

MINUTES
GLYNN COUNTY PLANNING COMMISSION
November 18, 2003 - 6:00 P.M.

MEMBERS PRESENT: Perry Fields, Chairman
Robert Ussery, Vice Chairman
Mike Aspinwall
Jay Kaufman
Ann McCormick
Gary Nevill
Jonathan Williams

STAFF PRESENT: John Peterson, Director
York Phillips, Planning Manager
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary

Chairman Perry Fields 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.

On behalf of the Glynn County Planning Commission, Chairman Fields congratulated Mr. Jonathan Williams on recently being re-elected to serve as a City Commissioner. Mr. Williams stated that although many of his fellow Planning Commission members could not participate in the City of Brunswick elections, he would like to take this opportunity to thank everyone for the encouragement and support shown to him during this time and always.

Mr. York Phillips requested that the *Preliminary Plat for Powers Landing* be added to the agenda for discussion purposes. It was the consensus of the members to add this item toward the end of the agenda for discussion only. No action is expected from the Planning Commission at this time.

There being no further changes to the agenda, a motion was made by Mr. Jay Kaufman, seconded by Ms. Ann McCormick and unanimously adopted to accept the agenda as amended for the November 18th Planning Commission meeting.

GC-2003-27

Application by Jim Fucetola, agent for Frederica Baptist Church, to amend the Planned Development-General text for Barnes Plantation (GC-30-94) to change the development standards for the commercial building and site located at 1700 Frederica Road on the east side of Frederica Road opposite Edwards Plaza, and consisting of approximately 0.981 acres with approximately 285.3 feet of frontage on Frederica Road. The principal change would be to allow joint use of parking for church and commercial uses.

Mr. Phillips advised that the applicant withdrew the above referenced request. All adjacent property owners were notified by mail of this withdrawal, the public hearing sign was removed, and a notice was placed in the Brunswick News. Mr. Phillips stated that staff would inform the Planning Commission of any changes in the status of this request.

VP-2003-05

Application by John and Nancy Ringeling, owners, for approval of additions to an existing residence at 617 May Jo Street, located on the north side of May Jo Street between 12th Street and Fish Fever Lane.

John and Nancy Ringeling were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The applicant is requesting a renovation of this property in order to add a garage, add floor space to the house, enlarge the front porch, and add a screened porch to the rear of the house. The plans submitted show that no trees will be removed from the site.

Under Section 709.5 of the ordinance regarding height, the proposal will not increase the height of the residence. The aerial photo data indicates that this will not appreciably enlarge the house in comparison with the size of the houses on adjacent properties.

Under Article VII, Section 709.8. consideration of proposed improvements shall be based on the following criteria:

- A) Conformity of the plans submitted to the purpose and provision of this ordinance.
Proposal is in conformity. The use of the property will not be changed.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
Proposed design, materials and colors are in harmony with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
Proposed design will not have a detrimental effect.
- D) The consistence and compatibility with existing architectural design and building exterior finishes used on neighboring properties or in the overlay zone.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood and in the overlay district.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood.
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.
No change in existing landscape has been proposed.

Provisions of Section 709.8, regarding site plans, architectural alterations and landscaping, have been met. Requirements under Section 709.5 General Provisions regarding height and site coverage also appear to have been met. Therefore, staff's recommendation is for approval.

It was noted that no one was present to oppose this request.

Following review, a motion was made by Ms. Ann McCormick to approve this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

VP-2003-06

Application by Michael Thomas, agent for B. Sanders and Pamela Walker, owners, for approval of a third floor porch and other improvements at 106 Strachan Lane, located on the south side of Strachan Lane east of its intersection with Georgia Street.

Mr. Michael Thomas was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The applicant is requesting this renovation in order to add a third floor porch matching an existing second floor porch, remove a window and add French doors to access the porch, add a small iron balcony on the third floor, extend the corner of the third floor 18 inches, and add two windows.

There will be no change to the height or footprint of the structure in accordance with Section 709.5 "General Provisions."

Under Article VII, Section 709.8. consideration of proposed improvements shall be based on the following criteria:

- A) Conformity of the plans submitted to the purpose and provision of this ordinance.
Proposal is in conformity. The use of the property will not be changed.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
Proposed design, materials and colors are in harmony with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
Proposed design will not have a detrimental effect.
- D) The consistence and compatibility with existing architectural design and building exterior finishes used on neighboring properties or in the overlay zone.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood and in the overlay district.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood.
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.
No change in existing landscape has been proposed.

