

## MINUTES

### GLYNN COUNTY PLANNING COMMISSISON JANUARY 6, 1998 9:00 A.M.

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

STAFF PRESENT: Lee Gilmour, County Administrator  
Ron Milburn, Planning Official  
Dick Newbern, Planner III  
Deborah Taylor, Zoning Administrator  
Jim Bruner, County Engineer  
Janet Loving, Administrative Secretary

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Chairman Glenda Jones called the meeting to order. She then introduced Mr. Lee Gilmour who addressed the Planning Commission on the transfer of Mr. Keith Flanagan. Mr. Flanagan has accepted another position with the Glynn County Board of Commissioners as the Director of Environmental Quality, which consists of divisions of Water & Sewer, Mosquito Control, Sanitation Contracts, and Landfill Monitoring. Mr. Gilmour stated that the county has already begun advertising for a new Community Development Director. In the meantime, he assured the Planning Commission that staff would continue to support and assist them in anyway.

As a point of interest, Mr. Gilmour advised that he would like to increase the role of the Planning Commission relative to capitol projects as it relates to community facilities. He stated that many times the decisions that the Planning Commission needs to make on land use issues are directly impacted by what type of infrastructure the county is in a position to provide. Therefore, it would be very important to tie the Planning Commission in with the infrastructure planning and direction. Mr. Gilmour thanked the Chairman for allowing him to address these items.

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At this time, the invocation was given, followed by the Pledge of Allegiance.

Chairman Jones introduced and welcomed Mr. Jeff Shell as the new member of the Glynn County Planning Commission. Afterward, she gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

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**Pier Village Market  
Site Plan for development of 15 Kiosks  
Vacant parcel located on the northwest  
Corner of Mallory Street and Beachview  
Drive, zoned General Commercial-Core**

**Tom Smoot, Owner/Developer**

Mr. Larry Evans was present for discussion.

Mr. Dick Newbern presented the staff's report. He stated that this is a request to develop a vacant parcel in the General Core Commercial District of the Village. Specifically, the developer wishes to install up to fifteen (15) kiosks, or small outdoor shops retailing specialty merchandise. The shops would be located on the 8,004 sq. ft. parcel (.183 acres). The kiosks will be 9'2" wide by 17'4" in total length and will be located approximately 6 ft. apart. The total retail area per kiosk, including porches and displays, will be approximately 130 sq. ft., for a total retail area of 1,950 sq. ft. for the fifteen (15) kiosks.

Mr. Newbern explained that as part of this application, the developer has requested a variance to the Zoning Ordinance provision that on-site parking be required for this development. Based on the ordinance requirement that one (1) space be provided for every 200 sq.ft. of retail space, a total of ten (10) parking spaces will be needed (1,950 total retail area/200 sq.ft. = 9.75 parking spaces). According to Section 715.4 (7) General Core Commercial for off-street parking: **Off street parking and loading requirements of any use other than in Section 715.3, utilizing an existing structure consisting of two levels or less shall be waived.**

Mr. Newbern pointed out that because this property is vacant and there is no existing structure being utilized, the developer has been advised to develop on-site parking for ten (10) spaces, or seek a variance. The developer has submitted a request for a variance with supporting documentation. The variance request is entitled STATEMENT CONCERNING PARKING. The purpose of the variance is to avoid the need to develop on-site parking and utilize existing parking in the Village Commercial Core District.

Mr. Newbern stated that the Planning Commission may exercise its authority set forth in the Zoning Ordinance Section 709.12 (Variances) to vary or modify the strict adherence to the parking requirements of the Village Preservation District. The base-zoning district is General Commercial Core, which requires one (1) parking space per 200 ft. of retail floor area. The developer must meet this requirement or obtain a variance from the Planning Commission if the developer can establish:

**Where, by reason of unusual circumstances, the strict application of any provision of the St. Simons Village Preservation Ordinance would result in an exceptional and practical difficulty or undue hardship upon any owner of a specific property, the Planning Commission or the Glynn County Board of Commissioners, in passing upon any application, shall have the power to vary or**

modify strict adherence to said provision, so as to relieve such difficulty or hardship; provided such variances modification or interpretation shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or general character of the property shall be conserved and substantial justice be done.

In granting variances to this ordinance, the Commission may impose such reasonable and additional stipulations and conditions as will, in their judgment, best fulfill the purpose of this ordinance. A situation of the person's own making shall not be considered an undue hardship.

Mr. Newbern stated that if the Planning Commission chooses to grant a variance to Section 715.4 (7) that requires off-street parking, then staff recommends that such variance contain the following condition:

1. The developer must adhere to the recommendations of the Traffic Safety Engineer for any additional signage that may be needed due to the increase in parking caused by this development.

Mr. Newbern stated that the developer has submitted drawings of the proposed fifteen (15) sites (as though a variance would be granted.) The sites would have to meet AE13 floodplain requirements. This would require many of the kiosks to be built 5 ft. off of the ground, and would require 9 steps to enter the kiosk. To minimize the number of kiosks that need to be raised 5 ft. off of the ground, the developer is proposing to build up and develop a paved plaza in the central section of the site so that as many as seven (7) of the kiosks will only have 2 steps as an entrance to the retail area.

