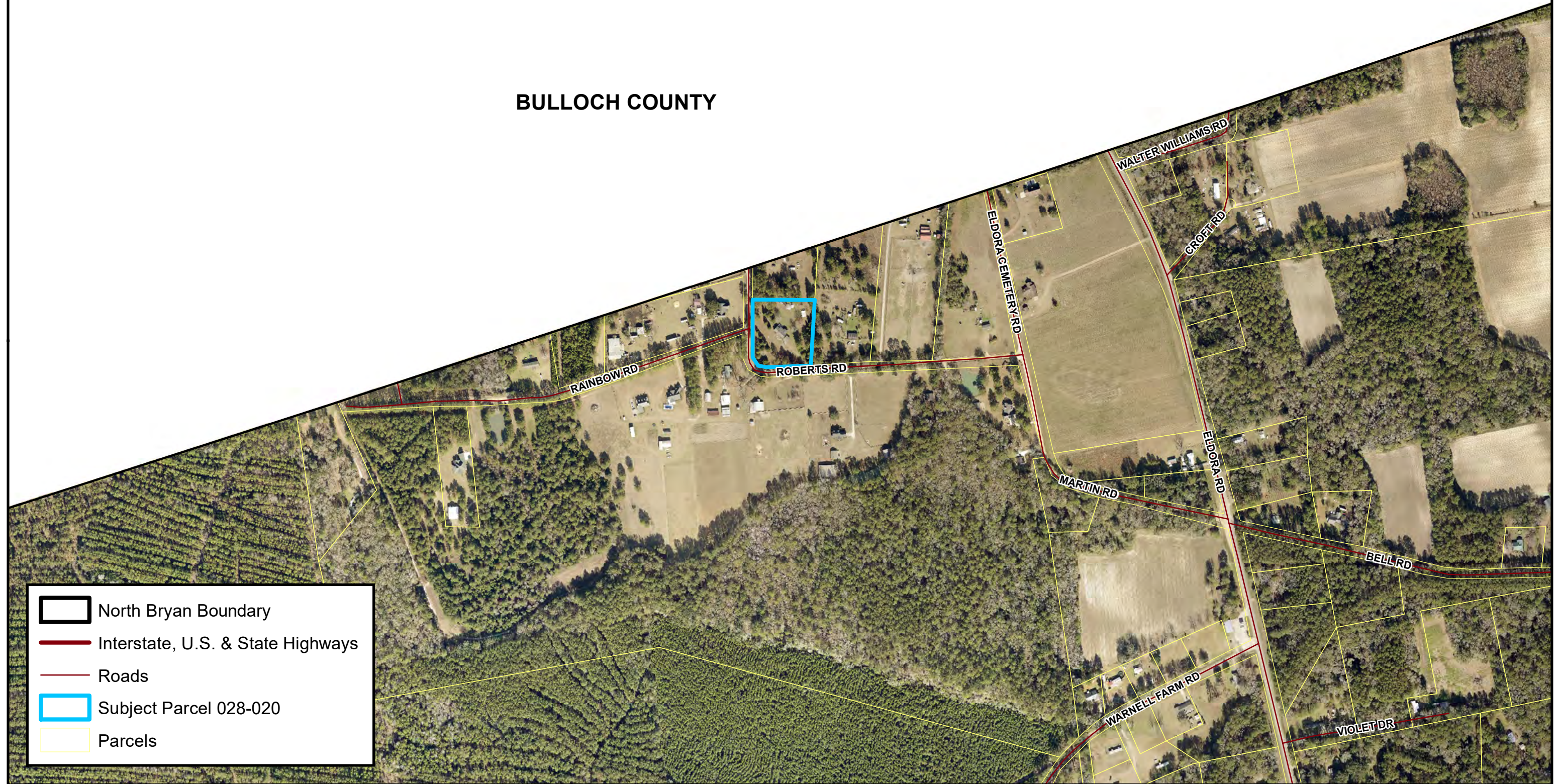







Overview Map
Kathleen Myers - 250 Roberts Rd
Project # 20230143 - Rezoning

Exhibit "C-1"

DISCLAIMER
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BULLOCH COUNTY



-  North Bryan Boundary
-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 028-020
-  Parcels



