

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**April 20, 2004 - 6:00 P.M.**

-----

**MEMBERS PRESENT:** Perry Fields, Chairman  
Robert Ussery, Vice Chairman  
Jay Kaufman (arrived at 7:05 p.m.)  
Ann McCormick  
Gary Nevill  
Jonathan Williams

**ABSENT:** Mr. Mike Aspinwall

**STAFF PRESENT:** John Peterson, Director  
York Phillips, Planning Manager  
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.

-----

Upon a motion made by Mr. Robert Ussery and seconded by Mr. Gary Nevill, the agenda for the April 20<sup>th</sup> Planning Commission meeting was approved and unanimously adopted.

-----

GC-2003-16

Application by J. Thomas Whelchel, agent for the Estate of Mittie B. Hendrix, to rezone from R-6 One-Family Residential to Office Commercial, property located at 2010-2012 Demere Road and consisting of 27,000 square feet with 200 feet frontage along Demere Road. The application includes proposed stipulations that would apply to the development of the property.

Mr. Thomas Whelchel and Mr. Larry Phillips were present for discussion.

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

This site was developed as an art school and gallery prior to the adoption of the current zoning map in 1966. At that time, the property was designated R-6. The art center is therefore a non-conforming use that has ceased more than 12 months and cannot be re-established under Section 607.2. During the creation of the electronic zoning map, a mapping error was created which depicted this and other adjacent properties as General Commercial.

The request is to change the zoning to permit uses appropriate for the site. Initially, the request was to change to General Commercial, although following discussions with the Planning Commission and neighbors, the request was amended to Office Commercial with proposed stipulations limiting uses and requiring a buffer.

The character of the area is mixed use, with residential uses to the north and east (zoned R-6). Adjacent property to the northwest is zoned Highway Commercial and developed as a convenience store, with a mix of Local Commercial with Highway Commercial and General Commercial beyond. Across Demere Road to the south is Malcolm McKinnon Airport.

The future land use map indicates this area as low-density residential. The subject property is located approximately 500 feet from the end of the primary runway for the airport, and places the property within the approach zone. Development in this area is subject to Article 13 Airport Zoning Ordinance. Section 1306.2 states the following uses are prohibited in any approach or transitional zone: 1) churches, schools, theaters and other places of public assembly; 2) multi-family dwellings in excess of 4 units; 3) hospitals and other institutions; 4) any other similar uses where concentrations of people are customary. Height limit under zoning is sufficient for FAA regulations for this property (FAA regulations limit the height to approximately 50 feet).

The applicant has submitted a general layout plan (which was included in the packages) showing the possible layout of buildings on the site. Any development of the site would require Planning Commission review of the site plan. In addition, the proposed stipulations would require a buffer to be shown, subject to review by the Planning Commission as part of the site plan review.

**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.

**Generally yes, since the property has been in non-residential use since before the mid-1960s.**

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

**Unlikely, given the nature of the proposed use. Redevelopment of the property; however, should respect the safety needs of the airport approach zone and the residential character of adjacent property to the east.**

- 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 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.

**No.**

The proposed use is appropriate for the site since it will generate less traffic than retail or similar uses and will operate during traditional business hours. Staff recommends that the proposed zoning be approved with the stipulations requested by the applicant outlined as follows:

- 1) Retail sales would not be a primary use of the property.
- 2) There will be no vehicular access to the property from the rear alley. The alley will continue to be the access for garbage collection and other necessary utilities, but there will be no vehicular access.
- 3) A buffer shall be provided along the southeast property line. Specifications for the buffer shall be presented on the site plan and approved at the time of site plan approval by the Planning Commission. A fence constructed along the property

line will be deemed compliant with respect to this addition, subject to reasonable design criteria to be determined by the Planning Commission.

During a brief presentation, Mr. Tom Welchel explained that he met with several residents in the neighborhood and tried to address their concerns. Initially, the residents were concerned that the property was not appropriate to use as primary retail sales. He stated that he agreed with the residents because primary retail sales was never his intention. Another concern of the residents was vehicular traffic coming from the alleyway, which he stated has been addressed and outlined as one of the conditions. The third concern expressed was the buffer. There was a request for some type of buffer between the property and the adjoining property for demarcation purposes to show where the commercial stops and the residential starts. He stated that he is proposing to provide a fence as the buffer, which would be addressed by the Planning Commission at the site plan review process.

