

MINUTES
GLYNN COUNTY PLANNING COMMISSION
December 17, 2002 6:00 P.M.

MEMBERS PRESENT: Hal Hart, Acting Chairman
Mike Aspinwall
Perry Fields
Ann McCormick
Gary Nevill
Robert Ussery
Jonathan Williams

STAFF PRESENT: York Phillips, Planning Manager
Carolynn Segers, Planner II
Tyler Frazier, Planner II
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary

Chairman Hal Hart called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

At this time, Chairman Hart announced that the following Agenda Items would be continued at the January 7, 2003 Planning Commission meeting: #3 (*SP2002-1120-1630*); #5 (*SP00-11 PAWS Phase 1East*); #6 (*SP00-15 PAWS Phase 3West*); and #9 (*Oak Grove Phase 6*).

GC-2002-18
Application by E. G. Goodwin and Bertha Winell Charnock, owners, to rezone from R-9 One Family Residential to Office Commercial, property located on the northwest side of Scranton Road, approximately 400 ft. northeast of its intersection with Scranton

Connector, and consisting of approximately 1.163 acres with 199.42 ft. of frontage on Scranton Road.

Ms. Charnock and Mr. Goodwin were present for discussion.

The staff's report was included in the packages for review and was presented by Mrs.Carolynn Segers as follows:

This is an area consisting of larger single-family lots and homes that existed prior to the development of the Glynn Place Mall on the opposite side of Scranton Road. A number of parcels to the southwest of this site were rezoned to commercial, but the area to the north and west remains a viable single-family area.

The subject property has R-9 zoning to the northeast and northwest, GC General Commercial to the southwest, and PD-S Planned Development Shopping to the southeast. Previous rezonings to the southwest include three zoning actions as follows:

- **GC-39-99**, rezoning from R-9 to GC General Commercial, lots 28 & 29 L.M. Kinstle Subdivision located on the southwest corner of Lansing Street and Scranton Road, consisting of 2.44 acres. Special conditions attached to this property are ingress/egress limited to Scranton Road only, and 30 foot planted buffer with a 6-foot wooden fence for boundary with residential development. This property is depicted on the Future Land Use Map as commercial.
- **GC-12-00**, rezoning from Planned Development to GC General Commercial, Lots 15, 26 and 27 L.M. Kinstle Subdivision, fronting on the west side of Scranton Road, the north side of Lansing Street and the east side of Toledo Street, and consisting of 3.69 acres. Special conditions placed on this property includes:
 1. Lot #15 is removed from consideration and is not part of this rezoning.
 2. Ingress/egress restricted to Scranton Road only and shall be constructed to meet the requirements of the Glynn County Engineer.
 3. Thirty-foot (30') setbacks will be provided on all property lines abutting single-family residential area.
 4. A minimum of forty (40) parking spaces will be provided to serve the facility.
 5. A thirty-foot (30') planted screen buffer, with six (6) foot wooden fence provided on all property lines abutting single-family residential.
- **GC-29-00**, rezoning from Planned Development-Medical to R-9, Lot #15 of L.M. Kinstle Subdivision, fronting on Toledo Street and consisting of 1.005 acres. Approved with no special conditions.

The Glynn County Future Land Use Map identifies this area as low density residential. The map also identifies the area at the intersection of the Golden Isles Parkway and Scranton Road as commercial. In previous rezonings, a number of properties along the northwest side of Scranton Road have been rezoned from R-9 Residential to GC General Commercial. As detailed above, these rezoning included conditions regarding a 30-foot planted buffer abutting residential uses, and ingress/egress limited to Scranton Road.

It would be appropriate for a transitional area to be established between the existing General Commercial and residential use, and that retail commercial zoning not be allowed to extend all along Scranton Road. The proposed OC Office Commercial classification would be an appropriate choice to avoid the implication that retail uses are appropriate as an intrusion into a residential area.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Yes, while this area is becoming increasingly commercial in character, there is an established, viable residential area that should be protected. A transitional area of non-retail uses is more in keeping with the existing character of the residential uses.

- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Unlikely, given the low intensity uses permitted under the Office Commercial and required buffer between non-residential and residential uses.

- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Yes, however the continued value as a residential use may become more limited in future years.

- Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Non-retail commercial use would not result in significant increased traffic congestion.

- Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

The future land use map identifies this area as low density residential.

- Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for approval or disapproval.

None.

The future land use map identifies this area as low density residential, and recognizes commercial farther to the southwest toward Spur 25. Some of the area to the southwest has been changed to GC in recent years, although there is no clear demarcation of where this should change back to residential to protect the existing residential community. Office Commercial zoning would provide an appropriate transition. Regarding buffer width, previous rezonings to General Commercial required buffers 30 feet wide. Since this proposal is for a less intense use, a narrower buffer would be sufficient.

Staff recommends approval of this request with the buffer width required under Section 613 of the Zoning Ordinance.

During a brief presentation, Mr. Goodwin stated that he has seen changes taking place in the area and this particular change was inevitable. Ms. Charnock agreed and added that this proposal is a good transition and would be compatible to the neighborhood.

Mr. Jonathan Williams asked if the Planning Commission could legally set the size of a buffer. Mr. Hart replied yes, on a rezoning.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request per Section 613 of the Glynn County Zoning Ordinance. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

GC-2002ZT12

An amendment to the Glynn County Zoning Ordinance, Article VI, Section 611 (Off-Street Automobile Parking Requirements), Section 611.6 (Number of Spaces Required),

so as to change the number of spaces required for Automotive Service Establishments and Vehicle Sales Establishments.

The amendment was included in the packages for review. Mr. York Phillips explained that the language was slightly modified from the previous submission, indicating that the proposal for vehicle sales establishments would be 1 space for each 500 square feet of interior display area, so as not to confuse it with exterior display area. The other suggestions made at the last meeting will be listed, advertised and presented at the next meeting for informal discussion.

Mr. Phillips stated that staff's recommendation is for approval of this amendment.

Following discussion, a motion was made by Mr. Jonathan Williams to recommend approval of this amendment. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

SP-2002-1112-1400 Moss Creek Villas

Request by owner for approval of a site plan on 10.622 acres that is zoned MR and R-12. The subject property is located on Old Cypress Mill Road near the intersection of Poplar Lane.

Mr. John Kern was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Tyler Frazier as follows:

The proposed apartment complex will consist of 84 dwelling units. The 9.3 acre portion of the property zoned MR is subject to the action taken in 1985, while a small portion of the property, where a single house is located, is zoned R12.

Zoning has considered this site plan to be non-compliant due to the interrelationship of the MR and R-12 lots. A number of issues have been raised regarding the zoning of the lot and it has been determined that either the R-12 lot should be rezoned MR to match the zoning of the entire property or its use should be reconsidered.

Planning notes that the landscape architect, Mark Crapps of Kern-Coleman, has provided the Planning Commission with a landscape plan. In meeting with the project architect, staff discussed the need for improving down stream conditions and re-routing storm flow from the site. The site itself provides stormwater detention that is integrated with the landscape plan, employing various types of arboricultural to promote water quality. While a significant portion of the existing site will be cleared and existing

vegetation will be removed, the landscape plan provided by the applicant demonstrates adequate replacement with Live and Sawtooth Oaks and Bald Cypress. In addition to introducing 154 new trees to the 10-acre site, the plan also proposes saving 21 of the existing 71 trees on site. The applicant has agreed to provide both decel lanes and tapers off Cypress Mill.

The site plan complies with the requirements set forth in Section 619 of the Glynn County Zoning Ordinance. Still, there may be a need to rezone a portion of the property. In addition the applicant has agreed to make adequate provisions for anticipated traffic needs. The landscape plan proposed by the applicant will greatly improve the site.

Staff recommends approval of the site plan for Moss Creek Villas subject to the following:

- Rezoning the R-12 lot to M-R; and
- Revising the site plan to preserve and protect the 50" Live Oak near the front of the property.

