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Timothy Byler  
ASST. VICE CHAIR  
Lynn Pace  
SECRETARY  
Jeff Ricketson



COMMISSIONERS  
Sarah Baker  
Alonzo Bryant  
Don Emmons  
Marshall Kennemer  
Phil Odom  
Durand Standard

September 17, 2014

The Liberty Consolidated Planning Commission met on Tuesday, September 16, 2014, in the Historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chair, called the Meeting to order. A Motion was made by Phil Odom to approve the minutes from the August 16, 2014 meeting with a correction to item 2.3.1 and seconded by Marshall Kennemer. The motion passed unanimously. The public was notified of the meeting; the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Jack Shuman  
Marshall Kennemer  
Phil Odom  
Alonzo Bryant  
Lynn Pace  
Sarah Baker

ABSENT:

Don Emmons  
Timothy Byler  
Durand Standard

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary  
Kelly Wiggins, Executive Assistant  
Joey Patenaude, Planner I  
Curles Butler, Senior Inspector  
Abe Nadji, Engineering Director  
Gabby Hartage, Zoning Administrator

Chairman Shuman 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.

A request was made by Marcus Sack of Simonton and Associates to move item 2.4.1 to the beginning of the agenda in order for him to take care of a family issue. Request was granted.

A motion was made by Marshall Kennemer to approve the agenda and seconded by Phil Odom. Motion was unanimous.

**2.4** Site Plans, Preliminary Plats & Final Plats

**2.4.1.** Final Plat. Request by Dryden Enterprises for final plat approval of Griffin Park Phase VIIA Consisting of 74 single-family dwelling lots.

Abe Nadji presented the final plat to the Commission.

The staff recommends approval with standard and special conditions.

1. Prior to placing this item on City of Hinesville's agenda, the following required guarantees in form of LOCs shall be submitted to LCPC.
  - Performance pavement LOC in an amount of \$120,733.20
  - Maintenance LOC in an amount of \$145,686.45
  - Performance sidewalk & tree LOC in an amount of \$167,370.00
2. Complete all required improvements within the common areas of project.
3. Submittal of Georgia Power commitment letter to install streetlights.
4. Submit all required final plat checklist items.
5. Pass final inspection.

Marcus Sack stated that he would be glad to answer any questions. Chairman Shuman asked how many phases were planned for Griffin Park. Marcus stated that he did not know exactly but hoped for more. With no other questions, the approval went to the Commission.

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

SECOND: Alonzo Bryant

VOTE: Unanimous

Plat will go before Hinesville City Council when ready.

## **1. OLD BUSINESS (PUBLIC HEARING OPEN)**

### **WALTHOURVILLE**

**1.1** Rezoning Petition 2014-024-W. A rezoning petition has been submitted by Cato and Edna Walthour, owners, to rezone 1.00 acre of land, more or less, from AR-1 (Agricultural Residential District) to R-3 (Multi Family Residential District) at 769 Wilder Road, further described as LCTM-Parcel 051C-113 for one or more additional duplexes.

Gabby Hartage presented petition to the Commission. The petitioner was unable to attend the meeting due to vacation.

The Staff recommends disapproval:

Rezoning 2014-024-W to rezone the property at 769 Wilder Road to R-3 (Multifamily Residential District) or R-2 (Two-Family Residential District) for one (or two) additional duplexes.

- Access is off a 30 ft. unpaved easement only
- Property cannot be subdivided off 30 ft. easement
- Other surrounding "landlocked" parcels in the vicinity could request similar rezoning's

With there being no one present to speak in favor or against this rezoning request the petition went to the commission for a decision.

MOTION: Marshall Kennemer motioned for disapproval

SECOND: Lynn Pace

VOTE: Unanimous

The Walthour City Council will hear petition on September 25, 2014 at 6 PM at the Police Dept. Bldg.

## **2.0 NEW BUSINESS**

### **2.1 Consent Agenda Items (None)**

### **2.2 Ordinances**

**2.2.1 McIntosh/Holmestown Subarea Land Use Map.** An ordinance to revise the Liberty County Consolidated Comprehensive Plan 2030 by amending the future land use map for the McIntosh/Holmestown Subarea within Liberty County.

Joey Patenaude presented the Commission with the subarea land use map and stated that this is the third land use map that has been presented to the Commission. Jeff Ricketson stated that this map was presented at two public meetings at the Dorchester Center. The public was well represented at the meetings.

Staff recommends approval.

