



AGENDA
RINCON PLANNING AND ZONING BOARD MEETING
TUESDAY, FEBRUARY 18, 2025
COUNCIL CHAMBERS
107 WEST 17TH STREET
6:30 PM

Call to Order:

Roll Call:

Invocation and Pledge to the Flag:

Approval of the Agenda:

Approval of the Minutes:

Approval of the December 17, 2024 Minutes:

Motion:

Second:

Vote by Board:

New Business:

- 1. Nominate and Vote on Chair and Vice Chair for the 2025 Planning and Zoning Board.**

Motion:

Second:

Vote by Board:

- 2.**

A petition has been filed by Ben Johnson with Land Unlimited Inc. on behalf of JACO Acquisitions LLC, to annex two parcels into the City of Rincon, Georgia and to rezone these same parcels. The subject parcels, located at 5868 Highway 21 South (0465M001) and 5864 Highway 21 South (0465M003), are proposed to be rezoned from AR-2 (Agricultural Residential) to R-3 (Residential Multi-Family). The parcels are owned by JACO Acquisitions LLC.

Motion:

Second:

Vote by Board:

3. **A petition has been filed by Keith & Joy Woods with BKB Properties LLC for a Zoning Map Amendment for a parcel, located at o Magnolia Drive, to amend the zoning from R2 (single-family and duplex residential) to B-2 (General Commercial); the parcel is 1.18 acres and is owned by BKB Properties LLC. (R2090006Foo)**

Motion:

Second:

Vote by Board:

Adjourn:

Agenda Subject to Change



OFFICIAL MINUTES
RINCON PLANNING AND ZONING BOARD MEETING
TUESDAY, DECEMBER 17, 2024
107 WEST 17TH STREET
6:30 PM

Board Members Present:

Dan Elliott
Jimmy Bowen
Justin Doss
Trisha Boyett
Betty Mydell

Staff Members Present:

Teri Lewis
Lolly Whatley
Sheri Swagert

Call to Order:

Meeting was called to order at 6:31 pm by Mr. Elliott.

Roll Call:

Roll was called by Mr. Elliott and the above members where present.

Invocation and Pledge to the Flag:

Was led by Mr. Bowen.

Approval of the Agenda:

Agenda was approved as written.

Motion to approve: Justin Doss

Second: Trisha Boyett

Vote by Board: Unanimous

Approval of the Minutes:

November 19, 2024, minutes was approved as written.

Motion to approve: Trisha Boyett

Second: Betty Mydell

Vote by Board: Unanimous

New Business:

1. A petition has been filed by James Dees with Who Dat Properties LLC for a Zoning Map Amendment for a parcel, located at 0 N. Columbia Ave, to amend the zoning from OC (Office Commercial) to B-2 (General Commercial); the parcel is 4.40 acres and is owned by Who Dat Properties LLC. (R2010024)

Mr. James Dees, the owner, was present to represent the request. Mr. Dees stated that the parcel is 4.40 acres but only 3.8 acres are buildable once you take into consideration the wetlands and setbacks. Mr. Dees added that he is planning on putting his office and shop at this location; he owns an infrastructure repair business. His plan is also to add additional offices with storage; these spaces would be leased out to other businesses. The other businesses that he has been talking to are a glass shop and a heating and air business. Mr. Dees said that he does not plan on leasing out to retail businesses his intent is to have spaces that function like an office/storefront and in the back would be a shop to store supplies and equipment. Mr. Dees advised the board that at this time his office is in Savannah and with the increase in traffic going and coming he would like to locate closer to home.

Mr. Bowen questioned what work has already been done on the land since he did notice the culverts on the side of the property. Mr. Dees responded that at this time all they have done is cut down some trees and in doing so they discovered the culverts. He did not bring them in, they were already there.

A citizen and representative of Effingham Georgia Green presented comments related to the wetlands and trees on the property.

Mrs. Lewis advised the Board that it does meet the criteria, the only concern that Mrs. Lewis had was when the property is rezoned from OC to B2, there are additional uses that are allowed in B2 that are not allowed in the Office Commercial zoning district; however, that does not keep it from meeting the criteria.

