

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
JULY 12, 1994 9:00 A.M.

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

ABSENT: Richard Parker

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

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

Presentation

Mr. Kite presented a Certificate of Appreciation to Mr. Wayne Stewart in grateful appreciation of distinguished service as a member of the Glynn County Planning Commission. Mr. Stewart thanked the Planning Commission members and staff for their support and dedication through the years. A Certificate will also be presented to Mr. Ira Moore at a later date.

Election of Chairman

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

Preliminary Plat

Mecchella I Subdivision: Re-submittal

Property located at the north end of Peachtree Street St. Simons Island. Zoned R-6 One-Family Residential, 0.2947 acres, two residential Lots to be served by St. Simons Island Water & Sewer.

Mecchella II Subdivision: Revised

Property located off Arnold Road, St. Simons Island. Zoned R-6 One-Family Residential, 0.7701 acres, three residential lots to be served by St. Simons Island Water & Sewer.

Ed Mecchella, Property Owner/Developer.

Ms. Jane Sanders and Mr. Roger Purcell were present to represent this request.

Mecchella I -

Mr. Larry Taylor explained that at the June 7th Planning Commission meeting this request was deferred until approval was obtained by the Water and Sewer Commission. He stated that since that time, the Water and Sewer Commission and the County Engineer reviewed the plat and a letter of acceptance has been provided by the Water and Sewer Commission. The County Attorney has also submitted written confirmation that the section of the street being improved is a county dedicated and accepted easement.

Mr. Taylor stated that according to the Glynn County Subdivision Regulations, this plat meets all requirements for a county standard paved street to serve two lots. He pointed out that the developer has conformed to all conditions previously recommended by staff. Mr. Taylor stated staff recommends approval of this request.

Ms. Jane Sanders gave a brief presentation. She stated that this is the fourth time Mr. Mecchella's request has come before the Planning Commission. She stated that Mr. Mecchella has done everything he was instructed to do and has met all requirements in accordance with the county ordinances.

Attorney Joe Ferrier was present to represent Mr. and Mrs. Baker, property owners in Ocean Breeze Subdivision, who are opposed to this request. He explained that Mr. and Mrs. Baker filed abandonment papers on the property and they are in the process of purchasing the property from Mrs. Cano. He pointed out that Mr. Mecchella does not own the property. Attorney Ferrier asked the Planning Commission to defer action on this request until the ownership and abandonment questions are addressed.

Mr. Ron Strayhorn, St. Simons resident, stated in the 20 years that he has lived in the area the area has been congested with overflow parking. He further stated that the houses are too close together, and he also expressed concern for the sewer problems in the area. Mr. Strayhorn stated that there will be more of the same problems if this development is approved, and therefore he is opposed to this request.

There was further discussion regarding building permits and traffic flow near Peachtree Street. Mr. Dan Reuter stated he was advised that the residents adjacent to Peachtree filed for street abandonment. He stated Mr. Mecchella is trying to get on the Board of Commissioners agenda to request that the road be opened. Mr. Reuter pointed out that a building permit does not apply in this case.

Mr. Larry Taylor explained that a building permit would not be issued until the streets are built and dedicated to the county. He then read Section 603.6 of the Glynn County Subdivision Regulations as follows:

"603.6 Building Permits: No building permits shall be issued and no building shall be erected on any lot created following the enactment of this Ordinance which does not comply with the requirements established herein and unless the street giving access to the lot upon which the building is proposed to be placed has been accepted, opened as, or shall have otherwise received the status of a public street or an officially approved private recorded easement."

Attorney Ferrier reiterated that the Planning Commission should defer action until the County Attorney makes an assessment as to whether or not this section of the ordinance applies to this request.

Ms. Jane Sanders stated that the street has been dedicated to the county since 1947. She stated Mr. Mecchella has met all requirements and he is asking that this request be approved.

Ms. Glenda Jones asked if Mr. Mecchella has a contract to purchase the property from the owner. Ms. Sanders replied yes.

Mr. Lee Noel questioned whether or not Glynn County would be liable for a potential law suit if this request is approved. He suggested the Planning Commission obtain clarification regarding ownership of the property before taking action. Ms. Sanders stated it would be unfair to further delay this request. She stated Mr. Mecchella has a valid Real Estate Sales Contract. Mr. Jack Kite pointed out that the initial delay was because the development did not meet all requirements.

