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ASST. VICE CHAIR  
Lynn Pace  
SECRETARY  
Jeff Ricketson



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

May 20, 2014

The Liberty Consolidated Planning Commission met on Tuesday, May 20, 2014, in the historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chair, called the Meeting to order. A Motion was made by Durand Standard to approve the minutes from the previous meeting, seconded by Phil Odom; all voted in favor. The public was notified of the meeting; the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Jack Shuman  
Don Emmons  
Durand Standard  
Phil Odom  
Alonzo Bryant  
Marshall Kennemer  
Lynn Pace

ABSENT:

Sarah Baker

OTHERS PRESENT:

Jeff Ricketson, Executive Director  
Gabriele Hartage, Zoning Administrator  
Melissa Jones, Planner II  
Curles Butler, Senior Construction Inspector

**OLD BUSINESS (PUBLIC HEARING OPEN)**

**Old Business Items.** None.

**NEW BUSINESS**

**Consent Agenda Items.** None

**Ordinance.**

An Ordinance was presented by Gabriele Hartage that made several changes to the Hinesville Zoning Ordinance. One change was to have a reference in Article II of Hinesville's Zoning Ordinance to a Functional Classification Plan that then can be updated periodically without having to go through the zoning procedures for an ordinance change. Definitions pertaining to the Functional Classification Plan

were added in Article III; and in Article VI all road names that were listed under arterial and collector streets were struck as they are being replaced by the aforementioned plan.

Additionally, all the text under Section 516-FH- Flood Hazard District has been struck as the text is remaining from one of the first Hinesville Ordinance and is no longer viable as different other Code section like the Flood Damage Prevention Ordinance, Drainage Ordinance, and Subdivision Ordinance are taking its place by addressing development in flood zone areas.

Also, a revision to Section VI was proposed to bring the ordinance pertaining to satellite dishes into compliance with federal law by increasing the diameter of a satellite dish exempt from permitting from 24 inches to 1 meter (equals 39.4 inches).

All ordinance changes were recommended for approval by staff and subsequently by the LCPC Commissioners.

MOTION: Tim Byler recommended APPROVAL for the above ordinance changes.

SECONDED: Marshal Kennemer.

VOTE: Unanimous.

## **Rezoning Petition and Other Zoning Related Petitions**

### **City of Hinesville**

**ZONING PETITION 2014-010-H.** A rezoning petition has been filed by Evans T & T Investments, LLC, to rezone 44.12 acres of land, more or less, from R-3 (Single Family Dwelling District) to R-4 (Single-, and Two-Family Dwelling District) for the Retreat at Oakcrest Ph II and III. Properties are further described as LCTM-Parcel 071D-037 and 071C-004.

Gabriele Hartage gave the presentation. A portion of this development will be located in a flood plain "AE". A large pond will serve as a mitigation pond as well as a detention pond. A playground will be located close to the pond. The staff recommendation was Approval with standard conditions and the special condition that only single family detached dwellings were allowed on single family dwelling lots.

The Chairman expressed concerns about additional traffic that would be generated by the additional 22 lots that were proposed. The LCPC Director explained that approximately an additional 220 trips in a 24 hour period could be expected.

Marcus Sack, the engineer for the project, stated that traffic would disseminate between Forest Street and Sandy Run Drive. He added that Forest Street was reconstructed and had sidewalks added.

Sgt. Soto Pena expressed concern that condos might be located. He also commented on increased traffic especially with a Zaxby's restaurant being proposed at the end of Fraser Street. He also was concerned that the change of the terrain could worsen flooding problems.

Gudrun Schietz, another resident, was stating that a lot of soldiers that live there have more than one car. She was also concerned that smaller homes would devalue their homes that were up to 3,000 sq ft in size. She did not want the development go forward as presented “at their expense.”

Rozine Tressider, another resident, stated that the original developer had made a lot of promises that he did not keep. She said that the residents pay \$ 600/a year into the home owner’s association that did not offer a lot of amenities. She questioned if this new subdivision would be part of the same HOA.

Lynn Pace was vehemently opposed to the concept of increasing density in a flood plain and increasing density furthest away from the ingress/egress roads. She emphasized that this was completely against good planning principles. Mr. Phil Odom was in agreement with her.

Marcus came back up to the podium to explain that there were strict detention requirements that the developer had to abide by. He stated that the post development run-off was actually less than pre-development run-off. He explained that the detention ponds were City right-off ways and the City would usually do a rough-cut on them twice a year to keep them operational. The upkeep of the aesthetics of the ponds was the responsibility of the HOA.

