# Liberty Consolidated Planning Commission

AUGUST 18, 2009
LIBERTY COUNTY COURTHOUSE
ANNEX

### Meeting Order

### 1.0 Old Business

- 1.1 Old Business Items
- 1.2 Old Business Tabled Items

### 2.0 New Business

- 2.1 Consent Agenda Items
- 2.2 Ordinances
- 2.3 Zoning Petitions
- 2.4 Site Plans and Final Plats
- 3.0 General Public Comments
- 4.0 Other Commission Business
- 5.0 Adjourn

### Public Hearing Procedures

- The petition and analysis is presented by LCPC staff
- Public hearing will be opened
  - Petitioner speaks first
  - Other interested parties speak
  - Public hearing closed
- Issue then rests with the Planning Commissioners for action

## Rules of Conduct During a Public Hearing

- > All parties speaking will address the Board of Commissioners
- > Time allowed to speak may be limited
- > All interested parties will be allowed to speak
  - \*Anyone speaking in opposition that has contributed \$250 or more to any local official that may act on the petition, must disclose that during the hearing

## Agenda Item 1.0 Old Business Items

Public Hearing Open

## Special Exception 2009-031-LC Petitioner: Bernard and Elaine Maley

Request by Bernard and Elaine Maley, owners of Parcel 054, LCTM 334B, consisting of 0.898 acres of land, more or less, and located at the Intersection of Mariners and Brigantine Dunmore Road. The property is zoned R-1 (Single Family Residential). The owners request a special exception to locate a parking lot for additional parking for residents, visitors to Sunbury, and to the Sunbury Commercial District.

### **Public Notification**



### gpn13

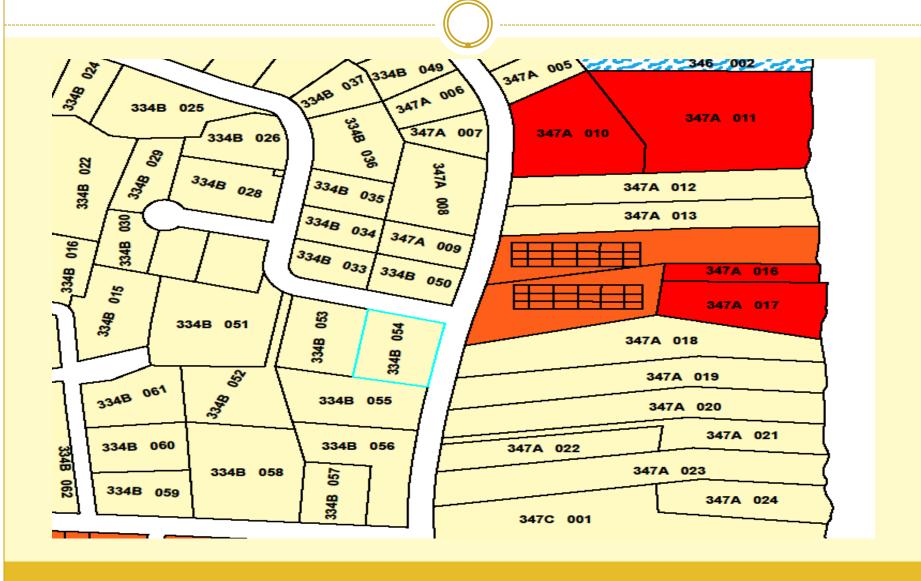
### SPECIAL EXCEPTION FOR A PARKING LOT

A PETITION HAS BEEN FILED WITH THE LIBERTY CONSOLIDATED PLANNING COMMISSION BY BERNARD MALEY FOR A SPECIAL **EXCEPTION TO PLACE A PARKING** LOT ON PROPERTY LOCATED AT THE INTERSECTION OF BRIGANTINE **DUNMORE ROAD AND MARINERS** ROAD IN LIBERTY COUNTY. PROP-ERTY IS ZONED R-1 (SINGLE-FAMI-LY RESIDENTIAL DISTRICTS). THIS PROPERTY IS FURTHER DESCRIBED AS LIBERTY COUNTY TAX MAP-PARCEL 334B-054 AND IS BOUND-ED NOW OR FORMERLY AS FOL-LOWS: NORTH BY MARINERS ROAD; SOUTH BY LANDS OF SCOTT GERMANN AND JEANNE FOSELLA GERMANN; EAST BY BRIGANTINE DUNMORE ROAD; AND WEST BY LANDS OF JAMES RUDOLPH AND DIANNA WEDGE. PUBLIC HEARINGS WILL BE HELD

BY THE LIBERTY CONSOLIDATED PLANNING COMMISSION ON TUES-DAY, JULY 21, 2009, AT 4:30 P.M. AND BY THE LIBERTY COUNTY BOARD OF COMMISSIONERS ON TUESDAY, AUGUST 4, 2009, AT 6:00 P.M. THE LIBERTY CONSOLIDATED PLANNING COMMISSION MEETING AND THE LIBERTY COUNTY BOARD OF COMMISSOINERS MEETING WILL BOTH BE CONDUCTED IN THE LIBERTY COUNTY COURTHOUSE ANNEX. ANYONE HAVING AN INTEREST IN THIS SPECIAL EXCEP-TION IS INVITED TO ATTEND THESE HEARINGS. ADDITIONAL INFORMA-TION MAY BE OBTAINED BY CON-TACTING THE LIBERTY CONSOLI-DATED PLANNING COMMISSION AT (912) 408-2030.

SPECIAL EXCEPTION:2009-031-LC 29142 (JUNE26,JULY1)

### GIS Map of Site



## Aerial Map of Site





# Petitioner's Narrative

This request is for a conditional use permit for a one acre lot at the corner of Brigantine Dunmore and Mariners rd. The property is currently zoned residential. The conditional use is to provide public parking for residents and visitors to Sunbury. Sunbury is under considerable pressure from a steady stream of tourists, bird watchers, history buffs, boaters, fisherman, guests of full time residents, and general sightseers to the Liberty County coast. Plus the occasional construction, land clearing, or tree trimming crew with equipment. This lot would also serve as overflow parking for the Sunbury commercial district on those occasions when the number of visitors swells such as festival weekends.

\* note- This request is for a Special Exception

# Special Exception

A use...that would not be appropriate for location generally ...but which if controlled as to number, area, location, or relation to the neighborhood would in the opinion of the governing authority promote the health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

house and lodging house are used synonymously in this ordinance.) A building, other than a hotel or dormitory, where, for compensation and by prearrangement for definite periods, lodging or lodging and meals are provided for more than three (3) persons not related to the owners of the structure.

- 2.70. Rooming unit. Any room or group of rooms, forming a single habitable unit used for living and sleeping, but which does not contain cooking or eating facilities.
- 2.71. Setback. The minimum horizontal distance between the right-of-way line, rear or side lines of the lot and the front, rear or side lines of the building. When two (2) or more lots under one ownership are used, the exterior property line so grouped shall be used in determining offsets. When a lot abuts on a street or road which has a right-of-way of less than sixty (60) feet, the minimum setback for front, rear, or side yard shall be increased by the number of feet required to provide the same number of feet from the center of the road or street, as if said road or street had a right-of-way of sixty (60) feet. (Mo. of 10-4-77)
- 2.72. Site. An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed.
- 2.73. Special exception. A use, specifically designated in this ordinance, that would not be appropriate for location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would, in the opinion of the governing authority, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. (Mo. of 6.9-83)
- 2.74. Story. That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there be no floor above it, then the space between the floor and ceiling next above it.
- 2.75. Street. A dedicated and accepted public right-of-way for vehicular traffic which af-

- fords the principal means of access to abutting properties.
- 2.76. Structural alterations. Any change in the shape or size of any portion of a building or of the supporting members of a building or structure such as walls, columns, beams, arches, girders, floor joists, or roof joists.
- 2.77. Surveyor. A person who determines or delineates the form, extent, position, distance or shape of a tract of land by taking linear and angular measurements, and by applying the principles of geometry and trigonometry.
- 2.78. Structure. Anything constructed or erected, the use of which requires rigid location on the ground or attachment to something having a permanent location on the ground; provided, however, that utility poles, fences and walls (other than building walls) shall not be considered to be structures.
- 2.79. Subdivision, "Subdivision" means all divisions of a tract or parcel of land for residential purposes into two (2) or more lots. building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development and includes all division of land involving a new street or a change in existing streets. and includes resubdivision and, where appropriate, to the process of subdividing or to the land or area subdivided; provided, however, that the following exceptions are included within this definition only for the purpose of requiring that the local planning commission be informed and have record of such subdivisions:
  - (a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority;
  - (b) The division of land into six (6) or less parcels where no new street is involved and the resultant lots are equal to the standard of the municipality or county in which the division of land is being made.

