

**MINUTES
GLYNN COUNTY PLANNING COMMISSION
AUGUST 1, 2000 9:00 A.M.**

MEMBERS PRESENT: Lamar Cole, Chairman
Perry Fields
Hal Hart
Ann McCormick
Wayne Stewart
Iris Touw
Jonathan Williams

STAFF PRESENT: John Peterson, Director
Lee Sutton, Planner II
Ed Halbig, Transportation Coordinator
Ellis Carter, Building Official
Buster Reese, Assistant Engineer
Janet Loving, Recording/Admin Secretary

Chairman Lamar Cole 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.

Special acknowledgment was given to Mr. Richard Altman in grateful appreciation for his outstanding service and leadership to the Glynn County Planning Commission. On behalf of staff and the Planning Commission, Chairman Cole presented Mr. Altman with a plaque and wished him continued success in his future endeavors. Mr. Altman thanked staff and the Planning Commission for their efforts.

At this time, Chairman Cole introduced and welcomed Mr. Wayne Stewart as the new member appointed to serve on the Glynn County Planning Commission.

Special Election/Vice Chairman

The floor was open for nominations. A motion was made by Mrs. Iris Touw and seconded by Ms. Ann McCormick to nominate Mr. Wayne Stewart to serve as Vice Chairman for the remainder of the year 2000. Mr. Jonathan Williams nominated Mr. Hal Hart and Mr. Perry Fields nominated Mrs. Iris Touw; however, both members declined the nomination. There being no other nominations from the floor, nominations were closed. The motion nominating Mr. Wayne Stewart to serve as Vice Chairman for the remainder of the year 2000 was unanimously adopted.

SUP-9-00

Request for a Special Use Permit in a Forest Agricultural Zoning District for the location of a Telecommunications Tower having a maximum height of 250 ft. above ground. Property Owners, Greg & Mari Crosby; Value Concepts, Inc., Business Owner/Agent.

Mr. Paul Felser and Mr. Fowler were present for discussion.

Staff provided the following comments: 1) 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 1404.B.5*); 2) Setbacks and separation requirements shall apply to all towers and antenna; provided, however that the Planning Commission may reduce the standard setbacks and separation requirements if the goals of this ordinance would be better served thereby (*Reference Article XVI, Section 1404.A.10a*); and 3)...No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Glynn County Planning Commission that no existing tower or structure can accommodate the applicant's proposed antenna...(Reference Article XIV, Section 1403.1A).

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

1. The proposed tower is not setback from adjoining residential lots a distance equal to the total height of the tower.

Mr. Sutton stated that staff had a second reason for denial (*The applicant has not ruled out the possibility of collocation with SBA, Inc.*); however, this reason was dismissed by Assistant County Attorney Keith Taylor who stated that it should not be a basis for denial.

Mr. Paul Felser gave a brief presentation. In addressing the residential issue pointed out by staff, he stated that the applicants are in compliance with the section of the ordinance regarding the distance between a telecommunications tower and a residential structure. The residential structure previously on the property has burned down and there are no current plans to replace it. He stated that there are no residential structures that the proposed tower is within 250 ft. of. He pointed out that there are substantial wooded buffers in all directions of the site. He further stated that the property owner of the burned down structure, Ms. Mathis has submitted a letter confirming her support of this project and she has been compensated monetarily for her support.

Mr. Felser presented coverage maps showing the before and after affects of the tower. He reiterated that they have met the requirements of the ordinance and he is soliciting the Planning Commission's approval.

Mrs. Touw stated that the Planning Commission did not receive a copy of the letter from Ms. Mathis. Also, she asked if the monetary reimbursement to Ms. Mathis was for her support, or does it place any sort of deed restriction on her property. Mr. Felser stated that they discussed with Ms. Mathis the possibility of placing a restrictive covenant on her property and he believes that she is willing to do so. He explained that Ms. Mathis was compensated for any potential negative impact with regard to her property. (He then distributed a copy of the letter to the members.)

Mr. Wayne Stewart commented that he would personally like to see a letter from the adjacent radio stations indicating that the proposed tower would not interfere with their broadcast. Mr. Felser stated that they are mandated by federal law to not interfere with radio stations, etc. If there is any interference, the telecommunications company is subject to a fine of several millions of dollars.

At this time the Engineering Manager with BellSouth, Mr. Fowler addressed the proposed lighting, the affects and solution to any interference with the broadcast area. Mr. Stewart reiterated that he would rather see written confirmation from the adjacent radio stations before approving this application. Mr. Felser stated that radio tower protection is in place by the FCC. Regarding the process of a possible deferral, he stated

that he would rather get the Planning Commission's approval with the condition that before anything is finalized, the tower company would submit written verification from the adjacent radio stations confirming that there is no interference, and also offering their support of the project.

Mr. Hal Hart had questions about the letter from Ms. Mathis, i.e., what happens if she were to sell her property; would the new owner be bound by the letter; if she comes in for a permit can she be denied; etc. Mr. Perry Fields explained that Ms. Mathis has put herself under this obligation. She agreed to this. The Planning Commission did not force her to agree to anything. She had an opportunity to object, but she chose to support the project. Therefore, she has waived the right to any complaints of the outcome of the tower being located near her property. If Ms. Mathis supports the tower, the burden she places on her property by her own action is not the Planning Commission's concern even if she were to sell the property five years from now. It would then be the buyer's choice to say if he/she wants to live next to a radio tower.

Mr. Felser stated that if the Planning Commission votes to defer this request, he would ask that they be specific with the concerns that he needs to address.

Mrs. Touw stated that she is very concerned about setting a precedent. She reminded the members that at the June 27th meeting, approval was granted to an applicant contingent upon the condition of receiving a confirmation letter from adjacent property owners on either side of the proposed project. She stated that the Planning Commission needs to establish a standard as to how to handle these types of requests. She also stated that it bothers her that a property owner was compensated.

For clarification, Mr. Felser explained that the property owner was not paid to support the project; however, he does understand how it could be viewed in this manner. The compensation is with regard to any perceived impact on the property.

Following discussion, a motion was made by Mr. Wayne Stewart to defer this request until next month to allow the applicant to address the setbacks and to obtain written approval from the two broadcast stations in the area. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Lamar Cole, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart and Mr. Jonathan Williams. Voting Nay: Mr. Perry Fields and Mrs. Iris Touw.

