

BRUNSWICK - GLYNN COUNTY JOINT PLANNING COMMISSION

NOVEMBER 4th, 1980 9:00 A.M.

Present: Billy R. Gibson, Chairman
 Gerald Atkinson
 Johnie O. Boatright
 Margaret A. Brown
 W. W. Crosby
 Harry I. Driggers

Also Present: Roy Dudark, Assistant Director (Acting Planning Director)
 Deborah B. Chapman, Administrative Secretary
 Bill Edenfield, Planner

Chairman Gibson called the meeting to order and invocation was given by Mr. Crosby.

Chairman Gibson announced that Item # 2 on the agenda, GC - 37 - 80, has been deferred by the applicant, Bay Colony Company, until the next JPC Meeting.

GC - 36 - 80

Request to rezone from R-6 One-Family Residential to LC Local Commercial, a lot containing approximately 4,700 square feet located at the intersection of Sea Breeze Drive and Ocean Boulevard, with frontage of 50 feet on Ocean Boulevard, being Lot 13 of Ocean Breeze Subdivision, St. Simons Island.

Attorney Amanda Williams was present to represent the above request submitted by Louise Oslin and Cris Darlington.

Mr. Dudark pointed out that the subject property is located at the intersection of Ocean Boulevard and Sea Breeze Drive. He stated that the zoning of the subject property at the present time is R-6 which allows single-family residences, however, a zoning change is being sought to LC Local Commercial to allow a residence and business. Mr. Dudark further explained that the subject property is the location of the Consignment Shop. He then gave a brief background on the subject property. He explained that approximately 10 months ago the occupant was asked to terminate the existing business in that it was determined not to be a home occupation. He then explained that numerous other actions have been taken since that time.

The site plan for the proposed use was then presented by Mr. Dudark. He stated that the back portion of the existing residence would be used as such and that approximately 596 square feet, the front portion, would

be used as the business. He then stated that under this type arrangement that only 4 off-street parking spaces are required and that the site plan meets this requirement.

Attorney Williams explained that the rezoning is being sought in order that Mrs. Oslin can continue the operation of the Consignment Shop and conform with the Zoning Ordinance. She stated that a rezoning is the only alternative to allow Mrs. Oslin's business to continue at the present time.

Following Mrs. William's presentation, Attorney Grayson Lane was present to represent the objectors. Mr. Lane presented a petition bearing the signatures of 74 property owners within the neighborhood stating that they object to the above request. Mr. Lane then presented a map showing the location of the objectors within the proximity to the subject property.

Attorney Lane then stated the objections that the neighbors have regarding the rezoning:

1. Would be strongly contrary to the applicable purpose and intent of Sections 702.1, 706.1, and 1102 of the Zoning Ordinance.;
2. Would set a precedent.;
3. Would create a spot zoning.;
4. Do not feel that the parking requirements can be met in that the whole property would be zoned LC and would require 11 spaces.;
5. Would be unsafe to the children and families due to increased traffic.; and
6. The area is single-family residential.

Attorney Lane then referred to a letter submitted by Mrs. Carolyn Pipkin, St. Simons PTA. It stated that they object to the operation due to a safety hazard, in that the children going to and from school on occasions have to walk in the street due to cars parked at the Consignment Shop. He also referred to a letter from Captain Harper dated April 10, 1980, stating that there is no off-street parking provided in the area of the Consignment Shop. And further stating that it is his opinion that any parking in the area would have to be done either partly on the street or over the bike trail and side walk creating a hazard.

It was noted that off-street parking would be provided if the property is rezoned by taking down part of the existing structure.

Attorney Williams stated that the area is not a single-family residential area. She stated that the character of the area is mixed single-family and multi-family.

Mr. Ed Nicholson was present in support of the rezoning. He stated that spot zoning is not illegal in Georgia. He further stated that the area is a mixed area, with a lot of non-conforming uses. He stated that the subject property is not right in the heart of the residential area but it is on a major highway.

Attorney Lane pointed out that there is not a single person in the surrounding area that supports the rezoning. He stated that such a rezoning would be chipping away the neighborhood. He further stated that the supporters of the rezoning are doing so because they empathize with Mrs. Oslin due to her age, etc.

