



### RZN-24-54

Rezoning Application

Status: Active

Submitted On: 8/5/2024

### Primary Location

Owner

### Applicant

Neil McKenzie  
 912-200-3041  
 nmckenzie@cci-sav.com  
 1480 Chatham Parkway  
 Suite 100  
 Savannah, Georgia 31405

## Staff Review

Planning Board Meeting Date\*

09/10/2024

Board of Commissioner Meeting Date\*

10/01/2024

Notification Letter Description \*

to allow for residential development.

Map #\*

298

Parcel #\*

9

Staff Description

Georgia Militia District

10

Commissioner District\*

1st

Public Notification Letters Mailed

08/19/2024

Board of Commissioner Ads

09/11/2024

🔒 Planning Board Ads

08/21/2024

🔒 Request Approved or Denied

—

🔒 Plat Filing required\* [?](#)

Yes

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## Applicant Information

Who is applying for the rezoning request?\*

Agent

Applicant / Agent Name\*

Hunter Maclean c/o Josh Yellin

Applicant Email Address\*

jyellin@huntermaclean.com

Applicant Phone Number\*

9122360261

Applicant Mailing Address\*

200 E. St Julian Street

Applicant City\*

Savannah

Applicant State & Zip Code\*

GA 31412

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## Property Owner Information

Owner's Name\*

Cassie Michele Hinely

Owner's Email Address\*

chinely305@aol.com

Owner's Phone Number\*

3053431114

Owner's Mailing Address\*

4455 S. HWY 17

Owner's City\*

Guyton

Owner's State & Zip Code\*

GA 31312

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## Rezoning Information

How many parcels are you rezoning?\*

1

Present Zoning of Property\*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property\*

PD (Planned Development)

Map & Parcel \*

02980009

Road Name\*

Sandhill Road

Proposed Road Access\* 

Sandhill

Total Acres \*

247.2

Acres to be Rezoned\*

247.2

Lot Characteristics \*

Parcel is vacant and undeveloped; used for hunting. There is an existing pond onsite as well as freshwater wetlands.

Water Connection \*

Public Water System

Name of Supplier\*

Private Provider

Sewer Connection

Public Sewer System

Name of Supplier\*

Private Provider

**Justification for Rezoning Amendment \***

The provide housing opportunities to meet the increasing needs of the County.

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

**North\***

AR-1

**South\***

AR-1

**East\***

AR-1

**West\***

AR-1

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

Undeveloped, agricultural

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

Not based on the needs of the County.

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

Single family detached residential.

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

Residential and agricultural

**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 proposed single family residential use is consistent with surrounding residential uses.

**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?\***

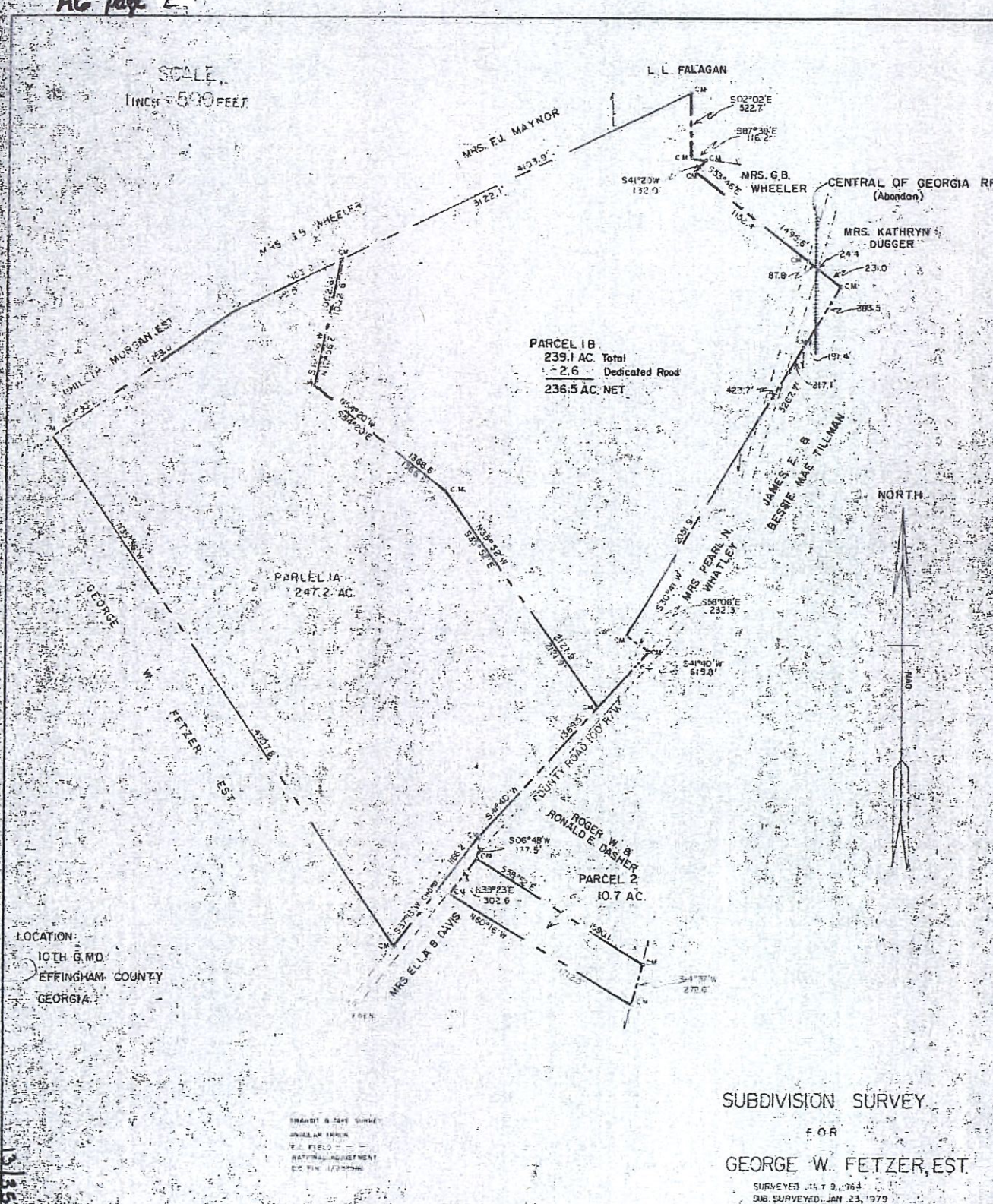
A traffic study will be completed and any identified improvements will be completed. Water and sewer will be privately provided and the Developer will coordinate with the School Board to ensure this project is included in student population projections.

