

MINUTES

GLYNN COUNTY PLANNING COMMISSION
JULY 7, 1998 9:00 A.M.

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

STAFF PRESENT: Charles Taylor, Community Dev. Director
Keith Taylor, Assistant County Attorney
Ron Milburn, Planning Official
Dick Newbern, Planner
Deborah Taylor, Zoning Administrator
Jim Bruner, County Engineer
Ellis Carter, Building Official
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.

Regarding Agenda **Item #5 (Minor Plat Application for Joe & Luanne Fendig)**, Mr. Charles Taylor distributed information from the Subdivision Regulations concerning resubdivision of land per Section 802. He explained that Section 802.1(b) allows staff to approve the resubdivision of land when lot lines are being changed. Therefore, for this reason and due to the ruling received from the County Attorney's office, he is requesting that Item #5 be removed from the Agenda and allowed to be approved by staff. It was noted that Mr. Taylor's request was granted.

**Island Fanta-Sea
Retail Business
Exterior Improvements
Add Canopy/Awning with Signage
202 Mallory Street, St. Simons
Zoned General Commercial-Core**

**Water Taxi Service/Cap Fendig, Applicant
Betty Pate, Business Owner**

Mr. Cap Fendig was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review.

Mr. Cap Fendig is proposing the installation of a sign in the Village to attract purchasers of tickets for his Island Transit Company water trolley service.

Specifically, he is proposing to erect a 6 ft. 5 in. wide, 3 ft. high blue canopy awning above the closed floor-level window located on the south side of the red brick building leased by Ms. Rebecca B. Pate for her Fanta-Sea retail store at 202 Mallory Street. The building is located west of Brogen's across the alley. The awning will be on the side of the building facing the ocean. The canopy will include the lone word "TOURS" on the lower face. The purpose is to encourage tourists and beach enthusiasts to visit the Fanta-Sea retail store as a place where tickets can be purchased for Mr. Fendig's St. Simon's Transit Company, which carries customers across the St. Simons Sound to Jekyll and other coastal amusements.

A drawing of the lower face containing the word "TOURS" was included in the packages for review. Originally, a drawing of two dolphins was proposed to appear on the top face of the awning, but the dolphins have since been removed.

The Lessee of the property, Ms. Rebecca Pate, and the property owner, Ms. Anne Cork, endorse the installation of the awning. Ms. Pate, the Lessee, is a co-signature on the Village Preservation application with Mr. Cap Fendig.

The installation of the awning will in no way change the present area near the pier, which is used for loading and unloading persons with tickets to use the water taxi service. The awning is only intended as an identity marker for a place that sells tickets for Mr. Fendig's water taxi service.

Mr. Ken Conley, Senior Field Inspector of the Code Enforcement Division, recommends approval with the condition that the County Commission grant permission to erect the awning above the sidewalk right-of-way.

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

1. The Glynn County Board of Commissioners must approve a "use of public right-of-way permit" in order to allow the extension of the proposed canopy into the sidewalk right-of-way.

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

Mrs. Iris Touw asked the applicant if he intends to open the door (on the south side of the building facing the ocean). Mr. Fendig stated that the door has not been used; however, he is investigating this issue with staff for clarification as to the usage for the door. If it becomes necessary, he will bring this back to the Planning Commission for review. Presently, there are glass windows and he will have signage to indicate entrance around to the front of the building.

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.

It was noted that Mr. Fendig presented brochures at this time for the Planning Commission's review.

**Exterior Improvements
Residence at 544 Poplar Street
6,641 sq. ft., Zoned R-6 One-Family
Residential**

Mr. Alan Strihafka, owner, was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The applicant proposes to restore and make additions to a 1,600 sq. ft. wood frame cottage at 544 Poplar Avenue in the Village. Specifically, he proposes to add a 324 sq. ft. screened porch to the rear, or south side of the existing structure. The porch will be erected on cinder blocks identical to the blocks supporting the rest of the structure. Also proposed is a 275 sq. ft. outdoor pressure-treated pine deck on the southeast corner of the property. The deck floor will be level with the floor of the rest of the house. It will be made of 1" X 6" pine boards erected on joists and blocks for support. A third addition will be a small 24 sq. ft. closet built onto the west side of the house behind the existing bathroom.

In addition to the physical additions to the house, the applicant proposes to repaint the house, including the shutters, and re-roof the entire structure. The paint color he has chosen for the house is a "solo white," which is very similar to the existing house color. The window shutters of the house will be painted an "abstract aqua" color, which is different than the existing light green color of the shutters. A copy of the paint samples was presented for the Planning Commission's review.

The re-roofing will include architectural style light gray shingles identical in color to the existing shingles. The total estimated cost of the exterior improvements, including the physical additions, painting and roofing, is \$24,500.

There are no houses or dwelling units on either side of the applicant's house.

