

REGULAR MEETING

THE BRUNSWICK - GLYNN COUNTY JOINT PLANNING COMMISSION

NOVEMBER 4th, 1975

8:30 A. M.

PRESENT: Chairman Wayne E. Floyd, W. H. Cowman, Chas. N. Croft, Harry I. Driggers, Neal Gale, Cormac McGarvey, C. Edward Nicholson and Father Marlon S. Poitier

ALSO PRESENT: Executive Director Edward H. Stelle, Staff Planner Wm. P. Hooker and Deputy County Administrator Wm. H. Dewey

Upon a motion made by Mr. Cowman and seconded by Mr. Driggers, the Minutes of the Regular Meeting held on October 7th, 1975, were approved as corrected.

Report on Supreme Court Ruling by Member C. Edward Nicholson

At the request of the Chairman, Mr. C. Edward Nicholson reported on the recent decision of the Supreme Court on a rezoning case of Cobb County. He pointed out that Cobb County had refused to rezone a certain tract of land. The owner appealed the denial of the rezoning to the Supreme Court alleging that without the rezoning his property was not useable and that this amounted to a taking of his property in violation of his constitutional rights.

On appeal the Superior Court of Cobb County agreed with the owner and so did the Supreme Court of Georgia. The Supreme Court said that you can not take private property without just compensation to the owner and that the record in this case clearly indicates that the benefit to the owner and of the rezoning outweighs any benefit accruing to the public by denying the rezoning.

The important thing, according to Mr. Nicholson, is that the court did not order that the owner's property to be rezoned to any specific classification, only held that to retain it in it's present classification is confiscatory. Mr. Nicholson added that the Planning Commission will have to be guided by this decision and that if a rezoning applicant demonstrated that his property could not be used reasonably then that classification has to be changed.

This does not mean that the Planning Commission necessarily has to approve the specific classification which the applicant is seeking, but that the Planning Commission should then initiate a new rezoning application on the property to make it useable without forcing the applicant to wait an entire year without reapplying.

GC-22-75:

Request to rezone, from R-20 One-Family Residential to M-20 Mobile Home One-Family Residential, Lot 9 of Glynn Heights Subdivision, fronting 100 ft. on the east side of U.S. Highway 84 (Waycross Highway), said lot lying approx. 1,845 ft. north of that highway's intersection with the centerline of U.S. Highway 17 South (Jacksonville Highway)

Mrs. Mary L. Fulford was present to represent this application filed by herself in behalf of the Estate of Clyde Fulford. Mrs. Fulford explained that she was seeking a rezoning in order that a mobile home, for use by her daughter, might be placed on the subject lot adjoining the lot upon which she has her residence. She further explained that she does not drive and lives alone, and would feel more secure with her daughter living next door. Mrs. Fulford submitted with her application a petition bearing 17 signatures of Jekyll Heights property owners expressing no objection to her request.

No one appeared in opposition to this application.

The Executive Director recommended approval, as it has been evidenced by the petition submitted that this use would not have an adverse effect upon surrounding property. He also noted that there are a number of mobile homes in the vicinity.

After careful study, a motion was made by Mr. Driggers, seconded by Mr. Cowman and unanimously adopted to recommend approval of the subject application inasmuch as the proposed location of a mobile home would not be detrimental to the neighborhood.

GC-23-75:

Request to rezone, from R-12 One-Family Residential to M-20 Mobile Home One-Family Residential, an irregularly shaped tract containing approx. 1.7 acres lying approx. 240 ft. west of and parallel to Frazier Road and at the southwest termination point of Hendricks Lane in the Pine Ridge area

Mr. Robert L. Cannon was present for review of the subject request. Mr. Cannon stated that he is seeking a rezoning to M-20 Mobile Home One-Family Residential which will permit the location of a mobile home, for use by his son, on the above rear portion of his property and west of his residence.

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

The Executive Director, pointing out that the surrounding area contains a considerable number of mobile homes, as well as a mobile home park, recommended approval.

After consideration, a motion was made by Father Poitier, seconded by Mr. Driggers and unanimously adopted to recommend the requested rezoning as the property involved lies within an area predominately utilized for mobile home sites.

