

RZN-24-21

Rezoning Application

Status: Active

Submitted On: 3/6/2024

Primary Location

0

Owner

Applicant

 Travis Burke 912-200-3041 tburke@cci-sav.com 1480 Chatham Parkway

Suite 100

Savannah, GA 31405

Staff Review

 Planning Board Meeting Date*

04/09/2024

 Board of Commissioner Meeting Date*

05/07/2024

 Notification Letter Description *

to develop Single Family Detached and Attached (Townhomes).

 Map #*

396

 Parcel #*

62, 62A

 Staff Description Georgia Militia District*

9

 Commissioner District*

2nd

 Public Notification Letters Mailed

03/18/2024

 Board of Commissioner Ads

04/17/2024

🔒 Planning Board Ads

03/20/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Bryant Ligon

Applicant Email Address*

bligon@coastalcdev.com

Applicant Phone Number*

919-801-0618

Applicant Mailing Address*

234 Kinsley Park Drive, Suite 110

Applicant City*

Fort Mill

Applicant State & Zip Code*

South Carolina, 29715

Property Owner Information

Owner's Name*

T and T 9G, LLC

Owner's Email Address*

wmcdonald@fwforestry.com

Owner's Phone Number*

229-407-0224

Owner's Mailing Address*

P.O. Box 295

Owner's City*

Springfield

Owner's State & Zip Code*

Georgia, 31329

Rezoning Information

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

IT-1

Proposed Zoning of Property*

PD (Planned Development)

Map & Parcel *

03960062 & 03960062A00

Road Name*

Midland Road

Proposed Road Access* 

Midland Road

Total Acres *

288.36

Acres to be Rezoned*

288.36

Lot Characteristics *

Single Family Detached and Attached (Townhomes)

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 support the housing needs of south Effingham County and the surrounding area.

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

North*

AR-1

South*

AR-1, AR-2, R-1

East*

AR-1

West*

AR-1

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

Vacant

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

No. The proposed development will have a positive impact to the county's economy

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

The property will be developed Single Family Detached and Townhome Neighborhood with amenities, parks, open space, and off street parking areas along with conservation areas.

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

To the north of the subject property the area is generally vacant undeveloped property. To the south there are several single family residential developments

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

The proposed use fits the development pattern in the area along Hwy 30 and South Effingham County and will be compatible with the existing neighborhoods and development in the 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

Digital Signature*

 Travis G. Burke

Mar 6, 2024

MOCK SURVEYING, INC.
 9134 OLD RIVER ROAD
 BROOKLET, GA 30045
 PH:(912) 657-4010
 JEFF@MOCKSURVEYING.COM

**A
 RECOMBINATION
 PLAT**
**14.008
 ACRES**

9TH G.M.D.
 EFFINGHAM COUNTY,
 GEORGIA

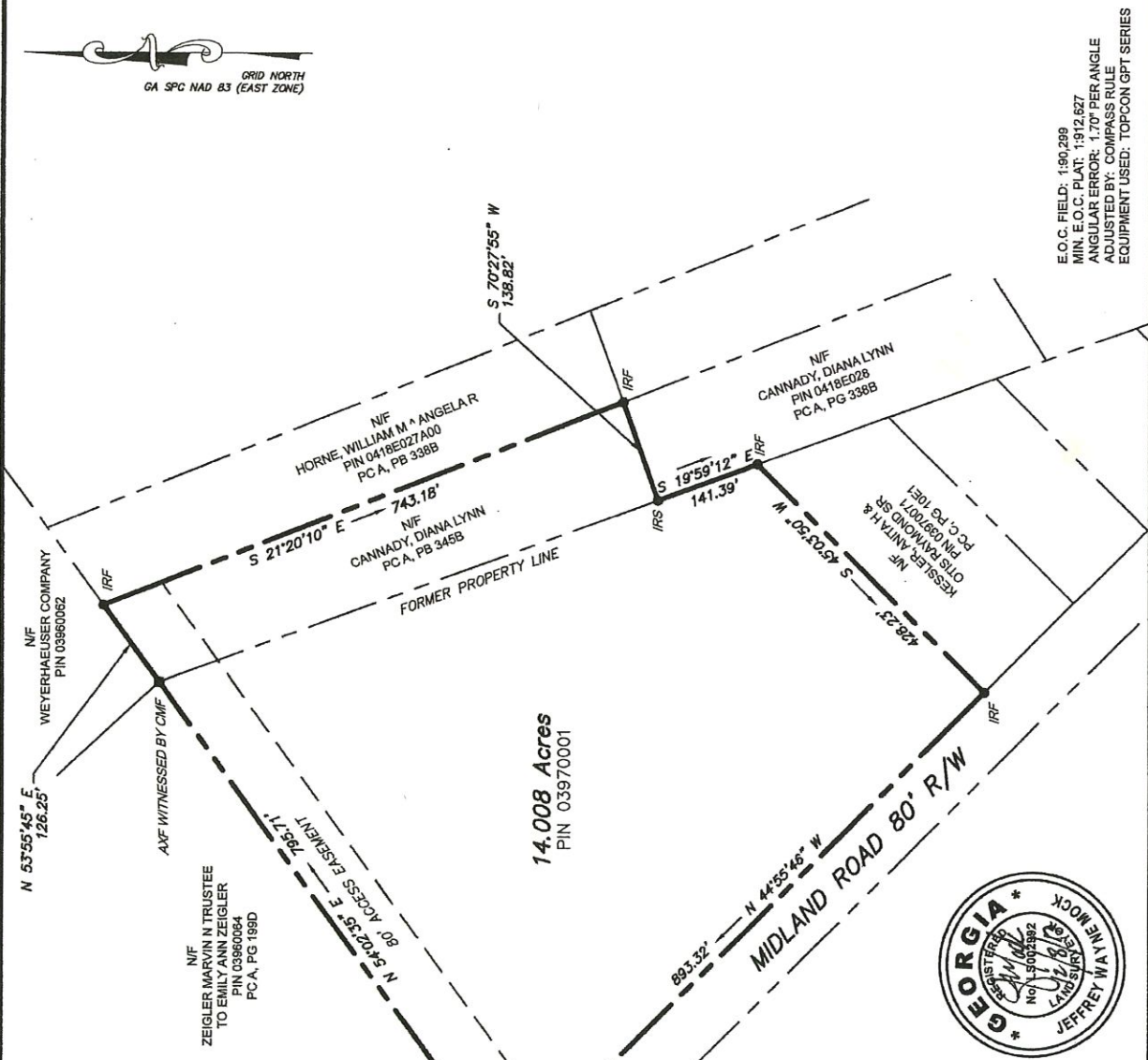
PREPARED
 FOR
 T&T9G, LLC

- LEGEND**
- AXF
 - IRS
 - PK
 - IRF
 - IRF
 - IRF
 - IRF
 - CMF
- AXLE FOUND
 IRON REBAR SET 5/8"
 "PK" NAIL SET
 IRON ROD FOUND
 IRON PIPE FOUND
 RAILROAD IRON FOUND
 CONCRETE MONUMENT FOUND



