



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

Meeting Date: May 16, 2023
Meeting Time: 6:30 p.m.
Board of Commissioner's Meeting Room
42 N. Courthouse Street, Pembroke, Georgia

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FOR APRIL MEETING
- III. BOARD OF ADJUSTMENT – PUBLIC HEARING ITEMS
 1. Appeal (Project 20230253), Matthew and Katherine Hankey, appealing a Notice of Violation issued for property located at 13822 Hwy 144 in the southern end of Unincorporated Bryan County. Appeal is regarding Unified Development Ordinance section 14-632(d) requiring fences to be constructed of durable fencing materials. PIN# 0601-107-01
- IV. PLANNING AND ZONING COMMISSION – PUBLIC HEARING ITEMS
 1. Rezoning (Project 20230221), Rick Wilson, requesting to rezone 4.65 acres from “A-5” to “C-1”. Property is located at 445 Deer Run Rd., in the northern end of Unincorporated Bryan County. PIN# 029-015-09.
 2. Rezoning (Project 20230228), Patrisha Wilson and Deidra Williams, requesting to rezone 8.11 acres from “RR-1.5” to “I-2”. Property is located at 1369 Eldora Rd. and 1347 Eldora Rd., in the northern end of Unincorporated Bryan County. PIN# 028-032 and 028-032-01.
 3. Project 20230250, Aaron Walker, to amend lot 10 of the Black Creek Estates Subdivision. Property is located at 30 Aaron Dr., in the northern end of Unincorporated Bryan County. PIN# 025-002-06.
- V. OTHER BUSINESS

None
- 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: May 9, 2023

Board of Commissioner's Meeting Room, Richmond Hill



BRYAN COUNTY
PLANNING & ZONING COMMISSION AND BOARD OF ADJUSTMENT
MINUTES

Meeting Date: April 18, 2023

Meeting Time: 6:30 p.m.

Attendees: Stephanie Falls, Chairman
Alex Floyd, Vice Chairman
Ronald Carswell
Joseph Pecenka
Stacy Watson
Kevin Bowes

Absent: Michelle Guran

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

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Commissioner Pecenka made a motion to approve the March 21, 2023 minutes, a second was made by Commissioner Carswell. Vote 5:0, motion carried.

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 Rd. and 281 Bell Rd. in the northern end of Unincorporated Bryan County. PIN # 033001 and 033003.
 - a. Commissioner Floyd made a motion to open the public hearing. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.

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- b. Amanda Clement presented the request. She stated staff recommended approval with the conditions.
- c. Chad Zittrouer, Kern & Co, LLC, spoke in favor of the request.
- d. Elizabeth "Betsy" Arata, 717 Bell Rd., spoke against the request.
- e. Commissioner Pecenka made a motion to close the public hearing. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
- f. Commissioner Floyd made a motion to deny the conditional use request. A second was made by Commissioner Carswell. Upon further discussion regarding road bond requirements, Commissioner Floyd requested to withdraw his motion. Motion was withdrawn with no objection.
- g. Commissioner Floyd made a motion to approve the conditional use request with staff conditions outlined on page 11 of the April agenda packet, a road bond requirement and a buffer requirement. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.

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

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 # 057107; and
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 # 057107.
 - a. Commissioner Watson made a motion to open the public hearing. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.
 - b. Sara Farr-Newman presented the requests. She stated staff recommended approval of the PD Amendment with conditions and approval of the rezoning request.
 - c. Trent Long, TR Long Engineering, spoke in favor of the request.
 - d. Kevin Purdum, 2683 Belfast River Rd., spoke regarding the development.
 - e. Commissioner Pecenka made a motion to close the public hearing. A second was made by Commissioner Bowes. Vote 5:0, motion carried.
 - f. Commissioner Pecenka made a motion to approve the PD Amendment with staff conditions outlined on page 37 of the April 18 agenda packet. A second was made by Commissioner Bowes. Vote 5:0, motion carried.
 - g. Commissioner Pecenka made a motion to approve the rezoning request. A second was made by Commissioner Bowes. Vote 5:0, motion carried.

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4. Subdivision (Project 20230165), Wilton Thompson, representing Sarah Zipperer, requesting to subdivide one acre from a 3.65-acres parcel. Property is located at 216 Emiline Lane, in the northern end of Unincorporated Bryan County. PIN # 0271032.
 - a. Commissioner Floyd made a motion to open the public hearing. A second was made by Commissioner Pecenka. Vote 5:0, motion carried.
 - b. Amanda Clement presented the request. She stated staff recommended approval with conditions.
 - c. Wilton Thompson, applicant, spoke in favor of the request.
 - d. Commissioner Pecenka made a motion to close the public hearing. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
 - e. Commissioner Bowes made a motion to approve the subdivision with staff recommendation as outlined on page 87 of the April 18 agenda packet. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
 5. Rezoning (Project 201230143), 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 of Unincorporated Bryan County. PIN # 028020.
 - a. Commissioner Pecenka made a motion to open the public hearing. A second was made by Commissioner Floyd. Vote 5:0, motion carried.
 - b. Amanda Clement presented the request. She stated staff recommended approval with no conditions.
 - c. Commissioner Floyd made a motion to close the public hearing. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
 - d. Commissioner Watson made a motion to approve the rezoning request. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
- 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 of Unincorporated Bryan County. PIN # 028020.
 - a. Commissioner Floyd 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.
 - c. Commissioner Bowes made a motion to close the public hearing. A second was made by Commissioner Carswell. Vote 5:0, motion carried.
 - d. Commissioner Floyd made a motion to approve the variance request. A second was made by Commissioner Bowes. Vote 5:0, motion carried.
- V. OTHER BUSINESS
- a. Amanda Clement reminded the Commission about the workshop with the County Attorney, Aaron Kappler, at the May 16 Planning and Zoning Commission.

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VI. ADJOURNMENT

The meeting was adjourned by Chairman Falls at 7:25 p.m.

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

Stephanie Falls, Chairman

ATTEST:

Dawn Monaco, Secretary to the Commission



**BRYAN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

110 Sgt. Robert W. Crapse Dr.
Unit 9
Pembroke, Georgia 31321
912-653-3893
Fax 912-653-3864

66 Captain Matthew Freeman Drive
Suite 111
Richmond Hill, Georgia 31324
912-756-7953
Fax 912-756-7951

MEMORANDUM

May 9, 2023

To: Bryan County Board of Adjustment
From: Sara Farr-Newman, Planner II
Subject: Appeal to Staff Decision on Fencing Material

ACTION REQUESTED

This is an appeal made by Matthew and Katharine Hankey to a staff interpretation of the Unified Development Ordinance (UDO) that silt fencing does not constitute a permanent fencing material as required by UDO Section 114-632(d)(1).

BACKGROUND

The County received a code violation complaint against the appellants, Matthew and Katherine Hankey, on January 23, 2023 for silt fencing installed on their property at 13822 Highway 144, PIN Number 0601-107-01 (Exhibit A). The property is zoned "RR-1", Rural Residential Zoning District.

Following site visits on January 30, 2023 and February 16, 2023 (Exhibit B) by the Code Enforcement Officer, Tiffany Maxwell, a letter (Exhibit C) was sent to the appellants on February 17, 2023 and March 24, 2023 citing a violation of Section 114-632(d)(1) which reads as follows:

Except as otherwise required by this UDO, fences or walls shall be constructed in durable fashion of brick, stone, or other masonry material or wood posts and planks or metal or other materials specifically designed as fencing materials or a combination thereof.

Following this violation, the appellants filed an appeal to this staff decision (Exhibit D) stating the silt fencing installed should be classified as a durable material as specified for fencing by the UDO. The appeal includes the following points:

- The GA DOT silt fencing installed was purchased at Home Depot in the fencing department
- The code does not explicitly restrict this fencing, which is used in numerous locations in Bryan County

- The existing fencing is intended to be temporary while a plant barrier, which has been planted, matures to the desired height

ANALYSIS

The UDO specifies in Section 114-349 that the following must be considered by the Board of Adjustment for an appeal of a staff decision:

- (a) *Was made based on correct interpretation of the applicable regulations; or*
- (b) *Reflected a reasonable interpretation/application of the UDO. The board may not reverse the decision based on its opinion of the outcome; its decision must be based on whether the decision was based on a reasonable interpretation of the UDO.*

Staff determined that the silt fencing installed is not a durable material per the UDO requirements of Section 114-632(d)(1). This interpretation is based on the definition of “durable” in the American Heritage College Directory, which the UDO specifies should be utilized when a definition is not included in the UDO itself (Section 114-1301(a)). The relevant definition reads as follows:

- (a) *Capable of withstanding wear and tear or decay: a durable fabric.*
- (b) *Made to withstand repeated use over a relatively long period, usually several years or more: durable goods such as washing machines and dryers.*

Materials such as brick and wood would be classified as durable fencing materials. Silt fencing, however, is specifically designed as a temporary fencing solution primarily utilized for erosion control until a site is permanently stabilized. The Environmental Protection Agency (EPA) publication *Stormwater Best Management Practice: Silt Fences*, defines silt fences as “...a temporary sediment barrier made of porous fabric” (Exhibit E). The GA Department of Transportation (GDOT) also has a *Manual for Erosion and Sediment Control in Georgia*. This manual includes a definition for “Sediment Barrier” that clearly indicates their temporary use. The silt fence specifications called out in this publication also indicate this fencing is generally only effective for six (6) months. (Exhibit F – Pages 137-139).

These professional publications indicate that while silt fencing is classified as a fencing material, it is intended only for erosion and sediment control, usually utilized in areas undergoing construction and/or grading. The fences are designed to last a relatively short time period, and are not durable enough to serve as a permanent or durable fencing material. The appellant indicated the fencing will be removed when plantings for screening have matured; however, this process is likely to take years. The silt fencing installed is not adequate to last this time period and does not meet the intention of the UDO fencing regulations.

**EXHIBIT A
MAPS**



- Interstate, U.S. & State Highways, & Other Major Roads
- Roads
- ▭ Subject Parcel 0601-107-01
- ▭ Parcels



Location Map Hankey - Appeal Code Enforcement Case # 20230010 - Fencing Material

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
- Subject Parcel 0601-107-01
- Parcels



Produced by Bryan County GIS
April 2023



**Overview Map
Hankey - Appeal
Code Enforcement Case # 20230010
Fencing Material**

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EXHIBIT B
SITE PHOTOGRAPHS



February 16, 2023 at 2:01 PM
13802 Bryan Neck Rd
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement



February 16, 2023 at 2:01 PM
13802 Bryan Neck Rd
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement



January 30, 2023 at 8:29 AM
13838-13862 SR-144 E
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement



January 30, 2023 at 8:26 AM
13802 Bryan Neck Rd
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement



February 8, 2023 at 8:20 AM
13822 SR-144 E
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement



February 8, 2023 at 8:22 AM
13822 SR-144 E
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement

A photograph showing a wooded area with many tall, thin trees. In the middle ground, a blue tarp is stretched across the ground, partially covering a structure. The ground is covered with dry, brown leaves and some sparse green grass. The sky is visible through the trees, appearing bright and clear.

February 8, 2023 at 8:20 AM
13822 SR 144 E
Richmond Hill GA 31324
Officer Tiffany Maxwell
Bryan County Enforcement

EXHIBIT C
CODE VIOLATION LETTERS



BRYAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse St
P.O. Box 1071
Pembroke, GA 31321
912-653-5263

66 Captain Matthew Freeman Dr
Ste 111
Richmond Hill, GA 31324
912-756-7962

March 24, 2023

Matthew & Katherine Hankey
13822 Hwy 144
Richmond Hill, GA 31324

Location	13822 HWY 144 E
Case Number	CE-20230010
Inspection Date	2/17/2023

NOTICE OF VIOLATION 15 Day Letter Extension

Dear Matthew & Katherine Hankey,

A recent inspection at your property revealed that your property is in violation of the following Bryan County Code and/or zoning ordinances:

- Required Action: Disregard our original request as this is what applies to your fencing. The materials being used are not fencing materials. Note: Shall be durable fashion. Contact the Richmond Hill office as anything over 7 FT tall will require a permit, etc. NOTE: This will only be used if you want a fence of approved fencing material to exceed 7 ft. You will however need to apply for a variance if needing it over 8 feet in height. Please remove the tarp to avoid it being a violation ASAP.**

Violation: Sec 114-632 d)Fences and walls.(1)Except as otherwise required by this UDO, fences or walls shall be constructed in durable fashion of brick, stone, or other masonry material or wood posts and planks or metal or other materials specifically designed as fencing materials or a combination thereof.

COMPLIANCE BY: April 07, 2023

Pursuant to the Bryan County Code of Ordinances, you are required to comply with this ordinance on or before the compliance date listed for each violation.

Failure to comply may result in legal action.

Please direct any correspondence to the Bryan County Code Enforcement Officer listed below. Your cooperation in the matter is greatly appreciated.

Sincerely,



Tiffany Maxwell
Code Enforcement Officer
912-655-2772 (c)
912-459-6508 (o)
tmaxwell@bryan-county.org



BRYAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

51 North Courthouse St
P.O. Box 1071
Pembroke, GA 31321
912-653-5263

66 Captain Matthew Freeman Dr
Ste 111
Richmond Hill, GA 31324
912-756-7962

February 17, 2023

Matthew & Katherine Hankey
13822 Hwy 144
Richmond Hill, GA 31324

Location	13822 Highway 144
Case Number	CE-20230010
Inspection Date	2/17/2023

NOTICE OF VIOLATION 30 Day Letter

Dear Matthew & Katherine Hankey,

A recent inspection at your property revealed that your property is in violation of the following Bryan County Code and/or zoning ordinances:

- Required Action: Disregard our original request as this is what applies to your fencing. The materials being used are not fencing materials. Note: Shall be durable fashion. Contact the Richmond Hill office as anything over 7 FT tall will require a permit, etc. NOTE: This will only be used if you want a fence of approved fencing material to exceed 7 ft. You will however need to apply for a variance if needing it over 8 feet in height. Please remove the tarp to avoid it being a violation ASAP.**

Violation: Sec 114-632 d)Fences and walls.(1)Except as otherwise required by this UDO, fences or walls shall be constructed in durable fashion of brick, stone, or other masonry material or wood posts and planks or metal or other materials specifically designed as fencing materials or a combination thereof.

COMPLIANCE BY: March 21, 2023

The Pond is not an issue for my office.

Pursuant to the Bryan County Code of Ordinances, you are required to comply with this ordinance on or before the compliance date listed for each violation.

Failure to comply may result in legal action.

Please direct any correspondence to the Bryan County Code Enforcement Officer listed below. Your cooperation in the matter is greatly appreciated.

Sincerely,



Tiffany Maxwell
Code Enforcement Officer
912-655-2772 (c)
912-459-6508 (o)
tmaxwell@bryan-county.org

EXHIBIT D
APPEAL NARRATIVE

To Whom It May Concern,

Matthew & Katherine Hankey are providing written notice of our wish to appeal the code violation regarding the fencing type at 13822 Ga Hwy 144.

Prior to putting up the fence at our above listed property we checked the code which stated that we needed to put up a fence of durable material using materials for fencing. We feel we did exactly that. We researched materials and found a GA DOT Black Silt Fence that is sold at the local Home Depot in the fencing department. The code did not restrict this item and we have seen it being used in numerous locations in any around the Richmond Hill/Bryan County area.

Being that our fence is temporary we felt it made more sense then invested in wood or stone etc. The length of fence needed made such materials cost prohibitive and frankly we felt a natural plant barrier would be better in the long run. We purchased a few plants to get a better idea of if they would work. We then purchases 100 plants. We planted these at the end of February despite ordering them prior and having to await the first available shipping timeframe.

We received an original code violation letter which only stated the need to reduce or apply for a permit for a few areas of the fence that ended up being over the height limit. We were told to wait by Tiffany Maxwell because the office was going to have a meeting regarding our neighbors extensive emails (this would be the second time code enforcement has been used by our neighbors to harass our family and at least the second time the office has been used for this purpose on a neighbor - As they did the same thing to the neighbors on the opposite side.)

For the record we started with a single layer fence that was fully within the height restrictions but after installation our neighbors raised the cameras that they have because we were now blocking there view onto our property which was one of the main reasons we felt we needed the fence. Prior to installing the fence we found them sitting on there property line looking into the bedroom window of our children's room. This was brought to our attention by my parents who happened to be visiting and staying in that room. They were uncomfortable and we determined it was in fact time to invest in getting some type of privacy back for our family.

After the meeting at the code office Mrs. Maxwell called to explain that the office was no longer going to allow our fence due to the material as she stated it was believed to not be fencing material but more so that it was due to the sheer volume of emails and harassment our neighbor was directing at the code office.

We feel that we read the stated code and felt that we were complying with the code prior to starting if our neighbor would like to put up a privacy fence that he feels is nicer we would be happy with such a decision but we shouldn't need to invest farther because of an issue that they have when the material is GA DOT Fencing material that is sold in the fencing department. Especially since once the plants grow to provide coverage we will be removing it.

I would also like to note again for the record that our neighbor tied a fence that they built in November into our existing fence - its a wood and wire style fence. Under the code he needed our written permission to do this. They did not get that, nor did they ask for it. I would like the office to require him to remove it.

