



Staff Report

Author: Kimberly Barlett, Senior Planner
Department: Development Services
Subject: Variance
Meeting Date: April 7, 2026
Application: VAR-26-8

Existing Zoning: AR-1 (Agricultural – Residential, 5 acres or more)

Map & Parcel: 235-22

Parcel Size: 14.62 acres

Applicant: Jeremy Hill
876 Old Tusculum Road
Springfield, Ga 31329

Owner(s): Gwendolyn Beasley
584 Harry Lindsay Road
Guyton, Ga 31312

Commissioner District: Third District

Location: 582 Harry Lindsay Road
Guyton, GA 31312

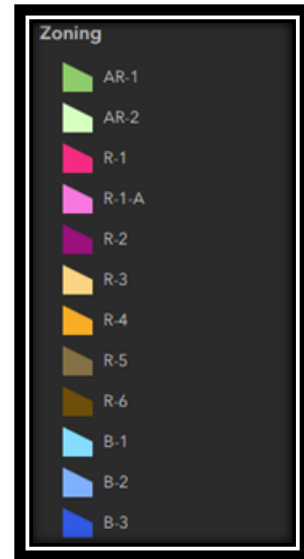
Existing Land Use and Zoning:

The parcel is located at 582 Harry Lindsay Road. The parcel currently has two stick-built homes, as confirmed through the Effingham County Tax Assessor's database. Access to the property is provided via Harry Lindsay Road.

Surrounding properties are zoned AR-1 and are characterized by low-density residential and agricultural uses:

- **North, South, East, and West:** AR-1 (Agricultural–Residential, 5 acres or more)





The Proposed Request:

This variance request is intended to modify the current building setback requirements to allow for an addition to the applicant's home. The applicant proposes to construct a 1,900-square-foot attached mother-in-law suite.

Due to the orientation of the existing residence, placement of the addition at the rear of the home is the only feasible option. Construction on the west side of the home is not practical, as that area contains the master bedroom. Additionally, placing the addition on the east side of the home would not meet the required setback standards.

Required AR-1 Setbacks

- Front: **50 feet required** → **25 feet requested**
- Side: **25 feet required** → **(no change requested)**
- Rear: **50 feet required** **(no change requested)**

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Minimum lot area	5 acres
A maximum of two residential units are permitted per lot. These may consist of two principal dwellings, or one principal dwelling, and one accessory dwelling unit (ADU)	2 units
Minimum lot road frontage	100 feet
Minimum lot width at building line	150 feet
Minimum front yard setback	50 feet
Minimum rear yard setback	50 feet
Minimum side yard (interior) setback	25 feet
Minimum side yard (street/road easement) setback	50 feet

Facts and Findings:

Site Characteristics

The subject parcel contains **14.62 acres** and currently has two stick-built homes located on Harry Lindsay Road. Access is provided directly from Harry Lindsay Road. The parcel is rural in character and contains known **wetlands, with no known floodplain or environmental constraints** based on County GIS mapping.

Surrounding Development Pattern

The area surrounding the parcel consists primarily of rural residential homesteads and agricultural tracts. Development intensity remains low, with lot sizes predominantly ranging from five (5) acres or more.

Zoning Context

The parcel is currently zoned **AR-1**, which requires a minimum lot size of five (5) acres. Surrounding properties are also zoned AR-1, reflecting a transition from agricultural homesteads to lower-density residential development. The applicant intends to construct an addition to the residence. As a result, the existing zoning standards cannot be maintained without the approval of a variance to reduce the required setbacks and achieve compliance.

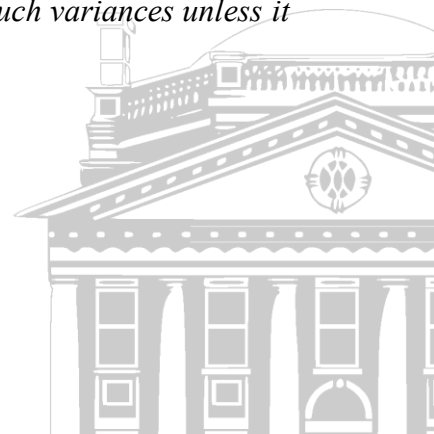
Infrastructure and Services

The property is served by a **private well and septic**, consistent with surrounding development. No public water or sewer is available in this area. Emergency access is adequate via Harry Lindsay Road.

