

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
NOVEMBER 1, 1994 9:00 AM.

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

STAFF PRESENT: Dan Reuter, Planning Official
Deborah Taylor, Zoning Admin.
Jennifer Detloff, Planner
Janet Loving, Admin. Secretary

Chairman Wayne Stewart called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

Mr. Stewart stated he had two announcements. He announced that he was stepping aside as Chairman of the Glynn County Planning Commission due to a technicality, as pointed out in a letter from Residents United For Planning & Action (RUPA), a recently established group of St. Simons Island residents. Secondly,

Mr. Stewart explained that Application Number GC-30-94 was scheduled for review today; however, he was notified that the agent called the Planning & Zoning Office on Friday, October 28th to request that this item be deferred until December. Mr. Stewart stated he contacted other board members for a consensus to defer this request until the December 6th Planning Commission meeting. At this point, Mr. Stewart presented copies of the letter he received from RUPA which states the following:

..."Article I, Section 102 of the Planning Commission By-Laws states: The Chairman shall preside at all meetings of the Planning Commission and at the other meetings and public hearings called by the Planning Commission; shall call special meetings of the Planning Commission when required; shall appoint all committees; and, in general, shall act as spokesman for the Planning Commission. In the event of a vacancy in the office of the Chairman, the Vice Chairman shall assume the office and title of Chairman during the unexpired term of the Chairman.

"Section 103. Vice Chairman states: In the absence or disability of the Chairman, the Vice Chairman shall assume all of the duties, responsibilities and privileges of that office as herein enumerated. In the event of a vacancy in the office of Vice Chairman, a special election shall be called to fill the office.

"Mr. Stewart's appointment to the Glynn County Planning Commission expired on June 30, 1994. At that moment, the office of Chairman became vacant. Mr. Stewart was not absent or disabled, as provided for in Section 103. He simply was no longer a member of the Planning Commission. On July 1, 1994, Mr. Kite became Chairman for the remainder of Mr. Stewart's term, as provided for in Section 102. It appears that the only way this automatic secession could have been voided was if Mr. Kite had resigned from the office of Vice Chairman on June 30, 1994--an action he did not take. It seems manifestly clear that Mr. Kite, not Mr. Stewart, is the legal chairman of the Glynn County Planning Commission, and has been since Mr. Stewart's appointment expired on June 30, 1994."

Also in the letter, the organization (RUPA) recommended that all actions taken by the Commission from September 13, 1994 to the present time be reviewed immediately to determine the legality of the rulings. However, Mr. Stewart stated that the Planning Commission is an advisory board, and there is nothing he was involved in that would cause any decision to be overturned since his re-appointment as Chairman in September. He stated that in the best interest of the Planning Commission he would step down immediately. He further stated that he is often considered to be politically incorrect; however, he stated, "I always say exactly what I think. I have a right to vote and will continue to vote." Mr. Stewart stated that a new election will be held in January, 1995. In the mean time, Mr. Jack Kite will preside as Chairman of the Glynn County Planning Commission for the remainder of 1994.

Mr. Richard Parker commented that a lot of time and money has been wasted with attorney conferences over this issue. He added that this is "just another example of petty politics going on in Glynn County and it's time for this to stop."

Discuss request for Variance to the Glynn County Subdivision Regulations on required right-of-way width for a private access easement (from the required 60 ft. to 30 ft.) to allow subdividing a portion of Lot 23, Harrington Tract, located off North Harrington Road, St. Simons Island.

Mr. Jerry Bacon, property owner, was present to represent this request. Mr. Robert Fell stated he would abstain from voting on this item due to living in close proximity of the applicant.

Mr. Dan Reuter explained that this request was deferred at the October 4th Planning Commission meeting in order to obtain additional information from the County Engineer and other County Departments. He stated since that time, the applicant has revised the plat and is requesting a variance from a 60 ft. access easement to one 30 ft. in width for the first 315.39 ft. He stated the applicant would like to save and restore the existing house. Mr. Reuter stated staff feels that approval of this request should be contingent upon the historical structure remaining on the site, and if the house is ever removed, the applicant would be required to come back to the Planning Commission for review and evaluation of the request.