Section 709.5 of the Glynn County Zoning Ordinance restricts lot coverage to no more than 50% or new construction or construction alterations in the Village. The addition of the total 623 sq. ft. (porch, deck and closet) to the existing dwelling will increase the total lot coverage to 2,223 sq. ft., which is 33% of the total lot area of 6,641 sq. ft.

The existing house has a 6 ft. 6 in. setback on the east side of the property. This substandard setback does not represent a non-conforming structure because the lot and the house have been in existence since 1948, well before the enactment of the first County Zoning Ordinance in 1966. The new additions to the house; namely, the deck, the porch and the closet, all fall within the zoning setback requirements.

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

Mr. Strihafka explained that he purchased the house to preserve the details. He stated that the house will be restored to look much like it does now, but better.

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

**Site Plan
Better Ponds & Gardens,
dba Island Landscape, 32,193 sq.ft.lot
Zoned Planned Development-General**

Ms. Karen Babson, President of Better Ponds & Gardens, Inc. was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review.

This is a proposed 1,125 sq. ft. retail garden supply store to be located on Gary L. Moore Court, just south of Airport Road and south of the Floor Decor site that was recently approved by the Planning Commission at January 1998 meeting. This proposal is located in the PD-G District of McKinnon Airport.

Approximately 10,497 sq. ft. of the south side of this 32,173 sq. ft. site was once used as part of an inert landfill. The landfill has been closed for many years and

the soil tests have met the scrutiny of the State of Georgia and the Glynn County Development Authority. The testing data was included in the packages as part of the sublease agreement with the applicant

The proposed use of this site as a garden supply retail establishment conforms with Page 6, #3 of the PD-Zoning Text, which provides for a "retail or wholesale business, including open or closed storage of goods."

The total proposed site is 32,193 sq.ft. or .739 acres. The site includes the 1,125 sq. ft. (45' X 25') garden supply store, and two 1,070 sq. ft. greenhouses to be located on the north and south sides of the store. The exterior of the retail store will be comprised of T-111 cedar wood siding and will be painted a "Cliffside gray" neutral color. The exterior trim will be a "Tarrytown" green, which is a deep green. The seamed metal roof will be an "evergreen" color. The two 1,070 sq.ft. greenhouses will be constructed of clear polycarbonate thermoglazing commonly in greenhouse construction. Samples of these colors and materials were distributed for the Planning Commission's review.

The 1,125 sq.ft. retail garden shop requires 6 parking spaces to be provided per Section 611.6 (d) of the Zoning Ordinance. The applicant is providing 16 spaces on-site, including 1 handicap parking space. Each parking space meets the requirements of Section 611.1 of the Zoning Ordinance regarding minimum parking size (8 ½" X 18'), parking space and backing areas (300 sq. ft. total). The 10 contiguous parking spaces on the west side of the site will be paved and the 6 spaces on the south side have a gravel cover.

The traffic access, paved and gravel drives, pedestrian sidewalk access and loading areas meet the site plan and Planned Development requirements. The total impermeable site coverage is 46%, or less than the 50% maximum set forth in the Planned Development text.

On the south side of the site to the right of the entrance is a "Paver Layout Area" as shown on the site plan, which is an open area that will be used for displaying brick pavers and for displaying outdoor garden supplies.

A 4 ft. x 6 ft. ground sign will be located near the entrance made of wood sandblasted and similar to the Island Landscape Center sign. No signs are proposed for the retail building or greenhouses.

The County Engineer and the Water and Sewer Division have recommended approval of this project. Building Inspections and the Fire Department also recommend approval.

Mr. Newbern stated that the Planning & Zoning staff recommends approval of the proposed site plan with the following three conditions:

1. The 26-page Sublease Agreement executed between the Brunswick and Glynn County Development Authority and

Better Ponds and Gardens on June 25, 1998 must meet the concurrence of the Glynn County Board of Commissioners. This is pursuant to Section 36 of the Sublease Agreement, which reads as follows:

36. Sublease Approval. This Sublease shall automatically become effective pursuant to Section 20 of the aforesaid Lease Agreement between Glynn County and Sublessor, dated October 11, 1988 as amended, unless the county gives written notice of its disapproval to Sublessor and Sublessee within thirty (30) days of Sublessor's request that the county recognize this sublease.

2. The proposed 4 ft. x 6 ft. ground sign must be moved at least 20 ft. from the property line so that it is not within the 20 ft. front setback.

Mr. Newbern pointed out that staff has determined that due to the ground sign being located out of the easement, it does conform to the Sign Ordinance. The proposed location, which is 10 ft. from the property, is in conformance with the ordinance. Therefore, staff is requesting that condition #2 be deleted.

3. The proposed 6 ft. fence that is shown around the site must be moved on the north side of the property so that it does not occupy any portion of the 20 ft. sanitary sewer easement.

