

MINUTES

GLYNN COUNTY PLANNING COMMISSION
DECEMBER 2, 1997 9:00 A.M.

MEMBERS PRESENT: Glenda Jones, Vice Chairman
Richard Altman
Lamar Cole
Hal Hart
Iris Touw
Jonathan Williams

STAFF PRESENT: Keith Flanagan, Director
Ron Milburn, Planning Official
Dick Newbern, Planner
Deborah Taylor, Zoning Administrator
Jim Bruner, County Engineer
Janet Loving, Administrative Secretary

Vice Chairman Glenda Jones called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. She then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

At this time, Mrs. Jones announced that Mr. Wayne Stewart recently submitted his letter of resignation as chairman and member of the Glynn County Planning Commission due to continued health problems and personal family matters.

Election of Chairman for 1998

The nominating committee selected Mrs. Glenda Jones to serve as Chairman for 1998. There being no other nominations from the floor, nominations were closed. Mrs. Glenda Jones was unanimously elected to serve as Chairman of the Glynn County Planning Commission for 1998. (It was noted that Mrs. Jones abstained from voting.)

Election of Vice Chairman for 1998

The nominating committee selected Mr. Richard Altman to serve as Vice Chairman for 1998. There being no other nominations from the floor, nominations were closed. Mr. Richard Altman was unanimously elected to serve as Vice Chairman of the Glynn County Planning Commission for 1998. (It was noted that Mr. Altman abstained from voting.)

**Exterior Improvements to Existing
Residence located at 316 and
316 ½ Oak Street, zoned R-6 One-
Family Residential**

Dr. Albert Henderson, applicant, was present for discussion.

Mr. Hal Hart stated that in order to avoid a conflict of interest, he would abstain from voting on this item. (Dr. Henderson is Mr. Hart's brother-in-law)

Mr. Dick Newbern presented the staff's report. He stated that this is an application to remove a 125 sq. ft. enclosed porch from the house located at 316 Oak Street, and to replace a 600 sq. ft. portion of the roof on the 800 sq. ft. guest house located west of the main house. In addition, the applicant proposes to install a 6 ft. white picket fence to enclose the yard.

Mr. Newbern explained that the main residence, 316 Oak Street, is a 1,250 sq. ft. structure that fronts Oak Street. The deteriorated enclosed front porch section will be removed and the house will be painted the same shade of yellow, as the house at 330 Oak Street also owned by the applicant. Though there are interior walls that are to be replaced as a part of this project, the primary focus of the St. Simons Village Preservation District (Section 709) is on the exterior improvements to residential and commercial structures. Therefore, the Planning Commission is asked to consider authorizing only the removal of the enclosed porch and the painting of the exterior of the structure.

As a separate issue, Mr. Newbern pointed out that the Building Official will review the interior wall renovation project. Because this structure does not conform to the Resort Residential setback requirement of 20 ft. front yard, 7 ft. side yard, and 7 ft. rear yard, this is a non-conforming structure as defined by Sections 607 and 709.6 of the Zoning Ordinance. Therefore, the Building Official will have to determine if such improvements constitute more than 50% of the replacement value of the house, as set forth in Section 607. The Building Official will also enforce the FEMA requirement that such improvements not exceed 50% of the estimated market value of the house.

Mr. Newbern stated that the guest house (316 ½ Oak Street) fronts on Oglethorpe Street and will have a major portion of its roof reconfigured. This guest house is a total of 800 sq. ft., and 600 sq. ft. of the roof will be reconstructed. The resulting roof will be 8 ft. high at the eave, 12 ft. high at the peak and will consist of 2' X 6' rafters overlaid with ½ inch CDX plywood. The materials will be clipped for wind velocity protection. The roof will have dark asphalt shingles conforming to the shade that exists on the main house at 316 Oak Street. The pitch of the new portion of the roof will conform to the pitch that exists on the remainder of the roof. The remainder of the roof that will not be reconstructed will have the existing metal tin replaced. The entire roof at 316 ½ Oak Street will have the same shade of dark asphalt shingles as the main residence at 316 Oak Street.

Mr. Newbern stated that the guest house at 316 ½ Oak Street does not meet Resort Residential setback requirements, and is therefore a non-conforming structure. According to Section 607.3 of the Zoning Ordinance:

Restoration. A non-conforming building may not be reconstructed or structurally altered for continuance as a non-conforming use if the cost of such restoration or alteration exceeds fifty percent (50%) of its replacement costs less depreciation as determined by the Glynn County Board of Tax Assessors. Permitted restoration of a non-conforming use of building shall be fully completed within a six month period after issuance of the building permit for such restoration.

Mr. Newbern stated that in order to substantiate both the replacement and the market value of the guest house, the applicant has furnished the current Tax Assessor's assessment value at \$19,315 for the guest house, and estimates that the proposed roof replacement will cost no more than \$6,000 or 31% of the Tax Assessor's valuation.

The applicant plans to install a 6 ft. high fence in front of both the main house at 316 Oak Street and the guest house at 316 ½ Oak Street. The fence will be identical to the fence located at 330 Oak Street.

Mr. Newbern stated that staff recommends approval of this request with the following conditions:

1. The applicant to secure the review and approval of the Building Official's office regarding FEMA requirements.
2. The white picket fence must be erected in the same manner and be in conformance with the fence on the adjacent property at 330 Oak Street.

Dr. Henderson presented photographs of the fence and the existing roof for the Planning Commission's review.

