

## Staff Report

**Subject:** Variance (Fourth District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** June 7, 2022  
**Item Description:** **Gary Ferrell** requests a **variance** from section 3.3 to reduce required accessory building setbacks, allowing for a replacement accessory structure. Located at 1129 Ralph Rahn Road, zoned **R-1. Map# 391B Parcel# 2**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **variance** from section 3.3 to reduce required setbacks, allowing for a replacement accessory structure, with conditions.

### Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
  - That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and*
  - That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*
- The applicant purchased a property with an existing accessory structure, which he replaced. A new slab was poured, in line with the driveway. He was unaware of the building permit requirement for a building over 200 sf. Other properties nearby feature accessory buildings close to the property boundaries.
- The accessory structure is approximately 5 ½' from the side property line and therefore does not meet the minimum side setback of 10', pursuant to *Section 3.3 Accessory Structures in Residential Districts*.
- The location of the existing home and septic drainfield eliminate the option of placing the structure elsewhere in the side or rear yard.
- The applicant is working with Development Services staff to meet plan review requirements for a building permit for the accessory building.
- At the April 18 Planning Board meeting, Brad Smith made a motion to **approve** the request for a variance from *section 3.3* to reduce required setbacks, with the following condition:
  1. Meet all requirements for building permit approval.
- The motion was seconded by Peter Higgins, and carried by a 4/1 vote.
- At the May 3, 2022 meeting, the Board tabled this item to June 7, 2022, pending a meeting between the applicant and staff to discuss a drainage plan.

### Alternatives

1. **Approve** the request for a **variance** to reduce required setbacks, allowing for a replacement accessory structure, with condition:
  1. Meet all requirements for building permit approval.
2. **Deny** the request for a variance to reduce required setbacks, allowing for a replacement accessory structure.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services  
**Attachments:** 1. Variance application  
2. Ownership Certification

**FUNDING:** N/A  
3. Deed  
4. Aerial photography

ATTACHMENT A - VARIANCE APPLICATION

Application Date: 3/11/2022

Applicant/Agent: Gary P. Ferrell Jr.

Applicant Email Address: garyferrell24@yahoo.com

Phone # 912-856-3011

Applicant Mailing Address: 1129 Ralph Rahn Rd

City: Rincon State: GA Zip Code: 31326

Property Owner, if different from above: \_\_\_\_\_  
*Include Signed & Notarized Authorization of Property Owner*

Owner's Email Address (if known): N/A

Phone # \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Property Location: 1129 Ralph Rahn Road

Name of Development/Subdivision: Buckfield

Present Zoning of Property R-1 Tax Map-Parcel # 391B-2 Total Acres .88

VARIANCE REQUESTED (provide relevant section of code): Sec. 6.2.3

Describe why variance is needed: Pre-existing <sup>access. bldg.</sup> site was

used for accessory building. Does not meet side setback requirements. Cannot move due to drainfield

How does request meet criteria of Section 7.1.8 (see Attachment C): Location of house & driveway

on .88ac. lot provides options for placement of accessory building.

Applicant Signature: Gary P. Ferrell Jr. Date 3-11-22

**ATTACHMENT B - OWNERSHIP CERTIFICATION**

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

8-15-18, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2482 page 799.

I hereby certify that I am the owner of the property being proposed for Variance approval, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Gary P. Ferrell Jr.

Print Name Gary Paul Ferrell Jr.

Owner's signature \_\_\_\_\_

Print Name \_\_\_\_\_


Owner's signature \_\_\_\_\_

Print Name \_\_\_\_\_

Sworn and subscribed before me this 11 day of March, 20 22.

Chelsie Fernald  
Notary Public, State of Georgia



DOC# 007102  
FILED IN OFFICE  
8/15/2018 04:09 PM  
BK:2482 PG:799-799  
ELIZABETH Z. HURSEY  
CLERK OF SUPERIOR COURT  
EFFINGHAM COUNTY  
  
REAL ESTATE TRANSFER TAX  
PAID: \$210.00  
PT-61 051-2018-002136

Return Recorded Document to:  
The Ratchford Firm  
1575 Highway 21 South  
Springfield, GA 31329

Our File #: 18-361

## WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

This Indenture made this 14th day of August, 2018, between William J. Callaway and Laura P. Callaway, of the County of Effingham, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Gary P. Ferrell, Jr., as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee,

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, known and designated as Lot Number 2, Buckfield Plantation, that is shown and more particularly described by the plat of survey made by Charles W. Tuten, Jr., R.L.S. # 2345, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet B, Slide 124A, which is incorporated into this description by specific reference thereto.