# Community Meeting August 3, 2009 At the Eastern District Fire Station

The meeting had 28 attendees. The consensus of the neighborhood was that there is no need for public parking and that the business operations at 341 Brigantine Dunmore Road are already having an impact on the residential neighborhood mainly due to late night traffic, trash, and noise disturbances. According to the opinion of the citizens present at the meeting, a public parking area within the neighborhood is not considered to have a public benefit and is viewed as detrimental and a further encroachment into a residential area, possibly supporting an expansion of existing commercial activities.

Two solutions were offered during the Community Meeting:

Special Event Parking: Only allow this property to be used for parking during special events four or five times a year;

Explore a different location in conjunction with shuttle service (suggestions that were made: Liberty County property at the intersection of Ft. Morris Road and Brigantine Dunmore Road; Fillingame property; other Maley property on Catbird Road;)

# Proposed Parking Area against two abutting residential properties





## Staff Recommendation Special Exception 2009-031-LC

### Disapproval

The objectives of a Special Exception as defined is, in this case, unattainable due to insufficient, substantiating reasons for public parking need and also insufficient reasoning that the proposed use would be promoting the public welfare, morals, appearance, and prosperity

### Note:

Consider lot 40 to be used for special event parking four times a year

### **Standard 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.

### Special Conditions (1 of 2)

This parking area shall be a community parking area and designed to be an asset to the community by blending into the surrounding area and not disrupting the natural beauty and the natural settings of the land. The following items shall be considered the standards for the parking lot design:

- 1. 30 ft vegetated buffer consisting of two staggered rows of evergreen shrub or tree material around the property that abuts single family lots along with vinyl type privacy fencing. Additionally landscaping shall also be located on the Mariners and Brigantine Dunmore Road side a
- 2. Parking restrictions need to be posted: no long term parking or storage no overnight parking
- 3. Access needs to meet commercial access width standards and be restricted to Brigantine Dunmore Road

### Special Conditions (2 of 2)

- 4. Lighting has to be installed in a manner not to disturb any residential neighbors (low level lighting)
- 5. Adequate street lighting shall be provided
- 6. Number of parking spaces shall be restricted to no more than 50 spaces which needs to be addressed in the site plan
- 7. Site plan will have to be presented to LCPC and the Board of Commissioners for approval
- 8. A walking path along the edge of the road shall be incorporated into the site plan design
- 9. No trees can be cut until the site plan has received approval

## Rezoning Petition 2009-030-LC Petitioner: Ann Stafford

Request submitted by A.G.Wells agent for Ann Stafford, owner of parcel 005, LCTM 187D which contains 5.624 acres of land, more or less, located off of Bacontown Road within un-incorporated Liberty County, GA. Petitioner requests to re-zone the property from AR-1 (Agricultural Residential District) to R-4(Mobile Home Park Residential District) for the purpose of a mobile home park.

TABLED PER PETITIONER

## Agenda Item 2.1 Consent Agenda Items

(None)

## Agenda Item 2.2 Ordinances

- a) Flemington PUD Ordinance
- b) Liberty County Tree Ordinance

# Agenda Item 2.3 Zoning Actions

Public Hearing Open

# Special Permit 2009-036-H Petitioner: Greg Hewitt

REQUEST BY GREG HEWITT FOR A SPECIAL PERMIT USE TO ALLOW FOR A BUSINESS TO WORK ON VEHICLES INSTALLING VEHICLE WRAPS AND GRAPHICS AT 411 S MAIN STREET, FURTHER DESCRIBED AS LIBERTY COUNTY TAX MAP-PARCEL 056D-010

### **Public Notification**

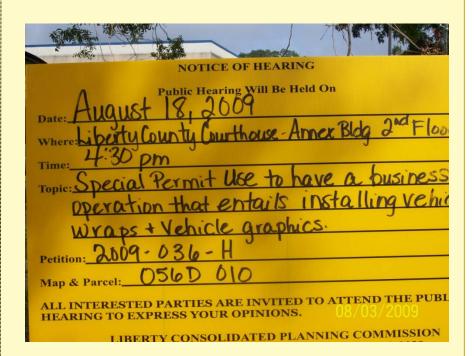
gpn 13 SPECIAL PERMIT USE TO INSTALL VEHICLE WRAPS AND VEHICLE GRAPHICS

VEHICLE GRAPHICS
A PETITION HAS BEEN FILED WITH
THE LIBERTY CONSOLIDATED
PLANNING COMPOSITION OF GREEN
HEWITT FOR A SPECIAL PERMIT
USE TO HAVE A BUSINESS OPERATION THAT ENTAILS INSTALLING
VEHICLE WRAPS AND VEHICLE
GRAPHICS AT \$11.5 MAIN STEPET GRAPHICS AT 411 S MAIN STREET.
THIS PROPERTY IS FURTHER
DESCRIBED AS TAX MAP-PARCEL DESCRIBED AS TAX MAY-PARCEL 056D-010 AND CONSISTS OF 0.34 ACRES OF LAND, MORE OR LESS. PROPERTY IS ZONED C-2 (GENERAL COMMERCIAL). THIS PROPERTY IS BOUNDED NOW OR FORMERLY AS FOLLOWS: NORTH BY LANDS OF FOLLOWS: NORTH BY LANDS OF TRACY YOUNG AND ALAN DASHER: SOUTH BY LANDS OF CHARLES WINSTON AND PATRICIA ANNETTE ABBEY; EAST BY S MAIN STREET; AND WEST BY LANDS OF RITE AID CORPORATION.

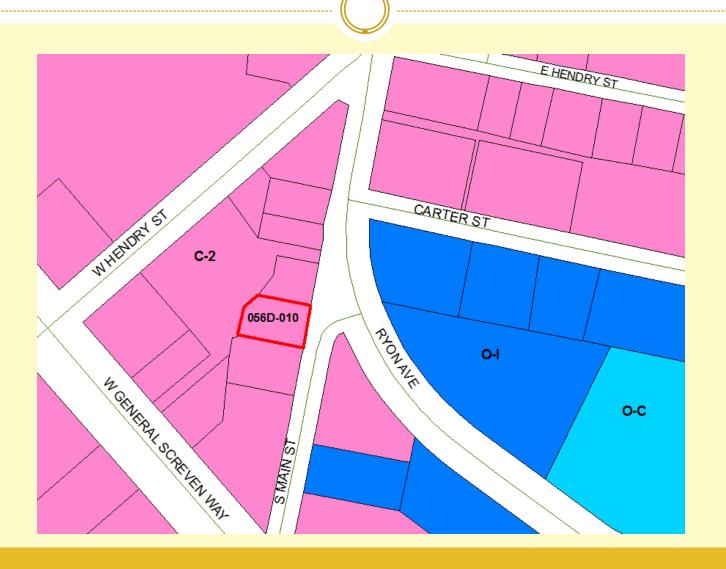
CORPORATION.
PUBLIC HEARINGS WILL BE HELD
BY THE LIBERTY CONSOLIDATED
PLANNING COMMISSION ON TUESDAY, AUGUST 18, 2009, AT 430
P.M. AT THE LIBERTY COUNTY
COURTHOUSE ANNEX AT 112 N
AMAIN CTREET AND BY UNEXULE. MAIN STREET AND BY HINESVILLE MAYOR & COUNCIL ON THURSDAY, SEPTEMBER 3, 2009, AT 1:00 P.M. SEPTEMBER 3, 2009, AT 1:00 P.M.
AT HINESVILLE CITY HALL, 115 E MIL
KING, JR, DRIVE, ANYONE HAVING
AN INTEREST IN THIS SPECIAL PERMIT USE IS INVITED TO ATTEND
THESE HEARINGS, ADDITIONAL
INFORMATION MAY BE OBTAINED

