

MINUTES

GLYNN COUNTY PLANNING COMMISSION MARCH 2, 1999 9:00 A.M.

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

STAFF PRESENT: Chuck Taylor, Community Development Director
Cindy Olness, Acting Planning Official
Lee Thomasson, Planner
Deborah Taylor, Zoning Administrator
Jim Bruner, County Engineer
Keith Taylor, Assistant County Attorney
Janet Loving, Administrative Secretary

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

VP-99-01
404 Oak Street
Two-story addition to rear of existing single-family residence, 5,526 sq. ft. lot located on the east side of Oak Street between Ocean Blvd. and Magnolia Ave. Zoned R-6 One-Family Residential

Mr. & Mrs. Vance Leavy, property owners, were present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

This application is a request to construct additional space to the structure located at 404 Oak Street for the purpose of renovating much of the present house, as well as to lay a concrete driveway. The site coverage for this proposed project is 2,747 sq. ft. on a lot measuring 5,526 sq. ft., or 49.7% of the lot. The current structure contains 850 sq. ft. of heated/cooled space and the additional space will be 1,377 sq. ft. for a total of 2,227 sq. ft. The footprint of the proposed structure will be 2,312 sq. ft., while the average footprint of the adjoining side lots is 1,901 sq. ft. Thus, this applicant is requesting a variance of 411 sq. ft. or 22%

The staff's recommendation rests in our view that with this applicant's compliance with the site coverage and height requirements, plus his intention to enhance and upgrade the neighborhood, this project furthers the viability of residential integrity in the Village Preservation District. With so many of these structures less than 900 sq. ft., their use as family residences are limited. If it is the vision and desire of the community to maintain the residential integrity and character, the provision of reasonable expansion, while steadfastly requiring stringent limits on site coverage, is seen as good community development.

Also to consider is the precedent of VP-96-19, which granted the next door neighbor at 410 Oak Street, Ms. Cundiff, an additional 1,302 sq. ft. of living space bringing her total to 3,032 sq. ft. No building permits have been issued for the Cundiff property to date.

Mr. Thomasson stated that staff recommends approval of the variance request for this application.

Mr. Vance Leavy gave a brief presentation. He pointed out that the addition would not be visible because it would be on the back portion of the property. He stressed that he and his wife love the area and the street that they live on. He explained that they want to stay there and they have future plans of raising a family there.

Ms. Patty Cundiff, 410 Oak Street, stated that this is a very nice addition to the property. She stated that it is refreshing to see people move in a neighborhood with interest in preserving property and maintaining a family. Ms. Cundiff stated that she is 100% in favor of this request.

Mr. Bill Lorenz-Hooker was also present to speak in favor of this request. He stated that the addition is in keeping with the harmony and character of the neighborhood.

Mrs. Touw had questions about the height of the addition. Mr. Thomasson stated that the height requirements have been met. The addition is approximately 8 ft. taller than the existing structure and according to the ordinance the allowance is for 10 ft. Mrs. Touw wanted to know if the porch was counted in the heated square footage of the footprint. Mr. Thomasson replied yes. The footprint of the building is compared to the footprint of the existing building, which includes front and rear porches and any additions made to the neighboring properties. Mr. Thomasson explained that heated/cool space did not include the porch but when they calculated the total footprint the porch was included.

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

VP-99-02
548 Magnolia Avenue - New Residence
6,654 sq. ft. lot located on the south side of
Magnolia Avenue between Oak Street and
Neptune Way, Zoned R-6 One-Family Residential

Mary & Rich Ellison, Property Owners

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

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

The applicant is proposing to build a new residential structure at 548 Magnolia Avenue. This lot had a structure on it until February 23, 1999 when demolition was carried out. This applicant is requesting a variance on site coverage: staff determined that the site coverage of the proposed development is 4,256 sq. ft., while the lot size is 6,654 sq. ft. for a coverage of 64%.

Additionally, the applicant requests a variance to the height requirement, which calls for either no more than 10 ft. over the height of the existing (or demolished) structure or no more than 10 ft. over the average height of the structures of the adjoining side lots. This project is to be 29 ft. in height, which is approximately 12 ft. higher than

the previous building's height of less than 17 ft. high. The average height of the side structures is approximately 19 ft. The determination of the height of the demolished structure was reached by examination and calculations by the County Engineer.

Mr. Thomasson stated that staff is recommending denial of the variance request as well as the application.

In response to the staff's report, Mr. Hooker stated that he is not asking for a variance on lot coverage. As outlined in his presentation, he stated that the proposed building footprint including the principal building and accessory building (garage) is less than 50% of the lot coverage. This includes 1,450 sq. ft. for the first floor of the principal building, 400 sq. ft. for the front porch (as done with Mr. Leavy's property) and 484 sq. ft. for the garage for a total of 2,334 sq. ft. The lot is 6,654 sq. ft. The building footprint is 35% of the lot, or well within the 50% lot coverage. Mr. Hooker stated that he researched all of last year's Village Preservation Ordinances starting with VP-98-01 through VP-98-20 and site coverage wasn't an issue. He pointed out that he is well within what the ordinance states. When taking the building footprint and accessory building into account, he is well below 50%. He stressed that he is not asking for a variance on lot coverage. Site coverage is not an issue.

