

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

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

ABSENT: Perry Fields

STAFF PRESENT: York Phillips
Paul Andrews, Assistant County Engineer
Mickey Milton, Code Enforcement
Janet Loving, Admin/Recording Secretary

Vice Chairman Robert Ussery called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

Upon a motion made by Mr. Jay Kaufman and seconded by Mr. Gary Nevill, the agenda for the July 20th Planning Commission meeting was approved and unanimously adopted.

GC-2004-08

Consider a request to rezone from R-9 One-Family Residential to Highway Commercial, property located at 4584 New Jesup Highway consisting of approximately 19,000 square feet on the northeast side of New Jesup Highway, 220 feet southeast of its intersection with Park Way, and having 67 feet of frontage on New Jesup Highway. Application by Clara C. Gaetz, Executor of the Estate of Lois B. Chaney.

This request was deferred until later in the meeting pending arrival of a representative.

GC-2004-11

Consider a request to rezone from Forest Agricultural to Limited Industrial, property located at 165 and 171 Petersville Road consisting of 4.1533 acres on the east side of Petersville Road, approximately 800 feet south of its intersection with SR 99, and having 388.21 feet of frontage on Petersville Road. Tony Hutcheson, agent for Tony Hutcheson and Lottie West, owners/applicants.

Mr. Tony Hutcheson and Ms. Lottie West were present for discussion.

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

This area is lightly developed with scattered homes and other rural uses. The property has been used for storage of vehicles and for other uses that resulted in the initiation of an enforcement action. One method for achieving compliance is to change the zoning of the property to allow the uses that are taking place. 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, assuming proper buffers are provided.

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

No, assuming proper buffers are provided.

- 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 character of this area is mixed, but there is likely to be strong pressure for development and redevelopment due to the proximity of the Steamboat City project and the arrival of utilities and road improvements. Care needs to be taken to prevent this area from being affected in such a way as to make development undesirable. This type of use does not have a major impact in a rural area, but would be inconsistent with an urban area. Provision of adequate buffers would reduce the adverse impacts.

Mr. Phillips pointed out that there is pending litigation on this property for a code violation. Mr. Mickey Milton of the Code Enforcement Division will elaborate on the issue at the appropriate time.

Staff's recommendation is for approval subject to provision of adequate buffers being determined by the Planning Commission.

Mr. Ussery wanted to know if a general layout plan had been submitted for the site. Mr. Phillips stated that he is not sure, but a survey has been provided and he has an aerial photo for review.

Mr. Ussery asked if staff knows what the expected use would be for the LI zoning. Mr. Phillips stated that it would be for storage of vehicles.

During a brief presentation, Mr. Tony Hutcheson, applicant, stated that he has operated a wrecker service for over 20 years. He stated that he stores abandoned vehicles on the property until they can be disposed of. He stressed that his operation is not a junkyard and he does not sell automobile parts. He pointed out that the property has a fence around it to prevent anyone from looking in.

Mr. Nevill wanted to know how many vehicles are currently on the property. Mr. Hutcheson stated that there are at least 10 or 15 vehicles stored on the property. He stated that the most vehicles that he's had stored on the property at one time is approximately 150.

Mr. Aspinwall wanted to know if the applicant is requesting to rezone the property due to the county initiating an enforcement procedure against him. Mr. Hutcheson's reply was "not on the cars, but on other stuff."

Mr. Ussery asked if there is anything currently on the property other than the vehicles, such as a residence. Mr. Hutcheson replied no.

Ms. Ann McCormick wanted to know long it takes the applicant to dispose of the vehicles. Mr. Hutcheson stated that he tries to get rid of the vehicles every six months to a year. He explained that he has to have a certain amount for the machine to pick up.

Ms. Lottie West, owner, stated that she has no objection to her brother rezoning the property. She stated that her family was the first white family on Petersville Road and she has lived there since 1957 with no problems. She pointed out that three years ago they installed a 10 to 12 ft. high tin privacy fence. She further stated that the people who are complaining do not live within 200 ft. of the property. Ms. West emphasized that this is her brother's livelihood and it would not interfere with anyone.

Mr. Dan Fisher, representing the Heritage Estates Homeowners Association, stated that the residents are concerned that if the zoning continues to change in the area, their property value would deteriorate. They are asking that this request be denied.