**Digital Signature\***

 Neil P. McKenzie  
Aug 5, 2024

AL page E

SCALE  
INCHES TO 600 FEET



PARCEL 1B  
 239.1 AC Total  
 - 2.6 AC Dedicated Road  
 236.5 AC NET

PARCEL 1A  
 247.2 AC

PARCEL 2  
 10.7 AC

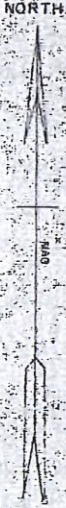
LOCATION:  
 10TH G.M.D.  
 EFFINGHAM COUNTY  
 GEORGIA

STANDARD B AND C SINGLE  
 DIVISION IRON  
 E. L. FIELD  
 NATIONAL ADJUSTMENT  
 CO. PIN 11/22/55

SUBDIVISION SURVEY  
 FOR  
 GEORGE W. FETZER, EST.

SURVEYED JULY 9, 1964  
 AND SURVEYED, JAN. 23, 1979  
 BY ROBERT L. BELL  
 REG. LAND SURVEYOR  
 NO. GA. 274

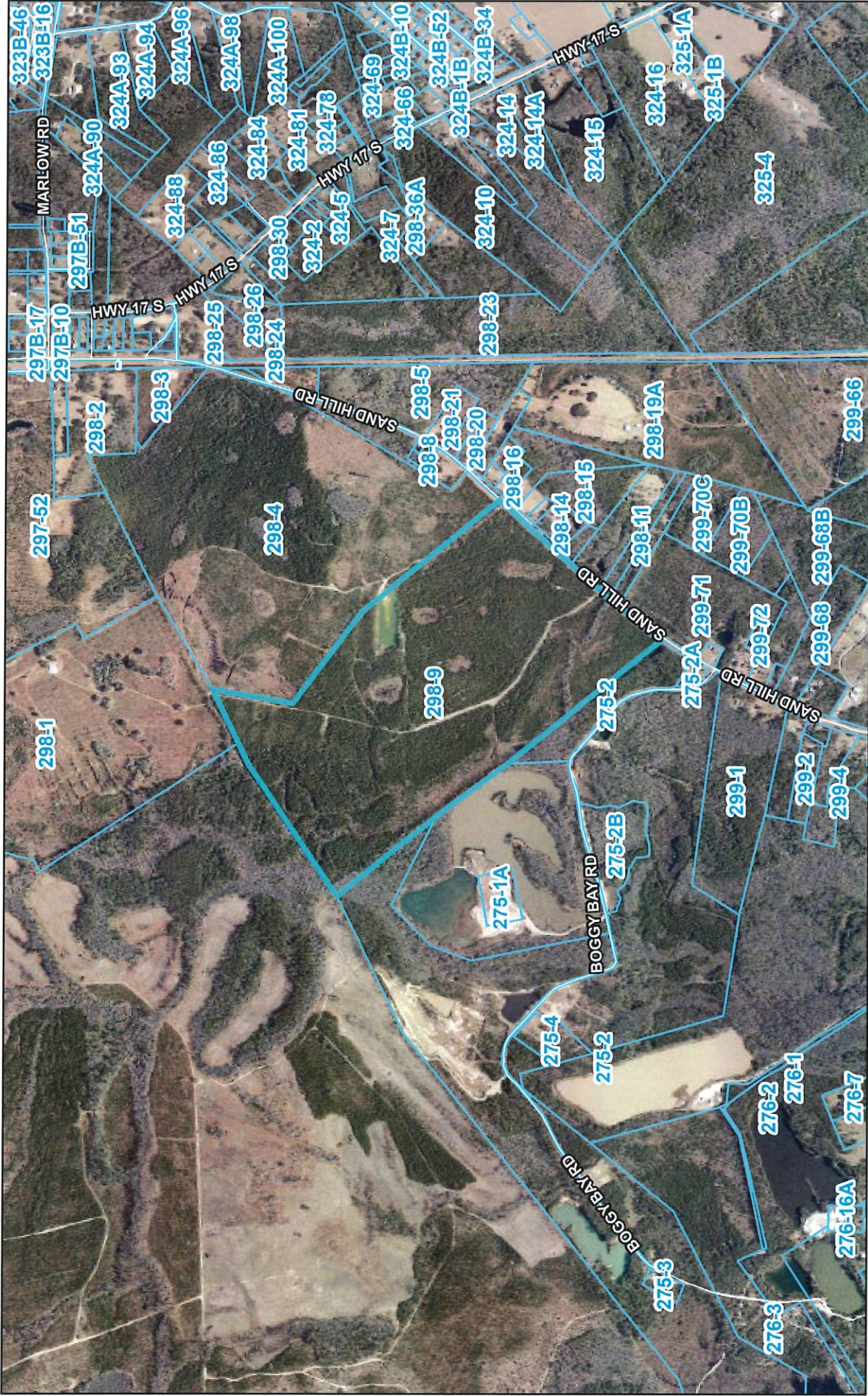
*Robert L. Bell*



935



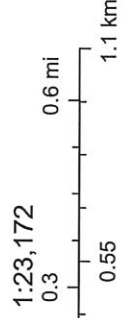
298-9



8/5/2024

Roads

Parcels



Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA





# Hinely Tract Residential Planned Development (PD-R)

Submitted To:  
