

Staff Report

Subject: Inspections and Zoning Fees
Author: Steve Candler
Department: Development Services
Meeting Date: August 1, 2023
Item Description: Consideration of an **amendment to 2023-2024 Budget** to amend inspection and zoning fees accidentally left off the original fee schedule.

Summary Recommendation

This is the second page of the request from Development Services for fee increases in the 2023-2024 budget. This page never made into the schedule of fees at its initial approval. Development Services requests these suggested increases in red be approved.

Executive Summary/Background

Slab	\$50.00 \$100.00
Accessory Structure/Building for One and Two Family Dwellings	\$50.00 admin fee \$100.00 Plan Review Fee + \$.10 \$0.20 sq ft
Deck	-\$50 adm fee + \$.05 sq ft
Pools	\$50 admin fee \$100.00 Admin Fee + \$.10- \$0.20 sq ft pool area
Demolition Permit	\$50.00 Admin Fee \$100.00 Admin Fee
Relocation	\$50.00 Admin Fee \$200.00 Plan Review Fee + \$.10 \$0.20 sq. ft.
Windows	\$50 admin fee \$100.00 Admin Fee + \$5 per \$1,000 in estimated cost \$10.00 per window
Signs	\$50.00 admin + \$.10 sq. ft. sign area Plan Review Fee 5% of Permit Fee minimum \$150.00 + \$7.00 per \$1,000 of Construction Value \$50/SQ. FT. non-climate controlled and Submitted Value, Permit Fee Shall Not Exceed \$150,000
Single Inspection Permits Residential (Electrical, Plumbing, HVAC, etc.)	\$50.00 \$100.00 Admin fee
Single Inspection Permits Residential Solar	\$50.00 Plan Review Fee + \$50.00 Permit Fee
Single Inspection Permits Commercial / Industrial (Electrical, Plumbing, HVAC, etc.)	Admin Fee 5% of Permit Fee minimum \$150.00 + \$7.00 per \$1,000 of Construction Value Permit Fee Shall Not Exceed \$150,000
Re-inspection Fee	\$50— first \$100.00 First Failed Inspection Fee \$75— second \$200.00 Second Failed Inspection Fee \$100— Third \$500.00 Third Failed Inspection Fee & Above

Alternatives

1. Approve an amendment to the 2023-2024 schedule of fees.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: Amended Schedule of Fees

Staff Report

Subject: Ordinance Revision
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II – Official Code: Appendix C – Articles I - X** of the Effingham County Code of Ordinances, responding to the changes of Title 36 of the Official Code of Georgia, Zoning Procedures Law.

Summary Recommendation

In order to conform with Title 36 of the Official Code of Georgia, Zoning Procedures Law, Staff recommends **approval** of the ordinance revision which will comply with State law.

Executive Summary/Background

- House Bill 1405 is an amendment Title 36 of the Official Code of Georgia that revised provisions related to judicial review of zoning decisions, definitions, requirements for zoning decisions by boards or agencies using delegate powers, additional notice and hearing provisions, judicial review of zoning decisions, appeals of quasi-judicial decisions, provide for related matters, to provide an effective date and applicability, repeal conflicting laws, and other purposes.
- The definitions for *Legislative Zoning Actions* and *Quasi-judicial officers, boards, or agencies* has been added.
- Additions to *7.1.4 Review Authority* that gives the Planning Board the ability to hear and render decisions on applications for variances, special administrative permits, special exceptions, plat procedures and processes, and other processes not considered a zoning action.
- *7.1.8.3* under *Variances* explains that financial hardship is not considered by State Law as grounds for granting a variance.
- The addition to *7.2 Administration* complies with the State regulations for a property owner to appeal administrative, quasi-judicial, and zoning decisions.
- There is a change to the public notice timeline for quasi-judicial decisions; and a change in the responsibilities of the Zoning Administrator.

