

MINUTES
MAINLAND PLANNING COMMISSION
MARCH 22, 2005 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Wayne Stewart, Chairman
Gary Nevill, Vice Chairman
Bill Brunson
Tommy Clark
Jeff Counts
Buddy Hutchinson
Barbara Stephens

STAFF PRESENT: York Phillips, Planning Manager
Iris Scheff, Planner III
Janet Loving, Admin/Recording Secretary

Chairman 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.

Mr. Phillips advised that the applicant for agenda item #4 (*ZM-2005-010*) requested that this application be deferred until the next Mainland Planning Commission meeting, which is scheduled for April 5th beginning at 6:00 p.m. (A public notice will be placed in the Brunswick News.) Chairman Stewart stated that due to the number of residents in attendance for this item, he would suggest that they meet with the applicant or his agent before the April 5th meeting in an effort to resolve their concerns.

There being no further changes, a motion was made by Mr. Gary Nevill, seconded by Mr. Tommy Clark and unanimously adopted to approve the agenda for the March 22nd Mainland Planning Commission meeting.

Appointment of Recording Secretary

A motion was made by Mr. Gary Nevill to officially appoint Mrs. Janet Loving as the Recording Secretary for the Mainland Planning Commission. The motion was seconded by Mr. Tommy Clark and unanimously adopted.

ZM-2005-003 (M)

Consider a request to rezone from R-12 One-Family Residential to Local Commercial, property located on the east side of Old Jesup Road approximately 50 feet south of its intersection with English Road. The property consists of 0.44 acres with 86.11 feet of frontage on Old Jesup Road. Property owned by Wren Thomas and Miriam Conley.

Mrs. Miriam Conley was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Iris Scheff as follows:

The surrounding area is largely residential in nature. Nearby properties include residential dwelling units, on small properties with paved and unpaved driveways, in a wooded area with a residential speed limit.

The request is to rezone the property so that a florist business may be established at the site. There are no proposed restrictions that would prevent other types of commercial uses from being established.

The county's adopted Comprehensive Plan designates this area for residential use.

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.

The proposed zoning is not consistent with surrounding and nearby zoning. Property to the north, east, and south is generally zoned R-12.

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

This area is a residential enclave with a nearby school property and county park. Old Jesup Road was not anticipated by the Future Land Use map to serve commercial entities, nor does Old Jesup Road have the capacity to serve the increased traffic volume that a change to commercial zoning and subsequent development would entail in this area.

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

Yes.

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

The property is located on Old Jesup Road, which is not adequate to serve commercial uses.

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

The future land use map identifies this area for residential use.

- 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 surrounding area is zoned R-12, therefore the rezoning of this property to Local Commercial would not be consistent with the adjacent properties. In addition, rezoning would make the site itself, plus adjacent and nearby properties vulnerable to support a wide range of business uses which their location is not adequate to support.

The applicant's property is surrounded to the north, east, and south by R-12 zoned property. The proposal to change the zoning to Local Commercial for this property would make it inconsistent with the surrounding area and county's adopted Comprehensive Plan. There are no conditions that support treating this parcel any differently than any other parcels in the area; therefore, the result would be "spot zoning." Staff's recommendation is for denial.

During a brief presentation, Mrs. Miriam Conley distributed a petition containing approximately 20 signatures of residents in her neighborhood who are in favor of this request. She stated that she has been in the florist business for 23 years and has operated in the current location for approximately 12 years. She pointed out that 90% of her business is conducted by telephone thereby preventing any adverse impact to the area. Mrs. Conley stated she feels that Old Jesup Road would be an ideal location for her florist shop at this time.

Chairman Stewart explained to Mrs. Conley that although her intension is to have a florist shop, once the property is rezoned there are a number of permitted uses that would be allowed under the Local Commercial zoning. If sometime in the future she were to sell the property any of the following uses would be allowed: antique store, appliance store, book, magazine or newspaper shop, radio or television store, drug store, grocery store, package liquor store, camera supply store or studio, marina, etc. Chairman

Stewart stated that the applicant needs to keep in mind that the zoning follows the property.

Mr. Tommy Clark stated that Old Jesup is a heavily traveled road and the majority of the area consists of residential property. He also agreed that this rezoning would be considered “spot zoning.” Therefore, his motion is for a recommendation of denial. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Bill Brunson, Mr. Tommy Clark, Mr. Buddy Hutchinson, Mr. Gary Nevill, Ms. Barbara Stephens and Mr. Wayne Stewart. Voting Nay: Mr. Jeff Counts.

