

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
SEPTEMBER 13, 1994 9:00 A.M.

MEMBERS PRESENT: Jack Kite, Vice Chairman
Robert Fell
Glenda Jones
Lee Noel
Richard Parker
Wayne Stewart

ABSENT: Jerome Clark

STAFF PRESENT: Dan Reuter, Planning Official
Larry Taylor, Planning & Development
Deborah Taylor, Zoning Administrator
Jennifer Detloff, Planner
Janet Loving, Administrative Secretary

Vice Chairman Jack Kite called the meeting to order and the invocation was given. He then welcomed Mr. Wayne Stewart back as a member of the Glynn County Planning Commission.

Election of Chairman

Mr. Kite explained that although there is still one member absent, he thinks it is time to elect a Planning Commission Chairman for the remainder of 1994. Mr. Kite stated this election was postponed several times because not all members were present. Mr. Richard Parker made a motion that nominations for Chairman be open and thereupon nominated Mr. Wayne Stewart to serve as Chairman for the remaining year of 1994. The motion was seconded by Ms. Glenda Jones. Voting Aye: Mr. Robert Fell, Ms. Glenda Jones, Mr. Lee Noel and Mr. Richard Parker. A motion was then made and seconded that nominations be closed. Mr. Wayne Stewart will serve as Chairman of the Glynn County Planning Commission for the remainder of 1994.

**Site Plan Approval
Ocean Forest Golf Club
8.2 Acres, Zoned Resort Residential,
Located at the north end of Sea Island
Sea Island Company, Developer.**

Attorney Jim Gilbert, Mr. Bill Edenfield and Mr. Jim Benefield were present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this plan meets all the requirements for site plan approval for a Golf Course Club House Facility as a conditional use located in a Resort Residential Zoning District. He stated that according to Section 705.3 of the Glynn County Zoning Ordinance, this use is permitted as being connected with or incidental

to the permitted use for a resort activity. He stated that the site plan is for an 18,000 square foot private club facility consisting of 92 parking spaces and private street access. Mr. Taylor stated staff has reviewed the plans and has determined that all access drives and parking are adequate for the proposed use.

Mr. Taylor explained that the developer has proposed street improvements to the intersection of Sea Island Drive, Oglethorpe Drive and the entrance to the facility. He stated staff has reviewed the street improvements and has approved the design as an improvement to the traffic safety and circulation. He stated that this entrance will be a major entrance to future development and the County Engineer feels these improvements would be necessary to improve traffic congestion at this intersection. He stated drainage has also been approved by the County Engineer.

Mr. Taylor stated that the plan has been reviewed by the Water and Sewer Department as a private water and sewer system and has been approved as submitted. He further stated that the Water and Sewer Department has requested that all work follow the Manual for Standard Construction Practices for Water and Sewer Construction.

Mr. Taylor pointed out that the Soil Erosion and Sedimentation Control Permit has been issued for the site and staff has reviewed and approved the site as meeting the Beach and Dune Development Setbacks. Mr. Taylor stated staff recommends approval of this site plan.

Following review, a motion was made by Ms. Glenda Jones to approve the Site Plan of Ocean Forest Golf Club. The motion was seconded by Mr. Lee Noel and unanimously adopted.

**Preliminary Plat Approval
Oak Forest Subdivision
56.29 Acres, Zoned Medium Residential,
201 Single-Family Residential Lots,
Located off Brockington Dr., St. Simons.**

**Property owned by Lou Neil Gibson, Arthur
and Nancy Pittman.**

Attorney Jim Bishop, Mr. Arthur Pittman and Mr. Ralph Lackey were present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this plat meets all the requirements for a single-family subdivision consisting of 201 lots. He stated that the property is zoned Medium Residential which allows multi-family development at a density of 6,000 square feet. The owner has requested approval of a single-family development on lots with an average size of 9,000 square feet.

Mr. Taylor presented a letter from the County Engineer recommending approval subject to the condition that the ditch be piped or have a larger easement. He stated that construction has been reviewed by county staff and by the Water & Sewer Department and the plan has been revised to meet staff's recommendations. However, the County Engineer and the Water & Sewer Department have not yet approved the revised plan. Mr. Taylor stated the plan has also been reviewed by the Soil Conservation Service and all local utility companies have been made aware of the development.

Mr. Taylor explained that the Marsh Upland Boundary Line, as established by the Department of Natural Resources, will be shown on the final plat along with a 26 ft. buffer along the marsh unless a variance is obtained from the State Department of Water Quality. He stated staff recommends approval of the preliminary plat subject to the following conditions:

1. Developer to satisfy conditions required by both the County Engineer and the Water and Sewer Department and receive final sign off by both before the preliminary plat is considered approved and any construction begins.
2. Developer to consider enlarging the seven (7) lots backing up to Demere Road and provide a 25 ft. undisturbed buffer along Demere Road. This undisturbed buffer would become a reserved area for future road right-of-way, if and when improvements to Demere Road are required which would result in a need for additional right-of-way. This reserved area to be shown on the final plat along with a statement that "no access will be allowed from these lots onto Demere Road".
3. Developer to provide a 10 ft. undisturbed buffer at the rear of all lots backing up to Brockinton Drive. No access will be allowed from these lots onto Brockinton Drive. This buffer is to be shown on the final plat along with a note stating no access will be allowed onto Brockinton Drive.
4. All wetlands will be delineated on the final plat as per the Army Corps of Engineers and any filling of wetlands for roads to be dedicated to the county will require the developer to obtain written approval or a 404 Permit from the Army Corps of Engineers.

Mr. Frank Quinby expressed concern regarding water and sewer usage. He stated if this development is approved without county sewer what happens if there is not enough water to service the lots. Chairman Wayne Stewart thanked Mr. Quinby for his remarks. Attorney Jim Bishop explained that the lots would be developed over a period of time.

Dr. Allen Delevett, property owner, also had questions regarding water and sewer. Chairman Stewart stated that the developers have made application to the St. Simons Water and Sewer Department. Dr. Delevett stated he has lived in the area for approximately 17 years, and over the years he has heard that the aquifer is diminishing. He wanted to know if there were plans to provide water. Dr. Delevett stated water and sewer demand should be considered before the development is approved. He further stated that a 200 house development would increase traffic problems, and therefore he is strongly opposed to this request. Dr. Delevett stated St. Simons is where people live and the island is meant to be a tourist attraction; however, "we are losing the identity of the island". There was a suggestion from the floor to make some of the streets in the area one-way in an effort to alleviate some of the traffic problems.

Dr. Ellis Brewster, Brockinton Drive resident, had questions regarding the setback requirements and whether or not there would be an infringement to the entrance on Brockinton Drive. Mr. Taylor stated staff had those same concerns and that is why staff proposed the 10 ft. undisturbed buffer from the edge of the property line.