Mr. Fields wanted to know who would provide water and sewer. Mr. Frazier stated that the City of Brunswick would provide water and sewer. He stated that he has been in contact with Mr. Bill Piper of the city. Mr. Piper reviewed the site plan and gave a verbal confirmation that there is adequate capacity for sewage and for supplying water to the site.

Mr. Frazier pointed out that the applicant has agreed to rework the plans to save the 50" Live Oak tree near the front of the property. Mr. Kern presented a sketch and elaborated on how he would accomplish the task of saving the trees, such as moving some of the buildings, etc.

Mr. Hart had questions about the site plan in relation to the R-12 property. Mr. Frazier explained that staff's understanding is that the site plan would address the entire property, both the R-12 and the MR. However, the zoning is compliant as shown on the site plan. Mr. Phillips pointed out the zoning areas for clarification and stated that there is an existing building on the property that could, with the rezoning, be used as office and/or other community space in connection with this. With the proper zoning, the mailboxes and other features could be taken care of. At staff's suggestion, the applicant has applied for the rezoning and according to the ordinance, a site plan can be reviewed and approved. If there is a rezoning, the site plan is really not affective until the rezoning is complete. Mr. Phillips stated that the Planning Commission would probably see the rezoning at the January 7th meeting and it will subsequently be forwarded on to the County Commissioners for their first meeting in February.

Mr. Kern acknowledged that he is in agreement with staff's recommendation. He further stated that he is hoping that the change in the site plan (moving the buildings to save the trees) can be handled at staff's level. Mr. Phillips stated that unless there is a significant re-arrangement, the ordinance does allow for some minor adjustments in the layout. For the record, Mr. Frazier referred to the section of the ordinance pertaining to this issue as follows:

Section 619.5 Conditions, Restrictions and Exceptions: ...In the event the Planning Commission requires any correction or revision to the site plan, the applicant shall submit a site plan corrected or revised in accordance with the decision of the Planning Commission before final site plan approval and a building permit may be granted.

The Planning Commission may delegate to the Planning Official the power to grant the final approval of the site plan application upon the Planning Official's determination that the specifically prescribed conditions and/or corrections have been met by the applicant.

Mr. Kern pointed out that he met with the City of Brunswick representative regarding water and sewer and he does have a letter confirming that the capacity is adequate.

Mr. J. W. Wiggins, owner of the property, stated that he has lived on the property for 62 years and his wife has lived on the property for 41 years. They have decided that this project is the best thing for their family, for the community and for their neighbors. He stated that their intent is to sell the property, have it developed and provide affordable housing for the community.

Following discussion, a motion was made by Mr. Robert Ussery to approve this request subject to the condition of saving the trees. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

PP-2002-1119-1630 Shell Pointe
Request by owner for approval of a preliminary plat on 65 acres zoned Planned Development. The subject property is located on Harry Driggers Boulevard near the intersection of Highway 17.

Mr. Tim Franks was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Frazier as follows:

The proposed preliminary plat will be a 109 lot, single family housing subdivision. The property is located in the Golden Isle Gateway Planned Development District and will be subject to the governing text. On Tuesday, December 10th, staff met with the applicant and Mr. Bobby Shupe to address the proposed development. A number of issues were addressed and resolved at this productive meeting.

The preliminary plat is in large part in conformance with the design standards set forth in the Glynn County Subdivision Regulations. The applicant has submitted a request for a variance from Section 602.2g of the Subdivision Regulations, length of dead-end street. Staff also raised the possibility of allowing for an emergency second access, but the site does not seem conducive to such a provision.

Utilities Management noted that water and sewer provisions were not located on the plat and would need to be resolved prior to review of construction plans. Mr. Gary Wiggin and Mr. Bobby Shupe addressed this item and came to agreement with staff regarding coordination improvements to the Stambaugh Liftstation and showing the location of utilities on the preliminary plat.