Location Map

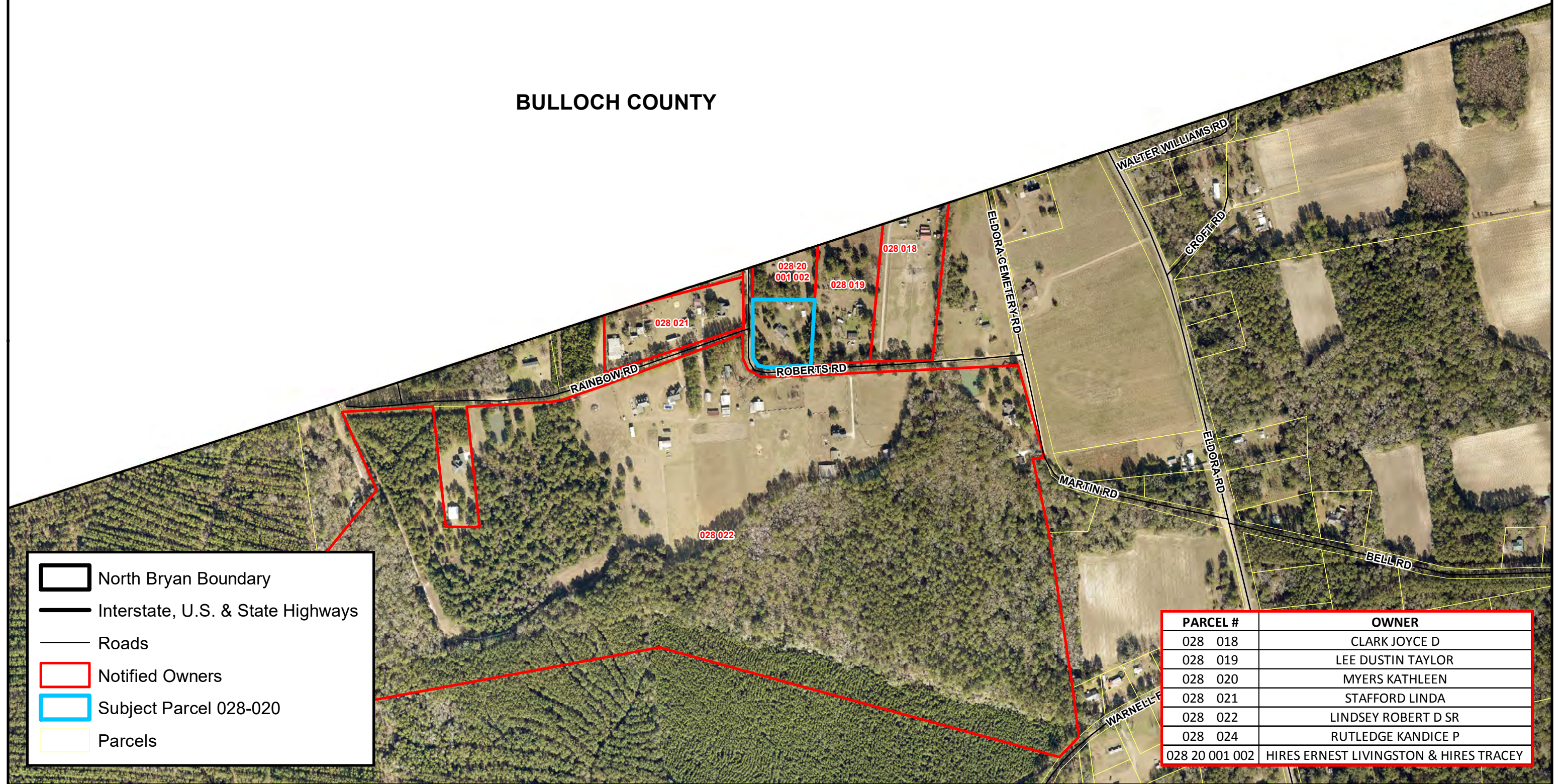
Kathleen Myers - 250 Roberts Rd



Project # 20230143 - Rezoning

Exhibit "C-2"

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BULLOCH COUNTY



-  North Bryan Boundary
-  Interstate, U.S. & State Highways
-  Roads
-  Notified Owners
-  Subject Parcel 028-020
-  Parcels

PARCEL #	OWNER
028 018	CLARK JOYCE D
028 019	LEE DUSTIN TAYLOR
028 020	MYERS KATHLEEN
028 021	STAFFORD LINDA
028 022	LINDSEY ROBERT D SR
028 024	RUTLEDGE KANDICE P
028 20 001 002	HIRES ERNEST LIVINGSTON & HIRES TRACEY



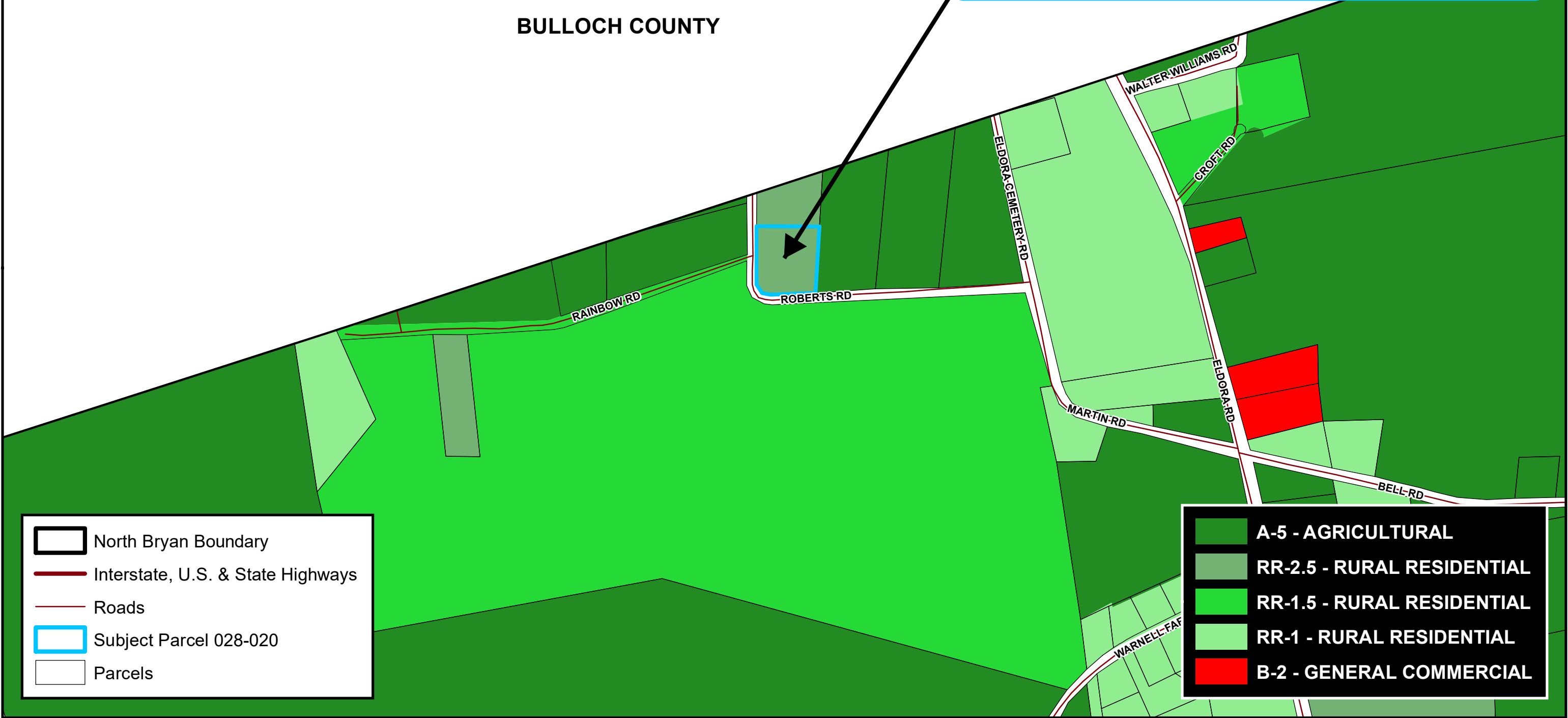
Notification Map Kathleen Myers - 250 Roberts Rd Project # 20230143 - Rezoning






