

ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 9-12-22

Applicant/Agent: The McGraley Co. - Logan Hurst

Applicant Email Address: 955 Indigo Road, Springfield, GA 31329

Phone # 912-754-4138 loganhurst@themcgraleyco.com

Applicant Mailing Address: 955 Indigo Road, Springfield, GA 31329

City: _____ State: _____ Zip Code: _____

Property Owner, if different from above: Richard Hall
Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): 1808 Low Ground Road, Guyton, GA 31312

Phone # _____

Owner's Mailing Address: 1808 Low Ground Road, Guyton, GA 31312

City: _____ State: _____ Zip Code: _____

Property Location: Off of Horsepen Road

Proposed Road Access: Horsepen Road - paved county roadway

Present Zoning of Property: AR-1 Proposed Zoning: I-1, cond use - surface mine
03940030 43.20 ac 19.77 ac
Tax Map-Parcel # 03940029 Total Acres: 21.60 ac Acres to be Rezoned: 7.40 ac

Lot Characteristics: wooded and field, both properties have the same owner

WATER	SEWER	*no septic or well is needed for the surface mine use
<input checked="" type="checkbox"/> Private Well	<input checked="" type="checkbox"/> Private Septic System	
<input type="checkbox"/> Public Water System	<input type="checkbox"/> Public Sewer System	

If public, name of supplier: _____

Justification for Rezoning Amendment: Surface mine - to build a recreational pond

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

North AR-1 South AR-1 East PD West AR-1

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

Woodland and field

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

Yes, for agriculture and timber

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

Construct a surface mine to remove dirt and create a recreational pond. Dirt to be used for Effingham Parkway.

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

Woodland, wetland, fields and large lot residential

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?

After pond is constructed, land will go back to AR-1 with recreational pond which is similar to many properties in the area.

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 burdensome use of streets, utilities, or schools. Access is provided by a paved county road. A temporary increase traffic to the site will occur while digging but will go away when completed.

Applicant Signature:

Ruth Hall

Date

9-12-22

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

#29 - 7-7-21

#30 - 4-18-22

_____ , on file in the office of the Clerk of the Superior Court of
#29 - 2704 #29 - 814
Effingham County, in Deed Book #30 - 2778 page #30 - 240 .

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 *Richard Hall* _____

Print Name Richard Hall _____

Owner's signature _____

Print Name _____

Owner's signature _____

Print Name _____

Sworn and subscribed before me this 12 day of September, 20 22 .

Dena Alexander
Notary Public, State of Georgia



AUTHORIZATION OF PROPERTY OWNER

I, Richard Hall, 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: The McGraley Co. - Logan Hurst

Applicant/Agent Address: 955 Indigo Road, Springfield, GA 31329

City: Springfield State: GA Zip Code: 31329

Phone: 912-754-4138 Email: loganhurst@themcgraleyco.com

Owner's signature *Richard Hall*

Print Name Richard Hall

Personally appeared before me Richard Hall (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 12 day of September, 20 22.

Dena Alexander
Notary Public, State of Georgia



BK:2778 PG:240-240
D2022003972

FILED IN OFFICE
CLERK OF COURT
04/18/2022 04:46 PM
JASON E. BRAGG, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA

REAL ESTATE
TRANSFER TAX
PAID: \$50.00

PT-61 051-2022-001113

8849504050
PARTICIPANT ID

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

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 18th day of April, 2022, between EMMA LEE Z. DASHER of the FIRST PART, and RICHARD M. HALL, JR. of the SECOND PART.

WITNESSETH: FIRST PARTIES, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto SECOND PARTY, his heirs and assigns, the following described property, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 10th G.M. District of Effingham County, Georgia, containing Forty-Three and Eighteen Hundredths (43.18) acres, more or less, being known and designated Parcel Six (6) as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the Northeast by Horsepen Road; on the Southwest by lands of Blue Jay Developers, LLC; on the Southwest by lands of Malah Pack, and on the Northwest by Parcel 5.

Express reference is hereby made to the plat of said lands made by Adolph N. Michelis, R.L.S. #1323, dated December 20, 2021 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "D", Slide 94-D01, for better determining the metes and bounds of said lands herein conveyed.