The site is characterized by jurisdictional wetlands and staff has confronted the applicant about the requirements set forth in Section 618 of the Zoning Ordinance. This section states that a natural, vegetative buffer shall be provided around all freshwater wetlands. After discussion with the applicant and Mr. Shupe, staff agrees that a variable buffer could be introduced that would accommodate the needs of smaller lots. It was also agreed that a natural, vegetative buffer was not the same as an undisturbed, natural, vegetative buffer. The applicant has also stated that the development will not result in any adverse affects that would require a 404 permit for wetlands under the jurisdiction of the Army Corps of Engineers.

The preliminary plat is in compliance with the Subdivision Regulations with the exception that the applicant is requesting a variance for the length of the dead-end street. The applicant has also agreed to introduce a variable, natural, vegetative buffer along all freshwater wetlands.

Staff recommends approval of the preliminary plat for Shell Point subject to the following:

- A variance from the design standards for the length of the dead end street; and
- The inclusion of a variable, natural, vegetative buffer along all freshwater wetlands.

Mr. Ussery asked staff to explain how the length of the cul-de-sac is measured. In response, Mr. Frazier referred to Section 602.g of the Glynn County Subdivision Regulations as follows:

Dead-end streets, designed to be permanent cul-de-sacs shall not be longer than one thousand two hundred (1,200) linear feet measured from the centerline of the nearest intersecting thru street to the center of the turnaround...

Mr. Frazier elaborated on a number of interpretations of this section and stated that there have also been a number of definitions of a dead-end street in the past. These were provided to the members in the past by Mr. Lee Sutton, former Planning Official. Mr. Frazier stated that he could provide additional information for future discussions. He stated that another issue related to the dead-end street is the ADT (Average Daily Trip Count). Mr. Hart stated that the issue of dead-end streets is something that the Planning Commission has struggled with for a long time and it needs to be addressed at some point.

Mr. Fields stated that he is concerned that the method of calculating the distance is altered. He stated that there is no thru street anywhere in this particular subdivision. The measurement is from where it intersects off of Harry Driggers Boulevard to the ends of its farthest distance. It is not measured from the point inside the subdivision to its farthest point. There is no thru street. He stressed that we need to be consistent. The problem that he has with the variance is that it was not advertised.

Mr. Hart stated that normally a variance is advertised, but this did not come about until late last week. He then asked the former Chairman, Mr. Lamar Cole who was seated in the audience, if he remembered the procedure used in the past. Mr. Cole stated that variances have been handled both ways in the past, sometimes advertised and sometimes not. Mr. Hart asked staff if there is anything in the ordinance indicating that variances have to be advertised. Mr. Phillips replied no. He stated that in discussing this with Mr. Peterson (Community Development Director); they determined that staff had not been making a distinction in the agenda. Mr. Fields disagreed, stating that he has seen variances listed as a separate item on the agenda many times. Mr. Phillips stated that staff would reinstate this procedure.

Mr. Fields expressed concerns about variable buffers and the inconsistencies. Mr. Frazier stated that staff is operating on a case by case basis regarding the width of the buffer and since there is no consistent buffer width, staff is looking at an average amount. He stated that they have suggested 15 feet. He feels that 50 ft. is excessive. Mr. Fields stated that lots that are within the same subdivision should not be treated differently because of the size. He stated that he has a problem with variable buffers. They have never set a quantitative buffer.

Mr. Hart had additional questions about the variance being advertised and asked Mr. Bobby Shupe his thoughts on this issue. Mr. Shupe agreed with Mr. Cole. He stated that he has also seen variances handled both ways, sometimes advertised and sometimes not. He stated that he would be willing to serve on a committee along with representatives from the Fire Department, Police Department, Water & Sewer, Engineering, etc. to address variances and dead-end streets and bring a recommendation back to the Planning Commission in an effort to solve this problem. Mr. Shupe asked for the Planning Commission's consideration of this variance request.

Regarding drainage issues, Mr. Paul Andrews, Assistant County Engineer, stated that he met with the developers and the project engineers and they have agreed to work with staff to mitigate potential problems with the draining into the significant wetlands around the site.

Following discussion, a motion was made by Mr. Robert Ussery to grant the variance request. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Mr. Robert Ussery and Mr. Jonathan Williams. Voting Nay: Ms. Ann McCormick. Abstained From Voting: Mr. Gary Nevill.

