

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

MEMBERS PRESENT: Wayne Stewart, Chairman
Mike Aspinwall
Perry Fields
Hal Hart
Ann McCormick
Gary Nevill
Jonathan Williams

STAFF PRESENT: York Phillips, Planning Manager
Carolynn Segers, Planner II
Tyler Frazier, Planner II
Tim Ransom, Environmental Engineering
Gail Wendel, Administrative Technician
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Commissioner Jeff Chapman
Commissioner Tommy Clark
Commissioner Fred Tullos
Commissioner Henri Woodman

Chairman Wayne Stewart called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then welcomed everyone to the Public Safety Complex and to the first scheduled night meeting of the Glynn County Planning Commission. He explained that these public hearings (in accordance with the recently amended By-Laws) would be conducted on the first and third Tuesday of each month at 6:00 p.m. However, the Public Safety Complex has been proven not to be the ideal location to conduct public hearings due to unforeseen circumstances. Therefore, a letter requesting the use of the Jury Assembly Room at the Glynn County Courthouse has been forwarded to the County Commission Chairman and other officials. The August 20th public hearing will be re-advertised accordingly.

At this time, Chairman Stewart introduced and welcomed the County Commissioners in attendance, along with Mr. Gary Nevill who was recently appointed as the new member of the Glynn County Planning Commission.

On behalf of staff and the Planning Commission, a plaque was presented to Mr. Lamar Cole in grateful appreciation for his outstanding service and leadership as a member of the Glynn County Planning Commission from 1996 to 2002. Chairman Stewart acknowledged Mr. Cole's accomplishments and his ability to render decisions that were in the best interest of all citizens of Glynn County. Mr. Cole thanked everyone for all of the support and assistance received during his six-year tenure.

Election of Vice-Chairman

The floor was open for nominations. A motion was made by Mr. Perry Fields nominating Mr. Hal Hart as Vice-Chairman for the remaining year of 2002. The motion was seconded by Mr. Mike Aspinwall. There being no other nominations from the floor, nominations were closed. The motion was adopted 6 to 1 with Mr. Hart abstaining.

Adoption of Agenda

Upon a motion made by Mr. Jonathan Williams and seconded by Ms. Ann McCormick, the August 6th Planning Commission Agenda was unanimously adopted. Afterward, Chairman Stewart gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

GC-2002-08

Request to rezone from R-12 One Family Residential to R-9 One Family Residential, property located east of McLane Street, and lying between Stewart Street and McIntosh Avenue, east of the Oglethorpe Park development on Frederica Road. The property consists of approximately 66,585 sq. ft. (approximately 1.53 acres) and has combined frontage of approximately 592.4 ft. on Stewart Ave., McLane St., and McIntosh Ave. Property owned by Beach Contractors, Inc., & Stewart Strother LLC.

Mr. Jim Fucetola was present for discussion.

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

This is an amended request to change the residential zoning of the property to allow a re-division that creates more lots. The previous request to rezone from R-12 to R-6 was denied by the Planning Commission at the June 4, 2002 meeting. Prior to consideration by the Board of Commissioners, the applicant amended the rezoning application to propose R-9 rather than R-6. The property is currently platted with five lots, one of which contains a house under construction. The applicant has submitted a lot layout with eight lots, but the sketch does not constitute a formal request for re-subdivision. It is possible that meeting all requirements (particularly for lot size and width) may yield fewer than eight lots.

The area is residential with homes on smaller lots. The area to the west is zoned R-6, but individual lot sizes may generally exceed the 6,000 square foot minimum lot size of the R-6 district. Zoning to the east is R-9.

The Glynn County Comprehensive Plan shows this area for low-density residential use.

The area is served by public water and sewer and by other urban infrastructure. While there are some limitations in capacity, the small size of the proposed development should not present a specific problem.

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.

The proposed use is consistent with the use of the surrounding area and with the uses that would be permitted under the existing zoning. The difference is with the size of lots permitted. The number of lots with the requested zoning might be eight, while the existing zoning permits five lots.

