



Staff Report

Author: Kimberly Barlett, Senior Planner
Department: Development Services
Subject: Variance
Meeting Date: September 1, 2026
Application: VAR-26-26

Existing Zoning: AR-1 (Agricultural–Residential, 5 acres or more)

Proposed Zoning: AR-2 (Agricultural–Residential, 1 acre or more)

Map & Parcel: 397-4
Parcel Size: ±6.29 Acre Subject to AR-2 Request)
Applicant/Owner: Scott Kessler
4386 Midland Road
Guyton, GA 31312

Commissioner District: Second District

Location: 4372 Midland Road
Guyton, GA 31312

Existing Land Use and Zoning:

The applicant is requesting a **variance** related to lot frontage requirements associated with a proposed rezoning of approximately ±8.29 acres from AR-1 (Agricultural – Residential, 5 acres or more) to **AR-2 (Agricultural- Residential, 1 acre or more)**.

The property is currently undeveloped and wooded with an accessory structure. The existing accessory structure is proposed to be moved to the adjoining parcel once it is subdivided.

The Effingham County zoning map indicates the following surrounding zoning pattern:

Surrounding Neighborhood
• North: R-1 (Single-Family Residential)
• South: AR-1 (Agricultural–Residential, 5 acres or more) & R-1 (Single-Family Residential)
• East: AR-1 (Agricultural–Residential, 5 acres or more)
• West: AR-2 (Agricultural–Residential, 1 acre or more)



Proposed Request:

This **variance request** seeks relief from the minimum lot frontage requirement for property zoned **AR-2**, which requires a minimum of **100 feet of road frontage**.

The existing **2.00-acre parcel** currently has approximately **150 feet of road frontage**. Following the proposed subdivision, the parcel will retain approximately **110 feet of road frontage**, which meets the minimum AR-2 requirement.

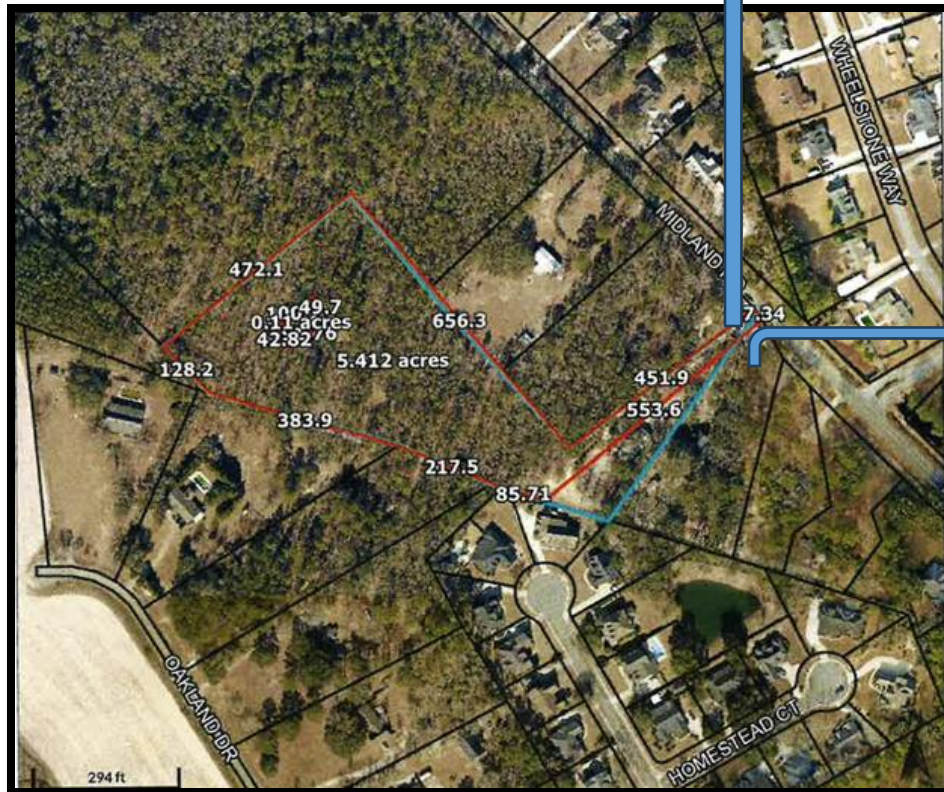
The existing **6.29-acre parcel** currently has approximately **20 feet of road frontage**. As a result of the proposed subdivision, the road frontage for this parcel will increase to approximately **60 feet**. However, the proposed 60 feet of frontage does not meet the required minimum of 100 feet.