Attorney Ferrier stated that Mr. Mecchella has had ample time to obtain approval of his request and due to the time lapse in doing so, Mrs. Cano no longer wishes to abide by the Real Estate Contract.

Following discussion, a motion was made by Mr. Lee Noel to defer action on this request until the legal question regarding ownership is clarified. Due to lack of a second, the motion died. Further discussion ensued followed by a motion made by Ms. Glenda Jones to recommend approval of this request subject to the Board of Commissioners not granting the recent request for abandonment of the road serving the project, and subject to a legitimate consummation of the purchase between Mr. Mecchella and the property owner. The motion was seconded by Ms. Georgia DeSain. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Mr. Robert Fell and Ms. Glenda Jones. Voting Nay: Mr. Jack Kite and Mr. Lee Noel. The motion carried for approval.

Mecchella II

Mr. Larry Taylor presented the staff's report. He stated that this request was submitted in June as an 801 Administrative Plat with several variances and deficiencies and was denied by the Planning Commission. However, since that time, the applicant has redesigned the plat as a subdivision served by a private street meeting all requirements of the Glynn County Subdivision Regulations for street width, lot size and a turnaround being provided at the end of the street. Mr. Taylor stated that based on this redesign, only two variances would be required:

- 1) Section 801.1 "...subdivision of an unplatted tract of land into lots, each being in compliance with the requirements of the Glynn County Zoning Ordinance and each fronting

an existing public or private street with a minimum right-of-way of 50 ft."

Arnold Road only has a 20 ft. wide right-of-way; however, the applicant has shown a 20 ft. easement along the road frontage of his property reserved for Glynn County in the event Arnold Road is widened.

- 2) Section 602.2-g requires a street turnaround to have a "right-of-way radius of not less than 50 ft."

The design has a turnaround of 40 ft. radius. A similar variance has been granted by the Planning Commission (Butler Mews Subdivision) when private streets were involved and the street itself has only a 40 ft. right-of-way as proposed.

Mr. Taylor stated that the Water and Sewer Commission and the County Engineer reviewed the plat and a letter of acceptance has been provided by the Water and Sewer Commission. He stated staff recommends approval subject to the following conditions:

- 1) The street is to remain private with county garbage collection only being provided at Arnold Road intersection due to the length of the private road.
- 2) All requirements for a public or private paved street, per the Glynn County Subdivision Regulations, will be required such as street names, traffic control signs, etc.
- 3) Water and Sewer easement to be shown as a 20 ft. wide easement for sewer and 10 ft. wide easement for water or a 30 ft. easement when one easement is used for both.

Following discussion, a motion was made by Ms. Glenda Jones to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Lee Noel and unanimously adopted.

**Preliminary Plat
Glynn Haven Estates**

Revision to Block 40, Lots 1 thru 9. Property located at Maple Street and 6th Avenue, Glynn Haven. Zoned R-6 One-Family Residential, 0.560 acres, four residential lots to be served by St. Simons Island Water & Sewer.

John Leotis, Property Owner/Developer.

Mr. Don Hutchinson and Mr. Gary Nevill were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request is to open a portion of Maple Street in Glynn Haven Subdivision and re-subdivide Lots 3, 4, 5, 6, 7, 8 and 9 of Block 40 into four lots. He stated that Lots 3 thru 9 and this un-open section of Maple Street are part of the 1929 Plat of Unit Two, Glynn Haven Estates. He pointed out that Maple Street is a dedicated and accepted un-open county easement. The developer has proposed to provide a paved street with a turnaround to meet county standards and dedicate it to the county. He stated that Sixth Avenue is part of the sales tax paving project and should be paved within the upcoming year.

Mr. Taylor explained that a variance would be required for an 80 ft. turnaround in lieu of 100 ft. as required by the Glynn County Subdivision Regulations. He stated that the County Engineer has reviewed and approved the plan. Also, a letter of acceptance has been provided by the Water and Sewer Commission.

Mr. Taylor stated that staff recommends approval subject to the following conditions:

1. Before the Preliminary Plat is considered approved, the Board of Commissioners must approve an abandonment of that portion of Maple Street from the end of the proposed cul-de-sac to 7th Avenue.
3. Final drainage must be approved by the County Engineer.