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

The proposed use will not adversely affect the surrounding area, as the lot sizes will be consistent.

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

Yes. The existing zoning permits five lots. Single family residential lots on St. Simons Island constitute a reasonable economic use.

- 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.

The increase in the number of units will not burden the infrastructure serving the area.

- 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 for low-density residential use.

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

There have been no changes in conditions in the subject area that would support an increase in density above the density of the surrounding area.

The proposed rezoning, as amended, is consistent with the character and density of the surrounding area and with the Comprehensive Plan. Staff recommends approval of this request subject to the requirement that the preliminary plat for the re-subdivision of the lots be submitted to the Planning Commission for review.

Mr. Perry Fields stated that at the last meeting, the Planning Commission voted to recommend denial to rezone this property to R-6. That recommendation must then be forwarded to the County Commission for final action. He wanted to know if this had been done and if so, what is the time-line requirement for resubmission when an item has been rejected. Chairman Stewart stated that it is at the applicant's discretion to take the request to the County Commission. However, it is his understanding that once an item has been denied, the applicant has to wait six months before resubmitting the request. Mr. Fields concurred. Mr. Phillips stated that he would have to review the ordinance with regard to this specific instance in that this is an amendment and not a withdrawal. Mr. Fields stated that once an item has been voted on; it is then a new submission, regardless.

Following discussion, it was the consensus of the Planning Commission to defer this item until the August 20th meeting to allow staff more time to review for clarification.

SUP-2002-04

Request for a Special Use Permit to allow a daycare center in R-6 One-Family Residential, on property located at the northeast corner of the intersection of Ocean Boulevard and Demere Road (729 Ocean Boulevard). Property owned by First Baptist Church of St. Simons Island.

Mr. Brian Dolan, Executive Director of the Boys & Girls Club, was present for discussion.

Included in the packages was a letter granting permission to the Boys & Girls Club to use the playground at St. Simons Elementary School. However, the letter is signed by the school’s principal, Ms. Melinda A. Cook and dated March 29, 2002. Chairman Stewart questioned whether Ms. Cook has the legal right to bind the School Board due to the monetary issues involved with the daycare.

Mr. Dolan explained that the Boys & Girls Club would be using the First Baptist Church facility, which is adjacent to the St. Simons Elementary School. Recently, the YWCA received a Special Use Permit and their fee is much higher than the Boys & Girls Club. He stated that Dr. Winter (Schools Superintendent) is on the Board of Directors at the Boys & Girls Club and the two entities have a good relationship.

Chairman Stewart wanted to know the urgency of the permit because he would rather see something in writing from the Board of Education or their attorney. Mr. Dolan stated that the urgency is getting the license, and the permit is last thing that he is waiting for. Chairman Stewart suggested that this item be deferred until the August 20th meeting to allow Mr. Dolan to obtain a letter from the Board of Education or their attorney or chairperson authorizing the use of the school’s playground. The Planning Commission concurred. In the meantime, Chairman Stewart advised Mrs. Segers to proceed with the staff’s report for the record.

According to staff, the Boys & Girls Clubs of Glynn operate four club units, including the St. Simons Unit at First Baptist Church of St. Simons Island. These units offer after-school and summer programs for youth aged 6 to 18. Under Georgia Department of Human Resources regulations, organizations like Boys and Girls Clubs are exempt from daycare licensure requirements. The Boys & Girls Clubs of Glynn are seeking a daycare center license for the St. Simons unit since this unit charges a participation fee to offset operational costs. The remaining three units are supported through grant programs and community support, including United Way funding.

The Boys & Girls Clubs of Glynn has filed numerous documents to GA DHR. According to correspondence dated July 16, 2002 from DHR, the floor plan, site plan and operation manual have all been approved, and all other local ordinance requirements have been met except zoning compliance.

Chairman Stewart stated to Mr. Dolan that if he gets the letter from the Board of Education, this application could be processed very quickly. Mr. Fields pointed out that once the Special Use Permit is granted it needs to be tied to continued access to the playground. Chairman Stewart asked Mr. Dolan if he understands this and Mr. Dolan replied yes. (This request was deferred until the August 20th Planning Commission meeting.)