RECONTACTING, THE CONTROL OF THE PERRECONTACTING, THE PER BY CONTACTING THE LIBERTY CONSOLIDATED PLANNING COM-MISSION AT (912) 408-2030. SPECIAL PERMIT USE 2009-036-H

(July29,Aug.2)



### GIS Map of Site



## Aerial Map of Site



### Special Permit Use 2009-036-H

The use shall be consistent with the Comprehensive Plan and with the purpose and intent of the land use district in which it is to be located

Property is located in the Historic Urban Core which only allows commercial uses similar to O-I, O-C, and C-1; however, actual zoning of property is C-2 (general commercial)

The establishment, maintenance, or operation of the use shall not be detrimental to or endanger the public health, safety, or general welfare No cars could be stored at this location. Work on cars could only be done by appointment

The use shall not impede the orderly development and improvement of surrounding properties for the uses permitted in the district and the design shall minimize adverse effects of the use onto adjoin. properties

The operation would have to be low-key; parking for employees and customers should be towards the back of the property; parking area has to be designed to City's standard with a paved surface;

### Special Permit Use 2009-036-H

The use shall not have a substantial adverse effect on any known archaeological, historical, or cultural resource located on or off the site.

To the best of our knowledge, no resources of this nature closeby

### Site Photos

411 S Main Street Front of Property 411 S Main Street Rear of Property





## Applicant's Narrative

### WRAP IT SIGN AND DESIGN

We are applying for a permit that will allow us to offer a business that will consist of Graphic Design and installation. The location will serve as a Office/Showroom and a metal building that will be used to educate and demonstrate the product to the customers. Currently we have an existing carport that is enclosed that will serve as the showroom and we are requesting that we can have a metal building installed that will extend the current carport space. A much larger facility has been reserved to accommodate the future growth of the business. Until that time we will use the existing structure. The proposed building is in the rear and will not be noticeable from the current street it is located on. A similar building was just recently installed in the building currently behind us.

## Staff Recommendation



### Staff Recommendation

### Option B

DISAPPROVAL AS IT IS NOT IN KEEPING WITH THE ALLOWABLE USES OF THE HISTORIC URBAN CORE

### **Standard 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

# Rezoning Petition 2009-038-H Petitioner: Downtown Group, LLC

Request by Downtown Group, LLC, to rezone a combined acreage of 7.255 acres of land, from O-I (office institutional) and R-1 (single family dwelling district) to C-2 (general commercial).

The three properties are located at the intersection of E Memorial drive (fka E Washington Avenue) and E Oglethorpe Hwy and are further described as Liberty County Map-Parcels 056B-138, 056B-150, and 056B-151.

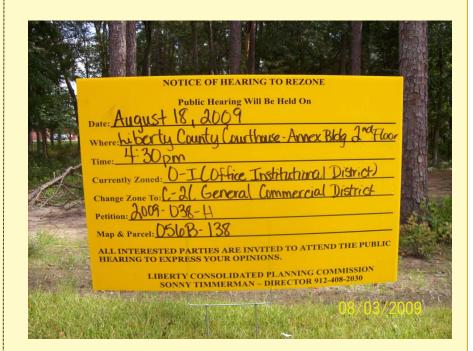
The applicant proposes the acreage to be developed with three restaurants and a hotel

### **Public Notification**

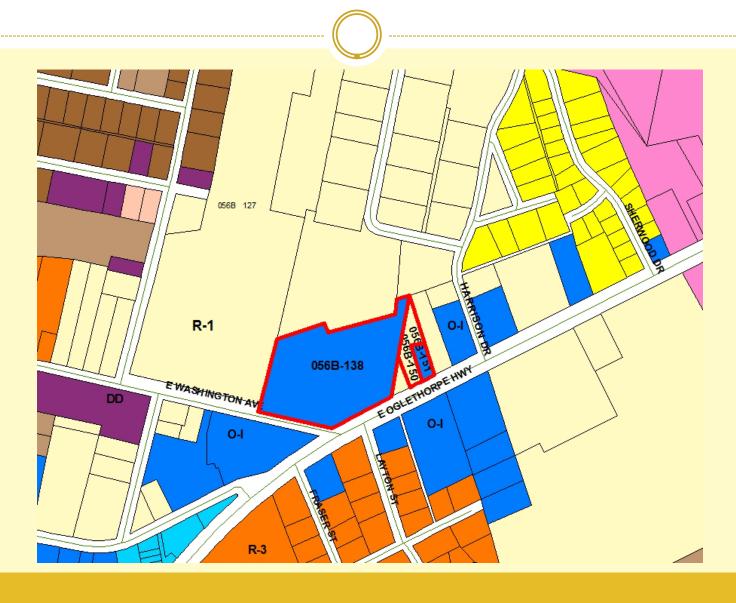
A PETITION HAS BEEN FIELD WITH THE LIBERTY CONSTRUCTOR PLANNING. COMMISSION BY DOWNTON HAVE COMMISSION 0568-138 CONSISTING OF 6.3

ACRES OF LAND, MORE ON LESS AND AS TAX? PARCEL DESIGN OCOUNTY THE CONTROL OF THE

29252 (July29,Aug.2)



### GIS Map of Site



## Aerial Map of Site



#### Site Photos



#### And Surrounding Property





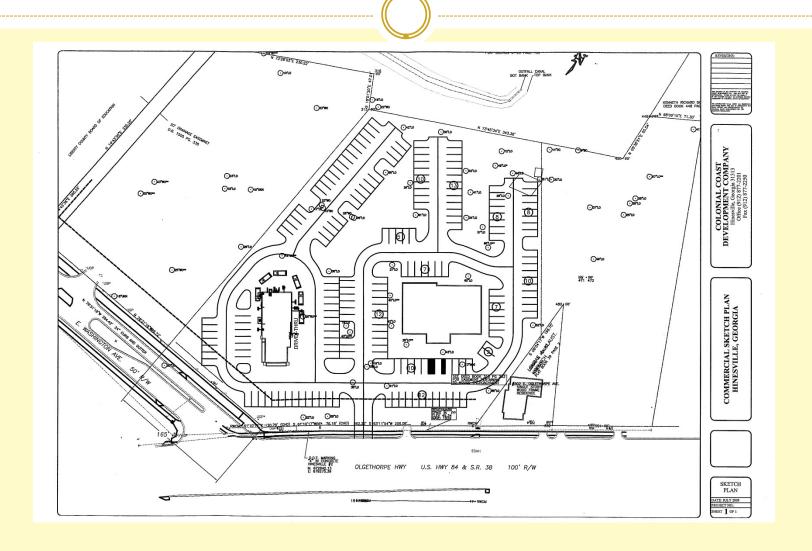
Hwy 84 Road frontage for the proposed commercial development Approx. 570 ft

Residential property abutted on both sided by proposed commercial zoning





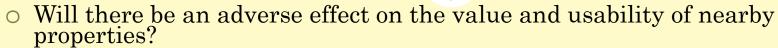
#### Conceptual Drawing



#### Zoning Analysis (2009-011-LC)

- Does the property have reasonable economic value as currently zoned?
  - o Yes
- Does the proposed use conform to the Ft. Stewart Joint Land Use Study?
  - Yes. Property is not located within the Ft. Stewart's Influence Zone (3,000 ft)
- ODoes the proposed use conform to the comprehensive plan?
  - Yes; these particular land uses are allowed in the Memorial Corridor Subarea and also the mixed-use corridor subarea;

