

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**OCTOBER 3, 2000 9:00 A.M.**

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**MEMBERS PRESENT:** Wayne Stewart, Vice Chairman  
Perry Fields  
Hal Hart  
Ann McCormick  
Jonathan Williams

**ABSENT:** Lamar Cole  
Iris Touw

**STAFF PRESENT:** John Peterson, Director  
Lee Sutton, Planner II  
Janet Loving, Recording/Admin Secretary

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In the absence of the Chairman, Vice Chairman Wayne Stewart 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.

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**SUP-15-00**

Request for a Special Use Permit in a Highway Commercial Zoning District for the location of a Telecommunications Tower having a maximum height of 250 ft. above ground on a 3.521 acre parcel of land. Address known as 3283, Highway 82.

James C. Souter, III, Property Owner; Coastal Tower, Inc., Applicant/Business Owner

Mr. Jack McGee, Coastal Tower, Inc. was present for discussion.

Mr. Sutton stated that the applicant has met the requirements of Article XIV of the Glynn County Zoning Ordinance, specifically, Section 1404 "Requirements for Telecommunication Facilities" and Section 1405 "Application Procedures." He stated that staff is recommending approval of this request.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this request. The motion was seconded by Mr. Hal Hart. Discussion continued. Mr. Stewart asked Mr. McGee if he had received anything in writing from the existing broadcasting station in the area. Mr. McGee replied no, but he did receive verbal confirmation from the owner. Mr. Stewart stated that he would prefer to have this in writing and asked that it be made part of the motion. Thereupon, the motion was amended to include the condition that the applicant is to obtain a letter from the existing broadcasting station regarding potential interference. The amendment was accepted and the motion was unanimously adopted.

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**GC-28-00**

Request to rezone from R-9 Single Family Residential, MH Mobile Home and HC Highway Commercial to PD-G Planned Development-General, a 10.043 acre tract having 846 ft. of frontage on U. S. Highway 17 and 652 ft. of frontage on Emanuel Farm Road; Property owned by Philadelphia, The Overcomers Church of Deliverance.

Rev. Daniel Wilson, Mr. Don Hutchinson and Mr. Steve Bryant were present for discussion.

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

This is a request to rezone a 10.043 acre property to Planned Development-General for the purpose of developing a church and other uses on the site. The other uses are described in the application under permitted uses and include those allowed currently as accessory uses to a church (Sunday school and multi-purpose/recreational building), along with additional uses such as multi-family housing, preschool and daycare center.

The master plan shows the location of the church building on the southern portion of the property. "Church Accessory Uses" are designated on the northern portion of the property. One proposed use would be to develop multi-family housing in accordance with HR High Residential standards. Those standards allow for the multi-family dwellings at a maximum density of thirty-five (35) units per acre. Estimating the "northern" portion of the property at approximately 4.71 acres, this would allow for 164 housing units. Medium Residential would allow for 75 units and General Residential would allow for 47 units. These are based on the division of the property along the unnamed access road; no applicant definition has been provided. Therefore, it is critical that the applicant defines the boundaries of the "northern" and "southern" portions of the property so that total number of possible residential units could be determined.

There is currently no High Residential in the area of Emanuel Farm Road and U.S. 17. There is Medium Residential and General Residential zoning along Emanuel Farm Road.

The legal description currently listed in the PD text contains discrepancies from the deed legal description, specifically line seven where the bearing lists "feet" instead of "minutes" (').

In conformance with Section 1103 of the 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. A church with accessory uses would be suitable for the area. Staff's concern is for the density of the multi-family housing.

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

High density residential may have impacts on single family residential adjacent to it on the northern boundary.

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

Since the whole of the property currently has three zoning classifications on it, the property would have to be subdivided or rezoned to fully utilize the land. While the Highway Commercial portion of the property does have use as currently zoned, the remaining property would have questionable use.

- 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;

According to the manual Trip Generation, 6th Edition (Institute of Transportation Engineers), churches on average generate 9.11 trips per 1000 sq. ft. on weekdays and 36.63 trips per 1000 sq. ft. on Sundays. The proposed church building of approximately 2000 sq. ft. is expected to generate approximately 73 trips on Sundays. The site also has a second access onto US 17. The access has accel/decel lanes adjacent to the southbound and a crossover to northbound traffic.

