

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
DECEMBER 1, 1992 9:00 A.M.

MEMBERS PRESENT: Wayne Stewart, Chairman
Georgia DeSain
Carolyn Hill
Benjamin Jaudon
Jack Kite
Ira Moore

ABSENT: Sidneye Henderson

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

Chairman Wayne Stewart called the meeting to order and the invocation was given.

Election of Chairman and Vice Chairman for 1993

Ms. Carolyn Hill made a motion that nominations for Chairman and Vice Chairman be open and thereupon nominated Mr. Wayne Stewart to continue as Chairman. Motion was seconded by Mr. Ira Moore and unanimously adopted. A motion was made by Mr. Ira Moore that Mr. Benjamin Jaudon continue as Vice Chairman. Motion was seconded by Ms. Carolyn Hill and unanimously adopted. Motion was then made and seconded that nominations be closed. Mr. Wayne Stewart will serve as Chairman and Mr. Benjamin Jaudon will serve as Vice Chairman of the Glynn County Planning Commission for 1993.

Request from Diversified Investments, Inc.
to Vacate the Final Plat of Sandlwood Subdivision

Mr. Larry Taylor explained that this plat has been approved and recorded in Superior Court of Glynn County. In order for the applicant to submit a new plat the applicant is required to vacate the final plat.

Following discussion, a motion was made by Mr. Benjamin Jaudon to approve this request. The motion was seconded by Ms. Carolyn Hill and unanimously adopted.

West Shore Landings, Inc.
Road Approval Only, Lambright Lane
Subject road right-of-way consists of 2.55 acres
located off Parland Road, Blythe Island.

Highsmith, Callaway, Jackson and Tait, Developers

Mr. Louis Highsmith was present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this plat meets all the requirements for preliminary plat of a county standard unpaved road. Four parcels of land are being served by the road. He stated that any subdividing of these tracts must be in accordance with the Glynn County Subdivision Regulations. The road can only serve a total of 10 lots without paving.

Mr. Taylor stated that staff recommends approval of this plat subject to the following conditions:

1. Ramp paving 22 ft. wide x 24 ft. in length with 20 ft. radius being provided where the proposed dirt road ties into the existing asphalt road.
2. Stabilization of the cross drain pipe and at the intersection of the proposed swale ditches and the existing ditch along Parland Road, approved by the County Engineer prior to construction.

Following discussion, a motion was made by Mr. Benjamin Jaudon to approve this request. The motion was seconded by Ms. Georgia DeSain and unanimously adopted.

GC-29-92

Request to Rezone from FA Forest Agricultural to FC Freeway Commercial, 8.14 acres fronting 310.29 feet on the north side of a 20 foot wide roadway known as Stutts Easement and lying 1,241.21 feet on the east side of I-95, being a portion of the Audrey Stutts property.

Property owned by Catherine Fenton.

Mr. Ed Powers, agent, explained that he is still waiting for a communique from DOT and therefore requests a deferral until the January Planning Commission Meeting. Chairman Wayne Stewart asked Mr. Powers to please submit his request for deferral in writing to county staff by the following morning. Mr. Powers acknowledged that he would. Mr. Taylor explained that the Planning Commission would have to vote on the deferral. Thereupon, a motion was made by Mr. Ira Moore to defer this request until the January Planning Commission Meeting. The motion was seconded by Ms. Carolyn Hill and unanimously adopted.

Consider Amendments to Article VIII Signs
Glynn County Zoning Ordinance

Chairman Wayne Stewart stated that the Glynn County Board of Commissioners appointed a review committee to study the Sign Ordinance in an effort to prepare a document that would be best suited for all citizens of Glynn County.

The thirteen member committee consisted of representatives from the business community, the Planning Commission, historic preservation and outdoor advertising industry. Seven of the members were present: Ms. Cuffy Hise, District Two; Mr. Lee Bledsoe, District Four; Mr. Bill Neely, District Five; Mr. Neal Fendig, Outdoor Advertising Industry; Mr. Dan Coty, Brunswick Chamber of Commerce; Mr. Frank Fletcher, District Three; and Mr. Wayne Stewart, Planning Commission. Other members included Mr. Jim Broadwell, Glynn Clean & Beautiful; Mr. Richard Bullard, I-95 Business Association; Mr. Mike Teal, SSI Chamber of Commerce; Ms. Connie Fox, At Large, Post One; Mr. Joe Kinchen, District One; and Mr. Jimmy Veal, At Large, Post Two.

Mr. Stewart commended the committee for their perseverance and expressed appreciation for the difficult decisions made. He explained that the committee examined each section of the ordinance, line by line, and voted on each section. He stated in his opinion, based on a majority vote, the committee has prepared a fair and adequate document.

