

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION  
AUGUST 2, 1994 9:00 A.M.

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

ABSENT: Georgia DeSain

STAFF PRESENT: Dan Reuter, Planning Official  
Larry Taylor, Zoning & Dev. Review  
Jennifer Detloff, Planner  
Billy D. Williams, Zoning Enforcement  
Janet Loving, Administrative Secretary

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Vice Chairman Jack Kite called the meeting to order and the invocation was given.

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**Election of Chairman**

It was the consensus of the Planning Commission to elect a chairman when all members are present.

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**Vacate Final Plat  
Hickory Hill Subdivision  
10 Lots located off River Ridge Road  
Sea Side Construction, Inc., Owner/Developer**

Mr. Larry Taylor explained that staff did not inform the applicant that he had to be present due to this item being an administrative request. He then presented the staff's report.

Mr. Taylor stated that this plat was approved by the Glynn County Board of Commissioners in April, 1994 subject to issuance of a bond. He stated that during construction of the subdivision, the developer determined that a change would be needed in approximately 3 lots and in the street cul-de-sac in order to preserve trees, an existing house, and dock facilities within the property. He explained that the developer is requesting to vacate the approved plat and replace it with a revised plat consisting of these changes. No additional lots were created. This request is only to revise the property lines and turnaround. Mr. Taylor stated according to Section 803 of the Glynn County Subdivision Regulations, an owner can make such a request subject to the approval of the Planning Commission; however, the revised plat must be sent back to the Board of Commissioners for final plat approval. Mr. Taylor stated staff recommends approval of this request.

Following review, a motion was made Mr. Lee Noel to recommend approval of this request. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

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**Site Plan Approval  
Glynn Place Apartments  
Located at Scranton Road & Scranton Connector  
13 Acres, 128 Units  
Flournoy Development Co., Owner/Developer**

Mr. Tom Flournoy and Mr. Roger Purcell were present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this plan has been reviewed by county staff and has been approved by the County Engineer and the City Water & Sewer Engineer. He stated that in 1982 (GC-21-82) the property was zoned Planned Development and amended in February of 1994 to allow a multi-family development with the same conditions as the Glynn County zoning for GR General Residential (Section 706).

Mr. Taylor explained that General Residential allows a density of 10 units per acre which

has been met by this development. The approved Planned Development of 1982 required that a 50 ft. natural buffer zone be maintained along Scranton Road and a 100 ft. development setback from the edge of Scranton Road. Mr. Taylor stated staff recommends approval of this site plan subject to a 50 ft. landscaped buffer being provided along Scranton Road and subject to a 100 ft. building setback line being provided from the edge of the pavement of Scranton Road.

Mr. Zack Lyde, Brunswick resident, asked if any of the apartments were government subsidized and if not, in the future if someone applied for an apartment who is a Section 8 recipient would that person be turned down. Mr. Tom Flournoy stated the apartments are not government subsidized; however, he stated it is unclear from the landowner if in the future any of the apartments will be government subsidized. He stated that would be a matter to be addressed by the landowner and an attorney.

Mr. Robert Fell asked if the parking lot would have lights. Mr. Flournoy explained that security safety, lighting plans, etc. have been submitted.

Ms. Glenda Jones had questions regarding utilities. Mr. Roger Purcell explained that the utility companies were contacted and they will also be notified once approval is obtained.

Following review, a motion was made by Mr. Lee Noel to approve the Site Plan for Glynn Place Apartments. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

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**GC-17-94**

Request to Rezone from R-6 One-Family Residential to Highway Commercial, 1.788 acres located west of Altama Avenue, (frontage of 229.15 feet), (address known as 3619 Altama Avenue), including a portion of Lot 100, Brunswick Farms Subdivision.

Property owned by Carl L. Gregory;  
Attorney Robert M. Cunningham, Agent.

Attorney Darrell Burrow was present to represent this request.

Mr. Dan Reuter explained that this request was reviewed and approved at the July 12th Planning Commission meeting; however, the date, time and place of the meeting were inadvertently omitted from the advertisement (in the Brunswick News) as required by the Glynn County Zoning Ordinance, and therefore in order for the approval to be official, the Planning Commission must reapprove this request along with all conditions stated at the July 12th meeting. He pointed out that the applicant has volunteered to install a 6 ft. high chain linked fence along the residential district. A motion was then made by Mr. Robert Fell to recommend approval of this request subject to the following conditions:

1. An unbroken planted buffer strip meeting the requirements of the Glynn County Zoning Ordinance to be provided and maintained along all property lines abutting residential districts and an additional buffer to be provided and maintained.
2. Access to Altama Avenue to be approved by the County Engineer and the Traffic Safety Engineer.
3. Approval of a site plan showing proposed structures, internal circulation, access to Altama Avenue, fencing, landscaping and buffering.

