



### RZN-24-67

#### Rezoning Application

Status: Active

Submitted On: 9/4/2024

#### Primary Location

1027 Nease Road  
Guyton, GA 31312

#### Owner

DAVIS MARSHALL III AND MARY  
MICHAEL  
NEASE RD 907 GUYTON, GA  
31312

#### Applicant

Marshall Davis III  
 706-844-6986  
 mdavis3@me.com  
 907 Nease Road  
Guyton, GA 31312

### Staff Review

Planning Board Meeting Date\*

10/08/2024

Board of Commissioner Meeting Date\*

11/05/2024

Notification Letter Description \*

to allow for subdivision to create new home sites.

Map #\*

375

Parcel #\*

29D

Staff Description

Georgia Militia District

1559

Commissioner District\*

2nd

Public Notification Letters Mailed

09/16/2024

Board of Commissioner Ads

10/16/2024

🔒 Planning Board Ads

09/18/2024

🔒 Request Approved or Denied

—

🔒 Plat Filing required\* [?](#)

Yes

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## Applicant Information

Who is applying for the rezoning request?\*

Property Owner

Applicant / Agent Name\*

Marshall Davis III

Applicant Email Address\*

MDavis3@me.com

Applicant Phone Number\*

7068446986

Applicant Mailing Address\*

907 Nease Road

Applicant City\*

Guyton

Applicant State & Zip Code\*

GA 31312

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## Rezoning Information

How many parcels are you rezoning?\*

1

Present Zoning of Property\*

AR-1 (Agricultural Residential 5 or More Acres)



North\*

South\*

AR2

R1

East\*

West\*

AR1

AR1

Describe the current use of the property you wish to rezone.\*

Personal land. Trees and forts for my kids.

Does the property you wish to rezone have a reasonable economic use as it is currently zoned?\*

Residence for my in-laws house.

Describe the use that you propose to make of the land after rezoning.\*

Residence for my in-laws.

Describe the uses of the other property in the vicinity of the property you wish to rezone?\*

Personal land my family enjoys.

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?\*

It's the same as all the other houses in the area.

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?\*

No.

