

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**October 21, 2003 - 6:00 P.M.**

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

**ABSENT:** Jay Kaufman

**STAFF PRESENT:** York Phillips, Planning Manager  
Carolynn Segers, Planner II  
Janet Loving, Admin/Recording Secretary

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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.

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Upon a motion made by Mr. Gary Nevill and seconded by Ms. Ann McCormick, the Agenda for the October 21<sup>st</sup> Planning Commission meeting was unanimously adopted.

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GC-2003-24

Application by David C. Kirk of Troutman Sanders, as agent for Don Gentile and Diana Vinyard as trustees under the Bennie Gentile Revocable Family Trust, owner, to rezone from LC Local Commercial to LI Limited Industrial, property located at 408 Arnold Road and consisting of 1.1 acres with 133.3 feet of frontage on Arnold Road. Proposed use is a telecommunications tower.

Mr. David Kirk was present for discussion.

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

This request proposes a change in zoning to provide for a telecommunications tower as a permitted use. The site was rezoned from R-6 to Local Commercial in 1966 (GC-45-66) to provide for an appliance and furniture repair shop. The site has been undeveloped for decades, based on the size and degree of vegetation. The character of the area is a mixture of office, light industrial, and scattered residential.

The subject property has R-6 zoning to the north, east and west, however there is un-developable marsh to the north, a power substation to the west and a sewage lift station to the east. Zoning to the south of the property across Arnold Road is Limited Industrial. This industrial zoning to the south has an established business that includes a tire company and sign company. This site also has been approved (October 7, 2003) for construction of a new 112-foot telecommunications tower to replace two existing towers.

This new structure will support equipment for three carriers, and may not have additional co-location space available at a height sufficient to accommodate the technical needs of a potential co-locator, or ground space sufficient to support ground equipment.

The Future Land Use Map indicates this area as industrial.

**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. Property to the south across Arnold Road has been zoned and developed for Limited Industrial use for decades. Adjacent properties to the east and west have utility development, which is industrial in character.**

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

**No.**

- 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.

**No.**

- 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 industrial.**

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

**No.**

The site is surrounded by non-residential uses and marsh, and is wooded. A tower will not interfere with uses in the area and will not contribute to traffic congestion. A tower will be somewhat visible across the marsh, but generally will be at a distance from those who can see it. The proposed zoning is consistent with the adopted comprehensive plan. Staff's recommendation is for approval.

Mr. Phillips stated that the FAA clearance letter has been applied for, and as a requirement of the ordinance a building permit cannot be issued until the letter is obtained. Approval also has to be obtained from the FCC. The ordinance further states that towers shall not be located any closer than one (1) mile from an existing tower. This requirement was established to avoid a proliferation of towers by encouraging co-locations. The Planning Commission does however have the authority to waive this requirement during the site plan review process.

Mr. Robert Ussery wanted to know the number of antennas that the tower would support. Mr. Phillips that the number of antennas would depend on the height of the tower. Chairman Fields had questions concerning a variance from the height limitation relative to towers. Mr. Phillips explained that Article XIV of the Telecommunications Ordinance specifically says that the height limits in the ordinance don't apply to these

particular uses. Chairman Fields wanted to know what type of structures are located on the portion of the property zoned Planned Commercial. Mrs. Segers stated that a strip of offices is located on the property. There are no residential structures on the property.

Mr. David Kirk gave a brief presentation. After introducing Mr. Michael Mankin of Verizon Wireless, he explained that they are seeking the zoning change to help Verizon establish a communications network on St. Simons and Sea Island to improve the overall capacity in coverage and reliability. Mr. Kirk stated that most of the questions raised will be addressed through the site plan review process should the Board approve the rezoning.

Mr. Kirk stated that the number of antennas that could be accommodated on the tower would be a function of the height as pointed out by staff. Based on his knowledge of the height that was approved across the street, which was 112 ft. plus a 2 ft. lightning rod for a total of 114 ft. he would anticipate that this proposed tower would be approved in that general height with possibly three or four carriers. He is aware of at least two carriers who have contacted Verizon and expressed their intent to locate on the tower if it is approved. He stated that one of his concerns is the ability to get the equipment shelter on to the property without having a mass of buildings adjacent to the street. He pointed out that they have very high standards for requiring reliability for the equipment shelter.

