



CITY OF KINGSLAND, GEORGIA

PLANNING AND ZONING

AGENDA • AUGUST 1, 2022

Regular Meeting

City Council Chamber

6:00 PM

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

I. CALL TO ORDER

Matthew Hooks	Board Member
Martin Turner	Board Member
Dalice Mitchell	Board Member
Michael Haynes	Board Member
Bryant Shepard	Chairman
Rebecca Shannon	Board Member
Fyrth Morris	Vice Chairman

II. APPROVE MINUTES FROM LAST MEETING

III. OLD BUSINESS

1. Home Occupation-107 Masters Way-Map & Parcel 120M 047 -

Ashley Renew has applied for a Home Occupation Permit for an on line business know as "Millie Kates Boutique". The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO. Zoning is PD/R-1. Staff recommends approval.

IV. NEW BUSINESS

1. Residential Business-105 Gladden Ct.-Map & Parcel K13 01 008 -

Melanie Widener has applied for a Residential Business Permit doing business as "Velvet Couture Cakes". The purpose of the business will be for a Home Bakery. The applicant has been notified and agrees to the requirements of a Residential Business as noted in KLADO. An inspection of the area of the house the business will take place, along with the parking area on the property, was completed by the planning staff and there were no issues found. Zoning is PD/R-1. Staff recommends approval with the following condition:

- 1) Applicant must submit a Cottage License issued by the county Health Dept. before a business license can be issued from the city.

2. PD Amendment-Kingsland West Subdivision-Map & Parcels 082 005 & 082 005A -

BBC Investment Group, LLC has submitted an amended PD for Kingsland West Subdivision. The parcels are located on the east and west side of Henrietta St. containing approximately 144 acres. The new PD would include a mix of residential uses and amend the original setbacks and lot density. Zoning is PD/R-2. Staff recommends approval.

V. ADJOURNMENT



Planning and Zoning

105 South Lee Street
Kingsland, GA 31548

TABLED

AGENDA ITEM (ID # 3925)

Meeting: 08/01/22 06:00 PM
Department: Planning and Zoning
Category: Home Office Occupancy
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

DOC ID: 3925

Home Occupation-107 Masters Way-Map & Parcel 120M 047

Ashley Renew has applied for a Home Occupation Permit for an on line business know as "Millie Kates Boutique". The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO. Zoning is PD/R-1. Staff recommends approval.

HISTORY:

07/05/22

Planning and Zoning

DEFERRED

Next: 08/01/22



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: July 5, 2022

City Council Meeting Date: July 11, 2022

Agenda Item: Home Occupation for 107 Masters Way, Map & Parcel 120M 047

Summary:

Ashley Renew has applied for a Home Occupation Permit for an on line business known as “Millie Kates Boutique”. The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO.

Zoning: PD/R-1

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval

Scott L. Kimball
Planning & Zoning Director



270277

CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.

APPLICANT: Ashley Renew PHONE: 912-674-3709
 ADDRESS: 107 Masters Way, Kingsland, GA
 FAX: _____ E-MAIL: addismuke25@live.com

Type of use you are requesting:

☒ **Home Office:** (requires planning director & city manager approval. Permit is valid for as long as the Home Office is located at the address stated herein.)

☒ **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

☐ **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: Millekates

STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: 107 Masters Way

TAX MAP & PARCEL NUMBER: 120m 047 ZONING: PD/R-1

OWNER OF SITE, IF NOT APPLICANT: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)

ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:

HOME OFFICE	\$50.00
HOME OCCUPATION	\$50.00
RESIDENTIAL BUSINESS	\$50.00

I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.

SIGNED: Ashley D. Renew DATE: 6.9.2022



**CITY OF KINGSLAND
AFFIDAVIT FOR A HOME OCCUPATION**

APPLICANT: Ashley Renew
 ADDRESS: 107 Masters Way
 CITY: Kingsland STATE: GA ZIP: 31548
 PHONE: 912 674 3709 FAX: () E-MAIL: addismuke25@live
 PROPOSED BUSINESS: Millie Kates Boutique LOCATION: _____
 TAX PARCEL: 120M 047 ZONING: PD/R-1

A Home Occupation Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

HOME OCCUPATION: *An occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.*

HOME OCCUPATION SHALL MEET THE FOLLOWING CONDITIONS:

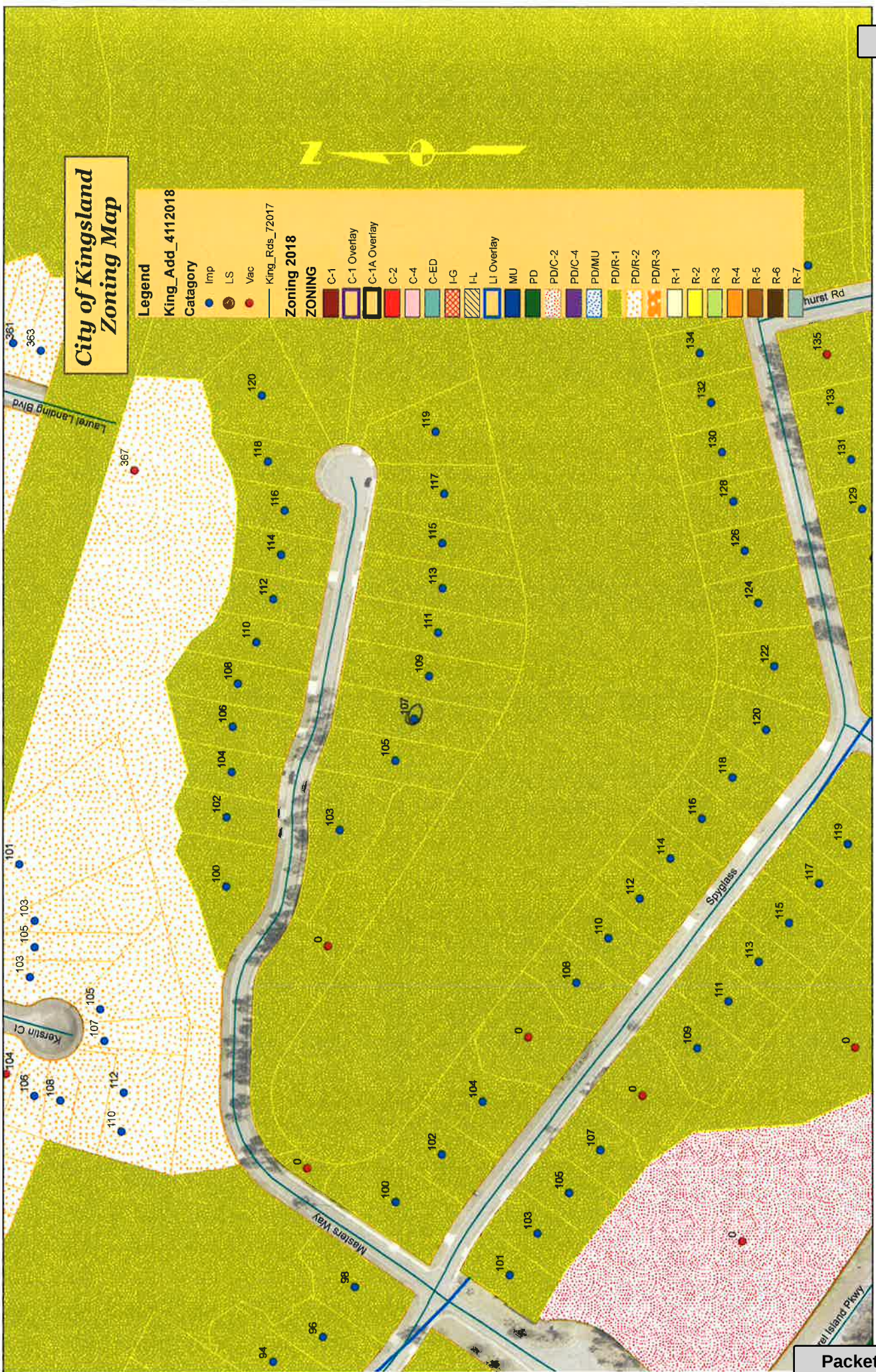
- If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a home occupation in the premises.
- Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.
- Home occupations shall not allow customers or the public to come to the premises.
- The occupation or profession must be conducted entirely within the dwelling.
- The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- Home occupations shall be limited to no more than twenty-five percent (25%) of the total heated floor area of the residence, or five hundred (500) square feet, whichever is less. The size of the home occupation shall be specified at the time of the application. Please complete: 200 Business area sq. ft. 1924 Home heated floor area sq. ft.
- The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- No other employees other than family members residing on the premises shall be permitted.
- There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed.
- No more than one home occupation or residential business is allowed in a residence at one time.
- One business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van and is limited in size to a one-ton carrying capacity. The vehicle may have reasonable business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the vehicle in a manner that can be seen from the surrounding property.
- Any pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. Such pickups and/or deliveries, if any, are to be during daylight hours.

