



CITY OF KINGSLAND, GEORGIA

PLANNING AND ZONING

AGENDA • DECEMBER 7, 2020

Regular Meeting

City Council Chamber

6:00 PM

107 South Lee Street - City Hall, Kingsland, GA 31548

I. CALL TO ORDER

Bryant Shepard
Farran Fullilove
Matt Garner
Troy Hoper
Fyrth Morris
Mr. Eric Snook

Chairman
Vice Chairman
Board Member
Board Member
Board Member
Board Member

II. APPROVE MINUTES FROM LAST MEETING

III. OLD BUSINESS

1. Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd. -

Lunique Petiotte has applied for a re-zoning of one parcel containing 0.74 acres located at 597 Harrietts Bluff Rd. (Tax Parcel 081 042B) at the intersection of Harrietts Bluff Rd. and Kinlaw Rd. The applicant is requesting the parcel be re-zoned to R-2 (Low Density Residential District) for the purpose of a Duplex home in which the applicant will be living in one side. The applicant purchased the property through owner financing and is currently residing at the property. In the process of the applicant now trying to acquire a personal mortgage for the property, it was discovered that the property is zoned C-2 (General Commercial) and according to the applicant, this information was not disclosed at the time of owner financing purchase. City Ordinance does not allow commercial property to be used for residential purposes. Staff recommends approval.

IV. AGENDA ITEMS

1. Rezone of Parcel K22A 10 007 - Owner, R. Michael Souther, Trustee 909 E. King Ave. -

Owner, R. Michael Souther, Trustee has authorized for Debra Johnson and James McCullom to act as the agents in submitting the application to request a rezone of parcel K22A 01 007 to MU (Mixed Use) from C-2 (General Commercial) for the purpose of a Coffee/Sandwich Shop on one side and a personal residence on the other side of the building, which will be owned by Debra Johnson. The parcel is located at 909 E. King Avenue containing a total of approximately 0.75 acres. In order for the applicant to have a business and reside at the property at the same time, the parcel would need to be rezoned to MU. Staff recommends approval.

2. Final Plat-Bennett Surveying, Inc.-Ryans Cove-Phase 2 -

Bennett Surveying, Inc., acting agent for Live Oak Coastal Homes, LLC has submitted an application for approval of the final plat for Phase 2 of Ryans Cove. With this phase of the development, the developer wishes to offer 22 duplex lots on 8.60 acres. Lot 25 & 26 are located in a wetland area and the developers have submitted a mitigation permit with the Army Corps of Engineers to be able to fill in and build on these two lots. The developer submitted a memo to the Planning Dept. that states the permit should be finalized by the ACOE by the first quarter of 2021. All engineering reviews have been completed and accepted for Phase 2 and the same PD agreement will be followed as in the past for the area. The preliminary plat was approved by City Council in January 2019. Zoning is PD/R-2. Staff recommends approval with the following conditions, that no clearing or construction will take place on Lot 205 & 26 until the wetland mitigation permit from the ACOE is finalized and submitted to the Kingsland Planning Dept.

V. ADJOURNMENT

**Planning and Zoning**

105 South Lee Street
Kingsland, GA 31548

ADOPTED**AGENDA ITEM (ID # 3295)**

Meeting: 12/07/20 06:00 PM
Department: Planning and Zoning
Category: Planning & Zoning
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

DOC ID: 3295

Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd.

Lunique Petiotte has applied for a re-zoning of one parcel containing 0.74 acres located at 597 Harrietts Bluff Rd. (Tax Parcel 081 042B) at the intersection of Harrietts Bluff Rd. and Kinlaw Rd. The applicant is requesting the parcel be re-zoned to R-2 (Low Density Residential District) for the purpose of a Duplex home in which the applicant will be living in one side. The applicant purchased the property through owner financing and is currently residing at the property. In the process of the applicant now trying to acquire a personal mortgage for the property, it was discovered that the property is zoned C-2 (General Commercial) and according to the applicant, this information was not disclosed at the time of owner financing purchase. City Ordinance does not allow commercial property to be used for residential purposes. Staff recommends approval.



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 7, 2020

City Council Meeting Date: December 14, 2020

Agenda Item: Rezoning of parcel 081 042B containing approx. 0.74 acres located at 597 Harrietts Bluff Rd.

Background:

Lunique Petiotte has applied for a rezoning of one parcel containing approx. 0.74 acres located at 597 Harrietts Bluff Rd. at the intersection of Harrietts Bluff Rd. and Kinlaw Rd. The applicant is requesting the parcel be rezoned to **R-2 (Low Density Residential District)** for the purpose of Duplex home in which the applicant will be living in one side. The applicant purchased the property through owner financing and is currently residing at the property. In the process of the applicant now trying to acquire a personal mortgage for the property, it was discovered that the property is zoned C-2 (General Commercial) and according to the applicant, this information was not disclosed at the time of owner financing purchase. City Ordinance does not allow commercial property to be used for residential purposes.

Current Zoning: C-2

Summary:

A vast majority of the city and county parcels in this area of Harrietts Bluff Rd. and Kinlaw Rd. are zoned are zoned R-1, R-2, and AR with a few scattered commercial lots mixed in. The two adjacent parcels north of the applicant's parcel are currently zoned R-2. The City Comprehensive Plan and Future Land Use Map shows this area as a suburban residential area and staff does not see this area being developed as commercial. In order for the applicant to continue to reside at the property, the parcel would need to be rezoned to R-2.

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff Recommends Approval

Scott L. Kimball
Planning Director

Attachment: Dec. 2020-Re-Zoning-Lunique Petiotte (3295 : Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd.)



CITY OF KINGSLAND ZONING APPLICATION

Please attach to this application a plot plan/survey showing the location and dimensions of the property to be rezoned. Also attach the appropriate fee for this request (fee schedule attached). If paid by check make payable to "City of Kingsland".