Exhibit "C-3"






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**Present Zoning = RR-2.5
Requested = RR-1**
**Description of Proposed Use:
Subdivide the property to place another residence.**

BULLOCH COUNTY



-  North Bryan Boundary
-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 028-020
-  Parcels

-  **A-5 - AGRICULTURAL**
-  **RR-2.5 - RURAL RESIDENTIAL**
-  **RR-1.5 - RURAL RESIDENTIAL**
-  **RR-1 - RURAL RESIDENTIAL**
-  **B-2 - GENERAL COMMERCIAL**



“D” Exhibits – Public Comment

None Provided

BRYAN COUNTY BOARD OF ADJUSTMENT

PROJECT 20230143

Public Hearing Date: April 18, 2023

REGARDING THE APPLICATION OF: Kathleen Myers requesting a variance for property located at 250 Roberts Road, PIN# 028 020. The applicant is requesting a variance to decrease the left-side setback in order to leave existing accessory sheds.	Staff Report By: Brett Kohler Dated: April 11, 2023
---	---

I. Application Summary

Requested Action: Public hearing and consideration of a variance requested by Kathleen Myers, for property located at 250 Roberts Road, PIN# 028 020. The variance is requested to decrease the left setback from 35 to 0 feet in order to leave an accessory shed.

Applicant/ Owner: Kathleen Myers
250 Roberts Rd
Ellabell, GA 31308

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 Unified Development Ordinance, Article III, Division 5, Variances.
- Bryan County Unified Development Ordinance, Article V, Division 2, Agricultural and Rural Residential Districts, Section 114-509, Agricultural and Rural Residential District Development Standards.

II. General Information

1. Application: A variance application was submitted by Kathleen Myers, on February 17, 2023. After reviewing the application, the Director certified the application as being generally complete on February 17, 2023.

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

A. Legal notice was published in the Bryan County News on **March 16, 2023**

B. Notice was mailed on **April 3, 2023** to surrounding landowners within 300' of the exterior boundaries of the property.

C. An on-site notice was posted on **April 3, 2023**.

3. Background:

The subject property, located at 250 Roberts Road, is zoned "RR-2.5", Rural Residential District, and is currently 3.9 acres. The applicant is requesting to rezone the property to "RR-1", in order to subdivide 1.2 acres off for a family member to place another home. This proposal, if rezoned and approved, would place the lot line at the corner of the shed, while a second shed would encroach by 2 feet.

The lot currently has a mobile home that was placed on the lot in 1994, as well as a few accessory sheds according to the Bryan County Tax Assessor Records. The applicant is requesting the setback reduction in order to leave the sheds after a proposed rezoning and subdivision. All other requirements will be met for the building, including size and lot coverage.

4. Requested Variance: The property is proposed to be zoned "RR-1" and the setbacks are governed by Article V, Section 114-509 of the Bryan County Unified Development Ordinance; The property setbacks, if granted the rezoning would be 50' for the front and right street facing side, 35' for the left-side, and 50' for the rear. The applicant is requesting to reduce the left-side setback to 0 feet. This is a reduction of 35 feet, or approximately 100%.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on February 16, 2023, unless otherwise noted.

"A" Exhibits- Application:

A-1 Hardship Narrative

A-2 Concept Plan (revised March 9, 2023)

A-3 Owner Authorization

"B" Exhibits- Agency Comments

B-1 DRC Comments (March 16, 2023)

“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 III, Division 5. Variances, Section 114-342:

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

1. Unnecessary hardship would result from the strict application of this UDO. 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 that the shed is in good structural shape and is currently used by the property owner. It is indicated that significant economic hardship would be caused by not granting the variance, as they would have to pay to tear it down or have it relocated.

Staff finds that while the applicant indicated that there would be economic hardship caused if the variance is not granted; economic hardship is not found as an unnecessary hardship on the property owner, as reasonable use of the property would still be available as the shed could be removed or relocated to another location on the property.

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 hardship of having to tear down or relocate the shed is due to the shed’s existing placement, which would be too close to the new lot line that the property owner desires to create by subdividing the property.

The Unified Development Ordinance specifies a specific lot width to be required if subdivided, and also establishes minimum setbacks that all structures have to adhere to. This condition is therefore not peculiar to this property alone as anyone looking to subdivide would face similar circumstances.

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 indicated that the hardship did not result from any action they took, as the shed is an existing structure. However, staff finds that The applicant is creating the hardship and noncompliant setback by subdividing the property. While staff agrees the new lot will require the lot size and width as seen on the concept plan; it is still a condition being created by the applicant by choosing to rezone and subdivide as the condition does not currently exist.

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

Staff Findings: The applicant indicated that the variance will not impact the neighboring properties as the applicant owns the adjacent lot and would be allowing a family member to place a home on it.

Staff does not find the requested variance to be consistent with the UDO, which requires these setbacks unless a hardship is identified.

IV. Staff Recommendation

Staff recommends denial of the requested side setback variances, because the variance criteria is 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 decision will be rendered via a Board of Adjustment Resolution.

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 adopts Board of Adjustment Resolution 202-03 indicating the Board's findings and approval/denial of the request variance.



BOARD OF ADJUSTMENT RESOLUTION 2023-03

WHEREAS, the Board of Adjustment (“BOA”) has held a duly advertised public hearing on April 18, 2023, on Project 20230143 for Variances requesting the following:

The reduction of the side setback from 35 feet to 0 feet for property zoned “RR-1” under the Bryan County Unified Development Ordinance, Article V, Division 2, Agricultural and Rural Residential Districts, Section 114-509, Agricultural and Rural Residential District Development Standards

WHEREAS, the BOA finds that the proposed variance is consistent/inconsistent with the spirit, purpose, and intent of the Unified Development Ordinance (“UDO”), such that public safety would/would not be secured and substantial justice would/would not be achieved;

WHEREAS, the BOA does/does not find an unnecessary hardship would result from the strict application of the UDO;

WHEREAS, the BOA does/does not find a hardship resulting from conditions that are peculiar to the property, such as location, size, or topography and not common to the neighborhood or general public; and

WHEREAS, the BOA finds the hardship is/is not a result of actions taken by the applicant and/or property owner.

NOW, THEREFORE, BE IT RESOLVED that the BOA hereby denies/approves the requested Variance, Project 20230143.