Handicap-accessible restrooms will be installed at the rear of two of the kiosks on the northeast side of the property. (They will be accessible by a handicapped ramp.)

Mr. Newbern stated that the developer is proposing to plant 4 Live Oak saplings on different areas on the site. No existing trees are proposed for removal. He stated that the developer has submitted a statement concerning examples of the types of specialty shops that would occupy the kiosks, i.e., newsstand, clothing store, seasonal gifts and other specialty items. The statement is entitled STATEMENT DESCRIBING CHARACTER AND INTENDED USE OF DEVELOPMENT. The proposed uses must conform to Section 715 of the Zoning Ordinance. The developer has also submitted a statement entitled STATEMENT CONCERNING FOOD SERVICE. If any food service is allowed, the developer must secure the permission of the Health Department, and the Water & Sewer Department must approve any wastewater accommodations.

According to the letter from Mr. Larry Evans, architect, dated November 20, 1997, a recorded agreement for the long-term use of the dumpster on Oglethorpe Avenue will be executed. Also in the November 20th letter, the architect has included a statement that the kiosks, as

constructed, will meet the 100 mph wind zone standards as required by the Building Official and the Southern Standard Building Code.

Mr. Newbern pointed out that the site, as proposed, has met the approval of the County Engineer. The Water & Sewer Department has approved the plan but requires further comment if food is allowed on-site. The proposed development meets site coverage and height requirements.

The following is excerpted from Section 709.8 of the St. Simons Village Preservation Ordinance:

Approval or disapproval by the Planning Commission or appeals to the County Commission of any proposed improvements shall be based on a variety of criteria, including but not limited to:

- A) Conformity of the plans submitted to the purpose and provision of this ordinance.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
- D) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.

Mr. Newbern stated that staff recommends consideration of this Village Preservation application. If the Planning Commission chooses to approve the application, staff recommends the following conditions for approval:

1. A written agreement for the long-term use of the dumpster on the adjacent parcel must be approved by the Building Official and Board of Health and remain on file with the Building Official's office.
2. The uses of the kiosks must be in conformance with Section 715 GC-General Commercial Core District of the Glynn County Zoning Ordinance.
3. The proposed Live Oak saplings must be located and planted and maintained in conformance with relevant county ordinances.
4. If food is allowed to be sold in any form at any of the kiosks, the specific written approval of the Board of Health and the County Water & Sewer Department is required.

5. The two restrooms, and their accessibility, must be constructed in conformance with the Americans with Disabilities Act (ADA) regulations.

Mr. Larry Evans presented a petition consisting of 30 business owners located within the Village who are in support of this request.

Mr. S. C. Anderson, St. Simons resident, stated he is concerned that if this is approved with the lack of parking restrictions, it will open the door to an old situation. Mr. Evans stated that this is the only vacant commercial core parcel that would require this type of variance.

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

Mrs. Iris Touw pointed out that in the past when the Planning Commission approved a different use of an existing building, the applicant was required to identify off-premise parking. She stated that in this case if a variance were granted, would the applicant be required to identify parking for the additional use. Mr. Newbern replied yes, as part of the condition that if the variance request is approved, the developer must adhere to the recommendations of the Traffic Safety Engineer for any additional signage that may be needed due to the increase in parking caused by this development. However, Mrs. Touw stated that in the past, the Planning Commission made it a condition that the parking had to be identified. Mr. Evans explained that most of those conditions referred to a food service establishment, which requires additional permits. He stated that if they were to have any food service in the project they would have to come back to the Planning Commission for additional permits and those conditions would be met at that time.

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

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**Preliminary Plat  
Laurel Grove, Phase III, 25 Lot  
Single-Family Residential Subdivision  
Proposed as an extension of Laurel  
Grove Road, zoned Forest Agricultural**

**Al Outlaw, Owner/Developer**

Messrs. Neal Gale, Don Hutchinson, Jim Conine and Al Outlaw were present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposed Preliminary Plat to create 25 lots as an extension of the Laurel Grove Subdivision located off

of Buck Swamp Road. The proposed lots meet the minimum frontage (100 ft., 60 ft. along a cul-de-sac) and lot area requirements (20,000 sq.ft.) of the Forest Agricultural Zoning District.

Mr. Newbern stated that the lots are to be developed off of a private paved road, Laurel Grove Road, which would have a 60 ft. right-of-way. The proposed road ends in two permanent cul-de-sacs that are approximately 5,500 ft. from the nearest through street at Buck Swamp Road. One cul-de-sac is simply an extension of Laurel Grove Road; the other is labeled Laurel Lane.

Section 602.2 (g) of the Subdivision Regulations requires that permanent cul-de-sacs not exceed 1,200 linear feet from the nearest intersecting through street. In this case, the nearest intersecting through street is Buck Swamp Road. Therefore, the developer is requesting a variance to allow the permanent cul-de-sacs to be installed to serve this development. The developer claims that approval of the variance and construction of the cul-de-sacs is the only feasible way to proceed with this project.