Following discussion, a motion was made by Mr. Richard Altman to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

In order to accommodate the agent's prior commitment, (doctor's appointment) Vice Chairman Glenda Jones advised that Item #10 and Item #11 would be moved up on the agenda and addressed at this time.

GC-36-97

Request to rezone from R-6 One-Family Residential to General Commercial, 1.18 acres lying approximately 200 ft. north of Arnold Road and lying behind properties fronting on the north side of Arnold Road (GA Power Substation, Barry's Beach Service, Rooks' property and Thaw Electric); subject property begins approximately 600 ft. east of Demere Road and 350 ft. west of Ocean Blvd.

Property owned by Emory A. Rooks.

Attorney Bill Dismer and Mr. Rooks were present for discussion.

Mr. Ron Milburn presented the staff's report. He stated that this request is to rezone 1.18 acres of property located behind properties fronting on Arnold Road. A concept plan that was submitted with this request shows the subject property having access from Arnold Road via proposed 20 ft. drive. The concept plan is for the development of units consisting of residential and commercial use (commercial on bottom portion of building with residential on top). However, the plan submitted is for concept purposes only. Mr. Milburn stated that the rezoning being requested is for General Commercial, which would allow any of the uses outlined in Section 712. of the Glynn County Zoning Ordinance. The applicant is not seeking a zoning change that would allow a specific use.

Mr. Milburn further stated that the property is located within an area that is mainly zoned and utilized as residential with several existing commercial uses along the northern side of Arnold Road. He pointed out that these commercial parcels have been rezoned and in existence for numerous years, with the most recent rezoning along this road being approved in 1986. Since that time, one rezoning has been requested and denied on the south side of Arnold Road.

Mr. Milburn explained that the commercial drive serving the subject property would be located off Arnold Road, which is a minor street located between Demere Road and Ocean Boulevard. The road has an existing 19 ft. pavement with a 25 ft. right-of-way. The Brunswick Area Transportation Study, Long-Range Transportation Plan shows Arnold Road in the system for maintenance due to a drainage project within the area. The Transportation Plan states that "this BATS project proposes to resurface the entire road. At the same time, the road would be widened 3 ft. to meet the county's standard pavement width. The final road width would be 22 ft." The priority level for this project is long-range.

Mr. Milburn pointed out that the Comprehensive Land Use Plan states "concerns for future development on the southern portion of St. Simons include peak demands for tourism for parking, roadway capacity, water, design standards, historic preservation and buffers." Mr. Milburn stated that staff does not support allowing additional commercial development off an existing over capacity road, such as Arnold Road.

Mr. Milburn stated that in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

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

Adjacent and nearby property, except the existing commercial properties, will be developed for residential uses. Therefore, the proposed use would not be compatible.

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

Same as above.

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

Yes, as it now or combined with adjacent property zoned residential.

- **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;**

As indicated in the body of this request, the proposed rezoning to General Commercial would use Arnold Road, which is not adequate now and is on the long-range priority level for improvements and upgrade.

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

The Comprehensive Land Use Plan indicates this property and the surrounding properties as future residential.

- **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. Milburn stated that staff recommends denial of this request.

For clarification, Mr. Richard Altman asked for staff's reasons for recommending denial. Mr. Milburn stated that staff is recommending denial because Arnold Road is inadequate to handle additional commercial traffic. Also, the Comprehensive Land Use Plan shows this area as Low-Density Residential.

Mr. Jonathan Williams wanted to know the opinion of the residents in the area. Mrs. Taylor stated that she had only received two phone calls from residents expressing concerns about commercial development off of Arnold Road. Mr. Williams stated that when Arnold Road is improved, would that change anything. Mr. Milburn stated that when

the road improvements are completed and if the request is approved, this would require changes in the Comprehensive Plan.

Attorney Bill Dimer gave a brief presentation. He stated that the applicant, Mr. Rooks, is a long-time resident of St. Simons Island. He stated that Mr. Rooks is proposing to add to his property in order to comprise individual units for professional businesses. He then presented a site plan prepared by the applicant and pointed out the units on the first floor and living quarters on the second floor. He also presented signatures from residents on Arnold Road who are in support of this request, and added that he had not heard any objections from the residents.

Mr. Dimer stated that an alternative would be to apply for a multi-family zoning; however, access would be a problem and this particular zoning would not be as appealing. He pointed out that Arnold Road is not a heavily traveled road. The most traffic is local residents transporting their children to and from school.

Mr. Rooks explained that in preparing this proposal, he considered how not to impact the area, i.e., water & sewer and traffic, and he stated that the development would be properly landscaped. He stressed that he has always tried to preserve the history of St. Simons.

Mr. Rooks stated that he considered the possibility of a condominium development, but he thought that would create more traffic. He pointed out that he has been in business in the area for approximately 10 years and there is very little traffic in the area.

Mrs. Iris Touw stated that the Planning Commission is being asked to approve a rezoning, not a concept or site plan, and although this is an excellent plan, there are no guarantees that what is shown on this plan will be in the area. Approval of this rezoning would permit any use allowed under General Commercial. Mr. Dimer stated that Mr. Rooks has investors lined up, and he would not have gone through the expense of drawing up the plans if he did not intend to follow through with the project.

Mr. Bill Lorenz-Hooker, local architect, stated that perhaps Planned Development Commercial for smaller parcels would be a better zoning classification. He stated he is concerned that 10 or 15 years from now there may be a different use on the property, and if the General Commercial rezoning is approved any of the permitted uses would be allowed.