Mr. Welchel pointed out that Mr. Larry Phillips has a client who has contracted to purchase the property and use it as office space. Mr. Welchel would like to ensure that the buffer would not impose a limitation on the parking, which he stated is his reason for including the language in that particular condition.

Mr. Robert Ussery asked if there is a specific buffer being recommended at this time. Mr. Welchel explained that presently he was trying not to design the buffer because he is not sure what type of buildings would be constructed on the property. Mr. Ussery stated that it appears to him that a fence would be the most likely buffer.

Chairman Fields stated that the language pertaining to the buffer bothers him in that it needs to be more specific. If approved, he would like to see a specific size buffer. He stated that if he is reading this correctly, the applicant is asking the Planning Commission to say that a fence to be built in the future by a certain design standard will be compliant with the buffer. However, this needs to be discussed at length. Mr. Ussery agreed.

Regarding the language in condition #2, Mr. Ussery stated he thinks that the applicant is trying to say that there would be no vehicular access to the property from the alley. The residents living along the alley would still have access to the alley. Mr. Welchel stated that he was trying to convey that point.

Mr. Welchel elaborated on the condition regarding retail sales, explaining that although this would not be the primary use, there would be some retail. For instance, in some lawyers and architects offices, some organizations are allowed to sell items such as candy, etc. Chairman Fields questioned some of the permitted uses outlined in the office commercial zoning, i.e., jewelry and watch repair shop. Mr. Welchel stated that the types of sales as to what would be acceptable would have to be addressed by Mr. Larry Phillips who is representing the potential buyer.

Chairman Fields stated there are still six possible lots once the property is zoned office commercial, which means that the applicant could actually put six structures on the property although the concept plan shows three. He stated that one issue that he sees with the concept plan is that when it goes to site plan approval there is no loading or unloading zone. Mr. Welchel explained that the plan usage is for three office type businesses that would conform to the office commercial zoning with limitations. Chairman Fields asked if there would be three separate fees. Mr. Welchel stated that he is not sure at this time. Chairman Fields stated that he is pretty confident that the neighbors are under the impression that there will be three structures (not the possibility of six) with no back access. Mr. Welchel stated that it would either be three separate structures or one structure, three buildings with a common wall between them. As a condition of rezoning the property, Chairman Fields asked if the Planning Commission could stipulate that this would be limited to three lots. Mr. York Phillips stated that it might be possible to include that as a stipulation but he would have to check the ordinance for the correct wording.

Mr. Larry Phillips gave a brief presentation. He stated that his client is buying all of the lots to develop office type buildings. The language that he is concerned about is the primary retail use. There are two instances under permitted uses where incidental things would be permitted, such as a pharmacy, watch repair, etc. He stated that he wants to make certain that they are not diminishing the permitted uses with the language. Chairman Fields stated that it is his understanding that permitted uses cannot be zoned down.

Regarding the buffer, Mr. Larry Phillips stated that his concern is the width, and he would like to have the flexibility to not elevate the building to a higher level for parking underneath. He would rather have parking in front of the building. Chairman Fields stated that he does not have a problem with the 7 ft. buffer or setback. Mr. Larry Phillips wanted to know if parking is allowed within the buffer zone. Chairman Fields explained that parking is allowed to be calculated in the setback but not in the buffer.

Mr. Adam Hall of 129 Circle Drive commented that most of his concerns regarding access and dust have been addressed, but his main concern is the noise level due to the proximity of the proposed development and his residence. Chairman Fields stated that minimizing the impact of noise is generally addressed at the site plan approval stage. Mr. Hall stated that he had no other concerns.

Mr. Ussery stressed that he would like to establish some type of definition of the buffer for this development. He feels that it would be appropriate to use the 7 ft. setback as a buffer, with no parking. He stated that the 7 ft. could be used for a hedge or some type of vegetation instead of a fence to buffer the property next door, which would coincide with the width of the setback. Chairman Fields was somewhat in agreement, but pointed out that the specifics of buffers were always determined at the site plan approval stage. Mr. Larry Phillips stated that he was trying to show his intent to limit the number of buildings. He would like to have the ability to install a fence subject to the

Planning Commission's approval of plans and specifications. He reiterated that he would prefer parking in front of the building rather than underneath the building.