Mr. George Patton, Realtor, was present to state his comments. He stated that if the property is zoned to commercial that it would make him a liar. He then went on to explain that he has sold numerous homes within this area, which he sold at a modest amount due to the fact that it was a residential area and not commercial or multi-family. He stated that he feels that if the rezoning is granted that it would change the character of the area.

During discussion, the supporters and objectors were asked to sign a sheet stating whether they were in favor of or against the subject rezoning. 30 names were submitted in support of the request and 32 names were submitted in opposition.

Mr. Chuck Oliver stated that he has lived in the area all his life and is in strong opposition. Also present in strong opposition was Mr. Mike Fitzgerald and other property owners within the area. Each one present was given the opportunity to express their concerns.

There was also a number of individuals who were present to state their comments favoring the request. They stated that the Consignment Shop is a way of life for Mrs. Oslin. They stated that they do not feel that she is creating any problems for the neighborhood.

Mr. Gibson then limited discussion to the Planning Commission. Mr. Driggers stated that he feels that a LC Local Commercial zoning change would open the area up for a lot of possibly unwanted development.

Mr. Atkinson stated concern to the fact that if the property is rezoned to allow the business and then Mrs. Oslin no longer runs the business what would then happen to the property and everyone in the area.

Mrs. Williams stated that she wished there was another way to solve this problem other than a rezoning to commercial, however, the County Ordinance does not have any special variances.

Mr. Dudark was then asked for the staff recommendation by Mr. Boatright. Mr. Dudark pointed out that the nearest commercial zoning is three blocks to the east. He stated that from a land use standpoint, the factors relevant to this property do not support a request for commercial zoning. He further stated that to rezone this property to LC Local Commercial would constitute a spot zoning and would most assuredly lead to strip commercial development down Ocean Boulevard. Such changes would de-stabilize the residential neighborhood, create traffic congestion, and aggravate the hazards for children going to and from St. Simons Elementary School. He stated that he does not feel a zoning change to be the proper way to handle the matter. Mr. Dudark then stated that the staff recommends denial.

Motion was then made by Mr. Boatright, seconded by Mr. Driggers and unanimously adopted to recommend denial of the above request for the following reasons:

- 1) such a rezoning change would constitute a spot zoning;
- 2) would most assuredly lead to strip commercial development down Ocean Boulevard;
- 3) would de-stabilize the residential neighborhood;
- 4) would create traffic congestion; and
- 5) would aggravate the hazards for children going to and from St. Simons Elementary School.

GC - 2H - 80

Request to Amend the Glynn County Zoning Ordinance, Section 608.1 (e) Home Occupations - Operational Conditions. Said amendment pertains to allowing the sale of merchandise on the premises not produced or assembled by the occupant.

Mr. Dudark explained that the above matter is also submitted by Attorney Amanda Williams on behalf of Mrs. Oslin.

Mr. Dudark stated that the above amendment would add language to the existing home occupation definition, Section 608.1 (e).

The wording of Section 608.1 (e) Home Occupations was read as stated now and the proposed new wording, as follows:

Reads - involves no sale or offering for sale of any article nor produced or assembled by members of the family, or any service not entirely performed by members of the family residing on the premises.

To Read - involves no sale or offering for sale of any article not produced or assembled by members of the family, or any service not entirely performed by members of the family residing on the premises; however, when ever the person operating such home occupation is elderly (over the age of 65), sick, infirm, or handicapped, and further is unable to leave said premises to seek employment due to the disability listed above, then and only then can a home occupation be one in which articles not produced or assembled by members of the family be sold. Even in such event articles which can be sold shall consist of only the following: antiques, flowers, toys, gifts or curios, and household furnishings. Further, no such home occupation shall be allowed unless the residence in which it is located is itself on a major thoroughfare.

Attorney Williams stated that some countys allow for a home occupation with light commercial with no other person than the occupant operating the business. She stated that there has been a lot of concern from the senior citizens as to home occupations. She stated that something is needed so that the elderly, handicapped, etc. can do something out of their home. She stated that the above wording change was written with the attempt to be very restrictive with a very limited situation. She stated that people can already sell things from their homes if they are made by the occupant. She stated that she urges the Planning Commission to consider this type amendment for a residential area.

Attorney Grayson Lane, representing the objectors of the area, stated that they are opposed to the proposed amendment change. He stated that the amendment would not solve the problem now existing because Ocean Boulevard is not a major thoroughfare.