EXHIBIT E
Stormwater Best Management Practice: Silt Fences

Minimum Measure

Construction Site Stormwater Runoff Control

Subcategory

Sediment Control

Purpose and Description

The purpose of a silt fence is to retain the soil on disturbed land (Figure 1), such as a construction site, until the activities disturbing the land are sufficiently completed to allow revegetation and permanent soil stabilization to begin. Keeping the



Figure 1. Silt fence retaining sediment

soil on a construction site, rather than letting it be washed off into natural water bodies (e.g., streams, rivers, ponds, lakes, estuaries) prevents the degradation of aquatic habitats and siltation of harbor channels. And not letting soil wash off onto roads, which readily transport it to storm sewers, avoids having sewers clogged with sediment. The cost of installing silt fences on a watershed's construction sites is considerably less than the costs associated with losing aquatic species, dredging navigation channels, and cleaning sediment out of municipal storm sewers.

A silt fence is a temporary sediment barrier made of porous fabric. It's held up by wooden or metal posts driven into the ground, so it's inexpensive and relatively easy to remove. The fabric ponds sediment-laden stormwater runoff, causing sediment to be retained by the settling processes. A single 100 foot (ft) run of silt fence may hold 50 tons of sediment in place. Most construction sites today do have silt fences. But many do not work effectively because they are not well designed, installed, or maintained. The focus of this fact sheet is—how to make silt fences work.

Design

The three principal aspects of silt fence design are: proper placement of fencing, adequate amount of fencing, and appropriate materials.

Proper Placement of Fencing

Placement is important because where a fence starts, runs, and ends is critical to its effectiveness. Improper placement can make the fence a complete waste of money. Analyze the construction site's contours to determine the proper placement.

Segment the site into manageable sediment storage areas for using multiple silt fence runs. The drainage area above any fence should usually not exceed a quarter of an acre. Water flowing over the top of a fence during a normal rainfall indicates the drainage area is too large. An equation for calculating the maximum drainage area length above a silt fence, measured perpendicular to the fence, is given in Fifield, 2011. Avoid long runs of silt fence because they concentrate the water in a small area where it will easily overflow the fence. The lowest point of the fence in Figure 4 is indicated by a red arrow. Water is directed to this low point by both long runs of fence on either side of the arrow. Most of the water overflows the fence at this low point and little sediment is trapped for such a long fence.



Figure 2. Create manageable sediment storage areas



Figure 3. Water should not flow over the filter fabric during a normal rainfall



Figure 4. Avoid long runs of silt fence

Use J-hooks as shown in Figures 5 and 6, which have ends turning up the slope to break up long fence runs and provide multiple storage areas that work like mini-retention areas. If the fence doesn't create a ponding condition, it will not work well. The silt fence in Figure 7 doesn't pond water or retain sediment. Stormwater will run around the fence carrying sediment to the street, which will transport the water and its sediment load to the storm sewer inlet.



Figure 5. Use J-hook fences to break up long fence runs

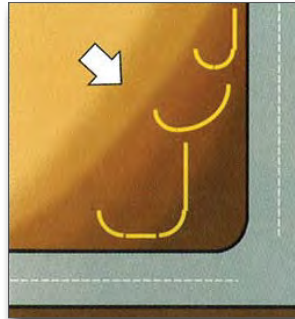


Figure 6. J-hook silt fences provide multiple storage areas



Figure 7. This silt fence doesn't work

Water flowing around the ends of a silt fence will cause additional erosion and defeat its purpose. The bottom of each end of the fence should be higher than the top of the middle of the fence (Figure 8). This insures that during an unusually heavy rain, water will flow over the top rather than around either end of the fence. Only fine suspended material will spill over the top, which is not as harmful as having erosion at the ends. When there is a long steep slope, install one fence near the head of the slope to reduce the volume and velocity of water flowing down the slope, and another fence 6–10 ft from the toe of the slope to create a sediment storage area near the bottom. A common misconception is that you only have to worry about water running off steep slopes. However, steep slopes may have a relatively small water collection area. The total drainage area



Figure 8. Proper installation, bottom of both ends are above the top of the middle



Figure 9. Poor installation, water can flow around the ends causing additional erosion

of a gentle slope, if large (Figure 10), can be more important than its slope in determining sediment loss. A silt fence should not be placed in a channel with continuous flow (channels in Figures 8 and 9 don't have a continuous flow), nor across a narrow or steep-sided channel. But when necessary a silt fence can be placed parallel to the channel to retain sediment before it enters the watercourse.



Figure 10. Gentle slopes may require a silt fence

Paved streets are major conduits of stormwater and silt, and they drain to storm sewer inlets. The best solution is to retain as much sediment as possible before it reaches paved surfaces. Install a silt fence at the inlet side of a storm sewer or culvert, rather than at the discharge where there is greater velocity and less storage area. Streets cut in the grade, but not yet paved, are also prime erosion conduits. If the streets are not going to be paved right away, they need a containment barrier such as a silt fence. Finally as a construction site's dynamics change, the silt fence layout should be adjusted when necessary to maintain its effectiveness.

Designers and contractors should also consider diverting sediment-laden runoff water to a sediment detention pond. If the site can provide a large enough area, this is usually the most effective and economical best management practice for retaining sediments. Silt fences are needed when there is insufficient space for a detention pond or when roads and other structures are in the way.

Adequate Amount of Fencing

The amount of fencing means the total linear length of the silt fencing runs on the construction site. A reasonable rule-of-thumb for the proper amount of silt fence is—100 ft of silt fence per 10,000 square foot (sq ft) of disturbed area. Soil type, slope, slope length, rainfall, and site configuration are all important elements in determining the adequate silt fence protection for a site, and to what extent it fits the 100 ft per 10,000 sq ft rule-of-thumb. If the amount of fencing provides the volume of runoff storage needed, then over-flowing the silt fence runs will be minimized. This is the basic test; if fences are over-flowing after a moderate rainfall event, the amount of fencing probably needs to be increased to avoid undercutting, washouts, and fence failures.

Appropriate Materials

There are different types of porous fabrics available, e.g., woven, non-woven, mono-filament, but all types tend to clog rapidly and don't provide lasting filtration. The support posts and installation method are more important than the fabric type for overall sediment retention. However, a lightweight fabric tends to tear where it is attached to the posts. Posts must hold the fabric up and support the horizontal load of retained water and sediment. Hardwood posts (2" x 2") are potentially strong enough to support the loads, but are difficult to drive into the ground more than 6–8". To hold 2 ft of sediment and water, the posts should be driven 2 ft into the ground. Steel posts are best because they can be driven into compacted soil to a depth of 2 ft. The support posts should be spaced 3–4 ft apart where water may run over the top of the fence, 5 ft in most other areas, and 6–7 ft where there isn't a considerable horizontal load. Improper post depth and spacing is often the cause of sagging fabric and falling posts. Some authorities believe a more robust wire or chain link supported silt fence is needed to withstand heavy rain events. However, this may double the cost of a silt fence installation and entails disposing of more material in a landfill when the fence is removed. Installing silt fencing having five interacting features: (1) proper placement based on the site's contours, (2) adequate amount of fencing without long runs, (3) heavy porous filter fabric, (4) metal posts with proper depth and spacing, and (5) tight soil compaction on both sides of the silt fence will usually obviate the need for wire or chain link reinforced fencing. Prefabricated silt fences, e.g., fabric attached to wooden posts in a 100 ft package, doesn't provide for posting after the ground is compacted or allow variable post spacing.



Figure 11. Chain link supported silt fence

Silt Fence Installation

Two commonly used approaches for installing silt fences are the static slicing method and the trenching method.

Static Slicing Method

The static slicing machine pulls a narrow blade through the ground to create a slit 12" deep, and simultaneously inserts the silt fence fabric into this slit behind the blade. The blade is

designed to slightly disrupt soil upward next to the slit and to minimize horizontal compaction, thereby creating an optimum condition for compacting the soil vertically on both sides of the fabric. Compaction is achieved by rolling a tractor wheel along both sides of the slit in the ground 2 to 4 times to achieve nearly the same or greater compaction as the original undisturbed soil. This vertical compaction reduces the air spaces between soil particles, which minimizes infiltration. Without this compaction infiltration can saturate the soil, and water may find a pathway under the fence. When a silt fence is holding back several tons of accumulated water and sediment, it needs to be supported by posts that are driven 2 ft into well-compacted soil. Driving in the posts and attaching the fabric to them completes the installation.

Trenching Method

Trenching machines have been used for over twenty-five years to dig a trench for burying part of the filter fabric underground. Usually the trench is about 6" wide with a 6" excavation. Its walls are often more curved than vertical, so they don't provide as much support for the posts and fabric. Turning the trencher is necessary to maneuver around obstacles, follow terrain contours or property lines, and install upturns or J-hooks. But trenchers



Figure 12. Static slicing machine



Figure 13. Tractor wheel compacting the soil

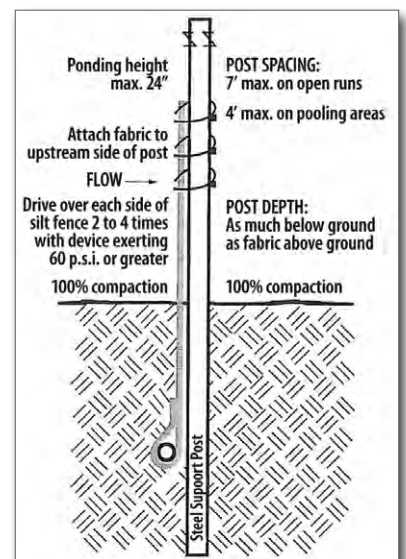


Figure 14. Silt fence installation using the static slicing method



Figure 15. Trenchers make a wider excavation at turns



Figure 16. Poor compaction has resulted in infiltration and water flowing under this silt fence causing retained sediment washout

can't turn without making a wider excavation, and this results in poorer soil compaction, which allows infiltration along the underground portion of the fence. This infiltration leads to water seeking pathways under the fence, which causes subsequent soil

erosion and retained sediment washout under the fence. The white line on the fence in Figure 16 and red arrow both mark the previous sediment level before the washout. Post setting and fabric installation often precede compaction, which make effective compaction more difficult to achieve. EPA supported an independent technology evaluation (ASCE 2001), which compared three progressively better variations of the trenching method with the static slicing method. The static slicing method performed better than the two lower performance levels of the trenching method, and was as good or better than the trenching method's highest performance level. The best trenching method typically required nearly triple the time and effort to achieve results comparable to the static slicing method.

Proper Attachment

Regardless of the installation method, proper attachment of the fabric to the posts is critical to combining the strength of the fabric and support posts into a unified structure. It must be able to support 24" of sediment and water. For steel posts use three plastic ties per post (50 lb test strength), located in the top 8" of the fabric, with each tie hung on a post nipple, placed diagonally to attach as many vertical and horizontal threads as possible. For wooden posts use several staples per post, with a wood lath to overlay the fabric.

Perimeter Silt Fences

When silt fences are placed around the perimeter of a stock pile or a construction site, the conventional silt fence design and materials discussed previously may not be sufficient.

Stock pile example.

A stock pile of dirt and large rocks is shown in Figures 17 and 18 with a silt fence protecting a portion of its perimeter. Rocks that roll down the pile would likely



Figure 17. Back of silt fence on part of the stock pile's perimeter

damage a conventional silt fence. The bottom of the porous fabric is held firmly against both the ground and base of precast concrete, highway, barriers by light-colored stones. An alternative installation would be having the concrete barriers rest directly on the bottom edge of the filter fabric, which would extend under the barriers about 10", so the barriers' weight will press the fabric against the ground to prevent washout. Water passing through the silt fence (red arrow in Figure 18) flows to a storm sewer culvert inlet, which is surrounded by a fabric silt fence (yellow arrows in Figures 17 and 18) that reduces the runoff's velocity and allows settling before the water is discharged to a creek.



Figure 18. Front of silt fence on part of stock pile's perimeter

Bridge abutment example. During the construction of a bridge over a river between two lakes, an excavation on the river bank was needed to pour footings for the bridge abutment. The silt fence along the excavation's perimeter, composed of concrete highway barriers with orange filter fabric, was designed to prevent stormwater from washing excavated spoil into the river and to fend off the river during high flows. A portion of the orange filter fabric that has blown away from the concrete barriers shows the need to overlap and reinforce the joints where two sections of filter fabric are attached.



Figure 19. Silt fence for bridge abutment excavation

Highway example. Because of the proximity of a construction site to a highway, a concrete barrier was required by Minnesota's DOT to protect the highway and an underground fiber optic cable next to the highway from construction activities. The concrete barrier was used to support a silt fence along the perimeter of a large amount of dirt that was stock piled before being used for fill at a different location.



Figure 20. Silt fence protecting a highway and underground fiber optics cable



Figure 21. Silt fence protecting a lake shore

Lake shore example.

The lake's shoreline is being restored with plant plugs and seeded with native plant species. A plywood, perimeter, silt fence is used to trap sediment from a construction site on the right-side of the picture, protect the lake shore from

boat-wake erosion, and to prevent geese from eating the seeds and young plants. This fencing will be removed when 70% vegetative cover is achieved.

Inspection and Maintenance



Figure 22. A silt fence full of sediment that needs maintenance

Silt fences should be inspected routinely and after runoff events to determine whether they need maintenance because they are full (Figure 22) or damaged by construction equipment. The ASTM silt fence specification

(ASTM 2003) recommends removing sediment deposits from behind the fence when they reach half the height of the fence or installing a second fence. However, there are several problems associated with cleaning out silt fences. Once the fabric is clogged with sediment, it can no longer drain slowly and function as originally designed. The result is normally a low volume sediment basin because the cleaning process doesn't unclog the fabric. The soil is normally very wet behind a silt fence, inhibiting the use of equipment needed to move it. A back hoe is commonly used, but, if the sediment is removed, what is to be done with it during construction? Another solution is to leave the sediment in place where it is stable and build a new silt fence above or below it to collect additional sediment as shown in Figure 23. The proper maintenance may be site specific, e.g. small construction sites might not have sufficient space for another silt fence. Adequate access to the sediment control devices should be provided so inspections and maintenance can be performed.



Figure 23. New silt fence below the old fence

Permanent Soil Stabilization

When the land disturbing activities are sufficiently completed to allow permanent soil stabilization on the site, the silt fences and sediment basins are removed. The fabric and damaged posts go to the landfill. Steel posts and some of the wooden posts can be reused. Then the sediment is spread over the site to provide fertile soil, and the area can be seeded and mulched to support revegetation.

References

ASCE 2001. Environmental Technology Verification Report for Installation of Silt Fence Using the Tommy Static Slicing Method. CERF Report #40565. Washington, DC: American Society of Civil Engineers. www.epa.gov/etv/pubs/08_vs_tommy.pdf

ASTM 2003. Standard Practice for Silt Fence Installation. D 6462-03(2008). West Conshohocken, PA: American Society of Testing Materials International. www.astm.org/SEARCH/search-reskin.html?query=D6462-03&siteType=store-standards&searchType=standards-full

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Fifield, Jerald S. 2011. Designing and Reviewing Effective Sediment and Erosion Control Plans, 3rd Edition. Santa Barbara, CA: Forester Press.

U.S. Environmental Protection Agency 2007. Developing Your Stormwater Pollution Prevention Plan, EPA 833-R-06-004. Washington: EPA. Available from EPA hardcopy 800-490-9198 or www.epa.gov/npdes/pubs/sw_swppp_guide.pdf

Photograph Credits

Figures 1–10, 12-16, 22, 23. *Thomas Carpenter, CPESC, Carpenter Erosion Control*

Figure 11. *Pete Schumann, Fairfax County, Virginia, Department of Public Works and Environmental Services*

Figure 17–21. *Dwayne Stenlund, CPESC, Minnesota Department of Transportation*

Disclaimer

Please note that EPA has provided external links because they provide additional information that may be useful or interesting. EPA cannot attest to the accuracy of non-EPA information provided by these third-party websites and does not endorse any non-government organizations or their products or services.

EXHIBIT F
Manual for Erosion and Sediment Control in Georgia Excerpt

Sediment Barrier

Sd1



DEFINITION

Sediment Barriers are temporary structures made up of a porous material typically supported by steel or wood posts. Types of sediment barriers may include silt fence, brush piles, mulch berms, compost filter socks or other filtering material.

PURPOSE

To minimize and prevent sediment carried by sheet flow from leaving the site and entering natural drainage ways or storm drainage systems by slowing storm water runoff and causing the deposition and/or filtration of sediment at the structure. The barriers retain the soil on the disturbed land until the activities disturbing the land are completed and vegetation is established.

CONDITIONS

Barriers should be installed where runoff can be stored behind the barrier without damaging the submerged area behind the barrier or the structure itself. Sediment barriers shall not be installed across streams, ditches, waterways, or other concentrated flow areas.

DESIGN CRITERIA

Sediment barriers are designed to retain sediment transported by sheet flow from disturbed areas. It is important for the design professional to take into account the profile of the product for use on the site.

Sediment Barriers should also provide a riprap splash pad or other outlet protection device for any point where flow may overtop the sediment barrier. Ensure that the maximum height of the barrier at a protected, reinforced outlet does not exceed 1 foot and that the support spacing does not exceed 4 feet.

Where all runoff is to be stored behind the sediment barrier (where no storm water disposal system is present), maximum continuous slope length behind a sediment barrier shall not exceed those shown in Table 6-27.1. For longer slope lengths, slope interrupters must be used. The drainage area shall not exceed ¼ acre for every 100 feet of sediment barrier.

Table 6-27.1 Criteria for Sediment Barrier

Land Slope	Maximum Slope Length Above Fence
Percent	Feet
< 2	100
2 to 5	75
5 to 10	50
10 to 20	25
>20*	15

*In areas where the slope is greater than 20%, a flat area length of 10 feet between the toe of slope to the barrier should be provided.