Mr. Mickey Milton, Code Enforcement Supervisor, stated that his office has received several complaints on this particular property. He explained that the citation issued to the applicant is for a zoning violation relative to the use of the property, and there is pending litigation for the front portion of the property.

Following discussion, a motion was made by Mr. Jay Kaufman to recommend denial of this request. The motion was seconded by Mr. Mike Aspinwall. Discussion continued.

Mr. Jonathan Williams expressed concerns about how the Planning Commission's action would affect the outcome of the pending litigation. However, Mr. Phillips advised that it would be difficult to say because the case hasn't gone before the judge yet. Mr. Williams stated that he's just concerned that the judge's ruling could negate the Planning Commission's action and cause them to go through this procedure again. Mr. Milton explained that the Code Enforcement Division allows enough time for citizens to rectify a violation. He stated that there is no litigation on the vehicles at this time.

There being no further discussion, the following vote was taken on the motion for denial: Voting Aye (in favor of denial): Mr. Mike Aspinwall, Mr. Jay Kaufman, Mr. Gary Nevill and Mr. Robert Ussery. Voting Nay (against denial): Ms. Ann McCormick and Mr. Jonathan Williams. The applicant was advised that this request would be forwarded to the Board of Commissioners for final action at their August 19th meeting.

GC-2004-12

Consider a request to rezone from R-6 One-Family Residential to General Residential property located at 1315 Demere Road consisting of 1.06 acres lying on the west side of Demere Road, approximately 120 feet north of its intersection with Wilson Circle, and having 113.34 feet of frontage on Demere Road. Larry Bryson, agent for ANDLOTT, LLC, owner.

Mr. Larry Bryson and Mr. Jeff Anderson were present for discussion.

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

This is a vacant site on the west side of Demere Road with residential to the west and residentially zoned property to the north. A shop building and a convenience store/gas station are located to the south. The site has been considered for a number of proposed developments. The current proposal is to rezone the property to allow a more flexible approach to the development, while keeping the development consistent with the density allowed under the existing R-6 zoning. The site design indicated on the general layout plan shows the ability to provide a buffer along the west side where the project abuts the existing residential development. The county's adopted Comprehensive Plan designates this area for low-density 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, subject to the requested limitation on the number of units.

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

No, subject to the requested limitation on the number of units.

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

Yes, although the shape of the property and the access points available have made it difficult to carry out a practical design.

- 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.

Various arrangements have been tried for the development of this site, but all have had problems. The arrangement depicted in the general layout plan is a practical approach, which makes beneficial use of the property while maintaining a density that is

compatible with the surrounding area. The requested limitation on density should be incorporated as a zoning condition to ensure future development will comply.

Staff's recommendation is for approval subject to the requested limitation of seven (7) dwelling units.

Mr. Larry Bryson gave a brief presentation. He explained that the applicant felt that this would be a good transitional use of the property from the commercial to the R-6 zoning on the north side and the R-6 zoning on the west side of the property. In doing so, they were trying to hold the density down. Also, the applicant has agreed to build an 8 ft. privacy fence on three sides of the property, on the commercial side and on the two residential sides to create a screened buffer. The front of the property is highly vegetative with large Oak Trees. They have pushed the development to the back of the property in order to save the trees on the front and weave the driveway access through the Oak Trees to the development.

Mr. Ussery asked if it is possible to have a street without a cul-de-sac. Mr. Phillips replied that it is possible because the Planning Commission has the authority to grant variances, but it has been the practice to require some form of a turnaround when there are more than two lots accessed by the street. Mr. Ussery asked if the 40 ft. right-of-way would be permitted. Mr. Phillips replied that it would, if the drainage works.

Mr. Joe Lynch, adjacent property owner, was present to speak in favor of this request. He stated that he has seen the plans and thinks that it would work. However, he would like to have a higher fence between his property and the applicant's property. He is also concerned about the drainage. He pointed out that he has a 20 ft. drainage easement in his yard and when there is a hard rain the water drains from the other properties into that 20 ft. easement. So far this has worked, but with more buildings and paving comes more water.