Mr. Rooks stated that he chose General Commercial because several times he asked various people and some county officials what would be the best route to take, and they replied that since the front portion of the property is General Commercial then he should zone the back portion General Commercial. Mr. Rooks stated that in requesting zoning changes in the past, he has always complied with the zoning board and has always been a man of his word, especially with his neighbors.

Mr. Hart stated that mix uses (business and occupation) are allowed under General Commercial as a conditional use. He then asked that if this rezoning is approved for General Commercial with a conditional use, could the Planning Commission request the applicant to file a site plan as part of the condition. Mrs. Taylor replied that the Planning Commission could include a condition with approval.

Mr. Hart stated that based on the General Commercial zoning with the conditional use that a site plan be submitted, if for some reason the applicant did not follow through with the site plan, could the property revert back to General Commercial. Mrs. Taylor explained that zoning never reverts back. She stated it doesn't matter if it is a permitted use, conditional use or special use. Once the property is rezoned to General Commercial it would remain as such. The site plan would just be the standard site plan approval process.

Mr. Hart then referred to Section 712.3 Conditional Uses, which states: The following uses may be permitted on a conditional basis in any GC Zoning District, subject to...1) combination residential and commercial use on separate levels as defined in Section 503.4 provided that all dwelling units have direct access to the street or parking area.

Mr. Hart stated that the front of the applicant's property is a parking area. However, Mrs. Taylor stated there is no direct access, and therefore it does not meet the requirement of 712.3 1). She pointed out that if the applicant really wants to do this project, staff would recommend a Planned Commercial zoning. She further stated that even if the applicant receives the zoning for General Commercial, staff is not saying the project would or would not be allowed. She stated from staff's interpretation of what Section 712.3 1) means is that the project would not be allowed under the concept submitted. Mr. Hart stated that in staff's opinion, even if this request were rezoned to General Commercial, the applicant's concept plan would not work. Mrs. Taylor replied that is correct.

Mr. Williams asked that if the Planning Commission approves the General Commercial zoning, would the applicant have to submit a site plan to this Commission before he begins the project. Mr. Milburn stated the applicant would be required to submit the site plan to staff only, not to the Planning Commission or Board of Commissioners.

Following discussion, a motion was made by Mrs. Iris Touw to deny this request; however, she encouraged the applicant to present a rezoning that would be more acceptable for the area. The motion died for lack of a second.

Mr. Hart stated that obviously the applicant was not aware of this particular section (Section 712.3 1). He also stated that he has questions about how this section is worded. Therefore, a motion was made by Mr. Hal Hart to defer this request in order to allow more time for the

applicant and staff to come up with a zoning that would be suitable for the area. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

As a reminder, Mr. Milburn asked the members if they were prepared to make changes to the Comprehensive Plan if a rezoning is approved. Mr. Hart replied that it is too early at this time to make that decision. Vice Chairman Glenda Jones stated that in the meantime, perhaps a traffic study should be done of the area.

Mr. Altman asked if there is a time limit on when the applicant may return to the Planning Commission for review. Mrs. Taylor replied that there is no time limit when a request is deferred. If so desired, the applicant may resubmit for the January meeting.

GC-35-97

Request to rezone from Forest Agricultural to General Residential, a portion of Brunswick-Altamaha Canal consisting of 1.104 acres, located north of other properties owned by Tharion Pittman. Property fronting on Walker road, south and east of the Brunswick-Altamaha Canal (portion owned by Glynn County), located north of Emanuel Missionary Baptist Church and west of Lots 3 & 4 of Canal Landing Subdivision.

Property owned by Tharion Pittman.

Mr. Doug McNeal was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is to rezone a 1.104 acre parcel of land that was a portion of the Brunswick-Altamaha Canal. The applicant obtained this acreage from Glynn County earlier this year; however, 14,324 sq. ft. of the property was noted and quitclaimed to the county as an easement.

Mr. Milburn stated that the property located to the south, which was rezoned to General Residential in 1971, is also owned by the applicant and is developed for duplexes. Other adjacent property is zoned residential and the surrounding land use contains single-family residential and a church.

Mr. Milburn explained that staff recommends that a portion of the subject property be rezoned to General Residential to allow the extension of the existing development. Staff feels that the area consisting of the easement should not be rezoned. The easement area, which has a depth of 106 and 422 in length, should be left in its natural state or replanted to serve as a buffer from the remaining Brunswick-Altamaha Canal. Upon staff's visit of the site, it was discovered that the applicant had made improvements to this area; however, this has not been approved or accepted by the county at this time. If the request is approved, any development of the property will require approval from Community Development staff as a minor development.

Mr. Milburn stated that in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

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

Yes, extension of existing duplex development.

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

No.

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

Not with the adjacent duplex development and the shape of the property.

- **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;**

Rezoning from single-family residential to multi-family residential on less than 1 acre should not cause an excessive or burdensome use.

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

Yes, the proposed rezoning is consistent with the Land Use Plan.

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

None.

Mr. Milburn stated that staff recommends approval of rezoning 33,766.24 sq. ft. from Forest Agricultural to General Commercial with the stipulation that the portion in the county easement not be rezoned. In order to provide a buffer, staff encourages the applicant to replant the easement area back to its natural state.

Mr. Doug McNeal gave a brief presentation. He stated that the easement is not an issue because it cannot be utilized for residential or for any other purpose.

