

1 **GLYNN COUNTY BOARD OF COMMISSIONERS**
2 **BRUNSWICK, GEORGIA**

3 Ordinance: #O-2022-01
4 Adoption: February 17, 2022

5
6 At the regular meeting of the Glynn County Board of Commissioners, held in the Glynn County
7 Historic Courthouse, Second Floor Commissioners' Meeting Chambers, 701 "G" Street,
8 Brunswick, Georgia, there were present:

9
10 David O'Quinn, Chairman, At Large Post 1
11 Wayne Neal, Vice Chairman, District 3
12 Sammy Tostensen, Commissioner, District 1
13 Cap Fendig, Commissioner, District 2
14 Bill Brunson, Commissioner, District 4
15 Allen Booker, Commissioner, District 5
16 Walter Rafolski, Commissioner, At Large Post 2

17
18 On the motion of Commissioner Fendig, which carried 4-3 with Commissioner Tostensen,
19 Commissioner Neal, and Commissioner Booker opposed, the following was adopted:

20
21 **AN AMENDMENT TO THE GLYNN COUNTY ZONING ORDINANCE TO**
22 **REVISE SECTIONS 302, 502 AND 715.5(6); TO CHANGE THE**
23 **DEFINITION OF "BUILDING HEIGHT"; TO SET THE MAXIMUM**
24 **HEIGHT AT 35 FEET FOR BUILDINGS ON PROPERTY WITH**
25 **FRONTAGE ON OCEAN BOULEVARD ON ST. SIMONS ISLAND,**
26 **INCLUDING THOSE IN ZONING DISTRICTS WITH A HIGHER**
27 **MAXIMUM HEIGHT; TO CHANGE THE MAXIMUM HEIGHT IN**
28 **VILLAGE MIXED USE TO 35 FEET; AND FOR OTHER PURPOSES.**

29
30 **BE IT ORDAINED**, by the Glynn County Board of Commissioners, this 17th day of
31 February, 2022, that the Glynn County Zoning Ordinance be and it is hereby amended to revise
32 Sections 302, 502 and 715.5(6). The amended ordinance sections will read as follows:

33
34 **Amended Section 302:**

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36 *Building Height.* The vertical height of a building shall be measured from the greater of
37 either the average natural elevation of the ground surface, prior to construction, or one
38 foot above the Base Flood Elevation as shown on the Flood Insurance Rate Map for
39 Glynn County to the highest peak of the roof. Building height shall not exceed the height
40 specified in the applicable zoning district as set forth in this ordinance. See also Section
41 617 of this ordinance, which provides for exceptions from the height regulations.

42
43 **Amended Section 502:**

44
45 **Section 502. Height of Building**

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47 (a) No building shall hereafter be erected, altered or moved so as to exceed the prescribed

48 height limitation for the zoning district in which it is or will be located. For exceptions to
49 height regulations, see Article VI, Section 617.

50
51 (b) Inasmuch as St. Simons Island is designated as an Area of Scenic Beauty and
52 Historic Interest, no building on St. Simons Island shall be erected, altered or
53 moved so as to exceed forty-five (45) feet in height nor shall such building include
54 more than four (4) stories. On St. Simons Island, no more than three (3) of the
55 stories shall be habitable. The area above the uppermost habitable story can be
56 used only for limited storage, mechanical equipment, or ventilation system of the
57 roof structure.

58
59 (c) *Special Height Limit – Ocean Boulevard.* The provisions of subsection (b) notwithstanding,
60 the maximum height of any building shall be thirty-five (35) feet if it is located on property
61 with frontage on Ocean Boulevard between the eastern right-of-way line of Mallery Street
62 and the southwestern right-of-way line of East Beach Causeway. For those properties
63 affected by this subsection, the height limitation herein shall control if the maximum height
64 allowed in a particular zoning district exceeds thirty-five (35) feet.