REQUEST

EXISTING ZONING C-2 (Commercial)

EXISTING USE Residential

REQUESTED ZONING Residential - R2

REQUESTED USE R-2 Multi Family Duplex

PROPERTY OWNER(S)

Name(s) Lunique Petiotte

Address 597 Harrietts bluff Rd, Woodbine GA 31569

Phone No. 305-244-9437 (Work and/or home); Fax No. _____

☒ Individual ☐ Partnership ☐ Sole Proprietor ☐ Firm ☐ Corporation
☐ Association

Corporation: Submit list of officers, directors and major stockholders with name, address and title.

Partnership: Submit list of all partners with name, address and title.

GENERAL INFORMATION

Location or Legal

Property Description: Comm/L PARCEL 8 HARRIETTS BLU

Property Address: 597 Harrietts bluff Rd, Woodbine, GA 31569

Tax Map Reference Number: 081 042B Zoning Map: C-2

Property Size: .74 Acre Property Frontage: _____ Feet

City of Kingsland Zoning Application
Page Two

Check One: ☒ Paved Road or ☐ Unpaved
☒ Public Water or ☐ Individual Well
☒ Public Sewer or ☐ Individual Septic Tank

REASON FOR REQUEST

Would be in harmony with the character of the neighborhood because

the building already exist and would
be consistant with other properties in area.

Would not be detrimental to property or persons in the area because

its alread consistant with the
neighborhood.

Other Comments: See letter Attached.

DISCLOSURE

Identify all members of the City Council of the City of Kingsland, City of Kingsland Planning Commission and Employees of the City of Kingsland Community Development who

- (1) Have a property interest in the real property affected by this request

None

- (2) Have a financial interest (direct ownership interest of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

None

- (3) Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

None

City of Kingsland Zoning Application
Page Three

CAMPAIGN CONTRIBUTION

List below the names of local government officials of the City of Kingsland to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift
------------------------	-------------------------------

SIGNATURE(S) OF OWNER(S)

I/We, the owner(s), submit this application and certify that the information is correct and true to the best of my knowledge.


 Owner

Owner

Owner

HEARING DATE

This application is scheduled to be heard by the City of Kingsland Planning Commission at their meeting of October 5th, 2020, at 6:00 P.M. in the Council Chambers of Kingsland City Hall, 107 S. Lee St., Kingsland, Georgia.

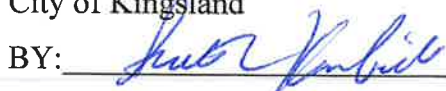
Owner or agent must be present in order for the request to be heard.

RECEIPT

Submission fee for rezoning received from Lunique Petiotte
in the amount of \$ 175.00.

City of Kingsland

BY:



Date:

8/10/2020

Planning & Zoning Administrator

Attachment: Dec. 2020-Re-Zoning-Lunique Petiotte (3295 : Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd.)

City of Kingsland Community Planning and Development Department

AGENT AUTHORIZATION FORM

Ownership Certification

State of Georgia
County of Camden

I, the undersigned, do hereby certify that I am the owner of the property to be affected by the proposed application to the City of Kingsland Planning Commission dated 8/10, 2020, by virtue of a deed dated 08/9/20, on file in the Office of the Clerk of Superior Court, Camden County, in Deed Book _____, Page _____.

Lunique Petiotte
Owner's/Printed/Typed Name

Other Owner's Printed/Typed Name

[Signature]
Owner's Signature Date: _____

Other Owner's Signature Date: _____

Agent Authorization

I/We, the undersigned owner(s) of the property involved in this application, do hereby authorize _____ to act as Agent in submitting and representing the above identified application in my/our behalf.

[Signature]
Owner's Signature

Other Owner's Signature

I accept this authorization to act on behalf of the above ownership as Agent.

Authorized Agent's Name-Printed

Authorized Agent's Signature

Date

Community Planning and Development

Received by: [Signature] Date: 8/11/20

Attachment: Dec. 2020-Re-Zoning-Lunique Petiotte (3295 : Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd.)

August 7, 2020

City of Kingsland
PO Box 250
Kingsland, GA 31548

re: Rezoning application on 597 Harrietts Bluff Rd

City of Kingsland Zoning :

I hope you will approve the rezoning application for 597 Harrietts Bluff Rd. We purchased the Commercially zoned property to be able to live in one side and operate a business out of the other side in the future. After living there for approximately a year, we have realized that the layout and the location would be better suited for a multi-family residential usage. Our intent is to allow our family to continue living on the side of the property that was built as a residence, and use the commercial side of the building for residential. The property has ample parking, multiple entry doors, and ample square footage. Should we get your approval, we'll attain the proper permits from the City for renovations.

Most properties on Harrietts Bluff Road are residential. In the platted subdivision that this is part of, half of the properties are already zoned R-2. Since the building is already constructed, we would be changing just the use of the structure rather than the type. The zoning change would be consistent with surrounding properties both now and in the future. There are ample services in the area already.

If you should have any questions or concerns, please don't hesitate to call.

Sincerely,



Lunique and Esther Petiotte
597 Harrietts Bluff Rd
Woodbine, GA 31548
Mrpetiotte@yahoo.com
305 244 9437

Attachment: Dec. 2020-Re-Zoning-Lunique Petiotte (3295 : Re-Zoning-Lunique Petiotte-597 Harrietts Bluff Rd.)