PROJECT NO.: 17-130
 DRAWN BY: JWM
 SURVEYED BY: JWM
 SURVEY DATE: 11-28-17
 CHECKED BY: JWM
 SCALE: 1" = 150'
 DATE: 12-1-17

SHEET 1 OF 1



E.O.C. FIELD: 190,298
 MIN. E.O.C. PLAT: 179,12,627
 ANGULAR ERROR: 1.70" PER ANGLE
 ADJUSTED BY: COMPASS RULE
 EQUIPMENT USED: TOPCON GPT SERIES

BK:28 PG:22-222
 P2017000221
 FILED IN OFFICE
 CLERK OF COURT
 12/11/2017 09:53 AM
 ELIZABETH Z. HURSEY, CLERK
 SUPERIOR COURT
 EFFINGHAM COUNTY, GA

Elizabeth Z. Hursey

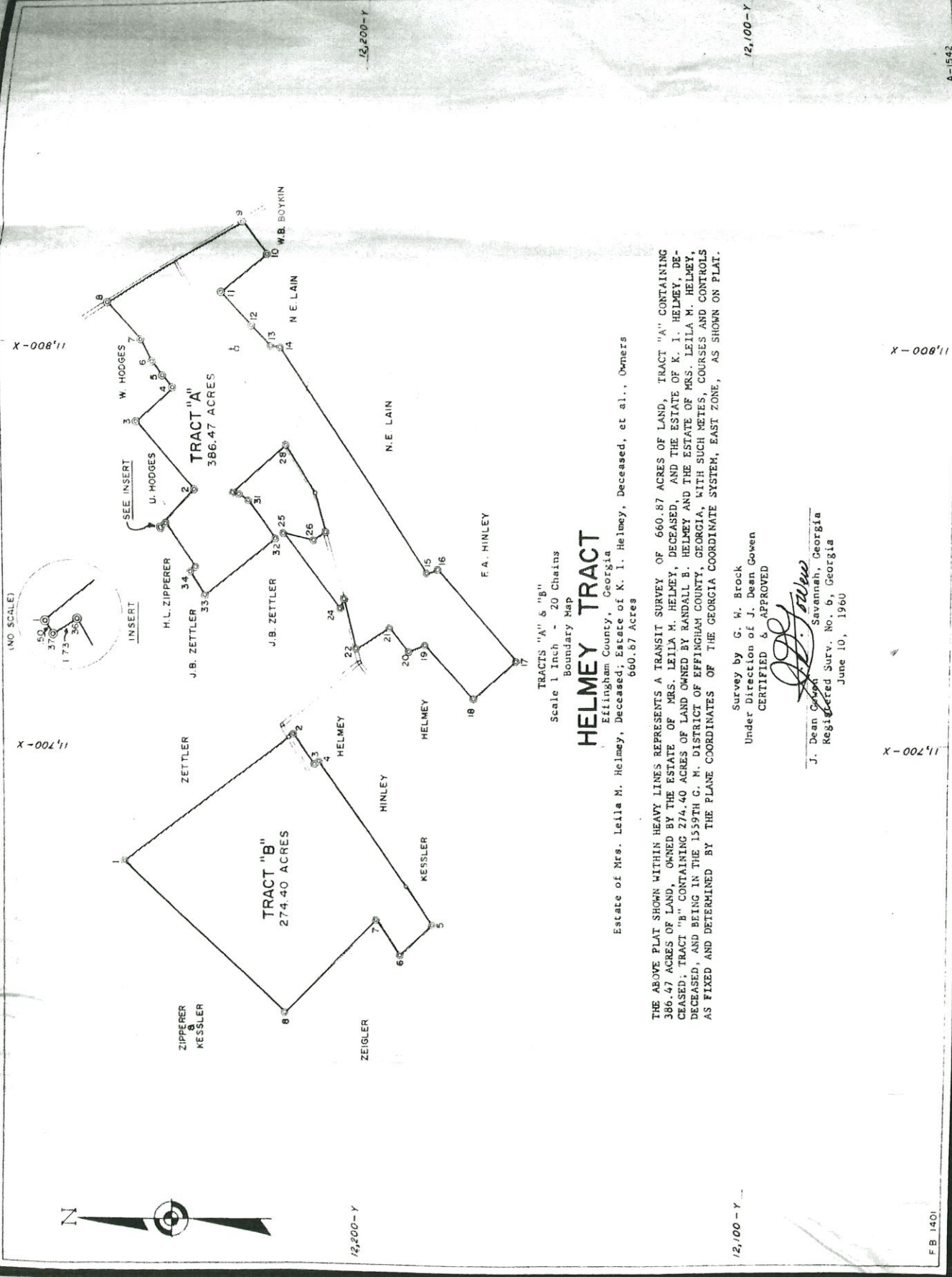
THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT.

1. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
2. THIS PROPERTY LIES IN ZONE "A" ACCORDING TO FEMA MAP NUMBER 13100C0380E REVISED MARCH 16, 2015.
3. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67 AS AMENDED BY HB 76 (2017), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

R.C.B.
 COUNTY ZONING ADMINISTRATOR
 12/06/2017
 DATE



AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



11,800-X

11,700-X

12,200-Y

12,100-Y

A-1542

11,800-X

11,700-X

FB 1401

TRACTS "A" & "B"
 Scale 1 Inch = 20 Chains
 Boundary Map

HELMEY TRACT

Effingham County, Georgia
 Estate of Mrs. Lella M. Helme, Deceased; Estate of K. I. Helme, Deceased, et al., Owners
 660.87 Acres

THE ABOVE PLAT SHOWN WITHIN HEAVY LINES REPRESENTS A TRANSIT SURVEY OF 660.87 ACRES OF LAND, TRACT "A" CONTAINING 386.47 ACRES OF LAND, OWNED BY THE ESTATE OF MRS. LELLA M. HELMEY, DECEASED, AND THE ESTATE OF K. I. HELMEY, DECEASED; TRACT "B" CONTAINING 274.40 ACRES OF LAND OWNED BY RANDALL B. HELMEY AND THE ESTATE OF MRS. LELLA M. HELMEY, DECEASED, AND BEING IN THE 1559TH C. M. DISTRICT OF EFFINGHAM COUNTY, GEORGIA, WITH SUCH METES, COURSES AND CONTROLS AS FIXED AND DETERMINED BY THE PLANE COORDINATES OF THE GEORGIA COORDINATE SYSTEM, EAST ZONE, AS SHOWN ON PLAT.