Mr. Newbern stated that the proposed paved road would cross approximately .054 acres of wetlands that also occupy a portion of the "common area," and a portion of Lots 3, 22 and 23. The U.S. Army Corps has submitted an approval letter allowing for the filling of the .054 acres of wetlands needed for the road. The wetlands shown on Lots 3, 22 and 23 do not disqualify these lots from meeting the 20,000 sq. ft. lot area requirement.

In addition to on-site wetlands on the three lots, Mr. Newbern stated that the development is in an AE 14 zone and some fill dirt may have to be brought onto some of the lots to meet height requirements, or the builder has the option to put a garage underneath to meet the floodplain requirements. A 25 ft. state waters buffer is shown to fulfill recent marshland/state waters buffer requirements. A 25 ft. buffer is shown around the wetlands on Lots 22 and 23, but it must also be shown protecting the wetlands on Lot 3 and the "common area."

Mr. Newbern pointed out that the developer is proposing to install a forked median island along Laurel Grove Road where it intersects the short segment to be called Laurel Lane. This median island must be installed according to the specifications of the Traffic Safety Engineer, who must also approve the exact location of any stop or yield signs that are needed.

The County Engineer has recommended approval of the proposed private 30 ft. drainage easements for this project. One private 30 ft. easement occupies the wetlands area on Lot 22. The Engineering Department has recommended approval of the creation of this easement subject to the concurrence of the U.S. Army Corps of Engineers. The County Engineer has further stated that though some drainage calculations have been submitted, pipe size calculations still must be submitted and reviewed before the drainage plan can meet the Engineer's approval.

The Health Department has approved the lots for private wells and septic tanks. A Sedimentation and Erosion Control Permit has been issued and is on file at the Building Inspections office.

With regard to the proposed variance for the two cul-de-sacs, the Fire Department has indicated that there is no public safety concern with the layout of the road. The Engineering Department has indicated that the relatively long (5,500 ft.) distance from Buck Swamp Road poses no effect on drainage.

According to the publication Trip Generation Manual, Mr. Newbern stated that a total of 239 average weekday vehicle trips will be generated by this development upon completion. These vehicles will impact the traffic flow of Buck Swamp Road, Highway 17, and Highway 82. Though there are no recent traffic counts available for Buck Swamp Road, the portion of Highway 82 closest to this development has an average weekday count (1996) of 7,292 vehicles. The 239 trips represent a 3.3% increase, assuming the vehicles make common use of Highway 82. A reasoned judgment would be that the direct traffic impact on Buck Swamp Road would be more significant than 3.3%.

Mr. Newbern stated that staff recommends consideration of the proposed variance for allowing 2 cul-de-sacs to be extended well beyond the 1,200 ft. maximum required by Section 602.2 (g) of the Subdivision Regulations. The total distance is approximately 5,500 ft. from the closest intersecting through street, Buck Swamp Road. However, there are no public safety problems or drainage problems posed by granting the variance. If the variance is granted, then the staff recommends approval of the Preliminary Plat with the following conditions:

1. A 25 ft. buffer must be drawn on the Final Plat protecting the wetlands area on a portion of Lot 3 and the "common area."
2. The Traffic Safety Engineer must approve the design and traffic signage for the forked median island located at the conjunction of Laurel Grove Road and Laurel Lane. The signage location must be shown on the Final Plat.
3. A note must be placed on the Final Plat that the right-of-way for Laurel Grove Road and Laurel Lane, together with associated drainage easements, will be privately owned and maintained according to county specifications.
4. For Lot 10, the Final Plat must show the 60 ft. lot width requirement at the setback.
5. Pipe size calculations must be submitted to the County Engineering Department. The final drainage plan must meet the approval of the County Engineer. (This condition has been satisfied.)

Mr. Neal Gale, representing Laurel Grove Plantation, stated that they are basically here to discuss the two cul-de-sacs. According to the ordinance, there is a restriction that states you must have an open road for emergency vehicles to get in and out of within 1200 ft. He

stated that this proposal is considered to be the best layout that they could have. Mr. Jim Conine, surveyor, presented an overall picture of the site which shows the developed area with cul-de-sacs on each end, the proposed design, and the future design with the lake.

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

Mr. Hart had questions about the cul-de-sac with regard to turnaround space. Mr. Conine stated there is turnaround space, and there are more cul-de-sacs in this plan than the original design.

Mrs. Touw asked if the cul-de-sacs would accommodate school buses. Mr. Conine replied yes, the cul-de-sacs are 100 ft. and they do meet county specifications.

Chairman Jones wanted to know if the 10 ft. utility easement would be incorporated on the final plan. Mr. Conine replied yes, there will be a statement placed on the final plan to that effect.

After discussion, the motion for approval was unanimously adopted.

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**Minor Plat  
King City, Redivision of Lots 88-92  
and portion of adjoining alley,  
located on the corner of Butler Ave.  
and Hamilton Street**

**Jingle Hice Davis and The Jean  
Langston Hice Trust, Owners**

Mr. Jaxon Hice was present for discussion.

Mr. Newbern presented the staff's report. He explained that this request is basically an upgrade from 5 lots at 40 ft. width to 4 lots at 50 ft. width. There is an existing non-conforming structure located on the property that is required to be removed before building permits are issued.

Mr. Newbern stated that because this is an upgrade (an increase in the lot width and lot area), staff recommends approval of this request.