Motion to approve: Jimmy Bowen

Second: Trisha Boyett

Vote by Board: Unanimous

2. An application has been filed by Cody Rogers with EMC Engineering Services, Inc. on behalf of Dr. Slavko Kukucka with Kukucka Enterprises LLC. The applicant is requesting Site Plan approval to construct a 15,000 square foot medical facility. The property is located at 610 Towne Park Loop and is owned by Kukucka Enterprises LLC. The parcel is zoned B2 (General Commercial). (Parcel #: R2640011)

Mr. Cody Rogers with EMC engineering, was present to represent the request. Mr. Rogers advised the board that they have met all conditions but one condition that will be handled in the field. Mr. Rogers went on to say that they have a master plan for stormwater and utilities are in front of the site.

Mrs. Lewis advised the Board that the site plan has met all of the requirements of the code, and they have engineering approval.

Motion to approve: Justin Doss

Second: Jimmy Bowen

Vote by Board: Unanimous

3. Review the new Unified Development Ordinance and associated Zoning Map and Overlay Districts Map.

Mrs. Lewis advised the Board that in March of this year she started bringing the UDO through the approval process after working with the City's consultant to break it up into small chapters and moving those forward through the process. Mrs. Lewis stated that the only significant changes since each of the individual chapters were adopted was the addition of some definitions, a slight reduction in the size of the Fort Howard overlay district, and the addition of some uses including food trucks. Mrs. Lewis added that the other part of this is to repeal the old sections of code that are there right now, such as the flood chapter, the animal chapter, the enforcement chapter, and the the growth management chapter. All of those will get repealed and become the UDO document. The Zoning Map was also updated the zoning map and that will also get adopted.

Mrs. Lewis advised the next step from here is to go to council on January 27th, for a public hearing and first reading and then a second reading on February 10th.

Motion to approve: Trisha Boyett

Second: Justin Doss

Vote by Board: Unanimous

Adjourn:

6:59 pm

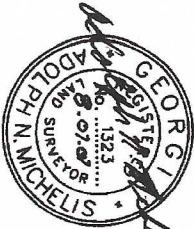
Dan Elliott, Interim Chair

2007 AUG 24 AM 11:29

McCALL ROAD-CO RD. 143 100' R/W

LINE SCHEDULE

L-1	S-15 14 07-E	70.74'
L-2	N-05 06 09-E	136.46'
L-3	N-05 06 09-E	165.90'
L-4	N-24 37 09-W	169.11'
L-5	N-61 53 55-E	144.17'
L-6	N-17 44 50-W	19.50'
L-7	S-28 28 16-E	36.94'



ADOLPH N. MICHELIS R.L.S.
Go. Reg. Ls No. 1323
736 SANDY RIDGE ROAD
SYLVANIA, GEORGIA 30467
(912) 829 3972

Adolph N. Michelis

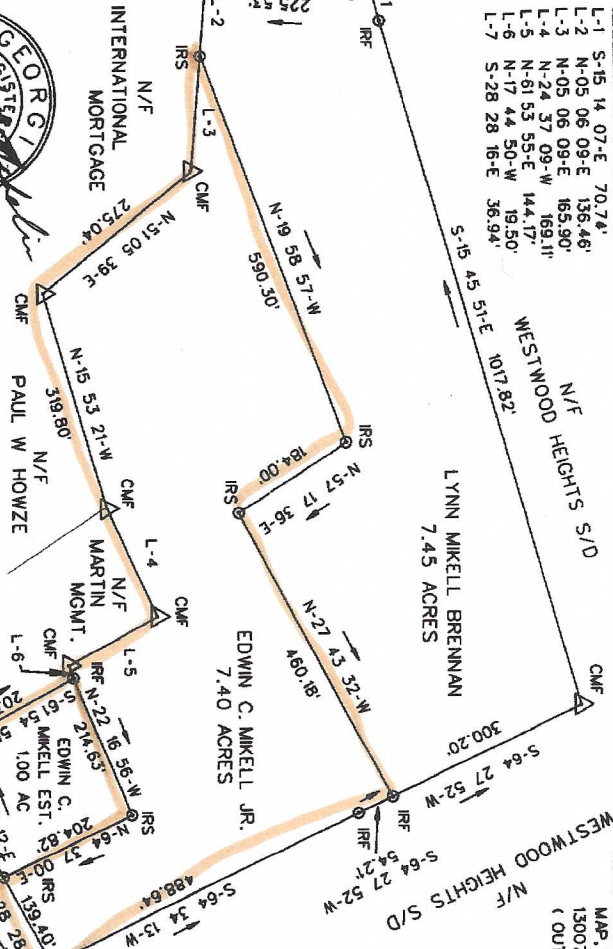
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

