

MINUTES

**GLYNN COUNTY PLANNING COMMISSION
FEBRUARY 3, 1998 9:00 A.M.**

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
Ellis Carter, Building Official
Jim Bruner, County Engineer
Janet Loving, Administrative Secretary

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.

Chairman Jones advised that Item #6 on the agenda would be addressed at this time.

**St. Simons Beach Subdivision
Relocate lots lines, portion of
Lots 212, 213 & 214, located on
Beachview Drive, Zoned Resort
Residential**

Sergio and Ursula Favalli, Property Owners

Mr. Bill Lorenz-Hooker, agent, was present for discussion.

Mr. Dick Newbern presented the staff's report. He stated that the applicant proposes to combine three substandard lot portions in the old St. Simons Beach subdivision into two lots that meet the Resort Residential lot size requirements. There are currently two structures on the site, both fronting on Beachview Drive. The present lot lines within the site will be removed and two conforming lots will be created: Lot #1 with 6,002 sq. ft.; and Lot #2 with 8,334 sq. ft.

Mr. Newbern explained that this resubdivision would bring the structure on Lot #2 into conformance with RR lot size and setback requirements. The existing structure on Lot #1 will be on a new lot, conforming to the 6,002 sq.ft. lot; however, the south property line setback will remain at 5.4 ft., which is a non-conforming side setback from the 7 ft. minimum requirement. The south property line cannot be moved further south to bring the setback into the 7 ft. requirement because there is an existing structure close to the lot line on the lot immediately south of Lot #1.

Mr. Newbern stated that the resulting lot sizes and dimensions meet the Resort Residential zoning requirements. He stated staff recommends approval of this request.

Mr. Hal Hart stated that he is not opposed to this request but he is concerned about the language in Section 802(3) as it relates to this request. He stated he would like to get a legal opinion from the County Attorney regarding the building being non-conforming and whether or not this affects legal requirements.

Mr. Hooker explained that the intent of this request is to have a conforming lot that meets the Resort Residential requirement of 6,000 ft., having a lot width of 60 ft. with a building line of 20 ft. back from the property line. He stated that his client is trying to get the property in order so that when the estate is divided between the children both lots would have equal value. He stated that in the future, his client would like to perhaps build a duplex on each of the lots.

Mr. Hart pointed out that Section 802(3) of the Glynn County Subdivision Regulations states "proposed revisions to a recorded plat which significantly alters or changes any lot(s) or lot line(s) in which each resultant lot meets the minimum requirements of the Zoning Ordinance and these regulations shall be submitted under Section 802.1." He stated that under the minimum requirements of the Zoning Ordinance regarding square footage there is no problem; however, under Section 705 Resort Residential for minimum side yard setback, there is a 7 ft. setback requirement. Mr. Hart stated his interpretation of this is that the lot complies but the house does not.

Mr. Hooker explained that the house was built long before the ordinance was enacted. He stated that the lot does meet the minimum requirement, but the structure located on the lot, which is grandfathered in, may not. However, any new construction on the proposed detached unit would meet all setback requirements as well as flood elevation, etc.

Mr. Altman stated that in his opinion, if a lot is being moved from a non-conforming use to a conforming use, the lot and the structure should conform. However, Mr. Hart reiterated that this is a matter of interpretation. Mr. Milburn explained that staff has gone over the Subdivision Regulations which states "the resulting lot meets minimum requirements." The Zoning Ordinance very specifically states, "...however, in all cases, construction on any such lot has to meet the setback requirements."

Following discussion, a motion was made by Mr. Hal Hart to defer this item for later in the meeting pending receipt of the County Attorney's opinion on whether a non-conforming structure has to meet the minimum requirements of the Zoning Ordinance. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

**Request for Height Exception
BellSouth Mobility DCS 250 ft.
Lattice Tower, located off of
Highway 99, Sterling Area,
Zoned Forest Agricultural**

John Henry Lane, Property Owner

Attorney Jim Gilbert and Mr. George Cohen were present for discussion.

Mr. Milburn explained that Section 617 of the Zoning Ordinance specifically states that "the Planning Commission, before hearing the request, shall afford the Glynn County Airport Manager an opportunity to comment in writing as to the effect such structures may have on approach zones and flight patterns." Mr. Milburn pointed out that staff has not received written confirmation from the Airport Manager, and therefore initially recommended deferral; however, the Airport Manager is present and could perhaps address the issue at this time.

Mr. Steve Brian, Managing Director of the Airport Commission, explained that he would have to defer his comments until the Federal Aviation Administration (FAA) review of the location has been completed. He stated that this request exceeds the height of a study by 50 ft. and he cannot comment until the study has been completed, which should take approximately two to three months.

Mr. Brian stated that BellSouth submitted the proposal to his office about two weeks ago. He has looked into the matter and examined the ordinances; however, he doesn't feel comfortable commenting at this time until after the FAA review is completed. Mrs. Touw asked if Mr. Brian is referring to the "Notice of Proposed Construction of Alteration." Mr. Brian replied yes, that initiates the study. Mrs. Touw pointed out that according to the ordinance, the structure shall be approved by the Planning Commission prior to submission of the Notice of Proposed Construction of Alteration. Mr. Brian stated that usually, the study is done first to determine the feasibility of the site due to Federal Regulations.

Attorney Jim Gilbert gave a brief presentation. He stated that the ordinance in this case is confusing in some ways and yet clear in others. With all due respect, he stated that the Airport Commission and Mr. Milburn are reading the ordinance incorrectly. He pointed out that BellSouth submitted the proposal to the Airport Commission on December 19th, not two weeks ago (as stated by Mr. Brian). The ordinance states that the Planning Commission is to

solicit comments from the Airport Commission, but it does not state that the comments have to be favorable or unfavorable. It also indicates that the applicant needs to be aware that the proposal has to be submitted to the FAA for approval.

