

MINUTES

GLYNN COUNTY PLANNING COMMISSION
JUNE 2, 1998 9:00 A.M.

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

ABSENT: Jeff Shell

STAFF PRESENT: Charles Taylor, Community Dev. Director
Keith Taylor, Asst. County Attorney
Ron Milburn, Planning Official
Dick Newbern, Planner
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.

Brooks Jessup Realty
Signage-located at 312 Mallory St.
Zoned General Commercial-Core

Mr. Brooks Jessup, Applicant

Mr. Jessup was present for discussion.

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

The applicant is requesting permission to erect a 3' X 5' red, white and blue wooden sandblasted sign with white lettering where his present sign is located on the facade of his property at 312 Mallory Street in the Village. The present sign is 2' X 3' dark green with brown trim and white lettering and is also a wooden sandblasted sign.

The new red, white and blue sign will be hung vertically and centered between the front door of the real estate office, and the front fixed panel windows located approximately 6 ft. south of the front door.

The relevant sections of the St. Simons Village Preservation District that applies directly to this application are Sections 709.5 (B), (D) & (E):

- B) Conformity and harmony of external material and design with existing and neighboring structures.
- D) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.

Pending the outcome of the Planning Commission's decision, the applicant would like to erect a 2' X 3' red, white, and blue wooden sandblasted sign on the south side of the office building (the side facing the ocean). This would replace the existing 2' X 3' dark green and brown trimmed sign. According to the Sign Ordinance, because the new sign is only 6 sq. ft., this request can be processed administratively.

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

Mrs. Iris Touw had comments regarding the adjacent property. She stated that she does not recall the Planning Commission approving the color scheme for the adjacent property. Mr. Newbern stated the colors were not approved. He stated that staff has contacted the owner and will take the necessary steps to correct the violation.

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

**Kingstowne West Condominium
Request to remove a pine tree
Located at 440 Park Avenue,
Zoned General Residential**

Mrs. Cle Baker, applicant, was present for discussion.

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

This is a request to remove a pine tree located at the Kingstowne West Condominium Association, 440 Park Avenue in the St. Simons Village District. The tree is located within approximately 2 ft. of the property line and is near the right-of-way of Park Avenue.

According to Section 709.4 of the Zoning Ordinance, Protection of Large Trees:

There shall be no removal of healthy trees without the approval of the Glynn County Planning Commission, which are 12 inches in diameter or 38 inches in circumference, measured at a point 54 inches above the ground, for any

purpose in the area within 25 ft. of any property line except where such trees are endangering the safety of property or people. Trees shall be pruned or trimmed, where possible, instead of removed.

The pine tree in question exceeds the diameter and circumference measurements, and is well within 25 ft. of the property line. However, the tree is unhealthy and poses a safety hazard to area residents. A letter from the applicant outlining this fact was included in the packages for the Planning Commission's review. Mr. Randy Dobson, Chairman of the Tree Advisory Board, concurs with the removal of this tree. The pine tree is not dead, but it is rapidly dying. Photographs were also available for review.

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

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

Site Plan

**Island Club Maintenance Facility
6,000 sq. ft. Golf Club Maintenance
Facility, located on the south side
of Demere Road, 275 ft. west of the
county water tower, zoned Planned
Development-General**

**Sea Island Company, Owner
Bill Edenfield, Agent**

Mr. Edenfield and Mr. Bill Foster were present for discussion.

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

This project consists of the renovation of the overall maintenance complex for the Island Club Golf Course. Specifically, work includes the demolition of an existing maintenance facility building on the site and the construction of a new building in a slightly different location.

The new and improved maintenance building will house equipment and provide offices and a work area for service and repair. Related to the new building will be paved parking and maneuvering areas, storage bins and small buildings for soil and fertilizer, a chemical wash-down facility and a fuel pad. The facility will be served by public water and sewer.

The new building will be approximately 100' X 60', or 6,000 sq. ft. Most of the 6,000 sq. ft. will be used for storage of lawn equipment, chemical fertilizers, and other supporting tools and materials used in golf course maintenance. A total of 1,200 sq. ft. will be used for

office space. According to Section 611.6 (d) of the Zoning Ordinance, a total of 6 parking spaces are required for 1,200 sq. ft. of office space. The site plan depicts a total of 15 spaces for this purpose.

The new maintenance building and smaller supporting storage buildings will be located on a 2.1 acre site. This site is part of an overall 507 acre site that includes the Island Club Golf Course, the Redfern Shopping Center, and other nearby developments

The Planning and Zoning Division is principally concerned with compliance with the Planned Development (PD) text. According to the PD text, the maintenance facility is part of the 218 acre tract labeled "Recreation and Open Space." This area is described as a resort complex with golf, tennis and swimming facilities. The proposed maintenance facility conforms to this section of the PD text. It also conforms to the general premise of the land use strategy for the PD, as excerpted:

The principal factors in evaluating suitability of the land for specific uses are: preservation and enhancement of existing natural amenities for residents and resort guests; provision of a buffer of natural vegetation along island roads and adjacent out-properties; utilization of existing ponds, sloughs and lower elevations for a water management system; use of open areas or areas with scattered vegetation for activities that would require major clearing or extensive coverage; and, compatibility with adjacent land uses.