LEGEND:

N/F NOW OR FORMERLY
CMF CONC. MON. FOUND
CMS CONC. MON. SET
IRF 3/4" REBAR FOUND
IRS 3/4" REBAR SET
R/W RIGHT OF WAY



GEORGIA STATE H/W/VARIES



NOTE: BASED UPON REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, COMMUNITY PANEL NO. 130078 01A0 B. THIS PROPERTY IS LOCATED IN ZONE "X" (OUTSIDE THE 500 YEAR FLOODPLAIN).

FIELD ERROR OF CLOSURE, 1:20,000
PLAT NOT ADJUSTED
TOPCON TOTAL STATION

APPROVED BY THE EFFINGHAM COUNTY DEPT. OF PUBLIC HEALTH, DIVISION OF ENGINEERING AND SANITATION, SPECIFIC BUILDING SITES REQUIRE ADDITIONAL REVIEW AND APPROVAL.
David L. Dyer
DIRECTOR DATE 8.23.07

APPROVED FOR RECORDING BY THE EFFINGHAM CTY. ZONING ADMINISTRATOR.
David L. Dyer
ZONING ADMINISTRATOR DATE 8/16/2007

SURVEY OF 15.85 ACRES:

MRS. EDWIN C. MIKELL

THIS SURVEY IS A COMBINATION SURVEY TO COMBINE A 4.37 ACRE TRACT BELONGING TO LYNN MIKELL BRENNAN, WITH 3.08 ACRES FROM THE EDWIN C. MIKELL PROPERTY, AND TO COMBINE A 1.04 ACRE TRACT BELONGING TO EDWIN C. MIKELL JR. WITH 6.36 ACRES FROM THE EDWIN C. MIKELL PROPERTY, LEAVING 1.00 ACRES IN THE EDWIN C. MIKELL ESTATE, WITH 7.45 ACRES IN THE LYNN MIKELL BRENNAN PROPERTY AND WITH 7.40 ACRES IN THE EDWIN C. MIKELL JR. PROP. (SEE REF. PLAT DATED 4 DEC. 1998 BY NEEL B. ACKERMAN R.L.S. OF RECORD IN THE EFFINGHAM COUNTY RECORDS) LOCATED IN THE 9TH G.M.D. EFFINGHAM COUNTY, GEORGIA SURVEYED 27 JUNE 2006 REVISED 8/03/07 PLAT DRAWN 28 JUNE 2006 REVISED 8/03/07



0465M001 and 0465M003



Legend

- Parcels
- City Boundary
- Effingham County Boundary
- Road Names
- Road Centerlines
 - City Roads
 - Private Roads
 - County Roads
 - State Roads
 - Federal Roads
 - Unknown Roads
 - Proposed Roads
- Railroads

Scale: 1 in = 400 ft

21 Jan, 2025

This map is a user generated static output from rightspot.spateng.com website and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

STAFF REPORT

Rezoning REZ-2024-5

February 18, 2025 Planning and Zoning Board Meeting

Next Steps: Public Hearing at February 24, 2025 City Council Meeting
First Reading at March 10, 2025 Council Meeting
Second Reading at March 24, 2025 City Council Meeting



Executive Summary:

An application has been received from Keith and Joy Woods with BKB Properties, LLC to rezone a parcel they own located at 0 Magnolia Drive from R-2 (Single-family and Duplex Residential) to B-2 (General Commercial). Upon review of the application, discussion, and comments from the public, the Planning and Zoning Board is asked to take one of the following actions:

- Recommend approval of the application as submitted.
- Recommend approval of the application with conditions.
- Recommend denial of the application as submitted.