It was noted that at the present time the subject business is under a restraining order, with a hearing scheduled for November 7th, 1980, in Superior Court.

Attorney Lane stated that the amendment was hurriedly drafted to help Mrs. Oslin's situation and that he feels it to be a reckless amendment which will not help the situation.

Mr. Dudark stated that he feels the subject matter is a difficult issue to deal with due to the complications. He stated that he feels that the amendment needs some legal attention. He then stated that the staff is not prepared to make a recommendation on the matter.

Mr. Driggers then stated that he feels the matter should be reviewed by the County Attorney.

Mr. Atkinson then made a motion that this matter be tabled until such time as a legal mind, County Attorney, can review the amendment as to the proper legal way to handle the problem. Motion was seconded by Mr. Crosby and unanimously adopted.

GC - 38 - 80

Request to rezone from R-6 One-Family Residential to OC Office Commercial, a tract containing approximately 16,800 square feet located at the intersection of Ocean Boulevard and Georgia Street, with a frontage of 140.2 feet on Ocean Boulevard, said property being Lots 7 and 8 of Island Retreat Subdivision, St. Simons Island.

Mr. Hal Sigman, agent, was present for review of the above request.

Mr. Dudark pointed out that the request is to rezone property containing the present location of the Marshall Building. He stated that the rezoning would allow the use to conform with the Zoning Ordinance. Mr. Dudark then stated that it is his understanding that no expansion is contemplated at this time. He then recommended approval of the rezoning.

Mr. Sigman stated that he feels that the rezoning to OC Office Commercial would be consistent with the surrounding property.

It was noted that no one was present to object.

Mr. Atkinson stated that he has looked at the site and that the area consist of commercial uses, therefore, he made a motion to recommend approval of the rezoning request. Motion was seconded by Mr. Boatright and unanimously adopted.

CUP - 7 - 80

Request for a Conditional Use Permit within an GC General Commercial district to allow a combination use consisting of a restaurant and efficiency apartment on a tract of land containing approximately 15,000 square feet located at the northwest corner of Beachview Drive and 13th Street, St. Simons Island.

Mr. Dennis M. Williams, Architect, was present to represent the above request submitted by Dr. Joseph B. Baird, Jr.

Mr. Dudark pointed out that the subject property is located across the street from the St. Simons Island casino building. He stated that the proposed use of the property is for the location of a restaurant and one dwelling unit. He stated that the parking requirements have been met by providing parking to the rear and front of the building. Mr. Dudark then stated that the staff recommends approval of the request.

Mr. Williams pointed out that at the present time the use of the property is the location of a triplex. He stated that the applicant wishes to make two of the units into a restaurant and leave one as an efficiency apartment.

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

Motion was made by Mr. Driggers, seconded by Mr. Boatright and unanimously adopted to approve the above request for a Conditional Use Permit for the location of a restaurant and efficiency apartment.

GC - 2G - 80

Amend the Glynn County Zoning Ordinance, Section 713. PD Planned Development District, consisting of procedures for creating and maintaining a PD District, master plan requirements, site plan approval design criteria and development standards, permitted PD Districts, and maintaining common areas.

Mr. Dudark pointed out that the above matter was deferred at the last Joint Planning Commission meeting so that the members could review the amendment in detail.

Mr. Dudark stated that the subject amendment's main points include:

- 1) separates master plan approval from site plan approval;
- 2) gives the Joint Planning Commission final authority for site plan approval once the master plan has been approved by the County Commission;

3) gives administrative flexibility such as approving the moving of a structure up to 10 feet due to engineering requirements.

Mr. Dudark stated that there are a few other changes involved as well, however, the three listed above are the main items.

Mr. Dudark stated that he has talked with Planned Development property owners and that there is a general feeling that such an amendment would be beneficial.

Mr. Driggers pointed out that the amendment has been in the working for several months now.

Mr. Boatright stated that this amendment would help the staff work with developers instead of coming before the Planning Commission with little matters.

A motion was then made by Mr. Boatright, seconded by Mr. Crosby and unanimously adopted to recommend approval of the subject amendment, see file number GC - 2G - 80.

