

MINUTES
ISLANDS PLANNING COMMISSION
NOVEMBER 15, 2005 - 6:00 P.M.
Fire Station #2 Demere Road, St. Simons Island

- MEMBERS PRESENT:** Robert Ussery, Chairman
Mike Aspinwall, Vice Chairman
Millard Allen
Preston Kirkendall
Paul Sanders
Joan Wilson
- ABSENT:** William Lawrence
- STAFF PRESENT:** York Phillips, Planning Manager
Eric Landon, Planner II
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary
- ALSO PRESENT:** Uli Keller, County Commissioner
Don Hogan, County Commissioner

Chairman Robert Ussery 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.

ADOPTION OF AGENDA
Mr. Phillips requested that the following items be added to the agenda: Dune Cottages at Ocean Forest (*PP-2005-020 I*) and River Cottages at Ocean Forest (*PP-2005-021 I*). There being no further changes to the agenda, a motion was made by Mr. Preston Kirkendall to accept the changes and approve the agenda for the November 15th Islands Planning Commission meeting. The motion was seconded by Mr. Millard Allen and unanimously adopted.

VP-2005-012 McCully - 601 Ocean

Application by Kent Johnson for approval to create an addition to a home located at 601 Ocean. The property is located on the northeast corner of Ocean and Oak and is zoned Resort Residential.

Mr. Kent Johnson was present for discussion.

According to the staff's report, this application consists of a proposal to make a 108 square foot addition to an existing home. The proposed expansion will replace an existing patio area and is designed to match the existing home.

There was a previous Village Preservation application for this property in 2003 to expand the existing home. Staff recommended denial based on the fact that the application exceeded the building footprint requirements for adjacent side lots. However, the Planning Commission approved the application.

Under Section 709.5 (Village Preservation), new construction must remain within certain size limitations based on the size of structures on the property and neighboring structures as they existed at the time of the adoption of the Village Preservation provisions.

709.5 General Provisions

In all zoning districts except General Commercial Core Districts, no new construction or alteration to existing construction of a principal building or accessory building or structure will be allowed which will result in lot coverage of greater than fifty percent (50%). Furthermore, no building footprint may be increased more than the average of the building footprint of the building and structures located on the adjacent side lots existing at the time of the adoption of this Ordinance.

In all zoning districts, no new construction or alteration to existing construction of a principal building or accessory building or structure will be allowed which will increase the height more than ten (10) feet from the building or structure originally located on the property at the time of adoption of this Ordinance or from the average height of the principle structures located on the adjacent side lots at the time of adoption of this Ordinance.

For vacant lots which have been vacant for a period of one (1) year or longer, the footprint of new buildings or structures on the lot shall be no greater than the average footprint of the buildings or structures located on the adjacent side lots of the new construction. The height shall be no more than ten (10) feet greater than the average height of the principle structures located on the adjacent side lots at the time of adoption of this Ordinance.

When no building or structure is located on adjacent lots, the nearest building or structure will be considered to determine allowable scale of new construction.

The footprint of the existing structure exceeds the building footprints of the adjacent side lots. The footprint of the existing home is 1,947 square feet. The footprints of the adjacent side lots are 1,098 to the east, and 1,428 to the west. The proposed addition to the home will occur where there is presently a patio. The proposed addition will not increase the building height of the existing structure.

In addition, Section 709.8 provides that the Planning Commission will review the plans according to the following criteria:

- A) Conformity of the plans submitted to the purpose and provision of this Ordinance.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
- D) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.

Based on the interpretation by the Community Development Director in previous Village Preservation Applications, adjacent side lots include properties across right-of-way. In this case Oak Street separates the adjacent side lot to the west. Based on this interpretation the existing structure exceeds the building footprint requirements of Section 709.5.

The proposed addition is to be placed over an existing patio. If it is determined that the patio is included in the building footprint, then the proposed addition will not increase the building footprint. However if the patio is not included in the building footprint calculation, then this application will exceed the footprint requirements of Section 709.5

Staff recommends that the application be approved if it is determined that the existing patio area is included in the building footprint calculation.