Following discussion, a motion was made by Ms. Georgia DeSain to approve the Preliminary Plat of Glynn Haven Estates subject to the conditions stated by staff. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

**Village Preservation District - Sign Permit
Sunset Cafe, Property located at 303 Mallory
Street, St. Simons Island.**

Gold Arc, Inc., dba Sunset Cafe;
Malcolm D. Goldin, Agent.

Mr. Larry Taylor explained that the sign previously in violation of Section 804.9 of the Glynn County Zoning Ordinance has been replaced with a new sign and is now in conformance with the Ordinance. He stated staff recommends approval of the revised sign. It was noted that Mr. Malcolm Goldin, agent for this request, was not present.

It was the consensus of the Planning Commission to not take action at this time until a sketch of the revised sign is provided.

**Revision to Approved Preliminary Plat
Golden Isles Parkway, Property Located
off Perry Lane Road, Zoned FC Freeway
Commercial.**

Property owned by Stellar Investments.

Mr. Ronald Sawyer, agent, was present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this request is to reduce a portion of a proposed road from a 60 ft. right-of-way to a 40 ft. right-of-way as part of the approved preliminary plat for the subdivision. Mr. Taylor stated that according to the Glynn County Subdivision Regulations, a 40 ft. road right-of-way is allowed subject to the drainage being approved by the County Engineer. He stated that Mr. Ray Richard, the County Engineer, has recommended approval of this reduction subject to Mr. Richard's approval of the final drainage plan before construction commences. Mr. Taylor stated that staff recommends approval of the reduction.

Mr. Lee Noel had questions regarding the size of the subdivision. Mr. Sawyer stated that the subdivision consists of 18 acres and 500 ft. of road.

There were several questions regarding water and sewer services. Mr. Taylor then read the following recommendation from the Water and Sewer Commission:

"If the revisions to the approved preliminary plat requires additional water and sewer services, the owner shall pay all improvement costs to serve any extra parcels not already served by the existing water and sewer, per Division 4, Article 2-16-47 2(b) (B)."

Following discussion, a motion was made by Mr. Jerome Clark to approve the revisions to the preliminary plat. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

**Site Plan Approval
St. Simons Paint & Wallcovering
Property located off Demere Road,
Zoned PC Planned Commercial,
12,775 sq. ft.**

Property owned by Charles D. and Janice Taylor.

Mr. Charles Taylor was present for discussion.

Mr. Larry Taylor (no relation) stated that staff has reviewed this plan and finds it to be in compliance with the requirements of the approved PC Planned Commercial Zoning Text (GC-10-94), approved May 19, 1994. He stated the plan has also been reviewed and revised to meet all requirements of the County Engineer, and the Water and Sewer Commission has provided written approval. Mr. Taylor stated staff recommends approval of this request. He then presented a plan specifying the site location.

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

**Redivision of Lots 9, 10, 11 - Block 8
Ocean Breeze Subdivision**

Property located at 1125 Peachtree Street,
Zoned R-6 One-Family Residential, 9600 sq.ft.,
Two Residential Lots.

Estate of Eudella Mullis Beard, Owner

Mr. Skip Russell was present to represent this request.

Mr. Larry Taylor presented the staff's report. He stated that this is a request to re-plat two grandfathered "Lots of Record" in order to make the existing structure conform to side yard setbacks. Mr. Taylor stated that presently, Lot 11 is 42 ft. wide with a structure of 0 side yard. Lot 10 is vacant and is 50 ft. with 4 additional ft. of Lot 9 added to the north side. He stated the applicant wishes to re-plat the property as a 50 ft. Lot for the existing

house and a 46 ft. Lot for a vacant Lot.

Mr. Taylor stated staff feels that this is a logical request and would make Lot 11 conform to setbacks. He stated staff recommends approval with the condition that if Lot 10 is ever developed, all setback requirements must be met.

Mr. Russell presented copies of the tax map for clarification and a general discussion followed.

Following discussion, a motion was made by Mr. Robert Fell to approve this request subject to the condition that if Lot 10 is ever developed, all setback requirements must be met. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

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 Cunningham was present to represent this request.

Mr. Dan Reuter presented the staff's report. He stated that this request is to rezone an existing lot from R-6 One-Family Residential to HC Highway Commercial. He explained that this lot is to be incorporated into the auto dealership located north of the property. He stated that the property will be used for a car sales lot with two proposed locations for street access.

Mr. Reuter stated that the proposed rezoning would continue the Highway Commercial zone south to an existing retail shopping area. He explained that future automobile traffic on Altama Ave. would make the property inappropriate for residential use.

