

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION  
JUNE 4, 1996 9:00 A.M.

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MEMBERS PRESENT: Richard Parker, Chairman  
Jerome Clark  
Robert Fell  
Glenda Jones  
Lee Noel  
Iris Touw

ABSENT: Wayne Stewart

STAFF PRESENT: Keith Flanagan, Director  
Dan Reuter, Planning Official  
Mark Schroeder, Planner  
Janet Loving, Administrative Secretary

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Chairman Richard Parker called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

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Chairman Parker announced that he is resigning from the Glynn County Planning Commission, effective July 1, 1996. He stated that he has enjoyed his three year service on the Commission and thanked staff and the planning members for all of their support. He stated that he and the others have not always agreed, but they have always maintained respect for each other and have always made decisions for the good of the community. Chairman Parker stated some people say this is a "thankless job" but most people appreciate what the Planning Commission members do for the community.

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A motion was made by Mr. Robert Fell to consent approval of Item #3 (Cart Subdivision at Musgrove) and Item #4 (Hampton Plantation). The motion was seconded by Mr. Jerome Clark and unanimously adopted.

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**123 Mallory Street, SSI Village District  
Enlargement of an existing window, change  
florescent lighting to recessed can lights,  
and change of facade;**

**Angelia Kim, Owner**

Mr. Mark Schroeder presented the staff's report. He stated that the applicant is proposing several modifications to improve

the appearance of the existing business establishment. The enhancements include the following:

1. Replace existing small window on the south side of the doorway to match windows on the north side of the doorway;
2. Replace existing door with a full view door;
3. Replace existing fluorescent lights with recessed can lights. A total of 5 recessed lights are proposed;
4. Repair damage wood above overhang. The architectural design shall not change; and
5. Repaint exterior a creme sand color with trim a shade darker.

Mr. Schroeder stated that the proposed improvements are in compliance with the St. Simons Village Preservation District and therefore, staff recommends approval of the changes outlined above.

Following discussion, a motion was made by Mrs. Iris Touw to approve these changes. The motion was seconded by Mr. Lee Noel and unanimously adopted.

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**Preliminary Plat**  
**Forest Cottages**  
**3.66 acres, zoned PD-G**  
**Located on Sea Island**

**Sea Island Company, Owner/Developer**

Mr. Bill Edenfield was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the property is zoned Planned Development-General and the first phase of the development consists of 14 residential lots. According to the Planned Development Zoning Text, single-family dwellings are permitted adhering to the following requirements:

1. Maximum Density of 16 units per acre
2. Maximum Height of 45 ft.
3. Minimum Lot Area of 6,000 sq.ft.
4. Minimum Lot Width of 60
5. Setbacks: front-0 ft.; side-0 ft.; rear-7 ft.

Mr. Schroeder stated that according to Sections V and VII, extensive open/buffer areas shall be preserved in an attempt to retain the live oak forest and wetland areas. Where possible, the wetlands and mature live oaks are being preserved. The Buffer/Green Space areas will exist around each development cluster and through the preservation of existing wetlands. Mr. Schroeder explained that in this particular phase, a disproportionate amount of wetlands are being impacted (approximately 3 acres). The cumulative wetlands to be filled for the entire 52.356 acres is approximately 4 acres. Future development of 52.356 acres will be closely monitored to ensure that 53.8% of the development area is preserved as Buffer/Green Space.

Mr. Schroeder explained that the development clusters along Forest Road will all have a Forest Road address. At the entrance to each cluster, a street sign shall be posted clearly depicting the address range for all of the dwelling units provided access by spur road. Due to the length of the proposed road, an additional emergency ingress/egress should be provided for future phases.

Mr. Schroeder stated staff has received approval of the preliminary plat from the Corps of Engineers, County Engineer, Fire, Planning & Zoning, Building Inspections, Public Works, Sanitation and verbal from the Water and Sewer Department. He stated staff recommends approval subject to the following:

1. Prior to any construction, a Sedimentation and Erosion Control Permit shall be issued and 24 hour notification shall be given to the Engineering Department.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mr. Jerome Clark. Further discussion ensued.

Mr. Lee Noel asked if approval had been received on staff's recommendation for additional egress and ingress. Mr. Schroeder replied not at this time, the egress and ingress will be discussed as future phases occur.

After discussion, the motion for approval was unanimously adopted.

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**Preliminary Plat  
Castleberry Subdivision  
6.83 acres, zoned Forest Agriculture  
Located at the end of Castleberry Rd.**

Mr. Leonard Cason, developer and Mr. Ralph Lackey were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the developer is proposing the creation of 8 single-family lots at the end of Castleberry Road. The property is zoned Forest Agricultural which permits single-family homes or mobile homes on a minimum of 20,000 sq.ft. of property.

Mr. Schroeder explained that the proposed extension of Castleberry Road will be an unpaved road remaining private. The developer was given the following options: 1) pave the extension; 2) provide funds towards the future paving of Castleberry; or 3) keep the unpaved extension private and provide an additional cul-de-sac at the current extension of Castleberry Road.

Mr. Schroeder pointed out that prior to recording the Final Plat, all remaining structures shall be located to ensure they comply with the setback requirements. The existing mobile home and shed shall be relocated in conformance with the FA Zoning District.

Mr. Schroeder stated that staff recommends approval of this requests subject to the following:

**Community Development**

1. Rename Castleberry Road to Castleberry Court (Private).
2. Provide a completed utility company sign-off sheet.

**Engineering**

1. Drainage outfall from the 1.6 acre pond is subject to on-site review and approval by the County Engineer.

**Water & Sewer**

1. Final approval in writing of the revised plans submitted to the Water & Sewer Department (received verbal approval from Water & Sewer)

Mr. Fell asked if the developer agrees to rename Castleberry Road. Mr. Lackey replied yes.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

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**Site Plan**

**Golden Isles Marina**

**Located on the south side of the F.J. Torras Causeway on Lanier Island, 10.08 acres, zoned Planned Development**

**Golden Isles Marina, L.L.C., Owner**

Mr. Robert Ussery was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the Golden Isles Marina is proposing to add a dry stack boat storage (200 boat capacity), a new boat launching dock (including a two boat lift) and 40 new wet slips.

Mr. Schroeder stated that staff is recommending deferral of the proposed amendments to the Golden Isles Marina site plan due to the following:

1. **Improvements to the intersection with the F.J. Torras Causeway and to the Causeway:** Existing traffic patterns and conflicts have raised concerns related to the safety of motorists entering and exiting the marina. With the proposed re-opening of the restaurant, additional traffic once again will enter and exit the marina development. Staff has located the proposed plans to the Torras Causeway. A permit application by Glynn County needs to be made to the state for the improvements to occur. Funding of improvements and

responsibilities need to be determined. As outlined in the conditions of the 1982 amendment to the Planned Development, the owner of the marina shall pay for, "an acceleration lane from the intersection west, to be provided for marina traffic turning towards Brunswick."