This being the portion of said lands of the Minnie Lee H. Zipperer Estate devised to Emma Lee Z. Dasher pursuant to Paragraph of the Last Will and Testament of Minnie Lee H. Zipperer, deceased.

This being the same property conveyed by Executor's Deed of Assent from Martell Z. Hall and Emma Lee Z. Dasher as the duly qualified Executors of the Last Will and Testament of Minnie Lee Zipperer, deceased, to Emma Lee Z. Dasher dated December 21, 2011 and recorded in said Clerk's Office in Deed Book 2061, Page 51.

SUBJECT, to restrictive covenants and easements of record.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereunto belonging or in any wise appertaining unto SECOND PARTY, his heirs and assigns, FOREVER IN FEE SIMPLE with full WARRANTY OF TITLE to said property against the claims of all persons whomsoever.

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

(SEAL)
EMMA LEE Z. DASHER

Signed, sealed and delivered
in the presence of:

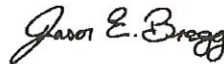
Unofficial Witness

Official Witness - Notary Public
bp



BK:2704 PG:814-814
D2021008179

FILED IN OFFICE
CLERK OF COURT
07/07/2021 03:26 PM
JASON E. BRAGG, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA



REAL ESTATE
TRANSFER TAX
PAID: \$105.00

PT-61 051-2021-002233

8849504050
PARTICIPANT ID

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

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, Made the 2nd day of July, 2021,
between HOLLY ANN ZIPPERER of the FIRST PART, and RICHARD M. HALL, JR. of the
SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and
no/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby
acknowledged, does hereby grant, bargain, sell and convey unto SECOND PARTY, his heirs and
assigns, the following described property, to-wit:

ALL that certain tract or parcel of land situate, lying and being in the 10th G.M. District
of Effingham County, Georgia, containing Twenty-One and Fifty-Nine Hundredths
(21.59) acres, more or less, being known and designated as Parcel Five (5) as shown on
the plat thereof hereinafter referred to. Said parcel of land being bounded on the
Northeast by Horse Pen Road; on the Southeast by Parcel 6; on the Southwest by lands
of Malah Pack, and on the Northwest by Parcel 4.

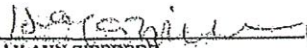
Express reference is hereby made to the plat of said lands made by Adolph N. Michell,
R.L.S. #1323, dated December 20, 2011 and record in the Office of the Clerk of the
Superior Court of Effingham County, Georgia, in Plat Cabinet "D", Slde. 94D1, for
better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by Executor's Deed of Assent from Martell Z.
Hall and Emma Lee Z. Dasher, the duly qualified Executors of the Last Will and
Testament of Minnie Lee H. Zipperer, deceased, to Holly Ann Zipperer, dated December
21, 2011 and recorded in said Clerk's Office in Deed Book 2861, Page 55.

SUBJECT to restrictive covenants and enactments of record.

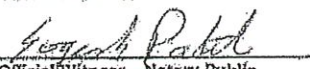
TO HAVE AND TO HOLD said property, together with all and singular the rights,
members, hereditaments, improvements, easements, and appurtenances thereunto belonging
or in any wise appertaining unto SECOND PARTY, his heirs and assigns, FOREVER IN FEE
SIMPLE with full WARRANTY OF TITLE to said property against the claims of all persons
whomsoever.

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

 (SEAL)
HOLLY ANN ZIPPERER

Signed, sealed and delivered
in the presence of:


Unofficial Witness


Official Witness - Notary Public
BP

YOGESH PATEL
NOTARY PUBLIC
Union County
North Carolina
My Commission Expires Feb. 17, 2025



Coastal Health District
Lawton C. Davis, M.D., District Health Director

802 Highway 119 South, Post Office Box 350
Springfield, Georgia 31329
Phone: 912-754-6850 | Fax: 912-754-0078

October 12, 2022

Effingham County Zoning Board
Springfield, GA 31329

Re: Attachment A- Rezoning Amendment Application
The McGraley Co. – Logan Hurst
955 Indigo Road
Springfield, GA 31329

Property Location: Off Horsepen Road
PIN: 394-30 and 394-29

Total Acres: 43.20 and 21.60 Acres to be Rezoned: 19.77 and 7.40

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health, has reviewed the request to rezone the above referenced tract of land from AR-1 to I-1, Conditional Use – Surface Mine. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

The following items must be submitted.