Alternatives

1. **Approve** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Article I-X:**
2. **Deny** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Articles I-X.**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, County Attorney

FUNDING: N/A

Attachments: 1. Draft of Code of Ordinances **Part II – Official Code: Appendix C – Articles I - X** Ordinance

Staff Report

Subject: Ordinance Revision
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II – Official Code: Appendix C – Articles II-III – General Provisions** of the Effingham County Code of Ordinances, responding to the changes of Title 36 of the Official Code of Georgia, Zoning Procedures Law.

Summary Recommendation

In order to conform with Title 36 of the Official Code of Georgia, Zoning Procedures Law, Staff recommends **approval** of an ordinance revision which includes the definition and statute to appoint a County Surveyor.

Executive Summary/Background

- The Official Code of Georgia, Title 36 – Chapter 7 – County Surveyor, requires that each county within the state must have at least one surveyor.
- This ordinance revision adds the definition for the County Surveyor and the appointment of the County Surveyor by the County Manager or designee.
- This revision will conform to the 2022 update of the Official Code of Georgia, Zoning Procedures Law.

Alternatives

1. **Approve** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Article II & III General Provisions**
2. **Deny** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Article II & III General Provisions.**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, County Attorney

FUNDING: N/A

Attachments: 1. Draft of Appendix C – Zoning Ordinance, Article II & III General Provisions

Staff Report

Subject: Ordinance Revision
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II – Official Code: Chapter 30 – Articles VIII – Timber Operations** of the Effingham County Code of Ordinances, responding to the changes of Title 12 of the Official Code of Georgia, Conservation and Natural Resources.

Summary Recommendation

In order to conform to Title 12 of the Official Code of Georgia, Conservation and Natural Resources, Staff recommends **approval** of an ordinance revision which will comply with State Law.

Executive Summary/Background

- The ordinance revisions include definition change, notice requirements change, addition of a timber operations bond, posting notices, and additions to violations.

Alternatives

3. **Approve** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Article III – General Provisions:**
4. **Deny** an **amendment** to the Code of Ordinances **Appendix C – Zoning Ordinance, Article III – General Provisions.**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services, County Attorney

FUNDING: N/A

Attachments: 1. Draft of Part II – Official Code: Chapter 30 – Article VIII – Timber Operations

Staff Report

Subject: Sketch Plan (First District)
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: **3 Byrds Development, LLC** request approval of a **sketch plan** for “Bull Run_North Tract Development”, a 217-unit townhome subdivision. Located on Noel C Conaway Road, zoned **R-3. [Map# 352 Parcel# 18]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of a **sketch plan** for “Bull Run_North Tract Development”, a 217-unit townhome subdivision.

Executive Summary/Background

- The request for approval of a sketch plan is a requirement of Section 5.1 – Sketch Plan.
The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan.
- This parcel was approved for rezoning at the June 6, 2023 Board of Commissioners Meeting.
- At the February 13, 2023 pre-application meeting, staff and the applicant discussed access management, block length, connectivity, development plan review requirements, and buffers.
- A stub-out to the property to the north (352-4) must be paved to the property line.
- Open space includes the 1.37 acres at Hwy 30, which is to be dedicated to Effingham County.
- Amenities included in the Sketch Plan are a dog park, covered picnic shelter, earthen walking trails, and a clubhouse.
- A maintenance association, homeowner’s association, or some other entity will be created to maintain all amenities and common areas.
- The applicant proposes to extend lines ~1000 to connect to existing water and sewer at Windfield Subdivision.
- A GDOT encroachment permit for access to Hwy 30 will be required during the development plan review process.
- Paved roads less than 28’ will not be permitted to allow parking, per sec. 7.1.13 Street right-of-way widths.
- After Sketch Plan approval, staff will follow-up with a Notice to Proceed, summarizing requirements and recommendations.
- At the June 13, 2023 Planning Board Meeting, Mr. Brad Smith made a motion for approval, Mr. Alan Zipperer seconded. The motion carried unanimously.