Provisions of Section 709.8, regarding site plans, architectural alterations and landscaping, have been met. Requirements under Section 709.5 regarding height and site coverage have also been met. Staff's recommendation is for approval.

Chairman Fields expressed concerns about the balcony addition and asked if it extends out into the setback. Mr. Phillips replied no. The balcony addition, which is equivalent to the balcony below, does meet the setback requirements.

It was noted that no one was present to oppose this request.

Following discussion, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

PP-2003-0930-1635 Merritt Estates

Application by Atlantic Survey Professionals, Inc., agent for Gary Merritt, owner, for approval of a preliminary plat for property located on the north side of Honeygall Road approximately 4,200 feet east of its intersection with Pennick Road. The subdivision contains 9 lots (one of which is a flag lot) and occupies 18.790 acres. The subdivision proposes a private unpaved street and a community water system.

Mr. Ernie Johns was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

During staff's review, it was determined that several minor technical details will need to be addressed during the construction plan review of this project. Of note, however, are the following issues:

1. The applicant proposes an unpaved county-maintained road. An unpaved road may be permitted subject to meeting proper design and construction standards (which will be reviewed with the construction plans), but the County Commission is reluctant to accept unpaved streets for maintenance. Therefore, the applicant should plan on arranging for private maintenance of the road. No action by the Planning Commission is required on this issue.
2. This property lies within the Urban Service District identified on the county's Future Land Use Plan Map and accordingly, requires county water and sewer service. This area is well beyond the area that will be served under any current plans for utilities. The regulations require, however, a variance from the Board of Commissioners to allow the proposed individual septic systems and private central water system.
3. The large lot at the end of the proposed street (Tract "A") is accessed through a 25 ft. easement. Staff recommends that this be treated as a flag lot, rather than an easement. The regulations limit flag lots to ten percent of the total number of lots in a subdivision. One lot exceeds this number in this case, and a variance is required.

Staff recommends approval of the variance for the number of flag lots and approval of the preliminary plat subject to approval of the water and sewer variance by the Board of Commissioners.

It was noted that this application requires separate action by the Planning Commission for: 1) a variance from the maximum number of flag lots; and 2) an exception for the street paving requirement.

Mr. Gary Nevill had questions about the street paving requirement and wanted to know if the requirement had anything to do with having an excess of 10 lots. Mr. Phillips replied no. The only way to have an unpaved street is with an exception. He pointed out that the ordinance is not very clear as to whether or not that requires an action of the Planning Commission. However, if the Planning Commission were to include a stipulation, it would be noted in the record. The requirement is essentially tied to meeting all of the technical requirements of Article VI.

Mr. Jonathan Williams stated he hopes that the conditions that allow for an unpaved road are written and easily understood by everyone to avoid confusion or construction delays in the future. Mr. Phillips stated that the criteria for unpaved streets are outlined in detail in Article VI.

Mr. Nevill asked if this would be a private street or a public street. Mr. Phillips replied that it would be a private street, and therefore the county would not be responsible for maintenance.

Chairman Fields expressed the same concerns as Mr. Williams and stated that he would like to see a declaration placed on the final plat that maintenance of Merritt Trace would be the responsibility of the owners of the lots of Merritt Trace Subdivision, and

that Glynn County is not responsible for maintenance, improvements, drainage, etc. Mr. Ernie Johns stated that he would not have a problem adding a statement to that affect on the final plat.

Ms. Ann McCormick wanted to know if there were future plans for Tract A. She stated it appears to be large enough to be divided into other lots. Mr. Johns explained that the only access to Tract A is via the 25 ft. easement and as such, it could not be re-cut. There is no access from the rear of the property.

Mr. Nevill asked if the first two lots are accessed off of Honeygall Road. Mr. Johns replied yes.

Following discussion, a motion was made by Mr. Gary Nevill to grant the variance from the flag lot requirements. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

A motion was made by Mr. Gary Nevill to approve the preliminary plat subject to a statement being added to the plat that maintenance, drainage, improvements, etc. of Merritt Trace would be the responsibility of the owners of the lots of Merritt Trace Subdivision and not Glynn County. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

SP-2003-1106-1430 Verizon Wireless Tower

Application by David C. Kirk, agent for Don Gentile and Diana Vinyard as trustees under the Bennie Gentile Revocable Family Trust, owner, for a telecommunications tower on property located at 408 Arnold Road, approximately 875 feet southeast of Demere Road and 400 feet northwest of Ocean Boulevard, consisting of approximately 1.1 acres.