Mr. S.C Anderson wanted to know the square footage requirement for an R-6 zoning. Mr. Newbern replied that R-6 requires 6,000 sq. ft. Mr. Anderson stated this request does not meet that requirement. He stated this is an alteration of something that was apparently grandfathered in. Mr. Newbern explained that this is an upgrade in the lot area from 40 ft. frontage to 50 ft. frontage for a total of 4500 sq. ft. This is a decrease in the number of

lots and an increase in the lot area. He stated that this request is in conformance with the Glynn County Subdivision Regulations.

Mr. Anderson asked if the alley had been officially abandoned. Mr. Charles Johnson, surveyor, stated that the county did abandon the alley. He pointed out that a note is on the plan citing the deed book page where this information can be found.

Mr. John Rogers of King City Subdivision stated that about a year ago, there was a proposal presented to the County Commission that would allow the county to reconfigure lots-of-record, provided the lots were not smaller than the original lots. There was opposition to that proposal, particularly the King City neighborhood.

Mr. Rogers stated that he and other residents went to the County Commission in August 1996 and the two areas affected were King City and Glynn Haven. According to the Planning Commission, the reason they were proposing that the lots could be reconfigured and still not conform with the zoning, which was R-6 in both cases, is because the county had allowed several instances where these reconfigurations were done. Mr. Rogers stated that he and other residents spoke in favor of not allowing the reconfiguration of lots that did not comply with the zoning and the County Commission voted that this would not be done. He pointed out that there was a very specific recommendation that came from Gary Moore and voted on by the County Commission stating that "any lots-of-record that are reconfigured must comply with zoning." However, there were some grandfathered cases. Mr. Rogers thought that would be the end of it. He wanted to know if Gary Moore had been contacted about this request.

Mrs. Taylor stated that on August 15, 1996 the following amendment of Section 507 of the Glynn County Zoning Ordinance went to the County Commission:

**Section 507. Use of Substandard Lots-of-Record**

No permit for the use of any lot which is smaller in total area than the minimum size permitted for the district within which it is located shall be issued unless said lot was legally and properly recorded prior to the passage of this Ordinance; provided, however, that in Residential Districts, substandard lots shall be used only for single-family residential purposes.

However, in all cases, construction on any such lot, after the time of passage of this Ordinance, shall be required to meet all other requirements of the district within which it is located, including front yard setbacks, side yards, rear yards and others. Any existing substandard lot or lots-of-record which have already been resubdivided prior to July 1, 1996 to one or more lots which are smaller in total area than the minimum size permitted for the district in which they are located shall be deemed substandard lots-of-record

and usable as provided herein. This provision shall apply to whether such redivision was accomplished by approving a plat or issuance of a building permit approving the resubdivision.

Mr. Rogers stated that lots cannot be reconfigured if they don't meet the Zoning Ordinance. Mrs. Taylor stated that there is a conflict in the Zoning Ordinance and the Subdivision Regulations. She explained that this request is being processed under an 802 of the Subdivision Regulations, which gives the Planning Commission the right to consider redivision of property.

Mr. Jaxon Hice pointed out that there is no net change in the number of parcels. In fact, there is a reduction in the number of overall parcels.

Mr. S. C. Anderson asked if the new lots are smaller than the previous lots-of-record. Mrs. Taylor stated the new lots are greater than the previous lots.

Mr. Frank Quinby, Brunswick Area Transportation Committee, stated that in light of the amendment that Mrs. Taylor read, he suggests that all setbacks for the R-6 zoning be shown on the plan. Mr. Hice stated that the setback requirements would be addressed at the time the building permits are applied for.

For clarification, Mr. Dick Wiederhorn, St. Simons resident, asked if the Zoning Ordinance states that this cannot be done, but according to the Subdivision Regulations it can be done. Mrs. Taylor pointed out that the Glynn County Zoning Ordinance lists the requirements for substandard lots; however, the applicant has submitted the request under the Subdivision Regulations for resubdividing the property. Under the Subdivision Regulations, the Planning Commission has the right to approve or deny the request from a planning standpoint. Mr. Newbern explained that staff's recommendation for approval is also from a planning standpoint.

Mr. Hart stated that if the Planning Commission approves the reconfiguration, would the applicant be allowed to get a building permit. Mr. Newbern explained that Lot 4 would be buildable and a permit could be obtained; however, a building permit would not be issued for the lots with the existing non-conforming two-story structure.

Mr. Rogers stated that he does not understand how there can be conflicts within the same regulations of zoning.

Mrs. Touw stated that she is a firm believer in the Ordinance and she feels that the Zoning Ordinance should take precedence over the Subdivision Regulations. She stated that she recalls the discussion at the County Commission meeting and it was her impression that this type of request would not be allowed.

Mr. Jeff Shell asked Mr. Rogers if he is concerned about the value of his property, or if he is concerned about the principle. Mr. Rogers stated that he is concerned about his neighborhood.

Mr. Jonathan Williams stated that if the applicant builds on the lot as it is now it may decrease the value of the area because of the size of the house; however, if permission is granted for the applicant to extend the lot size and build a nice house on the property, the value of the neighborhood will increase. Therefore, a motion was made by Mr. Williams to approve the redivision of Lots 88-92 in King City and a portion of the adjoining alley. The motion was seconded by Mr. Jeff Shell. Voting Aye: Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell and Mr. Jonathan Williams. Voting Nay: Mr. Richard Altman and Mrs. Iris Touw.