1. Completed Subdivision Application.
2. Completed Plat Review Application.
3. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
4. The following signature block should be used on all plats that require Health Department approval.

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 OSSMS 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



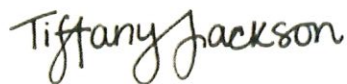
We Protect Lives.

to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

A handwritten signature in black ink that reads "Tiffany Jackson". The signature is written in a cursive, flowing style.

Tiffany Jackson, MPH, REHS
Environmental Health Specialist IV
Environmental Health Division
Effingham County Health Department

APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.

May B. De
 ZONING ADMINISTRATOR

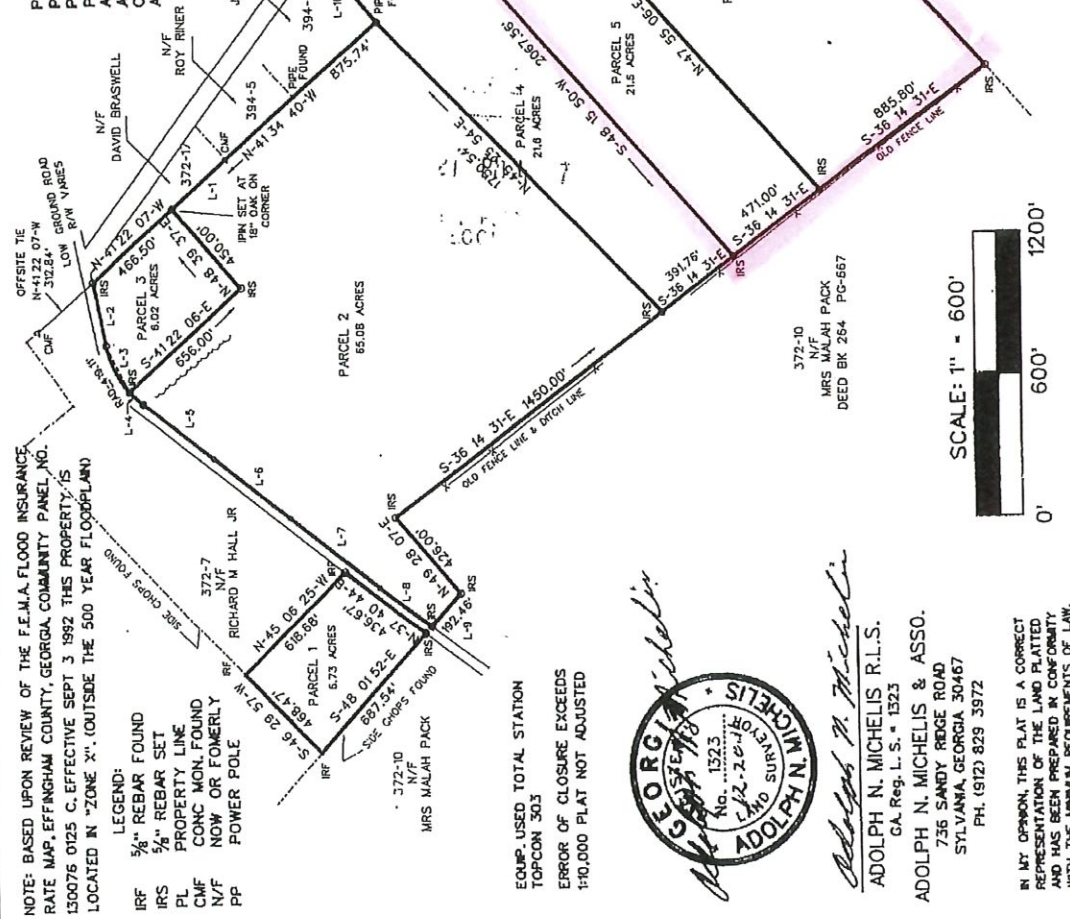
DATE: 12-21-2011

NOTE: SUBJECT PROPERTY IS A PORTION OF MAP & PARCEL 372 -B OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE. SOME DIMENSIONS DO NOT AGREE WITH REFERENCE PLATS. CORNERS WERE SET ON APPARENT OCCUPATION LINES WITH AGREEMENT OF LAND OWNER.