Placement

The type of sediment barrier depends on whether the area is sensitive or nonsensitive. Sensitive areas can be defined as any area that needs additional protection, these areas include but are not limited to, state waters, wetlands, or any area the design professional designates as sensitive.

When using multiple types of sediment barriers on a site in a single run, the barriers must be overlapped 18 inches or as specified by design professional. See Figure 6-27.5

CONSTRUCTION SPECIFICATIONS

Non-sensitive Areas * **Sd1-NS**

Sediment barriers being used as Type NS shall have a support spacing of no greater than 6 feet on center, with each being driven into the ground a minimum of 18 inches.

Sensitive Areas*

Sd1-S

Sediment barriers being used as Type S shall have a support spacing of no greater than 4 feet on center, with each being driven into the ground a minimum of 18 inches.

*As of January 1 2016, in the existing Georgia Department of Transportation Qualified Products list #36 (QPL- 36), Type A, B, or C will fall under sensitive and non-sensitive applications. **Type C will be classified as sensitive and Type A and B as non-sensitive.** Refer to Appendix A-2 and the Equivalent BMP List.

PRACTICE CLASSIFICATIONS

For silt fence Type A, B, or C, refer to Table 6-27.4.

Type A Silt Fence

This 36-inch wide filter fabric shall be used on developments where the life of the project is great than or equal to six months. **Type A is classified as non-sensitive application.**

Type B Silt Fence

Though only 22-inches wide, this filter fabric allows the same flow rate as Type A silt fence. Type B silt fence shall be limited to use on minor projects, such as residential home sites or small commercial developments where permanent stabilization will be achieved in less than six months. **Type B is classified as non-sensitive application.**

Type C Silt Fence

Type C fence is 36-inches wide with wire reinforcement or equivalent. The wire reinforcement is necessary because this fabric allows almost three times the flow rate as Type A silt fence. Type C silt fence shall be used where runoff flows or velocities are particularly high or where slopes exceed a vertical height of 10 feet. **Type C is classified as sensitive application.**

Filter Media Sock Specifications

Compost filter media used for sediment barrier filler material shall be weed free and derived from a well-decomposed source of organic matter. **Filter Media Sock is classified as a Type B, non-sensitive application.** The compost shall be produced using an aerobic composting

process meeting CFR 503 regulations including time and temperature data. The compost shall be free of any refuse, contaminants or other materials toxic to plant growth. Non-composted products will not be accepted without applicable water quality test results. Test methods for the items below should follow US Composting Council Test Methods for the Examination of Composting and Compost guidelines for laboratory procedures:

A. pH – 5.0-8.0 in accordance with TMECC 04.11-A, “Electrometric pH Determinations for Compost”

B. Particle size – 99% passing a 2 inch (50mm) sieve and a maximum of 40% passing a 3/8 inch (9.5mm) sieve, in accordance with TMECC 02.02-B, “Sample Sieving for Aggregate Size Classification”. (Note: In the field, product commonly is between 1/2 in./12.5mm and 2 in./50 mm in particle size.)

C. Moisture content of less than 60% in accordance with standardized test methods for moisture determination.

D. Material shall be relatively free (<1% by dry weight) of inert or foreign manmade materials.

E. Sock containment system for compost filter media shall be a photodegradable or biodegradable knitted mesh material and should have 1/8 in. to 3/8 in., openings.

Brush Barrier

Sd1-BB

(Only during timber clearing operations)

Brush obtained from clearing and grubbing operations may be piled in a row along the perimeter of disturbance at the time of clearing and grubbing. Brush barriers should not be used in developed areas or locations where aesthetics are a concern.

Brush should be wind-rowed on the contour as nearly as possible and may require compaction. Construction equipment may be utilized to satisfy this requirement.

The minimum base width of the brush barrier shall be 5 feet and should be no wider 10 feet. The height of the brush barrier should be between 3 and 5 feet tall.

A brush barrier is a good tool to use in developing pasture in an agricultural situation to prevent sediment from leaving the site until the pasture is stabilized.

If greater filtering capacity is required, a commercially available sediment barrier may be placed on the side of the brush barrier receiving the sediment-laden runoff. The lower edge of the fabric must be buried in a 6-inch deep trench immediately uphill from the barrier. The upper edge must be stapled, tied or otherwise fastened to the brush barrier. Edges of adjacent fabric pieces must overlap each other. See Figure 6-27.5.

Installation

Sediment barriers should be installed along the contour.

Temporary sediment barriers shall be installed according to the following specifications as shown on the plans or as directed by the design professional.

For installation of the barriers, See Figures 6-27.1, 6-27.2, 6-27.3 and 6-27.4, respectively. It is important to remember that not all sediment barriers need to be trenched into the ground but most taller sediment barriers do.

Post installation shall start at the center of a low point (if applicable) with the remaining posts spaced no greater than 6 feet apart for Type NS sediment barriers and no greater than 4 feet apart for Type C sediment barriers. For post size requirements, see Table 6-27.2. Fasteners for wood posts are listed in Table 6-27.3.

Static Slicing Method

The static slicing machine pulls a narrow blade through the ground to create a slit 12" deep, and simultaneously inserts the silt fence fabric into this slit behind the blade. The blade is designed to slightly disrupt soil upward next to the slit and to minimize horizontal compaction, thereby creating an optimum condition for compacting the soil vertically on both sides of the fabric. Compaction is achieved by rolling a tractor wheel along both sides of the slit in the ground 2 to 4 times to achieve nearly the same or greater compaction as the original undisturbed

soil. This vertical compaction reduces the air spaces between soil particles, which minimizes infiltration. Without this compaction infiltration can saturate the soil, and water may find a pathway under the fence. When a silt fence is holding back several tons of accumulated water and sediment, it needs to be supported by posts that are driven 18 inches into the soil. Driving in the posts and attaching the fabric to them completes the installation.

Trenching Method

Trenching machines have been used for over twenty-five years to dig a trench for burying part of the filter fabric underground. Usually the trench is about 2-"6" wide with a 6" excavation. Post setting and fabric installation often precede compaction, which make effective compaction more difficult to achieve. EPA supported an independent technology evaluation (ASCE 2001), which compared three progressively better variations of the trenching method with static slicing method. The static slicing method performed better than two lower performance levels of the trenching method, and was as good as or better than the trenching method's highest performance level. The best trenching method typically required nearly triple the time and effort to achieve results comparable to the static slicing method.

Along all state waters and other sensitive areas, two rows of Type S sediment barriers shall be used. The two rows of Type S should be placed a minimum of 36 inches apart.

MAINTENANCE

Sediment shall be removed once it has accumulated to one-half the original height of the barrier.

Sediment barriers shall be replaced whenever they have deteriorated to such an extent that the effectiveness of the product is reduced (approximately six months) or the height of the product is not maintaining 80% of its properly installed height.

Temporary sediment barriers shall remain in place until disturbed areas have been permanently stabilized. All sediment accumulated at the barrier shall be removed and properly disposed of before the barrier is removed.

TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN
When a SEDIMENT BARRIER is used, show the product height in inches for each barrier being used on site.

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230221

Public Hearing Date: May 16, 2023

REGARDING THE APPLICATION OF: Rick Wilson, requesting the rezoning of a 4.65-acre tract of land located at 445 Deer Run Road, PIN# 029 015 09. The applicant is requesting the property be rezoned to the "C-1", Commercial Interchange District, from its current "A-5", Agricultural District, zoning.	Staff Report By: Brett Kohler Dated: May 9, 2023
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I. Application Summary

Requested Action: Public hearing and consideration of a zoning map amendment in unincorporated Bryan County. The application by Rick Wilson, proposes to change the "A-5" Agricultural zoning for a 4.65-acre tract of land located at 445 Deer Run Road, PIN# 029 015 09, to "C-1", Interchange Commercial District.

Applicant/Owner: Rick Wilson
445 Deer Run 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. Commercial Districts

II. General Information

1. Application: A rezoning application was received by the Director on March 22, 2023. After reviewing the application, the Director certified the application as being generally complete on March 29, 2023.

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

- A. Legal notice was published in the Bryan County News on **April 27, 2023**.
- B. Notice was sent to Surrounding Land Owners on **May 1, 2023**.

C. The site was posted for Public Hearing on **May 1, 2023**.

3. Background: The subject property is located at 445 Deer Run Road. The parcel is lot 13 or Parcel “D” of the Deer Run Subdivision. This residential subdivision was approved for recording by the Bryan County Planning and Zoning Commission on December 10, 1990 and is recorded on Plat Book 395, pages 9 through 10. The property currently has a single-family home on it and is zoned “A-5”, Agricultural Zoning District. The applicant is proposing to rezone the 4.65-acre property, to “C-I”, Commercial Interchange District. The property is being proposed for potential commercial uses.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on March 22, 2023, unless otherwise noted.

“A” Exhibits- Application:

A-1 Rezoning Application and Acknowledgement

A-2 Disclosure Statement

A-3 Impact Analysis for Rezoning Requests (Updated March 29, 2023)

A-4 Concept Plat (None Received)

“B” Exhibits- Agency Comments:

None Received

“C” Exhibits- Bryan County Supplements

C-1 Overview Map

C-2 Location Map

C-3 Notification Map

C-4 Zoning Map

“D” Exhibits- Public Comment:

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 rural residential zonings as well as the existing “A-5” zoning. The proposed “C-1” rezoning is not consistent with this character area and does not conform to the current comprehensive plan.

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 of Deer Run Subdivision is large lot residential. The subject lot will be proposed for potential commercial development. The rezoning and proposed lot changes will likely have an impact on adjacent residential properties depending on what is developed. Immediate parcels are zoned “A-5”, with parcels off of Interstate Centre Blvd being zoned “C-1” and “I-2”.

The North Bryan County Industrial Development Region backs up to this subdivision, however there are no other industrial or commercial developments that are presently proposed in the Deer Run subdivision. The character of the immediate area remains residential and thick vegetation exists on all sides of the Deer Run subdivision along jurisdiction wetlands. These wetlands have and would continue to provide a buffer for the subdivision, as other developments are proposed at more than adequate distance as provided by the UDO.

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, storm water 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: Primary access to the property is off Deer Run Road. It is noted that the property also has frontage along Interstate Centre Blvd, however there is no existing driveway providing direct access to Interstate Centre. Both Deer Run Road and Interstate Centre Blvd are County owned, paved roads. A Traffic Impact Analysis (TIA) may be required for future development.
- 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 concept for development was provided, any proposal that would require additional services is not known.
- d) Schools: Bryan County Elementary School, Bryan County Middle School, and Bryan County High School serve North Bryan County.
- e) Stormwater drainage systems: Storm water would be assessed with the submittal of any new development
- f) Water Supply and Wastewater Treatment: The site is currently served by well and septic.

In general, the rezoning could impact public facilities and services all depending on what future development is proposed for this lot. Since no concept plan was presented, exact impacts to facilities cannot be known. The lack of infrastructure extending into the Deer Run Subdivision presents issues for any potential commercial development.

- 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 lot is located within a zone X. The current plat shows an area of jurisdictional wetlands on the property. Any development in wetland areas would require an Army Corps permit. There are no additional known archaeological, historical, cultural, or environmental resources identified that would be impacted. It is important to note, many acres of jurisdictional wetlands exist in the Deer Run subdivision as shown in Figure 1.

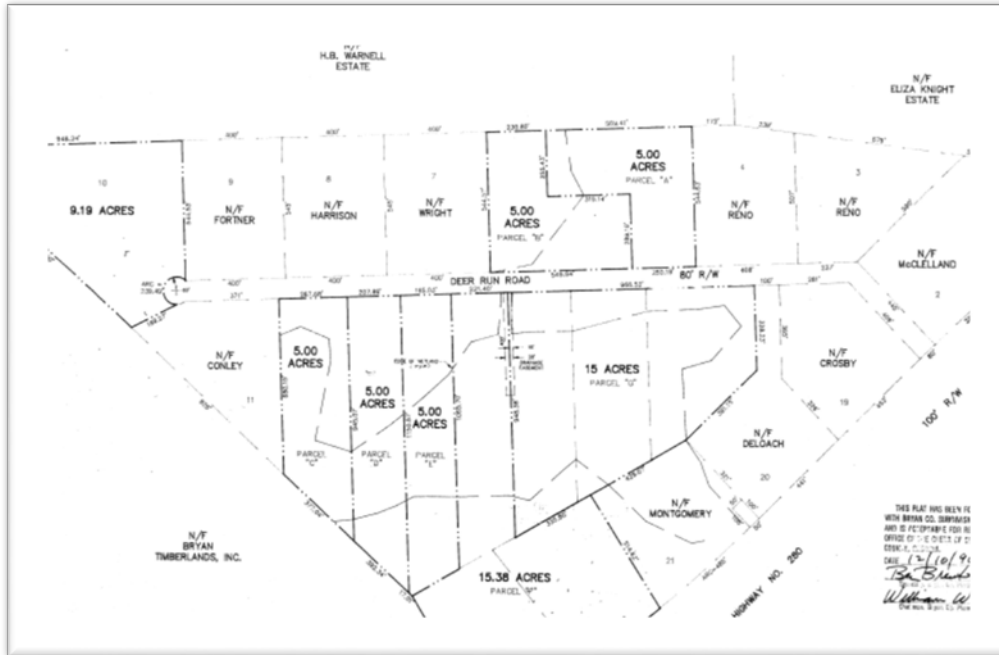


Figure 1: This plat shows the Deer Run Subdivision with Jurisdiction Wetlands Outlined.

Source: Bryan County Plat Book 395, Page 10.

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 within the Deer Run Subdivision. Given the property’s location within an existing residential subdivision, staff finds the site to be more suitable for the existing “A-5” zoning district and less suitable for the proposed “C-1” zoning, which is used for more intense commercial developments that require more infrastructure. The application materials provided do not provide evidence as to why the lot as zoned could not be used for residential purposes. Additionally, it seems jurisdictional wetlands, and lack of infrastructure would present problems for a development on this property making it unsuitable for more intense development than is presently allowed in the “A-5” Zoning.

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 “A-5” zoning district does conform to the overall low-density residential character of the subdivision. 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 on this parcel, rezoning could have unknown impacts on the remaining residents in the Deer Run Subdivision. The application materials do not offer evidence or statements regarding the relative gain to the public for the property to be rezoned to the “C-1” Interchange Commercial

District as opposed to remaining zoned for residential uses.

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 not submitted any concept plan for a specific development. Additionally, it is only indicated they would like to sell the lot for potential commercial uses. The zoning change would allow more intense commercial developments such as a hotel, super store, package sales, and self-storage just to name a few. Staff does not feel like the applicant has provided enough information at this time to determine the zoning change would not adversely affect for the surrounding residents in the Deer Run Subdivision.

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 applicant wishes to sell the lot zoned as commercial for potential uses related to the Interstate and/or the Hyundai car plant nearby. No evidence has been provided as to whether there is market demand for either zoning district.

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 applicant has the burden of producing sufficient and substantial evidence to conclude that the rezoning of the property will better serve the public health, safety, and general welfare of the community, rather than the existing zoning district. At this time, the applicant has not presented any detailed development plans for the site and the application lacks sufficient information in order to otherwise determine that the rezoning will not adversely affect the overall zoning scheme. Therefore, staff does not believe that the burden of proof has been met to ensure that the proposed amendment is in the best interest of the County.

IV. Staff Recommendation

Based on the findings within this report showing the request's inconsistency with the County's Comprehensive Plan's Character Area and Future Land Use Map, and using the information received as of the date of this report, staff does not believe that the applicant's burden of proof has been met in order to support the requested rezoning, therefore staff recommends denial 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



Community Development Department

REZONING APPLICATION

Refer to Chapter 114, Article III, Division 2. of the Bryan County Code of Ordinances for additional information regarding zoning map amendments (Rezoning).