Variance Criteria- Article IX- 9.1: The board of commissioners shall not grant such variances unless it finds based on the evidence presented to it in each specific case that:

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a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property, and;

b. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property, and;

c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out, and;

d. The relief sought will not in any manner vary the provisions of the zoning ordinance or comprehensive plan, except that those documents may be amended in the manner prescribed by law.

Staff Analysis of Variance Criteria

(a) Public Safety and Welfare

The requested reduction in setback requirements is not expected to negatively impact public safety, health, or welfare. The proposed encroachment into the required setback is not expected to create hazardous conditions related to traffic visibility, emergency access, drainage, or utility infrastructure. The location of the proposed structure appears to maintain adequate separation from adjacent properties and does not interfere with access for fire, police, or emergency services. The variance will allow the property to develop in a manner compatible with surrounding residential properties.

(b) Unique Conditions

The subject property is affected by unique circumstances related to the orientation and placement of the existing dwelling on the lot. The home was constructed in a manner that limits available space at the rear of the property, making it difficult to accommodate an addition while meeting the required rear setback. As a result, the buildable area behind the structure is constrained compared to similarly zoned properties.

(c) Hardship

Strict application of the required rear setback would create an unnecessary hardship for the applicant due to the existing orientation and placement of the home on the lot. The current configuration of the structure limits the available buildable area at the rear of the property, making it difficult to construct a reasonable addition in compliance with setback requirements.

(d) Consistency with the Ordinance and Comprehensive Plan

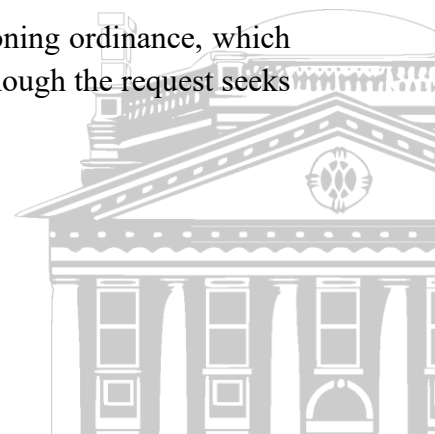
The requested variance is consistent with the general purpose and intent of the zoning ordinance, which is to promote orderly development while allowing reasonable use of property. Although the request seeks

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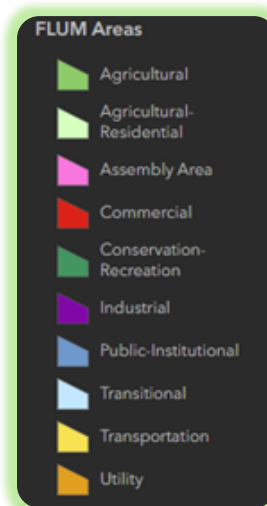
relief from the strict application of setback requirements, the variance is limited in scope and does not undermine the overall goals of the ordinance.

The proposed addition is residential in nature and is compatible with surrounding land uses. Granting the variance will not alter the character of the neighborhood or set a precedent that would significantly impact the enforcement of setback standards.

Additionally, the request is consistent with the goals and policies of the Comprehensive Plan, which support maintaining established residential areas, allowing for reasonable property improvements, and protecting the health, safety, and welfare of the community.

Comprehensive Plan:

The parcel is designated **Agricultural** area on the **Future Land Use Map (FLUM)**. This category supports low-density residential development that is compatible with nearby agricultural uses. The intent is to ensure residential development patterns that are compatible with surrounding densities, building types, and established neighborhoods characterized by low intensity development, larger lots, low pedestrian orientation and access, with a sizable amount of open space, and with a high degree of separation and deep setbacks. (Effingham County 2020-2040 Joint Comprehensive Plan, pg. 36).



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Recommendation:

Staff recommends **APPROVAL**. Based on the evidence presented and the findings contained in this report, staff finds that the request satisfies the variance criteria contained in Article IX, Section 9.1 of the Effingham County Zoning Ordinance. Staff recommends **approval** of the requested variance to reduce the required setback to allow for a residential addition. The request is supported by the unique conditions of the property, specifically the orientation and existing placement of the home, which limits the ability to meet rear setback requirements.

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