Mr. Hooker stated that no height variance is requested. The height was calculated from Section 709.5, paragraph 2, fourth line - "or from the average height of the principle structures located on the adjacent side lots at the time of the adoption of this ordinance." Structures 552 Magnolia Avenue and 544 Magnolia Avenue were built in the 1940's before the ordinance was adopted.

Mr. Hooker stated that in calculating the height of the two structures he came up with 24 ft. for 544 Magnolia Avenue and 17 ft. for 552 Magnolia Avenue. The average of those two equals 20.5, add 10 and it equals 30.5. He is still below 30.5 ft. Mr. Hooker pointed out that staff has not shared any of the information on how they calculated the height. He has attempted to do what the intent of the ordinance is and he is in full compliance with the height requirements.

Mr. Hooker stated that the average footprint of the principal buildings and structures located on the three adjacent side lots (544 & 552 Magnolia Avenue and 411 Oak Street) is 1,747 sq. ft. according to the tax parcel cards. He stated that he is trying to be in harmony with the neighborhood and he is not trying to build a monstrosity three times the size of the existing structures in the neighborhood. The proposed footprint of the heated area is 1,450 sq. ft. or 17% less than the adjacent average footprints, but if the proposed 400 sq. ft. front porch and the small 484 sq. ft. garage is included, the footprint would total 2,334 sq. ft. or a 34% increase from the adjacent structures. He then presented a schematic of what the structure could look like. From a technical standpoint, a garage could be placed below the structure to preserve the footprint area, build two-stories on top and still be within the 30.5 ft. requirement; however, the architectural character would be inappropriate for the neighborhood. Mr. Hooker stated that if he needs to ask for a variance in order to be in harmony with the neighborhood then he would like to request such a variance so that the structure could be built as designed.

Ms. Patty Cundiff stated that the house next door to the applicant on the left-hand side facing the property is a yellow house with an extremely small lot. She cannot see where this particular plan would have covered more square footage on the lot than the yellow house. Ms. Cundiff stated that the applicant's proposal seems to be in keeping with the neighborhood. She asked if any of the trees have to be removed in order to build the proposed structure. Mr. Hooker stated that there is one tree on the site that has four limbs. Two of the limbs are dead and located in the driveway. He stated that he is going to try to keep the tree, but he hasn't had it examined by a tree surgeon yet. He pointed out that according to the ordinance, if the tree is unhealthy he could remove it. If the tree is healthy but needs to be removed he would come back to the Planning Commission. All of the other principal big trees are not a problem. In fact, his clients like the tree canopy to the east.

Ms. Cundiff stated that she is familiar with what the property backs up to, which is a commercial area of the island. She stated that the concern in the neighborhood is the residential buffer, which they'd like to keep. After looking at the proposed plans, it appears to buffer the commercial from the residential area. Therefore at this point, she is in favor of the request. Mr. Leavy concurred with Ms. Cundiff. He stated that in looking at the proposal, it appears to be in keeping with the area.

Ms. Kay Wiggins, adjacent property owner of 544 Magnolia Avenue, congratulated Mr. & Mrs. Leavy on their plans and welcomed them to the neighborhood. However, she feels that the plans submitted by Mr. Hooker would be overwhelming and not in keeping with the neighborhood. She stated that if this request is approved it would mean that she'd have a house in her yard. Ms. Wiggins stated that the other neighbors could not be present but they have voiced the same concerns and are also opposed to this request.

Mr. Hart wanted to know how staff determines the lot coverage and the site coverage, or are they one in the same. Mr. Thomasson replied that they are one in the same. He explained that structures on the property would be considered part of site coverage which includes porches, driveways, whether permeable or impermeable, garages, concrete walkways and patios. Mr. Hart had questions about the parking area in the back as to whether or not it is concrete. However, Mr. Thomasson stated that the parking area in the back was not an issue but it was included in the site coverage.

Mr. Hart stated that in the previous zoning application, staff made a plea about 900 sq. ft. houses not being livable, but in the next application, since staff is penalizing this applicant because he wants to improve his house. Mr. Thomasson explained that one project violates the three primary requirements of spatial judgements. It violates the height, footprint and site coverage. The other project does violate the footprint, but it does not violate the height requirements nor site coverage. The substantial size of this particular structure made it appear to staff that it was beyond what staff would be willing to accept as a variance. In determining height by measuring the rafters of a building, Mr. Hart asked if the house was elevated off of the ground. Mr. Thomasson replied yes.

Mr. Thomasson stated that Mr. Hooker quoted figures between 2,334 sq. ft. as a footprint, but staff measured 2,312 sq. ft. Mr. Hooker also included 2,312 sq. ft. on his original application. In response to Mr. Hooker's statement about staff not sharing information on height calculations, Mr. Thomasson pointed out that on February 23rd a response was sent to Mr. Hooker stating staff's position. The purpose of this was to communicate with him and to provide him an opportunity to review and discuss this with staff. Mr. Hooker did come into the office to review previous Village Preservation projects that had already been approved, but at no time did he discuss anything with staff. Also, Mr. Hooker used 411 Oak Street in his calculations as a side lot; however, Mr. Thomasson stated that it is staff's conviction that 411 Oak Street is not a side lot.