Mr. Stewart then highlighted some of the items addressed by the committee, i.e., changes in distance, billboards allowed on primary highways, height restrictions and size restrictions. He stated most of the citizens' complaints regarding signs were abandoned signs, political signs, illegal signs and temporary signs; all of which have been addressed in the draft.

Mr. Stewart stated that he would like to see this draft sent to the County Commission for their approval. It was noted that for legal purposes the draft was referred back to the Planning Commission for review.

Mr. Stewart stressed that due to his association with a local radio station, he will abstain from voting on this item. The floor was then opened for discussion.

Ms. Carolyn Hill had questions regarding input from the business community. Mr. Stewart stated that the business community was well represented by Mr. Dan Coty who received input from the Chamber of Commerce and Island residents.

Mr. Stewart explained that most people who violate the ordinance do not understand it; therefore flyers will be distributed to new business owners when applying for a business license, informing them of the Sign Ordinance in an effort to alleviate confusion.

Ms. Hill had further questions regarding enforcement procedures. Mr. Stewart stated that the Building Inspections Office will be responsible for enforcing the ordinance. He stated it has been suggested that in an effort to curtail violations there is a possibility that in the future if the Sign Ordinance is violated the owner may lose his business license.

Ms. Hill asked why the ordinance was taken from the hands of the Planning Commission and given to another committee. Mr. Stewart explained that in order to ascertain additional information the County Commission deemed it necessary to appoint a new committee. He stated that as a courtesy the ordinance will still be reviewed by the Planning Commission.

Attorney Tom Lee, representing Lamar Advertising Company, disagreed. He stated it is not a courtesy but a legal requirement that the Planning Commission review this ordinance at a Public

Hearing. Mr. Neal Fendig of Fendig Outdoor Advertising Company agreed with Mr. Lee and stated that those present have a right to be heard.

Mr. David Newton referred to Page 13 d) as follows:

- d) Signs shall only be permitted in areas which are zoned commercial or industrial, and are not located within seventeen hundred (1700) feet of the deceleration and acceleration ramp of an interchange except as otherwise provided for herein. The interchange is measured as set forth in the Georgia Code of Public Transportation.

Mr. Newton stated in reference to Mr. Ed Powers' request and in accordance with this proposed ordinance, it is ludicrous to have to request a Freeway Commercial zoning in order to place a billboard on the property. He stated he would like for the Planning Commission to implement that property can be zoned Freeway Commercial with a specific limited use.

Mr. Neal Fendig of Fendig Outdoor Advertising Company presented the following:

"It has been brought to our attention that you, Mr. Chairman, and maybe others on this Planning Commission, are owners, officers or investors in one or more local radio stations here in Brunswick and Glynn County which is a business or businesses engaged in direct competition with our outdoor advertising business. If this in fact is true, then we feel that the actions of this Planning Commission taken today on the sign issue would be improper under these circumstances. Therefore, Mr. Chairman, if you and others on this Commission are owners, officers or investors, we feel it would be right and appropriate for you to remove yourselves from having any participation in this hearing."

Mr. Stewart reiterated that due to his affiliation with a local radio station he will abstain from voting on this issue. Mr. Ira Moore also abstained from voting due to a conflict of interest. Mr. Benjamin Jaudon stated he has a son who is in the real estate business but this has no bearing on him. Ms. Carolyn Hill, Ms. Georgia DeSain and Mr. Jack Kite all stated they have no personal interests which will affect their decision.

Mr. Fendig then made the following presentation regarding Fendig Outdoor Advertising Company and the proposed Sign Ordinance:

"This is a family owned business that was re-chartered as a Georgia Corporation just two years ago in 1990. Except for a brief interlude, I have been engaged in the outdoor advertising business for 27 years - first with my father, mother and brother, now with my son Joe Fendig. My father began the Fendig Outdoor Advertising Company in 1930 - some 62 years ago and like myself, my son Joe began as a young teenager working in our family owned outdoor advertising business.

This has been a good business and very little has changed through the years on the essential manner in which this business is operated. We have worked hard as honest, law abiding and tax paying citizens of this community to build a business that has served this community well and has fulfilled a real need and service in the business community of this county and area.

Two years ago when we re-chartered and began this business anew, we made what we considered to be prudent business decisions based on many factors, one of the most important

being the fact that the existing, and I repeat, existing Zoning Ordinances for Brunswick and Glynn County pertaining to signs had remained unchanged since their passage in 1966. Because of this, which was an indication of the stability of the market place, we erected our first new signs (considered to be state of the art structures at this time) which were all steel single pole structures. They were also safer and offered a platform for advertisers that would be both prominent and giving a less cluttered appearance of the older outdoor advertising signs located close to the ground and built on as many as eight or more creosoted poles or posts. Since that time, we have undertaken an investment in Glynn County and the surrounding area in excess of \$150,000.00, all done in good faith based on the existing ordinances.