Property Information:

- Parcel #: R2090006F00
- Site Size: 1.18 acres

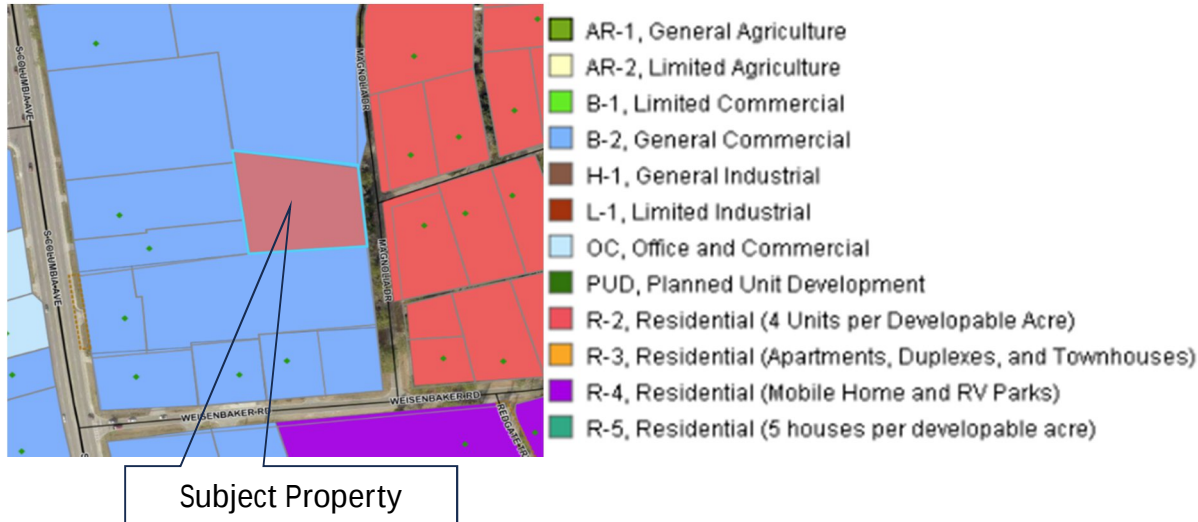


	Zoning	Land Use
North	B-2	Residential
South	B-2	Vacant
East	R-2	Residential
West	B-2	Commercial

Current Zoning and Land Use

The subject property is zoned R-2, which is a district that allows single-family and duplex residential uses. The property is accessed from Magnolia Drive. The property is currently vacant.

