

## MINUTES

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

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

STAFF PRESENT: Edward Stelle, Director  
Community Development Department

Larry Taylor, Deputy Director  
Zoning and Development Review

Richard Anderson, Deputy Director  
Long-Range Planning Section

Deborah Chapman, Zoning Administrator  
Zoning and Development Review

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Chairman Dennie McCrary called the meeting to order and the invocation was given by Mr. Dan Coty.

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Chairman Dennie McCrary welcomed Mr. LaRon Bennett as the newly appointed Planning Commission Member. Mr. Bennett has been appointed to serve the remaining term vacated by Mr. Gary Strickland.

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Notting Hill, Phase Two  
Preliminary Subdivision Plat  
Murray-Seckinger, Inc., Developer

18.96 acres, 26 single-family residential lots zoned R-20  
One-Family Residential  
Glynco Parkway

Mr. Larry Taylor presented the preliminary plat of Notting Hill, Phase Two. He pointed out that the development will be served by public water and individual septic tanks. The existing Bayswater Road and King Cross, in Phase One, will be continued. The roads will be paved and dedicated to the county.

Mr. James Bishop questioned about the assurances of this property being properly noted as being in an aviation easement. Mr. Larry Taylor stated that he does not think it

lies within an aviation easement. Phase One did but Phase Two does not. Mr. Bishop asked if the Airport Commission has reviewed and approved the plat? Mr. Taylor stated that they approved the entire master plan plat for the area but not this Phase as shown. Mr. Bishop gave the Commission a word of caution of approving the plat until the Airport Commission reviews the plat.

Mr. Edward Stelle suggested that action on the plat be deferred until a clean reading can be obtained from the Airport Commission or their attorney.

Thereupon, a motion was made by Mr. William Holland to defer the plat to receive comments from the Airport Commission. Mr. Holland also expressed concern as to the need of limiting access onto Glynco Parkway by providing a buffer wall. Motion was seconded by Mr. Benjamin Jaudon and unani- mously adopted to defer the plat.

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Chairman Dennie McCrary announced that item #4 on the Agenda, GC-26-88 submitted by Robert G. Boone, has been deferred by Mr. Boone.

Attorney James Gilbert, agent for Mr. Boone, stated that they have withdrawn the request at this time so a Planned Development Amendment may be considered instead as requested for Local Commercial. Mr. Boone wants to work with the residents in the area to get a plan that will work for everyone. Mr. Gilbert stated he will not stay for the item if there is no one present that desires to stay and speak.

Attorney James Bishop stated that there are numerous members of the Board from Hampton present but they would all like to go ahead and leave if the item is not going to be discussed. Approximately 20 people left.

Chairman Dennie McCrary stated that the item would not be discussed at this meeting due to the deferral request.

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GC-23-88

Continue Public Hearing, deferred from the October 4, 1988 Meeting

Request to Rezone from FA Forest Agricultural to HC Highway Commercial, a tract containing 1.29 acres located on the northwest corner of U.S. Highway 17 (126.24 feet of frontage) and Joyce Drive (200 feet of frontage)

Property owned by Wayne W. Wilson, Sr.;  
Ralph Lackey, Agent

Mr. Ralph Lackey was present for discussion.

Mr. Larry Taylor stated that this request was deferred by the Planning Commission at their meeting of October 4, 1988 to enable the applicant to make possible changes. It was recommended that a site plan be submitted showing buffers and

landscaping on all sides of the property, one access drive off Joyce Drive and the request being amended to LC Local Commercial. A new site plan has been submitted reflecting a 20 foot buffer on all sides of the property except Joyce Drive. One access drive, approximately 24 feet in width is shown on the concept plan. It being noted that access onto Joyce Drive is necessary due to the Department of Transportation denying access onto U.S. Highway 17. As of this date, the application has not been amended, the request is for a HC Highway Commercial rezoning.

Mr. Ralph Lackey stated that Mr. Wilson desires to withdraw his request for Highway Commercial and request a zoning change to Local Commercial.

Mr. David Senior, resident on Deborah Lane, was present to express his concerns. He stated that he is concerned about access being allowed onto Joyce Drive. There will be children in the area using Joyce Drive as a residential street as well as the area will probably be a bus stop area.

Mr. Ralph Lackey stated that the area has a mix of uses. The proposed use, convenience store, would serve the immediate area. Mr. Lackey pointed out that Mr. Wilson owns the adjacent lot as well as the next 11 lots down Joyce Drive.

Mr. Mac Harden questioned the access. He stated that in the future the Department of Transportation may grant a curb cut onto U.S. Highway 17. If access onto U.S. Highway 17 is granted no buffer area along U.S. Highway 17 should be provided.

Mr. Ralph Lackey stated that the Department of Transportation has denied access onto U.S. Highway 17 due to the short distance of frontage with acceleration and deceleration lanes being required.