Mr. Jeff Shell wanted to know the difference between footprint and site coverage. Mr. Thomasson explained that a footprint is the structure itself including a porch. Mr. Shell stated that driveways are not included in the footprint, but they are included in site coverage. Mr. Thomasson replied yes.

Mr. Shell stated that according to the staff's report, staff noted that site coverage is 4,256 sq. ft., but Mr. Hooker states that site coverage is 2,334 sq. ft. Obviously that is a big difference. Under 2,334 sq. ft. there is 35% coverage and under 4,256 sq. ft. there is 64% coverage. Mr. Shell stated that this needs to be cleared up. Basically, staff is calculating driveways and walkways and Mr. Hooker is not. Mr. Thomasson replied yes, that is correct. He stated that staff is calculating parking, the structure itself, the landscaped patio, the garage, the driveway, the front walkway and the steps. Chairman Altman stated that Mr. Thomasson just described what staff calls site coverage, totaling 4,256 sq. ft. Mr. Thomasson replied yes, that is correct. Ms. Olness pointed out that this is defined in the Zoning Ordinance under site coverage definition, Page III-12.

Mrs. Touw stated that in comparing this application with the previous application, it shows a drive and a walkway, but staff did not count the driveway in the previous application. She stated that this has not been done in this manner before. She agrees with site coverage, permeable/impermeable. Mrs. Touw then asked if staff in fact did include the driveway and the concrete walk on the previous application. Mr. Thomasson replied yes. On the previous application the driveway was 375 sq. ft. and the front walkway was 60 sq. ft. and staff did include this in the footprint of the building.

Mrs. Touw wanted to know if the driveway in this application is concrete, and would it be counted if it were not concrete. Mr. Thomasson stated that the plans did not indicate the driveway being concrete or not, but it would be counted whether it was concrete or any other surface. For clarification, Mr. Thomasson stated that it is staff's interpretation that Section 709 of the ordinance indicates that when there is an existing structure you measure to see if the new structure would be 10 ft. higher than the existing structure, or you can measure from the average height. When there is a structure that is what staff uses. If someone is trying to develop an abandoned or a vacant lot, then staff uses the average of the house that's next to it because there is nothing else to measure by. Mrs. Touw stated that in her opinion, the word "or" is a choice word.

Mr. Hooker stated that in terms of discussing this with staff, the new policy is that before an application is submitted staff reviews it. On Tuesday the application was due. Mr. Hooker stated that he waited for 45 minutes in front of Mr. Thomasson's open door. After 45 minutes Mr. Thomasson finally came out and said, "you want to see me." Mr. Thomasson then referred Mr. Hooker to Cindy Olness at 5:45. Mr. Hooker stated that he talked with Cindy Olness in lieu of Mr. Thomasson and has subsequently spoken with Cindy discussing this request in terms of putting the garage in the back rather than elevating it. Mr. Hooker stated that none of this information is in the staff's report. He stressed that he has made an attempt to talk with staff when available. Mr. Hooker stated that Section 709.5 does not say anything about site coverage. He further stated that he agrees with Mrs. Touw regarding the word "or" in Section 709.5 because it is referring to height. It says the existing structure or the adjacent structures. The paragraph below that references vacant lots. Therefore, Mr. Hooker stated that he had a choice to choose either the existing structure or the two adjacent structures. He stated that he "chose to have a choice" and he doesn't feel that he needs a variance for something that is in the ordinance.

Mr. Shell stated that he believes the intent of the ordinance is that not more than 50% of the lot coverage or site coverage will be taken by structures or driveways. The discrepancy between staff's 64% coverage and the developer's 35% coverage is centered on the issue of whether or not driveways are included. Mr. Shell stated that perhaps a precedent should be set to consider driveways as coverage. Otherwise, green space would be eliminated.

Following discussion, a motion was made by Mr. Jeff Shell to deny this request; however the motion died for lack of a second. Discussion continued followed by a motion made by Mrs. Glenda Jones to defer this request to allow staff and the developer time to discuss these issues with an open mind, resolve the problems and bring the request back at the next meeting. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mrs. Jones stated that she would like for staff to get a legal interpretation regarding driveways being included in site coverage. Ms. Olness stated that staff would confer with the County Attorney if that is the pleasure of the Planning Commission, but staff respectfully did not think that there was an interpretation problem related to driveways because of the definition for site coverage.

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

Mr. Chuck Taylor requested that the Planning Commission allow staff to draft and advertise a change to the ordinance to clarify the two issues of lot coverage and building height. Permission was granted; however, Chairman Altman recommended that copies be forwarded to the Planning Commission to allow the members enough time to review the draft.

