

**RZN-24-4****Rezoning Application**



Status: Active

Submitted On: 1/5/2024

**Primary Location**

311 Earl Lain Road

Guyton, GA 31312

**Owner**LAIN NOLAN EARL JR  
311 EARL LAIN RD GUYTON,  
GA 31312**Applicant** Ryan Thompson 912-547-5724 thompson.r@tandh.com 50 Park of Commerce  
Way

Savannah, GA 31405

**Staff Review** **Planning Board Meeting Date\***

02/13/2024

 **Board of Commissioner Meeting Date\***

03/05/2024

 **Notification Letter Description \***

a residential development.

 **Map #\***

435

 **Parcel #\***

19

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

9

 **Commissioner District\***

2nd

 **Public Notification Letters Mailed**

01/15/2024

 **Board of Commissioner Ads**

02/12/2024

🔒 Planning Board Ads

02/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

## Applicant Information

Who is applying for the rezoning request?\*

Agent

Applicant / Agent Name\*

Fetzer Lakes Developments, LLC (James Dasher)

Applicant Email Address\*

James@JamesDasher.com

Applicant Phone Number\*

912-663-6239

Applicant Mailing Address\*

PO Box 1250

Applicant City\*

Rincon

Applicant State & Zip Code\*

Georgia 31326

## Property Owner Information

Owner's Name\*

Nolan Lain, Jr.

Owner's Email Address\*

nelain@hotmail.com

Owner's Phone Number\*

912-657-3036

Owner's Mailing Address\*

311 EARL LAIN RD

**Owner's City\***

GUYTON

**Owner's State & Zip Code\***

GA 31312-6252

## Rezoning Information

**Present Zoning of Property\***

AR-1 (Agricultural Residential 5 or More Acres)

**Proposed Zoning of Property\***

R-5 (Single Family Design Residential)

**Map & Parcel \***

04350-00000-019-000

**Road Name\***

Earl Lain Road

**Proposed Road Access\* ?**

Earl Lain Road via Hodgeville and Kolic Helmey

**Total Acres \***

180.8

**Acres to be Rezoned\***

180.8

**Lot Characteristics \***

Typical of the area, mixture of wooded and agricultural field. There is an existing home site on the property.

**Water Connection \***

Public Water System

**Name of Supplier\***

Effingham County

**Sewer Connection**

Public Sewer System

**Name of Supplier\***

Effingham County

**Justification for Rezoning Amendment \***

To allow for the construction of a quality, planned residential development served by public water and sewer that will also help to reduce the amount of unpaved public roadway in the County.

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

**North\***

AR-1 and R-1

**South\***

AR-1 and R-1

**East\***

R-1

**West\***

AR-1 and PD

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

Undeveloped land with one existing home.

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

No

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

A planned, HOA controlled residential community.

**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?\***

This development is well suited in that it is a continuation of the residential use development pattern of this area.

**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, nothing excessive or burdensome. In fact there will be improvements made to Earl Lain Road that will benefit the county beyond just the proposed development.