Preliminary Plat - St. Simons Island Club, Phase III
Sea Island Properties - Developer
George Underwood & Associates - Surveyor

Mr. Gibson abstained from discussion of the above matter, therefore Vice Chairman Boatright chaired the discussion.

Messrs. George Underwood, Bill Smith and James Gilbert, Jr., were present for review of the above subdivision.

Mr. Dudark pointed out that this is Phase III of St. Simons Island Club which consist of 20 lots. He stated that it is an extension of St. Andrews, Phase II.

Mr. Dudark then stated that the County Engineer, Traffic Safety Engineer, Public Works, and the Joint Planning Commission staff has reviewed the plat and has determined that it meets the design criteria and requirements of the Glynn County Subdivision Regulations. Mr. Dudark then recommended that the plat be approved.

Motion was made by Mr. Driggers and seconded by Mr. Crosby that the Preliminary Plat of St. Simons Island Club Subdivision, Phase III be approved. Voting Aye: Mrs. Brown, Mr. Crosby and Mr. Driggers. Abstaining from Voting: Mr. Atkinson and Mr. Gibson. Motion carried for approval.

Final Plat - St. Simons Island Club, Phase II
Sea Island Properties - Developer
George Underwood & Associates - Surveyor

Mr. Gibson abstained from discussion of the above matter, therefore Vice Chairman Boatright chaired the meeting.

Mr. Dudark pointed out that the subject subdivision was given preliminary approval on January 22, 1980. He stated that the subdivision contains 64 lots. He stated that construction has been completed and the subject plat is before the Commission today for final approval.

Mr. Dudark stated that the County Engineer has certified that the subject plat meets Glynn County standards.

Motion was made by Mrs. Brown and seconded by Mr. Crosby to approve the Final Plat of St. Simons Island Club Subdivision, Phase II. Voting Aye: Mrs. Brown, Mr. Crosby and Mr. Driggers. Abstaining from Voting: Mr. Atkinson and Mr. Gibson. Motion carried.

Final Plat - Fish Hall Estates Extension
Robert O'Quinn - Developer
George Underwood & Associates - Surveyor

Mr. George Underwood was present for discussion of the above plat.

Mr. Dudark pointed out that the subject subdivision is located off Oyster Road. He stated that it is a pre-existing road and has been evaluated by the County Engineer who has stated that it meets County requirements as to drainage and construction.

It was noted that the subject plat contains 6 lots zoned FA Forest Agricultural.

Motion was made by Mr. Driggers, seconded by Mrs. Brown and unanimously adopted to approve the Final Plat of Fish Hall Estates Subdivision.

Upon a motion made by Mrs. Brown and seconded by Mr. Crosby, the September Expense Report was unanimously approved.

Motion was made by Mr. Crosby, seconded by Mr. Boatright and unanimously adopted to adopt the Minutes of October 7th, 1980.

Public Hearing on Proposed Brunswick Airpark Master Plan

Mr. Dudark explained that the Brunswick Airpark is a large tract of land with the land use presently a trash landfill for the City of Brunswick, a Police Academy, Coastal Area Community Action Agency, and the construction of the new Glynn County Police Station.

Mr. Dudark pointed out that the subject property contains residential to the south and east with the Brunswick Exchange Club to the north and Brunswick Junior College to the west.

Mr. Dudark stated that the plan was developed based on existing uses, availability of utilities, and roadway access.

A map was then shown of the Brunswick Airpark. Mr. Dudark pointed out that the subject property is centrally located with 4th Street connecting to U.S. 17 and Altama Avenue. He stated that the proposed development would be similar to St. Simons Airport and Glynco light industrial parks with wholesale, small scale manufacturing, public and private offices, distribution centers, football stadium and indoor sports facility. He stated that the extensive open spaces and multi-purpose playing fields shown are due to the disturbed soils in that it would be costly to place a structure in this area. Water and sewer would be provided by the City of Brunswick and roads and drainage by Glynn County.

Mr. Dudark then stated that the plan does not have any time table. He stated that funding priorities would have to be decided by the City and County Commissions as a joint project.

Mr. Tangersley from the Golden Isles Square Dance Group was present in regards to the possibility of having a facility that their organization might utilize. He was hoping that such a facility would be considered.

