

\* Condensed from multiple applications. Originals on file.

**ATTACHMENT A – REZONING AMENDMENT APPLICATION**

CD  
3/1/2023

Application Date: 2/16/2023

Applicant/Agent: Carson Company Unlimited, LLC

Applicant Email Address: alice@alicehurst.com

Phone # 912-665-0755

Applicant Mailing Address: 6636 GA Hwy 21 South

City: Rincon State: GA Zip Code: 31326

Property Owner, if different from above: Cynthia Roberts, Helene Byrd  
*Include Signed & Notarized Authorization of Property Owner*

Owner's Email Address (if known): \_\_\_\_\_

Phone # \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Property Location: Carson Road / Old Augusta Road South

Proposed Road Access: Old Augusta Road South

Present Zoning of Property: AR-1 Proposed Zoning: R-3

Tax Map-Parcel # 476-71, 72, 78 Total Acres: 26.68 Acres to be Rezoned: 26.68

Lot Characteristics: rectangular

**WATER**

**SEWER**

\_\_\_\_ Private Well

\_\_\_\_ Private Septic System

Public Water System

Public Sewer System

If public, name of supplier: Coastal Utility Management

Justification for Rezoning Amendment: To develop multi-family community

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

North AR-2 South AR-1 East AR-1 West AR-1

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

Currently zoned as AR-1.

---

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

No.

---

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

We would like to rezone the property to R-3 and develop a multi-family community with multiple common areas.

---

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

There are R-3 communities alongside Old Augusta Rd S.

---

5. 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 property is going to look and feel like the neighborhoods right off Old Augusta Rd S. We feel this is the best use of the property.

---

6. 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.

---

Applicant Signature: \_\_\_\_\_

Aline Hurst

Date \_\_\_\_\_

1/22/23

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

Currently zoned as AR-1.

---

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

No.

---

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

We would like to rezone the property to R-3 and develop a multi-family community with multiple common areas.

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We feel this is the best use of the property.

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---

Applicant Signature:

Aline Hurst

Date

1/22/23







Effingham County Board of Commissioners

My names is Charlotte Exley Johnson property owner 999 Chimney Road, Rincon. I was born, raised and lived in Rincon area my entire life. My family roots can be traced to Salburger landing in South Effingham 1737.

I would like to start with saying I am proud of our county commissioners and the steps that you have taken to improve our county. Times are not easy with the developments. Our commissioners have met the challenges and moved forward to improve our county.

I received written notice from our zoning board for an applicant requesting to rezone 26.68 acres from AR-1 to R-3 (map # 476 Parcel # 71, 72 & 78) located on Old August Road. My property is adjoining this property. My daughter's property (Crystal Mables) also adjoins the property. Crystal and her husband are stationed in Germany at this time. I have received permission to speak on her behalf <sup>and ~~is~~ all property owners</sup> I understand <sup>adjoining</sup> the progress with land development. I welcome the growth our county <sup>the property</sup> is experiencing. <sup>requesting</sup> <sup>to be rezoned</sup>

History runs deep on the land that has been requested to be rezoned. At the end of The Civil Was this land was included in Sherman's Field Order to allot 40 acres and a mule to some freed families. I ask we maintain the integrity of the property to honor our history.

With the discussion to maintain the integrity of the land, I would urge our commissioners to consider a few request.

- 1) An 8 feet privacy fence around this development. I would also ask for the 8 feet privacy fence to be built and maintained by the developers and a maintenance agreement to be in writing for the County to inforce this agreement.

- 2) A 40 feet tree barrier along all sides that have homes bordering this property. Trees are important for privacy and for wildlife protection.
- 3) Please consider Free Standing Homes that are not squished together with shared walls and a little patch of land.

Please allow me to explain my reasons behind these requests. My property was deeded to me by my Father in the early '90's. We have a pond on our property approximately 100 yards from our home. Since the time I was deeded this property, people have driven on our property to the pond, dumped trash in the pond, a couple setting up camp site to camp out for the weekend, mud bogging with Jeep in pond, fishing, swimming in pond, riding 4 wheelers on our property, cutting donuts on our food plots, feeding and petting my horses in their pasture. Some of these are innocent acts. But in our present day of our legal system, we could be held responsible for injuries to those trespassing on our property.

We have farm equipment that could be harmful if climbed on ex. Harrows. My chicken pen is within 50 feet of our property line. We store hay for my horses. Have equipment, storage buildings as well as tools and animals that could be adversity effective or even dangerous to people who don't belong around them. Not to mention the risk of theft to our personal items by warding citizens.