Effingham County



July 2024, **DRAFT**

Prepared By:  
Coleman Company, Inc.



***Hinely Tract Planned Development (PD-R)***

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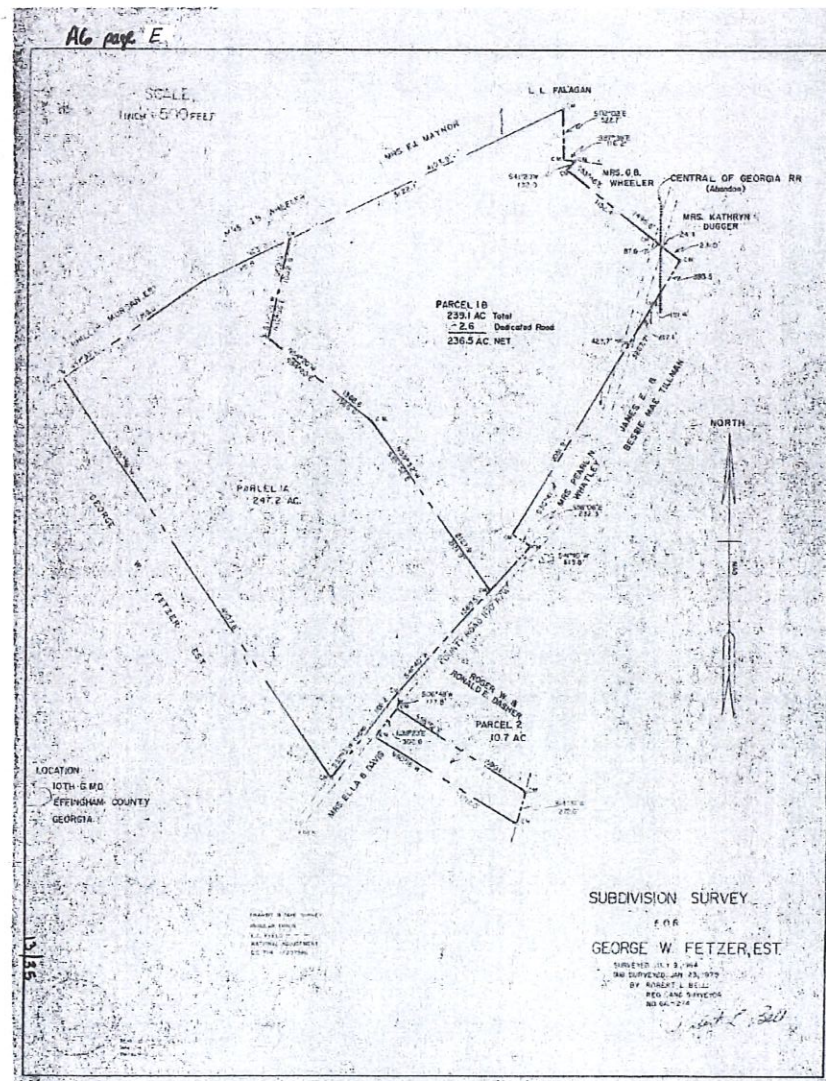
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## Hinley Tract Planned Development (PD-R)

The Hinley Tract Planned Development (PD-R) is located on Sand Hill Road in Effingham County, Georgia, consisting of Parcel Identification Number 02980009. The current usage of the property is vacant/undeveloped. The parcel consists of approximately 247.20 acres and is currently zoned Effingham County AR-1 (Agricultural). A boundary survey retrieved from the Effingham County Superior Courthouse is attached below. A larger copy, along with a legal description, is also attached.

