SAVANNAH
savannahga.gov
Planning & Urban Design
20 Interchange Drive, Administration Bldg.
Savannah, GA, 31415
Phone: 912.525.2783 / Fax: 912.525.1562
www.savannahga.gov/planning

26-005350-ZA (MAP)

# Rezoning (Map Amendment) and Comprehensive Plan Future Land Use Map Amendment Application

RECEIVED
OCT 21 2026
BY:

mpc
110 E State St, Savannah, GA, 31401
P.O. Box 8246, Savannah, GA, 31412-8246
Phone: 912.651.1440 / Fax: 912.651.1480
www.thempc.org

Please type or print legibly. Attach additional sheets, if necessary, to fully answer any of the following sections. Incomplete applications will not be scheduled by the Metropolitan Planning Commission (MPC) until deficiencies are corrected. Additional instructions and information regarding the amendment process are attached. **SUBMIT AN ELECTRONIC COMPLETED APPLICATION TO PLANNING@SAVANNAHGA.GOV. Applicants are requested to contact the MPC staff at 912.651.1440 and the City Planning and Urban Design staff at 912.525.2783 prior to submitting an application.**

## I. Subject Property

Street Address(es): See Exhibit A attached PINs 11027 01013, -012, -009, -011, -010

Property Identification Number(s) (PINs) (Note: Attach a boundary survey, recorded or proposed plat, tax map or scaled plot plan to identify the property boundary lines.): See Exhibit A attached

Total acreage of the subject property: See Exhibit A attached

Existing land use(s) for the subject property (e.g., undeveloped, restaurant, auto repair shop, multi-family): Vacant land

## II. Action Requested

**A. Type of Request.**

☑ Rezoning (Zoning Map Amendment)

☑ Comprehensive Plan's Future Land Use Map Amendment (If proposed rezoning does not fit the designated Future Land Use Map Category)

**B. Application History.** Have any previous applications been made to rezone the subject property (Certificate of Appropriateness (COA), Subdivision, Site Permit (General Development Plan), Business Location Approval, Text Amendment)?

☐ Yes ☑ No If yes, please provide the Plan/Permit File Number(s): _____

**C. Rezoning Information.**

- Identify the existing zoning district(s) for the subject property: R-A (COUNTY)
- Proposed zoning district(s) for the subject property: I-H (CITY)
  (Only one district should be proposed unless there is an extenuating circumstance. If more than one district is desired, please provide supporting rationale as part of this application. A zoning district must be identified or the application will not be processed.)
- List all proposed land use(s) in accordance with the Zoning Ordinance. (Refer to Zoning Ordinance Article 5 Sec. 5.4 Principal Use Table. If your desired use is not listed, contact the Planning and Urban Design Department for a use determination. Planning and Urban Design by contacting 912.525.2783.)
  Surface mining operation for existing landfill facility

**The petitioner will receive notification to obtain and post the Public Notice Sign(s) from the City's Planning & Urban Design Office at least 15 DAYS PRIOR TO THE PLANNING COMMISSION and CITY COUNCIL MEETINGS. Failure to timely post the signs shall result in the removal of the Petitioner's application from the agenda.**

### D. Comprehensive Plan Future Land Use Map Amendment.

Sections 5.5 through 5.17, subsection 2 of the Zoning Ordinance titled Comprehensive Plan Future Land Use Map (FLUM) Consistency list the permitted Future Land Use (FLU) Category(ies) for each Zoning District. Chapter 5 of the Chatham County-Savannah Comprehensive Plan lists and defines these categories. If the proposed Zoning District is not allowed within the current FLU Category designated for the property, a Comprehensive Plan FLUM Amendment is required. As part of the application review process, the Planning Commission and City will evaluate and determine if the proposed Zoning District requires a FLU Map Amendment.