Not long after we entered the market place, several other outdoor advertising companies from other communities also decided to lease locations and build new outdoor advertising structures in the community. Our zoning officials were rightly concerned about what was happening in Glynn County and our County Commissioners adopted a moratorium on the erection of any future signs in Glynn County. This moratorium is still in effect today.

At the time, we did not contest the moratorium because we felt some careful study should be given to what was happening and to see if in fact some proper changes should be made to the existing ordinance. This Planning Commission undertook a careful study beginning in the spring of 1991 and this study was concluded in late summer of 1991. Many long and careful hours were spent by members of this Planning Commission at that time, as well as industry representatives and others. This document was a document that members of the outdoor advertising industry said they believed they could continue to operate their businesses under.

I do not know to this day what happened to that document and why the County Commission did not act on it since they had instructed the Planning Commission and the staff to undertake this study. Instead, over a year, representing a two year period in which we have not had the opportunity to expand our business in Glynn County, a completely new Sign Ordinance is being considered here today that includes all signs (banners, business identification signs, window signs and on-site signs) not just outdoor advertising signs, that, in my opinion, is so unfair and so severely restrictive (if not punitive in nature) that it is truly hard for me to comprehend that such a document is in front of you today for your consideration.

I will say as solemnly as I know how that if this document is passed as written, our outdoor advertising business will have been drastically damaged and lastingly damaged and the outdoor advertising business in this community will have been permanently disabled from serving the business community in a fair and open competitive fashion of tradition for years.

The following are specific items pertaining to only the outdoor advertising portion that we feel are overly restrictive; however, I feel other proposed changes to all other signs are just as drastic, but other businesses are simply unaware of what is being taken away from them: Section 804.8.1(f); Section 804.8.1(h); Section 804.8.2(B); Section 804.8.2(C); Section 806.; and Section 814.

In conclusion, I would like to state as clearly and as honestly as I know how, again, if these changes are passed as proposed, our outdoor advertising business will be permanently crippled and our ability to operate our business in a profitable fashion will have been lastingly damaged.

We are currently licensed to do business as a legitimate outdoor advertising company in Glynn County. If this ordinance is passed as proposed, then we will have been disenfranchised to legitimately do business in Glynn County.

Quite candidly, if this proposed ordinance is passed on to the County Commission without substantial, unbiased study as to the seriousness of what is being said here today, then I truly believe this Commission will have been remiss in their responsibilities to do the things that you have been charged to do. I don't want any more study, but I sure don't want this proposed ordinance either."

In rebuttal to Mr. Fendig's comments, Mr. Frank Fletcher presented the following:

"Mr. Wayne Stewart has carefully outlined the sign review committee's past work and has beautifully detailed line by line the end product, the November 17th revised Sign Ordinance. As the Planning Commissioners have not had the advantage of seeing the entire Sign Ordinance revision history, please allow me to explain.

There was the establishment of the 1990 moratorium on the issue of any new sign permits, by the City and County Commissioners. As the city's 120 day moratorium ran out, the sign companies began an aggressive build up of billboards. The County's protecting moratorium is still in place.

Mr. Fendig has mentioned his family's part in the billboard industry but it was his mother who in 1938 was the motivating force behind seeing that no billboards were allowed on St. Simons Island and Sea Island. Still he has no conscious about ruining our property values by placing his billboards over our heads on the mainland, while he lives in a protected area.

The sign companies give no thought to the welfare of the beauty of the county. They are only driven by commercial lust. The purpose of this Sign Ordinance has been to protect that beauty, not to assure the sign companies of making a profit. I like Neal Fendig and Dan Coty, even though they have been throwing monkey wrenches into our efforts to save the beauty of the county. We might even trust that they will be kind to our environment but we must have this Sign Ordinance to protect us against other unsympathetic sign companies who are coming to trample our visual beauty.

Without the Sign Ordinance in place we can expect the voters of Glynn County to rise up eventually and demand that billboards be removed at horrendous legal court expense and physical removal costs.

It is true that as Neal Fendig says, their company, until 1990, built billboards in good taste (small 25 feet in height), and I want to point out that since then they and others have put up I-95 type billboards which direct the public to our 450 million dollar tourist industries, i.e., St. Simons, Jekyll, motel resorts, golf, beaches and restaurants. However, we do not need I-95 type billboards on our city streets."

At this point, the Planning Commission took a 10 minute recess. The meeting resumed at 10:15 a.m.

Mr. Jim Jordan stated the Chamber of Commerce represents 1000 members who will be directly or indirectly affected by this ordinance. He stated perhaps the Planning Commission should delay action at this time to allow the membership the opportunity to review and comment on these changes.

