

MAYOR
Shirley Sessions

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Brian West
Jay Burke
Nancy DeVetter
Spec Hosti
Monty Parks



CITY MANAGER
Dr. Shawn Gillen

CLERK OF COUNCIL
Jan LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

AGENDA

REGULAR MEETING OF TYBEE ISLAND CITY COUNCIL

September 08, 2022 at 6:30 PM

Please silence all cell phones during Council Meetings

Opening Ceremonies

- Call to Order
- Posting of the Colors and Pledge
- Invocation

Consideration of Items for Consent Agenda

Announcements

Recognitions and Proclamations

1. Employee of the 2nd Quarter: Michele Dicus, River's End Campground

Consideration of the approval of the minutes of the meetings of the Tybee island City Council

2. Minutes: City Council Meeting, August 25, 2022
3. Attachment to minutes

If there is anyone wishing to speak to anything on the agenda other than the Public Hearings, please come to the podium. Please limited your comments to 3 - 5 minutes.

Consideration of Approval of Consent Agenda

Public Hearings

4. Site Plan: 601 US Hwy 80 – Cameron Weeks
5. Special Review: 3 Ocean View Court – Daniel & Ann Iyer
6. Tree Appeal: 30 Meddin Drive – Tybee Island Historical Society.

Consideration of Bids, Contracts, Agreements and Expenditures

7. Warrick Group Consultants: Approve the increase in funding for the coming year

Consideration of Ordinances, Resolutions

8. First Reading: 09-2022 Regulation of Motorized Carts
9. Resolution, 2022-07, Salt Meadows and Savannah River Utilities Company

P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749
(866) 786-4573 – FAX (866) 786-5737
www.cityoftybee.org



Minutes, Planning Commission (for information only)

10. Planning Commission Minutes August 15, 2022

Council, Officials and City Attorney Considerations and Comments

11. Brian West: Tybee Island Ballot Referendum on STR's

Executive Session

Discuss litigation, personnel and real estate

Possible vote on litigation, personnel and real estate discussed in executive session

Adjournment

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact Jan LeViner at 912.472.5080 promptly to allow the City to make reasonable accommodations for those persons.

***PLEASE NOTE:** Citizens wishing to speak on items listed on the agenda, other than public hearings, should do so during the citizens to be heard section. Citizens wishing to place items on the council meeting agenda must submit an agenda request form to the City Clerk's office by Thursday at 5:00PM prior to the next scheduled meeting. Agenda request forms are available outside the Clerk's office at City Hall and at www.cityoftybee.org.



THE VISION OF THE CITY OF TYBEE ISLAND

"is to make Tybee Island the premier beach community in which to live, work, and play."



THE MISSION OF THE CITY OF TYBEE ISLAND

"is to provide a safe, secure and sustainable environment by delivering superior services through responsible planning, preservation of our natural and historic resources, and partnership with our community to ensure economic opportunity, a vibrant quality of life, and a thriving future."

File Attachments for Item:

2. Minutes: City Council Meeting, August 25, 2022

Opening Ceremonies

Call to Order

Posting of the Colors and Pledge of Allegiance, American Legion Post 154

Invocation – Mac McLean, Code Enforcement

Consideration of Items for Consent Agenda

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Nancy DeVetter, Monty Parks, Brian West, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Michelle Owens, Assistant City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council.

Mayor Sessions listed the following items on the consent agenda:

- Minutes, City Council Meeting, August 11, 2022
- Agenda Request: Peace Officers Association of Georgia: 3-Day Special Event Private Property-Alcohol, Beer and Wine Held at The Grand View at Hotel Tybee, September 11, 12, and 13, 2022
- Contract with FCMC as a Hazard Mitigation Grant Program (HMGP) Manager - Community Development

Mayor Sessions called the regular meeting to order. All those present for the consent agenda were present.

Recognitions and Proclamations

Mayor Sessions asked Jay Burke and his family to come forward. She then read a **Proclamation** celebrating the life of former council member **Jimmy Burke**. Jay Burke thanked Mayor, Council, and Staff for the tribute to his father.

Citizens to be Heard: Please limit comments to 3 minutes. Maximum allowable times of 5 minutes.

- Debbie Kearney: Supports extending the Moratorium
- Dawn Shay: Supports extending the Moratorium
- Mindy Hartley: Does not support extending the Moratorium
- Alisa Salaki: Supports extending the Moratorium
- Colleen Bozard: Supports extending the Moratorium
- Jan Will: Supports extending the Moratorium
- Ruthie Wilson: Supports extending the Moratorium
- Roger Huff: Moratorium never justified
- Kathryn Williams: Supports extending the Moratorium
- Jeanne Hutton: Supports extending the Moratorium
- Ginny Willett: Equal Protection Process
- Cody Jones: Opposes extending the Moratorium
- Ken Williams: Supports extending the Moratorium
- Keith Gay: Council needs to look at the revenue stream from STR's
- Shirley Wright: Supports extending the Moratorium
- Alan Willett: Spoke to his STR and retirement
- Nicole Stroney: Spoke to her STR and retirement
- Anna Butler: Supports the extension of the Moratorium

Monty Parks made a motion to approve the consent agenda. **Brian West** seconded. Vote was unanimous to approve, 6-0.

Consideration of Ordinances, Resolutions

Resolution 2022-06, Extending Moratorium. Jay Burke recused. Mayor Sessions stated she does see both sides of the issue and Mayor and Council do hear what the citizens are saying. She then asked Michelle Owens to give a summary, timeline, of the past year regarding meetings that were held regarding STR's. Ms. Owens outlined the events that began in September 2021 to include Zoom meetings, workshops and a survey to the public. All this information is also available on the website. **Nancy DeVetter** made a motion to approve extending the Moratorium until October 31, 2022. **Monty Parks** seconded. **Discussion: Spec Hosti** stated he has been working with Councilman Parks to address everyone's concerns. He also stated he is not in favor of the Moratorium. Voting in favor were Monty Parks, Nancy DeVetter, and Barry Brown. Those voting against were Brian West and Spec Hosti. Motion to approve, 3-2. Jay Burke recused.

Monty Parks made a motion to adjourn to Executive Session to discuss personnel, real estate and litigation. **Brian West** seconded. Vote was unanimous to approve, 6-0.

Spec Hosti made a motion to return to regular session. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Barry Brown made a motion to adjourn. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Meeting adjourned at 9:30PM.

Janet R. LeViner, MMC
Clerk

File Attachments for Item:

3. Attachment to minutes

Shirley's testimony to City Council
August 25, 2022

Good evening, Mayor and Council members.
I'm Shirley Wright.

I live at 37 Pulaski where we have owned property since 1998 (22 years) -- and we have lived full-time since 2009 (13 years). My husband and I have one homestead and we are legal voters in Tybee's municipal elections.

I do not have a financial self-interest or a conflict of interest. We have never rented our home. We have no plans to sell our property or leave this island during our lifetimes.

I am President of Forever Tybee, the only nonprofit organization on Tybee that works for good transparent government and looks out for the best interests of all residents. Our 250+ members receive reports weekly about all City council meetings, all City committee meetings, and how your conversations and decisions impact our lives. We are often here before you --not just about what impacts our pocketbooks, but what is in the best interest of Tybee as a whole.

Mayor Sessions, and council members who are working hard, I have great admiration for your leadership and your courage in taking on this controversial but important issue of oversaturation, management of tourism growth, and protection of neighborhoods that past mayors, councils, and legal entities refused to face.

I want to apologize on behalf of our community for the vilification and nastiness -- the opposite of southern manners -- that you have had to face while attempting to listen to residents -- follow our laws -- and make the right decisions. You do not deserve the lack of respect you have received.

While I have not always agreed with your process, your timeframe, or your decisions, I applaud you for your willingness to **extend the moratorium** tonight -- and I support you in that vote in **order to get it right**.

I urge you to take these two months to resist making changes in little drabs and dribbles -- whatever you decide is going to be unpopular. We are divided beyond anything I have ever seen on this issue. Please pull the band-aid off this wound -- and do not drag it out past October 13.

Caution may have its time. But this is not that time.

Please do what you are going to do to protect our island quickly and boldly -- and respect the people who have planted their lives here - including the 99 STVR owners who have a Tybee mailing list -- and who want to get on to addressing other needs that Tybee has.

Thank you.

To: Planning Commission & City Council

My husband and I, both residents of Tybee Island since 2018, wish to comment on the STVR moratorium and ordinance currently being discussed. I was born and raised in Savannah, Georgia spending a lot of time at Tybee Island. My parents owned property on Tybee in the 1970s long before it was popular to do so. My parents tried hard to make a successful business, but unfortunately, they had to sell the hotel, store, and rentals they owned due to lack of foot traffic and vacationers back in the 1970s and 1980s.

Today, the island has transformed itself into a nice place to live and a vacation destination where families seek to enjoy themselves. It is a place where businesses can prosper. There are many reasons for this but, the increase of short-term vacation rentals has been one of the reasons for the success. These rentals have brought in more people which are helping to support Tybee Island's economy. This includes a strong governmental infrastructure that assists in governing the town.

In essence we feel this moratorium has taken away our rights as homeowners to do with our property what we desire in terms of STVR. We also feel this is the case should there be an ordinance that does not allow us to rent our property as we desire. We understand that such rights include responsibilities and if our property is being used in an illegal or unlawful manner, we know there are consequences that will/should occur.

Losing our rights to rent our property as a STVR or selling it to someone that wants a STVR impacts the value of our home. We have a personal experience to share with you that this has already impacted us. We own 11 Village Place which is a lot on Tybee Island. Two years ago this lot was up for sale. We had a buyer ready to close in August 2021. Once the moratorium was put in place the buyer backed out of the deal. Later we learned this lot is classified as C-2, we now have a new buyer willing to purchase this property.

We feel it unfair if those with STVR licenses are allowed to continue to rent out their properties while we are denied this right. In this case the city is denying us the opportunity which our neighbors have the right to enjoy. They are also increasing the value of those holding a STVR license as compared to those who do not hold one. *I understand there are homeowners that hold the license but are not using it, in essence to ensure the value of their home increases.* We would hope that the final decision allows freedom of property use with the responsibility that goes with ownership. There are issues with homeowners living here, people staying in hotels, as well as day time visitors. We vote for a governing decision that addresses the behavior of all citizens breaking the law versus a decision that takes away property rights of homeowners like us.

Don and Melinda Hartley
204 Miller Ave., Tybee Island
August 25, 2022

Other points:

It is our understanding that those in the know of the moratorium being applied for took steps to apply for a license and received a license to have a STVR, yet many of them are not using it.

Finally, we question an ordinance, regulation or rule that allows those holding a STVR license to transfer their STVR license to new property owners when they sell their homes when other homeowners in the same designated zoning category are denied a STVR license.

Good Evening. Thank you Mayor and Council. I am here tonight to speak in favor of extending the STVR moratorium in the R1, R2 and R1B zones. I emailed you earlier in the week but wanted to come in person so that you can see that there are Tybee citizens that support you and want you to have the time needed to complete the process on the current proposed STVR ordinances. I have no idea what will be the final outcome of that process but definitely want you to have the time to get your work done and to that end — we need the moratorium extended.

I live in a residential area and want to stop the unchecked increase of Short Term Vacation Rentals which are really hotels disguised as residences in our R1, R2 and R1B zones. I am just one voice of many that wants to enjoy the peace and quiet of my home without bachelor parties, wedding parties, etc., right next door.