This being the same property conveyed by Hubert W. Kight to William J. Callaway and Laura P. Callaway as evidenced by that certain Warranty Deed dated February 2, 2015, recorded in Deed Book 2277, page 340, aforesaid records.

**SUBJECT HOWEVER** to all restrictive covenants, easements and rights-of-way of record.

Said property has a current property tax identification number of 0391B-002-000, with a current street address of 1129 Ralph Rahn Rd, Rincon, Georgia, 31326.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

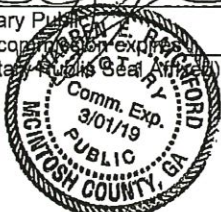
**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal this day and year first above written.



Signed this 14th day of August, 2018

In the presence of:

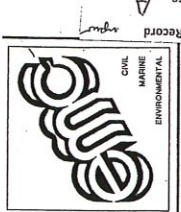
  
Unofficial Witness

Notary Public  
My commission expires 3/1/19  
(Notary Public Seal)



  
William J. Callaway (Seal)  
  
Laura P. Callaway (Seal)





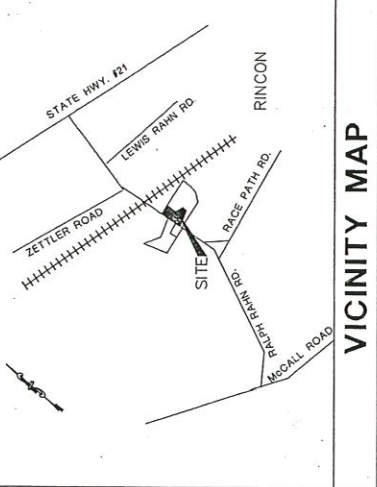
EMC ENGINEERING SERVICES, INC.  
 Post Office Box 8101  
 623 East Chatham Street  
 Marietta, Georgia 30142  
 Phone: (912) 232-6533  
 Fax: (912) 232-2920

**SUBDIVISION PLAT OF BUCKFIELD PLANTATION,  
 9th G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA**  
 Prepared for:  
**PARKER RAHN AND BARNARD RAHN**