Mr. Jeff Anderson, owner of the property, elaborated on the other types of developments previously proposed for this property. He stated that this development is on a higher scale, and he is trying to avoid having small inexpensive homes built really close together.

Mr. Nevill asked if this development would be a condominium. Mr. Anderson stated that it would be a townhouse development with individual ownership for each unit.

Mr. Richard Altman stated that he and his partner, Mr. Gary Yawn, own the property adjacent to this proposed development. They are opposed to this rezoning and would like for the surrounding area to remain in its current zoning of R-6. He stated that they have been approved to develop an 11-lot subdivision under the R-6 zoning. Mr. Altman further questioned the amount of land space available with the applicant's proposal for emergency vehicles. Mr. Gary Yawn agreed with Mr. Altman's comments and added his concerns about drainage.

Ms. Margie McCray, adjacent property owner, stated that she is neither for nor against this request. But as a neighbor, she would like to protect her interest. She's concerned about the drainage and the traffic impact in the area. Mr. Phillips explained that a 7-unit development would generate approximately 70 trips per day, 10% of which would be during peak hours under normal circumstances. He is just not sure of the peak direction flow on the street in this particular area. He stated that later this year staff would be working with DOT to evaluate traffic capacities. Mr. Phillips stated that the traffic impact in this case would be minimal.

Mr. Bryson explained that he discussed the drainage concerns with Mr. Don Hutchinson of Corps of Engineering. They have maintained a large greenspace area in the front of the property. The intent was to create some retention/holding area. If necessary, they would consider doing an outfall through a small pump station that would run a 2 inch force main down the right-of-way of Demere Road to the large ditch at Skylane Road.

Mr. Ussery commented that he is still not convinced that the applicant couldn't have come up with an R-6 development with some type of variance, rather than rezoning the property.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request subject to the R-6 density requirement limiting 7 units on the tract. The motion was seconded by Ms. Ann McCormick with the stipulation that drainage be addressed; however, Mr. Nevill explained that drainage would be addressed during the site plan review stage. The motion was unanimously adopted.

GC-2004-13

Consider a request to rezone from Highway Commercial to R-9 One-Family Residential, property located at 4439 New Jesup Highway and consisting of approximately 30,200 square feet with 100 feet frontage on New Jesup Highway. Christopher L. & Lesa R. Smith, owners.

Ms. Lesa Smith was present for discussion.

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

This area is largely commercial, with a few remaining homes. In 2003, this property and an adjacent property were zoned from R-9 to HC (GC-2003-18) with the intent of being sold. This has not happened, and in the meantime the current owner wishes to arrange refinancing. Because the residential use is non-conforming, any destruction of the home would prevent it from being rebuilt. The owner seeks to restore the original zoning in order to overcome this situation.

The county's adopted Comprehensive Plan designates this area for commercial 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. The residential use would be less intense than the surrounding commercial uses.

- 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 commercial.

- 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.

Staff asked the applicant if he were interested in Office Commercial zoning that would allow both the house and a commercial use, but he expressed an interest in returning to the original R-9 zoning. In time, this area will be appropriate for redevelopment as the location becomes more desirable for commercial uses. At that point, there will likely be consolidation of some parcels and more intense commercial activities will emerge. Until then, there is no reason to prevent the applicant from pursuing his objectives. 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 Mr. Jay Kaufman to recommend approval of this request. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

GC-2004-14

Consider a request to rezone from Local Commercial to PD-R Planned Development-Residential, property consisting of 2.964 acres lying on the east side of Altama Avenue, approximately 700 feet south of its intersection with Baybridge Road, and having 390.81 feet of frontage on Altama Avenue. The purpose of this application is to expand the existing planned development created by GC-27-99. The resulting development will occupy approximately 8 acres. Chris Amos, agent for Cormac McGarvey, owner.

Mr. Chris Amos was present for discussion.

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

This property is adjacent to property that was rezoned in 1999 and developed for efficiency apartments. To the east is single family residential. To the north and south of this parcel are multi-family residential uses. To the west across Altama Avenue is a shopping center.

The purpose of this request is to amend the existing planned development by adding area and by changing the master plan and text to add units. The units that are proposed are similar in character to the existing units.

The county's adopted Comprehensive Plan designates this area for medium-high density residential uses.