Mr. Lee Noel stated he was concerned that by approving this request for historical reasons would obligate the Planning Commission to extend this service in the future.

Following discussion, a motion was made by Mr. Wayne Stewart to approve this request. The motion was seconded by Ms. Glenda Jones. Further discussion ensued. Mr. Stewart asked if the existing structure is listed on the historical register. Mr. Reuter stated it would be listed if there were a survey; however, staff does not have one at this time. Mr. Stewart agreed with Mr. Noel, stating he was concerned that this type of approval would set a precedence. He also had questions regarding road width. Mr. Ray Richard, County Engineer, explained that in this particular case, due to the lay of the land, there is no ditch requirement and the width of the road would not be a problem. Mr. Reuter stated this is why the 60 ft. easement requirement was added to the plan. Mrs. Deborah Taylor pointed out that the Planning Commission had never granted a variance request of this nature before.

Mr. Lee Noel stated it seems to be the consensus to approve this request; however, there are still unanswered questions. He suggested the Commission get a legal ruling first.

Mr. Jerry Bacon explained that this request has been deferred once, and he is trying to save the house. He stated he has already repaired the roof. He will own and live in the house and does not intend to sell it. Mr. Bacon stated the back lot will remain a 20 ft. drive, septic tanks will be utilized and no sewer. He pointed out that other utilities will come down the left side of the property.

Mr. Stewart suggested the Planning Commission confer with the County Attorney and staff for a more in-depth review in an effort to prevent setting a precedence.

Mr. Bill Hooker, a local architect, stated he supports granting a variance to preserve historical structures when the drawings, etc. are in place. He stated that a structure has to be at least 50 years old in order to qualify for the historical register.

At this point, Mr. Wayne Stewart withdrew his motion for approval and offered another motion to defer this request until staff confers with the County Attorney and other public safety departments. The motion was seconded by Mr. Lee Noel. Voting Aye: Mr. Jerome Clark, Ms. Glenda Jones, Mr. Jack Kite, Mr. Lee Noel, Mr. Richard Parker and Mr. Wayne Stewart. Abstained From Voting: Mr. Robert Fell.

**Request for an additional two year extension of
the approved Preliminary Plat of Oak Grove Island
Plantation, Phases 4 thru 6.**

Mr. Dan Reuter presented the staff's report. He stated that on December 4, 1990, the Glynn County Planning Commission approved the Preliminary Plat of Oak Grove Island Plantation, Phases 3 thru 6 and the golf course with lagoons. He stated the development consisted of 313.49 acres with 425 single-family lots.

Mr. Reuter stated that on November 4, 1992, the developer, George Skarpalezos, requested a two-year extension from the Glynn County Planning Commission of the preliminary plat approval for Phases 3 thru 6, and approval was granted. He stated that a final plat for Phase 3, consisting of 10.517 acres with 16 single-family residential lots, was approved by the Glynn County Board of Commissioners in August, 1994. Phases 4 thru 6 are still in the preliminary phase. Mr. Reuter explained that at this time, the developer is requesting an additional two-year extension for Phases 4 thru 6.

It was noted that no one was present to represent this request.

Following review, a motion was made by Mr. Wayne Stewart to approve the request for a two year extension. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

Review Rezoning Application GC-27-87, 1.957 acre tract fronting 236.84 feet on the north side of Demere Road, approximately 600 feet west of the Demere Road and Frederica Road intersection (site of Waffle House), to consider amending the condition that was placed on the rezoning when approved in December, 1987 regarding the park area.

Mr. Ken Williams, Director of Real Estate for Waffle House, was present for discussion.

Mr. Dan Reuter presented the staff's report. He stated that on December 17, 1987, the Glynn County Board of Commissioners approved the rezoning of a tract of land containing 1.957 acres, fronting 236.84 ft. on the north side of Demere Road approximately 600 ft. west of the Demere Road and Frederica Road intersection, subject to six (6) conditions. Mr. Reuter stated that the following two (2) conditions are of concern at this time:

1. The owners convey a .2 acre tract on the western boundary of said property to Glynn County to be used as a park for observing the marsh and serve as a demarcation line between commercial and residential properties on the north side of Demere Road, while reserving an easement for a lift station.
2. The owners will landscape the park area and construct a six-foot high wall to shield the park area from the commercial development.