Please don't open the door to new STVR certificates until you complete this important work. The last thing we need is chaos. I understand the pressure from investors and folks in the rental business and appreciate you standing strong in the face of that.

Please do not get swayed by the arguments from those whose only interest in Tybee is their investment in STVRs. Tybee is not going to be empty, bankrupt, etc., by disallowing unchecked growth of vacation rentals in our residential neighborhoods.

I know there are many others that stand with me. I also know that I look forward to a time when I can get on NextDoor and ooh and aah over turtle and rainbow pictures rather than seeing the unhinged rants of those wanting to empty our neighborhoods of residents.

Thank you for your time.

Dawn Shay
4 Billfish Lane, Tybee Island

Jan LeViner

From: Jenny Rutherford <jenny@jennyrutherford.com>
Sent: Monday, July 18, 2022 6:08 PM
To: Shirley Sessions; Jan LeViner; Monty Parks; Barry Brown; Spec Hosti; Nancy DeVetter; Jay Burke; Brian West; Shawn Gillen; David McNaughton; marie.rodriquez@cityoftybee.org; Marie Gooding; Martha Williams; Whitley Reynolds; Elaine McGruder; Susan Hill
Subject: STVR Moratorium Ordinance - Response Requested

Dear Shirley, Barry, Monty, Nancy, Brian, Spec, Jay, Jan & Shawn and all members of Planning Commission

Here are my thoughts about the STVR Ordinance, as it is not only unfair - it is illegal. State law already prohibits you from requiring registration of residential rental property and this has been brought to all of your attention already. **See code at the bottom of this email.**

I request this email be included in the upcoming city council meeting agenda packet. (Please confirm receipt that it will be included). Jan please confirm receipt.

I request a response from all city council members as to WHO are responsible for the proposed Ordinance. Hiding behind "George" as the person to submit this to the Planning Commission to review is cowardly. It seems to be an Ethics violation to write an ordinance, waste tax payers time, dollars & energy on meeting with attorneys over these ridiculous proposals and then to hide who has authored the document! The public needs to know who is pushing this and who is taking credit for writing this.

I'd like a response to this email to what your feelings are in regarding STVR ordinances and where you'd like it to go; and to disclose your campaign contributions/conflict of interest. You've each heard from hours of testimony at the council meetings begging you NOT to do this... so where is the proof that *residents* want this? There is a petition that is circulating around

I've emailed a number of times and when literally no one responds, not only do I and others not feel heard - it just seems like you're choosing who you want to hear from and not. You've been elected to represent ALL voters, not just a few.

I oppose any further regulation on STVRs for the following reasons- as all properties should be treated equally for enforcement. Of the LISTED active properties as of today's date, 32% of homes have had to REDUCE their price due to lack of buyers without the certificate & directly due to the moratorium. These homes would have sold by now had they had the certificate- will they sell? Yes, but at a reduced priced compared to other homes that have a certificate. You are HURTING our property owners dragging this out:

- All properties in the residential zones should have to adhere to the same set of rules and ordinances. We cannot pick winners and losers choosing who gets rights and who has rules. Read: The 14th Amendment and research Equal Protection... because you will be violating it if this is passed.

- How is a vacation rental or a short term rental ANY different from one where a family rotates weeks? Or an owner only comes in for a few days or weeks at a time?

-The fact that allowing some to have a short term rental and others to not is the act of taking away value from homeowners. If the City took part of the land to build a street, they would have to compensate you! If they take

away the right to rent short term, that takes away the value of the property and they need to compensate people for that. How do you plan to compensate the owners after you take away their property value and rights?

- Real property owners - YOUR NEIGHBORS- are losing out on \$100ks+ of value when selling right now without certificates, as this 90 day Moratorium was supposed to only be 90 days and it has dragged out to a year... during one of the hottest markets in history. They have either been forced to sell as they've inherited a home, or finished construction on a home - or had a change in life circumstances where they can no longer afford the property and would have to rent to offset that cost OR sell and get out..

- Tybee has ALWAYS been a vacation destination. We are not a gated neighborhood. All are welcome here.

-NOW interest rates are up ranging from 6 to 8% and sellers are livid that they've been waiting for you to make a determination of what you're going to do with the ordinance. Just over the last year we have seen rates go from in the high 2% up to 8% - while the City Council has sat on their hands over making a decision. You've had more than enough time to make a determination - and understand the consequences of what will happen if you do a ban or even limit some of the property owners rights.

Thank you!
Jenny Rutherford

**2010 Georgia Code
TITLE 36 - LOCAL GOVERNMENT
PROVISIONS - PROVISIONS APPLICABLE TO
COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 74 - LOCAL GOVERNMENT CODE
ENFORCEMENT BOARDS ACT
ARTICLE 2 - ENFORCEMENT BOARDS
CREATED ON OR AFTER JANUARY 1, 2003
§ 36-74-30 - Other enforcement methods;
probable cause for investigation required**

O.C.G.A. 36-74-30 (2010)

36-74-30. Other enforcement methods; probable cause for investigation required

(a) It is the intent of this article to provide an additional or supplemental means of obtaining compliance with local codes. Nothing contained in this article shall prohibit a local governing body through its code inspector from enforcing its codes by any other lawful means including criminal and civil proceedings; provided, however, that a local governing body shall not pursue a specific instance

of an alleged violation of an ordinance against one violator before both a code enforcement board and a magistrate, municipal, or other court authorized to hear ordinance violations.

(b) No local government is authorized to perform investigations or inspections of residential rental property unless there is probable cause to believe there is or has been a violation or violations of applicable codes, and in no event may a local government require the registration of residential rental property. Conditions which appear to be code violations which are in plain view may form the basis for probable cause.

File Attachments for Item:

4. Site Plan: 601 US Hwy 80 – Cameron Weeks



STAFF REPORT

PLANNING COMMISSION MEETING: August 15, 2022

CITY COUNCIL MEETING: September 8, 2022

LOCATION: 601 Hwy. 80

PARCEL: 40003 08001

APPLICANT: Cameron Weeks

OWNER: 601 Hwy. 80, LLC

EXISTING USE: Former auto repair shop

PROPOSED USE: Golf cart rental

ZONING: C-2

PROPOSED ZONING: C-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Commercial Gateway

APPLICATION: Site plan review.

PROPOSAL: The applicant requests site plan approval for a golf cart rental business. This parcel was formerly Freddie's Garage.

ANALYSIS: The plan calls for no additional impervious space so no drainage plan is required. There is ample room for the seven required parking spaces. Renters will be able to exist the property on 5th Ave. to safely avoid Hwy. 80

The Comprehensive Plan describes the Commercial Gateway in which it lies as follows:

This area functions as an activity center and serves as the commercial gateway for the City. Zoning classifications are C-1, C-2, R-1, R-1B, R-T, and R-2. The mix of neighborhood commercial uses include shopping, crafts, restaurants, and eco-tourism

<i>Comprehensive Plan – Community Character Area Commercial Gateway</i>		
<i>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</i>
1.	Encourage commercial and mixed use development and redevelopment along the US 80 commercial corridor	Y
2.	Discourage down-zoning within the US 80 commercial corridor	N/A
3.	Establish standards for a maximum percentage of residential use on a per parcel basis to encourage mixed use	N/A
4.	Enhance pedestrian movements with streetscape improvements	N/A
5.	Allow for the appropriate mix of retail, residential, and tourism related uses consistent with the Plan vision	Y
6.	Implement traffic calming measures and parking improvements	N/A
7.	Establish noise and sight buffers between commercial uses and adjacent residential area	N/A
8.	Review parking requirements to ensure they are not prohibitive to future commercial development	N/A

STAFF FINDING

This application is just a change of use auto repair to retail. No exterior changes will be made to the site. Staff recommends approval

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Site plan review application
- B. Site plans
- C. Property card
- D. SAGIS map



CITY OF TYBEE ISLAND
SITE PLAN APPROVAL APPLICATION

Fee
Commercial \$500
Residential \$250

Applicant's Name Cameron Weeks

Address and location of subject property 601 US HIGHWAY 80

PIN _____ Applicant's Telephone Number 845 505 4344

Applicant's Mailing Address 605 A ~~6th~~ MILLER AVE TYBEE ISLAND GA 31327

Brief description of the land development activity and use of the land thereafter to take place on the property:

FREDDIES GARAGE. NOTHING WILL BE CHANGED ON PROPERTY. GOLF CART RENT

Property Owner's Name 601 US. HIGHWAY 80 LLC Telephone Number 1-912-313-9940

Property Owner's Address 605 A 6th Street TYBEE ISLAND GA 31328

Is Applicant the Property Owner? Yes No

If Applicant is the Property Owner, Proof of Ownership is attached: Yes

If Applicant is other than the Property Owner, a signed affidavit from the Property Owner granting the Applicant permission to conduct such land development is attached hereto. Yes

Current Zoning of Property C2 Current Use VACANT

Names and addresses of all adjacent property owners are attached: Yes

If within two (2) years immediately preceding the filing of the Applicant's application for a zoning action, the Applicant has made campaign contributions aggregating to more than \$250 to the Mayor and any member of Council or any member of the Planning Commission, the Applicant and the Attorney representing the Applicant must disclose the following:

- a. The name of the local government official to whom the campaign contribution or gift was made;
- b. The dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action, and the date of each contribution;
- c. An enumeration and description of each gift having a value of \$250 or more made by the Applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action.

[Signature] _____ Date 7/25/22

NOTE: Other specific data is required for each type of Site Plan Approval.

Fee Amount \$ 500.00 Check Number Cash Date 7/25

City Official [Signature]

Item #4.

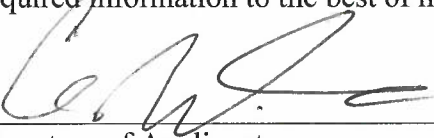
NOTE: This application must be accompanied by following information:

- NA 1 copy, no smaller than 11 x 17, of the proposed site plan and architectural renderings.
- NA 1 copy, no smaller than 24 x 36, of the engineered drainage and infrastructure plan.
- ✓ 1 copy, no smaller than 11 x 17, of the existing tree survey and the tree removal and landscaping plan.
- ✓ Disclosure of Campaign Contributions

The Planning Commission may require elevations or other engineering or architectural drawings covering the proposed development.

The Mayor and Council will not act upon a zoning decision that requires a site plan until the site plan has met the approval of the City's engineering consultant. (Note: Section 5-080 (A) requires, "Once the engineer has submitted comments to the zoning administrator, a public hearing shall be scheduled.")

The Applicant certifies that he/she has read the requirements for Site Plan Approval and has provided the required information to the best of his/her ability in a truthful and honest manner.



Signature of Applicant

7/25/22

Date



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you within the past two (2) years made campaign contributions or gave gifts having an aggregate value of \$250.00 or more to a member of the City of Tybee Island Planning Commission, or Mayor and Council or any local government official who will be considering the rezoning application?

YES _____

NO /

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS OF \$250.00 OR MORE	GIFTS OF \$250.00 OR MORE	DATE OF CONTRIBUTION

IF YOU WISH TO SPEAK CONCERNING THE ATTACHED REZONING APPLICATION, THIS FORM MUST BE FILED WITH THE ZONING ADMINISTRATOR FIVE (5) DAYS PRIOR TO PLANNING COMMISSION MEETING IF CAMPAIGN CONTRIBUTIONS OR GIFTS IN EXCESS OF \$250.00 HAVE BEEN MADE TO ANY MEMBER OF THE PLANNING COMMISSION OR MAYOR AND COUNCIL.