REVISIONS	NUMBER	DATE

DESIGN:	MDM
GRAPHICS:	ABM
REVIEW:	CWT
DATE:	MARCH, 2000
SCALE:	1" = 100'
PROJECT:	99-590
SHEET:	1 OF 1

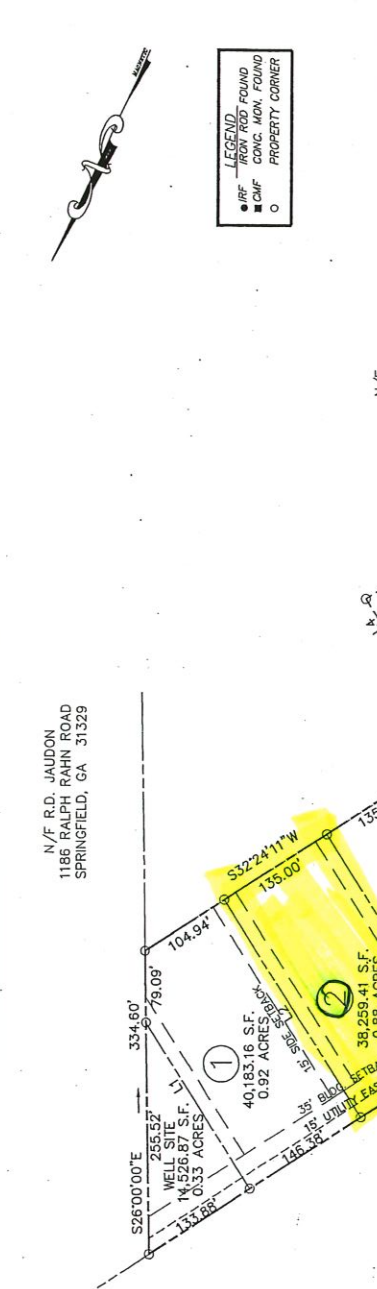


**VICINITY MAP**

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING
G13	39.27	25.00	25.00	90.00	S72°45'49"E
G15	39.27	25.00	25.00	90.00	S72°45'49"E
G22	39.27	25.00	25.00	90.00	S72°45'49"E
G23	212.29	330.42	108.95	36°48'43"	N38°13'28"W
G24	21.68	25.00	11.57	48°40'44"	S45°43'32"E
G25	292.55	66.00	50.92	27°21'34"	N69°08'53"E
G28	21.68	25.00	11.57	48°40'44"	N03°57'19"E
G29	39.27	25.00	25.00	90.00	N38°16'06"W
G30	144.03	278.38	73.66	28°38'40"	S77°24'11"W
G30	129.01	313.38	65.43	23°35'15"	S20°35'34"W

LINE	LENGTH	BEARING
L1	217.02	S57°35'49"E
L2	283.71	S57°35'49"E
L3	154.89	S57°35'49"E
L4	194.89	S32°24'41"W
L5	283.20	N57°35'48"W
L6	160.00	N57°35'48"W
L7	248.20	N32°24'41"W
L8	257.09	N57°35'48"W
L15	257.09	N57°35'48"W
L16	281.58	S57°35'49"E

L18	280.86	S57°35'49"E
L20	280.84	S57°35'49"E
L21	279.45	S57°35'49"E
L23	152.87	S57°42'30"E
L24	165.37	N48°13'02"E
L25	196.58	N44°05'10"E
L26	269.08	N43°26'35"E
L27	240.85	N61°16'59"E
L28	240.85	S63°38'36"E
L29	257.75	S67°02'05"W
L30	235.34	S57°35'49"E
L31	235.34	S57°35'49"E
L32	249.68	N57°44'11"E
L33	152.37	N57°42'42"W
L34	172.64	S05°59'34"E
L35	17.37	N82°59'35"E
L36	71.76	S07°00'25"E
L37	73.76	S07°00'25"E
L38	17.37	N82°59'35"E
L39	126.18	S08°31'18"E
L40	48.36	S07°25'04"W
L41	48.36	S07°25'04"W
L42	72.52	S77°10'00"W
L43	172.48	S69°19'22"W
L44	116.69	S68°53'32"E
L45	155.77	S68°48'23"W
L46	222.20	S89°19'22"W
L47	189.52	N57°35'49"W