Mr. Gilbert stated that Mr. George Cohen from BellSouth Mobility has done approximately 250 of these and has never faced an ordinance quite like this. The studies have been done. He stated that Mr. Cohen is just asking for a reasonable interpretation of this statute, which suggests that the Planning Commission can approve this request subject to FAA's approval or subject to comments by the Airport Commission. Mr. Gilbert stressed that nothing can be built without FAA's approval. He stated this proposal has been delayed once and this is a critical time problem for BellSouth Mobility. They need to get the towers up so that the digital communication system can be operational. He stated that delaying this any further really hurts BellSouth.

Mr. Cohen explained that there is a great deal of work that goes into this prior to the FAA approval, especially for a tower at this height. There is a tremendous amount of testing, clearing, grading, etc. Mr. Cohen elaborated on the amount of technical work involved in this project.

Mr. Cohen stated that a preliminary analysis was conducted by a firm hired by BellSouth called ASAC (Airspace Safety Analysis Corporation). This firm consists of retired FAA employees. He then presented this report to the Planning Commission and stated that it was also submitted to the Airport Commission. Mr. Cohen stated that BellSouth would not run the risk a putting up a tower that does not meet FAA approval. They would be severely fined.

Mr. Altman asked Mr. Cohen if they had ever been turned down by FAA. Mr. Cohen replied yes. Intercell had applied and received approval for a 250 ft. tower to be located near the Youth Estates. FAA required an extended study; however, Intercell chose not to do the study and was therefore not approved by FAA. The tower was built at 200 ft. BellSouth is now considering to locate a tower on that same site and has entered into an agreement with Intercell to continue the extended study. When the extended study is completed, BellSouth will construct the rest of the tower to 250 ft. and will install their equipment at the top, which is a common standard in this type of industry.

Mr. Hart wanted to know if the Planning Commission could give permission to authorize the site and then come back and approve the structure. Mrs. Taylor explained that if the tower weren't being requested for a 250 ft. height exception, it would not be reviewed by the Planning Commission, it would go directly to Building Inspections. Mr. Hart questioned whether or not the Planning Commission could grant permission for the site without granting permission to build the tower. Mr. Cohen explained that they need to construct the foundation of the tower. He stated that their towers are built with very strict

standards and the amount of foundation work is substantial, but the tower does not go up before that point. He stated that everything is done prior to the tower going up.

Mr. Milburn pointed out that the applicant is here to get approval of the height, not the site. Mr. Altman asked Mr. Cohen if BellSouth could accept a height of 200 ft. or less. Mr. Cohen stated that due to the modeling in trying to cut down on the number of towers in that area of the county, 200 ft. would not cover their objective for the area. Mrs. Taylor explained that if the tower were being built under the 200 ft. requirement, the applicant would go directly to Building Inspections for a permit to locate the tower on the site.

Attorney Gilbert reiterated that BellSouth is not going to build the tower until they get approval from FAA. He stated that they have done what they're suppose to under the current ordinance.

Following discussion, a motion was made by Mr. Richard Altman to accept this proposal subject to FAA's approval. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Richard Altman, Mr. Hal Hart, Mr. Jeff Shell, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mrs. Glenda Jones. (Mr. Lamar Cole was late for the meeting. He did not participate in the discussion and therefore he did not vote on this item.)

**Review Exterior Improvements
And Signage, "Barbara Jeans"
Located at the former Clifton's
Ice Cream at the corner of
Beachview Drive and Mallory St.
Zoned General Commercial-Core**

Just Rewards, Inc., Owner

Mr. Barta, property owner, was present for discussion.

Mr. Newbern presented the staff's report. He stated that Just Rewards, Inc. (a/k/a Barbara Jeans, James J. and Barbara Barn, Owners) has applied to change the signage, remove old awnings, repaint all white trim to black, add dormers entrance and benches under the windows and new plantings. This is the former "Clifton's" ice cream parlor located at 214 Mallory Street, at the corner of Mallory Street and Beachview Drive.

A copy of the applicant's proposed changes, entitled "Proposed changes to the exterior of 214 Mallory Street, St. Simons Island," was included in the packages for the Planning Commission's review.

Mr. Newbern stated that the existing pylon sign now showing the "Clifton's" logo totals 42 sq. ft. (6' X 7'), which does not conform to Section 816.3 of the Zoning Ordinance requiring no more than 16 sq. ft. for a free

standing pylon sign in the Commercial Core District. He stated that the 42 sq.ft. "Clifton's" sign will be replaced with a 42 sq.ft. "Barbara Jeans" sign. This obviously exceeds the 16 sq. ft. requirement in the Commercial Core District. However, the original 42 sq. ft. sign has been in existence prior to the adoption of the Village Preservation Ordinance in 1992. The new "Barbara Jeans" sign will occupy the same pylon and sign cabinet as the original sign.

Mr. Newbern explained that the Planning Commission could possibly require that the new sign conform strictly to the Village Preservation District/Commercial Core requirement of 16 sq. ft., or the Board could acknowledge that the new sign is simply occupying an existing pylon and sign cabinet, and that the sign replacement cost does not exceed 50% of replacement costs (in accordance with Section 607.3 of Zoning Ordinance). He stated that staff recommends that the Planning Commission accepts the new sign on the premise that it is simply occupying a pre-existing pylon and sign cabinet.

Mr. Newbern pointed out that the exterior building renovations conform to the height and location requirements of the Village Ordinance (Sec.709.5). Copies of the color renditions and structural improvements were presented for the Planning Commission's review.

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

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

**Laurel Grove Plantation, Phase II
Lots 7 & 8, located at the end of
Laurel Grove Road**

**Burch Williams and Ted Day, Owners
Al Outlaw, Agent**

Chairman Jones stated that this item would be deferred and discussed later in the meeting pending arrival of a representative.

**Goodtown Subdivision, Lot 11
Subdivide into 3 lots, located
on Goodtown Road, off of U.S.
Highway 17 North, Zoned R-20
One-Family Residential**

Custom Homes by Hugo, Inc., Owner

Mr. Bobby Shupe and Mr. Gary Nevill were present for discussion.

Mr. Newbern presented the staff's report. He stated that the applicant proposes to divide an existing 1.65 acre parcel on Goodtown Road, located off to the east of Highway 17 North. The proposed division will be into three lots that meet the R-20 zoning requirements. The R-20 designation is single-family residential.

