

RZN-24-18

Rezoning Application

Status: Active

Submitted On: 3/5/2024

Primary Location

215 Sixth Street

Guyton, GA 31312

Owner

TUTTLE ANN

SIXTH ST 215 GUYTON, GA

31312

Applicant Janelle Drawdy 912-826-7100 ext. 215 jdrawdy@carellaslaw.com P.O. Box 2599

Rincon, GA 31326

Attorney, Georgia 31326

Staff Review

 **Planning Board Meeting Date***

04/09/2024

 **Board of Commissioner Meeting Date***

05/07/2024

 **Notification Letter Description ***

subdivision to create new home sites.

 **Map #***

297

 **Parcel #***

32

 **Staff Description** **Georgia Militia District***

10

 **Commissioner District***

1st

 **Public Notification Letters Mailed**

03/18/2024

 **Board of Commissioner Ads**

04/17/2024

🔒 Planning Board Ads

03/20/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Chris Murphy

Applicant Email Address*

cmurphy@carellaslaw.com

Applicant Phone Number*

19128267100

Applicant Mailing Address*

P.O. Box 2599

Applicant City*

Rincon

Applicant State & Zip Code*

GA 31326

Property Owner Information

Owner's Name*

Lisa Diane Tuttle Allen, Executor Estate
of Ann Tuttle

Owner's Email Address*

diane.allen.home@gmail.com

Owner's Phone Number*

501-400-4078

Owner's Mailing Address*

1411 Dorado Beach Drive

Owner's City*

Little Rock

Owner's State & Zip Code*

AR 72212

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

AR-2 (Agricultural Residential Less than 5 Acres)

Map & Parcel *

02970032

Road Name*

Sixth Street

Proposed Road Access* 

Sixth Street

Total Acres *

2

Acres to be Rezoned*

2

Lot Characteristics *

Basically rectangle 2 acres

Water Connection *

Private Well

Sewer Connection

Private Septic System

Justification for Rezoning Amendment *

Subdivision of property into 2 parcels

List the zoning of the other property in the vicinity of the property you wish to rezone:

North*

AR-2

South*

AR-1

East*

AR-1

West*

AR-1

Describe the current use of the property you wish to rezone.*

2 residential homes

Does the property you wish to rezone have a reasonable economic use as it is currently zoned?*

Yes

Describe the use that you propose to make of the land after rezoning.*

The use will remain the same

Describe the uses of the other property in the vicinity of the property you wish to rezone?*

Residential property


Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?*

The use of the property to be rezoned will continue as it is now. It cannot be subdivided into 2 parcels, however without rezoning.

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

No.

Digital Signature*

 Lisa Diane Tuttle Allen
Mar 5, 2024

SURVEY OF PARCEL #:(02970032), BEING SUBDIVIDED INTO TWO TRACTS LOCATED IN THE 10th G.M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA

LINE BEARING	HORIZ DIST
N1°55'58"W	208.04'

FLOOD INFORMATION:
 FEMA FLOOD MAP: (13103C0245E)
 EFFECTIVE DATE: (3/16/2015)
 THIS AREA IS NOT LOCATED IN A FLOOD HAZARD AREA

FLOOD ZONE:
 "X" AREA OF MINIMAL FLOOD HAZARD

ZONING:
 AR - 2

B.S.L.
 FRONT = 50'
 REAR = 50'
 SIDE = 15'

RESERVED FOR THE CLERK OF COURT

1. THE FIELD DATA WAS COLLECTED USING A TOPCON CARLSON BRK8+ GPS.
2. THIS PARCEL IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY THE F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1976.
5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A. 15-6-67) IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN HEREON. AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON THE FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE TO ME AT THE TIME OF THE SURVEY. THE CERTIFICATION IS NOT EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.
7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A FIELD CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET. AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS INDICATED BY SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR SIGNIFICATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

WILLIAM MARK GLISSON RLS #3316
 DATE: 2/19/2024



GRAPHIC SCALE 1" = 100'