FILED FOR RECORD
 BOOK 12
 PAGE NO. 975-1
 2011 DEC 21 PM 4:17
 ELIZABETH Z. HURSEY
 CLERK E.C.C.S.C.

REFERENCES:
 PB-F PAGE 86
 PB-9 PAGE 201
 PB-13 PAGE 15
 PB-06 PAGE 15
 A332 C
 A288 C
 C7 E2
 A320 C

LINE	BEARING	DIST.	CHORD
L-1	N-11 22 07-E	314.76'	
L-2	S-78 17 16-W	272.03'	
L-3	S-63 06 09-W	226.67'	
L-4	S-42 14 23-W	78.04'	
L-5	S-37 05 59-W	382.12'	
L-6	S-38 00 16-W	420.52'	
L-7	S-38 35 19-W	480.94'	
L-8	S-37 01 44-W	280.24'	
L-9	S-48 01 52-E	192.45'	
L-10	S-50 01 53-W	375.66'	
L-11	N-36 28 51-W	254.44'	
L-12	N-23 02 48-W	233.23'	
L-13	N-32 56 26-W	409.30'	
L-14	N-52 01 42-W	233.48'	



SURVEY OF
 MINNIE LEE ZIPPERER EST.
 164.23 ACRES
 SURVEY OF 6 PARCELS FROM
 THE LANDS OF
 MINNIE LEE ZIPPERER EST.
 LOCATED IN THE 10TH. G.M.D.
 EFFINGHAM COUNTY, GEORGIA
 SURVEYED 14-20 DEC 2011
 PLAT DRAWN 20 DEC 2011

394-7
 N/F
 BLUE JAY DEVELOPERS LLC
 DIVIDED FROM 372-8
 PARCEL-1 6.73 AC.
 PARCEL-2 65.08 AC.
 PARCEL-3 6.02 AC.
 PARCEL-4 21.5 AC.
 PARCEL-5 21.6 AC.
 PARCEL-6 4.32 AC.

NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, COMMUNITY PANEL NO. 130076 0125 C, EFFECTIVE SEPT 3 1992 THIS PROPERTY IS LOCATED IN "ZONE X", (OUTSIDE THE 500 YEAR FLOODPLAIN)

LEGEND:
 IRF 3/4" 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 EXCEEDS
 1:10,000 PLAT NOT ADJUSTED

Adolph N. Michelis
 ADOLPH N. MICHELIS R.L.S.
 GA. REG. L.S. # 1323
 ADOLPH N. MICHELIS & ASSO.
 736 SANDY REGE ROAD
 SYLVANIA, GEORGIA 30467
 PH. (912) 829 3972

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM REQUIREMENTS OF LAW.

MLZ.DGN DEC2011

Horsepen Road



9/13/2022, 3:05:24 PM

Roads

Residential

Future Land Use - Plan Date 10/1/2019

Transportation/Utilities

Agriculture

Undeveloped

Maxar

394-29&30

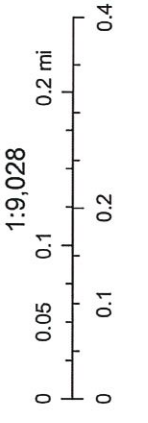


Horsepen Road



9/13/2022, 3:04:37 PM

- Address Points
- Parcels2020
- Roads
- Effingham County Zoning
 - B-2
 - AR-1
 - AR-2
 - PD



EFFINGHAM COUNTY REZONING CHECKLIST

DB

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 **The McGraley Co. as Agent for Richard Hall – (Map # 394 Parcels # 29 & 30)** from AR-1 to I-1 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

DISAPPROVAL

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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?

only one

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL _____

DISAPPROVAL _____

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- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

AZ

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County ~~Planning~~ Commission recommends:

APPROVAL

DISAPPROVAL

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- 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?

BKS 10/17/22
 Approved

EFFINGHAM COUNTY REZONING CHECKLIST

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The Effingham County Planning Commission recommends:

APPROVAL



DISAPPROVAL

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