

CHAIR
Jack Shuman
VICE CHAIR
Timothy Byler
ASST. VICE CHAIR
Lynn Pace
SECRETARY
Jeff Ricketson



COMMISSIONERS
Sarah Baker
Alonzo Bryant
Andrew Williams
Marshall Kennemer
Phil Odom
Durand Standard

May 22, 2018

The Liberty Consolidated Planning Commission met on Tuesday, May 15, 2018, in the Historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chairman, called the meeting to order. A motion was made by Durand Standard to accept the minutes from the April 17, 2018 meeting. Alonzo Bryant seconded the motion. Motion passed unanimously. Chairman Shuman asked for a motion to accept the final agenda. Tim Byler made a motion to approve the agenda and Durand Standard seconded the motion. Motion passed unanimously. The public was notified of the meeting and the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Jack Shuman
Sarah Baker
Tim Byler
Lynn Pace
Durand Standard
Andrew Williams
Alonzo Bryant
Phil Odom

ABSENT:

Marshall Kennemer

LCPC STAFF PRESENT:

Kelly Wiggins, Executive Assistant
Gabby Hartage, Zoning Administrator
Jeff Ricketson, Executive Director
Alan Seifert, Planner II
Curles Butler, Inspector

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.

1.0 OLD BUSINESS (OPEN PUBLIC HEARING)

A motion was made by Tim Byler to reopen the old business that was tabled per the applicant's request. The motion was seconded by Durand Standard. The vote was unanimous in favor.

ALLENHURST

1.1 Zoning Petition 2018-017-A. An application has been filed by Jordan Roberson, owner, to rezone 8.44 acres of land, more or less, from R-1 (Single-Family Residential District) and AR-1 (Agricultural Residential District) to R-2 (Two-Family Residential District) on Douglas Road, further described as LCTM-Parcels 062C-038 & 062C-039. This property is partially within the Town of Allenhurst, approximately 5.41 acres, with the remainder located within unincorporated Liberty County, approximately 3.03 acres.

Alan presented this zoning petition to the Planning Commission.

RECOMMENDATION: Approval

Durand Standard asked if the access to the property was clear. Alan stated that it is clear. A one hundred foot access road leads to the property. Any issues with surrounding properties have been resolved as far as the LCPC knows.

MOTION: Phil Odom made motion or approval

SECOND: Andrew Williams

VOTE: Unanimous in favor

This will go before the Town of Allenhurst Council on June 4, 2018 at 6:30 PM.

1.2 Annexation Ordinance 2018-01. An application has been filed to annex the remaining portion of LCTM Parcel # 062C-038 within unincorporated Liberty County, approximately 3.03 acres more or less, into the Town of Allenhurst.

Alan presented this annexation to the Planning Commission.

RECOMMENDATION: Approval

MOTION: Tim Byler

SECOND: Phil Odom

VOTE: Unanimous in favor

This will go before the Town Council of Allenhurst on June 4, 2018 at 6:30 PM.

2.0 NEW BUSINESS

2.1 Consent Agenda Items (None)

2.2 Ordinances and Resolutions

2.2.1 Request by the City of Riceboro for a text amendment to the Riceboro Zoning Ordinance, creating Article 13 pertaining to regulation of Solar Energy Systems.

Gabby presented this ordinance to the Planning Commission.

RECOMMENDATION: Approval

Commissioner Pace asked what the usual lifespan is for a solar farm. Gabby stated the representative for the SolAmerica is here at the meeting and can answer questions. Commissioner Odom mentioned that there is 180 years of history in that area and would like the ordinance to reference possible historical and archeological findings. Jeff suggested that the Planning Commission add to item number 6 a copy of historical resources map and archeological map. The official keeper of historical and archeological resources is the Department of Natural Resources.

Jay Behr with SolAmerica came forward to speak on in favor and explained the installation process of the solar panels. Mr. Behr mentioned that the normal life span of the solar farm is usually 25 to 30 years. Commissioner Pace asked who would be responsible for the decommissioning of the project. Mr. Behr stated the owner of the solar farm is responsible. The property would be returned to the state in which it was before the solar farm was developed.

MOTION: Phil Odom
SECOND: Durand Standard
VOTE: Unanimous

2.2.2 Motion to appoint Lynn Pace as the Planning Commission representative to the Liberty County Cultural and Historic Resources Committee.

MOTION: Phil Odom
SECOND: Alonzo Bryant
VOTE: Unanimous

3.0 REZONING PETITIONS AND OTHER ZONING-RELATED ITEMS

HINESVILLE

3.1 Special Permit Use 2018-018-H. Frederick W. Mingledoff, III, and Ellen Gray (applicant/owner) have filed an application for a special permit use to have a rental car business at 401 W. Oglethorpe Hwy, further described as LCTM-Parcel 056D-176.

Gabby presented this special permit use to the Planning Commission.

RECOMMENDATION: Approval with standard conditions.