Following discussion, a motion was made by Mr. Richard Altman to recommend approval of this request with staff's recommendation of not rezoning the easement. The motion was seconded by Mr. Hal Hart and unanimously adopted.

**Minor Plat
Redivision of St. Simons
Beach Subdivision, Lots 44,
45 & a portion of Lot 43**

Theodore C. Havlik, Owner

Attorney Tom Lee was present for discussion.

Mr. Newbern stated that this is a request for redivision of lot lines to bring the lots into conformance with the Resort Residential classification of 6000 sq. ft. He stated that staff has reviewed this request and recommends approval with the condition that the new lots conform to the setback requirements. Staff also recommends that the square footage of the Shore Assistance area be calculated and reviewed by the County Attorney.

Attorney Tom Lee explained that they have taken two substandard lots and a portion of another lot and upgraded the lots to meet the requirements of the RR Zoning District of the Ordinance. He stated that the lots are 6000 sq. ft. with the required 60 ft. frontage on a public street.

Mr. Lee pointed out that there has been some question in staff's mind as to whether or not once you have a substandard lot, will it always remain a substandard lot regardless of the fact that the lot has been upgraded to comply with the requirements of the Zoning Ordinance. He stated that staff may want to ask the County Attorney for an opinion on that subject matter. He then asked that the Planning Commission approve this request subject to the County Attorney's opinion that the lots comply with the RR Zoning District.

Mr. Flanagan agreed with Attorney Tom Lee and stressed once again the importance of the County Attorney (or his assistant) being present at Planning Commission meetings.

Following discussion, a motion was made by Mr. Jonathan Williams to approve this request subject to review by the County Attorney. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

**Preliminary Plat
Hawkins Island, located on the
north side of Sea Island Road
69 single-family lots, zoned
R-12 One-Family Residential**

Sea Island Co., Owner/Developer

Mr. Bill Edenfield and Attorney Jameson Gregg were present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposed 69 lot residential subdivision to be located on Hawkins Island, north of the Sea Island Causeway. The entire Island is proposed for a single-family

residential development. Mr. Newbern pointed out that this is a gated community proposed for development by the Sea Island Company. The 69 lots meet the R-20 zoning requirements for 20,000 sq. ft. minimum lot size. The smallest lot is 24,565 sq. ft. Each of the proposed private roads meet the 60 ft. right-of-way requirement and the pavement design has been approved by the County Engineering Department. Regarding FEMA requirements, the entire Island is in the floodplain. Sea Island Company intends to comply with FEMA floodplain zone requirements.

Mr. Newbern explained that the Island will be accessed from Sea Island Causeway by Hawkins Island Drive, which includes an existing short concrete bridge built over the marsh. Along the entrance to the Island, there will be a 20 ft. x 20 ft. gatehouse located inside the right-of-way to monitor those entering the Island.

Mr. Newbern stated that 52 of the 69 lots are rimmed by wetlands, as shown on the Site Plan. The wetlands do not reduce the upland lot area to less than the 20,000 sq. ft. R-20 requirement. The U.S. Army Corps and the Georgia DNR have provided documentation acknowledging the existence of the wetlands. None of the wetlands are being proposed for on-site filling. However, the wetlands and marsh areas must be protected by a 25 ft. buffer mandated by the State of Georgia.

Along the 60 ft. right-of-way, there are several proposed "common areas" to be owned and maintained by Sea Island Company. The company intends to provide park benches, walkways, and passive recreation in the "common areas." Any future development of a "common area" for lot development purposes would have to be brought before the Planning Commission as an 802 application.

Mr. Newbern stated that on the west bank of the Island, Sea Island Company is proposing a private 50 ft. "marshland protection zone" that will serve as a buffer to obscure the residential developments from Sea Island causeway traffic. Water and sewer design, emergency vehicle access, and the drainage and paving plans have met the approval of respective county departments. Also, a Soil Erosion and Sedimentation Control Permit has been issued by the Building Inspection Department.

The trip generation impact on Sea Island Causeway will be an average of 669 new trips per average weekday, according to the Trip Generation Manual published by the Institute of Transportation Engineers (1991). This represents a 6.8% increase over the existing average traffic count of 9,872 trips per day for this portion of Sea Island Road.

Mr. Newbern stated that staff recommends approval of this Preliminary Plat with the following conditions:

1. The Final Plat must include a statement that the U.S. Army Corps and the Georgia DNR wetlands and marshlands buffer requirements will be followed.

2. The Final Plat must include a statement that the proposed "common areas" and the "marshland protection zone" will be owned and maintained by either the Sea Island Company or homeowners association.

Mr. Altman asked the representatives if they were in agreement with the conditions stated by staff. Attorney Jameson Gregg replied yes.

Following discussion, a motion was made by Mr. Richard Altman to approve this request with the conditions stated by staff. The motion was seconded by Mr. Hal Hart. Discussion continued.

Mrs. Touw stated that since we anticipate having more of these with the use of gatehouses, for the record and according to the report, the gatehouse is below the base flood level and it is being permitted as an administrative exception.

Mr. Williams stated that he is concerned with the traffic study for 1991. He wanted to know if staff had an updated study. Mr. Flanagan explained that the publication is 1991 but the traffic count was done in 1996.

Regarding the marshland protection zone, Attorney Jameson Gregg stated that staff's recommendation is that the homeowners association could maintain that area. He explained that part of the lots will be conveyed but there will be a condition, such as limited clearing, on that portion of the lots and it will be owned by the lot owner. That portion of the lot would be subject to the conditions. However, Mr. Altman pointed out that staff's recommendation is that the Final Plat must include a statement that the proposed "common areas" will be maintained by an association. He stated that staff is not referring to the piece of land that abuts the marsh.