Mr. Newbern pointed out that Goodtown Road has a 50 ft. public right-of-way and has sometimes been referred to as Windward Drive. The resulting lot sizes and dimensions meet the R-20 zoning requirements, and therefore staff recommends approval.

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

**Marsh Point, Lots 10 & 11
Relocation of Lot Line,
located on Sea Palms West
off of Sea Palms Drive**

Singleton Properties, Owner

Mr. Bobby Shupe was present for discussion.

Mr. Newbern presented the staff's report. He stated that the applicant proposes to cede a portion of Lot 11 to Lot 10. The portion that will be conveyed to Lot 10 is the southern tail of Lot 11 bordering the marsh. He pointed out that the applicant has made required notations regarding the 25 ft. marshland buffer and the need for a Soil Erosion & Sedimentation Control Permit prior to construction. The resulting lot sizes and dimensions meet the Planned Development zoning requirements, and therefore staff recommends approval.

Mr. Shupe stated that the applicant has not applied for a Soil Erosion & Sedimentation Control Permit at this time, but he will apply for the permit before any activity occurs.

Following discussion, a motion was made by Mr. Jeff Shell to approve this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

**Golden Isles Plaza/Revision
Signage, Landscaping & Addition
Of One Unit, located off of F-009
Spur and Scranton Road, Zoned
Planned Development-Shopping**

**Athens Vest, Inc., Property Owner
BKJ Investments, Developer
Jack Shriver, Collins & Arnold, Agent**

Mr. Jack Shriver was present for discussion.

Mr. Newbern presented the staff's report. He explained that this request is a three-part Site Plan application.

1. The first item is a request for approval of the Pier One Import Building (9,002 sq.ft.). The building will be located just west of the Staples Office Superstore. The site for Pier I Imports (home furnishings) was approved in mid-1997 along with the overall site plan for Golden Isles Plaza. The parking, access, city water/sewer, soil erosion and sedimentation control, drainage, landscaping and other features of the site plan were approved along with the Golden Isles Plaza site plan. The Golden Isles Plaza site plan included approvals for Circuit City, a small parcel for a 5,600 square foot back room shop, approvals for Books a Million, Staples, and a small parcel next to Staples.

The Pier I Imports is the business that is being proposed for the small parcel next to Staples. It conforms to the PD requirements for Golden Isles Plaza.

2. Landscaping changes for Golden Isles Plaza include the switch of two tree islands (one Savannah Holly, one Live Oak) with light pole sites in the western section of the parking lot. Also in the western section, there is an additional island being added for two Savannah Holly Trees. The parking area to the immediate east of Circuit City has two new Live Oaks proposed, and the area where the parking lot exit median island is located will be filled with plant material.

Landscaping changes proposed for the Home Depot site include eight trees to be located along the Altama Connector next to the parking lot. These will replace 4 two-tree islands that will be removed from the parking lot. Other changes include the addition of Live Oaks and Savannah Hollies on-site, and the addition of 25 Holly trees along the back western edge of the property.

Mr. Newbern stated that staff recommends approval of the site plan for Pier One Imports, the landscaping plan alterations for Golden Isles Plaza and Home Depot with the condition that such changes and new plantings meet the approval of the Traffic Safety Engineer.

A memo from Mr. Ken Conley explaining the signage for the Golden Isles Plaza was included in the packages for the Planning Commission's review.

Regarding the landscaping alterations, Mr. Hart wanted to know what would be used to replace the trees. Mr. Shriver explained that it is very difficult to keep anything growing in the islands because of the foot traffic, therefore the planted islands will be eliminated and replaced with asphalt paving with striped islands.

In addressing the signage for Golden Isles Plaza, Mr. Shriver stated that there is a 25 ft. setback for the pylon sign. The setback for the monument sign is 10 ft.

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

Mrs. Touw stated that she has a problem with this request being presented with three or four different items. She stated that her main problem is with the landscaping where the islands are being removed and being replaced with concrete. She explained that the way this is being presented, if she has a problem with any one item, then she'd have to vote no on the motion. Mrs. Touw stated that this is just too much in one proposal.

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. Voting Nay: Mrs. Iris Touw.

At this time, discussion continued on Item #6, St. Simons Beach Subdivision.

Mr. Milburn stated that he faxed the entire report and sections of the ordinance relating to this request to Mr. Gary Moore, County Attorney, for his legal opinion on whether a non-conforming structure has to meet the minimum requirements of the Zoning Ordinance.

Mr. Milburn relayed to Mr. Moore (via phone), that the concern in this case is the setback of the existing structure on Lot 1, which is 5.4 ft. instead of 7 ft. He stated that Mr. Moore's response was that "this is not a concern because it is a non-conforming use. If it is not non-conforming and staff finds that the structure was built since the enactment of the 7 ft. requirement in the ordinance, the applicant could be cited for a violation. The applicant would then have an opportunity to request a variance through the Zoning Board of Appeals. If the structure was built prior to the 7 ft. requirement in the ordinance, then it is a non-conforming setback. The size of the lots is not a concern. If the structure does not meet the setback requirements, the applicant has avenues to make the structure conform or correct the violation."

Chairman Jones asked Mr. Milburn if he could get this information in writing. Mr. Milburn replied that Mr. Moore stated he could get this in writing to the Planning Commission at a later date.

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

**Cloister Cottages
Addition of 24 Rooms, located
on Sea Island, Zoned Resort
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 1.36 acre tract located on the east side of Block 6 at the corner of Sea Island Drive and Fourth Street. The applicant proposes to provide 24 additional hotel rooms on the Cloister Hotel complex. The site will have access off of Third Street and Fourth Street.

Mr. Newbern pointed out that the site plan includes a meandering 6 ft. sidewalk connecting the hotel room clusters with the parking lot. Also included is a landscaping plan, which will be implemented in accordance with the tree planting/maintenance regulations of Sea Island Company. No signage is proposed as a part of this site plan.

Mr. Newbern stated that this plan meets or exceeds the following requirements of Section 705 in the Resort Residential Zoning District: site density, parking, height, site coverage, setbacks, and access. There are no RR requirements, as set forth in Section 705 of the Zoning Ordinance that will not be met by this project.

