



PLANNING COMMISSION
MINUTES FOR REGULAR SCHEDULED MEETING

Tuesday, December 14, 2021, at 5:30 PM
City Hall Council Chambers - 418 Osborne St.

Planning Commission members present: Leslie Warner Lloyd Streit, Steve Hegi, Keegan Federal and Wiley King.
Planning Commission members absent:

Community Development Department staff present: Kenneth Hughes and Delya Carter.

I **CALL TO ORDER:**

The meeting was called to order at 5:30pm by Commissioner Streit.

II **MINUTES:** Minutes approved for November 9th meeting. Commissioner King moved to approve meeting minutes; Commissioner Warner second the motion. The motion carried unanimously.

III **OLD BUSINESS & PUBLIC HEARINGS:**

IV **NEW BUSINESS & PUBLIC HEARINGS:**

Variance –Barry Lawson requests a variance from the side yard setback requirements from 15 feet to 5 feet to allow for the installation of a carport. Parcel ID S23 06 012. The property is zoned R-1. Common location known as 216 Gunter Street.

- K. Hughes presented the Staff Report.
- Barry Lawson presented as owner.

PUBLIC COMMENT

None

MOTION: Commissioner King moved to approve the variance; Commissioner Hegi seconded the motion. The motion carried unanimously.

Subdivision (Preliminary Plat) –Jeff Foster of AKM Surveying on behalf of Romspen LLC requests preliminary plat approval for 33 lots and 3 tracts as part of Cumberland Harbour phase 14. Parcel IDs 160C 160C and 160C 160D. The property is zoned PD. Common location known as that land at the end of Anchor Way.

- K. Hughes presented the staff report.
- Jeff Foster presented on behalf of the owner.



PUBLIC COMMENT

- Paul Harris 400 Barkentine Dr.- His concern was that his property was adjacent to this property. This property has some mature trees and gopher turtles. It has a DNR enforcement action against this property. The property was left with a mess and a lot of hazardous material it needs to be cleaned up.
- Mark Butterworth 111 Tattnal Ln.- President of the Cumberland Harbor POA Association. "I just want you all to know that the POA board supports this preliminary plat and the development to be approved." We negotiate a land swap with them on giving them the 3 acres that the POA owed which would give them really 15 acres of this property that is in discussion here today. In return for that Rompsen us 2 deep water lots in adjacent to southpoint and 2 ½ acres. This brought our property from 2 arches to 4 1/2 acres. The concern all along was the uncertainty of the 15 arches. Our lawyers told us that we would have to provide access for this no matter, so we agree to let Rompsen develop this property and have all the access and rules, POA, Cumberland Harbour Design Review Board, and they will be made to pay dues.
- Jennifer Fabrick 113 Carousers Cove- I'm a registered architect in the State of Georgia and I'm past chair on the Design Review Board for Cumberland Harbour POA. "I would like to state that the information that has been presented is incomplete for review because the chart I have doesn't show in color code where the lots fit within the Cumberland Harbour (PD) guidelines." She discusses about a zoom meeting that took place and the request for the removal of the steel structure that was left on the property. "I recommend that no subdivision be approve until this structure is removed. I do not approve of the preliminary plat."
- Kenneth Lyons 303 Becket Road- My concern is the density of this development.
- Carl Miller 102 Perrant Circle- "As an Ex-Cumberland Harbor Board Member I was opposed of this issue based upon environmental issue and density. The critical issue is this bridge structure that was left behind. DNR notified that they are responsible for the removal of this structure 2 years ago. The other issue is I don't think this approval was for 33 lots to be added to the existing inventory. The land swap was approved but the development was never approved."
- Commission Streit wanted to clarify and discuss something because he is not able to vote on this. He wanted people to understand that the Planning Commission doesn't rule on DNR matters. "Also, that they don't look at the economical ability of a project. There is a misconception that this project is sold as lots they are not, they are sold as completed built packages (complete homes) to be reviewed by the Design Review Board. This is being designed to improve the value."



- Rose Miller- 101 Wards Lane “I’m the treasurer (for the POA at Cumberland Harbour). I agree that we need to get the DNR situation straighten out on who’s responsibility it is to clear off this property. I would like to ask for more than 30 days to vote on this preliminary plat.”
- Roger Maillet 109 Carousers Cove- “I’m a new resident to the area and my concern is all the construction debris and hazardous items that was left from the pier that wasn’t completed. This should be removed before considering approval.”
- Commissioner King explains how the preliminary plat has nothing to do with DNR. He goes on to say if the board approves the preliminary plat all this does is give them the right to go further with, he designs and the move. He must come back to the Planning Commission for the final plat.
- The City Attorney stated that yes DNR is a separate entity. She also advice that the decision by the commission can be made on this within 90 days from today’s date.
- Commissioner Hegi explained the reason for the preliminary plat and why the commission is here to provide approval on a preliminary plat that is all we are here to do. That the plat is designed well enough to say that we agree that the surveyor can survey and actually put in plans for infrastructure there is a lot of steps that go into this before it goes to a final plat.
- Mr. Hughes recommended that the commission tables it for maybe a month or a little longer so that staff will have time to investigate some of the concerns that were brought up tonight. “We need to see if it meets the requirements of the ordinances.

MOTION: Commissioner Federal motion as to table this subdivision (preliminary plat) with no coming back no sooner than the February meeting; Commissioner Kings seconded the motion. The motion carried unanimously.”

V **DISCUSSION**

VI **ADJOURNMENT**

Commissioner King moved to adjourn at 6:48 pm and Commissioner Warner seconded the motion. The motion carried unanimously.

These minutes were approved on February 8, 2022 by the Planning Commission.

/s/KJH