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.

Ashley Renew
 SIGNATURE OF APPLICANT

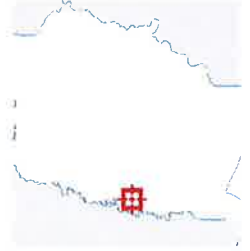
6.9.2022
 DATE

Attachment: July 2022-Home Occ-107 Masters Way (3925 : Home Occupation-107 Masters Way-Map & Parcel 120M 047)





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	120M 047	Owner	RENEW ASHLEY & JUSTIN	Last 2 Sales			
Class Code	Residential		107 MASTERS WAY	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	6/15/2021	\$316000	AL	Q
	KINGSLAND	Physical Address	107 MASTERS WAY	5/2/2018	\$259900	FM	Q
Acres	0.4	Assessed Value	Value \$261016				

(Note: Not to be used on legal documents)

Date created: 6/9/2022

Last Data Uploaded: 6/9/2022 5:39:24 AM

Developed by  Schneider
GEOSPATIAL

**Planning and Zoning**

105 South Lee Street
Kingsland, GA 31548

SCHEDULED**AGENDA ITEM (ID # 3945)**

Meeting: 08/01/22 06:00 PM
Department: Planning and Zoning
Category: Home Office Occupancy
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

DOC ID: 3945

**Residential Business-105 Gladden Ct.-Map & Parcel K13 01
008**

Melanie Widener has applied for a Residential Business Permit doing business as "Velvet Couture Cakes". The purpose of the business will be for a Home Bakery. The applicant has been notified and agrees to the requirements of a Residential Business as noted in KLADO. An inspection of the area of the house the business will take place, along with the parking area on the property, was completed by the planning staff and there were no issues found. Zoning is PD/R-1. Staff recommends approval with the following condition:

- 1) Applicant must submit a Cottage License issued by the county Health Dept. before a business license can be issued from the city.



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: August 1, 2022

City Council Meeting Date: August 8, 2022

Agenda Item: Residential Business Application for 105 Gladden Ct.,
 Map & Parcel K13 01 008

Background: Melanie Widener has applied for a Residential Business Permit doing business as “Velvet Couture Cakes”. The purpose of the business will be for Home Bakery. The applicant has been notified and agrees to the requirements of a Residential Business as noted in KLADO. An inspection of the area of the house the business will take place, along with parking area on the property, was completed by the planning staff and there were no issues found.

Zoning: PD/R-1

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval with the condition:

1) Applicant must submit a Cottage License issued by the county Health Dept. before a business license can be issued from the city.

Scott L. Kimball

Planning & Zoning Director

Attachment: August 2022-Res. Bus.-Melanie Widener (3945 : Residential Business-105 Gladden Ct.-Map & Parcel K13 01 008)



220305

CITY OF KINGSLAND APPLICATION FOR HOME OCCUPATION PERMIT

This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.

APPLICANT: Melanie Widener PHONE: 513-387-9590
 ADDRESS: 105 Gladden Ct Kingsland GA 31548
 FAX: _____ E-MAIL: vccakesbymel@gmail.com

Type of use you are requesting:

- () **Home Office:** (requires planning director & city manager approval. Permit is valid for as long as the Home Office is located at the address stated herein.)
- () **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)
- (☒) **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: Velvet Culture Cakes

STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: _____

TAX MAP & PARCEL NUMBER: K13 01 008 ZONING: PD/R-1

OWNER OF SITE, IF NOT APPLICANT: _____

ADDRESS: _____

CITY: _____ STATE: GA ZIP: _____

PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)

ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:

HOME OFFICE	\$50.00
HOME OCCUPATION	\$50.00
RESIDENTIAL BUSINESS	\$50.00

I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.

SIGNED: [Signature] DATE: 7/8/22

Attachment: August 2022-Res. Bus.-Melanie Widener (3945 : Residential Business-105 Gladden Ct.-Map & Parcel K13 01 008)



CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT
TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR

1. DATE COMPLETE APPLICATION FILED: 7/8/22
2. DATE APPLICANT NOTIFIED THAT COMPLETE APPLICATION HAD BEEN RECEIVED: 7/8/22
3. DATE PERMIT FEE PAID: 7/8/22 AMOUNT PAID: \$ 50.00
4. PLANNING COMMISSION REVIEW:
 () APPROVAL RECOMMENDED () DENIAL RECOMMENDED
 DATE THIS APPLICATION WAS REVIEWED BY THE PLANNING COMMISSION: 8/1/22
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

5. CITY COUNCIL ACTION:
 () APPROVED () DENIED
 DATE THIS APPLICATION WAS REVIEWED BY CITY COUNCIL: _____
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

6. DATE APPLICANT NOTIFIED OF FINAL ACTION: 8/8/22

THIS APPLICATION FOR HOME OCCUPATION HAS BEEN APPROVED AND A BUSINESS LICENSE (WHEN COMPLETED APPLICATION HAS BEEN RECEIVED BY THE CITY) MAY BE ISSUED SHOWING A Residential Business PERMIT HAS BEEN ISSUED.

PLANNING DIRECTOR
CITY OF KINGSLAND

CITY MANAGER
CITY OF KINGSLAND

DATE

DATE



CITY OF KINGSLAND
AFFIDAVIT FOR A RESIDENTIAL BUSINESS

APPLICANT: Melanie B. Widener
 ADDRESS: 105 Gladden Ct
 CITY: Kingsland STATE: GA ZIP: 31548
 PHONE: 678 387-9590 FAX: () E-MAIL: vccakesbymel@gmail.com
 PROPOSED BUSINESS: home bakery LOCATION: 105 Gladden Ct.
 TAX PARCEL: K13 01 008 ZONING: PD/R-1

A Residential Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

THE FOLLOWING ITEMS ARE REQUIRED TO FILE A RESIDENTIAL BUSINESS APPLICATION:

**PLAT OF PROPERTY
 FLOOR PLAN AS REQUIRED BELOW
 WRITTEN REPORT AS REQUIRED BELOW**

Residential Business are designed to be less restrictive than a Home Occupation in regard to access by the public, size, viability, number of employees and type of business. Residential businesses shall be subject to the conditions set forth below. The application shall bear the burden of providing conclusive evidence to the Planning Commission and City Council that these conditions have been met. The Planning Commission may recommend and the City Council may modify the conditions listed below to be more restrictive or place additional conditions which may also be more restrictive than the conditions listed below on any approval granted the application. If the residential business is approved, the applicant is responsible for the operation of the said residential business in conformance with these conditions. The applicant shall submit a written description of the proposed business demonstrating that the proposed business will comply with each of the conditions listed below. Additionally, the applicant will submit a floor plan showing the dimensions of the residence and showing the area with dimensions to be involved in the business.

DESCRIBE YOUR PROPOSED BUSINESS:

TO open an in home
cottage law bakery with very limited
customer access.

I will comply with all recommendations
& restrictions for my home business.

Attachment: August 2022-Res. Bus.-Melanie Widener (3945 : Residential Business-105 Gladden Ct.-Map & Parcel K13 01 008)

DESCRIBE BELOW HOW THE PROPOSED BUSINESS WILL COMPLY WITH EACH OF THE FOLLOWING CONDITIONS: (ADDITIONAL PAGES MAY BE ATTACHED IF NECESSARY)

CONDITIONS:

If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a residential business in the premises.

I am the owner.

Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.

my home business does not include any of these.

