

ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 5/13/2022

Applicant/Agent: Winston Hencely

Applicant Email Address: winston.hencely@aol.com

Phone # 912-346-1525

Applicant Mailing Address: 550 Exley Rd. South / 3033 Ebenezer Rd.

City: Princeton State: Ga Zip Code: 31326

Property Owner, if different from above: Vicki Hencely Fountain / Michael Fountain
Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): Vicki.hencely@yahoo.com

Phone # 912-346-6132

Owner's Mailing Address: 550 Exley Rd. South

City: Princeton State: Ga Zip Code: 31326

Property Location: _____

Proposed Road Access: Exley Rd. South

Present Zoning of Property: AR-1/AR-2 Proposed Zoning: AR-1/AR-2

Tax Map-Parcel # 471-22+49 Total Acres: 12.66 Acres to be Rezoned: 12.66

Lot Characteristics: _____

WATER

Private Well

Public Water System

SEWER

Private Septic System

Public Sewer System

If public, name of supplier: _____

Justification for Rezoning Amendment: _____

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

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

Residence @ pasture with livestock.

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

no

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

become my Permanent Residence

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

Residence and Farming Livestock

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

I will live there and will help keep the surrounding areas maintained

6. 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

Applicant Signature:

Date

5/13/22

ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

June 21, 2016, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2353 page 171-171

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Vicki Hencely Fountain

Print Name Vick Hencely Fountain

Owner's signature James Michael Fountain

Print Name James Michael Fountain

Owner's signature Winston Tyler Hencely

Print Name Winston Hencely

Sworn and subscribed before me this 13 day of May, 20 22.

[Signature]
Notary Public, State of Georgia



ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

July 16, 2003, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 993 page 316.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Vicki Hencely Fountain

Print Name Vicki Hencely Fountain

Owner's signature James Michael Fountain

Print Name James Michael Fountain

Owner's signature Winston Tyler Hencely

Print Name Winston Hencely

Sworn and subscribed before me this 13 day of May, 20 22.

[Signature]
Notary Public, State of Georgia



AUTHORIZATION OF PROPERTY OWNER

I, ~~Vicki Hencely Fountain~~ ^{Winston Hencely ff}, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Vicki Fountain

Applicant/Agent Address: 550 Exley Rd South

City: Rincon State: Ga Zip Code: 31326

Phone: 912-346-2132 Email: Vickihencely@yahoo.com

Owner's signature Vicki Hencely Fountain

Print Name Vicki Fountain

Personally appeared before me Vicki Fountain (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sworn and subscribed before me this 13 day of May, 20 22.

[Signature]
Notary Public, State of Georgia



AUTHORIZATION OF PROPERTY OWNER

Winston Hengely
~~James Michael Fountain~~

I, ~~James Michael Fountain~~, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: James Fountain

Applicant/Agent Address: 550 Exley Rd. South

City: Lincon State: Ga Zip Code: 31326

Phone: 912.445.1880 Email: sfountain@ecomworks.com

Owner's signature *James Michael Fountain*

Print Name JAMES MICHAEL FOUNTAIN

Personally appeared before me JAMES MICHAEL FOUNTAIN (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sworn and subscribed before me this 13 day of May, 20 22.

[Signature]
Notary Public, State of Georgia



FILED TO RECORD
C.D. BY 993
PAGE NO. 316

316

03 JUL 16 AM 10:39

ELIZABETH Z. HURNEY
CLERK E.C.C.S.C.

Return to:
Lloyd D. Murray
P.O. Box 1569
Richmond Hill, GA 31324

STATE OF GEORGIA
COUNTY OF BRYAN

Document preparation only;
title neither examined nor certified by Attorney.

QUITCLAIM DEED

This Quitclaim Deed, executed this 1 day of July, 2003, by and between TONYA R. FOUNTAIN f/k/a TONYA R. JONES, of the County of Effingham, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and J. MICHAEL FOUNTAIN of the County of Effingham, and State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

This Deed is being executed pursuant to a certain Domestic Separation and Settlement Agreement dated July 8, 2003 and entered into in the case of James Michael Fountain v. Tonya R. Fountain, Superior Court of Effingham County, Civil Action No. SU03DR099T.