The County Engineer has approved the drainage plan, parking and access for the site. The access onto and off of Demere Road will be accomplished with a modified acceleration/deceleration lane that will be installed at the expense of the applicant.

The County Fire Inspector has recommended approval of the site plan with conditions. The Fire Inspector is most concerned with the presence of chemicals on-site and the installation of the proposed fuel pad.

The County Water and Sewer Department has unconditionally recommended approval.

Mr. Newbern stated that staff recommends approval of this request with the following conditions (These are the same conditions noted by the County Fire Inspector.)

1. A fire hydrant must be shown on the site plan in proximity to the chemical storage building and the fuel pad.
2. Fuel tanks located on-site must be installed according to the current federal, state and local regulations and in coordination with the Glynn County Fire Inspector.
3. Dry chemical fire extinguishers must be maintained on-site according to the County Fire Inspector's specifications. A list of the current chemicals stored on-site will be regularly updated with the County Fire Inspector's office.

Mr. Edenfield stated that the applicant agrees with the conditions.

Mr. S. C. Anderson wanted to know who would be responsible for maintaining the grinder pumps. Mr. Foster replied that the pumps would be maintained by Sea Island.

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

**Minor Plat
Revision to Sea Island Subdivision
No. 1, Block 35, Lots 3 thru 7 and
A portion of Lots 8, 23, 24,
Located on 13th Street and Sea Island
Road, Sea Island, Georgia**

Michael Byrd, Owner

Mr. Bobby Shupe, agent, was present for discussion.

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

The applicant proposes to consolidate several small lots in the Sea Island Subdivision #1, and portions thereof, into two lots that meet or exceed the R-12 zoning requirements.

Specifically, all of Lots (3, 4, 5, 6, 7, and portions of Lots 8, 23, & 24 in Block 35) will be combined into two lots.

One lot is where the applicant resides on Sea Island Drive. This lot will be 30,600 sq. ft. and will exceed the lot area, lot width, setback requirements, and other requirements of the R-12 zoning district. The other lot will be a 16,049 sq. ft. lot fronting D'Ayllon Street, also known as 13th Street on Sea Island, which meets the R-12 zoning district requirements. An existing platted 10 ft. easement on the property will remain in existence.

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

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

**Minor Plat
Revision to Sea Island Subdivision
No. 1, Block 84, Lot 7, located on
Butler Drive (aka 33rd Street)**

Larry Singleton, Owner

Mr. Bobby Shupe, agent, was present for discussion.

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

This is a proposal to change the side setbacks on Lot 7 in Sea Island Subdivision #1. Presently, the side setbacks meet the minimum county requirements of 7 ft. However, the side setback on the west side has been platted and recorded as 74 ft., which is more than the 7 ft. minimum. Therefore, the Planning Commission is required to approve any proposed setback change for this lot. Specifically, the side setback on the west side of Lot 7 would be reduced from 74 ft. to 64 ft. The side setback on the east side would increase from the 7 ft. minimum to 17.8 ft. The front and rear setbacks would remain the same (20 ft. and 7 ft., respectively).

The existing brick porch encroaching on Lot 7 will have to be physically removed as noted on the proposed plat.

Mr. Newbern stated that staff recommends approval of the proposed setback change for Lot 7, Block 84 on Sea Island with the following condition:

1. The structure shown on Lot 6 must be removed from the proposed plat since no survey information is provided for Lot 6. The encroachment shown on Lot 7 will continue to be shown.

For clarification, Mrs. Touw asked if the lot could be recorded with the encroachment shown, or does the encroachment have to be removed before the lot is recorded. Mr. Shupe stated that the lot could be recorded before the encroachment is removed. He explained that when resubdivision of the entire block was approved, it was approved contingent on the fact that the applicant could not secure a permit for Lot 7 and could not build on Lot 7 until such time as the encroachment was satisfied and removed.

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

**Preliminary Plat
Orange Hall
6 acres, located on the west side
of Frederica Road, immediately
south of Oglethorpe Memorial Garden
Cemetery, zoned R-12 One-Family
Residential**

**Constance Riley, Donna Vinyard
and Dan Genetts, Owners**

Norman Reu, Applicant/Developer

Mr. Norman Reu and Mr. Don Hutchinson were present for discussion.

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

This is an 18 lot proposed subdivision to be located on north Frederica Road across the street from the vicinity of the Musgrove Plantation. The lots, as well as the 40 ft. public road, will be developed on a 6.088 acre tract owned by Mr. Norman Reu.

The property is zoned R-12. Lots 5 and 9 are designed as flaglots, pursuant to Section 302 (Definitions) of the Glynn County Zoning Ordinance. Each of the remaining 16 proposed lots meet the 90 ft. lot width requirement on the main road or the 72 ft. (80% of 90') width requirement on a curve (per Section 501 of the Subdivision Regulations - "lot width" definition). Each lot meets the R-12 lot area requirement of 12,000 sq. ft.