Survey by G. W. Brock
 Under Direction of J. Dean Gowen
 CERTIFIED & APPROVED

J. Dean Gowen
 Savannah, Georgia
 Registered Surv. No. 6, Georgia
 June 10, 1960

MOCK SURVEYING, INC.
9134 OLD RIVER ROAD
BROOKLET, GA 30415
PH (912) 857-4010
JEFF@MOCKSURVEYING.COM

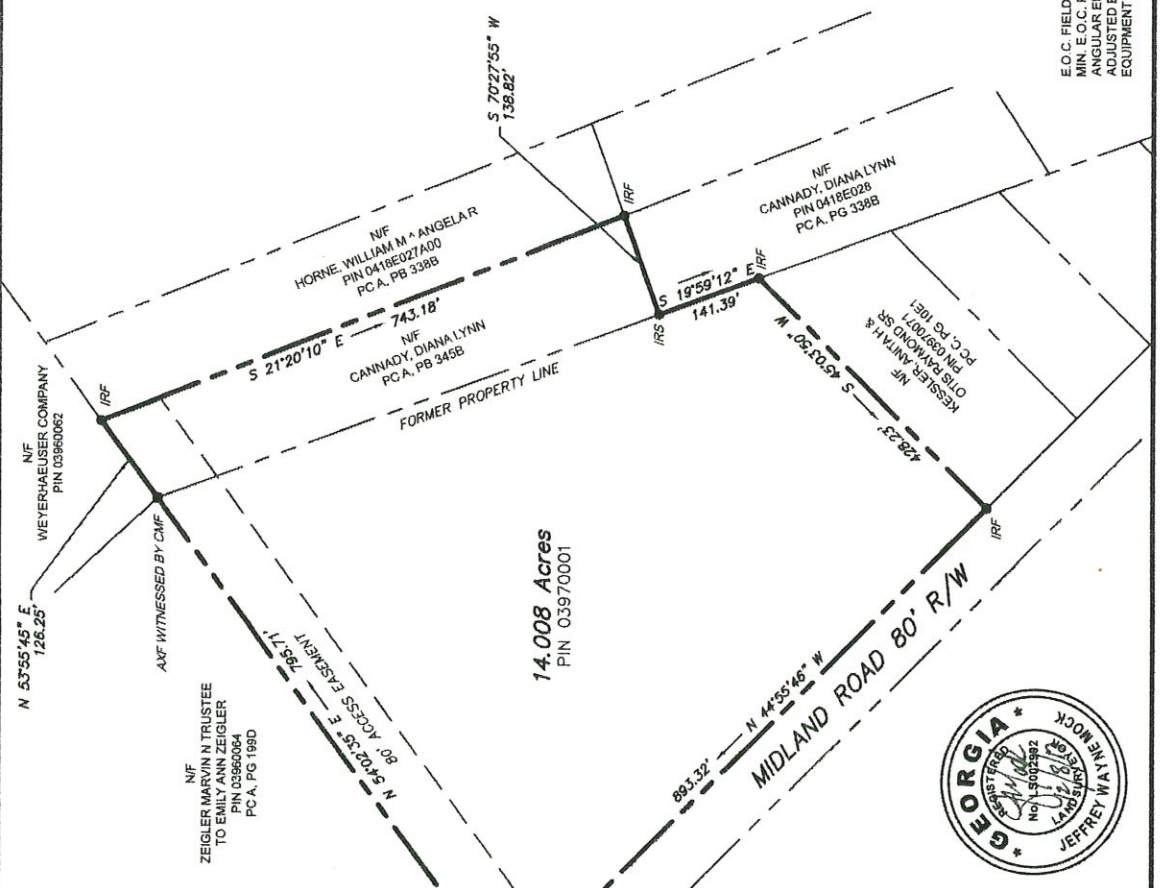
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LEGEND
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IRON REBAR SET 5/8" IRS
"PK" NAIL SET PKG
IRON ROD FOUND IRF
RAILROAD IRON FOUND IRF
CONCRETE MONUMENT FOUND CMF

150' 75' 0' 150'
GRAPHIC SCALE: 1"=150'

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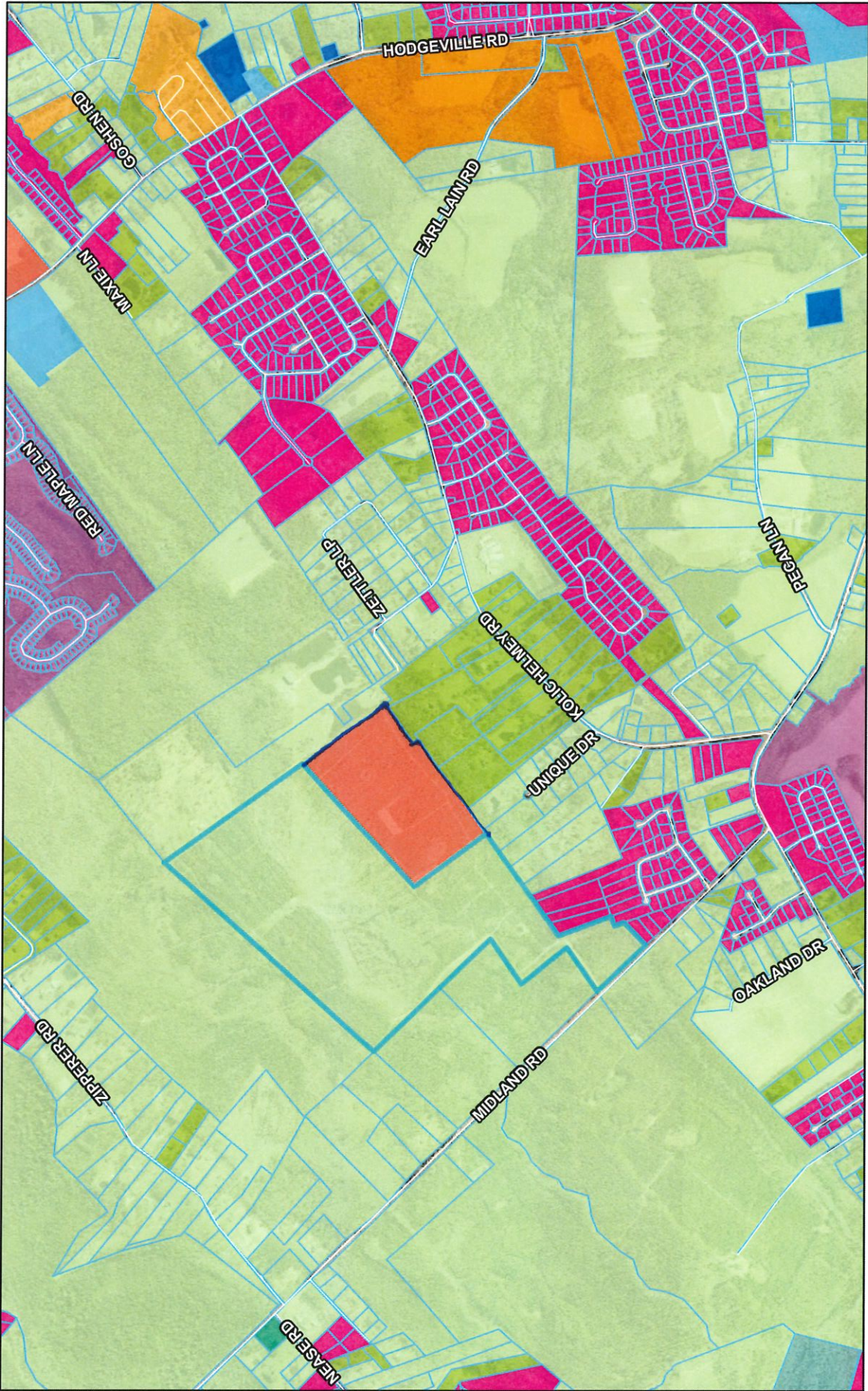


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R.C.B. COUNTY ZONING ADMINISTRATOR
DATE 12/08/2017

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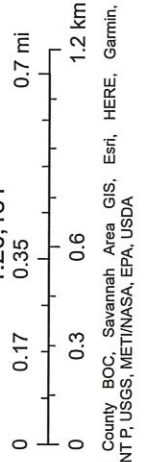
396-62 & 62A



3/7/2024

- Roads
- Tax Parcels
- Tax Parcel Labels
- Effingham County Zoning
 - R-1
 - AR-1
 - AR-2
 - B-1
 - B-2
 - B-3
 - I-1
 - PD
 - PD-R
- Efn_fin_cache
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1:26,181



Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Midland Sands Residential Planned Development (PD-R)

Prepared For:
BRD Land and Investment, GP

Submitted To:
Effingham County



March 2024

Prepared By:
Coleman Company, Inc.