Following discussion, a motion was made by Mr. Mac Harden to recommend approval of this request subject to - 1) Only one access drive being provided onto Joyce Drive, and 2) A 20 (twenty) foot buffer and landscaping being provided on the sides and rear (north, east and west) of the property. If access onto U.S. Highway 17 is permitted in the future, the access drive on Joyce Drive will be closed and the property buffered and landscaped and further, the buffer area along U.S. Highway 17 will be deleted. Motion was seconded by Mr. Benjamin Jaudon and unanimously adopted.

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GC-3-88

Continue Public Hearing, deferred from the March 1, 1988 Meeting

Request to Rezone from R-12 One-Family Residential to LC Local Commercial, a 3.3 acre tract of land, known as a portion of Lot 1 and Lots 2, 3 and 4 of the Revised Black Banks Subdivision No. 1 and a 50 foot strip located between subject lots and Frederica Road, fronting 523.15 feet on the east side of Frederica Road just south of the Glynn County Fire Department and 172 feet north of Plantation Way.

Property owned by HILL-LEW, Glenn Lewis

Mr. Glenn Lewis was present for discussion.

Mr. Larry Taylor presented the staff report. He 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 the request is of mixed use at present. To the south and east of the site is single-family residential, to the north of the site is a county fire station and to the west is Local 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. high 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 the size and shape of the property. The applicant now wishes to rezone the property to LC Local Commercial and meet all the requirements for 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 maintained on the rear and both side property lines. No use, structure or activity shall be allowed, except the natural or additional vegetation to protect property adjacent to this development. The front shall have a twenty (20) foot building setback.

Maximum enclosed area for office/retail space shall be 30,000 square feet, minimum number of parking spaces shall be one space per 230 square feet of enclosed building area, and ground coverage for paving, walkways and building area shall not exceed 65% of total site.

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/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 a 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
  - 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.
- 4) The development will be subject to site plan review approval by the Glynn County Planning Commission at which time the developer may be required to provide additional right-of-way, if needed, on Frederica Road and acceleration and deceleration lanes as well as traffic signalization.

This item was deferred at the March 1, 1988 meeting in order for the applicant and adjoining property owners to work on possible alternatives to the proposed plan. The applicant has now revised his concept plan, moving buildings located to the south from the property line buffer and placing parking along the buffer. He has also proposed deed restrictions on the building located on the northeast corner of the development "to be limited to office use only with no rear windows".

He has proposed that the 20 ft. landscaped buffer remain as proposed with the 8 ft. wall located along the applicant's property line.

The staff recommends approval of the rezoning to Local Commercial with the above conditions and subject to the revised plan.

Mr. Glenn Lewis stated that he has tried to work with the residents of Black Banks since March and he has just found out this week that they still oppose the request.

Mr. Lewis stated that after talking with the residents that he has made adjustments to the development plan. The buildings have been pulled into the property buffer areas of 70 to 125 feet. He then stated that some of the residents desire for the property to be built as medium residential. If built as multi-family the setbacks would be reduced. If the property were developed as zoned it would still allow for 10 buildings/structures.

Mr. Glenn Lewis stated that he feels he has a legal right to develop the property as commercial. Adjacent properties are zoned commercial as well as Sea Island had their property zoned commercial, which also abuts Black Banks Subdivision.

Mr. Bob Killian, representing property owners in Black Banks, explained to the Commission that it is his understanding of the Ordinance that the Planning Commission's role is to make a recommendation, which is an important step. It is the Commission's duty to be fair to everyone and to draw the line on zoning somewhere. He stated that the situation today is not a question of law but of fairness and best judgement as to what is fair to everyone involved.

Mr. Killian stated that he is going to point out why this rezoning request is different than others in the area. The property Sea Island Company had rezoned was shown on the master plan for St. Simons to be commercial. He explained that Sea Island has a long history to do things right and to remain owned by Sea Island. With Mr. Lewis it is being requested to be rezoned as commercial speculation to be purchased by anyone.

Mr. Killian stated that he feels Mr. Lewis should live with the master plan and not use it as a threat against the subdivision. A tax map was then presented showing how the property cuts into the residential area. He stated that the line between commercial and residential has to be drawn and he feels the master plan has drawn this line already. It has been drawn by history of the area, it is residential property.

Mrs. Doris Egen, property owner on St. Simons, stated concern about a Local Commercial rezoning request. She stated that it is her understanding that only Planned Development request are to be considered on St. Simons, as per request of the County Commission at their last meeting.

Mr. Larry Taylor stated that it is his understanding that any applications that have already been submitted are to be processed. Amendments will be needed to be made to the ordinance, master plan revised as well as additional work which can take approximately 90 days or more.

Mr. Dennie McCrary questioned why the application could not be submitted as a Planned Development.

Mr. Larry Taylor stated that one requirement of a Planned Development is a 50 foot setback development area which the applicant does not feel can be met. If the 50 foot buffer is met it would take a third of the property just in buffers, which would be landscaping and open area only.

Mr. Glenn Lewis stated that when Mr. Killian was talking he felt he was under a court of law. He stated that he knows what the laws are. Mr. Lewis stated that he would be willing to come back for site plan approval each time a building is developed, if the Commission desires.