Mr. Newbern stated that the plan has been reviewed and approved by the following county departments: Building Inspections, Planning and Zoning, Fire Department, Water & Sewer, and Engineering. The County Engineer has stated that the drainage design for this project has "been agreed to in principal."

Mr. Newbern stated that staff recommends approval of this site plan with the following condition:

1. Final drainage design for this site plan must be submitted and approved by the Glynn County Engineer.

Attorney Jameson Gregg stated that they have no objections to the staff's conditions.

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

**Express Lube
Located off Frederica Road in
Dunbar Center, Zoned Planned
Development**

**Redfern Enterprises, Inc., Property Owner
Jeff Jones, Business Owner**

Mr. Jeff Jones was present for discussion.

Mr. Newbern presented the staff's report. He stated that this is a proposed 3,900 sq. ft. Express Lube to be located near the new St. Simons Post Office in Dunbar Center. The site plan shows the building area, which is leased by Mr. Jeff Jones, owner of Express Lube, from Greg Edwards, Davy Edwards and Gerry Edwards. The location of the proposed development is Tract B of the Dunbar Center Planned Development.

Mr. Newbern stated that the property owners, (the Edwards' brothers) have provided Mr. Jones with an easement to use the "common area" that surrounds the 3,900 sq.ft. leased parcel. This "common area" includes sufficient parking for the Express Lube, and drainage is provided across the southwest border of the property near the Skiff Landing Condos. Access to the leased property from Frederica Road is provided by a platted access easement located in front of the proposed site. The leased parcel is located 21 ft. southwest of the access easement. The "common area," as set forth in the property lease, provides vehicular and pedestrian access across this 21 ft. "common area" to the leased property.

Mr. Newbern pointed out that Mr. Jeff Jones owns an Express Lube and Car Wash at Cypress Mill Road and Spur 25. The principal difference with this site is that this proposal is an Express Lube without the car wash.

According to Trip Generation publication, this project will generate an additional 80 vehicle trips per day onto Frederica Road.

Mr. Newbern stated that the zoning district for this Planned Development tract is General Commercial. The site plan meets the minimum PD requirements for parking, height, site coverage and setbacks. He pointed out that there are site plan concerns with this application as follows:

1. Section 619.2 (3) of the Zoning Ordinance requires that access and traffic flow, and how vehicular traffic will be separated from pedestrian and other types of traffic must be shown on the site plan. Also, there must be a specific access easement shown on the site plan designating the flow of vehicular traffic from the platted access easement to the leased parcel. The leased "common area" for vehicular and pedestrian traffic must specify an access easement to meet the ordinance requirements.
2. Section 619.2 (2) of the Zoning Ordinance requires that the applicant provide exact location and dimensions of all buildings and structures. At a minimum, the applicant must provide location and

distance of the surrounding buildings to the leased parcel. For example, there is a "Surf Shack" wooden structure located next to the site, between the site and the Huddle House building that is not presently shown on the site plan dated 1/15/98. Also, the applicant must note the total area (9,950 sq. ft.) for this project on the site plan notes. (This has been added to the site plan notes.)

The site plan must include a note quoting the language of the lessee's right to the "common area" with regard to parking and drainage. Simply having the language available in a copy of a lease document is not sufficient. It should be on the actual site plan.

Mr. Newbern stated that the site plan has been reviewed and recommended for approval by the Fire Department and the Water and Sewer Department. The following is a synopsis of departmental concerns from Planning and Zoning, Building Inspections, and Engineering, and these are also listed as the recommended conditions of approval of this request.

Planning and Zoning

1. The site plan must show the accurate location and distances of surrounding buildings on Tract B of Dunbar Center. (This information is shown on the updated site plan.)
2. The site plan must clearly show a vehicular access easement tying the easement from Frederica Road into the leased parcel. Additionally, the lease language allowing use of the "common area" for vehicular and pedestrian traffic must be noted on the site plan. (Vehicular access has been shown on the site plan from the cross easement to the lease parcel. Also, language has been exerted from the real estate agreement allowing access from the cross easement to the lease parcel.)
3. The site plan must note that the fencing and buffer along the southwest property line next to Skiff Landing Condos will be maintained.

Mr. Jeff Jones stated that the fencing and buffer information is noted on the site plan. Mr. Altman inquired about the owner of the fence. Mr. Jones stated that Skiff Landing owns the fence and it is their responsibility to maintain the fence. Mr. Newbern pointed out that the pavement will go up to the fence but it will not require demolition of the fence.

4. The Site Plan must note the total combined area of the leased parcel and the "common area" (9,950 sq. ft.). The lease parcel is 3,900 sq. ft. and the remaining paved area for parking surrounding the lease parcel is 6,050 sq. ft.

Building Inspections

1. A Sedimentation and Erosion Control Permit must be obtained for this project. An application has been received and filed; site review by the Natural Resource Conservation Service is pending.

2. The applicant must certify that the ditch to be piped is not a tributary from an upstream lake that can be defined as "state waters."

Engineering Department

1. Applicant must provide documentation covering rear off-site drainage including the area adjacent to the ditch to be filled. This must be approved by the Engineering Department.
2. The applicant must provide information on how surface water is handled at the area where the ditch is to be filled. This must be approved by the Engineering Department.

Mr. Newbern stated that staff recommends approval of this request subject to the conditions stated above.

Regarding the Sedimentation & Erosion Control Permit, Mr. Jones stated there was initial confusion because the size of the site is less than one-tenth of an acre. It was determined that the regulations require permits for sites over 1.1 acres. The Building Official determined that because this was part of a larger tract, a Sedimentation & Erosion Control Permit would be required. An application has been filed for this permit.

In addressing item #2 under Building Inspections, Mr. Jones pointed out that Mr. Newbern has been provided the certification that the ditch is not a tributary from an upstream lake.

Mr. Jones stated that Mr. Don Hutchinson from the Corps of Engineers met on numerous occasions with the Glynn County Engineering Department, and although they do not have written approval regarding items 1 & 2 under Engineering, based on the information that Mr. Hutchinson received from Mr. Bruner, it appears that all of the proper notations required by the County Engineer have been made to the site plan.