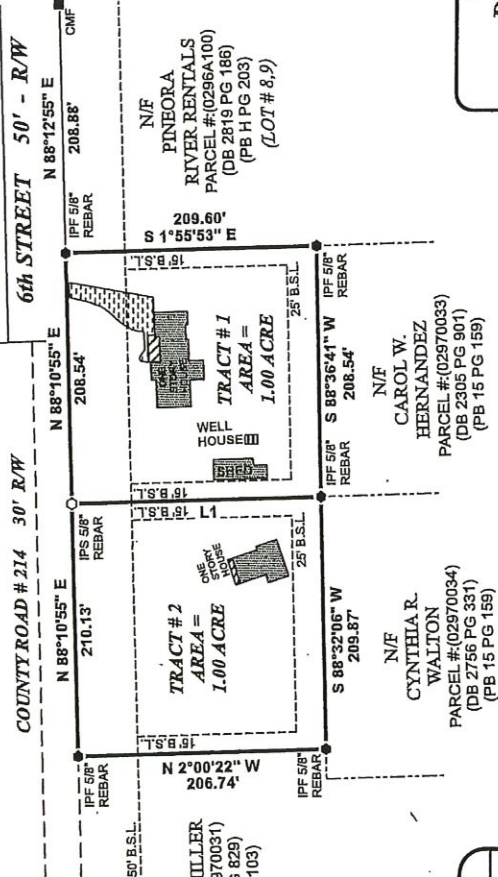
STATE OF GEORGIA
 LSF # 1404

BASED UPON THE REPRESENTATIONS OF THE ENGINEER/SURVEYOR WHOSE SEAL IS AFFIXED HERETO AND SUPPLEMENTARY INFORMATION PROVIDED, A REVIEW OF THE PLAT AS REPRESENTED BY THE SAID ENGINEER/SURVEYOR FINDS THAT THIS PLAT COMPLIES WITH THE OSMMS REGULATIONS FOR A TYPICAL SIZE RESIDENCE OF 3 OR 4 BEDROOMS WITH BASIC APURTENANCES. EACH LOT MUST BE REVIEWED AND APPROVED FOR ON-SITE SEWAGE MANAGEMENT SYSTEM PLACEMENT WORK TO THE ISSUANCE OF A CONSTRUCTION PERMIT. MODIFICATIONS OR CHANGES IN SITE DESIGNATION MAY VOID THIS APPROVAL

SIGNING AUTHORITY _____ TITLE _____ DATE _____

APPROVED FOR RECORDING BY EFFINGHAM COUNTY ZONING ADMINISTRATOR

ZONING ADMINISTRATOR _____ DATE _____



REFERENCES:
 1. PB C40 PG A1

SURVEY FOR:	
DIAN ALLEN	
COUNTY:	EFFINGHAM STATE: GEORGIA
GMD:	10th
DATE:	02/15/2024
FILE NUMBER:	24141
DRAWN BY:	KJ
TOTAL AREA:	= 2.00 ac.
FIELD SURVEY DATE:	02/13/2024



PREPARED BY:

WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR
 GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964

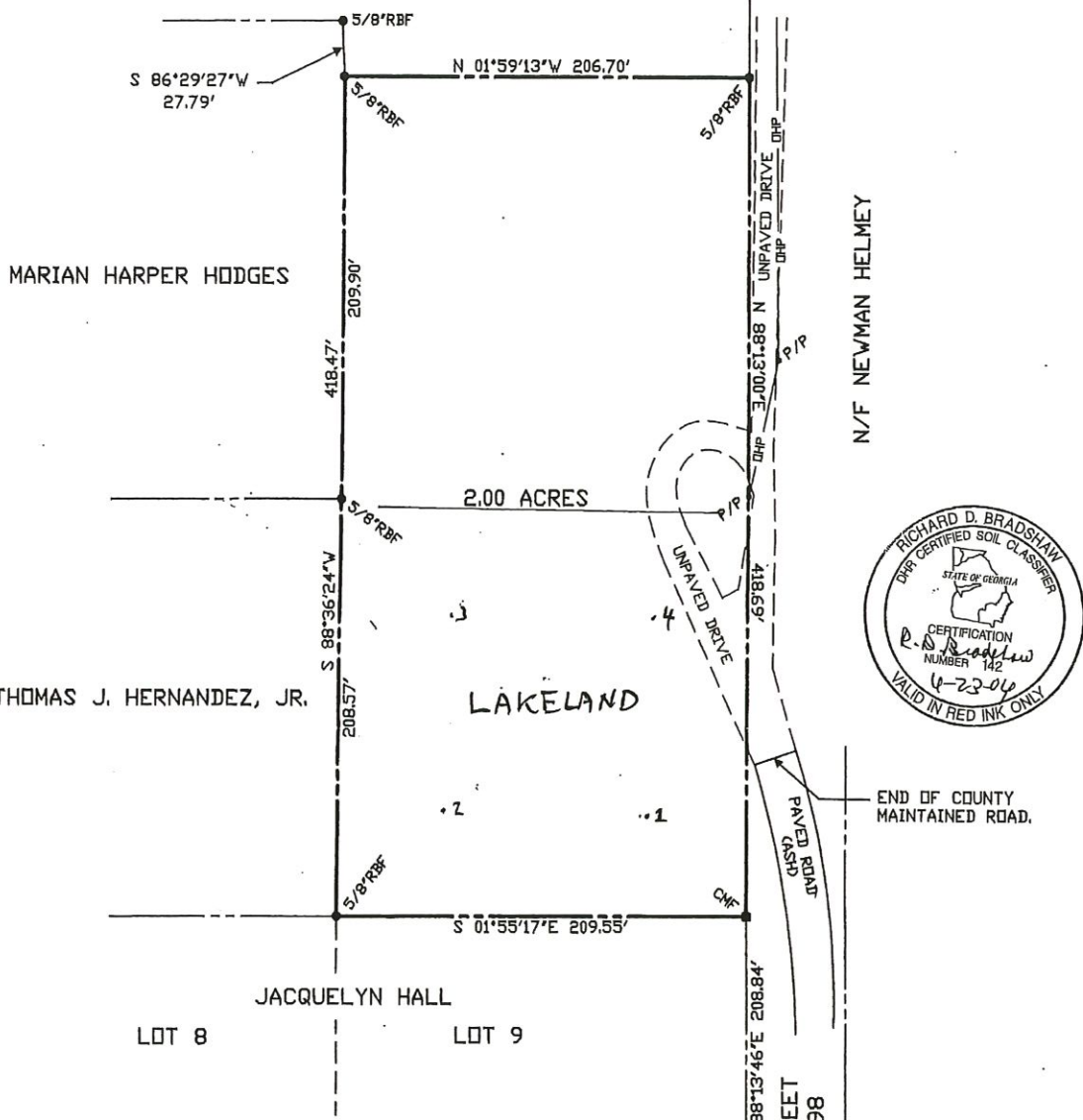
377 TUCKER ROAD, CLAXTON, GEORGIA 30417
 RINCON: (912) 826 - 5283 CLAXTON: (912) 282 - 7052
 WMGLISSON@BELL.SOUTH.NET