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DRAFT



Midland Sands Planned Development (PD-R)

**Article 5.15
PD Planned Development District**

This text and these tables and figures are included to meet the filing requirements of Article 5.15, Effingham County Zoning Ordinance.

Figure 1. Midland Sands Residential Planned Development District (PD-R)

IMAGE HERE

Midland Sands Planned Development (PD-R)

Article 5.15 - Purpose

A zoning to PDR, as allowed under Article 5.15, of the Effingham County Zoning Ordinance, is necessary to allow the uses, mixture of uses, and development standards which will govern the development of the property. Development, as proposed herein, goes “hand in hand” with the purpose statement of Article 5.15.7.5 Residential (PD-R), which states:

Characteristics and intent: It is the intent of this ordinance that the PD-R district may be applied to any residential area where the developer wishes to apply use regulations or controls more restrictive than those required by other residential districts in this ordinance.

Special requirements: In addition to other information required elsewhere in this section for submission of a PD district, applications for PD-R districts shall be accompanied by any additional restrictions, limitations, conditions, plans, easements, rights, or privileges beyond those normally required in a residential district in this ordinance, which the developer proposes for application to this proposed PD district.

Article 5.15.1 – Eligibility Requirements

1. Size

The PD-R meets the minimum required site size of 20 acres for an all residential type. The total acreage is 288.50 acres.

- 2. The site must have a minimum width, between any two opposite boundary lines of 300 linear feet and must adjoin or have direct, adequate access (as defined by the Highway Capacity Manual, most current edition), to at least one improved public road as shown on the county road classification map. The PD-R minimum distance between two opposite property lines is 743 linear feet and has direct access to Midland Road.**

- 3. There is hereby established the requirement that development projects as determined by the planning board staff, will submit a developments of regional impact report for review by staff.**

A DRI (DRI #3904) was previously submitted and completed for this property and will be updated accordingly to coincide with the PD-R.

4. Ownership and Control

The tract of land for the PUD application is in single ownership.

Article 5.15.2 Procedure for creating and maintaining a PD district.

5.15.2.1 Any request pertaining to the establishment of a PD district shall be considered a proposal for amendment to the zoning ordinance and shall be processed in accordance with the regulations set forth in article IX of appendix C of the county code (hereafter appendix C), with regards to application requirements, county planning board review (hereafter planning board), and public hearings. All data set forth in appendix C, shall be submitted to the planning board, and subsequently forwarded to county board of commissioners (hereafter board of commissioners) with the recommendations of the planning board. If approved by the board of commissioners, the master plan shall be officially delineated on the zoning districts map and such plan and all information submitted in conjunction with the proposal, as amended, shall be adopted as planned development district. All further development shall conform to the standards adopted for the district, regardless of any changes in ownership. The violation of any provision of the master plan, as submitted and approved, shall constitute a violation of this ordinance. In any event, where it is determined by the board of commissioners that development of the PD district is not in accordance with the standards adopted for that district, the board of commissioners shall be empowered to amend the ordinance to place parts or all of the property in its prior zoning classification.

5.15.2.2 Any substantial changes in the development of the district shall be treated as proposed amendments to the zoning ordinance and must be considered in accordance with the procedures set forth in article IX. For purposes of this subsection, substantial change shall be defined as an overall change in land use, change in acreage, a change in project intent, or a change in buffers along the project's external boundary. Minor changes will not be treated as a proposed amendment to the zoning ordinance and may be approved with authorization of the county manager and/or development services official. Minor changes for the purpose of this subsection shall be defined as changes in street access or alignment, changes in public or common areas, changes in building setbacks, or changes to buffers between internal components of the project. The development services official shall be responsible for determining whether a proposed change is substantial or minor. Substantial changes must be approved by planning board and county commission. Appeals based on hardship or an alleged misinterpretation of the ordinance by the development services official shall be processed in accordance with the procedures set forth in article IX of this ordinance.

5.15.2.3 Only after the PD zoning has been approved by the board of commissioners, may the applicant submit a site plan for development, however, no building permit shall be issued for a PD district until a site plan conforming to the requirements set forth in appendix B, entitled subdivision regulations, found within the Effingham County Code, has been submitted to and approved by the board of commissioners.

Midland Sands Planned Development (PD-R)

5.15.2.4 No site plan approved by the board of commissioners shall be valid for a period longer than 12 months, unless within such period a preliminary plat is submitted pursuant to Appendix B of the Effingham County Code. The planning board may recommend to the board of commissioners to grant extensions not exceeding 12 months each upon written request of the original applicant if the application submitted is substantially the same as the initial application. However, the planning board, with approval of the board of commissioners, has the power in such cases to attach new conditions to its reapproval or disapproval of the reapplication. Where the application for reapproval contains changes which the zoning administrator concludes materially alter the initial application, he shall initiate a new site plan review procedure as stated herein.

Midland Sands Planned Development (PD-R)

Article 5.14.4 – Permitted Uses

The T&T PD-R has two (2) allowable land uses as indicated on the “Conceptual Plan – T&T PUD” included below and attached. These land uses are:

- Detached Single Family Dwelling
- Attached Single Family Dwelling

Figure 3. Conceptuel Plan – Midland Sands PD-R



Midland Sands Planned Development (PD-R)

Article 5.15.6 – Design Criteria and Development Standards

In all PD districts, the general provisions set forth in appendix B shall govern unless relief is granted by the planning board and the board of commissioners.

Overall site design should be harmonious in terms of landscaping, enclosure of principal and accessory uses, parcel sizes, street patterns, and land use relationships. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged. Common open space shall be at least 20 percent of the overall site. In a PD-R, no more than 50 percent of required common open space shall be unbuildable land.

