

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



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

June 16, 2015

The Liberty Consolidated Planning Commission met on Tuesday, June 16, 2015, 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 of the May 19, 2015, meeting. Tim Byler seconded the motion. 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  
Durand Standard  
Andrew Williams  
Timothy Byler

ABSENT:

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary  
Kelly Wiggins, Executive Assistant  
Jeremy McAbee, Planner I  
Abe Nadji, Engineering Director  
Gabby Hartage, Zoning Administrator  
Melissa Jones, Planner II  
Nils Gustavson, Transportation and Planning Engineer

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 motion was made by Durand Standard to approve the agenda and seconded by Marshall Kennemer. The motion was unanimous.

**1.0 OLD BUSINESS (PUBLIC HEARING OPEN)**

**2.0 NEW BUSINESS**

**2.1 Consent Agenda Items (None)**

## **2.2 Rezoning Petitions and other zoning related petitions**

### **2.2.1 Ordinance # 2015-02. Amendment to Hinesville's Subdivision Ordinance, Appendix B, Section 7.4.4. to allow for subdivisions of commercial properties off private drives.**

Gabby presented and read this ordinance to the Planning Commission. Chairman Shuman asked if subdivision requests will still come before the Planning Commission once the ordinance changes. Chairman Shuman also wanted to know if the ordinance change will meet the requirements of the emergency vehicles. Jeff verified that proposed subdivisions would be presented to the Planning Commission for final recommendation before they go before each government entity. This ordinance will apply to any commercial subdivision development. Durand Standard asked about the sign ordinance and its effect on this ordinance. Tim Byler stated that he thinks the ordinance should mention who is held responsible instead of just stating that the City is held harmless. Andrew Williams suggested that the ordinance read that the owner is responsible. Durand stated that he would like the ordinance sent back to have the attorney and staff review and have the ordinance coincide with the sign ordinance. Chairman Shuman asked if anyone wished to speak in favor of this ordinance. Mr. Rob Brannen, attorney, spoke on behalf of the owners of the Hinesville Professional Center. Mr. Brannen stated that he would like to request that we move forward as soon as possible with the ordinance change. Currently there is a buyer for one piece of property in the Hinesville Professional Center and this will delay that sale. He suggested that the Planning Commission change paragraph 4 by stating the city of Hinesville is held harmless but add, "The owners of the property and such common areas are responsible", and it should state that specific owner. Mr. Brannen stated that the wording of "right of way" confused him. He stated that it should read "any lot or property line that abuts the development shall require .....". This would make it clearer. Tim Byler stated his definition of the right of way. He stated that it would be better to get a variance than do away with the right of way setback. It was decided that they would send this ordinance to attorney Linnie Darden for review. Jeff suggested changing the wording in # 4 to read, "By the owners or the property owners association."

MOTION: Tim Byler made a motion to use the attorney's language for section # 4 and have the city attorney to address the sign issue.

SECOND: Marshall Kennemer

VOTE: Unanimous

### **2.2.2 Ordinance # 2015-\_\_ Proposed revision to the Ordinance to adopt the Coastal Storm Water supplement to the Georgia Storm Water Management Manual.**

Gabby explained that the ordinance number is blank because this ordinance goes before several government entities and each entity would assign their own ordinance number. Nils presented this ordinance to the Planning Commission. Nils explained that this would make the government entities compliant with their storm water permits. He presented a map showing the areas it affects. Phil stated that this ordinance started in 1999 and is very complicated. He explained that this is about water quality without putting a burden on the construction industry. Jeff explained that there is a water council committee that was created five years ago and has been working on this issue.

MOTION: Tim Byler

SECOND: Phil Odom

VOTE: Unanimous

## **3.0 REZONING PETITIONS AND OTHER ZONING RELATED ITEMS**

## HINESVILLE

### **3.1 Variance 2015-023-H. Request by Jean L. Rush, owner, to have a variance to locate a gazebo in the front yard within the required 50 ft. front yard setback at 405 Pear Orchard Road, further described as LCTM-Parcel 069A-046.**

Gabby presented this variance to the Planning Commission. She explained that this property owner wishes to add a gazebo to the front yard. Lynn Pace stated that she looked up the definition of an accessory structure. Lynn pointed out that she has been around town and noticed several properties that have an accessory in their front yard. Lynn stated that in her opinion this is not an accessory structure, this is a place for people to sit in the yard. She has a problem with the definition. Jeff explained that the reason the LCPC staff decided to recommend disapproval of the variance is that the setbacks for the gazebo do not meet the ordinance requirements. The owner of the property, Mr. Troy Bruins, came forward to speak on behalf of the gazebo. He stated that there is a massive bare spot in the front yard and would like to put the gazebo there to cover that spot and to make his house neighbor friendly. He said there were trees there that had been removed prior to his purchase of the property. He would like to use the gazebo to beautify the area. Andrew Williams suggested attempting to grow grass or planting sod in the bare area. Ms. Leonora Mizelle spoke in opposition to the gazebo. Ms. Mizelle stated that she is completely opposed to the gazebo. She has lived in this neighborhood for many years and no resident has ever attempted to place a gazebo in the front yard. Ms. Mizelle stated that the owner knew what he was purchasing at the time of the purchase and he did not purchase it sight unseen. She would like to keep the neighborhood the way that it is currently.

MOTION: Durand Standard

SECONDED: Phil Odom

VOTE: All in favor with the exception of Lynn Pace.