Mr. David Kirk, Ms. Leslie Dees and Mr. Michael Manson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The applicant seeks waivers and/or approval of the following modifications of provisions in Article XIV (Telecommunications Facilities) of the Zoning Ordinance: (1) landscaping requirements; (2) setback from residential property; and (3) minimum spacing of towers. The proposal is to construct a tower of the maximum height allowed by FAA regulations (not over 120 ft.).

This property was recently rezoned from Limited Commercial to Limited Industrial with the understanding that this site would be used for the construction of a telecommunications tower. The site is currently undeveloped and wooded. Immediately to the west, north, and east is R-6 zoning. An electric substation occupies the area immediately to the west. To the north and east is marsh, with a county sewage lift station located to the east on the north side of Arnold Road. To the south of Arnold Road is Limited Industrial zoning occupied by a commercial use (this is the property for which site plan approval was recently given to replace two older towers with a single new 114 ft. tower).

To the northwest is a Planned Commercial zoned development with a fringe of General Commercial zoning. The General Commercial zoning abuts the subject property in the extreme northwest corner. The Planned Commercial zoned site contains a development known as "Island Cottage and Business Center" approved in 1998. This development permits office and commercial uses, as well as mixed residential and business uses with the residential portion on the second floor. Staff has not determined whether any actual residential uses exist. The closest structure that would permit residential use in this development appears to be at least 105 ft. from the proposed tower location.

The ordinance provides criteria to be used by the Planning Commission in considering proposals for telecommunications towers, and further provides that the Planning Commission may “waive or reduce the burden on the applicant of one or more of these criteria if the Planning Commission concludes that the goals of the ordinance are better served thereby.” The criteria to be applied are listed below:

1. Height of the proposed tower.
2. Proximity of the tower to residential structures and residential district boundaries.
3. Nature of uses on adjacent and nearby properties.
4. Surrounding topography.
5. Surrounding tree coverage and foliage.
6. Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
7. Proposed ingress and egress.
8. Availability of suitable existing towers and other structures as discussed in Section 1403.1 of this ordinance.

Following is a discussion of specific issues that are relevant for review:

1. Setback: The ordinance establishes a standard for setbacks from existing residential structures and from the boundaries of residentially zoned property. The standard in either case is the height of the tower (which might be as much as 120 ft.). The proposed tower is approximately 105 ft. from the closest existing structure that could be occupied for residential use. Also, the proposed tower is approximately 60 ft. from the north lot line and 70 ft. from the west lot line. These lot lines represent boundaries with R-6 zoning. The land to the north is in marsh, however, and the land to the west is occupied by an electric power substation. The nearest land that can practically be developed for residential purposes is approximately 350 ft. from the tower site.

As described above, the Planning Commission may modify the requirement. Staff recommends that the Planning Commission conclude that the goals of the ordinance are met through this proposal. In particular, the difficulty in locating appropriate antenna sites in the southern part of St. Simons Island should be noted.

2. Spacing: The ordinance establishes a standard that towers should be no closer than one mile from each other. The proposed tower is roughly in line with the northwest/southeast runway at Malcolm McKinnon Airport. As a result, the Federal Aviation Administration (FAA) will establish a height limit. The limit established recently for the tower on the opposite side of Arnold Road is 114 ft. Because of the height limit, there will be a limit to the number of antennas that can be supported by either tower. Staff recommends that the Planning Commission conclude that the goals of the ordinance are best met through this proposal, in that the need for antennas to serve the community requires multiple towers in this situation.
3. Landscaping: The ordinance establishes a requirement for landscaping. In this case, the tower and the ground support facilities will be located within an existing wooded area. Staff recommends that the Planning Commission conclude that maintenance of the existing vegetation will contribute more to the protection of the site appearance than will the landscaping, and approve the modification of the landscaping requirement.

Staff’s recommendation is for approval of the site plan with the modifications and waivers noted.

Mr. Mike Aspinwall wanted to know if there is some type of technical reason as to why the tower could not be moved 5 ft. to the east. Mr. Kirk stated that it is possible to move the tower 5 ft. to the east but it is not preferable. From an engineering standpoint, he stated that it is always best to have towers located within the compound so that each

carrier has an equal proximity to the tower. He stated however that there is no technical reason that would prevent them from moving the tower over 5 ft.

