

MINUTES

GLYNN COUNTY PLANNING COMMISSION
 March 1, 1988 9:00 A.M.

PRESENT: Dennie McCrary, Chairman
 Dan Coty
 Mac Harden
 William Holland
 Benjamin Jaudon
 John Rivers

ABSENT: Gary Strickland

ALSO PRESENT: Larry Taylor, Deputy Director
 Zoning and Development Review Section

Deborah Chapman, Zoning Administrator
 Zoning and Development Review Section

Edward H. Stelle, Director
 Community Development Department

Richard Anderson, Deputy Director
 Long-Range Planning Section

Mr. Dennie McCrary called the meeting to order. The invocation was given by Mr. Mac Harden.

SP-4-88

Site Plan - Demere Village, Tract 2, Parcel D
 Coastal Islands Associates, Developer.

Attorney James Bishop and Mr. William Hooker were present for discussion.

Mr. Larry Taylor presented the staff's report. He explained that this is a request for siteplan approval for a free standing bank building of 3,138 square feet with an expansion of 1800 square feet in the Demere Village Planned Development Tract. Parking and site coverage meets the requirements for the development. One free standing tenant identification sign is proposed

Mr. Taylor stated that staff recommends approval of the site plan as submitted, but approval is subject to the developer being responsible to correct any traffic hazard that may result from the additional curb cut.

Mr. Henry Shipherd expressed his concern regarding the Demere Village Development and access.

Attorney James Bishop stated that the additional curb cut will be off the existing private access drive, not Demere Road.

Following discussion, a motion was made by Mr. Mac Harden to recommend approval of the site plan showing the additional curb cut. Motion was seconded by Mr. Benjamin Jaudon and unanimously adopted.

SP-5-88
Site Plan - Two-Way Fishing Village
Two-Way Marina, Inc., Developer

Mr. Robert Ussery was present for review of the above request.

Mr. Larry Taylor stated this request is for condominium residential units located at Two-Way Fish Camp. The proposed site has a net land area of 2.3 acres with a total of 24 two bedroom units and 62 parking spaces. Based on this information, density would be 10.43 units per acre. This site plan meets all the requirements of the Two-Way Fishing Village Planned Development.

Mr. Taylor stated that the staff recommends approval of the site plan subject to all requirements of Section 611 for parking and access paving requirements being met. No building permits will be issued until an upland boundary line is established by the Department of Natural Resources and all building setbacks from this line approved by DNR and letter of approval submitted to the Building Official.

Following discussion, a motion was made by Mr. Ben Jaudon to approve the site plan subject to the conditions specified. Motion was seconded by Mr. Dan Coty and unanimously adopted.

Mr. Larry Taylor stated that this request is to rezone from R-12 One-Family Residential to LC Local Commercial, a tract of land 3.3 acres located on Frederica Road north of Sea Island Road. The area in the vicinity of this request is of mixed usage, single-family residential to the south and east, to the north is a county fire station and to the west is commercial.

Commercial use of this tract does not appear to be out of character with the area. It would seem that residential use would be less desirable than commercial due to the location with proximity to existing commercial, the county fire station and access being limited to Frederica Road.

The Residential Estate Zoning District of Black Banks Subdivision and Sea Palms Planned Development has a total of 5 lots which have rear lot lines adjoining the rear of this tract. The St. Simons Island Comprehensive Plan shows the tract to be Medium Density Residential, but the plan's locational guidelines point out that commercial uses should be developed in compact clusters, as has been happening in this section of Frederica Road.

Located to the south of Black Banks Subdivision and north of Sea Island Road is a large 6.5 acre tract which was rezoned from R-12 One-Family Residential to OC Office Commercial by Sea Island Company in October of 1985. The Sea Island Company proposed an 8 ft. solid fence along their property line dividing Black Banks from the commercial development.