GC-2002-12

Request to rezone from R-12 Residential to M-12 Residential, property located at 212 Fancy Bluff Circle, consisting of 44,640 sq. ft. with 288 ft. of frontage on Fancy Bluff Circle. Property owned by Dennis and Laureen Krakowski.

Mrs. Segers stated that a week ago, staff received a verbal request from Mr. Krakowski to withdraw this application; however, he is not in attendance. It was noted that approximately seven (7) adjacent property owners were present to oppose this

request. Therefore, it was the consensus of the Planning Commission to defer this item until later in the meeting pending arrival of a representative.

Outdoor Advertising Sign - Exception to Height Limit

Request for an exception under Section 804.7.7 A.1. of the Glynn County Zoning Ordinance to the height limit to allow an increase in height to 112 ft. for an existing outdoor advertising sign on property located on the west side of I-95 between the east end of Elsa Drive and the east end of Taylors Drive off SR 303. Property zoned Highway Commercial and owned by Mr. Wesley Rogers.

Mr. Robert Strickland, agent, was present for discussion.

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

This is a request to allow an existing outdoor advertising sign to be raised in height. The request results from the fact that trees in the area have grown substantially since the sign was originally constructed. A lawsuit by garden clubs in the state has prevented DOT from issuing permits for tree trimming. Two nearby signs were issued exceptions to allow increase in height in 2000.

The area to the west and south is primarily low density residential, with commercial zoning on this property and to the north. The area is heavily wooded and it is difficult to see the existing sign other than from the Interstate or from a location directly adjacent to the existing sign.

The property in question is Highway Commercial. The Zoning Ordinance provides that outdoor advertising signs along interstate highways are limited to 25 ft. in height above the elevation of the highway travel lanes. There is a section providing that an exception may be granted by the Planning Commission.

This request appears to meet the basic provisions of the ordinance, although some of the technical information was not provided with the application. The request is consistent with the action taken in 2000 for two nearby signs.

Staff recommends that the request for increased height for the sign be approved subject to the height not exceeding the height of the two nearby signs that were elevated in 2000.

Chairman Stewart wanted to know what the two nearby signs were elevated up to. Mr. Strickland stated that he measured the signs from the base of the sign up at 112 ft.

Mr. Rick Montgomery, adjacent property owner, was present to speak in opposition of this request. He stated that several of his neighbors were very angry when the two existing signs in the area were approved, and now another one is being proposed. He stated that the lights come over the trees and basically light up the entire inside of his house at night, thereby affecting his family. During the daylight, he can no longer enjoy the marsh and wooded area; instead he sees the backs of the signs which are rusty metal structures. He feels that this has devalued his property. Mr. Montgomery stated that the trees have been thinned out and now the noise is a problem.

Chairman Stewart stated that perhaps something could be placed on the two existing signs to shield some of the light away from Mr. Montgomery's property. Mr. Hart stated that when the two previous signs were approved he thought there was some type of condition or time limit attached. However, Mr. Phillips could not find this information in the minutes. He stated that he would have to research this further.

Mr. Tom Swan, RUPA, stated that he is neither for nor against this request. He asked if the existing signs could be relocated. Mr. Fields replied no, the law is very specific as to how far apart the signs can be and how far they have to be from the intersection, etc. Mr. Swan then asked if the pending lawsuit have any prohibitions on signs. Mr. Fields stated that the lawsuit is based on the fact that DOT granted cutting permits to allow someone to trim around trees and foliage in order to make the signs visible. The Garden Club contends that state owned property was being given away when this happened, which again, is the basis of the lawsuit. Mr. Swan questioned, "how high is up and where will this stop."

During a brief presentation, Mr. Robert Strickland explained that the sign in question has been up since the early 80's. Since that time, the trees have grown up in the area, but the sign is at the right height. In addressing the lighting, he stated that there are no plans to change the lighting on this particular sign. The lighting would be projected upward. He stated that he does not know what type of lighting the advertising company used for the two existing signs referenced by Mr. Montgomery.