FEE

Application Fee: \$500.00 +\$10 per acre (rounded to the next highest acre) (\$2,500 max)

APPLICANT INFORMATION

Property Owner Name: Rick H. Wilson
Company/Organization (if applicable): N/A
Address: 445 DEER RUN Rd.
City: ELLABELL State: GA. Zip: 31308 Phone: 912 429 2534
Email: SlickRickWilson RW.1@gmail.com

Applicant (if different than property owner): _____
Company/Organization (if applicable): _____
Address: _____
City: _____ State: _____ Zip: _____ Phone: _____
Email: _____

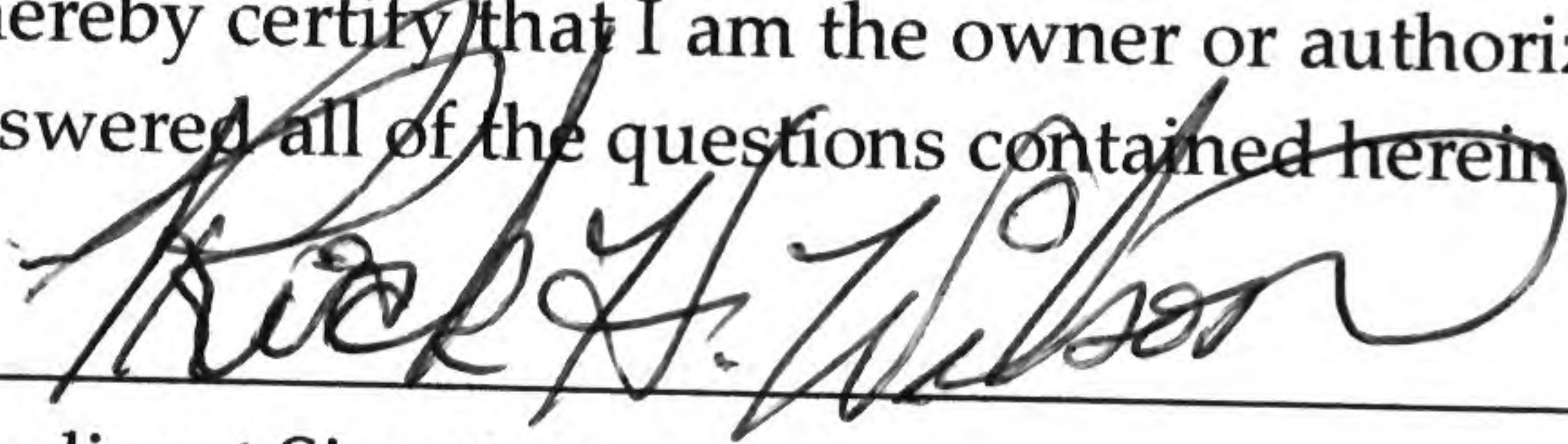
Representative (required if an authorized agent, such as an engineer or attorney, will be representing the owner and/or applicant): _____
Company/Organization (if applicable): _____
Address: _____
City: _____ State: _____ Zip: _____ Phone: _____
Email: _____

PROPERTY INFORMATION


Property Address or General Location: 445 Deer Run Rd
PIN Number(s) (Map & Parcel): 029 015 09 Total Acreage: 4.45
Current Zoning District(s): A-5 Proposed Zoning District(s): C1
Existing Use of Property: Residential
Proposed Use of Property: Hotel / Restarawnt

APPLICANT CERTIFICATION AND ACKNOWLEDGMENT

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



Applicant Signature



Date

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

110 Sgt Robert W. Crapse Dr.
Unit #9
Pembroke, GA 31321
Phone: 912-653-3893

66 Capt. Matthew Freeman Drive
Suite 111
Richmond Hill, GA 31324
Phone: 912-756-7962

**Bryan County
Board of Commissioners**

Community Development Department

Exhibit "A-2"



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.

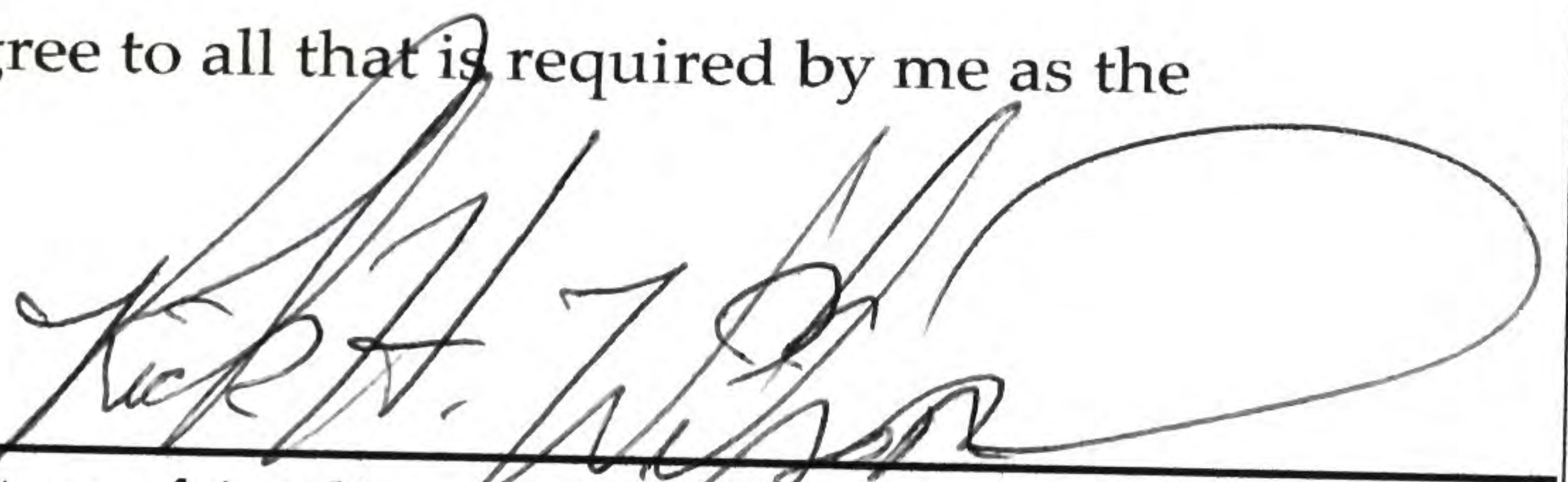
Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

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

Rick H. Wilson

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.

No

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.

YES

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

YES

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.

No

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.

No

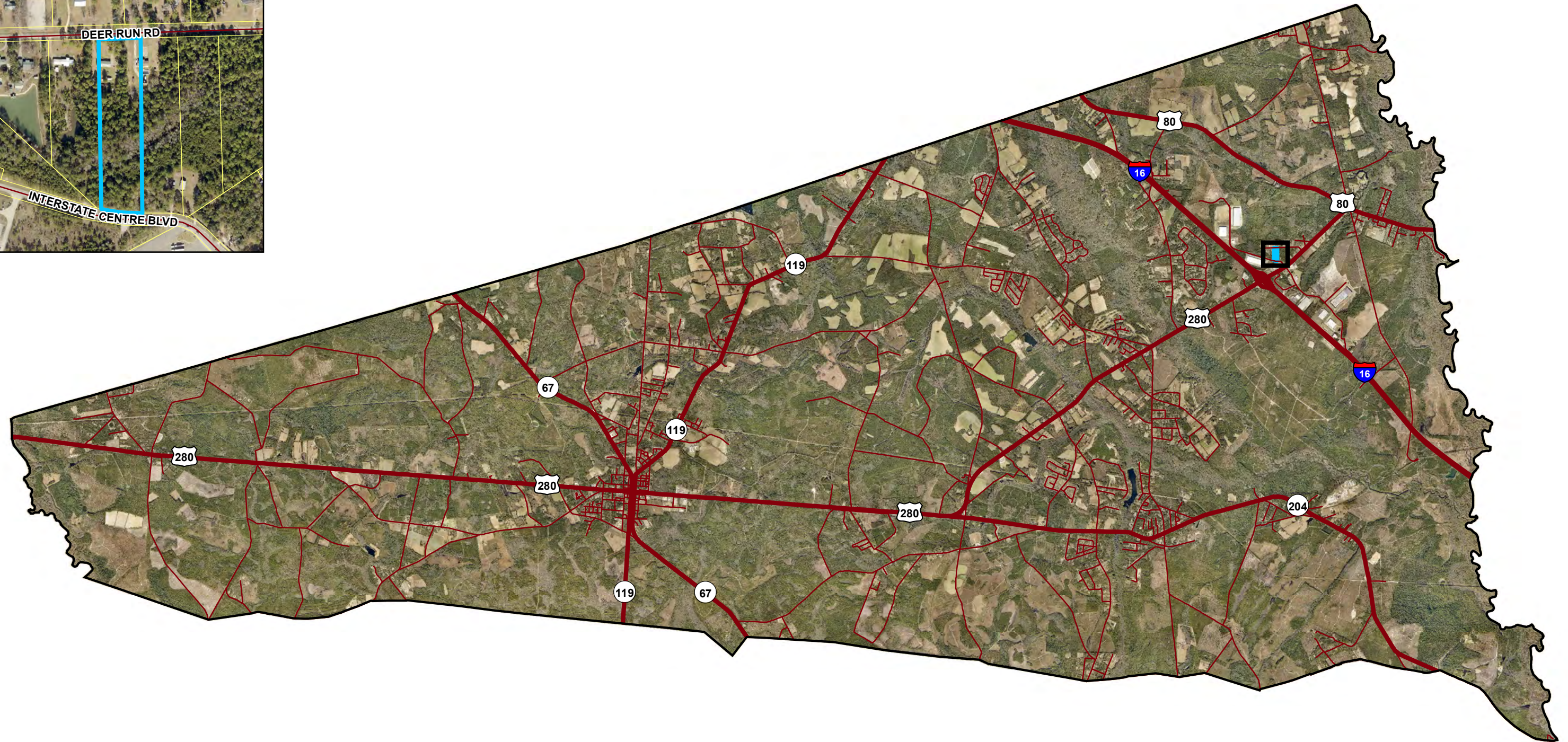
9. Whether the proposed map amendment bears a substantial relationship to the public health, safety or general welfare.

No

“B” Exhibits – Agency Comments

None Provided

“C” Exhibits – Bryan County Supplements



-  Interstate, U.S. & State Highways
-  Roads
-  Subject Parcel 029-015-09
-  Parcels



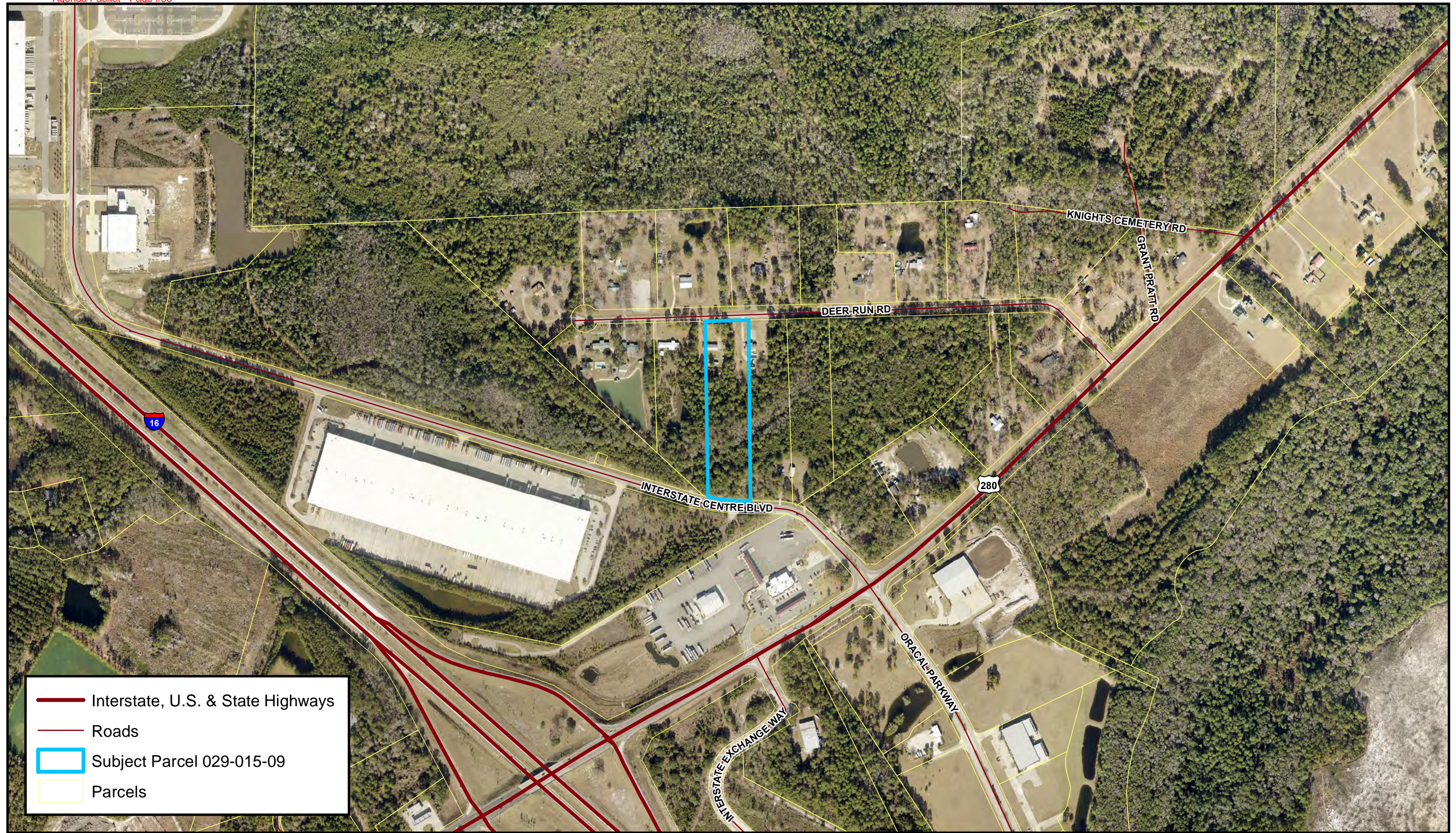
Produced by Bryan County GIS
April 2023



Overview Map
Rick Wilson
Project # 20230221 - Rezoning

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.



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 029-015-09
- Parcels



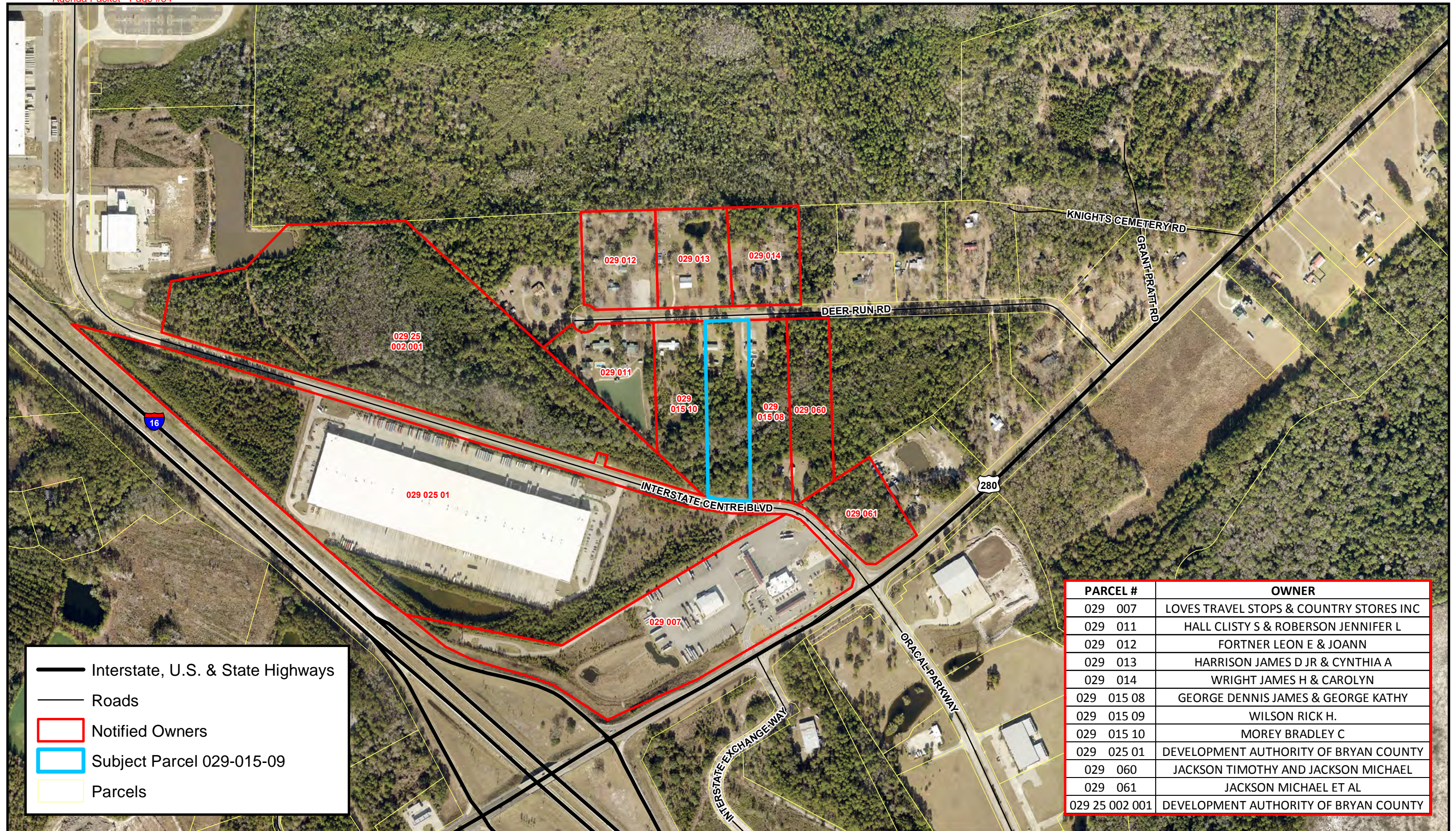
Produced by Bryan County GIS
April 2023



Location Map
Rick Wilson
Project # 20230221 - Rezoning

Exhibit "C-2"

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
 Notified Owners
 Subject Parcel 029-015-09
 Parcels

PARCEL #	OWNER
029 007	LOVES TRAVEL STOPS & COUNTRY STORES INC
029 011	HALL CLISTY S & ROBERSON JENNIFER L
029 012	FORTNER LEON E & JOANN
029 013	HARRISON JAMES D JR & CYNTHIA A
029 014	WRIGHT JAMES H & CAROLYN
029 015 08	GEORGE DENNIS JAMES & GEORGE KATHY
029 015 09	WILSON RICK H.
029 015 10	MOREY BRADLEY C
029 025 01	DEVELOPMENT AUTHORITY OF BRYAN COUNTY
029 060	JACKSON TIMOTHY AND JACKSON MICHAEL
029 061	JACKSON MICHAEL ET AL
029 25 002 001	DEVELOPMENT AUTHORITY OF BRYAN COUNTY