Minimum Lot Size and Zoning Requirements

Land Use Type	Max. Density	Min. Lot Area (SF)	Min. Lot Width (FT)	Min. Setbacks (FT)	Max. Building Height (FT)	Max. Building Coverage (%)
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Midland Sands Planned Development (PD-R)

Detached Single Family R-5	5 units per net acre	6,600	50	Front: 15 Rear: 25 Side (interior): 7.5 Side (street): 15	35	45
Attached Single Family R-3	9 units per net acre	N/A	150	Front: 10 Rear: 15 Side (interior): 15 Side (street): 35 Public Street: 35	35	40

A. Modification of Minimum Requirements

For this PD-R the overall allowed density shall not exceed 3.0 units per net acre which is less dense than the maximum allowed in current residential zoning. In the Detached Single-Family requirements, a reduction in the lot width, area, and side setback is being requested and in the Attached Single Family requirements a more restrictive standard for unit width, number of units per building, and front and rear setbacks are being requested. Modifications to the minimum standards for Detached and Attached Single Family units are as follows:

Detached Single Family

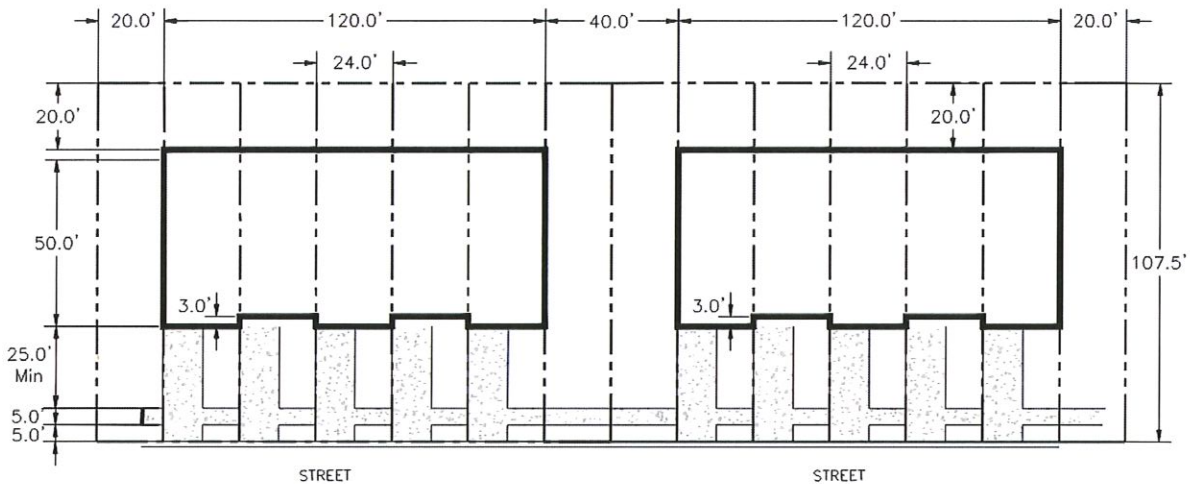
1. Lot Area = 6,000 SF
2. Lot Width = 45 FT min.
3. Setbacks:
 - Side: 5 FT (*Interior*)
 - 10 FT (*Street*)

Attached Single Family

1. Unit Width = 24' Min.
 2. Maximum units per building = 5
 3. Minimum 3' depth variation in between individual units along front facade
 4. Setbacks:
 - Front: 35 FT (*as measured from easement line or right-of-way*)
 - Rear: 20 FT
 - Side: 20 FT (*Interior*)
- Maximum of five (5) attached single family units per building.
 - Minimum separation between ends and rears of contiguous buildings shall be

Midland Sands Planned Development (PD-R)

40 feet.



TYPICAL LOT LAYOUT
SINGLE FAMILY ATTACHED - TOWNHOME
 NOT TO SCALE

B. Common Open Space

For purposes of the PD-R requirements, "common open space" is defined as an area of land, wetlands or water, or a combination of land, wetlands, and water, designed and intended for the perpetual use and enjoyment of the users of the development and/or the public. Common open space may contain accessory structures and improvements necessary or desirable for educational, noncommercial, recreational, or cultural uses. A variety of open space and recreational areas is encouraged such as: children's informal play areas in close proximity to neighborhoods or dwelling unit clusters; formal parks, picnic - areas and playgrounds; pathways and trails; scenic open areas and communal, noncommercial recreation facilities; and natural conservation areas.

MINIMUM REQUIRED COMMON OPEN SPACE = 57.67 Acres (20.0% Total Land Area)

PROPOSED COMMON OPEN SPACE = 105.37 Acres (36.53% Total Land Area)

Amenity Areas:	4.56 AC
Park Area:	13.30 AC
HOA Common Area:	13.38 AC
Pond Area (50%):	16.39 AC

Midland Sands Planned Development (PD-R)

Wetland Area (50%): 57.70 AC

At a minimum, the following regulations shall apply to all common open space within a PD-R:

1. The area of common open space shall not be less than 20 percent of the overall site, no more than 50 percent of the required common open space shall be unbuildable land
2. All common open space shown on the final development plan must be reserved or dedicated by conveyance of title to a corporation, association, or other legal entity, by means of a restrictive covenant, easement or through other legal instrument. The terms of such legal instrument must include provisions guaranteeing the continued use in perpetuity of such open space for the purposes intended and for continuity of proper maintenance of those portions of the open space requiring maintenance.
3. The open space shall meet the following minimum dimensions, contiguity, and connectivity requirements:
 - a. The required open space shall be centrally located, along the street frontage of the development to protect or enhance views, located to preserve significant natural features, adjacent to dwellings, and/or located to interconnect other open spaces throughout the development or on contiguous properties.
 - b. Required open space areas shall be of sufficient size and dimension and located, configured, or designed in such a way as to achieve the applicable purposes of these regulations and enhance the quality of the development. The open space shall neither be perceived nor function simply as an extension of the rear yard of those lots abutting it.
 - c. If the site contains a lake, stream or other body of water, the county may require that a portion of the required open space shall abut the body of water.
 - d. All required open space areas shall be configured so the open space is reasonably accessible to and usable by residents, visitors and other users of the development. The minimum size of a required open space area shall be 15,000 square feet; provided, however, that the required open space abutting a public street may be less than 15,000 square feet; and, further provided, that the city council, upon recommendation of the planning commission, may approve other open space areas of less than 15,000 square feet if these areas are designed and established as pedestrian or bicycle paths or are otherwise determined to be open space reasonably usable by residents, visitors and other users of the development. The minimum average dimension of a required open space area shall be 100 feet.
 - e. Open space areas are encouraged to be linked with any adjacent open spaces, public parks, bicycle paths or pedestrian paths.
 - f. Grading in the open space shall be minimal, with the intent to preserve

Midland Sands Planned Development (PD-R)

existing topography, trees and other natural features, where practical.

- g. A sign, structure, or building may be erected within the required open space if it is determined to be accessory to a recreation or conservation use or an entryway. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one (1) percent of the open space area. Accessory structures or uses of a significantly different scale or character than present in abutting residential districts shall not be located near the boundary of the development if they may negatively impact the residential use of adjacent lands as determined by the planning commission. Pathways or sidewalks shall be exempt from this limitation.
- h. The following areas shall not qualify as required common open space for the purposes of this section.
 - i. The area within any public streetright-of-way.
 - ii. The area within private roadeasements.
 - iii. The area within a subdivision lot.
 - iv. Land within any required yard or setback area.
 - v. Parking and loading areas.
 - vi. Fifty percent of any easement for overhead utility lines.
 - vii. Fifty percent of any steep slopes (12 percent or over).
 - viii. Fifty percent of any lakes, streams, detention ponds, wetlands or floodplains that are not generally accessible within the development. Accessible shall mean that the feature is bordered by a substantial open space area, park, playground, pathway or reasonable means of access for enjoyment of all owners, visitors or others, in which case the total area may qualify as required common open space. Timber Trails shall qualify as affording connectivity of PUD to the common open space.