Dr. Teel and Dean Stapleton were present to express Brunswick Junior College's interest in the matter. Dr. Teel stated that the 12 acres noted on the plan owned by Brunswick Junior College was deeded to them several years ago by the City. He stated that at the present time they are working towards the development of an auditorium which would be an important project. He then stated that the College is in support of the proposed Airpark plan. He stated that they wish to work with the Joint Planning Commission on the long range plan for the of this area.

Dean Stapleton then presented the plans for the proposed auditorium. He stated that the subject auditorium will be constructed to seat 1,245. He then stated that he feels it would be more feasible if the football stadium was constructed as far away from the auditorium as possible due to noise and visual conflicts.

Mr. Pearson, property owner within Demere Hammock Subdivision, was present in regards to a buffering between the subject subdivision and the proposed development. Mr. Dudark stated that the minimum buffer will be 50 feet with a possible 200 feet buffer in some areas. He stated that as much vegetation as possible will be kept.

Everyone was informed that if they had any additional comments, to please get with the Planning Commission staff and that their concerns would be worked out and that the plan would be presented back to the Planning Commission for their recommendation to the City and County Commission.

Consider Resolution Supporting Selected Alternatives for Expansion of the F. J. Torras Causeway

Mr. Dudark presented a draft letter regarding suggestions to the Department of Transportation on the F. J. Torras Causeway.

The Planning Commission discussed various points regarding the F. J. Torras Causeway. One of the main concerns was the park-and-ride lot to be placed east of the traffic circle. It was the concensus of the Planning Commission that a park-and-ride lot is not needed on the Island.

Following further review, a motion was made by Mr. Crosby and seconded by Mr. Boatright and unanimously adopted the letter of recommendations be sent to the Department of Transportation with Item #5 changed to discourage the park-and-ride lot.

Consider Setting Dates for Public Hearings on St. Simons Island Comprehensive Master Plan

The following public hearing notice was adopted by the Planning Commission to be advertised in the Brunswick News and Islander:

Notice of Public Hearings

The Brunswick - Glynn County Joint Planning Commission will hold hearings on the proposed Comprehensive Master Plan for St. Simons Island in accordance with the following schedule:

<u>Place</u>	<u>Date</u>	<u>Time</u>
Alfred Jones Center, Epworth-By-The-Sea	Monday, November 17th	3:00 P.M.
Island Art Center, Demere Road	Thursday, November 20th	7:30 P.M.

At these meetings, individuals will be given an opportunity to ask questions or make a statement. Copies of the Plan and maps will be on display at the hearing or may be examined in advance at the Planning Commission Office in Old City Hall, Brunswick.

The Commission's main interest during this phase of hearings will be on Chapter 4 - Comprehensive Plan Elements. Following these hearings, the Planning Commission will make final adjustments in the Plan before recommending it to the County Commission for their consideration and adoption. A second round of hearings will be held at a future date concerning any new or amended ordinances in accordance with established legal procedures.

The Planning Commission urges all interested citizens to attend and participate in these meetings.

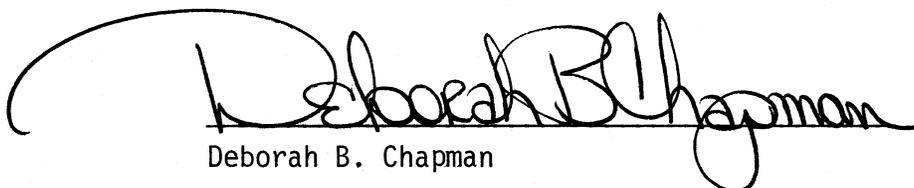
Consider Acceptance of Consultant Services Contracts from Hussey, Gay and Bell and Robinson Fisher Associates for Completion of Altamaha Canal Study

Mr. Dudark stated that at the last Joint Planning Commission meeting the status of the Altamaha Canal Study was discussed. He stated that action at the subject meeting was to approve negotiation with a consultant to do work on the water supply feasibility and recreational elements of the study.

Mr. Dudark pointed out that he has requested the National Trust to approve an adjustment in the budget for consultants instead of staff and then requested the Planning Commission to authorize the Chairman to sign contracts for this work.

Motion was made by Mr. Crosby, seconded by Mr. Boatright and unanimously adopted to move ahead with the subject contracts with Robinson Fisher Assoc. and Hussey, Gay and Bell.

Meeting Adjourned at 11:15 A.M.



Deborah B. Chapman