Regarding Chairman Field's inquiry as to whether or not the Planning Commission could include a condition of the rezoning limiting the number of lots on the property, Mr. York Phillips stated that stipulations are allowed to be attached to a rezoning but there are no provisions in the ordinance to guide what the limitations would be. He stated however that it is reasonable to say that limitations should be derived from the standards in the Zoning Ordinance. In other words, the stipulations should be based on items that the zoning covers. He stated that if the Planning Commission decides to pursue that possibility, he would have to confer with the County Attorney for a ruling before this request is forwarded to the Board of Commissioners for final action.

Mr. Bobby Shupe stated that although he is not involved in this particular project, he suggested deed restricting the property to perhaps alleviate the concerns. Mr. Tom Whelchel thanked Mr. Shupe for his suggestion but stated he would hesitate to do deed restrictions because of the uncertainty of the future of the property. He further stated that he had suggested to Mr. Larry Phillips that they impose the same restrictions as retail uses, provided there are only three buildings.

Chairman Fields stated that he is not sure that recommending approval of the rezoning with no more than three zoning lots (along with the other conditions) would be legal, and he does not want to do something that could be against the law. He stated that he would rather get a ruling from the County Attorney.

There being no further comments, a motion was made by Mr. Robert Ussery and seconded by Mr. Jonathan Williams recommending that the property be rezoned to office commercial with the following restrictions:

- 1) Retail sales would not be a primary use.
- 2) There would be no vehicular access to the property from the rear alley.
- 3) A 7 ft. buffer to be provided along the southeast side with a fence; specifications to be determined at the time of site plan approval.
- 4) Limit the possible number of subdivisions of this property to three (3) lots.

It was the consensus of the Planning Commission to defer the vote on this motion until the May 4<sup>th</sup> meeting beginning at 6:00 p.m. pending a legal ruling from the County Attorney regarding the condition of limiting the number of subdivision lots as a stipulation of the rezoning.

-----

GC-2004-04

Application by Ray Richard, agent for Claudine Harris, owner, to rezone from R-9 One-Family Residential to Office Commercial, property located at 123 and 125 Glyndale Drive and consisting of 3.04 acres located on the north side of Glyndale Drive, and lying 60 feet west of its intersection with Picric Street Extension, having 300 feet of frontage on Glyndale Drive.

Mr. Ray Richard was present for discussion.

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

This site currently has one or two older buildings. The surrounding area is generally residential and is zoned R-9. The area was laid out and most of the buildings predate the construction of I-95 and the commercial areas just to the west that have evolved to support the interchange. Farther to the east is industrial use along Glyndale Road. The county's adopted Comprehensive Plan designates this area for residential use.

**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.**

- 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 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.

**No.**

The proposal would allow office uses that are compatible with the existing residential and with the transitional nature of the area. Staff's recommendation is for approval.

Mr. Ray Richard stated that he is the agent for the applicant and he also has the property in question under contract. His intention is to build himself a professional office building and have enough room to expand and create more professional office space. In looking for the property, he stated that he was trying to find something close to commercial but not directly in the middle of heavy commercial, such as hotels, motels, etc.

Mr. Richard pointed out that immediately to the west of the property is the GA Power transmission power line. He felt that office commercial would work well because of the 150 ft. of vacant property near the power line that could never be developed. He stated that there is also a heavy tree line adjacent to the power easement on the subject property that he intends not to disturb. He stated that he is proposing to construct a building that has some residential character in the form of a professional office building.

There being no further discussion, Chairman Fields passed the gavel to the Vice Chairman and offered a motion recommending approval of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Perry Fields, Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. (Mr. Jay Kaufman had not yet arrived.)

-----

GC-2004-05

Application by Mark R. Wendel, agent for Larry E. Wendel, property owner, to rezone from R-20 Residential to General Commercial, property located at 6241 Blythe Island Highway and consisting of .573 acres with 100 feet frontage on Blythe Island Highway.