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**Site Plan**

**Floor Décor, 6,300 sq. ft. building  
17,243 sq. ft. lease parcel fronting  
on Gary L. More Court, located at  
Airport Road, zoned Planned Development  
General, Limited Commercial area of the  
Malcolm-McKinnon Airport, St. Simons**

**Ernie Knight, Lessee/Developer**

Mr. Knight was present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a request for Site Plan approval for Floor Décor, a carpet retail outlet. This is a 6,300 sq. ft. building to be located on a .40 acre (17,243 sq. ft.) parcel of property under lease from the Glynn County Airport Commission. This development is located on Gary L. Moore Court near the corner of Airport Road and Demere Road in the PD-G district of the McKinnon Airport.

Mr. Newbern stated that the lease parcel of 17,243 sq. ft. is 7 ft. from the proposed right-of-way revision for Airport Road. The Airport Commission intends to plant a buffer of Red Tips or a similar species in this 7 ft. strip to help obscure the development from traffic along Airport Road and Demere Road.

Mr. Newbern pointed out that the building will consist of a steel frame with a sand finish stucco exterior. The outside stucco walls of the building will be a "brownstone" color. The siding and downspouts will also have a "brownstone" color. The seamed metal roof will be a "classic green" color. Color samples were presented for the Planning Commission's review.

Mr. Newbern stated that of the 6,300 sq. ft. total building area, 2,800 sq.ft. (43.1%) will be retail space and 3,500 sq.ft. (56.9%) will be warehouse space. According to Section 611.6 (d) of the Glynn County Zoning Ordinance, there must be one (1) parking space for every 200 sq. ft. of retail space. The 14 spaces shown on the proposed Site Plan meet this requirement.

Mr. Newbern explained that the loading/unloading area has been favorably reviewed by the Building Official. The County Engineer has approved the 36 ft. driveway entrance, the drainage inlet and pipe. The Water and Sewer Department has approved the plans for water/sewer connections and the Airport Commission has approved the lease agreement. There are no Site Coverage requirements. The developer has made arrangements with the Airport Commission to use a dumpster site on an adjacent parcel.

An excerpt of the development standards for the Planned Development General (PD-G) Zoning Text for McKinnon Commercial Park was included in the packages for the Planning Commission's review.

According to the publication Trip Generation Manual, this project will generate an additional average of 43 trips per weekday onto Demere and Airport Roads.

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

1. The verbal agreement for the provision of an off-site dumpster must be put in a written format and agreed upon by both the developer and the Airport Commission.
2. Any signage installed on the property or on the building in the future must meet the requirements of the Glynn County Sign Ordinance.

Mr. Knight stated that he is willing to comply with the restrictions. He intends to stay within the guidelines to help enhance the beauty of his efforts.

Mr. Frank Quinby stated that he is not in opposition of the request, but he needs clarification on the buffers. He stated that the developer has proposed a 7 ft. buffer strip planted with Red Tips along Airport Road and Demere Road; however, Mr. Quinby stated that he doesn't see this on the plan. Mr. Newbern presented the plan, pointed the area out for Mr. Quinby, and stated that the buffer will be maintained by the Airport Commission.

Mr. Dick Wiederhorn stated he is not in opposition of the request, but he would like to also address the buffer. He stated that in August 1995, an arrangement was made between the county and a group of citizens from various areas which involved moving the gardens from where they were to where they are now. In exchange, there would be a natural buffer planted and left in tact in the 100 ft. of property between the road and where the property was to be developed, and this was done.

Mr. Wiederhorn stated that over the years, weeds grew up around the area and recently, the new Airport Commissioner instructed the airport maintenance crew to cut down the weeds. The trees were not removed but the mowing operation damaged the trees. He stated that there are plans to replant shrubbery in the area but he doesn't know what those plans are. Mr. Wiederhorn strongly suggested as a condition of approval that in addition to making sure the trees are not damaged any further, two rows of natural vegetation be planted on the street side of the trees and towards the building. He also requested that no signs be located on the back of the building of Airport Road or Demere Road.

Mr. Knight stated that there are no restrictions as to where he could place the sign. He stated his intention is to generate business. He stressed that the buffer has been a major concern with the Airport Commission and has therefore been stringently protected.

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

Mrs. Touw expressed concerns about signage. She stated that she read the Planned Development General Text, which is for the entire area. She stated that the lighting has been given restrictions as to there being no visible light source from Demere Road or Airport Road. Mrs. Touw stated that she thought this would also apply to signage. She pointed out that according to the Ordinance, Mr. Knight is correct in that he could put a sign on the back of the building up to the number of square feet. However, Mrs. Touw feels that with the number of units going in along the road, there needs to be a restriction on signage.

Mr. Knight explained that he has no intentions of having a big 4 x 8 sheet of plywood construction sign. He stated that based upon the Planned Development criteria, there are no restrictions as to where he could place the sign; however, he does not have plans at this time to attach a sign to the end of the building.