04 APR 21 PM 1:06

ELIZABETH Z. HURSEY
CLERK E.C.S.C.

DIANA M. GOMEZ &
JACQUELINE A. GOMEZ

(SOLAR OBSERVATION)
GRID NORTH

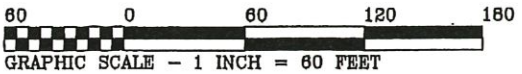


REFERENCES:
 SURVEYOR'S RECORD H, PAGE 203.
 PLAT BOOK 15, PAGE 159.
 PLAT BY PAUL D. WILDER DATE OCT. 24, 1985.

PURSUANT TO O.C.G.A. SECTION 15-6-67,
 I CERTIFY THAT THIS PLAT DOES NOT REQUIRE
 APPROVAL OF EFFINGHAM COUNTY
 PLANNING COMMISSION.

Michael E. Stone
 MICHAEL E. STONE R.L.S. #2747

ERROR OF CLOSURE:
 FIELD DATA 1/ 33,880'
 ANGULAR ERROR 01' PER ^ POINT
 ADJUSTED BY COMPASS RULE
 PLAT CLOSURE 1/ 548,576'
 EQUIPMENT USED:
 03' ELECTRONIC TOTAL STATION



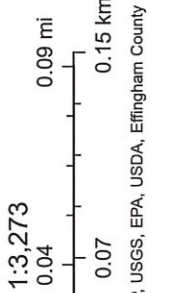
PLAT OF 2.00 ACRES PORTION OF THE LULA B. HELMEY TRACT SURVEYED FOR ANN H. TUTTLE	
LOCATION: G.M.D. 10, EFFINGHAM COUNTY, GEORGIA	
DATE: APRIL 9, 2004	FILE NO. 04158
WILDER, STONE & ZIPPERER LAND SURVEYORS, INC. (912) 826-5412, PO BOX 1490 RINCON, GA 31326	

297-32



3/5/2024

- Addresses
- Roads
- Efn_fin_cache
- Tax Parcels
- Tax Parcel Labels
- Red: Band_1
- Green: Band_2
- Blue: Band_3



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Effingham County BOC

297-32



3/5/2024

- Addresses
- Tax Parcels
- AR-2
- AR-1
- AR-3
- Tax Parcel Labels
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Effingham County Zoning
- Efn_fin_cache

Scale: 1:3,273

0 0.02 0.04 0.09 mi

0 0.04 0.07 0.15 km

Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Effingham County BOC

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Chris Murphy as agent for Lisa Allen, Executor estate of Ann Tuttle – (Map # 297 Parcels # 32)** from **AR-1** to **AR-2** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Chris Murphy as agent for Lisa Allen, Executor estate of Ann Tuttle – (Map # 297 Parcels # 32) from AR-1 to AR-2 zoning.**

- Yes No? 1. Is this proposal inconsistent with the county’s master plan? No
- Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools? No
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[Handwritten scribbles in blue ink]

Part they want it clear no more subdivision or drive access

R.T.

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P.H.
Chris Murphy

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APPROVAL ~~_____~~ DISAPPROVAL _____

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B.S.