Adopted this 18th day of April, 2023.

BRYAN COUNTY BOARD OF ADJUSTMENT

By: _____
Stephanie Falls, Chairman

Attest: _____
Dawn Monaco, Secretary

“A” Exhibits – Application



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.

In order to get the width for the land. the property line had to be moved close to the shed. So now the shed is in the setback. I need the variance so I don't have to tear it down. I would have to pay for it to be taken down and then pay for it to be built back a few feet away.

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.

my grandson needs a place to live and I have over an acre of land we can use. But to get the width the property line came too close to the shed. I need my shed, but I need the rezoning more, so he will have a home of his own. I need the variance but if I don't get it, I'll understand. Thank you.

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.

no

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.

yes

LINE	BEARING	HORIZ DIST	LINE	BEARING	HORIZ DIST
L1	S77°44'54"W	14.63'	L3	N89°26'44"E	19.87'
L2	N89°48'54"E	20.96'	L4	N4°30'20"E	15.59'

SURVEY OF PARCEL#:(028 020)BEING SUBDIVIDED INTO TWO PARCELS OF LAND LOCATED IN THE 1380th G.M. DISTRICT OF BRYAN COUNTY, GEORGIA

Exhibit "A-2"



FLOOD INFORMATION:
 FEMA FLOOD MAP :(13029C0080D)
 EFFECTIVE DATE:(05/05/2014)
 THIS AREA IS NOT LOCATED IN A FLOOD HAZARD AREA

FLOOD ZONE:
 "X" AREA OF MINIMAL FLOOD HAZARD

PROPOSED ZONING:
 RR 1

BUILDING SET BACKS:
 FRONT = 50'
 SIDE = 35'
 REAR = 50'

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON - ES TOTAL STATION, CARLSON RTX DATA COLLECTOR AND A CARLSON BRx6+ GPS.
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 EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE
7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A FIELD CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET, AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

I HEREBY CERTIFY THA THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE BRYAN COUNTY UNIFIED DEVELOPMENT ORDANCE REGULATIONS PERTAINING TO MINOR PLATS AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING.

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

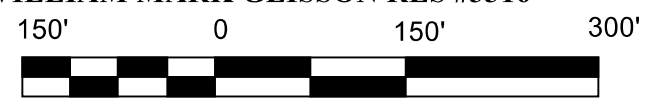
SURVEYOR CERTIFICATION

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



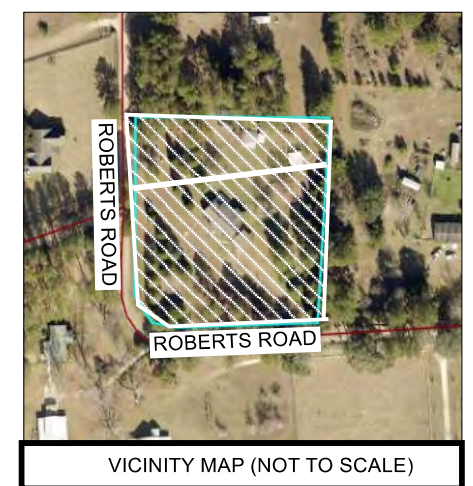
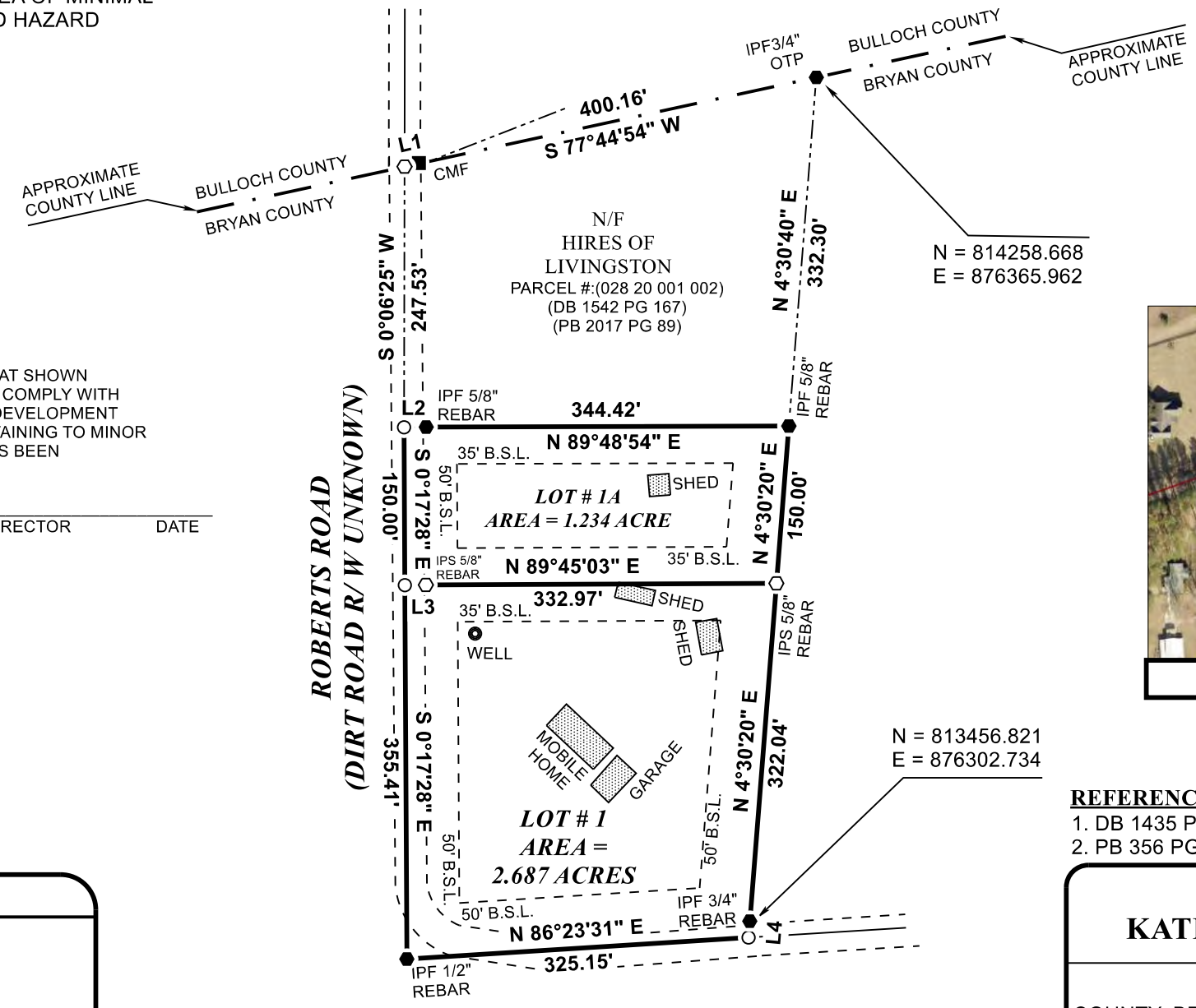
WILLIAM MARK GLISSON RLS #3316