The applicant has furnished documentation from Environmental Services, Inc. stating that no federally protected wetlands are present on the 6.088 acre tract.

Both entrances to the subdivision have been recommended for approval by the County Engineer. The County Engineer has also approved the 40 ft. public paved road right-of way for the subdivision. This road is classified as a "Minor Street," in accordance with Section 602.4(a) of the Subdivision Regulations. The County Engineer approved the 40 ft. right-of-way, rather than the normal 50 ft. as required for Minor Streets. The 10 ft. reduction is due to the curb and gutter that is proposed for each side of the paving edge.

The additional average daily traffic generation is estimated at 172 vehicle trips per day (9.55 trips X 18 single family residences). This is according to the publication Trip Generation. The 172 trip total represents both ingress/egress into and out of the Orange Hall Subdivision onto Frederica Road.

The nearest relevant traffic count on Frederica Road is south of the proposed subdivision, at Frederica/Windward Drive intersection. In 1996, the traffic count in that area was 4,621 average daily trips. Approval of this project will put 172 additional trips onto this portion of Frederica Road, which constitutes a 3.7 % increase. Traffic

congestion will become more of an issue on this portion of Frederica Road, as northern St. Simons continues to be developed as residential and commercial.

Mr. Newbern stated that staff recommends approval of this request subject to the following conditions being met:

1. Engineering Department: The drainage calculations for this project did not indicate how the stormwater runoff that flowed to the north was controlled. This northerly water flow must not create adverse impact to neighbors to the north. Drainage for this project is approved subject to resolution of this issue.
2. Water & Sewer Division: The Final Plat must depict the 20 ft. "utility easement" running north and south as a 20 ft. "sewer easement". This easement is shown between Lots 13, 18, 17 and 14.
3. Planning and Zoning Division: The engineering plan and profile must depict where the county water/sewer lines will cross under Frederica Road. The lines will be bored under the road.
4. Enforcement Division: Any future subdivision sign location and dimension must be submitted to the Senior Enforcement Officer for review and must meet the specifications of the County Sign Ordinance. The Glynn County Board of Commissioners must approve subdivision signage placed in a county right-of-way.

Chairman Jones wanted to know if all of the conditions had been met. If not, the Planning Commission could not take action on the request. Mr. Newbern stated that conditions 1, 2 & 3 have not been met.

Mr. Don Hutchinson stated that the applicant did not know anything about these conditions. In fact, this is his first time hearing about the conditions. He stated that the easement is shown on the plan as a "utility easement." If the wording needs to be changed from "utility" to "sewer" he does not have a problem with that, just erase one word and add the new word. Mr. Hutchinson pointed out that he and Mr. Bruner agreed to the drainage. Mr. Bruner stated that Mr. Hutchinson has outlined the proposal to solve the drainage problems and this appears to be acceptable.

Regarding the water & sewer issue, Mr. Hutchinson stated that the engineering plan shows a jack and bore, which has been approved by the Water & Sewer Department.

Chairman Jones apologized to Mr. Hutchinson and stated that apparently there has been a breakdown in communication. Mr. Newbern stated that the Water & Sewer Department recommends approval; however, they wanted to ensure that the jack and bore was shown on the plan.

Mr. Hutchinson stated that Mr. Reu would address condition #4 regarding signage, but he assured the Planning Commission that the other three conditions have been met.

Chairman Jones stated item #4 was really not questioned by the Planning Commission and therefore could be handled at a later date. She stated that they were mainly concerned with the other three conditions, and their information revealed that staff had not received confirmation that these conditions were met. Mr. Chuck Taylor stated that the Planning & Zoning staff had not received final confirmation that these conditions were met. At this time, Chairman Jones advised Mr. Taylor to contact the other county agencies for clarification. Discussion would continue later in the meeting.

Preliminary Plat

Timothy Lane

1.1243 acres, located on the east side of Highway 82, approximately 900 ft. south of Fishhall Road, zoned Forest Agricultural

Christine King, Randy Blackman, Amy Cross and Robert Bellflower, Owners

Ms. Christine King and Mr. Raymond Cross were present for discussion.

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

This is a request by the owners of two parcels on South Highway 82 to upgrade and reposition their access easement on the north side of their property to a 60 ft. private unpaved road, to be called Timothy Lane. Likewise, the owners of four parcels to the north of the access easement wish to change their access to the 60 ft. Timothy Lane.

Presently, the four parcels have access off of a substandard 50 ft. easement that will be vacated. As a result, all six parcels will access the 60 ft. private Timothy Lane, which will be built to county unpaved road standards (Section 602.3 of the Glynn County Subdivision Regulations).

Four of the six parcels that will front on the new Timothy Lane have dwellings on them. Three have mobile homes, and one has a brick house. Two of the six parcels are vacant. All six parcels must access onto the new Timothy Lane. No parcel will access directly onto Highway 82.

