

REGULAR MEETING
THE BRUNSWICK - GLYNN COUNTY JOINT PLANNING COMMISSION
AUGUST 7th, 1973
8:30 A. M.

PRESENT: Chairman Neal Gale, John Baldwin, Harry I. Driggers,
Wayne E. Floyd and Father Marlon S. Poitier

ABSENT: James E. Hancock, Dorman McDonald and Cormac McGarvey

ALSO PRESENT: Executive Director Edward H. Stelle and Assistant
County Building Official Vernon Lewis

Upon a motion made by Mr. Floyd and seconded by Father Poitier,
the Minutes of the Regular Meeting held on July 10th, 1973, were
approved.

GC-29-73: (Deferred at July 10th, 1973, Meeting)

Request to rezone, from R-12 One-Family Residential to M-9 Mobile
Home One-Family Residential, that portion of Lot 1 in Block B of
Sterling Park Subdivision located 399.95 ft. south of Green Swamp
(Hopeton) Road and fronting approx. 70 ft. on the east side of the
curve of Holly Road and approx. 130 ft. on the north side of said
curve of Holly Road

Mrs. Clifford E. Adams was present for continued review of
the subject application, submitted by her husband. Mrs. Adams
stated that the requested rezoning would permit the location of
a mobile home for her son and his wife.

The Director explained that this request had been deferred
at the July 10th, 1973, meeting in order that the square footage
of the property involved, proposed lot reduction, or any other
factor that might not be in accord with the requirements of the
Glynn County Zoning Ordinance may be studied prior to any rec-
ommendation being made.

The Director explained that rezoning of that portion of the
lot identified above would result in the residence existing on
the remainder of the lot becoming a non-conforming use as lacking
the required square footage required for its R-12 One-Family Resi-
dential classification. Mr. Stelle added that the Ordinance pro-
hibits lot reductions of this type.

The Director stated that, in view of these conditions and the
establishing of a precedent for similar requests, he recommended
denial of this application.

After careful study, a motion was made by Mr. Driggers, seconded by Mr. Floyd and unanimously adopted that, although the Planning Commission is sympathetic toward the applicant's reason for requesting a M-12 Mobile Home One-Family Residential rezoning, to recommend denial of the subject application for the following reasons:

1. the land involved is below the minimum square footage required for the remainder of lots in Sterling Park Subdivision;
2. the requested rezoning would set a precedent for other similar requests in the subdivision; and
3. lot reduction of this type is prohibited in the Glynn County Zoning Ordinance.

GC-32-73:

(Reference: Item 7; GC-1-73 A below)

Request to rezone, from FA Forest - Agricultural to GC General Commercial, a tract fronting 300 ft. on the west side of Pennick Road with a depth of 300 ft., and lying approx. 3 miles north of that road's intersection with the Old Jesup Highway

Mr. Aaron Walker was present for review of the subject request, submitted by himself and his wife. Mr. Walker stated that their plans call for a service station, grocery store and restaurant on the property involved. He pointed out that there are no facilities of this type within 3 or 4 miles to serve an area containing a considerable number of residences.

It was noted that no one was present to express opposition to this request.

The Director recommended approval of this request as he felt the subject property would be a convenient location for businesses of this type.

After careful study, a motion was made by Mr. Floyd, seconded by Father Poitier and unanimously adopted to recommend approval of the subject request for the rezoning of the property involved to GC General Commercial which will provide needed commercial services that are not now available in that community and that the proposed use should not be detrimental to surrounding existing uses.

GC-33-73:

Request to rezone, from R-6 One-Family Residential to LC Local Commercial, Lots No. 7, 8 and 9 in Block 3 of Central Park Subdivision, fronting 100.3 ft. on the west side of Frederica Road and 167.7 ft. on the north side of Ledbetter Avenue on St. Simons Island

Mr. Hugh Strayhorn, applicant, accompanied by Mr. Jack B. Jenkins, was present for review of this application. Mr. Jenkins, as option holder for the purchase of the subject lots, stated that, if it is rezoned to Local Commercial, he proposes to construct a professional building on the property involved. He further stated that he felt there was a need on St. Simons Island for such a building but had been unable to locate a suitable site. Mr. Jenkins explained that plans call for commercial uses, such as a florist shop, an apothecary shop, optometrist's and doctor's offices, and a travel agency, which would generate a minimal amount of traffic. He said that this location had been selected as it was his belief that all property along Frederica Road between Longview Shopping Center and the Heritage Inn Nursing Home Complex will eventually become commercial.