Following review, a motion was made by Mr. Richard Parker to approve this request subject

to the conditions stated by staff. The motion was seconded by Ms. Glenda Jones. Further discussion ensued. Mr. Lee Noel expressed concerns regarding water and sewer. Mr. Taylor explained that the Water and Sewer Department gave the developer a deficiency report and the developer revised the plan to meet all requirements; however, the Water and Sewer Department has not approved the revised plan at this time.

Mr. Robert Fell expressed concern regarding maintenance and disappearance of buffers. Attorney Jim Bishop stated that a restrictive covenant would be entered to provide ample protection and ensure that the buffers remain in place.

Mr. Lee Noel had further questions regarding water and sewer. He stated the public has a right to have the Planning Commission "air these conditions" and he urged the Commission to reserve approval of this request until there is an agreement between the Water and Sewer Department and the developer. Mr. Taylor pointed out that the Water and Sewer Department is reviewing the project's engineering design and not the capacity of the department to provide service.

Following discussion, the vote was taken. Voting Aye: Ms. Glenda Jones, Mr. Jack Kite, Mr. Richard Parker and Mr. Wayne Stewart. Voting Nay: Mr. Robert Fell and Mr. Lee Noel.

Review plans of an addition to a single-family residence located at 513 Beachview Drive, St. Simons Island as to conformance with the St. Simons Village Preservation Ordinance, Section 709 of the Glynn County Zoning Ord.

**Property owned by Monroe Carter;
Larry L. Bryson, Architect.**

Mr. Larry Bryson was present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this request is for an addition to the second floor over the portion of the house that now exists as one-story. He stated that the footprint and building height of the house will not change, no trees will be removed from the site and the exterior will be tabby. He stated that exterior windows will be up-graded but will be a compatible style to the original.

Mr. Taylor stated staff has reviewed the plan and finds the architectural, exterior finishing and changes to be appropriate and compatible with the Village Area, and therefore recommends approval of this request.

Following review, a motion was made by Mr. Lee Noel to approve this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-22-94

Request to Rezone from Forest Agricultural to Highway Commercial, a 0.77 acre tract located on the south side of Georgia Highway 99 (359.53 ft. of frontage), beginning approximately 250 ft. east of Highway 341.

Mr. Joe L. Hale, Sr., property owner, was present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone a 0.77 acre tract of land to Highway Commercial. The property owner does not have a proposed use for the subject property; however, he is seeking to rezone the property to enable him to rent or lease the vacant tract of land. The property owner has also submitted a document showing all the surrounding commercial land uses.

Mr. Taylor pointed out that there have been several rezonings within this area. For a distance of approximately 2,500 feet along Georgia Highway 99, east of U. S. Highway 341 and west of the Georgia Power Easement, there have been seven rezonings since 1976. Immediately west of the subject property is the site of a convenience store. This property was rezoned to Highway Commercial in 1976. Immediately north are two tracts of land that were rezoned to Highway Commercial in 1985 and 1987.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

This use would be suitable considering the fact that this is the intersection of two major highways and based on other commercial in the area.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

Should not adversely affect adjacent properties.

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

Zoned Forest Agricultural but has limited use and would not be desirable for residential use.

4. 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;

Due to small size, would have very little or no effect.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

The zoning is in conformance with the Comprehensive Plan, to encourage commercial in nodes such as this intersection.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

Mr. Taylor stated staff recommends approval of this request, subject to the following conditions:

1. Before any development occurs and before any permits are issued, the developer would have to obtain all necessary commercial driveway permits from the Georgia Department of Transportation for access onto State Highway 99.
2. The developer would be required to meet the requirements of Section 613. Landscaped Buffer Strip, of the Glynn County Zoning Ordinance.

Following discussion, a motion was made by Mr. Robert Fell to recommend approval of this request. The motion was seconded by Mr. Lee Noel and unanimously adopted.

GC-23-94

Request to Rezone two tracts of land consisting of a total of 2.64 Acres, as follows:

Tract A: (shown on survey as Parcel D-1) Rezone from R-20 One-Family Residential to Highway Commercial, 20,020 square feet located on the southeast corner of U.S. Highway 17 (frontage of 200.44 feet) and Stuart/Stewart Road (frontage of 107.20 feet).

Tract B: (shown on survey as Parcel D-2) - Rezone from R-20 One-Family Residential to M-20 One-Family Residential Manufactured Home, 2.18 Acres lying immediately east of Tract A, having frontage of 455.46 feet on the south side of Stuart/Stewart Road and located on the west side of Old Belle Point Road (frontage of 204.26 feet).

James W. Drake, Jr. and Marion G. Drake, property owners, were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone two tracts of land beginning at the corner of U.S. Highway 17 and Stewart/Stuart Road. Tract A, located on the corner, is being requested to be rezoned to Highway Commercial in order to allow a bakery/restaurant. Mr. Taylor stated that along this section of U. S. Highway 17 there have been numerous rezonings to Highway Commercial since 1966. The property lying to the north of this tract was rezoned to Highway Commercial in 1966. Approximately 200 feet southwest is a tract of land that was rezoned to Highway Commercial in 1986, and approximately 200 feet south is a tract that was rezoned to Highway Commercial in 1973.

Mr. Taylor stated that Tract B, located immediately east of Tract A, is being requested to be rezoned to M-20 One-Family Residential to allow the location of a manufactured home. He stated there has only been one rezoning to M-20 within the area, located approximately 200 feet to the north, granted in 1982.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Tract A - Nearby properties are mostly commercial to the south with several commercial sites north. The proposed commercial site should be suitable.

Tract B - Nearby residential properties to the west are mostly site-built homes. A manufactured home would be suitable for the property, if buffered from the site-built homes.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

Should have no effect on adjacent properties if all requirements of the Zoning Ordinance are met.

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

Yes, but existing house has lost considerable residential desirability due to Highway 17 road improvements taking a large portion of the front yard.

4. 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;

Tract A - No, but access to Highway 17 would need a commercial driveway permit meeting all Department of Transportation requirements.

Tract B - Should have no effect.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Yes, shown as commercial on the land use map.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

Tract A - Change of use of existing residence to commercial due to its close location to Highway 17 after the highway improvements.

Tract B - None that we are aware of, except the rezoning that was approved in 1982.

Mr. Taylor stated staff recommends approval of Tract A to Highway Commercial. This would be a logical extension of commercial use and would be compatible with other commercial uses in the area. He stated that if Tract B remains in the same ownership as Tract A and is used as the location of a family residence for the owner, buffer requirements should be met between Tract A and Tract B to be at the decision of the owner. If ownership of Tract A and Tract B differ, Tract A will be required to buffer the commercial use from Tract B, as per Section 613. "Landscaped Buffer Strip".

Mr. Taylor further stated that Tract A should also be required to meet the following conditions:

1. The existing structure can be converted to commercial use as a non-conforming use but must meet all the requirements of Section 607 "Non-Conforming Uses" of the Glynn County Zoning Ordinance;
2. Access and parking to be approved by the County Engineer and will require a commercial driveway permit from Highway 17, from Georgia Department of Transportation; and
3. The commercial use will be required to meet all the requirements of Section 611. "Off-Street Automobile Parking Requirements".