Figure 2. Hinley Tract PD-R Boundary Exhibit



## ***Hinely Tract Planned Development (PD-R)***

### **Article 5.15 - Purpose**

A rezoning to PD-R, as allowed under Article 5.15, of the Effingham County Zoning Ordinance, is necessary to allow the uses, mixture of uses, and development standards which will govern the development of the property. Development, as proposed herein, goes “hand in hand” with the purpose statement of Article 5.15.7.5 Residential (PD-R), which states:

*Characteristics and intent: It is the intent of this ordinance that the PD-R district may be applied to any residential area where the developer wishes to apply use regulations or controls more restrictive than those required by other residential districts in this ordinance.*

*Special requirements: In addition to other information required elsewhere in this section for submission of a PD district, applications for PD-R districts shall be accompanied by any additional restrictions, limitations, conditions, plans, easements, rights, or privileges beyond those normally required in a residential district in this ordinance, which the developer proposes for application to this proposed PD district.*

### **Article 5.15.1 – Eligibility Requirements**

#### **1. Size**

The PD-R meets the minimum required site size of 20 acres for an all residential type. The total acreage of the Hinely Tract is 247.2 acres.

#### **2. The site must have a minimum width, between any two opposite boundary lines of 300 linear feet and must adjoin or have direct, adequate access (as defined by the Highway Capacity Manual, most current edition), to at least one improved public road as shown on the county road classification map.**

The Hinely Tract PD-R minimum distance between two opposite property lines is 2500 linear feet and has direct access to Sandhill Road.

#### **3. There is hereby established the requirement that development projects, as determined by the planning board staff, will submit a development of regional impact report for review by staff.**

A DRI will be required as this PD-R proposes more than 125 new homesites in a non-metropolitan area.

#### **4. Ownership and Control**

The tract of land for the PUD application is in single ownership.

**Article 5.15.2 Procedure for creating and maintaining a PD district.**

**5.15.2.1** Any request pertaining to the establishment of a PD district shall be considered a proposal for amendment to the zoning ordinance and shall be processed in accordance with the regulations set forth in article IX of appendix C of the county code (hereafter appendix C), with regards to application requirements, county planning board review (hereafter planning board), and public hearings. All data set forth in appendix C, shall be submitted to the planning board, and subsequently forwarded to county board of commissioners (hereafter board of commissioners) with the recommendations of the planning board. If approved by the board of commissioners, the master plan shall be officially delineated on the zoning districts map and such plan and all information submitted in conjunction with the proposal, as amended, shall be adopted as planned development district. All further development shall conform to the standards adopted for the district, regardless of any changes in ownership. The violation of any provision of the master plan, as submitted and approved, shall constitute a violation of this ordinance. In any event, where it is determined by the board of commissioners that development of the PD district is not in accordance with the standards adopted for that district, the board of commissioners shall be empowered to amend the ordinance to place parts or all of the property in its prior zoning classification.

**5.15.2.2** Any substantial changes in the development of the district shall be treated as proposed amendments to the zoning ordinance and must be considered in accordance with the procedures set forth in article IX. For purposes of this subsection, substantial change shall be defined as an overall change in land use, change in acreage, a change in project intent, or a change in buffers along the project's external boundary. Minor changes will not be treated as a proposed amendment to the zoning ordinance and may be approved with authorization of the county manager and/or development services official. Minor changes for the purpose of this subsection shall be defined as changes in street access or alignment, changes in public or common areas, changes in building setbacks, or changes to buffers between internal components of the project. The development services official shall be responsible for determining whether a proposed change is substantial or minor. Substantial changes must be approved by planning board and county commission. Appeals based on hardship or an alleged misinterpretation of the ordinance by the development services official shall be processed in accordance with the procedures set forth in article IX of this ordinance.

**5.15.2.3** Only after the PD zoning has been approved by the board of commissioners, may the applicant submit a site plan for development, however, no building permit shall be issued for a PD district until a site plan conforming to the requirements set forth in appendix B, entitled subdivision

## ***Hinely Tract Planned Development (PD-R)***

regulations, found within the Effingham County Code, has been submitted to and approved by the board of commissioners.

**5.15.2.4** No site plan approved by the board of commissioners shall be valid for a period longer than 12 months, unless within such period a preliminary plat is submitted pursuant to Appendix B of the Effingham County Code. The planning board may recommend to the board of commissioners to grant extensions not exceeding 12 months each upon written request of the original applicant if the application submitted is substantially the same as the initial application. However, the planning board, with approval of the board of commissioners, has the power in such cases to attach new conditions to its reapproval or disapproval of the reapplication. Where the application for reapproval contains changes which the zoning administrator concludes materially alter the initial application, he shall initiate a new site plan review procedure as stated herein.