After discussion, the following vote was taken on the motion for approval: Voting Aye: Mr. Richard Altman, Mr. Hal Hart, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Lamar Cole.

**Preliminary Plat
Huntington Lake, located on the east
side of Cate Road, 71 single-family
lots, zoned R-6 One-Family Residential**

Driggers Construction, Owner/Developer

Mr. Harry Driggers and Mr. Ralph Lackey were present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposed 71 lot subdivision located next to the Turtle Creek Subdivision on Cate Road, which will be accessed off of Cate Road with a subdivision entrance and median strip. Each lot meets the 6,000 sq. ft. R-6 lot area requirement and the lot width requirements.

Mr. Newbern pointed out that Huntington Circle is the proposed minor street that will serve this subdivision. It is being proposed as a paved road to be dedicated to the county for maintenance and will have only a 40 ft. right-of-way. Mr. Newbern stated that the County Engineer has approved the 40 ft. paved road because the road will have curb and gutters throughout the development. According to Section 602.4 of the Subdivision Regulations, the minimum right-of-way for a proposed minor street is 50 ft. The County Engineer can approve a reduction of this requirement by up to 10, provided that curb and gutter is installed on each side of the paving edge and if the drainage plan is acceptable.

Mr. Newbern explained that the County Water and Sewer Department has reviewed and approved the project concept, but EPD must issue final plan approval. The Fire Department has approved the access onto and throughout the site, but has suggested that the dimensions of the entrance with the median strip be shown on the Final Plat. The Soil Erosion Permit application has been submitted; however, it has not been approved by the USDA Natural Resources office at this time.

There are no wetlands on-site. The FEMA floodplain zone is X, and no problems are anticipated with building to the base flood elevation. The anticipated trip generation on to Cate Road will be an average of 678 new trips per day (71 dwellings X 9.55 average per dwelling). This average is furnished by the Institute of Transportation Engineers' publication Trip Generation (1991). This constitutes an increase of 29.5% over the current 2,295 average daily trips along Cate Road. There are plans to structurally improve this portion of Cate Road in the future.

Mr. Newbern stated that staff recommends approval of the Preliminary Plat application with the following conditions:

1. The Final Plat must show the dimensions of the subdivision entrance, as well as the dimensions of the entrance median.
2. A Soil Erosion and Sedimentation Control Permit must be issued before work begins on the site.
3. Before water and sewer facilities are extended to the site, Georgia EPD must approve the plans. (It was noted that the plans have been submitted to Georgia EPD.)

Following discussion, a motion was made by Mr. Lamar Cole to approve this request. The motion was seconded by Mr. Richard Altman and unanimously adopted.

**Preliminary Plat
Glynn Haven/Opening portion of
Oak Street to serve Lots 11-15,
Block 11 and to upgrade segment
to 6th Street Intersection**

Larry Bryson, Owner/Developer

Mr. Bryson was present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposal to open a portion of Oak Street in the Glynn Haven subdivision on St. Simons Island, and to plat six lots that were part of the original Glynn Haven subdivision that was grandfathered into Glynn County Zoning Maps in 1966.

Mr. Newbern explained that the Oak Street right-of-way, as platted, varies between 42 ft. and 46 ft. along Oak Street. The developer proposes to install utilities and pave the road to county standards. The pavement width will be 18 ft., as wide as the rest of the pavement along Oak Street.

Mr. Newbern stated that the six lots, Lots 10-15, Block 11, are existing lots of record, according to the County Tax Maps. The dimensions are approximately 30 ft. X 118 ft., or 3,540 sq. ft. These are substandard for the R-6 Zoning District of 6,000 sq. ft. lot minimums. However, these lots were grandfathered into the zoning requirements in 1966 when the original Zoning Ordinance was adopted. Each lot will have to meet the R-6 setback requirements of 20 ft. frontage, 7 ft. side yard and 7 ft. rear yard.

Mr. Newbern stated that the developer will pave the Oak Street extension from 5th Street down past the edge of the road frontage of the last lot (Lot #10). From the end of 5th Street to the edge of Lot #10, the new pavement will be 180 ft. long. The developer will clear and grade the remainder of Oak Street to the 6th Street intersection. This segment will remain unpaved and will be developed in accordance with county unpaved road standards. The total segment of unpaved road to be developed is approximately 200 ft. At the time of final plat approval, the developer will have to ensure that the new pavement and unpaved road segment has met County standards. The County will be responsible for road maintenance.

The County Water & Sewer Department has reviewed and approved the water and sewer plans for connecting to the public system. The Engineering Department has also reviewed and approved this project from the standpoint of roads and drainage.

Mr. Newbern stated that staff recommends approval of this request with no outstanding conditions.

Following discussion, a motion was made by Mr. Hal Hart to approve this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

Site Plan

**Havenwood MH Park, Phase II
Located off Bearden Drive,
16 Mobile Home Lots, zoned
Mobile Home Park**

Mark Bearden, Owner/Developer

Mr. Bearden was present for discussion.

Mr. Newbern presented the staff's report. He stated that the owner is proposing to develop a Phase II of the Havenwood Mobile Home Park that exists on Yarnell Drive off of Old Jesup Road. A total of 14 mobile home lots are being proposed. The sites will be accessed via 40 ft. paved private road to be maintained by the developer. A 40 ft. right-of-way is allowed in a mobile home park per [Sec. 725.3 (7)].