SUP-11-00

Request for a Special Use Permit in a Forest Agricultural Zoning District for the location of a Telecommunications Tower having a maximum height of 258 ft. above ground. Steven A. Angle & Kimberly A. Corey, Property Owners
SBA, Inc., Business Owner/Agent

Chairman Cole advised that prior to the meeting, the applicant requested that this item be deferred.

GC-15-00

Request to rezone from Forest Agricultural to Planned Development-Residential, (Manufactured Homes) a 23.136 acre tract located on Yarnell Road at the Yarnell Road and Beardon Drive intersection. Property lying south of the Spur Tract to Glyngo and east of Interstate 95; Property Owner, E. W. Merritt; Atlantic Surveying, Agent

Mr. Freddie Merritt was present for discussion.

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

The survey and deed do not match in descriptions for the northwest boundary of the property; the error is along railroad right of way; combined errors equal approximately 0.3 ft.

Section 602.2 (b) of the Subdivision Regulations states that "the horizontal alignment of streets across intersections of less than 150 ft. shall be prohibited." The alignment as it is currently shown is approximately 120 ft.

According to Wayne Nuenke, County Environmental Health Manager of the State Health Department office, drainage easement area shall not be included in the total area required for inclusion and use of a septic tank on a residential lot. Lots 1 through 5 and Lots 9 through 12 intersect a proposed 20 ft. drainage easement. Lots 11 and 12 are of a sufficient size as to being in conformance; the remaining lot areas have net areas from 10,338 to 11,666 sq. ft.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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.

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

No.

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

The property could be utilized as zoned (FA) for limited uses, as outlined in the Zoning Ordinance.

- 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;

Additional 580 trips on Yarnell Road. Letter from City of Brunswick states that water is available at Yarnell Road and Old Jesup Road.

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

Yes. Future Land Use map shows higher level of development (residential and commercial in the immediate area. Goals of Housing Element would also be satisfied.

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

None at this time.

Previously, staff recommended approval of this request conditional on a new Master Plan being submitted that addresses the following elements:

- 1) Boundary survey and property deed have matching legal descriptions, and that PD-R zoning be applied to the area describe in said legal description.

- 2) General Layout Plan of Merritt's Place be reconfigured so that the alignment of Beardon Drive and Merritt Circle are in conformance with Subdivision Regulations Section 602.2 (b) Street Jogs.
- 3) General Layout Plan of Merritt's Place be reconfigured so that Lots 1 through 5 and Lots 9 and 10 of the plan meet the requirements of the Health Department, specifically pertaining to easements and minimum lot size for septic tanks.

Mr. Halbig pointed out that a Master Plan was resubmitted on yesterday (July 31st at 5:00 p.m.) that addressed issues 2 and 3. Also, issue 1 has been satisfied. Staff recommends approval of this request.

Mr. Freddie Merritt gave a brief presentation. He pointed out that he is only trying to rezone 57 lots and not 125 as indicated on a flyer that has been circulating around the county. Also, he is proposing a mobile home subdivision and not a mobile home park. He then elaborated on the difference between the two. Mr. Merritt stated that the subdivision will contain three (3) units per acre, and not four (4) units. The lots vary from 12 to 18,000 sq. ft.

Mrs. Frankie Thrower, adjacent property owner, stated that she is opposed to this request, specifically due to the additional traffic on Old Jesup Road.

Following discussion, a motion was made by Mrs. Iris Touw to recommend approval of this request with staff's recommendations. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

GC-17-00

Request to rezone from R-6 One-Family Residential to General Residential, Lots 46 & 47 in Phase III of Waverly Pines Subdivision. The subject property has a total frontage of 263 ft. on the north side of Chapel Crossing Road (a/k/a Highway 303), beginning approximately 574 ft. east of Ethridge Drive.
Property Owner, Gino Marsili; Neil Foster, Agent.

It was the consensus of the Planning Commission to defer this item until later in the meeting pending arrival of a representative.

GC-21-00

Request to rezone from Conservation Preservation to R-6 One-Family Residential, an irregular shaped 11,813.47 sq. ft. parcel of land located northeast of Lot 7 of Thompson Cove Subdivision. Subject property further described as being located immediately south of South Point Subdivision and east of the Hendrix Tract (fronting on Demere Road, approximately 1,000 ft. south of the East Beach Causeway.)
Property Owners, Ronald & Deborah Bell; Lewis Strickland, Agent

Mr. Lewis Strickland was present for discussion.

This request was deferred from the July 11th Planning Commission meeting in order to get an opinion from the County Attorney as to whether or not the uses applied for by the applicant were permitted in a Conservation Preservation Zoning District. It is the County Attorney's opinion that a swimming pool and/or pool cabana are not permitted uses in a CP Zoning District; the proposed R-6 Zoning District change would allow for the swimming pool and/or pool cabana.

The following report from staff was included in the packages for review and was presented by Mr. Ed Halbig at this time:

When the Official Zoning Plate Maps were adopted in 1966, a tract of land identified by survey as the "Property of A.W. Jones, Portion of Messengale Tract" was classified as being zoned Conservation Preservation (however, it has recently been determined that the boundaries shown at that time were not correct but has been revised in accordance with the Glynn County Zoning Ordinance and original survey dated 1924).

In 1995, 10 acres of this tract was submitted to be rezoned from Conservation Preservation to Planned Development and a portion of the tract (consisting of approximately 3 acres), located at the end of the cul-de-sac of Thompson Cove Road, was sold and incorporated into the ownership of lots located within Thompson Cove Subdivision.

In 1996, after legal challenges and public hearings, the 10 acre tract was rezoned from Conservation Preservation to Planned Development. Since that time, a single-family subdivision (South Point) has been constructed on the 10 acre tract.

In March, 1999, the subject property (11,813 sq. ft.) was subdivided from the 3 acre parcel and sold to the property owner of Lot 7 in Thompson Cove Subdivision. This was accomplished by a deed being recorded in Superior Court, not processed in accordance with the Glynn County Subdivision Regulations.

The 11,813 sq. ft. parcel is being requested for a rezoning. The owner of Lot 7 would like to construct accessory uses (swimming pool and pool house) on the property. The property has no other access except by means of Lot 7 and could not be considered a separate residential lot for development of a residential structure and can only be incorporated into the existing lot (Lot 7) that has access via Thompson Cove Road. According to the survey submitted with this request (dated June 12, 2000), the subject property has no wetlands or marsh. However, there is a 15 ft. drainage easement located on the property.

