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Timothy Byler
ASST. VICE CHAIR
Lynn Pace
SECRETARY
Jeff Ricketson



COMMISSIONERS
Sarah Baker
Alonzo Bryant

Marshall Kennemer
Phil Odom
Durand Standard

December 16, 2014

The Liberty Consolidated Planning Commission met on Tuesday, December 16, 2014, in the Historic Courthouse, 100 Main St., Hinesville, GA. Tim Byler, Vice-Chairman, called the Meeting to order. Vice-Chairman Byler announced the recent passing of Commissioner Don Emmons and asked for a moment of silence in his honor. A Motion was made by Durand Standard to approve the minutes from the November 18, 2014, meeting and seconded by Marshall Kennemer. The motion passed unanimously. Vice-Chairman Byler asked for a motion to approve the final agenda. Motion to approve by Durand standard and seconded by Marshall Kennemer. Motion passed unanimously. The public was notified of the meeting; the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Sarah Baker
Phil Odom
Marshall Kennemer
Durand Standard
Timothy Byler
Lynn Pace
Alonzo Bryant

ABSENT:

Jack Shuman

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary
Kelly Wiggins, Executive Assistant
Abe Nadji, Engineer
Gabby Hartage, Zoning Administrator
Melissa Jones, Planner II

Vice-Chairman Byler asked the public to disclose prior to speaking at the podium if they had contributed more than \$250.00 to any elected official who would be voting on these zoning matters.

1.0 OLD BUSINESS (PUBLIC HEARING OPEN)

2.0 NEW BUSINESS

Jeff Ricketson asked to revisit the discussion that we had at last month's meeting in reference to the Riceboro sub area map. Commissioner Byler and Commissioner Odom had concerns about the conservation area on the map and it was decided that there was a need for a change.

2.1 Consent Agenda Items (None)

2.2 Ordinances and Resolutions

2.2.1 A resolution to amend the future land use map for the Riceboro Subarea.

Melissa Jones presented the Commission with the changes for the conservation area on the Riceboro subarea map. She explained that some land use districts were changed from agricultural/forestry to conservation. Jeff stated that this is the first area we worked with that has significant marshland and it was important to designate the conservation areas.

Motion: Phil Odom

Second: Lynn Pace

VOTE: All

This will be presented to the LCBOC on January 6 and January 15, 2015.

2.3 Rezoning Petitions and other Zoning-Related Petitions.

Midway

2.3.1 Variance Request 2014-035-MW. A variance request has been submitted by Francis W. and Adrienne L Stidhams for a side yard building setback at 317 Otto Drive, further described as LCTM-Parcel 240D-009. Property is zoned R-1 (single Family Residential District).

RECOMMENDATION: Approval with standard conditions.

Mr. Sridham's spoke in favor for the change in order to accommodate his elderly parents.

Motion: Durand Standard

Second: Phil Odom

Vote: All

This request will go before the Midway City Council on January 12, 2015 at 6:00 P.M.

2.3.2 Home Occupation Type "B" 2014-036-LC. Request by Joseph Cook, owner, to be allowed to have a small taxidermy business at 3087 S. Coastal Hwy, further described as LCTM-Parcels 190-025 and 190-026. Property is zoned A-1 (Agricultural) and AR-1 (Agricultural Residential).

Gabby presented this request to the Commission explaining the particulars that have to be considered.

RECOMMENDATION: Approval with standard and special conditions. The special conditions are to verify that the property owner is aware of the restrictions in the zoning ordinance.

Mr. Joseph Cook came to the podium to speak about the time restrictions. He explained that the only hours that there would be customers present at his home would be to drop off and pick up only. He indicated that he could not operate under the 10:00 to 5:00 time slot. Phil Odom stated that he understood this dilemma and wanted to know if this exception on the time could be amended at the

LCBOC meeting. Gabby stated that it could go before the LCBOC with an exception to the time. Commissioner Pace asked about any signs he would be posting on the property and he stated there would not be a sign. He is operating by word of mouth and social media.

MOTION: Marshall Kennemer to accept with special conditions and add an exception of no specific hours stated.

SECOND: Alonzo Bryant

VOTE: All

2.3.3 Rezoning Petition 2014-037-LC. Request by Joel C. Osteen, agent for Bertha L. Windom, owner, to rezone 1.55 acres of land, more or less, from AR-1 (Agricultural Residential) to B-2 (General Commercial) on E. Oglethorpe, further described as LCTM-Parcel 120-070.