The residential businesses shall not involve group instruction or group assembly on the premises, with the exception of "daycare centers" and "home parties" for products such as Tupperware, AmWay, Mary Kay Cosmetics, etc. Such "home parties" are to be limited to no more than one (1) "home party" per week.

I do not plan on having home parties.

The occupation or profession must be conducted entirely within the dwelling.

I will do so.

The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the residential business shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.

I am a residence of the dwelling

Residential businesses shall be limited to no more than thirty-five percent (35%) of the total heated floor area of the residence. The size of the residential business shall be specified at the time of the application.

I will be using one room in a shared space (garage)

Any additions or alterations to the residence which will be used for the residential business must be of an architectural style in keeping with the surrounding residential development.

there are no plans for any additions or alterations

The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.

Everything is completely enclosed

Only one employee in excess of family members residing on the premises shall be permitted. For uses where no customers or clients are coming to the site, the number of employees permitted at any one time may be increased to two.

There will be no other employees

Property on which the residential business is proposed must have frontage on a public road.

I do have frontage on a public road.

No outside storage or display shall be allowed.

there will be no outside storage or display.

Parking for customers/clients must be provided on site so as not to interfere with the neighboring property in any way, location of parking to be approved by the Planning Commission and City Council.

customer will park in the driveway.

No more home occupation or residential business is allowed in a residence at one time.

This will be the only home business.

The principal practitioner will be permitted to park one commercial vehicle in the approved parking area. The commercial vehicle is limited to a passenger car, a van, or a light truck (up to one ton).

I will park it in the approved parking area.

Any utility trailer needed for the orderly operation of the business must be specifically requested and approved by the Planning Commission and City Council. The request must include the proposed use and size of the trailer.

we want use a trailer

Pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axels and shall be restricted to no more than two pickups or deliveries per day. The pickups and deliveries are restricted to daylight hours only.

will follow limits & restrictions.

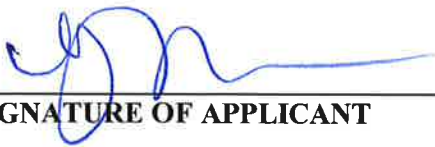
No article or service shall be sold or offered for sale except as may be manufactured or assembled by members of the immediate family residing on the premises, or their employees. Manufactured items are limited to item manufactured within the home (crafts, clothing, etc.) or to the dwelling's garage (such as items made from wood.)

Items will be manufactured in the home by family.

The Planning Commission and/or City Council may place any reasonable conditions on the application deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

will follow all recommended conditions.

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.


SIGNATURE OF APPLICANT

7/7/2022
DATE

Carson Appraisal Services
SKETCH ADDENDUM

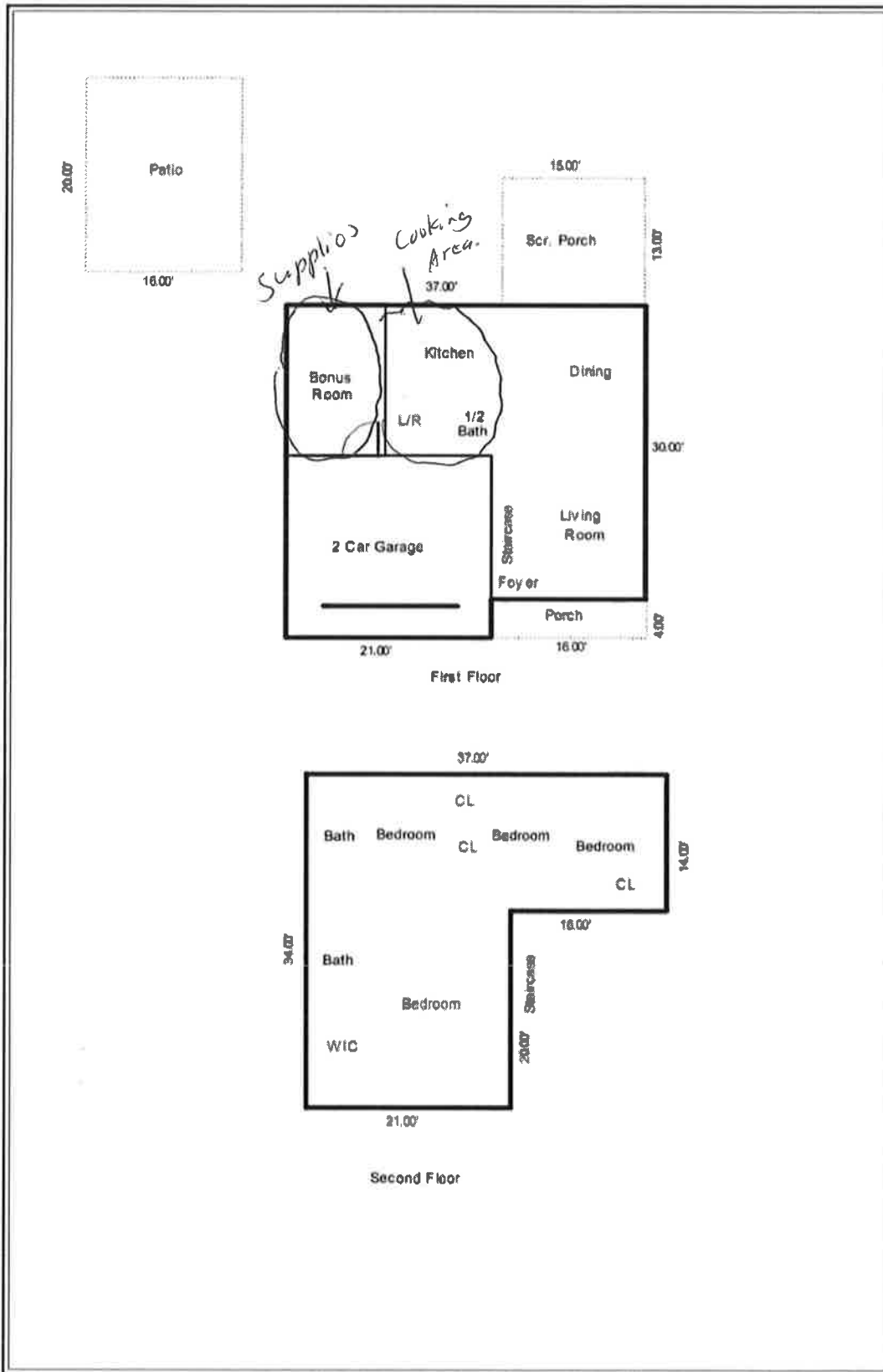
File No. 16-16-6-1353105
 Loan No.