A petition bearing 15 signatures opposing the request was submitted by Central Park Subdivision property owners appearing to express their objections. They pointed out that the proposed professional building would be the only commercial use in an established residential area. They expressed concern as to whether the area contained in the 3 lots would be adequate for the building, off-street parking and setback requirements. These property owners were all in accord that the property involved should remain in its residential classification.

Mr. Norman Hartmann, President of the St. Simons Island Concerned Citizens Association, was also present to express opposition to the subject request. He stated that the atmosphere of the Planned - Development General Heritage Inn Complex differs considerably from the proposed commercial use. He added there were other areas on St. Simons Island where a use of this type could be located.

The Director stated that, although the requested rezoning would represent a "spot zoning" at this time, he was of the opinion that in all probability commercial use would extend into this area as the need for commercial property increases on St. Simons. Mr. Stelle qualified his recommendation for approval of this application by stating the property should only be used for construction of a professional building in accordance with the layout plans submitted.

A motion was made by Mr. Baldwin to recommend denial of the subject application as it would constitute a "spot zoning" and

would be a penetration into an area that is predominately residential; and, further, there are other areas where this development could be located.

This motion received no second and the Chairman declared the motion died for lack of a second.

Father Poitier stated he could see no real conflict in view of the proximity of the Heritage Inn Nursing Home and the layout plans submitted meeting the requirements for this proposal. He then made a motion, which was seconded by Mr. Floyd, to recommend approval of the rezoning of the property involved to LC Local Commercial.

Voting Aye: Mr. Floyd and Father Poitier

Voting Nay: Messrs. Baldwin and Driggers

The Chairman voted Nay to break the tie vote and declared the motion failed to carry.

After further discussion, Mr. Baldwin restated his original motion which was seconded by Mr. Driggers to recommend denial of the subject application as it would constitute a "spot zoning" and would be a penetration into an area that is predominately residential; and, further, there are other areas where this development could be located.

Voting Aye: Chairman Gale, Mr. Baldwin and Mr. Driggers

Voting Nay: Mr. Floyd and Father Poitier

The Chairman declared the motion adopted.

GC-34-73:

Request to rezone, from RR Resort Residential to OC Office Commercial, a tract containing approx. 1 acre, fronting approx. 200 ft. on the north side of Demere Road and lying approx. 580 ft. east of the center line of Plumb Brook Drive and approx. 650 ft. west of Market Street in Tabby Plaza on St. Simons Island

Attorney Anthony D. Smith was present for review of the subject application. Mr. Smith explained that Dr. John A. Hendry holds an option to purchase the property involved from the applicant, Mrs. Lillian E. Shaw. He further explained that Dr. Hendry plans to construct a dentist's office on the subject property.

A number of property owners in this area along Demere Road were present to inquire as to the effect the requested rezoning would have upon their residential neighborhood, which includes the St. Paul Baptist Church. Their basic concern was that this application, if approved would set a precedent for additional

commercial areas westerly into their residential neighborhood. A statement bearing 39 signatures was presented in opposition to the subject request.

The Director recommended approval of this application as there are existing Office Commercial uses to the east of the area.

After careful study, a motion was made by Mr. Baldwin and seconded by Mr. Driggers to recommend approval of the rezoning of the property involved for OC Office Commercial uses which would be compatible with the area to the east and would not be detrimental to the surrounding property.

Voting Aye: Messrs. Baldwin, Driggers, and Floyd

Voting Nay: Father Poitier

The Chairman declared the motion adopted.

