

MINUTES

ISLANDS PLANNING COMMISSION

FEBRUARY 21, 2012 - 6:00 P.M.

The Casino Bldg, 530 Beachview Drive, SSI

MEMBERS PRESENT: John Dow, Chairman
Stan Humphries, Vice Chairman
Preston Kirkendall
Patricia Laurens
William Lawrence
Paul Sanders
Desiree Watson

STAFF PRESENT: David Hainley, Community Development Director
Paul Forgey, Planning Manager
Iris Scheff, Planner III
Eric Landon, Planner II
Janet Loving, Admin/Recording Secretary

Chairman Dow 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.

MINUTES

December 13, 2011 Regular Meeting

A motion was made by Mr. Preston Kirkendall to approve the Minutes of the *December 13th Regular Meeting*. The motion was seconded by Ms. Patricia Laurens. Voting Aye: Mr. John Dow, Mr. Stan Humphries, Mr. Preston Kirkendall, Ms. Patricia Laurens, Mr. Paul Sanders and Ms. Desiree Watson. Mr. Lawrence did not attend the December 13th Meeting and therefore abstained from voting.

VP2323 - 622 Beachview Drive

Consider approval of the demolition of an existing structure and the construction of an accessory structure, pool, terrace, and garden wall in the Islands Preservation District. Parcel ID 04-04721. Property owned by Andrew and Tamara Jetter.

Mr. Thad Truett, architect, was present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Eric Landon:

The applicant is proposing to demolish an existing house that is located in the rear (frontage on Postel). Once this building is removed the applicant is requesting to construct an accessory structure, pool, and terrace.

Section 709.4 in the Island Preservation District gives the standards for review as follows:

(a) Construction, or remodeling or enlargement of an existing building in a manner inconsistent with the existing building massing (the three-dimensional bulk of a building: height, width, and depth), articulation (the pattern of the building base, middle and top, created by variations in detailing, color and materials or stepping back or extending forward a portion of the facade) and fenestration (the arrangement, proportioning, and design of windows and doors in a building) in the immediate area; or

(b) An absence of unity or coherence in composition which is in opposition to the character of the present structure in the case of repair; or

(c) Violent contrasts of materials or intense colors not representative of the existing buildings in the immediate area; or

(d) A multiplicity or incongruity of details resulting in a disturbing appearance.

Mr. Landon stated that the building has been determined to be historic by both planning staff and the 2009 Glynn County Historic Resource survey report. He stated that staff recommends consideration of alternatives for this application as follows:

- 1) Deny application **VP2323** to allow the demolition of an existing structure and the construction of an accessory structure, pool, terrace, and garden wall at 622 Beachview Drive.
- 2) Approve application **VP2323** to allow the demolition of an existing structure and the construction of an accessory structure, pool, terrace, and garden wall at 622 Beachview Drive.

- 3) Delay issuance of a demolition permit for application **VP2323** for 180 days and require the owner make a good faith effort to identify persons or groups interested in the preservation of the structure, either on site, or relocated to another site.

Chairman Dow wanted to know the significance of the 180 day period. Mr. Landon explained that the ordinance specifies the amount of time allotted to continue an application with this particular circumstance. Chairman Dow asked if the time could be less than 180 days if the applicant desires a shorter time period. Mr. Landon stated that it would be up to the Commission to establish the amount of time (up to 180 days).

Mr. Humphries wanted to know if the applicant owns the new structure as well as the existing property. Mr. Thad Truett, architect/agent, replied yes. Mr. Humphries then asked if the conflict had been cleared up about the title to the property and the questions about it being tied up in a “life estate.” However, Mr. Truett had no knowledge about any such conflicts. He stated that to his knowledge, the applicant has clear title to the property.

Mr. Kirkendall asked if the proposal meets the criteria listed under the Village Overlay District. Mr. Hainley replied yes, it complies with the current criteria. He also noted that the building is listed on the historic structure survey. It qualifies due to its age and it is typical of the cottages that were originally constructed on the Island. He stated that the preference is for the building to be relocated and saved. It is not a requirement to do so; it is merely one of the options.