The manual further states that "day care" will generate approximately 79.26 trips per 1000 sq. ft. per day. "Elderly Housing - Attached" generates approximately 3.48 trips per occupied unit per day. Additional trips could be as many as 570 per day with 164 housing units. The City of Brunswick provides water & sewer in the area.

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

The land use map shows the area as low and medium residential. Therefore the church would be in compliance with the comprehensive plan; high residential would not.

- 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 area has the potential to flood in a Category 1 or 2 hurricane, which makes it a questionable location to locate elderly or low-income residents. Also, lack of public transportation will mean that the population served by the housing will be required to use personal vehicles; this will result in additional trips to and from the site.

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

1. Change 723.2C elderly and/or low rent housing to "multi-family housing" in accordance with Medium Residential Zoning District from the Glynn County Code of Ordinances.
2. Change 723.2C so that it describes, in two parts, those uses that are allowed on the northern portion of the property, and the use allowed on the southern portion of property.
3. Change master plan to define the two areas listed in condition #2, using survey descriptions. Show setback on western side of property to scale.
4. Specifically list the property owner(s) in section 723.4 2B.
5. Either attach the legal description as an appendix to the PD text or copy it verbatim into the PD text.

Mr. Perry Fields stated that staff's comment that "...lack of public transportation will mean that the population served by the housing will be required to use personal vehicles..." should not be a concern at this point because it is not an option at this time. Mr. Sutton agreed, but he believes that the Transportation Coordinator/Acting Zoning Administrator wanted to reserve this as a precaution. Mr. Stewart stated that a Category 1 is not a very strong hurricane but it would affect everything. Mr. Fields asked the applicant if he understands that staff is proposing to limit the number of units to 32. Rev. Daniel Wilson replied yes; he does not have a problem with staff's proposal. Mr. Jonathan Williams commented that an evacuation plan for this particular area is already in existence.

Mr. Fields further stated that he has a problem with staff's condition #4 regarding the property owner being identified in the Master Plan. The property owner is listed as "Philadelphia, The Overcomers Church of Deliverance." He wanted to know if staff is looking for something more specific. Mr. Sutton replied no, not that he is aware of. He pointed out that the Acting Zoning Administrator was looking for a survey that complied with the GA Plat Act Requirements of identifying existing or former property owners adjoining the parcel of land. However, Mr. Fields reiterated that the property owner is already listed, and therefore condition #4 should be deleted.

Following discussion, a motion was made by Mr. Hal Hart, seconded by Mr. Jonathan Williams and unanimously adopted to recommend approval of this request with the following conditions (with the elimination of staff's condition #4)

1. Change 723.2C elderly and/or low rent housing to multi-family housing in accordance with Medium Residential Zoning District from the Glynn County Code of Ordinances.
2. Change 723.2C so that it describes, in two parts, those uses that are allowed on the northern portion of the property, and the use allowed on the southern portion of the property.
3. Change Master Plan to define the two areas listed in condition #2, using survey descriptions. Show setback on western side of property to scale.
4. Either attach the legal description as an appendix to the PD text or copy it verbatim into the PD text.

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#### **GC-29-00**

Request to rezone from Planned Development-Medical to R-9 Single Family Residential, a 1.005 acre tract of land having 199 ft. of frontage on Toledo Street, described as Lot 15 of L. M. Kinstle Subdivision; Property owned by LTA Properties of GA, L. P. Life Trust America, Inc.

Mr. Don Lilly from Parker-Kaufman Realty was present for discussion.

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

In 1997, the subject property and two other lots were rezoned with conditions from R-9 One-Family Residential to Planned Development to allow for the development of an Assisted Living Facility. As outlined in the Planned Development Zoning Text and Master Plan, the Assisted Living Facility was the only permitted land use.

In April of this year, lot 15 was part of a rezoning of those three lots from Planned Development-Medical to General Commercial (application GC-12-00). At that time, staff recommended that lot 15 be denied the rezoning, and that the other lots be approved. The staff comments from that application stated the following:

*"It is recommended that this lot be rezoned back to a single-family residential classification if the above lots are rezoned, in that the existing zoning PD only allows this lot to be used as buffer/garden area in conjunction with an assisted living development."*

The Planning Commission denied the rezoning request outright. The County Commission approved the rezoning with one of the conditions being that Lot 15 be excluded from the rezoning.