MOTION: Phil Odom

SECOND: Marshall Kennemer

VOTE: Unanimous

Ordinance will be taken to the LCBOC on October 7, 2014, 6 pm, courthouse annex, board room

### **2.3 Rezoning Petitions and Other Zoning-Related Petitions**

#### **Walthourville**

**2.3.1 Rezoning Petition 2014-027-W.** A rezoning petition has been submitted by Patricia Green, owner, to rezone 1.00 acre of land, more or less, from AR-1 (Agricultural Residential District) to R-2A (Single-Family, Two-Family, and Mobile Home Residential District) at 727 Carter Road, further described as LCTM-Parcel 051A-018.

Petition was presented to the Commission by Gabby Hartage.

Chairman Shuman stated at first it was not conforming and now it is conforming. He agreed with Gabby that it is a win/win situation. Chairman Shuman asked Ms. Green if she wanted to speak and she stated that she did not wish to at this time. With there being no other person present to speak for or against the petition, the petition went to the commission.

Staff recommends approval with standard conditions.

MOTION: Alonzo Bryant made a motion to approve with standard conditions

SECOND: Marshall Kennemer

VOTE: Unanimous

Petition will go before the City Council of Walthourville on September 25, 2014 at 6:00 PM at the Police Department Building.

**2.3.2 Rezoning Petition 2014-028-W. A rezoning application has been filed by T.R. Long Engineering, agent for Herschel Hart, to rezone 6.00 acres of land, more or less, from AR-1 (Agricultural Residential District) to R-2A (Single-Family, Two-Family, and Mobile Home Residential District) on Shaw Road, further described as LCTM-Parcel 049D-010.**

Gabby Hartage presented petition to the Commission. Gabby pointed out that there are no provisions for buffers.

Chairman Shuman stated that the Commission is just considering the rezoning at this time and that the plat will be an item later. Chairman Shuman asked why we needed the special condition. Gabby stated that the first one is in the ordinance and is listed for the developer to have knowledge of this condition. Chairman Shuman asked about the requirements for a buffer. Gabby Hartage stated that the ordinance does not have requirements to provide for a buffer. Chairman Shuman asked for public comment. Whit Russell spoke on behalf of T.R. Long engineering and stated they are aware the buffer concerns and are considering the issue. Lynn Pace asked if it was going to be single-family homes or a mobile home park and Mr. Russell stated that he believed it to be single-family homes.

Chairman Shuman asked if there was anyone that wanted to speak in favor or opposition of this rezoning petition and a woman that lives on the property next door stated that she is concerned about what is being built there. Chairman Shuman explained the process of the rezoning petition and the process of the details as to what will be built there. Chairman Shuman indicated to her that at the time the developer petitions for what he will build is the time she would need to come back and speak in opposition. Jeff Ricketson explained to her that there might not be 20 homes built but this allows for up to 20 homes. Donald Lovette spoke in opposition to the project as well. He asked that the commission consider some sensitivity to the development because he is a landowner in the area as well and expressed his concern of the buffer being present when a subdivision is being developed next to single home size lots. He explained how long some of the landowners had been there. Approximately 70 years. With there being no other concerns the petition went to the Commission for motion.

Staff recommends approval with standard and the following special conditions.

- NOTE: Cul-de-sac. A minor street having a permanent dead end or otherwise having an outlet must be provided with a turn-around having a roadway diameter

of at least 80 feet and a right-of-way diameter of at least 100 feet. In no cases shall a cul-de-sac be more than 600 feet in length.

- All lots shall be accessed off an internal roadway.

MOTION: Marshall Kennemer made motion to approve the petition with standard and special conditions.

SECOND: Lynn Pace

VOTE: Unanimous

This will go before the Walthourville City Council on September 25, 2014 at 6:00 PM at the police department building.

### Hinesville

**2.3.3 Variance 2014-029-H.** A variance request has been submitted by Derek G. Head, owner, to request a variance on a 15 foot required side yard setback for a shed at 457 Floyd Circle, further described as LCTM-Parcel 055D-222.

Gabby Hartage presented this variance to the commission. Gabby explained that the yard currently has several objects located on it at this time and that the shed would not meet the setback that is required. Chairman Shuman asked if there were any questions for Gabby and Marshall Kennemer stated that this could be a safety hazard as well. Gabby stated that there is also a requirement in the ordinance that you cannot exceed 20% lot coverage and at this time, he exceeds this limit without the shed.

Staff recommended disapproval.