WITNESSETH, That Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee, all of Grantor's interest in the following described property, to wit:

All that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Seven and sixty-six hundredths (7.66) acres, more or less, and being bounded on the northeast by lands of James Reed, by lands of Kathleen Smith and by lands of Helen Zeigler; on the southeast by lands of Lorene Riley; on the southwest by lands of Scott Thompson, and on the west by lands of Sabrina Lynn Burkett and by lands of Scott Thompson and by Exley Road known as County Road #349.

Express reference is hereby made to a plat of said lands made by Neel B. Ackerman, R.L.S. #1128, dated December 1, 1998, and recorded in the office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet "B", slide 42-C, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any

rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Tonya R. Fountain (SEAL)
TONYA R. FOUNTAIN
f/k/a TONYA R. JONES

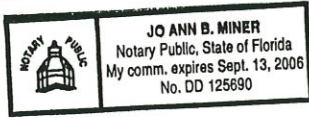
Signed, sealed and delivered
on the 1 day of July, 2003,
in the presence of:

[Signature]

Witness

Jo Ann B. Miner

Notary Public



Book & PAGE

DOC# 005321
FILED IN OFFICE
6/21/2016 02:26 PM
BK# 2353 PG# 171-171
ELIZABETH Z. HURSEY
CLERK OF SUPERIOR
COURT
EFFINGHAM COUNTY

PT-61 051-2016-001596

Return to:
REDDICK & EXLEY
ATTORNEYS AT LAW
P.O. BOX 385
SPRINGFIELD, GA 31329

QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, made the 20th day of June, 2016, between J. MICHAEL FOUNTAIN of the FIRST PART, and VICKI MICHELLE HENCELY of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby bargain, sell, and by these presents remise, release and forever QUITCLAIM to the SECOND PARTY, her heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTY has or may have in and to the following real estate, to-wit:

ALL that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Five (5) acres, more or less, being more particularly described on a plat by Paul D. Wilder, R.L.S. #1559, dated Marcy 26, 1976, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 12, Page 77, said plat being specifically incorporated herein as part of this description.

This being the same property conveyed by Quitclaim Deed from Kerstin H. Reed to James L. Reed dated December 6, 1996, recorded in said Clerk's Office in Deed Book 423, Page 416 and was previously conveyed by deed from Robert M. McLeod to James L. Reed and Kerstin H. Reed dated November 22, 1991, recoded in said Clerk's Office in Deed Book 303, Page 9.

SUBJECT, to the easements to Savannah Electric and Power Company recorded in Deed Book 193, Page 54 and Deed Book 150, Page 69 and the easement agreement recorded in Deed Book 177, Page 714.

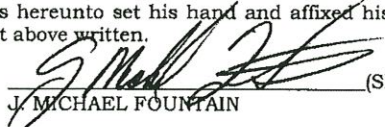
This being the same property conveyed by Warranty Deed from James L. Reed to J. Michael Fountain dated March 11, 2016 and recorded in said Clerk's Office in Deed Book 2338, Page 310.

SUBJECT, to restrictive covenants and easements of record.

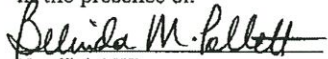
SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

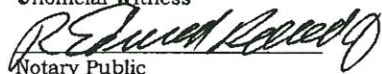
TO HAVE AND TO HOLD the said described real estate to the said SECOND PARTY so that neither the FIRST PARTY nor his heirs, executors, administrators or assigns, nor any person claiming under them shall at any time, by any means, have claim or demand or right or title to the aforesaid real estate or appurtenances, or right thereof.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set his hand and affixed his seal and delivered these presents, the day and year first above written.