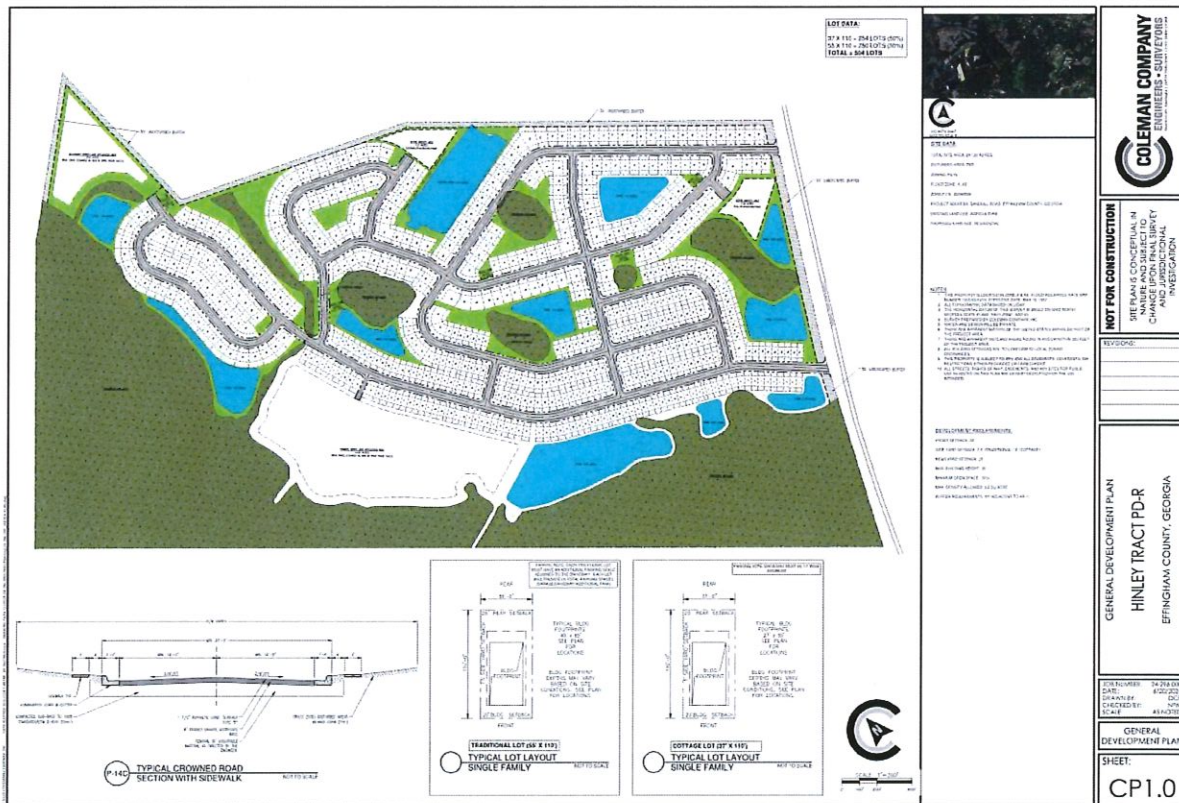
# Hinley Tract Planned Development (PD-R)

## Article 5.14.4 – Permitted Uses

The Hinley Tract PD-R has two (2) varying lot sizes as indicated on the “Conceptual Plan – Hinley Tract PUD” included below and attached. These lot sizes are:

- Detached Single Family Dwelling – 55'x110' (Traditional lots)
- Detached Single Family Dwelling – 37'x110' (Cottage Lots)

Figure 3. Conceptual Plan – Hinley Tract



**Hinely Tract Planned Development (PD-R)**

**Article 5.15.6 – Design Criteria and Development Standards**

In all PD districts, the general provisions set forth in appendix B shall govern unless relief is granted by the planning board and the board of commissioners.

Overall site design should be harmonious in terms of landscaping, enclosure of principal and accessory uses, parcel sizes, street patterns, and land use relationships. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged. Common open space shall be at least 20 percent of the overall site. In a PD-R, no more than 50 percent of required common open space shall be unbuildable land.

**A. Minimum Lot Size and Zoning Requirements (Basis for PD-R)**

Land Use Type	Max. Density	Min. Lot Area (SF)	Min. Lot Width (FT)	Min. Setbacks (FT)	Max. Building Height (FT)	Max. Building Coverage (%)
Detached Single Family R-5	5 units per net acre	6,600	50	Front: 15 Rear: 25 Side (interior): 7.5 Side (street): 15	35	45

**B. Modification of Minimum Requirements**

For this PD-R the overall allowed density shall not exceed 504 units (3.2 dwelling units per net acre) on 158.03 net acres which is less dense than the maximum allowed in current residential zoning (5.0 dwelling units per acre). In the Detached Single-Family requirements, a reduction in the lot width, area, and side setback is being requested. Modifications to the minimum standards for Detached Single Family units are as follows:

**Detached Single Family**

1. Lot Size = 37' x 110' (Cottage Lots)
  - Lot Width = 37 ft
  - Lot Area = 4,070 SF
  - Setbacks = 20' front, 5' side, 15' street, 25' rear
  
2. Lot Size: 55' x 110' (Traditional Lots)
  - Lot Width = 55 ft
  - Lot Area = 6,050 SF
  - Setbacks = 20' front, 7.5' side, 15' street, 25' rear

## ***Hinely Tract Planned Development (PD-R)***

### **C. Common Open Space**

For purposes of the PD-R requirements, "common open space" is defined as an area of land, wetlands or water, or a combination of land, wetlands, and water, designed and intended for the perpetual use and enjoyment of the users of the development and/or the public. Common open space may contain accessory structures and improvements necessary or desirable for educational, noncommercial, recreational, or cultural uses. A variety of open space and recreational areas is encouraged such as: children's informal play areas in close proximity to neighborhoods or dwelling unit clusters; formal parks, picnic - areas and playgrounds; pathways and trails; scenic open areas and communal, noncommercial recreation facilities; and natural conservation areas.