A motion was then made by Mr. Robert Ussery to approve the preliminary plat. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Mr. Robert Ussery and Mr. Jonathan Williams. Voting Nay: Ms. Ann McCormick. Abstained From Voting: Mr. Gary Nevill.

PP-2002-1112-1000 Serendipity

Request by owner for approval of a site plan on 200 acres that is zoned Planned Development. The subject property is located on Highway 99 near the intersection with Spur 25.

Mr. Ron Sawyer and Mr. Ernie Johns were present for discussion

The staff's report was included in the packages for review and was presented by Mr. Frazier as follows:

This property is subject to revisions of the Planned Development Text for the Golden Isles Gateway Tract Residential Uses. In addition to these requirements, the applicant has amended the Planned Development Text by adding additional descriptions that apply to the Tract R7, East. On Monday December 9th, staff met with the applicant, project engineer, and Mr. Ernest Johns, surveyor.

Staff has reviewed the preliminary plat for this proposed 313-lot subdivision and has a number of issues. GIS considered the plat as non-compliant due to provisions for street naming. During meeting with staff and the applicant, it was discussed that street naming would be addressed. Upon revision of the plat, street names were not changed as discussed. Furthermore, it was discussed that if the applicant added a round-a-bout between Colin Highland and Serendipity Drives, GIS's comment regarding the addressing ordinance could be addressed in part. Upon revision of the preliminary plat, no round-a-bout had been added.

Engineering has raised a number of issues in relation to this project. During discussions with the applicant, the length of the dead-end street was discussed and it was determined by staff that more interconnectivity between the different areas of development would be beneficial. The plat was not revised to improve connectivity as requested by Engineering.

Engineering raised the issue that either onsite stormwater detention or downstream improvements will be required. It was also noted that a surface mining permit would be required if the fill-dirt would be used off-site.

The preliminary plat, Serendipity, is characterized by a number of large, jurisdictional freshwater wetlands. The Glynn County Comprehensive Plan, Natural Resource Element states two policy goals and objectives that should be considered in conjunction with review of this preliminary plat as follows:

- Acquire, preserve and encourage areas for natural open space. Protect and preserve natural open space wherever possible; and
- Encourage the preservation of coastal resources, productive wetlands, and other natural resources.

Staff raised the question of wetlands preservation with the applicant. The applicant stated that the subject freshwater wetlands would continue to remain the property of the applicant or homeowner's association.

The Glynn County Zoning Ordinance, Section 618 states that development adjacent to freshwater wetlands, as defined by the Clean Water Act, shall provide a buffer of natural vegetation. Planning & Zoning is suggesting a 15 ft. natural vegetative buffer along all jurisdictional wetlands.

Staff also identifies that this development could result in adverse impacts on jurisdictional, freshwater wetlands, depending on design decisions made during the construction plan phase. Staff does not recommend any design decisions that would result in adverse impacts on on-site or adjacent wetlands. If adverse impacts were determined to be resultant from the Serendipity development a 404 permit from the Army Corps of Engineers would be required.

The preliminary plat has been considered not compliant by GIS due to street naming requirements set forth in the addressing ordinance. Planning & Zoning identifies that a significant portion of the site is comprised of jurisdictional wetlands and recommends a 15 ft. natural, vegetative buffer along all jurisdictional wetlands to fulfill the requirements of Section 618 of the Glynn County Zoning Ordinance.

Staff recommends approval of the preliminary plat for Serendipity subject to the following:

- Street naming requirements as set forth in the Addressing Ordinance;

- Inclusion of a fifteen (15) foot natural vegetative buffer along all Army Corps of Engineers jurisdictional wetlands; and
- Construction plans being designed such that no adverse affects will result from the development that would necessitate requiring a 404 permit from the Army Corps of Engineers.

Mr. Ron Sawyer gave a brief presentation. He stated that he has only permitted about 525 units in this subdivision. He met with the Fire Chief who has no problem with the project and he is willing to do whatever the Police Chief, Fire Chief, Mapping, etc. decide with regard to renaming the street.