Gabby Hartage presented this petition to the Commission. The property is located in a flood zone and a large portion of the property is wetland. DOT would have to give access for commercial activity due to the signal located at this location.

RECOMMENDATION: Approval with standard and special conditions. The special conditions would be the driveway access would be approved by the DOT prior to its use as commercial property. There must be a site plan of the property.

Phil Odom asked about the property having a rice-dyke on it that is 250 to 275 years old. This property is in the middle of a Porter's Creek that is a waterway of Liberty County. Upon this discussion, it was decided to table this item until Mr. Osteen could be present at the next meeting.

2.3.4 Conditional Use 2014-038-LC. A conditional use request has been filed by Margaret Lopez, applicant, for a bed and breakfast inn at 358 River Drive, further described as LCTM-Parcel 350D-025. Property owner Daniel Atkins.

Gabby Hartage presented this request to the Commission. The detached garage was converted into the bed and breakfast. There is no kitchen, just a bedroom and bathroom.

RECOMMENDATION: Approval with standard conditions.

Vice-Chairman Byler asked for comments from the public. There were a number of citizens present to speak in favor of and in opposition to the bed and breakfast. David and Melinda Holley stated they have no problem with the bed and breakfast and that this would have the most impact on their property and in their opinion the bed and breakfast is built in good taste. Roy Cain spoke in support and said that he has had no complications with any of the events they have hosted thus far. He wondered if having the property rezoned would it affect his taxes. He was told no it would not. Mary Beth Evans spoke in reference to the nature of the neighborhood. Fifty percent of the people that live there have parties, and the other fifty percent are weekenders. Margaret Lopez and Daniel Atkins are the owners of the bed and breakfast. They stated that there is a party every night in the neighborhood and that her home is located at the end of the cul-de-sac. She pays extra for valet parking to keep the vehicles out of the way. She printed pictures of the property for the Commissioners viewing. Daniel Atkins stated a few reasons he would like to have the conditional use approved and thanked the Commissioners for their time. Vice-Chairman Byler stated that he had two letters that were submitted in opposition and

the first citizen was present. Byler asked Mr. and Mrs. Donaldson to speak. They are concerned about the traffic, the speed limit, and the animals that live in the area. Her concern is the parking area is wetlands and they block the road. Their additional concerns are the hazards for the fire department to get into the area. They are mostly worried about livestock and speeders. Vice-Chairman asked for Walter Johnson. He submitted a letter but was not present. Janet Boyd spoke in opposition of the bed and breakfast. She stated that she likes the owners of the bed and breakfast but is against the business because she is one of the property owners and does not think the neighborhood can handle the sort of traffic that it would create. She stated that she is under the impression that the business will be used for more events than just for a bed and breakfast. Although she only has property there. She conceded that she owned the property but did not live there. However, her parents live across the street from her property. Vice-Chairman Byler said he had the letter from Walter Johnson to read. He read it to the Commission. Vice-Chairman Byler mentioned that he had a concern. His concern is that in the writing of this, there is no mention of an event venue. Having it rezoned will not allow for the events that have been mentioned. He advised that the owners meet back with the LCPC to discuss this issue. He explained that if you have the bed and breakfast rezoned then they would not be able to host events there. Vice-Chairman Byler stated that as it is written now this would remove from them the ability of host events. Phil Odom asked what the county ordinance is for holding events. Gabby indicated that the ordinance does not allow for the events under conditional use and in fact, they only applied for a bed and breakfast. There would need to be two separate rulings for them if the owner does in fact want to host special events. Jeff Ricketson stated that the application that is before the Commission is for a bed and breakfast and that events are not allowed in a single-family neighborhood. Danny Atkins stated they did have a relatives wedding there and that is the only kind of event that would be held at the location. Ms. Lopez stated that if she needed to do things differently she would do so. Durand stated that there would be a waste of everyone's time to ask him or her to come back because there cannot be a variance for events. Durand Standard stated he would entertain the Commission moving forward for the bed and breakfast. Vice-Chairman Byler stated that this application is for the bed and breakfast. Durand Standard stated that for the people that stood in opposition, opening the bed and breakfast means they will have one person, correction two people each night therefore the traffic flow would increase by a possible two cars. Vice Chairman Byler asked the audience if they all were in understanding. Ms. Donaldson stated that she spoke with DNR several years ago and they were told that they could not fill in that area where people turn around.