The mobile home sites are no larger than the minimum requirement of 5,600 sq. ft. per lot in accordance with Section 725.3 of Zoning Ordinance. Each site will be equipped with a deck to service a mobile home. There will be two mobile homes per 1,500 gallon septic tank, as required by the County Health Department. A community well will provide water to each site through a community water system. The permit application for the community water system has been submitted to the Georgia Environmental Protection Division; however, the permit has not been approved at this time.

For reference purposes, Mr. Newbern pointed out that the developer is proposing to develop 14 lots, but there is no Lot #13. The sites are numbered #1 through #15.

The floodplain designation is a Zone X, and the existing ground elevation meets floodplain construction requirements. The 40 ft. road right-of-way, the paving plan, and the drainage plan have been reviewed and approved by the County Engineering Department. Part of the drainage plan includes a new 15 ft. easement to be located on the north edge of the property to ensure adequate access for county maintenance crews to maintain the drainage ditch that borders the new development.

Mr. Newbern stated that the new drainage easement occupies a portion of proposed Lots #1 and #15. For these two lots to remain a part of this development, the County Health Department must specifically approve the lots for septic tank service.

Mr. Newbern explained that the site layout of each mobile home meets the minimum front yard setback of 20 ft. [Sec. 725.3 (5)], and the minimum 10 ft. setback from any property line or building. There is a minimum clearance of 15 ft. between mobile homes [Sec 725.3 (4)]. Size, density and park area requirements are also in accordance with Section 725 of the Zoning Ordinance.

Mr. Newbern pointed out that a Soil Erosion and Sedimentation Control Permit application has been filed, but approval is pending. He stated that the 14 new mobile home sites are expected to generate an additional average

68 trips per day onto the Old Jesup Road, which now has an average daily traffic count of 7,343 vehicle trips for this portion of the road. This represents a 1% increase.

Mr. Newbern stated that staff recommends approval of this request with the following conditions:

1. Georgia EPD must provide a letter of approval for the proposed community water system.
2. A note must be placed on the plat that Havenwood Drive is to be owned and maintained by the developer.
3. A note must be placed on the vacant parcel south of Lot 9 as follows: "substandard parcel-not for development."
4. Before on-site development proceeds, a Soil Erosion and Sedimentation Control Permit must be approved and placed on file with the Building Official's office.

Following discussion, a motion was made by Mr. Richard Altman to approve this request with the conditions stated by staff. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

Site Plan

**Clayton Homes, located off Hwy. 303
at Anchor Road, Mobile Home Sales
Office and Lot, zoned Planned
Development-General**

CMH, Inc., Owner/Developer

Mr. Dwight Wildes was present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a 2 ³/₄ acre tract located on the west side of Highway 303 bordering Anchor Drive. Anchor Drive is the paved access to the Deerwood residential development. The developer proposes to construct a mobile home sales office with up to 23 mobile homes on the site at any given time.

The sales office will be a 1,040 sq. ft. wood commercial structure built at flood elevation (floodplain AE designation). The well and septic system have been reviewed and approved by Environmental Health. No temporary mobile home sites will be located over the septic drain field at the rear of the commercial sales building.

Mr. Newbern pointed out that there are 6 proposed parking spaces, including one designated handicapped parking space, to be located in front of the building. Georgia DOT has approved the 35 ft. driveway from Highway 303 onto the proposed site. However, the driveway will have to be shifted 110 ft. south of what is shown on the Site Plan, or further away from Anchor Drive. The driveway will be located on the south edge of the site closest to Tidewater Companies, Inc. Also, a 12 ft. x 100 ft.

deceleration lane will be developed between Anchor Drive and the approved driveway. The letter of approval from Georgia DOT was included in the packages for the Planning Commission's review.

Mr. Newbern stated that the County Engineer has reviewed and approved the drainage plan for this project. The Building Official has stated that a Soil Erosion and Sedimentation Control Permit has been received from the owner; however, permit approval is still pending.

Mr. Newbern stated that staff recommends approval of this request with the following conditions:

1. Applicant must present a revised Site Plan that includes a driveway design location to the Planning Commission on December 2nd that conforms to the Georgia DOT permit approval letter dated November 24, 1997.
2. A note to be placed on the Site Plan that "No ingress/egress is allowed onto or from Anchor Drive."
3. Show dimensions of parking spaces on Site Plan.
4. Show locations of mobile home sales sites located closest to the driveway access area and parking area. At no time will mobile home sales sites transgress onto parking area or driveway turning radius.
5. Prior to a building permit being issued, a Soil Erosion and Sedimentation Control Permit must be approved.

Mr. Flanagan stated that some of the neighbors have voiced their concerns to him regarding the buffer. They would like to have a buffer between the residential and commercial property. He also noted that his brother and a County Commissioner live in the area. Mr. Flanagan asked that a buffer requirement be stipulated as a condition of approval. Mr. Wildes stated that he is proposing extensive landscaping in the area.

Following discussion, a motion was made by Mrs. Iris Touw to approve this request with the conditions stated by staff. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

Site Plan
St. Simons Gates Condos
Located off Brockinton Drive
at Demere Road, a 43 Unit
Condominium Development
Zoned Medium Residential

Consolidated Investments,
Owner/Developer

Mr. Johnny Hollington was present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposed 43 unit condominium development

located on the north side of Demere Road between Brockington Drive and LaCosta Lane. Mr. Newbern stated that this is a complex case involving a previous site plan, a Consent Decree, a serious wetland issue, and traffic signalization requirements.