Mr. Sawyer stated that the building setbacks are already in place. He expounded on the wetland procedure in working with the Corps of Engineers. He stated that he doesn't want to impact wetlands and he doesn't see this as an issue.

Mr. Fields asked if all of the wetlands in the 200 acres are jurisdictional. Mr. Sawyer pointed out the jurisdictional wetlands and stated that all others would be isolated wetlands. Mr. Frazier explained that the national wetland inventory was done in 1994 or 1995, which demonstrated at that time that the wetlands were jurisdictional; however from that time until now they have dried up to a certain degree. Mr. Fields stated that a buffer could be imposed on non-jurisdictional wetlands for the inside lots.

Mr. Ernie Johns stated that they have letters on file from the Army Corps of Engineers regarding the wetlands. He then pointed out the jurisdictional wetlands and stated that only a small amount is non-jurisdictional. Mr. Fields stated that according to Section 618 "development adjacent to freshwater wetlands, defined as those protected by Section 404...shall provide a buffer..." He stated that isolated wetlands are no longer protected under Section 404. Mr. Hart suggested striking this as a condition. Mr. Fields wanted to know why staff recommended a 15 ft. buffer on this project and allowed a variable buffer on the previous request (Shell Pointe). Mr. Frazier explained that it is staff's understanding that the variable buffer would have come out being the same or possibly more in terms of total area.

Mr. Paul Andrews stated that in previous meetings with the applicants, they indicated that they intend to provide substantial detention in the lakes, which would mitigate downstream problems.

Mr. Fields stated that he has a real problem with the 15 ft. buffer. He reiterated the problems of being inconsistent with regard to the size of lots and what the buffer should be.

Following discussion, a motion was made by Mr. Perry Fields to approve this preliminary plat with no conditions. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

Review of Failure to Certify Resubdivision

Review Community Development Director's decision to not certify a resubdivision for Mitchell Strickland for property located on the south side of Buck Swamp Road.

Mr. Mitchell Strickland and Mr. Ernie Johns were present for discussion.

In presenting the staff's report, Mr. Phillips explained that this is a request for resubdivision of three previously platted lots located on the south side of Buck Swamp Road, beginning just east of the intersection with Good Place Road and extending eastward. The effect of the resubdivision is to shift the lots eastwardly and to show a private access easement serving the large parcel to the south. The current access to this property appears to be a strip on the east side of the three lots.

The private access easement would create an access point on Buck Swamp Road that would be offset from the Good Place road intersection, but the minimum offset of 150 ft. as provided in the ordinance would not be met. The offset requirement is intended to prevent traffic problems resulting from conflicting turning movements, and is a safety issue.

The applicant contends that the street standards in the Subdivision Regulations do not apply to private access easements. The relevant section in the regulations (602) contains general regulations applicable to streets, then specific standards for different categories of streets, including private access easements. From the organization of the document, it would appear that the general standards apply to all streets, then the specific standards for each category applies to that category. If this is not the case, the document should have been revised to be clearer.

The Planning Commission implicitly has the authority to overrule the determination that the standard does not apply.

Staff would point out that the proposed private access easement would have limited benefit in allowing for any future development of the adjacent 14 acre parcel. A road proposed for this alignment would not meet the minimum standards and any development above the 4 lots allowed on an access easement (Section 602.6) served by such a road could not be permitted now or in the future.

Staff recommends that the Planning Commission uphold the determination of the Community Development Director to not certify the proposed resubdivision.

Hypothetically, Mr. Gary Nevill stated that if one of the lots were being subdivided with a private access easement, which is only going to be a driveway, the applicant could not do this unless it lined up. Mr. Phillips stated that a driveway would

not fall under this standard, but if it were a private access easement it would. Mr. Nevill stated that a 25 ft. private easement is allowed. Mr. Phillips stated that he doesn't know if there is a distinction between a private easement and a private access easement. He stated that there would still be a limitation on the number of lots that could be served by that access. Mr. Fields stated that this particular case is a self-imposed hardship and it is the applicant's choice. He explained that this is an 802, the applicant is making the 14 acres limited to 4 lots, which is his choice, thus accounts for the self-imposed hardship.