When this Commission action occurred, Lot 15 was left as Planned Development-Medical. According to the Zoning Ordinance, Section 723.2, an area to be zoned Planned Development "must contain an area of not less than three acres." Section 723.3 states that "the violation of any provision of the Master Plan, as submitted and approved, shall constitute a violation of [the Glynn County Zoning] Ordinance," and that the County Commission is then "empowered to amend the Ordinance to place parts or all of the property in its prior zoning classification."

The zoning classification prior to 1997 was R-9, which is the zoning that the applicant is requesting. The subject property is vacant.

In conformance with Section 1103 of the 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. Returning Lot 15 to its original zoning would be suitable, given that the properties on three sides are still residential.

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

No. It will be made to conform to the surrounding properties within the neighborhood.

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

No, it is currently unusable, given the requirements of the zoning ordinance and the fact that the property is restricted to a single use.

- 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 impacts to streets, infrastructure or schools should not be excessive, considering the nature of surrounding properties.

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

Yes, it 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;

The property is in violation of the requirements of Planned Development with regard to the size of the property and is therefore undevelopable as it is currently zoned.

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

Mr. Roland Holmes, adjacent property owner, was present to speak in favor of this request.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this request. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

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**Preliminary Plat/Merritt's Place (PP00-22)**

22.136 Acres, 57 Residential Lots, Located on  
Yarnell Drive and Beardon Road, Zoned Planned  
Development-Residential (Manufactured Homes)  
E. W. Merritt, Owner/Developer

Mr. Freddie Merritt 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 57 lot subdivision. The smallest lot will be Lot 35 at 12,000 sq. ft. The minimum lot size for this zoning classification is 12,000 sq. ft. The total area for lots equals 17.29 acres. In addition, there will be 4.846 acres for roads.

The right-of-ways are suggested at 50 ft., private and are to be called Merritt Circle, Trucker's Lane and Yarnell Drive. Previous Planning Commission minutes indicate that during the rezoning request, the applicant indicated the roads would be curb and gutter. An LDA permit will be required. The water supply will be the City of Brunswick and individual septic tanks.

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

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

Mr. Fields wanted to know if the applicant is proposing to have fire hydrants, etc. Mr. Merritt replied yes. Mr. Don Hutchinson pointed out that they would have county fire protection and city water system. Mr. Fields stated that the city and county differ on how they calculate placement of fire hydrants. He then asked, for verification purposes, if the roads would be curb and gutter. Mr. Merritt replied yes.

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

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**Variance Request/Peppertree Crossing (PP00-25)**

Request Variance from Section 602.2(c) of Subdivision Regulations  
14.037 Acres, 92 Lot Row House Subdivision  
Located on Scranton Connector at the YWCA  
Zoned MR Medium Residential  
Pyramid Projects, Inc., Owner/Developer

Mr. Jim Meadows and Mr. Ernie Johns were present for discussion.

Mr. Sutton read a letter from the applicant requesting the variance. He then presented the staff's report as follows:

The applicant is requesting a variance from Section 602.2 (c) of the Subdivision Regulations, which states "streets shall be laid out so as the right-of-way centerlines will intersect as nearly as possible at right angles and not less than 80 degrees for a minimum distance of 75 ft." Peppertree Crossing Avenue meets Scranton Connector at an angle of 75 degrees. Article V; Section 501.38) states that the word "shall" is always mandatory.

**Article IX; Section 901 Variances shall be permitted as follows:**

**1) General:** *When a peculiar shape, or the topography of a tract of land, or other unusual condition makes it impractical for a subdivider to comply with the literal interpretations of the design requirements of this Ordinance, the Planning Commission shall be authorized to vary such requirements, provided, however that in so doing the intent and purposes of this Ordinance are not violated.*

**2) Conditions:** *In approving variances, the Planning Commission may require such conditions that will, in its judgement, secure substantially the objectives of the standards and requirements of these regulations.*

**3) Procedures:** *A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.*

Mr. Sutton stated that staff is recommending denial of this request based on the angle of the intersection. He then read a letter from Mr. Jimmy Horton, Traffic Safety Engineer, dated September 28<sup>th</sup> indicating that the development entrance is not in compliance with Section 606.2 (c) of the Glynn County Subdivision Regulations.