GC-24-75:

Request to rezone, from GR General Residential to LC Local Commercial, two tracts of land containing a total of approx. 6 acres and described as follows:

Parcel 1 - a tract fronting 664.19 ft. on the east side of Altama Avenue and 339.21 ft. on the south side of Baybridge Drive;

Parcel 2 - a tract fronting 155.73 ft. on the east side of Altama Avenue and 277.1 ft. on the north side of Baybridge Drive

Mr. Doyle Raulerson appeared in behalf of the subject application, submitted by Mr. Otto W. Brady. Also present was Attorney Marvin L. Pipkin. They explained that they are member of a group that has an option to purchase the property subject to the two tracts involved being rezoned. They further explained that at the present time they have no plans for utilization of the property. However, they were seeking guidance from the Planning Commission as to the best type development for these tracts. They then added that they were willing to commit them selves to a "planned development" type procedure with review of all plans by the Planning Commission prior to construction. In addition, it was felt that local commercial use in this area was justified due to the lack of such facilities being nearby.

No one was present to object to this Local Commercial rezoning.

The Executive Director, in recommending approval, stated the requested rezoning should be conditioned upon plans being submitted to the Planning Commission for review and approved by the County Commission. Mr. Stelle added that the County Building Official should be so informed in the event of approval.

After careful study, a motion was made by Mr. Driggers, seconded by Mr. Croft and unanimously adopted to recommend approval of the requested LC Local Commercial rezoning contingent upon, and with the concurrence of the applicant, that all site plans be reviewed by the Planning Commission and approved by the County Commission prior to the issuance of any building permit; and, further, that the Glynn County Building Official be notified of this stipulation.

B-6-75:

Request to rezone, from GR General Residential to GC General Commercial, the western two-thirds (2/3) of Old Town Lot No. 76 in the City of Brunswick, said property fronting 120 ft. on the south side of George Street and 90 ft. on the east side of Oglethorpe Street

Mrs. Teresa Martin was present to represent the subject application, submitted by her mother, Mrs. Mary Santos Martin. Mrs. Martin explained that plans call for the renovation of an existing two-story residential structure on the property involved to be used as an art center. Due to the commercial activities proposed at the art center, she was seeking a rezoning to General Commercial. She pointed out that there is not a facility of this type in Brunswick. Mrs. Martin added that the property's location being in such close proximity to the Bay Street Urban Renewal area an art center would be consistent with that project. She stated that ample space exists on the property to provide adequate off-street parking.

No one appeared to express opposition to this request.

The Executive Director recommended approval, pointing out that the property is adjacent to commercially zoned land and the proposed art center would be a people-generating use to the downtown area.

After careful study, a motion was made by Mr. Gale, seconded by Mr. Croft and unanimously adopted to recommend approval of the subject application inasmuch as the proposed art center would be compatible with the Bay Street Urban Renewal Project to the west of the subject property and as well as an asset to the community.

B-7-75:

Request to rezone, from OC Office Commercial to LC Local Commercial, all of Lots 3 and 4 in that portion of Brunswick known as "Urbana"; said lots fronting 120 ft. on the north side of Gloucester Street and 140 ft. on the west side of Bartow Street (also shown on some maps of said City as Kay Avenue)

Mr. Wright Parker appeared in behalf of the subject request, submitted by Mrs. Jean B. Parker and the Estate of Mrs. Addie L. Kaufman. Mr. Parker explained that a rezoning is being sought in order that a convenience store might be constructed on the site. He added that, if the requested Local Commercial rezoning is granted, the property will be sold for that type use. Mr. Parker expressed his opinion that a facility of this type would not be detrimental to the neighborhood.

No one was present to object to this application.

The Executive Director recommended denial inasmuch as the requested rezoning would have an adverse effect upon the office commercial character of property lying to the north of Gloucester Street and would tend to infringe upon residential properties to the south. Mr. Stelle also pointed out that adequate property is zoned for this type use in other sections along Gloucester Street.

