

MINUTES
GLYNN COUNTY PLANNING COMMISSION
MAY 2, 2000 - 9:00 A.M.

MEMBERS PRESENT: Richard Altman, Chairman
Lamar Cole, Vice Chairman
Perry Fields
Ann McCormick
Iris Touw
Jonathan Williams

ABSENT: Hal Hart

STAFF PRESENT: Chuck Taylor, Director
Cindy Olness, Planning Official
Donna Scott, Planner II
Lee Sutton, Planner I
Janet Loving, Admin/Recording 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.

At this time, Chairman Altman introduced and welcomed Ms. Ann McCormick as the new member of the Glynn County Planning Commission.

SUP-5-00

Request for a Special Use Permit in Forest Agricultural and Highway Commercial Zoning Districts for the location of a Telecommunication Tower having a maximum height of 350 ft. Property consists of 27.307 acres with frontage of 644.93 ft. on the south side of Highway 99, beginning 1,848.46 ft. east of Highway 341.
John Henry Lane, Sr., Property Owner; Micro Technology Southeast, Agent

Mr. Jack McGee and Mr. David Harrell were present for discussion.

Staff provided the following comments: 1) Structures may be located as close to each other as technically feasible, provided such placement will not lead to multiple failures in the event that one tower fails. (*Reference Article XIV, Section 1404.B7 of the Glynn County Telecommunications Facilities Ordinance.*); 2) When a tower is adjacent to a residential use, it must be setback from the nearest point of every residential lot a distance at least equal to its total height (*Reference Article VIV, Section 1405.2.3*); and 3) The Planning Commission may reduce the standard setback and separation requirements as well as waive the requirement that towers not be located any closer than one (1) mile from an existing tower. (*Reference Article XIV, Section 1405*).

Mr. Sutton stated that staff is recommending denial of this request for the following reasons:

1. Micro Technology Southeast is requesting to locate a telecommunications facility approximately 20 ft. from an existing 350 ft. telecommunications tower.
2. There is another telecommunications facility approximately 350 ft. from the proposed location. Multiple failures could occur in the event that one tower should fail.
3. The proposed tower and the existing towers are not setback from the adjoining residential lots a distance equal to the total height of the tower(s).

Mr. Jack McGee gave a brief presentation. He stated that the purpose of the ordinance is to encourage the location of towers in non-residential areas. The subject property is zoned Forest Agricultural, which is not considered a residential district in accordance with the ordinance. He pointed out that there are no residential structures within 350 ft. of the proposed tower.

In addressing the issue of multiple failures, Mr. McGee stated that he has worked with ordinances in many different areas and this is the first time that he has seen anything about a multiple failure concept. He stated that in looking through the ordinance, there is nothing in the ordinance to prevent other buildings from being built within their height adjacent to each other. Therefore, he doesn't understand the multiple failure concept that seems to be only attributed to towers. Towers are designed to be in close proximity because it is an industry standard and it is common practice. Also, FAA encourages this practice. If towers are clustered together, it cuts down on the lighting and the same facilities can be used for the second tower. He sees no risk of multiple failures. However, he has obtained letters from engineers stating that in the case of any failure, the debris would remain on the property. He pointed out that the existing tower cannot be used because it has already reached its design capacity.

In conclusion, Mr. McGee stated that the site is the preferred location for the proposed tower and they are expanding to accommodate more tenants. He reiterated that there are no residential structures near the tower and he is asking for the Planning Commission's approval.

Mrs. Touw had questions pertaining to the property that the applicant is leasing and the area that they are responsible for. Mr. Dave Harrell explained that they have a general lease. They have a tower compound and an area of 20 ft. to the point where the anchors are installed, approximately 238 ft. away. Which means that there would be 6 anchor points (3 for the existing tower and 3 for the new tower).

Mr. Jonathan Williams expressed concerns about wind capacity and ice in relation to failure. Mr. Harrell explained that the ordinance calls for 100-mph wind load capability. Mr. Williams stated that we have had hurricanes in this area with winds in excess of 100-mph. Mr. Harrell pointed out that in North Georgia the tower would have to be designed to withstand an inch of ice in accordance with the engineer standards for the tower industry. However, in the Coastal areas the current standards are to design towers for sustained wind loads of 100-mph with no ice. Mr. McGee stated that there is a 15% margin built into the towers for sustained wind loads.

