

BRUNSWICK - GLYNN COUNTY JOINT PLANNING COMMISSION

JUNE 7, 1983 9:00 A.M.

Present: Margaret A. Brown, Chairman
Gerald Atkinson
Levern Carter
Mike Fairman
Bill Hicks
Dennie McCrary

Absent: George Counts
Harry I. Driggers

Also Present: Deborah B. Chapman, Zoning Administrator
Craig B. Mahlman, Executive Director

Chairman Brown called the meeting to order. The invocation was then given by Mr. McCrary.

Request for Closing a Portion of Lucian Street,
Glynn Heights Subdivision

Attorney Don Sullivan was present on behalf of his client, J. A. Patel Group, Inc.

Attorney Sullivan pointed out that the Best Western Motel, owned by the Patel Group, is located on both sides of Lucian Street and that they wish to close the portion on which they have frontage.

Mr. Mahlman stated that this item was presented at the last Planning Commission Meeting but was deferred until such time as the applicants could get additional information. Mr. Mahlman stated that the staff recommends denial of the above request in that the applicant's have not show justification for closing an open right-of-way. He stated that the right-of-way should not be left in the condition it is, that the right-of-way needs to be properly marked with traffic control devices.

Attorney Sullivan stated that they are requesting the street closing because there is a safety hazard and a need for security.

Mr. Raymond Mock, owner of the IGA which is located at the intersection of Crispen Boulevard and Lucian Street, stated that he might have an objection in that his trucks utilize the right-of-way as access for unloading their supplies.

Attorney Sullivan stated that they would be willing to build a cul-de-sac.

Mr. Hicks stated that he is against closing of any open street right-of-way. Thereupon, he made a motion for denial. Motion was seconded by Mr. Fairman and unanimously adopted to recommend denial to the County Commission.

West Glynn Acres Subdivision
Final Plat
Hoyt Carney, Developer

Attorney Robert Cunningham, Robert Thomas and Hoyt Carney were present for review of the above subdivision plat.

Mr. Mahlman stated that the 4 acre tract is zoned FA Forest Agricultural and located off Fish Hall Road. The developers propose a private, dirt street with a 60 foot right-of-way to serve 7 duplex lots (14 units). Private septic tanks with a central well system will serve the development. The Environmental Protection Division/Groundwater System is reviewing the applicant's plans and they indicate that the plans are acceptable although the plans are still in the review process. The water system will serve approximately 25 to 30 people.

Mr. Mahlman pointed out that a check in the amount of \$258.00 for the recreation fee requirement has been submitted. It being noted that the developer is also putting in a private recreation area. Also submitted is a \$15,000 Letter of Credit from American National Bank to insure the completion of road improvements.

Mr. Mahlman stated that the County has obtained the additional easement along the ditch, as recommended at preliminary approval (which was granted on April 5, 1983).

It was then pointed out by Mr. Mahlman that this development is being processed under the old Zoning Ordinance which allowed duplexes on 20,000 square foot lots. The revised Zoning Ordinance (which took effect on June 4, 1983) requires duplexes on a minimum

of 40,000 square foot lots. Mr. Mahlman stated that County Attorney Tom Lee had indicated the subdivision would be vested under the old Ordinance since preliminary plat approval was obtained prior of June 4th.

Mr. Mahlman stated that the staff recommends approval of the final plat.

Mr. Mike Hasty, representative of the Fish Hall Community, was present. He stated that they have found irregularities and recommend that the final plat not be approved. The irregularities stated were as follows: 1) It is felt that the 28 day review period was not met.; 2) Names of adjacent property owners.; 3) Letter from the Health Department regarding septic tanks is not sufficient.; 4) Need statement on plat that "The Glynn County Board of Commissioners will not assume any obligation for paving or surfacing any unpaved local streets shown on this plat".; and 5) Drainage easements should be 25 feet instead of 20 feet. Mr. Hasty stated that they have more but do not wish to express them at this time.