City of Kingsland Zoning Map

Legend

Category

- Imp
- LS
- Vac

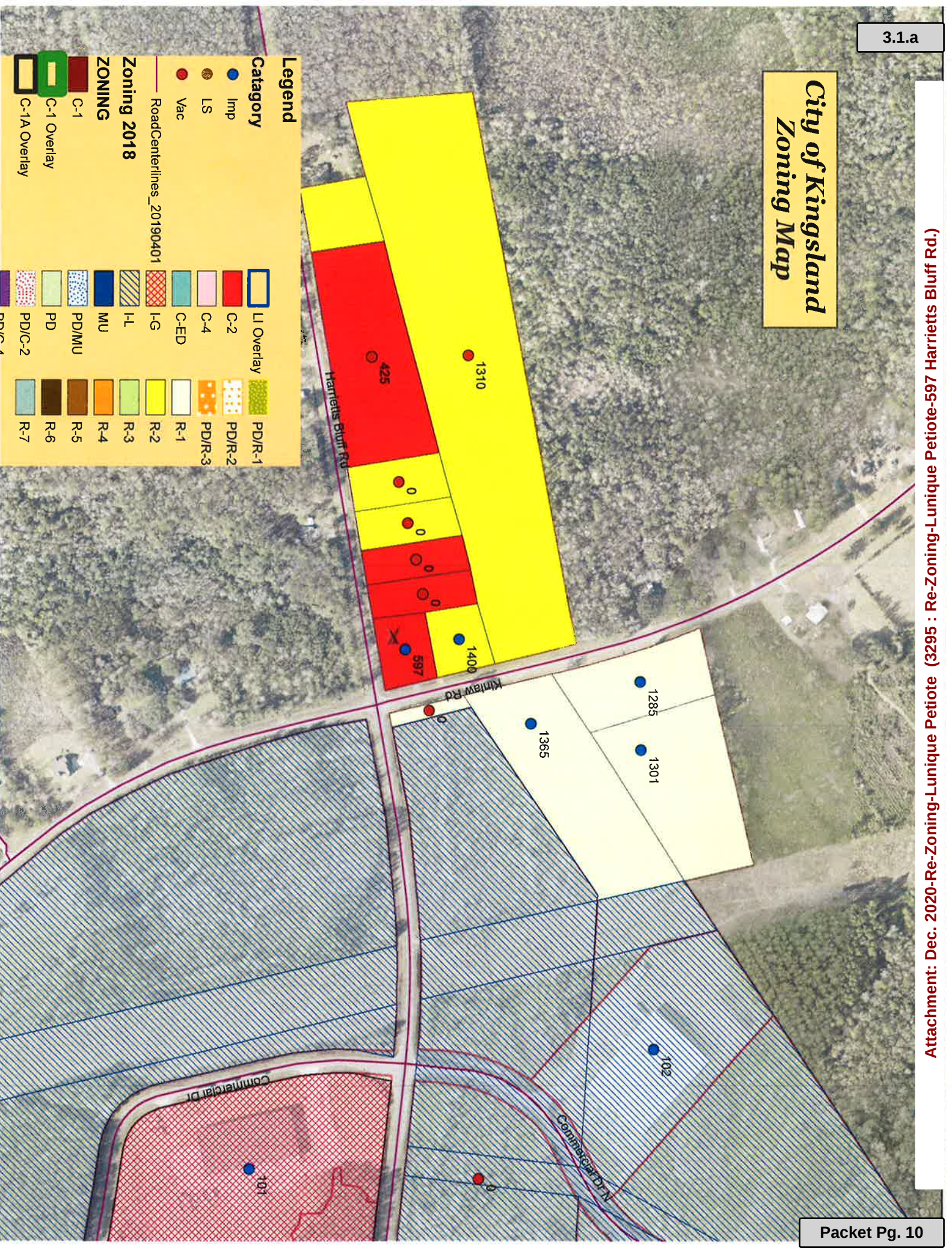
Zoning 2018

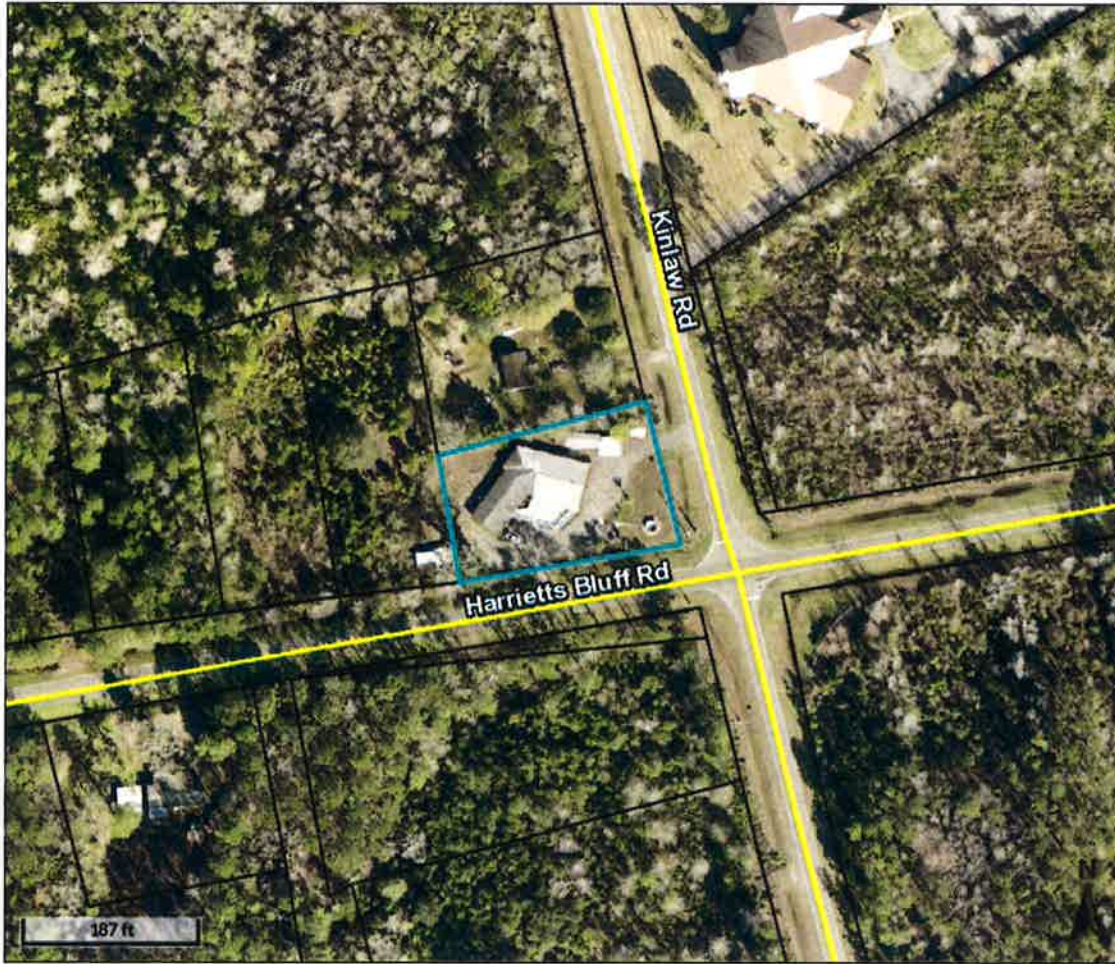
RoadCenterlines_20190401

ZONING

- C-1
- C-1 Overlay
- C-1A Overlay

- LI Overlay
- C-2
- C-4
- C-ED
- I-G
- I-L
- MU
- PD/MU
- PD
- PD/C-2
- PD/R-1
- PD/R-2
- PD/R-3
- R-1
- R-2
- R-3
- R-4
- R-5
- R-6
- R-7





Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels

Parcel ID	081042B	Owner	PETIOTE LUNIQUE	Last 2 Sales			
Class Code	Commercial		597 HARRIETTS BLUFF ROAD	Date	Price	Reason	Qual
Taxing District	KINGSLAND		WOODBINE GA 31569	4/25/2019	\$100000	FM	Q
	KINGSLAND	Physical Address	597 HARRIETTS BLUFF RD	2/24/2012	0	NM	U
Acres	0.74	Assessed Value	Value \$100000				

(Note: Not to be used on legal documents)

Date created: 9/16/2020

Last Data Uploaded: 9/16/2020 7:43:07 AM

Developed by Schneider
GEOSPATIAL

148-D

STATE OF GEORGIA COUNTY OF CAMDEN
OFFICE OF CLERK OF SUPERIOR COURT
THE WITHIN PLAT RECORDED IN PLAT BOOK
NO. 8 AT PAGE 22 THIS COURT PLAT OF
FEBRUARY, 1975, AT 10:30 AM.

Carole Wilford
DEPUTY CLERK

NOTE TOTAL ESTATE LAND
SHOWN - 8.289 AC

NOTE: THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED
AND HAS BEEN RECORDED IN PLAT BOOK
NO. 8 AT PAGE 22 THIS COURT PLAT OF
FEBRUARY, 1975, AT 10:30 AM.

80' R/W 24' PAVED
80' R/W 24' PAVED

NOTE: THE TOTAL AREA OF THE
LAND SHOWN IN THIS PLAT IS
8.289 AC. THE TOTAL AREA OF THE
LAND SHOWN IN THE PREVIOUS PLAT
IS 0.001 AC. THE TOTAL AREA OF
THE LAND SHOWN IN THIS PLAT IS
8.290 AC.

HOWARD WAY ESTATE
CAMDEN COUNTY
GEORGIA
GMC 51 SEPT 16, 1978
J. H. HODGSON

BRANSON ASSOCIATES
P.O. BOX 100
CAMDEN, GA 30705
TEL: 770-465-1000

PARCEL 8-A
0.158 AC
37' R/W 24' PAVED

77' R/W 24' PAVED
37' R/W 24' PAVED

OLD JEFFERSON ROAD
OLD DIXIE HIGHWAY
80' R/W 24' PAVED

**Planning and Zoning**

105 South Lee Street
Kingsland, GA 31548

ADOPTED**AGENDA ITEM (ID # 3306)**

Meeting: 12/07/20 06:00 PM

Department: City Clerk

Category: Planning & Zoning

Prepared By: Linda M Oshaughnessy

Initiator: Linda M Oshaughnessy

Sponsors:

DOC ID: 3306

**Rezone of Parcel K22A 10 007 - Owner, R. Michael Souther,
Trustee 909 E. King Ave.**

Owner, R. Michael Souther, Trustee has authorized for Debra Johnson and James McCullom to act as the agents in submitting the application to request a rezone of parcel K22A 01 007 to MU (Mixed Use) from C-2 (General Commercial) for the purpose of a Coffee/Sandwich Shop on one side and a personal residence on the other side of the building, which will be owned by Debra Johnson. The parcel is located at 909 E. King Avenue containing a total of approximately 0.75 acres. In order for the applicant to have a business and reside at the property at the same time, the parcel would need to be rezoned to MU. Staff recommends approval.



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 7, 2020

City Council Meeting Date: December 14, 2020

Agenda Item: Rezoning of parcel K22A 01 007 to MU (Mixed Use) for the purpose of a Coffee/Sandwich Shop and Residence The parcel is located at 909 E. King Ave. containing a total of approx. 0.75 acres.

Background:

Owner, R. Michael Souther, Trustee has authorized for Debra Johnson and James McCullom to act as the agents in submitting the application to request a rezone of parcel K22A 01 007 to from C-2 (General Commercial) to **MU (Mixed Use)** for the purpose of Coffee/Sandwich Shop on one side and a personal residence on the other side of the building, which will be owned by Debra Johnson. The parcel is located at 909 E. King Ave. containing a total of approx. 0.75 acres.

Current Zoning: C-2

Summary:

A vast majority of the city parcels in this area along both sides of E. King Ave. corridor are zoned C-2 with only a couple of parcels zoned MU. Adjacent parcels north of the applicant's parcel are currently zoned R-1 and R-4. Mixed Use zoning continues to be a trending and popular zoning request as more people are wanting to live and work in the same buildings. In order for the applicant to continue to have a business and reside at the property, the parcel would need to be rezoned to MU (Mixed Use).

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff Recommends Approval

Scott L. Kimball
Planning Director



CITY OF KINGSLAND ZONING APPLICATION

Please attach to this application a plot plan/survey showing the location and dimensions of the property to be rezoned. Also attach the appropriate fee for this request (fee schedule attached). If paid by check make payable to "City of Kingsland".

REQUEST

EXISTING
ZONING Commercial

EXISTING
USE home/business

REQUESTED
ZONING Mixed Use commercial

REQUESTED
USE variance to allow home/business

PROPERTY OWNER(S)

Name(s) R. Michael Souther, Trustee

Address P.O. Box 978, Brunswick, GA 31521

Phone No. 912-265-5544 (Work and/or home); Fax No. 912-265-6244

☒ Individual ☐ Partnership ☐ Sole Proprietor ☐ Firm ☐ Corporation
☐ Association

Corporation: Submit list of officers, directors and major stockholders with name, address and title.