Mr. Taylor stated staff recommends approval of Tract B to Manufactured Home, subject to conditions. If Tract B is developed for manufactured home, the following conditions will apply in order to lessen the adverse affect of manufactured housing on the site-built homes to the west:

1. No driveway access will be allowed along Old Belle Point Road or within 200 feet of Old Belle Point Road along Stewart/Stuart Road;
2. A 200 foot buffer running west from Belle Point Road along Stewart/Stuart Road to be maintained, in which no manufactured home can be located. However, the property owner would be allowed to subdivide the property to allow the construction of a site-built home on the 200 x 204.06 area;
3. The manufactured home must meet all the requirements of Section 702.5 11) to assure visual compatibility with site-built homes in the area. This would also require a solid fence or planting screen as a visual screen from Old Belle Point Road.

Mr. Taylor stated staff would also like to point out that instead of condition number 2 stated above, the Planning Commission may wish to recommend that the property owner subdivide Tract B at this time and only rezone a portion of the tract.

Mrs. Drake gave a brief presentation. She stated she is willing to work with staff and with her neighbors. She stated she intends to install a privacy fence and will continue to upgrade the area. She stated she is concerned about her neighborhood and promises to maintain the upkeep of the property.

There were several property owners present to oppose this request. Everyone was given an opportunity to state their concerns.

Mr. Charles Thrower, adjacent property owner, presented a petition consisting of 16 signatures of citizens opposed to this request. The petition states that "a manufactured home will violate the integrity of the neighborhood and ultimately reduce property values in the area." Mr. Thrower stated he has lived in the area since 1970. He stated he has nothing against the commercial business up front; however, he does not want to see mobile homes in his neighborhood.

Mr. Jim Jordan, property owner, agreed with Mr. Thrower. He stated the area is a traditional neighborhood with site-built homes and should remain as such. He asked the Planning Commission to deny the Tract B request. Also opposed to the Tract B request were Mr. Ralph Denty, Mr. Tom Walker, Ms. Betty Kennedy and Mr. Tony Blunt. Mrs. Drake pointed out that the request would only be temporary. She stated she intends to build a house on the property.

Following discussion, a motion was made by Mr. Lee Noel to recommend approval of Tract A (Rezone from R-20 One-Family Residential to Highway Commercial) with the conditions stated by staff. The motion was seconded by Mr. Jack Kite and unanimously adopted. A motion was made by Mr. Lee Noel to recommend denial of Tract B (Rezone from R-20 One-Family Residential to M-20 One-Family Residential Manufactured Home). The motion was seconded by Mr. Jack Kite and unanimously adopted.

GC-24-94

Request to Rezone from MR Medium Residential to PC Planned Commercial, 2.535 Acres fronting on the south side of Demere Road (248.81 feet of frontage), approximately 2,926 feet west of Retreat Road and approximately 500 feet east of Mary Wan Road, St. Simons Island.

Property owned by Palm Coast Associates.

Mr. Paul Sanders, president of Palm Coast Associates, was present to represent this request. Mr. Sanders stated that he wanted to know if there was anyone else present representing the county on this item. Attorney Jim Gilbert stated that he was hired by Glynn County Attorney Gary Moore to represent the county in the lawsuit concerning this item. Chairman Stewart stated he was not aware of a lawsuit and he feels the matter should be deferred until the County Attorney is present; however, Mr. Taylor explained that this matter has been to court on prior occasions and at the preliminary hearing, Superior Court Judge Amanda Williams instructed the county and the developer to try and negotiate a settlement, and therefore, the request has to be presented to the Planning Commission for review. Attorney Gilbert elaborated on the subject. He stressed that he is not present in any official capacity for this request; he is only present as an observer.

Mr. Lee Noel had questions regarding the settlement agreement. Attorney Gilbert explained that there is not a "fait accompli" or a written settlement agreement. He stated they were instructed by the Judge to negotiate a settlement before she set a court date. At this point, Mr. Taylor stated that before Mr. Gilbert "oversteps his bounds," he would explain the zoning history of the property. He then presented the staff's report.

Mr. Taylor stated that this request is to rezone a 2.5 acre tract located on the south side of Demere Road, approximately 850 feet west of Demere Village and approximately 750 feet east of Charter Medical Hospital. Directly across Demere Road is the entrance to Brockinton Plantation. He explained that the zoning history of this property began in 1988 at which time the property owner, Wilma Castellio (Paul Sanders, Agent), submitted a request to rezone from Forest Agricultural to Local Commercial. The County Commission denied the request on January 3, 1989. Mr. Taylor stated that in 1990, this matter went before the United States District Court for the Southern District of Georgia, Court Order CV288-274. At that time, the Plaintiffs, Palm Coast Associates, and the Defendants, Glynn County, agreed that "Forest Agricultural is not an appropriate zoning classification and the Defendant shall rezone the subject property to a zoning classification which is not clearly arbitrary and capricious."

Mr. Taylor explained that the applicant then filed an application in April, 1990 (GC-8-90) to rezone the subject property from Forest Agricultural to Planned Commercial. The County Commission's action at that time was to deny the application for the following reasons: 1) would be non-conforming according to the Master Plan; 2) extreme problems on Demere Road; 3) history of the Jewtown neighborhood; 4) applicant's failure to meet setback standards for Planned Commercial; 5) no proposed buffers; 6) hazardous materials involved in a residential neighborhood; and 7) would not be compatible with the surrounding area.

Mr. Taylor stated that in June, 1990, a rezoning was then initiated by the County Commission in response to Court Order CV288-274. The applicant, Palm Coast Associates, opposed the rezoning classification because he felt it was not a reasonable economic use of the property. However, the County Commission adopted a motion to rezone the subject property to Medium Residential in accordance with the Glynn County Comprehensive Plan and Zoning Ordinance, as recommended by the Planning Commission and county staff.

Mr. Taylor stated that in January 1993, an application was filed by Palm Coast Associates to rezone the property from Medium Residential to Planned Commercial. At that time, a motion was made by the County Commission to deny the request, but failed to receive the four votes necessary for adoption. No further action was taken by the County Commission.

Mr. Taylor stated that the property to the east is zoned Planned Commercial (rezoned in 1992) which allows a retail nursery, west of the property is Planned Development zoning and there are several parcels within this area along the south side of Demere Road that are zoned Forest Agricultural. He stated that the Glynn County Future Land Use Map in the Comprehensive Plan designates this area to be medium density residential. However, the plan, in anticipation of a changing environment and needs, contains a policy that directs any change in zoning classification on this section of Demere Road from residential to commercial to be done under a Planned Commercial or Planned Development classification. Planned Commercial allows commercial development to proceed but minimizes adverse impacts to the existing residential neighborhood. He explained that at this time, the applicant is requesting a zoning change from Medium Residential to Planned Commercial. The Zoning Text submitted, dated August 5, 1994, outlines the following as permitted uses:

1. Business involving the rendering of a personal service;
2. Retail and wholesale business with the exception of a bar, restaurant, grocery store, gas station, liquor store or movie theater;

3. Public utility installation or other essential service;
4. Office building or office for governmental, business, professional or general purposes; and
5. Accessory in compliance with the provisions of Section 609.3.