Mr. Newbern explained that Ms. Babson and the Water & Sewer Department have come to an understanding regarding the fence being located in the water & sewer easement. Ms. Babson submitted a letter to the Water & Sewer Division of Environmental Quality Department stating that if the fence has to be removed for water & sewer maintenance, the owners of the fence would be responsible for replacing and maintaining the fence. The Water & Sewer Division has accepted that commitment from Better Ponds & Gardens. Staff would like to make a change in condition #3 to incorporate the statement from Environmental Quality as follows:

"...We are willing to accept this letter (from Better Ponds and Gardens) as their commitment to maintaining the fence if we (Water & Sewer) have to maintain the sewer. However, a provision should be put on the final plat that all successors to the title of the land are committed to removing and replacing the fence in the event maintenance is needed on the sewer."

At this time, Mr. Newbern presented photographs of the landscape center sign.

Mrs. Touw had questions regarding the off-street parking. She stated that the parking in the front of the building is paved. The side area and around the building is gravel. She wanted to know if the ordinance permits that many parking spaces without paving. Mr. Newbern stated that the ordinance permits a minimum of 6 parking spaces. Mrs. Touw pointed out that the entire site has more than 6 spaces. Mr. Newbern stated that the applicant has 16 spaces, which can be located on the site either gravel or paved.

Mrs. Touw then had questions about trucks coming in to unload. She stated that the trucks would be coming in on the gravel portion. Mr. Newbern replied that the trucks would come in to the loading/unloading area, which is gravel. Mr. Don Hutchinson pointed out that the trucks would be backing out, they would not go around. He stated that the driveway is for the applicant's in-house crew working on site.

For clarification, Mrs. Touw asked if staff is saying that it is not required for a site with that number of parking spaces to be paved. Mr. Newbern stated that the minimum is 6 due to the retail space, and the applicant is showing an excess of that, paved and gravel. Mrs. Deborah Taylor pointed out that 10 spaces or greater are required to be paved. Mrs. Touw asked if that means required by the site or required by the ordinance.

Mrs. Taylor read the following from the ordinance, Section 611. Off-Street Parking Requirements: "...Such off-street parking areas shall have direct access of sufficient width...minimum paving requirements for minor streets, except that commercial, institutional, industrial and all multi-family uses located on separate zoning lots which require less than 10 spaces shall only be required to pave access and service drives." Mrs. Taylor stated that the key word is "**required.**"

Mrs. Touw wanted to know if the applicant had received clearance from the Airport Authority regarding the fencing in the one (1) parcel. She stated that when Mr. Steve Brian, Airport Manager, discussed this issue his response was that he preferred landscaping instead of fencing. Mr. Newbern stated that the Airport Commission and the Development Authority signed off on the site plan.

Mrs. Touw asked if the greenhouse area would be used to grow plants or would people be allowed to go in and purchase plants. Ms. Babson stated that the greenhouse would be used for retail, the same as Wal-Mart or Lowe's enclosed greenhouse areas. Mrs. Touw stated in this case, why aren't her parking spaces being counted as retail space. Mr. Newbern explained that staff calculated the retail space at 1,125 sq. ft. Adding in the greenhouse would be 2,140 for a total of 3,265 sq. ft.

Mr. Richard Altman pointed out that when Home Depot was approved, the greenhouse area was considered in their total square footage. He feels that we (staff and the Planning Commission) should be consistent. Mr. Milburn stated that there is a little difference in this case. He explained that the greenhouse area isn't normally the area for customers. It is usually where the product is grown. Home Depot, for instance, is where customers go to purchase the product. However, Mr. Altman pointed out that the applicant stated that she was comparing her greenhouse area with Wal-Mart, Lowe's, etc. Mr. Milburn stated that perhaps this should be recalculated for required parking. He stated that his interpretation was that only the retail area and the other two areas would be devoted to growing plants.

Ms. Babson stated that there will be some growing in the greenhouse area and they will also use the area to unload the plants. She then pointed out the areas that would be used for displaying the plants. She stated her understanding was that this was not considered a permanent structure, but rather it was considered a miscellaneous structure because they are not attached to the building. She stated that the structures do open on the sides and she does have ample parking to cover all of the areas.

Chairman Jones stated that the concern is the requirement for paving based on the square footage. Ms. Babson stated that when she initially started the plans, staff calculated the retail space on the main covered building. Mr. Charles Taylor stated that this is an interpretation issue on the calculation of retail space. He stated that the Planning Commission would have to make that interpretation. He further noted that the applicant has outside retail area that customers would be using for shopping. He stated that the Planning Commission has to compare the intent of the ordinance providing sufficient parking spaces for the use.

Mr. Altman asked if staff explained to the applicant that the greenhouses were not considered retail space. Mr. Newbern stated that the information provided to staff was that the retail area would be the store area and the nature of business for the greenhouses would be for growing purposes. Therefore, staff calculated 1,125 sq. ft. store retail area, thus prompting the 6 parking space requirement. The greenhouses were not considered retail area. However, Mr. Altman reiterated that the applicant has stated that the area would be used for retail, or a combination. He stated that the Planning Commission gets criticized the most for doing one thing today and something different the next time. Again, he stressed that they need to be consistent in making recommendations.