- What is the present Future Land Use Category designated for the property? PLANNED DEV.
- What is the Future Land Use Category that allows the proposed Zoning District? ~~INDUSTRY~~ Landfill

## III. Rezoning Review Criteria

Describe the purpose of the requested rezoning. Please refer to Sec. 3.5.8 for the review criteria that will be used when considering your petition. See Exhibit B attached

Is the subject parcel located within 3,000 feet of a military base, installation or airport, or within the 3,000 foot Clear Zone and Accident Prevention Zones Numbers I and II as prescribed in the definition of an Air Installation Compatible Use Zone that is affiliated with such base, installation or airport? ☐ Yes ☐ No

## IV. Neighborhood Meeting

A neighborhood meeting is required as shown in Table 3.2-1, Types of Required Public Notice for Applications, or indicated elsewhere in the Zoning Ordinance. If an applicant fails to provide neighborhood notification consistent with the requirements, the public hearing will be postponed until after such notification has been made. Please complete the following information.

- Neighborhood Association:
- Neighborhood President:
- Method of Notification:
- Date Notification Sent:
- Date of Neighborhood Meeting:
- Time of the Meeting:
- Location of the Meeting:
- Date Notification Sent to Planning Director of the Scheduled Date, Time, Place:
- Date of Planning Commission Meeting:

## V. Property Owner Information

Name(s): See Exhibit A attached

Registered Agent:
(Or Officer or Authorized Signatory, if Property Owner is not an individual. Provide GA Annual Registration.)

Address: [redacted]

City, State, Zip [redacted] 31408

Telephone: _____ Fax: _____

E-mail address: _____

## VI. Petitioner Information, if different from Property Owner

(If the property owner(s) will have an agent serve on his or her behalf, the owner(s) must complete the attached Letter of Authorization. If the agent changes after submitting the application and the agent is not the property owner, a new authorization form will be required.)

Name(s): _____

Registered Agent: _____

(Or Officer or Authorized Signatory, if Petitioner is not an individual)

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

E-mail address: _____

## VII. Agent, if different from Petitioner or Property Owner

(A signed, notarized statement of authorization from the property owner is required and must be attached if this section applies. If the agent changes after submitting the application and the agent is not the property owner, a new authorization form will be required.)

Name(s): HAROLD OR JOSH YELLIN

Firm or Agency: HUNTER MACLEAN

Address: [redacted]

City, State, Zip: [redacted]

Telephone: [redacted] Fax: [redacted]

E-mail address: [redacted]

Contacts

| | |
|---|---|
| Planning & Urban Design: | 20 Interchange Drive, Administration Building, Savannah, GA, 31415<br>P.O. Box 1027, Savannah, GA, 31402 (Phone: 912.525.2783) |
| The Planning Commission: | 110 E. State St, Savannah, GA, 31401 (Located at the State Street Garage) |

## VIII. Letter of Authorization

As fee simple owner of the subject property that is identified as Property Identification Number(s) (PIN) 1-1027-01-009, -010, -011, -012 & -013, I (we) authorize HAROLD OR JOSH YELLIN (Agent Name) of HUNTER MACLEAN (Firm or Agency, if applicable) to serve as agent on my (our) behalf for the purpose of making and executing this application for the proposed request. I (we) understand that any representations(s) made on my (our) behalf, by my (our) authorized representative, shall be legally binding upon the subject property.

**Property Owner(s)**

Name(s): SEE EXHIBIT A

Registered Agent: N/A
(Or Officer or Authorized Signatory, if Property owner is not an individual)

Jerome Pinckney
Signature(s)

10/20/2026
Date

**Witness Signature Certificate**

State of Georgia

County of CHATHAM

Signed or attested before me on October 20, 2026
Date

by Jerome Pinckney,
(Printed name(s) of individual(s) signing document)

who proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

___ Personally Known or X Produced Identification Type of ID Drivers License

Amber Spain
Signature of notary public

Amber Spain
(Name of notary, typed, stamped or printed)
Notary Public State of Georgia
My commission expires: _____

AMBER SPAIN NOTARY PUBLIC EXPIRES GEORGIA AUG. 5, 2030 CHATHAM COUNTY

## IX. Disclosure of Campaign Contribution Form

To be filed within 10 days of filing this application. This is required to be filled out by the Petitioner, Property Owner, and/or Agent per the Conflict of Interest in Zoning Actions Act (O.C.G.A. § 36-67A).

