

ATTACHMENT A - VARIANCE APPLICATION

Application Date: 3-8-2022

Applicant/Agent: ERIC S. EDWARDS K+M Effingham Properties, LLC

Applicant Email Address: eedwards@ACTIONOHD.COM

Phone # 912-659-8352

Applicant Mailing Address: P.O. Box 249

City: Rincon State: GA. Zip Code: 31326

Property Owner, if different from above: SAME AS ABOVE
Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): eedwards@ACTIONOHD.COM

Phone # 912-659-8352

Owner's Mailing Address: P.O. Box 249

City: Rincon State: GA. Zip Code: 31326

Property Location: 1204 MILL POND Rd, Rincon GA- 31326

Name of Development/Subdivision: N/A

Present Zoning of Property ^{Light Industrial} ~~Industrial~~ Tax Map-Parcel # 04460009 Total Acres 7.01
PARCEL # 3

VARIANCE REQUESTED (provide relevant section of code): Section 3.4.1 Buffers

Describe why variance is needed: 300' Buffer Required will Reduce Property available for development from 7 ac to 1 ac. The property to the south and east to be rezoned by owner to I-1

How does request meet criteria of Section 7.1.8 (see Attachment C): 7.1.8.2 - the 300' buffer burdens the developable area of the property from 7 ac to one acre.

Applicant Signature: E. S. Edwards Date 3-8-2022

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

8-9-2021, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 1465 page 25.

I hereby certify that I am the owner of the property being proposed for Variance 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 Eric J. Edwards

Print Name ERIC J. EDWARDS

Owner's signature Jill C. Edwards

Print Name Jill C. Edwards

Owner's signature N/A

Print Name N/A

Sworn and subscribed before me this 8th day of March, 20 22.

Emily Greene
Notary Public, State of Georgia



AUTHORIZATION OF PROPERTY OWNER

I, ERIC S. EDWARDS, 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 Variance application. 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: Linda Sims

Applicant/Agent Address: 1480 Chatham Parkway

City: SAVANNAH State: GA Zip Code: 31405

Phone: 912-200-3041
678-907-4277 Email: lsims@cci-sav.com

Owner's signature Eric S. Edwards

Print Name ERIC S. EDWARDS

Personally appeared before me ERIC J. EDWARDS (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 8th day of March, 20 22.

Emily Green
Notary Public, State of Georgia



8914712675
7067927936
PARTICIPANT ID
Return Recorded Document to:
The Newberry Law Firm, PC
129 N. Laurel Street
Post Office Box 790
Springfield, Georgia 31329

**BK:2719 PG:270-270
D2021010486**

FILED IN OFFICE
CLERK OF COURT
08/25/2021 02:21 PM
JASON E. BRAGG, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA



REAL ESTATE
TRANSFER TAX
PAID: \$140.00

PT-61 051-2021-002853

**LIMITED
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF EFFINGHAM

FILE #: 2021-212

THIS INDENTURE made this 25th day of August, 2021, between **N & W Enterprises, LLC, A Georgia Limited Liability Company**, as party of the first part, hereinunder called Grantor, and **K & M Effingham Properties, LLC, A Georgia Limited Liability Company**, as party 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).

WITNESSETH that: Grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, being known as **Parcel 3 (7.01 acres, more or less)**, as shown and more particularly described on that certain map or plat made by Adolph M. Michelis, R.L.S. No. 1323, dated July 16, 2021 and recorded in **Plat Book 29, Page 130** in the records of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

Subject, however, to all valid restrictions, easements, and rights of way of record.

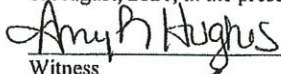
This being a portion of the property conveyed by Warranty Deed from Weston Enterprises, Inc. and Thomas Neidlinger Logging, Inc. to N&W Enterprises, LLC, dated June 8, 2006, recorded in Deed Book 1465, Page 25, aforesaid records.

TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered this 25th day
of August, 2021, in the presence of:

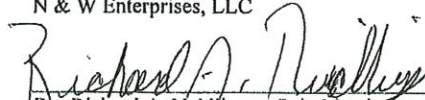


Witness

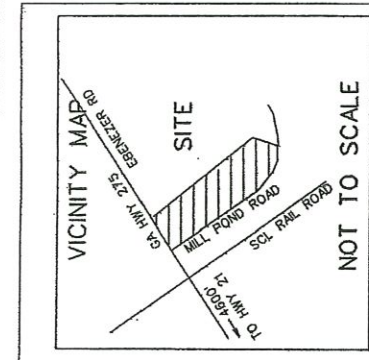


Notary Public

N & W Enterprises, LLC

 (SEAL)
By: Richard A. Neidlinger, Sole Member

EDWARD L NEWBERRY JR
Notary Public, Effingham County, GA
My Commission Expires June 21, 2024



NOT TO SCALE

APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR: *[Signature]* DATE: 8/19/2021

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 OGSOS regulations for a hydrolocate residence of the plat. This plat is hereby approved for filing with the Registrar for the issuance of a construction permit. Modifications or changes in any designation may void this approval.