#### **PROJECT TOTALS**

PROPERTY AREA =	<b>247.20 AC</b>
WETLAND AREA =	<b>89.17 AC</b>
DEVELOPABLE AREA =	<b>158.03 AC</b>

MINIMUM REQUIRED COMMON OPEN SPACE = 49.44 AC (20.0% Total Land Area)

**PROPOSED COMMON OPEN SPACE = 87.22 Acres (35.3% Total Land Area)**

Amenity Areas:	2.57 AC
Park Area:	1.23 AC
HOA Common Area/Green Space:	14.64 AC
Perimeter Buffers	5.28 AC
Pond Area (50% of 19.71 ac):	9.86 AC
Wetland Area (50% of 89.17 ac):	44.59 AC
Open Fields (LAS) (50% of 18.10 ac):	9.05 AC

At a minimum, the following regulations shall apply to all common open space within a PD-R:

1. The area of common open space shall not be less than 20 percent of the overall site, no more than 50 percent of the required common open space shall be unbuildable land
2. All common open space shown on the final development plan must be reserved or dedicated by conveyance of title to a corporation, association, or other legal entity, by means of a restrictive covenant, easement or through other legal instrument. The terms of such legal instrument must include provisions guaranteeing the continued use in perpetuity of such open space for the purposes intended and for continuity of proper maintenance of those portions of the open space requiring maintenance.
3. The open space shall meet the following minimum dimensions, contiguity, and connectivity requirements:

## ***Hinely Tract Planned Development (PD-R)***

- a. The required open space shall be centrally located, along the street frontage of the development to protect or enhance views, located to preserve significant natural features, adjacent to dwellings, and/or located to interconnect other open spaces throughout the development or on contiguous properties.
- b. Required open space areas shall be of sufficient size and dimension and located, configured, or designed in such a way as to achieve the applicable purposes of these regulations and enhance the quality of the development. The open space shall neither be perceived nor function simply as an extension of the rear yard of those lots abutting it.
- c. If the site contains a lake, stream or other body of water, the county may require that a portion of the required open space shall abut the body of water.
- d. All required open space areas shall be configured so the open space is reasonably accessible to and usable by residents, visitors and other users of the development. The minimum size of a required open space area shall be 15,000 square feet; provided, however, that the required open space abutting a public street may be less than 15,000 square feet; and, further provided, that the Board of Commissioners, upon recommendation of the Planning Board, may approve other open space areas of less than 15,000 square feet if these areas are designed and established as pedestrian or bicycle paths or are otherwise determined to be open space reasonably usable by residents, visitors and other users of the development. The minimum average dimension of a required open space area shall be 100 feet.
- e. Open space areas are encouraged to be linked with any adjacent open spaces, public parks, bicycle paths or pedestrian paths.
- f. Grading in the open space shall be minimal, with the intent to preserve existing topography, trees and other natural features, where practical.
- g. A sign, structure, or building may be erected within the required open space if it is determined to be accessory to a recreation or conservation use or an entryway. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one (1) percent of the open space area. Accessory structures or uses of a significantly different scale or character than present in abutting residential districts shall not be located near the boundary of the development if they may negatively impact the residential use of adjacent lands as determined by the planning commission. Pathways or sidewalks shall be exempt from this limitation.
- h. The following areas shall not qualify as required common open space for the purposes of this section.
  - i. The area within any public streetright-of-way.
  - ii. The area within private road easements.
  - iii. The area within a subdivision lot.
  - iv. Land within any required yard or setback area.
  - v. Parking and loading areas.

## ***Hinely Tract Planned Development (PD-R)***

- vi. Fifty percent of any easement for overhead utility lines.
  - vii. Fifty percent of any steep slopes (12 percent or over).
4. Fifty percent of any lakes, streams, detention ponds, wetlands or floodplains that are not generally accessible within the development. Accessible shall mean that the feature is bordered by a substantial open space area, park, playground, pathway or reasonable means of access for enjoyment of all owners, visitors or others, in which case the total area may qualify as required common open space. Timber Trails shall qualify as affording connectivity of PUD to the common open space.

### **D. Connectivity**

Pathways for bicycles and pedestrians shall be incorporated throughout the PD-R and along all perimeter streets to ensure connectivity between uses and with the public right-of-way. Pathways and sidewalks shall be constructed in accordance with the County Design Guidelines.

Prior to site development permits, a traffic study will be commissioned to identify needed improvements to public infrastructure due to the impacts of this development.

### **E. Buffering**

The development will have a 30' perimeter undisturbed buffer to adjacent properties. Additionally, the site will have a 50' landscaped buffer along the Sandhill Road frontage.

### **F. Site Lighting**

Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind. Downcasting and shades must be used to keep lighting impacts from affecting to adjacent properties.