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
   (1) The name and official position of the local government official to whom the campaign contribution was made; and
   (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:
   (1) The name and official position of the local government official to whom the campaign contribution was made; and
   (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

**Please answer the following questions:**

**A.** Within two years immediately preceding the filing this application, have you and your agent (if applicable) made a campaign contribution in the amount of $250 or more to any of the local government officials listed below? ☐ Yes ☑ No If you answered "Yes", please complete Question 2.

| The Mayor and Aldermen of the City of Savannah | |
|---|---|
| Van R. Johnson, II, Mayor | Linda Wilder-Bryan, District 3 |
| Carolyn Bell, At-Large (Post 1) | Nick Palumbo, District 4 |
| Alicia Miller Blakely, At-Large (Post 2) | Dr. Estella Edwards Shabazz, District 5 |
| Bernetta B. Lanier, District 1 | Kurtis Purtee, District 6 |
| Detric Leggett, District 2 | |

| Chatham County-Savannah Metropolitan Planning Commission | | |
|---|---|---|
| Laureen Boles, Treasurer | Traci Amick | Joseph Welch |
| Travis Coles, Vice-Chairman | Coren Ross | Amanda Wilson |
| Stephen Plunk | Joseph B. Ervin | Jay Melder, Ex-Officio |
| Jeff Notrica | Dwayne Stephens | Michael Kaigler, Ex-Officio |
| Karen Jarrett, Chairwoman | Tom Woiwode | |

**B.** If you checked "Yes" to Question 1, complete the section below:

| Contribution | | | |
|---|---|---|---|
| **Name of Official to Whom Contribution was Made** | **Official Position at Time of Contribution** | **Date of Contribution** | **Description & Dollar Amount of Contribution** |
| | | | |
| | | | |
| | | | |
| | | | |

/s/ Harold B. Yellin — HAROLD B. YELLIN — 10/20/26

Signature of Petitioner or Petitioner's Agent — Printed Name — Date

## X. Application Fee

The non-refundable filing fee is based on the type of use for which relief is requested. Make check payable to City of Savannah.

- [x] Rezoning/Comprehensive Plan Amendment: $3,500.00 + $50.00 per acre
- [ ] Planned Development: $1,100 + $155.00 per acre

## XI. Application Checklist

Pursuant to O.C.G.A. § 8-2-26, this checklist must be completed and submitted with each permit application. Please check every item as either "Y" for items that are included with the application or "N" for items that are not included with the application. Items without an "N" checkbox are minimum requirements initially due with the application if applicable.

| Yes | No | |
|---|---|---|
| ☑ | | Part I. Subject Property |
| ☑ | | Part II. Action Required |
| ☑ | | Part III. Rezoning Review Criteria Form |
| ☐ | | Part IV. Neighborhood Meeting |
| ☑ | | Part V. Property Owner Information |
| ☑ | ☐ | Part VI. Petitioner Information |
| ☑ | ☐ | Part VII. Agent |
| ☑ | ☐ | Part VIII. Letter of Authorization |
| ☑ | | Part IX. Disclosure of Campaign Contribution Form |
| ☐ | | Part X. Application Fee |
| ☑ | | Part XI. Complete Application Checklist |
| ☑ | | Part XII. Certified Application (Signed application) |
| ☑ | | Survey. A scaled or dimensioned boundary survey, tax map, plot plan, or sketch showing the subject property (Original not scanned if produced electronically and not recorded). |
| ☑ | | Legal Description. A legal description of the land by lot, block, and subdivision designations, or if none, by metes and bounds (Electronic or digital Word document). |
| ☐ | ☑ | Concept Plan of the proposed development if applicable |

*Please note: Supplemental information may be required during plan review to address deficiencies.*