Mr. Mark Wendel was present for discussion.

During staff's presentation, Mr. Phillips explained that there was an earlier application on this same property over a year ago. At that time, the Planning Commission recommended denial. He stated that he is not sure if the request reached the

County Commission level before it was eventually withdrawn. The agent is now resubmitting the application essentially for the same purpose, as indicated in the following staff's report.

The applicant seeks to rezone property for development of a welding school and body shop. This property is located amid developed residential property. Adjacent property to the north, west and south is zoned R-20. Property east across Blythe Island Highway is zoned HC Highway Commercial. The subject lot is currently developed as a single-family residential use.

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

An updated general layout plan has been submitted showing the development of a new building. There are technical issues involving the general layout that can generally be resolved through the building permit site plan review process. The plan does reflect a fairly intensive use of the site, particularly in view of the use of a septic tank for wastewater disposal.

The property has an individual well and septic system serving the existing residence. Relocation of the septic system would require new permitting. This lot is too small to be permitted for a new system under current state and local regulations.

**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 higher intensity use as a welding school/body shop would be an encroachment into the residential character of the area. The majority of adjacent and nearby property is established as residential use.**

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

**It is likely that the proposed use would present adverse effects due to increased traffic and intermittent noise.**

- 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 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.**

While there appears to be support within the larger community for this type of use, the specific site in question is not appropriate for the use requested due to the predominant residential use. Approval of a significant non-residential use in this area will exacerbate the problem of compatibility and will increase pressure for the remaining frontage lots to be converted. Staff's recommendation is for denial.

Mr. Ussery asked if there were any other zoning districts that would accommodate this particular use. Mr. Phillips explained that when staff first discussed this request with the applicant, they searched through the ordinance to see what zoning would accommodate this use because it is a combination of an automotive use and a school. Some of the zoning districts that would allow a school would not allow the automobile repair type activity.

Mr. Mark Wendel gave a brief presentation. He explained that this request is for a learning center, not an automotive repair shop. He stated that he has worked with the Brunswick Job Corps for several years training students in welding and auto body repair. He has placed over 150 students in jobs through this program with the problem being that none were placed in Glynn County, which prompted the idea for this request.

Mr. Wendel pointed out all of the commercial establishments near his property and stated that the area will be a commercial corridor eventually. He stated that except for a small group of people who live along the river on Midway Circle at least 2 miles away from his property, none of the neighbors voiced opposition to his request. He presented last year's petition list in which no one was opposed.

Mr. Wendel stated that when he began this process a year ago, he went by the book. He discussed this with the County Engineering Department who advised that this could be done. He stated that he cooperated with the county and did everything that they suggested in an effort to make this project work. He pointed out that the first thing stated was that this request would create a traffic problem; however, Mr. Wendel expounded on how traffic would not be a problem. He stated that "Blythe Island is not a bedroom community." He pointed out that approximately 40 businesses on Blythe Island are using

their houses as warehouses, weekend workshops and parking company vehicles on the property at night. Mr. Wendel asked that the Planning Commission take a deeper look at his request and allow him to train and help the youth of this community. Again, he stated that he is willing to abide by any restrictions deemed necessary. He added that the application did reach the Board of Commissioners level but it was rejected.

*(Mr. Jay Kaufman arrived at 7:05 p.m.)*

Rev. Zack Lyde, Brunswick resident, was present to speak in favor of this request. He stated that he believes that this proposal will be the best training tool for the young people of this community. It will give them a chance at being trained to do extraordinary work and will allow them to be in a position to assist the community in a positive way. Rev. Lyde feels that it would be a mistake to deny this request. He stated that staff should work with Mr. Wendel on this proposal for the good of the community.

Rev. Charlie Lee, Minister of Operations at the “Greater Hall Temple Church of God in Christ” and counselor for the Glynn County Police Department, was also present to speak in favor of this request. He stated that what Mr. Wendel is proposing is “a good thing.” He stressed that young men and women need a chance at a trade to help themselves and the community. He commended Mr. Wendel for his efforts and feels that he should have “liberty and justice” for his property.