**Digital Signature\***

 James W. Dasher  
Jan 5, 2024



# SITE INFORMATION

**APPLICANT**  
 FEITZER LAKES DEVELOPMENT, LLC  
 1114 PENNY LANE, GUYTON, GA 31312

**OWNER**  
 NOLAN EARL LAIN, JR.

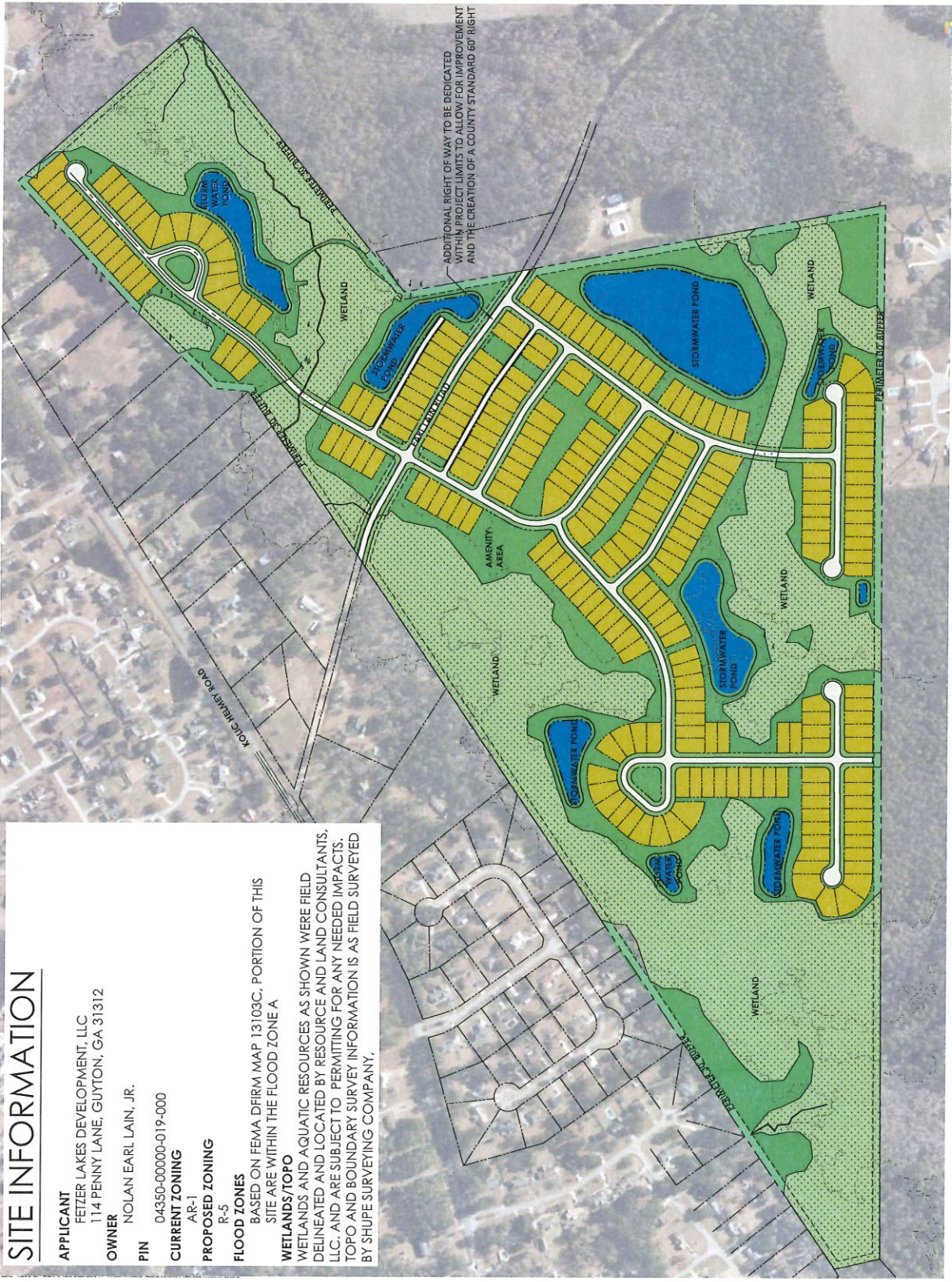
**PIN** 04350-00000-019-000

**CURRENT ZONING**  
 AR-1

**PROPOSED ZONING**  
 R-5

**FLOOD ZONES**  
 BASED ON FEMA DFIRM MAP 13103C, PORTION OF THIS SITE ARE WITHIN THE FLOOD ZONE A

**WETLANDS/TOPO**  
 WETLANDS AND AQUATIC RESOURCES AS SHOWN WERE FIELD DELINEATED AND LOCATED BY RESOURCE AND LAND CONSULTANTS, LLC, AND ARE SUBJECT TO PERMITTING FOR ANY NEEDED IMPACTS. TOPO AND BOUNDARY SURVEY INFORMATION IS AS FIELD SURVEYED BY SHUPE SURVEYING COMPANY.



ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO PERMITS REQUIRED FOR IMPROVEMENT AND THE CREATION OF A COUNTY STANDARD 60' RIGHT



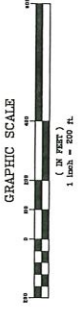
**+/-260 SINGLE FAMILY DETACHED LOTS**  
 (FINAL YIELD MAY INCREASE OR DECREASE UPON FINAL DESIGN AS LONG AS THE R-5 STANDARDS ARE MET)

**SITE SUMMARY**  
 TOTAL SITE = 180.8 AC.  
 WETLANDS = 69.6 AC.  
 NET USABLE AC. = 111.2 AC.

**OPEN SPACE SUMMARY**  
 MIN R-5 OPEN SPACE REQUIRED = 16.7 AC.  
 15% OF NET USABLE AREA = > 35 AC.  
 OPEN SPACE PROVIDED = > 35 AC.

**NOTES:**

- 1) WATER AND SEWER WILL BE PROVIDED BY EFFINGHAM COUNTY.
- 2) DUE TO THE NATURAL CONFIGURATION OF UPLAND/WETLAND ON THE SITE, THIS PLAN REQUEST ANY NECESSARY VARIANCES TO ALLOW FOR THE CUL-DE-SAC AND BLOCK LENGTHS AS SHOWN ON THE LAYOUT.



| Development Standards |  |
|-----------------------|--|
| Size                  | Detached Single-Family<br>6,600 SF minimum |
| Width                 | *50' minimum                               |
| Max Lot Coverage      | 45%  |
| Height (Maximum)      | 35'  |
| Setbacks (Minimum)    |  |
| Front                 | 15'  |
| Side (interior)       | 7.5'                                       |
| Side (street)         | 15'  |
| Rear                  | 25'  |

\*As measured at front setback line. Minimum may be reduced for pie shaped lots on cul-de-sacs or tight radii.