65 A lawfully existing building that becomes nonconforming as a result of the amendment of
66 this subsection (c) on February 17, 2022, shall be considered a nonconforming building
67 for purposes of this subsection. Such nonconforming buildings damaged or destroyed by
68 fire, flood, storm, or other act of God may be repaired or rebuilt to its original height and
69 original number of stories if: (1) the owner provides documentation to the Community
70 Development Director demonstrating that the building lawfully existed as of February 17,
71 2022, and (2) repair or reconstruction commences within two (2) years of the date the
72 building was damaged or destroyed.

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74
75 **Amended Section 715.5(6):**

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77 715.5 Other Requirements. Unless otherwise specified elsewhere in this Ordinance uses
78 permitted in the Village Mixed Use (VMU) Zoning District shall be required to conform to the
79 following standards:

80
81 6) Maximum Building Height:
82 Thirty-five (35) feet
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Signatures on following page

This Amendment shall become effective immediately upon adoption.

**BOARD OF COMMISSIONERS,
GLYNN COUNTY, GEORGIA**

DAVID O'QUINN, CHAIRMAN

ATTEST:

RONDA VAKULICH, COUNTY CLERK

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111 EXPLANATION OF CHANGES

112 Underline = insertion

113 Strikethrough = deletion

114
115 **Change to Section 302:**

116
117 **Section 302. - Definitions.**

118 *Building Height.* The vertical height of a building shall be measured from the greater of either the
119 average natural elevation of the ground surface, prior to construction,~~grade of the building footprint~~
120 or one foot above the Base Flood Elevation as shown on the Flood Insurance Rate Map for Glynn
121 County established by FEMA [either 14 feet, MSL (NGVD 1929) or 13 feet, MSL (NAVD 1988),
122 depending upon the datum used] to the highest peak of the roof. Building height shall not exceed
123 the height specified in the applicable zoning district as set forth in this ordinance. See also Section
124 617 of this ordinance, which provides for exceptions from the height regulations.

125
126
127 **Change to Section 502:**

128
129 **Section 502. - Height of Building.**

130
131
132 (a) No building shall hereafter be erected, altered or moved so as to exceed the prescribed
133 height limitation for the zoning district in which it is or will be located. For exceptions to
134 height regulations, see Article VI, Section 617.

135
136 (b) Inasmuch as St. Simons Island ~~and Sea Island are~~ is designated as an Areas of
137 Scenic Beauty and Historic Interest, no building ~~in Planning District 2 on St. Simons~~
138 Island ~~shall hereafter~~ be erected, altered or moved so as to exceed forty-five (45)
139 feet in height nor shall such building include more than four (4) stories. On St.
140 Simons Island, no more than three (3) of the stories shall be habitable. The area
141 above the uppermost habitable story can be used only for limited storage,
142 mechanical equipment, or ventilation system of the roof structure. ~~For exceptions to~~
143 ~~height regulations, see Article VI, Section 617.~~

144
145 (a)(c) Special Height Limit – Ocean Boulevard. The provisions of subsection (b)
146 notwithstanding, the maximum height of any building shall be thirty-five (35) feet if it is
147 located on property with frontage on Ocean Boulevard between the eastern right-of-way
148 line of Mallery Street and the southwestern right-of-way line of East Beach Causeway. For
149 those properties affected by this subsection, the height limitation herein shall control if the
150 maximum height allowed in a particular zoning district exceeds thirty-five (35) feet.

151
152 A lawfully existing building that becomes nonconforming as a result of the amendment of
153 this subsection (c) on _____, 2022, shall be considered a nonconforming building for
154 purposes of this subsection. Such nonconforming buildings damaged or destroyed by fire,
155 flood, storm, or other act of God may be repaired or rebuilt to its original height and original
156 number of stories if: (i) the owner provides documentation to the Community Development
157 Director demonstrating that the building lawfully existed as of _____, 2022, and
158 (2) repair or reconstruction commences within two (2) years of the date the building was
159 damaged or destroyed.

160 **Change to Section 715.5(6):**

161 715.5 *Other Requirements*. Unless otherwise specified elsewhere in this ordinance uses permitted
162 in the Village Mixed Use (VMU) Zoning District shall be required to conform to the following
163 standards:

164 6) Maximum Building Height:
|165 ~~Forty-five (45)~~ Thirty-five (35) feet