In addressing Mr. McGee's comment about the FA zoning district, the ordinance clearly states that a one-family dwelling and mobile homes are permitted uses in this district. Regarding the FAA requirements, Mr. Sutton referred to a letter that was provided to Mr. McGee from the Airport Commission recommending that another air nautical study be completed to record the new tower location for liability concerns of the tower owner. Mr. Sutton stated that if the Planning Commission were to recommend approval of this application, he would request that they consider making this a condition of the approval.

Photographs were distributed to the members of the proposed tower and the surrounding location, and discussion continued regarding the possibility of multiple failure.

Following discussion, a motion was made by Mr. Perry Fields to recommend denial of this request. The motion was seconded by Mr. Jonathan Williams. Voting Aye (in favor of denial): Mr. Richard Altman, Mr. Perry Fields, Ms. Ann McCormick and Mrs. Iris Touw. Voting Nay (against denial): Mr. Lamar Cole and Mr. Jonathan Williams.

Site Plan/Jim Fowler's Life in the Wild, Phase E1
74 Acres, Highway 99, Zoned Planned Development,
PAWS Project, Golden Isles Gateway Tract
Owner/Developer: Parks & Wildlife Services

Mr. Cameron Bland and Mr. Jeff Haliburton were present for discussion.

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

This phase of the application involves only the parking area for the park. As per the PD, a 50 ft. tree buffer will be on all sides abutting neighboring properties except for the canal side because it abuts other PAWS property. The applicant has chosen to keep a 100 ft. undisturbed buffer along GA 99. The main frontage road is proposed to be named Fowler Boulevard and the park road is proposed to be named PAWS drive. Access will be from GA 99. Petersville Road will be used for emergency access only.

This phase will need to go before the Board of Commissioners as a condition to the approval of the PD Text with the following special conditions: 1) the additional provision of supplemental planting/buffering material within the 50 ft. tree buffer; and 2) said planting subject to Board of Commissioners approval. (Please refer back to the Golden Isles Gateway Tract PD Text provided earlier. A copy of the resolution approved by the Board of Commissioners on January 6, 2000 to amend the PD Text for the Golden Isles Gateway Tract was included in the packages for review.)

Per the PD Text, the Wildlife Park property will be permitted to construct up to 5,000 parking spaces for visitor parking. Parking provided equals 1,726 automobile spaces, 109 Bus/RV spaces and 16 handicap spaces for a total of 1,851 parking spaces. Total impervious coverage in phase E1 equals approximately 26.6 acres, and pervious coverage equals approximately 47.4 acres. Open/grace space equals 64%.

Ms. Scott stated that staff recommends approval of this request with the following conditions:

1. Issuance of an LDA Permit
2. Issuance of an Army Corps of Engineers Permit to impact any wetlands.
3. A variance from the State must be obtained to disturb the buffer around state waters (Brunswick-Altamaha Canal).
4. Approval from the State Historic Preservation Office for any impacts to the Brunswick-Altamaha Canal.
5. The Planning Official may approve changes to the site plan provided that such changes do not:
 - a) decrease the setbacks from property lines
 - b) decrease the effectiveness of buffers
 - c) add any specific uses not already approved on the site plan
6. Approval by the Board of Commissioners for the buffer as per the zoning conditions.

7. The buffer along Highway 99 may be reviewed by the Board of Commissioners within one year of the date the park opens to ensure that it is adequately screening the parking facilities. If it is found that the buffer is insufficient in some areas, additional plantings, berms or fences may be required.

Mr. Perry Fields had questions concerning height and signage; however, Mr. Haliburton explained that these items are outlined in the Zoning Text. It was noted that if the applicant were to propose any changes, the request would have to come back to the Planning Commission for review and approval.

Following discussion, a motion was made by Mr. Perry Fields to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

Preliminary Plat/Hermitage Island Plantation, Phase I Revision

70.367 Acres, 61 Residential Lots, Zoned Forest Agricultural

Located off Oak Grove Road

Driggers Construction Company, Owner/Developer

Mr. Terry Driggers was present for discussion.