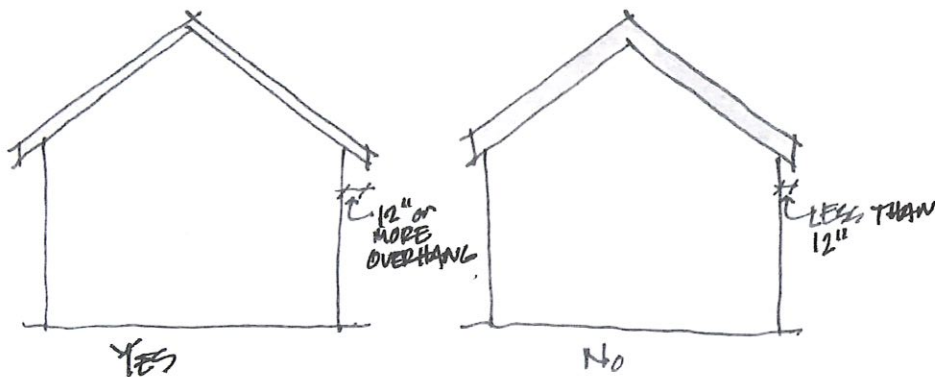
C. Connectivity

Pathways for bicycles and pedestrians shall be incorporated throughout the PD-R and along all perimeter streets to ensure connectivity between uses and with adjacent properties. Pathways and sidewalks shall be constructed in accordance with the City Design Guidelines.

Exhibit A – Minimum Architectural Requirements

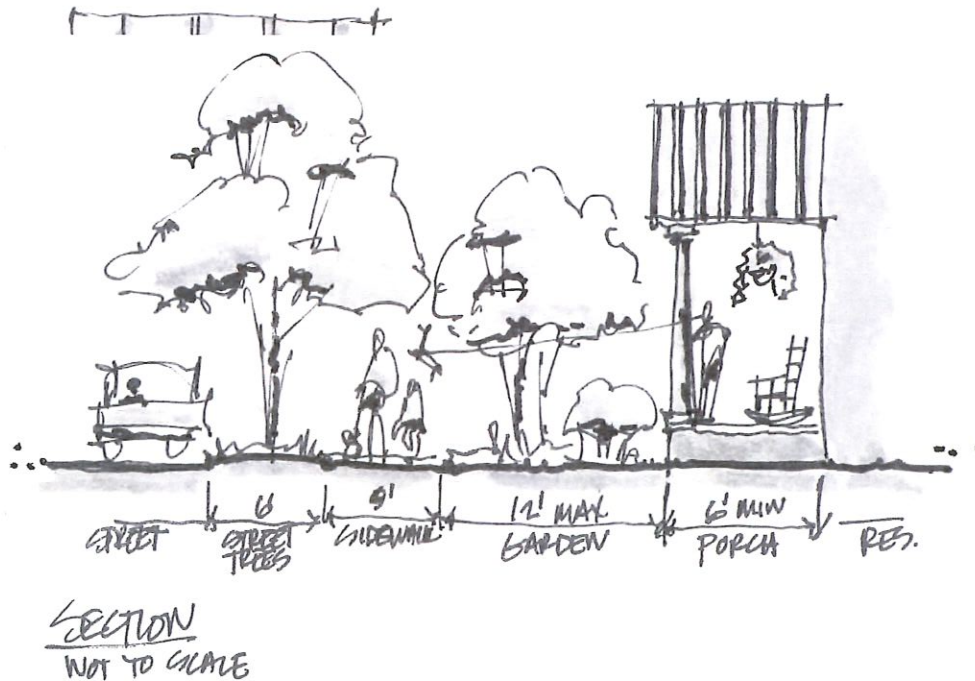
1. Variety of housing types:
 - a. Single family front loaded – 1 and 2 story
 - b. Townhomes (Max of 6 units in a single building)

2. Minimum 12" roof overhang

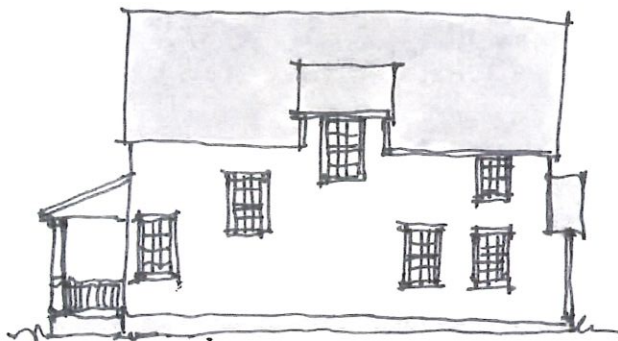


Midland Sands Planned Development (PD-R)

3. Architectural shingles



4. Front porches, when used, shall have a minimum depth of 6'
5. Side elevations of homes that are abutting street intersections shall not be blank walls, but shall include windows and trim consistent with front elevation or a landscape screening and/or buffer.



SIDE ELEVATION

Midland Sands Planned Development (PD-R)

6. Minimum first floor ceiling height of 9' on one story homes.
7. Identical elevations or colors of homes shall not be allowed within three homes of one another.
8. Side yards require buffering of condenser and other mechanical equipment

Exhibit B – PD-R Boundary

Midland Sands Planned Development (PD-R)

ALL THAT CERTAIN TRACT OF LAND KNOWN AS TRACT B, HELMEY TRACT, 9TH G.M. DISTRICT, EFFINGHAM COUNTY, STATE OF GEORGIA RECORDED IN THE OFFICE OF THE SUPEIOR COURT OF EFFINGHAM IN PLAT BOOK 2, PAGE 96 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING FROM A CONCRETE MONUMENT HAVING A GRID NORTH, GEORGIA STATE PLANE, EAST ZONE, NAD 83 COORDINATE OF NORTH: 803572.68, EAST: 924690.64 LOCATED ON THE NORTHERN RIGHT-OF-WAY OF MIDLAND ROAD THENCE ALONG THE EASTERN PROPERTY LINE OF PARCEL B, MARVIN ZEIGLER ESTATE, N54°01'23"E A DISTANCE OF 795.81' TO A CONCRETE MONUMENT BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE PROPERTY LINES OF PARCEL B, MARVIN ZEIGLER ESTATE THE FOLLOWING COURSES AND DISTANCES; N42°23'15"W A DISTANCE OF 740.87' TO A POINT, N54°30'04"E A DISTANCE OF 724.02' TO AN IRON ROD, N45°07'03"W A DISTANCE OF 2193.17' TO A CONCRETE MONUMENT, THENCE ALONG THE EASTERN PROPERTY LINE OF NOW OR FORMERLY JUSTIN AND CRYSTAL ZIPPERER N41°51'21"E A DISTANCE OF 3750.34' TO A CONCRETE MONUMENT, THENCE ALONG THE SOUTHERN PROPERTY LINE OF PARCELS B, C, D, AND E, NOW OR FORMERLY E. WADE BARNETT S36°27'30"E A DISTANCE OF 3615.57' TO A CONCRETE MONUMENT, THENCE ALONG THE NORTHERN PROPERTY LINES OF THE RANDALL ESTATES PHASE 2, UNIQUE ACRES SUBDIVISION, THE TRENT SELLERS, HOWARD TOLE, AND HENRY DEAL SUBDIVISION, AND HUNTERS MILL SUBDIVISION THE FOLLOWING COURSES AND DISTANCES; S54°16'42"W A DISTANCE OF 619.13' TO A CONCRETE MONUMENT, S35°45'28"E A DISTANCE OF 83.39' TO A CONCRETE MONUMENT, S54°16'38"W A DISTANCE OF 2586.54' TO A POINT, S53°55'38"W A DISTANCE OF 657.24' TO AN IRON ROD, THENCE ALONG THE WESTERN PROPERTY LINE OF 14.008 ACRES, NOW OR FORMERLY T AND T9G LLC. S53°54'33"W A DISTANCE OF 126.15' TO THE POINT OF BEGINNING; AND CONTAINING 274.478 ACRES OR 11,956,270 SQUARE FEET.

