

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
NOVEMBER 3, 1992 9:00 A.M.

MEMBERS PRESENT: Benjamin Jaudon, Vice Chairman
Georgia DeSain
Sidneye Henderson
Jack Kite

ABSENT: Carolyn Hill
Ira Moore
Wayne Stewart

STAFF PRESENT: Edward Stelle, Community Development
Larry Taylor, Building & Development
Deborah Chapman, Zoning Administrator
Jennifer Detloff, Planner
Janet Loving, Administrative Secretary

In the absence of the Chairman, Vice Chairman Benjamin Jaudon called the meeting to order and the invocation was given.

Site Plan
Demere Village Tract 1-A
Friendly Minit Market
0.551 acres, zoned Planned Development
South side of Demere Road, St. Simons Island

Friendly Minit Market, Property Owner/Developer

Mr. Ralph Lackey, Mr. Harry Driggers and Mr. Mac Harden were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that according to the Planned Development Zoning Text, each site at Demere Village requires a review by the Planning Commission before development. He stated that this plan and the design criteria meet the requirements of the Planned Development.

Mr. Taylor explained that access has previously been approved for the site and the vacant adjoining site as a common drive off Demere Road. According to the County Engineer, drainage requirements will be met when construction permits are issued for the convenience store. He stated staff recommends approval of this request.

Ms. Sidneye Henderson had questions regarding buffers on Demere Road. Mr. Taylor stated that the developer will provide a 10 ft. front buffer with no construction paralleling Demere Road and a 6 ft. high privacy fence along the rear of each parcel.

Following discussion, a motion was made by Mr. Jack Kite to approve the Site Plan for Demere Village, Tract 1-A. The motion was seconded by Ms. Georgia DeSain and unanimously adopted.

Preliminary Plat
Hidden Pines Subdivision, Phase I
8.18 acres, zoned R-6 One-Family Residential
30 Residential Lots

Property owned by Mainland Development Company.

Mr. Larry Taylor stated that due to the existing deficiencies, the developer has requested a deferral until the December Planning Commission Meeting.

GC-16-92

Request to Rezone from BI Basic Industrial to R-20 One-Family Residential, 31.517 acres fronting 875 feet on Perry Lane Road, and lying immediately west of the Southern Railroad right-of-way.

Property owned by Roland Moore; Chris Moore, agent.

Mr. Roland Moore was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated this request is to rezone a 31.5 acre parcel of land from Industrial to Residential to allow the development of a single-family subdivision. The subject property lies within an area surrounded by industrial zoning with the exception of Ridgewood Plantation which is located on the other side of the Southern Railroad.

Ms. Chapman stated that at the Glynn County Planning Commission's Meeting of August 4, 1992, staff presented a report and this request was discussed. Following discussion, this request was deferred until such time as additional documentation could be obtained from the Environmental Protection Agency. She stated that a letter from the EPA is included in the Planning Commission's packages for review.

Ms. Chapman explained that Section 719 of the Glynn County Zoning Ordinance, Intent of District, states the following: The regulations which apply within this district are designed to; 1) encourage the formation and continuance of a compatible environment for industries which require sizeable tracts of land and/or employ large numbers of workers; 2) protect and reserve undeveloped areas in Glynn County which is suitable for such industries; and 3) discourage any encroachment by residential, commercial or other uses capable of adversely affecting the basic industrial character of the district.

Ms. Chapman stated staff feels that this rezoning would create a non-compatible situation in the area.

To further evaluate this request, the following matters were considered in developing staff's recommendation:

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Not Suitable, could create possible environmentally unsafe situations if developed for residential.

- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Could have an adverse affect on other industrial uses in the area.

- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Yes.

- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Could possibly have an affect.

- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

No, shown as Industrial.

- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Yes, due to the possible adverse health affects that could be created due to the County's landfill being located in this area, and past and future industrial uses operating in this area, staff feels this property should not be developed as residential.

Ms. Chapman stated staff recommends denial of this request.

Mr. Roland Moore gave a brief presentation. He stated that the landfill is approximately one mile away from the site. He stated that he has been paying taxes on the property for years and he is ready to develop it.