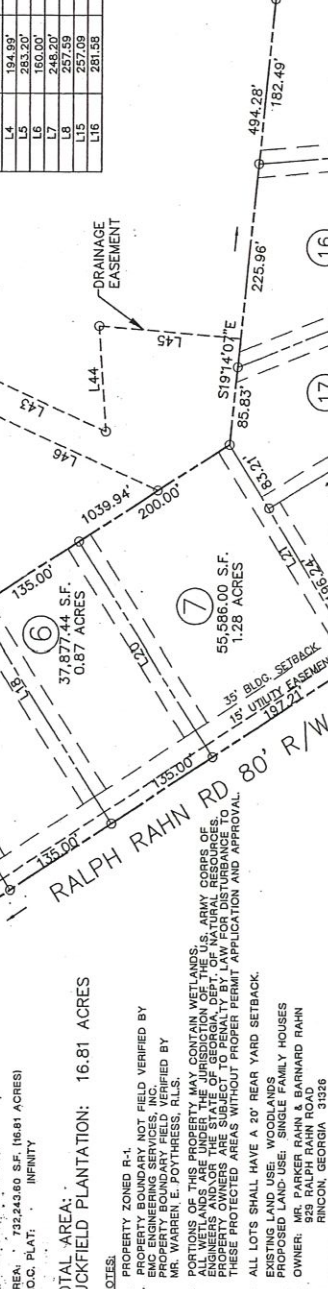


**LEGEND**  
 ● IRON ROD FOUND  
 ■ CONC. MON. FOUND  
 ○ PROPERTY CORNER

**REFERENCE**  
 1. WETLAND SURVEY PREPARED BY MR. WARREN E. POTTHRESS, R.L.S., DATED MARCH 16, 1999.  
 2. PLAN OF BUCKFIELD PLANTATION PREPARED BY MR. WARREN E. POTTHRESS, R.L.S., DATED MARCH 16, 1999.  
 3. BASED ON MY OBSERVATION THIS LOT IS LOCATED IN ZONE X, NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY HUD. MAP DATED SEP. 15, 1992.  
 4. AREA: 792,243.80 S.F. (16.81 ACRES)  
 5. E.O.C. PLAT: INFINITY

**TOTAL AREA: BUCKFIELD PLANTATION: 16.81 ACRES**

**NOTES**  
 1. PROPERTY ZONED R-1.  
 2. THIS PLAT IS NOT FIELD VERIFIED BY EMC ENGINEERING SERVICES, INC.  
 3. PROPERTY BOUNDARY FIELD VERIFIED BY MR. WARREN E. POTTHRESS, R.L.S.  
 4. PORTIONS OF THIS PROPERTY MAY CONTAIN WETLANDS. ANY CORRS. OF ENGINEERS AND/OR THE STATE OF GEORGIA, DEPT. OF NATURAL RESOURCES, THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATION AND APPROVAL.  
 5. ALL LOTS SHALL HAVE A 20' REAR YARD SETBACK.  
 6. FENCES AND USE: WOODLANDS ONLY HOUSES.  
 7. OWNER: MR. PARKER RAHN & BARNARD RAHN, RINCON, GEORGIA 31326  
 8. WATER SERVICE TO BE PROVIDED BY A COMMUNITY WATER SYSTEM.  
 9. INDIVIDUAL ON-SITE WASTE TREATMENT SYSTEMS.  
 10. TOTAL LENGTH OF PROPOSED ROADWAY: 4777'  
 11. TOTAL AREA OF PROPOSED RIGHT-OF-WAY: 119 ACRES



APPROVED BY EFFINGHAM COUNTY DEPARTMENT OF PUBLIC HEALTH, DIVISION OF ENGINEERING AND SANITATION  
 DIRECTOR: *[Signature]* DATE: 3-30-20

APPROVED BY PARKER RAHN & BARNARD RAHN  
 MR. PARKER RAHN  
 929 RALPH RAHN ROAD  
 RINCON, GEORGIA 31326  
 WITNESS: *[Signature]*  
 MR. BARNARD RAHN  
 929 RALPH RAHN ROAD  
 RINCON, GEORGIA 31326  
 WITNESS: *[Signature]*

DATE: 3-27-01

IT IS HEREBY CERTIFIED THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER INTERESTS TO PUBLIC OR PRIVATE USE AS NOTED.

THE SUBDIVISION PLAT KNOWN AS BUCKFIELD PLANTATION HAS BEEN FOUND TO COMPLY WITH THE EFFINGHAM COUNTY SUBDIVISION REGULATIONS AND WAS APPROVED BY THE ZONING ADMINISTRATOR AND PUBLIC WORKS OFFICIAL OF EFFINGHAM COUNTY FOR RECORDING IN THE OFFICE OF CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA.

PLANNING ADMINISTRATOR: *[Signature]* DATE: 3/28/01  
 PUBLIC WORKS OFFICIAL: *[Signature]* DATE: 3-29-01

