

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
April 6, 1993 9:00 A.M.

MEMBERS PRESENT: Wayne Stewart, Chairman
Georgia DeSain
Sidneye Henderson
Jack Kite
Ira Moore

ABSENT: Carolyn Hill
Benjamin Jaudon

STAFF PRESENT: Larry Taylor, Building and 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.

Due to the number of citizens present for Item #3 (Mallory Villas) and a previous commitment by some members of staff, it was the consensus of the Planning Commission to address Item #3 on the agenda first.

Site Plan Approval
Mallory Villas Condominiums, Phase II Section B
2.08 acres, zoned Planned Development-Residential
Medium Residential, located off Mallory Street,
St. Simons Island

Mr. Abbas Vakili, property owner, and Attorney Fleming Martin were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that in 1973, 7.28 acres were rezoned to Planned Development to allow a multi-family development. A copy of the Planned Development Zoning Text was included in the packages for the Planning Commission's review. After approvals were obtained for the development of 97 units, Phase I was constructed which consisted of 41 units on 3.02 acres.

Mr. Taylor explained that in 1983 a new property owner obtained an amendment to the Planned Development Zoning Text from PD-General Residential to PD-Medium Residential on 4.26 acres for 58 units. He stated that after approval of Phase II, construction began on Section A for 30 units. Section B has not been constructed; however, the site plan approved in 1983 for the 28 units is still valid. He stated the current property

owner of Phase II Section B would like to revise the site plan and maintain a total of 28 units and relocate the units within the required 30 ft. buffer strip around the perimeter of the property.

Mr. Taylor stated that the site plan meets the requirements of the Planned Development for Mallory Villas Condominiums. He stated staff would like to encourage the developer to maintain as much natural vegetation as possible; however, the Planned Development Zoning Text does not require that the buffer setback area be left as natural. He stated it could be grassed like the other phases are. A 6 ft. fence or buffer will be required between the single-family districts and this development.

Mr. Taylor then gave a video presentation of the area.

Approximately 25 residents and property owners were present to oppose this request. Everyone was given an opportunity to state their concerns.

Attorney Fleming Martin, representing Mr. Vakili, gave a brief presentation. He stated that the plat was filed in Superior Court and all residents and property owners had knowledge of the development. He stated the developer has met all the requirements and asks that his request be approved.

Chairman Wayne Stewart stated that he and other members of the Planning Commission had received several calls from citizens regarding this request. He stated their concerns were buffers and removal of trees. Mr. Stewart pointed out for clarification that the applicant's request is for site plan approval and the issue is not buffers or removal of trees. He stated, "we are not here to discuss someone cutting down a tree to build on the lot..."

Mr. Doug McNeal presented a handout consisting of flyers and news articles opposing this request. He stated that the residents and property owners were not notified of this request and that the county should respond to the public and answer their questions.

Ms. Julie White, a resident of Sandcastle Subdivision, stated that when she purchased her property she was told that nothing could be built for 200 ft. behind her property. She stated she is concerned about 10 ft. of her backyard. She also expressed deep concern for preserving the trees and the natural vegetation in the area. Ms. White stated she is only trying to protect her property and this development would ruin her property value. She further stated the residents were not notified of this development and when she came into the county office, staff could not find the plans or the file. She stated it seemed "they wanted to keep this a secret..."

Ms. White stated that she contacted Mr. Vernon Lewis, the Building Official, Ms. Willou Smith, State Representative and County Commissioner Virginia Gunn in an effort to find out what was going on and what could be done to stop this development. She stated that when Mr. Lewis came out to measure the area Mr. Freddy Stroud was also on hand. Ms. White stated no one else came out to measure for the 30 ft. buffer requirement until Friday, April 2nd. She stated no survey had been done by the developer and that if it had not been for her and other objectors confronting the workers and standing guard, every tree would have been cut down. Ms. White pointed out that someone should have paid more attention to the Sandcastle homeowners.

Mr. Don Ricks, a south side property owner, expressed concern regarding drainage. Attorney Martin stated there is no problem with drainage; however, if there were a problem with drainage it would be addressed by the County Engineer.

Ms. Kathy McCluskey was present to oppose this request. She stated she knew the bulldozer driver personally and he stated he had orders to cut down every tree in the lot. She stated she would testify to this in court. Ms. Mcklusky also cited staff for fraud. She stated Ms. White was misled by realtors and county staff members in regard to the future state of the buffer strip. Mr. Wayne Stewart immediately intervened and pointed out the seriousness of Ms. McCluskey's charge of fraud. Mr. Larry Taylor also expressed his concern about the accusation. He stated county staff is tired of being accused of fraud. He stated he had nothing to gain in regard to the Mallory Villas site plan approval.

