

## Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Chelsie Fernald, Planning Manager  
**Department:** Development Services  
**Meeting Date:** March 4, 2025

**Item Description:** **Neil McKenzie** as agent for **Nick Finland** requests to **rezone** +/- 221.87 acres from **AR-1 to R-5** to allow for residential development. Located on Goshen Road. **[Map# 451 Parcel# 41]**

### Executive Summary/Background

- 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.
- This application was received on June 19, 2024, before the commencement of the Moratorium on August 20, 2024.
- The applicant requests to rezone 221.87 acres to R-5 zoning to allow for residential development along Goshen Road with a proposal of 377 units.
- The surrounding zoning to this parcel is as follows: North: AR-1 & R-1; South: AR-1, East: AR-1, R-1 & PD; West: AR-1 & R-1.
- The Effingham County Code of Ordinances has adopted the International Fire Code and appendixes. Due to this adoption, a second emergency access is required. This proposed development has a secondary emergency access at 665 Goshen Road.
- The site has significant wetlands and Special Flood Hazard Area (flood zone A). Based on the Effingham County Code of Ordinances, **Chapter 34 – Flood Damage Prevention:**  
*“For subdivisions and/or developments greater than 50 lots or five acres, whichever is less, base flood elevation data shall be provided for subdivision and all other proposed development, including manufactured home parks and subdivisions. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the "as-built" data to FEMA in order to obtain the final LOMR and assuring that the new base flood boundary, floodway and/or V zone boundary if applicable, and the applicable base flood elevation for the building site on each lot, be clearly marked on all recorded subdivision plats, be they for residential, commercial, or industrial use.”*
- The proposed development will be served by Effingham County water & sewer.
- If approved, this proposed development must come before the Board of Commissioners for Preliminary Plat approval.
- The Goshen Widening project is estimated to be completed April 2028, with this development falling in the second phase of the project. There are also roundabouts going at Effingham Parkway (estimated to be completed September 2025) and Hodgeville Road (estimated to be completed September 2026)
- The Future Land Use Map (FLUM) does have this parcel projected to be agricultural/residential.
- Per the Effingham County Comprehensive Plan, Agricultural/Residential Future Land Use Area states the following:  
*“The predominant use of land within a residential category is for single-family and multi-family dwelling units organized into general categories of net densities. Higher development densities are allowed based on the availability of supportive infrastructure.”*
- At the February 11, 2025, Planning Board Meeting, Mr. Jake Patrick motioned for approval with the following added conditions:
  1. Only up to 120 homes may get a Certificate of Occupancy until the secondary emergency access easement is fully established and the Goshen Road improvements are completed.
  2. A 50' wide vegetated buffer with a berm shall be placed along the south property line.
- Ms. Lyndsay Smith seconded the motion, and it carried 4-1 with Mr. Neal Kessler opposing.

### Determination

Staff has reviewed the application, and if approved, the rezoning will meet the criteria of the ordinance with the following conditions:

- A Preliminary Plat shall be approved by the Board of Commissioners.
- All Site Development shall comply with the Effingham County Code of Ordinances, **Chapter 30 – Environment** and **Chapter 34 – Flood Damage Prevention**, along with the Local Stormwater Design Manual.
- Buffers shall adhere to the Effingham County Code of Ordinances, *Article III, Section 3.4 Buffers*.
- USACE must approve and permit all wetland impacts, and the Approved Jurisdictional Determination must be submitted during the site development plan review process.
- Per the International Fire Code, a secondary emergency access entrance shall be provided for the development.
- Only up to 120 homes may get a Certificate of Occupancy until the secondary emergency access easement is fully established and the Goshen Road improvements are completed.
- A 50' wide vegetated buffer with a berm shall be placed along the south property line.

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Rezoning application and checklist  
4. Ownership certificate/authorization

2. Plat  
3. Deed  
5. Aerial photograph