Townhome communities have property management companies that are often replaced by different property management companies. Townhomes are often lower priced than free standing homes that have nice size yards. Townhome communities do not always have amenities ex. Gym, pool or tennis courts for recreation. These homes have limited access to property for recreation, exercise and entertainment purposes. These homes are squished together with shared walls. With



there only access to property is a little patch of land their townhouse sits on.

Again, I would like to thank our County Commissioners for the decisions made to move forward in our county. The land I own is mine only as long as I live. We take nothing with us when we die. It is our responsibility and is important to keep the faith of our forefathers by preserving and maintain the integrity of our land as we move forward with the growth in our county.

Thank you for your time and consideration.

Charlotte Exley Johnson

*Charlotte Johnson*  
912 429-2673

*Van M. Johnson* 912 661-2414

*Crystal Johnson Makes*

*Debbie Schneider - 912-856-3962*

*Candice Rahn*

*912-508-5668*

*Kim Hook*

*912-547-1059*

*W. T. Hook*

*912-547-6180*

*Jean Barnard*

*912-677-6953*

*Melinda Screen*

*912 429-1531*

*Robert Fields*

*912-414-6858*

*Patricia Fields*

*912-414-7667*

*[Signature]*

*703-895-4769*

*Laura L. Scott*

*703-895-4767*

Effingham County Board of Commissioners  
Addendum following March 14, 2023 Zoning Board Meeting

My name is Charlotte Exley Johnson. I live at 999 Chimney Road, Rincon. I'm proud to have been born, raised and lived in the Rincon area my entire life.

I would like to thank our County Commissioners for the leadership and dedication shown to improve our county and lead our county forward with proper planning. Times are not easy for you to translate citizens' visions into long-range planning while protecting the health, safety and welfare of all our county's citizens.

I attended the March 14th Zoning Board Meeting after receiving a written letter requesting the Zoning Board to rezone 26.68 acres from AR-1 to R-3 (Map # 476 Parcel #71,72, & 78) located on Old Augusta Road. Ms. Alice Hurst spoke to the Zoning Board requesting the rezoning of this parcel. Ms. Hurst introduced herself and followed with the comment she had come before the Zoning Board and County Commissioners to request rezoning of property many times. This statement speaks volumes that this is just a JOB. After this job is complete, she will move on to another project.

All of the adjoining property owners attending this zoning board meeting are not opposed to growth or development in our county. However, we do have major concerns with this rezoning request. Please ensure as citizens of Effingham County our concerns with this rezoning request are met.

1)& 2) We asked for a 40 foot buffer around the perimeter of the 26.68 acres. Ms Hurst stated a 20 foot buffer was sufficient.

However, the adjoining property owners disagree for many reasons. There is a proposed walking trail adjacent to the 20 foot buffer. This walking trail would be only 20 feet from the property line, and without a privacy fence or wider buffer would allow uninvited people easy access to our properties, especially young children. Mr. J.D. Scott has a pool near



his property line and I have a pond 20 feet from my property line. Both pond and pool are adjacent to the 26.68 acres requesting rezoning.

Please grant us as Effingham citizens the protection from and risk of uninvited citizens on our property. As landowners, it is our responsibility to protect the health, safety and welfare of citizens who are invited or uninvited on our property. We also requested an 8 feet privacy fence that the Zoning Board approved as a recommendation. For the reasons stated above, we ask you to recommend a privacy fence to be installed in order for the zoning request to pass. If a privacy fence is not allowed, we would ask for an 80 foot buffer.

The Sketch Plan had 2 retention ponds. Dirt from ponds is to be used to build up property. With this property built up, water will run on adjoining property. Infiltration and run-off of stormwater through retention basins may increase the risk of groundwater contamination, especially in areas where the soil is sandy. The soil in this area is sandy. A soil and drainage of retention ponds study from an Engineer could answer our questions and concerns of groundwater contamination. All adjoining property owners are supplied by well water.