Ms. Deborah Chapman explained that it is not a requirement of the Glynn County Zoning Ordinance to notify property owners of site plan approval. She also pointed out that site plans are approved by the Planning Commission and are not required to go before the County Commission. Ms. McCluskey stated that when people purchase property they should be given an ordinance.

Mr. George Jacobus had questions regarding the definition of a buffer zone. Chairman Wayne Stewart explained that a subcommittee has been established to adequately define in detail the term buffer. However, a buffer could mean grass or open space. The subcommittee is scheduled to meet Friday, April 9th.

Mr. Larry Taylor stated that in 1974 the Planned Development was poorly done. He stated the developer has modified his plan and is now in compliance. He stated the county could not offer any guarantees to perspective buyers in terms of what might happen to adjacent property in the future. He stated staff has no reason to help one person more than others. Mr. Taylor explained that staff requested the developer leave some trees in a 20 ft. strip within the 30 ft. buffer and the developer has agreed to do so. Mr. Stewart stated that the developer is within his rights; any property owner has a right to cut trees on his or her lot.

Ms. McCluskey suggested Mr. Vakili leave a natural buffer in lieu of a fence. Mr. McNeal stated perhaps Mr. Vakili and the residents in the area should meet for 5 or 10 minutes to work out their differences. Attorney Martin stated Mr. Vakili has cooperated and has met all the requirements of the Glynn County Ordinances.

Following discussion, a motion was made by Mr. Jack Kite to approve the revised site plan subject to the developer preserving some large trees and the drainage requirements being met. The motion was seconded by Mr. Ira Moore. Further discussion ensued. Attorney Fleming Martin stated that drainage would be addressed by the County Engineer. Ms. Chapman asked if the motion includes the 20 ft. strip within the 30 ft. buffer. Chairman Wayne Stewart replied that it does. Voting Aye: Ms. Georgia DeSain, Mr. Jack Kite, Mr. Ira Moore and Mr. Wayne Stewart. Voting Nay: Ms. Sidney Henderson.

Glynn Forest, Phase I
Preliminary Subdivision Plat
Located on Highway 17, just north of Deerfield Subd.
14.073 acres, zoned Planned Development-Residential
Minimum lot size - 7,500 square feet, 42 single-family
residential lots to be served by public water and sewer
Pyramid Projects, Inc., Owners/Developers

Mr. James Meadows was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated this plat meets all the requirements for preliminary plat approval and meets all the requirements of the Planned Development Zoning Text. Ms. Chapman stated staff recommends approval subject to the following:

- 1) Department of Transportation approval of the entrance designs on Highway 17;
- 2) Any changes in drainage design or drainage easements to be approved by the County Engineer; and
- 3) City of Brunswick acceptance of the water and sewer into their system.

Following discussion, a motion was made by Ms. Sidneye Henderson to approve the Preliminary Plat of Glynn Forest, Phase I. The motion was seconded by Jack Kite and unanimously adopted.

Harrison Pointe, Phase II
Preliminary Subdivision Plat
26.014 acres, zoned R-6 One-Family Residential
104 single-family residential lots, located on
Frederica Road, St. Simons Island
Harrison Pointe Development Company, Owner/Developer

Mr. Frank Deloach and Mr. James Gould were present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated this plat meets all the requirements for preliminary plat approval for a 102 lot subdivision in an R-6 One-Family Zoning District. She stated staff recommends approval of the plat subject to the following conditions:

- 1) Developer's engineer to discuss with the County Engineer and re-evaluate the outfall pipe grade at the marsh.
- 2) Before final plat submission on any portion of this preliminary plat, the entrance of the subdivision should be constructed to provide a protected left turn lane or a by-pass lane on Frederica Road and approved by the County Engineer.
- 3) Traffic safety control signs within the subdivision to be provided by the developer and approved by the County Traffic Safety Engineer.

Mr. Ray Richard, Glynn County Engineer, gave a brief presentation. He explained that the extra lane was not necessary for the original Harrison Pointe Subdivision because Phase I only included 32 lots. However, the additional lots would have a greater impact which warrants the widening.

Mr. Richard recommended widening Frederica Road on the east side because the right-of-way is already there and it lines up with additional lanes at the nearby Frederica Road/Sea Island Causeway intersection. He stated if the road is widened on the west side traffic problems would occur and also the county would have to obtain the right-of-way from Harrison Pointe Development Company and the adjacent property owner to the south.