Mr. Newbern explained that this request meets the requirements for access, setbacks and parking in the Medium Residential Zoning District. The development will be accessed from Brockington Drive, approximately 100 ft. from the intersection with Demere Road.

Mr. Newbern pointed out that this request was submitted to the Planning Commission for consideration at the October 7th meeting. At that time, the Planning Commission voted to defer the request primarily because Georgia DNR required that a 25 ft. buffer to protect the wetlands area, much of which abuts the proposed condominiums. A total of 16 of the proposed 43 condo units would have to be relocated if the wetlands variance were not approved. On November 20, 1997, Georgia DNR approved the variance with the following conditions:

1. Approval is as per revised plans and letter dated November 11, 1997.
2. All disturbed areas must be seeded and mulched as soon as final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established.
3. The project must be conducted in strict adherence to an erosion and sedimentation control plan approved by the Satilla River Soil and Water Conservation District and a land disturbing activity permit issued by Glynn County.*
4. Buffer variance conditions must be incorporated into the approved erosion and sedimentation control plan.

* The erosion and sedimentation control plan requires the installation of a series of absorbent sock sump skimmers or filters that are designed to absorb grease, oil and other stormwater run-off. These absorbent sock sump skimmers are designed to protect the on-site wetlands from polluted stormwater run-off. The skimmers, or filters, must be periodically cleaned and replaced in order to function properly.

Mr. Newbern explained that the original Consent Decree required that the .85 acre tract located between the development and St. Paul's Baptist Church remain vacant. To accomplish this, the County Attorney is proposing that a "scenic easement" be recorded by the developer, which would preclude development of the site. The County Attorney has stated that a "scenic easement" performs the same function as a deed restriction, but it can remain in effect longer than the standard twenty-year life of a deed restriction.

As a result of the public comments made at the October 7th Planning Commission meeting, the developer has relocated the proposed dumpster site from the LaCosta Lane area to a site inside the development. Access to the dumpster site can only be accomplished through the access from Brockington Drive.

The sidewalk that runs along Demere Road encroaches on the site. Approximately 10 to 14 inches of the sidewalk is actually located on the private property. To allow for the continued unobstructed and uninterrupted use of the sidewalk, the developer has proposed granting an easement to the county for use of the public sidewalk. The language of the easement is being reviewed by the County Attorney's office, and must ultimately be approved by the Board of Commissioners.

Regarding the traffic signalization issue, Mr. Newbern stated that the County Engineer has determined that the additional traffic caused by this development would probably require a traffic signal and/or lane improvements at Demere/Brockington. According to the Trip Generation Manual (1991), a total of 252 new trips would be generated by this development, which would add another 252 new trips onto an already overcrowded Demere Road. Currently, there are 12,962 trips per day along Demere/Brockington. The additional trips would increase the amount by 2.0%. The Traffic Safety Engineer has indicated that improvements at the Demere/Brockington intersection would probably be needed.

Mr. Newbern stated that staff recommends approval of this request with the following conditions:

1. The developer must adhere to the requirements of the wetland buffer variance, and maintenance of filters or any other structures required by the variance must be performed by the developer or an owners' association.
2. A "scenic easement" restricting the development of the .85 acre tract located to the west of St. Paul's Baptist Church must be recorded. Such easement must meet the requirements of the Glynn County Attorney.
3. The developer must notify the church and the neighbors concerning the new development and address any requests or concerns that they may have.
4. The developer must contribute a proportionate share of the cost of signalization and/or lane improvements at Demere/Brockinton intersection. Such proportionate share shall be determined by the County Engineer with input from the developer.
5. An easement covering the portion of the public sidewalk located on private property must be recorded, and the language of such easement must be approved by the County Attorney.

Mr. Hollington stated that he is aware of the conditions. He stated that as pointed out by staff, Georgia DNR has approved the variance request. He also noted that the dumpsters have been moved within the confines of the development.

Ms. Ruby Jackson, adjacent property owner, stated she has no problem with the site plan; however, she is concerned about the buffer. She stated she would rather see a natural buffer installed between LaCosta and the

condominium development rather than a fence. She also expressed concerns about the drainage problems. The county has already had to dig a trench to drain the road.

Mr. Hollington stated that a natural buffer could be installed if that is preferable. Regarding the drainage, he stated he was not aware that there was standing water in the area. He stated he would work with the county to do whatever is necessary to correct this problem.

Mrs. Ilene Hutchinson, representing RUPA, stated that the RUPA membership voted to approve the site plan for LaCosta Lane provided that the following covenants are met:

1. The small tract of land across LaCosta Lane should have a deed restriction prohibiting further development.
2. A natural vegetative buffer should be planted along LaCosta Lane and Brockington Condominiums.
3. The pedestrian entrance to LaCosta Lane should be removed.
4. The drainage problems along LaCosta Lane must be addressed. The problem areas now drain through a ditch, which flows through the development. These areas must be piped with drainage inlets.

Mr. Bill Lorenz-Hooker, local architect, was present to express his concerns regarding the site plan review process.

Regarding the buffer, Mr. Jonathan Williams stated that he would prefer to see a natural buffer in the area rather than a 10 ft. fence. Mr. Hollington stated he would coordinate this with staff.