VP-99-03
201 Mallory Street
Exterior Improvements, Roof Gable &
Signage "Island Republic," Located on the
Southwest corner of Butler Avenue and
Mallory Street, Zoned General Commercial-Core

Synovas Trust Company, Property Owner
Mike Waanounou, Business Owner

Mr. Larry Bryson was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

The applicant is requesting to construct a roof gable with the business name and logo to be placed upon it as signage. Also requested is to allow the window shutters on the second-floor to remain (or to be put back if removed) as they are currently. The Planning Commission approved the removal of the window shutters during the meeting of December 1, 1998 as part of the Synovas Trust Company application for changes to the entire building (file number VP98-24).

This application has been reviewed favorably by the Ordinance Supervisor for signage compliance. Mr. Thomasson stated that staff recommends approval of this request.

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

VP-99-04
203 Mallory Street
Signage - "Go Fish Clothing & Jewelry Company"
Located between Butler Avenue and Lord Avenue
Zoned General Commercial-Core

Synovas Trust Company, Property Owner
Kurt Coleman, Business Owner

Mr. Larry Bryson was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

The applicant is requesting approval to place signage on the front of the building of the business. This request has been reviewed favorably by the Ordinance Supervisor for signage compliance. Mr. Thomasson stated that staff recommends approval of this request.

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

Mr. Thomasson pointed out that the applicant has been advised that he would still have to obtain a sign permit prior to putting the sign up.

Preliminary Plat
New Frederica Subdivision
5.81 acres, located on the west side of Frederica
Road north of Oglethorpe Road, St. Simons
Zoned R-12 One-Family Residential, 17 Single
Family Lots, Public Water & Sewer

Howard Osborne and Tammy Osborne, Property Owners
New Pointe Investments, Inc., Developer

Ms. Tammy Osborne and Mr. Ernie Jones were present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

This subdivision project is situated on a tract 5.81 acres to be divided into 16 lots totaling 4.9 acres of the tract. The subdivision will be accessed by two 40 ft. right-of-way cul-de-sacs totaling .91 acres. The allowance of the 40 ft. right-of-way with curb and gutter was granted by the County Engineer. The entrance roadway entitled Carlisle Place is approximately 365 ft. long. Stratford Court is the name of the other roadway. The developer is planning to improve these streets to county standards and then dedicate them to the county. The 16 lots will average 13,340.25 sq. ft. with the smallest lot being 12,015 sq. ft.

Water service and sanitary sewage disposal will be provided by the Glynn County Environmental Quality Department. A Sedimentation and Soil Erosion Control Permit has been issued (12-23-98) by the Glynn County Building Official.

This preliminary plat has been favorably reviewed by the following: Planning & Zoning, Field Inspections, Building Inspections, Environmental Quality, Fire Department, Engineering and the GIS Department. Mr. Thomasson stated that staff recommends approval of this request.

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

Preliminary Plat
New Pointe Subdivision
9.356 acres, located on North Harrington
Road, Zoned R-6 One-Family Residential
22 single family residential lots

Alfonza Ramsey & Neptune Whing, Property Owners
New Pointe Investments, Inc., Developer

Mr. Ernie Johns and Mr. Ernie Curry were present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

This project is located on a tract of 9.356 acres and is to be divided into 22 lots totaling 6.124 acres of the tract. The subdivision will have three 60 ft. right of way cul-de-sacs comprising 1.684 acres. The entrance roadway, entitled Barkley Way, is approximately 750 ft. long. Elizabeth Court and Caroline Court are the names of the other two roadways. The developer is planning to improve these streets to county standards and dedicate them to the county. The 22 lots will average 12,125.5 sq. ft. with the smallest lot being 12,000 sq. ft.

Water service and sanitary sewage disposal will be provided by the Glynn County Environmental Quality Department. An LDA (Land Disturbance Activity) permit was requested and the permit was granted in December. Mr. Thomasson pointed out that this request would have been on the Planning Commission's February agenda had staff received the letter from the Corps of Engineers. He stated that after an on-site visit by Mr. Hendrix of the Corps, it was determined that the wetlands on this site had previously been filled and therefore they had no jurisdiction over this tract of land.

Mr. Thomasson stated that staff recommends approval of the Preliminary Plat for New Pointe Subdivision.

Mr. Ernie Johns of Atlantic Survey gave a brief presentation. He explained that a revised plat was submitted to staff on February 10th regarding the wetlands issue. The revised plat also shows 23 lots rather than 22 lots. Chairman Altman asked Mr. Thomasson if he had seen the revised plat. Mr. Thomasson replied no, he had not seen the revised plat. He stated that he spoke with Mr. Johns earlier this morning (via phone) to inquire if he had a copy of the letter from the Corps of Engineers, and at that time he indicated to Mr. Johns that the last plat staff received was on January 19th. Mr. Johns' comment was that he was pretty sure staff should have the plat on file that shows the lots not having wetlands. Again, Mr. Thomasson stated that staff has no record of receiving a revised plat.

Chairman Altman asked staff if it was common practice to put copies of letters from the Corps in the planning packages. Mr. Thomasson stated that according to Ms. Olness, it is a common practice to include the letter in the packages; however, since his employment with the county, the lag time on receiving letters from the Corps usually exceeds past the point of coming before the Planning Commission. In such cases, staff requests the Corps to fax a memo stating their approval and indicating to staff that the letter is forth coming. When the letter arrives it goes into the file.