The motion was seconded by Mr. Lee Noel and unanimously adopted.

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**GC-18-94**

Request to Rezone from FA Forest Agricultural to Highway Commercial, 8.097 acres located south of U.S. Highway 82 west, (frontage of 616.18 feet), beginning approximately 1,000 feet west of Myers Hill Road, Lots 7, 8, 49 and 104 (address known as 367, 369, 371 and 375 U.S. Highway 82).

Mr. Morrison Waye, property owner, was present to represent this request.

Mr. Reuter explained that this request was also reviewed and approved at the July 12th Planning Commission meeting; however, the date, time and place of the meeting were inadvertently omitted from the advertisement (in the Brunswick News) as required by the Glynn County Zoning Ordinance, and therefore in order for the approval to be official, the Planning Commission must reapprove this request. Mr. Lee Noel pointed out that at the July 12th meeting he was opposed to this request due to spot zoning and he would remain in opposition. A motion was then made by Mr. Jerome Clark to recommend approval of this request. The motion was seconded by Ms. Glenda Jones. Voting Aye: Mr. Jerome Clark, Ms. Glenda Jones, Mr. Jack Kite and Mr. Richard Parker. Voting Nay: Mr. Robert Fell and Mr. Lee Noel. The motion carried for approval.

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**GC-19-94**

Request to Amend Planned Development-Office Zoning, property located at 2485 Demere Road, known as Demere Village Professional Center. Request for additional access to Demere Road on west corner of site, approximately 290 feet west of Demere Village Drive.

Property owned by Demere Village Professional Center Assoc.; Mr. Richard Friedman, Agent.

Mr. Dan Reuter explained that this request was withdrawn by the applicant after the Planning Commission packages were delivered and therefore the item remained on the agenda. He stated that he advised the applicant to submit his withdrawal in writing to staff.

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**GC-20-94**

Request to Rezone from Medium Residential to Local Commercial, 1.239 acres, located north of Demere Road beginning approximately 800 feet west of Frederica Road (frontage of 226.53 feet), including a portion of the Willie Mells Estate.

Property owned by Mary Lee Wilson and Celia Mitchell Buchanan; Mr. Joe McDonough, Agent.

Mrs. Celia Buchanan, Mrs. Mary Wilson, Mr. Gloster Buchanan and Mr. Joe McDonough were present to represent this request.

Mr. Dan Reuter presented the staff's report. He stated that this request is to rezone a current vacant and wooded lot from Medium Residential to Local Commercial. He stated the property is located between a local commercial use (under construction) and a residential lot with an existing structure. He stated that the applicant proposes to construct a fast food restaurant on the site.

Mr. Reuter 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, the adjacent and nearby property is primarily commercial. The lot would be adjacent to an existing residential structure on west side.

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

Yes, residential property on west side would be adversely affected for current use.

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

Yes, property has value as Medium Residential.

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;

The rezoning would create an additional point of access and vehicular turning movements on Demere Road. Demere Road currently has a daily traffic count of 13,279. The Institute of Transportation Engineers (ITE) 1991 Trip Generation manual projects approximately 632 average weekday trips per 1000 sq. ft. of floor area. Based on a business 3500 sq. ft. fast food restaurants with a drive-in window, the projected increased daily traffic would be 2,212 trips.

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

No, the Comprehensive Land Use Plan shows the property as Medium Density Urban. The proposed use would be General 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;

Adjacent property is currently being developed for similar use.

Mr. Reuter stated the historical boundary of the commercial district is the eastern line of the property, as supported by the Comprehensive Land Use Plan and a previous Glynn County Board of Commissioners zoning decision (GC-27-87). Mr. Reuter stated staff recommends denial of this request.

It was noted that several property owners from the Jewtown community were present to oppose this request. Everyone was given an opportunity to state their concerns.

Mrs. Celia Buchanan, joint property owner, stated that she and her family would like to sell this property due to the expensive property taxes, and she asked that the Planning Commission approve the request. Mr. Gloster Buchanan, a relative of the property owners, also stressed that the property taxes are extremely expensive and his family can no longer afford to pay the taxes. He stated the best use for the property is commercial.

Mr. Joe McDonough gave a brief presentation. He stated he is representing the four families who own the property. He stated to deny the rezoning would be "arbitrary, capricious and unreasonable." He pointed out that collectively, Jewtown residents have opposed any type of zoning change along Demere Road. Mr. McDonough then gave a brief history of the area. He stated that in the late 1980's the Glynn County Commission denied rezoning of the Waffle House twice (located to the east) and the denial was upheld twice in court. He stated that in 1988 the Commission turned around and rezoned the property, thus setting a precedent for commercial zoning in the area.