Mr. Mahlman addressed the above items. He stated that all the items have been satisfied except for the omission of the adjacent property owner.

Mr. Hasty stated that the residents of Fish Hall Community are concerned about the tax burden of paving the street at a later date. Statement on plat is needed regarding the paving of the street. He stated that personally he does not want to see this in court but it will.

Mr. Richard Ludlow, Citizens Coalition for Planned Growth, stated that this development is inconsistent with the intent of the zoning district. This type development does not fit in FA Forest Agricultural, it is a multi-family type use.

Mr. Bob Cunningham stated that if Debbie Lane is paved it will be at the developers expense. He stated that there are no farms in the area or least not adjacent to this property. He stated that final plat approval is being requested in that it meets all the requirements of the Glynn County Subdivision Regulations, we urge that approval be granted, it's not a discretionary thing.

Mr. James Michael stated that he lives on the north side of the property. He stated that his mother who is the major property owner on that side of the property has 50 to 60 cattle and 9 hogs, I feel this is a farm. He then read the intent of the FA Forest Agricultural Zoning District to the Planning Commission. He stated that Fish Hall is a residential area and that the proposed development will be a commercial enterprise.

Mr. Mahlman stated that everything is in order for final plat approval. He stated that it meets all the requirements for final plat approval.

Following lengthy discussion, Mr. McCrary made a motion that the final plat be denied and reverse the decision on granting preliminary plat approval. He stated that this is a bad situation. Motion was seconded by Mr. Fairman.

Mr. Cunningham stated that there is nothing wrong with this plat and urged that final plat be granted.

Voting Aye for Denial of the Plat: Messrs. Atkinson, Fairman, Hicks and McCrary. Voting Nay: Mrs. Brown and Mr. Carter.

Mr. McCrary stated that the concept is the reason for his motion. He stated that the plat should go through the County in the same manner.

Mr. Mahlman stated that denial is not appropriate, Section 704.6 of the Glynn County Subdivision Regulations outlines procedural requirements for either approval or deferral.

Mr. Cunningham stated that he does not feel denial should stand.

Deerfield Station Subdivision, Phase 1B
Final Plat
American Development Corporation, Developer

Mr. Doug Hendrick was present for review.

Mr. Mahlman pointed out that the subject property is located on U.S. Highway 17 North across from Windward Acres. He stated that the 10.8 acres will be divided into 23 single-family lots each containing at least 15,000 square feet. He then stated that the property is zoned PD Planned Development. The development will be served by a central water system and individual septic tanks with County dedicated public paved streets.

The plat was then presented. It being noted that the preliminary plat was approved on April 5, 1983. Mr. Mahlman stated that a check in the amount of \$2,031.91 has been received for the recreation fee requirement. Also submitted are two performance bonds, one for \$38,000 for paving and public improvements and one for \$10,000 for water. He stated that prior to the plat being forwarded to the County Commission for consideration the developer will need to present the bids and increase their performance bonds.

Thereupon, a motion was made by Mr. Carter, seconded by Mr. McCrary and unanimously adopted to approve the Final Plat of Deerfield Station Subdivision, Phase 1B, subject to the performance bonds being amended.

Oglethorpe Road
Preliminary Plat
Bay Colony Properties, Developer

Mr. Mike Biletzskov, Sea Palms Development, was present for review.

Mr. Mahlman presented the plat. He stated that the right-of-way involved will be approximately 3,000 feet long. He stated that it will be a paved collector road with a temporary cul-de-sac.

Mrs. Permar questioned as to whether they would be required to provide turning lanes at the entrance.

Mr. Mahlman stated that they have changed the angle of the intersection and have dedicated right-of-way at this time. He stated that the County presently owns the right-of-way to Dodge Road, the road will then be straightened out with right-of-way belonging to Sea Palms and Albert Fendig. He stated that they will dedicate the road up to Dodge Road and then it will be a private road past that point.