#### Zoning Analysis – (continued)



- Yes. Triangular-shaped residential property consisting of 0.18 acres of land would be completely surrounded by C-2 zoning districts
   Currently the properties along this stretch of Highway 84 (approx. 560 ft) between Washington Avenue and Sherwood Drive are currently either zoned residential or office institutional on either side of the road.
- Is the proposed use suitable in view of the nearby uses?
  - O No. Currently, adjacent properties are schools, offices, and residentially zoned properties (public Pre-K school, First Presbyterian School, Board of Education, St. Stephens Catholic Church)
- Will the proposed use create a burden on streets, schools, utilities, or the provision of public safety?
  - O Traffic most likely could be problematic with ingress and egress only a relatively short distance (approx. 150 ft) from the traffic signal at the Washington/E Oglethorpe Hwy intersection

#### Zoning Analysis (continued)

- Would this allow a short-term gain at the expense of our local long-term goals?
  - It could be
- Would this change cause a "domino effect" and encourage "sprawl"?
  - o Yes
- Are there unique historical sites which may be adversely impacted by this zoning?
  - The current structure was built in 1932 and is a fixture in the city landscape; however, according to the applicant, extensive renovations were done to the house in 1987, when the second story was added

#### Zoning Analysis (continued)

- o Is this parcel in a flood hazard area?
  - o No
- OAre there unique conditions which support approval or denial?
  - This property is located at the Hwy 84 entrance of the Memorial Drive Sub-Area Plan that was recently adopted by the City of Hinesville
- OIs it spot zoning and unrelated to the existing pattern of development?
  - There is no property zoned C-2 in close proximity to the parcels in question
- OIf allowed, does this allow rights that are denied to others in this area?
  - o No

#### Purpose Statement of the Downtown Redevelopment Overlay District

"This section seeks to generate quality development, preservation of historic structures, conservation of green space, greater mixing of uses, more pedestrian-friendly, more housing options, and additional connectivity for travelers within and through the City."

## Proposed Objectives According to the Memorial Sub-Area and Hinesville Urban Redevelopment Plan

The Memorial Drive Subarea standards are mandatory and shall supersede any provisions of the Hinesville Zoning Ordinance and the City of Hinesville Subdivision Ordinance

- "Some Effort should be given to enhance streetscape amenities and develop inviting spaces and reintroduce a unique character along the corridor."
- "Every effort in this plan is to include careful consideration of protection and maximizing the benefits of the area's tree canopy"
- "Upon redevelopment the entire area will be an eclectic mixed-use urban village."
- "Building Entrances shall be articulated ... by using one or more of the following methods:
  - …Places for human activity, incl. but not limited to plazas, courtyards, porches, decks, outdoor seating, landscaping, gazebos, pavilions, or fountains…"

# Highlights of the Memorial Drive Sub-Area Plan - interim District Development Standards

- Buildings shall abut the supplemental zone (part of the proposed sidewalk improvements) which places them at approx. 24.5 ft back from the curb
- Intra-parcels sidewalks shall be 5 ft in width and shall be set distinguished in color, texture, material
- Maximum number of parking spaces for restaurants shall be 5 spaces/1,000 sq ft
- No free-standing signs allowed
- The minimum height of buildings is two floors or 25 feet, whichever is less

## Highlights of the Memorial Drive Sub-Area Plan

- Allowed architectural materials: Exterior walls for all new buildings: brick, tile, stone with weathered, polished or fluted face; real stucco;
- Sloped roofs shall be standing seam metal, concrete roof tiles, or composition shingles
- Building harmony shall be considered

## Staff Recommendation Petition 2009-038-H

#### TABLE

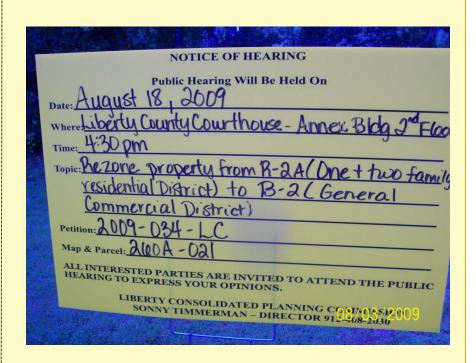
UNTIL MORE DETAILS CAN BE GIVEN ON THE PROSPECTIVE DEVELOPMENTS
IN ORDER TO BE ABLE TO CONFIRM GENERAL COMPLIANCE WITH THE MEMORIAL DRIVE SUB-AREA PLAN

# Rezoning Petition 2009-034-LC Petitioner: Thomas Taylor

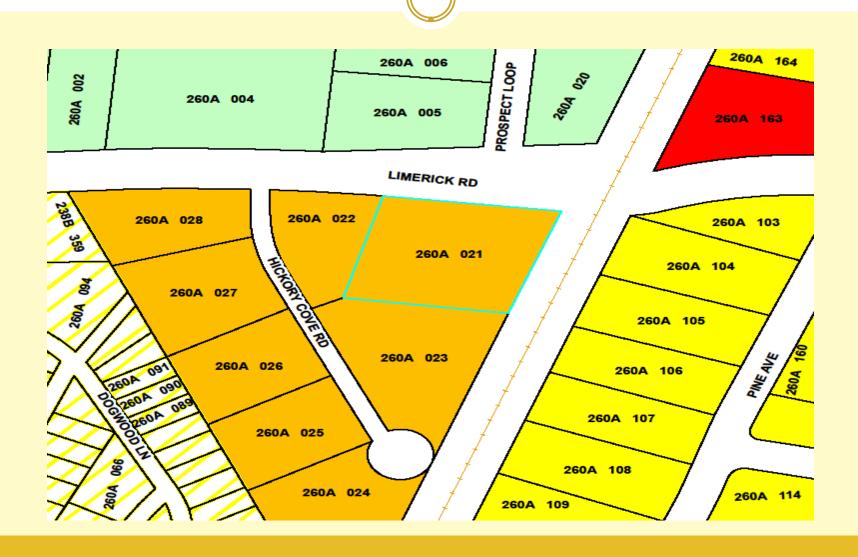
Request to rezone parcel 021, LCTM 260A, which contains 1.1 acres of land, more or less; located on Limerick Road near the railroad tracks where Prospect Road intersects with Limerick from R2-A (One and Two-Family Residential) to B-2 (General Commercial District) for a general store and storage buildings.

This property has been used for nearly 30 years as commercial property.

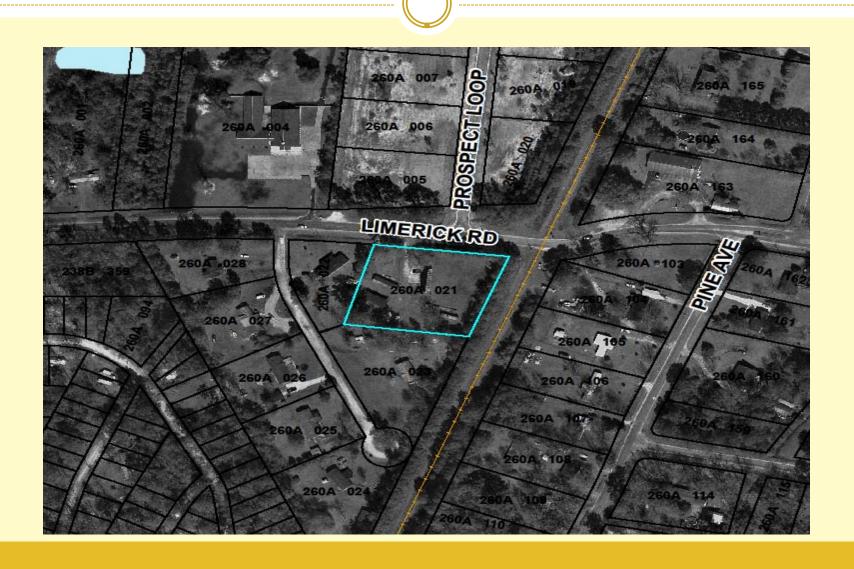
#### **Public Notification**



#### GIS Map of Site



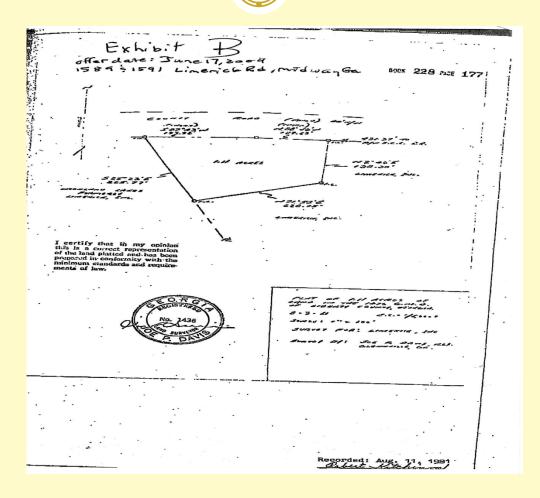
#### Aerial Map of Site



#### Site Photo



#### Survey



#### Zoning Analysis (2009-034-LC)

- Does the property have reasonable economic value as currently zoned?
  - o Yes
- O Does the proposed use conform to the Ft. Stewart Joint Land Use Study?
  - Property is not located within the Ft. Stewart's Influence Zone (3,000 ft)
- ODoes the proposed use conform to the comprehensive plan?
  - The comp plan encourages incorporation of "corner commercial" sites, such as dry cleaning, convenience stores or similar retail services which are in keeping with neighborhood commercial uses. (B-1)