Therefore, the applicant is requesting a **40-foot variance** from the minimum road frontage requirement to allow the 6.29-acre parcel to have approximately **60 feet of road frontage where 100 feet is required**.

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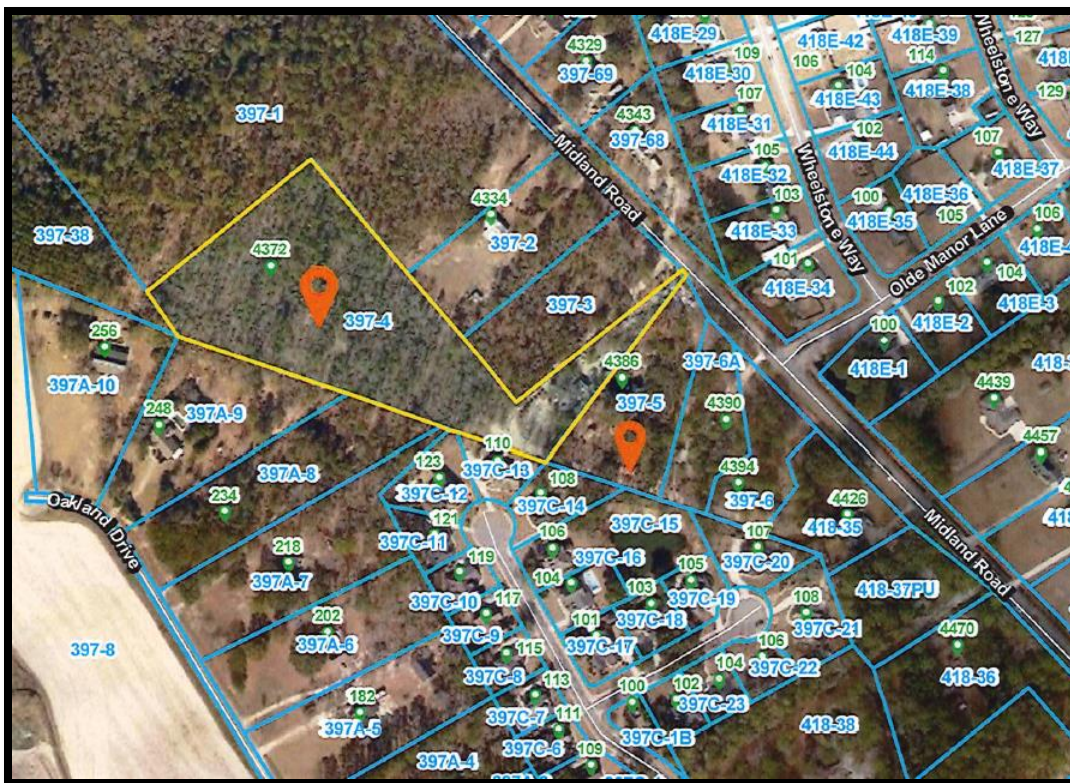
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+/-60 Feet
Proposed

+/- 110 feet
proposed

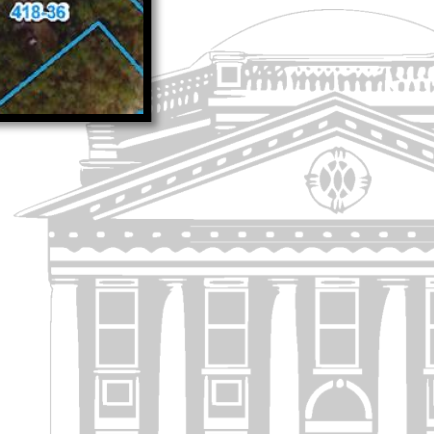


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Facts and Findings:

Site Characteristics

The subject properties consist of **Parcel 397-4**, containing approximately **6.29 acres**, and **Parcel 397-5**, containing approximately **2.00 acres**. Parcel 397-4 is currently vacant and contains an existing accessory structure. Parcel 397-5 is developed with an existing single-family residence. As part of the proposed reconfiguration, the accessory structure currently located on Parcel 397-4 will be recombined with Parcel 397-5 so that it remains on the same parcel as the existing residence.