Mr. Jay Kaufman asked for clarification on the landscaped buffer. Mr. Phillips explained that normally the rules are written in anticipation of not having a natural visual buffer. Therefore, the landscaped buffer that is required in the ordinance is a planted landscaped buffer. In this case, it would lie between the tower and anyone who could see it. He stated that it is more affective to leave the trees as the visual buffer.

Ms. Kim Gollin of St. Simons Island wanted to know if the county had received a report back from the GA National Historic Registry on impact of the view from Bloody Marsh. Ms. Leslie Dees replied yes. Mr. Phillips explained that it was determined that in this case the tower is not invasive of the view from the Bloody Marsh.

Ms. Gollin then asked if there were any other co-locations considered other than the tower that is going in across the street. Mr. Kirk stated that there were no other towers available. The only structure in the area that has sufficient elevation would be the tower across the street. The Verizon Technician did not find any other sites in the vicinity that this particular tower is intended to serve. He stated that this tower would be designed to accommodate at least two other carriers.

Mr. Ussery wanted to know if the applicant is willing to consider moving the tower over 5 ft. as expressed by Mr. Aspinwall. Mr. Kirk stated that they would have no problem moving the tower over 5 ft. away from the northeast corner.

Following discussion, a motion was made by Mr. Robert Ussery to approve this request with the modifications and waivers noted and with the tower being moved 5 ft. toward the southeast. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

At this time, discussion commenced on the *Powers Landing Preliminary Plat*. Chairman Fields reminded everyone that this item was added to the agenda for discussion purposes only.

Mr. Bill Kent of ASA Engineering and Mr. Charlie Powers of Valdosta were on hand to answer questions. Mr. Phillips distributed copies of the PD Text and a report from staff as follows:

This is a request for approval of a preliminary plat for property located approximately 700 feet east of US 17 opposite its intersection with Chapel Crossing Road. The proposed subdivision contains 76 lots and occupies 10.131 acres.

Staff has reviewed this proposal and the following are the major issues of concern:

1. This site was zoned PD-R in 1982. The types of residential development and the specifications for development are contained within the PD text, dated November 16, 1981. It appears that the development depicted on the proposed preliminary plat does not fit within the specifications set forth in the PD text.
2. There was also a master plan layout referenced in the Board of Commissioners action. There is not a copy of this document in the file. Accordingly, we cannot tell if the intent was to access the residential area through the commercial property, as proposed to using Druid Oaks Drive. At the time this project was conceived, Druid Oaks Drive was not paved. Use of Druid Oaks Drive may require some improvements, including dedication of right-of-way and possible drainage improvements. The Board's action approving the zoning change included a requirement for establishment of a 6 ft. landscaped buffer and curb along the access drive.

3. The Board of Commissioners approval also calls for the construction of a masonry wall with stucco or tabby finish along the south line and a short part of the east line of this section. This is to be finished before any building permits are to be issued.

Staff's recommendation would be for a resubmittal of a plan addressing the PD Text and conditions of approval.

Mr. Bill Kent presented background history of the property and distributed a copy of the master plan, which he stated was produced approximately 22 years ago. He then described the general intent for the property. Afterward, a lengthy discussion ensued.

Some of the issues of concern were the 7 stipulation placed on the property by the Commissioners in 1982, access points for the residential property, buffers, State Impact Law, wetlands, flood elevation, utilities, the road name with regard to GIS Addressing System, the possibility of a dual entrance, right-of-way width and the difference between a minor street and a loop road.

During the course of discussion, the applicants were asked to provide a concept plan for the Planning Commission's review before official action is taken on this request. Chairman Fields stated that it would be helpful if staff could provide them with a list of issues that they feel cannot be resolved so that the Planning Commission can assist in reconciling the differences. Staff was also advised to consult with the County Attorney with regard to the Planning Commission granting variances in accordance with Section 901 of the Glynn County Subdivision Regulations. Mr. Phillips concurred.

Mr. Phillips stated that a meeting is scheduled for tomorrow morning (November 19th) with county staff, the applicants and the developers to further discuss this request in an effort to resolve some of the issues before the application is brought back for the Planning Commission's official action.

MINUTES

Regular Meeting: November 4th

A motion was made by Mr. Gary Nevill to approve the Minutes of the November 4, 2003 Planning Commission meeting. The motion was seconded by Mr. Jay Kaufman. Voting Aye: Mr. Perry Fields, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Mr. Mike Aspinwall and Mr. Jonathan Williams did not attend the November 4th meeting and therefore abstained from voting.

There being no further business to discuss, the meeting adjourned at 7:40 p.m.