#### Zoning Analysis – (continued)

- Will there be an adverse effect on the value and usability of nearby properties?
  - No; this property has been used as commercial for nearly thirty years.

- Is the proposed use suitable in view of the nearby uses?
  - Yes; lower commercial, neighborhood commercial uses are suitable

- Will the proposed use create a burden on streets, schools, utilities, or the provision of public safety?
  - No undue burden anticipated

#### Zoning Analysis (continued)

- Would this allow a short-term gain at the expense of our local long-term goals?
  - o No

- Would this change cause a "domino effect" and encourage "sprawl"?
  - Possibly
- Are there unique historical sites which may be adversely impacted by this zoning?
  - None known

#### Zoning Analysis (continued)

- Is this parcel in a flood hazard area?
  - o No
- OAre there unique conditions which support approval or denial?
  - Yes; This property has been used as commercial for nearly 30 years. (Construction Company) Rezoning this property will allow this property to be in compliance with the Liberty County Zoning Ordinance.
- OIs it spot zoning and unrelated to the existing pattern of development?
  - No; commercial properties are located across the street in close vicinity
  - O The comprehensive plan encourages small commercial businesses close to residential neighborhoods.
- oIf allowed, does this allow rights that are denied to others in this area?
  - o No

## Staff Recommendation Petition 2009-034-LC

Approval with Standard and Special Conditions

#### **Standard 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

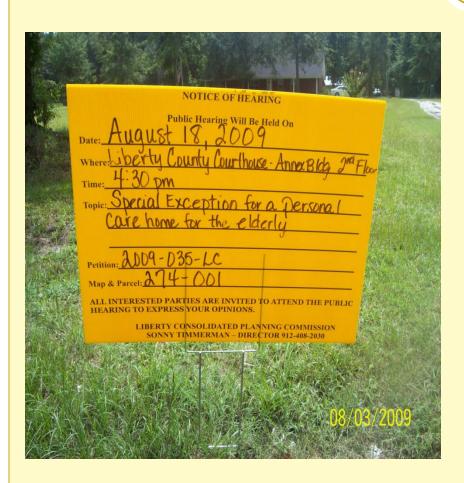
#### **Special Conditions**

- 1. Maintain existing buffers around the perimeter of the parcel.
- 2. This rezoning will allow as a condition to mix the general store with mini-storage warehouses.
- 3. Site plans are required.

# Special Exception 2009-035-LC Petitioner: Clifford Stone

REQUEST SUBMITTED BY CLIFFORD W. STONE, OWNER OF PARCEL 001, LCTM 274 WHICH CONTAINS 6.4 ACRES OF LAND, MORE OR LESS, LOCATED ON OLD DAIREN ROAD IN UNINCORPORATED LIBERTY COUNTY. THE PROPERTY IS ZONED A-1 (AGRICULTURAL DISTRICT) AND THE OWNER WANTS TO OPERATE A PERSONAL CARE HOME.

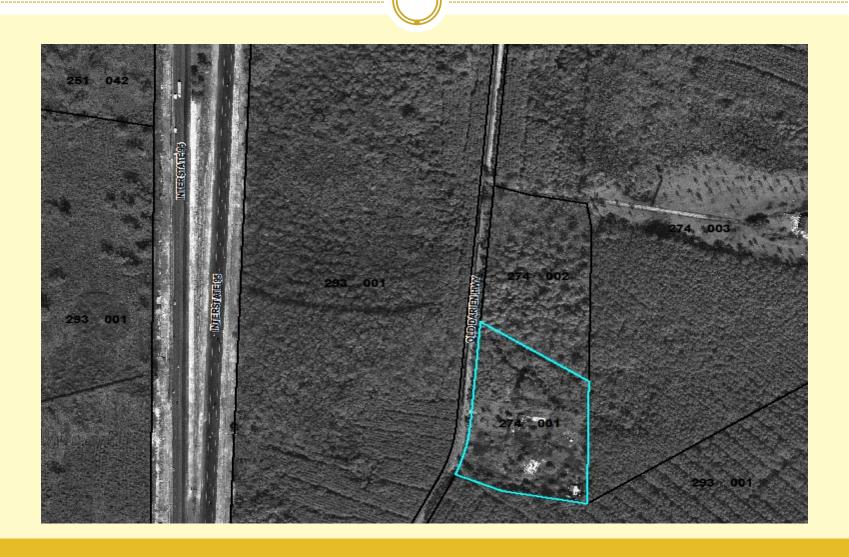
#### Public Notification



#### GIS Map of Site



### Aerial Map of Site

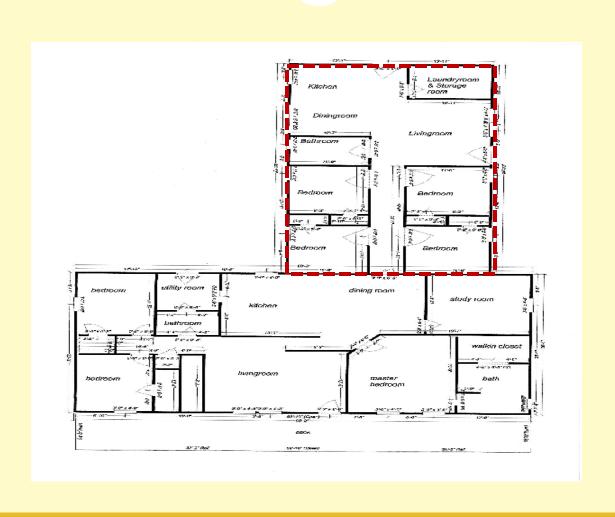


#### Site Photo





#### Conceptual Layout



#### Scope of Special Exception

#### The Special Exception is needed because:

- Personal Care homes are only allowed in zoning district O-I (Office Institutional). Rezoning to O-I in conjunction with a conditional use would not be appropriate zoning in an agricultural area.
- LCPC is seeking a text amendment in the future to locate family personal care homes as a permitted use in residential areas.

#### Definition of a Personal Care Home

Article II Section 2.17

Liberty County Ordinance • Includes rest and nursing homes, convalescent homes and boarding homes for the aged; established to render nursing care for chronic or convalescent patients, but excludes facilities for care of active or violent patients such as feebleminded or mental patients, epileptics, alcoholics, senile psychotics, or drug addicts.

## Petitioner's Narrative

"This business would be strictly for elderly non-violent individuals who need more assistance than an assisted living facility can provide but are not to the point health wise of needing to be admitted to a nursing home."

#### To Whom It May Concern:

Christina and I would like to inform you of our desire to open a personal care home at our residence located at 1100 Old Darien Highway Riceboro, Ga. 31323. Christina currently runs a home cleaning and management business that is licensed in Liberty County.

As Christina has conducted business over the last few years she has been approached by some of her elderly customers about providing more extensive care. As you might be aware; it is not unusual for elderly people to become attached to an individual caregiver over a period of time. This business would be strictly for elderly non-violent individuals who need more assistance than an assisted living facility can provide but are not to the point health wise of needing to be admitted into a nursing home.