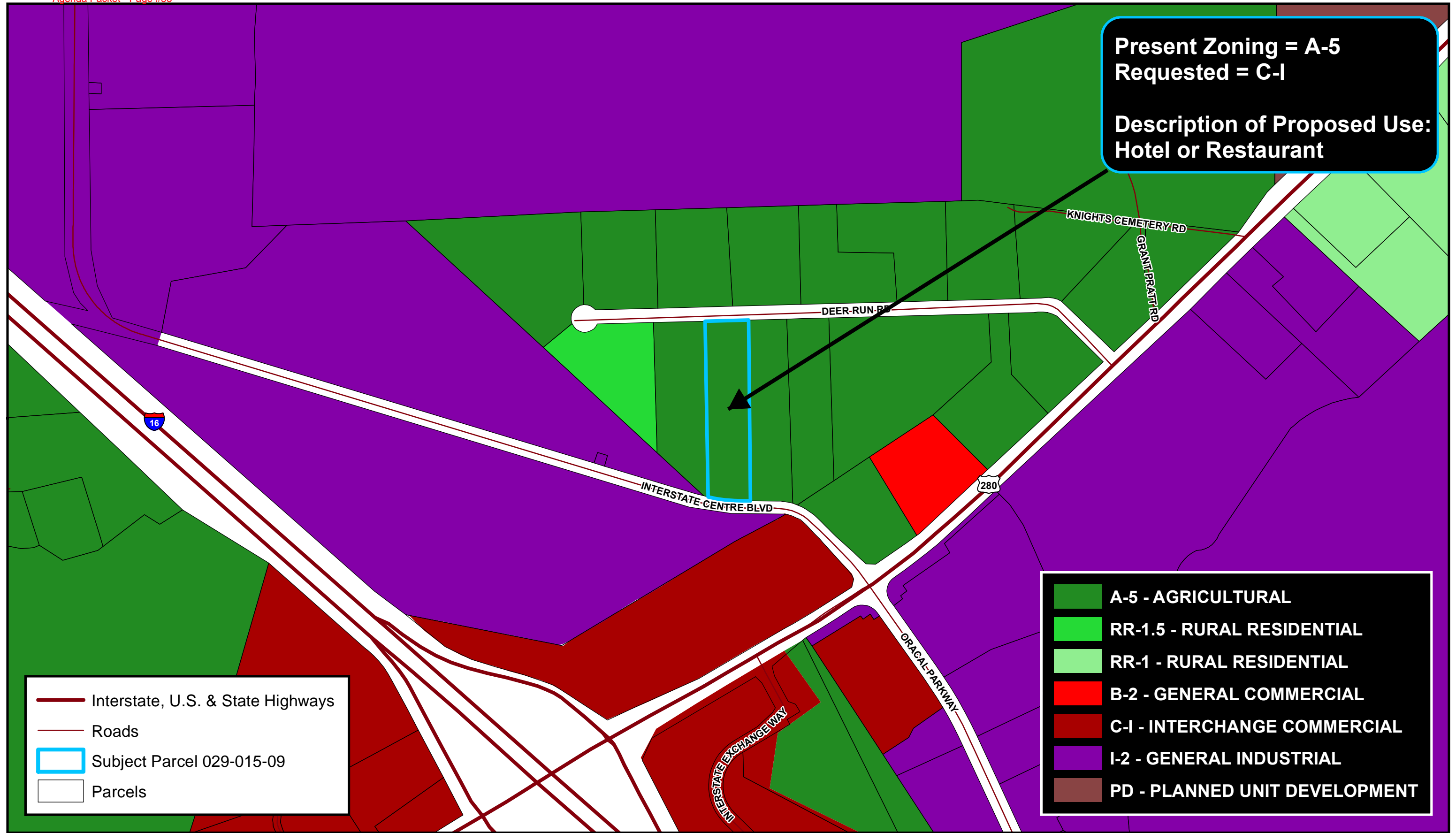
Notification Map
Rick Wilson
Project # 20230221 - Rezoning

Exhibit "C-3"

DISCLAIMER
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**Present Zoning = A-5
Requested = C-1**

**Description of Proposed Use:
Hotel or Restaurant**



— Interstate, U.S. & State Highways
— Roads
□ Subject Parcel 029-015-09
□ Parcels

A-5 - AGRICULTURAL
RR-1.5 - RURAL RESIDENTIAL
RR-1 - RURAL RESIDENTIAL
B-2 - GENERAL COMMERCIAL
C-1 - INTERCHANGE COMMERCIAL
I-2 - GENERAL INDUSTRIAL
PD - PLANNED UNIT DEVELOPMENT



Produced by Bryan County GIS
April 2023



**Zoning Map
Rick Wilson
Project # 20230221 - 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 20230228

Public Hearing Date: May 16, 2023

REGARDING THE APPLICATION OF: Deidre Williams and Patrisha Wilson, requesting rezoning of 1347 and 1369 Eldora Road, PIN# 028-032-01 and 028-032 in unincorporated Bryan County, Georgia.	Staff Report By: Sara Farr-Newman Dated: May 9, 2023
---	--

I. Application Summary

Requested Action: Public hearing and consideration of a zoning map amendment in unincorporated Bryan County. The application by Deidre Williams and Patrisha Wilson, proposes to change the “RR-1.5” Rural Residential Zoning District for 1347 and 1369 Eldora Road, PIN# 028-032-01 and 028-032, to “I-2” General Industrial Zoning District.

Applicants/Owners: Deidre Williams and Patrisha Wilson
1347 and 1369 Eldora Road
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 5. Industrial and Public/Institutional Districts

II. General Information

1. Application: A rezoning application was received by the Director on March 27, 2023. After reviewing the application, the Director certified the application as meeting the minimum requirements to move forward on April 13, 2023.

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

- A. Legal notice was published in the Bryan County News on **April 27, 2023**.
- B. Notice was sent to Surrounding Land Owners on **May 1, 2023**.
- C. The site was posted for Public Hearing on **May 1, 2023**.

3. Background: The subject properties, 1347 and 1369 Eldora Road, are located on the west side of Eldora Road and north of Willie Road. The parcels combined are approximately 8.11 acres with a residential home on each parcel. The applicants are requesting to rezone from the existing "RR-1.5", Rural Residential Zoning District, to "I-2", General Industrial District. This is a speculative rezoning request, so no concept plan or proposed use was provided.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Community Development office on March 27, 2023, unless otherwise noted.

"A" Exhibits- Application:

- A-1 Disclosure Statement
- A-2 Owner Authorization
- A-3 Impact Analysis
- A-4 Survey of Property

"B" Exhibits- Agency Comments:

No Comments Received

"C" Exhibits- Bryan County Supplements

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

"D" Exhibits- Public Comment:

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, which is suitable for low density residential and agricultural development due to the sensitive environmental features of much of the property in this character area. The proposed “I-2” rezoning is not consistent with this character area. However, the County is currently in the process of completing the next Comprehensive Plan 5-year update, which is due to be adopted no later than October of 2023. As a part of this update the Character Area Maps are being reviewed.

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 immediately adjacent properties are zoned as detailed in the table below:

Location	Address/PIN	Zoning
North	1441 Eldora Road/ PIN# 028-034 PIN# 028-033	Manufactured Home Zoning District (R-MH)
East/Across Eldora Rd	PIN# 033-024	Agricultural (A-5)
South and West	256 Willie Rd/PIN# 028-031	General Industrial District (I-2)

While the large property that is adjacent to the south and west of the subject property is zoned “I-

2", 1347 and 1369 Eldora Road are also adjacent to a residential property zoned "R-MH", Manufactured Home Zoning District, and otherwise surrounded by residential and agricultural zoned properties. The applicant indicated the rezoning of PIN# 028-031, the adjacent industrial property, to an "I-2" district demonstrates an "I-2" rezoning would be compatible; however, this rezoning had detailed plans for the proposed development and use of the property. No concept plan showing a proposed use or layout for this property's rezoning was provided by the applicants. Due to this, the rezoning must be reviewed presuming the most intense uses could occur on the property. This includes uses such as treatment plants, outdoor storage, hazardous waste processing, and manufacturing. These uses can create significant noise and other nuisances that could further impact the remaining residential properties in 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: No concept plan was provided, though access would likely be provided from Eldora Road. No TIA has been completed to provide further information as the potential use is not known.
- b) Parks and Recreational Facilities: Recreational facilities should 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.
- d) Schools: Schools should not be significantly impacted by this rezoning.
- e) Stormwater drainage systems: The impact of the proposed rezoning is unknown as no concept plan has been provided.
- f) Water Supply and Wastewater Treatment: The impact is not known due to the lack of a concept plan or proposed use.

In general, the impact of the rezoning is not known due to a lack of a concept plan or proposed use; however, the "I-2" zoning district does permit uses that would have significant impacts on public facilities such as stormwater, water supply and wastewater, and traffic.

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 not located within a Special Flood Hazard Area. There are areas of potential wetlands shown on the property. These would need to be delineated to determine the existence, location, and type as well as impacts of industrial development on these areas if they are jurisdictional. These areas are located over existing ponds on the lot rear of the properties. There are no significant historic or cultural resources documented on the property that would be impacted.

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

Staff Findings: The properties, which are approximately 8.11 acres total, are currently used for two residential homes for the applicants, so is utilized for the "RR-1.5" Rural Residential Zoning District as currently zoned. Despite its current use, the applicant indicated that the presumed increase in traffic, noise, and other related impacts stemming from the adjacent industrial development will make it unsuitable for residential use in the future.

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 applicant indicated that rezoning the property to "I-2" would provide the opportunity for more employment in the County, particularly due to the Megasite development. Staff does not dispute that the "I-2" zoning would provide more opportunities for employment than the existing "RR 1.5" zoning district; however, without a specific development plan, the impacts of any development on public facilities such as stormwater, water supply and wastewater, and traffic are unknown. Therefore, it cannot be assessed whether the gain in employment outweighs any impacts to 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 does not have plans for the development of the property. Without a further understanding of how the property will develop under the proposed rezoning staff cannot find

that the rezoning would not have any adverse impacts.

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, which is the approved use under the current “RR-1.5” zoning. The applicant indicated there will not be demand in the future for residential in this area due to the adjacent “I-2” rezoning and the resulting increase in traffic and noise that will change the character of Eldora Road.

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 applicant has the burden of producing sufficient and substantial evidence to conclude that the rezoning of the property to the requested zoning district will better serve the public health, safety, and general welfare of the community, over the existing zoning district, or any other zoning district for that matter. In meeting this burden of proof, applicants for multi-family or non-residential zoning classifications are required to submit specific development plans for the development of the property. At this time, the applicant has not presented any detailed development plans for the site, and it is unclear how the site would develop under the requested “I-2” zoning district.

IV. Staff Recommendation

Based on the information received as of the date of this report, staff does not believe that the applicant’s burden of proof has been met in order to support the requested rezoning. If making a recommendation based on the current application, then staff would have to recommend denial; however, if the applicant agreed to a tabling of the application until such time that an interested buyer/developer can bring forth a concept plan for development, then staff could reconsider and further evaluate the findings in this report.

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



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 black ink, appearing to read "Debra R. White".

Signature of Applicant

AUTHORIZATION BY PROPERTY OWNER*

"Exhibit A-2"

I, Patrisha Wilson, 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
- Rezoning
- Temporary use/special event
- Conditional Use Permit
- Variance
- Site Plan
- Administrative Appeal
- Planned Development
- Subdivision
- Administrative Relief
- 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: Patrisha Wilson

Address: 1369 Eldora Rd

City: Ellabell State: GA Zip Code: 31308

Telephone Number: 912-663-4802 Email: Pwils1985@gmail.com

 3-24-23
Signature of Owner Date

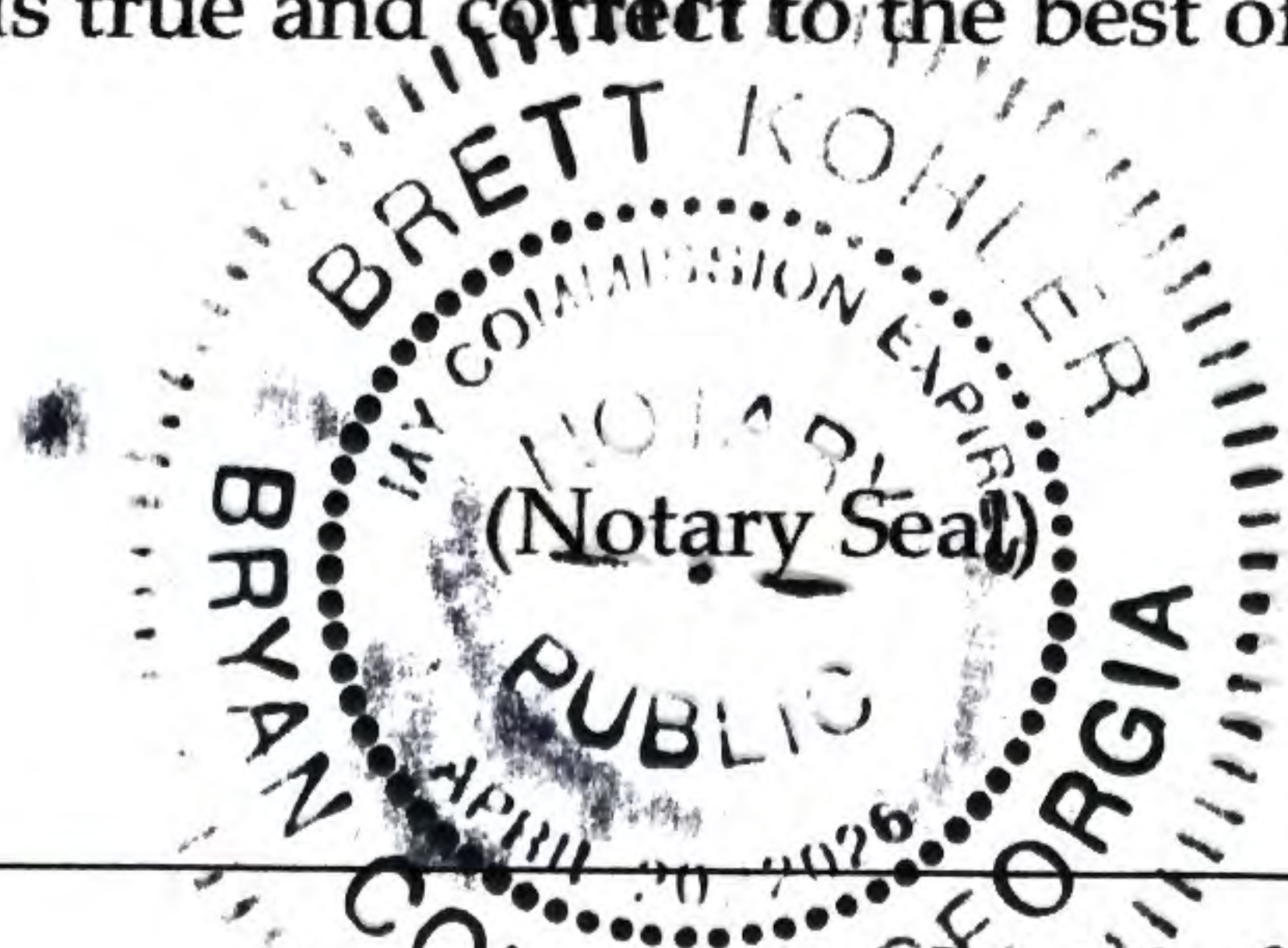
Patrisha Wilson
Owners Name (Print)

Personally appeared before me
Patrisha Wilson
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 24th of March 2023


Notary Public



Name of Representative: Patrishea Wilson

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Email: _____

Patrishea Wilson
Signature of Owner

3-23-24
Date

Patrishea Wilson
Owners Name (Print)