Ms. Sidneye Henderson had questions regarding distance from the Frederica Road/Sea Island intersection. Mr. Richard explained that the distance between that intersection and Harrison Pointe is 12 feet. Ms. Henderson then asked if the road widening will be discussed at the next St. Simons Transportation Committee meeting. Mr. Richard stated the committee has not discussed the area. He explained that their previous recommendation ended south of Harrison Pointe at the Lutheran Church on Menedez Avenue. Ms. Henderson stated she is concerned about site plan approval without traffic safety.

There was further discussion regarding removal of trees in the area. Mr. Richard stated that whether the road is widened to the east or to the west, approximately three trees would have to be removed. Mr. Deloach expressed concern for saving as many trees as possible.

Following discussion, a motion was made by Mr. Ira Moore to recommend approval subject to the conditions stated by staff. The motion was seconded by Ms. Sidneye Henderson. Further discussion ensued. Mr. Deloach had questions regarding the condition to construct a by-pass lane. Mr. Richard stated the condition means that everything has to be worked out before final plat approval. Mr. Stewart explained that this is only a recommendation. The Planning Commission doesn't have the right to mandate the by-pass lane. Mr. Richard stated the motion should include whether the Planning Commission endorses widening the east side or the west side of Frederica Road. Thereby the motion was amended by Ms. Sidneye Henderson to recommend approval contingent that the entrance of the subdivision on the east side of the roadway be improved as recommended by the County Engineer. The motion was seconded by Mr. Jack Kite. Voting Aye: Ms. Georgia DeSain, Ms. Sidneye Henderson, Mr. Jack Kite and Mr. Ira Moore. Abstained from Voting: Mr. Wayne Stewart.

GC-8-93

Request to Rezone from R-12 One-Family Residential to Mh-12 One-Family Residential Mobile Home, a lot containing 0.42 acres fronting 90 feet on the south side of McCullough Lane, beginning 237.50 feet east of Cypress Mill Road and 532 feet east of Habersham Street.

Ms. Lillian M. McCullough, property owner, was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated that this request is to rezone property in order to allow the location of a mobile home. She stated that in previous

years several mobile homes were located on the property, which were allowed under the "grandfathered" clause. However, due to the removal of the last mobile home and no replacement within twelve months, a zoning change would be required prior to allowing the placement of a mobile home.

Ms. Chapman explained that over the years there have been three rezonings to allow mobile homes on this Lane. In 1977 a rezoning was approved approximately 90 feet to the east. In 1974 and in 1976 immediately across the Lane, a length of approximately 400 feet was rezoned under two different requests.

Ms. Chapman stated that nine signatures from surrounding property owners have been submitted in support of this rezoning request. She stated staff feels the zoning change to allow a mobile home would be compatible with the surrounding area and the residential use of the property conforms with the Comprehensive Plan, therefore staff recommends approval of this request.

Mr. David Beckham and Mr. Robert Kelly were present to oppose this request. Mr. Kelly stated that rental property is never maintained regularly and is usually accompanied by disreputable residents. He also pointed out that most of the property owners who signed in support of this rezoning do not live in close proximity to the proposed site of the mobile home. Mr. Beckham expressed concern for his property value. He also stated that rental property would not help the neighborhood.

Following discussion, a motion was made by Mr. Ira Moore to recommend denial of this request. The motion was seconded by Ms. Sidneye Henderson and unanimously adopted.

Ms. McCullough was advised that her request would be heard by the Glynn County Board of Commissioners and that she would receive a letter from staff notifying her of the meeting.

GC-9-93

Request to Rezone from Freeway Commercial and Forest Agricultural to R-20 One-Family Residential, 159.33 acres having boundaries/frontage on I-95, Highway 17 and Little Satilla River, and located west of Satilla Shores Subdivision.

Property owned by Freeman P. Hankins Estates.

Attorneys Mark Bruce, Lamar Reddick and Fleming Martin were present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated that this request is to rezone a 159 acre tract to allow the development of a single-family residential subdivision. A concept plan consisting of 103 lots served by two access roads from Highway 17, with a 40 foot green belt running the length of the highway, as well as a lake and green belt where the property abuts I-95, has been submitted. She stated that if the rezoning is approved, all requirements of the Glynn County Subdivision Regulations would have to be met.

Ms. Chapman explained that the subject property lies immediately west of Satilla Shores, a residential subdivision development constructed in 1958 and consisting of minimum lots of 12,000 square feet. The proposed rezoning to allow a residential development would be required to have minimum lots of 20,000 square feet.