The applicant first proposed a Planned Development on this site, but could not meet all the requirements for Planned Development due to this size and shape of the property. The applicant now wishes to rezone the property to LC Local Commercial along with the following additional restrictions placed on the property by the applicant:

Proposed Land Use - Proposed use to be changed from current R-12 to LC Local Commercial which will be consistent with varied commercial zoning immediately to the north, south and west. In planning this, a major effort has been and will be made to preserve the large stands of "Live Oaks". It is also felt that the saving of the significant trees can be best accomplished by constructing smaller free standing buildings nestled between and under these trees. Through the architectural restrictions these buildings will be of the "Low Country" and "Victorian Cottage" design which will afford a residential look of historic St. Simons Island. Regulations shall conform to Local Commercial District as described in the Glynn County Zoning Ordinance, as amended.

Exceptions or Variations - An eight (8) ft. high solid wall along property line which adjoins residential property shall be constructed of material compatible with the architecture. In addition, a buffer (setback) of twenty (20) feet shall be

Ingress and Egress - Two access drives are proposed directly across from Sylvan Drive and Palm Street, respectively. The owner/developer shall be responsible for the construction of appropriate acceleration/deceleration lanes for both of these curb cuts.

Lighting - No large or high intensity lights will be used in this development. A combination of low ground lights and decorative street lights which would be consistent with the period of architecture shall be utilized.

Utilities - Public water, sewer, natural gas, electricity and telephone service is immediately available along the west boundary line of described property.

Surface Drainage - The current natural drainage along the northern boundary line will not be interrupted. In addition to the natural contour of the site, an engineered drainage system would be developed with the out fall being the drainage ditch at the northeast quadrant of site. Said ditch networks with the ditch between Sea Palms and Black Banks which flows east into the marsh.

Development Schedule - Depending on interested owner/user it is our intention to develop this property in phases and hope to commence improvements by the second quarter of 1988.

The staff recommends approval of the rezoning to Local Commercial with the above conditions placed on the rezoning by the applicant. The staff would also like the following additional conditions as per Section 1107 of the Glynn County Zoning Ordinance for the protection of the adjoining properties:

- 1) The following permitted uses in an LC Local Commercial District shall not be allowed on this tract of land:
 - a) Package/liquor stores
 - b) Restaurants for evening meals (open later than 6:00 p.m.)
 - c) Auto service stations/retail gasoline sales
 - d) Indoor movie theatres

- 2) The 50 ft. strip of land to the south of the parcel should be left in its natural state in order to protect the entrance to Black Banks Subdivision.

- 3) The proposed 8 ft. wall, in the 20 ft. buffer area, not to be located along the applicant's property line but to be set back 20 ft. from the property line. The 20 ft. area from the fence to the property to be undisturbed and left in its natural state. The inside of the fence to be landscaped by developer.

Mr. Lewis stated that he has written a letter to the adjoining property owners requesting their input on the development of this property. He stated that he has sent a copy of all correspondence that has been presented to the Planning Commission to Mr. Bob Killian, President of Black Banks Homeowners Association. However, he has not received any input from them at this time. Mr. Lewis stated that he wants to work with the adjoining property owners to make this a good development.

Mr. Bob Killian, President of Black Banks Homeowners Association, was present to state objection to a commercial zoning change. He stated that the Black Banks Homeowners Association has voted and strongly opposes rezoning of the property. Mr. Killian stated that there are several homeowners present to object to this request. Every single family with property adjoining the subject property is present to object.

Mr. Killian stated that the property is part of Black Banks Subdivision and is a part of the restrictive covenants, however it is not legally determined if the restrictions are still in force. The fact remains that all property owners who purchased property in Black Banks purchased their property under the restrictive covenants. They also purchased their property based on the master plan for St. Simons, which shows this property as medium residential.

It was then stated by Mr. Killian that the property owners have a fear that there will be a substantial loss in home values and a decrease in pleasure they get from their homes if this property is developed as commercial.

Mr. Killian stated that the developer purchased this property as residential and he knew it. The property could be developed as residential, they could enter by the Black Banks entrance and then run an easement to serve the residential lots. By doing this there would not be any additional curb cuts onto Frederica Road, which is a highly congested road.

Dr. Kenneth Petretti, property owner within Sea Palms, stated that his property is directly behind the fire station. He expressed concern as to drainage in the area.

Mr. Wyatt Wood, President of Sea Palms Homeowners Association, also was present to express objection to commercial zoning on the subject property.

