

## Staff Report

**Subject:** Rezoning (Fourth District)  
**Author:** Katie Dunnigan, Zoning Manager  
**Department:** Development Services  
**Meeting Date:** January 03, 2023  
**Item Description:** **Ernest Zipperer** requests to **rezone** 9 of 90.90 acres from **AR-1** to **I-1** to allow for a GDOT approved borrow source/pit. Located at 835 Horsepen Road & 1886 Blue Jay Road. **Map# 394**  
**Parcels# 14&15**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 9 of 90.90 acres from **AR-1** to **I-1** to allow for a GDOT approved borrow source/pit, with conditions.

### Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Pursuant to *Sec. 3.17.3.3*, excavation activity that involves movement of soil off-site must be located within the I-1 zoning district.
- The proposed GDOT approved borrow source site is close to the Effingham Parkway construction site. The applicant indicates that all dirt will be transported directly to the construction site.
  - At the December 19, 2022 Planning Board meeting, Brad Smith made a motion for approval.
  - The motion was seconded by Peter Higgins and carried unanimously.

### Alternatives

1. **Approve** the request to **rezone** 9 of 90.90 acres from **AR-1** to **I-1**, with conditions:
  1. This rezoning allows a GDOT approved borrow source for a GDOT project. No other I-1 uses are allowed.
  2. The dirt shall be transported directly to the Effingham Parkway construction site.
  3. The site shall meet the requirements of **Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.**
  4. The site shall meet the requirements of **Section 3.17.5 Surface Mine Operations – Road Maintenance Requirements**, if there is an entrance on a county-maintained road.
  5. The business operator shall meet the requirements of **Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes**, if county-maintained roads are used to transport dirt.
  6. The applicant shall notify the Development Services Department at the time of final reclamation of the GDOT approved borrow source, and shall rezone the property to AR-1. If notification of satisfactory final reclamation and close-out is not provided to Development Services after 10 years, I-1 zoning must be re-approved by the Board of Commissioners.
  7. No digging or hauling activities shall take place except between the hours of 7:00a.m. and 5:00 p.m. Monday through Saturday.

2. **Deny** the request to **rezone** 9 of 90.90 acres from **AR-1** to **I-1**.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Rezoning application and checklist	4. Deed
2. Ownership certificate/authorization	5. Aerial photograph
3. Plat	