He stated that he anticipates another future phase of Oak Crest, West of Oak Crest Ph IV, which consists of approx. 80 lots would most likely never develop due to environmental constraints. However, his client does not own this property; it is owned by the Heritage Bank. He explained that the style of house proposed in the new phase(s) was very similar to what was already built on Red Oak Lane. Marcus also explained that development in the flood plain was a very costly endeavor and that therefore, the developer would like some increased density.

He mentioned that the HOA for the new phases of Oak Crest would be separate from the existing ones; and residents would not be allowed to use the existing pool.

Chris Amendez of lot 105 was concerned about having two separate HOAs. The Chairman stressed the fact that the Planning Commission did not have any authority over an HOA. Commissioner Emmons was also finding the presence of two separate HOAs with different rules and visitor rights to certain amenities bizarre. Marshall Kennemer stated that the developer would have known that flood plain was present when the property was purchased. He also conveyed to the residents that the “broken promises” were something that this Board was not responsible for.

MOTION: Lynn Pace recommends DISAPPROVAL because densities should not be increased in flood plains; also densities should not go up that far removed from the access roads of the subdivision.

SECONDED: Marshall Kennemer

VOTE: Unanimous.

### Liberty County

**Variance Request 2014-013-LC** was presented by Gabriele Hartage. The request for variance was submitted by Glenn Stocks, owner. He wanted to build a shed within the required 15 foot side yard

setback at 399 Tideland Drive. The property consists of 0.77 acres of land, more or less, and is zoned R-2 (Two-Family Residential District). The new shed will replace an older, dilapidated shed that is currently on the property. This property is also described as LCTM-Parcel 261D-023. The existing shed had been there for decades. He would like to demolish the old shed and build a new shed in the same location. The new shed would be larger than the previous one; however, the expanded square footage was occurring towards the house. The new shed was not getting any closer towards the property line.

MOTION: Tim Byler. I recommend approval with standard conditions.

SECONDED: Phil Odom.

VOTE: Unanimous.

### City of Hinesville

**Rezoning Petition 2014-015-H and Special Permit Use 2014-016-H.** A rezoning petition has been submitted by Pete Clark to rezone 0.83 acres of land, more or less, from R-3 (Single Family Dwelling District) to C-2 (General Commercial District) at 530 EG Miles Pkwy, further described as LCTM-Parcel 057A-086.

In conjunction, a special permit use is applied for to allow for a vehicle storage area in connection with a wrecker service business.

Gabriele Hartage made the presentation. The staff recommendation was disapproval as the C-2 zoning and the wrecker service business was not compatible with existing uses. Pete Clark, owner, stated that the property had been in the family for about 60 years. His son is in the wrecker business and he wanted him to be able to use this property so he could be on the City's rotation list. He stated that the impact would be minimal as all the wrecked vehicles would be hidden behind a privacy fence: "People would think it be a swimming pool."

Charles Kapps and John Porter spoke in opposition to the zoning request. Mr. Porter was concerned that the site could turn into a junk yard. He was questioning whether this proposed wrecker service business was the best and highest use for the property. Mr. Charles Kapps stated that Ashmore subdivision was a pretty nice neighborhood. He also mentioned that he witnessed a lot of accidents on that particular section of EG Miles Pkwy since 1983 when he first moved into the neighborhood. He thought that a wrecker business could contribute to more traffic issues. Lillie Rutherford, another resident, was also against the rezoning.

Ms. Ilene Bond, niece of Ms. Mollie Ashmore, diseased, both of whose properties are located on the other side of EG Miles Pkwy was also opposed.

Mr. Clark assured that the site would not turn into a junk yard as all vehicles would be disposed of within 90 days. Security lighting would be installed to not disturb any residential neighbors. He concluded that his business would not have a substantial traffic impact for the area. He re-iterated that he was doing this for his 21-year old son. Lynn Pace stated that she sympathized with his situation. Tim Byler explained to Pete Clark that the Commissioners would have to look not only at his request but what this would mean for the entire area in the future due to the potential domino effect.

MOTION: Tim Byler. I recommend disapproval of Rezoning Petition 2014-015-LC.

SECONDED: Lynn Pace.

VOTE: Unanimous.

Since the rezoning was recommended for disapproval, the Special Permit Use request was no longer attainable and therefore did not need to be heard.

Jeff informed Commissioners that he will interview six candidates for Donna's job the coming Thursday. He also told them about the Fleming workshop May 21 at the Living Word Church of God. He also apprised them of a follow-up Flemington meeting the following week May 28.

Jeff gave the Commissioners an update on the preceding month's actions and an update of the countywide workshop.

At 6:30 pm a motion was made by Durand Standard, seconded by Phil Odom to adjourn; all voted in favor.

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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