



Staff Report

Subject: Rezoning (Fifth District)
Author: Jennifer Rose, Planner I
Department: Development Services
Application: RZN-25-55
Meeting Date: March 3, 2026

Proposed Zoning: B-3 (Major Commercial)

Existing Zoning: R-1 (Single-Family Residential)

Map & Parcel: 446-7

Parcel Size: 8.37 acres

Proposed Use: Permitted uses in B-3

Applicant: Ashley Kessler
100 Mingledorff Court
Springfield, GA 31329

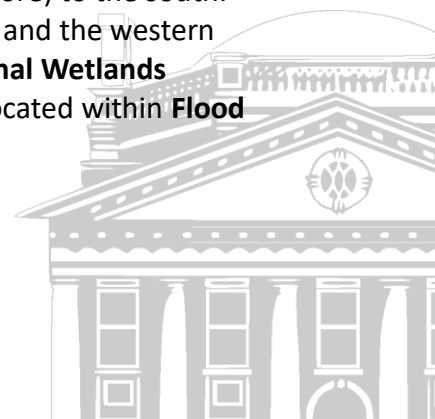
Owner(s): Salvador Figueroa
415 Flint Drive
Rincon, GA 31326

Location: Mill Pond Road

Existing Land Use and Zoning:

The subject property is located along **Mill Pond Road**, just northwest of **Chase Drive**. The County Tax Assessor records indicate the parcel is currently vacant. Ingress and egress are provided from Mill Pond Road.

The property is currently zoned **R-1** (Single-Family Residential). Adjacent zoning includes **B-3** (Major Commercial) to the north and **AR-1** (Agricultural–Residential; 5 acres or more) to the south. Properties to the east are zoned **AR-1** (Agricultural–Residential; 5 acres or more), and the western boundary adjoins the **railroad corridor** and **industrially zoned parcels**. The **National Wetlands Inventory** indicates the presence of wetlands on the property, and the parcel is located within **Flood Zone X**.



The Proposed Development:

The applicant is requesting to rezone approximately 8.37 acres from R-1 (Single-Family Residential) to B-3 (Major Commercial). The purpose of the request is to allow for the construction of a pole barn for the storage of work-related equipment, including an excavator and skid steer, as well as personal recreational vehicles.

The three parcels directly north of the subject property are currently zoned B-3 (Major Commercial). Approval of the requested rezoning would make the subject property consistent with the adjacent zoning pattern and extend the established commercial district in a contiguous manner.

The following uses are also allowed within the B-3 (Major Commercial) zoning district: Housing Services, Automobile Sales and Services (except wrecked vehicle import/export and junkyards), Heavy Consumer Goods or Sales Services, Durable Consumer Goods Sales or Services, Consumer Goods, Grocery, Food, Beverage, Dairy, etc., Health and Personal Care, Finance and Insurance, Real Estate Services (except property management services and rental housing – related), Rental and Leasing – Non-Residential, Professional Services, Administration Services, Services to Buildings and Dwellings, Food Services, Personal Services, Pet and Animal Sales or Services, Flex Space with Retail Front, Enclosed/Mini Storage/Self-Storage, Road, Ground Passenger, and Transit Transportation, Publishing, Telecommunications and Broadcasting, Information Services and Data Processing Industries, Water, Steam, Air Conditioner Supply, Theater, Dance, or Music Establishment, Sports Team or Club, Museums and Other Special Purpose Recreational Institutions, Amusement, Sports, or Recreation Establishment, Natural and Other Recreational Parks, Educational Services, Public Administration, Judicial Functions, Other Government Functions, Public Safety (Gov’t Owned), Health and Human Services, Social Assistance, Welfare and Charitable Services, Religious Institutions, Final Care Services, Associations, Nonprofit, Organizations, etc., Building, Developing, and General Contracting, Machinery Road, Special Trade Contractor, Heavy Construction Contractor, Agriculture, Forestry, Fishing and Hunting, and Support Functions for Agriculture.

On October 6, 2025, the applicant met with staff for a Technical Review Committee meeting. The discussion included the requirements of the B-3 zoning district, access considerations, buffer standards, and the rezoning process.

Buffer requirements:

B-3 to B-3 = 15ft;

B-3 to AR-1 = 30ft

Greenspace:

15%

Comprehensive Plan:

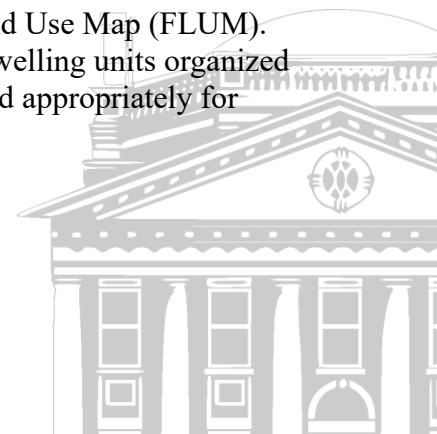
The parcel falls within the Agricultural–Residential area on the Future Land Use Map (FLUM). This prominent use of land within this area is for single-family and multifamily dwelling units organized into general categories of net densities. Residential zoning ensures that land is used appropriately for

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housing, considering factors like density, building types, and neighborhood character (Effingham County 2020-2040 Joint Comprehensive Plan, pg. 37).

The National Wetland Inventory indicates the presence of wetlands located along the northern portion of the parcel and extend into the northeast corner of the property,

Planning Board Recommendation:

At the February 10, 2026, Planning Board Meeting, Mr. Walter Boykin motioned for approval with the condition based upon the requirement of a legal easement from Ebenezer Road be placed in use between one year of approval, denying commercial or heavy truck traffic from Mill Pond Road. Mr. Neal Kessler seconded the motion, and the motion carried unanimously.

Determination:

Staff reviewed the application and determined it to be complete, subject to the following conditions:

1. Any new encroachments onto Mill Pond Road must obtain an encroachment permit from Effingham County.
2. The Planning Board added a condition requiring that a legal easement from Ebenezer Road be established and placed into operational use within one (1) year of approval.
3. The Planning Board added a condition prohibiting commercial or heavy truck traffic from Mill Pond Road.

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