Digital Signature\*

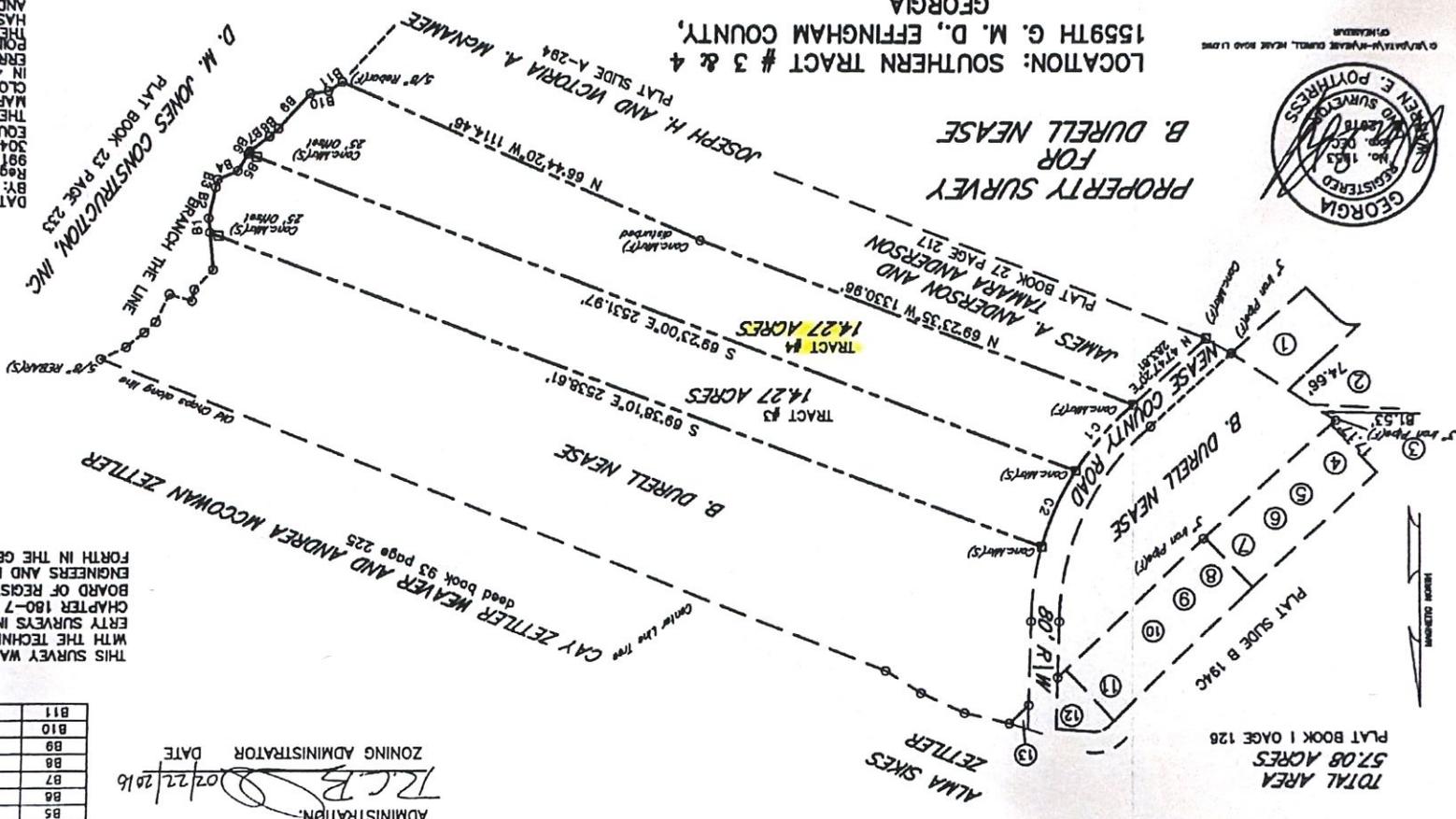
 Marshall Dean Davis III  
Sep 4, 2024



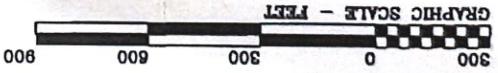
0 VERNALY-V-VEAR CURVE, NEAR ROAD U.D.M.

LOCATION: SOUTHERN TRACT # 3 & 4  
1559TH G. M. D., EFFINGHAM COUNTY, GEORGIA

PROPERTY SURVEY  
FOR  
B. DURELL NEASE



TOTAL AREA  
57.08 ACRES  
PLAT BOOK I PAGE 128



Curve	Radius	Tangent	Chord	Chord Bear.
C2	814.26'	120.52'	238.44'	N 23°58'29" E
C1	814.20'	127.53'	251.90'	N 41°17'38" E

BRANCH TRAVERSE

Course	Bearing	Distance
B1	S 04°51'22" E	40.97'
B2	S 12°09'25" W	90.65'
B3	S 15°58'30" W	23.67'
B4	S 65°49'19" W	61.20'
B5	S 30°47'17" W	56.75'
B6	S 30°47'17" W	8.65'
B7	S 52°16'38" W	69.31'
B8	S 48°33'47" W	33.63'
B9	S 42°28'34" W	136.09'
B10	S 80°41'30" W	51.18'
B11	S 57°05'43" W	47.14'

APPROVED FOR RECORDING BY  
EFFINGHAM COUNTY ZONING  
ADMINISTRATION:  
*[Signature]*  
DATE 02/22/2016  
ZONING ADMINISTRATOR

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-8-67.

LIZABETH Z. HURLEY  
CLERK O.C.G.A.

FILED FOR RECORD  
D168-152  
2016 FEB 22 PM 3:00

DATE: FEBRUARY 18, 2016  
BY: WARREN E. POYTHRESS  
Reg. Land Surveyor # 1953  
981 Hunters Road, Swanton, GA  
30467, tele. - (912) 857-3288  
EQUIP: TOPCON 303 TOTAL STATION  
THE FIELD DATA UPON WHICH THIS  
MAP OR PLAT IS BASED HAS A  
CLOSURE PRECISION OF ONE FOOT  
IN 40435 FEET AND ANGULAR  
ERROR OF 06 SECONDS PER ANGLE  
POINT. AFTER ADJUSTMENTS BY  
THE COMPARSS RULE THE FINAL PLAT  
HAS BEEN CALCULATED FOR CLOSURE  
AND IS FOUND TO BE ACCURATE WITH-  
IN ONE FOOT IN 142350 FEET.