Also present to express concern were Mr. Robert Smith, Mr. Charles McMillian, Mr. Powell Shell, Ms. Majorie Howard, Mr. Thomas and Mrs. Cochran.

Upon request by Mr. McMillian, Mr. Taylor read the permitted uses and conditional uses in a Local Commercial Zoning District from the Zoning Ordinance.

It was pointed out that the St. Simons Island Master Plan shows this property for Medium Residential. The possibility of multi-family development on the site was then discussed.

Mr. Rivers expressed concern to the number of vacant retail space already available on St. Simons, being approximately 200,000 square feet. Mr. Lewis stated that he agrees that St. Simons is already over-built with commercial space. The main use on the site would be for a bank with additional retail or office space in the other three buildings. Three banks have shown an interest in discussing the possibility of the location.

Mr. Mac Harden stated that one of his concerns is commercial intrusion into a residential area. He stated that he feels a man's home is his castle and it should be protected. He expressed concern to protecting any neighborhood from commercial intrusion.

Mr. Harden stated that he also feels that the Planning Commission should stick to the Master Plan for St. Simons Island and therefore he opposes this request.

During discussion, it was expressed that there may be a possibility of the request being changed to a multi-family rezoning request.

Mr. Dennie McCrary expressed concern as to traffic and road right-of-way on Frederica Road. He stated that this is a matter that will need to be addressed.

A motion was made by Mr. Dan Coty to defer this matter for 30 days to see if the adjacent property owners and developer can work together on this request. Motion was seconded by Mr. Benjamin Jaudon. Voting Aye: Messrs. Dan Coty, William Holland and Benjamin Jaudon. Voting Nay: Messrs. Mac Harden, John Rivers and Dennie McCrary. Motion failed to pass.

Mr. McCrary stated that he feels this will need to take longer than 30 days to be worked out.

Mr. Dan Coty and Mr. Benjamin Jaudon modified their motion and second to state that this matter be deferred with appropriate time to enable them to work this out.

Mr. Dan Coty stated that he feels that if this request is not deferred and something can't be worked out that he would have to vote in favor of the request in that he feels the restrictive covenants have run out.

GC-6-88

Request to Amend the GC-30-84 Planned Development-Residential Zoning Text and Master Plan for Grand Oaks Plantation. The subject subdivision consist of 8.7 acres, with 36 residential lots, located on Demere Road just east of Simmons Avenue. The proposed zoning text amendment is to amend the setback requirements for Grand Oaks Plantation.

Mr. Robert Ussery and Attorney James Bishop were present for discussion.

Mr. Larry Taylor stated that this request is for an amendment to the Planned Development Zoning Text of Grand Oaks Plantation Subdivision. The request is to reduce setbacks on Lots 36, 31, 28 and 8 to meet the actual building line of completed houses built over the setbacks. These variances range from nearly 7 feet on Lot 31 to 1 foot on Lot 8. The applicant is also asking for a reduction on the side yard setbacks and some year yard setbacks on vacant lots from 7 feet to 5 feet and an increase in setbacks along the north and south lines, in most cases an increase from 7 feet to 10 feet.

Mr. Taylor stated that staff only recommends approval of an amendment to the site plan and Planned Development Text for Lots 36, 31, 28 and 8 which have completed houses located on these lots. All other vacant lots to remain with the same setback requirements as approved at the time the Planned Development was approved. The staff would also point out that we will recommend any future adjustments to setback line requirements for the development on any of the lots that are vacant at this time, and would encourage the developer to take extreme care in locating all future structures in relation to the required setbacks.

Mr. Robert Ussery stated that on Lots 8, 28, 31 and 36 homes have been built over the setback lines trying to save trees, this was done in error.

There were a number of surrounding property owners and property owners within Grand Oaks present to object. Everyone present was given the opportunity to express their concerns. Those present to object were Mr. Richard Snyder, Mr. Roy Garren, Mr. John Wheeler, Mr. Franklin Lockland, Mr. Steve Roberts, Mrs. Elizabeth Roberts, Mr. Eric Miller, Mrs. Meacham and Mr. W. E. Copeland, Jr.

