

MINUTES
MAINLAND PLANNING COMMISSION
JUNE 3, 2014 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Tim Murphy, Chairman
 Tom Boland, Sr., Vice Chairman
 Bill Brunson
 Buddy Hutchinson
 Gary Nevill
 John Williams

ABSENT: Larissa Harris

STAFF PRESENT: David Hainley, Community Development Director
 Eric Johnson, Planning Manager
 Eric Landon, Planner II
 Cayce Dagenhart, Planner II
 Janet Loving, Admin/Recording Secretary

Chairman Murphy called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. Afterward, Chairman Murphy congratulated Mr. Bill Brunson on his recent election to the Glynn County Board of Commissioners. Mr. Brunson will be sworn-in as District 4 Commissioner in January, 2015.

MINUTES
May 6, 2014 - Regular Meeting

Upon a motion made by Mr. Tom Boland and seconded by Mr. Gary Nevill, the Minutes of the **May 6th Regular Meeting** were approved and unanimously adopted.

At this time, Chairman Murphy gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

ZM2828 Gold Coast Imports: Consider a request to rezone two parcels at 3411 Altama Avenue consisting of .47 acres and .38 acres. The purpose is to adjust the zoning to fit the current use as well as bring it into compliance with the surrounding zoning. Parcel IDs: 03-08151 and 03-08144. Property owned by Mike Bauer.

Mr. Bauer was present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Cayce Dagenhart:

This request is to rezone two abutting parcels located at the northwest corner of the intersection of Altama Avenue and Fourth Street. The property is occupied by a car dealership (car lot and sales), which is a permitted use in the GC General Commercial District. The current use of the property would not change as a result of this rezoning request.

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 rezoning request will not change the use of the property and the existing use is considered suitable for this area.

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

The rezoning request will not adversely affect the use of the adjacent property.

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

Yes, the existing zoning allows for a variety of retail uses, personal service businesses, and many other business types. The purpose of this application is to ensure that the zoning of the two abutting properties are consistent with the zoning of the surrounding properties.

- 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 proposed rezoning request will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

Yes, rezoning these properties to General Commercial will bring them into conformity with the policy and intent of the Comprehensive Plan.

- Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval.

None

Ms. Dagenhart stated that staff recommends approval of application **ZM2828** to rezone Parcel IDs 03-08151 and 03-08144 to GC General Commercial.

There was no one present to oppose this request and following a brief discussion, a motion was made by Mr. Bill Brunson, seconded by Mr. Tom Boland and unanimously adopted to recommend approval of application **ZM2828** to rezone Parcel IDs 03-08151 and 03-08144 to GC General Commercial.

ZM2829 Hampton Inn and Suites: Consider a request to amend a Planned Development Zoning District Text (ZM1484) for property consisting of approximately 1.8 acres known as Hampton Inn and Suites. PARCEL ID: 03-21883. Brunswick Hotel, Inc., applicant. Property owned by Anil Patel.

Mr. Rick Shumate was present for discussion.

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

The proposed request is to amend the Planned Development text for the Hampton Inn and Suites to update the description of the property and to change the rear setback required for accessory structures, thus making the existing structure compliant. The PD currently requires a rear yard setback of 4.33 ft. for accessory buildings. The proposed text change would reduce the rear yard setback to 3 ft. The following is a brief history of the property in question:

A building permit for the Hampton Inn and Suites was approved in February of 2008 and construction began shortly thereafter. During a site inspection of the hotel, building inspectors discovered that construction was underway on an accessory storage building that was not approved in the original building permit application. This building

encroached into the 20 ft. rear yard setback required in the Freeway Commercial Zoning District. As a remedy Mr. Patel, the owner of the property, submitted an application for a commercial accessory building (CAB) permit and a zoning variance. The CAB permit was initially rejected on the grounds the accessory building encroached into the rear yard setback. The variance was denied because the Board of Appeals determined that the application failed to meet the hardship criteria.

Continuing with the effort to remedy the zoning violation, Mr. Patel submitted an application (ZM1484) to rezone the property from Freeway Commercial to Planned Development. During this time, Mr. Patel was allowed to complete the accessory building on the condition that if the rezoning failed, the building would be taken down. On March 19, 2009, Mr. Patel's rezoning application was approved with a lesser required rear setback of 4.33 ft.

A new survey of the property has recently been performed. This new survey places the accessory building 3 ft. from the rear property line instead of the 4.33 ft. shown on the original survey. This request to amend the PD Text would further reduce the rear setback from 4.33 ft. to 3 ft. in order to bring the Hampton Inn and Suites PD Text into compliance with the existing accessory building.

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 text amendment request will not change the zoning or the use of the property.

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

The proposed text amendment request will not adversely affect the use of the adjacent property.

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

Yes, the existing zoning allows for a hotel and accessory buildings. A hotel has been built on the property.

- 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 proposed text amendment request will not adversely impact the streets, transportation facilities, utilities, or schools.

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

Yes, this property is identified as being located in a Regional Center on the Future Land Use Map.

- Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval.

None

Ms. Dagenhart stated that staff recommends approval of application **ZM2829** to amend the Planned Development for the Hampton Inn and Suites.