GA. Reg. L.S. LIC. NO. 1323 8-29-24 DATE  
*Adolph N. Michellis*

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced hereon.  
 Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

**ADOLPH N. MICHELLIS & ASSO.**  
 736 SANDY RIDGE ROAD  
 SYLVANIA, GEORGIA 30467  
 PHONE: (912) 829-3972

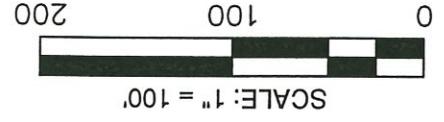
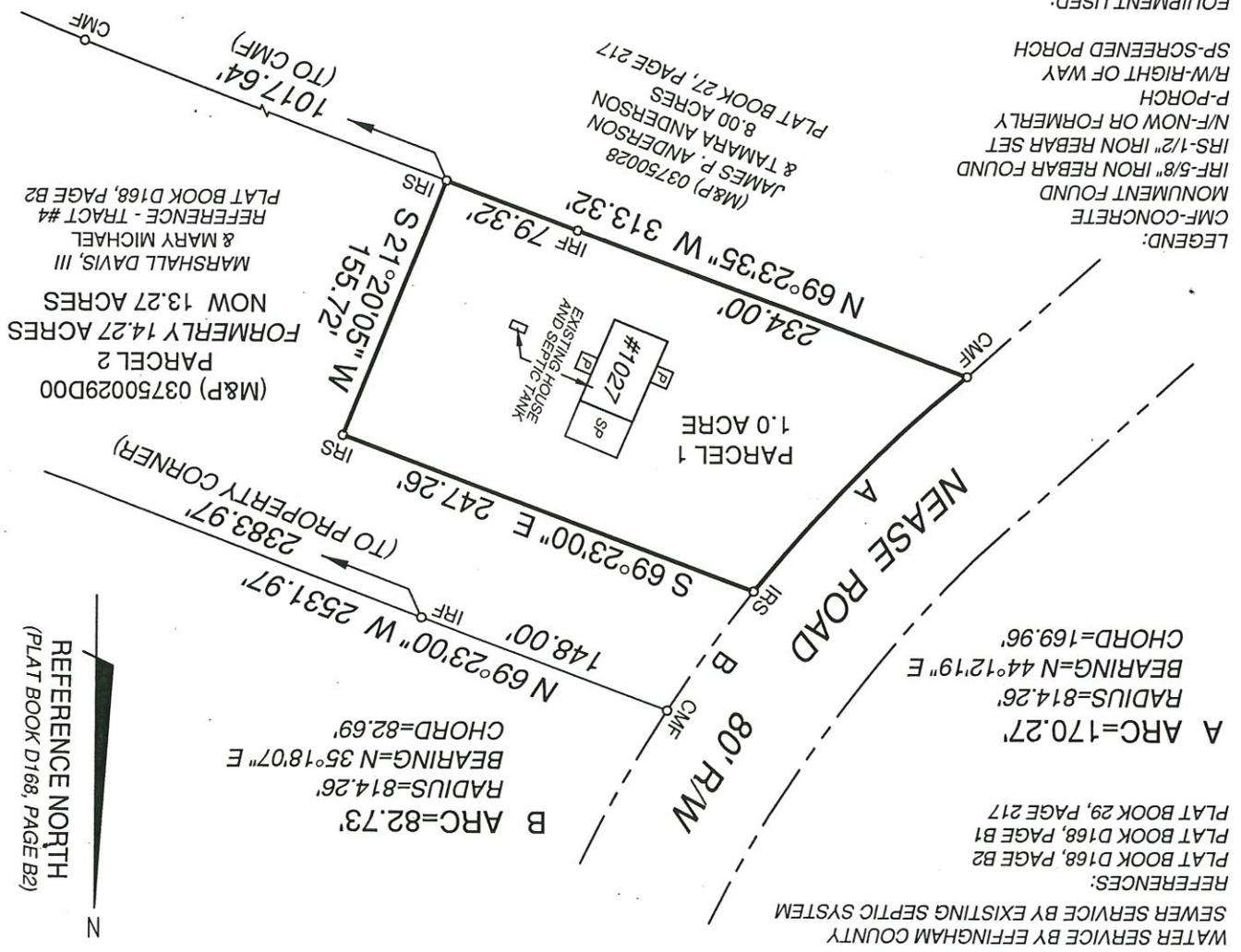
RESERVED FOR CLERK OF COURT