Mr. Taylor stated that in reviewing this request, staff found two changes from the 1993 request. One of the changes addressed under Land Use Development Standards is Setbacks and also the Buffer along Demere Road. He pointed out that the 1993 request stated "50 ft. landscape buffer setback area along Demere Road"; however, the current request states 25 ft. natural buffer setback area along Demere Road and the plan shows a 25 ft. setback with an additional 25 ft. natural buffer in which all trees are to remain. Also, the following has been added under this section: "All exterior lighting shall be designed so as to have no direct lighting in the direction of Demere Road."

As outlined in the Zoning Text, Mr. Taylor stated ingress and egress into and from this tract will be developed in accordance with the Georgia Department of Transportation standards, the Glynn County Engineer and the Glynn County Traffic Safety Engineer. He stated that when the request was submitted in 1990 the Planning Commission and staff recommended that this site and the adjoining site to the west, Mr. Hart's property, be served by only one common entrance and exit driveway with traffic lane improvements on Demere Road, as recommended by the County Engineer and the County Traffic Safety Engineer.

Mr. Taylor stated that due to the site's close proximity to the Brockinton entrance and the existing traffic counts on this section of Demere Road, staff feels that an approval of this request should have the condition that the entrance to this site be in line with the Brockinton entrance across Demere Road and be designed to the recommendations of the County Engineer and the County Traffic Safety Engineer. Staff also feels that the design should be such as to accommodate a shared entrance and exit for this site as well as the adjoining Planned Commercial site. He further stated staff feels the county should recommend, when feasible, that a shared entrance and exit be considered if there are any changes in the design of the adjoining site. He stated staff has discussed this matter with Mr. Hal Hart, the adjoining property owner, and Mr. Hart has agreed to work with the developer to achieve this requirement.

Mr. Taylor pointed out that during review of the 1993 request, staff felt that the permitted uses should be limited because the public health, safety and general welfare would be at risk by allowing uses that would significantly increase traffic and turning movements onto Demere Road, and that the residential area nearby could be adversely affected by certain commercial uses. The uses staff felt should be excluded are restaurants, bars or drinking establishments, gas or automobile service stations, grocery stores, liquor stores and movie theaters. The applicant followed staff's recommendation at that time and eliminated all of the above as permitted uses for the site. The Zoning Text submitted at this time is still in line with the permitted uses stated in the 1993 request and still excludes the above uses.

Mr. Taylor stated that as in 1993, staff feels the Zoning Text and Project Site Plan meet the requirements for Planned Commercial. The restricted permitted uses as outlined should be compatible with the surrounding area and should minimize impact on the residential area and traffic on Demere Road.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Nearly 70% of the frontage between Sea Island Road and Frederica Road along this south side section of Demere Road, is devoted to business and non-residential uses. With proper buffering the proposal would be suitable.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

Should have no adverse affect to existing use of adjacent properties with the buffers proposed.

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

The current zoning of the property is Medium Residential which allows a maximum density of 16 units per acre (40 units allowed) and could be reasonable economic use but very limited when considering availability of county water and sewer, the physical size and location of the property, development cost in relation to the number of units, and current market trends.

4. 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;

Commercial development would certainly cause an increased burdensome use on Demere Road as far as traffic turning movements, but the comparison to a 40 unit apartment development would result in almost the same turning movements per the Trip Generation Manual (40 unit apartment, 240 to 320 car trips/day compared to 9,000 sq. ft. office, 350 to 380 car trips/day).

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

The Future Land Use Map of the Comprehensive Plan shows this area as Medium Density Urban. The Comprehensive Plan refers to the possibility of future commercial development on the Demere Road corridor to be Planned Commercial in order for conditions to be placed on such zoning to comply with the Comprehensive Plan as close as possible.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

It was noted that a summary of points from the Glynn County Comprehensive Plan prepared by staff in 1990 pertaining to previous Demere Road rezonings were included in the packages for the Planning Commission's review.

Mr. Taylor stated staff recommends that the Planned Commercial rezoning be approved subject to the following conditions and changes to the Zoning Text and Plan:

1. The buffer on Demere Road to be 50 ft. in which trees larger than 6 inch caliper measure 54 inches above ground will not be removed. The first 25 ft. along the road to be landscaped or left natural with the second 25 ft. to be left in a natural state.

A tree survey and proposed landscaping and planting to achieve this requirement will be reviewed and approved as part of site plan approval. Compliance with this requirement, per approved site plan, will be verified by the Building Official before any Certificate of Occupancy is issued. Any violation or destruction of buffer requirements will be considered a zoning violation, per the Glynn County Zoning Ordinance, Article IX (Enforcement, Permits, Penalties and Fees).

2. Developer will be required to design an entrance and exit driveway onto Demere Road in accordance with the recommendation of the County Engineer and County Traffic Safety Engineer, which would be in alignment with the entrance to Brockinton and be designed in such a way to be a shared entrance and exit with the adjoining Planned Commercial. It will be the developer's responsibility to obtain any easement or additional properties to achieve proper alignment with the Brockinton entrance.
3. The developer would also be required to place in the Planned Commercial Zoning Text a statement that if and when additional right-of-way is needed for improvements on Demere Road, the owner would be willing to dedicate to Glynn County a maximum of 25 ft. in depth of additional property fronting along Demere Road.
4. Prior to any site clearing, grading or construction, site plan approval will be reviewed by the Planning Commission and County Commission approval will be required. As part of site plan review, a detail drainage plan must be approved by the County Engineer which limits post-development run-off to pre-development conditions.

Mr. Paul Sanders agreed to all of the conditions stated by staff with the exception of condition #3, "...the owner would be willing to dedicate to Glynn County a maximum of 25 ft. in depth of additional property fronting along Demere Road." Mr. Sanders stated he objects to giving property to the county. He stated this was not required of other developers and he just wants to be treated fairly.

Mrs. Doris Eagan Turner, property owner, had questions regarding future plans for the property. She also expressed concerns about parking. Mrs. Berthenia Gibson, Jewtown resident, also had questions regarding plans for the front portion of the property. She stated once this rezoning is approved, in the future, she did not want to see a ten base gas station in the area. Mr. Taylor pointed out that gas stations and bars are not permitted uses for this rezoning. He gave a brief overview of permitted and non-permitted uses. Ms. Ruthie Cobb, Jewtown resident, stated she also had questions concerning the developer's future plans for the front portion of the property. Chairman Stewart explained that the developer is not required to relay the details of his plans; however, Mr. Sanders explained that at this time he has no plans for Phase II. He stated the development would be "market driven." Mr. Taylor added that the developer has plans for a display showroom and assembly area for custom kitchen and bathroom cabinets. He stated there will be no heavy machinery brought into the area.