Signature C.W.

Printed Name CAMERON WEEKS

Date 7/25/22

PARID: 40003 08001

ANDERSON FREDERICK JOHN SR

601 US HIGHWAY 80

Tax Commissioner Summary

Status ACTIVE
 Alternate ID
 Bill #
 Tax District/Description 040-TYBEE
 Legal Description N PT LOT 213 S PT LOT 214 WD 1 TYBEE ISL
 Appeal Status

Parcel Status

Parcel Status	Deferral Exist	Years Support	Total Millage Rate
Active	No		33.6050

Parcel Information

Property Class C3 - Commercial Lots
 Mortgage Company
 Exemptions

Most Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
601 HWY 80 LLC			P.O. BOX 2497 TYBEE ISLAND GA 31328

Digest Owner (January 1)

Owner	Co-Owner	Care Of	Mailing Address
ANDERSON FREDERICK JOHN SR			PO BOX 936 TYBEE ISLAND GA 31328-0936

Tax (Penalties and Interest Included through Current Date)

Year	Cycle	Billed	Paid	Due
2022	1	3,439.33	0.00	3,439.33
2021	1	3,797.37	-3,797.37	0.00
2020	1	3,821.64	-3,821.64	0.00
2019	1	3,821.65	-3,821.65	0.00
2018	1	3,807.91	-3,807.91	0.00
2017	1	3,567.17	-3,567.17	0.00
2016	1	3,564.60	-3,564.60	0.00
2015	1	3,566.26	-3,566.26	0.00
Total:		29,385.93	-25,946.60	3,439.33

Payment Information


Payment Sequence	User ID Location	Effective Date Source	Business Date Pymt Type	Payment Applied	Tolerance/ Overpayment	Payment Methods	Total Payment
4163518212	LOCKBX UPD-99999 REMPROC	05/11/2021 LOCKBX	05/11/2021 Z21	\$1,910.88	\$0.00 \$0.00		\$1,910.88
4163623067	LOCKBX UPD-99999 REMPROC	10/25/2021 LOCKBX	10/25/2021 Z21	\$1,886.49	\$0.00 \$0.00		\$1,886.49

Item #4.



Property Owner Authorization

I, We, 601 Hwy 80 LLC hereby authorize Cameron Weeks, Representative for Golf Cart Pros LLC, to use the land and structure at 601 US Highway 80 Tybee Island, GA 31328 for operation of a Golf Cart leasing company.



Property Owner Signature

7/20/2022

Date

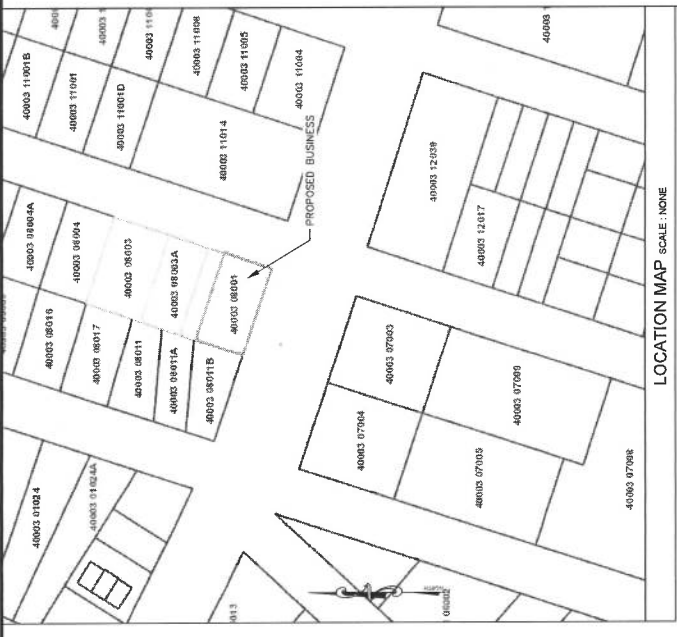


Lessee Signature

07/20/2022

Date

NO.	DATE	REVISIONS



TYBEE ISLAND, GA ZONING INFORMATION

DISTRICT: C-2
NOT APPLICABLE
MINIMUM LOT SIZE: 150 FEET
MINIMUM LOT WIDTH: 10 FEET
MINIMUM SETBACKS: FRONT: 10 FEET, SIDE: 10 FEET, REAR: 6 FEET
MAXIMUM BUILDING HEIGHT: 35 FEET

LOT NO. 1:
PARCEL NUMBER: 40003 08001
LOCATION ADDRESS: 601 US HIGHWAY 80
TYBEE ISLAND GA 31328
LEGAL DESCRIPTION: N PT LOT 213 S FT LOT 214 WD 1 TYBEE ISL
PROPERTY CLASS: C3 - COMMERCIAL LOTS
NEIGHBORHOOD: 20500.00 - 1500 TYBEE TO BULL R
TAX DISTRICT: (040) TYBEE
ZONING: C-2, HIGHWAY BUSINESS
ACRES: 1.1515
HOMESTEAD: N

BUILDING NO. 1: SERVICE REPAIR
TOTAL SQ FOOTAGE 1248

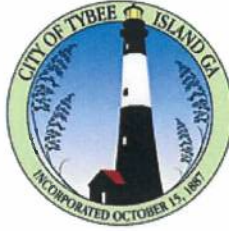
BUILDING NO. 2: SERVICE REPAIR
TOTAL SQ FOOTAGE 845

LOT NO. 2:
PARCEL NUMBER: 40003 08002
LOCATION ADDRESS: 5TH AVE
TYBEE ISLAND GA 31329
LEGAL DESCRIPTION: PT 2 OF PARCEL 1 TYBEE ISLAND S/W ANNAH BEACH
PROPERTY CLASS: C3 - COMMERCIAL LOTS
NEIGHBORHOOD: 20500.00 - 1500 TYBEE TO BULL R
TAX DISTRICT: (040) TYBEE
ZONING: C-2, HIGHWAY BUSINESS
ACRES: 0.0905
HOMESTEAD: N



Item #4.

SITE PLAN
SCALE: 1"=10'



**PLANNING COMMISSION
NOTICE OF DETERMINATION**

Meeting date: August 15, 2022

Project Name/Description: 601 US Hwy 80 – Cameron Weeks

Action Requested: Site Plan

Special Review	Subdivision: Sketch Plan Approval ___ Conceptual ___ Preliminary Plan Approval ___ Final Plat Approval ___ Minor Subdivision ___ Major Subdivision ___
Site Plan Approval X	
Variance	
Map Amendment	
Text Amendment	

Petitioner has met all documentation requirements, all external approval requirements, and all code requirements, except for the following:

The Planning Commission Motion on Petition: Approval Denial Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
McNaughton			CHAIR
McGruder		X	VICE CHAIR
Gooding	X		SECOND
Hill	X		
Reynolds	X		MOTION
Rodriguez	X		
Williams		X	

Planning Commission Chair: _____

Date: 8/17/2022

Planning & Zoning Manager: _____

Date: 8-17-2022

File Attachments for Item:

5. Special Review: 3 Ocean View Court – Daniel & Ann Iyer



STAFF REPORT

PLANNING COMMISSION MEETING: August 15, 2022

CITY COUNCIL MEETING: September 8, 2022

LOCATION: 3 Oceanview Ct.

APPLICANT: Daniel and Cheri Iyer

OWNER: Daniel and Cheri Iyer

EXISTING USE: Residence

PROPOSED USE: Same

ZONING: R-1

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

APPLICATION: Special review for construction of a retaining wall in the dune setback.

PROPOSAL: The applicant is requesting to build a retaining wall to stop dune encroachment.

ANALYSIS: The dunes on the Iyer property continue to move landward due to rain and wind. The landward toe of the dune is now partly below the Iyer home. The construction of the retaining wall would create a barrier to prevent the dune encroachment and allow the homeowners to have certainty regarding usable area.

The Fort Screven Historic District includes Officers Row and all of Ft. Screven, which represents significant historic, cultural and natural resources. Varied uses include new, larger scale development, traditional cottages, townhomes/condominiums, public uses/parks, historic sites, narrow streets, street trees, public parking. Zoning includes R-1, R-2, R-T, R-1/NEC, P-C, and PUD.

<i>Comprehensive Plan – Community Character Area The Ft. Screven Historic District</i>		
<i>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</i>
1.	Establish standards and guidelines for signage	N/A
2.	Provide signage for landmarks and historic businesses	N/A
3.	Preserve and restore historic structures whenever possible	N/A
4.	Provide appropriate incentives for historic restoration projects	N/A
5.	Ensure continued preservation of old growth trees, parks, and greenspace	N/A
6.	Support an improved bicycle and pedestrian environment with connected facilities	N/A
7.	Consider adoption of architectural standards for historic structures	N/A

STAFF FINDING

Staff recommends approval.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Special review application
- B. Survey
- C. Wall design



**CITY OF TYBEE ISLAND
SPECIAL REVIEW APPLICATION**

Fee \$500

Applicant's Name Daniel H. Iyer and Ann C. Iyer (912) 247-7897
Address and location of subject property 3 Oceanview Court Tybee Island GA.
PIN 400031000 8 Applicant's Telephone Number (706) 614-4898 31328.
Applicant's Mailing Address 3 Oceanview Ct. Tybee Island, GA 31328

Brief description of the land development activity and use of the land thereafter to take place on the property:

Adding a retaining to protect property

Property Owner's Name Daniel Iyer and Ann Iyer Telephone Number (706) 614-4898

Property Owner's Address 3 Oceanview Ct. Tybee Island, GA 31328

Is Applicant the Property Owner? Yes No

If Applicant is the Property Owner, Proof of Ownership is attached: Yes

If Applicant is other than the Property Owner, a signed affidavit from the Property Owner granting the Applicant permission to conduct such land development is attached hereto. Yes

Current Zoning of Property R1 Current Use Residential

Names and addresses of all adjacent property owners are attached: Yes

If within two (2) years immediately preceding the filing of the Applicant's application for a zoning action, the Applicant has made campaign contributions aggregating to more than \$250 to the Mayor and any member of Council or any member of the Planning Commission, the Applicant and the Attorney representing the Applicant must disclose the following:

- a. The name of the local government official to whom the campaign contribution or gift was made;
- b. The dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action, and the date of each contribution;
- c. An enumeration and description of each gift having a value of \$250 or more made by the Applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action.

[Signature]
Signature of Applicant

6/16/2022
Date

NOTE: Other specific data is required for each type of Special Review.

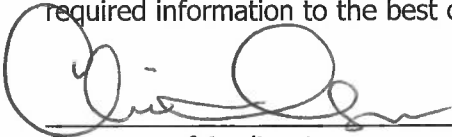
Fee Amount \$ 500.00 Check Number 910 Date 6/16/22

City Official [Signature]

NOTE: This application must be accompanied by following information:

- N/A A detailed description of the proposed activities, hours of operation, or number of units.
- ✓ 8 copies, no smaller than 11 x 17, of the proposed site plan and architectural renderings.
- ✓ Disclosure of Campaign Contributions form

The Applicant certifies that he/she has read the requirements for Site Plan Approval and has provided the required information to the best of his/her ability in a truthful and honest manner.