Partnership: Submit list of all partners with name, address and title.

GENERAL INFORMATION

Location or Legal

Property Description: All of Lot 4 and Portion of Lot 5 of the W.J. Boyce Estate. DB 599, Page 314

Property

Address: 909 E. King Ave., Kingsland, Ga. 31548

Tax Map Reference Number: K22 A01 007 Zoning Map: _____

Property Size: 0.75 acres Property Frontage: 179 Feet

City of Kingsland Zoning Application
Page Two

Check One: ☒ Paved Road or ☐ Unpaved
☒ Public Water or ☐ Individual Well
☒ Public Sewer or ☐ Individual Septic Tank

REASON FOR REQUEST

Would be in harmony with the character of the neighborhood because the new purchaser wants to be in compliance with the zoning of City of Kingsland, and wants to continue to operate a business similar to existing business

Would not be detrimental to property or persons in the area because Anticipated use is similar to current business which has operated at this location for several years.

Other Comments: New buyers intend to upgrade condition of property both inside and outside

DISCLOSURE

Identify all members of the City Council of the City of Kingsland, City of Kingsland Planning Commission and Employees of the City of Kingsland Community Development who

- (1) Have a property interest in the real property affected by this request

N/A

- (2) Have a financial interest (direct ownership interest of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

- (3) Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A.

City of Kingsland Zoning Application
Page Three

CAMPAIGN CONTRIBUTION

List below the names of local government officials of the City of Kingsland to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	

SIGNATURE(S) OF OWNER(S)

I/We, the owner(s), submit this application and certify that the information is correct and true to the best of my knowledge.

R. Michael Souther, Trustee
Owner

Owner

Owner

HEARING DATE

This application is scheduled to be heard by the City of Kingsland Planning Commission at their meeting of _____, 200__, at _____ P.M. in the Council Chambers of Kingsland City Hall, 107 S. Lee St., Kingsland, Georgia.

Owner or agent must be present in order for the request to be heard.

RECEIPT

Submission fee for rezoning received from _____
in the amount of \$_____.

City of Kingsland

BY: _____ Date: _____

Planning & Zoning Administrator

City of Kingsland Community Planning and Development Department

AGENT AUTHORIZATION FORM

Ownership Certification

State of Georgia
County of Camden

I, the undersigned, do hereby certify that I am the owner of the property to be affected by the proposed application to the City of Kingsland Planning Commission dated _____, 200____, by virtue of a deed dated 8/13/1996, on file in the Office of the Clerk of Superior Court, Camden County, in Deed Book 599, Page 314. *See Order in Bankruptcy Case of Denise C. Wallitz Attached hereto*

R. Michael Souther, Trustee
Owner's Printed/Typed Name

Other Owner's Printed/Typed Name

R. Michael Souther
Owner's Signature Date: 11/12/20

Other Owner's Signature Date: _____

Agent Authorization

I/We, the undersigned owner(s) of the property involved in this application, do hereby authorize James R. McCollum to act as Agent in submitting and representing the above identified application in my/our behalf.

R. Michael Souther, Trustee
Owner's Signature

Other Owner's Signature

I accept this authorization to act on behalf of the above ownership as Agent.

Authorized Agent's Name-Printed

Authorized Agent's Signature

Date

Community Planning and Development

Received by: _____ Date: _____

IT IS ORDERED as set forth below:



Michele J. Kim

Date: September 20, 2017

United States Bankruptcy Judge
Southern District of Georgia

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

In the matter of:	)	
DENISE CUC WOLLITZ,	)	CHAPTER 7
	)	CASE NO. 17-20355-MJK
Debtor(s),	)	
	)	
R. MICHAEL SOUTHER, TRUSTEE,	)	
Plaintiff,	)	
vs.	)	
RAYMOND R. WOLLITZ, JR.,	)	ADVERSARY PROCEEDING
	)	NO. 17-02008-MJK
Defendant(s).	)	

**STIPULATION AND CONSENT ORDER ON COMPLAINT
SEEKING AUTHORITY TO SELL JOINTLY OWNED PROPERTY**

COME NOW Plaintiff, R. Michael Souther, Trustee, and Defendant Raymond R. Wollitz, Jr. ("Wollitz"), and stipulate and agree as follows:

STIPULATIONS

1. Before the signing of this Stipulation and Consent Order, Defendant Wollitz represents and warrants that he has read this document, and that the allegations in the Adversary Proceeding and his rights relative thereto, as well as the terms and conditions of this agreement, have been read and explained to him by his counsel (or he has had the opportunity to retain counsel to read and explain this agreement

to him and has knowingly and voluntarily chosen not to do so), and that this agreement has been entered into willingly and voluntarily.

2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§157 and 1334, and venue properly lies in this jurisdictional district pursuant to 28 U.S.C. §1409(a).
3. Defendant Wollitz is the ex-spouse of the Debtor in the above-referenced Chapter 7 bankruptcy case.
4. At the time of the filing of the bankruptcy petition, Debtor and Defendant Wollitz each owned a one-half (½) undivided interest in the real property known as 909 East King Avenue, Kingsland, Camden County, Georgia, and further identified as Parcel No. K22A01007 (the "Property").
5. By virtue of the bankruptcy filing, Debtor's one-half (½) undivided interest in the Property became property of the bankruptcy estate.
6. Under the provisions of 11 U.S.C. §363, R. Michael Souther, as Trustee of the bankruptcy estate of the Debtor Denise Cuc Wollitz, has the authority to sell the Property.
7. Under the Final Judgment and Decree of Divorce entered in Civil Action No. 2016CV548, Superior Court of Camden County, Georgia, it was agreed between the Debtor and Defendant Wollitz that Defendant Wollitz would be solely responsible for any tax liens that attached to or affected the title to the Property.