Rev. Bobby Hall, Pastor of the “Greater Hall Temple Church of God in Christ” stated that Mr. Wendel wants to do something good for Glynn County and he should be given an opportunity. The learning center that he is proposing would give poor, underprivileged young people an opportunity to do something positive. It would get them trained for better jobs and get them off of the streets. Rev. Hall stated that he is in favor of this request. He then read letters from Ms. Alice McDeal, Mr. Bobby Wilks and Ms. Clara Smallwood, adjacent property owners, who are also in favor of this request.

Mr. Danny Harvey of 129 Cherry Lane stated that he and other residents have been fighting for years to keep commercial developments off of Blythe Island. He stated that this is not a personal attack against Mr. Wendel. In fact, he admires Mr. Wendel for what he is trying to do. However, the Blythe Island community does not want a commercial domino affect in their residential neighborhood. He stressed that they have to live with what is already there, but they do not want any more.

Mr. Wayne Stewart of 136 Midway Circle stated that he too admires Mr. Wendel for what he is trying to do, but to come in and select one piece of property in the middle of a residential area and zone it commercial could cause the entire strip to eventually become commercial, which is what they have been trying to prevent. He stated that the zoning follows the property and once the property is zoned for General Commercial, he is concerned about the other permitted uses that would be allowed under that district. He further stated that his property may not be adjacent to Mr. Wendel, but anything that affects Blythe Island affects them all. He pointed out that there are other places already zoned for what Mr. Wendel wants to do.

In response to some of the concerns expressed, Mr. Wendel stated that what he is proposing would remain in that small area. Also, he disagrees that his proposal could start a domino affect.

Mr. Ussery stated that according to the ordinance, the intent of the district is “to discourage any encroachment by industrial residential and other uses capable of adversely affecting the commercial character of the district.” In other words, he stated that the intent of the GC district is to discourage any residential around it, but obviously the GC district is being pushed into the middle of what is currently a residential area. He stated that it appears to him that this area is in transition and he does agree that it will eventually be some sort of commercial use, but in his opinion, it should be more of a Local Commercial. Unfortunately, schools and automobile repair shops are not listed among the permitted uses under Local Commercial.

Mr. Ussery stated that another issue is that General Commercial has no requirements for setbacks, which is different than anything else on Blythe Island including the current Highway Commercial districts. He stated that although he understands what the applicant is trying to do, he does have some concerns about the technical aspects of this particular zoning district on this particular piece of property.

Chairman Fields stated that with all due respect to Mr. Stewart and Mr. Harvey, the property in question is not residential; it is commercial. He stated that no one is going to purchase this particular piece of property and build a house on it. “Its highest and best use is commercial of some sort.” However, looking at the range of options that this property could come to troubles him greatly. Chairman Fields stated that the Planning Commission needs the tools to consider such uses as a trade school, etc. He stated that if an approval is recommended in this case, they would have to consider setbacks, buffers, hours of operation, days of operation etc., and just as the zoning follows the property, so does the conditions. Chairman Fields stated that he is also concerned about outside storage and junk cars.

Mr. Jonathan Williams stated that having been in the educational field for 36 years, he cannot consciously object to anybody who is trying to help young people. He stated that he understands the concerns of the residents, but decisions have to be made in the best interest of the entire county. He stated that he would have to support education because he knows how important it is to get young people off of the streets. Mr. Williams stated that this proposal, in his opinion, would be no different than any other neighborhood school in that there would be rules and regulations to follow. If the applicant violates the regulations, he should be dealt with. If at any time it appears that the facility is destroying the community, it should be shut down. Mr. Williams stated that it is very difficult for him to deny education.

Ms. McCormick agreed that this is a very difficult situation. In trying to understand the operation, she asked where would the cars come from that are in need of repairs. Mr. Wendel stated that clients would bring the cars in to him for service. He pointed out that when the proposal was submitted last year there was discussion about an

8 ft. fence and that no cars would be visible from the highway. He stated there would not be a pile of cars on the property. There would be a small amount inside of the building and some outside of the building. Ms. McCormick asked how many cars would be worked on at one time. Mr. Wendel stated that determining the number of cars to be worked on would depend on the damage of each car. He stated that he does not anticipate more than 2 or 3 cars outside of the building and 5 inside of the building. Ms. McCormick asked Mr. Wendel if he is employed by Brunswick Job Corps. Mr. Wendel stated that he is a teacher at Brunswick Job Corps.