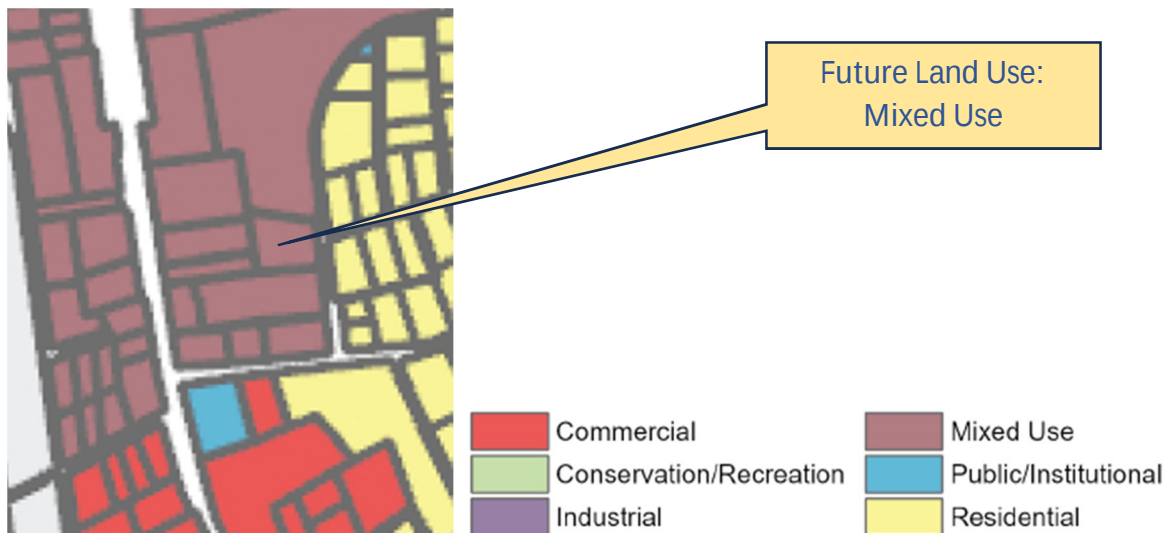
Current Zoning



Future Land Use

The Future Land Use Map, which is part of the adopted City of Rincon Comprehensive Plan 2024, shows the subject property as Mixed Use.

Future Land Use Map from Comprehensive Plan



Zoning District Comparison

The following tables summarize the zoning standards for the R-2 and B-2 zoning districts:

Table 90-27.1 – Zoning Districts

	Min. land area per lot	Max dwelling unit per gross acre	Min. Front setback	Min. side setback	Min. rear setback	Min. width of lot	Min. depth of lot	Min open space	Max building height
R-2	12,000 SF	4	35 ft	15 ft	25 ft	100 ft	120 ft	55%	35 ft
B-2	21,780 SF	---	35 ft	10 ft	15 ft	---	---	20%	50 ft

Table 90-33A.1 Key C = Conditional Use, P = Permitted Use, SU = Special Use	R-2	B-2
Adult Care Facilities		SU
Adult Entertainment Establishments (See Adult Entertainment Ordinance)		SU
Amusement Facility		P
Athletic Club or Gymnasium		P
Automotive Repair Services		SU
Boarding House or Bed & Breakfast Inn		P
Building Construction and Specialty Trade Contractor's Offices with Storage		SU
Building Material and Supplies Dealer		SU
Business and Professional Offices		P
Cemetery	P	P
Check Cashing Facility		SU
Childcare Center		P
Church or Place of Worship	P	P
Community Center	P	P
Cultural Facilities	P	P
Duplex (two-family attached)	P	P
Food Truck		P
Full-Service Car Wash		SU
Funeral Home		SU
Gas Station		SU
Health Services		P
Library	P	P
Manufactured Home	C	
Micro-brewery		P
Mini-warehouse storage		P
Motel or Hotel		P
Movie Theater		P
Nano-Brewery		P
Nursery, Plant		P
Private Club		SU
Public Park	P	P
Restaurants		P
Retail and Personal Services		P
Schools, Public or Private	C	
Self-Service Laundry		P
Single-Family (detached conventional)	P	
Tattoo Shop and/or Body Piercing		P
Title Pawn Shop		SU
Truck and Tractor Trailer Repair		C
Vehicle Sales		P
Veterinary Clinic or Hospital, or Animal Boarding (requires sound-resistant construction)		SU

Analysis of Request	
Per Section 90-102 the following standards will be considered by the City Council in making any zoning decision:	
A. Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?	The request could be considered a logical extension of a zoning boundary which would improve the pattern of uses in the general area because the properties to the west are zoned commercial and developed with commercial uses and the property to the south is zoned commercial and the owner intends to develop it with a commercial use.
B. Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?	This will not be spot zoning and is not unrelated to the existing zoning or pattern of development of the area. The properties to the north, south and west are all zoned B-2. The property to the north is developed with a residential use; however, there is approximately 350' between the residence and the subject property line.
C. Could traffic created by the uses permissible under the proposed zoning traverse established single-family neighborhoods on minor streets, leading to congestion, noise and traffic hazards?	The subject parcel has frontage on Magnolia Drive, which serves as one of the entrances to the Brookhaven neighborhood. There are four properties that could be most impacted by traffic traveling to the subject property; however, one property is vacant and the primary access point of two of the properties is not on Magnolia. There is approximately 500' from the intersection of Magnolia Drive with Weisenbaker Road and the northern point of the subject property.
D. Will this request place irreversible limitations on the area as it is or on future plans for it?	This request will not place irreversible limitations on the area or on future plans for the area. The Future Land Use Map shows this parcel as mixed use.
E. Will the uses allowed by the proposed zoning substantially conflict with existing density patterns in the zone or neighborhood?	It is unlikely that the uses that will be allowed with the proposed rezoning will conflict with existing density patterns in the area because there are already a mix of densities (both commercial and residential) in the area.
F. Would the proposed rezoning precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?	The proposed rezoning is unlikely to precipitate similar requests since most of the properties in the general vicinity are either already zoned B-2 or are already developed with single-family uses.