Additionally, the adjoining properties identified as **Parcels 397-6A and 397-6** will be recombined and reconfigured with property line adjustments. All the subject properties have frontage along **Midland Road**.

County GIS mapping indicates the subject properties contain no identified **wetlands, FEMA flood hazard areas, or other known environmental constraints**.

Surrounding Development Pattern

The surrounding area is predominantly residential in character and consists of a mix of established single-family dwellings and rural residential homesteads. The area has experienced continued residential growth, resulting in a broader range of lot sizes and increased residential density. Surrounding properties generally range from approximately one-quarter-acre parcels to larger rural tracts, reflecting an ongoing transition toward higher-density residential development patterns.

North

- 🚧 Hunters Mill Subdivision (R-1)
- 🚧 Sands at Midland Subdivision (PD-R)

East

- 🚧 Agricultural -residential homesteads (AR-1)
- 🚧 Large tracts zoned (AR-1)

South

- 🚧 Agricultural Residential homesteads (AR-1)
- 🚧 Settlers Point Subdivision (R-1)
- 🚧 The Oaks Subdivision (AR-1)

West/ Southwest

- 🚧 Agricultural Residential homesteads (AR-1 & AR-2)
- 🚧 Coventry Plantation (R-1)
- 🚧 Brunson Station (PD)

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Infrastructure and Services

The property is served by a **private well and septic system, consistent with the** surrounding development.

Road Routes: Midland Road is classified as a Minor Collector Road within Effingham County

***Variance Criteria- Article IX- 9.1:** The board of commissioners shall not grant such variances unless it finds based on the evidence presented to it in each specific case that:*

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property, and;*
- b. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property, and;*
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out, and;*
- d. The relief sought will not in any manner vary the provisions of the zoning ordinance or comprehensive plan, except that those documents may be amended in the manner prescribed by law.*

Staff Analysis of Variance Criteria

(a) Public Safety and Welfare

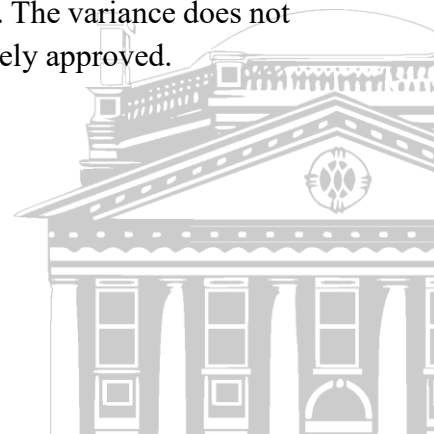
Staff has reviewed the variance request to reduce the required minimum road frontage for an AR-2 zoned lot from the required one hundred (100) feet to approximately sixty (60) feet. The subject property has an irregular configuration, with the frontage narrowing to a pointed, triangular shape along the roadway.

The reduced frontage is primarily attributable to the parcel's existing shape and configuration rather than a condition created by the proposed development. The property widens beyond the roadway frontage, providing additional area for development while maintaining the overall character and density of the AR-2 district.

Provided the proposed driveway meets applicable access, sight-distance, and emergency-service requirements, the reduced frontage is not expected to affect public safety adversely. The variance does not reduce applicable building setbacks or other development standards unless separately approved.

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From a general welfare standpoint, granting the variance would allow reasonable use of an unusually shaped existing parcel without substantially altering the development pattern or character of the surrounding area.