Ms. McCormick stated that she has visited Brunswick Job Corps and it is a great facility, but most of their training is on site. Mr. Wendel stated that he got the idea from working at Brunswick Job Corps where he trained several people. He reiterated that over the years he placed more than 150 students in jobs, but none of them have been placed in Glynn County. Chairman Fields stated that he thought it was the applicant's intent to train Job Corps students at the proposed facility. Mr. Wendel replied no, that is not the case. Chairman Fields stated that the impression he was left with last year was that Mr. Wendel would be training Job Corps students. Mr. Wendel explained that he is proposing to have a full board of directors and other instructors; he would not be making all of the decisions. He stated that a lot of the funding would come from the state and from the community. If approved, he is planning to use the same curriculum as the Brunswick Job Corps and his facility would be sanctioned by the state.

Mr. Kaufman wanted to know if this is going to be a profit or non-profit deal. Mr. Wendel stated that he intends to make a living at this. He explained that he is putting a board together, which will consist of Glynn County teachers, ministers and different people who are interested in the proposal. He stated that he does not have all of the answers about finances, GED projects, etc. His board of directors would answer those kinds of questions, but he knows that the facility would be certified by the state.

There was continued discussion about the size of the building, functions of the facility, funding for the school, and future use of the property in the event of unforeseen problems. Afterward, a motion was made by Mr. Jonathan Williams recommending approval of this request with as many stipulations deemed necessary. However, the motion died for lack of a second. A motion was then made by Mr. Robert Ussery recommending denial of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye (in favor of denial): Mr. Jay Kaufman, Ms. Ann McCormick and Mr. Robert Ussery. Voting Nay (against denial): Mr. Perry Fields, Mr. Gary Nevill and Mr. Jonathan Williams. It was noted that with one member being absent, the vote resulted in a tie. Therefore, Chairman Fields stated that this request would be deferred until the next meeting of a full board. (May 4<sup>th</sup> beginning at 6:00 p.m.)

-----

At this time, the Planning Commission took a 15-minute recess. The meeting resumed at 8:05 p.m.

-----

GC-2004-06

Application by Jason Boatwright, agent for Fox Run Properties, LLC, owner, to amend the Planned Development (PD) Text for the Golden Isles Gateway Planned Development to change the specifications (particularly lot size and width) for one-family attached dwellings on property located on the northwest side of Harry Driggers Boulevard and consisting of 23.28 acres, with approximately 800 feet of frontage on Harry Driggers Boulevard. This site is also referred to as Fox Run Phase I.

Mr. Phillip Jackson and Mr. Chris Amos were present for discussion.

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

This site is located within the "Lake Residential" section of the Golden Isles Gateway Planned Development. The Fox Run development consists of Phase I, which is the subject of this, and Phase II. To the north of Phase II is Lexington Place Phase I, which is largely complete, along with Phase II, which is just underway. This proposal would allow one-family attached units, each on a separate lot so that they can be conveyed separately. The Board of Commissioners recently approved an identical change for the planned development text applicable to Phase II.

The county's adopted Comprehensive Plan designates this area for residential use. Fox Run Phase I has received preliminary plat and construction plan approval. A change in the layout of lots will require re-submittal of the preliminary plat. Revised construction plans have been submitted and are under review.

Fox Run and Lexington Place were originally contemplated as a single larger development based along a spine road that passes through the development and provides access. Maintenance of a continuous road is a design priority. There has been discussion of either eliminating the opportunity for through movement or, in the alternative, turning both developments into gated, private street subdivisions. No specific plans have been submitted, but these options will require review and approval by the Planning Commission and the Board of Commissioners. The specific change to allow one-family attached dwellings is not, however, a 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.

**Yes.**

- 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 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.

**No.**

The proposed changes provide for development that is generally consistent with the existing and planned development in the area. The issue of eliminating the through movement on Fox Run Drive will be addressed through the preliminary plat process.

Staff recommends that the revision to the PD Text be approved with the substitution of the correct zoning case referenced in the preamble.