Also present to express concern but requesting support of this amendment were the purchasers or proposed purchasers of Lots 8, 28, 31 and 36.

It was stated by Mr. Ussery that this was a mistake, not intentionally but by error. The builder, Mr. David Johnson, stated that he was not aware of the structures being built on the lines as they were being constructed.

Mr. Edward Stelle stated that he cannot address at this time how these structures got constructed without the Building Inspection Department being aware of the problem. The problem arose when a survey was done on Lot 31, for the selling of the lot.

Mr. Stelle stated that the Commission will now only consider an amendment to the Planned Development for a setback variance on Lots 8, 28, 31 and 36. He stated that he feels if this amendment is granted that in the future, prior to any permit being granted on lots within Grand Oaks, a survey should be submitted to the Building Inspection Department showing the location, layout and setbacks for the structure. Mr. Stelle stated that he is trying to prevent any further encroachments by this suggestion.

Mrs. Elizabeth Roberts asked how this can be guaranteed and how can it be guaranteed that they will never ask for another amendment due to an encroachment? Mr. Stelle stated that an agreement could be written up by First Georgia to the County Commission stating this.

Following a lengthy discussion, a motion was made by Mr. Benjamin Jaudon to recommend approval of this request (Lots 8, 28, 31 and 36) subject to First Georgia giving assurance that no other amendment of the like will ever be requested and further that prior to construction of a home within the development, a survey will be submitted to the Building Inspection Department showing the location, layout and setbacks for the structure. The subject agreement to be in writing to the County Commission. Motion was seconded by Mr. William Holland and unanimously adopted.

GC-7-88

Request to Rezone from FA Forest Agricultural to LI Limited Industrial, a tract of land containing 8.42 acres fronting 1,076.96 feet on the northwest side of U. S. Highway 17 South and being located south of Pinemeadows Subdivision (Deerwood Way) and 339.04 feet east of Buck Swamp Road.

Attorney Perry Fields, agent and Mr. Gary Hill, applicant were present for discussion.

Mr. Larry Taylor presented the staff report for this item.

This request is to rezone a tract of land from Forest Agricultural to Limited Industrial for the location of a Cabinet and Molding Shop located on U.S. Highway 17 South. The area is lightly populated, but the tract does border the residential subdivision of Pinemeadows. Being an 8 acre tract, the site is more than adequate to buffer the small cabinet shop operation

Attorney Perry Fields stated that Mr. Hill desires to locate his molding and cabinet shop on the subject property. He stated that use will have no odor and will not have much noise. Mr. Fields stated that the shavings are collected in a trailer and sold. The entire operation would be indoors.

Mr. Fields then questioned the 100 ft. setback suggested by the staff. He asked that it be considered at 50 ft. instead of 100 ft.

Mr. Gene Alexander, property owner in the adjacent Pine-meadows Subdivision, was present. He presented a petition with 27 signatures of property owners within the area objecting to this request. Mr. Alexander stated that he is aware of Mr. Hill's operation and it is a noisy operation.

Mr. Emory Johnson stated that he has reviewed the Zoning Ordinance and Limited Industrial and it allows a lot of things which could create a lot of noise and an eyesore for Pinemeadows Subdivision. The property owners in Pinemeadows Subdivision feel their homes are available. He stated that Mr. Hill purchased the land as Forest Agricultural and it should be developed as residential or a use permitted in the district.

Mr. Fields stated that the noise level would be low in that the operation will be totally inside the building. He then stated that the staff has already suggested a 100 ft. buffer.

Mr. Gary Hatch stated that this is a quiet residential area and they would like to keep it that way. He stated that the 100 ft. buffer would help the site from being seen but it would not help the noise.

Mr. Gene Alexander asked why 8 acres of land is needed for this small industrial use?

Mr. Mac Harden stated that he also does not see why 8 acres is needed. He suggested that the request be reduced to 1 acre.

Mr. Fields stated that 8 acres is needed due to buffers and some of the land is swamp and cannot be developed.

Mr. Marsha Alexander stated that they object to any of the 8 acres being rezoned. She stated that this would open up the area to other type uses that are bad for the residential area.