Chairman Dow wanted to know if the owners had agreed to take the time to relocate the building. Mr. Truett stated that he is not aware that they’ve agreed to this and he is not sure if the owners are prepared to pay the cost to have the building moved. However, he feels that they would be willing to donate usable parts of the building to Habitat for Humanity. He pointed out that he would not have a problem delaying this request in order to discuss the options with the applicant and subsequently report back to the Planning Commission.

Ms. Watson asked if staff had discussed the garden wall. Mr. Landon replied no. Typically, walls and fences don’t require a permit. Ms. Watson then inquired about the proposed height of the wall. Mr. Truett stated that the wall would not be higher than 5 ft. He stressed that they are very sensitive to the corner in terms of the natural landscaping.

In response to Mr. Truett’s comment about the expense of moving the building, Mr. Paul Forgey clarified that it is not a requirement that the applicant move the structure but that they make an effort to allow an interested person to buy the property and have it moved. It is not necessarily an additional expense to the applicant.

Mr. Paul Sanders stated that in his opinion, the house is a detriment to the property and he doesn't believe that anybody would want to purchase it or even pay to have it moved. He feels that the Planning Commission could possibly make a decision on the demolition but not on the new construction. Thereupon, a motion was made by Mr. Paul Sanders to approve application **VP2323** to allow the demolition of an existing structure and in 30 days consider construction of an accessory structure, pool, terrace, and garden wall at 622 Beachview Drive. The motion was seconded by Mr. Preston Kirkendall.

Discussion continued, during which time Mr. Hainley suggested that the motion be amended to include a specific date rather than 30 days. Mr. Sanders agreed and amended his motion stating that the new construction would be delayed until the March IPC Meeting. However, Mr. Kirkendall did not accept the amendment and thereby withdrew his second, which prompted Ms. Desiree Watson to offer a second to the amended motion. During discussion, Ms. Watson requested that the applicant try to make a good faith effort to see if someone wants to buy the building and have it moved. Mr. Truett agreed. After discussion, the following vote was taken: Voting Aye: Mr. Paul Sanders. Voting Nay: Mr. John Dow, Mr. Stan Humphries, Mr. Preston Kirkendall, Ms. Patricia Laurens, Mr. William Lawrence and Ms. Desiree Watson. The motion was defeated.

At this time, a motion was made by Mr. Preston Kirkendall to approve application **VP2323** to allow the demolition of an existing structure and the construction of an accessory structure, pool, terrace, and garden wall at 622 Beachview Drive with the garden wall not to exceed 5ft. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

VP2324 - 512 Ocean Boulevard

Consider approval of a deck addition at the Mullet Bay Restaurant in the Islands Preservation District. Parcel ID 04-04655. Property owned by Downey Family Limited Partnership.

Mr. Larry Evans was present for discussion. Mr. Downey was also present.

It was noted that Ms. Desiree Watson recused herself from discussion/action of this item.

The following report from staff was included in the packages for review and was presented by Mr. Landon:

The applicant is proposing to provide additional outdoor patron area with the addition of a 1,270 square foot deck. Although this will increase the existing patron area it does not exceed the area originally approved for this restaurant. The applicant has provided detailed drawings and calculations of the proposed improvements.

Section 709.4 in the Island Preservation District gives the standards for review as follows:

(a) Construction, or remodeling or enlargement of an existing building in a manner inconsistent with the existing building massing (the three-dimensional bulk of a building: height, width, and depth), articulation (the pattern of the building base, middle and top, created by variations in detailing, color and materials or stepping back or extending forward a portion of the facade) and fenestration (the arrangement, proportioning, and design of windows and doors in a building) in the immediate area; or

(b) An absence of unity or coherence in composition which is in opposition to the character of the present structure in the case of repair; or

(c) Violent contrasts of materials or intense colors not representative of the existing buildings in the immediate area; or

(d) A multiplicity or incongruity of details resulting in a disturbing appearance.

Mr. Landon stated that staff recommends approval of application **VP2324** to allow a deck addition at the Mullet Bay Restaurant in the Islands Preservation District.