B-4-73:

Request to rezone, from HC Highway Commercial to BI Basic Industrial, lots in Montpelier Subdivision in the City of Brunswick identified as Lot No. 49 and portions of Lots No. 50, 73 and 74 and portions of a 15 ft. alley abutting said lots, said property fronting 112.5 ft. on the west side of Glynn Avenue (U. S. Highway 17 North) and 150 ft. on the north side of Hopkins Avenue

Mr. C. E. Herndon was present for review of the subject request. Mr. Herndon explained that relocation of his bulk gasoline storage plant is necessary due to acquisition of other property in his ownership for the Newcastle Street Project. He said that the plant would be located to the rear of an existing service station on the property involved, with adequate setbacks and a protective retaining wall.

A question arose during discussion as to the danger of explosion from above ground storage tanks. It was brought out that construction would have to meet the requirements of the State Fire Marshal, which includes the protective retaining wall.

No one was present in opposition to this request.

Stating that there are a number of existing facilities in the area and that Mr. Herndon's property is located directly across Glynn Avenue to the east from other Basic Industrial land, the Director recommended approval of this application.

After careful study, a motion was made by Father Poitier, seconded by Mr. Baldwin and unanimously adopted, it being recognized that the applicant is having to relocate his bulk gasoline

storage plant due to acquisition of his property for the Newcastle Street Project, to recommend the rezoning of the subject property for the following reasons:

1. there now exists a number of similar uses in the area;
2. directly across U. S. Highway 17 North to the east there is an existing Basic Industrial District; and
3. installation will require compliance with the State Fire Marshal regulations for such facilities.

GC-1-73 A: (Reference: Item 3; GC-32-73 above)

Tax Map 106, in the event the property requested for rezoning under GC-32-73 above is rezoned by Glynn County, inclusion of said tax map as an "Official Zoning Map of Brunswick and Glynn County" will be required to properly reflect the rezoning

In reviewing Rezoning Application GC-32-73 above, it was brought out that, in the event the County Commission rezones the property involved in that request, Tax Map 106 will be required to be designated as an official zoning map to allow the area to be properly designated on a plate map.

After careful consideration, a motion was made by Mr. Floyd, seconded by Mr. Baldwin and unanimously adopted, that inasmuch as the rezoning requested under GC-32-73 above received a favorable recommendation, to recommend to the County Commission that Tax Map 106 be included as an "Official Zoning Map of Brunswick and Glynn County" in order to properly reflect the property involved in the event that Commission grants the requested rezoning.

Subdivision Plat Review: Belle Point Subdivision, Section 5
Preliminary Approval Stephen Been Plate Map 45

Attorney O. T. Nichols, representing Mr. Stephen Been of Homes of Tomorrow, Inc., was present for review of this preliminary plat.

The Director explained that at its meeting of June 5th, 1973, the Planning Commission had made conditional Preliminary Approval of Belle Point Subdivision, Section 5, Area A, until such time as an over-all layout for the entire area encompassed in Section 5 is submitted for preliminary review. The Planning Commission felt that the over-all platting was required in order to be assured that all of the property involved has an acceptable street pattern, adequate

provision for open space requirements and for sewer and water facilities, together with written approval of the Glynn County Fire Department.

The Director stated that examination of the subject preliminary plat reveals it to be in order for preliminary approval.

After careful study, a motion was made by Father Poitier, seconded by Mr. Floyd and unanimously adopted to give Preliminary Approval to the over-all layout of the land to be developed by Mr. Stephen Been as Belle Point Subdivision, Section 5.

Subdivision Plat Approval: Revised Plat of Sutton Place South
Final Approval The Ospo Corp., Jack Torbett, Pres. Plate Map 45

Chairman Gale, as owner of a lot in the subject subdivision, relinquished the Chair. Vice-Chairman Floyd assumed the Chair.

Mr. Jack Torbett, President of the Ospo Corporation, was present for review of the Final Approval of Sutton Place South Subdivision.

The Director stated that the plat submitted this date was a revision of a subdivision so named which had received Final Approval by the County Commission in 1967. Mr. Stelle pointed out that the revision represents a more factual layout of the land involved.