Ms. Elise Permar had questions regarding the Environmental Protection Agency. Ms. Chapman explained that the letter submitted by the EPA does not address Mr. Moore's property. Ms. Permar then asked if Mr. Moore's property had been cleared by the EPA. Mr. Stelle stated that the EPA have not tested Mr. Moore's property. Ms. Permar stated in her opinion, it is not fair to hold up Mr. Moore's development because the adjacent property is not cleared by the EPA. Mr. Stelle explained that the county has a responsibility to check the entire area for environmental purposes before recommending a residential development. He stated that if contamination were to occur in the future Glynn County could be held responsible for the clean up.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of this request. The motion was seconded by Ms. Sidneye Henderson and unanimously adopted.

GC-24-92

Request to Rezone from R-6 One-Family Residential to PC Planned Commercial, 2.21 acres fronting 421.5 feet on the west side of Frederica Road, lying immediately north of the entrance to Harrison Pointe Subdivision and beginning 380.42 feet south of Sea Island Road.

Property owned by Harrison Pointe Development Company

Mr. Frank Deloach, III, agent, was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated this request is to rezone a vacant 2 acre parcel from residential to commercial. The subject property is a portion of a thirty-six (36) acre tract that was rezoned from R-12 One-Family Residential to R-6 One-Family Residential earlier this year.

At the Glynn County Planning Commission's Meeting of October 6th, 1992, the applicant requested a rezoning to Local Commercial. During discussion of the request, the application was deferred to allow Mr. Deloach to amend his request and to apply for a Planned Commercial zoning.

Ms. Chapman stated that the Glynn County Comprehensive Plan states the following policy:

Policy I-3.8: Future rezonings on Demere Road between Sea Island Road and Frederica Road and on Frederica Road between Demere Road and Lawrence Road shall be limited to Planned Development or Planned Commercial.

Ms. Chapman stated that the property owner has submitted a Zoning Text and Master Plan in accordance with the requirements stated for Planned Commercial as outlined in the Glynn County Zoning Ordinance.

To further evaluate this request, the following matters were considered in developing staff's recommendation:

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Suitable for light commercial uses that would be compatible with the residential subdivisions in the area.

- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Could have an adverse affect. However, if used as light commercial uses that are neighborhood oriented it should not adversely affect the surrounding properties.

- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Yes.

- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Yes, could create a traffic problem. The access drive onto Frederica Road would require approval from the Glynn County Traffic Safety Engineer and County Engineer. This has been outlined in the zoning text submitted.

- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

No, shows the future land use to be residential.

- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Yes, the recent rezoning of the Sea Island Property, located immediately north.

Ms. Chapman stated that staff recommends approval of this request subject to all setback and buffer requirements being met, including the Zoning Text dated 10/14/92 and Master Plan dated 9/2/92.

Ms. Lois Street stated she does not want to see more commercial developments on Demere Road. She stated this is an historical area and Demere Road is the main thoroughfare. She also stated that the green zone is not adequate for hiding the commercial buildings. Ms. Street stated that commercial development has to end somewhere. She objects to "creeping commercial zoning".

Mr. W. H. Pease stated he is opposed to this request due to potential traffic problems. Mrs. Mary Pease expressed concern for future developments. She stated once this property is zoned commercial almost anything will be allowed. Ms. Chapman presented a list of permitted uses.

Mr. Deloach explained that a bank and a real estate office are proposed. He assured the residents that there would be no night clubs and no bars proposed in this development. He further stated that this development would not affect traffic and there would be no commercial zonings "creeping" down Frederica Road.

Mr. Pete Culver was present to speak in favor of this request. He stated that Harrison Pointe is a convenient stopping place for commercial development.

Ms. Sidneye Henderson had questions regarding the Comprehensive Plan. Ms. Chapman stated that the Plan shows the area as residential.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of this request. The motion was seconded by Ms. Georgia DeSain. Voting Aye: Ms. Georgia DeSain, Mr. Benjamin Jaudon and Mr. Jack Kite. Voting Nay: Ms. Sidneye Henderson.

GC-28-92

Request to Rezone from Local Commercial to Highway Commercial, 1.032 acres located on the southeast corner of Highway 303 (320.86 ft. frontage) and Fancy Bluff Road (96.27 ft. frontage)

Ms. Pauline Jones, property owner, was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated that this request is to rezone a tract of land from Local Commercial to Highway Commercial. The property owner would like to rent the property for the location of a used car lot.

Ms. Chapman explained that according to the Glynn County Zoning Ordinance, this type business is a permitted use in a Highway Commercial district but not in Local Commercial.