DATE _____



GRAPHIC SCALE 1" = 150'

STATE OF GEORGIA



VICINITY MAP (NOT TO SCALE)

- REFERENCES:**
1. DB 1435 PG 475
 2. PB 356 PG 4

SURVEY FOR:	
KATHLEEN MAYERS	
COUNTY: BRYAN	STATE: GEORGIA
GMD: 1380th	
DATE: 02/08/2023	SCALE: 1" = 150'
FILE NUMBER: 23122	DRAWN BY:KJ
TOTAL AREA: = 3.921 ac.	
FIELD SURVEY DATE: 01/30/2023	



PREPARED BY:
GLISSON LAND SURVEYING
 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

AUTHORIZATION BY PROPERTY OWNER*

I, Kathleen Myers, 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

They authorize the person named below to act as applicant or representative in the pursuit of the following applications/permits for their property.

- | | | |
|---|--|--|
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Temporary use/special event |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Variance | |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Administrative Appeal | |
| <input type="checkbox"/> Planned Development | <input type="checkbox"/> Subdivision | |
| <input type="checkbox"/> Administrative Relief | <input type="checkbox"/> Demolition Permit | |

I hereby authorize the staff of the Bryan County Community Development Department to inspect the premises which are the subject of this application.

Name of Applicant: Kathleen Myers

Address: 250 Roberts Rd

City: Ellabell State: GA Zip Code: 31308

Telephone Number: 912-823-4053 Email: Tracey.hires@gmail.com

Kathleen Myers
Signature of Owner

02-15-2023
Date

Kathleen Myers
Owners Name (Print)

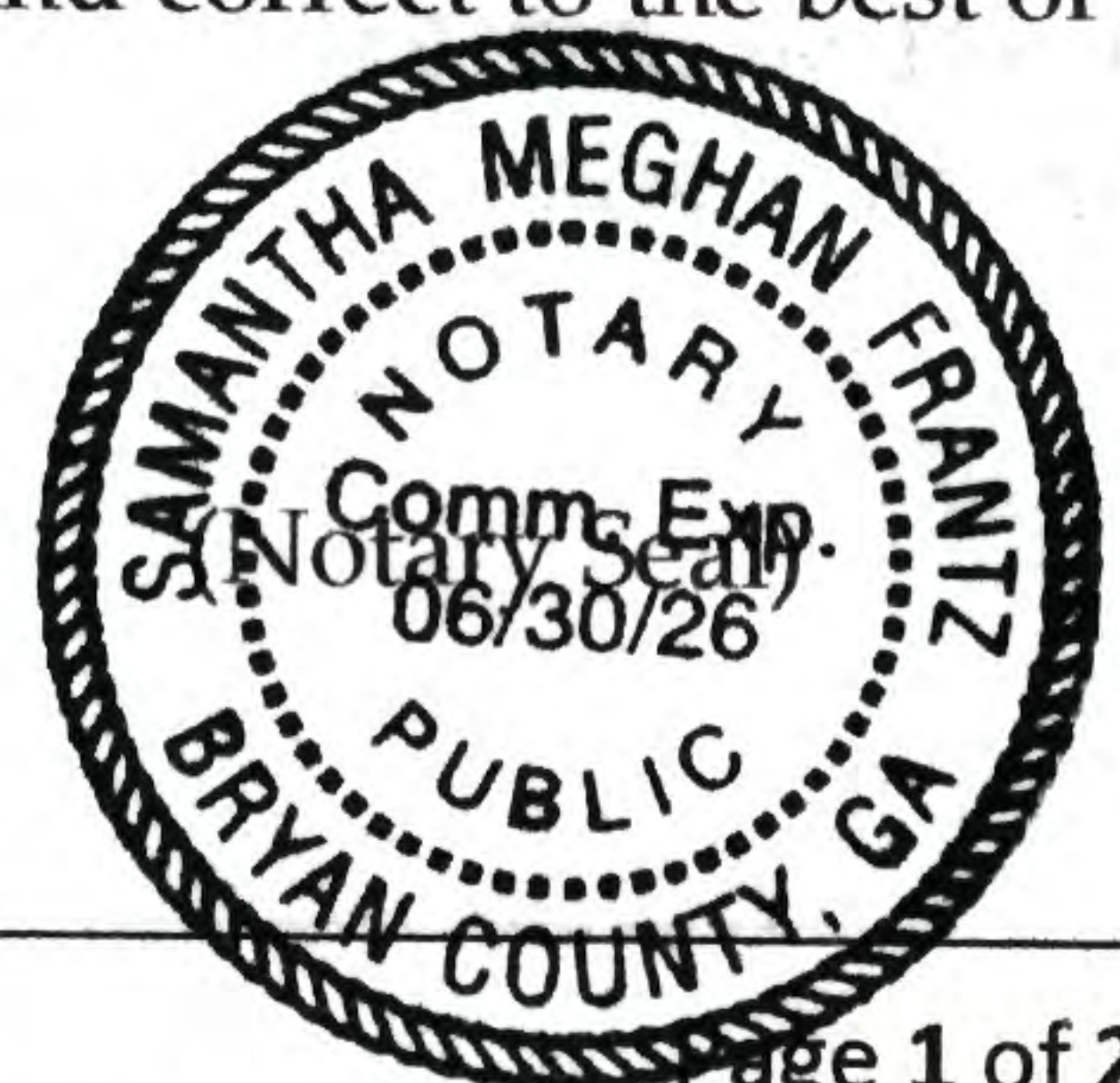
Personally appeared before me

Kathleen Myers
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 15th of February 2023

[Signature]
Notary Public



“B” Exhibits – Agency Comments

Engineering - Mark Hopkins -
mhopkins@bryan-county.org

DRC Review Complete

Review Comments:

Applicant was advised to apply for an encroachment permit for driveway installation and to adhere to the design standards of the Bryan County Engineering Manual.