3) Please rezone for Free Standing Homes not multi family homes called Townhomes. We have several excellent reasons that are fair to all parties and not only self interest. As I stated to our Zoning Board, history runs deep on the land. It is our responsibility to our forefathers and future generations to maintain the integrity of this land. The rezoning should be fair to all the land and homeowners on Chimney Road and Old Augusta Road. The homes that are in subdivisions are on large parcels of land and have a country atmosphere with nice size lots and country style yards. Examples of these subdivisions - Mill Creek, Ridgecrest, Hampton Creek and Deer Wood. These subdivisions have large, manicured yards that complement our country lifestyle. Most of Old Augusta Road and Chimney Road homes are on large acres tracts. Many of these homes have backyard farms with livestock. This atmosphere screams country living not Townhomes squished together on a little patch of land. Rincon has already

established Townhomes. The name says it all. Homes in town not country settings.

According to the National Association of Realtors, Townhomes do not appreciate in value like single-family homes. They tend to decrease in value faster and take longer to recover during times of market volatility. Their worth has more volatility than single-family homes.

If these Townhomes are permitted to be built, there is a proposal of 140 units. We were told a subdivision could have 200 units with one way in and one way out. Please allow me to voice the safety and welfare for these residents. If a catastrophe in a natural or man-made situation occurs, these residents would be trapped. The safety, health and welfare of these people would be a tragedy in the first degree.

Townhomes would significantly increase traffic in this area. There are only 2 lanes at the proposed entrance. The center turning lane stops before the proposed entrance. I do not know if our County Commissioners have the authority to enforce decell and excell lanes at proposed entrance. If our County Commissioners do not have the authority, we would request the DOT be contacted and ask for decell and excell lanes for safety reasons.

We know our leadership is dedicated to proper planning and improving infrastructure to lead our county forward with services designed to protect the health, safety and healthy environment for the welfare of our county citizens.

We ask our County Commissioners to vote yes on our request and no on rezoning to R-3. These requests will have a positive impact on long-range planning to encourage and promote a high quality of life for our county citizens.

Thank you for your time and service for our County.

Charlotte E. Johnson 912 429 2673 - Charlotte

*Vanessa Johnson* 912-665-9502  
*Lexie Johnson* (912) 687-1197

*Adalberto Aponte* (912) 844-0085  
*Wynne* (912) 844-6969

*E. Johnson*  
*Crystal Mabe* - (912)  
*Robert Fields* (912)  
912-414-6858  
*Patti Fields* (912)  
912-414-7667  
Permission to sign by  
these 3 people. (912)