The applicant was advised that this item would be forwarded to the April 21st Board of Commissioners meeting for final action.

ZM-2005-006 (M)

Consider a request to rezone from Planned Development Mobile Home Park to General Residential, property generally located approximately 900 feet west of SR 303 (Blythe Island Highway), approximately 3,000 feet northeast of its intersection with US 82 and US 17, and approximately 300 feet of frontage on SR 303. Ussery-Rule Architects, agent for BoPow, Inc. owner.

Mr. Joe Combs was present for discussion.

The staff’s report was included in the packages for review and was presented by Mrs. Iris Scheff as follows:

The surrounding area is a mixture of zoning districts and uses; PD-I, PD-G, M-20 and FA. Nearby properties include an RV campground and single family residences. Across Blythe Island Highway there is a subdivision of single family residences in Forest Agriculture zoning, along with an abandoned gas station site. Interspersed in the area are non-jurisdictional wetlands.

The site in question was approved for Planned Development zoning for a mobile home park with a limit of 8 units per acre. At the same time, the property to the north was zoned for a mixed residential and commercial development by the same developer. The first phase of that development is currently under construction (Majestic Oaks).

The proposal is to change a planned mobile home park development to allow a greater variety of uses available through the General Residential zoning, which allows up to 10 units per acre.

The county’s adopted Comprehensive Plan designates this area for low density residential use, with surrounding areas designated for agriculture and forestry.

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.

The proposed zoning is for General Residential and is consistent with surrounding and nearby existing development. GR allows a mixture of residential dwelling types.

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

The proposal is intended to be a catalyst to new development in the area which remains undeveloped since its rezoning from industrial zoning to mobile home zoning in the year 2000. The proposal is to change from a Mobile Home Planned Development to a General Residential to allow a multi-family subdivision. The existing PD-MH zoning restricts density to eight mobile home units per acre, with a minimum lot size of 5,600 sq. ft. per unit, requiring 20,000 sq. ft. of common open space area. The requested zoning allows a maximum density of 10 units per acre.

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

Yes.

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

The property accesses Blythe Island Highway, adequate to serve residential use.

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

The future land use map identifies this area for residential use.

- 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 zoned residential; therefore the rezoning of this property to GR would remain consistent. In addition, rezoning would allow the site to support a

flexible residential use, in that General Residential allows from low to medium density single family, duplex, and multi-family uses.

The applicant's property is surrounded by various intensities and densities of zoned properties. The proposal to change the zoning to GR for this property would allow it to have greater development potential and yet remain consistent with the area and County's adopted Comprehensive Plan. Development of this property for residential use is appropriate. Therefore, staff's recommendation is for approval.

Mr. Gary Nevill wanted to know if the property has access to county water and sewer. Mr. Combs stated that the area in question has access to the existing sewer system on a first come first served basis until capacity is reached. Water is an issue that the developer would have to look into relative to tying into an existing system or perhaps installing a private system. Mr. Nevill asked if the density could change. Mr. Combs replied yes. He stated that the rezoning would allow maximum flexibility from duplex type housing or up to a multi-family type development.

Mr. Phillips pointed out the areas of where the water and sewer would be available in the future. He stated that the Board of Commissioners is monitoring the availability at the Southport Plant very carefully. Also, efforts are being made to increase the capacity in order to support the developments occurring in the area.

Mr. Bill Brunson asked if the property is being rezoned to R-6. Mr. Phillips stated that the request is to rezone to General Commercial which allows a variety of developments, i.e., apartments, townhouses, single-family, etc. The single-family uses would have the same standards as the R-6 zoning.

Mr. Buddy Hutchinson had questions concerning the location of the road in conjunction with the subdivision. He also questioned the location of Middleton Drive. Mr. Phillips stated that the general layout plan shows an access through the adjoining development. This particular property abuts the Colonel's Island railroad. Mr. Combs explained that Middleton Drive comes out onto Highway 303. Plot Drive joins into Middleton Drive and ties back into Highway 303. He stated that the schematic plans for this development shows the same access used for the previous zoning of the mobile home park, which is off of Middleton Drive. Access out to Highway 303 will be examined as the project develops but would have to be coordinated with DOT.

Mr. Tommy Clark applauded the developer for changing the zoning in this particular area and feels that it would be better for the community. Thereupon, a motion was made by Mr. Clark to recommend approval of this request. The motion was seconded by Mr. Jeff Counts and unanimously adopted.