No new lots are proposed in this Preliminary Plat application. However, the lot lines on all six parcels will be adjusted to accommodate the new 60 ft. Timothy Lane right-of-way. Tracts B & C have 2 lots that have an encroaching mobile home located on the existing property line dividing the two tracts. The two tracts will be considered 1 lot until such time that the encroaching mobile home is removed or relocated. All four parcels with existing dwellings will maintain their required 20 ft. front setback, even after the lot lines are adjusted to

accommodate the new 60 ft. Timothy Lane right-of-way. The front setback distances are shown on the preliminary plat, and the front, rear and side setbacks are shown per parcel.

With the approval of the preliminary and final plats, the two easements that now provide access for the six existing lots will be vacated. A Georgia Department of Transportation curb cut permit has been issued authorizing access to and from the new Timothy Lane off of Highway 82.

Approval of the preliminary and final plats will allow for building permits to be considered for the existing vacant parcel on the north end of the cul-de-sac (Tract A). Approval will also provide for the possible subdivision of some of the existing parcels along the new Timothy Lane. Presently, up to 10 parcels can be located on a private unpaved road (Section 902 of the Subdivision Regulations).

The Engineering Department has approved the proposed drainage plan for the new and improved roadway. Topographically, the existing easement that now exists will be substantially upgraded into a private unpaved road built to county standards. The proposed roadbed will be 22 ft. wide and must be constructed according to the approved drainage plan.

The Planning and Zoning Division is concerned that a clear statement of ownership has not been provided for the new 60 ft. private Timothy Lane right-of-way. This should be clearly stated on the final plat. The new 60 ft. right-of-way will be privately built and maintained.

The Environmental Health Department has stated that the development of the new 60 ft. right-of-way will not adversely impact the existing septic tanks in the area.

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

1. On the final plat, a statement of ownership must be included for the new 60 ft. private road right-of-way.
2. On the preliminary plat, the following note must be added: "Tracts B & C on the north side of Timothy Lane will be considered one lot until such time as the encroaching mobile home is removed or relocated within the required setback lines."

Mr. Newbern pointed out that condition #2 has already been met.

Mr. Raymond Cross gave a brief presentation. He stated that he currently lives in Brantley County, but would like to move closer to his family. Therefore, he would like to purchase the lot and build a home. Mr. Cross asked for the Planning Commission's approval of this request.

Following discussion, a motion was made by Mr. Lamar Cole to approve this request. The motion was seconded by Mrs. Iris Touw. Discussion continued. Mrs. Touw asked that item #1, which states that the amount of right-of-way to be dedicated to the county is 1.1243 acres, be removed from the preliminary plat. Mr. Newbern stated that the road

would be private and would not be dedicated to the county. He stated that the Planning Commission could make that a condition of approval, that the note numbers be changed accordingly. Thereupon, the motion was amended to approve this request with item #1 being removed from the preliminary plat. The amendment was accepted and the motion was unanimously adopted.

**Preliminary Plat
Southern Landing
73.5968 acres, located on New Jetport
Road at the end of Canal Road, zoned
Planned Development-General**

Driggers Development, Inc., Owner

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

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

This is a proposed 137 lot, 116.3 acre subdivision to be located on the 7,828 tract acre known as the Golden Isles Gateway Tract. This tract is also known as the tract that the Branigar organization is planning to help develop into an amalgam of residential and commercial developments, open space and wildlife areas.

Southern Landing is a proposal to develop the tract zoned R-1 on the southwest side of the tract near I-95.

The PD Text allows the developer to choose the residential density for this development. The developer has chosen to develop R-1 according to the R-20 zoning district requirements, which is an effort to create a low-density, single family residential development on the southwest portion of the tract. According to Section 1 (c) under Development Standards, there can be no more than 764 acres zoned R-20 in the entire tract. Southern Landing represents the first 116.3 acres (15.2%) of those 764 acres. As the residential tracts continue to develop, the Planning Commission and staff must keep an inventory of the allowable acreage and development thresholds in each zoning tract.

Southern Landing has 137 lots that meet the following R-20 zoning requirements: 20,000 sq. ft. per lot, and a minimum lot width of 100 ft. Those lots on curves meet the minimum lot width requirement of 80 ft. at either the lot line or the minimum 20 ft. setback. The lots on curves are lots 1, 3, 4, 5, 6, 12, 13, 14, 17, 48, 49, 50, 59, 60, 86, 87, 88, 89, 95, 96, 97, 112, 115, 116, and 117. Those lots on cul-de-sacs meet the minimum lot width requirements of 60 ft. at either the lot line or the minimum 20 ft. setback. The lots on cul-de-sacs are lots 21, 22, 23, 24, 25, 26, 68, 69, 70, 73, 74, 75, and 76.

Wetlands have been delineated by the U.S. Army Corps of Engineers and included in the application. No wetlands are proposed for filling or mitigation and no lots are proposed with wetland areas on them. Significantly, it is noted on the plat that the wetland areas shown, including the upland areas to the lot line, are considered common areas not proposed for development.