Alternatives

1. **Approve** the **sketch plan** for “Bull Run_North Tract Development”.
2. **Deny** the **sketch plan** for “Bull Run_North Tract Development”.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Sketch Plan Application

Other Alternatives: 2

FUNDING: N/A

2. Sketch Plan 3. Aerial Photograph

Staff Report

Subject: Sketch Plan (First District)
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: **Rogan DeMarco** requests approval of a **sketch plan** for “Windfield Parcel C&E Townhomes,” a 33-unit townhome subdivision. Located on Noel C Conaway Road, zoned **PD**. [Map# 352F Parcels# 1H&1J]

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of a **sketch plan** for “Windfield Parcel C&E Townhomes,” a 33-unit townhome subdivision.

Executive Summary/Background

- The request for approval of a sketch plan is a requirement of Section 5.1 – Sketch Plan.
The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan.
- These parcels are located within Phase I of the Windfield Subdivision. The Planned Development Text for Windfield Subdivision was approved in 2004 and allows for Townhomes within the first phase of the development.
- At the March 13, 2023 pre-application meeting, staff and the applicant discussed access management, water/sewer connectivity, buffers, and stormwater management.
- This development will be served by County water, sewer & reuse.
- Access for the development will be off Conaway Road.
- A 25’ buffer will be provided along GA State Route 30 and Conaway Road; this buffer will include an existing berm.
- A total of 1.02 acres will be used for greenspace, equaling 33.2% of the total acreage.
- After Sketch Plan approval, staff will follow-up with a Notice to Proceed, summarizing requirements and recommendations.
- At the June 13, 2023 Planning Board Meeting, Mr. Alan Zipperer made a motion for approval, Mr. Peter Higgins seconded. The motion carried unanimously.

Alternatives

1. **Approve** the **sketch plan** for “Windfield Parcel C&E Townhomes”.
2. **Deny** the **sketch plan** for “Windfield Parcel C&E Townhomes”.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Sketch Plan Application

Other Alternatives: 2

FUNDING: N/A

2. Aerial Photograph 3. Sketch Plan

Staff Report

Subject: Sketch Plan (Second District)
Author: Chelsie Fernald, Planner
Department: Development Services
Meeting Date: July 18, 2023
Item Description: **Greenland Developers** request approval of a **sketch plan** for “Brunson Station (aka Helmey Development),” a 304 single and multi-family residential subdivision. Located on Noel C Conaway Road, zoned **PD-R. [Map# 418 Parcel# 2E]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of a **sketch plan** for “Brunson Station (aka Helmey Development),” a 304 single and multi-family residential subdivision.

Executive Summary/Background

- The request for approval of a sketch plan is a requirement of Section 5.1 – Sketch Plan.
The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan.
- The 304 – unit subdivision will be served by County water, sewer, and reuse.
- The density is 2 dwelling units per 170.36 gross acres (204 single family units and 136 townhomes); net density is 3.3 units per 104.03 buildable acres. Open space (25.10 acres) includes 10.2 acres of ponds and 14.85 acres of usable area.
- Amenities will include a dog park, pool & accessory structure; multipurpose fields, walking trails, and open space with benches and parking throughout the development.
- A 30’ vegetative buffer is provided around the perimeter of the development.
- The intersection of Noel C Conaway Road and Kolic Helmey Road are part of the Transportation Master Plan and improvements were recommended; the developer has entered into an agreement and cost share to improve the intersection.
- At the February 15, 2022 Board of Commissioners meeting, Commissioner Burdette added the following conditions:
 1. Future use of the above-referenced property shall meet the requirements of the approved PD – Residential document and master plan.
 2. Site development plans shall comply with Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
 3. All wetland impacts must be approved and permitted by USACE
 4. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to the Effingham County Traffic Study Requirements.
- After Sketch Plan approval, staff will follow-up with a Notice to Proceed, summarizing requirements and recommendations.
- At the June 13, 2023 Planning Board Meeting, Mr. Alan Zipperer made a motion for approval, Mr. Peter Higgins seconded. The motion carried unanimously.