Signature of Applicant

6/16/2022

Date



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you within the past two (2) years made campaign contributions or gave gifts having an aggregate value of \$250.00 or more to a member of the City of Tybee Island Planning Commission, or Mayor and Council or any local government official who will be considering the rezoning application?

YES _____ NO ✓

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS OF \$250.00 OR MORE	GIFTS OF \$250.00 OR MORE	DATE OF CONTRIBUTION

IF YOU WISH TO SPEAK CONCERNING THE ATTACHED REZONING APPLICATION, THIS FORM MUST BE FILED WITH THE ZONING ADMINISTRATOR FIVE (5) DAYS PRIOR TO PLANNING COMMISSION MEETING IF CAMPAIGN CONTRIBUTIONS OR GIFTS IN EXCESS OF \$250.00 HAVE BEEN MADE TO ANY MEMBER OF THE PLANNING COMMISSION OR MAYOR AND COUNCIL.

Signature 

Printed Name Ann Chen Iyer

Date 6/16/2022

Tax Commissioner Summary

Status ACTIVE
 Alternate ID 2926761
 Bill # 2926761
 Tax District/Description 040-TYBEE
 Legal Description LT 7 OCEAN VIEW SUB
 Appeal Status

Parcel Status

Parcel Status	Deferral Exist	Years Support	Total Millage Rate
Active	No		16.8038

Parcel Information

Property Class R3 - Residential Lots
 Mortgage Company
 Exemptions

Most Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
IYER DANIEL	IYER ANN CHERI*		3 OCEAN VIEW COURT TYBEE ISLAND GA 31328

Digest Owner (January 1)

Owner	Co-Owner	Care Of	Mailing Address
IYER DANIEL	IYER ANN CHERI*		3 OCEAN VIEW COURT TYBEE ISLAND GA 31328

Tax (Penalties and Interest Included through Current Date)

Year	Cycle	Billed	Paid	Due
2022	1	11,094.51	-11,094.51	0.00
2021	1	22,187.36	-22,187.36	0.00
2020	1	25,764.28	-25,764.28	0.00
2019	1	24,768.59	-24,768.59	0.00
2018	1	22,121.87	-22,121.87	0.00
2017	1	19,100.12	-19,100.12	0.00
2016	1	19,100.11	-19,100.11	0.00
2015	1	19,129.75	-19,129.75	0.00
Total:		163,266.59	-163,266.59	0.00

Payment Information

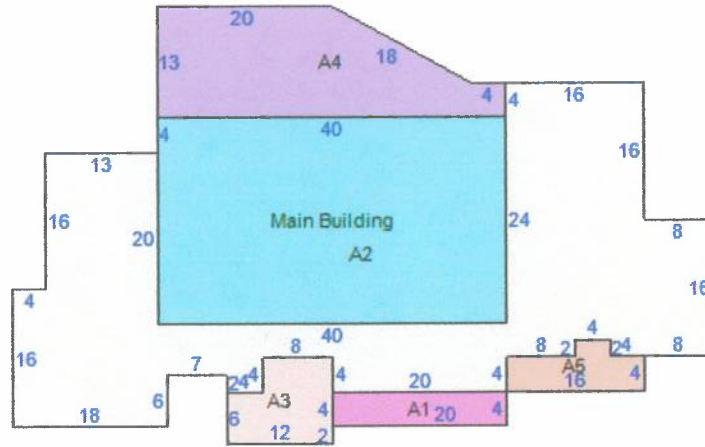
Payment Sequence	User ID Location	Effective Date Source	Business Date Pymt Type	Payment Applied	Tolerance/ Overpayment	Payment Methods	Total Payment
4163750297	MORTCO UPD-999555 MCPAY	05/10/2022 5000	05/10/2022 Z22	\$11,094.51	\$0.00 \$0.00		\$11,094.51

Payer Details

Payment Sequence	User ID Location	Effective Date Source	Total Payment	Payer Information
4163750297	MORTCO UPD-999555 MCPAY	05/10/2022 5000	\$11,094.51	LERETA, LLC 901 CORPORATE CENTER DR POMONA CA 91768

Billings Detail

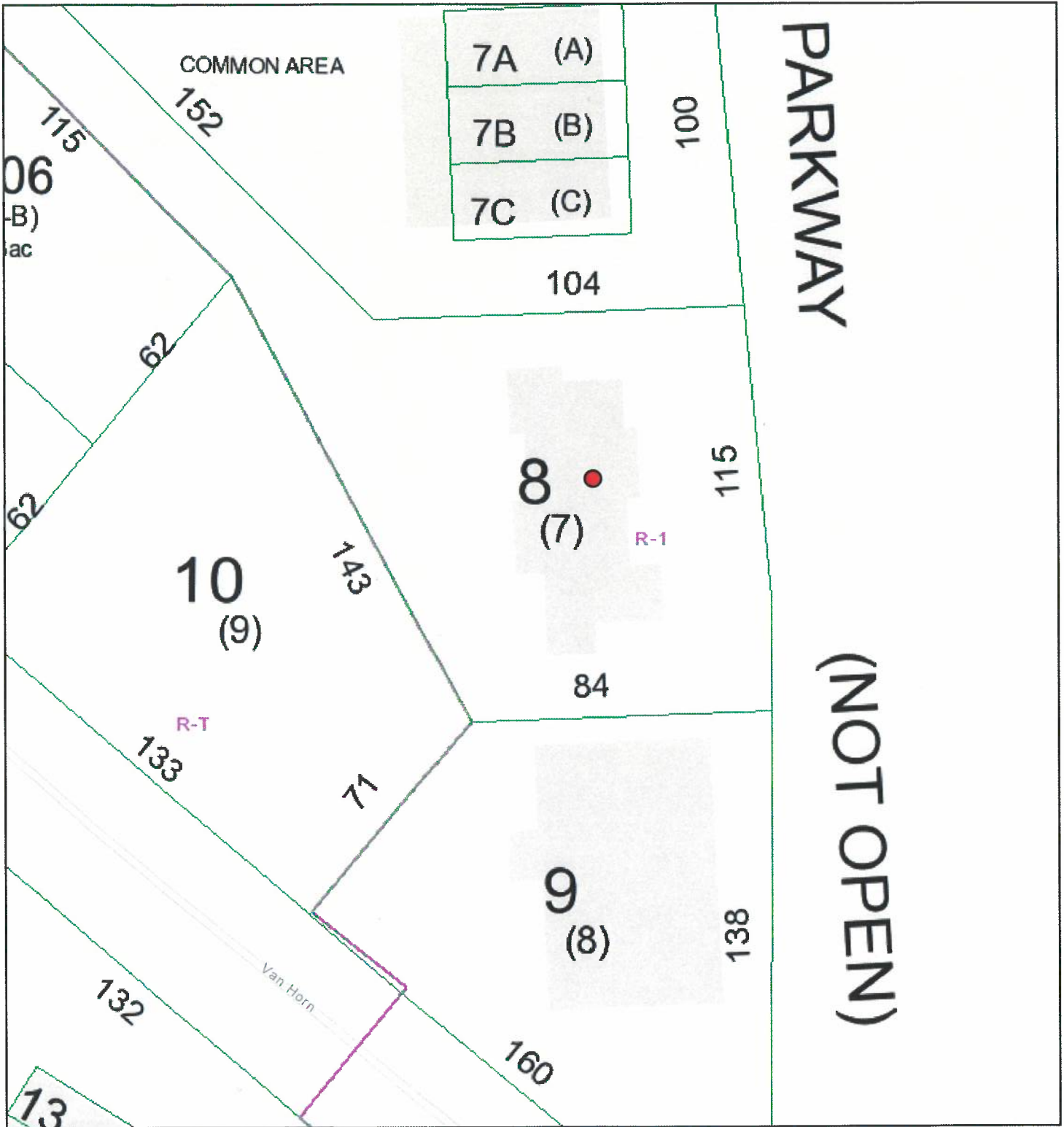
Authority Code	Code	Authority Name	Millage	Billed	Paid	Due
COUNTY - OPER	TAX	COUNTY M&O	5.7720	\$3,810.87	-\$3,810.87	\$0.00
SCHOOL - OPER	TAX	COUNTY SCHOOL M&O	9.0660	\$5,985.74	-\$5,985.74	\$0.00
TYBEE - CITY	TAX	TYBEE ISLAND	1.9658	\$1,297.90	-\$1,297.90	\$0.00
Total:			16.8038	\$11,094.51	-\$11,094.51	\$0.00



Item	Area
Main Building	960
- 901:OPEN SLAB PORCH	256
A1 - 100:100- LIVING SPACE	80
A2 - 100:100- LIVING SPACE	1390
A3 - 903:903-Wood Deck (SF)	104
A4 - 903:903-Wood Deck (SF)	412
A5 - 903:903-Wood Deck (SF)	72

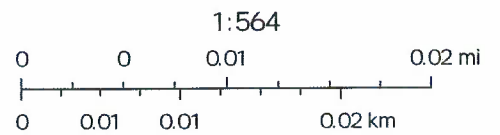


SAGIS Map Viewer



7/19/2022, 11:06:42 AM

- Zoning
- Property Boundaries (Parcels)



Esri Community Maps Contributors, Savannah Area GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, SAGIS

Item #5.

- Page 34 -

**SURVEY OF LOT #7 OF THE OCEANVIEW SUBDIVISION
LOCATED IN THE FORT SCREVEN SUBDIVISION
TYBEE ISLAND, CHATHAM COUNTY, GEORGIA
AREA = 0.359 ACRES**

LINE	BEARING	HORIZ DIST
L1	S44°43'48"W	20.21'
L2	N0°56'12"W	27.24'
L3	S2°32'16"W	6.64'
L4	S2°32'16"W	13.64'
L5	S4°59'19"E	22.10'
L6	S23°43'19"W	23.57'
L7	S15°51'59"E	12.53'
L8	S85°12'01"E	8.75'
L9	S15°51'04"E	18.97'
L10	S52°10'44"E	17.15'
L11	S31°37'27"E	6.99'



1. THE FIELD DATA WAS COLLECTED USING A TORCON-ES TOTAL STATION DATA COLLECTOR AND A CARLSON BR300-GPS.
2. THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD HAZARD AREA AS INDICATED BY THE FIRM, OFFICIAL FLOOD HAZARD MAPS.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ALL ANGLES, BEARINGS, MEASUREMENTS OF COURSES, DISTANCES AND MONUMENTS LOCATIONS ARE AS SHOWN, HAVE BEEN PROVEN BY A LAND SURVEY AND IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW 1978.
5. THIS SURVEY COMPLETES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A. 15-6-67) IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS THE REQUIREMENTS OF THE LAW PREVAIL.
6. WILLIAM MARK GLISSON, THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN, THE CERTIFICATION, AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

SURVEYOR CERTIFICATION

THIS PLAT IS A RETAINMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL, OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY OR ANY USE OF PURPOSE OF THE LAND, FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR THAT THIS PLAT COMPLETES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYING IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