G. Will the action adversely impact adjacent or nearby properties in terms of:
1. Environmental quality or livability resulting from the introduction of uses or activities which would create traffic, noise, odor or visual hazards or the reduction of light and air that is incompatible with the established development pattern. ▪ It is unlikely that the uses introduced by the rezoning will create noise, odor, or visual hazards that will adversely impact adjacent or nearby properties; additionally, the reduction of light and air should not occur as a result of the rezoning.
2. Property values, by rendering such properties less suitable and therefore less marketable for the type of development to which they are committed or restricted in order to promote the public welfare and protect the established development pattern. ▪ It is difficult to determine if the proposed rezoning is likely to adversely affect property values of adjacent or nearby properties.
H. Will the action result in public service requirements such as provision of utilities or safety services which, because of the location or scale of the development, cannot be provided on an economic basis and therefore would create an actual burden to the public? The rezoning will not result in public service requirements that cannot be provided on an economic basis and therefore will not create an actual burden on the public.
Consistency with the Comprehensive Plan
The recently adopted City of Rincon Comprehensive Plan 2024 guides development for the City of Rincon. Staff reviewed the Vision and Goals section and found the following: 4.2.1 Economic Prosperity 1. Rincon will welcome new commercial growth through strategic planning by directing development in locations that have adequate infrastructure, and investing in new infrastructure where it is needed.
Public Outreach Information
• As required by the Ordinance, the public notice sign was placed on the property on January 29, 2025.
• As required by State Code, this item was advertised in the Effingham Herald on January 29, 2025.
• As required by the Ordinance, the adjacent property owners were notified regarding the request and the date of the City Council public hearing on January 29, 2025.

3568046909
PARTICIPANT ID

BK:29 PG:251-251

P2022000013

FILED IN OFFICE
CLERK OF COURT
01/20/2022 04:34 PM
JASON E. BRAGG, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA

Jason E. Bragg

SURVEYOR'S CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY THE GOVERNING AUTHORITY AS EVIDENCED BY THE SIGNATURES SHOWN ON THIS PLAT.

O.C.G.A. Section 15-8-67 (a)(3)(v)

As required by subsection (d) of O.C.G.A. Section 15-8-67, this plat has been prepared by a land surveyor. This plat has been approved by all applicable local jurisdictions that require prior approval for recording this type of plat or one or more of the applicable local jurisdictions do not require approval of this type of plat. For any applicable local jurisdiction that requires approval of this type of plat, the names of the individuals signing or approving this plat, the agency or office of that individual, and the date of approval are listed in the approval table shown herein. For any applicable local jurisdiction that does not require approval of this type of plat, the name of such local jurisdiction and the number of the applicable ordinance or resolution providing that no such approval is required are listed in the approval table shown herein. Such approvals, affirmations, or resolutions or resolutions numbers 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 property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-8-67.

CITY OF RINCON PLANNER

CITY OF RINCON MAYOR

LAND SURVEYOR

1-11-22

DATE:

1-17-22

DATE:

11-2-21

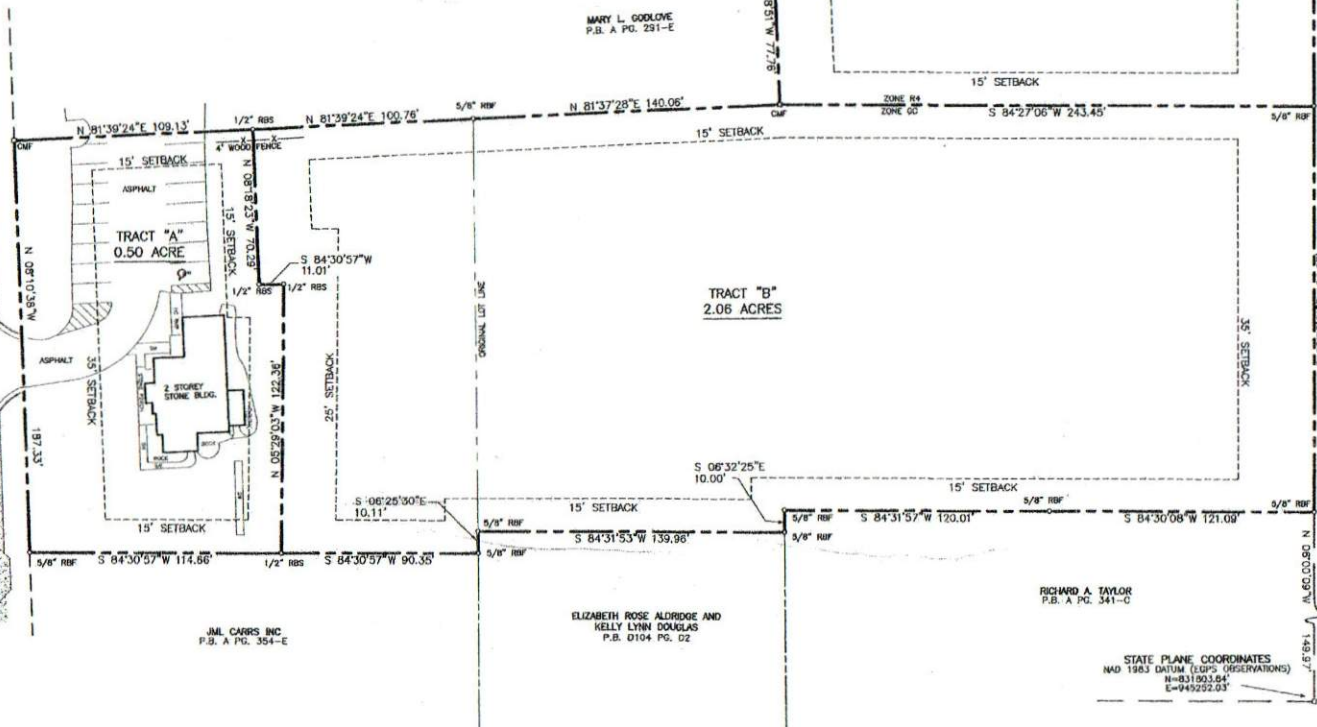
DATE:



NOTES:

1. FIELD E.O.C. - 1" IN 43,411'
2. PLAT E.O.C. - 1" IN 500,000' AVERAGE
3. ANGULAR ERROR - 0.27" PER POINT
4. ADJUSTMENT METHOD - LEAST SQUARES
5. EQUIPMENT USED: 100' STEEL TAPE
E.D.M. GPS
6. CERTIFICATE OF AUTHORIZATION # - LSF000094
7. CURRENT OWNER IS BKB PROPERTIES LLC.
8. SUBJECT PROPERTY PLAT REFERENCE: PLAT CABINET A
SLIDE 353-E.

GA. HWY. #21 - 100'R/W



RECOMBINATION PLAT FOR:

BKB PROPERTIES LLC

LOCATION: 9TH. G.M.D. EFFINGHAM CO., GA.

CITY OF RINCON

FORMERLY KNOWN AS LOT 4, 5, & 6 OF OGLESBY SUBDIVISION

SURVEYED: SEPTEMBER 13, 2018 (ORIGINAL BOUNDARY)

NOVEMBER 2, 2021 - RECOMBINATION LINES

PLAT DATE: NOVEMBER 2, 2021

BY: JAMES M. ANDERSON-GA. R.L.S. 2113

SCALE: 1" = 40'

40 0 40 80 120

GRAPHIC SCALE - FEET

JN18112.CRD & JN18112.RECOMBO.DWG

WEISENBAKER ROAD - 60'R/W

JAMES M. ANDERSON & ASSOCIATES, INC.
REGISTERED LAND SURVEYORS
P.O. BOX 894 104 OAK STREET
STATESBORO, GA. 30459
PHONE: (912) 764-2002