

# MINUTES

## ISLANDS PLANNING COMMISSION

**APRIL 16, 2013 - 6:00 P.M.**

**The Casino Bldg, 530 Beachview Drive, SSI**

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MEMBERS PRESENT: John Dow, Chairman  
Paul Sanders, Vice Chairman  
Stan Humphries  
Preston Kirkendall  
William Lawrence  
Oliver Seabolt  
Robert Ussery

STAFF PRESENT: David Hainley, Community Development Director  
Eric Landon, Planner II  
Janet Loving, Admin/Recording Secretary

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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.

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## MINUTES

### **March 19, 2013 Regular Meeting**

A correction was made to the spelling of a property owner's name (Page 5, Paragraph 3) as follows: ~~Bean~~ **Been**. Afterward, a motion was made by Mr. Robert Ussery, seconded by Mr. Paul Sanders and unanimously adopted to approve the Minutes of the **March 19<sup>th</sup>** Regular Meeting with the noted correction.

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**ZM2587 Mary Wan Road:** Consider a request to rezone from Planned Development to Forest Agricultural for a 0.67 acre parcel located on the west side of Mary Wan Road approximately 300 feet south of its intersection with Demere Road. Parcel ID#: 04-14458. Property owned by Celia Buchanan and Eugene Caldwell.

Mr. David Hainley, representing Glynn County, was present for discussion.

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

In 2007 this property was rezoned to Planned Development as part of a 100 unit multi-family development. This parcel was 0.67 acres of the 9.66 acre Planned Development. In 2012 Glynn County Superior Court ruled that this parcel was to be removed from the larger Planned Development as part of a civil action. As a result of that case Glynn County is requesting that this parcel be returned to its original FA zoning.

**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 zoning returns this parcel to its original zoning prior to 2007.*

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

*The proposed change will reduce the impacts of development.*

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

*Yes, the property is currently zoned for a multi-family development.*

- 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.

*None*

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

*Yes, this area is designated for Low Density Residential. FA zoning would allow a low density 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.

*There was a ruling to remove this parcel from PD zoning by Glynn County Superior Court.*

Mr. Landon stated that staff recommends approval of **ZM2587** to rezone from Planned Development to Forest Agricultural.

Mr. Paul Sanders wanted to know why the county is requesting this change. However, Mr. Hainley explained that this is actually a request from a co-owner of the parcel who has stated that the property was improperly zoned as part of the original application that was done by Athens Land Company. Since this involved an official action of the Board, it requires an official action to rezone the property back to its original zoning.

Referring to the Garden Center approval, Mr. Humphries asked if there is some type of encroachment on Mary Wan Road. Mr. Hainley stated that the owner of the Garden Center has assured staff that there is no encroachment on Mary Wan Road, nor does he access the road with commercial vehicles.

There was no one present to oppose this request.

At the end of discussion, a motion was made by Mr. Robert Ussery to recommend approval of **ZM2587** to rezone from Planned Development to Forest Agricultural. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

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**SP2588 Frederica Mail Kiosk:** Consider a request to approve a site plan for the construction of an access drive and mail kiosks to serve Frederica Township. The property is located on the south side of Pikes Bluff Drive at the southern entrance to Frederica Township. Parcel ID 04-13745. Property owned by Frederica Development Group.

Mr. Bill Edenfield was present for discussion.

According to the staff's report, Frederica Township is an existing subdivision and the request is for approval of a mail kiosk area to serve the residents. The site of the proposed improvements is within a private right-of-way.

Under Section 619.4 (a) of the Zoning Ordinance, the Planning Commission's review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. **Staff comment: This requirement has been met.**
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this Ordinance and other ordinances of Glynn County. **Staff comment: This requirement has been met.**
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading, and the flow of traffic, which may reasonably be anticipated. **Staff comment: This requirement has been met.**
- 4) Adequate provisions are made to control the flow of storm water from and across the site. **Staff comment: This requirement has been met, subject to review by Engineering as part of the building permit process.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: The applicant is preserving existing trees which will comply with the St. Simons Tree Canopy Ordinance.**
- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. **Staff comment: Not applicable.**
- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff comment: The applicant will be required to meet this provision at all times.**
- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff comment: Not applicable.**
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff comment: Not applicable.**

Mr. Landon stated that staff recommends approval of *SP2588*, Frederica Mail Kiosk.

Mr. Edenfield gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Oliver Seabolt to approve *SP2588*, Frederica Mail Kiosk. The motion was seconded by Mr. Stan Humphries and unanimously adopted.

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**VP2592 Island Dog Sign 410 Mallery Street:** Consider approval of a new 21.3 square foot sign. The property address is 410 Mallery Street and is located on the south side of Mallery Street between Mallery Street and Ocean Boulevard in the Island Preservation District. Parcel ID 04-04466. Property owned by Paul and Elizabeth Klimp.

Paul and Elizabeth Klimp were present for discussion.

According to the staff's report, the applicant is proposing to add a new 21.3 square foot wall sign to the building to identify Island Dog Specialty Retail Shop, located between Island Cleaners and Laundry and Mallery Street Café.

Section 715.5 (9) Signs in the Zoning Ordinance for the Village Mixed Use Zoning District references Section 811.7 of the Sign Ordinance to regulate signs, which states: "All permanent signs in excess of 6 sq. ft. are subject to the prior approval of the Planning Commission with regard to material, size, construction color, face type, location and setback."

Since the proposed Island Dog sign is more than 6 sq. ft., it is required to be reviewed by the Islands Planning Commission.

The proposed sign meets requirements in most respects as outlined in Section 811.7 (a), (b), (c) and (d). Island Dog has no more than three signs to an exterior front building, the dimension of which must exceed 30 ft. The sign will be a panel with painted lettering, as is allowed, and shall not exceed 10% of the building wall area. The letters are not in excess of 18 inches in height for the one-story building.

The applicant's request differs from subsection 811.7(d) of the ordinance in one respect - that the painted sign area be located approximately 4 ft. from the end of the building, rather than 6 ft. This would match or align with the existing Mallery Street Café sign already on the building. (Photographs were included depicting how the existing Café sign is located so as to be visible between an existing pylon sign installed in the ground to its left, a dumpster below it, and a satellite dish to its right side.) The size and shape of the proposed Island Dog sign are consistent with the Café sign, which would make for an overall harmonious appearance - the overriding objective for review under the ordinance. Thus staff supports this request.

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. Hainley stated that staff recommends approval of application **VP2592** to allow a new 21.3 sq. ft. wall sign at 410 Mallery Street for Island Dog Specialty Retail Shop.

During a brief presentation, Mr. Paul Klimp confirmed that the staff's report is accurate. He also noted that the proposed wall sign is within the same color scheme as the Mallory Street Café sign. He is asking for the Planning Commission's approval of his request.

At the end of discussion, a motion was made by Mr. Stan Humphries, seconded by Mr. Paul Sanders and unanimously adopted to approve application **VP2592** to allow a new 21.3 sq. ft. wall sign at 410 Mallery Street for Island Dog Specialty Retail Shop.

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In other business, Mr. Hainley advised that a meeting date has not been set for the Joint Planning Commission work session to continue discussing the possibility of changing the format of staff's presentation. He will continue his efforts to coordinate this meeting.

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There being no further business to discuss, the meeting was adjourned at 6:20 p.m.