Mr. Reuter explained that this item was presented and discussed at the Planning Commission's Meeting of September 13, 1994. At that time, a motion was adopted to eliminate the walkway, leave the natural vegetation in place and dedicate the buffer to Glynn County. He stated that when this matter went before the County Commission, the County Attorney advised that

it should be handled as an amendment in accordance with the Zoning Ordinance, which requires advertising, a public hearing and recommendation by the Planning Commission prior to action by the County Commission.

Mr. Reuter stated staff feels that the two (2) conditions listed above should be met at this time. The land dedication was granted to Glynn County on December 17, 1987. However, the area intended for a park is not suitable to function as a walk-way and park. He stated staff felt an area of property left in its natural state would better serve the purpose of separating commercial and residential uses, and the isolated nature of the park may not be suitable for public use.

It is recommended that the developer of the property, the Waffle House, be required to meet the following requirements to create a green open area and demarcation line between the commercial and residential properties on the north side of Demere Road:

1. The area dedicated to Glynn County will be left in its natural state as an undisturbed buffer area;
2. Dedicate to Glynn County an additional area shown on the site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area;
3. Place additional landscaping on the southern location of the buffer area as an additional landscaping screen;
4. Protect an existing 16" oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing;
5. Recommend acceptance of \$2,500.00 to Glynn County for recreation purposes on St. Simons Island.

Mr. Ken Williams presented drawings of the area. He explained that the Waffle House installed an additional row of plants and it is their opinion that the natural vegetation is the best way to separate commercial from residential property. He further stated that Waffle House is willing to donate the \$2,500 for parks and recreation to Glynn County in good faith. Mr. Stewart asked if it was required to recommend acceptance of the \$2,500. Mr. Reuter stated this was not a condition but it was offered by Waffle House.

Mrs. Berthenia Gibson, a resident of the Jewtown community, stated she is satisfied with the natural buffer as long as it remains in its natural state. She requested that the recreation contribution be used to purchase 6 to 8 lanterns to be placed along Demere Road walkway/bikepath area for safety reasons. Chairman Jack Kite pointed out that additional lighting would have to be addressed by the County Commission.

Mr. Bill Hooker, a local architect, expressed concerns regarding funds. He stated the intent was to have recreation in that area and he thinks funds should remain in the area. He also had questions regarding lights and suggested adding a condition that the lights be somewhat subdued in the area. Chairman Kite reiterated that lighting questions would have to be addressed by the County Commission.

Attorney Doug Alexander, representing Mr. Joe McDonough, was present for discussion. Attorney Alexander stated he is not present to oppose this request but to ask questions and

make comments. He asked if the property had been deeded or dedicated to Glynn County. Mrs. Deborah Taylor replied yes, the original property had been deeded to the county. Mr. Reuter stated that staff recommended in condition #2, dedicating additional property shown on the site plan to Glynn County. Mr. Ken Williams stated Waffle House would like to only place a deed restriction on the additional property. The Planning Commission members agreed that the property should only have a deed restriction and remain as taxable property.

Attorney Alexander stated his next comment was that the demarcation line was approved without notifying the adjacent property owner, Mr. Gloster Buchanan, thereby making the approval arbitrary, capricious and a violation of Mr. Buchanan's rights. However, Mrs. Ruthie Cobb, Jewtown resident, pointed out that in the beginning when this rezoning came about, Mr. Buchanan, who is her great-uncle, was the spokesman for the Jewtown community. She stated Mr. Buchanan was well aware of the demarcation line. Mr. Reuter stated Mr. Buchanan and other owners in the area were notified of this meeting. He also explained that the demarcation line was part of the original 1987 zoning conditions. He then read that portion of the staff's report and stated the five (5) numbered conditions were included.

"It is recommended that the developer of the property, the Waffle House, be required to meet the following requirements to create a green open area and demarcation line between the commercial and residential properties on the north side of Demere Road..."