The home would be operated in accordance with state and local laws and regulations as required Liberty County and the Georgia Department of Human Resources. Below is the Georgia Department of Human Resources definition of a Personal Care Home. Christina and I would appreciate your serious consideration in this matter and are open to any questions you might have concerning this endeavor

Sincerely,

#### Definition:

Any dwelling that provides or arranges for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. (Personal services include but are not limited to individual assistance with and supervision of self-administered medications and essential activities or daily living such as eating, bathing, grooming, dressing, and toileting.)

## Staff Recommendation Petition 2009-035-LC

Approval based on the consideration of a text amendment to the Liberty County Code of Ordinances with Standard and Special Conditions

#### **Standard 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

### **Special Conditions**

1. Six or fewer in home care patients

# Rezoning Petition 2009-037-LC Petitioner: McKinna

Requests to re-zone parcel #119 007 from
A-1 (agricultural) to R-1 (single family residential)
for approx. forty-five (45) or more homes
with central water and individual septic systems.

The site consists of two tracts of land totaling 78.05 acres of land, more or less, located on McIntosh Lake Road

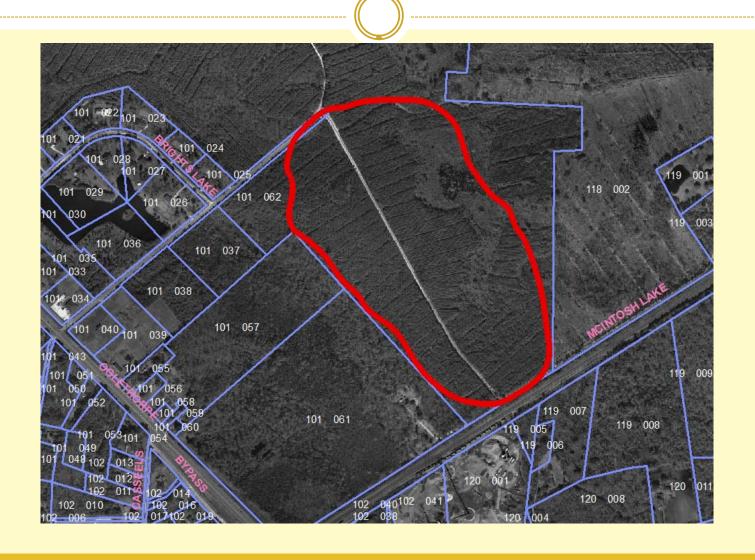
#### Public Notification



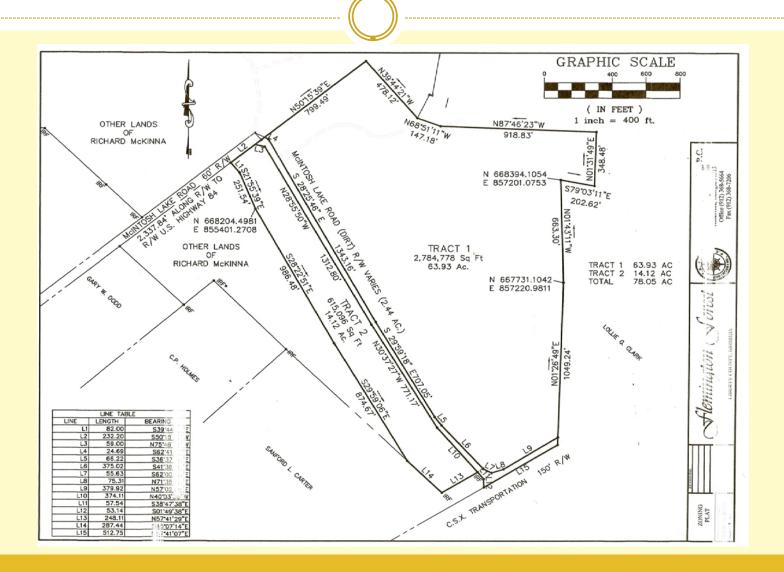
#### GIS Map of Site



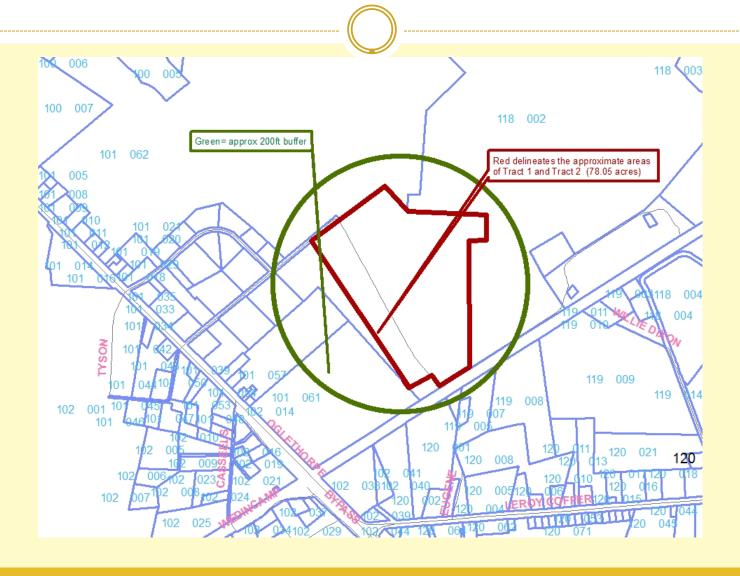
## Aerial Map of Site



#### Survey



## Map of Site



#### Revised Site



#### Project narrative



## Flemington Forest McIntosh Lake Road Phase

The proposed project will be a new subdivision along the dirt road section of McIntosh Lake Road in Liberty County. The proposed layout will have approximately 50 lots that are a minimum of 0.5 acres in size.

#### Roadways:

A majority of the homes will front on McIntosh Lake Road. As a part of the development this road will be paved to meet county standards. The appropriate right of way will be dedicated to the county for the development. The location of these lots is shown more clearly on the revised master plan for this project. Sidewalks will be installed in accordance with Liberty County requirements.

#### Water Service:

A community water system will be developed to provide water service to the proposed lots in this phase of construction. W & D Utilities, Mr. Woody Sapp, will provide the water service to this area.

#### Project narrative

#### Sewage Service:

Sewage disposal for this phase of development will be provided by individual septic systems. The soil type and percolation for this area will be determined by a certified soil scientist and the appropriate on-site sewage disposal system will be designed to meet the requirements of the Environmental Health Department.

#### **Drainage:**

Strom water runoff for this site will be controlled through the use of roadside ditches, swales and storm water retention facilities. These features will be designed to meet the requirements of the Liberty County Drainage Ordinance.

#### Street Lights:

At least the minimum number of street lights will be installed to meet the requirements of the subdivision ordinance. The street lights will be decorative type lights meeting the theme of the entire development.

### Revised Site



## Site Photo



#### Zoning Analysis (2009-011-LC)

- Does the property have reasonable economic value as currently zoned?
  - o Yes
- Does the proposed use conform to the Ft. Stewart Joint Land Use Study?
  - Property is not located within the Ft. Stewart's Influence Zone (3,000 ft)

- ODoes the proposed use conform to the comprehensive plan?
  - Yes, if the parcels has water and sewer

#### Zoning Analysis – (continued)

- Will there be an adverse effect on the value and usability of nearby properties?
  - o No

- Is the proposed use suitable in view of the nearby uses?
  - O Yes

- Will the proposed use create a burden on streets, schools, utilities, or the provision of public safety?
  - No undue burden anticipated

#### Zoning Analysis (continued)

- Would this allow a short-term gain at the expense of our local long-term goals?
  - No. If the developer agrees to connect proposed utilities to future services for water and sewer the short term gain would not be at the expense of local long term goals. (refer to comp plan)

- Would this change cause a "domino effect" and encourage "sprawl"?
  - o No
- Are there unique historical sites which may be adversely impacted by this zoning?
  - O None known

#### Zoning Analysis (continued)

- o Is this parcel in a flood hazard area?
  - No flood hazard areas. The site be checked for wetlands
- OAre there unique conditions which support approval or denial?
  - O No. However, the proposed layouts for the project clearly show areas where future residential lots will exist
- OIs it spot zoning and unrelated to the existing pattern of development?
  - O Residential uses are consistent with the existing pattern of development. Development goals for this project should include central water and central sewer
- oIf allowed, does this allow rights that are denied to others in this area?
  - o No

## Staff Recommendation Petition 2009-037-LC

Approve the request to re-zone the parcels from A-1 (agricultural) to R-1 (single family residential) for approx. forty-five (45) or more homes

Only if central water and a central septic system is installed.