During a brief presentation, Mr. Phillip Jackson explained that originally, these were single-family attached units. For marketing reasons, the owner has decided to sell the individual units. The owner will then come back with the 801 application process. This in turn will coincide with what Phase II was approved for last month.

Mr. Gary Nevill had questions about the text and suggested the following change in the language under *Land Use & Development Standard*: ***“After the lot split, the minimum lot width shall be 45 ft.”*** Mr. Jackson concurred.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request with the change in the preamble regarding the application number, and subject to the change in verbiage for the 45 ft. lot width. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

-----

VP-2004-01

Application by Abbas Vakili for approval of a sign to be located at 599 Beachview Drive, on the northwest side of Beachview Drive at Oak Street between Beachview Drive and Oglethorpe. The sign was reviewed as part of the earlier approval of the site plan in 1995 but is proposed to be changed.

No one was present to represent this request. However, it was determined that this request required no action from the Planning Commission.

-----

PP-2004-0317-1700 Coastal Pines

Application by Wade Carruth, owner, for approval of a revised preliminary plat for property located on the north side of SR 99, approximately 1,500 feet west of its intersection with Canal Road. The project consists of 30 single family lots located on 8.83 acres zoned PDG (Planned Development General - part of the Golden Isles Gateway tract).

Mr. Terry Carter was present for discussion.

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

The Planning Commission reviewed an earlier version of this subdivision, containing eleven lots. This proposal involves a new design, however. The subdivision will be served by public water, sewer and a public street.

Staff has reviewed this proposal but has no significant concerns that cannot be addressed during the construction plan review phase. Staff's recommendation is for approval subject to all comments being addressed in the construction plans.

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

-----  
PP-2004-0318-1630 The Battery

Application by William F. Strother, Jr., owner, for approval of a preliminary plat for property located at the east end of McIntosh Avenue. The property lies approximately 2,500 feet east of Frederica Road. The proposed subdivision consists of 10 lots on 3.949 acres. The property is zoned R-12.

Mr. Bobby Shupe was present for discussion.

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

This particular property is an upland point extending into the marsh. Many of the lots to the west have been developed.

Staff has reviewed this proposal and has no significant concerns that cannot be addressed during the construction plan review phase. Initially, there was a concern about the configuration of the connection with McIntosh Avenue where it enters the property, but it was determined that a suitable turnaround can be provided within the layout envisioned by this plat. Details will need to be resolved during the construction plan review phase. Staff's recommendation is for approval subject to all comments being addressed in the construction plans.

Following review, a motion was made by Mr. Jay Kaufman to approve this request. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Robert Ussery.

-----  
***To avoid a conflict of interest, Chairman Fields passed the gavel to the Vice Chairman and abstained in the discussion of the next agenda item.***

PP-2004-0330-1600 Silver Bluff

Application by Badger Creek Development, LLC, agent for Gas Trak, Inc., owner, for approval of a preliminary plat for property located on the northeast side of Emanuel Church Road, southeast of Ratcliff Road. The property is zoned Forest Agriculture.

Mr. Ray Richard was present for discussion.

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

The proposed subdivision contains 111 lots on 80.56 acres and would be served by individual septic systems, a private central water system and public streets.

This is the fastest growing area of the county based on platting activity during the last few months. While the density and style of development is permitted, some planning consideration should be given to the future needs for schools, parks and open space, road improvements, and other infrastructure that will inevitably be needed to serve the population.

Staff has reviewed this proposal and has no significant comments that cannot be addressed during the construction plan review phase. The Board of Commissioners has granted a variance to the requirement to connect to county water and sewer systems.

Staff's recommendation is for approval subject to comments being addressed in the construction plans.

Following review, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Perry Fields.

-----

*Chairman Fields presided over the remainder of the meeting.*

## MINUTES

### **Regular Meeting: April 6, 2004**

The Minutes of the April 6<sup>th</sup> Planning Commission meeting were approved subject to any necessary corrections.

-----

Under **Staff Items**, Mr. Phillips advised that material pertaining to "prohibition of outdoor advertising signs within Altamaha Historic Scenic Byway" has been included in the packages for information purposes. This material will be discussed at a future meeting.

-----

There being no further business to discuss, the meeting adjourned at 8:35 p.m.