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 medium-high 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 expansion of the existing project will have minimal impact on the community. This site is adjacent to a major activity center within the county, and is suitable for higher density residential uses.

Staff recommends that the rezoning be approved, along with the revised master plan and the revised planned development text.

Mr. Nevill stated that there is a 20 ft. buffer on the backside of the property but it doesn't appear to be in the text. Mr. Chris Amos stated that there was a buffer on the initial phase of the project and the intent is to maintain the same buffer of 20 ft.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request subject to changing the minimum rear setback to a 20 ft. landscaped buffer. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

GC-2004-15

Consider a request to rezone Forest Agricultural to General Residential, property consisting of 0.16 acres lying west of W.O.W. Camp Road, approximately 150 feet south of the end of W.O.W. Camp Road. Nathan Boudreaux, owner.

Mr. Ray Richard was present for discussion.

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

This is a rural area with scattered residential uses. The adjoining property was rezoned to General Residential in 2002 for the purpose of developing a small project of duplex dwellings. After the project was designed, it was determined that additional area would be required to meet the Board of Health regulations, resulting in the current application.

The county's adopted Comprehensive Plan designates this area for low density residential.

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 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.

This proposal is consistent with the change that was approved in 2002, and will not have an adverse impact on the community. 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 Mr. Jay Kaufman to recommend approval of this request. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

GC-2004-16

Consider a request to amend the Planned Development Master Plan and Planned Development Text for the Golden Isles Gateway Planned Development on property consisting of approximately 390 acres lying generally south of SR 99 (approximately 1,700 feet south of SR 99) east of Chanslor Road, and having approximately 1,800 feet of frontage on Chanslor Road. The property is contiguous to the property involved in case #GC-2004-17. James D. Benefield, III, agent for Sustainable Forest, LLC (d/b/a International Paper Realty Corp), owner.

Messrs. James Benefield, Ray Richard and Terry Driggers were present for discussion.

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

This site is part of the Golden Isles Gateway Planned Development originally approved in 1994, and designated for Long Term Timber Management uses. This request would change the designation to Residential and create a new residential area identified as "R-11." The proposal would also amend the planned development text to change the overall number of units in the planned development and to establish the densities for development within the newly designated R-11 area.

There are larger residential developments to the east and south, with sparse rural development to the west. To the north along SR 99 are planned developments that were approved in 2003. To the south is a closed Glynn County Landfill. This project can be served by utilities that are being extended along SR 99.

The county's adopted Comprehensive Plan designates this area for "Agriculture/Forestry" and for "Undeveloped/Unused."

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 "Agriculture/Forestry" and for "Undeveloped/Unused."

- 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.

When the original Golden Isles Gateway project was approved in 1994, certain areas were designated as “Long Term Timber Management” use, in effect holding them out for future development. An amendment in 2000 established the PAWS district as part of the development and removed a substantial area from the Long Term Timber Management designation. This proposal changes the balance of the area to residential and increases the number of units correspondingly.

This change reflects the pattern of growth in the area and the imminent availability of utilities to support that development. Staff’s recommendation is for approval.

Ms. Kennellyn Cowman of 164 Old Cate Road expressed concerns about traffic, along with a very sharp curb near her residence, which she described as being a very dangerous traffic hazard. She also stated that she has not seen the plans for this particular development but she does not want a mobile home park in the area. Mr. Richard assured Ms. Cowman that this would not be a mobile home development. Their intent is to construct stick built houses. He also explained that Mr. Driggers recognized the traffic problems and the sharp curb near Ms. Cowman’s residence, which is why he purchased additional property across the road to redesign a new intersection. This would be away from Ms. Cowman’s property. He intends to take out the sharp curb and install a stop sign.

Ms. Theresa Roberts and Ms. Carol Griner, adjacent property owners, also expressed concerns about traffic and agreed with Ms. Cowman about the dangerous sharp curb. They further stated that they would like to have seen the developer’s plans for the area. Mr. Richard and Mr. Driggers agreed to meet with the neighbors and allow them to review the site plan in an effort to satisfy their concerns.

Mr. Jay Kaufman and Mr. Jonathan Williams both attested to the character of Mr. Driggers, the excellence of his projects, and his ability to go the extra mile to resolve issues to everyone’s satisfaction.