Mrs. Willie Mae Kirkland, property owner, was present to oppose this request.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of this request subject to all four conditions stated by staff. The motion was seconded by Ms. Glenda Jones. Further discussion ensued regarding traffic and the shared driveway. Mr. Hal Hart stated he had agreed to co-share the driveway as future development grows; however, he stated the existing drive on the opposite side of the property currently works for him and he would like to keep it as it is. Following discussion, the vote for recommending approval was unanimously adopted.

In the essence of time, it was the consensus of the Planning Commission to review the following items (in the order listed) before taking a recess: GC-28-94, GC-26-94, and GC-25-94.

GC-28-94

Request to Rezone from R-12 One-Family Residential to M-12 One-Family Residential Manufactured Home, a lot consisting of approximately 20,310 square feet located on Holly Street, known as Lot 1 Block B Sterling Park Subdivision, Section One, having a total frontage of 272 ft. beginning approximately 314 ft. south of Green Swamp/Hopeton Road. Property owned by Stanley W. Boatright.

Ms. Denise Graham, agent, was present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone an existing lot in Sterling Park in order to allow the location of a manufactured home. He explained that in 1983, the subdivision was rezoned to M-12 One-Family Residential; however, six lots containing single-family homes were not rezoned at that time and this is one of those lots. Mr. Taylor stated since that time, the residential structure has burned and has been removed. He stated the property owner would like to locate a manufactured home on the property.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
Would be suitable, the majority of the area contains mobile homes and manufactured homes.
2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;
Should have no adverse affect.

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

Yes, but due to the large number of mobile homes in the area and the small lot size, would make the property less desirable for a site-built home.

4. 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.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Shown as low density urban.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

Mr. Taylor stated due to the number of mobile homes in the area, rezoning to manufactured home would be suitable, and therefore staff recommends approval of this request.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-26-94

Request to Rezone from R-9 One-Family Residential to M-20 One-Family Residential Manufactured Home, a 20,400 sq. ft. lot having access via 30 ft. easement across a lot located on Goodbread Road, known as 260 Goodbread Road, beginning approximately 850 ft. north of the intersection of Goodbread Road and Walker Road and lying immediately south and west of the FLETC Property.

Mr. James Howard Emanuel, property owner, was present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that according to Glynn County records, the subject property has a history of mobile homes being allowed under different sections of the Zoning Ordinance.

Mr. Taylor stated that in 1970, the property was zoned MR-20 One-Family Residential and was the site of a mobile home. He explained that when all the temporary mobile home zonings in Glynn County expired in the 1980's, this property reverted back to the original zoning classification of R-6 One-Family Residential.

Mr. Taylor stated that on April 1, 1982, the County Commission approved a hardship in order for the property owner to locate a mobile home on the site for a period of two years (April 1, 1982 - April 1, 1984). On December 15, 1983, the County Commission approved an extension of the hardship to allow the mobile home to continue to be located on the property until December 15, 1984. On January 3, 1985, another extension was granted to allow the structure to remain on the property until January 3, 1986.

Mr. Taylor stated that the property owner is now requesting a zoning change to allow a manufactured home on the subject property, meeting all the requirements of Section 702. of the Glynn County Zoning Ordinance, to assure visual compatibility with the existing site-built homes in the area.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Based on the history of the property, other structures in the area and the property adjoining FLETC on two sides, the use should be suitable.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

None.

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

Has reasonable economic value.

4. 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;

None.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Shown as low density urban on land use map and does conform to the plan.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

Mr. Taylor stated that based on the history of the property, its location next to FLETC and the requirements for a manufactured home being met, as outlined in the Zoning Ordinance, the use should be suitable with no adverse affect on surrounding properties, and therefore, staff recommends approval of this request.

Following discussion, a motion was made by Mr. Lee Noel to recommend approval of this request. The motion was seconded by Mr. Jack Kite and unanimously adopted.

GC-25-94

Request to Rezone from Medium Residential to General Commercial, Lots 180 and 181 of St. Simons Beach Subdivision, consisting of 15,000 sq. ft., located on the south side of Oglethorpe Avenue, west side of 13th Street and the north side of Beachview Drive; address known as 557 Beachview Drive, St. Simons Island.

Mr. Abbas Vakili, property owner, and Attorney Jim Gilbert were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone two lots which currently contain a closed one-story eating establishment. He explained that the property was zoned General Commercial in 1966 and remained zoned as such until 1992, at which time the property was sold and the owner obtained a rezoning to Medium Residential in order to allow the construction of six multi-family units.

Mr. Taylor stated the property has been re-sold and the new owner would like to revert the zoning back to the original zoning classification of General Commercial. He stated that located across from the property is a large county recreation facility (Casino) with a public swimming pool, meeting rooms and the St. Simons Post Office. Located immediately to the west is a multi-family condominium development that was constructed when the Zoning Ordinance allowed multi-family in General Commercial. He stated the Ordinance has been amended since that time and no longer allows multi-family in commercial districts.

Mr. Taylor stated that the concept plan submitted with this request is a proposed three-story motel, with a maximum height of 45 ft. He stated if the rezoning is approved to General Commercial, any of the uses permitted within that zoning classification would be allowed; however, prior to any construction, the developer would be required to obtain site plan approval for a specific use meeting all the requirements of the St. Simons Village Preservation District.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Yes.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

No adverse affect, considering the surrounding uses.

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

Has reasonable economic value as multi-family but has been marketed for the last two years as such with no success in developing.

4. 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;

Due to the small size and the limits to the development, very little, if any, excessive burden would exist.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Yes, shown as commercial. The change from commercial to multi-family in 1992 was not in conformance with the Comprehensive Plan.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

Mr. Taylor explained that in 1992, staff's recommendation for the change from Local Commercial to Medium Residential was denial due to the surrounding properties being zoned commercial, property having a history of being used as commercial, and due to its close proximity to a large county recreation facility, St. Simons Post Office and other village area commercial property.

Mr. Taylor stated that the Planning Commission and the County Commission approved the request as being a down zoning. After two years, the owner was unable to develop the property as multi-family due to very limited interest of prospective buyers, and sold the property to the present applicant who is requesting a commercial zoning change. He stated staff continues to feel that the property should be General Commercial and recommends the zoning change back to the original zoning. Mr. Taylor stated staff would also like to point out that this property now falls under the St. Simons Village Preservation Ordinance which was established to protect the historical and architectural character of the village area. Development of this site would require site plan and architectural review by the Planning Commission at the time of development.

Mr. Taylor stated some of the requirements of the St. Simons Village Preservation District that this site will conform to are as follows:

1. Building footprint cannot exceed 50% of the lot;
2. Location of parking, outside lighting, tree removal, building height, building setback and landscaping will be reviewed for compatibility of neighboring structures; and
3. Architectural design, exterior material and color scheme will all be reviewed to consider compatibility.