The two proposed lakes are noted as being owned and maintained by the developer or an authorized homeowner's association.

The paved roads comprise 13.03 acres of total right-of-way and will be developed according to Section 602.4 of the Subdivision Regulations and the County Engineer's inspection requirements. At the time of final plat approval, the roads will be proposed for public dedication as part of the county road system.

As stated earlier, Southern Landing is a proposal to locate a low-density, single family residential development in the Golden Isles Gateway Tract, sometimes called the Branigar development area. This represents the continued expansion of residential developments into the suburban areas of Glynn County. The county and the Planning Commission will continue to deal with issues of suburban sprawl and its benefits and problems. (A Letter to the Editor to the national APA Journal by planners in the Marietta area that has some relevance to Glynn County residential development was included in the packages for the Planning Commission's review.)

When Southern Landing is fully developed, it will generate an additional 1,309 vehicle trips per average day. This represents both ingress and egress of vehicles into and out of the subdivision in accordance with the Trip Generation publication (137 lots X 9.55 vehicle trips per day).

No traffic count data is available along New Jetport Road; however, a reasoned estimate is that the 1,309 additional vehicle trips will have a significant impact on the traffic flow along New Jetport Road. The 1,309 additional vehicle trips will also affect the traffic flow along Spur 25, which is located approximately 1 mile south of the Southern Landing development. In 1996, the average vehicle per day traffic count for Spur 25/north of Canal Road, in the direction of the Mall, was 15,805 vehicle trips per day. Likewise, Spur 25/south of Cate Road traffic count, in the opposite direction of the Mall, was 2,295 vehicle trips per day in 1996.

Staff recommends approval of this Preliminary Plat application with the following conditions:

1. Planning and Zoning: On the Final Plat, the minimum right-of-way must be listed for Southern Landing Drive.
2. Enforcement Division: At the time subdivision signage is proposed, sign locations and sign dimensions must meet current county regulations.

3. Engineering Department: This project is recommended for approval subject to approval of the final drainage calculations.
4. Water & Sewer Divisions: This project is recommended for approval subject to approval of the final pump station location and minor water & sewer line dimension and location issues.

Chairman Jones asked if all of the conditions had been met. Mr. Newbern stated that condition #1 is a final plat item. Chairman Jones asked if the developers are aware of these stipulations. Mr. Newbern replied yes, a report from staff was forwarded to the contact person. He stated that condition #3 is an outstanding engineering item and has not been met yet. However, Mr. Jim Bruner stated that item #3 has been responded to and is acceptable.

Regarding condition #4, Mr. Newbern stated that there were some outstanding discussions concerning the line dimensions and the pump station. The Water & Sewer Department recommended approval subject to minor changes. Mr. Newbern reiterated that a report was forwarded to the contact person advising the applicant of these conditions. Mr. Driggers stated that they have agreed on this condition. For clarification, Chairman Jones stated that condition #4 has been taken care of.

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

At this time, discussion continued on Agenda Item #6, **(Orange Hall Preliminary Plat)**. Mr. Chuck Taylor reported that Mr. Bob Benson of the Water & Sewer Division has reviewed the issues regarding the utility easement and recommends approval. Following discussion, a motion was made by Mr. Richard Altman to approve this preliminary plat. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-14-98

Request to rezone a portion of a tract of land located on the west side of U.S. Highway 341, approximately 402 ft. northwest of Altamaha Park Road in the Everett City community as follows:

Parcel A: Highway Commercial to Forest Agricultural, 20,734 square feet lying 180 ft. west of Highway 341 and 70 ft. south of Everett Baptist Church.

Parcel B: Forest Agricultural to Highway Commercial, 20,124 square feet fronting 11.78 ft. on the west side of Highway 341, located immediately to the southeast of Parcel A and lying 210 ft. south of Everett Baptist Church.

Property owned by David and Patricia Douglas.

Mr. David Douglas was present for discussion.

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

This request is to rezone a portion of a large tract of land located on the west side of U.S. Highway 341, north of the Altamaha Park Road and south of Everett Baptist Church. In accordance with the survey, this request involves portions of parcel A (HC to FA) and parcel B (FA to HC). The 0.476 acres shown as part of parcel A and the northern portion of parcel B, consisting of 0.538 acres, was rezoned to Highway Commercial in 1989 for the operation of masonry products. The 1989 rezoning involved 130 ft. of frontage on U.S. Highway 341 and had a depth of 339 ft., for a total of 1.013 acres. At that time, conditions of approval were placed on the property. As shown on the survey and zoning map, a portion of parcel B was involved in that zoning change. The conditions placed on the approval were as follows:

1. No outside storage of any raw materials, with the exception of sand, would be allowed.
2. No washing, grinding, crushing or outside storage of seashells would be allowed on the property.
3. All sales area, storage of finished products, mixing pouring must be in permanently designated areas under a building roof.
4. Protective screening would be required at all property lines to visibly separate this use from any adjoining property. Buffer to consist of a 6 ft. solid fence and planting screen to visibly buffer the adjoining property, meeting the approval of the Building Official. Said buffer to be installed prior to final inspection or prior to issuance of occupancy certificate.