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

The applicant proposes to subdivide 70.367 acres into 61 lots with the smallest lot equaling 21,754 sq. ft. Total area of roads equals 15.863 acres. Also proposed is a 60 ft. public right-of-way along Emerald Point Drive and a 50 ft. public right-of-way along Arrowhead Court. A 100 ft. public right of way is proposed along Emerald Point Way.

This preliminary plat application was previously approved on January 4, 2000 with a variance to Section 602.2g of the Subdivision Regulations to exceed the length of a dead-end street. This application is back before the Planning Commission due to a shift in Emerald Point Drive and an increase in right-of-way from a 40 ft. right-of-way to a 60 ft. right-of-way. Total area of Phase I increased from 69.095 acres to 70.367 acres. Area of right-of-way increased from 12.344 acres to 15.863 acres.

There will be a private water system and private septic tanks.

The Planning and Zoning Division, Building Inspections, as well as the Fire Department, Engineering and the Environmental Quality Department have all favorably reviewed this project. Ms. Scott stated that staff is recommending approval of this request.

Following discussion, a motion was made by Mrs. Iris Touw to approve this request subject to the previously approved variance. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. Mr. Perry Fields abstained from voting to avoid a conflict of interest.

SSVPD/New Residential Structure, Lot 28
Kaufman Tract, 11th Street, 5,292 sq. ft. lot
Zoned R-6 One-Family Residential

Mr. Ed Mecchella, applicant, was present for discussion.

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

The applicant is requesting approval to build a new house on lot 28 of the Kaufman Tract. The applicant has provided information on the floor plan, elevation and landscape plan for Lot 27. However, no information has been provided on site coverage or adjacent properties.

The applicant is proposing to access lot 28 via 10 ft. gravel driveway to be constructed on Eleventh Street. If the applicant intends to utilize the county's right to the unopened Eleventh Street, he will need to get approval from the Board of Commissioners to open Eleventh Street. In order for the applicant to place a 10 ft. driveway along Eleventh Street, he will need to seek a variance since the proposed driveway does not meet the county paving standards or right-of-way size.

Ms. Scott stated that staff is recommending denial of this request based on the following: Incomplete application, lack of information on site coverage and adjacent properties as per Section 709.5 of the Zoning Ordinance.

Mr. Ed Mecchella gave a brief presentation. He stated that he was notified yesterday (Monday, May 1st) that his application was missing some items. He did however, bring these in to staff today. At this time, Mr. Mecchella presented plans showing the site coverage, building coverage and existing structures for the Planning Commission's review. He also noted that he is trying to save 8 Live Oak Trees.

Mr. Mecchella stated that he would like to get approval of his application contingent on obtaining the variance for the road.

Mr. Jonathan Williams stated that due to the members and staff not having enough time to review the information that Mr. Mecchella has presented, he would suggest that this item be deferred for further review.

Mrs. Touw stated that it has been the practice of the Planning Commission in the past to not hear the request if the application is incomplete. Thereupon, a motion was made by Mrs. Touw to defer this request until the application is complete. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

SSVPD/New Residential Structure, Lot 27
Kaufman Tract, 11th Street, 3,524 sq. ft. lot
Zoned R-6 One-Family Residential

Mr. Ed Mecchella, applicant, was present for discussion.

The staff's report was included in the packages for review. It was noted that staff's recommendation for this request was also denial based on the following: Incomplete application, lack of information on site coverage and adjacent properties as per Section 709.5 of the Zoning Ordinance.

Following discussion, a motion was made by Mr. Jonathan Williams to defer this request until the application is complete. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

Exceptions/Lamar Outdoor Advertising

Request for exception to height requirements for interstate signs, Section 804.7.2 of the Glynn County Zoning Ordinance. Property located at NW Quadrant of Exit 6, I-95. Zoned Highway Commercial.

Ken Conley, Safety Plus Consulting, Inc., Agent

Mr. Ken Conley and Mr. John Calieu were present for discussion and to answer questions.