Chairman Shuman asked if there was anyone present that wished to speak in favor of this variance and the property owner, Mr. Derek Head came forward. Mr. Head stated that he had a house fire five years ago and that he likes to rebuild old cars and needs the shed to store his car parts. Mr. Head also stated that he spoke with his neighbors and the neighbors do not have a problem with him placing the shed on his property. Chairman Shuman asked him if he was using the shed for car parts and his garage for working on the cars and Mr. Head stated that is the reason. Mr. Head also stated that he would be willing to downsize his shed to a 10X10. Phil Odom stated that he empathizes with Mr. Head's situation but the safety hazard there would be too great. Chairman Shuman stated he hated to deny the request but that are too many concerns in this situation. With there being no other person to speak in favor or opposition the variance went to the Commission for consideration.

MOTION: Phil Odom recommended the Commission follow the LCPC staff recommendation and disapprove the variance.

SECOND: Sarah Baker

VOTE: Unanimous

Variance will go before the City of Hinesville on October 2 at 3:00 PM at City Hall.

Chairman Shuman stated to Mr. Head that he could attend the Hinesville City Hall meeting and address the council.

**2.3.4 Rezoning Petition 2014-030-H.** A rezoning petition has been submitted by Aaron Duncan, agent for Afolarin Banjoko, to rezone 1.76 acres of land, more or less, from O-I (Office Institutional District) to D-D (Downtown Development District) at 508 N. Main Street, further described as LCTM-Parcel 055D-187.

Gabby Hartage presented this petition to the Commission. This property is the former DFACS building and will be divided into office suites. The property is within the compliant square footage. Gabby listed what type of business would be operating in the building.

Staff recommends approval with standard and special conditions with the special conditions listed.

- Legal access to LCTM-Parcel 055D-186 shall be retained during property transfer
- Improvements equaling or exceeding 50% of the fair market value of the site shall be presented to Hinesville's Design Review Board for recommendation to Hinesville Mayor & Council on October 2, 3:00 PM at City Hall.

Chairman Shuman asked if there was anyone present to speak in favor or opposition of the rezoning petition.

MOTION: Alonzo Bryant motions for approval with standard and special conditions.

SECOND: Marshall Kennemer

VOTE: Unanimous

**2.3.5 Variance 2014-031-H.** A variance request has been filed by The Heritage Bank, owner, to request yard setback variances for three ATM machines located at 1) 409-A W. General Screven Way, 2) 635 E. Oglethorpe Highway, and 3) 823 E.G. Miles Parkway, further described as 1) LCTM-Parcel 056A-072, 2) LCTM-Parcel 070A-023, and 3) LCTM-Parcel 046B-007.

Staff recommends approval.

This variance request was presented to the Commission by Gabby Hartage. Lynn Pace asked about the ATM encroaching and Gabby stated that the ATM located at Willowbrook is the only one that will need its driveway to be widened and the encroachment will be on the inside of the parcel not toward the right of way. Chairman Shuman asked if anyone would like to speak in favor or opposition of this variance. Vice President of The Heritage Bank, Jason Floyd stated that he is there to answer any questions that the commission may have. Phil Odom asked Mr. Floyd if this variance is for the upgrading to meet the new standards of the ADA. Mr. Floyd stated that is correct, that the ATM would actually be more attractive visually, and that the bank has a time limit to complete the upgrade. With there being no one else to speak in favor or opposition the variance went to the Commission for motion.

Staff recommends approval.

MOTION: Phil Odom motioned to approve the variance.

SECOND: Marshall Kennemer

VOTE: Unanimous

Petition will go before the Hinesville City Council on Oct 2, 2013 at 3:00 PM at City Hall.

**CLOSED PUBLIC HEARING**

**3.0 GENERAL PUBLIC COMMENTS**

**4.0 OTHER COMMISSION BUSINESS**

**4.1 Director's Report.**

**4.1.1** Jeff Ricketson updated the Commission as to the outcome of last month's actions. He stated that the Fleming Subarea Land Use map would go before the LCBOC on September 18, 2014 at 5:00 for approval. The rental property on Hollywood Drive owned by David McDonald was approved by the LCBOC on September 2, 2014. Valor Pointe subdivision was approved by the Hinesville City Council on September 4. Chairman Shuman asked where Valor Pointe is located and Jeff stated off Olmstead Drive. Jeff advised the Commission that there is a community-planning meeting on Thursday September 25, 2014 at 6:00 PM at Riceboro City Hall.

Motion to Adjourn was made by Marshall Kennemer and seconded by Phil Odom.

**5.0 ADJOURN**

**Meeting adjourned at 5:40**

  
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**Jack Shuman, Chair**

  
\_\_\_\_\_  
**DATE**

  
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**Jeff Ricketson, Secretary to the Board**

## **Addendum**

### Standard LCPC Conditions:

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction
2. All plans, documents, materials, and statements contained or implied in this application are considered to be a condition of this action
3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the Director of the LCPC or the Planning Commission, and the approving governmental authority