## XII. Certified Application

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures, and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date. I understand that the approval of an application for Special Use Permit by The Mayor and Aldermen does not constitute a waiver from any applicable local, state, or federal regulations.

| Signature of Petitioner or Petitioner's Agent | Printed Name | Date |
|---|---|---|
| HBYellin | HAROLD B YELLIN | 10/20/2026 |

# RETAIN THIS PAGE

## Instructions

1. Applicants are requested to contact the Metropolitan Planning Commission (MPC) and the City's Planning and Urban Design Office (City) prior to submitting an application.
2. If the project is a Development of Regional Impact (DRI), the project must first be found "in the best interest of the State" before a rezoning application can be reviewed by the Planning Commission. MPC staff will notify the petitioner or agent when a request qualifies as a DRI.
3. The application form must be complete according to Sec. 3.1.4 including the appropriate fee and all required supplemental materials before it will be processed and scheduled for a hearing. If the property has been purchased within the last 12 months, please provide a copy of the Deed.
4. **All applications must be submitted electronically to planning@savannahga.gov**. If the document size is larger than 20 MB, please contact 912-525-2783.
5. The petitioner or agent may include exhibits (e.g., letters or photos) to support the request.
6. A schedule of the application deadlines as well as the Planning Commission and City Council meeting dates are part of this application.

## Rezoning and Comprehensive Plan's Future Land Use Map Amendment Process (After the Application is Submitted)

1. All rezoning applications will be considered by the Planning Commission at a public hearing prior to the Mayor and Aldermen holding the zoning hearing.
2. Once an application submittal is determined to be complete according to Sec. 3.1.4, the MPC will schedule the petition for review by the Planning Commission and prepare a staff recommendation.
3. The MPC will notify the petitioner of the public hearing date and time as well as publish a public notification in the newspaper.
4. The petitioner will receive notification to obtain a Public Notice Sign(s) announcing the petition from the City's Planning and Urban Design Office at located at 20 Interchange Drive, Administration Bldg. The petitioner must post the sign(s) at least **15 DAYS PRIOR TO THE PLANNING COMMISSION MEETING** according to Sec. 3.2.6. If the signs are not posted at least 15 days before the public hearing, the petition will be rescheduled.
5. The Planning Commission meeting will be held in the Arthur A. Mendonsa Hearing Room at the MPC, 112 E State Street doorway.
6. Digital presentations must be provided to MPC staff at least two days prior to the hearing. To ensure the protection of its network, the MPC does not allow Petitioners to use thumb drives on its computers. Copies of any materials used to support your petition must be submitted for the record at the time of the hearing. The Petitioner shall provide a sufficient number of copies for the Board and the Board Secretary.
7. The Planning Commission will make a recommendation to the Mayor and Aldermen regarding the petition. The Planning Commission's recommendation may be to approve, approve with conditions, continue or deny the petition.
8. Once the Planning Commission has made a recommendation, the petition will be forwarded to Mayor and Aldermen for consideration. The City will notify the petitioner of the date and time of the City Council meeting and publish the public notice for the zoning hearing in the newspaper. In addition, the petitioner will receive notification from the City's Planning and Urban Design Office to obtain a Public Notice Sign(s) announcing the petition. The petitioner must post the sign(s) at least **15 DAYS PRIOR TO THE CITY COUNCIL MEETING** according to Sec. 3.2.6. If the signs are not posted at least 15 days before the zoning hearing, the petition will be rescheduled.
9. The Mayor and Aldermen must have at least two meetings to consider the petition and Planning Commission's recommendation; a zoning hearing and then the first and second readings of the petition. The first and second readings may be held at the same meeting as the zoning hearing.
10. Once the Mayor and Aldermen hear the petition, they make a decision to approve, approve with conditions, deny, continue the petition to the next meeting or a date certain, or remand the petition back to the Planning Commission for further study.
11. Notification of Mayor and Aldermen's final decision will be sent to the petitioner by the City.
12. The petitioner or agent should be in attendance at all Planning Commission and City Council meetings. If no one is present to represent the petition, the petition may still be discussed.