ZM-2005-009 (M)

Consider a request to rezone from Forest Agriculture to General Industrial, property located on the north side of SR 99 approximately 3,100 feet east of its intersection with US 341. The property consists of 2.024 acres with approximately 779 feet of frontage on SR 99. Property owned by Seaboard Construction Company, Inc.

Mr. Steve Swan was present for discussion.

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

The Seaboard Construction Company owns adjacent parcels that have been acquired over a period of 30 years, totaling almost 50 acres of both industrial and agriculturally zoned property (Parcel 03-13620: 17.33 acres zoned FA; parcel 03-05079: 8.01 acres zoned GI; parcel 03-05063: 15.12 acres zoned GI; parcel 03-05062: 8.96 acres zoned FA). They recently acquired a 2 acre \pm parcel zoned FA, which if rezoned would increase their industrial zoned frontage on SR 99 from 56 ft. to 835 ft.

The county's adopted Comprehensive Plan designates this area for industrial use. Other properties in the immediate area are shown for industrial, forestry, and residential use. The site is served by rail and a major road (SR 99).

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.

The proposed zoning is for GI (General Industrial), consistent with existing nearby development.

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

The proposal is intended to make the new small parcel consistent in zoning with the remainder of the property owned by Seaboard Construction.

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

Yes.

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

The property accesses SR 99, which is adequate to serve the Seaboard Construction Company's site. The proposed rezoning will not add a significant traffic volume.

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

The future land use map identifies this area for industrial use.

- 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 parcel's small size (2 acres) surrounded by over 40 acres of adjacent property currently used for an industrial business is no longer conducive to farming or agricultural operations as permitted in the FA Zoning District.

The applicant's property is surrounded by properties dedicated to industrial use. The proposal to change the zoning to General Industrial for this property would allow it to become consistent with the long-established use and with the county's adopted Comprehensive Plan. Development of this property for industrial use is appropriate. Therefore, staff's recommendation is for approval.

Mr. Nevill stated that according to the sketch, the applicant is showing parcels A, B & C for rezoning. He then asked if there is just one parcel being rezoned. Mr. Phillips replied yes, Parcel C. The others are parcels that the applicant owns and possibly considering a future change.

Mr. Steve Swan pointed out the area on the map that is being requested for the zoning change and confirmed that it is a single parcel. Mr. Phillips stated that staff's recommendation would be to proceed with this parcel and re-advertise the other parcels for a later date. The Planning Commission concurred.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this rezoning (Parcel C only). The motion was seconded by Mr. Jeff Counts and unanimously adopted.

TA-2005-04

Consider an amendment to Section 1009 of the Zoning Ordinance of Glynn County, Georgia, to allow Glynn County to appeal a decision by the Board of Appeals, and for other purposes.

According to the staff’s report, the Board of Appeals considers applications for variances and appeals of decisions of administrative officials. Currently under Section 1009 of the Glynn County Zoning Ordinance, the applicant may appeal a decision to the Board of Commissioners, but no other party has that authority. The proposed amendment would make it possible for the county to also appeal a decision. The appealed decision would then be presented to the Board of Commissioners for consideration.

Following review, a motion was made by Mr. Tommy Clark to recommend approval of this amendment. The motion was seconded by Ms. Barbara Stephens and unanimously adopted.

MINUTES

March 1, 2005 Joint Workshop

Upon a motion made by Mr. Gary Nevill and seconded by Mr. Jeff Counts, the Minutes of the March 1st Joint Workshop were approved and unanimously adopted.

Under **Chairman Items**, Chairman Stewart suggested changing the Planning Commission By-Laws to reflect the previous schedule of one meeting per month (as opposed to two meetings per month) as follows: (strikethrough words to be deleted; words in bold print to be added)

Section 401. Attendance:

Any member of the Planning Commission absent for ~~six~~ **three** consecutive meetings or for ~~ten~~ **five** meetings within the calendar year shall be notified in writing by the Chairman...

Mr. Phillips stated that if it is acceptable he would confer with the Islands Planning Commission and suggest that they appoint a committee to review the By-Laws

just as the Mainland Planning Commission did and then perhaps schedule a workshop. Chairman Stewart concurred.

Under **Planning Commission Items**, Mr. Jeff Counts requested that staff include the Parcel ID and Map Number on the Planning Commission Agenda for easier access in obtaining detailed information via the County GIS website. Mr. Phillips concurred.

There being no further business to discuss, the meeting adjourned at 6:50 p.m.