Mr. McDonough stated that the high traffic count on Demere Road was detrimental to a residential zoning and good for a commercial business. He then pointed out other commercial uses in the area and stated to deny this request would amount to "confiscation of property without compensation and would deprive the owners of due process." He then asked Mr. Reuter if he stated that the property was "best valued" as Medium Residential. Mr. Reuter stated he thought he said the property "has value," not "best valued." He stated for the record, he intended to say "has value" as Medium Residential. However, Mr. McDonough insisted that Mr. Reuter stated "best valued." Mr. Lee Noel stated that he believed Mr. Reuter stated exactly that the property "has value" as Medium Residential.

Mr. Andy Hill, potential buyer, stated the economic value is tremendous in the area and this request is reasonable and makes good business sense. He stated if this request is approved for a fast food establishment, approximately 35 jobs would be created.

Mrs. Mary Wilson, joint property owner, stated there is no need to hold on to property that cannot be used. She stated commercial is the best use for this property. Mrs. Wilson further stated that she supports progress and if this request is denied, then progress is denied.

Mr. Dick Wiederhorn, St. Simons business owner, stated the current traffic count for Demere Road is 13,279 cars per day. He stated another business entrance would increase traffic problems. Mr. Wiederhorn stated the road is already inadequate for current traffic levels. He asked that this request be denied.

Mrs. Wilson stated that there was a traffic problem in 1939 and there will always be an increase in traffic.

Mrs. Ruthie Cobb, St. Simons resident and President of the Jewtown Association, stated "it is time to put a stop to this nonsense." She stated this request goes against the master plan and would only cause more traffic problems for school buses, etc. Mrs. Cobb also expressed concern for preserving the trees and the area in general.

At this point, Vice Chairman Jack Kite stated he wanted to make it clear that the Glynn County Planning Commission has never and will never take land from anyone.

Mr. David Vogelmann stated he is also opposed to this request. He stated that even though he and Mr. Gloster Buchanan are friends, "fishing buddies," he has to disagree with him. He explained that this area is where people live, this is their home. Mr. Vogelmann stated the Jewtown area is already cluttered with commercial developments. He stated that if this development is approved, it would be the fifth fast food establishment in the area. He then asked, rhetorically, if anyone in the room would want five fast food restaurants in their neighborhood. Mr. Vogelmann pointed out that the Planning Commission and the County Commissioners are stewards of the land and stewards of the people, and as such, they should preserve the integrity of the community.

Mr. George Jacobus, President of Glynn Clean and Beautiful, stated this proposal is ridiculous. He stated he is "ready to blast off to the ceiling; what about trees; what about people; fast food my foot." Mr. Jacobus stated he is strongly opposed to this request.

Mr. Bill Pendergast expressed concern about jobs and progress in the community. He stated Mr. Buchanan and the others are entitled to lookout for their best interest and they have a right to sell their property for commercial use.

Mrs. Berthinia Gibson stated she owns the adjoining property and other property in the area. She stated Mr. Buchanan and the other applicants are also her friends; however, she stated Mr. Buchanan swore under oath that he would never sell the property for commercial use. She stated 90% of the community is against this development. Mrs. Gibson expressed a deep concern for the people living in the area. She stated she is not against progress and she is not against commercial developments. She stated she only wants to preserve her neighborhood, just like anyone else would. Mrs. Gibson stated thousands of dollars have been spent on the master plan and she feels that the county should abide by it. She stated she and others offered to purchase the subject property and develop it residential. She reiterated that she is not against commercial development in the right place, but not in a residential district.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request; however, that motion died due to lack of a second. Further discussion ensued followed by a motion made by Mr. Robert Fell to recommend that this request be denied due to other available commercial property in the vicinity being better suited for commercial development. The motion was seconded by Mr. Lee Noel. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell and Mr. Lee Noel. Voting Nay: Mr. Jack Kite and Mr. Richard Parker. Abstained From Voting: Ms. Glenda Jones. The motion carried for denial.

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## **APPROVAL OF MINUTES**

Mr. Robert Fell and Mr. Lee Noel attended the July 12th regular Planning Commission meeting when the votes were taken for the May 3rd regular meeting, May 19th called meeting and June 7th regular meeting; however, Mr. Fell and Mr. Noel were not members at the time of those meetings and therefore the votes for approval were not unanimous. Please note the following changes:

### **NOW READS:**

Upon a motion made by Ms. Glenda Jones and seconded by Mr. Jerome Clark, the Minutes of the May 3, 1994 Planning Commission Meeting were approved and unanimously adopted.

Upon a motion made by Ms. Georgia DeSain and seconded by Ms. Glenda Jones, the Minutes of the May 19, 1994 Planning Commission Called Meeting were approved and unanimously adopted.