Exhibit A

| Owner | Pin No. | Acreage |
|---|---|---|
| Jerome Pinckney, Administrator | 1-1027-01-013 | 53.45 Acres |
| Heather Brown Ali<br>Gina Nicole Brown<br>Leslie Howard | 1-1027-01-012 | 52.19 Acres |
| Carl Brown<br>Estate of Robert E. Lewis<br>Estelle Gilman-Bey<br>David Anderson<br>Charles Anderson | 1-1027-01-009 | 47.79 Acres |
| Jerome Pinckney | 1-1027-01-011 | 1.92 Acres |
| Estate of Lillie B. Pinckney | 1-1027-01-010 | 1.01 Acres |

STATE OF GEORGIA )
)
COUNTY OF CHATHAM )

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Heather Brown Ali a/k/a Heather Ali, Gina Nicole Brown, Leslie Howard, Carl W. Brown, Estate of Robert E. Lewis a/k/a Robert H. Lewis, Estelle Gilman-Bey, David Anderson, Charles Anderson and Estate of Lillie B. Pinckney (collectively "Grantors") do hereby nominate, constitute and appoint Jerome Pinckney, as our true and lawful Attorney-in-fact and to act as our proxy, for us and in our name, place and stead, to do and perform on our behalf and for our account, all acts and things of every nature and description (unless specifically prohibited by law) that we could do if personally present and acting, it being our intention to confer on our Attorney as full and complete power, authority and discretion in all matters as we would or could exercise were we personally present and acting for ourselves.

We confer upon our Attorney the right, power, authority and discretion to act on our behalf, and to execute and deliver, with or without seal, all contracts, agreements and other forms of documentation as may be necessary, desirable or appropriate, including (i) authorizing potential purchasers of the Property to seek approvals, including but not limited to rezoning, annexation, and site plan review from the Metropolitan Planning Commission ("MPC") and the City of Savannah ("City"), and (ii) executing conveyance documents to sell those certain properties located in Chatham County , Georgia with a tax parcel identification numbers 1-1027-01-009, 1-1027-01-010, and 1-1027-01-012 (collectively the "Property").

The within and foregoing limited power of attorney shall be interpreted and enforced in accordance with the laws of the State of Georgia and shall remain in full force and effect until the earlier of (i) a written termination of this Power of Attorney by all of the Grantors or (ii) March 31, 2027. We hereby, for ourselves, our heirs, executors, administrators and assigns, ratify and confirm and agree to ratify and confirm whatever our said Attorney may do by virtue of these presents.

IN WITNESS WHEREOF, we have hereunto set our hand and seal, this 19th day of October, 2026.

_____(L.S.)
Heather Brown Ali a/k/a Heather Ali

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

GLORIA A. SANDY
Notary Public, State of Maryland
Prince George's County
My Commission Expires October 28, 2026

_____(L.S.)
Gina Nicole Brown a/k/a Gina N. Brown

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

IN WITNESS WHEREOF, we have hereunto set our hand and seal, this 19th day of OCTOBER, 2026.

_____(L.S.)
Heather Brown Ali a/k/a Heather Ali

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

_____(L.S.)
Gina Nicole Brown a/k/a Gina N. Brown

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

ETHAN JARED BERNSTEIN ALPERN
NOTARY PUBLIC
MONTGOMERY COUNTY, MD

10/15/26

Commission Expires 6/15/28

Leslie Howard (L.S.)
Leslie Howard a/k/a Leslie M. Howard

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

IVAN A. RAMIREZ
Notary Public - California
Los Angeles County
Commission # 2563440
My Comm. Expires Aug 3, 2030

(L.S.)
Carl W. Brown

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

_____(L.S.)
Leslie Howard a/k/a Leslie M. Howard

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

CARL W. BROWN(L.S.)
Carl W. Brown

Signed, sealed and delivered
in the presence of:

An Hoang
Witness

Notary Public

AN HOANG
NOTARY PUBLIC
CLAYTON COUNTY, GEORGIA
MY COMMISSION EXPIRES
JULY 11, 2028

Estate of Robert E. Lewis a/k/a Robert H. Lewis

By: _____ (L.S.)