Mr. Strickland stated that the 27 acres zoned Highway Commercial is still very heavily wooded. A 100 ft. strip was trimmed along where the signs are located in order to get the equipment in and out of the area. He stated that no trees would be removed around the area of where his sign is located. He pointed out that his aim is not to update anything with regard to the output of the lights. The lighting will remain the same and would only shine on to the sign.

Mr. Fields wanted to know what the distance is between sign locations. Mr. Frazier stated that the distance is 500 ft.

Mr. William Smith of 7192 Blythe Island Highway was present to speak in opposition of this request. He presented photographs of his house, which shows his back deck. He stated that this height increase would devalue his property. Mr. Smith stressed that the area has already changed from when he purchased his property and he does not like the current setting. For clarification, Chairman Stewart stated that the property was already zoned Highway Commercial and the property owner has a right to utilize his property just as his neighbors whose property is zoned residential. Mr. Smith stated that he agrees and he understands, but his objection is that he feels that this request is going above and beyond the limit. He is objecting to the variance to increase the height of the sign.

Mr. Hart wanted to know if the adjacent property owners were notified by mail of this request. Mr. Smith and Mr. Montgomery replied yes. Mr. Hart also referred to Section 803.4.2 of the ordinance and stated that if this request is approved, this section should be adhered to.

Following discussion, a motion was made by Mr. Mike Aspinwall to deny this request. The motion was seconded by Ms. Ann McCormick. Voting Aye (in favor of denial): Mr. Mike Aspinwall, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Voting Nay (against denial): Mr. Perry Fields and Mr. Wayne Stewart.

Sea Island Lake Cottages, Phase II (SP200205071626)

Site plan review for five (5) row houses to be located on the south side of Sea Island Lake Cottages Drive, approximately 180 ft. east of the development entrance on Sea Island Causeway. Property owned by Sea Island Company

Mr. Bill Edenfield was present for discussion.

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

Sea Island Company submitted a proposed preliminary plat and site plan for development near the intersection of Frederica Road and Sea Island Road. The first phase of this project, known as Lake Cottages, was previously approved and is now under construction. At the June 4th Planning Commission meeting, the preliminary plat was approved, and the site plan was continued to allow a number of infrastructure design issues to be resolved. Subsequently, the applicant submitted construction drawings for the subdivision. Many of the infrastructure related questions were addressed by the construction plans. In addition, a more detailed site plan was submitted.

The project consists of high quality townhouse dwellings designed in the tradition of Addison Mizner, original architect of the Cloister. This phase will consist of 5 units sited to afford views of an internal lake. Access to the units will be controlled by a gatehouse at the main entrance. The site will be surrounded by commonly owned vegetated open space, which will serve to buffer this phase from the balance of the development.

The Comprehensive Plan calls for low-density residential development in this area. Utilities and transportation facilities are adequate to support the proposed development.

This project is consistent with the earlier phases, which are already under construction, and is consistent with the character and scale of other new developments in the vicinity of the Sea Island Causeway and Frederica Road.

Staff recommends approval of this site plan subject to meeting all requirements prior to issuance of permits for construction.

Following a brief discussion, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

It was noted that a representative for **Application #GC-2002-12** had not arrived; however, due to the number of adjacent property owners being in attendance, it was the consensus of the Planning Commission to take action on this request in the absence of the applicant.

GC-2002-12

Request to rezone from R-12 Residential to M-12 Residential, property located at 212 Fancy Bluff Circle, consisting of 44,640 sq. ft. with 288 ft. of frontage on Fancy Bluff Circle. Property owned by Dennis and Laureen Krakowski.

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

Applicant proposes rezoning request to provide for placement of a doublewide manufactured home on the subject property, with the intent to construct a site-built home. Upon completion of the site-built home, applicant plans to remove the manufactured home from the site. Included in the application is a statement of no objection to the proposal signed by neighbors representing eight properties.