WILLIAM MARK GLISSON RLS #3316 DATE 11/12/2022



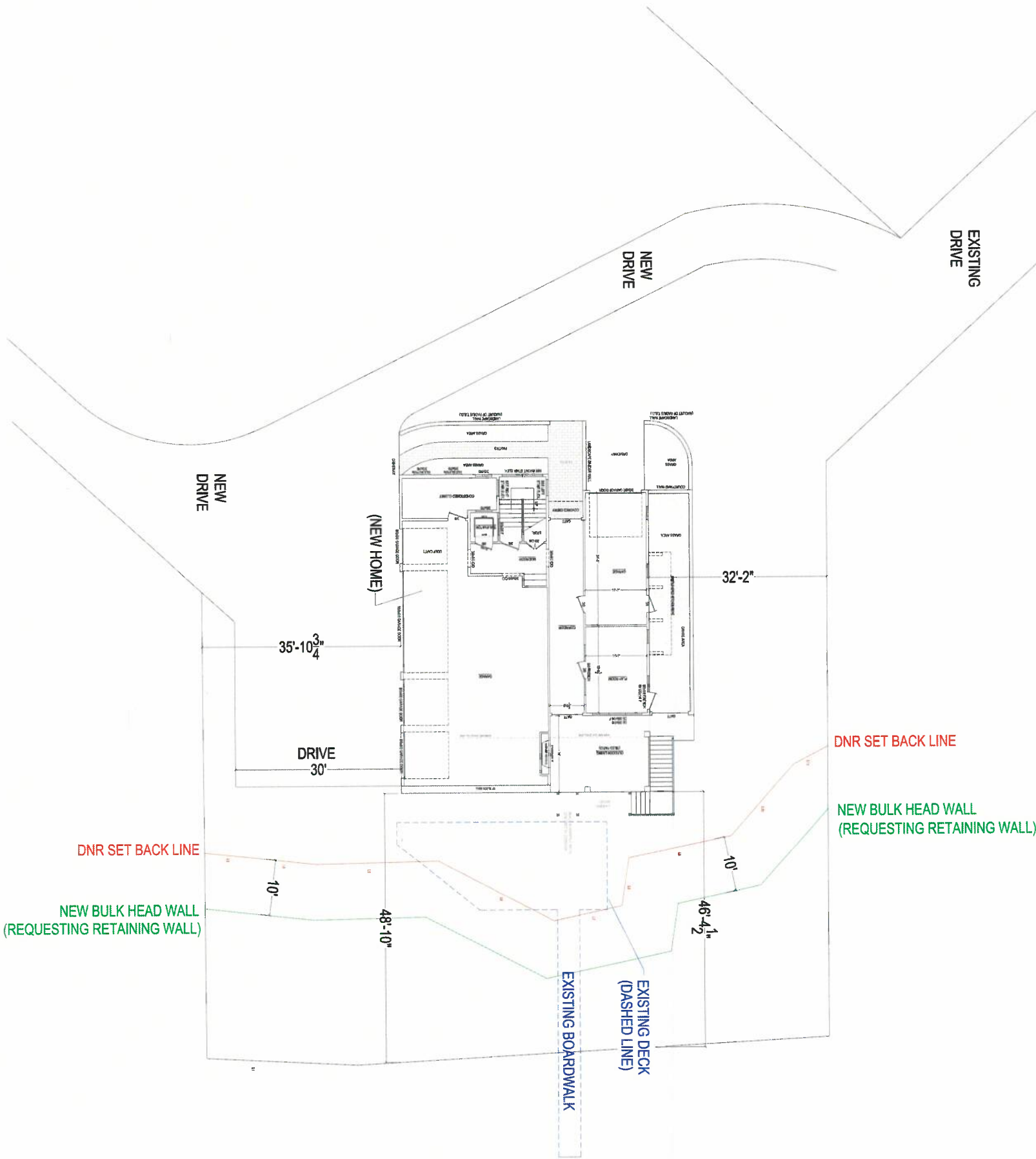
PREPARED BY:
GLISSON LAND SURVEYING
WILLIAM MARK GLISSON - REGISTERED LAND SURVEYOR
GEORGIA PLS # 3316 - SOUTH CAROLINA PLS # 31964
377 TUCKER ROAD, CLAXTON, GEORGIA 30417
RINCON: (912) 826 - 5283 CLAXTON: (912) 282 - 7052
WMGLISSON@BELL SOUTH.NET

REFERENCES:
1. DB 1310 PG 366
2. SMB Q PG 51

SURVEY FOR:
DANIEL & CHERI LYER

COUNTY: CHATHAM STATE: GEORGIA
WARD: FORT SCREVEN SUBD. VIEW: OCEAN

DATE: 01/10/2022 SCALE: 1" = 40'
FILE NUMBER: 22107
TOTAL AREA = 0.359 ac. LOT: 7
FIELD SURVEY DATE: 01/08/2022



Item #5.

SCALE: 1" = 10'-0"

A111

DRAWN BY:
 KEITH LARSON
 712 ROBBIENELLE DRIVE
 HAHIRA, GEORGIA 31632
 229-563-6589

DRAWING DATE: 6-26-2022

RESIDENCE
 DANIEL AND CHERI IYER

DRAWING:
 SITE PLAN

REVISION LOG	
DATE	DESCRIPTION

LDG
 Larson Design Group

REVISION LOG	
DATE	DESCRIPTION

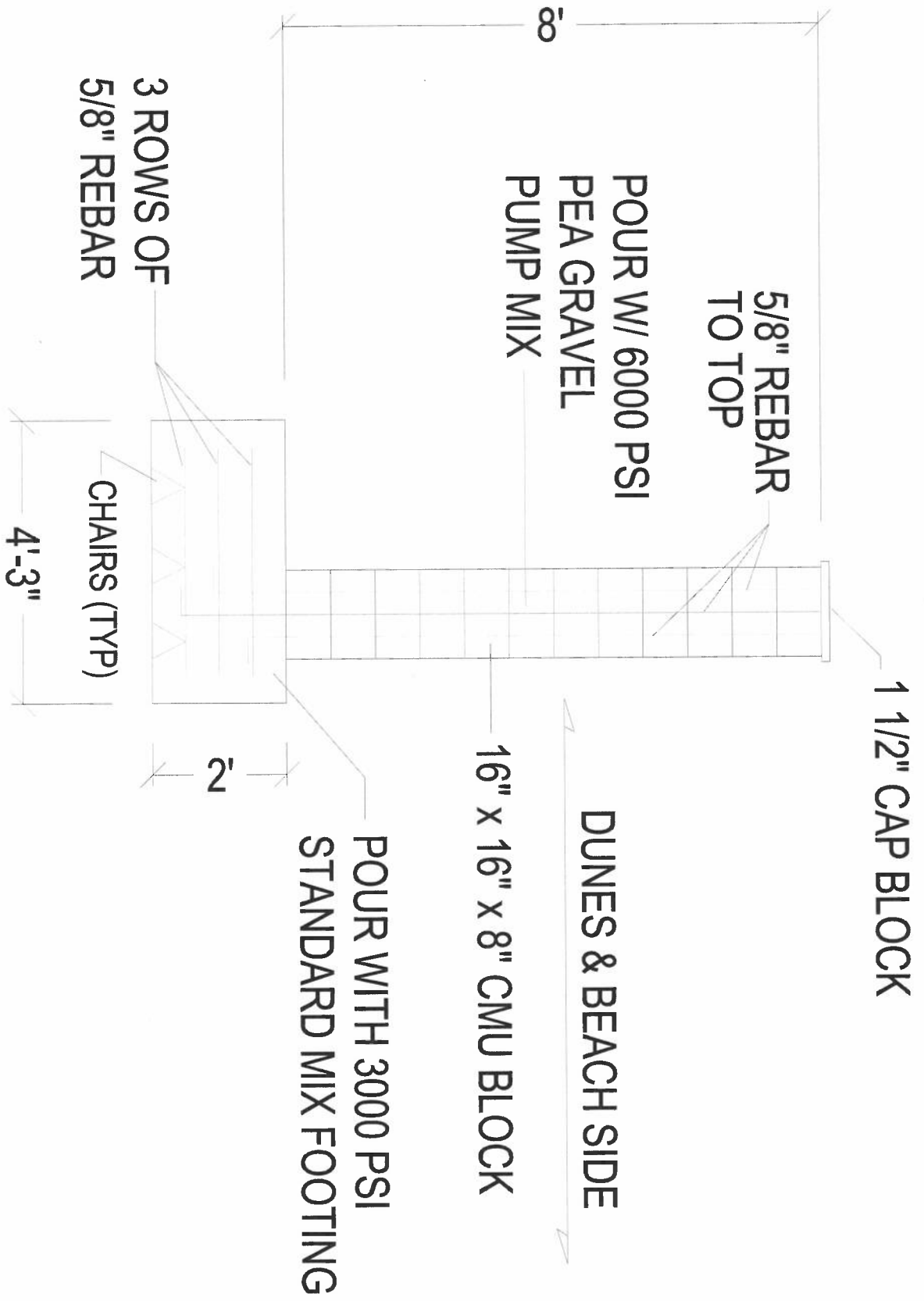
RESIDENCE: DANIEL AND CHERI IYER

DRAWING: BULKHEAD WALL CROSS SECTION

DRAWN BY:
KEITH LARSON
712 ROBBIENELLE DRIVE
HAHIRA, GEORGIA 31632
229-563-6589

DRAWING DATE: 6-26-2022

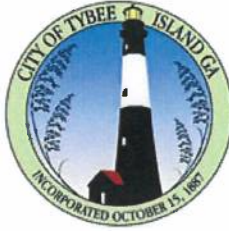
A112



BULKHEAD WALL CROSS SECTION

SCALE: 1" = 1'-0"

Item #5.



**PLANNING COMMISSION
NOTICE OF DETERMINATION**

Meeting date: August 15, 2022

Project Name/Description: 3 Ocean View Court – Daniel & Ann Iyer.

Action Requested: Special Review

Special Review	X	Subdivision: Sketch Plan Approval ____ Conceptual ____ Preliminary Plan Approval ____ Final Plat Approval ____ Minor Subdivision ____ Major Subdivision ____
Site Plan Approval		
Variance		
Map Amendment		
Text Amendment		

Petitioner has met all documentation requirements, all external approval requirements, and all code requirements, except for the following:

The Planning Commission Motion on Petition: Approval Denial Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
McNaughton			CHAIR
McGruder	X		VICE CHAIR - MOTION
Gooding	X		
Hill	X		
Reynolds	X		SECOND
Rodriguez	X		
Williams	X		

Planning Commission Chair: 

Date: 8/17/2022

Planning & Zoning Manager: 

Date: 8-17-2022

File Attachments for Item:

6. Tree Appeal: 30 Meddin Drive – Tybee Island Historical Society.



STAFF REPORT

PLANNING COMMISSION MEETING: August 15, 2022

CITY COUNCIL MEETING: September 8, 2022

LOCATION: 30 Meddin Dr.

APPLICANT: Tybee Island Historical Society

OWNER: Tybee Island Historical Society

EXISTING USE: Lighthouse and grounds

PROPOSED USE: Same

ZONING: R-1/NEC

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

APPLICATION: Appeal of tree ordinance ruling.

PROPOSAL: The applicant is requesting to remove 14 live oak trees from their property. 34 trees were planted too close together and the request is intended to aid the health of the remaining trees.

ANALYSIS: The applicant's arborist and the City arborist agree that these 14 trees should be removed for the health of the remaining trees. Our ordinance does not contemplate this situation and does not specifically allow for significant trees to be removed for thinning purposes.

The Fort Screven Historic District includes Officers Row and all of Ft. Screven, which represents significant historic, cultural and natural resources. Varied uses include new, larger scale development, traditional cottages, townhomes/condominiums, public uses/parks, historic sites, narrow streets, street trees, public parking. Zoning includes R-1, R-2, R-T, R-1/NEC, P-C, and PUD.