In accordance with Section 722 of the Glynn County Zoning Ordinance, Conservation Preservation states the following as one of the intents of the district: "utilized for outdoor recreation purposes."

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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, the rezoning of the parcel would only allow for accessory uses for the residential lot, would not allow for the development of a residential structure.

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

With setbacks being met along on the property lines, as required by Zoning Ordinance, the rezoning should not have an adverse effect on the adjacent properties.

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

The property could be utilized as zoned (CP) for limited uses as outlined in the Zoning Ordinance.

- 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, the accessory uses proposed within this rezoning will have a minimum effect on the county infrastructure.

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

No, shown as undeveloped/unused.

- 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 rezoning in 1996 of the adjacent property from Conservation Preservation to Planned Development.

Mr. Halbig stated that staff is recommending approval of this request.

Mr. Lewis Strickland gave a brief presentation. He explained that the homeowner does not have enough room at the rear of the property to put in a swimming pool due to the setbacks. This request is consistent with property in South Point, which has been rezoned from CP to R-6 and follows the same guidelines. He stated that he is asking for the Planning Commission's approval.

Mr. Tom Swan, representing RUPA, was present to speak in opposition of this request. He stated that he had spoken with Ms. Rhonda Knight of the GA Department of Natural Resources who advised him that the developer had not complied with the required setbacks from the marshland, nor had he applied for or received any variance or permit from the Environmental Protection Division. Mr. Swan then quoted sections of the ordinance to substantiate his opposition, and urged the Planning Commission not to approve this request due to the encroachment into the marsh. He presented several photographs of the area in question for the Planning Commission's review.

Ms. Mittie Hendrix was also present to oppose this request. She stated that when she purchased her property she thought that she was protected by the CP Zoning District. She pointed out that the Planning Commission has to be fair to Mr. & Mrs. Bell, but they also have to be fair to her. She asked that this request be denied.

At this time, Ms. Hendrix stated that she would like to set the record straight. It had been reported that she was calling county offices complaining to staff. She stated that she was not complaining; she was only calling to express concerns. Ms. Hendrix stated that she is merely trying to protect the CP Zoning District.

Mr. Strickland pointed out that he does not need a building permit to clear property that he owns and he does not need a building permit to fill the property or to construct a bulkhead. Mr. Fields stated that a permit is required if the property is wetlands. However, Mr. Strickland stated that the property is not wetlands and it has been delineated by DNR. (He pointed this out for the Planning Commission's review at this time.)

Mrs. Touw stated that the drawing shows the pool setback away from the marsh. She wanted to know what the problem is with the 25 ft. DNR setback. Mr. Strickland stated that there is a disagreement. Due to a recent complaint, DNR reset the delineation line based on two plans. He stated that he is going by the original delineation line that DNR set five (5) weeks ago. Mr. Strickland pointed out that when he spoke with Mr. Ellis Carter of the Building Inspections Office, he was advised that this would be, if any, a very minor LDA and that it is a good faith effort.

Mrs. Touw asked if the developer had obtained any permits for building. Mr. Strickland replied no, absolutely not. He stated that the only thing that he had done was set the piling for the bulkhead, but there has been no construction on the lot other than the bulkhead. Mr. Carter pointed out that the county does not regulate bulkheads.

Following discussion, a motion was made by Mrs. Iris Touw to recommend denial of this request. The motion was seconded by Mr. Perry Fields. Discussion continued regarding the issue of whether or not the area in question is marshland. Afterward, the following vote was taken on the motion for denial: Voting Aye (for denial): Mr. Lamar Cole, Mr. Perry Fields, Ms. Ann McCormick, Mr. Wayne Stewart, and Mrs. Iris Touw. Voting Nay (against denial): Mr. Hal Hart and Mr. Jonathan Williams. The motion carried for denial.

GC-23-00

Request to rezone from Forest Agricultural to Medium Residential a 19.97 acre tract located on the southwest corner of U. S. Highway 17 and South Port Parkway; having 1,052.09 ft. of frontage on U. S. Highway 17 and 1,005.62 ft. of frontage on South Port Parkway.

Southport Group, LLC, Property Owners

Mr. Ken Tollison was present for discussion.

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

The concept plan shows 21 buildings of varying sizes that include 228 units. This concept plan is expected to add approximately 1482 trips to US 17, and along with the other rezonings proposed for the August meeting, the trip totals in the area are expected to increase by over 5000 trips per day. This does not take into account other proposals that have recently been submitted as preliminary plats along Southport Parkway. Since January 1, 2000, 356 single-family lots have been submitted in three separate preliminary plats. That equates to 3560 additional trips.

Allowing for the development of just Southport properties submitted this year, a total of approximately 8800 daily trips are going to be added to US 17 totals of 2784 trips per day south of US 82 intersection or 10,777 trips east of it (1999 GDOT traffic counts). With growth of this magnitude anticipated, serious consideration will need to be given to the widening of US 17. If widening occurs, additional right of way may be required from adjacent property owners. Even if it is not, additional lanes will increase the pavement width, bringing the road closer to the subject property. This is the reason for request of the condition that the no structures or parking be put within the 30 ft. setbacks along US 17 and Southport Parkway.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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. Industrial and Highway Commercial uses are separated across US 17. Proposed Local Commercial (GC-24-00) is separated by South Port Parkway.

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

No.

- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
The property could be utilized as zoned (FA) for limited uses, as outlined in the Zoning Ordinance.

- 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;

Concept Plan describes 228 units. 1999 road capacity estimate for US 17 is 2784 trips per day south of US 82 intersection and 10777 trips east of it. Concept plan for 228 units generates approximately 1482 trips per day.

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

Yes. Future Land Use map show higher level of development (residential and commercial in the immediate area. Goals of Housing Element would also be satisfied.

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

This application, along with the other two applications being put forth by Southport Group, LLC, will result in approximately 5239 daily trips being added to the local roads.

Mr. Halbig stated that staff is recommending approval of this request conditional on the requirement that the no structures or parking be put within the 30 ft. setbacks along US 17 and Southport Parkway.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this request subject to there being no parking spaces inside the 30 ft. setback. The motion was seconded by Mr. Perry Fields with an amendment that access be limited to Southport Road. The amendment was accepted and the motion was unanimously adopted.