The Director expressed concern as to the elevation of the property. He added that approval had not been received from the Glynn County Board of Health as to sewer and water facilities. Mr. Stelle stated that the plat was in order for Final Approval other than these 2 factors being resolved.

After careful study, a motion was made by Mr. Baldwin, seconded by Father Poitier and unanimously adopted to recommend Final Approval of the Revised Plat of Sutton Place South Subdivision, subject to written approval by the Glynn County Board of Health as to sewer and water facilities, and written certification that the building area of the property within the subdivision meets the minimum 8 ft. elevation requirement and drainage requirements.

Voting Aye: Mr. Baldwin, Mr. Driggers and Father Poitier

Abstaining from Voting: Chairman Gale

The Vice-Chairman declared the motion adopted.

Chairman Gale resumed the Chair.

Report Deferrals.

The members were in accord that the following agenda items be deferred to a Called Meeting:

- "701" Study Report.
 - Transportation Study Report.
 - Glynco Impact Study.
 - Mobile Home Committee Report.
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Scheduling of a Called Meeting.

August 21st, 1973, at 8:30 A. M., was established as the date and time of a Called Meeting for handling items not taken up this date.

Subsequent to this meeting, the Called Meeting was rescheduled for August 14th, 1973, at 8:30 A. M.

Request for volunteers to serve on a Coastal Area Planning and Development Planning and Advisory Board

The Chairman advised that the Glynn County Commission had requested volunteers from the Planning Commission to serve as a member of the Coastal Area Planning and Development Planning and Advisory Board and suggested that all members offer their services so that the nomination could be made at the discretion of the County Commission.

GC-2-73 J:

Proposed Amendment to the Text of the Glynn County Zoning Ordinance to create a new district to be designated as Section 721, Beach and Dune Protection District, to protect the beach and dune areas from tides and high water storm surges, winds, and erosion; to prohibit any development that would adversely affect the existence or natural functions of these areas; and to prevent any development subjecting property thereto adjacent and further inland to additional potential dangers from actions of wind and water.

The Director explained that the above referenced amendment is a result of the Beach and Dune Study of Glynn County and has been recommended to the County by the Beach and Dune Study Commission appointed by Governor Carter.

The Chairman suggested that the Commission discuss each item of the proposed ordinance as distributed in detail.

After the reading and discussion of each section and subsection of the ordinance, with the participation of Mr. Hopkins Kidd of Atlanta, Mr. Norman Hartmann of the St. Simons Concerned Citizens Association and Mr. Bill Smith of the Sea Island Company, the following motion was made:

After careful review and recognizing the need for an amendment to the Text of the Glynn County Zoning Ordinance for the protection and control of the beach and dune areas, a motion was made by Mr. Baldwin, seconded by Mr. Floyd and unanimously adopted to recommend to the Glynn County Commission the adoption of the following proposed amendment, as revised during discussion, to be designated as Section 721:

PROPOSED AMENDMENT TO THE TEXT
OF THE
GLYNN COUNTY ZONING ORDINANCE
CREATING A
BEACH AND DUNE PROTECTION DISTRICT

Section 721. Beach and Dune Protection District.

721.1 Intent of District. It is the intent of this that development within the Beach and Dune Protection District be protected from tides and highwater storm surges, winds, and erosion; that development within the Beach and Dune Protection District occur without adversely affecting the existence or natural function of the beach and dune areas; and the development within the Beach and Dune Protection District occur without subjecting adjacent property or property further inland to additional potential danger from actions of wind and water.

721.2 Establishment of Subdistricts within the Beach and Dune Protection District.

The Beach and Dune Protection District shall comprise two (2) subdistricts as follows:

- a) Area A. Accreting or stable area with an active-stable dune sequence.
- b) Area B. Accreting or stable area lacking an active-stable dune sequence.

721.3 Permitted Uses.

a) In those portions of the Beach and Dune Protection District where construction is allowed, permitted uses shall conform to those existing uses illustrated on the Official Glynn County Zoning Maps at the time of the effective date of this district.