2. **Additional traffic generation by the proposed improvements:** Improvements including 200 boat storage area and 40 additional boat slips will generate additional traffic to the marina. Coupled with the increase traffic on the F.J.Torras Causeway, the potential for an increase in traffic accidents is high. Estimates show that approximately 3,350 - 3,750 trips per day will be generated by the marina. This is an 85% increase over the current trip generation. In a 1992 report by Jimmy Horton, Traffic Safety Engineer, the Marina Village Drive Intersection with the causeway accounted for 35% of all traffic accidents on the Torras Causeway. Emmeline and Hessie was open during this time.
3. **Parking:** Currently, 330 parking spaces are available to serve the Golden Isles Marina. The location of the proposed boat storage area results in a net loss of 75 parking spaces. Through redesign of the parking lot, an additional 16 parking spaces are reclaimed for a total of 271 parking spaces provided. Historically, when Emmeline and Hessie was in operation parking was a problem. Cars parked along the Torras Causeway and in the park and ride lot even with the existence of 363 parking spaces. The proposed expansions and the loss of net parking will result in parking problems. Furthermore, the information supporting the parking requirements is not sufficient. The calculations do not consider the parking requirements generated by the 123 boat slips, 200 boat storage, or the additional patrons using the boat ramp. Also, no provisions have been made in the parking areas for vehicles pulling trailers or for the location of boat trailers. The latest plans also depict a mechanics garage. Approximately, 4 to 5 additional parking spaces must be provided for the mechanics garage. Parking space requirements based on uses from other communities are being acquired to determine the adequacy of this proposed parking within this Planned Development.
4. **Compliance with the Golden Isles Marina Planned Development Text:** The original concept for the Golden Isles Marina proposed a facility that would be water oriented and generate a small amount of vehicle trips per day as a result. The text reads, "The owners of Golden Isles Marina propose...a water oriented facility consisting of boat storage and workshops, a small boat marina and storage facility, a pier "Village" offering the boating public a small restaurant, a small food store, a launderette, women's showers, a beauty shop, men's showers and sauna, and possibly small men and women's specialty shops." The vision for this development has changed into a larger concept.
5. **Engineering:** Required engineering plans regarding drainage calculations and drainage patterns have not been submitted to the County Engineer. In addition, receive approval for a Sedimentation and Erosion Control Permit.
6. **Planning & Zoning Division:** Provide the location of any free-standing signs.

Mr. Reuter stated that staff has been reviewing this proposal for several weeks and feels that there are a lot of issues that should be discussed further and therefore, staff is recommending a deferral until next month. Chairman Parker stated that in his opinion, "DOT designed the causeway, they have the problem out there and the way to solve the problem is to install a traffic light, but they don't want to do that."

Mr. Robert Ussery gave a brief presentation. For clarification, he stated that the current seating capacity will be 190, not 290 as calculated by staff. He then explained how the complex has evolved. Mr. Ussery stated that when the project was first conceived the area was a very active shopping center; however, the area is now mostly service businesses. Also, the size of the restaurants are smaller. He stated that when this project is ultimately completed, this will not be the same active site as it once was when it was known as "Emmeline & Hessie".

Mr. Ussery stated another thing to be considered is that the proposed Marina is primarily a daytime operation and will shut down at dark. He stated there will probably be more trips per day but the trips will be spread out over a period of time and will not be intense.

Mr. Ussery stated that the parking was calculated based on commercial districts in Glynn County and based on the square footage for restaurants, office and retail areas. He stated there are no calculations currently available for what is required for stack storage. He explained that the stack storage will not serve as a public boat ramp.

Mr. Ussery pointed out that they do not have the final drainage calculations at this time, but they do have the Soil Erosion & Sedimentation Control permit.

Mr. Boise Mann stated that the comparison regarding traffic accidents is not a fair analogy because there is nothing else on the causeway. He stated that the mechanic's garage can be deleted. He pointed out that the small boat marina referred to in the text does not mean small in size but rather what market is being catered to. Mr. Mann stated that they are catering to smaller boats, not luxury yachts. Staff has stated that there is an 85% increase over what is in the area now; however, Mr. Mann stated the buildings were there since the original permit in 1982 or 1983. He stated they are not changing anything, and in fact, the buildings have been decreased in size. He stated the only addition is the stack storage operation.

Mr. Ussery stated that due to some issues being outstanding, he understands why staff would suggest a deferral. Mr. Mann stated they have been working with Mr. Richard and Mr. Charles Bryant on the entrance way.

Chairman Parker asked if the developers are in agreement with the deferral. Mr. Ussery stated they would agree to a deferral with the understanding that they are working towards something. Chairman Parker stated that over the years, they have all seen this particular piece of property as a very valuable and very busy piece of property. It has been an asset to Glynn County and to St. Simons, but it has also been an eyesore. He stated he is very glad to see that the developers are revising and bringing this piece of property back as an asset to Glynn County and to St. Simons. Chairman Parker pointed out that stack storage conserves property and there are no trailers involved. He stated this will be a great improvement and he is in favor of it, provided the details are

worked out. Chairman Parker stated that we should not penalize these businessmen for a mistake that DOT made. "It is their mistake and they need to correct it." He stated we should encourage people to utilize property as an asset.

Mr. Reuter pointed out that staff will continue working with the applicant towards completing this project.

Mr. Robert Fell stated that the entrance into the marina is very dangerous; however, a traffic light cannot be installed because of the curb coming across the Frederica River. He suggested installing two lanes that will go down the right-hand side of the westbound side of the causeway, and down under the bridge, then back up so that people are not crossing the causeway in either direction. He stated that DOT needs to get moving before we put anything else in the area that will increase traffic.

Following discussion, a motion was made by Mrs. Iris Touw to defer this request, and when it is returned, present an outline or verification of what will happen on the entrance and exit on the causeway. The motion was seconded by Mr. Jerome Clark. Further discussion ensued. Mr. Lee Noel stated he is in favor of the deferral; however, he thinks that we are misleading the applicant by telling them that we will have enough knowledge in 30 days to deal with the public safety issues involved.

Mrs. Glenda Jones stated that the upper management at DOT is now much more receptive to suggestion than they were in the past. She stated perhaps we should start with Mr. Wayne Shackelford who is very safety conscious. Mr. Ussery stated there are some improvements being proposed and maybe by the time this request is brought back for review, they will have more information. Mr. Noel asked if it would be wise to have a DOT representative at the next meeting. Mr. Reuter stated he would look into that possibility.

Mr. Ray Richard gave a brief background on the safety concerns of the project. After discussion, the vote on the motion for deferral was unanimously adopted. A motion was then made by Mr. Lee Noel that Chairman Richard Parker should compose a letter to the Board of Commissioners outlining the public concerns about the safety of access from the Golden Isles Marina and the potential deleterious affect on business and employment in Glynn County, and urge them to take a stand with the Department of Transportation. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**GC-8-96**

**Request to rezone from Conservation Preservation to Planned Development-Residential (R-12 One-Family Residential) 8.854 acres (8.317 upland and .537 wetlands) fronting 577 ft. on the south side of East Beach Causeway, beginning 200 ft. east of the East Beach Causeway and Demere Road intersection, and lying east of Island Townhouse Condominiums, St. Simons Island.**

**Property owned by North End Partners, L.L.C.**

Mr. Frank Deloach and Mr. Robert Ussery were present for discussion.

Mr. Reuter presented the staff's report. He stated that the original request for the May 7th Planning Commission meeting was to rezone a 10.344 acre tract, (8.317 acres upland and 2.027 acres wetlands). The request has been revised to eliminate 2.027 acres of wetlands, to a revised tract of 8.854 acres.

Mr. Reuter explained that the property is currently zoned Conservation/Preservation. The request was first submitted for rezoning in November, 1995 to Planned Development-Residential to allow the development of single-family and/or multi-family; however, following the Planning Commission's review, a motion was adopted to recommend denial of the request. The request was then withdrawn by the applicant. Mr. Reuter stated that the original request submitted for the May 7th meeting was to rezone to R-9 One-Family Residential which would allow a density of 4 units per acre. The current request of Planned Development-Residential meets the R-12 zoning district standards (3 units per acre) with additional buffers and conditions.

Mr. Reuter pointed out that the subject property is located west of Island Townhouse Condominiums and north of Island Marshwood Condominiums. These multi-family developments allow a density of 16 units per acre. Located to the north across the East Beach Causeway is a single-family residential subdivision known as Demere Retreat, zoned R-12 One-Family Residential. The zoning text submitted with this request states the following:

- Approximately 22 lots, (Exhibit A submitted depicts 20 lots).
- Minimum lot area 12,000 sq. ft.
- All specimen trees within 100 ft. of the marsh with a diameter of 10" or greater at breast height outside the building envelope would be left undisturbed.

Mr. Reuter explained that the subject property has been zoned Conservation/Preservation since 1966, and would allow the following as permitted uses: 1) Private non-commercial dock or boat house; 2) Government owned or operated use; facility or land; 3) Farm for the growing of agricultural products, including timber; 4) Wildlife refuge; and 5) Swimming beach.