GC-24-00

Request to rezone from Forest Agricultural to Local Commercial a 17.11 acre tract located on the southeast corner of U. S. Highway 17 and South Port Parkway; having 1,947.95 ft. of frontage on U. S. Highway 17 and 429.32 ft. of frontage on South Port Parkway. Subject property has an average depth of 410 ft.
Southport Group, LLC, Property Owners

Mr. Ken Tollison was present for discussion.

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

The concept plan indicates a shopping center with 3 entrances, two along US 17 and one on Southport Parkway. The development is oriented to serve vehicles traveling along US 17. Since the orientation of the property to be rezoned is essentially linear and fronts US 17, rezoning is expected to generate a full complement of vehicle trips (approximately 3047 trips per day based on the concept plan).

This development is expected to add over 3000 trips to US 17, and along with the other rezonings proposed, the trip totals in the area are expected to increase by over 5000 trips per day. This does not take into account other proposals that have recently been submitted as preliminary plats along Southport Parkway. Since January 1, 2000, 356 single-family lots have been submitted in three separate preliminary plats. That equates to 3560 additional trips.

Allowing for the development of just Southport properties submitted this year, a total of approximately 8800 daily trips are going to be added to US 17 totals of 2784 trips per day south of US 82 intersection or 10,777 trips east of it (1999 GDOT traffic counts). With growth of this magnitude anticipated, serious consideration will need to be given to the widening of US 17. If widening occurs, additional right of way may be required from adjacent property owners. Even if it is not, additional lanes will increase the pavement width, bringing the road closer to the subject property. This is the reason for request of the 25 ft. front yard setback on all structures, parking included.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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.

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

No.

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

The property could be utilized as zoned (FA) for limited uses, as outlined in the Zoning Ordinance.

- 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;

Concept Plan describes 5 buildings totaling approximately 71,000 sq. ft. of leasable area. 1999 road capacity estimate for US 17 is 2784 trips per day south of US 82 intersection and 10,777 trips east of it. The concept plan generates approximately 3047 trips per day.

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

Yes. Future Land Use map show higher level of development (residential and commercial in the immediate area.

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

This application, along with the other two applications being put forth by Southport Group, LLC, will result in approximately 5239 daily trips being added to the local roads.

Mr. Halbig stated that staff is recommending approval of this request, conditional on the requirement that the 10 ft. front setback from the US 17 Right of Way be increased to a 25 ft. setback on all structures, parking included.

Mr. Wayne Stewart commented that there are 646 parking spaces tied to this development which he feels are unnecessary. He suggested that if the request is approved it should be recommended to the Glynn County Commission that the developer delete 185 parking spaces, which would then allow for a landscaped buffer of approximately 30 ft. away from US 17. Thereupon a motion was made by Mr. Stewart to recommend approval of this request with the deletion of 185 parking spaces with a 30 ft. landscaped buffer to be held as green space. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mrs. Touw stated that the rear of the property has not been addressed. The plan shows a 30 ft. buffer which is adjacent to the residential property. She stated that the buffer also needs to be specified. Mr. Lee Sutton stated that during the site plan review process, staff would have an opportunity to provide the specifics of the type of buffer required for the development. Mr. Hart pointed out that this particular rezoning would not be required to go through the site plan review process. However, Mr. Stewart stated that it could be included in the motion. Thereupon, the motion was amended to recommend approval of the request with the deletion of 185 proposed parking spaces adjacent to US 17, and the applicant to come back for site plan review for further consideration of the buffer. The amendment was accepted and the motion was unanimously adopted.

GC-25-00

Request to rezone from Forest Agricultural to R-9 One-Family Residential a 20.92 acre tract located on the north side of South Port Parkway, having a beginning point of 3,095.94 ft. east of the south Port Parkway and U. S. Highway 17 intersection; subject property lying immediately south and west of property owned by the Glynn County Board of Education (site of Satilla Marsh Elementary School.)
Southport Group, LLC, Property Owners

Mr. Ken Tollison was present for discussion.

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

This request is to rezone a 20.92 acre parcel of land located on the south side of South Port Parkway.

This rezoning request involves an increase in density. The applicant proposes to subdivide the 20.92 acres and create a single-family residential subdivision. The current zoning of Forest Agricultural allows a subdivision to be developed, which would allow mobile homes, manufactured homes and site-built homes. The Forest Agricultural district requires a minimum lot size of 20,000 sq. ft. and a minimum lot width of 100 ft. The rezoning being requested (R-9) which only allows site-built homes, requires a minimum lot size of 9,000 sq. ft. and a minimum lot width of 70 ft.

A concept plan has been submitted for the subject property. The plan shows the subdividing of the 20.92 acres into 71 residential lots. Under the proposed zoning of R-9 One-Family Residential, the maximum density would allow for four units per acre; however, this does not take into consideration the deduction for any roads and undevelopable land, such as wetlands.

The property will be served by public water and sewer. In 1987, by agreement between Glynn County, The 17-95 Trust and Land's End Properties, Inc., a Water and Sewer System was constructed. In 1988, this area, Exit 29, began developing as commercial and residential. This site is immediately south of property owned by the Glynn County Board of Education, site of Satilla Marsh Elementary.

Based on the amount of land and proposed development along South Port Parkway, the maximum density for the entire area required that a DRI (Development of Regional Impact) be submitted to the Coastal Georgia Regional Development Center. (The letter containing this information was included in the packages for review.)

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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.

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

No.

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

The property could be utilized as zoned (FA) for limited uses, as outlined in the Zoning Ordinance.

- 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;

The concept plan describes 71 single-family lots. 1999 road capacity estimate for US 17 is 2784 trips per day south of US 82 intersection and 10777 trips east of it. The concept plan generates approximately 710 trips per day. The Georgia Department of Transportation regional office requests that Glynn County monitor traffic during the development of the residential areas, if the rezoning is approved.

Water and sewer are available to the serve the subject property.

The elementary school in this area designed to serve proposed residential developments is approaching capacity. A Board of Education representative has stated that additional schools will be needed with continued growth around exit 29.

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

Yes. Future Land Use map shows higher level of development (residential and commercial in the immediate area). Goals of Housing Element would also be satisfied.

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

This application, along with the other two applications being put forth by Southport Group, LLC, will result in approximately 5239 daily trips being added to the local roads.

Mr. Halbig stated that staff recommends approval with the condition that prior to preliminary platting, a survey of the subject property be submitted to the Department of Natural Resources for verification of accuracy of wetlands boundaries, and required buffers around said boundaries be incorporated into the preliminary plat.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this request with the conditions stated by staff. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

The Planning Commission took a 10 minute recess. The meeting resumed at 11:29 a.m.