After careful study, a motion was made by Mr. Nicholson, seconded by Mr. Cowman and unanimously adopted to recommend denial of the requested LC Local Commercial rezoning as the proposed convenient shopping facility for grocery items would not be in character with the existing office commercial uses on the north side of Gloucester Street in this area.

GC-10-75 D: (Reference: GC-10-75)

Review of site plans for a General Commercial uses to be located in the Planned Development - General zoned area of Malcolm McKinnon Airport on St. Simons Island

Mr. Wray Avera, President of Avera Realty, Inc., was present for the subject review. Site plans submitted revealed a 30 ft. by 30 ft. office space with a 50 ft. by 50 ft. aircraft hanger to be located on the south side of Demere Road to the east of Frederica Road. The proposed location lies within a portion of the Malcolm McKinnon Airport Planned Development - General Complex, which would be under a lease from Glynn County.

During discussion, a number of factors were brought out. Considerable concern was expressed as to the generation of additional traffic along Demere Road in the area of the Frederica Road intersection. It was brought out that approval would have to be obtained from the Federal Aviation Administration for a taxiway to serve the proposed hanger. Also pointed out was that the Georgia Air National Guard is desirous of utilizing the proposed site for expansion of its facilities. In addition, other sites area available at the airport for the proposed type use.

It was noted that no one appeared to express opposition to this proposal.

After through consideration, a motion was made by Mr. Nicholson and seconded by Father Poitier to recommend to the County Commission that this application be denied for the following reasons:

- 1) the proposed real estate office and hanger would increase traffic congestion in the area of the Demere Road and Frederica Road intersection;
and

- 2) other sites at the Malcolm McKinnon Airport could be utilized for the proposed use.

Voting Aye: Messrs. Croft, Cowman, Gale, McGarvey, Nicholosl and Father Poitier.

Voting Nay: Mr. Driggers

The Chairman declared the motion adopted.

GC-26-72:

Review of Revision to the Master Plan of the KOA Planned Development - General tract lying 876 ft. northeast of the intersection of the Waycross Highway and U. S. Highway 17 South, to permit the erection of four 4 ft. by 12 ft. signs at the north entrance to the KOA Campground

Mr. Albert Shelander, President of Camp Activities, Inc., was present for review of the subject revision. Mr. Shelander was accompanied by Messrs. Dick Engels and Jack Moore, representing Horne's Restaurant, who wish to erect four additional signs at the north entrance to the KOA Campground. They felt that the signs were essential in the promotion of the restaurant and campground facilities. The propoed signs, 4 ft. by 12 ft., are proposed for location within an area already containing a large billboard sign.

A question arose as to how many of the proposed signs, particularly in relation to the existing billboard, would be permitted under the Glynn County Zoning Ordinance. The Executive Director quoted from the Ordinance requirements for signage. He stated that he felt the Planning Commission should have the advantage of the County Building Official interpretating these requirements in relation to the subject request. Mr. Stelle added that the applicant had recently received approval for the erection of a high-rise sign at the entrance of the facility.

After discussion, a motion was made by Mr. Nicholson, seconded by Mr. Cowman and unanimously adopted to defer this matter for 30 days in order that the Glynn County Building Official might be present to give the Planning Commission the benefit of his interpretation as to the conformity to the Glynn County Zoning Ordinance of this request.

GC-19-75:

Request to rezone, from R-12 One-Family Residential to RR Resort Residential, that irregularly shaped tract of land known as the Brunswick Country Club containing 163.9 acres, fronting 2,667.8 ft. on the west side of U. S. Highway 17 North and being located 600 ft. north of Fairway Road, and fronting 1,481.4 ft. on the north side of Fairway Road approx. 1,228 ft. west of that road's intersection with said highway

As a result of a motion being adopted at its meeting of October 7th, 1975, that the subject rezoning be deferred for 30 days, the Planning Commission again reviewed this request.

The Executive Director advised the members that the Brunswick Country Club, Inc., has made no changes in their application since that time as to the site for proposed tennis courts on their property.