Mr. Dennie McCrary suggested that the request be deferred until a road study for Frederica Road is done, this is of great concern.

Mr. Glenn Lewis asked if this could be approved as a Planned Development with a variance on the 50 foot setback?

Mr. Edward Stelle explained that the application could be amended and come back with a Planned Development Zoning Text and Master Plan requesting such a variance.

Mrs. Doris Egen questioned where the fence would be located. They are now stating that the 8 foot fence would be on the property line where previously they were going to locate the fence 20 foot inward.

Mr. Dennie McCrary stated that the Sea Island rezoning that everyone has brought up was consistent with the St. Simons Master Plan. This request is a different situation in that this property is shown as Medium Residential under the Master Plan. Mr. McCrary pointed out that there is a big difference in the two requests.

Mr. Glenn Lewis stated that he feels Medium Residential would have a greater impact on the subdivision than would commercial due to setbacks, etc. He stated that if he is denied commercial that he will develop the property as multi-family.

Mr. Bob Smith stated that back in March the Commission instructed Mr. Lewis and residents to work and see if a multi-family zoning on the property could be worked out. He stated that he has not seen an attempt at doing this.

Ms. Deborah Chapman then read the letter written to Mr. Lewis in March, 1988, stating that during discussion at the Planning Commission's Meeting of March 1st Mr. Lewis's request was deferred and that 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 stated that he is still concerned about traffic and the Commission's desire for Planned Development zoning on St. Simons Island. He stated that these two factors along will have an impact on his decision.

Mr. Glenn Lewis stated that he and the residents could continue to talk but one year from now they would still be where they are now, they want multi-family and HILL-LEW wants a commercial development.

Mrs. Bob Smith said she would like to see the property remain single-family and developed.

Mr. Edward Stelle explained that the Commission can either deny, defer or approve the request as submitted.

Mr. Glenn Lewis suggested that additional conditions be added and approved as Local Commercial.

Mr. Edward Stelle stated that conditions can be imposed by the county to protect property owners in the area but he is not sure how far they can go. He stated that he feels the County Attorney needs to review the matter, it gets real close to contract zoning when certain conditions are stated.

Mr. John Rivers stated that every rezoning application is unique. He stated that the unknown development after the property is sold is the concern. There are already problems in the area due to traffic and access drives. He recommended that the application be deferred and Mr. Lewis submit a Planned Development request. Mr. Rivers then quoted several sections of the ordinance as to the intent of the districts, protecting the safety and welfare of the community. He stated that he wants to be fair and do what's best for the community.

Mr. LaRon Bennett asked that other than utilizing the property as residential is there anything else Mr. Lewis can do to help the situation.

Mr. Bob Killian stated that it is his personal feeling that there is no problem with a proper Planned Development being developed but additional work and discussion is needed.

A motion was then made by Mr. Benjamin Jaudon to defer this request. Mr. Glenn Lewis concurred with this deferral. Motion was seconded by Mr. LaRon Bennett and unanimously adopted.

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GC-26-88

Request to Rezone from PD-G Planned Development-General to LC Local Commercial, a 1 acre lot fronting 273.84 feet on the north side of Butler Lake Drive, 90 feet west of Drivers Morris Street, Hampton Point.

Property owned by Robert G. Boone

This request was deferred by the property owner prior to the public hearing.

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Request from Marvin Bluestein to vacate Hampton Plantation,  
Phase I Subdivision Plat

Attorney James Bishop and Bobby Shupe, Surveyor, were present for discussion.

Mr. Edward Stelle stated that he feels the proper action to take on Hampton Plantation, Phase I is for a subdivision plat to be submitted stating that it's a revision to the original plat filed.

Attorney Bishop stated that the golf cart path was relocated which created these changes. He stated that they want the plat recorded in a manner that will guarantee that when lots are sold that the proper plat can be found in Superior Court. The cleanest way and fastest way to record the plat is what is needed in that there are sales contracts pending that need to close about November 17, 1988.

Mr. Dan Coty said that the only problem he sees is that the plat needs to reflect the words, "Revised".

Mr. Edward Stelle stated that the plat will need to be signed by county officials prior to recording and that the plat can be changed to state "Revised".

Thereupon, a motion was made by Mr. William Holland to approve the Revised Final Plat of Hampton Plantation, Phase I. Motion was seconded by Mr. Dan Coty and unanimously adopted.

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Upon a motion made by Mr. Benjamin Jaudon and seconded by Mr. Mac Harden, the Minutes of October 4, 1988 were unanimously approved and adopted.

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During staff items Mr. Richard Anderson presented an Urban Area Transportation Map showing highway capacity problem areas and the improvements needed. Each area was addressed as year terms broken down in 1-5 term, 5-10 term and long term.

He gave a brief description of some of the areas where improvements are needed.

Mr. Anderson then stated that there will be a Transportation Planning Meeting on Thursday, November 3, 1988 at 10:00 and everyone is invited to attend.

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There were no Commission items brought up.

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Meeting Adjourned At 10:30 A.M.