GC-26-00

Request to rezone from Forest Agricultural to Planned Development-General (commercial) an irregular shaped tract of land consisting of 101.785 acres located on the north side of Green Swamp Road, with 328.56 ft. of frontage and lying east of the Norfolk Southern Railway.

George Skarpalezos, Property Owner

Mr. George Skarpalezos and Mr. Robert Ussery were present for discussion.

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

The applicant has submitted for approval an amendment to the Planned Development District-General Zoning. The site in question would support commercial shooting range and related uses on the back portion of subject property, as well as residential use on the front portion of the property.

Recommendation of denial is based on the following:

Intent of District: the uses of single family residential and the commercial use proposed are not thought to be compatible. However, 723.8 (2) states that the Planning Commission and the County Commission are to make the determination if the land uses are "compatible and worthy for inclusion in a PD District."

Eligibility Requirements: Item #2 states: "the site must have a minimum width between any two boundary lines of three hundred (300) linear feet". Site width at its narrowest point is under 200 feet.

Design Criteria and Development Standards: The PD-G text states that the development may contain a "perimeter road" within the buffer. Section 723.7 Item #2, Part (e) states: "where development abuts a separate single family residential district, buildings, parking lots and other structures other than single family dwellings and two family dwellings, must be set back from the separating property or district boundary line, not less than thirty (30) feet for multi-family residential, public or institutional uses of [sic] fifty (50) feet for commercial or industrial uses, to ensure the absence of any objectionable effects on or from abutting districts".

Furthermore, Part (e) paragraph 2 requires a planted buffer, wall or fence, "sufficient to screen out excessive noise and view from residential areas."

Residential area would be subject to all traffic moving to and from the commercial use. The PD-G text makes no mention of traffic calming measures, such as stop signs, which would slow the commercial traffic on what is essentially to be a local street serving 28 residences.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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.

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

No.

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

The property could be utilized as zoned (FA) for limited uses, as outlined in the Zoning Ordinance.

- 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;

Negligible burden to utilities is expected. Traffic trips are expected to be between 250 and 350 trips per day (comparisons drawn with County Park and Golf Driving Range statistics).

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

Yes. The Future Land Use map shows that the area is intended to remain low intensity.

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

None at this time.

Mr. Halbig stated that staff is recommending denial of this request based on the following: Section 723.1 Intent of District; Section 723.2 (2) Eligibility Requirements; Section 723.7 Design Criteria and Development Standards.

Mr. Robert Ussery, local architect representing the property owners of this request, gave a brief presentation. He explained that due to the recent staff transition, he was unable to address and include in the application some of the staff's comments, but he is prepared at this time to make suggestions to help alleviate some of staff's questions. He stated that during the initial discussions with staff, the applicant was just looking to change the back portion of the property, which is approximately 74 acres. The applicant did not wish to do anything to the front portion; however, staff advised that in rezoning the area to Planned Development the other acreage had to be included as part of the application. He stated that the applicant would like to modify the request to include only the three residences on the front portion of the property (and not 28 as shown).

In addressing the maintenance road, Mr. Ussery stated that it was initially included as a means of maintaining the fence. However, the owners have agreed that they no longer need that and would like to remove it entirely from the application. He stated that there would not be a road within the buffer. Mr. Ussery presented letters from Mr. Gene Brockington and Mr. John T. Durham stating their support of this request.

At this time, Mr. Robert Patterson, consultant on the shooting facility, gave a brief presentation. He explained the intent of the facility and its use, i.e., clay target course and skeet shooting. A small pistol range is also proposed and a small field house for retail sales. Mr. Patterson pointed out the natural buffered area and stated that there would be a very minimum amount of clearing. All of the shots from the sporting clay course would be shot back toward the center of the property. No shots would be fired outside the perimeter of the property. Mr. Patterson stated that the most powerful gun to be used on the course is a 12-gauge shotgun. Rifles are not permitted. The closest shooting point in any direction to another position is 900 ft. He stated that they are proposing 12 shooting positions on the perimeter with no chance of any shots falling on any adjoining property.

In addressing the noise issue, Mr. Patterson stated that he spent a lot of time taking decibel readings in the area. The closest shooting position is 150 ft. from the perimeter. The decibel reading taken from that point to the perimeter was 74 decibels, which is about the same as a passing automobile. He elaborated on decibel readings, i.e., distance of sound and affects. He explained that the natural buffer around the perimeter of the property would shield the noise tremendously. He further stated that according to

the National Shooting Sports Foundation and the National Rifle Association, for every 30 ft. of natural tree buffer reduces the decibel meter 23 decibels. He stated there would not be any constant shooting from the sporting clay course. The most shooting would be around the skeet field located on the eastern side of the property with 2000 ft. of distance between the facility and the adjacent property owner on that particular side, who by the way supports this project.

Mr. Patterson pointed out that Glynn County does not have a facility like the one being proposed. There is a private facility on Sea Island that Mr. Patterson operates but it is not accessible to everyone. He stated that there are a number of boy scouts in the area who travel long distances to participate in shotgun merit badges, etc. This facility would accommodate boy scouts, junior high and high school clay target shooting teams in Glynn County.

Mr. Wayne Stewart wanted to know if the pistol range was outdoors or enclosed. Mr. Patterson stated that the pistol range is outdoors but it would have the NRA required buffer around it. He stated that the noise from a pistol target load is in and out. Also, he could not pick up the decibel reading of a pistol from the perimeter of the property.

Mr. Ron Latham, adjacent property owner (247 Flexer Lane), stated that he is present to oppose this request as a resident of Glynn County and as Project Manager for Service Care of America of which he operates 15 firing ranges at the Federal Law Enforcement Training Center. He is also in charge of the prototype of the newest firing ranges in the country. Mr. Latham stated that the noise from the firing range is very loud and very disturbing. In fact, just the other day someone was on the range with a machine gun. There is no peace and quiet in the area because residents are already having to deal with the noise from the Coastal GA Gun Club. He feels that an independent authority should take the decibel readings because the noise from the facility is the opposite of what Mr. Patterson has described. His facts and figures are incorrect.