Mr. Biletzskov stated that the left turn lane will be provided at Sea Palms expense at a later date.

Mr. Mahlman stated that the plat meets the requirements for preliminary plat approval.

Motion was made by Mr. Hicks, seconded by Mr. McCrary and unanimously adopted to grant preliminary plat approval of Oglethorpe Road.

Cardinal Road
Preliminary Plat
Cardinal Industries, Developer

Messrs. Burton Revels and Evan Mathis were present for discussion.

Mr. Mahlman stated that the proposed road will be located off U.S. Highway 17 North, just south of Westminster Apartments.

He stated that the proposed road will be constructed as a 60 foot paved collector road to be dedicated to the public.

The following request was then presented in conjunction with this item. Mr. Mahlman stated that Cardinal Road will serve the Marsh Landing Apartments.

SP - 2 - 83

Request for Site Plan Approval for Marsh Landing Apartments

Mr. Mahlman pointed out that the site consist of 8.04 acres zoned Planned Development - Medium Residential. He stated that they propose to develop 105 multi-family units.

Mr. Mahlman stated that the site plan meets the requirements of Section 619 of the Glynn County Zoning Ordinance. He stated that the developers will need to coordinate with the City regarding the final approval of the water and sewer.

Thereupon, a motion was made by Mr. Hicks, seconded by Mr. Atkinson and unanimously adopted to grant Preliminary Plat Approval of Cardinal Road and Site Plan Approval of Marsh Landing Apartments.

SP - 3 - 83

Request for Site Plan Approval - Pier Pointe

Mr. William P. Hooker, Architect and agent for the developers, was present for review.

Mr. Mahlman stated that the subject property was rezoned to RR Resort Residential approximately 2 months ago. He pointed out that the site is located north of the Pier on Mallory Street.

The site plan was then presented. Mr. Mahlman pointed out that the structure will consist of 3-stories with 14 condominium units. Access will be via Floyd Street, with 23 paved parking spaces. He stated that the applicants have requested a 3% site coverage variance, as outlined in Section 503.3 of the Glynn County Zoning Ordinance, therefore the site coverage will be at 53%. This variance will allow the developers to provide 3 additional off-street parking spaces. Mr. Mahlman stated that this variance is justifiable because it will help with the off-street parking situation at the pier.

Following review, a motion was made by Mr. Fairman, seconded by Mr. McCrary and unanimously adopted to grant Site Plan Approval of Pier Point with the 3% variance in site coverage.

B - 4 - 83

Request to Rezone from R-9 One-Family Residential to OC Office Commercial, Lots 24 and 25 of Windsor Park Subdivision, containing a total of 15,255 square feet with frontage of 148 feet on Gloucester Street.

Mr. Frank Preston, agent for Office Park, Inc. and Mary Susan Brown, was present for review.

Mr. Mahlman stated that the 15,000 square foot parcel containing two lots is located on the southwest corner of Gloucester Street and Magnolia Avenue. He stated that the applicant's propose to utilize the property for office use if the rezoning is granted.

The surrounding zoning and land use was then pointed out by Mr. Mahlman. He stated that to the north and west are commercial, while zoning and land use to the south and east are single-family residential.

The proposed site plan was then presented. Mr. Mahlman stated that the applicant owns the residential lot to the south which is proposed for use as a buffer. He stated that the property involved for commercial useage would be a logical extension of the existing commercial with Magnolia Avenue serving as a district boundary, and the applicant's single-family lot to the south serving as a 75 foot wide buffer between the commercial use and the nearest residence.

Mr. Mahlman stated that the staff recommends approval of this request.

Mr. Atkinson stated that he feels the people of Windsor Park should be protected.

Gunnar Nelson, property owner in Windsor Park, stated that he has lived in the area for several years. He stated that he does not feel that commercial zoning is needed in the downtown area. He then presented a petition with approximately 100 signatures of residents of Windsor Park objecting to this rezoning request. Also present to object were Mrs. Grace Norton and Marie Skipper.