Mr. Malcom Seckinger, Realtor, expressed concern regarding Section 804.8.2 b) as follows:

- b) Linear Spacing: No outdoor advertising sign shall be permitted to be erected within 1000 feet of the nearest point of another outdoor advertising sign structure.

Mr. Seckinger disagreed with the proposed spacing. He stated that if approved, this will be a disservice to a lot of business owners in this community. He cited the intersection of Cypress Mill Road/Spur 25 as an area with several billboards which would be adversely affected if this new ordinance is approved. He also expressed concern for damage to these billboards if a storm were to occur.

Ms. Cuffy Hise stated that in such cases where a sign has been damaged more than 50% a variance may be applied for.

Mr. Chris Disilvestro of Lamar Advertising Company gave a brief history of his company. He also introduced Mr. Brendan Reilly and Mr. Robert Wilfert, members of Lamar Advertising Company. Mr. Disilvestro stated if this proposed ordinance is approved it will drastically affect his business. He stated that their advertising company is in direct competition with television and radio stations and he feels that they (outdoor advertising companies) have not been given a "fair shake".

Mr. Stewart addressed Mr. Disilvestro's remark regarding not having a "fair shake". He again stressed that he will abstain from voting on this issue due to his affiliation with a local radio station. Mr. Stewart stated his remarks and comments were his personal opinion. However, he stated the review committee conducted a thorough and complete study of the Sign Ordinance, and the outdoor advertising companies and the business community were well represented.

Attorney Tom Lee stated according to the ordinance, a variance cannot be granted on something that is in violation of the ordinance. Therefore it would be a mistake for the Planning Commission to submit a recommendation based on the ability to grant a variance. He also noted that the document is inconsistent and confusing and could very well cause a lawsuit. Mr. Lee further stated that the sign review committee, appointed by the County Commission, is a single interest group which did not fully represent or understand the outdoor advertising business. He stated this document is a "massive overkill". Mr. Lee stated more thought is needed on this document before it is sent to the County Commission and therefore requested a 30 day or 2 week extension for another review of the ordinance.

Mr. Woody Woodside inquired about the number of outdoor advertising signs located in Glynn County. Mr. Stewart explained that he checked with the Tax Assessor's office regarding this and they did not know. He stated that Mr. Burt Manning, who was Chief Appraiser at that time, explained that they relied on the outdoor advertising companies who supplied them with an estimated number of signs located in Glynn County. Mr. Stewart expressed concern regarding this procedure.

Ms. Cuffy Hise stated that this proposed Sign Ordinance is a fair and balanced document. She explained that if an extension is granted for another review the document will be in the hands of new County Commissioners who are unfamiliar with the history of the subject. She stated that since it was the current County Commissioners who appointed the review committee she feels that the current County Commissioners should review the document prepared by the review committee. In conclusion, Ms. Hise stated, "you don't have to read a newspaper and you can turn a radio off, but you can't turn a billboard off".

Ms. Carolyn Hill stated that this ordinance has a far reaching affect on the business community. She stated this issue is bigger than the Planning Commission and bigger than the Sign Ordinance Review Committee and therefore suggested that perhaps the Planning Commission should recommend that the ordinance be put to a county-wide vote.

Following discussion, a motion was made by Ms. Carolyn Hill to recommend that the November 17th revised draft of the Glynn County Sign Ordinance be sent to the County Commission with the suggestion that the County Commission consider the possibility of placing the ordinance on the ballot for a county-wide vote. The motion was seconded by Mr. Benjamin Jaudon. Voting Aye: Ms. Georgia DeSain, Ms. Carolyn Hill and Mr. Benjamin Jaudon. Voting Nay: Mr. Jack Kite. Abstained From Voting: Mr. Ira Moore and Mr. Wayne Stewart.

Upon a motion made by Mr. Benjamin Jaudon and seconded by Ms. Carolyn Hill, the Minutes of the October 14th Called Meeting and the Minutes of the November 3, 1992 Planning Commission Meeting were approved and unanimously adopted.

Under Commission Items, Chairman Wayne Stewart reported that the Planning Commission will address the following issues in 1993: 1) mobile home regulations; 2) buffers; and 3) Glynn County Comprehensive Plan. He stated he would like to establish a sub-committee to review these issues and would like a member of the Planning Commission to serve as chairman and also select local citizens to serve on the sub-committee. All interested persons should contact Mr. Wayne Stewart.

Also under Commission Items, it was the consensus of the Planning Commission to schedule a work session on January 7, 1992 at 3:00 p.m. following the regularly scheduled Planning Commission Meeting on that same day at 9:00 a.m., in Room 234 of the Office Park Building.

The meeting adjourned at 11:00 a.m.