Name: Jerome Pinckney

Title: Administrator

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public




Estate of Lillie B. Pinckney

By: _____ (L.S.)

Name : Jerome Pinckney

Title: Administrator

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public



Estelle Gilman-Bey (L.S.)
Estelle Gilman-Bey

Signed, sealed and delivered
in the presence of:

PULKIT GANDHI
Witness

P. J. Gandhi
Notary Public

PULKIT GANDHI
Notary Public, State of New York
No. 01GA0036207
Qualified in Nassau County
Commission Expires 04/16/2029

_____(L.S.)
David Anderson

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

_____(L.S.)
Charles Anderson

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

_____(L.S.)
Estelle Gilman-Bey

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

_____(L.S.)
David Anderson

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

AMBER SPAIN NOTARY EXPIRES GEORGIA AUG. 5, 2030 PUBLIC CHATHAM COUNTY

_____(L.S.)
Charles Anderson

Signed, sealed and delivered
in the presence of:

_____
Witness

_____
Notary Public

AMBER SPAIN NOTARY EXPIRES GEORGIA AUG. 5, 2030 PUBLIC CHATHAM COUNTY

## EXHIBIT B

The petition to rezone the subject properties to the City of Savannah's I-H zoning district is virtually identical to the 2017 zoning petition filed by Waste Management of Georgia, Inc. ("Waste Management"). The 2017 petition was a request to develop a borrow pit on adjacent property and use the mined dirt as cover material for the Superior Landfill.

As noted by the MPC in its 2017 staff report:

*Typically, mining operations for a borrow pit include a haul road through the site onto a public road to deliver the borrow material to various destinations. Because of the number of trucks utilizing the public road, a bond is typically required to ensure that the public road will be repaired to its condition prior to the start of mining operations. However, all the mined dirt [in this case] will be used in the operations of the sanitary landfill and will not be taken offsite.*

As further noted by MPC Staff:

*The use of the subject property, if approved, would not be detrimental to the properties within the immediate area or to Chatham County. The approval would also provide necessary fill material on site that will be used in the operation of the sanitary landfill, which will benefit the entire county.*