### **H. Parking**

Adequate parking facilities are a focal point of this development. Per County standards, the pavement width will be increased to 28' to allow traffic to flow if on-street parking occurs. Traditional lots will be offered with (3) off-street parking spaces per lot. The parking spaces include garages, driveway, and an additional parking pad adjoined to each driveway. Cottage lots will offer a 17' wide (minimum) driveway width for additional parking opportunities. Overflow (parallel) parking will be offered in designated areas around the subdivision. Community amenity areas will also have off-street parking for residents and guests.

### **I. Utilities**

Water and sewer facilities will be provided through a private community system. Domestic and fire protection water service will be provided through a GA EPD approved well and distribution system. The sanitary sewer system will include gravity conveyance and a GA EPD approved onsite Land Application System for treatment and disposal.

## ***Hinely Tract Planned Development (PD-R)***

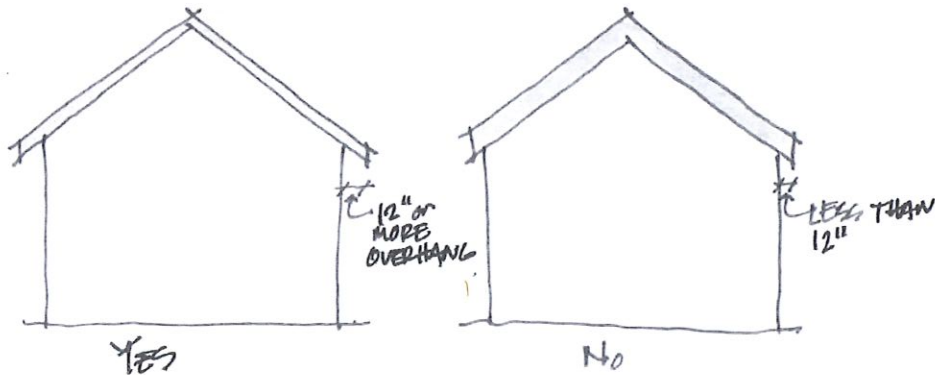
### **J. Offered Amenities**

- Pool/clubhouse
  - Playground
  - Pocket parks (w/ benches)
  - Dog park
  - Walking trail around existing pond
  - Overflow parking areas
  - Open fields for play (subsurface land application areas)
-

## Hinely Tract Planned Development (PD-R)

### Exhibit A – Minimum Architectural Requirements

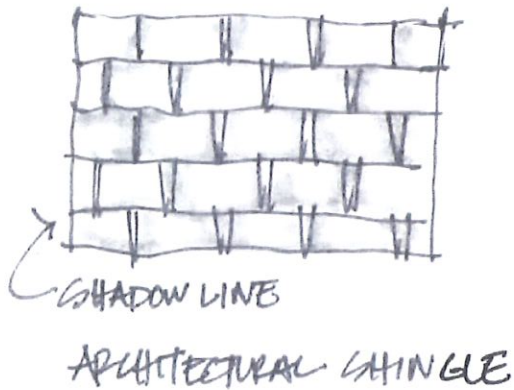
1. Variety of housing types:
  - a. Single family front loaded – 1 and 2 story
2. Minimum 12" roof overhang



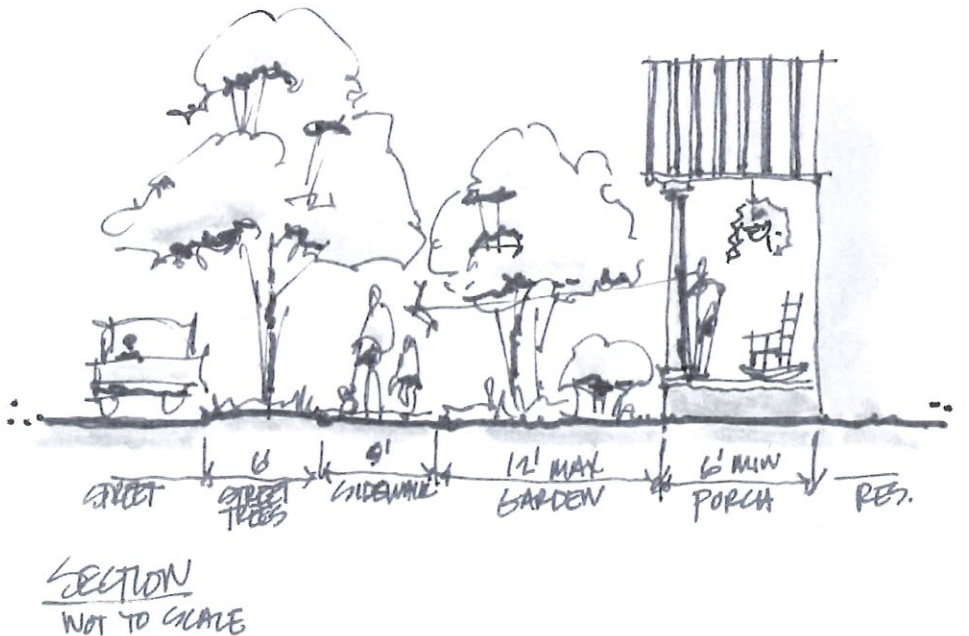
3. Siding
  - a. Exterior finished material shall be constructed with a combination of clay masonry brick, natural stone including granite, marble, sandstone, field stone or other similar natural stone; manufactured stone including imitation field stone, marble terrazzo, and other similar materials.
  - b. Manufactured finish stone; and wood, cement plank, fiber plank, traditional three coat stucco or other materials of like appearance.
  - c. Vinyl thicker than 0.40mm
    - i. In addition, any time vinyl siding is used, the front elevation must contain a minimum of 2 vinyl siding profiles from the list below:
      1. Clapboard
      2. Dutchlap
      3. Beaded
      4. Vertical
      5. Shake Vinyl Siding
      6. Shingle and Scallop Vinyl Siding
      7. Log Siding