1) All permanent structures, not including accessory buildings incidental to the main structure as defined in Section 702.1, shall have a minimum first floor elevation of fourteen (14) feet above Mean Seal Level by means of pilings rather than filling.

b) In those portions of the Beach and Dune Protection District where construction is not allowed, permitted uses shall include:

1) Boating.

2) Swimming.

3) Sunbathing.

4) Picnicking.

5) Other active and passive recreational uses not inherently destructive to the existence or integrity of the beach and dunes.

721.4 Conditional Uses. The following uses shall be permitted in the Beach and Dune Protection District on a conditional basis, subject to the conditions set forth:

a) Seawalls, jetties, bulkheads, revetments, groins, breakwaters, roads and streets, utility lines, and sewer lines, provided that:

1) The applicant for a conditional use permit shall prove that the proposed use will have no significant short- or long-term adverse environmental effects, including increasing potentials for beach erosion; interference with existing established dune sequences; and exposure of inland properties to wind, water or wave damage.

721.5 Establishment of Beach and Dune Development Setback Line.

A Beach and Dune Development Setback Line shall be established as appropriate, for areas within the Beach and Dune Protection District. The purpose of the Setback Line is to delineate those areas, within each area, in which construction is permissible and non-permissible.

a) Development Setback Line - by Area.

- 1) Area A. The Development Setback Line for Area A shall be located forty (40) feet landward of the crest of the most seaward stable dune, as determined by the County Commission, following consultation with the Planning Commission.
- 2) Area B. The Development Setback Line for Area B shall be located forty (40) feet landward of the crest of the most seaward stable dune (pending satisfaction of provisions in Subsection 721.6), as determined by the County Commission, following consultation with the Planning Commission.

b) Development Setback Line - General Provision.

No development, grading, filling or land alteration shall occur seaward of the Beach and Development Setback Line other than that allowed in Subsection 721.6.

721.6 Establishment of Active and Stable Dune Sequences - Area B Only.

- a) In Area B, no development shall occur until the developer successfully establishes Active and Stable Dune Sequence, followed by official designation of the Beach and Dune Development Setback Line based thereupon.
- b) Area B Active and Stable Dune Sequences - Area B Only.
 - 1) In Area B Active and Stable Dune Sequences shall conform, as nearly as practicable to the characteristics of Active and Stable

Dune Sequences present in Area A, including but not limited to, the following considerations:

- (a) Dune Height.
 - (b) Dune row spacing.
 - (c) Vegetation type.
 - (d) Vegetation density.
 - (e) Width of high tide beach (distance between mean high tide line and crests of most seaward row of active dunes).
 - (f) Slope and orientation of dunes.
- c) The County Commission shall develop, as may be deemed necessary, specifications for Active and Stable Dune Sequence establishment based on the items in Subsection 721.6, Paragraph b), Subparagraph 1). Such specifications shall be developed prior to the effective date of the Beach and Dune Protection District.
- d) Sand and vegetative materials for use in establishing Active and Stable Dune Sequences shall not be taken from elsewhere within the Beach and Dune Protection District, without approval of the County Commission, except by the owner within his own property for the purpose of replanting thereon.
- 1) In determining whether or not to approve a request to utilize sand and vegetative materials in establishing Active and Stable Dune Sequences, the County Commission shall consider the effects of such proposed action on existing dunes and beaches; and on the potential for added wind, water or wave damage.

721.7 Reassessment of Beach and Dune Protection District Boundaries. The County Commission shall reassess the location of all boundary lines associated with the Beach and Dune Protection District no less frequently than once every five (5) years from the effective date of this district, and shall, as deemed necessary, readjust boundary lines accordingly through normal rezoning procedures. Boundary lines reassessed shall include:

- a) Beach and Dune Protection District Boundaries.
- b) Beach and Dune Development Setback Line.
- c) Boundaries delimiting Areas A and B.

721.8 Effective Date. The effective date of the "Beach and Dune Protection District" as a part of the Glynn County Zoning Ordinance shall be sixty (60) days from the establishment of this district.

MEETING ADJOURNED AT 11:00 A. M.