Mr. Reuter stated that the St. Simons 1981 Plan shows this area as multi-family. The Glynn County Comprehensive Land Use Plan, adopted in October 1989, shows the property as part of a larger tract designated as open/marsh area. He stated that Mr. Ray Richard, County Engineer, has reviewed the plan and recommends the following changes:

1. Align the entrance with the road/easement for Demere Retreat Subdivision, across from the subject property on East Beach Causeway;
2. Show the 20 ft. utility easement as an existing utility easement; and
3. Provide a drainage easement on the south side of the property, by either providing a drainage easement of at least 15 ft. along the high bank to the property line or pipe the ditch and provide a 15 ft. total easement.

Mr. Reuter stated that the plan meets these requirements with the exception of the alignment of the entrance; however, the applicant has verbally agreed to this alignment requirement. He stated feels that the non-adjacent wetland areas surrounded by upland and consisting of a total of .273 acres could be included in

the density and site coverage calculations. Staff has done a brief study of other properties located on St. Simons Island that have been rezoned from Conservation/Preservation to another zoning classification since the adoption of the 1966 Zoning Ordinance and Zoning Maps as follows:

- 1967 Conservation/Preservation to Planned Development-General Portion of Sea Palms East which is now the development of Peninsular Point North and Peninsular Point South.
- 1969 Conservation/Preservation to R-12 One-Family Residential Approximately 15 acres, Section C of St. Clair Estates Sub., bounded on the west and north by Dunbar Creek, and east and south by other portions of the subdivision.
- 1971 Conservation/Preservation to Planned Development-General Portion of Sea Palms West.
- 1972 Conservation/Preservation to R-6 One-Family Residential Approximately 9,000 sq. ft., located on the northwest side of Ocean Boulevard, lying 1,270 ft. northeast of Arnold Road.
- 1972 Conservation/Preservation to R-12 One-Family Residential Approximately 3 acres, northwest side of Ocean Road and west of the area between 15th and 16th Streets, East Beach.
- 1974 Conservation/Preservation to Planned Development-General 16 acres, former site of Olsen's Yacht Yard, being a portion of Lanier Island located off the Torras Causeway.
- 1979 Conservation/Preservation to Local Commercial 23,000 square feet located on the northwest corner of Ocean Blvd. and Arnold Rd.
- 1980 Conservation/ Preservation to R-12 One-Family Residential 3.73 acres, lying immediately east of the Wesley Oaks Subdivision with access from a 50 ft. dedicated street extending 130 easterly from the subject subdivision.

Mr. Reuter stated that in order 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;

Adjacent property is multi-family and conservation with single-family across East Beach Causeway. The development requirements for this tract should balance these diverse nearby uses and minimize impacts on marsh views. The development request submitted has been revised to be compatible with adjacent uses. The plans also depict buffers and setbacks from the marsh boundary.

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

The property has historically been conservation and development should seek to preserve intent of conservation, including less density and buffering. The revised proposal will not adversely impact the adjacent multi-family or single-family developments. Adverse impacts on the scenic views of the marsh should be protected by approved buffers.

Based on the amount of impervious surface of a single-family development, the proposed zoning will not create an amount of run-off or non-point source pollutants to the marsh which would be considered threatening to the wildlife or unusual to St. Simons Island.

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

Based on the existing uses of the property the upland area does not appear to have a reasonable economic use as zoned.

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;

The ITE Trip Generation Manual estimates a development having a density of 3 units per acre would generate the following daily trips: Weekday 239; Saturday 255; Sunday 220.

There will be additional water and sewer required to serve the development.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

No.

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

Several tracts of Conservation Preservation property have been rezoned in the past to permit development. The proposed density and buffers should minimize impacts. The 1981, 1989 and proposed 1996 Land Use Plans disagree as to the proposed future use of the property.

Mr. Reuter pointed out that staff is aware of the public concern expressed about whether this property should be rezoned from Conservation/Preservation due to the property being in this classification since the adoption of the 1966 Ordinance and Map. The zoning of the property to Conservation/Preservation occurred in 1966 and has been taxed in this designation since that time. The relationship of these facts to the rezoning request could not be confirmed by staff.

Mr. Reuter stated that staff recommends approval of the rezoning request with the following revision to Exhibit A and zoning text submitted:

1. Label plan submitted as "Exhibit A".
2. The first 25 ft. of upland from the marsh boundary and the adjacent wetlands currently depicted as "Prune Only" be indicated as "Undisturbed Buffer". Any disturbance of any development buffer can result in replanting by property owner to meet the requirements of Section 613 of the Zoning Ordinance.
3. All specimen trees within 100 ft. of the DNR marsh boundary outside of the building envelope with a diameter of 10" and greater at breast height will remain undisturbed. These trees

will be located, tagged and verified by the Planning and Zoning Division prior to commencement of any clearing of the site.

4. Provide minimum setbacks from DNR marsh boundary as depicted on Exhibit A.

Several citizens were present to oppose this request; however, Chairman Parker stated that the floor would be open for opposition after the applicant's presentation.

Mr. Ussery gave a brief background history of how he got involved with this project. He stated when the property was proposed 6 months ago for multi-family, he was very concerned. He contacted Mr. Deloach and expressed his concerns. He explained to Mr. Deloach that he could support a single-family development if some of the things he felt are desirable were taken into consideration, such as vegetation. He stated the plans were revised.

Mr. Ussery stated they are proposing a single-family subdivision, R-12 density, which offers the buffers and marsh setbacks that are above and beyond what would be required on any other piece of property in Glynn County with an R-12 zoning. He stated they are proposing at least a 25 ft. buffer. They are also proposing that the buffer be maintained the length of the ditch.

Mr. Ussery stated they have worked very hard with the adjacent property owners and have met with the East Beach Association for their input in preparing this plan. He stated so far, he feels that they have satisfied quite a number of people. He stated there are some additional details that will be done in the development of this plan, i.e., trees will be maintained at 100 ft. of the marsh line. Trees will be tagged through out the subdivision indicating that they will not be removed. He stated they will try to maintain a building envelope or building setback line which is where the primary impact will be in the lots.

Mrs. Touw asked if the building envelope or setback line is in addition to those required by the ordinance, or are they the building setback required by the ordinance. Mr. Ussery stated that there is an additional 50 ft. building setback on the marsh side. Normally, the ordinance requires 15 ft. He stated within the setback is a buffered area that will not be disturbed except for site lines. "Prune Only" means that they will be able to prune per site. He stated trees that are 10 inches or larger within the buffer will not be disturbed.

Chairman Parker stated that the alignment of the street has been addressed; however, he asked Mr. Ussery if he agrees with the other recommendations. Mr. Ussery stated they would need more discussion on staff's recommendation to show an "undisturbed buffer." He stated they are willing to do whatever they can to maintain the appearance from the causeway to ensure that there is a minimum impact to the houses, but he is not sure that they totally agree to say they will not touch anything.

Mr. Larry DeLaney, St. Simons resident, stated he would like to see more projects such as this. He feels that it is a very feasible project and he is in favor of this request.

Mr. Victor Howard, 227 Kingsway, St. Simons, presented a letter submitted by Ms. Mittie Hendrix of East Beach, outlining opposition to this request. (A copy of the letter is attached and will be incorporated in the Minutes.) Mr. Howard also expressed opposition

TO WHOM IT MAY CONCERN:  
Glynn County Zoning Board, and  
Glynn County Commissioners

June 3, 1996

This letter is written to state my position regarding the rezoning of the property on the East Beach Causeway in the event I am unable to attend the above meeting(s).

I am the owner of the approximately 3-acre tract adjacent to the Thompson Cove subdivision, which has been known for approximately 28 years as "The Funny Farm". My daughter kept her horse there on a space rental basis, and when it came up for sale on the courthouse steps, we had to purchase it for there was no other place with a deep well. Once purchased, other young people ages 8 to teens began to gather there with their horses, and named it the "Funny Farm," because they had fun there.