Chairman Altman advised staff that in the future, all correspondence pertaining to the agenda item will be included in the planning packages. For clarification, Ms. Olness stated that if staff has not received anything from the Corps, should the item be withheld from the agenda. Chairman Altman stated that the item should not be presented to the Planning Commission until staff has a letter or a faxed commitment from the Corps in hand.

Mr. Ernie Curry stated that he doesn't think that staff will get a letter from the Corps on this particular tract. He stated that he pre-determined if the property contained wetlands, and when the Corps came to inspect they stated that there were no wetlands and therefore they had no jurisdiction. Mr. Curry explained that the wetlands showed up initially because he and the engineer looked at the property next door and thought it extended on to his property, but it did not.

Mr. Thomasson stated that the letter from the Corps of Engineers regarding this subdivision arrived on yesterday (3-1-99). For clarification, Mrs. Touw stated that staff is saying that the Corps sent a letter verifying that these are not considered wetlands. Mr. Thomasson replied yes. Mrs. Touw stated that if you have a survey from the past that shows wetlands but you go out and resurvey the property and find that the wetlands are gone, it would be a good idea to have a letter verifying that the wetlands no longer exist. Mr. Thomasson concurred. He further pointed out that staff has not had an

opportunity to review the revised plat. At this time, it was the consensus of the Planning Commission to defer this item for later in the meeting to allow staff an opportunity to review the revised plat.

The meeting resumed at 10:55 a.m., at which time Mr. Thomasson presented a revised staff report. The following changes were made to reflect the revised plat:

- The 9.356 acre tract to be divided into 23 lots totaling 7.672 sq. ft.
- The 23 lots will average 14,530.1 sq. ft. with the smallest lot being 12,001 sq. ft.

Mr. Thomasson stated that staff's recommendation for approval remains the same.

Following discussion, a motion was made by Mr. Jeff Shell to approve the revised Preliminary Plat for New Pointe Subdivision. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

Preliminary Plat
Brampton Commercial Park
41.27 acres located on the east side of Highway 17,
north of I-95 at Exit 6, Zoned Freeway Commercial
and Planned Development
Road Approval Only (R/W 1.964 acres, private)

Robert C. Bryan, Property Owner/Developer
John Hunkele, Coastal Engineering, Agent

Mr. Robert Bryan and Mr. Ernie Johns were present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

This development is located on the southeast quadrant of intersection I-95 and U.S. Highway 17 (exit 6) and consists of 41.27 total acres currently planned in two phases to be subdivided into commercial lots comprising 39.06 acres. Phase I is the area fronting on U.S. 17. Phase II is the area immediately behind that and wrapping around the triangle parcel, touching back on the right-of-way west of this parcel, which includes the Huddle House and the Flash Foods Convenience Store/Gas Station.

Also proposed are two rights-of-way encompassing 1.964 acres, one will be a frontage road parallel with U.S. 17 with two driveways, which have been approved by GA DOT for curb cut. The other road, Brampton Drive, runs along the property line shared with the adjacent property to the west and will end in a temporary cul-de-sac and will be extended later for the future development of the back portion of the tract. These two new roadways are to be improved to county standards and were originally requested to be dedicated to the county; however, the county has decided to not accept this dedication and the roads will remain private. This preliminary plat is for the creation of rights-of-way only and no lots are included in this plat.

The water source and sewerage treatment service will be provided by the Glynn County Environmental Quality Department. A Sedimentation and Soil Erosion Control Permit for Phase One has been secured for this development.

Mr. Thomasson stated that a Revised PD Text was distributed to the members for review of the Brampton project. All of the criteria listed in the Text for the preliminary development has been met. Site plans are required to be submitted and approved in accordance with the Text.

This project has been reviewed favorably by the Planning & Zoning Division, Building Inspections, the Fire Department, Engineering, GIS, and Environmental Quality. Therefore, Mr. Thomasson stated that staff is recommending approval of this request.

Mrs. Touw stated that one side of this project was approved in May 1997. A couple of months later, the Planning Commission approved the balance of the 41.27 acres, which is across the road. However, what Mr. Thomasson is referring to is Phase II which Mrs. Touw thought was zoned Freeway Commercial. She stated that the Planning Commission has never had anything presented for that area. She pointed out that they approved the road two years ago, but they have never talked about the large area that's zoned Freeway Commercial.

Mr. Thomasson stated that the tract Mrs. Touw is referring to is owned by Mr. Bryan and was part of the original proposal for planned unit, but as a future development only. At this time, the applicant is coming back to do the preliminary plat process over again because of the time frame.

Mr. Bryan explained that the reason for the reconfiguration is that most of the frontage was residentially downzoned by a former partner and together they created Royal Oaks Subdivision. He then pointed out the area that was initially zoned FC, which expired. They then rezoned the property back to Planned Development Commercial, which opened the entire frontage for development. Mr. Bryan stated that it is his desire to dedicate all roads to the county; however, he wasn't aware that the Text of the Planned Development required him to maintain a private road. He then asked if that could be changed. Mr. Thomasson explained that the Board of Commissioners approved the PD Text and therefore any action to modify or change the Text would have to come from the Board.