Borrower Widener, Donald A

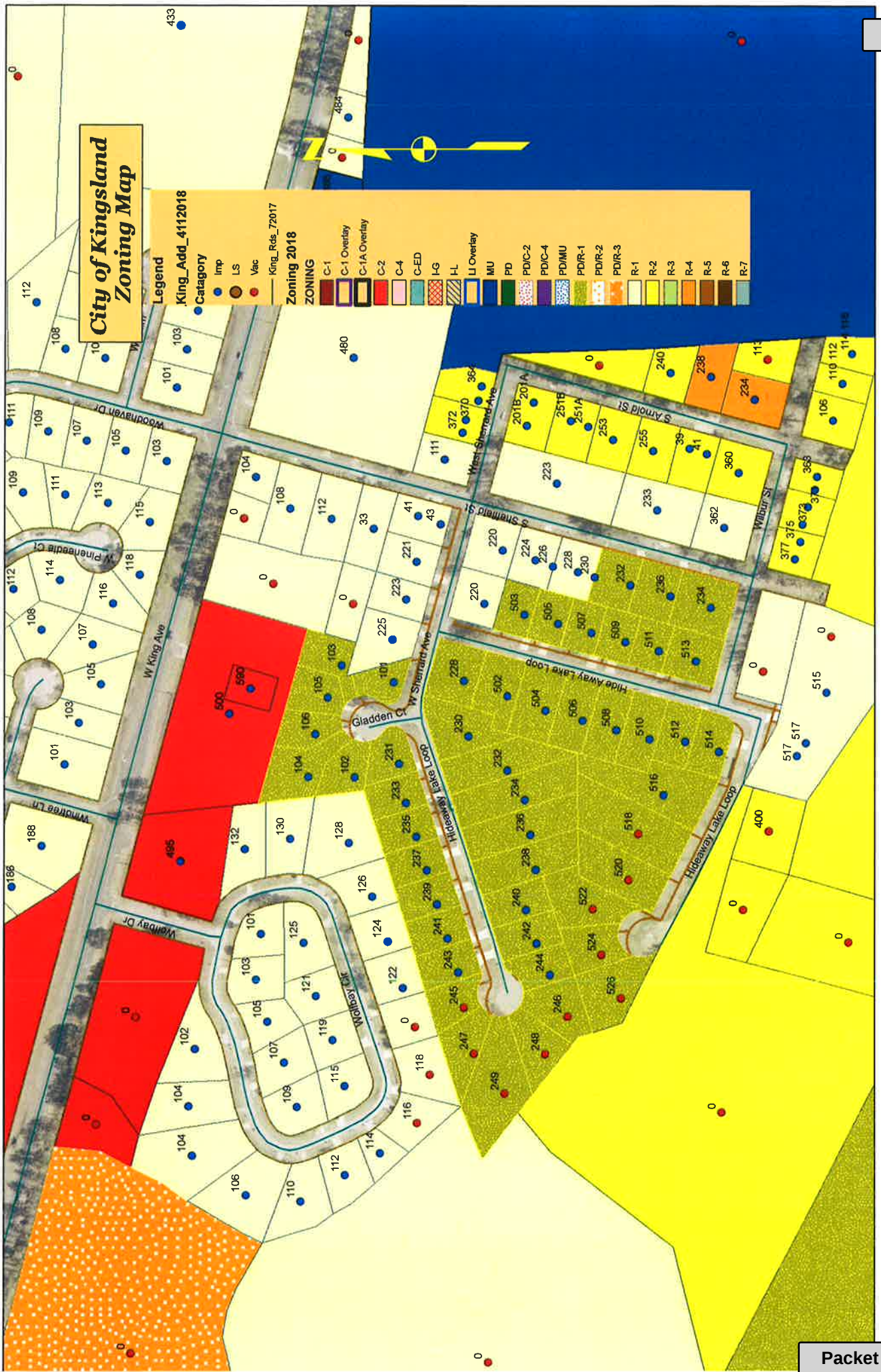
Property Address 105 Gladden Ct

City Kingsland County Camden State GA Zip Code 31548

Lender/Client LoanDepot, LLC/VA Address 26642 Towne Centre Dr, Foothill Ranch, CA 92610

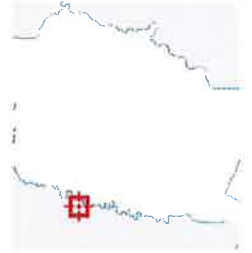








Overview



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 K13 01 008
Class Code Residential
Taxing District KINGSLAND
 KINGSLAND
Acres 0.22

(Note: Not to be used on legal documents)

Owner WIDENER DONALD A
 105 GLADDEN CT
 KINGSLAND, GA 31548
Physical Address 105 GLADDEN CT
Assessed Value Value \$214044

Last 2 Sales

Date	Net Price	Reason	Qual
6/17/2011	\$160000	AL	U
4/8/2011	0	VI	U

Date created: 7/8/2022

Last Data Uploaded: 7/8/2022 8:16:16 AM

Developed by  **Schneider**
GEOSPATIAL

**Planning and Zoning**

105 South Lee Street
Kingsland, GA 31548

SCHEDULED**AGENDA ITEM (ID # 3946)**

Meeting: 08/01/22 06:00 PM
Department: Planning and Zoning
Category: Amendment
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:
DOC ID: 3946

**PD Amendment-Kingsland West Subdivision-Map & Parcels
082 005 & 082 005A**

BBC Investment Group, LLC has submitted an amended PD for Kingsland West Subdivision. The parcels are located on the east and west side of Henrietta St. containing approximately 144 acres. The new PD would include a mix of residential uses and amend the original setbacks and lot density. Zoning is PD/R-2. 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: August 1, 2022

City Council Meeting Date: August 8, 2022

Agenda Item: Amend Original PD for Kingsland West Subdivision, Map & Parcel 082 005 & 082 005A

Summary:

BBC Investment Group, LLC has submitted an amended PD for Kingsland West Subdivision. The parcels are located on the east and west side of Henrietta St. containing approx. 144 acres. The original PD was approved by the city council in 2005. The amended PD will include approx. 305 units with a mixture of mixture of Single Family homes, Patio homes, and Town Houses. The amended PD will also reduce lot sizes, setback requirements, and overall density of the development and will create declarations and covenants for Kingsland West H.O.A. This development will create affordable housing for city residents on the west side of the city. No preliminary or final plat has been issued at this time and there is existing water and sewer and available to the immediate area. However, an engineering study will be needed to determine if the Lemon St. Lift Station will need to be upgraded to handle the sewer capacity for the development.

The PD is included with the staff report.

Current Zoning: PD/R-2

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval

Scott L. Kimball
Planning Director

August Azar
220308

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 a list of surrounding land owners (names and addresses). Please further attach the appropriate fee for this request (fee schedule attached). If paid by check make payable to "City of Kingsland".

REQUEST

EXISTING ZONING <u>Planned Development R2</u>	EXISTING USE <u>Wooded</u>
REQUESTED ZONING <u>Planned Development R2</u>	REQUESTED USE <u>Residential</u>

PROPERTY OWNER(S)

Name(s) BBC Investment Group, LLC

Address ~~5726 Kennedy Road - Suwanee, GA 30024~~ *390 BROADWAY ROAD SUWANEE, GA 30024*

Phone No. (404) 883-8195 (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: Tax Parcels 0082 005 and ~~082 005A~~

Property Address: East + West Side of Henrietta St.

Tax Map Reference Number 082 005 Zoning Map PD/R-2

City of Kingsland Zoning Application
Page Two

Property Size 144 acres +/- Property Frontage 3,700 Feet

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 Existing
development consists of residential uses that are compatible
with this request.

Would not be detrimental to property or persons in the area because Proposal is to
modify and existing residential PD to allow a mix of residential uses.

Other
Comments: _____

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

City of Kingsland Zoning Application
Page Three

(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

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	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.

BBC INVESTMENT GROUP, LLC.

Owner

THOMAS M. PHELPS, JR. MANAGER

Owner

Owner

HEARING DATE

This application is scheduled to be heard by the City of Kingsland Planning Commission

**City of Kingsland Zoning Application
Page Four**

at their meeting of August 1, 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
in the amount of \$ 450.00.

Charles Way

City of Kingsland

BY: [Signature]
Planning & Zoning Administrator

Date: 7/11/22

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 July 8, 2022, by virtue of a deed dated March 13, 2018, _____, on file in the Office of the Clerk of Superior Court, Camden County, in Deed Book 1908, Page 67.

BBC INVESTMENT GROUP LLC.

Manager

Owner's Printed/Typed Name

THOMAS M. PHELPS, JR.

Owner's Signature Date: 7/8/22

Other Owner's Printed/Typed Name

Other Owner's Signature Date: _____

Agent Authorization

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

BBC INVESTMENT GROUP, L.L.C.

Margaret

Owner's Signature Thomas M. Phelps, Jr.