Mr. Reuter stated that 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 zoning will continue a commercial district fronting Altama Avenue. Buffering will be required at residential areas to the west.

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

Should not adversely affect the existing use of residential areas with sufficient buffering.

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

Property has some value as residential but is not desirable.

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;

Points of access to the property will increase turning movements from Altama Avenue. The current annual average daily traffic on Altama Avenue is 21,982 vehicles per day. Other public facilities would not be burdened.

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

Yes, shown as 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;

Extension of commercial area fronting Altama Avenue.

Mr. Reuter stated that staff recommends 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.
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.

Following discussion, a motion was made by Ms. Glenda Jones to recommend approval of this request subject to the conditions stated by staff and also subject to an additional buffer being provided and maintained. The motion was seconded by Mr. Lee Noel and unanimously adopted.

GC-18-94

Request to Rezone from FA Forest Agriculture 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 for discussion.

Mr. Dan Reuter presented the staff's report. He stated that this request is to rezone four existing lots from Forest Agricultural to HC Highway Commercial. He stated that two of the properties are proposed for a used auto lot and the remaining property is proposed for future expansion. Two points are proposed for street access to U.S. Highway 82.

Mr. Reuter explained that two small highway commercial areas exist to the east at the intersection of U.S. 82 and Myers Hill Road. The existing property uses in the area are predominately timber management, residential and religious.

Mr. Reuter stated that 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;

No, the Glynn County Comprehensive Land Use Plan specifically addresses the undesirable effects of spot and strip zoning. The Comprehensive Plan designated the intersection of Myers Hill Road and U.S. 82 as a

commercial activity area. Two small commercial districts exist at the intersection of Myers Hill Road and U.S. 82. The Myers Hill Road area has not developed to an extent which would warrant an expansion of the existing commercial district.

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

No, adjacent property is primarily used for timber management. Some residential and religious uses exist in the general area.

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

Yes, property has value as currently 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;

Yes, water and sewer is not available to the area. The Comprehensive Plan specifically addresses commercial uses should have public water and sewer. Other public facilities would not be burdened. The current average annual daily traffic on U.S. 82 is 6,989 vehicles per day.

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

No, shown as residential.

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;

Existing conditions do not warrant the need for a large commercial district in the area.

Mr. Reuter stated that in the past, the Planning Commission denied similar commercial spot and strip zoning requests in rural areas of the county. He stated that staff recommends denial of this request due to spot and strip zoning.

Mr. Morrison Waye gave a brief presentation. He explained that he would like to use his property to sell used cars. Ms. Glenda Jones asked Mr. Waye if he intends to use the entire 8 acres for that purpose. Mr. Waye replied no; just a portion, with commercial plans in the future.

Mr. Calvin Waye stated that he and Morrison are brothers and he owns the property adjacent to Mr. Waye (Morrison). He then described the area and stated he has no objections to the request.

Mr. Reuter stated that half of the property, if rezoned, would meet the requirements. He stated perhaps Mr. Waye would consider rezoning half of the property.

Following discussion, a motion was made by Mr. Lee Noel to recommend denial of this request. The motion died due to lack of a second. Further discussion ensued followed by a motion made by Ms. Georgia DeSain to recommend approval of this request. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones and Mr. Jack Kite. Voting Nay: Mr. Robert Fell and Mr. Lee Noel. The motion carried for approval.

SUP-4-94

Island Depot

Special Use Permit for an ice cream parlor/
unprepared foods restaurant in the General
Commercial Core Zoning District, St. Simons
Village, St. Simons Island.

Mr. Jim Hargraves, property owner, was present for discussion.

Mr. Dan Reuter presented the staff's report. He stated that according to Section 715 of the Glynn County Zoning Ordinance, the definition of a restaurant in the Core District shall refer to any retail establishment where 25% of its business is devoted to serving prepared food or drink, either prepared on the premises or elsewhere, which is offered to the general public to be consumed either on the premises or take-out. This includes bakeries, candy stores, ice cream parlors, concessions or any similar type of food service business.

Mr. Reuter explained that based on this definition, the described business, Island Depot, would exceed 25% of food or drink, therefore requiring a special use permit. He stated that in order to be a restaurant in the General Commercial-Core District, per Section 715.3, at least one of the following must be met.