Within a week or ten days from purchase, at a social gathering on Sea Island, the late Alfred W. Jones congratulated me on the purchase, and especially for the reason for the purchase, that of use by the kids. He volunteered the information that "we were now neighbors," as they owned the property behind me, that it was marsh land, and would never be developed. When we began to fence in the area, he also voluntarily told me we could fence in whatever portion we wanted for the horses, restating the marshy aspect as being non-developmental.

This was a long time ago and I do not know if Mr. Jones was on the zoning board - I do know he was a great man of integrity, a visionary who was very careful with the liveable qualities of the area. He was instrumental in the beginning of the arts of the community with his support of the Art Center. He was a big environmentalist and often mentioned the property behind me (now to be developed) as a natural asset to be preserved and I believed him. I was fortunate in that he was a personal friend, and one of the few people who was such a great role model in my own life. Many things he predicted have now come to pass, both good and not so good. (He even predicted and warned me about the arts problem which occurred several years ago.)

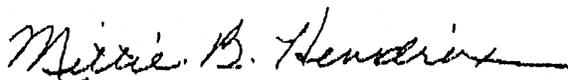
One of those was brought to my attention when the first developers of Thompson Cove began construction. First they not only cut trees on my property and left them lying there, they raised the level of their land above mine, and made a mosquito bog in the area of my land where they had conveniently cut their path. After various unsuccessful attempts to get the cooperation of Mr. Hugo and Reverend Hammock, Glynn County Engineer Ray Richard had a drain line put in, and I gave the county a portion of the easement to do so. Later, when the developers at the end of the row of houses in Thompson Cove were building, it also created a deep water bog, which extended into my land.

I am the first to stand up for individual property rights. I believe even more strongly, however, that our governmental agencies have the duty to protect those of us who bought in good faith, and that we should not have to spend all of our time in a defensive position. From the experience I have had with the two developers adjacent to my property who paid me excellent lip service, but NEVER did one thing, and in fact even left me with a tremendous pile of illegally cut trees, I believe that development behind or in close proximity to mine will reduce the value of my land. Although I am trying to save this property for my children to retain a real piece of the Island, if what I suspect occurs, you should then give me permission to open a mosquito farm, or perhaps an Island Summer Wave Water Park.

In the meantime, for over 25 years I have paid full taxes on this property which has an old approximately 80-year-old house on it. In recent years, you have it listed with a fireplace, and other more modern conveniences, which it does NOT have, so I paid more taxes than I should. This should also entitle me to some protection.

I can't cite statistics on the wildlife on that strip. I do know that we formerly had many deer, but I guess they got smart and moved off to Nahunta.

Thank you for your consideration of my concerns.

  
Mittie B. Hendrix

to this request. He stated the historical area will be disrupted if this development is approved. He further stated that "if we are not careful, we will pave over St. Simons Island."

Ms. Ilene Hutchinson, St. Simons resident and chairperson of the Natural Resources Protection Committee of Residents United for Planning & Action (RUPA), stated that when the plan for development of the Bloody Marsh Tract dated November, 1995 was revised, Mr. Deloach contacted RUPA and invited members of the organization to review the new plan. She stated that Mr. Ussery presented the plan to the committee and requested that any recommendations for change be made in writing and given to Mr. Deloach for his consideration.

Ms. Hutchinson stated that the plan was revised several times and Mr. Deloach requested their comments on the revisions. She further stated that although each of the revised plans was an improvement over the first plan, there were some serious flaws in all of the them which would be deleterious to the environment.

Ms. Hutchinson pointed out that a world-wide classification of eco-systems has been adopted and recognized by scientists in the field of environmental science called Global Classifications which range from G-1 to G-5. She then elaborated on each classification.

Ms. Hutchinson stressed that the Bloody Marsh Tract should remain as a Conservation/Preservation area and should continue to be zoned unused/undeveloped, as shown on the new Glynn County Master Plan.

Mr. Tim Hightower, St. Simons resident, stated that the Island is changing drastically and not for the better. Referring to the taxes on this property, Mr. Hightower stated that "this piece of land has not earned the right to be developed." He urged the Planning Commission to "shepherd their efforts and look after the few and not the many, stop calling wrong right... just say no." Mr. Hightower stated he is also concerned about drainage and water pressure in case of a fire.

Mr. Terry Harrison, St. Simons resident, stated he is opposed to any development in that area for environmental reasons.

Mr. Randy Dobson, St. Simons resident, urged the Planning Commission to deny this request due to the wildlife and endangered species in the area. He stated this project or any other development would impact the marsh. He asked that the land be preserved as it has always been.

Ms. Anna Arbo, St. Simons resident, stated the houses are in close proximity to the marsh. She stated she built her home with the understanding that the marsh area would never be developed. She also stated that this development would have a negative impact on drainage. She expressed concerns for the wildlife in the area, the wetlands and the endangered species, such as the Woodstock. Ms. Arbo asked that the area remain Conservation/Preservation. She presented photos and a petition for the Planning Commission's review.

Mr. Roger Peterson, St. Simons resident, expressed concerns about retaining the Coast Guard Station, the overflow of parking, the bikepaths along East Beach and the safety of children in the area. He stated that the impact of the road will have a detrimental affect on families and tourism.

Mr. Abe Glover, St. Simons resident, stated that this development will have a harmful affect on traffic. He asked that they leave the area as it is.

County Commissioner Virginia Gunn stated "she does not come down to the Planning Commission meetings very often. She has talked with the developers and they are really very nice. The plan is better than it was before; however, she is here to ask the Planning Commission to please not change this to residential. It has been Conservation Preservation for as long as anyone can remember."

Mrs. Gunn stated "she just came back from Atlanta and she had several people come up to her and say, please Virginia, would you people please do something about the Island. It is losing the magic that brings us back year after year." She stated she does not know what to do. The people in her district are concerned that development is coming at them at all directions. She stated she is not anti-development and her voting record can vouch for this. "She tries to strike a balance and compromise whenever she can; however, in this instance, this is a piece of property that desperately needs to remain the way it is now and the way it has been."

Mrs. Gunn stated that she does not understand why somebody would buy a piece of property that is zoned Conservation/Preservation and then expect to have it rezoned. "Did somebody tell them that it was going to be easy to get this rezoned?" She stated that there are some parts of the Island that we will have to fight to retain the way it is or the tourist will stop coming, the tourist that we rely on for all the money that comes into our community to keep us going. She stated they keep telling her that if we keep changing the Island, they are going to have to go some place else because it is not the same Island that they remember and that they want to come back to.

Mrs. Gunn stated that this is probably an unreasonable request to ask but she's going to do it anyway. "She wishes that the North End Partners would step forward and be the hero to the Island that we so desperately need and not develop this property, and turn it over to the county to stay in this state and perpetuity. This is a big request to make but somebody's got to do it, and we really need a hero right now, it might as well be them."

Also present to oppose this request were Mrs. Laura Bell, Mrs. Mary Porter, Ms. Clyve Kennedy, Mr. Gene Doyle and Mrs. Barbara Reighard.

It was noted that Mr. Randal Moody was present to speak in favor of this request.

Following discussion, a motion was made by Mr. Lee Noel to deny this request. The motion was seconded by Mr. Robert Fell. Further discussion ensued.

In rebuttal, Attorney Jameson Gregg, representing the applicant, stated "I guess I know how Mrs. Gunn is going to vote at the County Commissioners meeting." He stated that in Georgia, there is a clear line of cases concerning zoning which state that when a zoning is challenged, if the existing zoning is significantly detrimental to the property owner and if the government does not show that denial of the zoning is substantially related to the public health, safety, morality or welfare, then the zoning is unconstitutional. He stated there is a constitutional basis for seeking this zoning. Mr. Gregg stated the property owner, North End Partners, is trying

to be reasonable with the proposed development. The objections seem to have increased since the changes were made. Again, he stated there is no constitutional grounds for a denial. He stated that all of the many objections presented do not rise to the level of constituting a substantial detriment to the public. Mr. Gregg stated that if this zoning is denied, there will be an obvious and significant detrimental impact to the property owner.