MOTION: Durand Standard with special condition that the approval of the bed and breakfast stands only with this property owner and this particular business owner.

SECOND: Phil Odom

VOTE: All

This item will go before the LCBOC on January 6, 2015 at 6:00 PM.

2.3.5 Sign Variance 2014-039-H. A variance request to the 10 ft. setback requirements has been submitted by Berry Engineers, LLC, on behalf of Polestar GA, Hinesville, and LLC. Property is zoned C-2 (General Commercial) and is further described as LCTM-Parcel 069C-042 and 069C-037.

Gabby presented this sign variance for a proposed grocery store in Hinesville located close to General Stewart Way. Gabby demonstrated by monitor the land area that the sign would be posted. This is actually an extension of General Stewart Way and the right of way will be extended so the sign will front

on both Hwy 84 and the future General Stewart Way. Due to the location of the triple drainage culverts, the sign cannot meet the 10 ft. setback requirement.

RECOMMENDATION: Approval with standard conditions

The stanchion sign will be only have one pole and will be 20 feet high. Gabby stated that there would need to be some improvements and that is the tributary. Mr. Munn spoke in support of the sign variance.

MOTION: Phil Odom

SECOND: Marshall Kennemer

VOTE: ALL

This will be presented to the City Council at Hinesville City Hall on January 15, 2015.

Vice-Chairman went back to 2.3.3 and Gabby stated that she spoke Mr. Osteen and he had a conflict and would not be able to make the meeting.

MOTION: Phil Odom made a motion to table this item until the next meeting.

SECOND: Lynn Pace

VOTE: ALL

2.3.6 Conditional Use for a Telecommunications Tower 2014-040-LC. A conditional use request for a 195 ft. high monopole tower was submitted by Sandco Towers, LLC, off Willie Dixon Road, further described as LCTM-Parcel 119-009. Property owners are John D. and Willa D. Lewis.

Gabby Hartage presented this conditional use to the Commission. It was discovered that the agenda the Commissioners were looking at was the incorrect agenda but the one that the Commissioners received in their packet was correct. Phil Odom stated that the Commission accepted the agenda at the beginning of the meeting, so they would need to vote on a change to the agenda.

MOTION: Phil made a motion to amend the agenda to match the packets that were sent to them.

SECOND: Durand Standard

VOTE: All

The property is 61 acres and the 10,000 sq. ft. is included in that acreage. The owner of the tower, Sand Co. towers, Jay Shirah, spoke in favor of the tower. Mr. and Mrs. Lewis were present at the meeting. Mr. Shirah verified the item number of his variance since the agenda was incorrect. This is really the only proposed site that he can find that meets the requirements. Phil Odom asked about the tower being in the flight zone of the new addition in length of the airport. Mr. Shirah stated that he would still have to meet the FAA requirements.

RECOMMENDATION: Approval with special and standard conditions that meet the FAA and the FCA requirements. It needs to meet the wind requirements.

MOTION: Phil Odom made motion to accept with standard and special conditions.

SECOND: Lynn Pace

VOTE: All

CLOSE PUBLIC HEARING

2.4 Site Plans, Preliminary Plats and Final Plats.

2.4.1 Final Plat. Request for revised preliminary plat approval for Villages on Marne, PH II.

Abe Nadji presented this. Abe stated that neither the petitioner nor the engineer present at this meeting.

Vice-Chairman Byler stated that he would entertain a motion for this item to be tabled.

MOTION: Alonzo Bryant
SECOND: Durand Standard
VOTE: ALL

GENERAL PUBLIC COMMENTS

3.0 OTHER COMMISSION BUSINESS

4.1 DIRECTORS REPORT

4.1.1 Update of last month's actions.

Jeff Ricketson presented the Commission with an update of last month's actions. Jeff stated that the LCBOC approved the final plat for Yellow Bluff.

5.0 ADJOURN

Motion: Marshall Kennemer
Second: Durand Standard
VOTE: All



Jack Shuman, Chair

1-20-15

DATE



Jeff Ricketson, Secretary to the Board