Mrs. Touw pointed out that under the design criteria for this Planned Development, "plans for parking, loading areas, accessways, signage, buffers, lighting, etc. will be in accordance with good practice and the Zoning Ordinance criteria. A written text outlining those criteria will be submitted to the Glynn County Planning Commission with each site plan approval application." Mrs. Touw stated she is concerned that the Planning Commission did not receive a written statement regarding lighting and signage, which should be a part of this application. Mr. Knight stated that he intends to place a sign over the door, and there will be awnings over the door.

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

Chairman Jones suggested that staff send a letter to the new Airport Director advising him to review the buffer off of Demere Road and maintenance of the Oak Trees, etc.

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GC-37-97

**Request to rezone from General Commercial to Forest Agricultural a parcel of land consisting of 20,798 sq. ft., fronting 130 ft. on Pennick Road, beginning approximately 3,000 ft. south of Honeygall Road.**

**Property owned by James L. Smith.**

Mrs. Patricia Smith was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is to rezone a parcel of land to Forest Agricultural. In 1985, the applicant requested a rezoning of the subject property from Forest Agricultural to General Commercial. The Planning Commission approved the request at that time. Mr. Milburn stated that the property has never been used as commercial. The applicant would like to rezone the property to allow the placement of a mobile home. This request would be reverting the zoning back to the original zoning classification.

Mr. Milburn explained that staff considers this request a down-zoning of the property, and reverting the zoning back to Forest Agricultural would allow a use more compatible with the surrounding area.

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;**

The surrounding properties are zoned Forest Agricultural and developed for residential uses, i.e., farming activities or vacant. The proposed rezoning would be consistent with the land uses in the area.

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

No, since the Forest Agricultural District permits the same uses as the nearby properties.

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

No, there appears not to be a demand for commercial usage in this area.

- **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, less demand on public facilities.

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

The proposed rezoning would bring the property into conformance with the Comprehensive Land Use Plan designation of Agricultural/Forestry.

- **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 approval of this request.

Following discussion, a motion was made by Mr. Jonathan Williams to recommend approval of this request. The motion was seconded by Mr. Richard Altman and unanimously adopted.

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**GC-3-98**

**Request to rezone from M-20 One-Family Residential Manufactured Home to Mh-20 One-Family Residential Mobile Home a parcel of land consisting of 1.14 acres, fronting 200 ft. at the end of Railroad Avenue at Boone Street.**

**Property owned by Denver L. & Joyce B. Waters**

Mr. and Mrs. Waters were present for discussion.

Mr. Milburn presented the staff's report. He stated that the property is located approximately 600 ft. to the west of Norwich Street Extension between the over-pass and Community Road. The surrounding area consists of R-9, M-9 and M-20 Single-Family Residential Zoning Districts, with commercial zoning along Norwich Street Extension.

Mr. Milburn stated that the property was rezoned (as a portion of a larger tract) from R-9 One-Family Residential to M-20 One-Family Residential in 1980. The request at this time is to rezone a 1 acre parcel of land to Mh-20 to permit a mobile home. The property has access from Railroad Avenue.

Mr. Milburn explained that at the time the property was rezoned (as well as other properties) to the "M" zoning classification prior to October 1986, the "M" zoning classification allowed manufactured homes and mobile homes. Since that time, the County Commission has amended the Zoning Ordinance, creating a zoning classification of "Mh" which allows manufactured homes and mobile homes. The "M" zoning classification only permits manufactured homes.

Along with the Ordinance amendment, the County Commission encouraged staff to focus on allowing mobile homes only in rural areas and in mobile home parks.

Mr. Milburn pointed out that the definition and requirements for a mobile home and manufactured homes are outlined as follows:

**Mobile Home:** A transportable, single-family structure intended for permanent occupancy contained in one unit or in two units designed to be joined into one integral unit, which arrives at a site complete and ready for occupancy except for minor assembly, and constructed so that it may be used with or without a permanent foundation. For the purposes of this Ordinance, a distinction is made between a double-wide unit mounted on a permanent foundation and meeting the district requirements of M-6, M-9 M-12 and M-20 for manufactured homes, and a single-wide unit which is restricted to those districts permitting mobile homes.

**Manufactured Home:** Manufactured home must comply with the following standards in order to assure visual compatibility with site-built single-family homes.

- a) Prior to occupancy, each unit must be secured to an accepted foundation by tie-downs. The unit shall have a visible foundation and skirting, in conformance with Section 302.
- b) The maximum width of a main body of the double-wide unit as assembled on the site shall not be less than 20 ft. as measured across the narrowest point.
- c) The pitch of the main roof shall not be less than a 4 to 1 slope. Minimum distance from eaves to ridge shall be 10 ft. In general, any roofing material may be used that is generally acceptable for site-built housing.
- d) Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance.

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;**

No. From Robarts Road going south to Manning Street, and from Railroad Avenue going east to Norwich Street Extension, the zoning R-9, M-9, M-12 or M-20, all single-family residential districts that permit conventional homes manufactured homes (not mobile homes). There are 32 houses, 10 manufactured homes and 10 non-conforming mobile homes in this neighborhood.

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

(As previously stated in question 1.)