Mrs. Touw asked Mr. Jones to read the notation placed on the site plan regarding the fencing and buffer. Mr. Jones read the following: "The existing wood fence, approximately 8 ft. high, is to remain and is not to be disturbed."

Mr. Jim Bruner, Glynn County Engineer, stated that based on his meetings with Mr. Hutchinson, it does appear that all of the concerns have been addressed. However, he stated he would look at this in more detail and submit a written report.

Following discussion, a motion was made by Mrs. Iris Touw to approve this request subject condition #4 under Planning & Zoning being met and subject to final approval by the County Engineer prior to any building permits being issued. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mrs. Touw pointed out that the Planning Commission received the site plan on Friday (Jan. 30th) and the notations were made to the plan on yesterday and this morning. She stated that in the future, it would be very helpful to the members if they were given the opportunity to look at the site plan prior to the meeting (instead of looking at the modified plan at the meeting.)

After discussion, the motion was unanimously adopted.

SUP-2-98

Request for a Special Use Permit in an R-9 One-Family Residential District to allow a mobile home as a medical hardship; subject property consists of 3.22 acres fronting on the northwest corner of Boyd Drive and Old Jesup Road.

Property owned by Edward L. and Frances V. Martin.

Mr. Edward Martin was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is for a Special Use in an R-9 One-Family Residential District to allow the existing mobile home to remain on the property due to a medical hardship. Mr. Milburn explained that in 1992, a Special Use Permit for a mobile home was granted in order to allow the property owner's mother, Mrs. Lloyd, to reside in the mobile home due to medical problems, which required her to live in a protective environment so that her daily needs could be met.

Mr. Milburn stated that earlier this year, the county did a review of Special Use Permits that were granted for the placement of a mobile home as a hardship (in the time period of 1990 to present) to determine the status of each request. During this review, it was discovered that the mobile home was still located on the subject property, but the permit had expired. Therefore, the property owner is requesting a new Special Use Permit at this time.

Mr. Milburn pointed out that a statement from David L. Lawson, M.D., confirming Mrs. Lloyd's medical condition has been submitted. The documentation states that Mrs. Lloyd currently resides at the "Brian Center Inn Nursing Home" on St. Simons but also makes periodic trips to her residence. 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. Jeff Shell. 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.

GC-36-97

Request to rezone from R-6 One-Family Residential to Planned 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's property) and beginning approximately 600 ft. east of Demere Road and 350 ft. west of Ocean Blvd.

Property owned by Emory A. Rooks
Tony Thaw, Agent

Mr. Rooks and Mr. Thaw were present for discussion.

Mr. Milburn explained that the Planning Commission deferred this item at the December 2, 1997 meeting in order to allow more time for the applicant and staff to come up with a zoning that would be suitable for the area.

Mr. Milburn stated that he met with the applicants at the site. After meeting with the applicants and after reviewing all concerns, it was his understanding that the applicants would submit a new zoning text to include the entire property.

Mr. Milburn then presented the plan for the Planning Commission's review. He stated that the applicant has submitted a new zoning text, but it does not include the front portion of the property. The applicants feel that the front portion is already zoned commercial and they would like for it to remain commercial. Therefore, Mr. Milburn stated that staff is recommending denial for several reasons: 1) The policy of the county is that the subject property on the Comprehensive Land Use Plan designates the area as future residential property; 2) Staff feels that this property should be integrated into one zoning text; and 3) Staff is concerned about the additional commercial traffic on Arnold Road.

Mr. Tony Thaw, agent and partner, thanked Mr. Milburn for meeting with them. He stated that they have made several changes to the plan since the December meeting. When the plan was reviewed in December, the applicants were requesting a General Commercial zoning. The concern at that time was that the GC zoning is so broad that if the request were approved for this zoning change, anything allowed under the GC District would be permitted.

Mr. Thaw stated that after meeting with staff, the applicants decided to submit a Planned Commercial zoning request. He stated this was discussed with Mr. Milburn. Mr. Thaw pointed out that the reason they chose to leave the front portion General Commercial is because they have already submitted plans to the Building Inspections Department on the first three units (units A,B,C) to begin construction.

Mr. Thaw stated that Arnold Road is under construction at this time and while this construction is in progress, he got permission from the County Engineer to stub in for the storm drainage, 24 inch pipe and an 8 inch water line at his own expense.

Mr. Thaw stated that there is concern about the traffic on Arnold Road, but no one has done a traffic study. He pointed out that the traffic count in the last two months is averaging approximately two cars per day. Mr. Thaw stated that they are trying to put professional people in the units and he feels that traffic will not be a problem.

Regarding the Comprehensive Plan, Mr. Thaw stated that this plan is basically a 20-year guide and is subject to change if deemed necessary. He stated they thought of different ways to develop the property, but this seems to be the best way. They have redesigned the plan and increased the parking spaces from 50 to 70.

Mr. Thaw presented drawings prepared by Mr. Bill Lorenz-Hooker, local architect, which shows the first three buildings. He stated this will be a very unique project. Downstairs will be commercial for office usage and upstairs will be residential. Mr. Thaw stated he feels that this project will be an asset to St. Simons. He pointed out that they received no opposition from the neighbors, and he reiterated that the applicants would like to leave the front of the property as currently zoned so that they can start construction, and rezone the back portion to Planned Commercial.

Mr. Jonathan Williams expressed concerns about an existing structure located near the property. He wanted to know how long the applicants would tolerate the existing house, and what would happen if they decide that this house is defacing their property. Mr. Thaw explained that the house is occupied by an elderly lady. He stated that it is an older house but it will not have any affect on their property or business. He stated that it is their desire to get along with the neighbors, and there are no plans to remove the house.

Mr. Emory Rooks, property owner, stated that over the years he and the neighbors have always worked in a harmonious environment. He stated that the owner of the existing house has plans to remodel the house and he will assist her. He stressed that they won't do anything to jeopardize any homeowner in the neighborhood. In fact, he and Mr. Thaw will assist anyone in the neighborhood in upgrading their property. Mr. Rooks stated that the neighbors are very eager for them to proceed with this project, which will be a very pleasant design.