Ms. Chapman stated that with the property having 2,564 feet of marsh frontage and 4,085.64 feet of frontage on Little Satilla River, a residential development would be more desirable than the current zonings. The property currently has two different zoning classifications. The portion zoned Forest Agricultural would allow the development of a residential subdivision with a minimum lot size of 20,000 square feet.

Ms. Chapman stated staff feels that with adequate buffers being provided on the north and west property boundaries, this zoning change would be compatible with the surrounding area. She stated staff recommends approval of this request.

Mr. Ira Moore had questions regarding water and sewer. Ms. Chapman explained that water and sewer will be addressed in conjunction with the subdivision. However, the developers are working with the St. Simons Water and Sewer Department.

Attorney Lamar Reddick stated he is very conscience of the environment and will meet with the Health Department and the County Engineer to work out any problems.

Following discussion, a motion was made by Mr. Ira Moore to recommend approval of this request with the condition that the developers attempt to tie-in with Glynn County Water and Sewer. The motion was seconded by Mr. Jack Kite and unanimously adopted.

GC-10-93

Request to Rezone from Highway Commercial to M-20 One-Family Residential Manufactured Home, a lot containing 20,000 square feet fronting 115 feet on the north side of Robarts Road, beginning 403.74 feet west of Highway 341.

Property owned by Christian Renewal Ministries.

Mr. J. B. Garner was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated that this is a request to allow the location of a manufactured home for Christian Renewal Church to be used as a missionary residence. She stated the subject lot has been created out of the large tract owned by Christian Renewal Church and lies immediately east of property rezoned in 1984 to allow a manufactured home. She stated that a pre-existing non-conforming mobile home park is located south across Robarts Street.

Ms. Chapman explained that the surrounding area contains a mixture of uses, i.e., church, accessory uses for the church, office building, apartments, site-built homes, manufactured homes, and mobile homes.

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

Mr. Garner stated the rezoning will help to accommodate traveling missionaries.

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

GC-11-93

Request to Rezone from General Commercial to Highway Commercial, .758 acres, being a portion of Lots 1, 2 and 3 Azalea Gardens Subdivision, fronting 188.35 feet on the west side of Spur 25 and 151.53 feet on the east side of Gardenia Avenue beginning approximately 80 feet north of Cypress Mill Road.

Property owned by Marjorie T. Langford.

Ms. Donna Langford was present for discussion.

Ms. Deborah Chapman presented the staff's report. She stated that this request is to rezone a portion of property owned by the Estate of C.B. Jack Langford, Jr., located off Cypress Mill Road. She stated that the property lies behind the existing Langford Realty building, which was rezoned to Highway Commercial in 1974, and abuts Spur 25.

Ms. Chapman explained that this portion of the Langford Property, which contains a vacant residential structure, is zoned General Commercial. The applicant would like to have the property rezoned from General Commercial to Highway Commercial in order to create one zoning classification for the entire Langford Property.

Ms. Chapman stated that with the widening of Cypress Mill Road, commercial uses along this road have increased with several rezonings being approved over the past several years. She stated staff recommends approval of this request.

Mr. Ira Moore had questions regarding the difference between Highway Commercial and General Commercial. Ms. Chapman explained that basically the difference is setback requirements. Highway Commercial has setback requirements and General Commercial does not.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of this request. The motion was seconded by Ms. Sidneye Henderson. Voting Aye: Ms. Georgia DeSain, Ms. Sidneye Henderson, Mr. Jack Kite and Mr. Ira Moore. Abstained from Voting: Mr. Wayne Stewart.

Upon a motion made by Ms. Sidneye Henderson and seconded by Mr. Ira Moore, the Minutes of the March 2, 1993 Planning Commission meeting were approved and unanimously adopted.

Under Commission Items, Mr. Ira Moore expressed concern for the lack of funds in Community Development's budget. In order for staff to continue conducting meetings and serving the citizens of Glynn County additional funds are needed for materials and supplies. It was the consensus of the Planning Commission to draft a letter to the Board of Commissioners addressing these concerns in an effort to alleviate this problem.

Also under Commission Items, Ms. Sidneye Henderson expressed deep concern for the quality of life regarding the buffer problems in Glynn County. She stated buffers on St. Simons Island are disappearing. Ms. Henderson explained that she believes when property is purchased, buffers and zoning are part of the deal. She stated if the Planning Commission had a solid definition of a buffer, issues such as Mr. Vakili's development would not be a problem. Mr. Stewart agreed and stated that the subcommittee is scheduled to meet Friday to discuss and determine a detailed definition of the term.

The meeting adjourned at 11:00 a.m.