<i>Comprehensive Plan – Community Character Area The Ft. Screven Historic District</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Establish standards and guidelines for signage	N/A
2.	Provide signage for landmarks and historic businesses	N/A
3.	Preserve and restore historic structures whenever possible	N/A
4.	Provide appropriate incentives for historic restoration projects	N/A
5.	Ensure continued preservation of old growth trees, parks, and greenspace	N/A
6.	Support an improved bicycle and pedestrian environment with connected facilities	N/A
7.	Consider adoption of architectural standards for historic structures	N/A

STAFF FINDING

Staff recommends approval.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Appeal application
- B. Tree permit application



CITY OF TYBEE ISLAND APPEAL FORM

Owners Name (Appellant): Tybee Island Historical Society

Property Address: 30 Meddin Drive, Tybee Island, GA 31328

Mailing Address: P.O. Box 366. Tybee Island GA 31238

Email Address: sarah@tybeelighthouse.org

PIN: 40001-13010 Contact Number: 912-786-5801

Name and Address of Representative/Attorney (if any): Sarah Jones

If Applicant is other than the Property Owner, a signed affidavit from the Property Owner granting the Applicant permission to conduct such land development is attached hereto. Yes

Brief description of the land development activity and reason for the Appeal: _____

We wish to remove 14 live oak trees from a stand of 34. The oaks were planted twenty years ago before proper planting methods of live oaks was understood. Therefore, we now have an issue with the root system of the entire stand which is threatening all of the oaks. Not only is the root system in jeporady but the canopy of the trees is affecting the overall health of all of the trees. The 14 that the master arborist wishes to remove are already ailing due to the poor light and crowded root system. We have had two arborists, one a Master arborist, concur on the health of the trees. We hope to use the removal of these trees as teaching expierence for our grounds staff, and we invite the city arborist to be presnt at the time of their removal as well. The Master arborist will be the one to remove the chosen trees. Our primary concern is that if these 14 trees are not removed now, in the futurre we will lose a lot more than 14 trees.

=====

07/18/2022

Signature of Applicant _____

Date _____

City Official _____

From: Sydney Young <sydney@savannahtree.com>
Date: April 6, 2022 at 12:28:50 PM EDT
To: Allen Lewis <sallewis1@gmail.com>
Cc: info.coastal@gmail.com, biewy@cityofybee.org
Subject: Lighthouse Oaks

Hi Allen,

Shern Kendrick and I marked 14 trees we believe would be beneficial to remove in order to let the other ones have a better chance at maintaining a healthy status going forward. This would still leave about 19 oaks in that area, which is plenty to fill the spaces in the future. Live oaks are fast-growing, long-living species, so the spaces would not take too long to fill in. I am copying Shern here, who is a certified Master Arborist and owner of Coastal Arbor Care, to get you quotes on the tree removal. I know Brent will need to permit the removals, and they could be good learning tools for pruning before then, so some coordination regarding that may be in order for the future. I am happy to hear anyone's thoughts.

All the best,

Sydney


Sydney Young
FIELD MANAGER
O: 912.231.8733
M: 912.471.5926
sydney@savannahtree.com













**CITY OF TYBEE ISLAND
TREE REMOVAL PERMIT APPLICATION**

Telephone: (912) 472-5033 · Fax: (912) 786-9539 Lschaaf@cityoftybee.org

Address of Property 30 Meddin Drive, Tybee Island, GA 31328

Owner's Name Tybee Island Historical Society Applicant's Name Sarah Jones

Owner's Address 30 Meddin Drive, Tybee Island, GA 31328 Applicant's Address 5 Calibogue Rd, Sav, GA 31410

Owner's Telephone 912-786-5801 Applicant's Telephone 912-247-1722

REQUIREMENTS FOR TREE REMOVAL

- Must maintain a density of 3 trees per 4,500 square feet. All trees with a 6" diameter at 4.5 feet above the ground count toward the density.
- Significant trees must be replaced inch-for-inch in like species with minimum 2-inch diameter trees or be otherwise mitigated.
- By accepting the Tree Removal Permit, the property owner and the applicant agree to comply with all requirements of the tree ordinance including mitigation requirements, planting specifications and tree survival requirements.

APPLICATION REQUIREMENTS

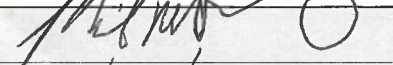
- Mark all trees proposed for removal.
- For new homes-scaled plot plan showing location, size and species of all trees on the lot which have a diameter of 6 inches or more at 4.5 feet above ground, all existing improvements, all proposed improvements, and property setbacks.
- Mark the planting location, size and species for all proposed replacement trees. (If replacement is proposed for another parcel of land, a plot plan of that parcel is required with the same information notated.)

Explain the species of tree(s), the reason for removal, and the location of the tree(s) _____
 According to our Master Arborist The live Oaks we are seeking approval to remove (14 total) have been selected by an arborist as they are planted too closely in a stand of 34 live Oaks. In order for the remaining live Oaks to achieve their mature form, it is advisable that the stand of trees be thinned in this manner. Leaving the trees as they are could damage the healthy trees and cause destruction to the overall root system.
 Arborist consulted: Brent Levy, Shem Kendrick of Coastal Arbor Care, and Sydney Young of Savannah Tree Foundation

I have reviewed the Tybee Island Land Development Code, Article 7, Tree Removal Regulations, and hereby agree to comply with the provisions thereof. I understand a permit application may require 5 business days to process.

Owner or Applicant Signature  Date 04/12/22

Owner or Applicant Printed Name Sarah Jones

City Official <u></u>	Permit Fee _____	<input type="checkbox"/> APPROVED
Date <u>7/12/22</u>	Palms Up _____	<input type="checkbox"/> DENIED
	TOTAL _____	

STAFF NOTES

Mitigation Required? YES NO

1. 17"	} Live oaks	8. 22" Multi trunk	} Live oaks
2. 14"		9. 8"	
3. 13"		10. 11"	
4. 18"		11. 13"	
5. 11"		12. 15" Multi trunk	
6. 11"		13. 11"	
7. 12"		14. 13"	

Item #6.

* Property has at least 48 trees.



**PLANNING COMMISSION
NOTICE OF DETERMINATION**

Meeting date: August 15, 2022

Project Name/Description: 30 Meddin Drive – Tybee Island Historical Society.

Action Requested: Tree Appeal

Special Review	Subdivision: Sketch Plan Approval ___ Conceptual ___ Preliminary Plan Approval ___ Final Plat Approval ___ Minor Subdivision ___ Major Subdivision ___
Site Plan Approval	
Variance	
Map Amendment	
Text Amendment	

Petitioner has met all documentation requirements, all external approval requirements, and all code requirements, except for the following:

The Planning Commission Motion on Petition: Approval Denial Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
McNaughton			CHAIR
McGruder	X		VICE CHAIR - MOTION
Gooding	X		
Hill	X		
Reynolds	X		
Rodriguez	X		SECOND
Williams	X		

Planning Commission Chair: _____

Date: 8/17/2022

Planning & Zoning Manager: _____

Date: 8-17-2022

File Attachments for Item:

7. Warick Group Consultants: Approve the increase in funding for the coming year



AGENDA ITEM

CITY COUNCIL MEETING: September 8

The Warick Group has worked with the city of Tybee Island for the past two decades to secure favorable legislation and funding from the federal government.

This year, they identified various sources of funding for projects on Tybee Island other than the beach project and ship wake study. They submitted an earmark request through Congressman Carter's office for \$2,600,000 to fund Phase 2 of the storm water detention and outfall system around 14th and 15th street. This money was included in the current federal spending bill.

The scope of the work for the following year includes several items related to its beach nourishment project. They will work with the City's Congressional delegation, as well as appropriations committee professional staff on the Water Resources Development Act of 2022, which includes legislation to extend the City's federal beach nourishment project by 12 or more years. In addition, Warick will continue working with the City's staff to coordinate the use of sand economically sourced from the USACE dredging of the Savannah Harbor channel for future beach nourishment events and facilitate proper inclusion of data in the Ship Wake study that the city is working in partnership with the USACE. In addition, They will continue to monitor and inform the City of opportunities to secure funding for other City needs throughout the year.

Because of the additional work involved in the coming year the cost has increased from \$4,000 per month to \$5,000 per month

Requested Council Action:

Approve the increased in funding for the Warick Group Consultants and authorize the Mayor to sign the agreement.

File Attachments for Item:

8. First Reading: 09-2022 Regulation of Motorized Carts

ORDINANCE NO. 09-2022

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND, GEORGIA, SO AS TO PROVIDE FOR THE REGULATION OF MOTORIZED CARTS WITHIN THE CITY OF TYBEE ISLAND

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and council thereof, and

WHEREAS, the governing authority desires to adopt ordinances pursuant to its police and home rule powers, and

WHEREAS, the governing authority desires to address roadway safety for motorists and pedestrians by limiting the amount of congestion; and

WHEREAS, the governing authority wishes to promote a cleaner environment by limiting the amount of pollution; and

WHEREAS, the governing authority recognizes that gas and diesel powered motorized carts generate loud and unpleasant noise and seeks to promote a pleasant experience for residents and visitors due to noise; and

WHEREAS, the governing authority believes restrictions on the use of gas and diesel motorized carts will promote these goals and provide further protections for residents and visitors;

NOW, THEREFORE, it is hereby ordained by the governing authority of the City of Tybee Island that Section 66-8(b) be revoked and replaced so that it will hereafter read as follows:

SECTION 1

The Code of Ordinances is hereby amended so that hereafter the section and subsections shall provide as follows:

Sec. 66-8. – Motorized cart use.

(b) Motorized carts.

- (1) “Motorized Carts” shall be as defined under O.C.G.A. § 40-1-1(43.4)(A), which provides that all such vehicles:
 - a. Have no fewer than three wheels;
 - b. Have an unladen weight of 1,300 pounds or less, and;
 - c. Cannot operate at more than 20 miles per hour.

- (2) *Registration.* It shall be the duty of every owner of a motorized cart that is operated over the streets and those areas accessible by the public to register the motorized cart with the City within 48 hours of the motorized cart’s arrival to the City whether by purchase, acquisition or transport. The registration shall be effective for 12 months from the date of issuance of the decal. Thereafter, an owner is required to renew the registration of the motorized cart every 12 months.

When registering the motorized cart initially and for any subsequent annual renewal, the owner shall present the motorized cart to the police department for an inspection. Only those motorized carts which pass inspection will be issued a registration decal.

As part of the initial registration process and subsequent annual renewals, the owner must provide proof of liability insurance covering the motorized cart in an amount equal to the minimum liability limits set by the state for automobiles. An owner must maintain liability insurance on the motorized cart at all times. If a motorized cart is operated on the streets and public areas of the City without the appropriate insurance, the owner is subject to citation.

Numerical decals shall be issued upon registration; and a record of each motorized cart number (“T Number”), along with the name and address of every owner, shall be maintained by the police department. The initial registration fee for motorized carts used in the City shall be \$15.00. Owners are responsible to renew their registration every year including having the motorized cart inspected and providing proof of insurance.

Any person who is found operating an unregistered motorized cart on the City streets and public areas will be subject to citation.