Mr. Millard Allen stated that during a site visit, it appeared to him that some construction had already started on the building. Mr. Kent Johnson explained that the work that Mr. Allen is referring to is work that was requested by the owner to “spruce up” the front porch area. The patio down below is being enclosed with a screen but it is all still within the existing footprint.

Following discussion, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

It was noted that the next two agenda items (*Oak Village/Variance & Preliminary Plat*) would be reviewed simultaneously but require separate action.

Variance - Oak Village

Request by Atlantic Survey for a variance from Section 602.2(G) of the Glynn County Subdivision Regulations to permit permanent dead-end streets to be constructed without cul-de-sacs in the proposed Oak Village Subdivision.

PP-2005-018 (I) Oak Village

Application by Portman Investments, owner, for approval of a preliminary plat for property located on Harrington Lane, approximately 150 feet north of its intersection with South Harrington Road. The proposed project consists of 22 single-family lots on 4.45 acres. The property is zoned R-6.

Mr. Ernie Johns and Mr. William Ligon were present for discussion.

Mr. Eric Landon explained that the applicant is requesting to have a variance for Oak Village Court and Oak Village Drive, which extend west and north respectively from their intersection with Harrington Lane. The proposed development uses “T” turnarounds instead of cul-de-sacs as required in the County Subdivision Regulations.

Mr. Kirkendall asked if this type of turnaround had ever been approved in the past. Mr. Landon recalled one instance of a “T” turnaround in Admiral’s Cove located off of George Lotson Lane.

Chairman Ussery stated he recalls that there were some issues with double frontage lots in this area. Mr. Landon stated that there is a provision in the Zoning Ordinance on how to treat double frontage lots. There was a project on the mainland where one of the requirements was that the lots would have to have access from the internal street, but he is not sure if that applies in this case. Chairman Ussery asked if Harrington Lane is currently paved. Mr. Paul Sanders replied yes. Mr. Phillips stated that aesthetically, one or two access points on the street using actual street intersections would be preferred, as oppose to a series of driveways. Also, traffic flow is probably reflective of much more than what is actually fronting on this particular street.

Chairman Ussery stated that he is concerned that these are relatively narrow lots and if they were to ask that the houses face the new road on Oak Village Drive, then the back would be facing Harrington Lane, which in his opinion would create an unsightly situation. He then asked that in such cases, would the Planning Commission have the authority to recommend some type of privacy fence. Mr. Phillips replied yes, as a condition of the variance and as it reflects the street layout to ensure that access is from the internal streets.

Regarding the “T” turnaround as opposed to the cul-de-sac, Chairman Ussery stated that all sorts of vehicles would be using the turnaround, i.e., garbage trucks, mail trucks, etc. Mr. Phillips stated that currently, staff only has a layout but once the detailed engineering plans are in hand, the Fire Department and Engineering would both look at it very carefully to see if the dimensions are going to work relative to maneuvering service vehicles, etc. Chairman Ussery asked if another entrance could be permitted onto Harrington Lane. Mr. Phillips replied yes, but according to a letter from the applicant, they have some concerns about having another entrance.

At this time, Mr. William Ligon representing the applicant gave a brief presentation. He addressed the issue of the double access and stated that the concept for the development includes a privacy fence along Harrington Lane, which would specifically prevent anyone from accessing Harrington Lane except through the subdivision road. It would also act as a buffer for any residences with un-kept appearances. With respect to the “T” turnaround, he stated that this type of request has been approved before in Admiral’s Cove, as referenced by staff. There was also one approved on the mainland. Mr. Ligon stated that they were hoping to only have one road into the development because having another access would open up the problem of more traffic. They were attempting to have a more private or secluded atmosphere.

Chairman Ussery stated it appears that the developer is trying to squeeze as many lots in as possible without considering all of the ramifications. He stated that if they are not going to have a cul-de-sac there should at least be another access point to allow some easy flow for the services. A cul-de-sac requires 100 ft. in diameter for the right-of-way and although there are some standards for “T” turnarounds, this particular length is 90 ft. Chairman Ussery stated that given the nature of the kind of vehicles that will be in and out of the area, i.e., moving vans, it seems to be very tight in his opinion. However, Mr. Ligon stated that even with a cul-de-sac, a moving van would have to perform the same maneuver that it would have to perform with the “T” intersection.