WESTGATE PHASE 2 - ZONING  
 SUBDIVISION CONCEPT PLAN  
 EFFINGHAM COUNTY, GA  
 JANUARY 2024

PREPARED FOR:  
 FEITZER LAKES  
 DEVELOPMENT, LLC  
 J#30019.1000

**THOMAS HUTTON**  
 50 PARK OF COMMERCE WAY  
 SAVANNAH, GA 31406-23300  
 WWW.THOMASANDHUTTON.COM

The map illustrates a general plan of the development which is for informational purposes only. It does not constitute a contract or warranty. Dimensions, boundaries and position locations are for illustrative purposes only and are subject to an accurate survey and property description.

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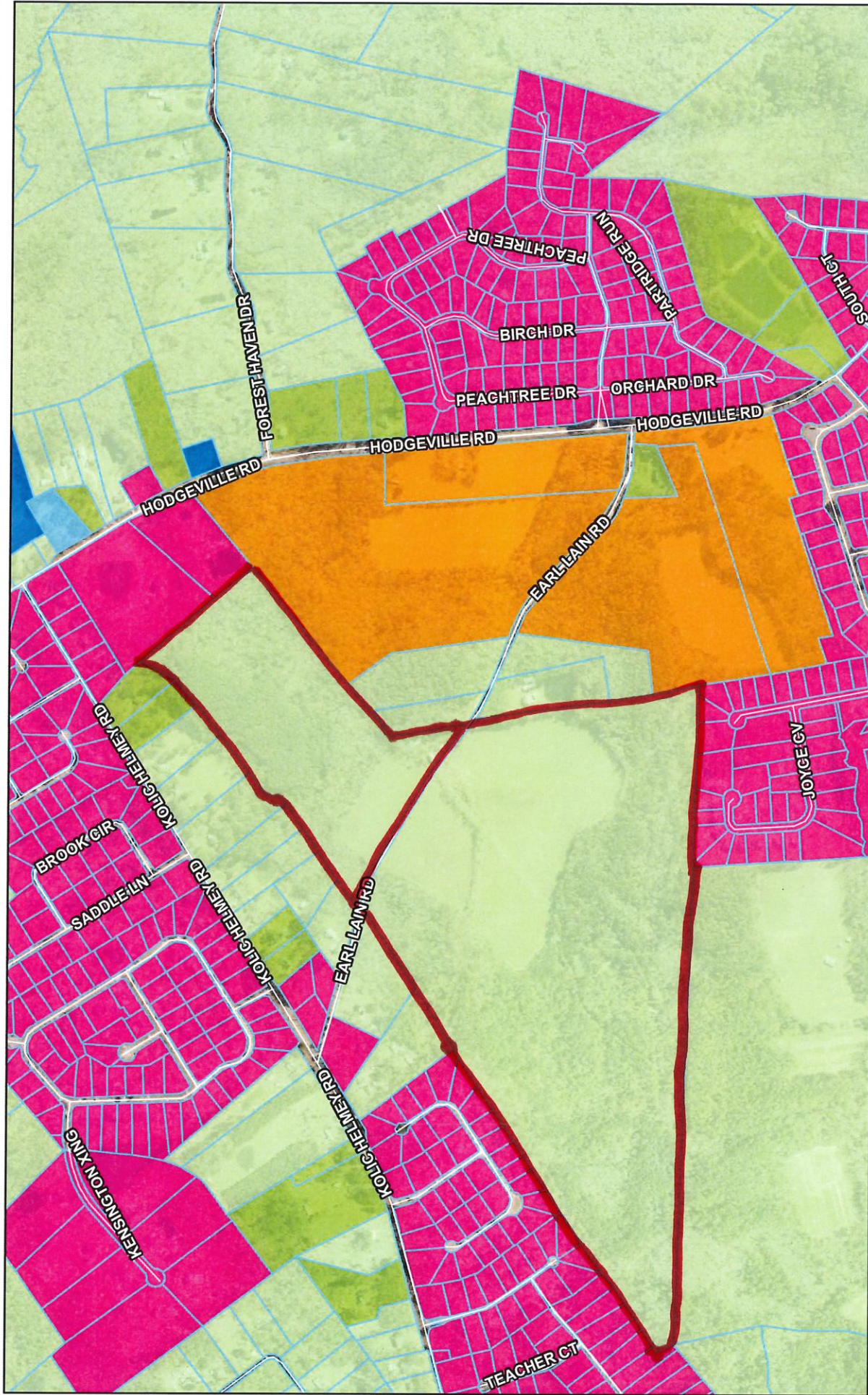








# 435-19 (311 EARL LAIN RD)



1/8/2024

**Roads**

- Tax Parcels
- Tax Parcel Labels

**Effingham County Zoning**

- R-1
- AR-1
- R-4
- AR-2
- B-2
- B-3
- PD-R

**Efn\_fin\_cache**

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

**Scale**

0 0.07 0.15 0.3 0.6 km

0 0.07 0.15 0.3 0.6 mi

**Scale: 1:13,091**

Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, 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 X

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant **James Dasher as agent for Lain Nolan Earl Jr.– (Map # 435 Parcel # 19)** from AR-1 to R-5 zoning.

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

5.) B.S.



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P.H.

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CHECK LIST:

*A* I recused myself

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*RT.*