Mr. Bryan wanted to know the standard practice for commercial frontage developments. Mr. Jim Bruner explained that the taxpayers of Glynn County should not be strapped with maintaining commercial development roads, which would be his recommendation if this goes back to the Board of Commissioners.

Chairman Altman explained to Mr. Bryan that he could go back to the Board of Commissioners and request a change in the PD Text. Mr. Thomasson pointed out that staff would be willing to assist Mr. Bryan in preparing his request to the Board of Commissioners.

Mr. Jonathan Williams asked if Mr. Bryan is stating that he doesn't want to be responsible for maintaining the roads. Mr. Bryan replied no. He assumed that once construction was completed all roads would be dedicated to the county. He pointed out that he would have no objection to the roads being private. He just did not know the standard practice.

For clarification, Chairman Altman stated that the applicant understands that the roads would not be dedicated to the county, and if the Planning Commission approves or not approve the request, the applicant, with guidance from the county staff, can still go back to the Board of Commissioners and request a change.

Following discussion, a motion was made by Mr. Hal Hart to approve the two roads only (Brampton Drive and Frontage Road) on this project under the conditions applied by the County Commission. The motion was seconded by Mrs. Glenda Jones. Voting Aye: Mr. Richard Altman, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Larrar Cole.

**Preliminary Plat
Cypress Run Subdivision, Phases IV and V
23.35 acres, located off of Cypress Mill Road
Zoned Planned Development-Residential
60 Duplex Lots**

**Ronald and Deborah Sawyer, Property Owners
Sawyer & Associates, Inc., Developer**

Mr. Ronald Sawyer was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Thomasson as follows:

This planned unit development (PUD) project reflecting a revised Phase IV and a new Phase V consists of 23.35 total acres to be subdivided into 60 lots comprising 19.96 of the total acres. Also proposed is an extension of a 60 ft. right-of-way as a 50 ft. right-of-way entitled Cypress Run Drive. The extension in a circle arrangement of Cypress Run Drive as a 40 ft. right-way, and two 40 ft. rights-of-way entitled Cobblestone Way and Ashbrook Drive are also proposed. The County Engineer has approved the 40 ft. rights-of-way with curb and gutter required. The area of all three rights-of-way encompasses a total of 3.39 acres. These new roadways are to be improved to county standards and dedicated to Glynn County as previously done in the first three phases of this development. The 60 lots average .333 acres or 14,374.8 sq. ft. each with the smallest two lots being 9,000 sq. ft. These two phases are consistent with the existing Planned Residential Development Zoning Text.

The water source and sewerage treatment service will be provided by City of Brunswick Water/Wastewater Department. A Sedimentation and Soil Erosion Control Permit has been secured for this development.

This request has been favorably reviewed by Planning & Zoning, Building Inspections, the Fire Department, Engineering, GIS and the City of Brunswick Water/Wastewater Department. Mr. Thomasson stated that staff is recommending approval of this request.

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

**GC-9-99
Request to Rezone from Forest Agricultural to Highway Commercial, 1.49 acres
located on the southeast corner of Spur 25/Golden Isles Parkway and Canal Road.
Subject property having an average depth of approximately 300 ft.**

**Jonnie P. Ricks, Robert E. Tatum, Phillip Sheffield & Gary Sheffield,
Property Owners; Paul C. Bland, Race Trac Petroleum, Inc., Agent**

Mr. Paul Bland was present for discussion. Mr. Lee Carmichael, representing the Mrs. Ricks (property owner) was also present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Cindy Olness as follows:

This request is to rezone 1.49 acres from Forest Agricultural to Highway Commercial. The property owners propose to sell their portion of the property to Race Trac, Inc. in order to combine into one parcel and ownership.

Access is proposed to be at the east end of the property, which only has 132.76 ft. of frontage on the south side of Canal Road and it has a depth of 330 ft. Located immediately to the east of the subject property is an existing 30 ft. access easement that allows access to the remaining Forest Agricultural property owned by one of the applicants (Mrs. Ricks). The Glynn County Engineer has stated that in order to serve the subject property and the remaining property to the south, the access road from Canal Road would need to be a joint road system.

The Glynn County Comprehensive Land Use Plan anticipates that there will be commercial developments in quadrants at major intersections on Spur 25. However, it does not address to what extent the boundaries would be expanded from these intersecting points. There have been several rezonings along Spur 25 at the major intersections. The major intersections are Scranton Road, Walker Road, Canal Road and Golden Isles Parkway. The following is an outline of rezonings at these intersections:

Scranton Road: All corners have been rezoned to commercial (General Commercial, Highway Commercial, and Planned Development-Shopping).

Walker Road: The northeast and southeast corners have been rezoned to Highway Commercial. The northwest and southwest corners remaining R-9 Residential.