Following discussion, a motion was made by Mr. Lee Noel to accept the staff's recommendation. The staff's recommendation being that the developer, Waffle House, be required to meet the following requirements to create a green open area and demarcation line between the commercial and residential properties on the north side of Demere Road:

1. The area dedicated to Glynn County (December 17, 1987) be left in its natural state as an undisturbed buffer area.
2. Reserve by Deed Restriction an additional area shown on the site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area.
3. Place additional landscaping on the southern location of the buffer area as an additional landscaping screen.
4. Protect an existing 16 inch oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing.
5. Recommend acceptance of \$2,500.00 to Glynn County for recreation purposes on St. Simons Island.

The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mr. Jack Kite and Mr. Lee Noel. Abstained From Voting: Ms. Glenda Jones, Mr. Richard Parker and Mr. Wayne Stewart.

**Review Proposed Road Design for
Malcolm McKinnon Airport**

Mr. Dan Reuter explained that a map and a letter from Mr. Gary Moore, Managing Director of the Glynn County Airport Commission, regarding the proposed road design of the airport are included in the packages for the Planning Commission's review. Mr. Reuter then read the letter as follows:

"...The preliminary road design is for two phases of construction. Phase I is the proposed design for the present time and until proposed improvements are made to Airport Road. Phase 2 is the proposed design if and when improvements are made to Airport Road.

"The proposed roads will provide access to approximately fifteen (15) acres of aviation use property and eight (8) acres of non-aviation use property. Most of this property has a fair market value in excess of \$100,000 per acre.

"The Airport Commission considered these access road designs at their meeting on October 20, 1994, and approved a motion to recommend approval of the road design to the Glynn County Planning Commission.

"Based upon the preliminary staff meeting held August 24, 1994, the proposed access road design incorporates two cul-de-sacs to ensure against through traffic. A tree survey was also conducted in the 100 ft. buffer zone and a median has been incorporated in the design to eliminate the need to remove any live oak trees.

"During phase 2, if and when improvements are made to Airport Road, the required right-of-way for the curve radius from Airport Road to merge traffic into Demere Road has been reserved, and the initial access from Airport Road has been relocated to be compatible with the access road to the trailer park.

"No county funds will be requested for the construction of the proposed access roads. The Airport Commission will fund the construction with the possible assistance of the FAA and pay for the cost of construction from revenue generated by the leasing of property provided access by the proposed road.

"The McKinnon Airport currently generates approximately \$230,000 in annual revenue with operating expenses of approximately \$210,000 without the cost of capital improvements. The Airport Commission has expended approximately \$25,000 in capital improvements at the McKinnon Airport in the last two years. The additional property available for lease with the construction of the proposed access road will generate revenue of approximately \$11,000 per year per acre."

Also included in the packages for review, was a letter regarding McKinnon Airport Limited Commercial PD-G Zoning Text, submitted by Mr. Bill Hooker, containing observations and comments related to the portion located along Demere Road near the East Beach Causeway.

Mr. Gary Moore presented a preliminary sketch plan of the proposed access road and re-emphasized that without the road, it would be impossible to develop 23 acres of airport property. He stated he would be glad to answer questions.

Mr. Frank Quinby, Brunswick Area Transportation Study Citizens Advisory Committee (BATS CAC) member, expressed concerns regarding a secondary access that intersects with Demere Road at East Beach Causeway.

Mr. Jack Caldwell, RUPA President, stated there needs to be at least one or more public hearings on St. Simons Island before the plan is finalized. He stated more options should be explored.

Mr. Jim Gould expressed concerns for safety. He stated if trucks are allowed in the area, Airport Road needs to be improved first.

Mr. Walter Davis, agreed that more public hearings are needed on St. Simons Island.

Ms. Carolyn Sartor, BATS CAC member, stated she is concerned about the area being zoned for commercial use. She stated because of the residential neighborhood, this proposal should be discussed with the residents in the area.

Mr. Reuter stated that a transportation meeting is scheduled for November 8th at Demere Annex on St. Simons Island and perhaps the sketch plan could be presented and discussed in detail at that meeting.

Mr. Lee Noel asked if the Planning Commission were approving something. Chairman Kite replied no, this is just for review at this time.

Mr. Barry Hannah, a resident of East Beach, stated he is opposed to the access by way of East Beach.