During a brief presentation, Mr. Jim Meadows stated that the property is zoned Medium Residential which allows 16 units per acre. His plan is for approximately 7 units per acre. He stated that Mr. Ernie Johns would address the variance request.

Mr. Johns explained that the location of the easement, which came with the property, is only accessed to Scranton Connector and intersects at an angle that makes it not possible to comply with the 80 degree minimum distance, which is the reason for requesting the variance.

For clarification, Mr. Stewart asked if there was any way to purchase additional property or make changes to accommodate the landowner. Mr. Johns and Mr. Meadows replied no. Mr. Meadows stated that the adjacent property is owned by the YWCA and according to their deed, they are not allowed to sell property. Mr. Johns stated that the engineer and architect have designed an acceleration/deceleration lane adjacent to Scranton Connector to alleviate any safety concerns. Mr. Sutton stated that according to the Traffic Safety Engineer (as pointed out in his letter), "while this condition does not severely diminish the intersection's safety, it is his responsibility to identify traffic safety aspects that are not in compliance with the ordinance."

Mr. Fields explained that if the Planning Commission were to approve this request and allow an intersection to be developed that is not safe, Glynn County is then held liable for a flawed designed intersection.

Mr. Hart asked if the two driveways could be moved closer together. Mr. Hutchinson stated that it might be possible, but a variance would still be required. Mr. Stewart stated that he would be more inclined to grant a variance on distance rather than on angles. Mr. Hutchinson stated that it could be worked out. He stated that if the Planning Commission approves the distance, he could work out the angle.

Mr. Stewart stated that he would rather deny this request as submitted and let the applicant resubmit the plan with the distance. However, Mr. Johns stated that if the request were denied and resubmitted the only thing that would change is the drawing of the roadway, which is really a construction plan issue. Mr. Fields stated that perhaps the right-of-way could be rotated to achieve the 80 degree angle. Mr. Sutton agreed with Mr. Johns that the roadway could be reviewed by staff at the construction plan phase to ensure that the angle conforms with the ordinance requirements.

Mr. Stewart pointed out that the Planning Commission could grant the variance and let staff work out the roadway issue. Mr. Fields stressed that he does not want to hold up the project, but he would be reluctant to grant a blanket variance in that he is uncertain about what the variance is being granted for. He stated that he would like for the right-of-way to be kept clear at all times. Mr. Meadows assured Mr. Fields that the easement right-of-way would be landscaped but it would not be intrusive.

Following discussion, a motion was made by Mr. Perry Fields to grant approval of the variance due to there being no other existing practical way to accomplish this request. Also, subject to the exit lane being of such a nature that the angle is 80 degrees with a minimum of 50 ft. site distance on the exit, and that best engineering practices be used for the entrance lane. The motion was seconded by Mr. Hal Hart and unanimously adopted.

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**Preliminary Plat/Peppertree Crossing (PP00-25)**

14.037 Acres, 92 Lot Row House Subdivision  
Located on Scranton Connector at the YWCA  
Zoned MR Medium Residential  
Pyramid Projects, Inc., Owner/Developer

Mr. Jim Meadows and Mr. Ernie Johns were present for discussion

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

The applicant is proposing to create a 92 lot row house subdivision. The smallest lot size will be 2,790 sq. ft. The minimum lot size for this zoning class is 2,000 sq. ft.

Peppertree Crossing Avenue and Peppertree Drive are suggesting 40 ft. private right-of-ways. Peppertree Crossing Avenue intersects with Scranton Connector at an angle less than 80 degrees. It intersects at 72 or 74 degrees depending on which side of Peppertree Crossing Avenue is calculated. An LDA permit is required. The water supply and sewage disposal for this project will be the City of Brunswick.

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

Mr. Sutton stated that staff originally recommended denial based on the angle of the intersection. However, due to the variance being granted with conditions, staff is recommending approval at this time.