(3) *Highway 80 Crossing.* No motorized cart shall operate on Highway 80 except motorized carts shall be permitted to cross Highway 80 at the following designated locations only:

- a. Highway 80/Butler Avenue at locations south of the Park of Seven Flags;
- b. At the traffic controlled intersection of 14th Street and Highway 80;
- c. At the traffic controlled intersection of Campbell Avenue and Highway 80; and
- d. At the traffic controlled intersection of Jones Avenue and Highway 80.

(4) *City Streets.* All streets of the City shall be accessible for an appropriately registered and used motorized cart thereon except as to Highway 80 as stated above.

(5) *Operation regulations.*

- a. All motorized carts must be equipped with headlights, tail lights, brake lights, a flashing or rotating yellow or amber light mounted on the top, seatbelts, turn signals and a horn, and the maximum speed capability of any motorized cart must not exceed 20 miles per hour;
- b. No motorized cart shall be gas or diesel powered, provided that those gas or diesel powered motorized carts that are registered with the city prior to enactment of this ordinance may continue to be operated as permitted by this ordinance until such time as the owner disposes of such gas or diesel powered motorized cart.
- c. All occupants of a motorized cart must wear seatbelts at all times.
- d. Children car and booster seats used in a motorized cart must be approved by the manufacturer for use with lap belts only, without the necessity of a shoulder strap. Children's car and booster seats may only be used in the front seat or another forward facing seat within a motorized cart.
- e. Motorized carts shall not be operated on the sidewalks or bike trails within the city.
- f. All operators shall abide by all traffic regulations applicable to motor vehicle traffic.
- g. Only licensed drivers are permitted to operate motorized carts and each owner is required to provide insurance for liability purposes in an amount not less than \$25,000.00 per person, \$50,000.00 per accident, and \$15,000.00 in liability insurance. Proof of insurance shall be provided at the time of registration and be maintained in or on the vehicle.
- h. Motorized carts will only be operated by individuals who are at least 16 years of age and possess a valid driver's license.
- i. It shall be unlawful for a motorized cart to be operated on the streets of the city except as expressly authorized in this section and every person convicted of a violation shall be punishable by a fine of not more than \$1,000.00 or imprisonment of not more than 12 months, or both.
- j. It shall be unlawful for any occupant of a motorized cart to throw or otherwise permit, bottles, cans, paper or rubbish, including cigarette butts, to be deposited in any public park, on the sidewalks, streets, beaches, lanes, highways or other public properties, or on private property of another, except into trash receptacles. Included would be the removal by wind or otherwise of such items from motorized cart due to having such items unsecured on such vehicles. "Rubbish" as used herein shall include any matter that does

not occur naturally in the area and specifically includes garbage, food items, peels, shells, etc., whether or not biodegradable.

(6) *Motorized cart rental regulations.* Motorized cart dealers and distributors, as well as any other commercial establishment, may rent motorized carts to the public for use on the streets and those areas accessible by the public of the City, provided that such rental establishments comply with subsections (a) through (c) of this section. Renters shall be provided a copy of this article and a map illustrating Highway 80's designated crossings. Renters shall provide a signature as proof of their acknowledgement and understanding of this article's requirements. It shall be the responsibility of each such establishment renting motorized carts to maintain a written record of each renter's signature of acknowledgement and understanding of this article's requirements.

- a. No businesses shall rent gas or diesel powered motorized carts to the public for use on the streets and those areas accessible by the public of the City, provided however that those gas or diesel powered motorized carts currently owned by persons or businesses for the purpose of renting motorized carts to the public and which have been registered with the City prior to the date of this ordinance may continue to be used or rented to the public until such time as the current owner disposes of the motorized cart.
- b. Any business that begins renting motorized carts to the public after the date of this ordinance shall only rent electric or battery powered motorized carts to the public for use on the streets and those areas accessible by the public of the City.
- c. The maximum number of motorized carts a business may offer for rent to the public shall be no more than motorized carts, provided, however, that all businesses which currently rent motorized carts to the public and which currently own and have registered motorized carts exceeding the limitations of this paragraph may continue to rent their motorized carts but shall not replace any motorized carts that are sold or no longer operable so that their fleet of motorized carts s available for rental meets the limitations of this paragraph.

(7) *Signs.* The City shall post signs giving notice of the existence of operating standards along appropriate public streets.

(8) Motorized carts must observe the parking regulations and ordinances applicable to motorized vehicles and all parking therefor shall be by payment of the appropriate charge for parking in authorized parking places and/or the display of a valid decal for parking. All unregistered motorized carts are subject to citation for the failure to pay and/or register timely for parking in authorized places an no unregistered motorized cart shall have a legitimate parking decal until the motorized cart is registered as required by this section.

(9) *Penalties under this code section.* In addition to any other penalties provided by law, anyone convicted of violating this section shall be fined not less than \$100.00 for the first offense plus applicable court fees and not less than \$200.00 for subsequent offenses plus applicable court fees for any subsequent offense occurring within a 12-month period of a preceding offense.

SECTION 2

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 3

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 4

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on _____ day of _____, 2022.

ADOPTED THIS _____ DAY OF _____, 2022.

MAYOR

ATTEST:

CLERK OF COUNCIL

FIRST READING: _____

SECOND READING: _____

ENACTED: _____

ORDINANCE NO 09-2022

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND, GEORGIA, SO AS TO PROVIDE FOR THE REGULATION OF MOTORIZED CARTS WITHIN THE CITY OF TYBEE ISLAND

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and council thereof, and

WHEREAS, the governing authority desires to adopt ordinances pursuant to its police and home rule powers, and

WHEREAS, the governing authority desires to address roadway safety for motorists and pedestrians by limiting the amount of congestion; and

WHEREAS, the governing authority wishes to promote a cleaner environment by limiting the amount of pollution; and

WHEREAS, the governing authority recognizes that gas and diesel powered motorized carts generate loud and unpleasant noise and seeks to promote ~~the~~ a pleasant experience for residents and visitors due to noise; and

WHEREAS, the governing authority believes restrictions on the use of gas and diesel motorized carts will promote these goals and provide further protections for residents and visitors;

~~limit the amount of roadway traffic and the amount of pollution caused by the use of gas and diesel powered motorized carts for the protection of citizens and visitors to the City of Tybee Island, Georgia.~~

NOW, THEREFORE, it is hereby ordained by the governing authority of the City of Tybee Island that Section 66-8(b) be revoked and replaced so that it will hereafter read as follows:

SECTION 1

The Code of Ordinances is hereby amended so that hereafter the section and subsections shall provide as follows:

Sec. 66-8. – Motorized cart use.

(b) *Motorized carts.*

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- a. Have no fewer than three wheels;
- b. Have an unladen weight of 1,300 pounds or less, and;
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(1)(2) Registration. It shall be the duty of every owner of a motorized cart that is operated over the streets and those areas accessible by the public to register the motorized cart with the City within 48 hours of the motorized cart’s arrival to the City whether by purchase, acquisition or transport. The registration shall be effective for 12 months from the date of issuance of the decal. Thereafter, an owner is required to renew the registration of the motorized cart every 12 months.

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As part of the initial registration process and subsequent annual renewals, the owner must provide proof of liability insurance covering the motorized cart in an amount equal to the minimum liability limits set by the state for automobiles. An owner must maintain liability insurance on the motorized cart at all times. If a motorized cart is operated on the streets and public areas of the City without the appropriate insurance, the owner is subject to citation.

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~~(2)~~(3) Highway 80 Crossing. No motorized cart ~~shall may be permitted to~~ operate on Highway 80 ~~and may only~~except motorized carts shall be permitted to cross Highway 80 at the following designated locations only:

- a. Highway 80/Butler Avenue at locations south of the Park of Seven Flags;
- b. At the traffic controlled intersection of 14th Street and Highway 80;
- c. At the traffic controlled intersection of Campbell Avenue and Highway 80; and
- d. At the traffic controlled intersection of Jones Avenue and Highway 80.

(4) City Streets. All streets of the City shall be accessible for an appropriately registered and used motorized cart thereon except as to Highway 80 as stated above.

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(5) Operation regulations.

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a. All motorized carts must be equipped with headlights, tail lights, brake lights, a flashing or rotating yellow or amber light mounted on the top, seatbelts, turn signals and a horn, and the maximum speed capability of any motorized cart must not exceed 20 miles per hour;

b. No motorized cart shall be gas or diesel powered, provided that those gas or diesel powered motorized carts that are registered with the city prior to enactment of this ordinance may continue to be operated as permitted by this ordinance until such time as the owner disposes of such gas or diesel powered motorized cart.

c. All occupants of a motorized cart must wear seatbelts at all times.

d. Children car and booster seats used in a motorized cart must be approved by the manufacturer for use with lap belts only, without the necessity of a shoulder strap. Children's car and booster seats may only be used in the front seat or another forward facing seat within a motorized cart.

~~a-e.~~ Motorized carts shall not be operated on the sidewalks or bike trails within the city.

~~b-f.~~ All operators shall abide by all traffic regulations applicable to motor vehicle traffic.

~~e-g.~~ Only licensed drivers are permitted to operate motorized carts and each owner is required to provide insurance for liability purposes in an amount not less than \$25,000.00 per person, \$50,000.00 per accident, and \$15,000.00 in liability insurance. Proof of insurance shall be provided at the time of registration and be maintained in or on the vehicle.

~~d-h.~~ Motorized carts will only be operated by individuals who are at least 16 years of age and possess a valid driver's license.

~~e-i.~~ It shall be unlawful for a motorized cart to be operated on the streets of the city except as expressly authorized in this section and every person convicted of a violation shall be

punishable by a fine of not more than \$1,000.00 or imprisonment of not more than 12 months, or both.

f.j. It shall be unlawful for any occupant of a motorized cart to throw or otherwise permit, bottles, cans, paper or rubbish, including cigarette butts, to be deposited in any public park, on the sidewalks, streets, beaches, lanes, highways or other public properties, or on private property of another, except into trash receptacles. Included would be the removal by wind or otherwise of such items from motorized cart due to having such items unsecured on such vehicles. "Rubbish" as used herein shall include any matter that does not occur naturally in the area and specifically includes garbage, food items, peels, shells, etc., whether or not biodegradable.

(6)(5) *Motorized cart rental regulations.* Motorized cart dealers and distributors, as well as any other commercial establishment, may rent motorized carts to the public for use on the streets and those areas accessible by the public of the City, provided that such rental establishments comply with subsections (a) through (c) of this section. Renters shall be provided a copy of this article and a map illustrating Highway 80's designated crossings. Renters shall provide a signature as proof of their acknowledgement and understanding of this article's requirements. It shall be the responsibility of each such establishment renting motorized carts to maintain a written record of each renter's signature of acknowledgement and understanding of this article's requirements.

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b. Any business that begins renting motorized carts to the public after the date of this ordinance shall only rent electric or battery powered motorized carts to the public for use on the streets and those areas accessible by the public of the City.

~~a.c.~~ The maximum number of motorized carts a business may offer for rent to the public shall be no more than _____ motorized carts _____, provided, however, that all businesses which currently rent motorized carts to the public and which currently own and have registered a number of motorized carts for such purpose that exceeds the limitations of this paragraph may continue to rent their motorized carts but shall not replace any motorized carts ~~cars~~ that are sold or no longer operable so that their fleet of motorized carts ~~cars~~ available for rental make any further carts available for rent until such time as the number of carts available for rent by such business meets falls below the limitations of this paragraph ~~via sale or other disposal of carts.~~

(7) *Signs.* The City shall post signs giving notice of the existence of operating standards along appropriate public streets.