Canal Road: The southwest corner has been rezoned to Limited Industrial. On the northeast corner a 1.478 acre tract with only 150 ft. of frontage on Canal Road was rezoned to Highway Commercial. This parcel is located immediately across Canal Road from the subject property. The southeast corner consists of a 10,937 sq. ft. that was rezoned to Highway Commercial. The 10,937 sq. ft. has frontage on Spur 25, not Scranton Road. This is the parcel referenced previously that is proposed to be incorporated with the subject property for development.

Ms. Olness stated that in conformance with Section 1103. Of the Glynn County Zoning Ordinance, the following findings of fact were considered in developing staff's recommendation:

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

Yes, with adequate access and buffers.

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

No, with an adequate buffer being provided along the south property line and across Canal Road. Also, an existing Highway Commercial parcel (vacant at this time) is located in the area.

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

Yes, could be developed as residential or any other permitted use outlined in the Forest Agricultural District.

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

Yes, access will need to be further reviewed during site plan approval if the rezoning is approved. A gas station and convenience store generate 845.60 trips per 1000 square feet gross floor area.

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

Shown on the Future Land Use Map as residential. The Plan indicates the anticipation of commercial developments in quadrants at major intersections along Spur 25.

- **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 Exit 8 area has experienced substantial development. The subject property is located at one of the major intersections along Spur 25 that is anticipated to be developed commercially.

Ms. Olness stated that staff recommends approval of this request subject to the following:

- 1) A 20 ft. buffer being provided between the subject property and adjoining property to the south (FA Zoning District).
- 2) Shared access required for parcels 37, 35, 36 and 40 as shown on the Glynn County Tax Map #76-4.
- 3) Amendment of the Land Use Map to show this area commercial in concurrence with the Comprehensive Plan Text.

Mr. Paul Bland, representing Race Trac Petroleum, Inc. gave a brief presentation. He stated that he believes that the property in question is suitable for the intended use. The staff's report was faxed to his attention on Friday afternoon and therefore he did not have enough preparation time to address the recommendations. He stated that he does agree to the joint access as recommended by staff; however, he is not sure what the 20 ft. buffer recommendation entails, and he has not been able to find in the codes where such a buffer is a requirement from a HC District to a FA District. Mr. Bland stated that Race Trac does not desire this 20 ft. buffer.

Ms. Olness explained that there is a past history of attaching buffers as a condition to rezonings. It was most recently done on the Willow Creek request. She stated that staff does not believe a commercial use next to a residential use without a buffer is compatible. Chairman Altman asked if staff considers the adjacent property as residential. Ms. Olness replied yes. She then pointed out the location for the proposed buffer.

Mr. Lee Carmichael, representing Mrs. Ricks (property owner) stated that they are not interested in the 20 ft. buffer on the south side of the property. He explained that they have tried to keep the square footage of what they are selling to Race Trac down to a minimum and would probably have to sell Race Trac an additional 20 ft. of property; however, they are not interested in doing so at this time. He stated that they would like to leave the property zoned Forest Agricultural for the time being.

Mr. Olin Chancy, adjacent property owner, stated that he would like to have a concrete wall at least 6 ft. high between his property and the commercial development. Mr. Chancy then pointed out his property in relation to the easement. Mr. Bland presented the tax map and survey showing Mrs. Ricks' property and the surrounding properties. He pointed out that he could not commit to a concrete wall, but he has no problem building a 6 ft. wooden privacy fence and he'd agree to some type of hedge planted in front.

Mr. Hart asked Mr. Chancy if the 6 ft. privacy fence would satisfy his needs. Mrs. Betty Chancy, owner of Lot 34, replied no. She stated that it would be unfair to her family to be subject to the noise, the danger and the traffic from this development.

Mrs. Touw asked if the applicant were to use the driveway plus the 30 ft. strip would they have to come back for a rezoning of the 30 ft. Mrs. Deborah Taylor explained that staff feels that if this is going to be used for a commercial drive, the

applicant would be required to come back for a zoning change in accordance with the ordinance.

Mr. Jim Bruner explained that the driveway is too close to the spur to be a safe intersection, therefore, to eliminate the need for two driveways, the applicant was required to have a shared driveway. At this point, he stated that staff is only talking about rezoning the parcels that Race Trac is interested in and not the 30 ft. strip.

Mr. Jeff Shell stated he doesn't think that the 20 ft. buffer on the south side is necessary. Thereupon a motion was made by Mr. Shell to recommend approval of this request with the deletion of staff's recommendation for a 20 ft. buffer on the south side of the property. The motion for approval is also subject to the following:

1. Shared access required for Parcels 37, 35, 36 and 40 as shown on the Glynn County Tax Map 76-4;
- 2) Amendment of the Land Use Map to show this area commercial in compliance with the Comprehensive Plan Text; and
- 3) Subject to compliance with Section 613 of the Glynn County Zoning Ordinance.

The motion was seconded by Mrs. Glenda Jones. 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.

SR-1-99

Consider Amending the Glynn County Subdivision Regulations, Article VIII Section 801 Minor Subdivisions; Section 801.1 Procedural Requirements; Section 802 Resubdivision of Land; Section 602.6 Private Access Easements

The Amendment was included in the packages for review and was presented by Mr. Chuck Taylor.