WATER SERVICE BY EFFINGHAM COUNTY  
 SEWER SERVICE BY EXISTING SEPTIC SYSTEM  
 REFERENCES:  
 PLAT BOOK D168, PAGE B2  
 PLAT BOOK D168, PAGE B1  
 PLAT BOOK 29, PAGE 217

A ARC=170.27'  
 RADIUS=814.26'  
 BEARING=N 44°12'19" E  
 CHORD=169.96'

B ARC=82.73'  
 RADIUS=814.26'  
 BEARING=N 35°18'07" E  
 CHORD=82.69'

REFERENCE NORTH  
 (PLAT BOOK D168, PAGE B2)



THIS PROPERTY IS A PART OF TRACT #4 AS SHOWN ON A PROPERTY SURVEY FOR B. DURELL NEASE BY WARREN E. POYTHRESS, REGISTERED LAND SURVEYOR #1853, RECORDED IN PLAT BOOK D168, PAGE B2, EFFINGHAM COUNTY RECORDS.

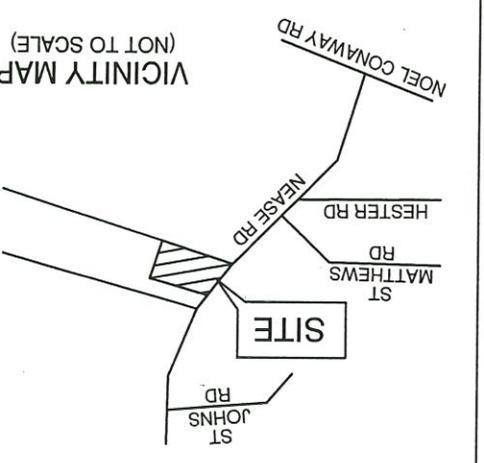
EQUIPMENT USED:  
 TOPCON 303 TOTAL STATION  
 ERROR OF CLOSURE: 1:100,000+  
 PLAT NOT ADJUSTED

NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP 13103C03555E, EFFINGHAM COUNTY, GEORGIA, REFERRING THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 16 MARCH 2015, THIS PROPERTY IS LOCATED IN "ZONE X", OUTSIDE THE 500 YEAR FLOOD PLAIN.

MINOR SUBDIVISION SURVEY FOR **MARSHALL DAVIS, III & MARY MICHAEL**  
 A FAMILY SURVEY OF 1.00 ACRE DIVIDED FROM MAP & PARCEL 03750029D00 LOCATED IN 1559TH G.M.D. EFFINGHAM COUNTY, GEORGIA SURVEYED 26 AUGUST 2024  
 PLAT PREPARED 27 AUGUST 2024