Mr. Millard Allen agreed with Chairman Ussery. He stated that his first reaction to a variance is “no” because the cul-de-sac rule is in place for a reason and unless there is a more substantial reason for an exception he would have to oppose this request. Therefore, from an ordinance point of view, a motion was made by Mr. Millard Allen to deny this variance request. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. Preston Kirkendall, Mr. Robert Ussery and Ms. Joan Wilson. Voting Nay: Mr. Paul Sanders.

Chairman Ussery advised that due to the variance request being denied, the ***Preliminary Plat*** (Oak Village) will be revised and resubmitted for review at a later date.

Request for approval of a preliminary plat for property located along Forest Road on Sea Island. The property is zoned Planned Development Residential (PD-R) and is part of the Forest Cottages at Ocean Forest PD.

Mr. Bill Edenfield and Mr. Bobby Shupe were present for discussion.

According to the staff's report, this property consists of 18 single family lots served by private water, sewer, and streets on 8.941 acres. Lot numbers are 3, 5-7, 11-17, 23-25, 28, and 32-34. Staff's recommendation is for approval subject to meeting all requirements and subject to submittal of three (3) copies of a corrected preliminary plat for the Planning Commission Chairman's signature before processing of the construction plans.

Mr. Paul Sanders asked if the drawings for this application meet all county requirements and Mr. Shupe replied yes. There being no further discussion, a motion was made by Mr. Preston Kirkendall to approve this request with staff's recommendations. The motion was seconded by Mr. Millard Allen. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. Preston Kirkendall, Mr. Paul Sanders and Mr. Robert Ussery. Abstained From Voting: Ms. Joan Wilson.

PP-2005-021 (I) River Cottages at Ocean Forest

Request for approval of a preliminary plat for property located on the north side of Forest Road on Sea Island. The property is zoned Planned Development Residential (PD-R) and is part of the Forest Cottages at Ocean Forest PD.

Mr. Bill Edenfield and Mr. Bobby Shupe were present for discussion.

According to the staff's report, this property consists of 2 one-family attached lots served by private water, sewer, and streets on 0.572 acres. Staff's recommendation is for approval subject to meeting all requirements and subject to submittal of three (3) copies of a corrected preliminary plat for the Planning Commission Chairman's signature before processing of the construction plans.

Following review, a motion was made by Mr. Millard Allen to approve this request with staff's recommendations. The motion was seconded by Mr. Paul Sanders. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. Preston Kirkendall, Mr. Paul Sanders and Mr. Robert Ussery. Abstained From Voting: Ms. Joan Wilson.

MINUTES

October 18, 2005 Regular Meeting

Upon a motion made by Mr. Mike Aspinwall and seconded by Mr. Preston Kirkendall, the Minutes of the October 18th Islands Planning Commission meeting were approved and unanimously adopted.

Under committee reports, Chairman Ussery advised that there is a moratorium on Minor Subdivisions (801's) and Re-subdivision of Land (802's) as pointed out at today's Mainland Ordinance Sub-committee meeting. The Mainland Committee is very concerned about the way the 801's have been handled in the past and determined that it is primarily an issue of infrastructure not being properly put into place. Both sub-committee groups are working toward establishing some type of safeguard to ensure that engineering and infrastructure is in place when needed. It was also pointed out at the meeting that the Islands Committee would handle 802's and the Mainland Committee would handle 801's. The sub-committee will continue its discussion on Thursday, November 17th at 9:00 a.m. in Room 234 of the Office Park Building. All members were urged to attend. The Islands Ordinance Sub-committee will meet on Tuesday, December 6th at 9:00 a.m. at the Office Park Building.

Also under committee reports, Mr. Kirkendall distributed ordinance information on parking, and a general discussion ensued.

Commissioner Uli Keller took this opportunity to commend the Islands Planning Commission on doing an exceptional job, since its inception, of making the Islands a much better place to live and work. He encouraged them to continue this course of action.

In other business, Chairman Ussery appointed Ms. Joan Wilson and Mr. Preston Kirkendall as the nominating committee for the upcoming election of Chairman and Vice-Chairman of the Islands Planning Commission for 2006.

There being no further business to discuss, the meeting adjourned at 7:05 p.m.