Other Owner's Signature

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

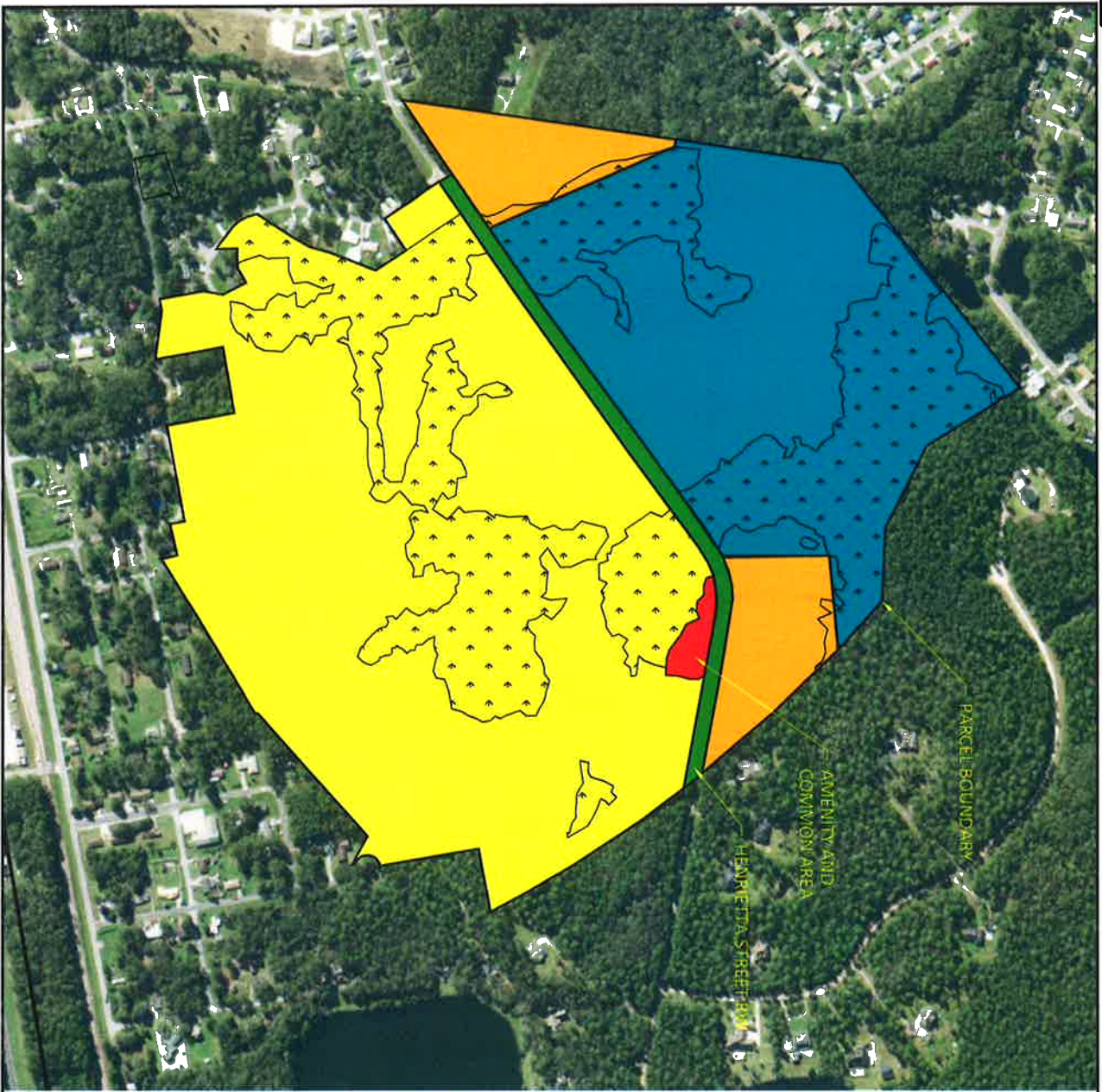
Authorized Agent's Name-Printed

Authorized Agent's Signature

Date _____

Planning and Zoning

Received by: _____ **Date:** _____



305 DWELLINGS UNITS
(MAXIMUM AT BUILDOUT)



WETLANDS



TOWNHOMES



PATIO HOMES



SINGLE FAMILY &
PATIO MIX

LAND USE LEGEND

ZONING MASTER PLAN	DATE: 07/11/22	1
	DRAWN BY: RES	
	SCALE: 1"=400'	
	PROJ: 2022-5013	

CSEC
INC

Civil & Site Design
Engineering Consultants

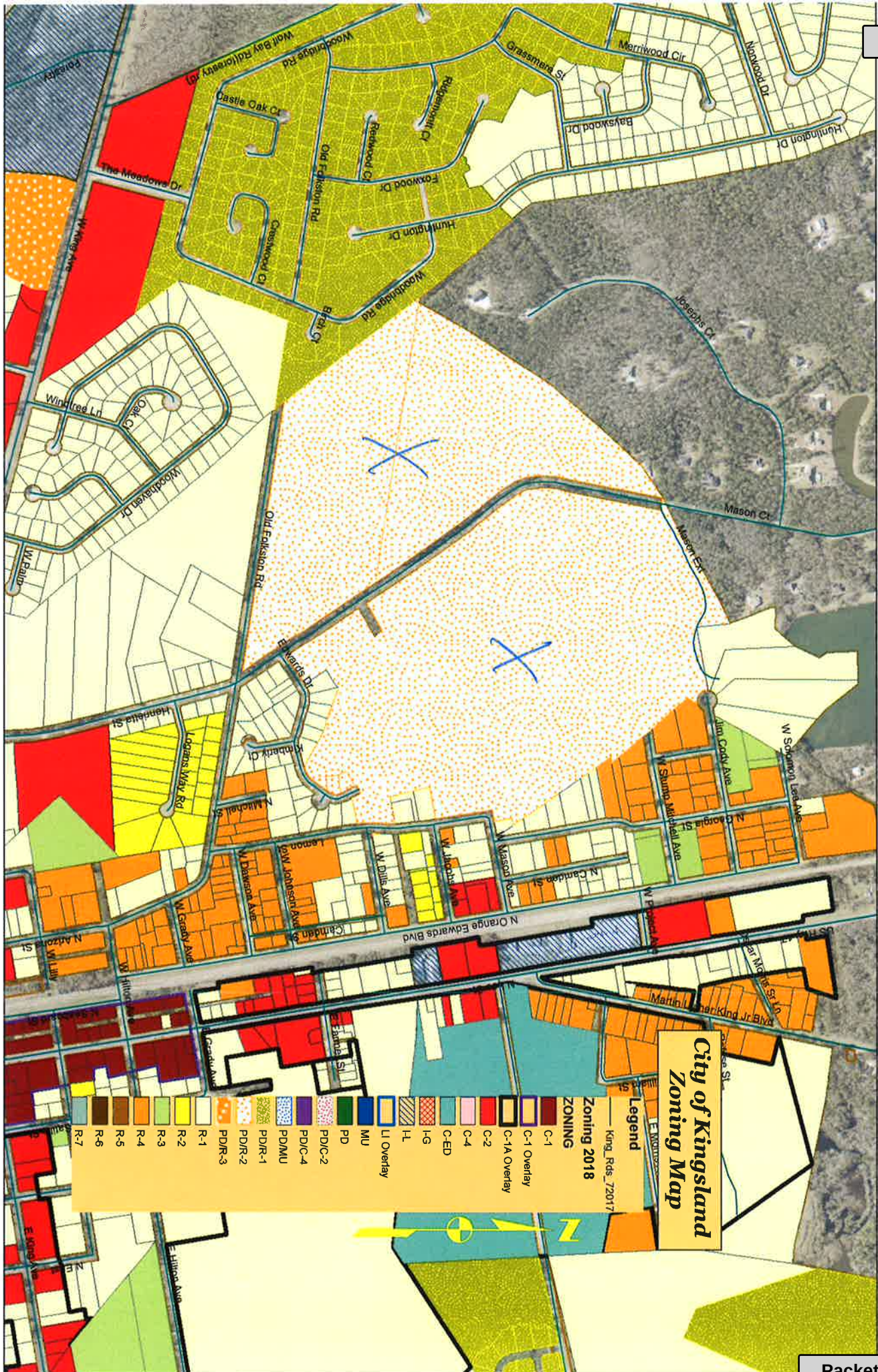
29 CORAL PARK WAY
BRUNSWICK, GEORGIA 31520