AGREEMENT

8. Defendant Wollitz consents to the Plaintiff selling the Property in accordance with the provisions of 11 U.S.C. §363.
9. Defendant Wollitz consents to the Property being marketed and listed for sale by Rance Braswell of Commonwealth Realty, and agrees that Plaintiff/Trustee shall have sole authority and control over all aspects of the sale of the Property, subject only to right of Defendant Wollitz to object to the price of any proposed sale upon the Plaintiff/Trustee filing a motion to approve a sale.

10. It is agreed that the costs and expenses of any sale (e.g., transfer tax, realtor commissions, etc.) will be born equally by the bankruptcy estate and Defendant Wollitz, with the net proceeds from any sale being divided equally between the bankruptcy estate and Defendant Wollitz; provided, however, that Defendant Wollitz shall be solely responsible for the payment from his share of the sale proceeds of any and all tax liens and property taxes affecting or relating to the Property in accordance with the terms of the aforesaid Final Judgment and Decree of Divorce.
11. Defendant Wollitz agrees to cooperate with Plaintiff/Trustee, and the real estate agent employed by the Plaintiff/Trustee to sell the Property, in making the Property available for inspection and viewing by prospective purchasers, and to cooperate, in general, in the marketing efforts such as maintaining the Property, including the yard, in a reasonably clean and well-maintained condition.
12. At any time after a sales contract is entered into with respect to the Property, Defendant Wollitz shall voluntarily vacate the Property within thirty (30) days from the date of a notice to vacate from the Plaintiff/Trustee.
13. Plaintiff/Trustee and Defendant Wollitz consent and agree that the Bankruptcy Court shall have exclusive jurisdiction with regard to the enforcement and interpretation of this agreement.

Based upon the above stipulations and agreements, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

1. The Plaintiff/Trustee is hereby authorized to sell the real property known as 909 East King Avenue, Kingsland, Camden County, Georgia, and further identified by the Camden County taxing authority as Parcel No. K22A01007 (the "Property"), which property is jointly owned by the Debtor Denise Cuc Wollitz and the Defendant, pursuant to the provisions of 11 U.S.C. §363.
2. As provided for under the provisions of 11 U.S.C. §363, the costs and expenses associated with the sale of the Property, including the payment of realtor commissions, shall be allocated equally between the Plaintiff/Trustee and Defendant Wollitz, with each party netting one-half (50%) of the sale proceeds; provided, however, Defendant Wollitz shall bear the sole responsibility for the payment of any and all tax liens affecting title to the Property.

3. The Plaintiff/Trustee shall have sole authority to negotiate the terms of any contract for the sale of the Property; subject only to Defendant's right to object to the sales price upon the filing by the Plaintiff/Trustee of a motion to approve any sale of the property.
4. Defendant shall cooperate with the Plaintiff/Trustee, and the real estate agent employed by the Plaintiff/Trustee to sell the Property, by making the Property available for inspection and viewing by prospective purchasers, and in maintaining the Property and grounds in a reasonably clean and well-maintained condition.
5. Upon thirty (30) days notice from the Plaintiff/Trustee, Defendant Wollitz shall voluntarily vacate the Property.
6. The Bankruptcy Court shall retain jurisdiction of this matter with regard to the enforcement and interpretation of the agreement between the parties and this Order.

[END OF DOCUMENT]

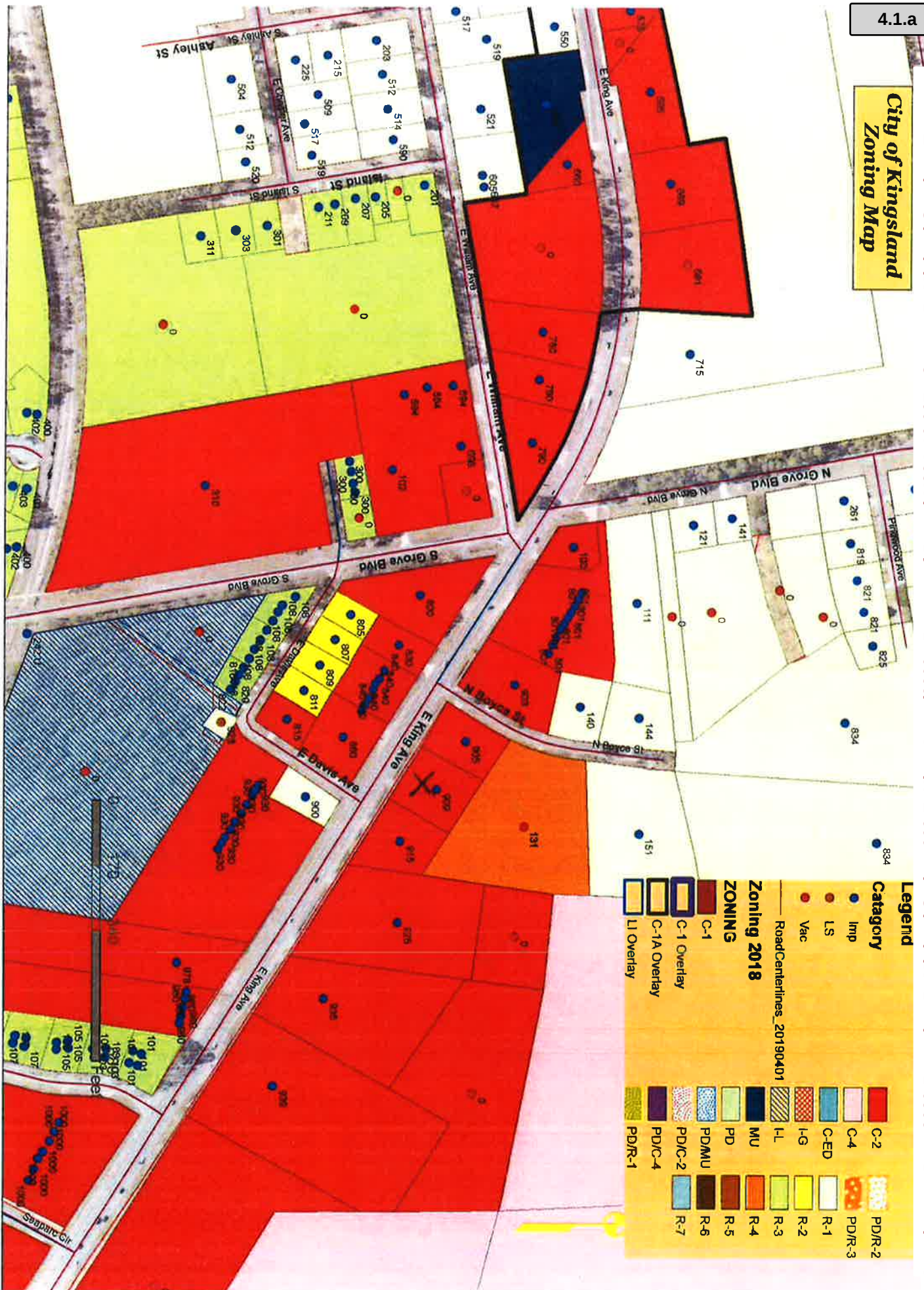
PREPARED AND CONSENTED TO BY:

/s/ R. Michael Souther
 R. MICHAEL SOUTHER
 Attorney for Trustee
 P.O. Box 978
 Brunswick, GA 31521
 (912) 265-5544
 Georgia State Bar No. 668325

CONSENTED TO:

R.R. Wollitz Jr.
 RAYMOND R. WOLLITZ JR.
 Pro Se Defendant
 909 East King Avenue
 Kingsland, GA 31548

City of Kingsland
Zoning Map



Attachment: Dec. 2020-Rezoning-R. Michael Sother-909 E. King Ave. (3306 : Rezone of Parcel K22A 10 007 - Owner, R. Michael Sother, Trustee



Overview



Legend

-  Parcels
-  Roads
- USA Major Highways**
 -  Limited Access
 -  Highway
 -  Major Road
 -  Local Road
 -  Minor Road
 -  Other Road
 -  Ramp
 -  Ferry
 -  Pedestrian Way
 -  City Labels

Parcel ID	K22A01007	Owner	WOLLITZ DENISE C & RAYMOND R	Last 2 Sales			
Class Code	Commercial		909 EAST KING AVENUE	Date	Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	2/14/2013	0	GV	U
	KINGSLAND	Physical Address	909 E KING AVE	8/1/1996	\$89900	FM	Q
Acres	0.75	Assessed Value	Value \$110099				

(Note: Not to be used on legal documents)

Date created: 12/2/2020

Last Data Uploaded: 12/2/2020 7:55:12 AM

Developed by 

**Planning and Zoning**

105 South Lee Street
Kingsland, GA 31548

ADOPTED**AGENDA ITEM (ID # 3296)**

Meeting: 12/07/20 06:00 PM
Department: Planning and Zoning
Category: Planning & Zoning
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:
DOC ID: 3296

Final Plat-Bennett Surveying, Inc.-Ryans Cove-Phase 2

Bennett Surveying, Inc., acting agent for Live Oak Coastal Homes, LLC has submitted an application for approval of the final plat for Phase 2 of Ryans Cove. With this phase of the development, the developer wishes to offer 22 duplex lots on 8.60 acres. Lot 25 & 26 are located in a wetland area and the developers have submitted a mitigation permit with the Army Corps of Engineers to be able to fill in and build on these two lots. The developer submitted a memo to the Planning Dept. that states the permit should be finalized by the ACOE by the first quarter of 2021. All engineering reviews have been completed and accepted for Phase 2 and the same PD agreement will be followed as in the past for the area. The preliminary plat was approved by City Council in January 2019. Zoning is PD/R-2. Staff recommends approval with the following conditions, that no clearing or construction will take place on Lot 205 & 26 until the wetland mitigation permit from the ACOE is finalized and submitted to the Kingsland Planning Dept.



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 7, 2020

City Council Meeting Date: December 14, 2020

Agenda Item: Ryan's Cove – Phase 2 Final Plat

Background:

Bennett Surveying, Inc., acting agent for Live Oak Coastal Homes, LLC has submitted an application for approval of the final plat for Phase 2 of Ryans Cove. The Laurel Island Plantation area of the city continues to be a popular place to live in the city. In other areas of the development, the developer has built upscale duplexes that have added to the overall appeal of the area. With this phase of the development, the developer wishes to offer 22 duplex lots on 8.60 acres. Lot 25 & 26 are located in a wetland area and the developers have submitted a mitigation permit with the Army Corps of Engineers to be able to fill in and build on these two lots. The developer submitted a memo to the Planning Dept. that states the permit should be finalized by the ACOE by the first quarter of 2021. All engineering reviews have been completed and accepted for Phase 2 and the same PD agreement will be followed as in the past for the area. The preliminary plat was approved by City Council in January 2019.

Zoning: PD-R2

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff Recommends approval with the following condition, that no clearing or construction will take place on Lot 25 & 26 until the wetland mitigation permit from the ACOE is finalized and submitted to the Kingsland Planning Dept.



MEMORANDUM

TO: MR. RICHIE SAWYER
FROM: JONATHAN NAPIER
SUBJECT: RYANS COVE PHASE II
DATE: NOVEMBER 2, 2020

As requested, TerraWorx Land Group, Inc. (TLG) is providing a summary update for the regulatory permitting efforts that are currently underway for the project referenced above.

TLG drafted and submitted a Preconstruction Notification to the US Army Corps of Engineers Savannah District confirming authorization of Nationwide Permit 39 to fill 0.33 acre of non-tidal wetlands. The wetland area in question is a low to moderate quality area that appears to have been "created" as a result of historic timber management and harvesting operations. The area occurs as a shallow depression within an area of pine that is dominated by fetterbush. The Nationwide 39 allows for up to 0.50 acre of impacts to non-tidal waters. The area being impacted is situated well over 500 feet from any tidal waters. Mitigation credits are being offered as mitigation to compensate for the project related wetland impacts. These mitigation credits will provide greater long term ecological benefit to the surrounding area(s) than the functions and values currently being offered by the wetland area being impacted.