Mr. Gregg also pointed out that there is no law that states a piece of property has to "earn the right to be developed." He stated the taxes were low because the property use was limited and taxes aren't paid beforehand based on rezoning the property. Mr. Gregg stressed that the property owner is entitled to equal treatment.

Regarding traffic, Mr. Gregg stated that traffic is an issue over the entire Island; however, the traffic increase in this development will be diminutive compared to other areas on St. Simons.

Mr. Mike DeMell of Environmental Services, Inc., was present to address concerns about the Woodstock, drainage, and the historical impact of this development. Mr. DeMell stated that he has been working in the St. Simons area and Coastal Georgia for the last seven years. He stated that what they do for clients is address different issues on the property relating to Federal and State guidelines and regulations which includes wetlands, archeology and endangered species. Wetlands have been approved through the Corps of Engineers based on the guidelines distributed across the nation. The Corps has set up two programs for wetland permitting: Nationwide Permitting and Individual Permitting. The Corps has specifically addressed the marsh and wetlands and have concluded that the wetlands proposed for impact in this development are eligible for Nationwide Permitting.

Mr. DeMell stated that potential historical or archeological significant sites can be found in almost any area of St. Simons. He pointed out that they have done a Phase 1 archeological assessment on the property. The results of Phase 1 also included co-ordination with Fort Frederica. Fort Frederica agrees with their findings that there is no evidence of the Battle of Bloody Marsh occurring on the site.

In addressing the Woodstock, Mr. DeMell agreed that they are an endangered species and they are protected. He stated no one can acquire a Federal Permit without the assurance of impacting endangered species. Mr. DeMell stated there is a high amount of breeding Woodstocks in this area and they can be found almost anywhere on St. Simons. He stated according to a technical report from the Corps Fish and Wildlife Service, forging habitat for this site is non-existent. There is no critical habitat for roosting Woodstocks. Mr. Gregg pointed out that protection of endangered species is not a zoning issue.

Mr. DeMell then addressed the drainage on the site. He explained that the property drains from the north of the site plan down to the south. He stated the developer would route the drainage away from any existing development in the area. He added that as long as the engineering guidelines for drainage are met, which is part of Glynn County's review process, drainage will not be an issue.

Mr. Gregg stated that the intent of the Glynn County Comprehensive Plan is to show guidelines for future developments. He pointed out that there was a mistake made in the color code of

the map. He reiterated that the property owner has a right to a reasonable use of his property. Mr. Gregg stated it is ironic for people who live on the Island to say, "I've got mine but you can't have yours."

Mrs. Touw stated she had spoken with an attorney on zoning and she was advised that most zoning cases go to court when the county government is putting limitations on the use of the property. She stated there was a premise in case law that if you buy a piece of property that is already zoned one way and the county does not extend the zoning to a higher use, "then you cannot claim you are losing a right that you never had."

Mr. Lee Noel commented that this is a very civilized discussion on this issue from both sides. He stated that single-family residential is not an appropriate use of this property. He asked Mr. Deloach if he was given any reason to think that the property could be rezoned. Mr. Deloach replied no, he received no assurance from anyone, and no one influenced him into thinking the property could be rezoned.

Regarding other property on St. Simons being rezoned from Conservation/Preservation, Mr. Fell stated that mistakes have been made in the past; however, we should not continue to make mistakes. He pointed out that Mr. Deloach fully understood the zoning when he purchased the property.

Chairman Parker stated that "people quote the Comprehensive Plan as if it is a zoning bible." He stated it is not a bible. It is a plan established by a group of people, and it is not the final word. He stated we all know that traffic is a problem on St. Simons; however, we cannot deny a property owner a reasonable use of his property. He stated he was opposed to a high rise, multi-family development, but he is not opposed to a single-family development.

After discussion, the following vote was taken on the motion to deny this request. Voting Aye for denial: Mr. Jerome Clark, Mr. Robert Fell, Mr. Lee Noel and Mrs. Iris Touw. Voting Nay: Mr. Richard Parker. Abstained From Voting: Ms. Glenda Jones.

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**GC-9-96**

**Continue request to rezone from R-9 One-Family Residential and R-12 One-Family Residential to Planned Development-General for mining and hauling activities and future use a residential, 41.43 acres lying immediately east of Cypress Mill Road (having frontage of 992 ft.) west of F-009 Spur 25, north of Old Benedict Road (right-of-way unopen) and south of properties now or formerly owned by Wiggins and Souter; known as a portion of Lots 191, 192, 193, 203 and 204 Brunswick Peninsula Tract "H".**

**Property owned by H.S. Wilson Construction, Co., Inc.**

Attorney Jim Gilbert and Mr. Bill Hendon were present for discussion.

Mr. Reuter explained that this request was reviewed at the May 7th Planning Commission meeting, and at that meeting, a motion was adopted to defer the request pending submission of the following:

1. Develop a credible protocol for testing soil with EPD advisement;
2. Owner (Mr. Wilson) establish a timetable for the mining operation;
3. Consider tax consequences of PD-G versus Residential;
4. Set a schedule for the entire operation of mining, hauling, filling and compaction to have estimated time that the land would be returned to a usable state;
5. Investigate the possibility of a permit being obtained from Georgia DOT to allow a temporary access from F-009 Spur, or work with the County Engineer, County Traffic Engineer and Community Development staff to develop an access plan to minimize damage to roads and traffic within the residential area.

Mr. Reuter read the following letter he received from Mr. Gary Reynolds of the Department of Natural Resources:

"The Toxicity Characteristic Leaching Procedure (TCLP) analysis proposed by Hercules, Inc. would be sufficient to determine the toxic characteristics for a particular load of dirt deposited at the proposed stump dirt disposal site. However, unless every single load of dirt was tested, there is no assurance that a contaminated load of soil may be deposited. As such testing would be unreasonable, it is recommended that the site be registered as an inert landfill, whereby the Division would have record as to the operations location, the control required by Hercules, and upon completion, registration by Hercules through Superior Court that the site exists.

"The zoning officers could periodically visit the site to assure Hercules is monitoring incoming loads for soil discoloration, odors or unusual physical properties in soil deposited. This would be the most reasonable means of determining whether or not contaminated soils are being deposited. I recommend that you require Hercules, Inc. representatives apply through the Environmental Protection Division for an inert landfill prior to granting the zoning change."

Attorney Jim Gilbert gave a brief presentation. He stated that in addition to the concerns expressed at the May 7th meeting, one other question was posed by a property owner in the area regarding the affect of what has already been done on the ponds and lakes near this excavation. Mr. Bill Hendon will address this issue later in the meeting.

Mr. Gilbert stated that Mr. Wilson's activities will go on as Hercules fills up the hole. Mr. Wilson can only sell dirt as the market will bear, but he is hoping to complete his activities in 5 years; however, based on Jackson Smith's conversation with Mr. Wilson, Mr. Wilson thinks he can safely commit to 7 years, but perhaps they can report in 5 years with an update.

Mr. Gilbert stated he compiled information in a memorandum to the Tax Assessor's office, but he has not received a response at this time. Mr. Lee Noel clarified his statement regarding tax consequences. He stated he does not think it is fair for there to be a tax windfall to the owner of the property when the property is zoned one way and headed towards a higher zoning. Mr. Gilbert

explained that Mr. Wilson has never sought a tax change. The property is being taxed as residential property and he has never appealed an assessment.

Mr. Gilbert stated the land will be ready to use for residential purposes when Mr. Wilson leaves and the moment Hercules fills the hole to an acceptable level. The boundaries of the lake will not be changed except they will be contoured. The property will be left residential as it is now.

Mr. Gilbert illustrated the truck routes over Old Community Road. Regarding the testing protocol, Mr. Gilbert stated the law does not provide that as a contingency for rezoning, Hercules has to apply for an inert landfill. They don't know if they are required under law to do that. They also don't know the requirements for an inert landfill; however, they do agree to the protocol and they do agree to check every load of dirt. At this point, Mr. Bill Hendon gave a brief presentation on the affects the excavation would have on ponds and lakes in the area.