J. MICHAEL FOUNTAIN (SEAL)

Signed, sealed and delivered
In the presence of:

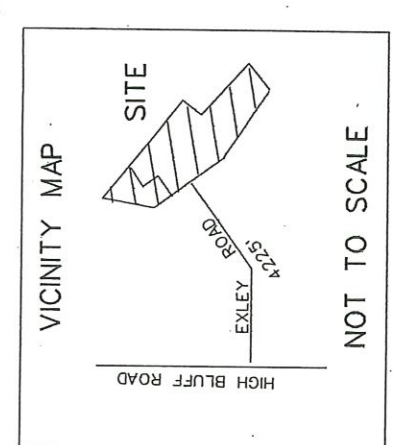

Belinda M. Bellott
Unofficial Witness


Notary Public
bp



NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERRING THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/16/2015, THIS PROPERTY IS LOCATED IN "ZONE X", (OUTSIDE THE 500 YEAR FLOODPLAIN)

NOTE: SUBJECT PROPERTY IS A RECOMBINATION OF MAP & PARCEL 04710022 & 04710049 OF THE EFFINGHAM CTY. TAX ASSESSORS FILE. THEN A MINOR DIVISION OF 1.62 ACS. WITH 11.04 ACRES REMAINING. THIS IS A FAMILY DIVISION

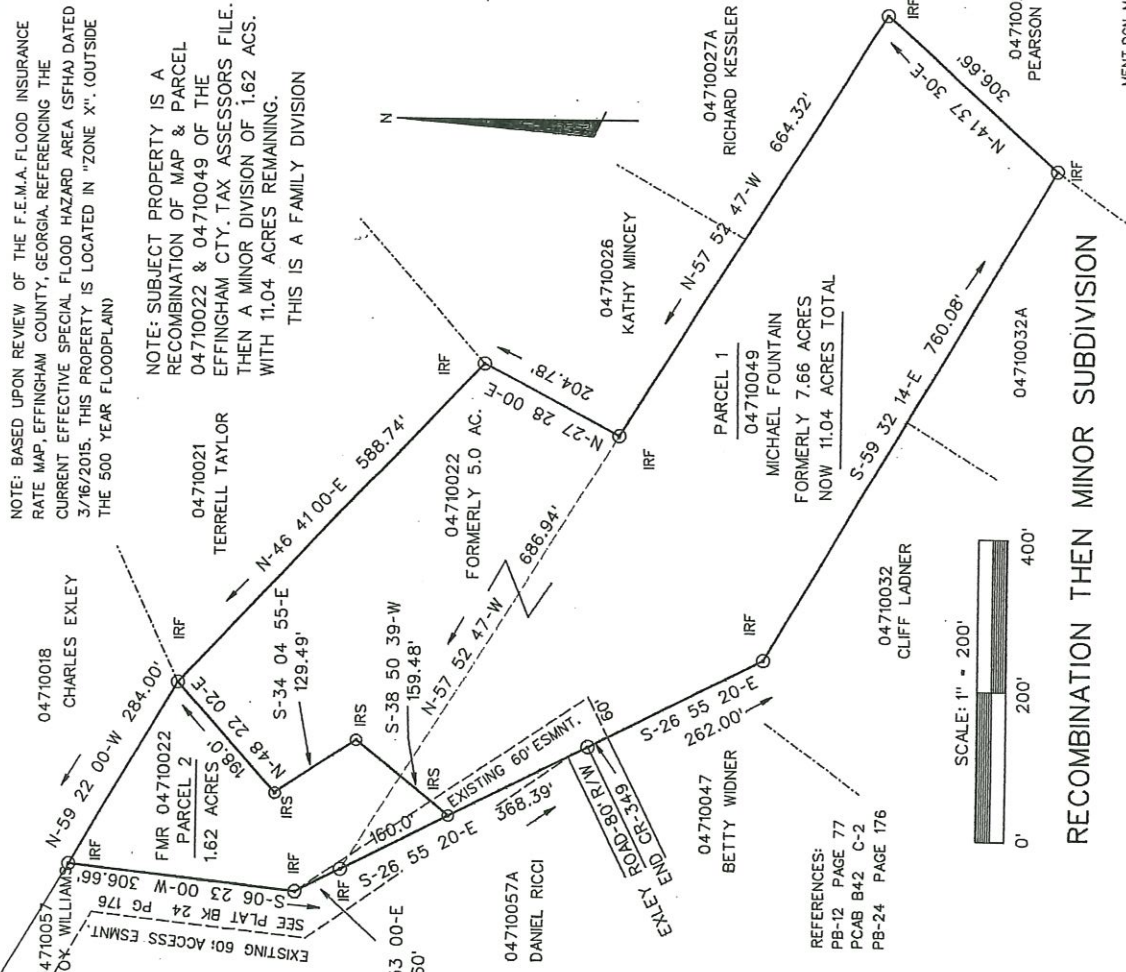


NOT TO SCALE

APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.