The subject property is composed of three adjacent lots located on Fancy Bluff Circle; a marsh-front residential area off Fancy Bluff Road zoned R-12. The area is residential in nature, developed with site-built homes, mostly one-story. Fancy Bluff Road near the intersection of Fancy Bluff Circle has a mix of manufactured and site-built homes, and is zoned FA-Forest Agriculture and R-12. There exists one small area of M-12 zoning, located on the east side of Stutts Road west of the subject property, which was rezoned from R-12 in 1978 (GC-7-78), however this area has not been developed.

The Glynn County Future Land Use Map identifies this area as low density residential. Zoning for properties located north, south, east and west of the subject property is R-12 residential. Section 702.1 of the Glynn County Zoning Ordinance describes the intent of both the existing and proposed districts with the same paragraph. This language also states that these districts are designed to encourage the formation and continuation of a stable, healthy environment for one-family dwellings...and to discourage any encroachment by commercial, industrial, high density residential, or other uses capable of adversely affecting the single-family residential character of the districts.

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.

Zoning proposal would permit a use which is in keeping with the intent of both the R-12 and M-12 districts, as stated in Section 702.1 of the Glynn County Zoning Ordinance.

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

The zoning proposal would place an M-12 residential district isolated within an R-12 district. The ordinance delineation between R and M residential districts denotes a distinction in character. While the intent of the districts are alike, the characteristics of site-built versus manufactured homes differ. Among the aesthetic differences are roof pitch and foundation construction.

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

Yes

- 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.

The proposed use would not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- 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.

All other available lots in the Fancy Bluff Circle neighborhood are developed, which reduces the likelihood of future placement of additional manufactured homes the area. If approved, a manufactured home placement would require conformance with Article VII, Section 702.5.11, Manufactured Home Standards regarding home skirting, width, roof pitch, and exterior finish.

While placement of multiple manufactured homes within the established neighborhood could adversely affect the use and development of adjacent or nearby property, the limited nature of the proposal lessens that possibility. Additionally, all available lots in the area have been developed. Development of the area is further limited by the Environmental Health Department requirements of at least a one-half acre of land for placement of a well and septic tank.

Staff recommends approval of this request with the condition that the 3-lot site be considered as a single zoning lot for development purposes.

Mr. Paul Henry of 170 Fancy Bluff Circle was present to speak against this request. He stated that rezoning this property for a doublewide mobile home would greatly depreciate his property value. For clarification, it was explained to Mr. Henry that the applicant is requesting to rezone the property to M-12 for the purpose of placing a manufactured home on the property and that a doublewide structure is considered a manufactured home rather than a mobile home. Mr. Henry pointed out that the applicant approached him and explained what he was trying to do, and in a weak moment, he signed a letter stating he had no objections. However, after giving this some thought, he realized that he had made a mistake and wanted a chance to correct it. As spokesman for the adjacent property owners, he presented a petition consisting of 13 signatures of residents who are opposed to this request.

Following discussion, a motion was made by Mr. Perry Fields to recommend denial of this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

Sea Palms North Cottages, Phase II (PP200206031228)

Request for approval of revised preliminary plat, property consisting of 5.366 acres located to the east of Frederica Road, St. Simons Island. Access to this subdivision is through Sea Palms North Cottages. Springfield Properties, LLP, Applicant.

Mr. Joseph Odachowski was present for discussion.

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

On January 31, 2002, Mr. Mallie Price submitted a preliminary plat application with Community Development for a 24-lot subdivision on R-6 zoned property. Glynn County Traffic Safety Engineering considered the intersection alignment of the new street, North Cottage Lane, and the existing street, Sea Palms Lane, as hazardous. In response to the non-compliant traffic safety determination, Mr. Mallie Price entered into an agreement with Community Development that stated his willingness to work with the Engineering and Traffic Safety departments to design a safe intersection. The Planning Commission approved this preliminary plat by consent on March 5, 2002.