Hebbie Fisher - 912-856-2962

J Kim Aosta 912-547-1059

W T Hooker 912-547-6180

Jean Barnard 912-677-6943

Adenda Screen 912 429-1531

 Jimmie D Scott 703-~~88~~<sup>895</sup>-4769

J Lane R Scott 703-895-4767

 912-656-0749

Omia M. Edge 912-656-0319

MARIANO ABEIREIRA 912-604-1069

Ruben Chavez 912.665.4595

Carlos Cota 912-663-5492

DeeAnn Sanders 912-663-1044

Gregory Cape 912-667-5796

Amanda Lively 912-656-5617

Nick Santoro 906-440-8586

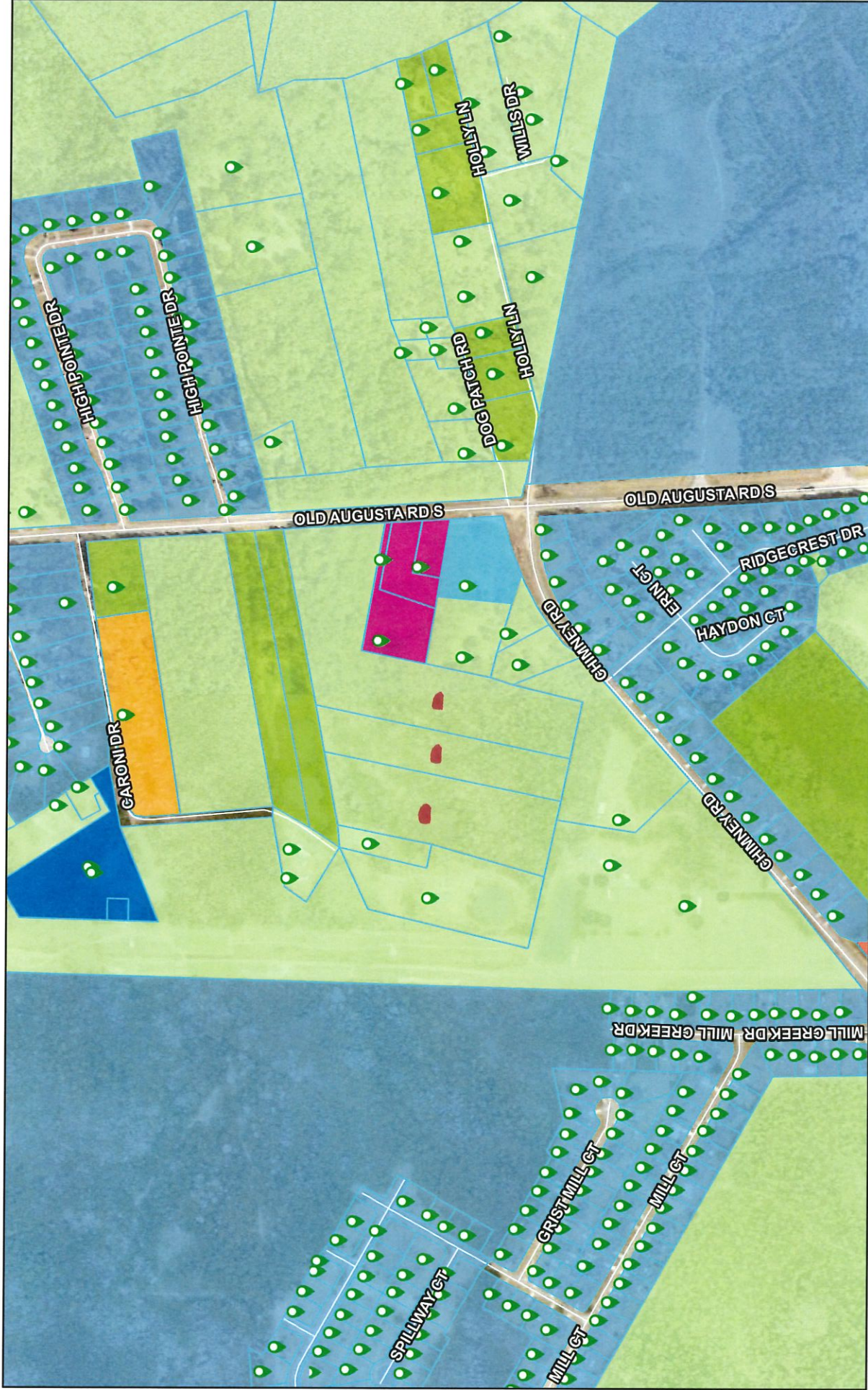
NEWMANS WHITE 912-667-8801

**Before your deciding vote,  
please think carefully the  
affect proposed zoning  
would have on established  
adjoining property owners.**

1. Could the proposed zoning allow uses that overload either existing or proposed public facilities such as streets, utilities or schools?
2. Could traffic created by proposed zoning challenge established single-family neighborhoods leading to congestion, noise and traffic hazards?
3. 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?
4. Would the proposed change in zoning adversely affect \_\_\_\_\_ existing use or usability of adjacent or nearby property?
5. Are nearby residents opposed to the proposed zoning changes?

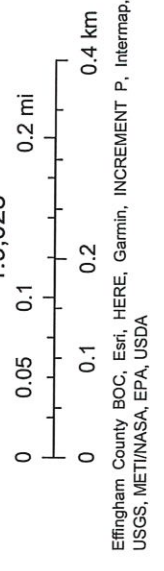


476-71,72,&78



3/7/2023

1:9,028



- Address Points
- Tax Parcels
- AR-2
- R-4
- B-2
- B-3
- R-1
- R-3
- I-1
- Efn\_fin\_cache
- Red: Band\_1
- Roads
- AR-1

Effingham County BOC, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA



# 476D-71, 72, & 78





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 ✓ DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant **The Carson Company Unlimited, LLC as Agent for Cynthia Roberts et al – (Map # 476 Parcels # 71,72,78)** from AR-1 to R-3 zoning.



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

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DISAPPROVAL ~~\_\_\_\_\_~~

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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?

No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes  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?

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?

No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

*BKS. 3/14/23*



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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL \_\_\_\_\_

Of the rezoning request by applicant **The Carson Company Unlimited, LLC as Agent for Cynthia Roberts et al** – (Map # 476 Parcels # 71,72,78) from AR-1 to R-3 zoning.

RT

- Yes  No ? 1. Is this proposal inconsistent with the county’s master plan?
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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

AZ

Of the rezoning request by applicant **The Carson Company Unlimited, LLC as Agent for Cynthia Roberts et al** – (Map # 476 Parcels # 71,72,78) from AR-1 to R-3 zoning.

Yes  No ? 1. Is this proposal inconsistent with the county’s master plan?

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