Mr. Kirk stated that staff has done a good job of evaluating this application and he is seeking a favorable approval from the Planning Commission.

Chairman Fields stated that there are some requirements of the ordinance that do not allow the Planning Commission to waive. For instance, Section 1404 b5) states that “when a tower is adjacent to a residential use, it must be set back from the nearest point of every residential lot a distance at least equal to its total height.” He emphasized that the Planning Commission has never waived that particular requirement. Mr. Kirk stated he thinks that there is sufficient flexibility to abide by the requirement during the site plan review stage. Chairman Fields stated that as long as there is enough flexibility to work within the guidelines of the ordinance he doesn’t have a problem with this. Mr. Kirk agreed to work closely with staff on the ordinance requirements.

Mr. Barry Hannah, a resident of St. Simons, stated that he has an office on Arnold Road near the proposed tower site. He stated that he is not here to oppose this request but he does have some concerns. Mr. Hannah wanted to know that if this rezoning is approved and the tower were to be removed at some future date, would any other approved item in a Limited Industrial zoning be allowed to move into that location. Chairman Fields replied yes, with site plan approval. He added however that in his experience, he has known these types of leases to last for 25 years.

Mr. Hannah stated that GA Power is located between his property. He expressed liability concerns for the people who live in the units behind his office if the tower were to fall onto the GA Power substation. He wanted to know if GA Power has to sign off on this request or participate at all in the rezoning process. Chairman Fields stated that GA Power does not have to sign off on this request. Also, the Planning Commission does not address liability concerns. He pointed out however that they have been told repeatedly by engineers that these towers do not fall, but if by chance they do, the towers are designed to fall within themselves.

Mr. Hannah reiterated that he is not against this request, but he is concerned about his neighborhood. He stated that this is a tourist-based area and aesthetics play an important role for tourists as well as for the residents. He stated that if he is unable to attend the meeting when the site plan is presented he urged the Planning Commission to screen this from the lower elevation as much as possible for safety and aesthetics.

Ms. Ann McCormick stated that she is not opposed to communication towers because we do need them, but they are unsightly. Mr. Jonathan Williams agreed. He stated that a few times the Planning Commission saw a demonstration of towers made to resemble trees. He asked if those still exist. Mr. Kirk replied yes; however, the best use

comes from when there are trees located in the area of the tower and at the approximate height of the tower.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

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VP-2003-04

Application by William Downey and J. Thomas Whelchel, owners, to modify exterior of building at 509-511 Ocean Boulevard by replacing existing mansard roof with a gabled-pitched roof. This is the current location of Subway and former location of Parker's Convenience Store. Property located in the northwest quadrant of the intersection of Ocean Boulevard and Neptune Street.

There was no one present to represent this request. Therefore, this item was deferred to the November 4<sup>th</sup> Planning Commission meeting.

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## MINUTES

### **Regular Meeting: October 7<sup>th</sup>**

A motion was made by Mr. Mike Aspinwall to approve the Minutes of the October 7, 2003 Planning Commission meeting. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Gary Nevill and Mr. Robert Ussery. Ms. Ann McCormick did not attend the October 7<sup>th</sup> meeting and therefore abstained from voting; Mr. Fields and Mr. Williams were not present for the entire meeting and also abstained from voting.

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Under **Staff Items**, Chairman Fields stated that it no longer seems necessary to place a running calendar of amendments on the agenda and in the planning packages for every meeting. He stated that perhaps this could be included on the agenda on a quarterly basis. Mr. Phillips concurred. Also, Chairman Fields asked staff to look into his suggestion to incorporate in the commercial districts some flexibility to allow for a special use in each zoning classification for special projects. Mr. Phillips stated that he would confer with the County Attorney and perhaps schedule a work session for more input.

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There being no further business to discuss, the meeting adjourned at 6:45 p.m.