Commissioner Byler asked about the entryway on Highway 84. Gabby stated that she feels that entry could stay put because it already exists.

Andrew Metz with Enterprise Rent a Car came forward to speak in favor of the special permit use. Mr. Metz stated they are just relocating from the existing location to this address.

MOTION: Durand Standard
SECOND: Phil Odom
VOTE: Unanimous

This rezoning petition will go before the Hinesville City Council on June 7, 2018 at 3:00 P.M.

RICEBORO

3.2 Rezoning Petition 2018-019-R. An application has been filed by the City of Riceboro to rezone 3.33 acres of land, more or less, from AR-1 (Agricultural Residential District) to R-2 (Single-, Two-Family Residential District) for construction of single-family homes. Property is located on South Coastal Hwy and further described as LCTM-Parcel 220D-009.

Gabby presented this rezoning petition to the Planning Commission.

RECOMMENDATION: Approval with standard conditions.

Commissioner Odom asked how many lots would be allowed on this property. Gabby stated she is not sure because we do not have a site plan yet. Once the City of Riceboro receives the CHIP grant then the LCPC would know what they are proposing.

MOTION: Tim Byler
SECOND: Alonzo Bryant
VOTE: Unanimous

This rezoning will go before the Riceboro City Council on June 5, 2018 at 6:00 P.M.

LIBERTY COUNTY

3.3 Variance 2018-020-LC. An application for a variance of fifteen (15) feet to the required twenty-five (25) foot side yard setback to allow a side setback of (10) feet has been filed by Bryan Wolfe to allow the construction of a 50' x 36' garage at 2173 Fort Morris Road in Liberty County, further described as LCTM-Parcel 335-015.

Alan presented this variance to the Planning Commission. Chairman Shuman asked how this would be a hardship. Alan explained because the applicant cannot show a hardship on the lot of record. There are other alternatives for placement of this building. Commissioner Byler stated that the Planning Commission was to approve this variance it would set a precedent. Alan stated that he did receive one response from the adjacent property owner stating that his only concern is that the building go behind the existing fence.

Mr. Bryan Wolfe came forward to speak in favor of his project. He stated that he and his father-in-law would like to build this 50X36 garage. Mr. Wolfe went over his property lay out with the Planning Commission and expressed his reasoning for the location of the garage. He has a well and drain field on one side. He has a playground built in another section of the property and the other section is full of trees. Commissioner Odom explained to Mr. Wolfe that the Commission has to look to the future. There is a possibility of you selling this home and the next owner would have

issues with the placement. Commissioner Williams asked what the total variance would be and Alan stated 15 feet. Commissioner Bryant asked why he could not build a driveway off Catbird Road. Mr. Wolfe stated that at the location he is proposing there is already an existing driveway.

RECOMMENDATION: Disapproval

MOTION: Phil Odom made a motion that they follow staff recommendation of disapproval.

SECOND: Lynn Pace

VOTE: Pace, Byler, Bryant, Odom, Standard, Baker, Shuman voted in favor of motion. Williams opposed.

This variance will be heard by the LCBOC on June 5, 2018, at 6:00 PM.

3.4 Variance 2018-021-LC. An application for a variance of fifteen (15) feet to the required twenty-five (25) foot side yard setback to allow a side setback of (10) feet has been filed by Jeffery H. Bowen, owner, to allow the construction of an enclosed attached garage at 4044 Cay Creek Road in Liberty County, further described as LCTM-Parcel 243D-019.

Alan presented this variance to the Planning Commission. Chairman Shuman asked if Mr. Bowen was intending to tear down what is there now and replace. As it sits now, it is an existing nonconforming use and would be replaced by new nonconforming use. Mr. Bowen came forward to speak in favor of the variance. Mr. Bowen stated that his current measurements of the garage are 22 X 20. The closest point to the property line is 12 feet 2 inches. This garage was built on the dirt without a concrete base and is termite infested. The new garage will on be 15 X 22 and will increase the setbacks to 17 feet from the property line. Commissioner Williams asked if the garage was attached to the house and Mr. Bowen stated that it is. Mr. Bowen stated that he already has the permit to tear the garage down. Alan stated that the variance would only be for 9 feet with the stated size of the new garage.

RECOMMENDATION: Disapproval

MOTION: A motion to approve was made by Commissioner Andrew Williams due to quality of life and termite situation.

SECOND: Lynn Pace

ABSTAIN: Phil Odom

VOTE: All in favor except Commissioner Odom.

This variance will be heard by the LCBOC on June 5, 2018 at 6:00 PM.

HINESVILLE

3.5 Rezoning Petition 2018-022-H. An application has been filed by Patricia A. Jackson, owner/executor, to rezone 3.04 acres of land, more or less, from C-2 (General Commercial District) and R-4 (Single-, Two-Family Dwelling District) to C-3 (Highway Commercial District). Properties are located on Ralph Quarterman Drive and further described as LCTM-Parcel 058C-154 (currently zoned C-2) and LCTM-Parcels 058C-102 (currently zoned R-4).