Following a brief discussion, a motion was made by Mr. Stan Humphries to approve application **VP2324** to allow a deck addition at the Mullet Bay Restaurant in the Islands Preservation District at 512 Ocean Boulevard. The motion was seconded by Mr. Paul Sanders. Voting Aye: Mr. John Dow, Mr. Stan Humphries, Mr. Preston Kirkendall, Ms. Patricia Laurens and Mr. William Lawrence. Abstained From Voting: Ms. Desiree Watson.

ZM2317 St. William Catholic Church

Request to rezone from R-9 Single-Family Residential Zoning District to PD Planned Development Zoning District, a 7.88 acre property located at a physical address of 2300 Frederica Road on St. Simons Island. The purpose of the rezoning is to make the church a permitted use rather than a special use and to list and define allowed accessory uses. Parcel IDs: 04-02422 and 04-09717. Robert C. Ussery of Ussery-Rule Architects P.C., agent for Bishop of the Diocese of Savannah, owner.

Mr. Robert Ussery was present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Iris Scheff: (Staff distributed a handout of proposed text changes to Section 609, Accessory Uses.)

As noted, the purpose of the rezoning request is to make the church a permitted use, rather than a special use, and to list and define allowed and accessory uses. Those uses include but are not limited to a columbarium as an allowed accessory use for the church.

The application indicates that the rezoning would be in harmony with the character of the neighborhood because *“The church and many accessory structures have existed on the property for many years.”* It further indicates that the rezoning would not be detrimental to property or persons in the area because *“no change of the primary use is requested...”*

Access is from Frederica Road. It is estimated that there will be no additional traffic trips generated based on no change of use. Additionally, the site is served by public utilities provided by Joint Water and Sewer

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:

- 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 principle use is not different from the existing principle use and is suitable. The use ‘columbarium’ is listed with other church facility accessory uses, and is suitable.

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

No, the proposal does not differ in a significant way from the present use of the property.

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

Yes, it has a reasonable economic use as currently zoned.

- 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, there will be no increased impact on the above listed facilities.

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

Yes, this is consistent with Corridor Mixed Uses.

- 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 supporting grounds for approval of the zoning request are the existence of the present use of a church facility with accessory uses.

Ms. Scheff stated that staff recommends approval of rezoning request **ZM2317 (I)** to rezone from R-9 Single Family Residential to PD Planned Development to establish permitted and accessory uses as defined in the St. William Catholic Church Planned Development Zoning Text for parcels 04-02422 and 04-09717.

After an extensive discussion regarding the proposed text changes to Section 609 as presented by staff, Mr. Ussery agreed to the following: Minimum 15 ft. height all inclusive on the columbarium, with a minimum setback of 35 ft. from any property line.

There was no one present to oppose this request.

At the end of discussion, a motion was made by Ms. Desiree Watson, seconded by Mr. Paul Sanders and unanimously adopted to recommend approval of rezoning request **ZM2317 (I)** for property consisting of 7.88 acres, to rezone from R-9 Single Family Residential to PD Planned Development to establish permitted and accessory uses as defined in the St. William Catholic Church Planned Development Zoning Text for parcels 04-02422 and 04-09717 except that the Planned Development Text shall be amended on page 4, paragraph 2 under Development Standards to state that ***free standing columbarium shall not exceed a height of 15 ft. all inclusive, and shall have a minimum setback of 35 ft. from the adjacent property.***

SP2318 (I) - St. William Catholic Church

Consider approval of a site plan for a columbarium to be located on the St. William Church campus at a physical address of 2300 Frederica Road. Parcel IDs: 04-02422 and 04-09717. Robert C. Ussery of Ussery-Rule Architects P.C., agent for Bishop of the Diocese of Savannah, owner.

Mr. Ussery was present for discussion.

According to the staff's report, the applicant is proposing to add a columbarium to the church campus as a permitted accessory use. Staff's recommendation is for approval.

Following review, a motion was made by Ms. Desiree Watson to approve site plan *SP2318 (I)*, contingent upon approval by Glynn County Board of Commissioners of rezoning request *ZM2317 (I)*. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

A motion was made by Mr. Preston Kirkendall, seconded by Mr. William Lawrence and unanimously adopted to schedule the next IPC meeting for March 20, 2012 beginning at 6:00 p.m.

There being no further business to discuss, the meeting was adjourned at 7:15 p.m.