(b) Unique Conditions

The subject property has an unusual and irregular configuration that distinguishes it from a typical AR-2 lot. The parcel narrows to a pointed, triangular shape where it meets the roadway, resulting in approximately sixty (60) feet of road frontage rather than the required one hundred (100) feet.

The irregular shape and narrow roadway connection constitute unique physical conditions specific to the property that make strict compliance with the minimum frontage requirement difficult. These conditions are inherent to the existing parcel configuration and are not generally characteristic of other AR-2 properties in the area.

(c) Hardship

Strict application of the one hundred (100) foot minimum road frontage requirement would create hardship because of the property's existing irregular shape. The lack of sufficient road frontage results from the physical shape of the existing parcel rather than the proposed residential use.

Requiring full compliance with the frontage standard could prevent reasonable residential use of an otherwise developable AR-2 lot, despite the property having sufficient area beyond the narrow frontage.

Granting the requested variance would provide the minimum relief necessary to allow reasonable use of the property while maintaining compliance with applicable setbacks, access requirements, and other development standards.

(d) Consistency with the Ordinance and Comprehensive Plan

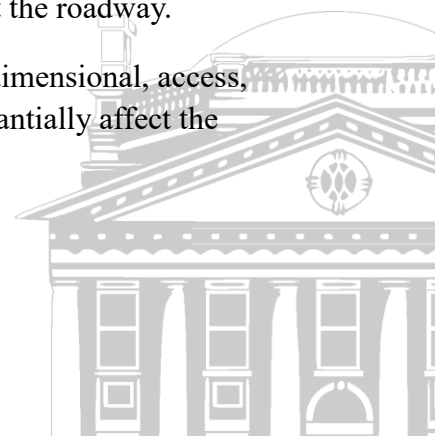
The subject property is zoned AR-2 and is located within an area designated **Agricultural Residential** by the Comprehensive Plan. The proposed residential use is consistent with the established zoning district and the Agricultural Residential future land use designation, which supports low-density residential development while maintaining the rural character of the surrounding area.

Although the requested reduction from one hundred (100) feet to approximately sixty (60) feet of road frontage does not meet the dimensional standard of the ordinance, the variance does not change the permitted use, increase the allowable density, or alter the underlying AR-2 zoning classification. The request is necessitated by the parcel's existing irregular, triangular configuration at the roadway.

The property widens beyond the road frontage and, provided all other applicable dimensional, access, and development standards can be satisfied, the reduced frontage should not substantially affect the

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intent of the AR-2 district. The variance would allow reasonable residential use of the property while maintaining the low-density Agricultural Residential development pattern envisioned for the area.

Comprehensive Plan:

*The parcel is designated **Agricultural-Residential** on the **Future Land Use Map (FLUM)**. This category supports single-family and multifamily residential uses arranged within general net-density ranges. The intent is to ensure residential development patterns that are compatible with surrounding densities, building types, and established neighborhood character (Effingham County 2020–2040 Joint Comprehensive Plan, p. 37).*

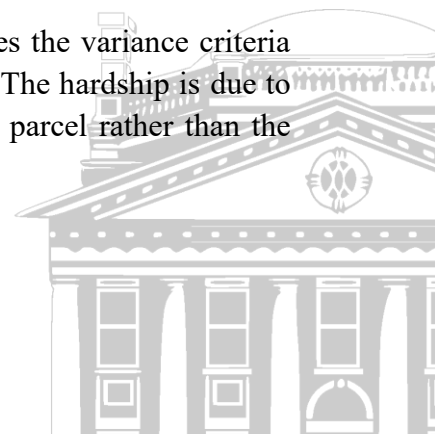


Staff Analysis

Based on the findings contained in this report, staff finds that the request satisfies the variance criteria contained in Article IX, Section 9.1 of the Effingham County Zoning Ordinance. The hardship is due to insufficient road frontage, which results from the physical shape of the existing parcel rather than the

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proposed residential use. Granting the variance would provide reasonable relief from the minimum road frontage requirement while maintaining the intent of the AR-2 zoning district and allowing the property to be developed for a use consistent with the Comprehensive Plan's Agricultural Residential designation.

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