Mr. Fields wanted to know if the row houses would have joint party walls or would they be stand-alone units. Mr. Meadows explained that there would be two different types of buildings. One building would have four units and the other building would have six units. They would have party walls but there would be four units to a building and six units to a building.

Ms. Ann McCormick stated that she would like to see the plat resubmitted with the changes on the intersection before granting approval. Mr. Stewart explained that if this preliminary plat is approved it would be approved with the conditions placed on the variance.

Mr. Hart had questions about the ditch that divides the two properties and the possibility of providing a fence. Mr. Meadows stated that he is planning to fence the development.

Following discussion, a motion was made by Mr. Hal Hart to approve this preliminary plat with the conditions placed on the variance. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

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**Preliminary Plat/Southwinds Subdivision (PPO0-26)**

20.92 Acre Tract, Located 3500 feet from  
U. S. Highway 17 and Southport Parkway  
71 Residential Lots, Zoned R-9  
Triple T Investments, 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. Sutton as follows:

The applicant is proposing to create a 71 lot subdivision. The smallest lot size will be 9,000 sq. ft. The minimum lot size for this zoning class is 9,000 sq. ft.

All right-of-ways measure 50 ft. and will be public. These right-of-ways are to be called Southwinds Drive, Devant Lane, Shawna Court, Dave Court, and Greg Court. An LDA permit is required. The water supply and sewage disposal will be Glynn County Water and Sewage Systems.

The Building Inspections Division, Planning and Zoning, as well as GIS, the Fire Department, Environmental Engineering and the Engineering 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 Mr. Perry Fields to approve this request. The motion was seconded by Mr. Hal Hart and unanimously adopted.

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**Variance Request/Pappy's Trail (PPO0-27)**

Request Variance from Section 602.2(g) of Subdivision Regulations  
21.49 Acre Tract, Located at the end of Pyles Marsh  
Road off of U.S. Highway 341, 25 Residential Lots  
Zoned Forest Agricultural  
Jean Smith Kirkland, Owner/Developer

Mr. Ernie Johns was present for discussion.

Mr. Sutton read a letter from the applicant requesting the variance. He then presented the staff's report as follows:

The applicant is requesting a variance from Section 602.2(g) of the Subdivision Regulations. Article VI; Section 602.2(g) states: "dead-end streets designed to be a permanent cul-de-sac shall not be longer than 1,200 linear feet measured from the centerline of the nearest intersecting thru street to the center of the turnaround." Pappy's Trail is a dead-end street with a cul-de-sac and its overall length is estimated at 1,320 ft. Pyles Marsh Road is 1,500 ft. from the intersection of Pappy's Trail. Said intersection being approximately 1,200 ft. from Harvey Road. Article V; Section 501.38) states that the word "shall" is always mandatory.

**Article IX; Section 901 Variances shall be permitted as follows:**

**1) General:** *When a peculiar shape, or the topography of a tract of land, or other unusual condition makes it impractical for a subdivider to comply with the literal interpretations of the design requirements of this Ordinance, the Planning Commission shall be authorized to vary such requirements, provided, however that in so doing the intent and purposes of this Ordinance are not violated.*

**2) Conditions:** *In approving variances, the Planning Commission may require such conditions that will, in its judgement, secure substantially the objectives of the standards and requirements of these regulations.*

**3) Procedures:** *A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.*

Mr. Sutton stated that staff is recommending denial of this request based on the length of the cul-de-sacs.

Mr. Ernie Johns gave a brief presentation. He pointed out the large drainage ditch that traverses the property and an existing crossing. He stated that Pappy's Trail sits on top of an existing easement and is approximately 1,250 ft. long. The extension of Pyles Marsh Road is approximately 1700 ft. from the intersection. The only other way to accomplish the applicant's goal would have been to put a second crossing across the ditch and tie Pappy's Trail and Pyles Marsh together, but from an engineering standpoint he felt that it would not be a good idea.

Mr. Stewart stated that he could not recall ever granting a variance on the length of a cul-de-sac. Mr. Fields stated that a similar type variance was granted for Royal Oaks Subdivision. Mr. Stewart wanted to know what would be involved in tying Pappy's Trail into Pyles Marsh Road. Mr. Johns stated that it would involve putting in a second crossing across the ditch, which would in essence restrict the flow of water. Mr. Stewart asked if staff had discussed this possibility with the Engineering Department. Mr. Sutton replied no.