#### **Standard 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

#### **Special Conditions**

- 1. Must get EPD approval; the layouts as submitted would exceed fifty dwelling units.
- 2. Central water and central sewer is required. Must connect to Flemington's water and sewer system when it becomes available to this area.
- 3. Access must be clearly available for entrance to the cemetery which exist to the north of the property.

# Agenda Item 2.4

PLATS AND SITE PLANS

#### Site Plan - Oak Forest Apartments

Developer: Matthew Reese

Oak Forest Properties, LLC 111 Sandy Run Dr., Hinesville, Ga

Engineer: Trent Long, PE

Trent Long Engineering, LLC

Hinesville, Ga

Description: 30 unit expansion of an existing 32

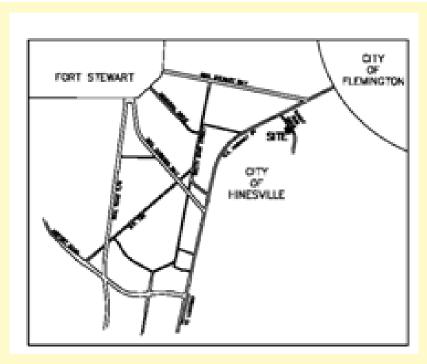
unit

complex

Location: West side of Sandy Run Drive down

and opposite from Babcock's.

Gov. Authority: City of Hinesville



Site Map

## Photographs

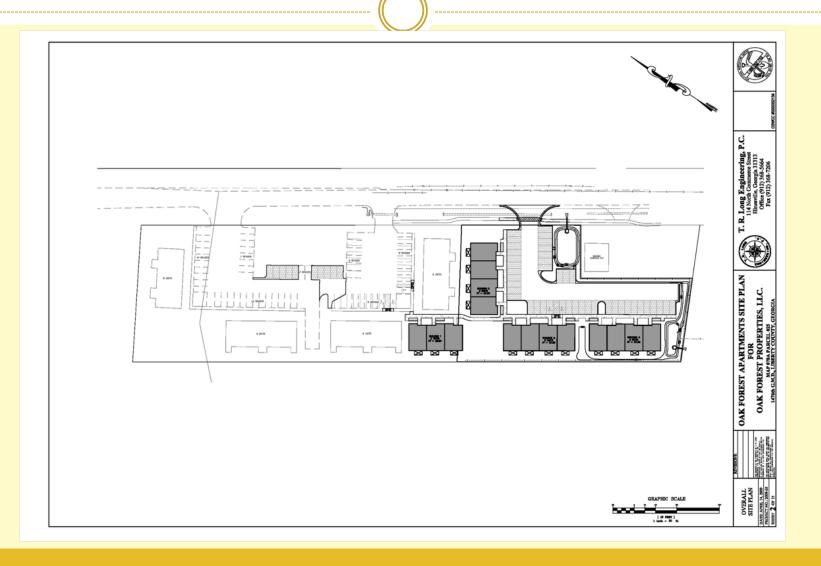


proposed – just south of existing

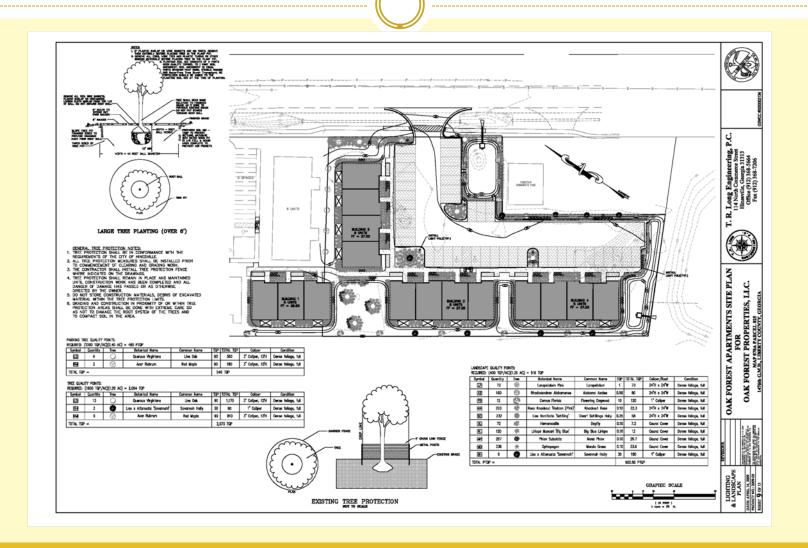


existing apartments

#### Site Plan



## Landscaping Plan





"The Liberty Consolidated Planning Commission has completed the review of the submitted documents and hereby concurs that the documents as submitted and reviewed generally meet the minimum requirements set forth in the Code of Ordinances."

Abe Nadji, P.E. Director of Engineering, LCPC

### Staff Recommendation

Approve the site plan for the 30 unit Oak Forest Apartments with the following Standard and Special Conditions

#### **Standard 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.

#### Special Condition(s)

1. All parcels of land must be combined into a single parcel by plat and deed prior to issuance of the certificate of occupancy be the City of Hinesville.

# Agenda Item 3.0

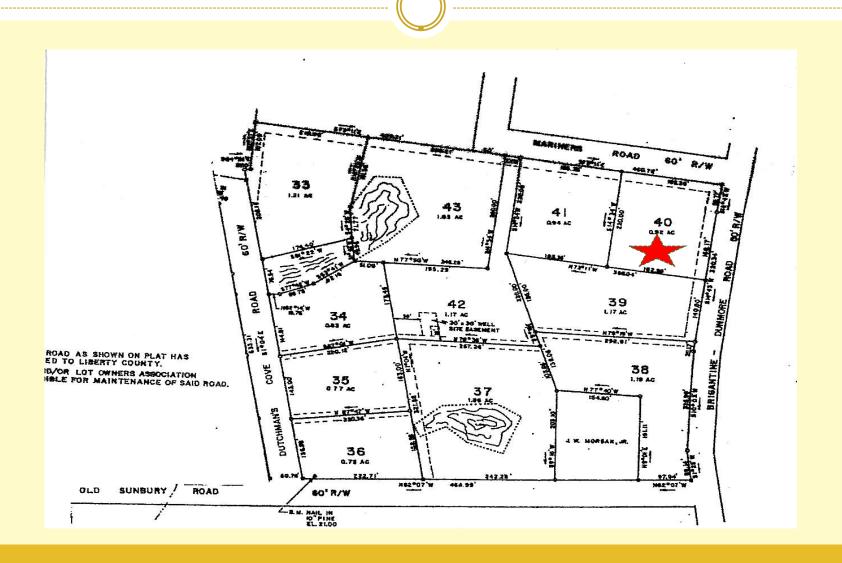
GENERAL PUBLIC COMMENTS

## Agenda Item 4.0 Other Commission Business

4.1 Executive Director's Report a) GMO update

4.2 Other Business

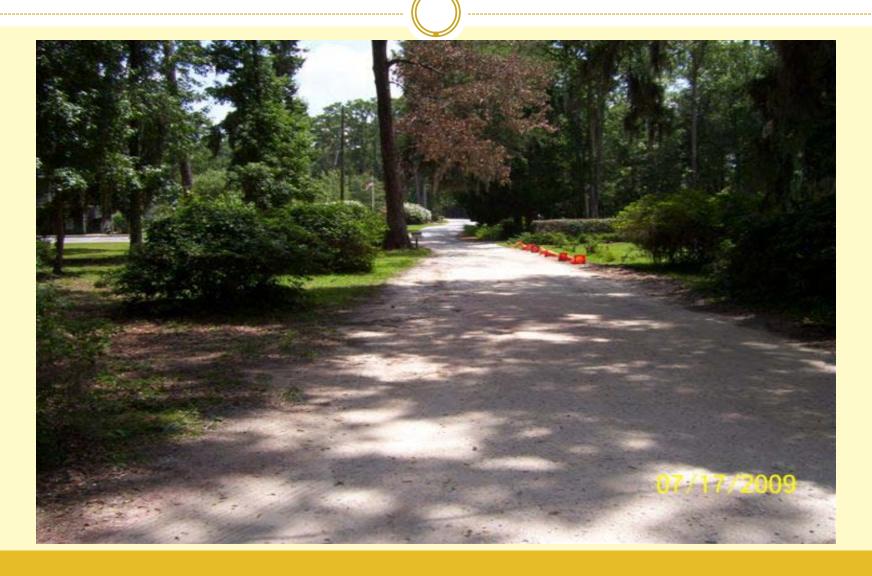
#### Final Plat for Dutchman's Cove, Ph III