1. History of being in operation as a restaurant prior to enactment of the Glynn County Zoning Ordinance.
2. Total overall patron space not to exceed 400 ft. and a seating capacity of 16 patrons.
3. Provide parking space of 50% of Glynn County's requirement for restaurant parking.

Mr. Reuter pointed out that the applicant stated the location has a history of being in operation as a restaurant. The County Tax Assessors confirmed a previous use as a restaurant. Mr. Reuter stated that the applicant proposes to restrict operations to 400 sq. ft. of patron space and a seating capacity of 16 patrons. He stated the applicant proposes to serve unprepared foods requiring minimal preparation such as hot dogs and prepackaged pizza.

Mr. Reuter stated staff recommends that a special use permit be issued for an ice cream shop/unprepared foods restaurant with the following conditions:

1. Total overall patron space not to exceed 400 sq. ft. and a seating capacity of 16 patrons. Any increase to seating will require further approval by the Planning Commission.
2. The applicant will submit a list of prepackaged foods and unprepared foods which require minimal preparation that he plans to serve. Any additional food items or kitchen installation will require further approval by the Planning Commission.
3. Exterior signs will meet the requirements of Section 816 of the Glynn County Zoning Ordinance, Signs Permitted in the Village Preservation District.
4. Fulfill requirements of the Water and Sewer Commission.
5. Benches on the sidewalk at the front of the business will be removed, per the Building Official's request.

Mr. Reuter stated he has received complaints that ice cream sales would encourage youth patron and Tee shirts in the establishment are inappropriate and offensive. Mr. Reuter stated that the Water and Sewer Commission expressed concern regarding food items producing grease and asks that the current use be discontinued until the grease trap requirement has been fulfilled.

Mr. Hargraves gave a brief presentation. He stated that the food items he intends to serve, i.e., pizza, do not produce grease. He stated he has no problem with removing the benches as requested; however, the benches are also utilized by other customers in the village, not just his customers. Mr. Hargraves stated if he is required to remove the benches, he feels that other objects, such as newspaper stands, should also be removed from the sidewalk. He further stated his establishment has no dishes or plates and everything is packaged to go. He stated it is a family business with a family atmosphere and opened until midnight for the public's convenience.

Mr. Reuter reiterated that he had received several complaints that Mr. Hargraves has Tee shirts in his business that are inappropriate and are not family oriented.

There were approximately seven St. Simons village merchants present to oppose this request. Everyone was given an opportunity to express their concerns.

Mrs. Terry Horne, village merchant, stated before she established her business she was required to meet all regulations, including installing a grease trap, handicap facilities, etc. She stated her business is also family oriented and opened until 10:00 p.m. Mrs. Horne stated she had to follow all of the rules and so should Mr. Hargraves.

Mr. Mike Force stated Mr. Hargraves should abide by the rules and meet all requirements. He stated his wife owns a business in the Pier area and she had to meet all requirements. Mr. Force stated that Mr. Hargraves is an "habitual violator who does what he wants when he wants, and he should cease operation until all requirements are met".

Ms. Marilyn Briggs, village merchant, stated she had to spend thousands of dollars to meet all requirements when she started her business. She stated that she serves prepared foods and her business is opened until 11:00 p.m. weeknights and until midnight on weekends. She stated she also had to meet the 400 square footage requirement. Ms. Briggs stated Mr. Hargraves should follow the same guidelines as everyone else in the district.

Mr. Bob Dressner, St. Simons resident and business owner, stated, "What's good for the goose is good for the gander."

Mr. Tim Mathews, village merchant, stated his main concern is for the children. He stated the Tee shirts in Mr. Hargraves' establishment are inappropriate for children. He stated a 4-H representative in charge of students on a field trip, advised his students to not purchase any of the Tee shirts. Mr. Mathews stated that in the best interest of the children, the 4-H counselors canceled field trips because of these standards. He stated the establishment does not portray a positive image for the area or for the children.

In rebuttal, Mr. Hargraves stated he has met the 400 square footage requirement and he will install a grease trap. He further stated that he has received seven (7) consecutive inspections rating 100% each time. He stated he has visited some of the other shops in the area and the Tee shirts in his shop are no different than the others. Mr. Hargraves stated that he is willing to cooperate and will comply with all regulations.

Mr. Reuter stated that the County Police Chief has received complaints that Mr. Hargraves has not met the water and sewer requirements. He then introduced Mr. Billy Williams, the zoning enforcement officer, who is responsible for investigating alleged violations and issuing citations to violators.