Fire - James Holton -
jholton@bryan-county.org

DRC Review Complete

Review Comments:

Public Health - Michael May -
michael.may@dph.ga.gov

DRC Review Complete

Review Comments:

Please contact the Bryan County Health Department for private well and/or septic needs for this property.

One acre of usable land is required for lots requiring private well and septic. A Level III soil report is required with the septic application.

Please contact the Bryan County Health Department for assistance and questions.

912-756-2636

Public Works - Keith Page - 912-220-2449
kpage@bryan-county.org

DRC Review Complete

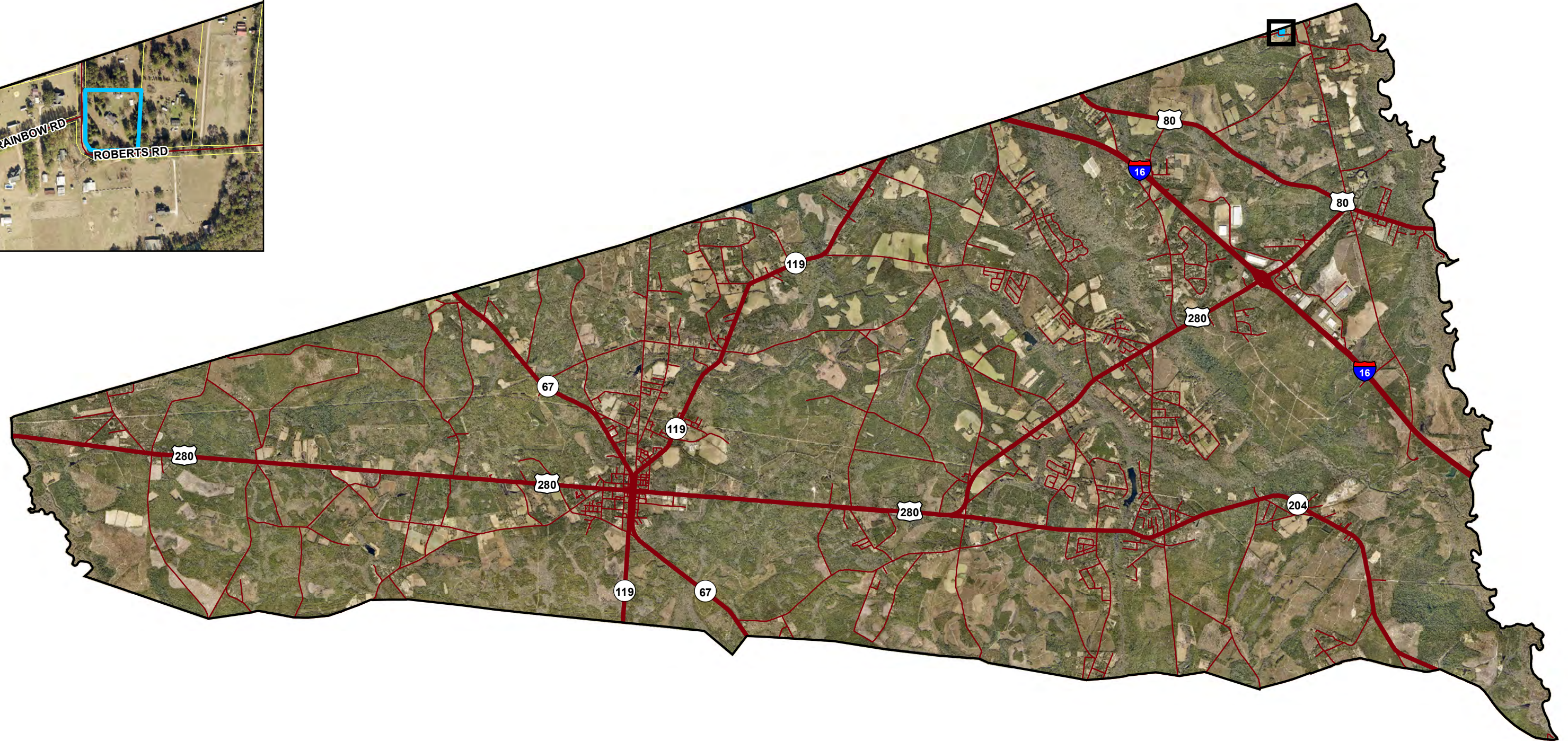
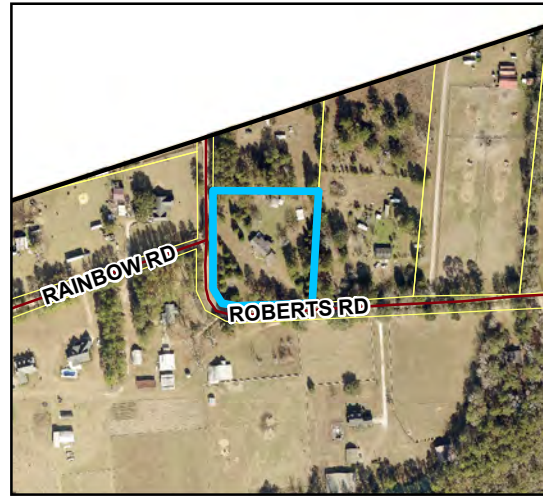
Review Comments:


Zoning - Brett Kohler -
bkohler@bryan-county.org

DRC Review Complete

Review Comments:

“C” Exhibits – Bryan County Supplements



-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 028-020
-  Parcels

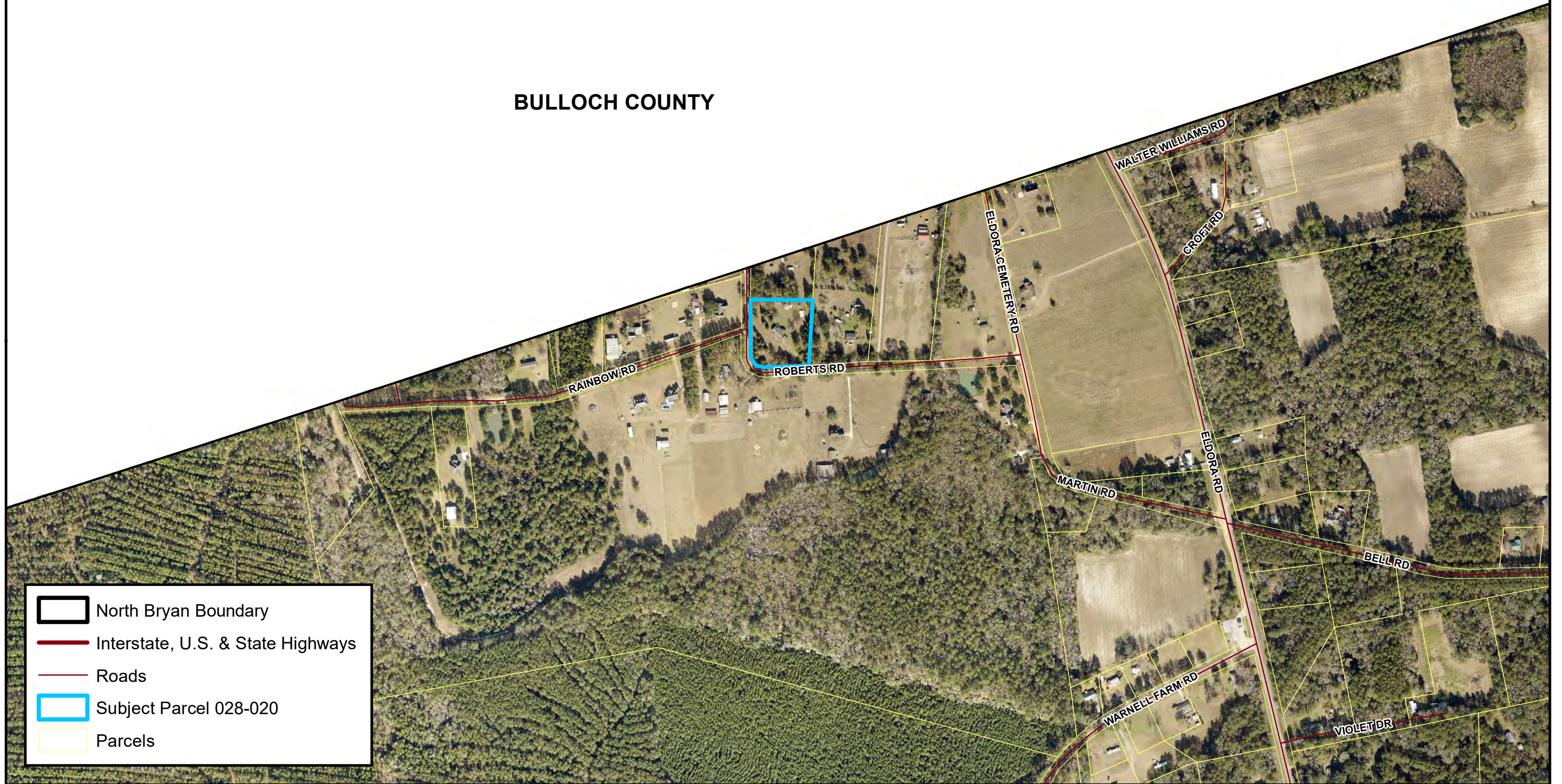


Overview Map
Kathleen Myers - 250 Roberts Rd
Project # 20230143 - Variance

Exhibit "C-1"

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BULLOCH COUNTY



- North Bryan Boundary
- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 028-020
- Parcels