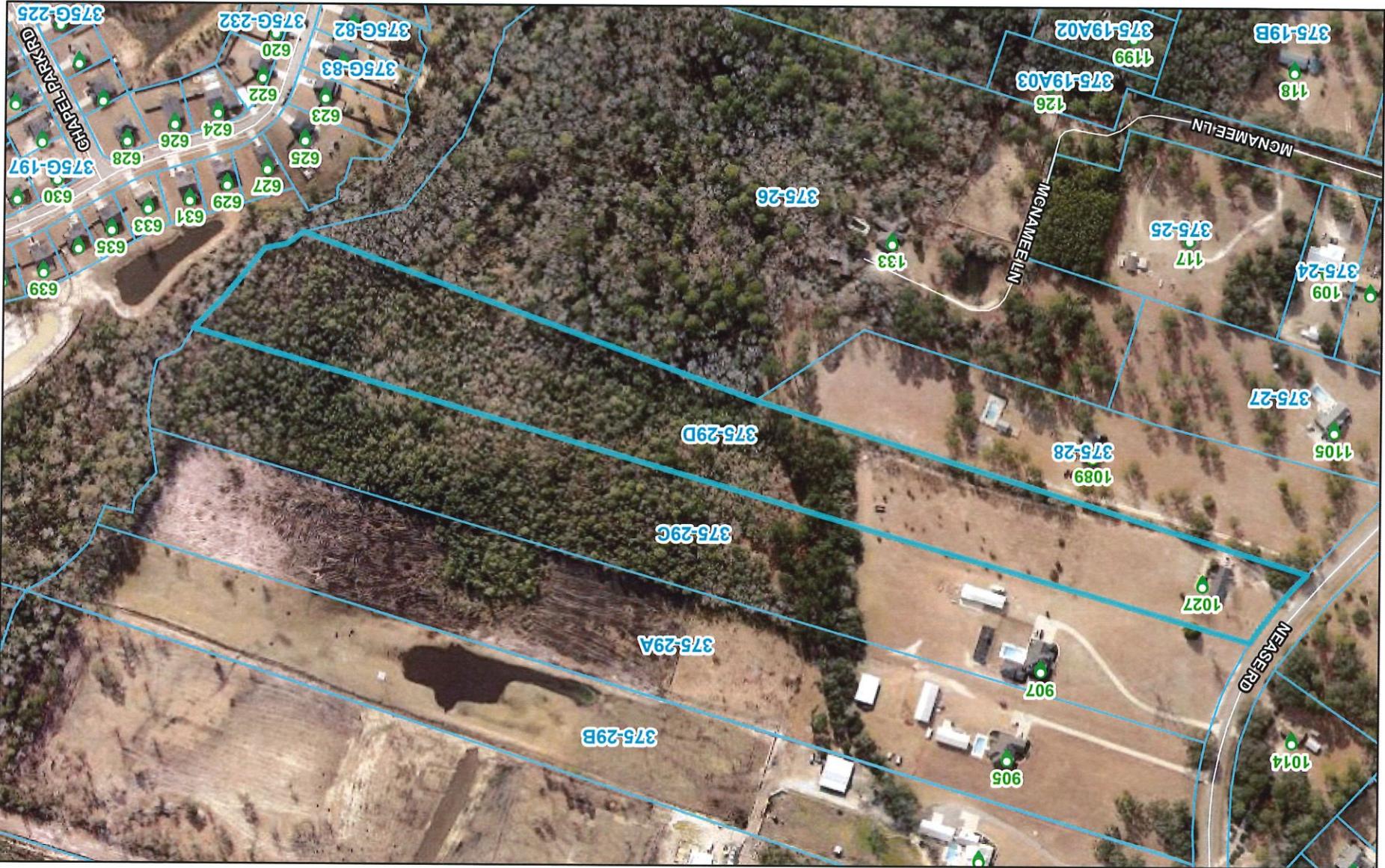
SIGNING AUTHORITY	TITLE	DATE
<i>Adolph N. Michellis</i>	CHC 9/4/24	

APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.



VICINITY MAP  
 (NOT TO SCALE)