Chairman Jones asked Ms. Babson if she would be willing to pave the area in question. Ms. Babson stated that she could either shut down the retail greenhouses and use them strictly as growing houses, or she could pave, but she has to move on.

Following discussion, a motion was made by Mrs. Iris Touw to approve this site plan with the following conditions:

1. The parking area for the site plan must be paved as required by the ordinance.
2. The 26 page Sublease Agreement executed between the Brunswick and Glynn County Development Authority and Better Ponds & Gardens must meet the concurrence of the Glynn County Board of Commissioners.
3. If the fence has to be removed for water & sewer maintenance, the owners of the fence would be responsible for replacing and maintaining the fence. All successors to the title of the land are committed to removing and replacing the fence in the event maintenance is needed on the sewer.

The motion was seconded by Mr. Richard Altman. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mr. Jeff Shell, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

**Preliminary Plat
Millcrest Subdivision
Located on Cypress Mill Road and
Sweet Gum Drive, 3.124 acres,
71 lots, Zoned General Residential**

Driggers Development Co., Owner/Developer

Mr. Harry Driggers was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a proposed 71 lot subdivision in a General Residential District located at the southwest corner of Cypress Mill Road and Sweet Gum Drive (unpaved). This subdivision is expected to contain primarily duplex developments.

Access to the 71 lots will be provided at both of the main subdivision entrances at Cypress Mill Road, and off of Sweet Gum Drive. A 60 ft. right-of-way is proposed to be paved to county standards [Section 602.4 (a) of the Subdivision Regulations, sub-collector street]. Inside the subdivision, the right-of-way reduces to 50 ft. and 40 ft., and serves as minor streets. All of the streets, including the main entrance at Millcrest Drive, are to be curbed and guttered in the subdivision. The Engineering Department has approved the reduction in the right-of-way width requirement due to the presence of curbs and gutters [Section 602.4 (a) of the Subdivision Regulations].

The present unpaved status of Sweet Gum Drive (60 ft. county r/w) does not violate any subdivision regulations. However, for information only, the county has Sweet Gum Drive on its paving list for calendar year 1999.

The subdivision name and the street names have been approved by the County GIS Mapping & 911 Departments.

The General Residential lot size requirement is 6,000 sq. ft. minimum, with a 60 ft. minimum lot width in accordance with Section 706.4 of Glynn County Zoning Ordinance. The lot size and width requirements are met on all 71 lots, including those lots around the four cul-de-sacs.

There are no wetlands on-site, as verified by documentation provided for the project file by Dr. Terry Sarigumba, who is certified by the U.S. Army Corps of Engineers to make such determinations.

For traffic safety purposes, Lots 1, 2, 3, 68, 69, 70, and 71 have no access onto Cypress Mill Road, although they share lot frontage with Cypress Mill Road.

The 1.257 acre common area at the center of the subdivision will serve as a detention pond. The .35 acre common area on the southeast corner of the subdivision will include a city owned sewer pump station. With the exception of the pump station, common areas will be owned and maintained by the owner or a homeowner's association. Regarding the detention pond, the top of the bank will be at least 5 ft. from any street right-of-way. This is to protect vehicular traffic using the cul-de-sac on the proposed minor street named Millcrest Drive.

The 30 ft. buffer that runs along the southern border of the property closest to Benedict Road is a vegetative buffer between the proposed subdivision and the commercial developments along Benedict Road. The 60 ft. right-of-way that runs through the subdivision is proposed as a sub-collector and minor street network to be dedicated to the county for maintenance at the time of final plat approval.

Approval of this subdivision will add an additional 678 vehicle trips (9.55 X 71) to the Cypress Mill Road and the Sweet Gum Drive area. The 678 vehicle trips figure represents 50% entering the subdivision and 50% exiting, which represents a 4.6% increase in the average daily traffic above the 14,890 vehicle trips counted along Cypress Mill Road in 1996.

The County Engineering Department and the City Water & Sewer Department have recommended approval of this plat. (The Fire Department and the Building Official recommends approval subject to conditions.)

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

1. Pursuant to Section 606.3 of the Subdivision Regulations, the fire hydrants that are now shown on the water and sewer plan must be more clearly identified and there must be a fire hydrant located every 500 linear feet throughout the subdivision.
2. The Soil Erosion and Sedimentation Control Permit for this project must be approved prior to any site work being performed.

It was noted that the Fire Department recommends approval subject to condition #1 and the Building Official recommends approval subject to condition #2.

Mr. Harry Driggers is aware of the conditions and is in agreement with staff.