[Signature] This date 8/19/21
Sitting Authority

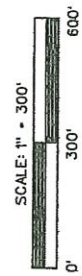
MINOR SUBDIVISION

SURVEY FOR
N & W ENTERPRISES LLC
SURVEY TO DIVIDE 28.38 AC.
INTO 3 PARCELS
MAP & PARCEL 04-460007
LOCATED IN THE 09TH, G.M.D.
EFFINGHAM COUNTY, GEORGIA
SURVEYED 16 JULY 2021
PLAT DRAWN 16 JULY 2021

RIN02.DON JULY 2021

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-1" (OUTSIDE THE 500 YEAR FLOODPLAIN)

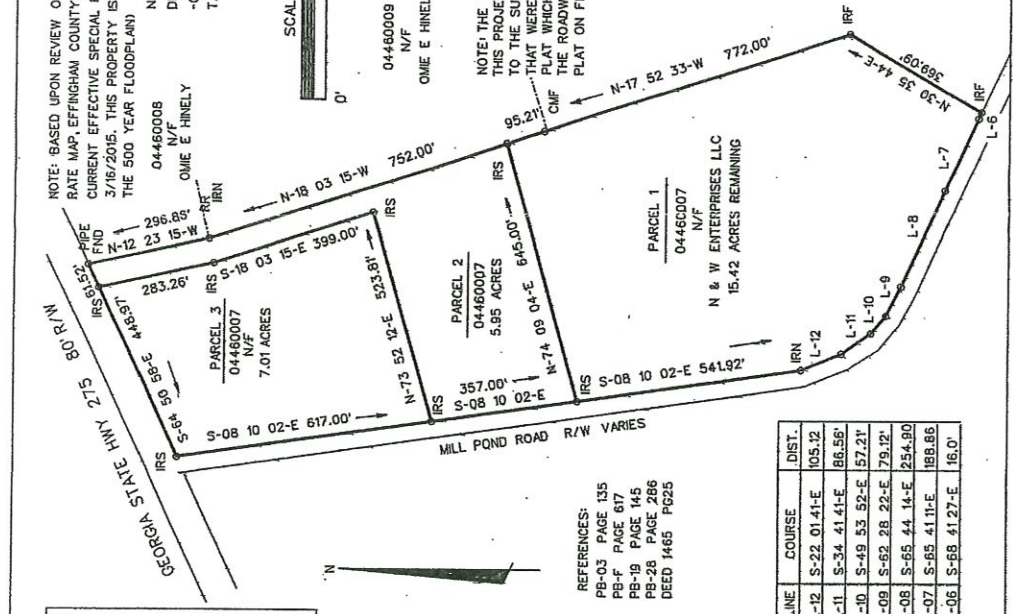
NOTE: SUBJECT PROPERTY IS A DIVISION OF MAP & PARCEL 446-07 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.



04460009
N/F
OMIE E HINELY

NOTE: THE OVERALL ACREAGE ON THIS PROJECT HAS CHANGED DUE TO THE SUBTRACTION OF LANDS THAT WERE PART OF THE RECORDED PLAT WHICH INCLUDED PORTIONS OF THE ROADWAY AND R/W.
PLAT ON FILE PLAT BK 3 PG 25

04460006
N/F
PHIL & BRANDY KIEFFER



- REFERENCES:
PB-03 PAGE 135
PB-F PAGE 617
PB-19 PAGE 145
PB-28 PAGE 286
DEED 1465 PG25

LINE	COURSE	DIST.
L-12	S-22 01 41-E	105.12
L-11	S-34 41 41-E	88.56'
L-10	S-49 53 52-E	57.21'
L-09	S-62 28 22-E	79.12'
L-08	S-65 44 14-E	254.90'
L-07	S-65 41 11-E	188.85'
L-06	S-68 41 27-E	16.0'

BK:29 PG:130-130
P2021000165
FILED IN OFFICE
CLERK OF COURT
08/11/2021 03:26 PM
JASON E. BRAGG, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA
[Signature]

- LEGEND:
IRF 5/8" REBAR FOUND
IR 5/8" REBAR SET
C CONC FOUND
CMF CONC FOUND
N/F NOW OR FORMERLY
PP POWER POLE
EQUIP. USED TOTAL STATION
TOPCON 303