Mr. Dave Smith pointed out that Hercules is willing to work with EPD and would have no objections to registering as an inert landfill; however, they do not want that to be a stumbling block in obtaining a permit. He stated that every load of dirt will be visually inspected to make sure it is suitable. He explained that they don't do the analysis, but they do pay for it. Mrs. Glenda Jones stated perhaps Glynn County can require that the test results be sent to county staff so that they may inform the public that testing is being done periodically. Mr. Smith stated that a monthly composite sampling could be done and the lab could send a report to Glynn County.

Following discussion, a motion was made by Mrs. Glenda Jones to approve the rezoning to PD-G subject to monthly testing and the results to be provided to Community Development and each Planning Commission member. The motion was seconded by Mr. Jerome Clark. The motion was then amended to include the following:

1. Upon completion of the hauling operation, the property shall revert back to R-9 or R-12 zoning and shall be reviewed by county staff every 5 years;
2. All mining and filling operations shall cease 15 years from the date of approval;
3. Records will be maintained for each load of dirt which is deposited noting from visual and other inspection techniques that the load is free of any toxic contaminants;
4. Random laboratory testing will be performed by an independent source as proposed by Georgia EPD in a letter dated May 30, 1996;
5. The soil deposited will be stump dirt only;

The amendment was accepted and the vote was taken: Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones and Mr. Richard Parker. Voting Nay: Mr. Lee Noel. Abstained From Voting: Mrs. Iris Touw. The motion carried for approval.

At this time (1:00 p.m.), the Planning Commission took a one hour lunch break. The meeting resumed at 2:00 p.m.

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Chairman Parker advised that due to the lengthy agenda and in the essence of time, Item #16 (Consider Amending Article VIII, Section 804.8.2 A) will not be discussed today. He apologized for the inconvenience and stated that this item will be presented at the July 9th Planning Commission meeting.

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**GC-11-96**

**Request to rezone from Planned Development-General to R-20 One-Family Residential, a 36.7 acre tract fronting 281.72 ft. on the west side of U.S. Highway 17 North, and lying north of Deerfield Station Subdivision, south of Thornhill Creek and east of Glynn Industrial Park.**

**Property owned by Pyramid Projects, Inc.**

Mr. Jim Meadows was present for discussion.

Mr. Reuter presented the staff's report. He stated that the property involved in this request was originally zoned Planned Development-General and R-20 One-Family Residential and was a portion of the PD zoning of Deerfield Station and Windward Acres which was also developed by the applicant. In 1987, the applicant obtained a zoning change from PD-G and R-20 to Planned Development-Residential. The PD Zoning Text and the following conditions were placed on the approval of the rezoning to allow a residential development known as Fox Run:

1. Minimum lot size 7,500 sq.ft.;
2. Minimum lot width of 75 ft.;
3. At the time of site plan/preliminary plat approval, the developer will provide an easement for a drainage ditch which will be located entirely on his property along the property line with Deerfield Station;
4. Allow a density of 3.5 units per acre; and
5. Sidewalks and city water and sewer utilities to be provided (including curb and gutter).

Mr. Reuter stated that the request at this time is to rezone the property back to R-20 One-Family Residential, which allows a minimum lot size of 20,000 sq. ft. and 100 ft. lot width. The property would be served by central water system and individual septic tanks. A copy of the proposed concept plan, showing 1 acre lots, has been provided to Environmental Health for review and comments. The County Engineer has also been provided a copy of the proposed plan for review.

Mr. Reuter stated that the proposal for R-20 would be compatible with the surrounding area. He explained that due to this being a lower density than the existing zoning text, sidewalks

may not be required as a condition of approval. The development should be connected to public water and sewer if required by county ordinances.

Mr. Reuter stated that in order 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;

No.

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;

No.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Yes, the property is depicted as low density residential.

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

No.

Mr. Reuter stated that staff recommends approval subject to connecting to public water and sewer, if required by county ordinances, to be determined by Bob Benson, and subject providing an easement for a drainage ditch located entirely on the property along the property line with Deerfield Station. Also, align the entrance to the proposed subdivision with Meadows Way (Windward Acres) across U.S. Highway 17, if required by the County Engineer.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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GC-12-96

**Request to rezone from Planned Development-General to M-20 One-Family Residential Manufactured Home, 5.097 acres located immediately north of Middleton Drive and east of Golden Isles Vacation Park, subject property known as "Plott Subdivision."**

Mr. Charles Plott, property owner, was present for discussion.

Mr. Reuter presented the staff's report. He stated that on February, 1996, a Final Subdivision Plat was approved by the Glynn County Board of Commissioners. The property is zoned Planned Development-General and has a zoning designation of R-9 One-Family Residential. The subdivision plat accommodates a minimum lot size of 20,000 sq. ft. Mr. Reuter stated that the applicant understood that the zoning allowed single-family residential but thought that the zoning would permit manufactured homes as well as site built homes. The applicant has now filed this application to request a zoning change to M-20 One-Family Residential Manufactured Homes, which will allow site built homes and manufactured homes.

Mr. Reuter pointed out that the area has a mixture of site built and manufactured homes. The recreational trailer park operation also abuts the property. The existing PD-G zoning includes a condition to provide a 50 ft. buffer strip around the perimeter of the property.

Mr. Reuter stated that in order 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;

The area contains a mixture of uses and abuts General Industrial property. The proposed zoning appears to be more compatible to smaller lots with site built homes.

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

No.

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;

No.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

No, property is depicted as commercial because of recreational trailer use in zoning text.

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

Existing uses are recreational trailers, older site built homes, manufactured homes and industrially zoned property. The former property owner who is an existing resident in the area, contacted the Planning and Zoning Division office concerning provisions of septic tanks and wells. The Environmental Health Department should address these concerns.

Mr. Reuter stated that staff recommends approval of this request with the existing PD condition retaining the 50 ft. drainage easement and buffer as shown on the Final Subdivision Plat.

Following discussion, a motion was made by Mr. Jerome Clark to recommend approval of this request subject to staff's recommendations. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

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**GC-13-96**

**Request to rezone from R-12 One-Family Residential to General Commercial, a 20,389 sq. ft. lot fronting 101.39 ft. on the south side of Community Road beginning 170.5 ft. east of Old Jesup Highway; being a portion of Lot 6 of Community Subdivision, address known as 307 Community Road**

**Property owned by First Credit Corporation**

Chairman Parker advised that this item will be discussed later in the meeting pending arrival of a representative.

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**C-14-96**

**Request to Rezone from Forest Agricultural to M-12 One-Family Residential Manufactured Home, a 9.438 acre tract fronting 190.43 feet on the east side of Old Cate Road (beginning point 710.32 feet north of New Cate Road), lying immediately across said road from Pine Haven Subdivision and north of North Cate Subdivision, and having 75.82 feet of frontage on New Cate Road (beginning 1,350 feet east of Old Cate Road); known as a portion of Tract 19 North Brunswick Farms**

**Property owned by Terrell D. Williams and Willie D. Williams**

Mr. Willie Williams and Mr. Ralph Lackey were present for discussion.

Mr. Reuter presented the staff's report. He stated that this request is to rezone a tract of property from FA to M-12 to allow manufactured homes on 12,000 sq.ft. lots served by county water and septic systems. The current FA zoning designation permits only

20,000 sq. ft. The subject property is surrounded by manufactured homes on three sides all on lots 20,000 sq. ft. or greater and zoned FA. Mr. Reuter stated staff feels that the property should be encouraged to connect to county water and therefore a zoning change would be beneficial. The proposed use of manufactured homes is the same as adjacent uses but on smaller lots. The zoning change to M-12 would permit 34 lots, rather than the current FA zoning which permits approximately 21 lots.

