



THE PLANNING BOARD OF EFFINGHAM COUNTY , GA
May 21, 2018

I. CALL TO ORDER

Chairman Dave Burns called the meeting to order at 6:00 p.m.

II. INVOCATION

Chairman Dave Burns gave the invocation.

III. PLEDGE TO THE FLAG

Chairman Burns led the pledge.

IV. AGENDA APPROVAL

Chairman Burns asked if there were any changes to the agenda. Mrs. Golden made a motion to approve the agenda as read. Mr. Zipperer seconded the motion. The motion carried by unanimously.

V. APPROVAL OF MINUTES

Chairman Burns asked if there were any corrections or additions to the April 23, 2018 meeting minutes. Mr. Zipperer made a motion to approve the minutes as read. Mrs. Golden seconded the motion. The motion carried unanimously.

Members Attending: Mr. Dave Burns, Mr. Peter Higgins and Mr. Alan Zipperer, Mrs. Juanita Golden, Mr. Brad Smith

Members Absent:

Staff Present: Mrs. Kayla Phillips, Planning Board Secretary

Persons Attending: Mr. P. Bart Smith, Mr. Michael Brown, Mrs. Tina Brown, Mr. Adam Garland, Mrs. Jan Jackson, Mrs. Madeline Gould, Mr. Ian Brown, Mr. Joseph Swords, Mrs. Myrna Metzger, Mr. Brandon Metzger, Mr. Graham Metzger, Mr. Michael Roland, Mrs. Joke Roland, Mr. Jimmy Center, Mrs. Diane Center, Mr. Fred Ryan, Mr. Bill Kaska, Mr. Pondar Braswell, Mr. Alec Metzger

VI. PUBLIC HEARINGS

Chairman Burns stated all items voted on would be presented at the June 19, 2018 Board of Commissioners meeting held at 6:00 pm as a public hearing (with the exception of residential business and pond requests)

Heather Jenkins - PUBLIC HEARING (1): The applicant requests a rural business for [Map# 324 Parcel# 88] located at 2591 Hwy 17 South for “the Farmhouse Salon”, zoned **AR-1. (First District)**

No one present for or against the item requested.

Mr. Peter Higgins called for a motion to table to the end of the meeting. The motion was seconded by Mrs. Juanita Golden. The motion carried unanimously.

Fred Ryan - PUBLIC HEARING (2): The applicant requests to rezone 20 acres for [Map# 387 Parcel# 27] located at 105 Riley Court from a **SPLIT zoning** to **I-1** to allow for a surface mine. **(Fourth District)**

Mr. Fred Ryan stated that the access to the property would be at the easement from Mock Road. He would like to dig the pond to control the drainage. He stated that some of the dirt or sand would be sold but the majority of the dirt would be dispersed throughout the property to fill in the lower areas on the property. Most of the property is wetlands and he would like to fill some of the lower areas to try to dry up some of the land. If the surface mine is allowed, all trucks would enter the property using the access easement. Mr. Michael Brown, a resident of Eagle Point subdivision read a letter wrote by Mr. Johnny Hathaway who was unable to attend the meeting but wanted his concerns addressed. His concerns were if the zoning of the property changes what would be the access to the property? He is concerned for the roads in the subdivision as well as the safety of all who live within the subdivision and especially the children. He also wanted to address the noise that would come from operating a surface mine and the quality of life. Mr. Michael Brown stated that he had done his due diligence to research the laws of rezoning to I-1, and allowing for a surface mine in a wetlands area. There are mining rights, and mining permits that will need to be obtained from the state. Mr. Michael Brown is concerned with dump trucks traveling through Eagle Point subdivision, and the effects it will have on the roads in the subdivision as well as the safety of the children and families that live in the subdivision. Mr. Bill Kaska is also a resident of Eagle Point subdivision, he is concerned for what rezoning the property to I-1 will cause for his property, will his property value decrease? He stated that he was not notified about the rezoning. The County mailed notices to everyone who was within the 200 ft buffer that is adjacent to Mr. Ryan’s property. The County also ran an ad in the Effingham Herald as well as placed a sign on the property. Mr. Joseph Swords, another resident of Eagle Point stated that he was also not notified of the rezoning. He stated that Eagle Point subdivision is on a community well and if a 20 acre pond is dug, what will that do to the water table? Mr. Bart Smith presented the Planning Board with a presentation of concerns that he feels should be addressed before making a decision to approve the request. His presentation asked about clarifying the access to the property, what a surface mine for a 20 acre pond do to the property values for the adjacent properties, he asked that the required buffer of 50’ to be increased to 300’ between the I-1 zoning and R-1 zoning. He stated that taking a look at the NWI Wetlands Map and stormwater outfall should be taken into consideration before a decision is made. Mr.

Ponder Braswell stated that his concerns for allowing the 20 acres surface mine would have an environmental impact, and his concern for his property values. He would like for assurances that the county would not allow for the roads in the subdivision to be used as access to the property. He felt that he as well as all of his neighbors were extremely concerned for the unknown that could come from allowing the rezoning to I-1. Chairman Dave Burns asked for a show of hands in the audience who were opposed to the rezoning to I-1 that would allow for the surface mine, the majority of the audience raised their hands. Mr. Alec Metzger is an adjacent property owner as well and he gave a backstory to the property that its intended use was for agriculture residential with a 30 foot access easement with the previous owner. Eventually the property had reverted back to the bank and the easement went with the property. Mr. Metzger stated that the wetlands would need to be permitted, and believes that allowing the surface would have a negative impact for the property and the value of the property. Mr. Fred Ryan stated that he would use the access easement down the powerlines to obtain entry to the property and not through Eagle Point subdivision. Mrs. Diane Center lives in the front of Eagle Point subdivision and her concern is with the dump trucks possibly gaining access to the property through the subdivision but also what the impact the trucks will have on Mock Road. Mrs. Center and the other residents of Eagle Point are against the approval of the surface mine, for the noise that it will cause and bring, the roads and access to the property and the safety of the families and children in the area.

Chairman Burns called for a motion. Mr. Brad Smith made a motion to deny the request. The motion was seconded by Mr. Peter Higgins. The motion carried unanimously.

Mr. Fred Ryan stated that he would like to withdraw his request from moving forward to the commissioners meeting on June 19, 2018. He was instructed to submit a formal written notice to withdraw his request.

Heather Jenkins - PUBLIC HEARING (1): The applicant requests a rural business for [Map# 324 Parcel# 88] located at 2591 Hwy 17 South for “the Farmhouse Salon”, zoned **AR-1. (First District)**

No one was present for or against the request.

Chairman Burns called for a motion. Mrs. Juanita Golden made a motion to approve with staff recommendations:

1. Follow 3.15B- Rural Businesses
2. Area for business is limited to 1000 square feet.
3. Area shall be screened from surrounding property.
4. Any structures shall be located to the rear or side of the house unless it is at least 100 feet from the front property line.
5. All wetland impacts permitted by USACE.

The motion was seconded by Mr. Alan Zipperer. The motion carried unanimously.

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 pm.

**CHAIRMAN OF PLANNING BOARD
EFFINGHAM COUNTY, GEORGIA**

DATE

PLANNING BOARD SECRETARY

DATE

DRAFT