ERROR OF CLOSURE
124,000 PLAT NOT ADJUSTED
ADOLPH N. MICHELIS & ASSO.
735 SANDY RIDGE ROAD
SYLVANIA, GEORGIA 30467
PH. (912) 829 3872

SURVEYORS CERTIFICATION

I, as required by subsection (d) of O.C.G.A. Section 9-5-67, the plat has been prepared by a land surveyor and approved by approved certification, signatures, stamps, or statements thereon, appropriate governmental bodies by any purchaser or user of the plat. This plat is hereby approved for filing with the Registrar for the issuance of a construction permit. Modifications or changes in any designation may void this approval.

[Signature]
DATE: 7/19/21
GA REG. ES. LIC. NO. 1325

DB 2719 270



NOT FOR CONSTRUCTION

SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE UPON FINAL SURVEY AND JURISDICTIONAL INVESTIGATION

REVISIONS:

REV. 2024.03.16	EFFINGHAM COUNTY COMMENTS

CONCEPTUAL PLAN

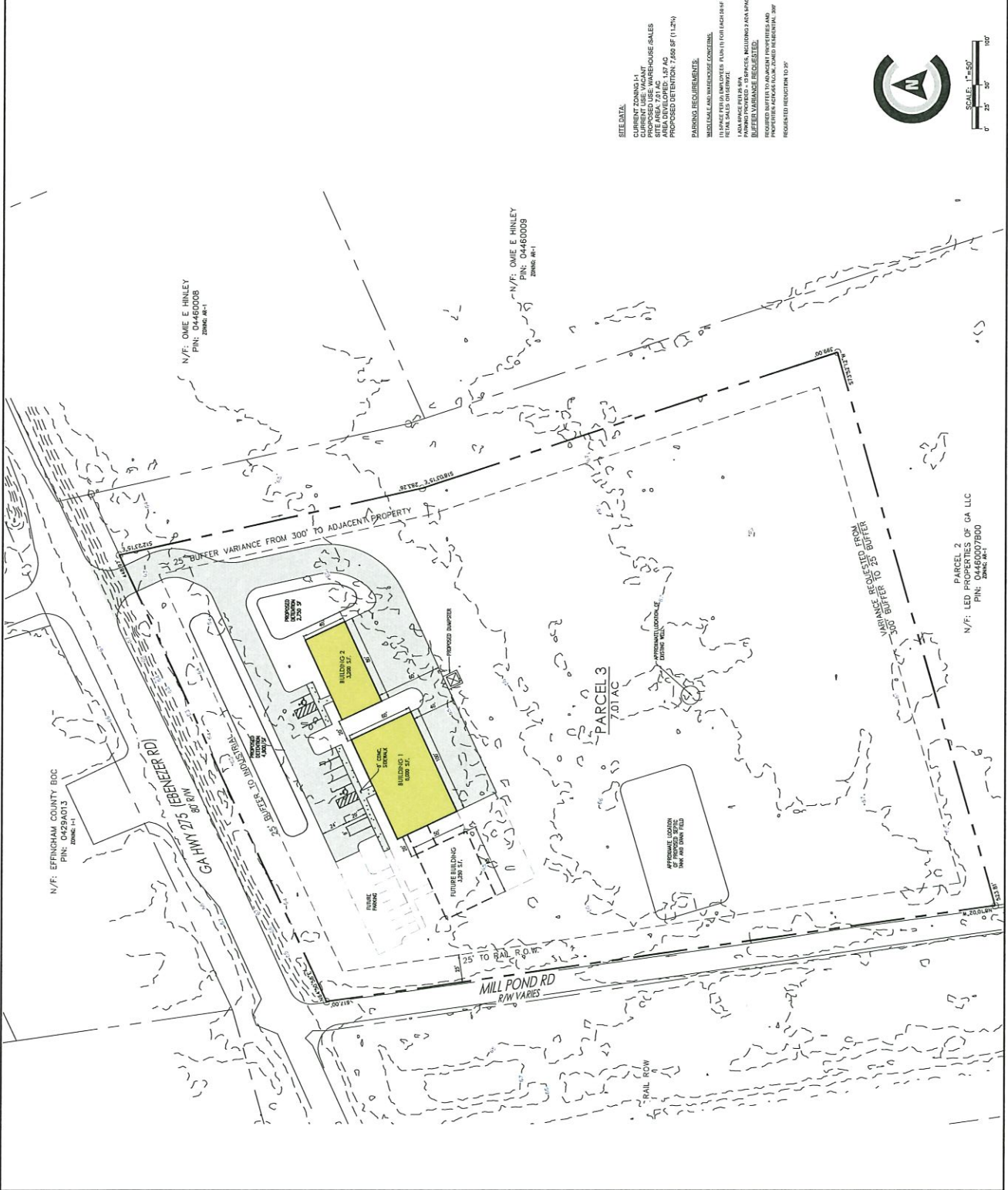
PROPOSED WAREHOUSES

1204 MILL POND RD.

EFFINGHAM COUNTY, GEORGIA

JOB NUMBER: 21-1104
 DRAWN BY: 03/14/2022
 CHECKED BY: STAFF
 SCALE: AS NOTED

CONCEPTUAL PLAN
 SHEET:
CP1.0



SITE DATA:

CURRENT ZONING: I-1
 PROPOSED ZONING: I-1
 PROPOSED USE: WAREHOUSE SALES
 SITE AREA: 7.017 AC ±
 PROPOSED DETENTION: 7,655 SF (11.2%)

PARKING REQUIREMENTS:

MINIMUM LAND WAREHOUSE CONSTRUCTION:
 11 SPACES PER 100 EMPLOYEES PLUS 10 FOR EACH 500 SF OF FLOOR SALES OR STORAGE.

PROPOSED DETENTION: 7,655 SF (11.2%)

BUFFER VARIANCE REQUESTED:

PROPOSED BUFFER VARIANCE FROM 300' TO ADJACENT PROPERTY



PARCEL 2
 N/F: LED PROPERTIES OF GA LLC
 PIN: 04460007800
 ZONING: I-1

1204 MILL POND ROAD



3/15/2022, 1:48:13 PM

- Municipal Boundaries
- Address Points
- Parcels2020
- Roads
- AR-1
- AR-2
- AR-3
- R-1
- R-2
- R-3
- R-6
- B-3
- I-1
- Other

Minutes from the
May 4, 2020
Planning Board
&
May 19, 2020
Board of Commissioners
meetings

Eric Edwards - PUBLIC HEARING (12): The applicant requests to rezone 7 acres from R-1 to I-1 for [Map# 446 Parcel# 7] located at 1204 Mill Pond Road to allow for a commercial business Overhead Door Company". (Fourth District)

Mrs. Diane Proudfoot, Zoning Administrator read the Facts and Findings, and Staff Recommendations:

Facts and Findings:

- 11 -

"MINUTES OF THE EFFINGHAM COUNTY PLANNING BOARD – May 4, 2020"