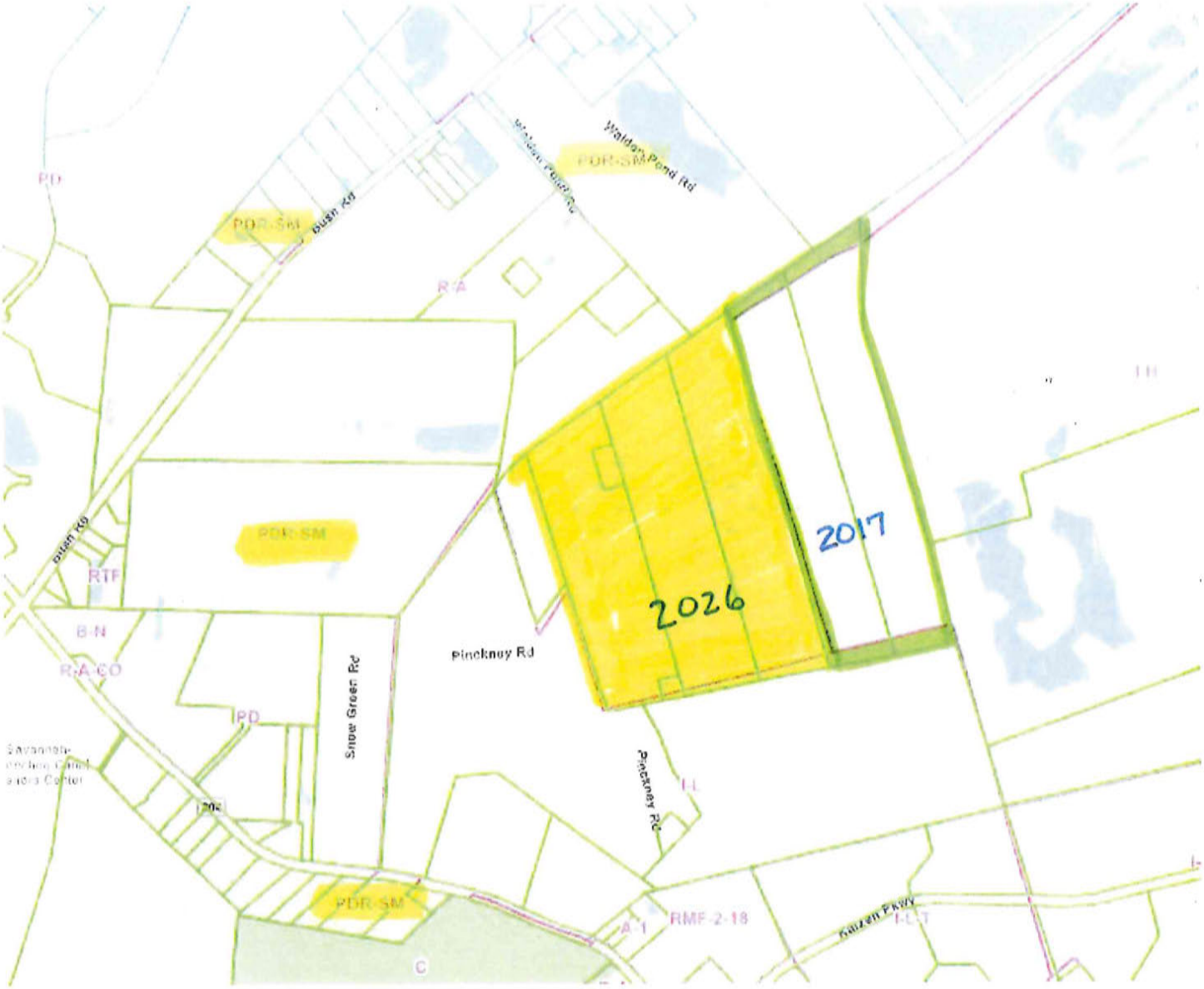
In 2017, the landfill and the adjoining properties, consisting of approximately 105 acres, were located in Chatham Couty and not in the City of Savannah. Consequently, the adjoining properties were rezoned to a PDR-SM zoning classification to allow cover material to be mined and transported to the Superior Landfill.

In 2020, the landfill operations were annexed into the City of Savannah and in 2021, the landfill operations were rezoned I-H which was the City of Savannah's zoning classification for landfills and related activities.

The subject properties being considered today are located in Chatham County. Approximately 50 acres of the 150 acres will be used for surface mining with the balance of the properties being wetland areas. Petitioner is requesting that the properties be rezoned to the City's I-H zoning classification, subject to approval of its annexation. In this manner, all of the landfill's operations will be governed by one jurisdiction.

Per previous correspondence from the City attorney, if there is a petition "to rezone a county property to a different city zoning classification prior to or simultaneously with the property being annexed into the city, a zoning petition to a city zoning classification must be heard by the MPC prior to the formal annexation being approved by the city."

ThelLandfill has been operating in this community for over 35 years. The request to rezone adjacent property to the City of Savannah's I-H zoning classification will not increase daily disposal, nor will it increase traffic to the site. To the contrary, cover dirt will be transported internally and trucks will not haul cover dirt over City and County roads.