Mr. Fields wanted to know the reason for limiting the distance on a cul-de-sac. Mr. Sutton stated that the concerns involve maneuvering of emergency equipment, and fire safety with regard to fire hoses and water pressure.

Mr. Stewart suggested that staff confer with the County Engineer in an effort to help the property owner, because the possibility exists that there may be another answer besides granting a variance. Mr. Fields agreed. He stated that variances are granted based on the shape, topography or other conditions that makes it impractical for the subdivider to comply with the literal interpretation of the design requirements; at the moment, he doesn't see that in this case.

Following discussion, a motion was made by Mr. Fields to defer this request to allow the Preliminary Plat to be reviewed by the Fire Department, Building Inspections and Engineering (with regard to putting a second crossing across the ditch) before coming back to the Planning Commission. The motion was seconded by Mr. Hal Hart and unanimously adopted.

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**Variance Request/Santee Trail Park (PP00-28)**

Request Variance from Section 602.2(g) of Subdivision Regulations

6.92 Acre Tract, Located on Highway 341

12 Residential Lots, Zoned Forest Agricultural

Andrew H. Tostensen, III, Owner/Developer

Mr. Andrew Tostensen and Mr. Ernie Johns were present for discussion.

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

The applicant is requesting a variance from Section 602.2(g) of the Subdivision Regulations. Article VI; Section 602.2(g) states: "dead-end streets designed to be a permanent cul-de-sac shall not be longer than 1,200 linear feet measured from the centerline of the nearest intersecting thru street to the center of the turnaround." Santee Trail is a dead-end street with a cul-de-sac and its overall length is estimated at 1,400 ft. Article V; Section 501.38) states that the word "shall" is always mandatory.

***Article IX; Section 901 Variances shall be permitted as follows:***

***1) General:*** *When a peculiar shape, or the topography of a tract of land, or other unusual condition makes it impractical for a subdivider to comply with the literal interpretations of the design requirements of this Ordinance, the Planning Commission shall be authorized to vary such requirements, provided, however that in so doing the intent and purposes of this Ordinance are not violated.*

***2) Conditions:*** *In approving variances, the Planning Commission may require such conditions that will, in its judgement, secure substantially the objectives of the standards and requirements of these regulations.*

***3) Procedures:*** *A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.*

Mr. Sutton stated that staff is recommending denial of this request based on the length of the cul-de-sac.

During a brief presentation, Mr. Ernie Johns explained that in this case, there is no way to route the road, which makes it impossible to comply with the Ordinance.

Following discussion, a motion was made by Mr. Perry Fields to approve the variance, provided that the applicant installs a dry-hydrant system into the pond for additional water access in the event that it becomes necessary. However, Mr. Ernie Johns pointed out that the pond in question is an oxidation pond, which prompted Mr. Fields to withdraw his motion.

After further discussion, a motion was made by Mr. Fields to approve the variance as submitted due to the unusual conditions making it impractical to design any other way. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Mr. Wayne Stewart and Mr. Jonathan Williams. Voting Nay: Ms. Ann McCormick.

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**Preliminary Plat/Santee Trail Park (PP00-28)**

6.92 Acre Tract, Located on Highway 341  
12 Residential Lots, Zoned Forest Agricultural  
Andrew H. Tostensen, III, Owner/Developer

Mr. Andrew Tostensen and Mr. Ernie Johns were 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 12 lot subdivision. The smallest lot size will be 20,016 sq. ft. The minimum lot size for this zoning class is 20,000 sq. ft.

Santee Trail is a suggested 50 ft. public right-of-way. It is a cul-de-sac and its overall length is estimated at 1,400 ft. An LDA permit is required. The water supply will be a private water system and the lots will be served with individual septic tanks.

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

Mr. Sutton stated that staff originally recommended denial based on the length of the cul-de-sac. However, due to the variance being granted, staff is recommending approval at this time.

Mr. Fields asked if there is a wastewater treatment plant that serves the trailer park. Mr. Tostensen replied no, there is an approved oxidation pond in the area. Mr. Fields wanted to know if it would be possible to put the subdivision on this particular system. Mr. Tostensen stated that he had considered the idea but realized that there wasn't enough land to do this. He explained that the oxidation pond is not large enough to service additional lots. It can only service what's there now.