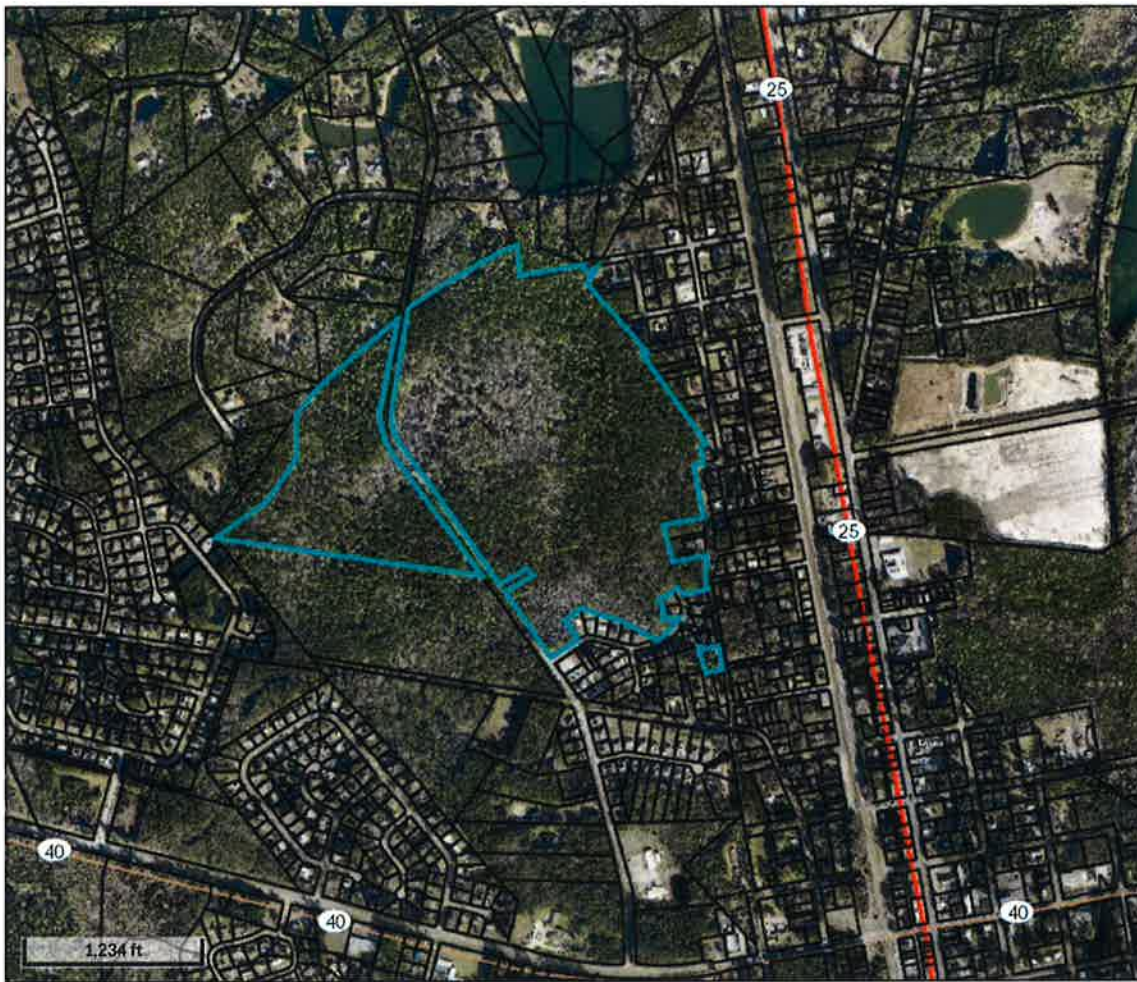
Ph (912) 265-3851
info@csecinc.com

KINGSLAND WEST RESIDENTIAL DEVELOPMENT

DATE SEALED: 07/11/22







Overview



Legend

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

Parcel ID	082 005	Owner	BBC INVESTMENT GROUP LLC	Last 2 Sales			
Class Code	Consv Use		5726 KENNEDY ROAD	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		SUWANEE, GA 30024	3/13/2018	\$150000	MN	U
	KINGSLAND	Physical Address	HENRIETTA ST	8/14/2012	0	QC	U
Acres	111.93	Assessed Value	Value \$174114				

(Note: Not to be used on legal documents)

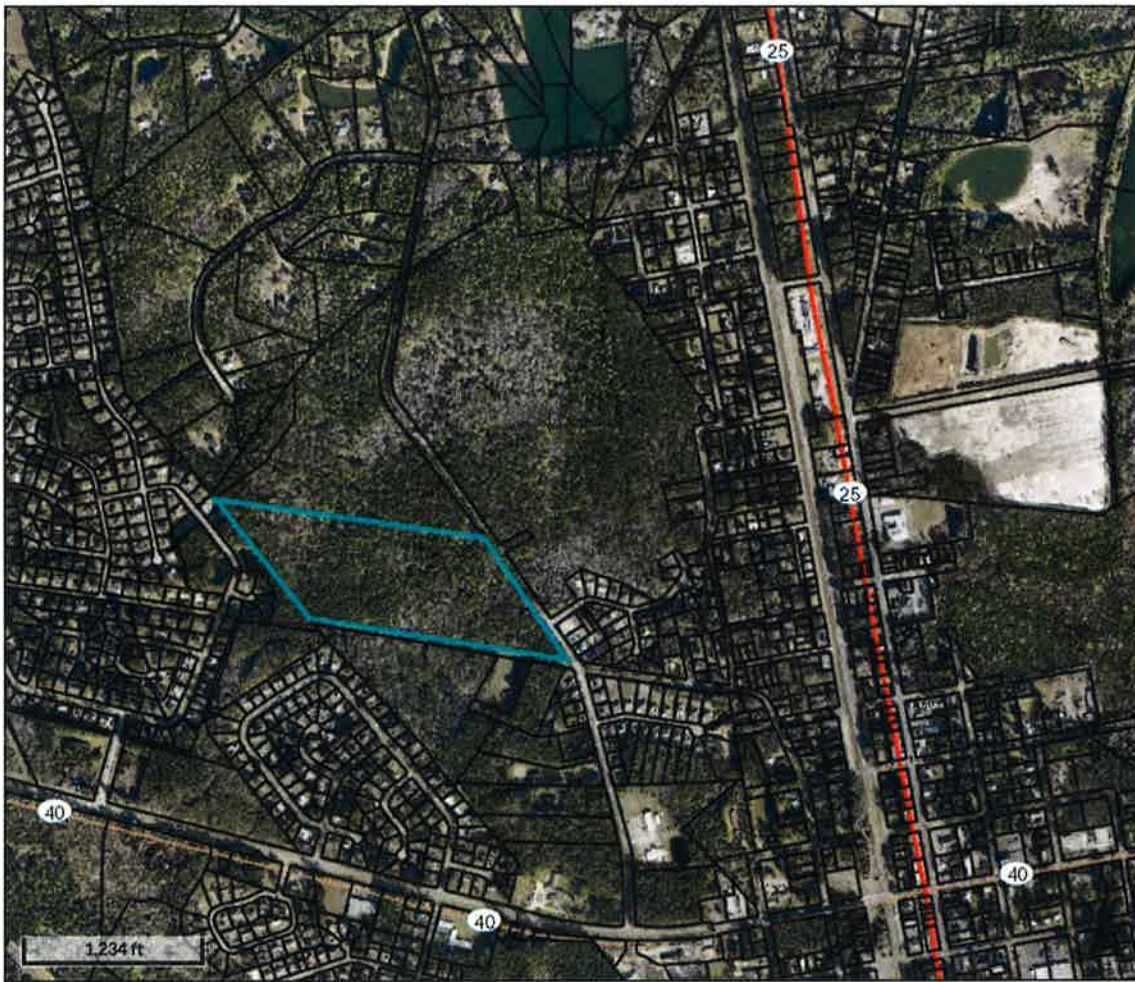
Date created: 7/20/2022

Last Data Uploaded: 7/20/2022 5:08:26 AM

Developed by  **Schneider**
GEOSPATIAL



Camden County, GA



Overview



Legend

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

Parcel ID	082 005A	Owner	BBC INVESTMENT GROUP LLC	Last 2 Sales			
Class Code	Consv Use		5726 KENNEDY ROAD	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		SUWANEE, GA 30024	3/13/2018	\$150000	MN	U
	KINGSLAND	Physical Address	n/a	8/14/2012	0	FY	U
Acres	32	Assessed Value	Value \$81600				

(Note: Not to be used on legal documents)