Subsequently, the property was sold to Springfield Properties, and on May 30, 2002 a new preliminary plat application was filed with Community Development. This new plat is for a 26-lot subdivision. Portions of the property are within the Coastal High Hazard Area and will be subject to requirements of the Flood Damage Prevention Ordinance. Golden Place, a dead-end road with a 42' ROW, borders the property to the southeast. Musgrove Plantation borders the property to the north.

The issues raised in the accompanying report of staff comments will largely be resolved through the construction plan process. The reconstruction of the street at the point where it connects with the existing street will have to be designed to meet street standards. Glynn County Utilities is seeking a water line connection to Golden Drive, which abuts the southeast corner of the development. This connection will be more precisely located during the construction plan review process, and an easement for the water line will need to be shown on the final plat. In addition, the private sewage pump station needs to be located so as not to impact existing development. Finally, there will need to be improvements to some off-site sewer facilities to accommodate the volume from this development.

This project is consistent with the Comprehensive Plan and with the applicable regulations, subject to certain issues being resolved during the construction plan process. Staff recommends approval subject to the following:

- 1) Provide easement and water line connection to Golden Place adjacent to the southeast portion of the site.
- 2) Locate the private sewage pump station outside of the drainage easement.
- 3) Provide in the construction plans for improvements to the off-site lift station and force main to provide adequate capacity for this development.

Mr. Fields stated that Phase I of this project shows a drainage ditch that they now want to pipe. He wanted to know if this would affect the drainage and the lot sizes. Mr. Don Hutchinson explained that there are a series of inlets that would be incorporated along the pipe that Mr. Fields is referring to, which would collect the surface water that drains inside.

Ms. Carol Hoffine of 107 Sea Palms Lane and Ms. Adelaide Jones of 111 Sea Palms Lane were present to speak in favor of this request.

Ms. Beverly Perry of 131 Sea Palms Lane was present to oppose due to the 1) location of the sewer lift station; 2) open drainage ditch that runs behind her residence; and 3) the address change; she would like for the street name to remain "Sea Palms Lane. Chairman Stewart explained that the GIS Department is responsible for changing the street names in Glynn County, which is part of the 911 Emergency System.

Mr. Charles Butt of Sea Palms Lane stated that he would not oppose this development as long as it is tastefully done and if consideration is given to the neighbors. He also expressed concerns about the lift station, as well as the address change. He stated that changing the address would cause a hardship with regard to legal documents if he were to sell his property. Mr. Butt expressed additional concerns about the lift station; i.e., location, size, etc. At this time, the lift station was pointed out on the plat to Mr. Butt; however, it was noted that the plat had been revised. Mr. Bobby Shupe explained that since this particular plat was drawn, an agreement was made between Springfield Properties LLP, Ms. Carol Hoffine and Ms. Adelaide Jones to guarantee that the pump station will not be within 100 ft. of any of the lots in Phase I. As a result of meeting with adjoining landowners, the plans will be to place the pump station between Lots 48 and 49 in order to accommodate the landowners concerns.

Following discussion, a motion was made by Mr. Hal Hart to approve this preliminary plat subject to the three conditions stated by staff along with the condition that the lift station will be no less than 100 ft. of any of the lots in Phase I. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart and Mr. Jonathan Williams. Abstained From Voting: Mr. Mike Aspinwall and Mr. Gary Nevill.

Regents Park, Phase I (PP200207190938v4)

Request for approval of preliminary plat, property consisting of 11.694 acres, located on Green Swamp Road approximately 4,540 ft. east of New Jesup Highway. FLB, Inc., Applicant

Mr. Ernie Johns was present for discussion.

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

This site is located off Green Swamp Road and is adjacent to the Norfolk Southern Railroad tracks. The proposed development consists of seven lots on a proposed 50 ft. public road. The site and surrounding area is generally flat with some wetlands.

The preliminary plat was originally submitted for nine lots and proposed a community water system, which would have required hydrants. The new version of the submittal changes the proposal to individual wells. The Fire Department has approved this arrangement. The development would rely on individual septic systems for sewage treatment.

The Glynn County Comprehensive Plan includes this site within an urban service area, and designates it for low-density residential land use. The area is partially developed for low-density residential and other uses.