Mr. Taylor stated staff recommends approval of this request with the condition that a portion of the open space required to meet the 50% site coverage be on the Beachview Road side of the site to make the front setback compatible with the adjacent structures.

Attorney Jim Gilbert stated that at this time it is premature to present a site plan, but he explained that the development would be similar to the St. Simons Inn.

Ms. Donna Crossland, St. Simons Island resident, had questions regarding the permitted uses. Attorney Gilbert stated there would be no restaurant, no convenience store and no gas station allowed. He stated his client is a very religious person and would never allow alcohol in his establishment. Chairman Stewart asked Attorney Gilbert if he would add the stipulation that the property owner agrees to not allow these uses. Attorney Gilbert replied yes.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request subject to the conditions stated by staff and with the stipulation that the property owner agrees that no convenience store, restaurant, gas station or alcohol will be allowed on the site. The motion was seconded by Ms. Glenda Jones. Further discussion ensued. Mr. Robert Fell commented that he is not comfortable with General Commercial and he feels the property should be rezoned Planned Commercial, which is more restrictive. Mr. Noel agreed. He also had questions regarding dumpsters and outside storage. Mrs. Deborah Taylor elaborated on the intent for Planned Commercial and General Commercial. Attorney Gilbert stated his client is willing to work with the county and wants to be treated fairly. Following discussion, the vote for approval of the request with the conditions and stipulation was unanimously adopted.

At this point, (11:50 a.m.) it was the consensus of the Planning Commission to break for lunch. The meeting resumed at 12:50 p.m.

GC-27-94

Request to Rezone from Local Commercial and R-6 One-Family Residential to Planned Commercial, 2.73 Acres known as Blocks 41 and 48 and Portions of Blocks 42 and 49 of Glynn Haven Estates Subdivision, located on the northwest corner of Holly Street (frontage of 280 feet) and Frederica Road (frontage of 390 feet), and lying immediately south of The Palmettos and St. Clair Subdivision Area, St. Simons Island.

Property owned by Mrs. Elizabeth Stevens Wright.

Mr. Larry Bryson was present to represent this request. Also present were Mr. Dave Sweat and Mr. Paul Lockyer from the First Bank of Brunswick, and several property owners were present to oppose this request.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone property located on the corner of Frederica Road and Holly Street from two zoning classifications; Local Commercial and R-6 One-Family Residential, to Planned Commercial. He stated that the property owner has a total of 390 ft. of frontage on the west side of Frederica Road and 330 ft. of property frontage along Holly Street with the first 150 ft. being zoned Local Commercial, an abandoned 40 ft. street (1st Street) and the next 140 ft. zoned Residential. However, the property owner did not include 50 ft. of the 140 ft. which will remain zoned One-Family Residential. Mr. Taylor stated that the 50 ft. x 390 ft. strip will become an additional buffer and cannot be developed. The total Holly Street footage being requested to be rezoned to Planned Commercial is 280 ft.

Mr. Taylor explained that approximately 300 ft. to the southeast is a 2.52 acre tract that fronts on the east side of Frederica Road and a portion of the Sea Palms Planned Development that was zoned and approved in 1978 in order to allow a commercial shopping center known as Frederica North (Local Commercial uses). The front portion of the applicant's property that is zoned Local Commercial is part of a Local Commercial strip, 150 ft. in depth and 2,100 ft. in length, known as the Frederica Commercial Strip. Mr. Taylor stated that the front portion of the subject property was zoned Local Commercial in 1966 along with the entire strip within approximately 500 ft. of the Sea Island Road intersection. He stated over the years this strip has been developed as commercial with the exception of this final tract.

Mr. Taylor pointed out that under the current zoning of Local Commercial, the developer would only be required to have a 10 ft. setback on the side (Holly Street), a 10 ft. setback in the front (Frederica Road), and a 7 ft. setback on the rear and opposite side. He stated the only buffer requirement would be in accordance with Section 613. of the Zoning Ordinance, which would only be a 6 ft. high fence or planting strip between the commercial and residential property. Mr. Taylor stated that the Local Commercial portion (1.4 acres) on Frederica Road could be developed with the proposed uses as well as many other permitted uses, i.e., restaurants, retail shopping center and movie theatres. To make these uses fit the site, Mr. Taylor stated the landscaping and aesthetic designs would be sacrificed.

Mr. Taylor further stated that it is the intent of the developer to develop quality and tastefully designed buildings and provide landscaping that aesthetically blends with the natural surroundings and are compatible and have little adverse affect on the neighboring residential area. He stated in order to achieve this, the building and parking would need to be placed back from Frederica Road, resulting in a small portion of the lot zoned residential to be incorporated. The developer originally considered only requesting this small portion to add to the Local Commercial and leave the Local Commercial zoning as is. He stated staff recommended to the developer that the entire site be changed to Planned Commercial in order to limit the allowed uses that could have adverse affect, as well as requiring larger buffers between the residential and commercial with a Planned Commercial zoning.

Mr. Taylor explained that the plan shows the proposed uses for the subject tract to be a convenience store, Anguilla Properties, to be of masonry construction with tabby and wood exterior of traditional architectural design, and First Bank of Brunswick, masonry construction with brick veneer exterior. The Zoning Text states the following as permitted uses:

1. Business involving the rendering of a personal service.
2. Retail and wholesale business with the exception of bars, restaurant, liquor store and movie theater.

3. Public utility installation or other essential service.
4. Office building or office for governmental, business, professional or general purposes.
5. Accessory in compliance with the provisions of Section 609.3.

Mr. Taylor stated that if a convenience store is permitted to be located on the subject property, the accessory uses would involve gasoline pumps. The sketch submitted shows gasoline pumps with canopy. These pumps would have to be located within the setback and would meet all safety requirements. He pointed out that the Zoning Text states the setbacks as follows:

- A. Fifty foot natural buffer setback area along rear/west property line, not to be rezoned, to remain R-6 One-Family Residential and to be restricted as a natural buffer indefinitely.
- B. Fifty foot building and 10 ft. parking setback with adequate buffers along all perimeter property lines, and buffered under the existing policies and in compliance with Section 717.6 item 2D.
- C. Maximum building height, 35 ft. from finished grade adjacent to building.
- D. Off-street parking per Section 611. of the Glynn County Zoning Ordinance.

Mr. Taylor explained that when addressing ingress and egress, the Zoning Text states that ingress and egress into and from this tract will be developed in accordance with Georgia Department of Transportation standards, Glynn County Engineer and Glynn County Traffic Safety Engineer. He stated the County Engineer has reviewed the concept plan and states that he would also recommend a protected left turn lane into this development on Frederica Road.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Yes, would be suitable as Planned Commercial. This would be a transition between the existing Local Commercial and the residential.

2. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property;

With the large buffers proposed and the restricted uses, should have very little if any adverse affect.

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

Has reasonable economic use as zoned.