In addressing the traffic issue, Mr. Rooks stated that most of the businesses will require appointments, therefore they don't expect random traffic. He stated that Arnold Road has a lot of history and he plans to keep the history and the neighborhood in tact.

Mr. Hart stated that the six standard questions were read at the December meeting; however the answer to question #4 has an error, which reads: ...the proposed rezoning to **General Commercial** will use Arnold Road... Mr. Hart stated that General Commercial should be changed to **Planned Commercial**. This error was noted and corrected.

Mr. Hart asked if any of the other questions were changed. Mr. Milburn stated that if the Planning Commission adopts a motion for approval, then some of the items in the six questions would have to be changed.

Mrs. Touw stated that if this proposal is being presented for consideration, then the six questions need to be reviewed, as well as the exceptions to the Planned Commercial District Text. She pointed out that there would be a variance on signage and setbacks, and no one has mentioned that the requirement of 50 ft. from residential is being proposed as 10 and 5. Mrs. Touw also stated that the Planning Commission needs to know the implications of the two zoning districts connecting. There is no setback requirement for the front portion of the property, which is zoned General Commercial, but she needs to know if the Planning Commission is being asked to make a variance for the Planned Commercial side.

In addressing the setbacks, Mr. Thaw stated that originally in December, they were requesting a General Commercial zoning, which required no setbacks. At that time they were using a 10 ft. setback to help make a buffer, and they have asked that it remain at 10 ft. in order for the project to work as a viable asset. On the other side where they are asking for a 5 ft. setback is county property that's locked in. He stated that they have asked for a couple of exceptions in the Text. He further stated that they were told that they could write their own Text, and that is what they did.

Mrs. Touw asked Mr. Thaw if he was aware that he was asking for an exception to signage size. Mr. Thaw replied no. Mrs. Touw then read the following from the Text: "...one free standing sign identifying each business with a total area not to exceed 50 sq. ft." She pointed out that the signage size for St. Simons Island is 24 sq. ft., and therefore the proposed signage is an exception that needs to be noted. Mr. Thaw stated he was not aware of this and would not request an exception in this case. He stated that he would abide by the 24 sq. ft. sign requirement for St. Simons.

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

Mr. Hart stated that what the applicants are proposing will be a very nice looking building that will not have the appearance of a commercial business. Mr. Williams agreed. He added that the project will be aesthetically pleasing.

After discussion, the motion for approval was unanimously adopted.

Mr. Milburn expressed concerns about this request being presented to the Board of Commissioners in that the six standard questions were not addressed. He stated that the questions need to be addressed and he is prepared to help. He further stated that what has been done is in a negative based on staff's recommendation of denial. Mr. Milburn suggested that they (the planning members) make another motion indicating that the Planning Commission recommends that the Comprehensive Land Use Plan Map reflect that the commercial designation in this neighborhood be expanded to this property. He also suggested that the six questions be addressed at this time.

Chairman Jones stated that in the past, the Planning Commission had never made a motion to amend the Comprehensive Plan. She pointed out that the Comprehensive Plan is a plan that is subject to be changed. Mr. Milburn agreed and stated that is what the Planning Commission would be doing.

Mrs. Touw commented that the Planning Commission is making a recommendation. She stated that staff has a recommendation and so does the Planning Commission, but this has happened before. However, until a request is approved by the County Commission, she doesn't think the question of the Comprehensive Plan necessarily comes in to play. She stated that the Planning Commission has never had the Comprehensive Plan come in to play on a decision at this point. She feels that if this is going to be incorporated, then perhaps a work session is necessary for further discussion.

Mrs. Taylor stated that for the record and in accordance with the ordinance, the six questions should be addressed. Chairman Jones stated that the motion was made and passed. However, Mrs. Taylor stressed that the public hearing requires the six questions be read. If that is the case, Chairman Jones stated the six questions should have been addressed at the time staff made the presentation.

Mr. Hart pointed out that this request is continuous from the December meeting and the six questions were read at that time. He noted that a correction was made to one of the questions. Mrs. Taylor stated that this is a continuation, but the difference is that the request has been changed and re-advertised. Chairman Jones stated that in her opinion and in the opinion of the Vice-Chairman, this is a "done deal."

Mr. Hart asked if it would help if he were to rescind his motion and offer another motion that the six questions be read first. At this point, Chairman Jones solicited assistance from Attorney Jameson Gregg for a legal opinion due to there not being a County Attorney present. However, Attorney Gregg declined and stated that he is not familiar enough with the minutia of all of the laws dealing with this issue.

Mr. Richard Altman stated that the point of order was not made during the motion; it was voted, seconded and passed. Chairman Jones stated that all of the items were addressed previously and she has no questions about any of

the items. She then asked the planning members if they had any questions. They each replied no.

GC-6-98

Request to rezone from Freeway Commercial to Forest Agricultural 149 acres located to the south and east of South Port, Phase I and the Glynn County Board of Education property (Satilla Marsh Elementary); further described as vacant property located between U.S. Highway 17 and Interstate 95, having frontage along South Port Parkway.

Property owned by the South Port Group

Mr. Ronnie Perry was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is to rezone property owned by the Southport Group (near the southwest quadrant of Exit 6). The property consists of 149 acres, located between U.S. Highway 17 and I-95, adjacent to the new Satilla Marsh Elementary School, the Glynn County well site & sewer facility, and Phase One of South Port Subdivision (commercial).

Mr. Milburn explained that the property owners rezoned 42 acres from Forest Agricultural to Planned Development in 1988. At that time, it was stated that the property was a portion of 1,400 acres proposed for development in the future as residential and commercial. In 1992, 131.43 acres were rezoned from Forest Agricultural and Freeway Commercial to Planned Development, which is known as South Port. The property owners feel that there is adequate land remaining to be developed as commercial and they would like to expand their existing Forest Agricultural property to allow a residential development and other permitted uses outlined within the district. Mr. Milburn pointed out that this would be a down-zoning.

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 uses permitted in the Forest Agricultural District would be more suitable than the uses permitted in the existing zoning district (FC), being adjacent to a new school.