# Brigantine Dunmore Road from proposed parking area to Sunbury Crab Company



#### Brigantine Dunmore from Sunbury Crab Company to proposed parking area



# Recreational Area across from proposed parking area





#### Parking Area adjacent to Sunbury Crab Company



#### Ordinance Requirements

- •The Liberty County Ordinance allows parking areas as by right uses in commercial districts
- •Section 3.29.3.3 Parking spaces for all other uses (except residential) have to be on the same lot or not more than 300 ft distance
- •Section 3.29.3.5. "Off-Street parking areas may be situated in any residential district abutting any commercial district or industrial district to a depth not exceeding 120 feet and provided that all off-street parking lot improvements as provided in subsection 3.29.4 of this article are complied with" (screening, surfacing, lighting)

#### LIBERTY COUNTY CODE

#### OFF-STREET PARKING SPACE REQUIREMENTS

| OFF-STREET PARKING  | SPACE REQUIREMENTS   |
|---|--|
| Uses  | Required Parking Spaces  |
| Automatic laundry<br>Automobile sales and service garage<br>Banks/professional offices  | 1 for each laundry machine<br>1 for each 400 sq. ft. floor area<br>1 for each 300 sq. ft. floor area   |
| Bowling alleys  |  |
| Churches, temples, or places of worship, funeral<br>homes, schools, public buildings, theaters, au-<br>ditoriums, area and places of assembly, private<br>clubs, community buildings, social halls, and<br>lodges | 4 for each alley<br>1 for each 4 seats of maximum seating capacity in<br>principal assembly area or 1 for each 17 class<br>room seats, whichever is greater. |
| Country clubs, golf clubs, gun clubs, tennis clubs<br>and organizations designed to provide outdoor<br>sporting or recreational activities  | 1 for each 5 members   |
| Dental offices  | 2 for each dentist   |
| Driving ranges and golf courses   | 2 for each tee   |
| Dwellings, single-family  | 2 for each unit  |
| Food store, supermarket   | 1 for each 200 sq. ft. floor area  |
| Funeral homes, mortuaries   | 20 for each parlor   |
| Furniture, appliance stores   | 1 for each 200 sq. ft. floor area  |
| Hospitals, sanitariums, and nursing homes   | 1 for each 2 patient beds  |
| Hotels and motels   | 1 for each guest room plus 1 for each 3 employees  |
| Manufacturing, industrial plant, research labora-<br>tory, bottling plants  | 1 for each 2 employees on largest shift plus 1 for<br>each company vehicle   |
| Manufacturing and industrial concerns with retail   | 1 for each 2 employees on largest shift plus 1 for   |
| business on premises  | each 150 sq. ft. devoted to sales or service   |
| Medical offices   | 10 for each doctor   |
| Restaurants, beer parlors, nightclubs   | 1 for each 2.5 seats plus  |
|   | 1 for each 3 employees   |
| Retail stores and shops   | 1 for each 300 sq. ft. floor area  |
| Rooming houses, boarding houses, dormitories, fraternities and sororities   | 1 for each 2 beds  |
| Service station   | 2 for each pump  |
| Sports arenas, auditoriums, theaters, assembly halls  | 1 for each 3.5 seats   |
| Frailer or monument sales or auctions   | 1 for each 2,500 sq. ft. of lot area   |
| Wholesale and warehouse concerns  | 1 for each 2 employees, plus 1 for each company<br>vehicle, plus 1 for each 50 sq. ft. of retail sales or<br>service   |
| 3.29.3. Location of off-street parking spaces:  | 3.29.3.2. The parking spaces for all dwell-  |
| 3.29.3.1. Such parking space as required  | ings shall be located on the same plot as  |

3.29.3.1. Such parking space as required in this section shall in no part exist upon and no portion of any vehicle shall over-hang the right-of-way of any public road, street, alley, or walkway. There shall be no off-street parking in the front yards of Residential districts except as normally exists in driveways.

the main building.

3.29.3.3. Parking spaces for all other uses shall be provided on the same plot with the main building or not more than three hundred (300) feet distance, as measured along the nearest pedestrian walkway provided that such area is under the same ownership as the principal use. The applicant for a building permit who proposes to use an area for off-street parking in order to meet the requirements of this ordinance and in accordance with the provisions of this subsection shall submit evidence of a restrictive covenant running with the land to be used for off-street parking purposes stating that such land shall not be encroached upon, used, sold, leased, or conveyed for any other purpose until such time as the principal building ceases to be required to provide such off-street parking facilities.

3.29.3.4. Parking requirements for two (2) of more uses of the same or of different types may be provided by the establishment of the required number of spaces for each use in a common parking area provided that all such uses being served by a common parking area are under the same ownership. Accessory uses shall not be required to have additional parking spaces other than those required by the principal use.

3.29.3.5. Off-street parking areas may be situated in any Residential district abutting any Commercial district or Industrial district to a depth not exceeding one hundred twenty (120) feet and provided that all off-street parking lot improvements as provided in subsection 3.29.4. of this article are complied with.

3.29.4. Parking lot improvement requirements. Any off-street parking lots serving any use other than dwellings of four (4) units per building or less shall meet the following off-street parking lot improvement requirements:

3.29.4.1. Screening and landscaping. Offstreet parking and areas for more than five (5) vehicles, and off-street loading areas shall be effectively screened on each side which joins or faces residential or industrial premises situated in any Residential district.

3.29.4.2. Surfacing for all retail sales and services, business services and professional services serving the general public and having access to and abutting a paved street, the off-street parking area shall be provided

...

with a hard surface, all-weather pavement of asphalt or cement and shall be so graded and drained to provide for the adequate run-off and disposal of surface water.

3.29.4.3. Lighting. Where lighting facilities are provided for the parking area, they shall be designed and installed so as to reflect the light away from any contiguous residentially zoned property.

#### 3.29.5. Off-street loading requirements:

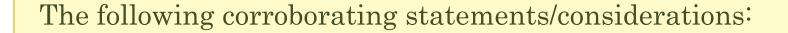
3.29.5.1. Every hospital, institution, commercial or industrial building or similar use having a floor area of twenty thousand (20,000) square feet or more and requiring receipt or distribution by vehicle of materials or merchandise shall have at least one permanent off-street loading space for each twenty thousand (20,000) square feet of gross floor area or fraction thereof immediately adjacent to the principal building.

3.29.5.2. Every building which requires the receipt or distribution by vehicles of material or merchandise, shall provide off-street loading berths in accordance with the following tables:

#### Scope of Special Exception

The Special Exception is needed because:

- The required maximum 300 ft distance is exceeded by 200 ft
- The property is more than 120 ft deep (approx. 180 ft)
- The property is not directly abutting a commercial district and
- the parking area is not proposed to have a hard surface



- No public parking available in the vicinity
- Proposed parking lot located along the main road (60 ft right-ofway)
- Pedestrian traffic no more than 500 ft going past two residences and two condo buildings
- Parking more confined to one area rather than scattered throughout the neighborhood