Mr. Albert Shelander and others were present to express opposition to the requested Resort Residential rezoning. Mr. Shelander stated he felt a Resort Residential classification would be too broad in scope for uses that could be permitted. He added he felt that the tract, containing 163.9 acres, should be considered for a Planned Development rezoning in order that the Planning Commission and Glynn County Commission might have more control over the uses and their locations on the property involved.

The Executive Director stated it is his opinion that the proposed tennis courts are not the issue, but that the proper zoning of the property is.

After careful consideration, a motion was made by Mr. Cowman and seconded by Father Poitier to recommend denial of this request inasmuch as RR Resort Residential is not considered to be the proper classification for the zoning of the Country Club, Inc., property.

Voting Aye: Messrs. Cowman, Croft, Nicholson and Father Poitier

Voting Nay: Mr. Gale

Abstaining from Voting: Mr. McGarvey

The Chairman declared the motion adopted.

Subdivision Plat Approval: Revision of Lots 6 and 7 in Block "C" and Lot 1
Final Approval in Block "E" of Windward Acres Subdivision, Phase 1
James J. Meadows Zoning Map 46

Mr. James J. Meadows, Developer, was present for review of the subject subdivision revision. The revision provides for the widening of the entry road which results in a minor change to Lot 1 in Block "E" at that point and provides for a right of way, rather than an easement, to the lake which results in changes as to the dimensions of Lots 6 and 7 in Block "C". Mr. Meadows explained the right of way would also provide vehicular access to the subdivision's sanitary sewer pump-house.

The Executive Director, stating that the revision was a definite improvement over the original plat, recommended approval.

After review, a motion was made by Father Poitier, seconded by Mr. Nicholson and unanimously adopted in that the subject revision, only involving the widening of the entry road into the subdivision, provision for an open area for right of way to the lake, and a minor change in one lot, to recommend Final Approval of the Revision of Lots 6 and 7 in Block "C" and Lot 1 in Block "E" of Windward Acres Subdivision, Phase 1.

Bay Street Urban Renewal Coordinating Committee

The Executive Director reported on the activities of the Urban Renewal Coordinating Committee, which included a recent on-site tour. At meetings of the committee a number of concepts for the use of the Bay Street area have been considered in depth. At their most recent meeting, Mr. I. M. Aiken, Chairman of the Brunswick Port Authority, explained that, at the present time, the authority does not feel it would be feasible to utilize any portion of the project property. Also present were Messrs. Ed Cheshire and Bill Parker, representing New Brunswick Incorporated, who suggested that the Glynn Distributors building on Gloucester Street be retained for a people-oriented facility. The committee adopted a motion that the available \$16,500.00 of Community Development funds be used to create a public park in the Urban Renewal Area of Gloucester Street proceeding from F Street to the waterfront.

The Planning Commission discussed requesting the City Commission to allocate these funds towards a beautification program for the area of Gloucester Street between Newcastle Street and the waterfront. In this respect, it was suggested that Mr. Miesse Baumgardner, Landscape Architect, be contacted to inquire if he could give any assistance. It was also suggested that local garden clubs might be requested to participate.

Ex-Mayor Ralph V. Croft was present and gave a review of this project's planning, goals and financing since its inception in 1966.

Due to having another appointment, Father Poitier left the meeting prior to the following motion being made.

Following discussion and upon a motion made by Mr. Gale and seconded by Mr. McGarvey, the following Resolution was unanimously adopted by those present:

WHEREAS, \$16,500.00 is available through the City of Brunswick from Community Development funds; and

WHEREAS, the Urban Renewal Advisory Committee, the Urban Renewal Coordinating Committee and the Brunswick - Glynn County Joint Planning Commission are desirous that this fund be utilized to its fullest; and

WHEREAS, a need has developed for landscaping to beautify areas within the Urban Renewal Bay Street Project and Downtown Brunswick;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Brunswick Glynn County Joint Planning Commission in Regular Meeting assembled this the 4th day of November, 1975, that the City of Brunswick be requested to designate the \$16,500.00 of Community Development funds for the aforesaid purpose.

MEETING ADJOURNED AT 11:30 A. M.