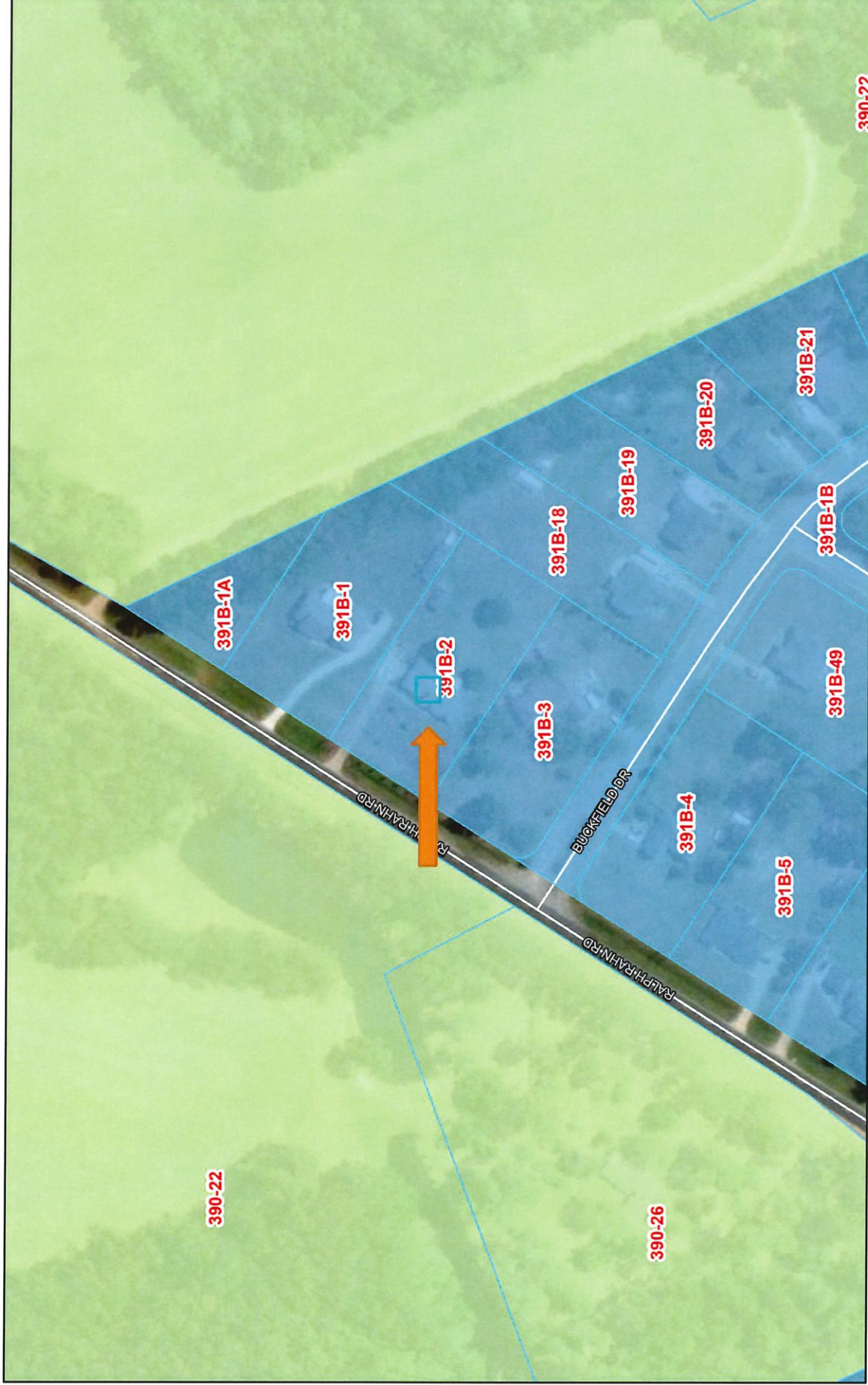
HEREBY CERTIFY THAT THIS PLAT IS A TRUE, CORRECT, AND ACCURATE SURVEY AS REQUIRED BY EFFINGHAM COUNTY SUBDIVISION REGULATION, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY AND THAT MONUMENTS SHOWN HAVE BEEN LOCATED AND PLACED TO THE SUFFICIENCY SET FORTH IN SAID REGULATIONS.  
 CHARLES W. TUTEN, JR.  
 REGISTERED GEORGIA SURVEYOR'S NO. 2345  
 DATE: February 28, 2001

PARKER & BARNARD RAHN  
 929 RALPH RAHN ROAD  
 RINCON, GA 31326  
 N/F  
 100' 0" 0" 100' 0"  
 GRAPHIC SCALE: 1"=100'-0"