To further evaluate this request, the following matters were considered in developing staff's recommendation:

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
Yes.
- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
Should not have an adverse affect.
- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
Yes.
- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
Should not have an affect.
- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.
Yes.
- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The surrounding area along Highway 303 consists of several Highway Commercial zoning districts, approximately 350 feet to the east and approximately 500 feet to the northwest. The subject property lies immediately west of Freeway Commercial.

Ms. Chapman stated that staff feels this rezoning would be compatible with the surrounding area and therefore recommends approval of this request.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of this request. The motion was seconded by Ms. Sidneye Henderson and unanimously adopted.

Consider amending the Glynn County Zoning Ordinance, Article XI Amendments, Section 1101. Authority, regarding the time period in which a report has to be submitted by the Planning Commission, after submission of an application.

Mr. Stelle explained that the decision to amend this section came about after a two week period in October when the matter was brought before the Planning Commission concerning the language. He stated the amendment will have to be approved by the Glynn County Board of Commissioners before it goes into effect.

Following discussion, a motion was made by Ms. Sidneye Henderson to recommend that the 30 day period be changed to 60 days beginning the day an applicant files a rezoning request until the Planning Commission has to make a recommendation. The motion was seconded by Mr. Jack Kite and unanimously adopted.

Mr. Glenn Lewis was present to discuss the Planning Commission's recommendation of his request (GC-25-92) at the October 6th meeting.

Mr. Lewis stated the minutes of that meeting did not accurately reflect what was said. Mr. Stelle explained that the Planning Commission minutes are an interpretation of the meeting, not a transcript.

Mr. Lewis stated that according to the minutes, his request was denied due to the development being an encroachment into an historical area and a residential area when in fact it was his understanding that the request was denied due to the site plan not being in compliance. Ms. Sidneye Henderson stated perhaps there was an error in the recommendation. She understood the denial was due to a problem with the site plan or master plan. Mr. Lewis stated he referred to a site plan and staff referred to a master plan and he does not fully understand the difference in the two.

Mr. Lewis further stated that he was informed he could not come back before the Planning Commission with the same request after it had been denied. He stated his request should have been deferred rather than denied. Ms. Henderson explained that perhaps there is a procedural error which needs the attention of the County Attorney. Mr. Lewis stated he has submitted letters to the County Attorney with no response. He stated he has also called several times and his calls are not returned.

At this point, Ms. Sidneye Henderson made a motion to amend the minutes of October 6th, Application Number GC-25-92 to state the following: Recommendation for denial due to the site plan not being in compliance with the ordinance. The motion was seconded by Mr. Jack Kite and unanimously adopted.

Adoption of the 1993 Meeting Schedule

Upon a motion made by Ms. Sidneye Henderson and seconded by Mr. Jack Kite the 1993 meeting schedule was unanimously adopted as follows:

1993 MEETING SCHEDULE GLYNN COUNTY PLANNING COMMISSION

January 5th	July 13th
February 2nd	August 3rd
March 2nd	September 14th
April 6th	October 5th
May 4th	November 2nd
June 1st	December 7th

Upon a motion made by Mr. Jack Kite and seconded by Ms. Sidneye Henderson the Minutes of the October 6, 1992 Planning Commission were approved as corrected and unanimously adopted.

Under Staff Items, Mr. Stelle reported that he met with Attorney Tom Daniel to discuss a previous rezoning request, application number GC-26-92, Mr. Hal Hart, property owner. According to Mr. Daniel, Mr. Hart would like his application re-discussed. Mr. Stelle stated that if the County Commission defers action on this request, then staff would be willing to reschedule this item to discuss the pros and cons of this request. Mr. Stelle stated that Mr. Hart is requesting a re-discussion of his application because he feels that he did not get adequate time to explain his proposal.

Ms. Sidneye Henderson stated she would like to discuss this matter with the County Attorney. She stated the Planning Commission should not meet to re-vote on something already voted on. She stated she does not support the idea to re-discuss Mr. Hart's application. Mr. Stelle explained that staff and the Planning Commission should try to avoid contract zoning. He then suggested a work session be scheduled to further discuss procedures. Thereby it was the consensus of the Planning Commission to schedule a work session on Tuesday, November 10th at 3:00 p.m. to discuss procedures.

The meeting adjourned at 10:00 a.m.