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

This is a request for an exception to the height requirements for two Interstate signs per Section 804.7.2A) 1) of the Zoning Ordinance. This item was deferred from the October meeting as a final ruling on the court case was expected in the near future. At this time, staff does not know when the final ruling will take place. A copy of the March 6, 2000 decision by the Supreme Court of Georgia was included in the packages for informational purposes.

The applicant's billboard is useless at this time because it cannot be seen from the Interstate and the trees cannot be cut down.

Ms. Olness stated that staff is recommending approval of this request.

Mr. Ken Conley gave a brief presentation. He stated that the signs are located on 27 acres owned by Lamar Outdoor Advertising Company. The closest residence is approximately 850 ft. He explained that the applicant is requesting to raise the billboards approximately 85 ft. from ground level, which would be 70 ft. above road. Mr. Conley stated that there was a permit issued to another sign company by way of a variance in 1995 to allow the sign to be raised 55 to 65 ft. above road grade.

Mrs. Touw had questions about the lighting characteristics. Mr. John Calieu of Lamar Outdoor Advertising stated that the lighting is a 400-watt bulb, 4 lights per sign base. With the lighting being directed up in the air, it would not affect road traffic and it does meet the requirements in the county ordinance.

Mrs. Touw stated that the variance that Mr. Conley referred to was granted prior to the revisions in the ordinance which must have been around 1996. At that time, there was a lot of discussion about the trees and the ruling of the Supreme Court. It was the consensus of everyone at that time that it would be better to have the 25 ft. sign with cutting and landscaping.

Mrs. Touw stated that since 1996 this is the first variance request for an exception. She pointed out that if the Planning Commission were to approve this request, what reason could they give for not approving every other request in Glynn County for a 70 ft. sign. The revisions to the ordinance were made to prevent seeing signs above the trees. Mrs. Touw stated that she is sorry that the applicant's signs are not visible but she does not want to set a precedent.

Mr. Conley stated that they still don't know what the Judge's decision will be. If they were allowed to cut the trees it would be more beneficial to lower the signs, which would be one of the stipulations. Mrs. Touw stated that the stipulation is already included in the ordinance.

Following discussion, a motion was made by Mrs. Iris Touw to recommend denial of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Richard Altman, Ms. Ann McCormick and Mrs. Iris Touw. Voting Nay: Mr. Lamar Cole, Mr. Perry Fields and Mr. Jonathan Williams. It was noted that one member being absent at today's meeting resulted in a tie vote. Therefore, a motion was made by Mr. Perry Fields to defer this request until all members are in attendance. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay: Mr. Richard Altman.

GC-2-00 C

Consider Amending the Glynn County Zoning Ordinance - Article VIII. Signs, Section 814.5 Signs Attached to Improvements, to provide for an additional sign of two square feet to be attached to business establishments in the St. Simons Village Preservation District, and for other purposes.

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

Following a brief discussion, a motion was made by Mr. Jonathan Williams to recommend approval of this amendment. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-2-00 D

Consider Amending the Glynn County Zoning Ordinance - Article XI, Section 1101. Authority, regarding the time period in which the Glynn County Planning Commission is required to submit report to the Glynn County Board of Commissioners on proposed amendments.

Chairman Altman gave a brief overview of how this amendment was initiated and a general discussion followed. Afterward, a motion was made by Mr. Lamar Cole to recommend approval of this amendment subject to the underlined phrase being added as follows: "...The sixty (60) day time limit shall begin at the first public hearing of the Planning Commission after the amendment is sent to the Planning Commission for review..." The motion was seconded by Mrs. Iris Touw and unanimously adopted.

The following amendments relate to the same issue of creating a second Planning Commission; however, it was noted that separate motions are required.

GC-2-00 B

Consider Amending Sections 301, 617, 708.3, 709.4, 714.3, 717.3, 717.4, 723.5, 723.6, 813.1, 905.1, 1102.5, 1102.6, 1103, 1104, 1005.1, 1402, 1403.1 and 1405 of the Glynn County Zoning Ordinance to rename the Glynn County Planning Commission to the Glynn County Mainland Planning & Zoning Commission, to provide for a Glynn County Barrier Island Planning & Zoning Commission and empower them to act in certain circumstances, to clarify terms and for other purposes.