For clarification, Mr. Buddy Hutchinson asked if this is the case where there were errors made by several parties involved, including Glynn County, during construction of the building. Mr. Hainley replied yes but it was thought to be settled until Mr. Shumate advised that another survey had been done which shows the building being 3 ft. from the rear property line instead of 4.33 ft. This was detected during the refinancing process. Mr. Hainley pointed out that the surveyor who conducted the original survey is now deceased. Mr. Hutchinson stated that hopefully this process or action tonight will help to remedy the situation. Mr. Hainley concurred.

Mr. Brunson asked if approval of this request would be applicable just to the building in question. Mr. Hainley replied yes. Mr. Boland wanted to know if this approval would set a precedent. Mr. Hainley replied no.

During a brief presentation, Mr. Shumate elaborated on the history of the building and the extent of the clerical error which he stated was done at least 5 years ago. He stated that he takes full responsibility for not reading the plans, and he just wants to move forward at this time.

There was no one present to oppose this request, and at the end of discussion, a motion was made by Mr. Buddy Hutchinson, seconded by Mr. Bill Brunson and unanimously adopted to recommend approval of application **ZM2829** to amend the Planned Development for the Hampton Inn and Suites.

SP2833 Golden Isles Baptist Church: Consider approval of a site plan for a 6,800 sq. ft. church on 12 acres. The property is located between Interstate-95 and Harry Driggers Boulevard, north of the Southern Landing Subdivision. Parcel ID: 03-15022. Golden Isles Baptist Church, owner. Jonathan Roberts, engineer.

Mr. Robert Hubbard was present for discussion.

According to the staff's report, this request is to construct a new 6,800 sq. ft. building, including 83 parking spaces. The site is to be served with public utilities and will be accessed from Harry Driggers Boulevard.

In addition to the proposed site plan, the applicant is also requesting a height variance because the church steeple would exceed the 35 ft. height limitation. Tabular data on the site plan indicates the steeple would be 42 ft. in height. Section 617 of the Glynn County Zoning Ordinance allows for height exceptions for steeples with the approval of the Planning Commission as follows:

Section 617. Exceptions to Height Limits

Spires, belfries, cupolas, domes, monuments, roof signs, water towers, observation towers, electrical transmission towers, silos, chimneys, smokestacks, elevators, conveyors, flag poles, masts, steeples, and windmills that exceed the height limitations for the district in which they are located, as outlined in the Ordinance, require approval from the Glynn County Planning Commission.

When considering an exception, the Planning Commission must consider the following factors:

- 1. Maintenance of aesthetic appeal of the neighborhood;*
- 2. Safety of any structure to be built above the maximum height in case of high winds;*
- 3. The specific need of the property owner for the exception;*
- 4. Availability of alternative means of satisfying the owner's need;*
- 5. Impact on property values in the neighborhood; and*
- 6. Any other adverse impacts on surrounding properties.*

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 or will be provided during the permitting process.**
- 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 subject to full review of the building permit.**

- 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. The point of ingress/egress is proposed on Harry Driggers Boulevard.**
- 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: During a site inspection, staff noted that the property has been partially cleared; however, many trees still remain, serving as a buffer to abutting properties.**
- 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: This site is bordered by I-95 to the west and a single-family residential subdivision to the south. Existing natural vegetation will serve as a buffer. In addition, the building would be setback a considerable distance from each property line.**
- 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: This requirement will be met during review, permitting and inspection of buildings. Exterior lighting will be required to meet the standards of Section 622 of the Zoning Ordinance.**
- 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: This requirement has been met. Utilities will be provided by the Joint Water & Sewer Commission (JWSC).**

Mr. Landon stated that staff recommends approval of application *SP2833* for the construction of a 6,800 sq. ft. church for Golden Isles Baptist Church. Staff also recommends approval of a height variance for a 42 ft. steeple for Golden Isles Baptist Church.

Mr. Boland asked if there is a buffer required near Wedge Wood Court. Mr. Landon replied no; however, the applicant has provided a buffer.

At this time, Mr. Landon pointed out that staff received a letter of concern from Mr. Jason Counts regarding road noise from Interstate 95. As a possible remedy, Mr. Counts states in his letter that “there have been earthen berms and walls built parallel to the highway to help mitigate some of the road noise for the residents of the area. A

tree lined buffer may also be helpful in obtaining noise reduction.” He further states that it is not his intention to impose or suggest any burdensome requirement on the Golden Isles Baptist Church, but he would simply like for the Planning Commission to mention the possibility of installing some type of road noise mitigation.

During discussion, Mr. Hutchinson asked Mr. Hubbard if the height of the steeple really makes a difference to the building. However, Mr. Hubbard did not know. He stated that he would have to confer with the architect. Mr. Hutchinson then asked Mr. Hubbard if the church would consider installing some type of berm to reduce the road noise. Again, Mr. Hubbard stated that he would have to confer with the architect and the pastor of the church.

There was no one present to oppose this request. At the end of discussion, a motion was made by Mr. Buddy Hutchinson to approve application **SP2833** for construction of a 6,800 sq. ft. church for Golden Isles Baptist Church and also to approve the height variance for a 42 ft. steeple for Golden Isles Baptist Church. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 6:30 p.m.