Ms. Jackson owns an antique business and wishes to be rezoned in order to meet the new ordinance adopted by the City of Hinesville concerning the outdoor display area.

Charles Frasier came forward to ask a few questions about the rezoning. Mr. Frasier asked if the use was going to be C3. Chairman Shuman stated that is correct. Mr. Frasier asked how the opposite two parcels had the same parcel number. Jeff explained that he believes that at one time, it was the same property and crosses Ralph Quarterman before road was built. Mr. Frasier stated that he believes that this is speculative zoning. Jeff stated that we do not have a site plan for parcel 102. We have the site plan for the two parcels she is using now. Ms. Jackson stated that she would like to rezone all of the property in anticipation of further expansion. One parcel is for sale.

Ms. Jackson came forward to speak in favor of her rezoning and would not be applying for zoning if the City of Hinesville had not changed the outdoor display ordinance. That is why she is here before the Commission today.

Susan McClendon came forward to speak against this rezoning. She stated the traffic was already heavy and hard to get around. She lives at 925 S. Main Street. Commissioner Williams explained to Ms. McClendon that Ms. Jackson's business is already there, and she is just rezoning not opening another business. Commissioner Byler asked if the small portion across the street was being rezoned and Jeff stated not at this time. It is actually too small to do develop anything.

MOTION: Phil Odom
SECOND: Sarah Baker
VOTE: Unanimous

This rezoning will go before the Hinesville City Council on June 7, 2018 at 3:00 PM.

Commissioner Williams wanted to go on the record stating that he was not aware that the Hinesville Outdoor Display Ordinance was approved and wants it known that we are going to be getting more and more applications for this type of rezoning due to the City of Hinesville ordinance. Chairman Shuman stated he understands and pointed out that Commissioner Williams made them aware of that from the beginning and that was taken before the Hinesville City Council then.

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

4.1 Request by Kamaria Boston for site layout review for a proposed daycare center at 514-B S. Main Street.

Gabby presented this site layout review to the Planning Commission. Gabby explained the playground location to the Commission. Mrs. Boston would have 18 children. Commissioner Pace asked where the playground would be located. Gabby pointed to it on the map. The parking is already occupied with only one business open at this time. Commissioner Byler stated that he has two concerns. The fencing area between Kroger and the building. Byler stated there is not much there to stop a reckless vehicle. He also mentioned that the parking there is very difficult. Commissioner Odom stated that the parking in that area is at the minimum that was allowed when the offices were built.

RECOMMENDATION: Approval with standard and the following special condition: The daycare is restricted to 18 children.

Mrs. Kamaria Boston came forward to speak in favor of her application. She stated that she has a degree in Child Development and Family Studies. Mrs. Boston stated that the State of Georgia looks at the facility and grants approval of use for a daycare. The biggest concern they listed was the fencing for the playground. Mrs. Boston stated that her daycare would be beneficial for the adjoining doctor offices located at same office building. She must provide a four-foot fence around the playground and reinforce with a chain link fence. There would also be an exit gate for fire and emergency purposes. The congested parking is always an issue. Mrs. Boston stated that most of the peak hours would be between 5:45 to 7:30 in the morning and between 5:00 and 6:00 in the afternoon.

MOTION: Durand Standard

SECOND: Phil Odom

VOTE: Unanimous in favor

The date for this site layout to go to the Hinesville City Council will be determined once the building plans have been received and approved.

4.2 Independence Settlement Phase 1. Request for final plat of 35 single-family residential lots by Dryden Enterprises.

Gabby presented this final plat to the Planning Commission.

APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Prior to placing this item on Hinesville's agenda, the following letters of credit must be submitted.

- **Primary Improvements: Performance letter of credit in the amount of \$ 67,072.80**
- **Secondary Improvements: Performance letter of credit in the amount of \$ 85,884.00**
- **15 % Maintenance Guarantee: Maintenance letter of credit in the amount of \$ \$27,970.48**

MOTION: Tim Byler made motion with standard and special conditions.

SECOND: Durand Standard

VOTE: Unanimous

This final plat will go before the City of Hinesville on June 7, 2018 at 3:00 PM.

5.0 INFORMATIONAL ITEMS

6.0 GENERAL PUBLIC COMMENTS

7.0 OTHER COMMISSION BUSINESS

7.1 Director's Report

Jeff Ricketson, Executive Director, presented the Planning Commission with an update of last month's actions. Jeff stated that Hinesville City Council approved the townhomes on Barry McCaffery Road. The dentist office for rezoning for the bigger signed was approved by the

Hinesville City Council. The property for a subdivision on Ms. Woods's property in Walthourville was disapproved by Walthourville City Council. Commissioner Standard stated that was recommended with reservations from the Planning Commission.

8.0 ADJOURN

MOTION: Tim Byler

SECOND: Durand Standard

VOTE: Unanimous



Jack Shuman, Chairman

6/19/18

Date



Jeff Ricketson, Secretary to the Board