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

Yes, just like the other properties in the neighborhood.

- **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, still single-family residential.

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

Yes, Low Density 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 the neighborhood is not zoned for mobile homes. This rezoning would be a typical "spot zoning" unless the county changes its policy and rezone surrounding properties to Mh. Therefore, staff recommends denial of this request.

Referring to staff's comments regarding the 1986 rezoning and the amendment by the County Commission, Mr. Hart wanted to know when this occurred. Mrs. Taylor replied that this took place in the early 1990's. Mr. Hart asked if the mobile homes that were already there legal until the county adopted the new Ordinance. Mrs. Taylor explained that this created non-conforming mobile homes, which was to try to get the existing mobile homes into conformance with the Ordinance. For example, she stated that if there were a mobile home on the property and if it were removed within 1 year, it could be replaced by another mobile home. However, if the mobile home were there longer than 1 year, it would then have to be replaced with a manufactured home (instead of another mobile home).

Mrs. Waters stated that they have always had mobile homes on the property and they were not aware that the zoning laws had changed. She stated that they own 4.72 acres and they only want to rezone one lot in order to help a young homeless family. Mr. Jonathan Williams asked that prior to the zoning changes, was there a mobile home on the property. Mrs. Waters replied yes. She reiterated that their only reason for requesting the rezoning is to help a young homeless family.

During the course of discussion, it was explained that when the young family is able to get permanent housing, the Waters family would be allowed to build a house on the property in any of the previously stated zoning classifications.

Mr. Williams asked if this request is similar to a medical hardship. Mrs. Taylor explained that it could be viewed as a hardship if there were suitable documentation; however, from a planning standpoint, staff has to evaluate this as a zoning change for an acre of land, which could accommodate numerous uses if rezoned.

Following discussion, a motion was made by Mr. Hal Hart to recommend approval of this request. The motion was seconded by Mr. Richard Altman and unanimously adopted.

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**SUP-1-98**

**Request for a Special Use Permit in an R-12 One-Family Residential Zoning District for the location of a Mobile Home as a Medical Hardship. The property consists of 27,408 sq. ft., fronting 100 ft. on the east side of Mills Road off of Scranton Road.**

**Property owned by Robert and Deborah Worth.**

Mr. Bobby Worth was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is for a Special Use Permit in an R-12 One-Family Residential District, to allow a mobile home currently existing on the property to remain due to a medical hardship.

Mr. Milburn explained that a Special Use Permit was originally granted for a mobile home on the subject property in 1991 with an extension being granted in 1994 (and expiring in October 1996). During review of the 2-year extension request in 1994, the County Commission discussed the Special Use Permit requirements and a motion was adopted to change the Ordinance in order to prevent hardship cases from renting out mobile homes. Staff has not found that an Ordinance change was processed or adopted. However, earlier this year, the County Commission adopted the following:

Mobile home in an R-12, R-20, M-12 and M-20 District on a two (2) year basis at the discretion of the County Commission when a documented medical hardship exists, provided such use meets all other requirements of 701.5. Also, the applicant of the medical hardship shall provide the following:

- a) A property owner's statement describing the need, identifying the person requiring medical care and the person to provide the care, and relationship of the persons to reside in the mobile home.
- b) A certificate of need and necessity filled out and signed by a medical doctor, describing the medical problem(s), and offering a professional opinion of need.

Application procedure shall be the same as that for amendments to the Ordinance. Renewal may be obtained for an additional two (2) year period at the discretion of the County Commission if the same hardship continues to exist.

Mr. Milburn explained that in order to address the requirements, Mr. Worth has submitted a statement from Dr. Lana Skelton confirming his medical condition and professional needs. As stated in Dr. Skelton's letter and from the verbal comments made by Mr. Worth, the mobile home located on the subject property is occupied by friends who he (Mr. Worth) stays with occasionally while his wife is working so that they can look after him. Mr. Worth's mother lives in a non-conforming mobile home, also located on the property; however, Mr. Worth and his wife reside on Canal Road.

Mr. Milburn stated that staff recommends approval of this request.

Following discussion, a motion was made by Mr. Lamar Cole to recommend approval of this request. The motion was seconded by Mr. Hal Hart. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

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At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 11:05 a.m.

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#### **STAFF ITEMS**

Mr. Milburn distributed the 1997 Rezoning Report for the Planning Commission's information. Chairman Jones suggested that staff submit a summary sheet perhaps at the next meeting. Mrs. Taylor explained that the 1997 report is incomplete because some items are pending and are still under review by the Planning Commission and the Board of Commissioners. She stated that she would submit a final report at a later date.

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Planning publications were included in the packages for the Planning Commission's review. Mr. Milburn also distributed information on a local planning seminar sponsored by the Coastal Georgia Regional Development Center, which will be held on January 21<sup>st</sup> from 10:00 a.m. to 4:00 p.m. at the RDC Boardroom. All those interested in attending should contact RDC by January 16<sup>th</sup>.

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Mr. Milburn stated that site plans/subdivision plats included in the planning packages are reduced plans and are sometimes hard to read. He stated that perhaps the Planning Commission would like to require the applicants to submit 7

additional copies of these documents. He explained that at the time a particular site plan/subdivision plat is ready to forward to the Planning Commission is when staff would ask for 7 additional copies to be included in the packages.