Waldon Pond Rd
PDR-SM
PD
Guan Rd
R-A
PDR-SM
RTP
B-N
R-A-CO
PD
Snow Green Rd
Pinckney Rd
2026
2017
PDR-SM
A-1
RMF-2-18
C

2017
2024
Pinkney Rd
Pinkney Rd
R-A
R-A-CO
RMF-2-18
PDR-GM
PDR-GM
PDR-GM
PUD-M-H
PUD-M-6
P-R-C
PD
R-A-CO

SAVANNAH
City Attorney

October 16, 2024

Via email only: *wilsonm@thempc.org*

Melanie Wilson
Executive Director
Chatham County – Savannah
Metropolitan Planning Commission
110 East State Street
Savannah, GA 31401

**Re: Annexation Procedure**

Melanie,

It has come to my attention that several property owners have approached MPC Staff about annexing property located in Chatham County into the City of Savannah. It is their intention to rezone their County property to a different City zoning classification prior to or simultaneously with the property being annexed into the City. That is a proper procedure.

This letter is in response to your inquiry as to whether the MPC can hear a petition whereby the County property is to be rezoned to a City zoning classification prior to the city formally annexing the property.

In my opinion, if requested to rezone a County property to a different City zoning classification prior to or simultaneously with the property being annexed into the City, a zoning petition to a City zoning classification must be heard by the MPC prior to the formal annexation being approved by the City. I call your attention to 2 specific sections of Georgia law:

O.C.G.A. § 36-66-4(d) states:

(d) If the zoning is for property to be annexed into a municipality, then:

(1) Such municipal local government shall complete the procedures required by this chapter for such zoning, except for the final vote of the municipal governing authority, prior to adoption of the annexation ordinance or resolution or the effective date of any local Act but no sooner than the date the notice of the proposed annexation is provided to the governing authority of the county as required under Code Section 36-36-6;

2 East Bay Street, City Hall., 3rd Floor, Savannah, GA 31401
(912) 525-3092 office (912) 844-1346 mobile blovett@savannahga.gov

(2) The hearing required by subsection (a) of this Code section shall be conducted prior to the annexation of the subject property into the municipality;

Pursuant to Georgia law, the zoning petition must be heard prior to the annexation petition and, of course, the City cannot vote on a zoning petition unless and until the petition has been heard by the MPC and its recommendation forwarded to City Council.

Moreover, as you are aware, upon receipt of an annexation petition, the City notifies Chatham County pursuant to O.C.G.A. § 36-36-11(c)(1). Chatham County can object to the annexation and there is a specific statutory process for resolution of any dispute arising thereof. In this regard, please note O.C.G.A. § 36-36-11(c)(9) which states that "[d]uring the process set forth in this Code section, the municipal corporation may proceed with notice, hearings, and other requirements for zoning or rezoning in accordance with the municipality's zoning ordinance." This section was clearly intended to prevent zoning delays should the City and County be engaged in discussions or negotiations concerning the proposed annexation.

I would suggest that you require all petitioners to demonstrate that they have filed their annexation petition prior to filing a zoning petition which requests a City zoning classification. A copy of the annexation petition should be sufficient. The MPC decision can then be contingent upon the successful annexation of the property into the City of Savannah.

Respectfully,

***/S/ R. BATES LOVETT***
R. BATES LOVETT, ESQ.
CITY ATTORNEY

2 East Bay Street, City Hall., 3rd Floor, Savannah, GA 31401
(912) 525-3092 office (912) 844-1346 mobile blovett@savannahga.gov

## Zarina Davis

**From:** Harold Yellin [redacted]
**Sent:** Friday, October 23, 2026 12:14 PM
**To:** Ely Zarka; Ashley Catterton; John Anagnost; Shawn Monk
**Cc:** Sally Helm; Zarina Davis
**Subject:** [Caution - External Email] Pinckney Tract - Zoning and FLUP

All: Thank you for the call this morning.

As discussed, please change the Future Land Use Category to read: Landfill

Thank you.

**Harold B. Yellin**
Partner

HunterMaclean
200 E. Saint Julian Street | Savannah, GA 31401
[redacted]
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Thank You.
Hunter, Maclean, Exley & Dunn, P.C.
Savannah Office Telephone: [redacted]
Saint Simons Office Telephone [redacted]

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