Chairman Kite thanked Mr. Moore and suggested all comments be taken into consideration.

At this point, the Planning Commission took a 15 minute recess. The meeting resumed at 10:45 a.m.

Due to elections taking place on Tuesday, November 8th, the meeting previously scheduled for that date was changed to Monday, November 7th at 6:30 p.m., Demere Annex on St. Simons Island.

MINUTES

In the Minutes of October 4, 1994, Item #5 "**Review the Master Plan for Glynco Jetport and Malcolm B. McKinnon Airport**", Mr. Lee Noel **abstained** from voting; however, Mr. Noel has requested that his vote be changed to **nay**. Thereupon, a motion was made by Mr. Robert Fell to approve the Minutes of October 4, 1994 with the change stated by Mr. Noel. The motion was seconded by Mr. Lee Noel and unanimously adopted.

STAFF ITEMS

a) Planning Commission Committees:

Mr. Reuter presented a memo to the members regarding "Standing Committees, Special Committees and Special Advisory Groups, in accordance with the Planning Commission By-Laws. The By-Laws state that the Planning Commission shall have three Standing Committees: a) Nominating Committee; b) Work Program Committee; and c) Ordinance Amendment Committee.

Chairman Kite stated that the entire Planning Commission would be a part of the Ordinance Committee, to review all proposed amendments brought forth by staff.

Chairman Kite stated the following members will serve on the Nominating Committee: Mr. Robert Fell, Ms. Glenda Jones and Mr. Richard Parker.

b) Glynn County Comprehensive Plan:

Mr. Reuter gave a brief status report on the Glynn County Comprehensive Plan. He stated that four (4) public hearings had been held and three (3) are pending. He stated he should have all comments from each area of meetings, and will give a report in December.

Chairman Kite appointed Mr. Wayne Stewart to serve as Ex-Officio Member of the St. Simons Water and Sewer Commission.

Mr. Stewart expressed comments pertaining to #11 of the Comprehensive Plan Citizen Survey. He stated he feels that all 13 districts (the entire area) should be discussed and not just St. Simons Island.

c) Scenic Corridor Overlay District:

Mr. Reuter presented a draft copy of the Scenic Corridor Overlay District. He stated this is just a draft for the Planning Commission's review and comments, and perhaps it could be discussed at the December 6th meeting. Mr. Stewart stated that several public hearings are needed before this is discussed. Mr. Reuter explained that staff is merely looking for uniformity and he thought this might be a place to start.

Mr. Hal Hart, BATS CAC Chairman, stated he had a few comments about the document. He stated first that he is grateful to the press for acknowledging this item would be on today's agenda. He then apologized for having only 10 minutes to review the document and prepare his comments. Mr. Hart stated he would like to see "Glynn County start with their own property." He made several comments regarding building density, rezoning problems, traffic study, building permits and a landscape plan. He stated more public hearings are needed and more citizens should be made aware of this document.

Mr. Reuter stressed that the document is a draft for review only and if the Planning Commission deems it necessary to have a number of public hearings, he concurs; however, he thought it should be discussed among the members and staff first. Mr. Reuter stated all comments and suggestions would be considered.

Mr. Dave Kyler, Coastal Georgia RDC, explained that the Scenic Corridor Overlay District was drafted as a generic proposal and is for review only. He further stated that it was prepared only for the betterment of the community.

d) Bicycle and Pedestrian Program Study

Ms. Jennifer Detloff pointed out that a copy of the Bicycle/Pedestrian Study is included in the Planning Commission packages for review. She then gave a brief overlay presentation of bicycle/pedestrian routes in Glynn County and a general discussion followed.

Also under Staff Items, Mr. Robert Fell stated he attended the original meeting sponsored by the Coastal Georgia RDC and Ms. Beth Gibson of the State Historic Preservation Office gave a very good presentation on island architecture. He stated due to the location (Fort Frederica), the meeting was not well attended. Another meeting is scheduled for November 4th at the Historic Courthouse. Mr. Fell stated everyone should have an opportunity to attend.

Mr. Reuter distributed copies of the "Planning Commissioners Journal-Safer Communities" for informational purposes.

There being no further business to discuss, the meeting adjourned at 11:30 a.m.