Mrs. Touw stated that she has mixed feelings about making a recommendation on this issue. She stated that it has a lot of political overtones and she would rather send a detailed report of the public hearings to the County Commission without a recommendation from the Planning Commission. Chairman Altman disagreed. He stated that the Planning Commission conducted the public hearings and it is therefore the Planning Commission's responsibility to forward a recommendation.

Mr. Perry Fields agreed that this is a political issue but he doesn't think creating a second Planning Commission would solve the problems. He stated that the perception is that the citizens on the mainland feel that everything is being done for the island. The island residents feel that they have the tax base and therefore they have a right to establish their own Planning Commission. Also, staff would have to deal with two commissions with two mindsets.

Mr. Jonathan Williams stated that he grew up on St. Simons and he has seen the dramatic changes. Citizens have confronted him with complaints that the people proposing all of the changes are not natives of the island. The developers are the controlling factors. He agreed with Mr. Fields that a separate Planning Commission would not solve the problems. It would not help staff or the situation.

Chairman Altman stated that he was opposed to a second Planning Commission two years ago and it is his personal feeling that "as long as we have seven County Commissioners, one set of ordinances and one county there is no need for two Planning Commissions." He stated that a second Planning Commission would cause a duplication of work by both commissions and by staff in preparation for monthly meetings. Ultimately, the decision lies with the County Commission. Why have fourteen people doing the same job. The outcome will still be the same. He stated that there is a need to re-write the ordinances but there is no need for two Planning Commissions.

Mrs. Touw stated that island residents are concerned that ordinances pertaining to the island are being ignored. For example, she stated that nothing has been done with the proposed Tree Ordinance. "It is now in limbo." The island residents have been asking for a second Planning Commission for two years and it is time to give them this opportunity.

Following discussion, a motion was made by Mr. Perry Fields to recommend denial of creating a second Planning Commission for the Barrier Islands. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Perry Fields, Ms. Ann McCormick and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

SR-1-00

Consider Amending Sections 501 and 701 of the Glynn County Subdivision Regulations, to rename the Glynn County Planning Commission to the Glynn County Mainland Planning & Zoning Commission, to provide for a Glynn County Barrier Island Planning & Zoning Commission. The Glynn County Barrier Island Planning & Zoning Commission shall act only when the issue to be reviewed or acted upon by the "Planning Commission" which involves only property within Glynn County Planning District 2 and for other purposes.

A motion was made by Mr. Perry Fields to recommend denial of this amendment. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Perry Fields, Ms. Ann McCormick and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

CODE-1-00

Consider Amending the Code of Ordinances, Glynn County, Georgia, Chapter 2-19, Sections 2-19-2, 2-19-3, 2-19-4, 2-19-10, 2-19-14 and 2-19-5 to rename the existing Glynn County Planning Commission to the Glynn County Mainland Planning & Zoning Commission, to state the need for a Glynn County Barrier Island Planning & Zoning Commission, to establish the method for selecting its members and their term of office, to define its duties and powers, to establish that any amendment to this Ordinance (The Planning Commission Ordinance) be reviewed by the Glynn County Mainland Planning & Zoning Commission and the Glynn County Barrier Island Planning & Zoning Commission, to establish a new effective date of the Planning Commission Ordinance, and for other purposes.

A motion was made by Mr. Perry Fields to recommend denial of this amendment. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Perry Fields, Ms. Ann McCormick and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

MINUTES

- a) April 4th Regular Meeting
- b) March 28th Public Hearing
- c) April 11th Public Hearing

Chairman Altman advised Mrs. Loving to bring back the above referenced Minutes in the form previously accustomed to being reviewed and subsequently approved by the Planning Commission.

STAFF ITEMS

Proposed Amendment - Glynn County Zoning Ordinance, Article VI. Establishment of Districts, Section 405 Planning Districts to include "Little St. Simons" in Glynn County Planning District 2.

Mr. Chuck Taylor was given permission to advertise the above referenced amendment with the understanding that the item will be pulled if there is no response from the Little St. Simons Board Members.

There being no further business to discuss, the meeting adjourned at 12:05 p.m.