Alternatives

1. **Approve the sketch plan** for “Brunson Station (aka Helmey Development),” with the following conditions:
 1. Future use of the above-referenced property shall meet the requirements of the approved PD – Residential document and master plan.
 2. Site development plans shall comply with Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

3. All wetland impacts must be approved and permitted by USACE
4. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to the Effingham County Traffic Study Requirements.

2. Deny the sketch plan for “Brunson Station (aka Helmey Development)”.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Sketch Plan Application

Other Alternatives: 2

FUNDING: N/A

2. Aerial Photograph 3. Sketch Plan

Staff Report

Subject: Sketch Plan (Third District)
Author: Chelsie Fernald, Planner II
Department: Development Services
Meeting Date: July 18, 2023
Item Description: **Teramore Development** as agent for **Ashley Fleetwood, George & Angela Usher** request approval for a **sketch plan** “Dollar General #25069”. Located on **Shawnee Road & Highway 21**, zoned **B-2**. [Map# 264A Parcels# 20&21]

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of a **sketch plan** for “Dollar General #25069”, with conditions.

Executive Summary/Background

- The request for approval of a sketch plan is a requirement of Section 5.1 – Sketch Plan.
The purpose of a sketch plan is to provide both the applicant and the county an opportunity to review the proposed development before significant financial resources have been invested. Therefore, the sketch plan does not require the certification of an engineer, surveyor, or other professional. Existing features, including water bodies, wetlands, and flood zone limits, are required to be surveyed for the sketch plan.
- At the January 9, 2023 pre-application meeting staff met with the developers and discussed the site limitations, buffers, the use of a private well & septic, and stormwater management.
- At the April 11, 2023 Planning Board meeting for the rezoning and variance request, Mr. Alan Zipper made a motion with the following conditions:
 1. A recombination plat must be approved by Development Services, and recorded, before site development plans are submitted.
 2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance, the Stormwater Management Local Design Manual, and **Chapter 34 – Flood Damage Prevention**.
 3. A traffic impact assessment or traffic memo will be required during the development plan review process.
- Mr. Ryan Thompson added a condition:
 1. The approved variance to reduce the vegetative buffer applies only in the case of a necessary drainfield expansion.
- At the May 2, 2023 Board of Commissioners meeting, Commissioner Jamie DeLoach added a condition:
 1. A 30’ buffer will be adhered to between the commercially zoned and residentially zoned parcels across Etheridge Road. This buffer may include the detention pond, however if the pond is not needed, the 30’ planted vegetative buffer will remain in place
- After Sketch Plan approval, staff will follow-up with a Notice to Proceed, summarizing requirements and recommendations.
- At the June 13, 2023 Planning Board Meeting, Mr. Peter Higgins made a motion for approval, Mr. Ryan Thompson seconded. The motion carried unanimously.

Alternatives

1. **Approve** the **sketch plan** for “Dollar General #25069” with the following conditions:
 1. Development plans shall meet the requirements of Section 5.11 B-3 Highway Commercial Districts.
 2. A recombination plat must be approved by Development Services, and recorded, before site development plans are submitted.
 3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance, the Stormwater Management Local Design Manual, and Chapter 34 – Flood Damage Prevention.

4. A traffic impact assessment or traffic memo will be required during the development plan review process.
5. The approved variance to reduce the vegetative buffer applies only in the case of a necessary drainfield expansion.
6. A 30' buffer will be adhered to between the commercially zoned and residentially zoned parcels across Etheridge Road. This buffer may include the detention pond, however if the pond is not needed, the 30' planted vegetative buffer will remain in place

2. Deny the sketch plan for “Dollar General #25069”.

Recommended Alternative: 1

Department Review: Development Services

Attachments: 1. Sketch Plan Application

Other Alternatives: 2

FUNDING: N/A

2. Sketch Plan

3. Aerial Photograph