4. 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;

Would increase turning movements onto Frederica Road but acceleration and deceleration lanes, center turn lane and restricted number of curb cuts, affect should be minimal.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Land Use Map shows the area as commercial along Frederica Road and low density residential in the rear. Zoning change would be a small extension of the commercial per the Land Use Map, but would be in conformity to the plan as being a Planned Commercial.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None

Mr. Taylor stated staff recommends approval of the rezoning to Planned Commercial as an improvement over the existing Local Commercial. He stated the ability to require the larger buffering, setbacks and restricted uses far over shadows the small encroachment into the residential area. He stated staff recommends the following changes and conditions to this request:

1. The 50 ft. strip not being rezoned along the rear to have a deed restriction allowing no development of this property, and for it to remain an undisturbed natural buffer.
2. Only one curb cut to be allowed along the entire frontage of the property on Frederica Road and to have acceleration and deceleration lanes, per the County Engineer and the Traffic Safety Department recommendation.
3. A protected left turn lane be required into the development on Frederica Road, per the requirements of the County Engineer and Traffic Safety Department.
4. Access onto Holly Street from the development will be encouraged as an exit only and shall be located 100 ft. from the right-of-way of Frederica, per County Engineer's approval.
5. From the "exit only" curb cut along Holly Street to the west shall be a minimum of 10 ft. natural buffer with additional planting to meet the 75% or more opaque buffering along this side of Holly Street (subject to proper sight clearance at the Holly Street curb cut).
6. The developer to maintain a 25 ft. landscaped planted area along Frederica Road on both sides of the entrance.
7. Any improvement required to Frederica Road or to Holly Street as a result of this development will be at the developer's expense.
8. All exterior lighting shall be designed so as to have no direct lighting near Frederica Road, Holly Street or any residence. Lighting will be proposed and reviewed at the time of site plan review.

9. Only one business identification sign will be allowed per business in accordance with Section 813.2 "Sign Supported by Ground Structures" with the setback increased to 10 ft. from the street right-of-way.
10. Any retail establishment which includes gas pumps for automobile service shall be setback a minimum of 50 ft. from all property lines and shall meet all permit requirements of Environmental Protection Division as to petroleum retail establishment.
11. Site plan approval process will be required to include detailed drainage design which will require post-development storm water runoff limited to pre-development conditions.

Mr. Larry Bryson presented a sketch and elaborated on the proposal. He stated he would answer any questions the Commission or citizens may have. Mr. Paul Lockyer, president of the First Bank of Brunswick, stated he was also present to answer questions.

Ms. Nancy Thomason, property owner, presented a petition consisting of approximately 23 signatures of citizens opposed to this request. The petition states that "all of the residents and property owners on Holly Street, St. Simons Island, object to the proposal submitted by Larry Bryson... The owners on Holly Street bought their houses in good faith knowing that the first 160 ft. along Frederica was zoned commercial and have no objection to that. The back 170 ft. of the entire tract is platted and zoned residential and that should not be changed..."

Rev. Hammock, St. Simons Island resident, stated that if this development is approved, it will be an encroachment into the residential neighborhood, and for this reason, he is opposed to the request.

Mr. Andy Taylor, (no relation to Larry and Deborah Taylor) president of the Palmetto Subdivision Association, stated a bank in that location would be a good improvement; however, he is concerned that once this zoning is approved, other developments would be allowed in the future. He stated he is also concerned about potential noise and trash.

Mrs. Doris Eagan Turner expressed concern regarding permitted uses and the impacts they would have on the area. She stated if approved, this request would "violate the intent of the Zoning Ordinance."

Mr. Dick Wiederhorn, St. Simons Island resident, expressed concern regarding hours of operation. He stated he has no objection to the bank locating on the property because banks are usually closed by 5:00 p.m. and are seldom open on weekends; however, he pointed out that convenience stores are usually open all night and seven days a week. Mr. Wiederhorn stated there is a convenience store located approximately one tenth of a mile away and there is no need for another one in the area. He also expressed concern regarding buffers and parking. Mrs. Deborah Taylor explained the difference between a convenience store and a service station.

Mr. Paul Lockyer, president of the First Bank of Brunswick, also gave a brief presentation. He explained that he had offered to buy a small piece of the commercial property for the bank, but the owner wants to sell the entire piece and would not break up

the parcel. He stated he and Mr. Clay Boardman of Boardman Petroleum agreed to purchase and develop the entire piece of property together. Mr. Boardman gave a brief presentation regarding his proposal. Chairman Stewart stated this area could be rezoned in the future to something far more adverse than what is proposed. Mr. Taylor gave a brief overview of the permitted uses. Ms. Thomason stated that Chairman Stewart's remark sounded like a "veiled threat" and she did not like the tone; "if we don't go with this we could get something worse." Chairman Stewart explained that the remark was not a threat. He stated he was trying to point out that there is a chance some of the other permitted uses may not be favorable to the residents. However, the residents stated they would take that chance.

Mr. Glenn Lewis expressed concern regarding devaluation of property and cautioned the Commission on making a recommendation. He stated if the Planning Commission is not careful, this could end up in court.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request subject to the conditions stated by staff. The motion was seconded by Ms. Glenda Jones. Further discussion ensued. Chairman Stewart had questions regarding trees. Mr. Boardman stated he would be willing to do a tree survey/inventory; however, there is no incentive to have this done. Chairman Stewart also had questions regarding dumpsters. Mr. Boardman stated three dumpsters are proposed. There was a brief discussion on deed restrictions.

In response to Mr. Lewis' concern for possible litigation, Mr. Lee Noel read the Preamble and Enactment Clause of the Glynn County Zoning Ordinance addressing such issues. Mr. Noel stated that in his opinion, the current zoning posed no hardship on the owner. He stated he objects to this rezoning for several reasons; 1) the impermeable surfaces should be avoided near homes for drainage purposes, 2) there is no need for a convenience store in this neighborhood due to the close proximity of other convenience stores, and 3) this request is incompatible to the area.

Mr. Robert Fell stated that he fails to see the need for another convenience store, and he also expressed concern regarding potential trash problems in the area.

Mr. Jack Kite stated he thinks this development would be good for the area; however, since the residents are opposed to the request, he stated he would have to act in the best interest of the residents and vote against the request.

Following discussion, in addition to all staff conditions, Mr. Parker amended his motion to include that a deed restriction be addressed and a tree survey conducted. The motion was seconded by Ms. Jones. Voting Aye: Ms. Glenda Jones, Mr. Richard Parker and Mr. Wayne Stewart. Voting Nay: Mr. Robert Fell, Mr. Jack Kite and Mr. Lee Noel. Absent: Mr. Jerome Clark. Due to a tie vote, a motion was made by Ms. Glenda Jones to forward this request to the County Commission without a recommendation from the Planning Commission. The motion was seconded by Mr. Jack Kite and unanimously adopted.

Scrivener's Error

Request from J. C. Strother Company to seek clarification of zoning district boundary line, per Section 403 of the Glynn County Zoning Ordinance, Official Zoning Plate Map 72; subject property located within the St. Simons Village Area.

Mr. Gordon T. Strother was present for discussion. Also present for discussion was Mr. Vernon Lewis, County Building Official.