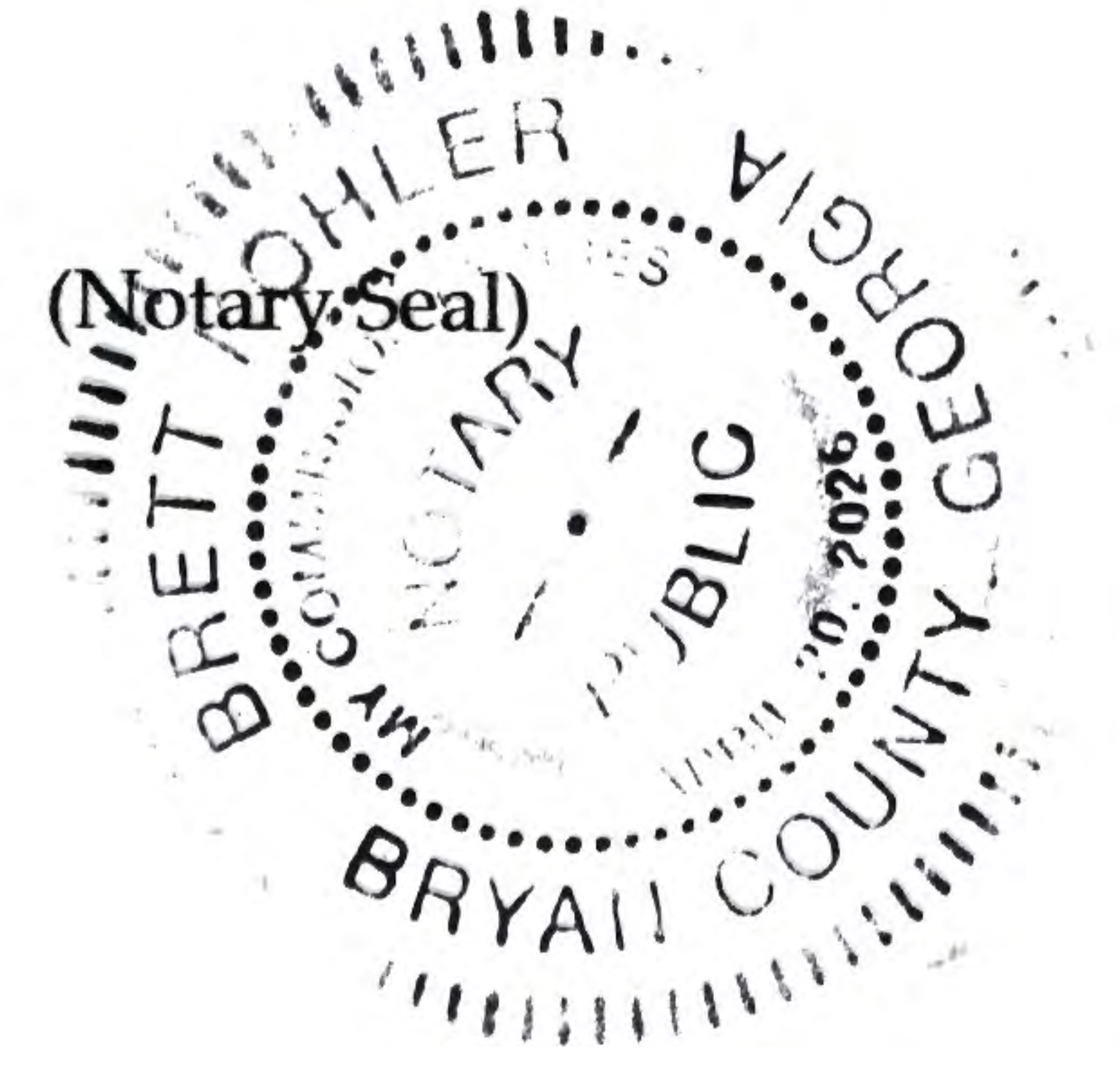
Personally appeared before me

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 24th of March 2023

Brett Bohler
Notary Public



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

AUTHORIZATION BY PROPERTY OWNER*

I, Deidre B Williams, 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
- Rezoning
- Temporary use/special event
- Conditional Use Permit
- Variance
- Site Plan
- Administrative Appeal
- Planned Development
- Subdivision
- Administrative Relief
- 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: Deidre Williams

Address: 1369 Eldora Rd

City: Ellabell State: GA Zip Code: 31308

Telephone Number: 912-508-6347 Email: ddwilli32@gmail.com

Deidre B Williams Signature of Owner 3-24-23 Date

Deidre B Williams
Owners Name (Print)

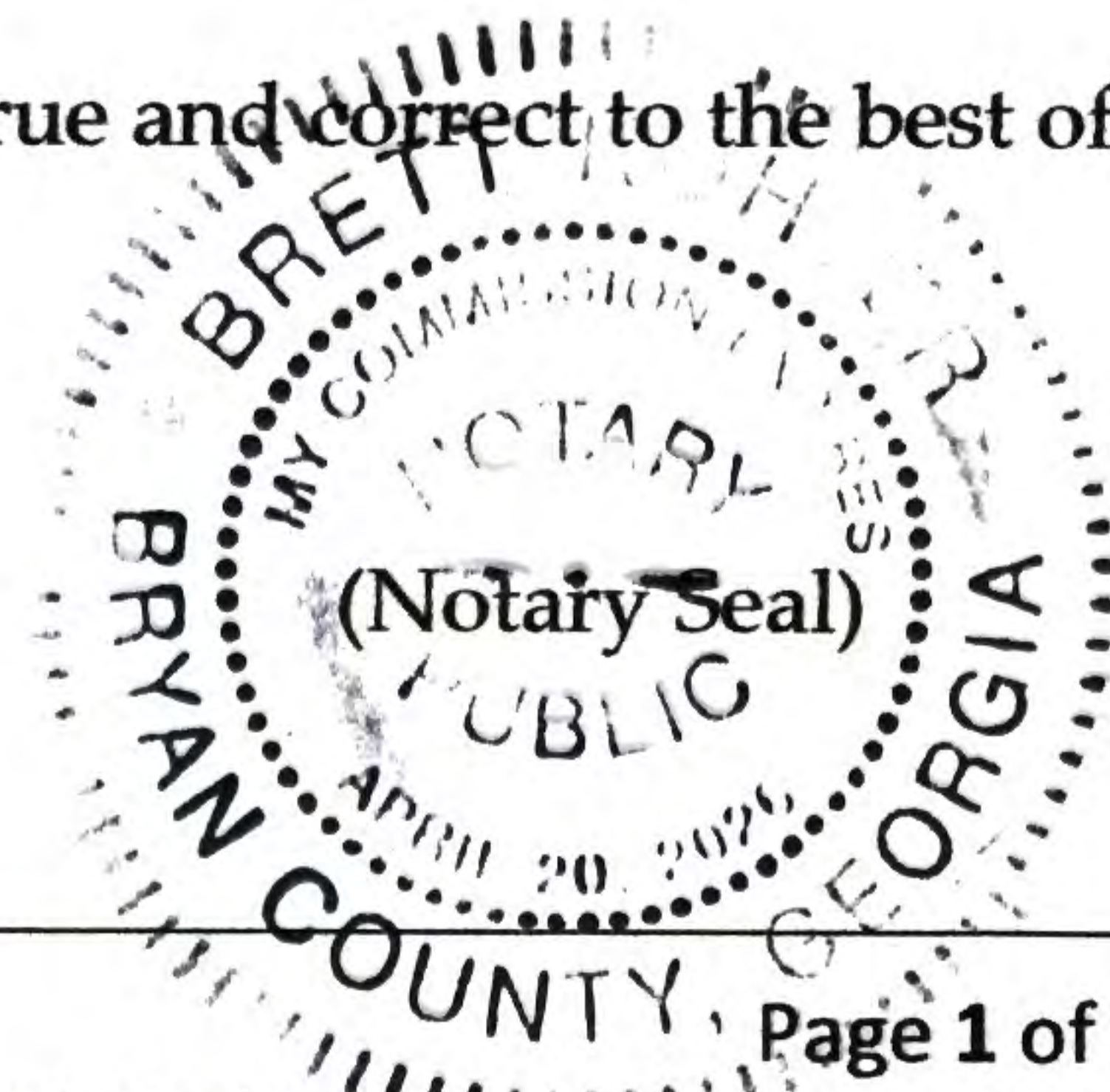
Personally appeared before me

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 24th of March 2023

BWA Notary Public



Name of Representative: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Email: _____

D.B.W.
Signature of Owner

3-24-23
Date

Deidre B Williams
Owners Name (Print)

Personally appeared before me
Deidre B Williams
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 24th of March 2023

[Signature]
Notary Public



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



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, This proposed amendment is consistent with the adopted comprehensive plan, the adjoining property is already zoned I-2 Heavy Industrial.

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.

This proposed reclassification is compatible with the land use pattern of the abutting property. The property at 1347 Eldora Rd is also applying to re-zone to I-2 Heavy Industrial and the abutting "Conley Tract" has already been re-zoned I-2 Heavy Industrial. This reclassification will not affect any neighborhood near the property because every residence in the immediate area already share a boundary with the Conley tract, which has already been re-zoned and the concept plan approved.

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.

Public facilities and services will be adequate to service the projected demands. Public facilities and services had to be improved to adequately service the re-zoning of the Conley/Davis tract. This site has frontage on Eldora Road and services have been extended far past the site's current location to address the potential need stemming from the Conley Davis Tract.

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.

This site reclassification will not have any known adverse affects.

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

This property is currently zoned residential. It is no longer suitable for this use because the adjoining property has been re-zoned I-2 Heavy Industrial. Living in this area with warehouses surrounding the property will make living here potentially dangerous, especially with all the semi truck traffic. The extra industrial noise, excessive lights, and 24/7 business operations will make calling this place home a nightmare. It is no longer a place that one can raise a family.

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

The public has nothing to gain by leaving this property zoned residential. However when zoned I-2 heavy industrial the property has the potential to bring in more companies and jobs to North Bryan county. It also has the potential to provide an area for support services to the Mega Site.

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.

There is not a demand for residential property in the Blitchton area. A large number of residential property owners are leaving due to the incroaching industrial development. There is a demand for Heavy Industrial property that will be needed to support the Mega Site.

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.

There is not a projected demand for the property as it is currently zoned. This property will not be able to be used productively as residential property. It is now more suited to be zone I-2 Heavy Industrial as the 100 plus acres surrounding it has already been zoned Heavy Industrial. The Conley Davis site has the potential to bring in over 1000 extra workers, and 700 plus semi trucks. The traffic alone makes this property a hot spot for potential traffic accidents. It is no longer a traquil or safe place for someone to call home.

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

This admendment does not bear a substatial relationship to the public health, safety, or general welfare. This admendment, along with the application coming from 1347 Eldora Road would add 8.11 acres to the already zoned 100 plus acres that is adjoining the two properties. If re-zoning the Conely Davis tract was not a threat to the public, I am not sure how re-zoning this property would be.



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, This proposed amendment is consistent with the adopted comprehensive plan, the adjoining property is already zoned I-2 Heavy Industrial.

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.

This proposed reclassification is compatible with the land use pattern of the abutting property. The property at 1369 Eldora Rd is also applying to re-zone to I-2 Heavy Industrial and the abutting "Conley Tract" has already been re-zoned I-2 Heavy Industrial. This reclassification will not affect any neighborhood near the property because every residence in the immediate area already share a boundary with the Conley tract, which has already been re-zoned and the concept plan approved.

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.

Public facilities and services will be adequate to service the projected demands. Public facilities and services had to be improved to adequately service the re-zoning of the Conley/Davis tract. This site has frontage on Eldora Road and services have been extended far past the site's current location to address the potential need stemming from the Conley Davis Tract.

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.

This site reclassification will not have any known adverse affects.

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

This property is currently zoned residential. It is no longer suitable for this use because the adjoining property has been re-zoned I-2 Heavy Industrial. Living in this area with warehouses surrounding the property will make living here potentially dangerous, especially with all the semi truck traffic. The extra industrial noise, excessive lights, and 24/7 business operations will make calling this place home a nightmare. It is no longer a place that one can raise a family.

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

The public has nothing to gain by leaving this property zoned residential. However when zoned I-2 heavy industrial the property has the potential to bring in more companies and jobs to North Bryan county. It also has the potential to provide an area for support services to the Mega Site.

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.

There is not a demand for residential property in the Blitchton area. A large number of residential property owners are leaving due to the incroaching industrial development. There is a demand for Heavy Industrial property that will be needed to support the Mega Site.

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.

There is not a projected demand for the property as it is currently zoned. This property will not be able to be used productively as residential property. It is now more suited to be zone I-2 Heavy Industrial as the 100 plus acres surrounding it has already been zoned Heavy Industrial. The Conley Davis site has the potential to bring in over 1000 extra workers, and 700 plus semi trucks. The traffic alone makes this property a hot spot for potential traffic accidents. It is no longer a traquil or safe place for someone to call home.

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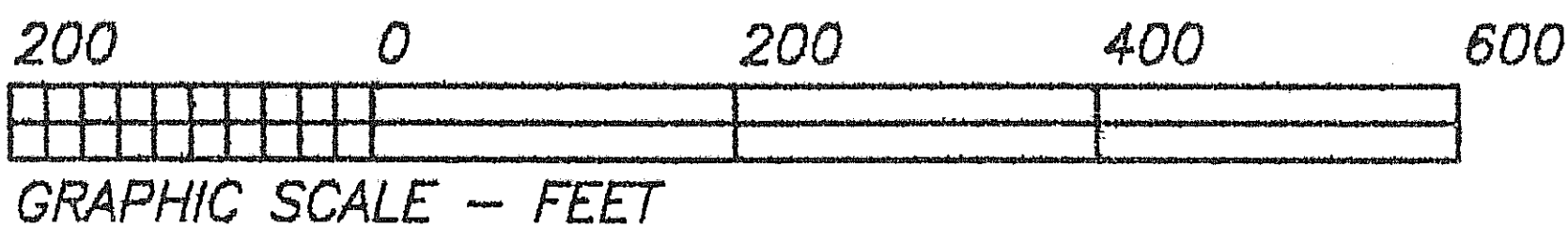
A DIVISION OF AN EXISTING TRACT CUT INTO TWO PARCELS CONTAINING A TOTAL OF 8.11 ACRES FOR:

DEIDRE B. WILLIAMS & WALTER O. WILLIAMS JR.

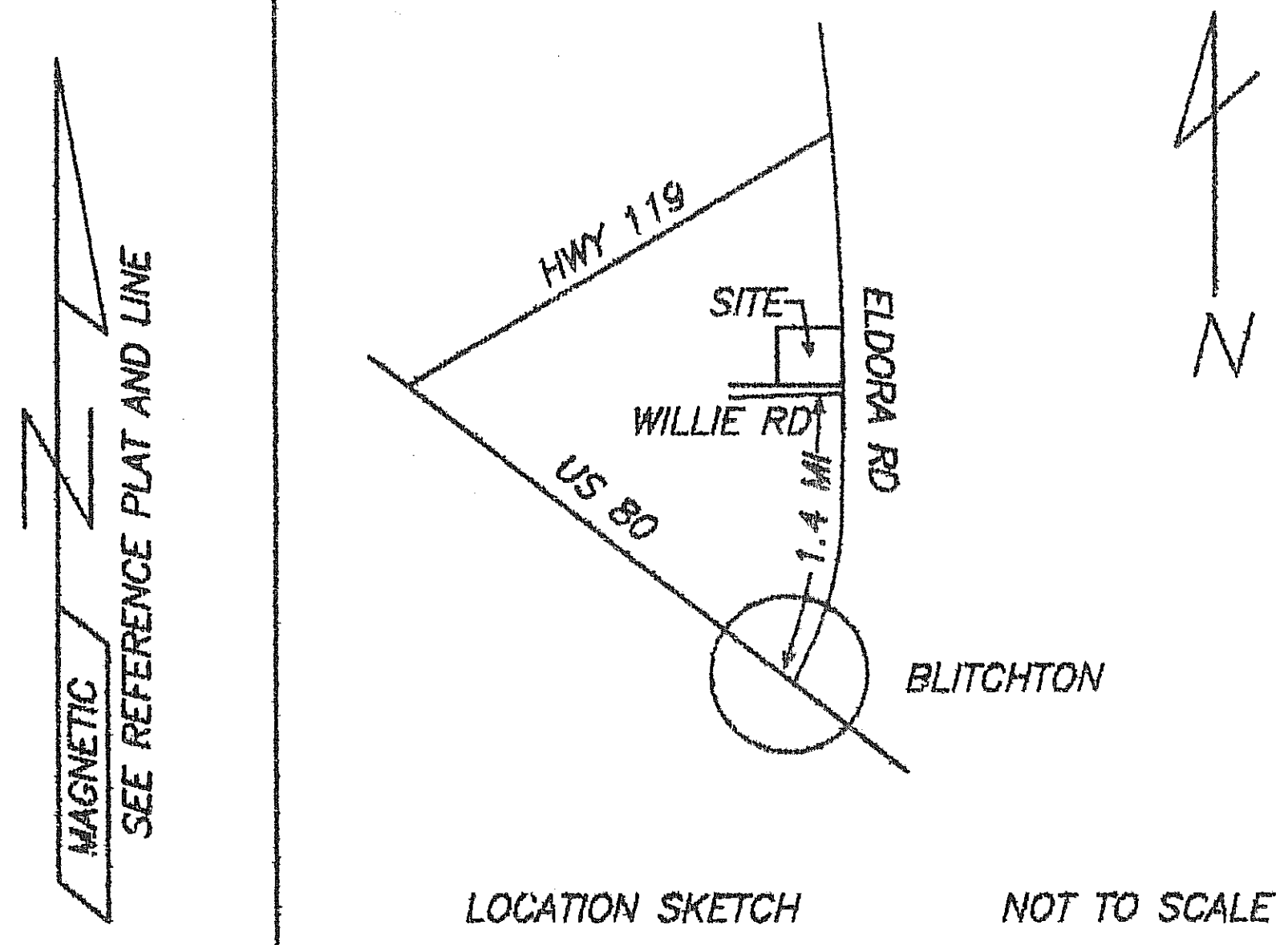
LOCATION: 1380TH G.M.D. BRYAN CO., GA.

SURVEY COMPLETED: APRIL 10, 2013
DRAWN: APRIL 15, 2013

BY: ROBERT D. SMITH JR. GA. - R.L.S. 2766
SCALE: 1" = 200



"Exhibit A-4"



FLOOD NOTE

THIS PROPERTY IS IN ZONE "X" PER F.I.R.M. MAP #13029C, PANEL 80C WITH AN EFF. DATE OF 03/02/2009.

REFERENCE PLAT

PLAT FOR LINDA M. WILLIAMS OF 8.115 ACRES SURVEYED BY WILLIAM T. DeLOACH DATED MAY 27, 1993.

THIS PLAT IS APPROVED IN ACCORDANCE WITH THE BRYAN COUNTY SUBDIVISION REGULATIONS. APPROVED UNDER ARTICLE XIV

Robert D. Smith Jr. 4/30/13
PLANNING DIRECTOR DATE OF APPROVAL

SURVEYOR'S NOTES

1. THIS PLAT SUBJECT TO RIGHT OF WAY AND EASEMENTS TO POWER COMPANIES, GAS COMPANIES AND OR TELEPHONE COMPANIES.
2. TAX MAP 028, PARCEL 032
3. THIS SURVEY WAS REQUESTED BY THE OWNERS, DEIDRE AND WALTER WILLIAMS.
4. NO RESIDENCE ON PARCEL #2.
5. NO WETLANDS PER BRYAN CO. ZONING.