Mrs. Touw commented that the plans received in the past few months have been very faint. She stated they use to get plans that were larger and folded to fit in the planning packages. Mr. Milburn stated that staff could possibly reduce the plans/plats to 11 x 17.

Mr. Hart stated that he would prefer larger plans. Chairman Jones agreed. She stated that larger plans are easier to read. She also stated that they need to be consistent when requesting additional copies. "If we ask one developer to provide 7 copies, then we should ask all of them."

Mrs. Taylor stated that some of the architects have equipment to reduce plans that are readable. She pointed out that the ordinance does not require the applicant to submit additional copies; however, the ordinance can be amended. She stated she believes that most architects/developers would be willing to submit extra copies. Mr. Milburn suggested that staff request the extra copies and explain to the architects/developers why this is being done. The Planning Commission concurred.

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Mr. Milburn asked if the Planning Commission would like for staff to provide a recommendation on all requests. Mr. Altman stated he feels there should be a recommendation from staff. If staff has no opinion one way or the other, it should also be noted as such. Chairman Jones pointed out that if staff recommends approval/denial, an explanation should be given. Mr. Williams stated that staff's comments and recommendations are very important because staff is more familiar with the ordinances and can point out the items that may make the application invalid.

Mr. Altman wanted to know why the staff's report was not included with the King City request. Mr. Newbern explained that the King City request was an 802 Minor Subdivision application and in the past, there were no reports associated with the 802's. However, Mr. Milburn stated that in the future, staff will include comments/recommendations with each request.

Mr. Hart wanted to know if staff should read the entire report. He stated that the audience may not be familiar with the request, and they don't know what's been included in the planning packages. Mr. Milburn stated that the public has an opportunity to come in and read the reports. Mrs. Taylor explained that staff is required to give a brief summary; however, the six questions and answers should be read in accordance with state regulations. Mr. Altman stated it may not be necessary to read the entire report each time, but perhaps staff should highlight points from the report.

Mrs. Touw stated that some things are not advertised and the public's first knowledge of the request is when it appears in the Brunswick News on the day before the hearing. She stated that the Planning Commission is the only vehicle where people can come in and get full information. One purpose of this board is for public information, and the public should not be shortchanged for the Planning Commission's convenience. Chairman Jones suggested that they "play this by ear" in accordance with the length of the agenda and the number of people in attendance. Mr. Shell commented that when he received his package he read all of the material and he doesn't want this read to him again; however, Mrs. Touw pointed out that the material is not being read for the Planning Commission, it's being read for the public.

Mr. Gilmour stated that in the future, staff will post the full report (outside of the meeting room) after it has been delivered to the Planning Commission. Also, there will be a staff recommendation with every request. Mr. Gilmour stated that after the staff's recommendation, perhaps there should be a section called Planning Commission issues which would give the public an opportunity to know what is being addressed by the members.

Mr. Altman stated he feels that the Planning Commission should try these suggestions for a few months and perhaps redefine them if necessary. Chairman Jones stated that she wants every citizen to feel that they were treated fairly, and given an equal opportunity to respond at the Public Hearings.

For clarification, it was noted that after the planning packages have been delivered to the members, the staff's report, including staff's recommendations, Planning Commission issues and plats will be posted (outside of the meeting room) on Monday morning before the Public Hearing on Tuesday. Mr. Altman stated that perhaps staff should include this information as part of the advertisement in an effort to let the public know that the reports are posted for review; however, Mr. Gilmour stated that this information would be included on the agenda. If there is still public concern, staff will consider including this information in the advertisement. It was further noted that in the future, applicants would receive staff's recommendations in writing after the packages have been delivered.

Referring to the subdivision plats, Mr. Gilmour stated that instead of asking the architects/developers for 7 additional copies, staff could provide 11 x 17 copies to be included in the planning packages. Also, staff would require that the developer provide mounted copies of the subdivision plats. The site plans could be posted in the meeting room for review.

The planning members briefly discussed the issues surrounding lots-of-record and whether or not land being resubdivided should comply with the Zoning Ordinance or the Subdivision Regulations. Mr. Gilmour stated that he would

confer with the County Attorney and report back to the Planning Commission. This issue will be discussed further at a work session.

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Mr. Gilmour advised that there would not be a County Attorney present at the Public Hearings. He stated that legal issues would be addressed and settled at the County Commission level, and not by the Planning Commission. He further stated that if at anytime there is an issue that needs the County Attorney's attention, he (Mr. Gilmour) would get a response from the County Attorney and relay this information back to the Planning Commission as soon as possible.

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It was the consensus of the Planning Commission to have a work session on Thursday, January 22<sup>nd</sup>, at 9:00 a.m. in Room 234 of the Office Park Building. Among the items to be discussed will be Lots-of-Record, Fluttering Ribbons & Banners, and Height Requirements.

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## **MINUTES**

Mr. Hart stated that he would like a chance to confer with staff before the Minutes are approved. Therefore, he made a motion to defer the Minutes of the December 2, 1997 Planning Commission meeting. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

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There being no further business to discuss, the meeting adjourned at 12:15 p.m.