**Hinely Tract Planned Development (PD-R)**

4. Architectural shingles



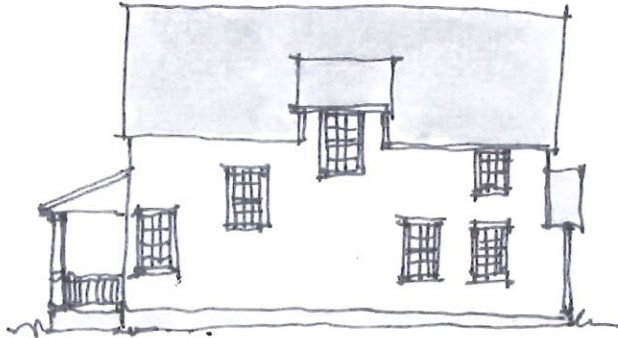
5. Front porches, when used, shall have a minimum depth of 6'



6. Side elevations of homes that are abutting street intersections shall not be blank walls, but shall include windows and trim consistent with front elevation or a landscape screening and/or buffer.



**Hinely Tract Planned Development (PD-R)**



SIDE ELEVATION

7. Minimum first floor ceiling height of 9' on one story homes.
  8. Identical elevations or colors of homes shall not be allowed within three homes of one another.
  9. Side yards require buffering of condenser and other mechanical equipment.
-



## ***Hinely Tract Planned Development (PD-R)***

### **Exhibit C – Property Legal Description**

#### LEGAL DESCRIPTION OF REAL PROPERTY AND INTEREST THEREIN:

ALL that certain tract of parcel of land situate, lying and being in the 1559<sup>th</sup> G.M. District of Effingham County, Georgia, containing of One Hundred (100) acres, more or less, being bounded on the north by a paved county public access road across which are lands of the Estate of Mrs. Evalina F. Dasher; on the east by Parcel "B" of the subdivision of the Home Place Estate land of W.R. Fetzer; on the south by lands of the Estate J.R. Heidt, lands of Paul W. Heidt, and lands of W.M. Conaway; and on the west by Georgia State Highway 17. Said tract of land being designated as Parcel "A" upon the map or plat of the subdivision of the Home Place Estate lands of W.R. Fetzer, according to survey made by Robert L. Bell, R.L.S., dated March 20, 1964, which plat is recorded in Map Book 3, page 131.

LESS AND EXCEPT, one (1) acre of said lands which was conveyed by deed from Mrs. Clyde F. Hinely to Glen Noel Conaway, which is recorded in Deed Book 333, page 552.

This being the same property conveyed by Deed of Assent from James Warren Hinely as Executor of the Last Will and Testament of William R. Hinely to James Warren Hinely, dated May 5, 2006, recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 1451, page 185.

ALSO, ALL that certain lot, tract or parcel of land situate, lying and being in the 10<sup>th</sup> G.M. District of Effingham County, Georgia, containing Two Hundred Forty-Seven and Two Tenths (247.2) acres, more or less, shown as Parcel 1A on the map hereinafter referred to. Said parcel of land being bounded on the northwest by lands of Phillip Morgan Estate and by lands of Mrs. G.B. Wheeler; on the northeast by 1B; on the southeast by a county public road; and on the southwest by land of George W. Fetzer Estate, according to a map of plat of a sub-survey made by Robert L. Bell, dated January 25, 1979, recorded in said Clerk's office in Plat Record Book 13, page 35.

This being the same property conveyed by Deed of Assent from James Warren Hinely as executor of the Last Will and Testament of William R. Hinely to James Warren Hinely, dated May 5, 2006, recorded in said Clerk's office in Deed Book 1451, page 183.

ALSO, ALL that certain lot or parcel of land situate, lying and being in the 1559<sup>th</sup> G.M. District of Effingham County, Georgia, shown as Parcel Two (2), on the map or plat hereinafter referred to, containing Ninety-Two and Five Tenths (92.5) acres, more or less, being bounded on the north by lands of Helena P. Woods; on the southeast by lands of Mrs. Harriet E. Davis Estate; on the southwest by the Ogeechee River; and on the northwest by Parcel 1, according to a map or plat made by Robert L. Bell, R.L.S., dated December 29, 1978, recorded in Plat Record Book 13, page 48, in the office of the Clerk of the Superior Court of Effingham County, Georgia.

This being the same property conveyed by deed from Clyde F. Hinely and J. Ray Hinely to James Warren Hinely, dated January 5, 1982, recorded in said Clerk's office in Deed Book 203, page 534.

*Hinely Tract Planned Development (PD-R)*

Exhibit D – PD-R Conceptual Plan