Date created: 7/20/2022
 Last Data Uploaded: 7/20/2022 5:08:26 AM

Developed by Schneider
 GEOSPATIAL

July 8, 2022

Planned Development Report

Kingsland West Residential Development

Kingsland, Georgia

Prepared for:

BBC Investment Group, LLC
5726 Kennedy Road
Suwanee, Georgia 30024

Prepared by:

CSEC | Civil & Structural
INC Engineering Consultants
29 CORAL PARK WAY PH 912.265.3851
BRUNSWICK, GEORGIA 31520 FAX 912.264.7273

Attachment: Aug. 2022-PD Amend.-PD docs (3946 : PD Amendment-Kingsland West Subdivision-Map & Parcels 082 005 & 082 005A)

CONTENTS

PROJECT DESCRIPTION..... 1

LEGAL DESCRIPTION..... 1

DEVELOPMENT STANDARDS..... 1

RESTRICTIVE COVENANTS 2

PROPOSED DEDICATIONS 2

UTILITIES..... 2

LAND USE SUMMARY..... 3

ATTACHMENTS

- DECLARATION OF COVENANTS AND RESTRICTIONS
- PROJECT LOCATION MAP
- ZONING MASTER PLAN

Attachment: Aug. 2022-PD Amend.-PD docs (3946 : PD Amendment-Kingsland West Subdivision-Map & Parcels 082 005 & 082 005A)

PROJECT DESCRIPTION

Kingsland West is a proposed residential development west of Kingsland. The property contains approximately 143.93 acres and is currently zoned PD / R2. This proposal will maintain that zoning designation with new development standards for the property as discussed below. In addition to the residential uses specified in this document, one parcel will be reserved for the development of an amenity area for the use of the residents of the development. Plans for that area will be prepared and submitted for approval during the site plan development phase of the project.

LEGAL DESCRIPTION

This project consists of Tax Parcels 082 005 and 082 005A. A copy of the boundary and wetlands survey of the property is attached to this report.

DEVELOPMENT STANDARDS

SINGLE FAMILY RESIDENTIAL

Allowed Use: Single Family Residential

Minimum lot area: 6,600 square feet

Minimum lot width at the building line: 60 feet

Minimum front yard setback from street: 20 feet

Minimum side yard setback from street: 20 feet; setback from other property line: 7 feet

Minimum rear yard setback from street: 20 feet; setback from other property line: 10 feet

Maximum building height: 35 feet

PATIO HOME RESIDENTIAL

Allowed Use: Single Family Residential

Minimum lot area: 4,000 square feet

Minimum lot width at the building line: 40 feet

Minimum front yard setback from street: 20 feet

Minimum side yard setback from street: 20 feet setback from other property line: 7 feet

Minimum rear yard setback from street: 20 feet setback from other property line: 10 feet

Maximum building height: 35 feet

TOWN HOME RESIDENTIAL

Allowed Uses: Multi-family dwellings of more than three units with a maximum of eight units per building.

Minimum parcel area: 10,000 square feet for the first two units; plus 2,000 square feet for each additional unit. After construction of the foundation, the lot will be subdivided along the demising walls to create individual fee simple town home lots. The standards listed below refer to the individual lots after subdivision.

Minimum lot width at the building line: 20 feet

Minimum front yard setback from street: 25 feet

Minimum side yard setbacks: from street: 25 feet setback; from other property line: 15 feet

Minimum distance between buildings: 30 feet

Minimum rear yard setback from street: 30 feet; from property with single family land use: 25 feet; from other property line: 15 feet

Maximum building height: 35 feet

RESTRICTIVE COVENANTS

A Declaration of Covenants and Restrictions for this project has been prepared and is attached to this report.

PROPOSED DEDICATIONS

The roads, water systems, and sewer systems will be dedicated to the City of Kingsland for ownership and maintenance. Stormwater management systems within the right-of-way of the roads will be included in the dedication. Stormwater detention facilities and outfall ditches will be owned and maintained by the HOA.

UTILITIES

Water and sewer facilities needed to serve this development will be extended from existing facilities and will be constructed in accordance with City of Kingsland and Georgia EPD requirements. All utilities, including but not limited to electric power, telephones and Cable T.V., shall be located underground.

LAND USE SUMMARY

Total =	143.9 Acres
Single Family Residential =	63.4 Acres
Patio Home Residential =	24.8 Acres
Town Home Residential =	10.6 Acres
Common =	0.9 Acres
Wetlands =	44.2 Acres

STATE OF GEORGIA
COUNTY OF CAMDEN

DECLARATION OF COVENANTS AND RESTRICTIONS
KINGSLAND WEST RESIDENTIAL DEVELOPMENT

THIS DECLARATION OF COVENANTS AND RESTRICTIONS is made and published this ____ day of July, 2022, by BBC INVESTMENT GROUP, LLC, of Camden County, Georgia ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owners of all that land described on the attached Exhibit "A"; and

WHEREAS, the Declarant may wish to develop the adjoining property and later to add certain common areas; and

WHEREAS, it is to the best interest, benefit and advantage of Declarant and to each and every person who shall hereafter purchase any of the Lots, that certain covenants of the Lots and Property be established;

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by Declarant and each and every subsequent owner of any of the Lots, and any additional property the Declarant may subject to these covenants, the undersigned Declarant hereby establishes and declares the following covenants and restrictions to apply to all of the said property and to all persons owning any of said Lots hereafter.

1. DEFINITIONS

(a) "Association" shall mean and refer to Kingsland West Home Owners Association, Inc., its successors and assigns.

(b) "Board" and "Board of Directors" shall mean the board of directors of the Association.

(c) "Common Area" shall mean all real property (including the improvements thereto) deeded to the Association for the common use and enjoyment of the Owners. Any Common Area may be conveyed to the Association, as set forth in this declaration, including areas which are part of Lots shown on any plat of the Property.

(d) "Declarant" shall mean and refer to BBC INVESTMENT GROUP, LLC, their successors and assigns.

(e) "Lot" shall mean and refer to any plot of land on the recorded subdivision map of the Property, with the exception of the Common Area, and any renumbered plot that results from the subdivision of any Lot, as shown on any recorded subdivision plat of such Lot.

(f) "Owner(s)" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Property, including contract sellers, but excluding those having such interest merely as security for the performance of any obligation.

(g) "Property" shall mean the land referred to in Exhibit "A", together with any other property annexed thereto under the provisions of this declaration.

2. USE OF LOTS

The Property may be used only for residential dwellings and the attendant amenities. One Lot, as shown on the referenced plat, or on any recorded plat showing a subdivision of an original Lot shall be the minimum building area upon which a single family residence may be constructed, although more than one Lot may be utilized as a single building plot. Notwithstanding the use of more than one Lot as a single building plot, each Lot making up the single building plot shall remain a separate Lot for purposes of assessment and membership and voting rights in the Association. The Owners of each Lot shall regulate the number of guests, the outside activities permitted by guests, and the amount of time guests are allowed to remain on such Lot, pursuant to rules adopted by the Association.

3. ANIMALS

No animals, livestock, or poultry shall be kept or maintained on any of the Property except dogs, cats, and pet birds, none of which shall be kept outside, including screened or open porches, patios and courtyards. At such time as pets are permitted outside a dwelling, they must be secured by a leash or under the command of a responsible person and obedient to that person's command at all times. No animal shall be allowed to make noises which serve as a nuisance to other Owners, their guests and licensees. All pet litter shall be immediately removed from the Property by the owner of such pet; failure by any resident Owner to comply with this provision shall result in a fine by the Association, which shall act as a lien on the Lot of such Owner in the same manner as other liens provided in these covenants.

4. OWNER MAINTENANCE RESPONSIBILITY

Each Owner is obligated to and responsible for performing all maintenance, repair and restoration in connection with its Lot and all improvements thereupon. Each Owner shall maintain the exterior of all buildings and improvements on the Owner's Lot in a good and workmanlike manner and shall present a neat and clean appearance upon the Lot including painting, repairing, replacing and caring for roofs, gutters, downspouts, exterior building surfaces, trees, shrubs, grass, walks and other exterior improvements. Owners shall further assure that no weeds, underbrush or other unsightly vegetation is permitted to grow or remain upon Owner's Lot or the right-of-way existing between the property on Owner's Lot and the paved surface of any road and no refuse piles or unsightly objects shall be allowed to be placed or suffered to remain anywhere on any Lot or the right-of-way existing between the property on Owner's Lot and the paved surface of any road.