Mrs. Touw expressed concerns about condition #2. She stated that according to Section 606.2 of the Subdivision Regulations, the Planning Commission cannot approve a preliminary plat until the Building Official has issued the Soil Erosion Permit. She stated that if an exception is being made, it should be noted as such. Mr. Charles Taylor explained that the Planning Commission's approval does not

actually go into affect until the condition is met. Mrs. Touw said she understands; however, it is not stated in that way and she wanted staff to be aware of this.

Following discussion, a motion was made by Mr. Richard Altman to approve this request with the two conditions stated by staff. 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. Abstained From Voting: Mrs. Iris Touw.

GC-16-98

Request to amend 21-82 Planned Development Zoning Text and Master Plan. Amendment involves signage for the "Home Depot" site, 10.22 acre tract located within the proposed Golden Isles Plaza, south of F-009 Spur, east of Scranton Road and north of Old Cypress Mill Road.

**The Home Depot, Owners
Holly Reid, Collins Signs, Agent**

Ms. Pam Hebert, National Sign Consultant for Home Depot, was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This request is for an amendment to an existing Planned Development for the regional shopping mall and related commercial development area. The Planned Development Zoning Text was originally adopted in 1982 with amendments approved to the document in 1982, 1986, 1993, 1995 and 1997.

In accordance with Section 723 of the Glynn County Zoning Ordinance, exceptions or variations from the requirement of the Zoning Ordinance can be requested and included within a Planned Development Zoning Text.

The proposed development, to be known as Golden Isles Plaza, has been approved to allow the location of "The Home Depot" on a lot consisting of 10.22 acres. The signage submitted for the site does not meet the requirements as outlined in the Planned Development Zoning Text, nor the Glynn County Zoning Ordinance.

The application states that the sign package submitted is "The Home Depot" recognized national standard and is appropriate for the building size and it creates an aesthetic appeal.

Section VI B.6 of the Planned Development Zoning Text outlines the following regarding signage:

Exterior signage for the building exterior and principle identification signs will be at the discretion of the applicant but will not exceed in size and number the requirements as provided for signs within the General Commercial Zoning.

- A. The applicant is requesting four (4) signs with a total of 618 sq. ft. The Glynn County Zoning Ordinance allows a total of 500 sq. ft. of signage. The proposed would be 115 sq. ft. over what is allowed. Section 806 of the ordinance states:

On any occupied zoning lot in a commercial or industrial district not more than four (4) signs of any type having a total area of not more than 500 sq. ft. shall be permitted, provided that no single sign shall be more than 378 sq. ft. in size other than those allowed in Section 804.8.2.A (I-95).

- B. The applicant is requesting a canopy sign having 20 sq. ft. The Zoning Ordinance permits canopy signs at a maximum of 8 sq. ft. The proposed would be 12 sq. ft. greater than what is permitted. Section 804.9 of the ordinance states:

One sign may be painted, stenciled, or otherwise applied directly to any awning. The display area of such sign shall not exceed 8 sq. ft. The letters or symbols used shall not exceed 10 inches in height and indicating business name, use or address only. Awnings shall not be less than 8 ft. above pedestrian way. Awning signage is allowed in addition to the permitted signage of the district.

The applicant is requesting that the Planned Development Zoning Text be amended to allow the following total signage for "The Home Depot."

- One 5 ft. x 58 ft. Identification Sign
290 sq. ft. "The Home Depot"
- One 3 ft. x 58 ft. Tagline Sign
174 sq. ft. "Georgia's Home Improvement Warehouse"
- One 24 in. x 25.6 in. Sign
51 sq. ft. "Contractor Pick-up"
- One Canopy Sign
20 sq. ft. "Nursery"
- One 10 ft. x 10 ft. Pylon Sign
100 sq. ft. "The Home Depot"

Mr. Milburn stated that staff recommends approval of this request to amend the existing Planned Development. Drawings of the signs were included in the packages and displayed for review.

Ms. Pam Hebert gave a brief presentation. She stated that the package presented to the Planning Commission is the national standard sign package for "Home Depot." She explained that the square footage figures sound large, but the signs are not larger and are not too large for the building. The signs constitute only 3% of the building.

Ms. Hebert stated that in viewing the signs in the surrounding area and across the street, i.e., Glynn Place Mall, Belk, Sears and Staples, "The Home Depot" signs are not any larger than those signs. The hardship comes in to play because the name of the store (The Home Depot) is

longer than "Lowe's," which has only five letters. The "Lowe's" sign has 7 ft. large letters and makes a large statement from the street. However, in their case, the name of the establishment (The Home Depot) being much longer brings the square footage up, but from an aesthetic point of view, it is completely well balanced.

Ms. Hebert stated that it would be ridiculous to put very small signs on a building that is over 100 sq. ft. and sits back almost 1000 ft. from Golden Isles Parkway. She stated that if necessary, they could eliminate some of their incidental signs that explain to the customers where certain areas are located, i.e., the "Contractor Pick-up." This particular sign is a convenience to some of their largest group of customers and general contractors who purchase in bulk. She stated that the "Nursery" sign is only 24 inches tall and is not a lighted or illuminated sign.