Mr. Latham elaborated on EPA guidelines for firing ranges, specifically ground contamination from the bullets. He stated that there are three copies in this area of the EPA guidelines for operating a firing range and he has one of those copies. He expounded further on the dangers of cleaning firing ranges, the type of clothing required, toxic contaminants, etc. Mr. Latham urged the Planning Commission to not approve this request.

Mr. Stewart asked Mr. Latham if he could provide a copy of the EPA guidelines to staff. Mr. Latham replied yes. Mr. Stewart suggested that sound tests be conducted in the area in the presence of Mr. Latham, the applicant and/or representatives, staff members and members of the Planning Commission. He would like to defer the application until all tests have been completed.

Mr. Mike Hutchinson presented a petition containing 25 signatures of adjacent property owners who are opposed to this request. The following persons were also present to speak against this request: Ms. Cheryl Cutia, Mr. Ralph Swan, Mr. Charles Aspinwall, Mrs. Penny Latham and Mrs. Donna Boyd. (The residents are opposed to the commercial intrusion; they're concerned about the noise; and potential danger of falling bullets.)

Mr. Mike Randall was present to speak in favor of this request. He stated that he could only hear the shooting from the Coastal GA Gun Club when he's outside, and not when he's inside of his house. Also, Mr. George Skarpalezos was given an opportunity to respond.

Following discussion, a motion was made by Mr. Wayne Stewart to defer this request for further study of EPA guidelines and to involve the proper authority, perhaps the Glynn County Police Department, along with the applicant, representatives from the homeowners, staff members and/or Planning Commission members in taking decibel readings for clarification and to satisfy concerns. The motion was seconded by Ms. Ann McCormick. Discussion continued. Mrs. Touw commented that when the Planned Development Text is brought back, the text should be corrected to reflect the elimination

of the road and the change in the number of houses. After discussion, the motion for deferral was unanimously adopted.

Preliminary Plat/Azalea Place (PP00-18)

5.03 Acres, Located on Cypress Mill Road at 1203 ft. south of Benedict Road, Zoned General Residential
John Jones, Owner/Developer

Mr. John Jones was present for discussion.

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

This phase of the project proposes to create six buildings with 48 units. Total area of development equals 5.03 acres and will include 116 parking spaces. An LDA permit is required. The water supply and sewage disposal will be provided by the City of Brunswick.

The Building Inspections Division, Planning and Zoning, as well as GIS, the Fire Department, Environmental Engineering and Engineering Departments have all favorably reviewed this project.

Mr. Sutton stated that staff is recommending approval of this request with the following conditions:

1. Provide Glynn County with a copy of the as-built drawings.
2. Provide Engineering with detention plans for the site.

Regarding the two conditions, Mrs. Touw stated that due to the changes in the Subdivision Regulations, these conditions would have no application to the Planning Commission.

In response to staff's request for a copy of the as-built drawings, Mr. John Jones stated that this is a condominium association. They own all of the lines and the streets are maintained privately. Therefore, the county does no maintenance. He stated that he has no problem submitting the information to staff.

Following discussion, a motion was made by Mr. Perry Fields to approve this request with the developer's consent to provide the information requested by county staff. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

Preliminary Plat/Serenity Place (PP00-19)

4.587 Acres, 22 Residential Lots, Located 1102 ft. from Harrington Road (North Harrington), Zoned R-6
Seaside Development, Owner/Developer

Mr. Ernie Johns was present for discussion.

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

The applicant proposes to create a 22 lot subdivision, with the smallest lot being Lot 15 at 6,028 sq. ft. The minimum lot size for this zoning class is 6,000 sq. ft. The total area for lots equals 3.40 acres. In addition, there will be 0.17 acres for common areas and 1.01 acres for roads.

The right-of-way is suggested at 40 ft. It is to be called Serenity Lane and will be public. An LDA permit will be required. The water and sewer supply will be Glynn County.

The Building Inspections Division, Planning and Zoning, Environmental Engineering, Engineering Department, as well as GIS, and the Fire Department have all favorably reviewed this project. In addition, a Phase I analysis was performed and a letter of acknowledgment from the County Engineer was included in the packages for review.

Mr. Sutton stated that staff is recommending approval of this request with the following conditions.

1. The 40 ft. proposed right-of way will have to be approved by the County Engineer, IAW Article VI, Section 602.4 of the Glynn County Subdivision Regulations.
2. Depict on the drawing the location of existing water and sewer utilities, IAW Article VII, Section 703.12.
3. Provide the Fire Department with water construction plans for fire protection.

Mr. Sutton stated that a letter was recently submitted to Mr. Wayne Nuenke of Environmental Health regarding the possibility of a landfill having been in the area at one time. The exact size and location are being questioned, along with the exact number of landfills. According to Mr. Sutton, Mr. Tim Ransom of Environmental Engineering indicated that when they went out to lay water lines and while in the process of digging trenches, they dug up old washing machines, etc. Mr. Sutton pointed out that there are a number of subdivisions being proposed for this particular area. It has been suggested in the Development Review Team meeting that some type of corps sampling be done at some point during construction of the subdivisions in an effort to determine whether or not they are sitting on an abandoned landfill.

Mr. Stewart stated that he has a problem voting on this request due to speculation of a landfill being on the property. Mr. Sutton suggested that the corps samples be taken and perhaps be included as part of the construction plans. Mr. Fields stated that if there is any concern about the development being on a landfill, he feels that a legal opinion is necessary from the County Attorney as to the county's liability in the event that the subdivision is approved with the suspicion that a landfill exists.

Following discussion, a motion was made by Ms. Ann McCormick to defer this request pending collection of corps samples and a legal opinion from the County Attorney regarding the possibility of a landfill being located on the property. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

Preliminary Plat/Woods of Ivy (PP00-20)
6.833 Acres, 29 Residential Lots, Located 1500 ft. from
Harrington Road (North Harrington), Zoned R-6
Seaside Development, Owner/Developer

Mr. Ernie Johns was present for discussion.

In presenting the staff's report, Mr. Sutton stated that the applicant proposes to create a 29 lot subdivision with the smallest lot being Lot 9 at 6,889 sq. ft. The minimum

lot size for this zoning class is 6,000 sq. ft. The total area for lots equals 5.22 acres. In addition, there will be 0.20 acres for common areas and 1.41 acres for roads.

The right-of-ways are suggested at 40 ft., and are to be called Ivy Woods Drive and Planter's Row and will be public. An LDA permit will be required. The water and sewer supply will be Glynn County.