375-29D



9/6/2024

Addresses

Roads

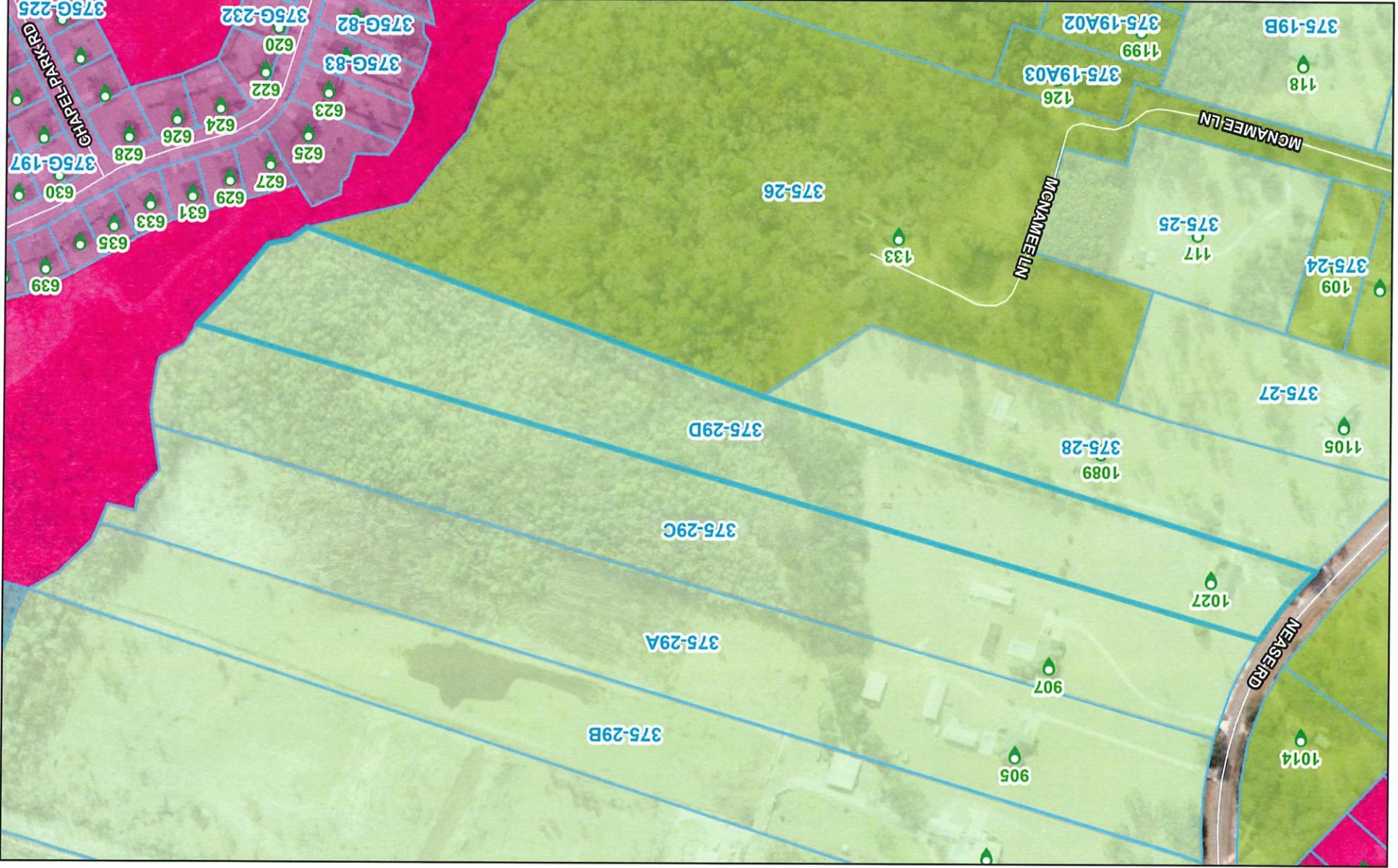
Parcels

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

0 0.05 0.1 0.2 km

0 0.03 0.07 0.13 mi

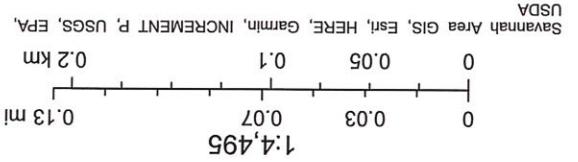
1:4,495



375-29D

9/6/2024

- Addresses
- Parcels
- Effingham County Zoning
  - AR-1
  - R-1
  - AR-2
  - R-6
- Roads
- PD



9.5

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL Pelt

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by **Marshall Davis III (Map # 375 Parcel # 29D)** from AR-1 to AR-2 zoning.

- Yes  No ? 1. Is this proposal inconsistent with the county's master plan?
- Yes  No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes  No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes  No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes  No ? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes  No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes  No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes  No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.M.  
Pelt

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A.Z.

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CHECK LIST:

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APPROVAL X

DISAPPROVAL \_\_\_\_\_

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R.T.

D.B.

PUBLIC HEARING 02

9.5

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APPROVAL           

DISAPPROVAL           

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D.B.

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CHECK LIST:

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APPROVAL X DISAPPROVAL \_\_\_\_\_

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B.S .