Mr. Larry Taylor presented the staff's report. He explained that recently in issuing a remodeling and repair permit to Strother Lumber Company, the Building Official discovered what is considered a scrivener's error in the zoning district line between Butler and Lord Streets in the Village Area, St. Simons. He stated that in 1966, when the zoning district boundaries were established for Glynn County and the official zoning plate maps were drafted, a mistake was made using Floyd Street as a district boundary. The drafter used the 1891 plat of King City, which was obsolete due to the property having been divided into large tracts, part owned by Strother Lumber Company and being used as a lumber yard and the other owned by Straugh, the Straugh Estate (now Butler Mews) and Floyd Street no longer existed.

Mr. Taylor stated that the Strother Lumber Company was established in the early 1930's and the lumber yard has existed since 1936 in it's present location. In 1966, when the zoning line was established, it actually split the property owned and used by Strother. He stated that when the public notices were published in 1966, in the Brunswick News, it was of such a small scale the owners of Strother Lumber Company did not realize that their property was split by a zoning line.

Mr. Taylor pointed out that Section 403.2 "Interpretation of District Boundaries" of the Zoning Ordinance states "District boundaries indicated as approximately following lot or tract lines, whether public or private, shall be construed to follow such lines."

Mr. Taylor stated that several occurrences of scrivener's errors have been found on the official zoning maps over the past years, especially shortly after their establishment in 1966. In the past, the Planning Commission has reviewed such errors and made recommendation on corrections. Mr. Taylor stated staff recommends that this error be corrected, and the zoning line follow the property lines of the lumber yard as established in the 1930's.

Mr. Robert Fell stated that due to living in close proximity of the business, he would abstain from voting. He asked if the area would remain commercial. Mr. Taylor stated it would; however, the area now falls under the Village Preservation District.

Following discussion, a motion was made by Mr. Jack Kite to recommend that this error be corrected. The motion was seconded by Mr. Lee Noel. Voting Aye: Ms. Glenda Jones, Mr. Jack Kite, Mr. Lee Noel, Mr. Richard Parker and Mr. Wayne Stewart. Abstained From Voting: Mr. Robert Fell.

MINUTES

A motion was made by Mr. Robert Fell to approve the minutes of the July 28, 1994 called meeting. The motion was seconded by Mr. Richard Parker. Voting Aye: Mr. Robert Fell, Ms. Glenda Jones, Mr. Jack Kite and Mr. Richard Parker. Due to not being present at the July 28th meeting, Mr. Lee Noel abstained from voting. Mr. Wayne Stewart also abstained from voting due to not being a member at that time.

A motion was made by Mr. Robert Fell to approve the minutes of the August 2, 1994 regular meeting with a minor correction regarding the number of signatures listed on the petition presented by Mr. Frank Quinby concerning the GC-13-94 rezoning. (The petition contained 96 signatures; however, the recording secretary only received the first page which contained 22 signatures.) The motion was seconded by Mr. Richard Parker. Voting Aye: Mr. Robert Fell, Ms. Glenda Jones, Mr. Jack Kite, Mr. Lee Noel, and Mr. Richard Parker. Mr. Wayne Stewart abstained from voting due to not being a member at that time.

STAFF ITEMS

A. Discuss Signage for Public Hearing Notice - Planning Commission and County Commission.

Mr. Dan Reuter stated that at the August 11, 1994 County Commission meeting, the Board requested a recommendation for a new zoning sign. He presented the Planning Commission with a revised design. The sign is proposed to be 24" x 36", yellow in color, and will advertise Planning Commission and Board of Commissioners hearings. Mr. Reuter stated he presented the design to the Board of Commissioners, and at that time, the Board recommended approval of the design subject to the Planning Commission's approval.

Mr. Larry Taylor stated he had a problem with this design. He stated it might be confusing to the public in that the public may think they only have to attend one meeting instead of two. Mr. Taylor stated the ordinance would have to be changed to reflect this new design, maintenance could become a problem and the sign should remain two different colors for clarification. Chairman Wayne Stewart stated he thought the sign should remain two different colors but he agrees with having a larger sign. Mr. Reuter explained that the drafting department will be responsible for posting and removing the signs and staff will maintain and monitor the signs periodically to ensure they remain in place.

Following discussion, a motion was made by Mr. Lee Noel to recommend approval of the new sign design. The motion was seconded by Mr. Richard Parker and unanimously adopted.

B. Discuss park/buffer area that was required as a condition on rezoning application #GC-26-87, adjacent to the Waffle House.

Mr. Robert Massey, Waffle House, was present for discussion.

A video presentation of the area was shown and a brief history of the request was reviewed. Also discussed was a letter submitted by the Waffle House representatives outlining their concerns pertaining to the proposed improvements.

Mr. Dan Reuter explained that the Waffle House property rezoning in 1987 required a landscaped area and marsh overlook park. Waffle House has submitted plans for the landscaped area. Mr. Reuter stated staff reviewed the plans and submitted a site inspection. Staff concluded a natural area may be more beneficial than the proposed park. He stated Waffle House has also committed an additional area to remain in the natural state. Mrs. Berthenia Gibson and Mrs. Doris Eagan Turner were present to express their concerns regarding the demarcation line. Mr. Vernon Lewis commented that Waffle House is willing to comply with all zoning conditions.

Following discussion, a motion was made by Mr. Robert Fell to eliminate the walkway, leave the natural vegetation in place and dedicate the buffer to Glynn County. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

Also under Staff Items, Mr. Reuter distributed material to the Planning Commission entitled "Why Plan?", "Preparing a Local Plan" and "How to Organize for Local Planning". He stated this material is for informational purposes and perhaps it can be discussed further at the October Planning Commission meeting.

COMMISSION ITEMS

There was a brief discussion regarding notification procedures for property owners, public hearings, rezonings, etc. in accordance with the Glynn County Zoning Ordinance.

Also under Commission Items, Mr. Reuter stated the Airport Commission has requested that the Planning Commission review the Master Plan of Glynnco Jetport and Malcolm B. McKinnon Airport to provide a recommendation for the Glynn County Comprehensive Plan. He stated that this item will be discussed at the October meeting.

Mr. Taylor stated that at the Board of Commissioners called meeting, the Board authorized a request to amend Article VIII - Signs, of the Glynn County Zoning Ordinance. He advised that the Planning Commission would have to vote in order for staff to advertise the amendment. Thereupon, a motion was made by Mr. Lee Noel to recommend staff to advertise an amendment to Article VIII of the Glynn County Zoning Ordinance for the October 4th Planning Commission meeting. The motion was seconded by Mr. Jack Kite and unanimously adopted.

There was a general discussion regarding the town-hall meeting scheduled by Commissioner Gunn tonight at 7:30 p.m. at the St. Simons Casino. There was also a brief discussion concerning the airport property and the location of a new hotel/motel in the Glynn County area.

There being no further business to discuss, the meeting adjourned at 3:05 p.m.