TOGETHER WITH:

ALL THAT CERTAIN TRACT OF LAND KNOWN AS 14.008 ACRES, 9TH G.M. DISTRICT, EFFINGHAM COUNTY, STATE OF GEORGIA RECORDED IN THE OFFICE OF THE SUPEIOR COURT OF EFFINGHAM IN PLAT BOOK 28, PAGE 222 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT AN IRON ROD HAVING A GRID NORTH, GEORGIA STATE PLANE, EAST ZONE, NAD 83 COORDINATE OF NORTH: 802940.45, EAST: 925321.75 LOCATED ON THE NORTHERN RIGHT-OF-WAY OF MIDLAND ROAD THENCE ALONG THE NORTHERN RIGHT-OF-WAY OF MIDLAND ROAD N44°56'58"W A DISTANCE OF 893.32' TO A CONCRETE MONUMENT, THENCE ALONG THE EASTERN PROPERTY LINE OF PARCEL B, MARVIN ZEIGLER ESTATE, N54°01'23"E A DISTANCE OF 795.81' TO A CONCRETE MONUMENT, THENCE ALONG THE EASTERN PROPERTY LINE OF TRACT B, THE HELEMAY TRACT, NOW OR FORMERLY T AND T9G LLC. N53°54'33"E A DISTANCE OF 126.15' TO AN IRON ROD, THENCE ALONG NOW OR FORMERLY WILLIAM AND ANGELA HORNE S21°21'22"E A DISTANCE OF 743.18' TO AN IRON ROD, THENCE ALONG LOT 28, NOW OR FORMERLY AARON PITTS AND ERIN SCHWENKE THE FOLLOWING COURSES AND DISTANCES; S70°26'43"W A DISTANCE OF 138.82' TO A POINT, S20°00'24"E A DISTANCE OF 141.39' TO A POINT, THENCE ALONG THE WESTERN PROPERTY LINE OF LOT 4, NOW OR FORMERLY BARRY AND AMRY CATES S45°02'38"W A DISTANCE OF 428.23' TO THE POINT OF BEGINNING; AND CONTAINING 14.008 ACRES OR 610,177 SQUARE FEET.

Exhibit D –Port Royal PUD Conceptual Plan

Midland Sands Planned Development (PD-R)



NOTES

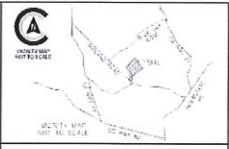
1. THE PROPOSED LAYOUT OF THIS PLANNED DEVELOPMENT IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY SURVEY REPORT.
2. THE PROPOSED LAYOUT OF THIS PLANNED DEVELOPMENT IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY SURVEY REPORT.
3. THE PROPOSED LAYOUT OF THIS PLANNED DEVELOPMENT IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY SURVEY REPORT.
4. THE PROPOSED LAYOUT OF THIS PLANNED DEVELOPMENT IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY SURVEY REPORT.
5. THE PROPOSED LAYOUT OF THIS PLANNED DEVELOPMENT IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY SURVEY REPORT.

SITE DATA

TOTAL AREA	100.0 AC
TOTAL IMPROVED AREA	17.5 AC
TOTAL UNIMPROVED AREA	82.5 AC
ADJUSTED IMPROVED AREA	17.5 AC
ADJUSTED UNIMPROVED AREA	82.5 AC
TOTAL IMPROVED LOTS	100
TOTAL UNIMPROVED LOTS	100
TOTAL LOTS	200

REVISIONS

NO.	DATE	DESCRIPTION
1	01/12/2023	CONCEPTUAL PLAN



DEVELOPMENT REQUIREMENTS

MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN

- GENERAL NOTES**
1. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.
 2. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.
 3. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.
 4. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.
 5. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.

GENERAL NOTES

MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN

GENERAL NOTES

MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN

GENERAL NOTES

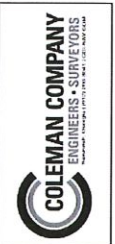
MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN

GENERAL NOTES

MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN

GENERAL NOTES

MINIMUM LOT AREA	10,000 SQ FT
MINIMUM LOT WIDTH	30 FT
MINIMUM LOT DEPTH	100 FT
MINIMUM FRONT SETBACK	10 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM DRIVEWAY WIDTH	10 FT
MINIMUM DRIVEWAY SETBACK	10 FT
MINIMUM DRIVEWAY CLEARANCE	10 FT
MINIMUM DRIVEWAY GRADE	AS SHOWN
MINIMUM DRIVEWAY CURB RADIUS	AS SHOWN



NOT FOR CONSTRUCTION
SITE PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE UPON FINAL SURVEY AND JURISDICTIONAL INVESTIGATION.

REVISIONS

NO.	DATE	DESCRIPTION
1	01/12/2023	CONCEPTUAL PLAN

CONCEPTUAL PLAN
MIDLAND SANDS
PREPARED FOR: BRD LAND AND INVESTMENT, GP
LOCATED IN EFFINGHAM COUNTY, GEORGIA

JOB NUMBER: 22-021
DATE: 01/12/2023
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

CONCEPTUAL PLAN

SHEET:
CP1.0

DOC# 011337
FILED IN OFFICE
12/22/2017 09:05 AM
BK:2443 PG:507-511
ELIZABETH Z. HURSEY
CLERK OF SUPERIOR COUR
T
EFFINGHAM COUNTY

THIS INSTRUMENT PREPARED BY: kt:RE-RECORD
Weyerhaeuser Company
5 Concourse Parkway, Suite 1650
Atlanta, Georgia 30328
Attention: Kerri M. Lockwood
File No. T2017-879

DOC# 011197
FILED IN OFFICE
12/18/2017 08:54 AM
BK:2442 PG:895-898
ELIZABETH Z. HURSEY
CLERK OF SUPERIOR COUR
T
EFFINGHAM COUNTY

Elizabeth Hursey
REAL ESTATE TRANSFER T
AX
PAID: \$537.20
PT-61 051-2017-003434

AFTER RECORDING RETURN TO:
The Ratchford Firm
1575 Hwy 21 South
Springfield, Georgia 31329
Attention: Warren Ratchford

**Please re-record to include Exhibit B.

STATE OF GEORGIA

COUNTY OF EFFINGHAM

LIMITED WARRANTY DEED

THIS INDENTURE, made this 13th day of December, 2017, between Weyerhaeuser Company, a Washington corporation, whose address is 220 Occidental Avenue South, Seattle, Washington 98104, as Grantor, and T&T9G, LLC, a Georgia limited liability company, whose address is 797 Old Louisville Road, Guyton, Georgia 31312, as Grantee;

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee, its successors and assigns, that certain property described on **Exhibit "A"** attached hereto and made a part hereof by this reference (the "Real Property").