It was then discussed to cut the size of the property being requested to a size of 250 x 250. Mr. Hill stated that he can except this. The buffer of 50 ft. along U.S. 17 which was suggested by the staff, was then discussed again. It was determined that the buffer is still needed, therefore the lot

It was noted that in order for the application to continue, a new survey showing the 1.72 acres will be required to be submitted.

SUP-2-88

Request for a Special Use Permit in an R-6 One-Family Residential Zoning District for the location of a Child Day Care Center, to be operated by Mary House Ministries, Inc. Subject center to be located in Demere Park on Demere Road, address to be known as 1209 Demere Road.

Mrs. Gladys King, Mary House Ministries, Inc., was present for discussion.

Mr. Larry Taylor stated that this property is owned by Glynn County and is part of Demere Park. The Mary House Ministries have permission to use this area by the County Commission, and presently have a house on the property used by their organization. They are requesting to locate a new residential type of structure (Jim Walter Home) on the front vacant area of Demere Park for a Day Care Facility for low income families and single parents in the area. Even though the property is a County Park, it is zoned R-6 Single-Family and requires a Special Use permit to locate a Day Care Facility on the property.

Mr. Taylor stated that the staff recommends the approval of the Special Use Permit subject to the County Commission's approval of the Mary House Ministries use of the property. All requirements of Section 701.4 will also have to be met for a Private Child Care Center before issuance of Special Use Permit by the Building Official.

Mrs. King stated that child care by low income and single parent families is very much needed on St. Simons Island. She stated that service will help the entire community. There will be approximately 45 children, which hopefully the service will make a difference in their lives.

Following discussion, Mr. John Rivers made a motion to recommend approval of this request in that we should encourage this type facility, which would give some relief to the taxpayer. Motion was seconded by Mr. William Holland and unanimously adopted.

Mr. Larry Taylor stated that this request is for a Special Use Permit to allow for the construction of a Methodist Church on 9 acres located on Frederica Road across from Fort Frederica.

Under Section 702.4 of the Glynn County Zoning Ordinance this type use, church, synagogue, temple or other place of worship, requires a Special Use Permit to be allowed in an R-12 One-Family Residential Zoning District. Last month a Special Use Permit was issued by the County Commission on the adjoining 8 acres for a Worship Center with a condition that a 75 ft. landscaped buffer be provided along Frederica Road, to protect Fort Frederica.

Mr. Taylor stated that the staff recommends approval of the Special Use Permit with the same condition of a 75 ft. landscaped buffer along Frederica Road property line.

Mr. Bob Vogel, Fort Frederica, stated that he would like to see a 100 ft. buffer provided instead of 75 ft. He stated that he feels the 25 ft. buffer is needed due to the proximity of this property to the entrance to Fort Frederica, visual intrusion is of concern.

Mr. Taylor stated that the 75 ft. buffer will be for an access drive only, no buildings or parking will be within the buffer.

Following review, a motion was made by Mr. Benjamin Jaudon to recommend approval of this request with the condition that a 75 ft. landscaped buffer along Frederica Road property line be provided. Motion was seconded by Mr. John Rivers and unanimously adopted.

SUP-4-88

Request for a Special Use Permit in an R-6 One-Family Residential Zoning District for the location of a mobile home as a hardship. Subject property contains 11,371 square feet located on the northeast corner of Sixth Street and Johnston Street.

Mrs. Greta Blanton, agent for Mrs. Donna Jones, was present for review.

Mr. Larry Taylor stated that under Section 701.4 of the Glynn County Zoning Ordinance, a mobile home can be allowed as a special use on a two year basis at the discretion of the Glynn County Board of Commission when a documented hardship exist. A statement from William A. Hitt, M.D. has been

Mr. Mac Harden stated that he knows the family well and knows the situation and feels a hardship is in order for approval. Thereupon, Mr. Harden made a motion to recommend approval of this request. Motion was seconded by Mr. Benjamin Jaudon and unanimously adopted.

Upon a motion made by Mr. William Holland and seconded by Mr. Benjamin Jaudon the Minutes of February 7, 1988 were unanimously adopted.

Meeting Adjourned At 12:15 P.M.