The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. Overhead Door Company is seeking to develop 7-acres of the property contingent upon rezoning approval. County water and sewer is not available to this site.

Staff Recommendation: Approval with the following stipulations:

1. Must meet the requirements of the I-1 zoning district, Article V. Uses Permitted in District / 5.12 – Industrial Districts.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. A subdivision plat must be approved by the Health Department and the Zoning Office.

No one was present to speak for or against the rezoning.

Chairman David Burns asked if the property had previously been zoned industrial, the consensus was it had. Mr. Peter Higgins observed that the property was surrounded by industrial zoning.

Mr. Peter Higgins made a motion to approve with Staff Recommendations. The motion was seconded by Mr. Alan Zipperer and carried unanimously.

ERIC EDWARDS – PUBLIC HEARING (38): The Planning Board recommends approving an application by Eric Edwards to rezone 7 acres out of 31.50 acres located at 1204 Mill Pond Road from R-1 to I-1 Map# 446 Parcel# 7 in the Fifth District

Commissioner Kieffer recused himself from voting on this item due to proximity to personal home.

Zoning Administrator Proudfoot explained Staff and Planning Board recommend approval with stipulations.

No one was present in favor or against the request. There was discussion to require the access to be from Ebenezer Road.

Commissioner Burdette made a motion to approve the request with the following Planning Board and Staff recommendations:

1. Must meet the requirements of the I-1 zoning district, Article V. Uses Permitted in District / 5.12 – Industrial Districts.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. A subdivision plat must be approved by the Health Department and the Zoning Office.
5. The access shall be from Ebenezer Road (Hwy 275).

Vice Chairman Deloach seconded the motion. The motion carried unanimously.

ERIC EDWARDS – SECOND READING (39): Consideration to approve the Second Reading of an application by Eric Edwards to rezone 7 acres out of 31.50 acres located at 1204 Mill Pond Road from R-1 to I-1 Map# 446 Parcel# 7 in the Fifth District

Commissioner Kleffer recused himself from voting on this item.

Due to an added stipulation, (according to the Rules of Procedure) this item was automatically tabled to the June 2, 2020 Commission meeting.