NOTES:

1. FIELD E.O.C. - 1' IN 27,719'
2. ANGULAR ERROR - 2.9" PER POINT
3. PLAT E.O.C. 1' IN 366,037'
4. ADJUSTMENT METHOD - LEAST SQUARES
5. EQUIPMENT USED : TOPCON GTS-3

PARCEL #1 ADDRESS	PARCEL #2 ADDRESS
1369 ELDORA ROAD	1347 ELDORA ROAD
ELLABELL GA 31308	ELLABELL GA 31308

L. DeLoach 4/29/13
911 ADDRESS DIRECTOR DATE OF APPROVAL

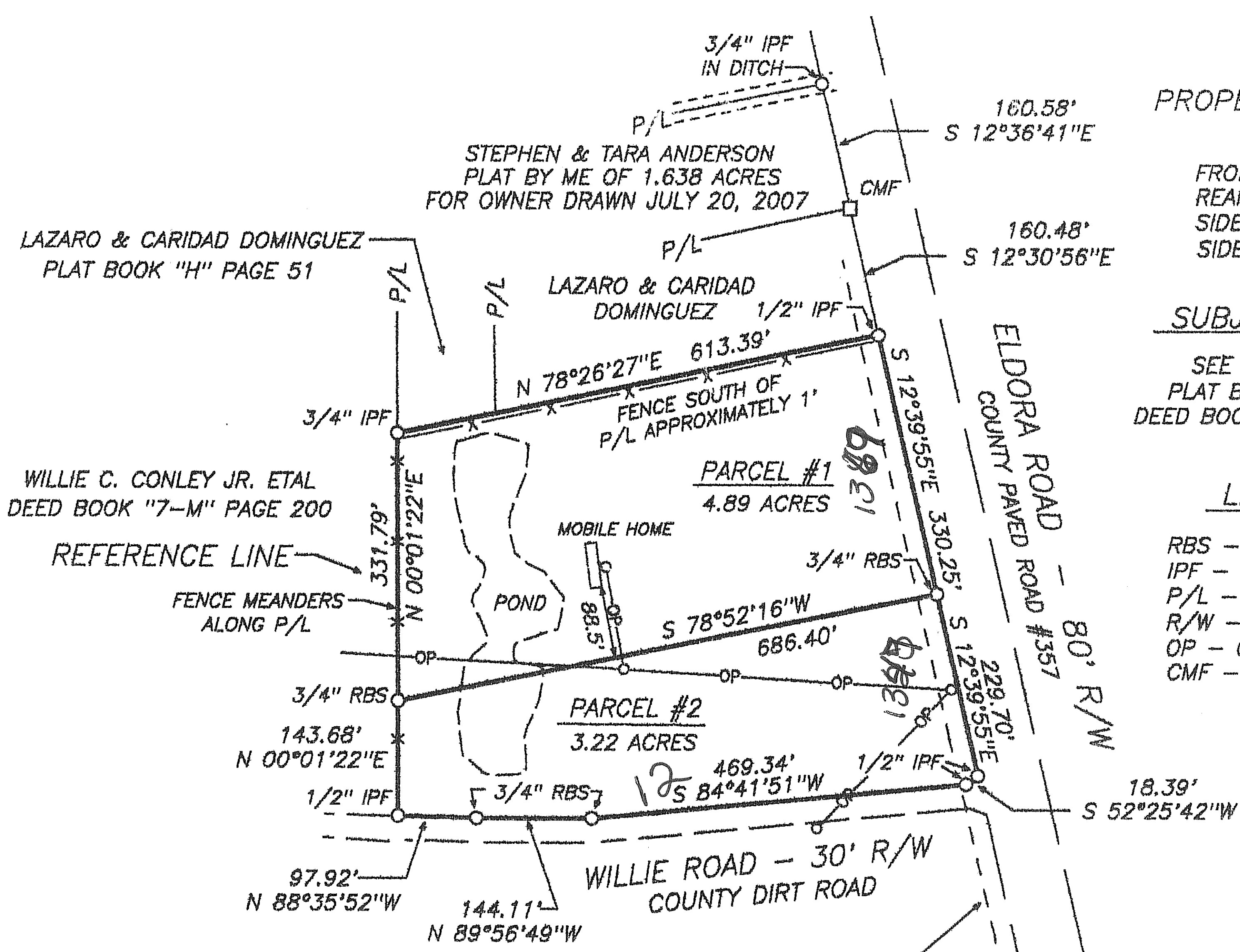
PROPERTY ZONED AR 2.5
SETBACKS
FRONT - 75'
REAR - 50'
SIDE (WITH ROAD) - 50'
SIDE (INTERIOR) - 40'

SUBJECT PROPERTY

SEE REFERENCE PLAT PLAT BOOK "C" PAGE 347 DEED BOOK 716 PAGE 453-454

LEGEND

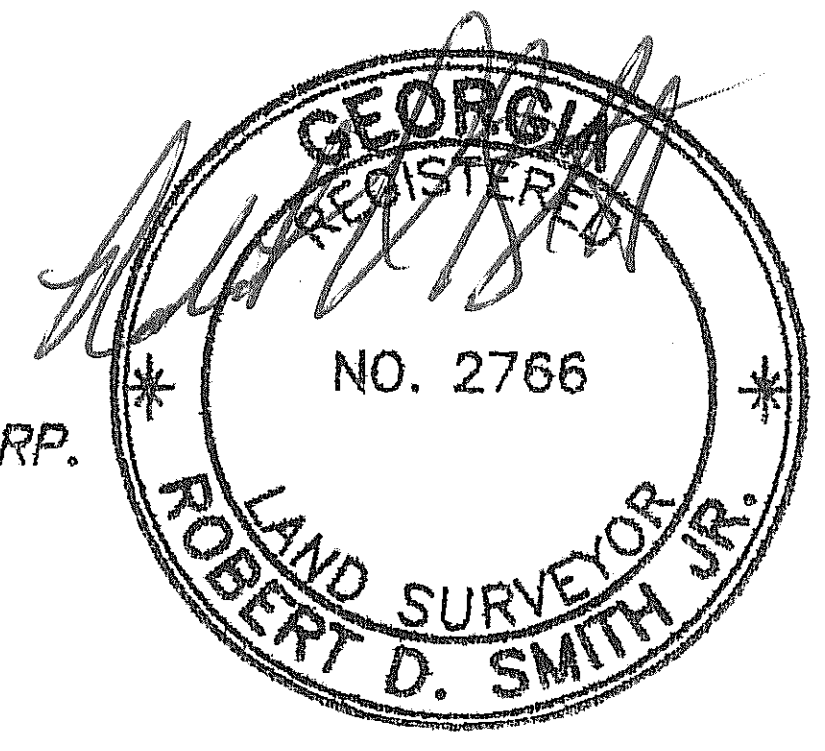
- RBS - REBAR SET
- IPF - IRON PIPE FOUND
- P/L - PROPERTY LINE
- R/W - RIGHT OF WAY
- OP - OVER HEAD POWER
- CMF - CONCRETE MARKER FOUND



ALL DAY LAND SURVEYING
ROBERT D. SMITH JR.
REGISTERED LAND SURVEYOR
8950 OLD RIVER ROAD SOUTH
BROOKLET, GA 30415
PHONE: (912) 842-9795

WILLIE C. CONLEY JR. ETAL
DEED BOOK "7-M" PAGE 200

ELECTRICAL EASEMENT
EASEMENT APPROXIMATELY 25' WIDE
TO GA TRANSMISSION CORP. AND
EXCELSIOR ELECTRIC MEMBERSHIP CORP.
DEED BOOK 40 PAGES 8-10
R/W WIDTH VARIES



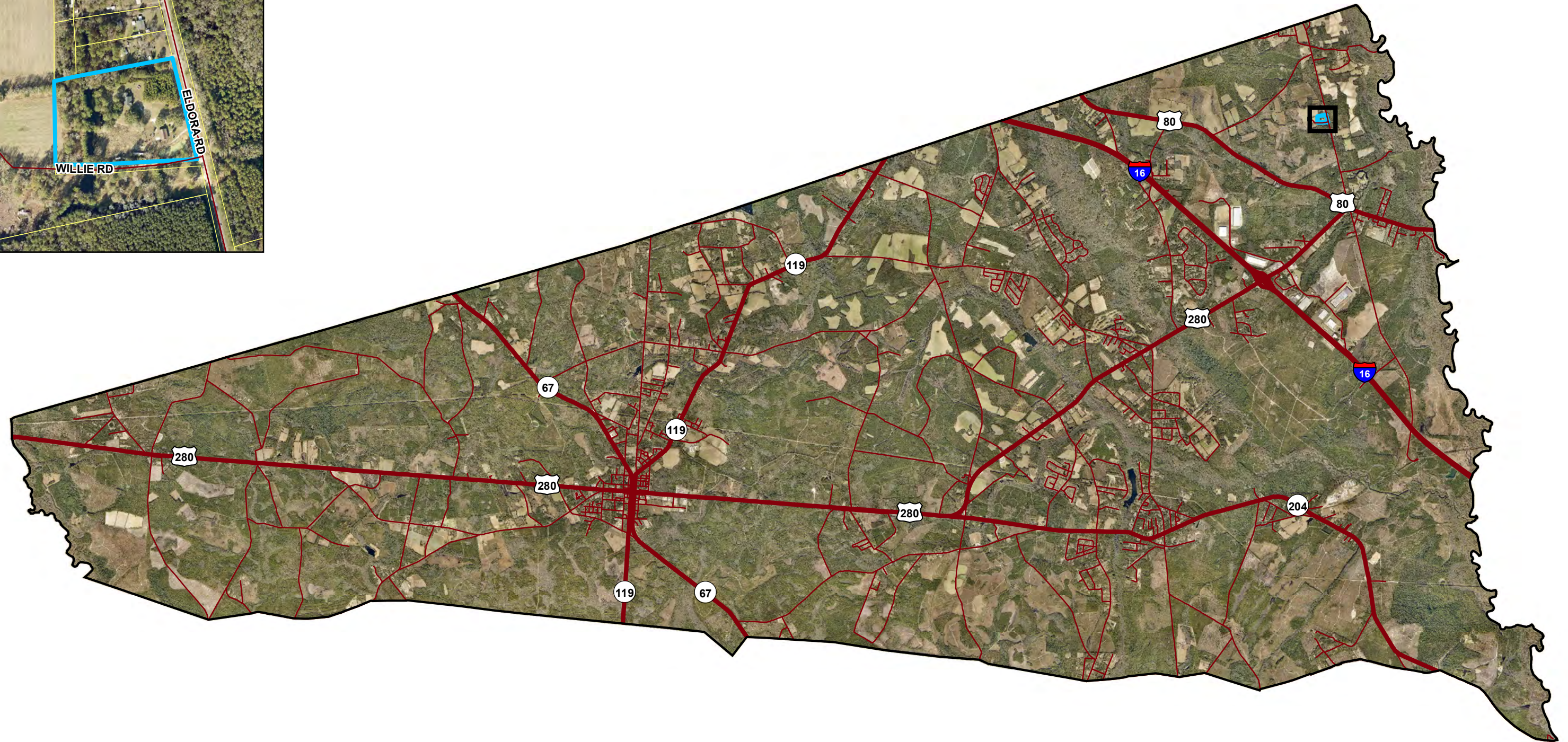
I CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND THAT IN MY OPINION THIS PLAT WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR REAL PROPERTY SURVEYS (IN GEORGIA AS SET FORTH IN CHAPTER 160-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GA. PLAT ACT OCGA 15-6-67.

SURVEYED BY ROBERT D. SMITH JR.
DRAWN BY ROBERT D. SMITH JR.

“B” Exhibits – Agency Comments

None Provided

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways
- Roads
- Subject Parcels 028-032 & 028-032-01
- Parcels



Produced by Bryan County GIS
April 2023



Overview Map Williams/Wilson - Eldora Rd Project # 20230228 - Rezoning

"Exhibit C-1"

DISCLAIMER
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- Interstate, U.S. & State Highways
- Roads
- Subject Parcels 028-032 & 028-032-01
- Parcels



Location Map
Williams/Wilson - Eldora Rd
Project # 20230228 - Rezoning

"Exhibit C-2"

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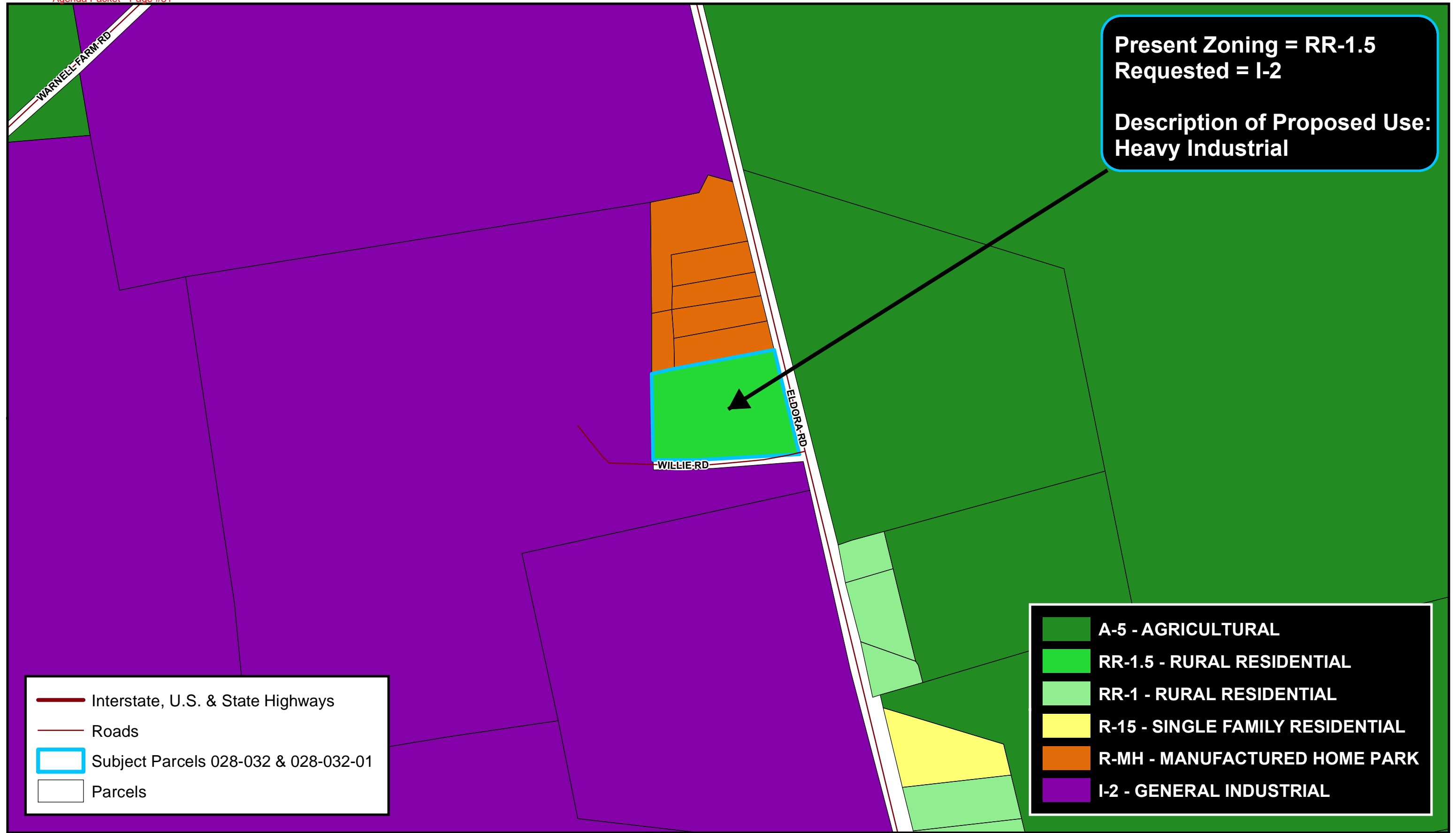
PARCEL #	OWNER
028 031	CONLEY WILLIE C JR & CONLEY BEN & CONLEY ROBERT W & CONLEY RICHARD
028 032	WILSON PATRISHA W & WILLIAMS DEIDRE B
028 033	DOMINGUEZ LAZARO & CARIDAD
028 034	DOMINGUEZ LAZARO & CARIDAD
028 035	ANDERSON STEPHEN & TARA
033 024	HANTON FRED LAWTON & HANTON JEREMY PAGE
033 024 01	DAVIS MARGIE THE ESTATE OF MARGIE L DAVIS



Notification Map
Williams/Wilson - Eldora Rd
Project # 20230228 - Rezoning

"Exhibit C-3"

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Present Zoning = RR-1.5
Requested = I-2

Description of Proposed Use:
Heavy Industrial

— Interstate, U.S. & State Highways
 — Roads
 [Blue Outline] Subject Parcels 028-032 & 028-032-01
 [White Outline] Parcels

A-5 - AGRICULTURAL
RR-1.5 - RURAL RESIDENTIAL
RR-1 - RURAL RESIDENTIAL
R-15 - SINGLE FAMILY RESIDENTIAL
R-MH - MANUFACTURED HOME PARK
I-2 - GENERAL INDUSTRIAL



“D” Exhibits – Public Comment

None Provided

BRYAN COUNTY PLANNING & ZONING COMMISSION

PROJECT 20230250

Public Hearing Date: May 16, 2023

REGARDING THE APPLICATION OF: Aaron Walker, requesting a Sketch Plat approval to establish two (2) residential lots from a 5.75-acre tract of land located on Wilma Edwards Rd, Parent PIN# 025 002 06.	Staff Report By: Brett Kohler Dated: May 9, 2023
---	--

I. Application Summary

Requested Action: Public hearing and consideration of a Sketch Plat. The application by Aaron Walker, requesting a Sketch Plat approval to establish two (2) residential lots from a 5.75-acre tract of land located at 30 Aaron Dr, Parent PIN# 025 002 06.