In conclusion, Ms. Hebert reiterated that the numbers do sound large, but it is a very large footprint for a store and a very large building. She asked the Planning Commission to take this into consideration and she stated that "Home Depot" is looking forward to coming to Glynn County.

Mr. Hart pointed out that Ms. Hebert stated that the "Nursery" sign is 24 inches tall, but the text has it listed at 20 inches. Ms. Hebert stated that the number was probably reduced to get closer to the size requirement.

Assistant County Attorney, Keith Taylor, stated that according to the Sign Ordinance, there seems to be some restrictions as to what can be done as far as variances. He stated that there are several requirements that the four signs can only be 500 ft. Also, the statement in the PD Text, "exterior signage for the building exterior and principle identification signs will be at the discretion of the applicant but will not exceed in size and number the requirements as provided for signs within the General Commercial Zoning," indicates that the applicant will meet the requirements of the Sign Ordinance. However, the Sign Ordinance does not have a provision that would allow us to alter the signage.

For clarification, Mr. Keith Taylor stated that there is no provision in the Sign Ordinance that would allow a variance in this case. He then suggested that the Planning Commission defer this item to allow his office more time to study this request.

Mr. Hart stated that according to the PD Text, the applicant has stated that they would conform to the GC Sign Ordinance. Mrs. Deborah Taylor explained that the PD Text that is in the ordinance is the original PD for the entire mall. The applicant is asking for an amendment for the 10 acres only in order to amend the signage. She pointed out that there have been other amendments to PD's for signage, such as the theater sign on St. Simons, etc. She then referred to Section 723, which is the section that the applicant is using as a basis for the amendment.

Mr. Keith Taylor pointed out that there needs to be a definite clarification as to what the signage is going to be for this development. The entire development is considered a PD, and in amending the PD, we're amending the entire development. Therefore, from a legal standpoint, Mr. Taylor reiterated that he needs more time to study this request. Thereupon, a motion was made by Mrs. Iris Touw to deny the request for an increase in signage. The motion died for lack of a second. A new motion was made by Mr. Richard Altman to defer this item in order to allow staff more time to study the request. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart and Mr. Jeff Shell.

GC-19-98

Request to rezone from M-20 One-Family Residential to General Residential, a 1.049 acre tract fronting 202.62 ft. on the north side of Third Street, lying 345.51 ft. west of the Edo Miller & Sons Tract, which is located on the north west corner of U.S. Highway 17 and Third Street.

Property owned by Seascape Co., Inc.

Mr. Ronnie Perry, applicant, was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review.

In 1985, the subject property was rezoned from R-9 One-Family Residential to M-20 One-Family Residential to allow a manufactured home. This request is to rezone a 1 acre tract from allowing manufactured homes on 20,000 sq. ft. lots to General Residential to allow multi-family residential.

The concept plan shows the proposed development to be three two-family dwellings/duplexes. It also shows the six units located on three lots with each lot consisting of approximately 12,000 sq. ft. The zoning classification that is being requested is General Residential, which would allow multi-family residential at a maximum density of 10 units per acre. Since the property is proposed to be served by public water (City of Brunswick) and private septic tanks, the development potential is limited. If public sewer (City of Brunswick) were to be utilized, the development potential could be greater.

The subject area is a mixture of commercial and residential property. Immediately to the east is a strip of land 1,100 sq. ft. (46 ft. of frontage) that is zoned M-20. Located within this strip is a driveway that serves and is part of a single-family residential home, zoned Highway Commercial. Further east is the Edo Miller & Sons Funeral Home property located at the corner of Third Street and U.S. Highway 17, which has commercial drives from Third Street. Approximately 500 ft. to the northwest is a parcel

of land that is zoned General Residential consisting of four lots with single-family structures. Single-family residential is located to the west and south.

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, the subject property is surrounded by single-family development, R-9 and M-20 Residential Districts.

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

Yes, it would change the single-family character of the neighborhood.

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

Yes, as other properties that have been developed for single-family 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;**

Yes, by changing the allowable maximum density from two dwelling units per acre to a potential of 10 units per acre. Allowing the rezoning and possibly others along Third Street would put an excessive and/or burdensome use on community facilities.

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

No, the Comprehensive Land Use Plan indicates this neighborhood as 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, only conditions described above.

Mr. Milburn stated that staff is recommending denial of this request.

There were several adjacent property owners present to oppose this request.

At this time, Mr. Ronnie Perry stated that he has conferred with his client, and due to the overwhelming neighborhood opposition, he is requesting that this application be withdrawn. He stated that his client would reapply for an R-9 Single-Family Residential zoning at a

later date. For the benefit of the residents in attendance, Mr. Milburn elaborated on the definition of R-9 zoning and what it entails. Mr. Perry's request for withdrawal was granted.