Produced by Bryan County GIS
March 2023

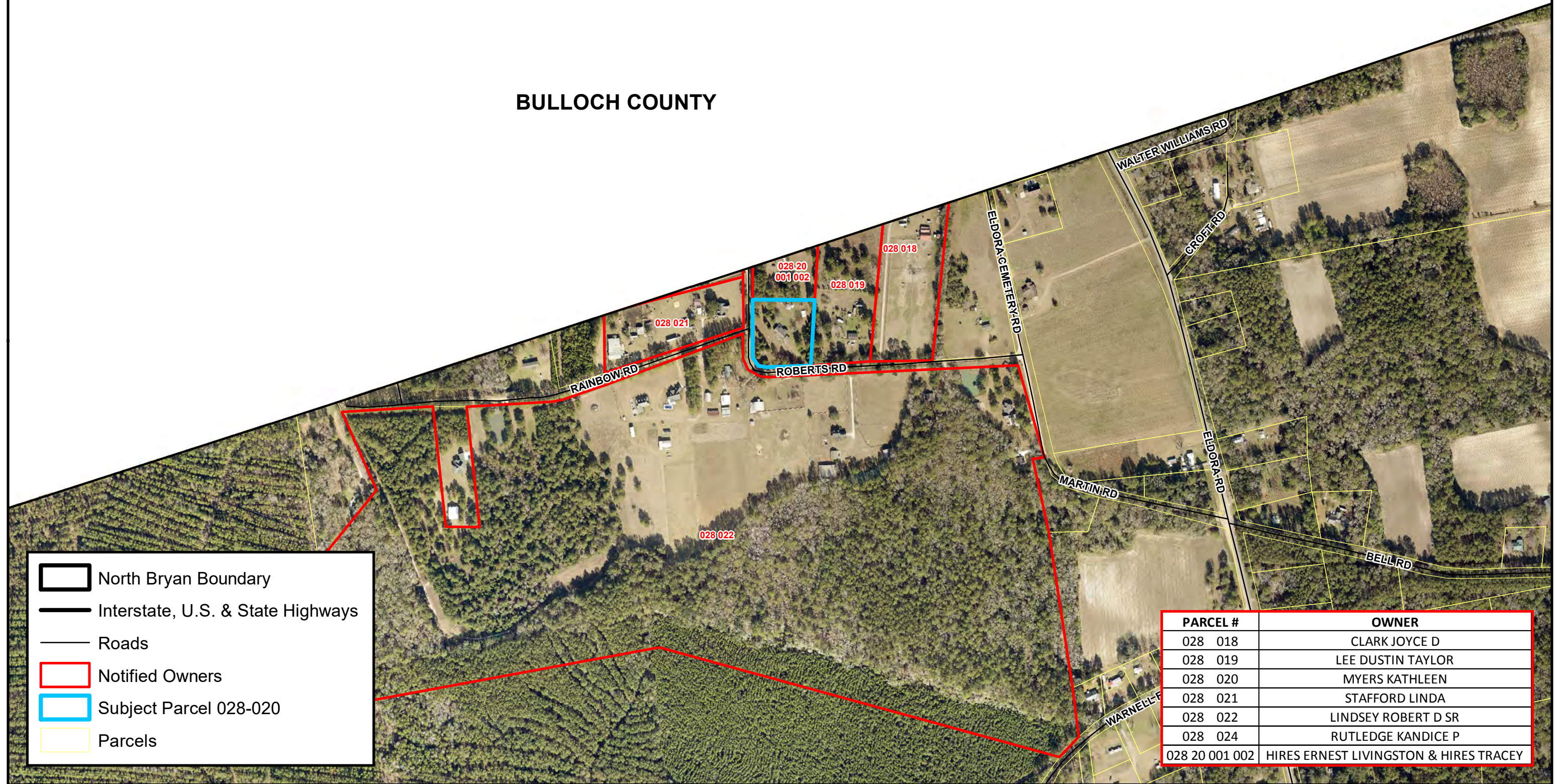




Location Map
Kathleen Myers - 250 Roberts Rd
Project # 20230143 - Variance

Exhibit "C-2"

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BULLOCH COUNTY



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028 019	LEE DUSTIN TAYLOR
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028 024	RUTLEDGE KANDICE P
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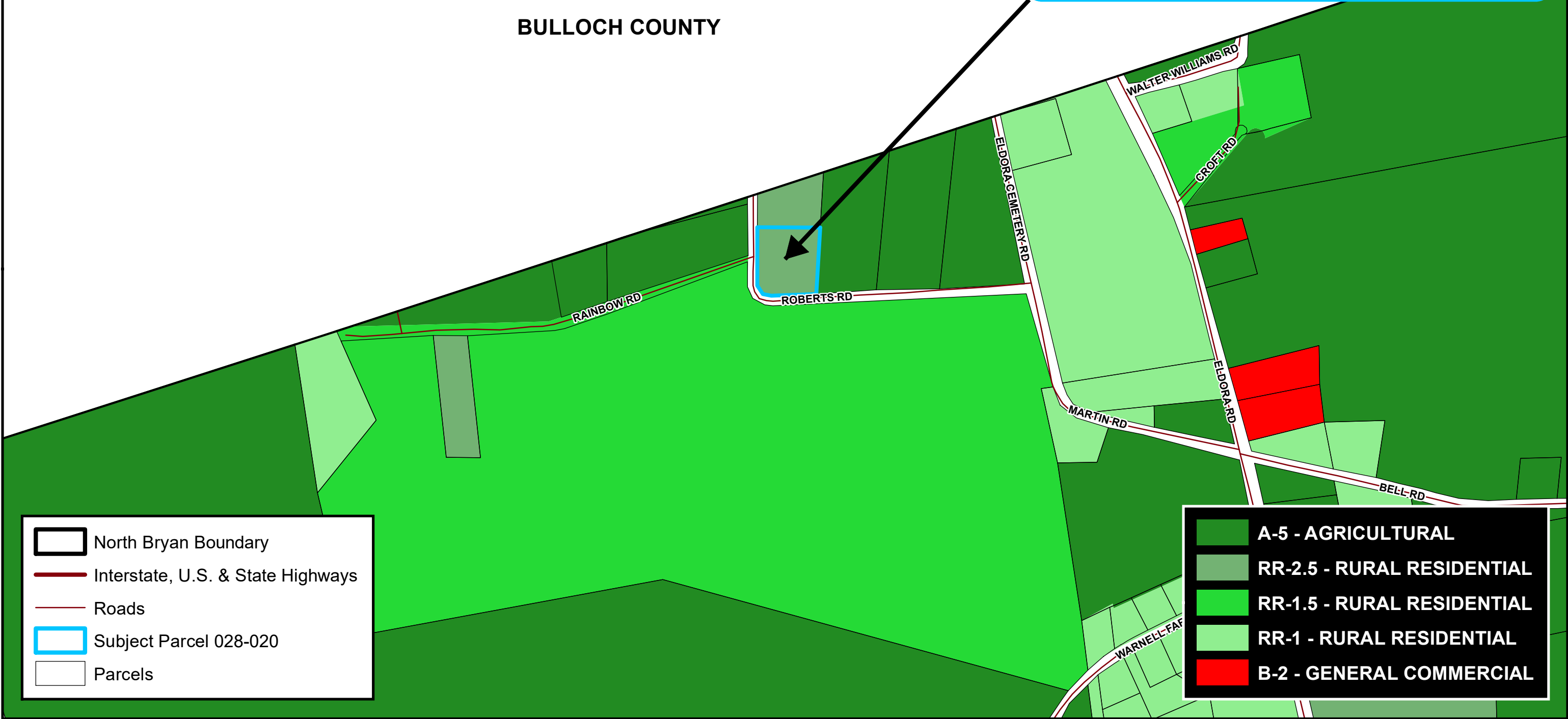
Notification Map Kathleen Myers - 250 Roberts Rd Project # 20230143 - Variance






Exhibit "C-3"






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**Present Zoning = RR-2.5
Requested = Variance**
**Description of Variance Requested:
Reduction of side setback for existing shed.**

BULLOCH COUNTY



-  North Bryan Boundary
-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 028-020
-  Parcels

-  **A-5 - AGRICULTURAL**
-  **RR-2.5 - RURAL RESIDENTIAL**
-  **RR-1.5 - RURAL RESIDENTIAL**
-  **RR-1 - RURAL RESIDENTIAL**
-  **B-2 - GENERAL COMMERCIAL**



Produced by Bryan County GIS
March 2023



**Zoning Map
Kathleen Myers - 250 Roberts Rd
Project # 20230143 - Variance**

Exhibit "C-4"

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“D” Exhibits – Public Comment

None Provided