Mr. Mitch Strickland pointed out the original access. He stated that because of the wetlands situation there would never be more than 3 developable lots within the 15 acres.

Mr. Fields asked who is the proposed drainage easement for. Mr. Ernie Johns replied that it is for Glynn County.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of the subdivision, thereby overruling the decision of the Community Development Director. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

Review of Failure to Certify Resubdivision

Review Community Development Director's decision to not certify a resubdivision of Lot 10, The Grove Subdivision, located north of Grove Lane.

Mr. Ernie Johns, Mr. Jaxon Hice, Mr. Blevins and Attorney Tom Lee were present for discussion.

In presenting the staff's report, Mr. Phillips explained that this is a request for resubdivision of a single lot in a recently recorded subdivision. The purpose of the resubdivision is to change or re-designate the front yard for Lot 10 to a side property line.

Lot 10 is located at the curve of Grove Lane. Lot 11, which is a flag lot, is located behind Lot 10. The narrow dimension of Lot 10 faces the flagpole of the flag lot.

The Zoning Ordinance defines front yard as being the yard "situated between the front building line and the front lot line extending the full width of the lot." Building line is defined as "the rear edge of any required front yard of setback line for any building or structure measured from the property line, platted, existing, or required right-of-way line, whichever is closer. In all cases, the building lines shall run parallel to the right-of-way lines or lot boundary lines." The terms "front building line" and "front lot line" are not defined.

The Community Development Director has determined that the building lines are properly depicted on the approved plat. The applicant seeks a review of this determination.

Staff recommends that the Planning Commission uphold the determination of the Community Development Director to not certify the proposed subdivision.

Attorney Tom Lee stated that the applicant is asking to be allowed to change the 20 ft. front setback off the flag lot. The primary reason for doing this is to save the trees in the area, and the best way to develop the property is to design around it. At this time, Mr. Lee introduced the people involved in this project: Mr. Blevins, contractor, Mr. Ernie Johns, surveyor and Mr. Jaxon Hice, owner of the subdivision. Mr. Lee distributed photographs and a copy of the tree survey for the Planning Commission's review. He stated that from a historical standpoint, this property originally consisted of 22 lots, zoned R-6. Mr. Hice made the decision to downsize the property to 11 lots with certain areas set aside for conservation. Plans are being made to turn the pond into a detention pond for Glynn County. Mr. Lee stated he feels that this is good planning and he is asking for the Planning Commission's support.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of resubdivision of Lot 10, The Grove, subject to no setback being closer than 20 ft. of any part of Grove Lane. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

MINUTES

Regular Meeting: November 19th

A motion was made by Mr. Perry Fields to approve the Minutes of the November 19, 2002 Planning Commission meeting. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. (Mr. Robert Ussery was not a member at that time and therefore abstained from voting.)

CHAIRMAN ITEMS

a) Election of Chairman & Vice-Chairman 2003

Ms. Ann McCormick reported that the nominating committee (consisting of Mr. Jonathan Williams and Ms. McCormick) nominated Mr. Hal Hart for Chairman and Mr. Perry Fields for Vice Chairman of the Glynn County Planning Commission for the year 2003.

The floor was open for nominations for Chairman and Vice Chairman. However, there were none. Therefore nominations were closed. Inasmuch as the committee's report is considered a motion, a second was made by Mr. Robert Ussery and the motion was unanimously adopted electing Mr. Hal Hart as Chairman and Mr. Perry Fields as Vice Chairman of the Glynn County Planning Commission for the year 2003.

b) Planning Commission Items

Mr. Perry Fields expressed concerns about the inconsistencies in the deadline for submissions. He stated that he is not against the PAWS project or the extension of Oak Grove Island, Phase VI, but he emphasized that deadlines are imposed for a reason and we do not need a "floating deadline." Mr. Phillips stated that he would examine this problem and prepare a report for discussion at the next Planning Commission meeting.

There being no further business to discuss, the meeting adjourned at 8:25 p.m.