Following discussion, a motion was made by Mr. Perry Fields to approve this preliminary plat pending Environmental Health approving the oxidation pond as a fire safety system to install a dry hydrant. If Environmental Health does not grant approval, this condition will be dropped. The motion was seconded by Mr. Hal Hart. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Mr. Wayne Stewart and Mr. Jonathan Williams. Voting Nay: Ms. Ann McCormick.

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**Site Plan/Ocean Cottages, Phase V (SP00-23)**

1.135 Acres, Located on Ocean Forest, Sea Island  
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 consists of the construction of one building composed of three attached single-family units with parking and access as illustrated on the attached site plan. This is the continuation of Phases I-IV, and repeats the same architectural style and detail. Total project area is 1.135 acres. Open space equals .571 acres or 50.3%. Six off street parking spaces have been provided.

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

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

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

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**Site Plan/Glynn County Animal Control Facility (SP00-25)**

9.3 Acre Tract, Located at 4765 U. S. Highway 17  
North Dune Avenue, Zoned Forest Agricultural  
Glynn County, Owner/Developer

County Police Chief Carl Alexander 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 consists of the construction of a central building 2716 sq. ft., a kennel 5572 sq. ft., and covered walks totaling 995 sq. ft. Total project area is 9.3 acres. Open space equals 93.87%. 26 parking spaces have been provided two of which are handicapped.

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

Mr. Sutton stated that staff is recommending approval of this request conditioned on the following items:

1. Obtain Glynn County Environmental Engineering and EPD approval of proposed revisions for sewer service.
2. In accordance with Article VI, Section 619.5 it is suggested that the Planning Commission delegate to the Planning Official the power to grant final approval of the Site Plan Approval once conditions have been met.

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

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**MINUTES**

Called Meeting - June 27<sup>th</sup>  
Regular Meeting - July 11<sup>th</sup>  
Regular Meeting - September 5<sup>th</sup>

The **June 27<sup>th</sup>** and **July 11<sup>th</sup>** Minutes were deferred due to some of the Planning Commission members who attended these meetings not being present to vote. A motion was made by Mr. Perry Fields to approve the Minutes of the **September 5<sup>th</sup>** Regular Meeting. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Mr. Wayne Stewart and Mr. Jonathan Williams. Ms. Ann McCormick did not attend the September 5<sup>th</sup> Meeting and therefore abstained from voting.

Draft Minutes from the September 14<sup>th</sup> worksession were distributed for review and will be presented for adoption at the November 7<sup>th</sup> Regular Meeting.

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**Planning Commission Items**

a) Discuss Accessory Uses/Ann McCormick

Ms. McCormick stated that there needs to be a clear definition established for an accessory use. She expressed concerns about the differences between a bathhouse, cabana, guest cottage, and pool house with regard to being accessory uses; specifically, what determines an accessory use. Mr. Fields stated that an accessory use should be defined by its function, rather than trying to identify it by a specific building type. Mr. Williams stated that recently when this matter came up relative to an application, it was determined that an accessory use could not be used as living quarters or for residential usage. However, Ms. McCormick stated that it has come to her attention that on some developments the use has become separate units and used for living quarters, which makes it a two-family dwelling. She stated that she sees this becoming a problem and it needs to be addressed soon.

Mr. Hart pointed out that in the past, the Planning Commission and former staff members addressed the issue of accessory uses but because of the changes in the department it was dropped. He stated that he would try to find some of the information discussed at that time. Mr. Stewart stated that perhaps the current staff could re-examine this, make some recommendations, and bring them back to the Planning Commission for review. He agreed that this is increasingly becoming a problem. Mr. Peterson advised that staff would get some standard planning definitions to the members at least two weeks in advance of the next meeting in November. Mr. Stewart stated that if for some reason staff cannot get the information to the members within the two week period, this issue will be reviewed at the following meeting in December.

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b) Comments on September 14<sup>th</sup> Worksession/Iris Touw  
*This item was tabled due to Mrs. Touw being absent.*

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There being no further business to discuss, the meeting adjourned at 11:08 a.m.