The property owner now desires to reconfigure the commercial property and is therefore requesting zoning changes to result in the commercial area to be maintained at 1 acre. If the request is approved, the commercial property would have a width of 241.78 ft. along U.S. Highway 341 and a depth of 180 ft. Staff recommends that the conditions previously outlined in 1989 also be placed on the 0.462 acres (remaining portion of parcel B).

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;**

Portion of Parcel A: Yes, would be combined with the rest of Parcel A, which is zoned Forest Agricultural.

Portion of Parcel B: Yes, the rest of Parcel B, which is zoned Highway Commercial, would be combined with this area.

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

No, only combining land with existing land use.

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

Yes.

- **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;**

Same land use, just reconfiguring the property.

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

No, but the size of the Highway Commercial area will not change, only the amount of frontage along Highway 341.

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

No.

Mr. Milburn reiterated that staff recommends approval of this request subject to the same conditions previously outlined in 1989 as follows:

1. No outside storage of any raw materials, with the exception of sand, would be allowed.
2. No washing, grinding, crushing or outside storage of seashells would be allowed on the property.
3. All sales area, storage of finished products, mixing pouring must be in permanently designated areas under a building roof.
4. Protective screening would be required at all property lines to visibly separate this use from any adjoining property. Buffer to consist of a 6 ft. solid fence and planting screen to visibly buffer the adjoining property, meeting the approval of the Building Official. Said buffer to be installed prior to final inspection or prior to issuance of occupancy certificate.

Following discussion, a motion was made by Mrs. Iris Touw to recommend approval of Parcels A & B incorporating the same conditions placed on Parcel B in 1989. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-15-98

Request to rezone from Conservation Preservation to R-6 One-Family Residential 0.6229 acre Island located east of Cart Subdivision at Musgrove, further described as being located approximately 61 ft. northeast of North Harrington Road (eastern end)

Property owned by Joseph and Luanne Fendig

Mr. Joseph Fendig was present for discussion.

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

This request is to rezone an Island located east of a new residential subdivision developed in 1996, known as Cart Subdivision at Musgrove.

Access to the subject property is proposed via private 45 ft. easement across Lot 9 of Cart Subdivision, which is also owned by the Fendigs. (If the rezoning is approved, this would be processed as an 802 Plat for review and action by the Planning Commission.) A bridge would be constructed across the marsh to connect to the Island.

As outlined in the Glynn County Subdivision Regulations, a private access easement shall be 60 ft. in width, with a 20 ft. roadbed. The proposed access is shown as 40 ft. in width, with a proposed 16 ft. roadbed.

According to the survey, the Island consists of 27,134 sq. ft. of highland. The survey also shows that the 25 ft. Georgia DNR vegetation buffer can be met. However, the Island is not of adequate size to meet the environmental requirement of a 50 ft. setback from the marsh.

The access easement is proposed to be utilized for the drain lines and distribution system in an effort to meet the environmental health requirements for a waste management system (septic tank). In order to utilize the septic tank for the Island, the drain field would be on Lot 9, showing a drain field easement of 50 ft. in width. With the new configuration, the lot would be 19,218 sq. ft., not including the 50 ft. buffer from the marsh and the drain field easement. If the access easement were revised to accommodate the required 60 ft. easement, the square footage of Lot 9 would be reduced to 14,918 sq. ft.

As outlined in the preamble and enactment clause of the Glynn County Zoning Ordinance, the Ordinance is to promote the health, safety and general welfare of the present and future. Under the current Conservation

Preservation zoning, the Island could be utilized as zoned for such uses as a private non-commercial dock or boathouse, which are permitted uses. In order for the property to be used as a residential lot, the following issues need to be addressed:

1. Consider whether to rezone the property from Conservation Preservation to One-Family Residential.
2. Re-platting of an existing 10 lot subdivision to relocate an existing drainage easement on Lots 9 & 10, create an access easement across Lot 9, and the reconfiguration of Lot 9.
3. Consider whether allowing structures (septic tank lines, etc.) within an access easement would set precedence for further access easements and their construction purpose.
4. Possible requests for future development of other small Islands and land zoned Conservation Preservation.

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 not large enough to support a waste management system (septic system) therefore requiring the use of the proposed access easement to locate the septic system on Lot 9 of Cart Subdivision at Musgrove.

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

Yes, because of the location of the waste management system in the proposed access easement.

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

Yes, as a private non-commercial dock or boathouse.

- **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

No, one more residence would not result in an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

Yes, the Comprehensive Land Use Map indicates this parcel 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;**

Yes, the existing subdivision (Cart Subdivision) would need to be re-platted to create an easement for the proposed access and waste management system.

Mr. Milburn stated that staff recommends denial of this request based on environmental issues, and the utilization of the proposed access easement across Lot 9 to locate the waste management system for the subject Island to create a buildable lot.