Upon a motion made by Mr. Jerome Clark and seconded by Ms. Georgia DeSain, the Minutes of the June 7, 1994 Planning Commission Meeting were approved and unanimously adopted.

### **TO READ:**

A motion was made by Ms. Glenda Jones and seconded by Mr. Jerome Clark to approve the Minutes of the **May 3, 1994** Planning Commission Meeting. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones and Mr. Jack Kite. Abstained From Voting: Mr. Robert Fell and Mr. Lee Noel. (Mr. Richard Parker was absent for this meeting.) The motion carried for approval.

A motion was made by Ms. Georgia DeSain and seconded by Ms. Glenda Jones to approve the Minutes of the **May 19, 1994** Planning Commission Called Meeting. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones and Mr. Jack Kite. Abstained From Voting: Mr. Robert Fell and Mr. Lee Noel. (Mr. Richard Parker was absent for this meeting.) The motion carried for approval.

A motion was made by Mr. Jerome Clark and seconded by Ms. Georgia DeSain to approve the Minutes of the **June 7, 1994** Planning Commission Meeting. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones and Mr. Jack Kite. Abstained From Voting: Mr. Robert Fell and Mr. Lee Noel. (Mr. Richard Parker was absent for this meeting.) The motion carried for approval.

Also in the July 12th Minutes, Ms. Glenda Jones stated that a correction is needed on the motion made for Application #SUP-4-94. Please note the following change:

### **NOW READS:**

Ms. Glenda Jones amended her motion to state the Planning Commission recommends that this request be denied due to requirements not being met, and the applicant shall cease operation until all requirements are met. The motion was seconded by Mr. Lee Noel and unanimously adopted.

**TO READ:**

Ms. Glenda Jones amended her motion to state the Planning Commission recommends that this request be denied due to requirements not being met, and the applicant shall cease operation as a restaurant (as defined by the Glynn County Zoning Ordinance) until all requirements are met. The motion was seconded by Mr. Lee Noel and unanimously adopted.

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Upon a motion made by Mr. Lee Noel and seconded by Mr. Jerome Clark, the Minutes of the July 12, 1994 Planning Commission Meeting were approved with the above noted corrections. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Ms. Glenda Jones, Mr. Jack Kite and Mr. Lee Noel. Abstained From Voting: Mr. Richard Parker. Absent: Ms. Georgia DeSain. The motion carried for approval.

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Under Staff Items, Mr. Dan Reuter suggested the Planning Commission have lunch worksessions periodically to discuss upcoming items on the agenda, different procedures, etc. prior to the public hearings. He advised that county staff would pick up the lunch tab.

Under Commission Items, Mr. Lee Noel stated there is some confusion regarding zoning requests and water and sewer. He explained that rezoning requests are not required to be signed off by water and sewer but will be considered at site plan approval. He stated this could cause problems for potential buyers. Mr. Noel stated perhaps the ordinance could be changed so that there won't be a conflict with who signs off. Ms. Jones pointed out that this could also cause legal problems if a rezoning is denied because of water and sewer. Mr. Taylor explained that part of the zoning application includes questions regarding water and sewer and is discussed initially. He pointed out that the water and sewer department has a new director and communication is better with water and sewer staff. Mr. Taylor stated most problems have been resolved.

Mr. Noel had questions regarding rules and regulations for the Planning Commission members. Mr. Reuter explained that this will also be discussed at the worksession. He stated 14 additional copies of "The Job of the Planning Commissioner" have been ordered and will be issued to each member and to the Board of Commissioners.

Also under Commission Items, Vice Chairman Jack Kite distributed a letter written by Mrs. Lois Quinby regarding the concerns of a citizen who attended the July 28th called meeting, Application #GC-13-94. The letter states the following:

"...One of the most poignant of the public speakers was a disabled woman from St. Simons whose father owns property through which an easement of the Castellio property passes. She

wanted to know what would be the effect on her father's property if the rezoning request was allowed... The Board passed this rezoning without comment to the concerned citizenry or the courtesy of a response to this woman..."

Ms. Glenda Jones stated she remembered the disabled citizen and she remembered her question; however, it was her opinion that the question was rhetorical and did not require a specific answer. She stated the citizen did not seem upset. Mr. Kite agreed with Ms. Jones. He also stressed that the Planning Commission did not act in a discourteous manner and did not, in any way, show a lack of concern for any citizen. Mr. Kite also pointed out that at that same meeting, Mr. Frank Quinby presented a petition that he stated consisted of 95 signatures of citizens opposed to the GC-13-94 rezoning (one signature was added at the meeting, for a total of 96); however, Mr. Kite stated the petition only consisted of 22 signatures (23 total).

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There being no further business to discuss, the meeting adjourned at 10:50 a.m.