Mrs. Touw stated she feels that the County Attorney or his assistant needs to be present at these meetings to assist with legal documents, such as the "scenic easement." She stated that this needs to be clarified and should include language from the County Attorney.

Mr. Everett Ferrill, RUPA, suggested that the residents be notified to attend the meeting with staff and the developer when the buffer issue is discussed.

Mr. Hart stated that he would have to abstain from voting due to a possible conflict and unanswered questions, i.e., would sewer be available, and would drainage be impacted. He has also requested that a "No Passing Zone" be extended for the area.

Following discussion, a motion was made by Mr. Lamar Cole to approve this request with the conditions stated by staff. The motion was seconded by Mr. Richard Altman. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

GC-2-97C

Consider amending the Glynn County Zoning Ordinance, Article VIII, Sections 803.5.3 and 806 Fluttering Ribbons in Commercial Districts.

Mr. Milburn explained that at the November 4th meeting, the Planning Commission voted to defer this item for additional information on the subject of *banners*, i.e., number, size and setbacks. Mr. Milburn stated that staff is recommending that Section 803.5.3 4) read as follows: **One banner per location.** This represents no change as the Zoning Ordinance currently reads for all Commercial Districts. However, other changes have been recommended.

Mr. Dick Wiederhorn, St. Simons resident, stated that there is a big problem with *banners*. He stated that according to the Ordinance, *banners* are only allowed to be up for 30 days; however, the Ordinance is not being enforced because he knows of at least one *banner* that has been up for a year. He further stated that in order to put up a *banner*, a person should be required to have a permit and pay a fee. In closing, Mr. Wiederhorn stated that the Planning Commission should adopt a motion that all *banners* are illegal and should be removed.

Mr. S. C. Anderson, St. Simons resident, stated that the interpretation of *fluttering ribbons* and *banners* is very loose. He stressed that more enforcement is needed.

Mrs. Touw asked staff if there are any problems with having *banners* in Highway Commercial Zoning Districts. Mr. Milburn felt that the question could be best answered by the County Attorney. He stated that perhaps past court cases should be examined for reference.

Mr. Williams stated that the purpose of having *fluttering ribbons* and *banners* is for advertisement. He stated that "if we remove them completely, then we are taking away a person's right to advertise."

Mr. Hart suggested that the Planning Commission forward a recommendation to the Board of Commissioners stating "no opinion." However, Mrs. Touw pointed out that the Board is not favorable of such a recommendation. Mrs. Jones suggested a recommendation that states no *fluttering ribbons* or *banners* will be allowed without a fee.

Following discussion, Mrs. Iris Touw made a motion which states that the Planning Commission does not feel that allowing *fluttering ribbons* in one specific Commercial District is appropriate or legal; however, the Planning Commission recommends that *banners* require a permit and a fee. The motion was seconded by Mr. Hal Hart. Voting Aye: Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay: Mr. Richard Altman.

GC-2-97 A

Consider amending the Glynn County Zoning Ordinance, Section 302. Definitions, to add the following definitions: Productive Marsh and Estuarine Area

Following a brief discussion, a motion was made by Mr. Richard Altman recommending that the County Commission adopt the definitions for Productive Marsh and Estuarine Area. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-2-97 D

Consider amending the Glynn County Zoning Ordinance, Sections 302, 502, 617, 705 and 709 regarding Height Requirements.

Mr. Milburn gave a brief status report regarding this amendment. He explained that he and Commissioner Robertson met with the County Attorney for further discussion. An amendment was prepared suggesting that all building heights be limited to 40 ft. or three habitable stories.

Following discussion, a motion was made by Mr. Richard Altman to leave Sections 302, 502, 617, 705 and 709 as written; however, any definitive changes should be brought to the Planning Commission for review. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

Request from Hasty's Communication to allow the construction of a new Communication Tower 400 ft. in height; being processed in accordance with Section 617 of the Glynn County Zoning Ordinance.

Mr. Mike Hasty was present for discussion.

Mr. Milburn explained that the applicant is requesting to locate a new tower on state property at Colonel's Island. Approval is required from the Planning Commission for towers in excess of 250 MSL in accordance with Section 617 of the Glynn County Zoning Ordinance. The proposed tower will be located next to an existing 300 ft. tower. A letter of approval from the Glynn County Airport Commission was included in the packages for the Planning Commission's review.

Following discussion, a motion was made by Mr. Hal Hart to approve this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

MINUTES

Upon a motion made by Mr. Lamar Cole and seconded by Mr. Richard Altman, the Minutes of the November 4, 1997 Planning Commission meeting were approved and unanimously adopted.

COMMISSION ITEMS

Mrs. Touw stated that in the past, the Planning Commission members received pertinent information from PAS (Planning Advisory Service) relating to different aspects of planning, ordinances, etc. She stated this information was very helpful and asked that staff continue this practice.

Also under Commission Items, Vice Chairman Jones stated that there were some concerns as to whether or not Mr. Jonathan Williams could retain his present position on the Planning Commission due to his recent election to the Brunswick City Council. She stated that according to the County Attorney, election to a city office does not disqualify someone from serving on the Planning Board; however, election (rather than appointment) to a county or state office would disqualify Mr. Williams (per Section 2-19-4 of the Glynn County Code of Ordinances). Therefore, it is the County Attorney's opinion that Mr. Williams can continue to serve on the Glynn County Planning Commission.

There being no further business to discuss, the meeting adjourned at 12:25 p.m.