In addressing the environmental issues, Mr. Fendig presented a letter from the Environmental Health Department stating that the environmental issues regarding the drain field have been approved as per the plan. Mr. Fendig pointed out that he also owns Lot 9, and putting in the 60 ft. easement would not adversely affect the development of that existing platted lot. He then presented tabulation figures from Pruitt and Purcell Land Surveyors showing the total square footage that would be left after considering the 50 ft. buffer setback. He further stated that the proposed use is not an unreasonable request.

Mr. Fendig stated that staff questioned the proposed bridge construction with utility lines. He presented a letter from the GA Department of Natural Resources stating that they have no objection to such use once the bridge permit is approved.

Mr. Fendig explained that the environmental issues have been addressed. He stated that the proposal does not impact the roads or facilities. It is just one residence and it does meet the current policy and intent of the Comprehensive Land Use Plan. Mr. Fendig respectfully asked the Planning Commission to approve his request. He stated that his family looks forward to being able to build on the property and to enjoy that particular parcel of land.

Mrs. Iris Touw asked Mr. Fendig if he had applied for the bridge permit. Mr. Fendig stated that he is unable to apply for the bridge permit until after this process with the Planning Commission.

Mr. Larry Wade, owner of Parcel 10, stated that he has no objection to Mr. Fendig's request.

Ms. Phyllis Lane, Chairman of the Natural Resources Committee of RUPA, respectfully reminded the Planning Commission that the Master Plan for St. Simons is to keep Conservation Preservation zoning in tact. She stated that it is detrimental to the ambience and environment of St. Simons Island to develop every available acre. Ms. Lane stated that this particular project also requires conveying sewage across the marsh area, which is a risky procedure. This change of zoning would set a precedence of having

houses dotted all over the marshes and this trend is not good for St. Simons. She urged the Planning Commission to deny this request.

Mr. S. C. Anderson stated that he thought septic tank systems had to be on the property, rather than on an easement. Assistant County Attorney Keith Taylor advised that he would have to do further research before giving a definite answer at this time. Mr. Fendig stated that this issue came up before and he asked staff if it would be a problem. He stated that staff pointed out that the ordinance does not address this issue.

Mr. Hal Hart stated that of the six questions addressed by staff, questions 1, 2 and 6 pertain to waste management. He pointed out that the County Health Department does not have a problem with this. Question #3 concerns the use of Conservation Preservation, and in examining what the ordinance allows in this zoning district, there are other uses for this zoning. He stated that the Health Department has addressed the waste management issue, and DNR does not have a problem with this. Mr. Milburn stated that he has not seen the recent letter from the Health Department (dated June 1, 1998).

Mr. Wayne Nuenke, Environmental Health Manager, stated that he submitted the letter to Mrs. Deborah Taylor. He explained that Mr. Fendig worked long and hard to try and make a plan work on the Island. He stated that the Health Department could probably design a system to work almost anywhere in Glynn County, but the question is the easement issue. Mr. Chuck Taylor stated that staff does not want to set a precedence to allow development of an Island not able to support an entire septic system.

Mr. Jonathan Williams stated that he has mixed emotions concerning the drainage system. He feels that this should be studied further. Mrs. Touw stated that she also has mixed emotions concerning this issue.

Mrs. Ilene Hutchinson, President of RUPA (Residents United for Planning & Action), supports Ms. Lane's proposal. She asked that the Planning Commission adhere to the Master Plan and deny this request.

Following discussion, a motion was made by Mr. Hal Hart to approve this request subject to the question of the sewer drain field being located on an easement in Glynn County being resolved. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Lamar Cole, Mrs. Glenda Jones, Mr. Hal Hart, and Mr. Jonathan Williams. Voting Nay: Mr. Richard Altman and Mrs. Iris Touw.

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 was included in the packages for the Planning Commission's 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:

Building Height: The vertical distance measured from the average finished grade around the entire building at a perimeter line 15 ft. out from the building to the highest point of the roof.

Mr. Milburn stated that Mr. Ellis Carter is present to answer questions regarding this amendment. Mrs. Touw stated no one is presenting this amendment and there is no explanation, therefore, why is the definition being changed.

Mr. Carter explained that three months ago he was asked to review this section of the ordinance. In doing so, he looked at approximately 78 coastal counties as to how they defined building heights. He found out that Glynn County has a definition that coincides with the other counties. Mrs. Touw asked if there had been a problem in utilizing the current definition. Mr. Carter replied that this did not originate with his office; however, the only problem he noticed was that the definition was too "wordy" in its present text.

Mrs. Touw stated that previously, she brought up the question that the Planning Commission was being presented with site plans that were not consistent in terms of height measurements.

Mr. Jack Kite, President of the East Beach Association, stated that they are concerned that this amendment would allow someone to buy a lot, build it up 6 or 8 ft. just to have a view of the ocean. He stated there are no limitations in this proposal. Mr. Carter stated that Mr. Kite has a legitimate concern. The potential is there. He explained that when fill is brought in to elevate a structure, it sometimes creates drainage problems, but these would be handled on a case-by-case basis.