Mr. Sutton pointed out that staff's recommendations are identical to the previous preliminary plat application, Serenity Place. Also, the same concerns exist regarding the landfill.

Following discussion, a motion was made by Ms. Ann McCormick to defer this request pending collection of corps samples and a legal opinion from the County Attorney regarding the possibility of a landfill being located on the property. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

Site Plan/North Support Services Campus, Phase II (SP00-17)

4.63 Acres, Located at the Sea Island Causeway
Zoned Planned Development
Sea Island Company, Owner/Developer

Mr. Bill Edenfield was present for discussion.

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

This project is for Phase II of the North Support Services Campus. The site plan is for the data center and parking to service the data center. The total project is 4.63 acres, with this phase containing 22,000 sq. ft.

Parking required equals 15 spaces. Parking provided equals 20 spaces. Total building area will equal 6,000 sq. ft. with 3,000 sq. ft. for storage and 3,000 for office space. The percentage of total site coverage including Phase I and II equals 19.4%.

The Building Inspections Division, Planning and Zoning Division, as well as Engineering, Environmental Engineering, GIS and the Fire Department have all favorably reviewed this project.

Mr. Sutton stated that staff is recommending approval of this request.

Following review, a motion was made by Mrs. Iris Touw to approve this request. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

Site Plan/Parker's Market (SP00-19)

15,551 sq. ft. Tract, Located at the intersection of
Mallory Street and Ocean Street, Zoned General
Commercial-Core
Patrick Parker, Owner/Developer

Mr. Patrick Parker and Mr. Don Hutchinson were present for discussion.

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

This plan calls for the demolition and removal of an existing 2040 sq. ft. structure, gas pump island and canopy. A new building is planned which will include a 3024 sq. ft. main structure with gas pump island and canopy.

The Building Inspections Division, Planning and Zoning, as well as Engineering, Environmental Engineering, GIS and the Fire Department have all favorably reviewed this project. Engineering does have and will discuss drainage issues during the Construction Plan phase of the project.

Mr. Sutton stated that staff recommends approval conditioned on revising the handicap parking to comply with ADA requirements and providing Engineering Division with drawings indicating the existing and proposed storm water paths to collection devices.

Mr. Patrick Parker gave a brief presentation. He stated that he does have an elevation and site plan of what the building will look like. He is basically taking down an old building and an outside structure/bathroom. He is increasing the size of the building and moving the bathrooms inside. In doing so, he is creating a much-improved structure. The existing gasoline canopy is approximately 25 years old and he is proposing to build a new one

Mrs. Touw stated that the site plan does not show how the applicant intends to do the curb cuts, entering/exiting. Currently, it is a problem. She also expressed concerns about garbage pick-up, i.e., maneuvering in the street right-of-way to collect the garbage.

In response to Mrs. Touw's concerns about curb cuts, Mr. Parker stated that he is proposing to raise the curbs, irrigate the area and landscape. Once the curbs are in place, he feels that it would address the access. Mrs. Touw pointed out that the site plan is not as specific as the ordinance says it should be. It should show exactly where the curb cuts are and hopefully meet the approval of the Engineering Department. It should also show how the garbage is to be handled in accordance with the site plan approval process. Mr. Sutton explained that the Traffic Safety Engineer, Jimmy Horton, issued a memorandum suggesting additional review of the curb cuts and refuge collection. However, his suggestion came after the reports were compiled and subsequently delivered to the Planning Commission.

Following discussion, a motion was made by Mrs. Touw to approve this request subject to approval from the Traffic Safety Department of ingress and egress and location of refuge collection. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Mr. Hal Hart, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams. (It was noted that Ms. Ann McCormick stepped out of the meeting and did not vote at this time.)

SSVPD/Parker's Market (VP00-11)

501 Ocean Boulevard, 15,551 sq. ft. Tract
Zoned General Commercial-Core
Patrick Parker, Owner/Developer

Mr. Patrick Parker and Mr. Don Hutchinson were present for discussion.

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

This plan calls for the demolition and removal of an existing 2040 sq. ft. structure, gas pump island and canopy. A new building is planned which will include a 3024 sq. ft. foot main structure with gas pump island and canopy.

It was determined that color samples and roof shingle samples were not required as a result of the simplicity. Tan stucco and forest green trim work with terra cotta roof tile is the extent of colors being considered for the building. The island canopy is proposed to be a white canopy background with raised red accents.

One sign totaling 24 sq. ft. is being suggested for the front of the new structure. In accordance with Article VIII, Section 814.1 of the Glynn County Zoning Ordinance, Planning Commission approval is required because it exceeds 6 sq. ft. The proposed sign does not exceed 10% of the building front wall area in accordance with Article VIII, Section 814.5.

Mr. Sutton stated that staff recommends approving of this application conditioned on any additional signage being required to revisit the Planning Commission for approval in accordance with Article VIII of the Zoning Ordinance.

Mrs. Touw had questions about the lighting and lettering of signs. In an effort to address Mrs. Touw's concerns, Mr. Sutton referred to Section 814.5 of the Glynn County Zoning Ordinance as to the types of lettering required. Mrs. Touw stated that there is no lettering type proposed on the front of the building sign.

Mr. Stewart explained that at the time that the Village Preservation Plan was implemented, it was never intended to have raised letters with the lighting behind it. He suggested that the applicant revise the lettering and lighting to not adversely affect the overall appearance of the Village. Mr. Stewart stated that the size of the sign is not an issue. Mr. Parker stated that he would revise the lettering of the sign and bring it back for review. Mr. Sutton pointed out that the name brand of the fuel to be sold would have to be displayed on the sign, which also needs to be brought in separately for consideration.

Following discussion, a motion was made by Mr. Perry Fields to defer this application. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

SR-2-00

Consider Amending the Glynn County Subdivision Regulations, Section 602.2 to delete Subsection l), with its requirement that additional right-of-way be dedicated to Glynn County for the subdivision of land located on a platted right-of-way which does not meet minimum width requirements and for other purposes.

The amendment was included in the packages for review and was presented by Mr. Halbig, along with the explanation of changes from the County Attorney's Office.

Mr. Fields explained that this amendment originated from a situation where a gentleman wanted to give an acre of land to his son for a mobile home; however, it was discovered that he was on a paved platted street of 40 ft. in width. According to the ordinance, the road has to be 50 ft. in width in order to process an 801 Application. In essence, the gentleman had to part with a strip of land to accommodate giving his son an acre of land. Mr. Ernie Johns commented that Sections 801 and 802 of the Subdivision Regulations would have to be revised if this amendment is approved.