Mr. Reuter pointed out that the property abuts Old Cate Road on the western boundary and is across from Pine Haven Baptist Church and Pine Haven Subdivision (zoned R-12). Across new Cate Road from the eastern boundary of the property is the rear of Turtle Creek Subdivision, which is separated by a privacy fence. Staff feels that a subdivision change would not be unreasonable considering adjacent uses. However, the property should be developed limiting points of access and possibly buffering from adjacent larger FA lots, Pine Haven Baptist Church and Pine Haven Subdivision.

Mr. Reuter stated that in order 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;

The area predominantly contains manufactured homes on larger lots. Pine Haven Subdivision and the rear of Turtle Creek Subdivision are also close to the area. The M-12 subdivision should be required to not overly impact the area.

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

No, with restricted access and buffering.

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;

If primary access to the subdivision is from Old Cate Road, this would place traffic from possibly 34 manufactured homes exiting directly to the front of Pine Haven Baptist Church. This could be a burden to the roadway and increase turns at intersection with new Cate Road.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Yes, subject property and adjacent properties are depicted as medium density residential.

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

Water and sewer availability make smaller lot sizes possible.

Mr. Reuter stated staff recommends approval subject to possibly limiting access to new Cate Road. This would diminish the impact on Pine Haven Baptist Church and Pine Haven Subdivision. Also, a 15 ft. undisturbed or planted buffer may reduce the impact on surrounding larger FA lots.

Chairman Parker asked Mr. Lackey if there would be a problem with the access being on New Cate Road. Mr. Lackey replied no.

It was noted that Mr. Arthur Register of 1134 Cate Road was present to oppose this request. He stated traffic will increase, and he feels that the property should remain as it is.

Mr. A. L. Johnson of 1136 Cate Road stated he cannot agree with putting this many mobile homes on small lots. He stated that if the owner were to develop the property all the way through, he could agree. Mr. Williams explained that this is not a mobile home park. He is requesting to put manufactured homes on the lots.

Mr. John Cantrel, Pine Haven Baptist Church, stated he is oppose to the size of the lots.

Mr. Lackey pointed out that Mr. Williams is proposing an attractive development that will increase property values in the area.

Mr. Cantrel asked if the lots would be for sale or utilized as rental property. Mr. Williams stated they will be for sale. Mr. Cantrel then asked if the applicant will put the manufactured homes on the lots, or would the buyer do so. Chairman Parker explained that the owner will sell the lots and the buyer will be responsible for putting the manufactured homes on the lots.

Mr. Johnson asked the applicant if they would put an entrance and exit on both ends of the development. Mr. Lackey replied yes. Mrs. Touw pointed out that the Planning Commission is considering a rezoning at this time. Access points will be discussed at preliminary plat review. Mr. Noel stated he feels that the lots should be equivalent in size.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Richard Parker and Mrs. Iris Touw. Voting Nay: Mr. Lee Noel.

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GC-13-96

**Request to rezone from R-12 One-Family Residential to General Commercial, a 20,389 sq. ft. lot fronting 101.39 ft. on the south side of Community Road beginning 170.5 ft. east of Old Jesup Highway; being a portion of Lot 6 of Community Subdivision, address known as 307 Community Road**

**Property owned by First Credit Corporation**

Mr. Jim Lane was present for discussion.

Mr. Reuter presented the staff's report. He stated that this request is to rezone a residential lot to commercial in order for the property to be used as an office. He stated there is an existing one-story residential structure located on the property which may be renovated or replaced. He stated that there have been other rezonings to commercial along this portion of Community Road, between Old Jesup Road and the railroad right-of-way. Staff does not consider the property to be desirable as a residential structure. The existing structure appears to be 15 ft. from the right-of-way.

Mr. Reuter pointed out that the recent improvements to Community Road and the current traffic count (12,308 ADT's ) make this parcel more appropriate for commercial usage. He stated that a residential structure does exist on a separate parcel to the rear of the subject property and has access to Old Jesup Road.

Mr. Reuter stated staff feels that rezoning of this parcel would likely produce other rezoning requests, both north and south of the property. As the circumstances of the adjacent parcels fronting on Community Road are similar to the subject property, this continued transition from residential to commercial would not be unusual.

Mr. Reuter explained that the primary concerns is the property to the rear, and also limiting access to Community Road. The survey of the residential lot depicts a circular drive. This drive did not appear to be frequently used. Any new commercial drives should meet the current ordinance and would likely be limited to one, as determined by the County Engineer.

Mr. Reuter stated that in order 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;

Area is in a transition from residential to commercial. Adjacent residential property should be buffered.

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

No, particularly if used as an office and with buffering.

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

No, property is not desirable as residential.

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;

No.

5. Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;

Yes, subject property and adjacent properties are depicted as commercial.

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

Existing conditions and location of property on Community Road.

Mr. Reuter stated that staff recommends approval of this request subject to meeting the current requirements for number of curb cuts, as determined by the County Engineer, and meeting requirements of Section 613 Landscaped Buffer Strips of the Glynn County Zoning Ordinance.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**410 Oak Street  
Expansion of existing single-family  
residence, zoned R-6  
Betty Cundiff, owner**

Ms. Betty Cundiff was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to construct a 1,302 sq.ft. addition to the existing house at 410 Oak Street. The addition includes 2 bedrooms, 2 baths and a family room. The height of the addition will be 2 ft. higher than the existing roof peak. The only visible changes from Oak Street will be a 10 ft. addition on the right hand side of the house and the side porch.

Mr. Schroeder pointed out that the materials and colors will remain the same. The existing roof pitch and character will also be preserved. Photographs and elevation plans were presented for the Planning Commission's review.

Mr. Schroeder explained that the building footprint coverage for surrounding properties is 26%. The proposed addition to 410 Oak Street will result in a building footprint coverage of 40%. The building footprint coverage conforms with the first part of Section 709.5 by not exceeding 50% coverage; however, the proposed addition does exceed the average footprint coverage of surrounding properties. Mr. Schroeder stated that staff is recommending a variance to this requirement based on the following:

1. Conforms with Section 709.4 Preservation of Large Trees; and
2. Preserves the historical and architectural character of the existing residence.

Following discussion, a motion was made by Mr. Jerome Clark to approve this request. The motion was seconded by Mr. Lee Noel and unanimously adopted.

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**313 Mallory Street  
Addition of a front porch  
Zoned GC-Core**

**Charlie Williams, owner**

Mr. Steve Schoettle was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to construct a 210 sq.ft. porch on the front of Southeast Adventure Outfitters at 313 Mallory Street. The porch/seating area will be used as a waiting area before departing on various tours.

Mr. Schroeder stated that the porch will be made of rough cut lumber and raw wood posts (cedar and cyprus) and will extend 13 ft. from the facing of the building. The roofing will be 5V tin roofing. The overhang will extend 14 ft. from the face of the building. The facade of the existing building will be completely covered except for the upper left and right corners. The front elevation also depicts the location of a new sign.

Mr. Schroeder stated staff feels that the proposed addition is a significant change from the historical and architectural character of the existing building and the St. Simons Village area. The erection of a porch may disrupt the visibility and space currently afforded on the sidewalk. Staff recommends denial of the proposed addition. Mr. Schroeder pointed out that if the Planning Commission recommends approval of the modifications, staff recommends the following conditions:

1. No storage (i.e. rental equipment, etc.) On the porch;
2. A revised sign detail shall be submitted incorporating the sign into the proposed facade; and
3. A design similar to existing or historic village character.

Mr. Steve Schoettle stated he is not opposed to changing the material or colors to everyone's satisfaction.

Mr. Noel stated that the proposal is inappropriate and not in keeping with the existing architectural and historical character of the area. Mr. Fell agreed that the architectural design is out of character. He stated he is not opposed to the overhang, but perhaps the color should be changed to white, and smoother lumber should be used. Mr. Schoettle stated he would make changes and bring back new plans for review.