GRANTOR HEREBY EXPRESSLY DISCLAIMS AND NEGATES ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, RELATING TO THE CONDITION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE REAL PROPERTY, IT BEING THE INTENTION OF GRANTOR AND GRANTEE THAT THE REAL PROPERTY BE CONVEYED "AS IS", IN ITS PRESENT CONDITION AND STATE OF REPAIR AND THAT GRANTEE HAS MADE OR CAUSED TO BE MADE SUCH INSPECTION AS IT DEEM APPROPRIATE. GRANTEE, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, HEREBY WAIVES AND RELEASES GRANTOR FROM ANY AND ALL CONTRACTUAL, STATUTORY, COMMON LAW, AND/OR OTHER LIABILITIES, OBLIGATIONS, CLAIMS OR CAUSES OF ACTION, KNOWN OR UNKNOWN, THAT GRANTEE OR ITS SUCCESSORS AND ASSIGNS MAY BE ENTITLED TO ASSERT AGAINST GRANTOR ARISING IN WHOLE OR IN PART OF, OR RELATING OR CONNECTED IN ANY

6

WAY TO, THE CONDITION OF THE REAL PROPERTY INCLUDING, BUT NOT LIMITED TO ANY SUCH LIABILITIES, OBLIGATIONS, CLAIMS OR CAUSES OF ACTION BASED IN WHOLE OR IN PART UPON ANY APPLICABLE FEDERAL, STATE OR LOCAL ENVIRONMENTAL LAW, RULE OR REGULATION OR THE ENVIRONMENTAL CONDITION OF THE REAL PROPERTY.

TO HAVE AND TO HOLD the Real Property, together with all and singular the rights, members and appurtenances in any manner appertaining, subject to the matters set forth in **Exhibit "B"** attached hereto and made a part hereof, unto Grantee, its successors and assigns, forever, in Fee Simple.

And Grantor shall warrant and forever defend the right and title to the Real Property unto Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but against none other; provided, however, that this conveyance is made subject to and there are hereby excepted from the covenants and warranties hereinabove set forth, the matters set forth in **Exhibit "B"** attached hereto and made a part hereof.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES.]

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the date and year stated below.

Signed, sealed and delivered this 11th day of November, 2017 in the presence of:

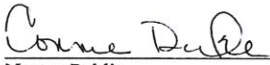
WEYERHAEUSER COMPANY




Unofficial Witness



William T. Carlton
Vice President



Notary Public
(NOTARIAL SEAL)



Kerri M. Lockwood
Assistant Secretary



EXHIBIT A

LEGAL DESCRIPTION

All those certain tracts or parcels of land situate, lying and being in the 1559th G. M. District of Effingham County, Georgia, now lying in one body but heretofore described as being three separate tracts of land of 99 acres, more or less, 97 acres, more or less and 13 acres, more or less, aggregating 209 acres, more or less, but by the Gowen resurvey hereinafter referred to shown to contain 274.40 acres and being more particularly described as follows: Beginning at a concrete monument (shown as Station 2 on the Gowen survey hereinafter referred to) located South 36° 27' East 1.40 chains from a point on the center line of a public road, at the intersection of other lands of Randall B. Helmey and the tract herein conveyed, which concrete monument is located by reference to the grid coordinates in chains of the Georgia Coordinates System, East Zone, at Y-(Lat.) 12,217.29 and X-(Dep.) 11,701.75, and from said point of beginning running thence South 54° 18' West a distance of 9.38 chains to a concrete monument; thence South 35° 42' East to distance of 1.25 chains to a concrete monument; thence South 54° 18' West a distance of 39.19 chains to a point; thence South 53° 57' West a distance 11.86 chains to a concrete monument; thence North 42° 21' West a distance of 11.22 chains to a concrete monument; thence North 54° 34' East a distance of 10.97 chains to a concrete monument; thence North 45° 06' West a distance of 33.24 chains to a concrete monument; thence North 41° 53' East a distance of 56.82 chains to a concrete monument; thence South 36° 27' East a distance of 53.38 chains to a point on the center line of a public road; thence South 36° 27' East a distance of 1.40 chains to a concrete monument, and marking the point of beginning. Said tract is the same tract of land conveyed by deed of the Trustees of the Evangelical Lutheran Congregation to Randall B. Helmey, dated March 3, 1931, as recorded in Deed Book 77, Page 557 of the Deed Records of Effingham County, Georgia, and the same lands to which the said Randall B. Helmey conveyed an one-half undivided interest to Mrs. Leila M. Helmey, by deed dated December 16, 1936, as recorded in Deed Book 85, Page 138, of said Deed Records; reference to which deeds and the records thereof is hereby expressly made for all purposes hereof. The said tract of land, is more fully shown as Tract B on and by plat and supplement of said lands made and prepared under the direction of and certified by J. Dean Gowen, Georgia, Registered Surveyor No. 6, June 10, 1960, with the boundaries, metes, courses, distances and controls as shown thereon having been fixed and determined in accordance with the grid coordinates of the Georgia Coordinate System, East Zone, as established by the U. S. Coast and Geodetic Survey, a copy of which plat and supplement is recorded in Map Book 2, Page 96, in the office of the Clerk of the Superior Court of Effingham County, Georgia, and reference to which is hereby expressly made for a more full and complete description of said land.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Liens for taxes, assessments and other governmental charges which are not yet due and payable as of the date hereof.
2. All land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Real Property.
3. Any rights of the United States of America, the State of Georgia or others in the use and continuous flow of any brooks, streams or other natural water courses or water bodies within, crossing or abutting the Real Property, including, without limitation, riparian rights and navigational servitudes.
4. Title to that portion of the Real Property, if any, lying below the mean high water mark of abutting tidal waters.
5. All easements, rights-of-way, licenses and other such similar encumbrances of record.
6. All existing public and private roads and streets and all railroad and utility lines, pipelines, service lines and facilities.
7. All encroachments, overlaps, boundary line disputes, shortages in area, parties in possession, cemeteries and burial grounds and other matters not of record which would be disclosed by an accurate survey or inspection of the Real Property.
8. Prior reservations or conveyances of mineral rights or mineral leases of every kind and character.
9. Any loss or claim due to lack of access to any portion of the Real Property.
10. Any loss or claim due to any indefiniteness or uncertainty in the legal description of the Real Property.