**This rezoning will go before the City of Hinesville Council on July 2, 2015 at 3:00 PM.**

## LIBERTY

### **3.2 Rezoning Petition 2015-024-LC. Request by Virgil M. Jones, owner, to rezone 1.34 acres of land, more or less, from AR-1 (Agricultural Residential District) to B-2 (General Commercial District) at 6105 Leroy Coffey Hwy, further described as LCTM-Parcel 180- 020.**

Jeremy McAbee presented this rezoning to the Planning Commission. Jeremy stated that Mr. Jones would like to rezone the property to market the site as a commercial or retail site. Jeremy stated that there is a commercial parcel across the street. The Chairman asked for anyone in favor or opposition of the rezoning. Janhvi Amin came forward to speak in opposition. She is the owner of the Fleming Food Mart that is located across the street from the parcel and is opposed to any competition located within the vicinity. She was forced to move her gas tanks when the highway was widened by GDOT. She asked GDOT to move the placement of the road over by eight feet so she would not have to dig up her gas tanks but was told by GDOT that they could not move the roadway by eight feet because the house located on the property that Mr. Jones is rezoning was historical. She was without gas for over a year and then had to shut down. She stated that she pays \$11,000.00 in taxes per year and has to pay interest and late fees. She spoke with Mr. Jones about his project and she wishes that he would not build another convenience store to compete with her store. Phil stated that the GDOT was using the fifty-year rule in reference to the house located on Mr. Jones property. The building does not have to be habitable, it only has to be fifty years or older to meet GDOT requirements.

**RECOMMENDATION:** Approval with standard conditions

MOTION: Tim Byler  
SECOND: Sarah Baker  
VOTE: Unanimous

**This rezoning will go before the LCBOC on July 7, 2015 at 6:00 PM.**

### WALTHOURVILLE

**3.3 Conditional Use 2015-025-W. A conditional use has been filed by Trevor M. Tapper, Jr., applicant, to allow for a maternity home/2nd chance home for pregnant youth at 243 Sabreena Circle in Walthourville. Property owner is Samuel Bivins. The property is further described as LCTM-Parcel 050A-058.**

Gabby presented this conditional use to the Planning Commission. The maternity home will be regulated by the State of Georgia. The home will be used for pregnant teenagers that have nowhere to live. They will be taught life skills while in residence. The maternity home will be staffed 24 hours a day. Gabby listed the requirements for the maternity home. Andrew Williams asked how many residents may stay in the home. Gabby stated that the State of Georgia would inspect the home and she explained the sizes of the rooms and what types of rooms are required. Andrew asked about the 24 hour staff and would the staff be counted as a resident. The applicant was present and came forward to answer questions. May McCray stated that she and Mr. Tapper are both owners of the property and business. She stated that there would be up to six residents, ages from 14 to 20 years of age that could stay in the home under 24 hour care. There are local physicians and a director of nursing to treat the residents. Andrew Williams asked if it would be restricted to three residents and if they have children, would the child count as a resident. Ms. McCray stated that would be correct. Tim Byler mentioned that the medical definition of infant is any child from the age of 17 to a day old. Byler recommended changing the word infant. Andrew Williams stated that however the State of Georgia terminology is needs to used here.

**RECOMMENDATION:** Approval with standard and the following special conditions:

- This use shall be restricted to three residents, not including infants.

**This will go before the Walthourville City Council on July 9, 2015 and July 23, 2015 at 6:00 PM.**

MOTION: Tim Byler with standard and the following special condition- the restriction of the residence is what is mandated by the State of Georgia and DFACS.

SECOND: Durand Standard

VOTE: Unanimous

### **CLOSE PUBLIC HEARING**

#### **4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS**

**4.1 Final Plat for Governor's Quarters, Phase I. Request by Tony Duncan, agent, on behalf of Woodridge Properties, LLC, for final plat approval of 29 individual lots at Governor's Quarters, Phase 1.**

Abe Nadji presented this final plat to the Planning Commission. Abe stated that they are converting the plans from townhouses to twenty-nine single family detached homes. This development was originally

designed in 2005/2006. The new developer wishes to build single-family detached homes based on the demand for homes. He demonstrated the placement of a park, playground and the parking areas for vehicles.

Jeff Ricketson pointed out the diagram and the fact that the townhouses are being changed to single-family homes and that the homes will be orientated in the same way the townhouses were planned.

**RECOMMENDATION:** Approval with standard and special conditions:

- All property corners must be set.
- All water and sewer services, which will not be used, shall be capped per the City of Hinesville standards.
- An irrevocable letter of credit in the amount of \$15,750.00 for trees shall be submitted
- An irrevocable letter of credit in the amount of \$113,150.00 for installation of sidewalks shall be submitted.

MOTION: Phil Odom

SECONDED: Durand Standard

VOTE: Unanimous

## 5.0 INFORMATIONAL ITEMS

## 6.0 GENERAL PUBLIC COMMENTS

## 7.0 OTHER COMMISSION BUSINESS

### 7.1 Director's Report

The Walthourville Future Land Use Map was presented to the LCBOC and the second reading will go before them on Thursday June 18, 2015 at 6:00 PM. The Midway City Council approved the rezoning for the church in Midway. Angler's Edge rezoning was disapproved by the LCBOC. There will be a follow up meeting at the Town Hall of Allenhurst to present the Future Land Use Map on Tuesday June 23, 2015 at 6:00 PM.

## 8.0 ADJOURN

MOTION: Phil Odom

SECOND: Marshall Kennemer

VOTE: Unanimous

**Meeting adjourned at 6:15 PM.**

  
\_\_\_\_\_  
Jack Shuman, Chair

7-21-15  
\_\_\_\_\_  
DATE

  
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Jeff Ricketson, Secretary to the Board