# 1129 RALPH RAHN ROAD



# 1129 RALPH RAHN ROAD



3/15/2022, 9:34:36 AM

Tax Parcel Labels Roads

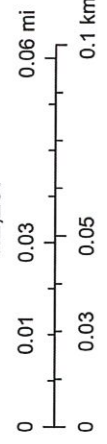
Parcels2020 FEMA Flood Zone

X, AREA OF MINIMAL FLOOD HAZARD

Effingham County Zoning

AR-1 R-1

1:2,257



Maxar, Microsoft



# Additional Information Submitted

May 25-26, 2022

**Teresa Concannon**

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**From:** Garyferrell <garyferrell24@yahoo.com>  
**Sent:** Wednesday, May 25, 2022 8:29 AM  
**To:** Teresa Concannon; Eric Larson  
**Subject:** EXTERNAL:Remove and Relocate Tool Shed Costs

\$3500.00 - \$4000.00 to build another pad.

\$1600.00 - \$2000.00 to remove existing pad including a concrete dumpster.

\$5000.00 to deconstruct and rebuild existing tool shed (same company that erected it the first time).

**TOTAL COST:**

**\$10,500.00 - \$11,000.00**

Thank you,

Gary Ferrell

\*\*\*\* This is an EXTERNAL email. Please do not click on a link or open ANY attachments unless you are confident it is from a trusted source and you are expecting this email. \*\*\*\*

Display On Printout

Show All Images

Update Printout

Released by Craig Brower on Sep 12, 2021

Released

SAV 31326 Gary Ferrell  
Cell: 912-856-3011

Job Address:  
1129 Rahn Road  
Rincon, GA 31326

Print Date: 5-25-2022

## Proposal for SAV 31326 Gary Ferrell

1305 Barnard St. #686, Savannah, GA 31401  
Office: 912-452-9300

Cell: 912-777-8388 Email: [cbrower@samtheconcreteman.com](mailto:cbrower@samtheconcreteman.com)  
[www.savannah.samtheconcreteman.com](http://www.savannah.samtheconcreteman.com)

We do offer financing: <https://app.gethearth.com/partners/sam-the-concrete-man-savannah>

Thank you for the opportunity to earn your business. Over the past 32 years we have completed over 10,000 projects with a 99.9% customer satisfaction rate guaranteed.

We look forward to providing the same high quality of service and attention to detail that our customers have come to expect.

Items	Qty/Unit	Price
Unassigned		
1) Add new slab, approximately 16x40 ft. with ramp on front, approximately 8x10 ft. and landing for future door, approximately 3x5 ft.; area will have back fill added and compacted to raise grade above current ground level before forming for slab	1,242	\$11,990.00
2) Add new slab, approximately 16x30 ft. with landing for future doorway, approximately 3x5 ft. and HVAC pad at rear, approximately 3.5x3.5 ft.; area will have back fill added and compacted to raise grade above current ground level before forming for slab		
*Customer acknowledges that concrete mixer truck will have to enter onto customer's driveway and may cause damage due to the weight of the truck and accepts all risks thereof.		

**Teresa Concannon**

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**From:** Garyferrell <garyferrell24@yahoo.com>  
**Sent:** Monday, May 23, 2022 7:03 PM  
**To:** Teresa Concannon; Eric Larson  
**Subject:** EXTERNAL:Drain pipe plan

Georgia follows the International Plumbing Code 2018. According to [IPC Section 704.1](#):

Horizontal drainage piping shall be installed in uniform alignment at uniform slopes. The slope of a horizontal drainage pipe shall be not less than that indicated in Table 704.1

SLOPE OF HORIZONTAL DRAINAGE PIPE	
-----------------------------------	--

SIZE (inches)	MINIMUM SLOPE (inch per foot)
2 1/2 or less	1/4"
3 to 6	1/8"
8 or larger	1/16"

With our surveying equipment, we measured the elevation drop from the corner of our building to the left side of the ditch (facing the house) to be 38 1/4" over a distance of 200 feet. Since we plan on using 4" rigid non-permeable drain pipe, table 704.1 gives a required drop of 200 ft x 1/8 in per foot = 25". With our drop of 38 1/4", that gives us plenty of slope even taking the width of the pipe and burial depth into account.