Mr. Robert Fell expressed concern regarding the condition to remove the benches. He stated he has a problem with this condition in that the benches serve a necessary purpose for citizens. Mr. Reuter explained that this condition was added by the Building Official. Mr. Fell stated in his opinion, this condition should be stricken. He stated he personally feels that the benches are not in jeopardy. Mr. Fell also stated in his opinion that some of the Tee shirts are inappropriate. He stated "there is a time and place for everything."

Ms. Glenda Jones asked if the benches are in violation of the ordinance. Mr. Larry Taylor replied that according to the Village Preservation Ordinance, sale items and other obstructions are not allowed on sidewalks. Also, no one receives commission from newspapers and according to the Supreme Court ruling, paper boxes (newsstands) are allowed on public property.

Mr. Hargraves stated he is willing to comply with the regulations; however, he stated his business is a restricted food service and not a restaurant. Mr. Reuter stated according to the Glynn County Zoning Ordinance, the business is considered as a restaurant and the requirements must be met. Mr. Hargraves stated he is being harassed by his competitors who are upset because his food items are better and his business is prospering.

Following discussion, a motion was made by Ms. Glenda Jones to recommend that this request be denied until all conditions are met. The motion was seconded by Mr. Jerome Clark. Further discussion ensued. Mrs. Terry Horne asked the Planning Commission if the motion for denial meant that Mr. Hargraves could continue operation until the conditions are met, or if it meant he would have to cease operation until the conditions are met. Mr. Hargraves stated he should not have to "shut down" his business in order to please his competitors. He stated he could meet all requirements within one week. Mr. Reuter stated that the Planning Commission's recommendation will be forwarded to the Glynn County Board of Commissioners and presented at their regular meeting on August 18th. Mr. Hargraves stated again that he could meet all requirements within one week. Mr. Mike Force commented that Mr. Hargraves will not meet all of the requirements in one week and he suggests the Planning Commission recommend that Mr. Hargraves cease operation.

Vice Chairman Jack Kite advised Mr. Reuter to confer with Mr. Vernon Lewis, the building official, regarding regulations. Mr. Taylor explained that the Planning Commission has the right to recommend that the applicant cease and desist. Thereupon, 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.

Recommendation for Comprehensive Planning Process

Mr. Dan Reuter presented a handout of recommendations made by the Planning Commission at the June 14th worksession. He explained that the Planning Commission has to recommend that the general process be adopted. Mr. Kirk Schlemmer, Planning Director of Coastal Georgia RDC was present for discussion. He stated he will assist Glynn County with this process. He then elaborated on the 1991 plan elements, 1996 required elements and the optional elements. Mr. Reuter pointed out that public input is vital and several public hearings will be conducted.

Following discussion, a motion was made by Mr. Robert Fell to adopt the general comprehensive planning process with the understanding that changes can be made and with the understanding that there is no decision on the elements at this time. The motion was seconded by Mr. Lee Noel and unanimously adopted.

Approval of Planning Commission Minutes -

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. 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. 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. The motion carried for approval.

Staff Items

Mr. Dan Reuter explained that at the April 5, 1994 Planning Commission Meeting, the Commission approved request number GC-13-94, property owned by Ms. Wilma Castello. The request was then forwarded to the Board of Commissioners for review at their May 19, 1994 regular meeting. However, it was discovered that not all property owners within 200 feet of property requested to be rezoned were notified. Therefore, in order for the request to be officially reviewed by the Board of Commissioners, the County Attorney advised staff to notify all property owners (per the Glynn County Zoning Ordinance) and readvertise this request to be reviewed again by the Planning Commission at a called meeting.

Following discussion, it was the consensus of the Planning Commission to have a called meeting on Thursday, July 28, 1994 at 9:00 a.m. in Room 234 of the Office Park Building to review request number GC-13-94.

Also under Staff Items, Mr. Reuter explained that the advertisement for request number GC-17-94, property owned by Carl L. Gregory, did not have a complete 15 day notification and therefore the request will be advertised for review at the next Planning Commission meeting.

Commission Items

Mr. Reuter reminded the members of the Planning and Zoning Workshop scheduled for Thursday, July 14th in Richmond Hill. He advised those attending the workshop to meet him in the parking lot of the Office Park Building no later than 8:00 a.m. Transportation has been provided.

There being no further business to discuss, the meeting adjourned at 11:35 a.m.