The Subdivision Regulations provide that subdivisions within the designated urban service areas must connect to public sanitary sewer and water systems. The applicant may obtain a variance from the Glynn County Board of Commissioners for one or both of these requirements. It should be noted that the provision requiring public water and sewer or a variance have not been implemented during the time since the plan was adopted. Accordingly, it might be considered inappropriate to begin imposing this requirement without laying some further foundation for how it will be administered. The issue should be considered however, and appropriate regulations should be developed.

The Planning Commission should determine whether the water and sewer requirements should be imposed immediately or should act quickly to develop alternative standards that are reasonable and that can be readily implemented.

In addition, there are issues of road design that will have to be addressed by the construction plans.

Staff recommends approval of this preliminary plat subject to addressing all outstanding design issues during the review of the construction plans. In addition, if determined appropriate by the Planning Commission, a variance should be approved for the water and sewer issue.

Mr. Fields questioned staff's comments about this site being located in an urban service area. Mr. Phillips pointed out that the urban service area is widespread and covers large parts of the county. He stated that this is a very unusual situation and it will have to be re-addressed. Mr. Fields stated that the closest water is at least 12 miles away. He pointed out that there is an ordinance that states if you are within so many feet of the system you have to tie-on, and that ordinance should govern what we look at. In his opinion, "this is ridiculous." Mr. Phillips stated that the ordinances are inconsistent. Chairman Stewart agreed somewhat with Mr. Fields. He stated that staff needs to get with the County Attorney and discuss changing the ordinance. Mr. Fields asked if the Branigar Tract is located in the urban service area. Mr. Phillips replied yes.

Mr. Tyler Frazier stated that staff discussed a number of preliminary plats of this nature. They have to consider fire protection and installation of an 8-inch line if necessary. This particular project has individual wells and septic tanks. The question then becomes how can they make a recommendation to have a community water system for fire suppression. Mr. Frazier stated that in a way, this is an urban problem. A neighborhood is being introduced in a part of the county that is very rural. A question that the Fire Department would have to consider is how can we resolve this small node of urban development in this very large rural part of the county. Mr. Fields stated that the cost to install a fire suppression system for six lots is exorbitant. There is also the question of maintenance, i.e., cost and responsibility.

Chairman Stewart stated that not every piece of property is designed to have a subdivision. He stated that he doesn't have a problem with the water and sewer and he doesn't have a problem with individual wells and septic tanks. His problem is with approving, in some cases, "mud holes." Mr. Frazier stated that Community Development

is not opposed to individual wells and septic tanks; they are just sorry to see a community water system proposed and then pulled back because of the cost.

Mr. Fields stated that according to Section 606.3 of the Subdivision Regulations, “fire hydrants shall be required for all subdivisions to be served by a public water system, and when determined by the County Fire Chief for subdivisions served by private water systems... fire hydrants shall be located no more than 500 ft. apart and within 500 ft. of any structure and shall be on an eight inch water line main.” Mr. Tim Ransom of Environmental Engineering, explained that with a subdivision of this size, and in discussing these issues with Mr. Jim Harris of EPD, private well and lines will not be maintained by Glynn County. He stated that they have to keep a .05 chloride residual in the line, which would not be possible with an 8-inch line on a 7-lot subdivision. County staff and Mr. Harris agreed that it would be better for everyone involved and less costly to put in 6-inch water lines on private well systems. The 8-inch water lines are applicable for larger subdivisions such as Fox Creek with 110 lots.

Chairman Stewart stated that this information is very educational, but the fire suppression system is no longer on the table. Mr. Phillips suggested that this item be included as a workshop issue with the Fire Chief, Planning Commission, and other pertinent staff.

Chairman Stewart wanted to know the length of the cul-de-sac. Mr. Johns stated that it is less than 1200 ft. He then addressed the drainage issue and explained that there is a large canal to the north of the property. There is a ditch that runs along the northeastern side of the property that has water flowing through only when it rains. Mr. Johns stated that the ditch is several feet deep and drainage would not be a problem. He also noted that the dirt road would be dedicated.