The Planning Commission took a 10 minute recess. The meeting resumed at 10:25 a.m.

GC-2-98 E

Consider amending the Glynn County Zoning Ordinance, Section 302. Definitions, Amend definition for "Building Height" regarding how it is measured.

The following amendment was included in the packages for review.

READS

Building Height: The vertical distance of a building shall be measured from the average elevation of the natural grade of the property, prior to any development, to the highest point of the roof. A special exception to building heights may be granted by the Glynn County Board of Zoning Appeals upon finding unnecessary hardship has been imposed by the adoption of the FEMA (Federal Emergency Management Agency) Flood Damage Ordinance for AE and VE Zones.

Said special exception may allow a maximum building height in R-6, R-9, R-12 and R-20 One-Family Residential Zoning Districts and RE Residential Estates Zoning District not to exceed 35 ft. above the minimum base flood elevation as required by FEMA. In no case shall the height exceed 40 ft. as measured from the average ground elevation. In no event shall such building for which a variance is granted include more than three habitable stories.

PROPOSED TO READ

Building Height: The vertical distance measured from the average finished grade around the entire building at a perimeter line fifteen feet out from the building to the highest point of the roof.

Mr. Ellis Carter stated that staff is recommending that the definition for building height remain as it is currently written (with no amendments). He asked that the determination of natural grade be allowed to fall back in the hands of the Building Inspections Division.

In summarizing the Building Height Committee report, which was included in the packages, Mr. Charles Taylor pointed out that the committee found that the current way of determining building height is amicable and is the only way that it can be done reasonably. Grading activity and other changes to a project make it difficult to establish building height.

Mr. Taylor stated that the committee agrees with Mr. Carter to leave the ordinance as written; however, prior to any activity on the ground, the developer/property

owner should be required to provide to the Building Official a topographic survey of the property in an interval of 1 ft., or provide one spot elevation from 5000 sq. ft. of the property. Mr. Taylor requested that the ordinance continue as currently written, but he asked that staff be allowed to write an ordinance to that affect, requiring developers/owners to come in with the elevations. He also asked that staff be given leeway to make exceptions.

Ms. Patricia Collins representing East Beach Association was present to comment on the amendment. She stated that nothing has changed because each building height will be decided one lot at a time. She stressed that the residents of East Beach are very much against any variations in the height. Ms. Collins stated that there wouldn't be anything to prevent a property owner from buying a lot and filling it before obtaining a building permit. Mrs. Touw explained that staff is suggesting that the ordinance be left as written, and measure the height from the existing contour prior to any filling. She stated that the Planning Commission is not being asked to make any changes.

Ms. Collins asked if there is a topographic survey of each lot in East Beach. Mr. Charles Taylor replied no. He stated that currently, staff relies on the USGS quad maps for elevations, but those elevations are not accurate enough for the purpose of measuring building height. He explained that there are intervals where they cannot measure on a lot-by-lot basis. Therefore, staff is asking that the ordinance be left in tact, but allow staff to write an ordinance that would require each property owner to bring in a topographic map of their property before any filling is done. That would give staff the information needed to determine the natural grade.

Chairman Jones expressed concerns about staff being able to monitor property being filled. Mr. Jim Bruner pointed out that the definition currently states that "the vertical distance of a building shall be measured from the average elevation of the natural grade of the property..." He stated in his opinion, that makes it incumbent upon the developer to document that his height meets the requirement. The only way the natural grade can be documented and compared with the peak of the roof to show the distance is by a topographical survey. Mr. Bruner stated that the ordinance, as written, satisfies Ms. Collins' concerns. Mr. Taylor stated that staff would monitor this and enforce the ordinance accordingly; however, it will be very difficult to catch every violator. Mr. Carter added that staff would have to rely on homeowners associations, neighbors, etc. to assist in this aspect.

Mr. S.C. Anderson commented that staff is on the right track with the topographic maps and he feels that it should be a requirement for a subdivision plat approval. He stated that the "hole in the process" is when a lot changes hands. Mr. Anderson stated that perhaps the ordinance should require such a map when a lot changes hands for any reason.

It was the consensus of the Planning Commission to leave the definition of Building Height as it is currently written in the ordinance.

A motion was made by Mrs. Iris Touw authorizing staff to proceed with investigating and researching the ordinance to determine how to establish natural grade. Also, staff is requested to present a draft of their findings to the Planning Commission prior to advertising the item for Public Hearing. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-2-98 F

Consider amending the Glynn County Zoning Ordinance, Section 709. St. Simons Village Preservation District, 709.5 General Provisions, regarding pitched roofs and how they are measured.

The amendment was included in the packages for review and was presented by Mr. Carter. A summary report from the Building Height Committee was also included in the packages.