Following discussion, a motion was made by Mr. Jay Kaufman to recommend that the proposed amendments to the PD Master Plan and Text for the Golden Isles Gateway Planned Development be approved. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

GC-2004-17

Consider a request to amend the Planned Development Master Plan and Planned Development Text for the Golden Isles Gateway Planned Development (Planned Development-General) on property consisting of 148.751 acres lying generally along Pritchard Island Road, northwest of its intersection with Old Cate Road. The property is contiguous to the property involved in case GC-2004-16. Driggers Construction Company, owner.

Mr. Ray Richard and Mr. Terry Driggers were present for discussion.

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

This site is part of the Golden Isles Gateway Planned Development originally approved in 1994, and designated for Long Term Timber Management uses. This request would change the designation to Residential and create a new residential area identified as “R-11.” The proposal would also amend the planned development text to change the overall number of units in the planned development and to establish the densities for development within the newly designated R-11 area.

There are larger residential developments to the northeast and to south. To the west is a closed Glynn County Landfill. The site is accessed from Old Cate Road located in the southeast corner.

The county’s adopted Comprehensive Plan designates this area for “Agriculture/Forestry” and for “Undeveloped/Unused.”

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 “Agriculture/Forestry” and for “Undeveloped/Unused.”

- 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.

When the original Golden Isles Gateway project was approved in 1994, certain areas were designated as “Long Term Timber Management” use, in effect holding them out for future development. An amendment in 2000 established the PAWS district as part of the development and removed a substantial area from the Long Term Timber Management designation. This proposal changes the balance of the area to residential and increases the number of units correspondingly.

This change reflects the pattern of growth in the area and the imminent availability of utilities to support that development. Staff’s recommendation is for approval.

Following review, a motion was made by Ms. Ann McCormick to recommend that the proposed amendments to the PD master plan and text for the Golden Isles Gateway Planned Development be approved. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

PP-2004-0520-1415 The Lakes, Phases II & III

Application by Sundown Properties, owner, for approval of a preliminary plat for property located approximately one mile west of US 82 and 800 feet north of Baumgartner Road. The project is adjacent to The Lakes, Phase I and consists of 132 single-family lots on approximately 125 acres, and will be served by a private central water system and individual septic tanks, with public streets. The property is zoned Forest Agriculture.

Mr. Ron Sluder was present for discussion.

Staff has reviewed this proposed preliminary plat and has no significant comments that cannot be addressed during the construction plan review phase. Therefore, staff's recommendation is for approval subject to meeting all requirements.

Mr. Nevill asked if there are any bar pits on the property. Mr. Sluder stated that there was an open permit on the first phase and the bar pits were made into lakes, but that does not affect the second or third phase. Mr. Nevill stated that the preliminary plat indicates a 25 ft. setback from wetlands for drain fields and septic tanks. However, the state requirement is 50 ft. Mr. Sluder stated that he was not aware of that requirement but he would make the correction known on the final plat.

Following discussion, a motion was made by Mr. Gary Nevill to approve this request subject to changing the setback requirement for drain fields and septic tanks to 50 ft. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

PP-2004-0618-0945 Carriage Gate Plantation

Application by Driggers Homes, Inc., owner, for approval of a preliminary plat for property located on the north side of Harry Driggers Boulevard approximately two miles west of its intersection with US 17. The project consists of 203 single-family lots on 119.839 acres, and will be served by Glynn County Water & Sewer, and by public streets. The property is zoned Planned Development-General and is part of the Golden Isles Gateway Tract.

Mr. Terry Driggers and Mr. Ray Richard were present for discussion.

Staff has reviewed this proposed preliminary plat and has no significant comments that cannot be addressed during the construction plan review phase. Therefore, staff's recommendation is for approval subject to meeting all requirements.

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

PP-2004-0625-1240 Palmetto Bluff (formerly Laurel Marsh)

Application by Richard McKinna Investments, LLC, owner, for approval of a preliminary plat for property located on the north side of Buck Swamp Road approximately 9/10 mile west of its intersection with Meyers Hill Road. The project consists of 34 single-family lots on 30.617 acres, and will be served by a private central water system, individual septic tanks, and private streets. The property is zoned Forest Agriculture.