Following discussion, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Jonathan Williams. Mr. Fields asked that the approval be subject to staff’s recommendations that the variance request be processed through the Board of Commissioners and all outstanding design issues be addressed during the review of the construction plans. The amendment was accepted and the following vote was taken: Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Voting Nay: Mr. Wayne Stewart.

MINUTES

Regular Meeting: June 4th

Regular Meeting: July 2nd

A motion was made by Mr. Mike Aspinwall to approve the Minutes of the June 4, 2002 Planning Commission meeting with necessary corrections. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart and Mr. Jonathan Williams. Mr. Gary Nevill was not a member at that time and therefore abstained from voting.

A motion was made by Mr. Mike Aspinwall to approve the Minutes of July 2, 2002 Planning Commission meeting. The motion was seconded by Mr. Perry Fields. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Mr. Wayne Stewart and Mr. Jonathan Williams. Ms. McCormick was absent for the July 2nd meeting and therefore abstained. Mr. Nevill was not a member at that time and also abstained.

STAFF ITEMS

a) Discussion of Ordinance Provisions: Excavation & Filling

Information on the above item was included in the packages for review. Mr. Fields stated that before we commence to write ordinances, we need to address the problems that's being fixed. He then asked, "what are we trying to fix?" Chairman Stewart stated that the problem is surface mining taking place in residential areas. He emphasized that the documentation included in the packages is for informational purposes and the item would be on the August 20th agenda for discussion only. He also suggested forming a committee to further review this issue.

b) Zoning Ordinance Amendment to prohibit rezoning property to R-6 District;

c) Discussion of Ordinance Provisions: Outside Activities;

Mr. Phillips stated that the above items would be included on the August 20th agenda for discussion only.

d) Zoning Ordinance Amendment to remove the requirement for fees for Banner Permits issued to non-profit organizations;

e) Zoning Ordinance Amendment to require site plan approval by the Planning Commission for institutional uses on SSI and Sea Island;

f) Addressing & MUTCD Ordinances;

Mr. Phillips stated that there are no changes in the status of the above items. Staff is waiting for feedback from the County Attorney's Office.

CHAIRMAN ITEMS

Chairman Stewart stated that a work session would be scheduled at the August 20th meeting to discuss the ordinance changes. At that time, the committee members need to have information or suggestions in writing pertaining to the various assigned sections of the ordinance.

Mr. Phillips presented a preliminary agenda of the August 20th meeting for the Planning Commission's review. He stated that staff would continue the practice of submitting the agenda early for the subsequent meeting.

Mr. Phillips advised that the an appeal of the Planning Commission's decision regarding the site plan for the Live Oak Power Plant has been submitted and advertised for the Zoning Board of Appeals meeting on Thursday, August 8th at 10:00 a.m. in Room 234 of the Office Park Building.

Mr. Phillips also stated that the consultants who are working on the Glynn County Ordinances are in the process of scheduling a series of meetings with various groups, board members, etc. to discuss the ordinance changes.

Under Planning Commission Items, Mr. Perry Fields requested a status report on the following:

- a) **The Village Hotel with regard to the grass-ring paving:** Mrs. Segers reported that the specification from the Board of Appeals was that an assessment would be made one year from the issuance of the Certificate of Occupancy (CO). She stated that the final CO was issued to the applicants on July 22, 2002. Mr. Phillips stated that staff is investigating the possibility that what was done was in violation of the site plan. Mr. Fields stated that he would like a report on whether or not the grass-ring paving is sufficient for traffic patterns, etc.

- b) **Previous rezoning on the south side of Community Road:** Mr. Fields stated that approval of the rezoning was subject to there being no access off of Community Road. He stated that he is not sure if the Board of Commissioners approved this request with the same stipulation. Mr. Hart stated that there appears to be a curb cut at that location. Chairman Stewart advised staff to investigate this further and bring back a report at the August 20th meeting. Staff concurred.

There being no further business to discuss, the meeting adjourned at 9:00 p.m.