Following review, a motion was made by Mr. Richard Altman to recommend approval of this amendment. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-2-98G

Consider amending the Glynn County Zoning Ordinance, Section 302. Definitions, to add Definitions for Livestock and Wildlife

Mr. Ron Milburn explained that the Field Inspections Division had investigated numerous complaints relating to different types of animal species. During their investigations, the Field Inspectors determined that the Glynn County Zoning Ordinance does not define livestock, wildlife or domestic animals. Therefore, staff solicited the assistance of the County Attorney's office in determining a definition. These terms are found in the FA Section and the CP Section of the Zoning Ordinance.

The following was included in the packages (from the County Attorney's office) for the Planning Commission's review:

Section 302. Definitions

Livestock means cattle, swine, equines, poultry, sheep goats, and ratites, including but not limited to, ostriches, emus, and rheas and nontraditional livestock such as bison, water buffalo, farmed deer, liamas and alpacas.

Wildlife means any vertebrate or invertebrate animal life indigenous to this state or any species introduced or specified by the State of Georgia Board of Natural Resources and includes fish, except domestic fish produced by aquaculturists registered under O.C.G.A. 27-4-255, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks or any part thereof.

During the course of discussion, Mr. Charles Taylor stated that the definition for wildlife, as written, might present a problem down the line. He stated that as he pointed out to the County Attorney, the definition as written, (the keeping of wildlife would be prohibited in any zoning district...or any part thereof) would actually preclude a person from having deer in their freezer.

Mr. Hal Hart asked if a person would be allowed to keep wildlife on a residential lot. Mr. Keith Taylor replied no. Mr. Hart stated that according to the definition, fish is included as wildlife, which means he could not keep a fishpond on his residential lot. Mr. Keith Taylor explained that the way the ordinance reads at this point, wildlife is mentioned twice. The only time it is mentioned is in the FA and CP Districts, which allows an individual to have a wildlife refuge. For clarification, Mr. Taylor elaborated on the interpretation of wildlife. There was also a brief discussion regarding state regulations.

Following discussion, a motion was made by Mr. Jeff Shell to recommend approval of the definition of **Livestock** and **Wildlife** as presented by the County Attorney's office, with the following change in the **Wildlife** definition: (Words with lines drawn through will be deleted.)

Wildlife means any vertebrate or invertebrate animal life indigenous to this state or any species introduced or specified by the State of Georgia Board of Natural Resources and includes fish, except domestic fish produced by aquaculturists registered under O.C.G.A. 27-4-255, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks ~~or any part thereof.~~

The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mr. Jeff Shell, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay: Mr. Hal Hart.

MINUTES

At the June 2nd meeting, Chairman Glenda Jones inadvertently voted on the Telecommunications Facilities Amendment, GC-2-98 H. She later realized that she should have abstained due to her affiliation with BellSouth. Chairman Jones apologized for the oversight and abstained to avoid a conflict of interest. Mr. Keith Taylor advised that from a legal standpoint, the Planning Commission needs

to rescind and reconsider the item at this time. Thereupon, a motion was made by Mr. Richard Altman to rescind and reconsider the Telecommunications Facilities Amendment, GC-2-98 H. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

A motion was then made by Mr. Richard Altman to recommend approval of the Telecommunication Facilities Ordinance as submitted with the following change to Page XIV-10 B 4)

B 4) Towers shall not be located any closer than ~~two (2)~~ **miles one (1) mile** from an existing tower. However, the Planning Commission, as part of the application process, may waive this requirement when they determine the placement of another tower within the ~~two (2) mile~~ **one (1) mile** buffer is technologically required or visually preferable.

The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mr. Jeff Shell, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mrs. Glenda Jones.

At this time, a motion was made by Mr. Lamar Cole to approve the Minutes of the June 2, 1998 Planning Commission meeting (with the noted correction). The motion was seconded by Mr. Hal Hart and unanimously adopted.

COMMISSION ITEMS

Mrs. Iris Touw requested that staff provide up-to-date Subdivision Regulations and Zoning Ordinances to the planning members. Staff concurred.

Mrs. Touw also stated that some of the members have uncertainties and questions that need answers. Therefore, she made a motion to have a work session with staff to discuss procedural matters, advertisements, etc. The motion was seconded by Mr. Hal Hart. Discussion continued.

During the course of discussion, most of the members felt that before a work session is scheduled, a list of concerns should be submitted to staff. Perhaps some questions could be answered without having a work session. It was suggested that those who have specific questions and concerns should fax or mail their concerns to the Chairman, who will then confer with staff.

Following discussion, Mrs. Touw amended her motion to state that any questions and concerns from the Planning Commission should be submitted to Chairman Jones, who will in turn set the agenda for the work session. The amendment was accepted and the motion was unanimously adopted.

At this time, Mr. Jim Bruner introduced Mr. George "Buster" Reese, the Assistant County Engineer. Mr. Bruner apologized for not introducing Mr. Reese earlier in the meeting. Chairman Jones welcomed Mr. Reese on behalf of the Planning Commission.

There being no further business to discuss, the meeting adjourned at 11:20 a.m.