Mr. Preston stated that he has lived in Windsor Park and loves the area. He stated that he feels the residents should be protected and does not feel that the rezoning would be detrimental to the residents. He then stated that the property involves fronts on Gloucester Street, with commercial to the north and west. He stated that the property owners of the lots involved need to get the best useage of their property, which would be commercial in that the land is not desirable for residential.

Mr. Preston then submitted a statement with the signature of 4 property owners supporting the rezoning.

Mr. Hicks stated that he feels Windsor Park to be one of the most desirable areas of Brunswick and feels it should be protected from commercial. Thereupon, Mr. Hicks made a motion to recommend denial of the rezoning request. Motion was seconded by Mr. McCrary and unanimously adopted.

CUP - 5 - 83

Request for a Conditional Use Permit for the location of a Mobile Home on a 2-year basis, when a documented hardship exists, in a R-12 One-Family Residential Zoning District, subject property being located on Lynch Road approximately 210 feet south of the Scranton Road and Lynch Road intersection.

Mr. and Mrs. Kurt Faust were present for discussion.

Mr. Mahlman stated that the applicant is requesting a temporary hardship permit to legally locate a mobile home in an R-12 Zoning District. Mr. Mahlman pointed out that the mobile home is already in place. He stated that there are several mobile homes located within the area which were located either as temporary or as permanent rezonings.

Mr. Mahlman explained that a doctor's statement attesting to a medical hardship has not be submitted by the applicant.

Mrs. Faust stated that a doctor's statement can not be obtained in that her grandfather has not gone to the doctor in several years. She stated that they are also requesting the hardship for financial reasons.

Mr. Mahlman stated that considering the circumstances and the character of the surrounding area a temporary permit for a mobile home does seem appropriate.

Thereupon, a motion was made by Mr. Carter, seconded by Mr. Atkinson and unanimously adopted to recommend approval of the above request.

CUP - 6 - 83

Request for a Conditional Use Permit in a GC General Commercial Zoning District for the location of Coastal Island Body Shop and Wrecker Service in Buildings 22 and 23 and surrounding area in Longview Shopping Center on Frederica Road.

Mr. Larry Smith, applicant and owner of Coastal Island Body Shop and Wrecker Service, was present for review.

Mr. Mahlman stated that this request is for a conditional use permit for the relocation of an existing auto repair garage. He stated that it would be relocated at the rear of Longview Shopping Center and adjacent to Redfern Village and Skiff Landing Condominium Development.

Mr. Mahlman stated that the auto repair garage has been in this general location for several years without a conditional use permit and has been cited in the past for keeping junk vehicles on the premises.

It was then pointed out by Mr. Mahlman that Skiff Landing Condominium was rezoned in 1982 from GC General Commercial to PD-R Planned Development - Residential. The construction of the residential units makes the proposed use, auto repair garage, potentially incompatible.

It was noted that the garage has 3 years left on its renewable lease and would have to operate in accordance with the Zoning Ordinance.

Mr. Mahlman stated that it is recommended that the conditional use permit be approved with conditions. A fence is being constructed at this time and the Commission may wish to consider restrictions on hours of operation to protect the nearby residents.

Mr. Tom Davis, developer of Skiff Landing, stated that the auto repair garage is a non-conforming use and that the Planning Commission should not allow for the use to continue to operate.

Mr. Davis stated that he has read the Zoning Ordinance and he does not feel that this type operation would be allowed as a conditional use. He stated that it should be located within an Industrial Zoning District.

A petition was then submitted by Mr. Davis. The petition was from the Redfern Village stating that they do not feel the auto repair garage to be compatible with surrounding uses.

Mr. Larry Smith then submitted a petition from the Longview Shopping Center stating that he has been in the area for 3 years and they have no objection to his continuance.