Following discussion, a motion was made by Mr. Lamar Cole to recommend approval of this amendment with noted changes. The motion was seconded by Mr. Jeff Shell and unanimously adopted.

MINUTES

At the February 2nd Planning Commission Meeting, Mr. Chuck Taylor presented the proposed amendment to the Glynn County Subdivision Regulations (SR-8-98). Revisions to the amendment were made at that time and noted in the minutes; however, some discrepancies were detected in the amendment that did not correspond with what the Planning Commission approved and what they received. Mr. Taylor agreed to make the necessary corrections to the amendment and forward copies to the members and to the appropriate departments prior to the amendment going to the Board of Commissioners. Also noted was a sentence added by Mr. Jim Bruner that Mr. Taylor agreed to fax to the members prior to the amendment going to the Board of Commissioners.

Following discussion, a motion was made by Mr. Lamar Cole to approve the Minutes of the February 2, 1999 Planning Commission meeting. The motion was seconded by Mr. Jeff Shell and unanimously adopted.

STAFF ITEMS

**a) Proposal of Introduction of Ordinances
By The Ordinance Review Committees**

Regarding a memo (dated 2-22-99) to Mr. Altman outlining the above proposal, Mr. Taylor advised that staff is recommending the following two changes: 1) add the two chairpersons of the two committees to the subcommittee; and 2) add a member of the County Attorney's office to the subcommittee so that there is a clear understanding of the entirety of the ordinance including legal issues. Mr. Taylor then gave a brief update of the progress and recommendations of the two committees. It was suggested that the chairmen of the two Ordinance Review Committees get together to discuss the points of view of both committees for a possible common ground. Mr. Taylor stated that he would report back to the two committees and convey this information.

Following discussion, it was the consensus that the Planning Commission would be responsible for including into the process the section of the ordinance regarding introduction of amendments to the Zoning Ordinance.

**b) 2000-2005 Capital Improve Proposal for
Community Development Department**

Mr. Taylor presented the proposal and asked for the Planning Commission's support. Upon a motion made by Mr. Lamar Cole and seconded by Mrs. Iris Touw, the Planning Commission unanimously voted in support of the Board looking favorably at the 2000-2005 Capital Improve Budget for Community Development Department.

c) Confirmation Date for Appreciation Dinner

Mr. Taylor advised that the Board of Commissioners will host an appreciation dinner for the Planning Commission. The tentative dates are March 22, 23, or 24. Chairman Altman stated that he would be out of town during the week of March 22nd. Mr. Taylor stated that he would notify the Planning Commission when a date/time is set for the dinner.

d) Sign Variances

Mr. Taylor stated that staff has been directed by the Board of Commissioners to amend the sign section of the ordinance dealing with variances. The Board has asked staff to draft a variance process that would have sign variances go directly to the Board of Commissioners rather than to the Board of Appeals. Also per the direction of the Board, staff is examining the method by which PD Text amendments are dealt with regarding signs in an effort to make tighter restrictions. Mr. Taylor advised that staff, in conjunction with the County Attorney's office, will draft language, forward copies to the members for review, and advertise the draft for the next Planning Commission meeting.

Also under Staff Items, Mr. Taylor asked for the Planning Commission's permission to draft and advertise an ordinance amendment that would address the Village Preservation Ordinance regarding lot coverage and building height. He advised that the draft would be forwarded to the members for review before being submitted for advertisement. Permission was granted.

COMMISSION ITEMS

Mrs. Jones requested that staff provide the Planning Commission members (on a regular basis) positive feedback from actions taken by the Board on items that the Planning Commission addressed.

Mrs. Touw had comments regarding corrections to information included in the planning packages. She stated that it is very difficult to read corrections on the day of the meeting. She stated perhaps corrections, when discovered in time, could be faxed to members prior to the meeting.

Mr. Taylor recommended that staff and the Planning Commission get together for a Saturday workshop to discuss procedures, options and what is expected of staff. He also reminded the members of his recommendation to have Wednesday evening workshops to review the packages prior to the meeting to ensure that all information is included.

During the course of discussing these two recommendations, it was stated that a workshop to review information contained in the packages would be considered a public hearing. Mr. Taylor pointed out that according to the "Sunshine Law" the public and the press could attend, but the Planning Commission would not have to take public comments.

Chairman Altman stated that he doesn't want to review and discuss the same information twice. It would make a big difference to the members if the planning packages were delivered to them on the Wednesday before the meeting instead of Friday afternoon. They would then have time to review the information and contact staff if necessary.

Regarding today's meeting, Chairman Altman stated that several of the reports from staff were written very poorly. The maps were terrible and very confusing. He stated that a survey in most cases would be very helpful. Also, if staff has changes to any of the information in the packages, the changes should be pointed out to the members and explained page by page before the meeting. Chairman Altman stated that the information in the packages needs to be thorough and more concise. Chairman Altman's comments were noted by the staff.

There being no further business to discuss, the meeting adjourned at 1:05 p.m.