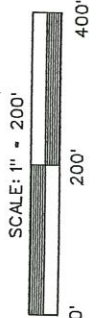
ZONING ADMINISTRATOR _____ DATE _____
 Signing Authority *W. J. ...* Title _____ Date *4/8/22*

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 or finds that this plat complies with the O.S.S.M.S regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-site Sewage Management System placement prior to construction. This plat is subject to the approval of changes in site designation may void this plat. THIS APPROVAL OR CHANGES IN SITE DESIGNATION MAY VOID THIS PLAT. THIS APPROVAL OR CHANGES IN SITE DESIGNATION MAY VOID THIS PLAT.



PARCEL 1
 04710049
 MICHAEL FOUNTAIN
 FORMERLY 7.66 ACRES
 NOW 11.04 ACRES TOTAL

04710027A RICHARD KESSLER
 04710028 PEARSON RILEY
 04710032 CLIFF LADNER
 04710032A



RECOMBINATION THEN MINOR SUBDIVISION

04710057 TROY WILLIAMS
 04710018 CHARLES EXLEY
 04710021 TERRELL TAYLOR
 04710022 FMR 04710022
 1.62 ACRES
 04710049 MICHAEL FOUNTAIN
 04710047 BETTY WIDNER
 04710057A DANIEL RICCI
 04710057B
 04710057C
 04710057D
 04710057E
 04710057F
 04710057G
 04710057H
 04710057I
 04710057J
 04710057K
 04710057L
 04710057M
 04710057N
 04710057O
 04710057P
 04710057Q
 04710057R
 04710057S
 04710057T
 04710057U
 04710057V
 04710057W
 04710057X
 04710057Y
 04710057Z

LEGEND:
 IRF 5/8" REBAR FOUND
 IRS 5/8" REBAR SET
 PL PROPERTY LINE
 CMF CONC MON. FOUND
 N/F NOW OR FORMERLY
 PP POWER POLE
 EQUIP. USED TOTAL STATION
 TOPCON 303
 ERROR OF CLOSURE
 1:24,000 PLAT NOT ADJUSTED
 ADOLPH N. MICHELIS & ASSO.
 736 SANDY RIDGE ROAD
 SYLVANIA, GEORGIA 30467
 PH. (912) 829 3972

SURVEYORS CERTIFICATION

I, As required by subsection (d) of O.C.G.A. Section 15-6-67, I, the undersigned, being duly qualified and licensed as a Professional Engineer and approved by all applicable local jurisdictions for repairs, or statements herein, and I hereby certify that the foregoing plat, map, or statements herein, were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Georgia. Furthermore, the undersigned land surveyor certifies that this plat complies with the rules and regulations of the Georgia Board of Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