This is an example of what we intend to perform at the downspouts, with the appropriate specified pipe. We are open to further recommendations:



We've added seamless gutters to the tool shed on both runs shown here:



We purchased surveying equipment shown below to insure accuracy. We've also installed cement board horizontally along the entire run of our fence line at ground level and have plans to add top soil and sod (vegetation) to further contribute to a positive outcome.



**Carport Express Llc**

8025 North Point Blvd.  
Winston Salem

Sales@carportexpress.com

(800) 826-4849

carportexpress.com

**Sales: Celia CE**

8025 North Point Blvd.  
Winston Salem

celia.carportexpress@gmail.com

(800) 826-4849

Building Quote  
**QTE-000856**

Date  
**05/26/2022**

Total  
**\$5,576.00**

**CUSTOMER DETAILS****Gary Ferrell**

Billing Address:

1129 Ralph Rahn Rd, Rincon, GA, 31326, Effingham

Shipping Address:

1129 Ralph Rahn Rd, Rincon, GA, 31326, Effingham

garyferrell24@yahoo.com

(912) 856-3011

**Standard Carports - 16 x 40 x 8**

- Roof Color: Black
- Trim Color: Earth Brown
- Sides/Ends Color: Quaker Gray
- Wainscot Color: NA



Ready for Installation?  Jobsite Level?  Permit Required?  Inside City Limit?  Electricity Available?  Installation Surface? Concrete

Building Dimension: **16'W x 40'L x 8'H**    Roof Style: **Vertical**    Gauge: **14 Gauge**    Wind/Snow Rating: **145 MPH + 45 PSF Certified**    Distance on Center: **5 Feet**

16X40' Vertical Roof	1	\$1.00
8' Height	1	\$0.00
145 MPH + 45 PSF Certified	1	\$0.00
3/12' Roof Pitch	1	\$0.00
6x7ft Garage Door on Front Wall	1	\$575.00
24x36in Window on Right Wall	1	\$0.00
24x36in Window on Right Wall	1	\$0.00
24x36in Window on Back Wall	1	\$0.00
36x80in Walk-in Door on Right Wall	1	\$0.00
Extra Labor Fee: \$5,000.00		

**NOTES**

Extra labor is for disassembling and reassembling 16x40x8 metal building. Cashiers check to be made to contractor.

Sub Total	<b>\$576.00</b>
Tax	<b>\$0.00</b>
Additional Charges	<b>\$5,000.00</b>
<b>Grand Total</b>	<b>\$5,576.00</b>

**Pay Now**

**Downpayment** **\$86.40**

**Balance Due**

**Upon Installation** **\$5,489.60**



**Carport Express Llc**

8025 North Point Blvd,  
Winston Salem  
Sales@carportexpress.com  
(800) 826-4849  
carportexpress.com

**Sales: Celia CE**

8025 North Point Blvd,  
Winston Salem  
celia.carportexpress@gmail.com  
(800) 826-4849

Building Quote  
**QTE-000857**

Date  
**05/26/2022**

Total  
**\$5,000.00**

**CUSTOMER DETAILS****Gary Ferrell**

## Billing Address

1129 Ralph Rahn Rd, Rincon, GA, 31326, Effingham

## Shipping Address

1129 Ralph Rahn Rd, Rincon, GA, 31326, Effingham

garyferrell24@yahoo.com

(912) 856-3011

**PAYMENT DETAILS**

Taxable Amount: **\$5,000.00**  
Taxable Discount: **\$0.00**  
Taxable Subtotal: **\$5,000.00**  
Non-Taxable Amount: **\$0.00**  
Non-Taxable Discount: **\$0.00**  
Non-Taxable Subtotal: **\$0.00**

TAXABLE ITEMS	QTY	TOTAL
Disassemble and reassemble existing 16'Wx40x8'H metal building	1	\$5,000.00

Notes	
To be paid to contractor in cash or cashiers check .	Deposit: <b>\$0.00</b>
	Discount: <b>\$0.00</b>
	Tax: <b>\$0.00</b>
	Total: <b>\$5,000.00</b>