Mr. Ray Richard was present for discussion.

According to the staff's report, this property has 2 out parcels that will not be included in the subdivision. These lots will, however, be served by the private central water system serving the subdivision.

Staff has reviewed this proposed preliminary plat and has no significant comments that cannot be addressed during the construction plan review phase. Therefore, staff's recommendation is for approval subject to meeting all requirements.

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. Mike Aspinwall, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Gary Nevill.

Request to Vacate Minor Plat

(Lots 552-554 Oak Grove Island/MP-2004-0402-1215) The purpose of this action is to correct features of the plat so that it may be recorded with the correct information.

Mr. Bobby Shupe was present for discussion.

According to the staff's report, this is a request to vacate a recently approved minor plat. After the plat was recorded, it was discovered that there was a duplication of a lot number. Staff discussed several options for correcting the problem, but the cleanest is to vacate the plat and record a corrected plat. Staff's recommendation is for approval.

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

SP-2004-0621-1145 Limeburn Condominiums

Application by Tony Thaw, owner, for the approval of a site plan for property located on the east side of Rice Mill Road, approximately 500 feet southwest of its intersection with Hampton River Club Marina Drive. The property is zoned Planned Development and is located within the Hampton Plantation Planned Development. The project consists of 57 condominium units located on 8.226 acres.

Mr. Joe Combs was present for discussion.

According to the staff's report, the land use and density are consistent with the approved planned development for Hampton Plantation.

Staff has reviewed the proposed plan and finds no significant issues. Technical comments can be resolved during the building permit site plan review process. Therefore, staff's recommendation is for approval subject to meeting all requirements.

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

It was noted that no one arrived to represent Agenda Item #1 (*GC-2004-08*). Therefore, a motion was made by Mr. Jay Kaufman, seconded by Mr. Gary Nevill and unanimously adopted to defer this request until the August 3rd Planning Commission meeting beginning at 6:00 p.m.

MINUTES

Regular Meeting: July 6, 2004

The Minutes of the July 6th Planning Commission meeting were approved and unanimously adopted subject to any necessary corrections.

STAFF ITEMS

a) Definition of "Hotel"

The following text amendment derived from discussion at the July 6th Planning Commission meeting.

1) Definition of Sleeping Room

Sleeping Room

A room within a hotel suite or hotel unit principally designed to provide sleeping accommodations, and usually having a separate bathroom. A room not principally designed for sleeping which incidentally can be used for sleeping (such as a living room with a sofa-bed or cot) shall not be considered as a sleeping room unless there are no sleeping rooms associated with the suite or unit.

2) Change density in RR (Resort Residential) to read as follows:

705.4 Other Requirements.

1) Maximum Density:

Motel, hotel or other transient residences:	35 units sleeping rooms /acre
Other uses:	16 units/acre

Following a brief discussion, staff was advised to advertise the above text amendment for Public Hearing at the August 17th Planning Commission meeting.

b) Minimum size for PD Zoning

The following text amendment was included in the packages for the Planning Commission's review:

723.2 Eligibility Requirements.

- 1) ~~The site utilized for Planned Development must contain an area of not less than three (3) acres.~~
- 2) ~~The site must have a minimum width between any two opposite boundary lines of three hundred (300) linear feet and must adjoin or have direct access to at least one major thoroughfare as shown on the Official Zoning Map.~~
- 3) The area proposed shall be in one ownership, or if in several ownerships, the application for amendment to the Zoning Ordinance shall be filed jointly by all of the owners of the properties included in the plan.

Following a brief discussion, staff was advised to advertise the above text amendment for Public Hearing at the August 17th Planning Commission meeting.

c) Ordinance Amendments Requested by Board of Appeals

The Zoning Board of Appeals discussed amendments designed to 1) improve notice to neighboring property owners within 200 ft. of property involved in the variance request; and 2) to facilitate an expedited process for certain types of variances (prompted by recent requests from closing attorneys).

Mr. Phillips presented the proposed amendment to *Section 1008 (Public Hearings on Appeals)* and a general discussion followed. Afterward, staff was advised to advertise the amendment for Public Hearing at the August 17th Planning Commission meeting.

There being no further business to discuss, the meeting adjourned at 8:20 p.m.