5. WATER SUPPLY

Each Lot shall be connected to the public water and sewer systems, and fees for use of such systems shall be paid by the Owner or the Owner's agent. No individual private water supply shall be installed or maintained on any Lot.

6. EASEMENTS

There is hereby granted a blanket easement upon, across, over and through all of the Property for replacement, repair, and maintenance of all utilities, including water, sewer, gas, telephone, and electricity. Additionally, there is an easement over and under the ground within the Property to maintain and correct drainage of surface waters and other erosion controls in order to maintain reasonable standards of health, safety, and appearance. These easements shall not affect any other recorded easements on the Property. There is further reserved to the Declarant and the Association all easements shown on the recorded subdivision plat of the Property. There is further reserved to the Association a blanket easement over the Property for the maintenance and upkeep of the Common Areas and the provision of mowing and edging services.

7. OBLIGATIONS OF THE ASSOCIATION

The Association shall maintain all Common Areas. The Association shall not be responsible for any maintenance caused by the abuse or negligence of any Owner, or any guest, invitee, licensee, or agent of any Owner; and each Owner shall be obligated to provide maintenance caused by any such abuse or negligence.

8. OWNERS' EASEMENTS OF ENJOYMENT

Every Owner shall have a right and easement of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

(a) The right of the Association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Area;

(b) The right of the Association to suspend the voting rights and right to use of the recreational facilities by an Owner for any period during which any assessment against such Owner's Lot remains unpaid, and for a period not to exceed 60 days for any infraction of its published rules and regulations; and

(c) The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless passed under the provisions of Paragraph 11 below.

9. DELEGATION OF USE

Any Owner may delegate, in accordance with the Bylaws of the Association, such Owner's right of enjoyment to the Common Area and facilities to the members of such Owner's family, tenants, or contract purchasers who reside on the Property.

10. MEMBERSHIP AND VOTING RIGHTS

Every Owner of a Lot subject to assessments shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot subject to assessments. All Owners shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot. So long as Declarant owns any Lot, Declarant shall be entitled to a number of votes equal to the total number of Lots in the Property, plus one.

11. COVENANT FOR MAINTENANCE ASSESSMENT

(a) Creation of the Lien and Personal Obligation of Assessments. Declarant, for each Lot owned within the Property, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay the Association: (1) yearly assessments or charges; and (2) special assessments for capital improvements, such assessments to be established and collected as hereinafter provided. The yearly assessments, together with interest, costs, and reasonable attorney's fees for collection thereof, shall be a charge on the land and shall be a continuing lien upon the Lot against which each such assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of such Property at the time when the assessment fell due. The personal obligation for delinquent assessments shall not pass to such Owner's successors in title, provided such successors in title obtain a written statement from the secretary or any other officer of the Association that the assessments for such Lot are current as of the date of transfer of title.

(b) Purposes of Assessments. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents in the Property, for the improvement and maintenance of the Common Area, and costs associated with the operation of the lift station on the property.

(c) Maximum Yearly Assessments. The maximum initial quarterly assessment for each Lot shall be determined at a later date, prior to recording of a final subdivision plat. The yearly assessment shall be paid in advance or in installments, as determined by the Board. The maximum yearly assessment may be increased by the Association each year not more than 10% above the maximum yearly assessment for the previous year without a vote of the membership. The maximum yearly assessment may be increased above 10% by a vote of at least 51% of the Members who are voting in person or by proxy, at a meeting duly called for this purpose. The Board of Directors of the Association may fix the yearly assessment at an amount not in excess of the maximum.

(d) Special Assessments for Capital Improvements. In addition to the yearly assessment, a special assessment may be made, applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common

Area, including fixtures and personal property related thereto, provided that any such assessment shall have the assent of two-thirds of the votes of the members who are voting in person or by proxy at a meeting duly called for this purpose.

(e) Notice and Quorum for any Action Authorized Under Sections (c) and (d). Written notice of any meeting called for the purpose of taking any action authorized under (c) or (d) above shall be sent to all members not less than 30 days nor more than 60 days in advance of the meeting. At the first such meeting called, the presence of members or of proxies entitled to cast 60% of all the authorized votes shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirement, and the required quorum at the subsequent meeting. No such subsequent meeting shall be held more than 60 days following the preceding meeting.

(f) Uniform Rate of Assessment. Both quarterly and special assessments must be fixed at a uniform rate for all Lots; special assessments may be collected on a quarterly basis.

(g) Date of Commencement of Yearly Assessments; Due Dates. The yearly assessments provided for herein shall commence as to each Lot on the date of its creation by recording of a final subdivision plat. The Board of Directors shall fix the amount of the yearly assessments against each Lot for subsequent calendar years not later than December 1 of each year. Written notice of changes in the yearly assessment shall be sent to every Owner subject thereto. The due dates shall be established by the Board. The Association shall, upon demand, and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether the assessments on a specified Lot have been paid. A properly executed certificate of the Association as to the status of assessments on a Lot shall be binding upon the Association as of the date of its issuance.

(h) Effect of Nonpayment of Assessments; Remedies of the Association. All assessments shall be promptly paid when they become due. In the event of the Owner's failure to pay promptly when due, such failure shall constitute a lien upon the individual Lot. Any assessment not paid within ten days after the due date shall incur a late fee of 10% of the amount due, plus interest from the due date at the rate of 10% per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or file and foreclose the lien against the Property. The lien may be foreclosed in the same manner as other liens for the improvement of real property. The Owner shall be responsible for all costs of collection, including court costs and reasonable attorney's fees actually incurred. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of the Owner's Lot.

(i) Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage or purchase money security deed. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot pursuant to foreclosure or

any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer.

12. STAGED DEVELOPMENT

Additional land within the legal description of the subject property in Camden County, Georgia, records, or any area adjoining such property, may be annexed by the Declarant, its successors and assigns, without the consent of Owners within ten years of the date of this instrument. In the event Declarant decides to annex such land into the Property, it may incorporate by reference these covenants and restrictions and in such event all Owners in such land shall be bound and take subject to these covenants and restrictions. In such event the Declarant may convey to the Association any additional Common Area it deems appropriate, including roads, sidewalks, swimming pool, and clubhouse.

13. DURATION; TERMINATION; AMENDMENT

(a) The provisions of this declaration shall run with and bind the land, shall be and remain in effect, and shall inure to the benefit of and be enforceable by Declarant, or any Owner of any Lot subject to this declaration, their respective heirs, legal representatives, successors and assigns, until 20 years from the date hereof. This declaration shall be automatically renewed and extended beyond said period for successive additional 20-year periods unless, within two years prior to the expiration of the initial 20-year period or any such subsequent period, at least 51% of the persons owning Lots shall execute and record in the office of the clerk of superior court of Camden County, Georgia, a document pursuant to O.C.G.A. §44-5-60 terminating this declaration.

(b) This declaration may be extended, amended, cancelled, or annulled at any time by the Declarant, so long as the Declarant is the owner of at least one Lot in the Property. Thereafter, this declaration may be extended, amended, cancelled, or annulled at any time by the Owners of a majority of the Lots of the Property. No such amendment, extension, cancellation, or annulment shall be effective unless there is filed for record in the Office of the Clerk of the Superior Court of Camden County, Georgia, an instrument executed by Declarant or such Owners, whichever is appropriate under this paragraph, which shall state the terms of such action.

14. ENFORCEMENT

The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by

the provisions of this declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

15. SEVERABILITY

Should any covenant, restriction, or provision contained herein be declared void, invalid, illegal, or unenforceable by any court having jurisdiction over the subject matter hereof, such judgment shall in no way affect the other provisions hereof, which are hereby to be severable and which shall remain in full force and effect.

16. JURISDICTION

These covenants and restrictions shall be governed by the laws of the State of Georgia and each Owner agrees to submit to the jurisdiction of the Camden County Superior Court as to any claim or controversy that might arise hereunder. The prevailing party in any such action shall be entitled to recover all costs of such action, including attorney's fees, from the other party.