- **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;**

The applicant has stated that there would be adequate commercially zoned land to serve the area, therefore the subject property would economically be better served as a Forest Agricultural District.

- **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;**

Forest Agricultural District uses would cause a less excessive burdensome use of existing streets, transportation and utilities than uses permitted in the Freeway Commercial District.

When the property is developed for residential use, schools would be a necessity, which was anticipated with the construction of the new Satilla Marsh Elementary School.

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

The Land Use Plan designates the property as future commercial. Staff recommends changing this land use designation to low-density residential. The request would then conform to the Comprehensive 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;**

Yes, new school and anticipated need for residential rather than commercial land.

Mr. Milburn stated that staff recommends approval of this request. The land use change from Freeway Commercial to Forest Agricultural is a down-zoning of the property.

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

The Planning Commission took a 10 minute recess. The meeting resumed at 11:26 a.m.

GC-2-97C

Consider amending the Glynn County Zoning Ordinance, Article VIII, Section 803.5 Fluttering Ribbons & Banners

Mr. Milburn stated that when this item was discussed at the December 2, 1997 Planning Commission meeting, there were concerns regarding the legalities of amending the Zoning Ordinance to permit Fluttering Ribbons & Banners

exclusively in the Highway Commercial District. Mr. Milburn met with the County Attorney who offered a verbal opinion that this would be legal, which is why we have individual zoning districts, and in his opinion, the proposed would hold up in court.

The following amendment was included in the packages for the Planning Commission's review (the changes are indicated in **bold print**):

803.5.3 Fluttering Ribbons and Banners. Fluttering ribbons and similar devices are prohibited **except in HC Highway Commercial District. Fluttering ribbons and similar devices shall not be permitted in the Planning Districts 10, 11, 12 and 13, being that portion of land on St. Simons Island, Sea Island and Little St. Simons Island as designated by Glynn County.** Banners shall be allowed in commercial districts with the following conditions:

1. To be used for temporary promotional purposes only, maximum of thirty (30) days; **except in HC District, no limitation of number of days;**
2. All four (4) sides to be tied down;
3. All setbacks are to be met; and
4. One banner per location.

Chairman Jones stated that she had never heard of the Planning Districts, and asked who in the county designated these districts. Mr. Lee Gilmour stated that the Planning Districts were adopted by the Glynn County Board of Commissioners in October 1993 based on a recommendation from the Planning Commission. Chairman Jones stated that from previous discussions, she thought these were designated as Tracking Districts. Mr. Gilmour stated that the Planning Commission discussed Tracking Districts; however, when this came before the Board of Commissioners, the Board adopted it as Planning Districts and they did not put any other caveats with it. Chairman Jones wanted to know if these districts are mentioned in the ordinances. Mr. Gilmour replied that these districts are not in the text but will be incorporated.

Mr. Gilmour explained that the original purpose of the Planning Districts was for certain issues that may be extremely important to one particular area of the county, but may not necessarily apply to other areas of the county. The Board does not feel that it would be appropriate to allow Fluttering Ribbons on St. Simons. Therefore, in their discussions, they are requesting that the Planning Commission consider that the use of the Fluttering Ribbons, as the amendment is written, be allowed excluding those specific Planning Districts.

Mr. Hart pointed out that there is no size limit included in the amendment, which indicates to him that the Fluttering Ribbons could be any size and possibly hang from a balloon. Mr. Gilmour explained that there are sign amendments relative to the balloon issue. However, what is being proposed at this time is an amendment to allow the Fluttering Ribbons as they are currently defined. One caveat relative to the size is going to be how much of a distraction this would be from a traffic standpoint or from a marketing standpoint.

Mr. S. C. Anderson, St. Simons resident, wanted to know if the airport property on St. Simons is excluded from the Highway Commercial District. Mrs. Taylor stated that the airport property is zoned Planned Development. Mr. Anderson presented photographs of large corporate logos on banners flying above a business at the Airport Authority. He stated that it is not a corporate flag but it is a banner. Mr. Altman pointed out that according to the amendment, as it is written, Fluttering Ribbons and Banners are not allowed on St. Simons.

Chairman Jones had questions regarding the difference between a banner and a flag. Mr. Conley stated that according to Article VIII, Section 802.2, "national flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this article." He explained that if it represents the business it is considered a flag and not a banner in accordance with the definition.

Mr. Milburn stated that the first part of Section 803.5.3 is referring to Fluttering Ribbons, which states that they are prohibited except in Highway Commercial Districts. The very last sentence deals with Banners, which states that Banners shall be allowed in commercial districts with the conditions. He stated that perhaps the Planning Commission needs to be more specific on whether or not Banners would be permitted in Planning Districts 10, 11, 12 and 13.

Expounding on Mr. Altman's comment about Banners not being allowed on St. Simons, Mrs. Taylor pointed out that the way the amendment is written, Banners would be allowed on St. Simons, but Fluttering Ribbons would not be permitted.

Mr. Hart had comments about the interpretation of "air socks." Mr. Conley stated that this issue has never come up, but in his opinion, "air socks" would come under the category of "similar devices."

Following discussion, a motion was made by Mr. Hal Hart to recommend approval of this amendment. The motion was seconded by Mr. Jonathan Williams. Discussion continued. Mr. Hart stated he's concern that approval of this amendment appears to make "similar devices" illegal in residential districts. Mr. Milburn stated that nothing is being changed except allowing them in Highway Commercial Districts.

After discussion, the motion for approval was unanimously adopted.