Applicant/ Owner: Aaron Walker
35 Aaron Drive
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 Aaron Walker on March 24, 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 30, 2023.

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

- A. Legal notice was published in the Bryan County News on **April 27, 2023**.
- B. Notice was sent to Surrounding Land Owners on **May 1, 2023**.
- C. The site was posted for Public Hearing on **May 1, 2023**.

3. Background: The subject property is located between on Aaron Dr, with frontage on Wilma Edwards road near its intersection with Bill Futch Ext. The property is 5.75 acres and is zoned “RR-1”, Rural Residential Zoning District. The applicant is planning to subdivide the property into two (2) new lots. The current mobile home would remain on Parcel 10-1, while a 4.29 lot would have road access to Aaron Drive. 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 5.75-acre tract of land that is the subject of this request, was created by major subdivision, Black Creek Estates, recorded on March 12, 1990. 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.

4. 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
- A-2 Property Owner Authorization (revised April 4, 2023)

“B” Exhibits- Agency Comments:

No Comments Provided

“C” Exhibits- Bryan County Supplements

- C-1 Overview Map
- C-2 Location Map

Walker Sketch Plat | **P&Z Commission 2**

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 a 1.44 acre lot and a 4.29 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.

Staff Findings: Access to the two (2) proposed lots will be provided via Aaron Dr (a Private 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

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.

impact or traffic design analysis. Public Works and Engineering did not indicate concerns with access, and only one additional driveway is potential.

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 Aaron Dr, which is a paved private maintained road. A Private Road agreement between all lots on Aaron Drive be required to be recorded after the final plat is recorded. This agreement will address future maintenance and access of the 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, as no additional development is proposed.
- 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. The owner indicated no plans to place an additional residence at this time.

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 the existing paved private road.

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 site will be cleared and graded if anything is ever developed.

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. In addition, the applicant indicated no new residence as the new lot would be used for personal farming on a small field that is existing.

IV. Staff Recommendation

Staff recommends approval of the Sketch Plat as it meets all associated criteria

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

AUTHORIZATION BY PROPERTY OWNER*

Exhibit A-2

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

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 type="checkbox"/> Rezoning | <input type="checkbox"/> Temporary use/special event |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance | |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Administrative Appeal | |
| <input type="checkbox"/> Planned Development | <input checked="" 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: Aaron Walker Jr.

Address: 35 Aaron Dr.

City: Ellabell State: GA Zip Code: 31308

Telephone Number: 912-463-1374 Email: walkerellen327@yahoo.com

Aaron Walker Jr.
Signature of Owner

04/04/2023
Date

Aaron Walker Jr.
Owners Name (Print)

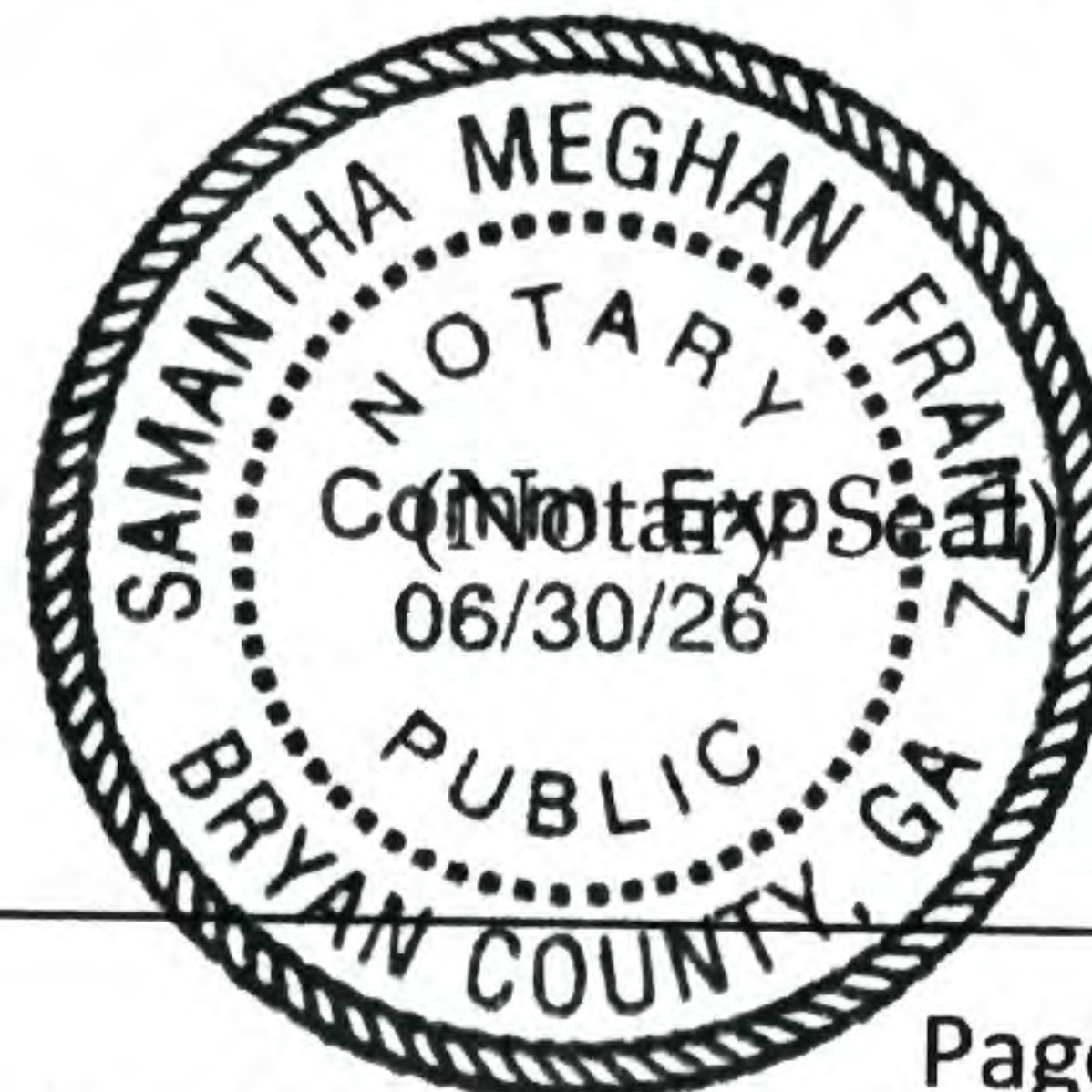
Personally appeared before me

Aaron Walker 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 4th of April 2023

[Signature]
Notary Public



“B” Exhibits – Agency Comments

None Provided

“C” Exhibits – Bryan County Supplements



- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 025-002-06
- Parcels



Produced by Bryan County GIS
April 2023



Overview Map
Aaron Walker - 30 Aaron Dr
Project # 20230250 - Sketch Plat / Preliminary Plat

Exhibit C-1

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- Interstate, U.S. & State Highways
- Roads
- Subject Parcel 025-002-06
- Parcels



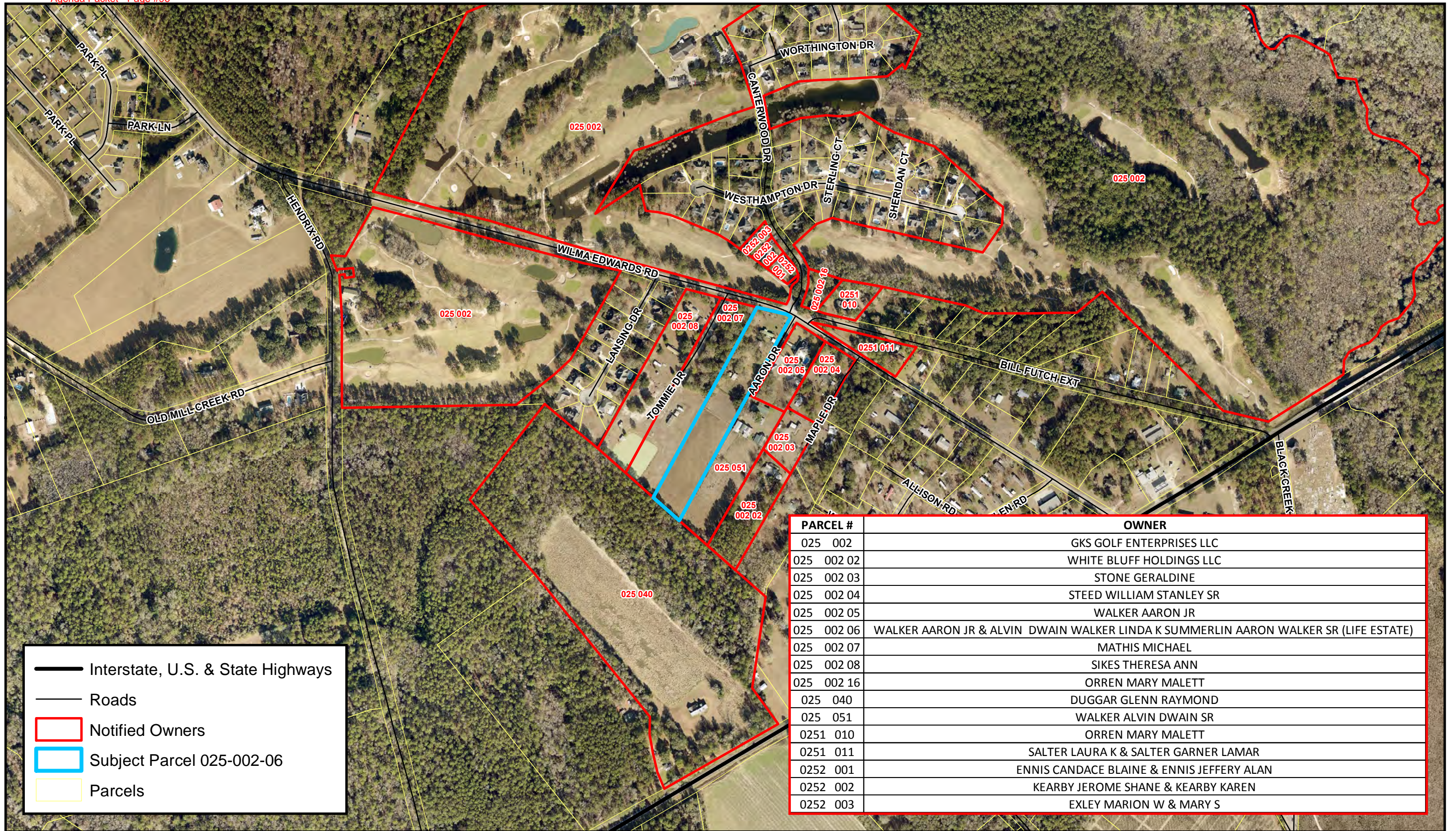
Produced by Bryan County GIS
April 2023



Location Map
Aaron Walker - 30 Aaron Dr
Project # 20230250 - Sketch Plat / Preliminary Plat

Exhibit C-2

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- Interstate, U.S. & State Highways
- Roads
- Notified Owners
- Subject Parcel 025-002-06
- Parcels

PARCEL #	OWNER
025 002	GKS GOLF ENTERPRISES LLC
025 002 02	WHITE BLUFF HOLDINGS LLC
025 002 03	STONE GERALDINE
025 002 04	STEED WILLIAM STANLEY SR
025 002 05	WALKER AARON JR
025 002 06	WALKER AARON JR & ALVIN DWAIN WALKER LINDA K SUMMERLIN AARON WALKER SR (LIFE ESTATE)
025 002 07	MATHIS MICHAEL
025 002 08	SIKES THERESA ANN
025 002 16	ORREN MARY MALETT
025 040	DUGGAR GLENN RAYMOND
025 051	WALKER ALVIN DWAIN SR
0251 010	ORREN MARY MALETT
0251 011	SALTER LAURA K & SALTER GARNER LAMAR
0252 001	ENNIS CANDACE BLAINE & ENNIS JEFFERY ALAN
0252 002	KEARBY JEROME SHANE & KEARBY KAREN
0252 003	EXLEY MARION W & MARY S

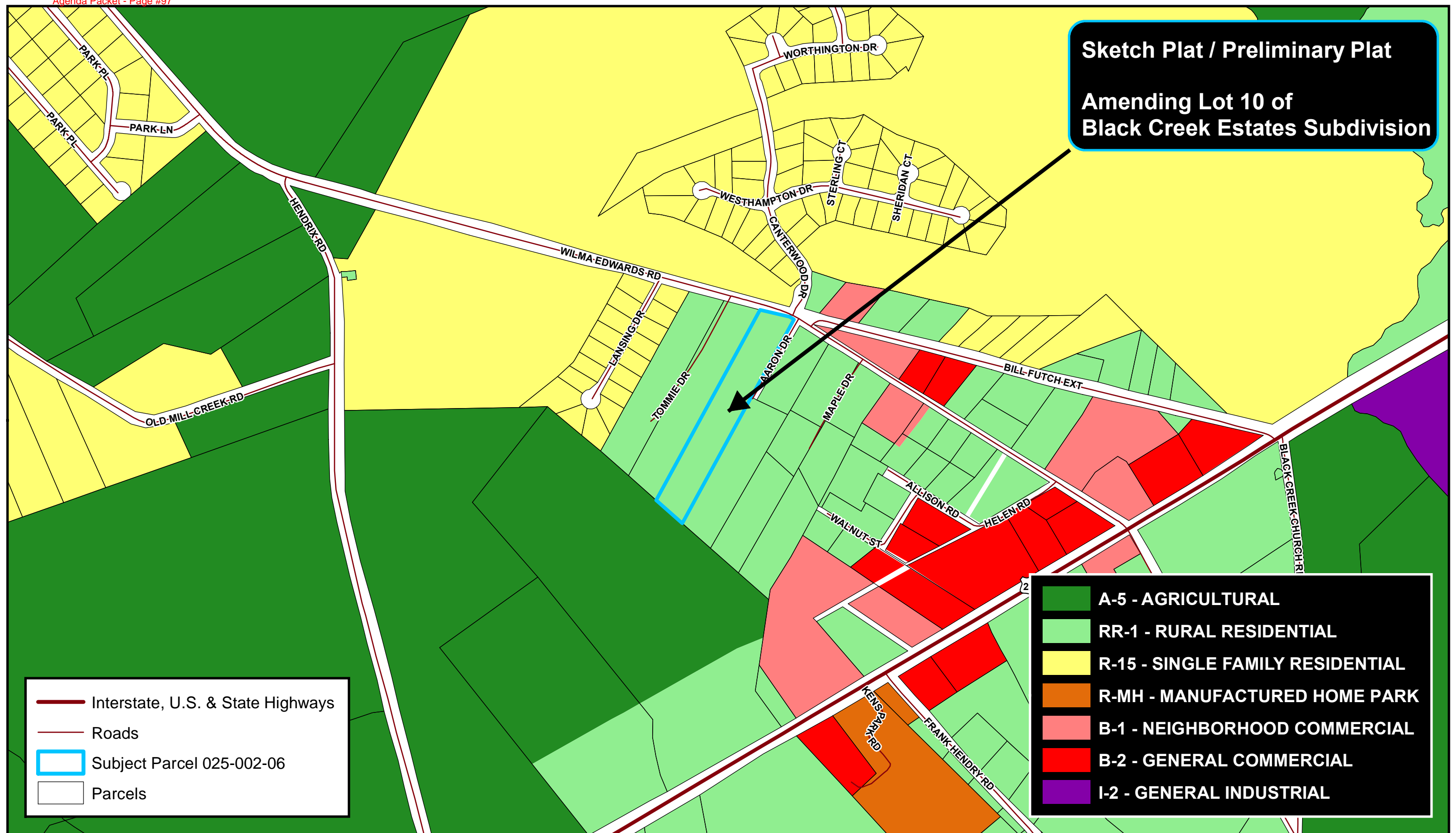


Notification Map
Aaron Walker - 30 Aaron Dr
Project # 20230250 - Sketch Plat / Preliminary Plat

Exhibit C-3

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Sketch Plat / Preliminary Plat
Amending Lot 10 of
Black Creek Estates Subdivision



— Interstate, U.S. & State Highways
 — Roads
 [Blue Outline] Subject Parcel 025-002-06
 [White Outline] Parcels

A-5 - AGRICULTURAL
RR-1 - RURAL RESIDENTIAL
R-15 - SINGLE FAMILY RESIDENTIAL
R-MH - MANUFACTURED HOME PARK
B-1 - NEIGHBORHOOD COMMERCIAL
B-2 - GENERAL COMMERCIAL
I-2 - GENERAL INDUSTRIAL



Zoning Map
Aaron Walker - 30 Aaron Dr
Project # 20230250 - Sketch Plat / Preliminary Plat

Exhibit C-4

DISCLAIMER
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“D” Exhibits – Public Comment

None Provided