Following lengthy discussion, a motion was made by Mr. Carter to grant approval subject to no salvage, no operation on Sunday (except in an emergency) and that hours of operation not exceed 10:00 p.m. Mr. Atkinson seconded the motion. Discussion continued. It was felt that the applicant should submit a letter stating the conditions and that the fence should be completed and then the request receive final action at the next Planning Commission Meeting. The above motion and second was amended to reflect this.

CUP - 8 - 83

Request for a Conditional Use Permit in a CP Conservation Preservation Zoning District to allow Renovations and Additions to the Parish House at Christ Church.

Mr. Mahlman stated that this request is for a conditional use permit for the construction of an addition to the parish house at Christ Church. The 5 acre parcel is zoned CP Conservation Preservation. The proposed addition is approximately 1,200 square feet which will constitute additions to the existing structure.

Motion was made by Mr. Atkinson, seconded by Mr. Carter and unanimously adopted to approve the above request.

GC - 22 - 83

Request to Rezone from MH Mobile Home Park to R-9 One-Family Residential, Lots 5 and 16 Block E of Beach Subdivision, Blythe Island, containing a total of 22,500 square feet, with frontage of 75 feet on Beach Drive and frontage of 75 feet on Midway Circle.

Mr. Robert White, applicant, was present for review.

Mr. Mahlman pointed out that the property is located on Blythe Island between Midway Circle and Beach Drive. He stated that this property and surrounding property were formally part of a mobile home park. He stated that the area

is now being developed into single-family and mobile home lots with 9,000 square feet or greater. Mr. Mahlman then pointed out that a similar rezoning was granted in 1982 for the construction of a single-family residence to the east.

It was noted that no one was present to object to the above request.

Motion was made by Mr. Carter, seconded by Mr. Atkinson and unanimously adopted to recommend approval of the above rezoning.

GC - 23 - 83

Request to Rezone from FA Forest Agricultural to HC Highway Commercial, a tract of land containing 3.25 acres fronting 1,344 feet on the I-95 Interstate Right-of-Way approximately 1,141 feet north of the Colonels Island Railroad, being a portion of the T. J. Stutts property, Fancy Bluff Area.

Mr. Ed Powers was present for review.

Mr. Mahlman stated that the above request is being sought for the erection of billboards, a maximum of three (3) signs each separated by at least 500 feet. He stated that the property is located along I-95 just south of the South Brunswick River. He explained that the Georgia Department of Transportation controls and permits the location of billboards for off-site advertising through the Georgia Outdoor Advertising Act.

Mr. Mahlman stated that although this request would result in an isolated commercial district with no real highway access, the nature of the use would be strictly limited to signs which are also regulated by State law as well as County Zoning Ordinances.

No one was present to object to the above request.

Motion was made by Mr. Fairman, seconded by Mr. McCrary and unanimously adopted to recommend approval of this rezoning request.

Upon a motion made by Mr. Atkinson and seconded by Mr. McCrary the Minutes of April 5, 1983, were unanimously approved and adopted.

A motion was then made by Mr. Hicks, seconded by Mr. McCrary and unanimously adopted to approve and adopt the Minutes of May 3, 1983.

Mr. Mahlman then presented the Planning Commission Members with the proposed Budget FY 1983 - 84 for their review and comments.

Mr. Mahlman stated that a request has been made by a property owner on St. Simons Island to operate a Bed & Breakfast in a single-family residential area. He stated that the Ordinance does not allow this type use, however it is felt that the Commission may desire to amend the Ordinance to allow the use as a home occupation with restrictions.

Mr. Abe Glover, East Beach Association, stated that he feels this type use would change the residential character and status of a subdivision to a commercial type operation.

It was the concurrence of the Planning Commission that this matter needs additional study.

Mr. Mahlman stated that he would get some guidelines and present them at the next Planning Commission Meeting.

Meeting Adjourned at 11:50 a.m.


Deborah B. Hagman