GC-2-97D

**Consider amending the Glynn County Zoning Ordinance,
Article VI, Section 617 Exceptions to Height Limits**

Mr. Milburn explained that the Board of Commissioners has requested a recommendation from the Planning Commission

regarding Section 617. He stated that staff is recommending the following (words with lines drawn through will be deleted and words in **bold** print will be added):

Section 617. Exceptions to Height Limits

The Height Limits in this ordinance shall not apply to ~~spires, belfries, cupolas, domes, monuments, roof signs,~~ water towers, ~~observation towers, electrical transmission towers, silo,~~ chimneys, ~~smokestacks,~~ elevators, **(provided any enclosure shall only be large enough to encase the elevator, not provide additional habitable floor area)** ~~conveyers, flag poles, mast, church steeples, and windmills~~ (subject to provisions of Section 609) ~~provided such structures are not used for human occupancy.~~ All structures which exceed a height of ~~150~~ **100** ft. MSL shall be reviewed and approved by the Planning Commission prior to the issuance of a building permit. Structures in excess of ~~250~~ **200** ft. MSL shall be approved by the Planning Commission prior to submitting the "Notice of Proposed Construction of Alteration" (FA from 7460-1). The Planning Commission, before hearing the request, shall afford the Glynn county Airport Manager an opportunity to comment in writing as to the affect such structures may have on airport approach zones and flight patterns...

Mr. Milburn stated that he spoke with Mr. Brian, Airport Manager, about this amendment, but did not elaborate because Mr. Brian stated he would be present to discuss the amendment and answer questions. Mr. Altman suggested that this item be tabled until the Airport Manager is present to answer questions.

Mrs. Touw stated that the previous Airport Manager had recommended that the heights be lowered but she doesn't recall a recommendation to change the language or anything else. She stated that the amendment should be discussed and not tabled because of the Airport Manager's absence.

Chairman Jones wanted to know the purpose of removing the electrical transmission towers from the ordinance.

Mr. Gilmour stated that Glynn County has two operable airports, Glyngo and McKinnon. Each of those airports will have a certain scale back area where heights are prohibited, which is the only reason the Airport Manager is being provided the opportunity to comment and address the issue.

Mr. Gilmour stated that the major issue for the Planning Commission to look at in his opinion is the proposed use of the tower, i.e., is the proposed use appropriate for the type of land use relative to surrounding land uses.

In addressing the electrical transmission towers, Mr. Gilmour stated that the Board of Commissioners feel that it is important that the installation of transmission lines (the size that runs over to St. Simons) be reviewed by the Planning Commission because of the impact it would have on neighborhoods. He stated that this is not an issue that deals only with St. Simons, but also along I-95, Exit 6,

etc. The Board feels that when there is an exception to the height ordinance, there needs to be some type of review.

Mr. Williams commented that this is the first time that he has heard of the Planning Districts. He stated that in an effort to simplify things, why can't it be known that certain things are not allowed in some areas of the county. Also, there should be some means by which we direct people to the experts with more technical knowledge than that of the Planning Commission so that they may obtain this information and answers in a timely manner.

Mr. Gilmour stated that the Board feels that this is an issue that should potentially apply countywide; however, it is a much more pressing issue in the urbanized areas of the county. If the Planning Commission feels more appropriate in recommending that this apply to certain districts, the Board would consider that recommendation. Mr. Gilmour also pointed out that staff can only work within whatever the confinements and definitions are. He stated that the issues surrounding the height limits have moved away from just making a technical determination to a land use policy issue.

Mr. Altman stated that in his opinion, the rules should apply countywide.

Regarding conveyors and smokestacks being deleted from the amendment, Mr. Hart wanted to know if this would impact businesses like GA Pacific. Mr. Gilmour explained that any type of existing use would remain and any modifications to the smokestack towers that follow the criteria would be allowed. However, if GA Pacific decides to add another bleaching unit that would require a smokestack to a height that would have an impact on the surrounding land uses, it would have to be reviewed as a requirement of the ordinance.

Mr. Bill Lorenz-Hooker stated that any action in reduction of the height should have some type of mechanism for a grace period. He stated that from an architectural standpoint, it is nice to have character with some of the roof elements, such as cupolas and domes. Mr. Hooker emphasized that the definitions should be clarified and clarification is needed on how the height is measured.

Attorney Jameson Gregg also expressed concerns about striking some of the items, i.e., spires, belfries, cupolas, domes, etc. Mr. Bill Edenfield stated that he is concerned about the limitations affecting the architectural creativity.

Following discussion, Mrs. Iris Touw made to a motion to forward this item to the Board of Commissioners with a recommendation for approval, and for the Board to consider having it so that any exceptions to the height for architectural reasons be referred to the Planning Commission for review. The motion died for lack of a second.

A motion was made by Mr. Richard Altman to accept the ordinance as recommended with no exceptions. (In other words, the height limits in the ordinance shall apply to all structures that exceed the height of 100 ft. and shall be reviewed and approved by the Planning Commission prior to issuance of a building permit.) The motion died for lack of a second. Discussion continued.

Mrs. Touw commented that the height limitation on the mainland is different in different zoning districts; however, the maximum height on St. Simons Island is 45 ft., which means that we're referring to exceptions of all height limits. The 100 ft. height is only dealing with the airport.

Mr. Hal Hart stated that the Planning Commission and the public needs more time to review this amendment as it is written. Therefore, a motion was made by Mr. Hart to defer this amendment for public review and comment. The motion was seconded by Mr. Jonathan Williams. 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.

MINUTES

- a) December 2, 1997
- b) January 6, 1998
- c) January 22, 1998 (work session)

A motion was made by Mr. Lamar Cole to approve the Minutes of the December 2, 1997 Planning Commission meeting. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Jeff Shell was not a member at that time and therefore abstained from voting.)

A motion was made by Mr. Lamar Cole to approve the Minutes of the January 6th Regular Meeting and the January 22nd Work Session. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

It was the consensus of the Planning Commission to schedule a work session for Thursday, February 12, 1998 at 9:00 a.m. in Room 232 of the Office Park Building.

COMMISSION ITEMS

Chairman Jones distributed a copy of her response to a question from a concerned citizen for the Planning Commission's review.

Also under Commission Items, Mrs. Iris Touw submitted a written response to Mr. Milburn's January 29th memo regarding Application GC-4-98. Mrs. Touw stressed that she is very disturbed by this because of the Planned Commercial Text, which clearly states that any material change in a Planned Commercial Text will come as an amendment to the Planning Commission for review and recommendations, and will then be forwarded to the County Commission. In this case, there is a material change but the item did not go through the process. She also referenced Article V, Section 501.1 relative to this particular case.

There being no further business to discuss, the meeting adjourned at 12:30 p.m.