Mr. Altman stated that if someone comes in with fill that measures 6 ft. higher than the original level and this is 5 ft. above the original grade, would this proposed amendment give that person 35 ft., 5 ft. above the original grade. Mr. Carter explained that if the elevation were continued 15 ft. outside the perimeter of the structure, the answer would be yes for that particular case. Mr. Altman stated that perhaps additional language should be included in the definition for protection. He suggested that this request be deferred until the July meeting in order to work on the language.

Ms. Laura Bell, St. Simons (East Beach) resident, stated that she had not noticed anyone having a problem with the height, which is being measured from the grade. She urged the Planning Commission to keep that as the criteria. Ms. Bell stated that it is her understanding that Tabby Plaza wants to build at 45 ft., which would be in violation of the ordinance. She stressed that if this is correct, the Planning Commission needs to issue a restraining order to stop construction. She reminded the members that all other developers and property owners have conformed to the 35 ft. height requirement. Mr. Hart asked Ms. Bell which development in Tabby Plaza is being built at 45 ft. Ms. Bell replied "the hotel" (Hampton Inn).

Ms. Ilene Hutchinson presented the following statement from RUPA (Residents United for Planning and Action):

"RUPA believes that the current ordinance on building height, which states that 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, should not be changed. The proposed change in height would remove existing natural grade and install proposed finished grade. This would allow newer buildings to have rooflines that are higher than their neighboring buildings.

"Also, if this change is made to allow the height to be measured from the proposed finished grade, it will encourage builders to fill in their property to a greater extent than they would normally for natural grading. This would result in drainage from the newer building flowing to the property of existing buildings causing possible drainage problems. Therefore, we urge you not to approve any change in Glynn County's height ordinance."

Following discussion, a motion was made by Mr. Richard Altman to defer this item for one month. The motion was seconded by Mr. Lamar Cole 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

Following a brief discussion, a motion made by Mr. Hal Hart to defer this item until the next meeting. The motion was seconded by Mr. Richard Altman and unanimously adopted.

At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 11:00 a.m.

GC-2-98 H

Consider Amending the Glynn County Zoning Ordinance as follows:

Add New Section: Article XIV Telecommunications Facility Ordinance

Amend Section 302 Definitions: Add Telecommunications Facilities

Amend Language in accordance with the definitions of the proposed Telecommunications Ordinance in the following sections:

Section 704 Forest Agricultural	704.2
Section 712 General Commercial	712.2
Section 713 Highway Commercial	713.2
Section 718 Limited Industrial	718.2
Section 719 Basic Industrial	719.2
Section 720 General Industrial	720.2

Amend Section 714 Freeway Commercial, Subsection 714.2
Add Telecommunications Facilities as a Permitted Use, #14

The proposed amendment was distributed and included in the packages for review. Attorney Jim Gilbert, representing BellSouth Mobility and Mr. Mike Stephens of BellSouth were present for discussion.

Mr. Stephens stated that on behalf of BellSouth and other industries, he would like to thank staff and the Planning Commission for their cooperation in establishing a Telecommunications Ordinance. Mr. Stephens requested the following change. (Words with ~~line drawn through~~ to be deleted and words in **bold** print to be added.)

B 4) Towers shall not be located any closer than ~~two~~ **(1)** miles ~~(2)~~ **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 ~~(2)~~ **one (1) mile** buffer is technologically required or visually preferable.

Following discussion, a motion was 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, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. The motion was unanimously adopted. (It was noted that Mrs. Glenda Jones withdrew her vote and abstained from voting on this item to avoid a conflict of interest due to her affiliation with BellSouth. Mrs. Jones apologized for this oversight.) Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mrs. Glenda Jones.

In order to keep a previous appointment, Mr. Jonathan Williams was excused from the meeting at this time.

SR-3-98

**Consider Amending the Glynn County
Subdivision Regulations: Delete Appendix E
"Soil Erosion & Sedimentation Control Ordinance"**

NOTE: The Soil Erosion & Sedimentation Control Ordinance to be included in the Glynn County Code of Ordinances and only referenced where noted in the Subdivision Regulations

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.

MINUTES

A motion was made by Mr. Lamar Cole to approve the Minutes of the May 5, 1998 Planning Commission meeting. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart and Mrs. Iris Touw. (Mrs. Jones was absent for the May 5th meeting and therefore abstained from voting.)

COMMISSION ITEMS

Mr. Chuck Taylor reminded the members of the public hearing to discuss the German Village Subdivision, scheduled for June 9th at 7:00 p.m. at the Casino Garden Room on St. Simons Island. He also reminded the members and staff of the Annual Training Conference to be held in Columbus, Georgia on July 19th. Mrs. Iris Touw, Mr. Jonathan Williams, Mr. Dick Newbern and Mr. Taylor are scheduled to attend. Mr. Taylor stated that he would bring back written material and perhaps schedule a work session for persons unable to attend.

There being no further business to discuss, the meeting adjourned at 11:48 a.m.