Mr. Bill Morris of BellSouth, who is also a member of the Public Utilities Coordinating Committee, was present to express concerns about this amendment in that utilities have a vested interest in keeping the right-of-ways available for service work, specifically right-of-ways within a subdivision.

Mr. Buster Reese, Assistant County Engineer, explained that eventually all roads with substandard right-of-ways that are not wide enough will have people living on them who will need power, phones, drainage, etc. The county at that time will have to go in and condemn and pay an incredible price for the land because at that point and time the property will be more valuable by the square footage. This amendment is to put something in place, so that at that time, the right-of-way is collected to install proper utilities. Mr. Reese stated that "we need to look at the long-term affects."

During the course of discussion, it was the consensus of the Planning Commission that the language in the amendment needed further review. Thereupon, a motion was made by Mr. Wayne Stewart to defer this item so that the Community Development Director, County Attorney and County Administrator could clarify the language. However the motion died for lack of a second. Discussion continued. Afterward, Chairman Cole appointed a sub-committee consisting of himself and Mr. Perry Fields (with Mr. Fields serving as chairman of the sub-committee) to work with staff in revising the 801 process. A motion was then made by Mr. Wayne Stewart to defer the amendment (SR-2-00) to the sub-committee and staff for further research and to bring back to the Planning Commission for review. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

OTHER

Chairman Cole appointed an ordinance sub-committee consisting of Mrs. Iris Touw, Mr. Wayne Stewart and Mr. Hal Hart, with Mrs. Touw serving as chairman.

MINUTES

Regular Meeting - April 4th

Regular Meeting - May 2nd

Regular Meeting - June 6th

Called Meeting - June 27th

Regular Meeting - July 11th

A motion was made by Mrs. Iris Touw recommending that the above referenced Minutes not be accepted in their present form, and that the Chairman meet with the County Administrator and/or County Attorney to clarify what action the Planning Commission could take to get clerical assistance in preparing the Minutes in such detail as the Planning Commission sees the need for. The motion was seconded by Mr. Hal Hart. However, during the course of discussion, Mr. John Peterson advised that the Minutes would be prepared in the form previously accustomed to being reviewed and subsequently approved by the Planning Commission. Therefore, the motion (and the second) was withdrawn.

GC-17-00

Request to rezone from R-6 One-Family Residential to General Residential, Lots 46 & 47 in Phase III of Waverly Pines Subdivision. The subject property has a total frontage of 263 ft. on the north side of Chapel Crossing Road (a/k/a Highway 303), beginning approximately 574 ft. east of Ethridge Drive.

Gino Marsili, Property Owner
Neil Foster, Agent

It was noted that this application was deferred from the July 11th meeting due to a representative not being in attendance. The representative was notified of today's meeting, but failed to attend. Therefore, the application was reviewed at the Public Hearing as follows:

This request is to rezone two existing single-family residential lots fronting on Chapel Crossing Road a/k/a Highway 303, to General Residential. Currently, Chapel Crossing Road is a state road, which has an existing 2-lane paved road with an 85 ft. right-of-way. The Transportation Improvement Program (TIP) FY 2001-2003 lists Chapel Crossing Road between Scranton Road and U.S. Highway 17 as being scheduled for both engineering and right-of-way in phases in 2001. Included in the cost is \$200,000 for right-of-way acquisition. The project description lists widening and recommends addition of a bike path, curb lanes, or shoulder improvements. It is unknown whether additional right-of-way will be required.

Lot 46 consists of 7,359 sq. ft. and Lot 47 consists of 6,496 sq. ft. The current zoning allows for the development of a single-family residential structure on each lot subject to meeting setbacks. Lot 46 has more length than depth (length - 134 ft. along said highway, depth - narrowest point 47 ft.). With the lot having an average depth of 60 ft., 27 ft. of this will consist of setbacks; leaving 33 ft. in the depth of the lot as buildable area. Lot 47 also has more length than depth (length - 129.60, depth - narrowest point 47.5 ft.). With the lot having an average depth of 50 ft., 27 ft. of this will consist of setbacks; leaving 23 ft. as buildable area.

The applicant would like to rezone the subject property to General Residential to allow for the development of duplexes. The General Residential zoning would allow for the development of one duplex per lot, which would increase the density from 2 units to 4 units. If the zoning is approved, the additional density may pose a physical problem due to the narrow depth of the lots.

General Residential zoning also allows for the development of multi-family residential. However, the total square footage of the two lots is only 13,855 sq. ft. General Residential requires a minimum net land area per dwelling unit to be 4,356 sq. ft. Therefore, combining the two lots for a multi-family development would only yield, at maximum, a triplex.

Located to the north of the subject property is a 40 ft. drainage easement with residential lots in Waverly Pines Subdivision. The residential subdivision lots are located on the other side of said easement. Located to the west of the property are residential lots in Waverly Pines Subdivision. To the south, located across Chapel Crossing Road, are the rear yards of the residential lots located in Fairway Oaks Subdivision, and to the east is a vacant parcel owned by the adjacent property owner, Northside Baptist Church.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 an existing lot in an established single-family residential subdivision and the surrounding properties are single-family residential and a church within a single-family residential district.

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

Yes, could have an impact on the existing single-family residential lots surrounding the area by allowing an increase in density, which results in more traffic, noise and building land coverage.

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

Yes, the two lots could be developed for single-family residential structures.

- 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, the zoning change would increase traffic. According to information provided by Ed Halbig, Transportation Coordinator, the two residential lots would generate 19 trips per day and the two duplex units (4 dwelling units) would generate 38 trips per day. The Department of Transportation records indicate the 1999 AADT (Average Annual Daily Traffic) on Chapel Crossing Road west of U.S. Highway 17 to be 10,257.

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

No, the property is shown 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;

None except those expressed regarding traffic and the possible need of additional right-of-way of Chapel Crossing Road.

Mr. Ed Halbig stated that staff is recommending denial of this request.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend denial of this request. The motion was seconded by Mr. Perry Fields and unanimously adopted.

At this time, the Planning Commission publicly commended staff for the accuracy and timely manner in which the information and planning packets were delivered to the members, and for staff's outstanding job in preparing for today's meeting.

There being no further business to discuss, the meeting adjourned at 2:04 p.m.