Admittedly the Covid outbreak and subsequent lockdown(s) which have had the ACOE staff working remotely has hampered our coordination with ACOE. We are however pleased to say that we are now working to finalize the permit with the ACOE and anticipate having approval no later than the first quarter of next year. We were able to confirm via a telephone conference last week with the management and staff of the ACOE Savannah office that this is in fact the case.

Should you have any questions or require any additional information please feel free to contact me at (904) 626-6708.

APPLICANT: READ PART A COMPLETELY, THEN ANSWER EACH ITEM IN PART B. PLEASE PRINT OR TYPE. DO NOT WRITE IN PART C. THE BUILDING INSPECTOR WILL HELP YOU, IF NECESSARY. FAILURE TO SUPPLY COMPLETE INFORMATION WILL RESULT IN PLAT DISAPPROVAL. YOU MUST FILE THIS APPLICATION AND ALL REQUIRED MATERIALS WITH THE BUILDING INSPECTOR AT LEAST 14 DAYS BEFORE THE PLANNING COMMISSION AT WHICH IT WILL BE CONSIDERED.

PART A -- GENERAL INFORMATION

YOU ARE ENCOURAGED TO READ ARTICLES THREE THRU SIX OF THE SUBDIVISION REGULATIONS OF CAMDEN COUNTY. THESE ARTICLES DESCRIBE THE STANDARDS EACH SUBDIVISION MUST MEET AND EXPLAIN THE PROCEDURES THE COUNTY WILL FOLLOW TO REVIEW YOUR PROPOSED PLAT. THE SKETCH BELOW SHOWS THESE STEPS FOR A TYPICAL PLAT, SEE ARTICLE SIX FOR

APPLICATION, FEE, AND
REQUIRED MATERIALS FILED WITH
BUILDING INSPECTOR

AND ARTICLE NINE FOR REQUIRED FILING

PLANNING COMMISSION REVIEWS
SKETCH PLAN (OPTIONAL)

PLANNING COMMISSION REVIEWS
PRELIMINARY PLAT

PLANNING COMMISSION REVIEWS
FINAL PLAT

COUNTY COMMISSION
SIGNS FINAL PLAT

SUPERIOR COURT CLERK
RECORDS FINAL PLAT

YOU SHOULD ALSO BE AWARE OF THESE
IMPORTANT REQUIREMENTS:

- NO WORK TO OPEN THE PROPOSED SUBDIVISION SHALL BEGIN (WITH THE EXCEPTION OF CLEARING UNDERBRUSH FOR SURVEYING OR ENGINEERING PURPOSES) UNTIL THE PRELIMINARY PLAT

PART B -- APPLICANT ONLY

- YOUR NAME: BENNETT SURVEYING, INC
PHONE: 912 673 8940
ADDRESS: 102 MARSH HARBOUR PKWY
- OWNER, IF NOT YOU: KINGSLAND
NAME: LIVE OAK COASTAL HOMES, LLC
ADDRESS: 100 MARSH HARBOUR PKWY, KINGSLAND
- WHAT IS YOUR INTEREST IF YOU ARE NOT THE OWNER?
AGENT
- NAME OF PROPOSED SUBDIVISION RYANS COVE,
PHASE 2
- LOCATION OF SUBDIVISION: NEIGHBORHOOD LAUREL ISLAND
STREET: MARSH HARBOUR PKWY
PARCEL NUMBER 0008L LOT NO. 120 ZONING MAP NO. 120
- PRESENT ZONING: PD
- NUMBER OF PROPOSED LOTS: 22
- AREA OF PROPOSED SUBDIVISION: 8.60 ACRES
- PLEASE ATTACH THE FOLLOWING ITEMS TO THIS APPLICATION. THE APPLICATION WILL NOT BE CONSIDERED COMPLETE AND CANNOT BE PROCESSED UNTIL YOU HAVE DONE SO.
 - FINAL PLAT (ORIGINAL AND 10 COPIES)
 - VICINITY MAP
 - LIST OF PROPERTY OWNERS WITHIN 500 FEET OF ANY BOUNDARY
 - CERTIFICATE FROM COUNTY ENGINEER SAYING YOU HAVE COMPLETED OR GUARANTEED REQUIRED IMPROVEMENTS (SEE ARTICLE FOUR, SEC. 404B OF SUB. REGS.)
- YOU MUST RECEIVE THE FOLLOWING ENDORSEMENTS OF YOUR PLAT BEFORE THIS APPLICATION MAY BE PROCESSED:
 - THE ENVIRONMENTAL PROTECTION DIVISION OF THE GEORGIA DEPARTMENT OF NATURAL RESOURCES
 - THE COUNTY SOIL CONSERVATION DISTRICT OFFICE
 - THE CITY ENGINEER
 - THE COUNTY HEALTH DEPARTMENT
 - THE COUNTY TAX ASSESSOR
- SIGNED: E. F. B. DATE: 10-07-2020

PART C -- BUILDING INSPECTOR ONLY

- DATE APPLICATION FILED: 10/19/20
- WAS THIS AT LEAST 14 DAYS BEFORE THE PLANNING COMMISSION MEETING AT WHICH IT WILL BE REVIEWED? ☒ YES ☐ NO December
- CHECKED BY: SK/JG
- THIS SUBDIVISION IS ☒ MAJOR ☐ MINOR
ARE PRELIMINARY PLAT AND APPLICATION COMPLETE?
(SEE SUBDIVISION REVIEW CHECKLIST) ☒ YES ☐ NO
- IF NO, DATE COMPLETED PLAT/APPLICATION RESUBMITTED:
- CORRECT FEE PAID? ☒ YES ☐ NO ☐ DOES NOT APPLY
AMOUNT
- DATE PRELIMINARY PLAT REVIEWED 12/7/20
BY PLANNING COMMISSION: ☐ APPROVED ☐ DISAPPROVED
CONDITIONS OF APPROVAL OR REASONS FOR DISAPPROVAL:
- DATE APPLICANT NOTIFIED OF ACTION

F.B. RS137, PG. --- PLAT DATE: OCTOBER 7, 2020