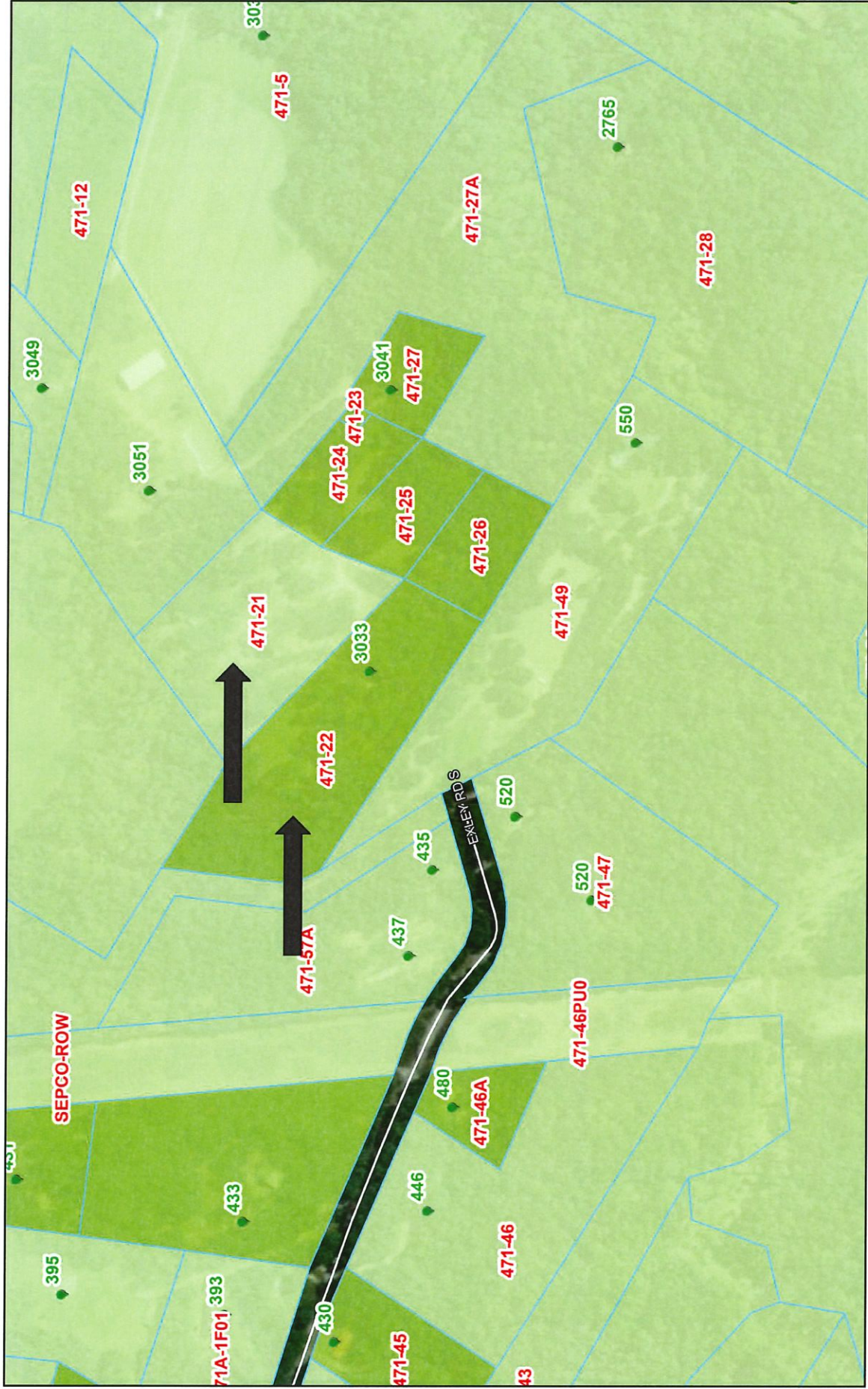
Adolph N. Michelis
 No. 1323
 State of Georgia
 Professional Engineer
 License No. 1323

DATE: *4-05-22*

3033 EBENEZER & 550 EXLEY

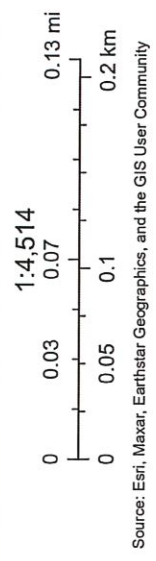


550 EXLEY & 3033 EBENEZER



5/19/2022, 8:28:24 AM

- Address Points
- Parcels2020
- Effingham County Zoning
 - AR-1
 - AR-2
- Roads
- Tax Parcel Labels



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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 **Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49)** from AR-1/AR-2 to AR-1/AR-2 zoning.

AZ

- 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?

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PSH DISAPPROVAL _____

Of the rezoning request by applicant **Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49)** from AR-1/AR-2 to AR-1/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?
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PSH

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL _____

Of the rezoning request by applicant **Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49)** from AR-1/AR-2 to AR-1/AR-2 zoning.

RT

- 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?
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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49)** from AR-1/AR-2 to AR-1/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?

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Winston Hencely as agent for Vicki Hencely Fountain & Michael Fountain – (Map # 471 Parcels # 22&49)** from AR-1/AR-2 to AR-1/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?
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