Following discussion, a motion was made by Mr. Lee Noel to deny this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**SR-2-96**

**Consider amending Article VI, Section 602. Streets, Subsection 602.2 g) Permanent Dead-end Streets, of the Glynn County Subdivision Regulations regarding cul-de-sac right-of-way radius.**

A motion was made by Mrs. Glenda Jones to approve the amendment to Article VI, Section 602. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**Review request from Teletronics Inc., for Exception to Height for a Tower Site; 250 ft. antenna tower to be located on a portion of "The Credles Marina" off U.S. Highway 17 South; zoned Highway Commercial.**

Mr. Gene McDonald, representing Teletronics Inc., explained that in order to minimize the number of towers necessary to complete the total system and get necessary coverage, the antenna needs to be a minimum of 250 ft. The height of the trees in the area have a negative affect on the radio frequency which also makes it necessary for the tower to be at a higher elevation. He pointed out that this tower would be identical to the tower approved at the March 5th Planning Commission meeting.

Mr. McDonald stated that all activities related to the site will be self-contained on the site and the use will not result in the creation of objectionable noise, lights, vibrations, fumes, odors, dust or physical activities which are consistent with the existing uses or zoning in the vicinity.

Following discussion, a motion was made by Mr. Jerome Clark to approve this request. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

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**Discuss cinema sign for "Island Theaters" in Shops at Sea Island West**

Mr. Bill Edenfield, representing Sea Island, gave a brief presentation. He pointed out that the title is done in script style letters and the size of the sign is 12 x 12. He stated no other identification sign at the entrance is proposed. Drawings were presented for the Planning Commission's review.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this sign. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Lee Noel and Mr. Richard Parker. Abstained From Voting: Mrs. Iris Touw.

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Chairman Parker stated that in an effort to not rush through discussing **Regulations of Towers**, this item will be deferred until the July 9th Planning Commission meeting.

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Chairman Parker advised that Mr. Bob Ciucevich was unable to attend the meeting and therefore discussion of the **Historic Resource Survey** will be deferred until the July 9th Planning Commission meeting. Copies of the survey were distributed for the Planning Commission's review.

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#### **STAFF ITEMS**

##### **a) Discuss Zoning Ordinance definition of Manufactured Homes**

Mr. Reuter stated that Mrs. Marsha Redden, Redden Construction Company, approached him for clarification on "prefabricated units." Mrs. Redden is interested in locating homes permitted by the Georgia Department of Community Affairs as "Industrial Buildings" or "Factory Built Dwelling Units" in site built residential districts.

Mrs. Redden gave a brief presentation. She distributed copies of the "Georgia Rules for Industrialized Buildings" for the Planning Commission's review.

Mr. Reuter pointed out that this was not an advertised item and therefore no legal action can be taken by the Planning Commission at this time; however, he stated that Mrs. Redden may carry this issue to the Board of Commissioners. Chairman Parker stated that the Board of Commissioners may supersede the Planning Commission; however, he advised staff to compile all information and advertise this item for the July 9th Planning Commission meeting.

##### **b) Discuss Playscape at Burger King on Demere Road**

Mr. Reuter stated a complaint was made that Burger King had not received approval to install a playscape. The playscape was not shown on the plans approved by the Planning Commission, but it was shown on the building plans. Mr. Reuter explained that he is asking for the Planning Commission's opinion as to whether staff should follow-thru. Chairman Parker stated he feels that staff should not follow-thru. He stated Mr. David Parks informed him that he did not violate the ordinance, he was advised by the architect that this type of fixture does not require any permitting. Mrs. Touw stated she feels staff should proceed. Mr. Flanagan stated for clarification, that they received an anonymous complaint to investigate this problem from a safety standpoint. Mrs. Jones pointed out that the Planning Commission needs an opportunity to visit the site.

Following discussion, a motion was made by Mr. Lee Noel to have Mr. Flanagan investigate the site plan and report back to the Planning Commission. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

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## BUDGET:

In response to the Planning Commission's request for more budget information, Mr. Reuter presented the following:

<u>Budget Review Item</u>	<u>Total</u>
FY 1994 Budget	\$292,840
FY 1994 Actual Expenditures	\$291,877
Salaries	\$174,585
FY 1994 Actual Revenues	\$ 72,700
Appropriations	\$ 69,547 (Coastal GA RDC & Salt Water Intrusion Study as part of total Budget Expenditures)
FY 1995 Budget	\$528,500
FY 1995 Actual Expenditures	\$416,790
Salaries	\$248,783
FY 1995 Actual Revenues	\$128,578
Appropriations	\$ 69,547
FY 1996 Original Budget	\$536,400
FY 1996 Revised Budget	\$512,100
Projected FY 1996 Expenditures	\$472,000
Projected FY 1996 Revenues	\$153,000
Salaries	\$314,000
Appropriations	\$ 77,500
Proposed FY 1997 Budget	\$549,787
Salaries	\$389,287
Proposed FY 1997 Revenues	\$162,000
Appropriations	\$ 77,500

### New Positions During Past Three Years:

- a) Planning Official (10% grant funded) FY 95
- b) GIS Coordinator (90% grant funded) FY 95
- c) Mapping/GIS Technician II (10% grant funded) FY 95
- d) Transportation Planner II (90% grant funded) FY 96
- e) Zoning Enforcement Constable transferred from Building Insp. Division budget, FY 96
- f) Part-time Admin. Assistant began during Comprehensive Plan process and will continue to support increased responsibilities associated with arrival of Community Development Director, FY 96

### Significant Events During Three Years:

- a) Comprehensive Plan developed by Planning Official and GIS Coordinator. Estimated cost savings associated with not involving an outside consultant, approximately \$50,000 to \$80,000.
- b) Historic Resource Survey completed in FY 96. Total cost \$8,000.00 Funded by \$6,000 grant from DNR.
- c) Renewal of GIS system which had not been used in several years. Utilization of system for numerous county responsibilities.
- d) Required by Georgia DOT to improve BATS Transportation Planning Program.
- e) Staffing needs in Mapping Office regarding tax map changes, 911 addresses, zoning map changes, requests for maps, continuing re-addressing to private easements and renaming duplicate roads, etc. for 911 emergency response, development of new street inventory.

- f) Relocation of Zoning Enforcement Constable from Building Inspections to Planning & Zoning Division.
- g) Hiring of professional planner (Planning Official) to oversee operations and develop a Planning & Zoning Division comparison to other similar urban areas in the scope of providing information, analysis, and responsiveness to needs of the community.

Following discussion, a motion was made by Mrs. Iris Touw to approve the proposed budget for the Planning & Zoning Division. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**MINUTES:**

A motion was made by Mr. Lee Noel to approve the Minutes of the May 7, 1996 regular meeting subject to corrections. The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Lee Noel and Mrs. Iris Touw. Mr. Parker was absent for the May 7th meeting and therefore abstained from voting.

A motion was made by Mr. Lee Noel to approve the Minutes of the May 21, 1996 called meeting subject to corrections. The motion was seconded by Mr. Robert Fell and unanimously adopted.

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**COMMISSION / STAFF ITEMS**

Mr. Reuter distributed copies of the Zoning News for the Planning Commission's review. He also reported that Mrs. Iris Touw received a certificate for attending the Community Planning Institute conference in Macon, sponsored by the GA Planning Association and the Department of Community Affairs. Mr. Reuter also attended the conference.

Mr. Reuter advised that five public meetings are scheduled to discuss proposals for restructuring the Planning Commission. These meetings will be held at 6:00 p.m. as follows:

- Wednesday, June 5th, Historic Courthouse
- Wednesday, June 12th, Blythe Island Community Bldg.
- Wednesday, June 19th, Sterling Community Bldg.
- Wednesday, June 26th, Air National Guard Bldg.
- Wednesday, June 10th, Casino Garden Room, SSI

Mr. Reuter stated it would be very beneficial for the members to attend these meetings.

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Mr. Flanagan stated that upon advice from her physician, Mrs. Deborah Taylor has taken a 30 day medical leave of absence. Mrs. Taylor is being treated for hypertension, and we are all wishing her a speedy recovery.

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There being no further business to discuss, the meeting adjourned at 5:00 p.m.