(8) Motorized carts must observe the parking regulations and ordinances applicable to motorized vehicles and all parking therefor shall be by payment of the appropriate charge for parking in authorized parking places and/or the display of a valid decal for parking. All unregistered

motorized carts are subject to citation for the failure to pay and/or register timely for parking in authorized places and no unregistered motorized cart shall have a legitimate parking decal until the motorized cart is registered as required by this section.

(9) *Penalties under this code section.* In addition to any other penalties provided by law, anyone convicted of violating this subsection ~~(b)(4)~~ shall be fined not less than \$100.00 for the first offense plus applicable court fees and not less than \$200.00 for subsequent offenses plus applicable court fees for any subsequent offense occurring within a 12-month period of a preceding offense.

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SECTION 2

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 3

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 4

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on _____ day of _____, 2022.

ADOPTED THIS _____ DAY OF _____, 2022.

MAYOR

ATTEST:

CLERK OF COUNCIL

FIRST READING: _____

SECOND READING: _____

ENACTED: _____

[X:\Clients\000572\000286\GOLF CART ORD \(ALL CARTS\) \(8.3.22\)
\(redline\) REV TCO.docx](#)

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File Attachments for Item:

9. Resolution, 2022-07, Salt Meadows and Savannah River Utilities Company

RESOLUTION NO. 2022-_____

A RESOLUTION AUTHORIZING THE CITY ATTORNEYS TO NEGOTIATE A CONTRACT WITH SAVANNAH RIVER UTILITIES COMPANY FOR SALT MEADOWS PROJECT

WHEREAS, the City of Tybee Island, Georgia (hereinafter “City” or “Tybee Island”) has been pursuing the permits for the improvement of the road known as Salt Meadows and sometimes referred to as South Polk Street; and

WHEREAS, the City and an impacted property owner, Michael Leonard, secured a permit dated July 29, 2021 after multiple efforts to do so (hereinafter “the Project”); and

WHEREAS, the City has previously sought bids through an invitation to bid and proposals through requests for proposals; and

WHEREAS, the effort of the City to secure appropriate bids and/or proposals were unsuccessful, but did result in the City securing estimates for the Project; and

WHEREAS, the best or most feasible estimate for the Project was submitted by Savannah River Utilities Company; and

WHEREAS, the City has now received a quote for the Project for a total amount of \$65,000.00 which would be shared with the private property owner for his property covered by the permit; and

WHEREAS, due to the supply chain and other issues, difficulties have been encountered in securing proposals and/or bids for the Project; and

WHEREAS, emergency conditions exist for those that use Salt Meadows for access and therefor the public portion of the road should be improved as promptly as possible in accordance with procurement policies and state law; and

WHEREAS, the property owner has agreed to be responsible for the cost of providing the material and work related thereto for the private portion of the Project, as the City is unable to be responsible for work on private property; and

WHEREAS, the City has previously approved an agreement with the private property owner; and

WHEREAS, the City has now received the attached quote from Savannah River Utilities Company for the Project and wishes to proceed with the contract in order to get this long delayed project completed; and

WHEREAS, all work and requirements of permit compliance will be shared by the City and the private property owner in proportion to the relative amount of property impacted;

NOW, THEREFORE BE IT RESOLVED that the City authorizes the city attorney to work with Savannah River Utilities Company in order to have an appropriate contract prepared consistent with the permits issued by the Department of Natural Resources and the U.S. Army Corps of Engineers as promptly as possible and that the work be accomplished in accordance with state and any other applicable law and that the private property owner remain responsible for all costs associated with the private portion of the Project.

FURTHER, once the contract with the contractor is approved by the city attorney, the Mayor is authorized to sign the contract and for work thereunder to commence.

BE IT SO RESOLVED in Open Meeting, this _____ day of September, 2022.

ATTEST:

By _____
City Clerk
(SEAL)

Mayor: _____
City of Tybee Island

Savannah River Utilities Co.
1992 Hwy 21 N
Springfield GA 31329

7/7/2022

Job Quote to:

City of Tybee Island
403 Butler Avenue
Tybee Island, GA 31328

Attn: Pete Gulbronson, P.E.
City Engineer/Director of Infrastructure



Project Name:	Polk St. Proposal	
<hr/>		
Mobilization/ Traffic Control	1 @ \$ 5,000.00 per EA.	= \$ 5,000.00
Silt Fence Installation (city to purchase fencing)	1 @ \$ 4,000.00 per EA.	= \$ 4,000.00
Fill Sand/ Clay	773 CY. @ \$ 18.00 per CY.	= \$ 13,914.00
G.A.B. (clean, crushed concrete; Terracon C.O.S. approved)	414 TO. @ \$ 40.00 per TO.	= \$ 16,560.00
Grading (complete job)	769 LF. @ \$ 20.00 per LF.	= \$ 15,380.00
Piping Installation (60 LF. 18" culvert pipe (PVC) 6 PVC flared end ADS piping, city to purchase pipe)		= \$ 2,000.00
Demobilization/ Job Clean-Up	1 @ \$ 2,500.00 per EA.	= \$ 2,500.00
Job Quote Total:		= \$ 59,354.00

Special Notes:

- 90 days from start to finish



- **Allows contractor time to haul materials w/ tri-axle dump trucks**
- **Forfeit bond to save \$ 5,000.00**
- **Contractor to sign corporate seal for a 2-year guarantee to maintain roadway**

File Attachments for Item:

10. Planning Commission Minutes August 15, 2022

PLANNING COMMISSION

Marie Gooding
Susan Hill
David McNaughton
Elaine McGruder
Whitley Reynolds
Marie Rodriguez
Martha Williams



CITY MANAGER

Shawn Gillen

COMMUNITY DEVELOPMENT DIRECTOR

George Shaw

CITY ATTORNEY

Edward M. Hughes

**Planning Commission Meeting
MINUTES
August 15, 2022**

Chair David McNaughton called the August 15, 2022, Tybee Island Planning Commission meeting to order. Commissioners present were **Vice Chair Elaine McGruder, Susan Hill, Whitley Reynolds, Marie Rodriguez, Marie Gooding** and **Martha Williams**.

Consideration of Minutes:

Chair David McNaughton asked for consideration of the July 18, 2022, meeting minutes. **Susan Hill** made a motion to approve. **Elaine McGruder** seconded. Vote was unanimous.

Disclosures/Recusals:

Chair David McNaughton asked if there were any Disclosures or Recusals. **David McNaughton** stated he would recuse himself from the Text Amendment to the Land Development code and **Elaine McGruder** will chair during that item.

Public Hearings:

Tree Appeal: 30 Meddin Drive – Tybee Island Historical Society.

George Shaw stated when this property had these thirty four oak trees planted they were planted too close together for oak trees. They would like to remove fourteen of these trees for the health of the remaining trees. The arborists agree these do need to be removed. This is not contemplated in our ordinance, these are significant trees and we don't allow them to be removed. This is an appeal and staff recommends approval. **Allen Lewis**, vice president of the Tybee Island Historical Society, who lives at 8 Lighthouse Lane, approached the Planning Commission and stated this is the area behind where the Tybee Farmers Market is located. The trees are eating themselves and need to be thinned out. **Sarah Jones**, executive director of the Tybee Island Historical Society, approached the Planning Commission and stated she would like to add that they are worried about the weak limbs falling and the vendors that attend the Farmers Market. **Hope Barton**, president of the Tybee Island Historical Society, approached the Planning Commission and stated that live oak trees have an entangled root system that needs to be kept in tact that is why they need to be cut at ground level. **Elaine McGruder** made a motion to approve. **Marie Rodriguez** seconded. The vote to approve was unanimous. **Chair David McNaughton** stated five months ago Planning Commission voted unanimously to recommend that City Council change the code to address these kind of issues. He asked the Planning Commissioners shall we send this to City Council again to add to Section 7-060. Planning Commissioners agreed unanimously. **(The Planning Commission also agreed to resend to Council a proposed amendment to Section 7-060, the tree ordinance, to add an exception for removal of significant trees, as**

follows: 3. In accordance with overall tree conservation objectives detailed in Sec. 7-020 and in alignment with best practices of the American National Standards Institute's International Society of Arboriculture body of knowledge, as recommended by the zoning administrator and a certified arborist.)

Site Plan: 601 US Hwy 80 – Cameron Weeks

George Shaw stated the applicant Mr. Weeks has applied to start a golf cart rental business in the old Freddy's garage auto repair shop. That is in the C-2 zoning district. He is not changing anything on the exterior of the building. They are not adding any additional impervious surfaces. The site has access to Fifth Avenue so no carts will have to go on Highway 80. There is ample room for the required parking spaces and staff recommends approval. **Elaine McGruder** asked what is going to keep people from going onto Highway 80. **George Shaw** stated the police.

Elaine McGruder stated you going to have a police officer there, I don't think so. **George Shaw** stated no, but the rental agent is required to explain all that to the renters. There is another golf cart rental on Highway 80 and Campbell. **Cameron Weeks**, who lives at 605 Miller Avenue, approached the Planning Commission and asked if anyone had any questions for him. **Chair David McNaughton** stated he is looking at the survey that was in the package and where are you going to put the golf carts and how many will there be. **Cameron Weeks** stated the golf carts will be stored inside the garage as well as behind it, and there will be thirty golf carts. **David McNaughton** asked who will make sure they do go onto Fifth Avenue and not Highway 80 and will you provide some kind of map so when they leave they know which way to go to the correct crossing. **Cameron Weeks** stated yes they will be read the contract and rules and a map as well per City ordinance. **David McNaughton** asked if you have one to show us tonight. Marie Gooding asked Cameron Weeks to give his business plan a lot of thought and make sure his customers follow your directions. **Martha Williams** stated she has a couple of concerns. One is underage drivers and two intoxicated drivers. How will you address people breaking those types of rules, major infractions? Cameron Weeks stated the cart will immediately be revoked and the contract will state all those rules. **Debbie Kearney**, who lives at 1101 Second Avenue, approached the Planning Commission and asked if there is any precedence to ask the residence around the property how they feel about a new business on their street. **George Shaw** stated adjacent properties are given a notice and there is a sign on the property a week before the meeting. And we have not had any comments or letters since the post. Dale Williams, who lives at 1101 Second Avenue, approached the Planning Commission and stated he hopes Cameron Weeks could commit to electric golf carts, but if he uses motorized golf carts he would be strongly opposed. **Whitley Reynolds** made a motion to approve. **Marie Gooding** seconded. The vote was 4-2. Motion to approve ruled.

Special Review: 3 Ocean View Court – Daniel & Ann Iyer.

George Shaw stated this home is next to the dunes and the landward side of the dunes is currently under their house. They would like to build a retaining wall ten feet back from where the current toe of the dune is located. Staff recommends approval. **Daniel Iyer**, who lives at 3 Ocean View Court, approached the Planning Commission and stated they would like to redo their home and the dunes need a barrier to keep from cracking the foundation. **David McNaughton** asked if he was demolishing the house to build a new one. **Daniel Iyer** yes it will be in the same area, and the problem will still remain. The house will not be able to go exactly where the house is now, but we have accounted for that with the new plans. **David McNaughton** asked if he had an engineering opinion of whether the dune encroachment threatens the integrity of the home. **Daniel Iyer** stated before he bought the home an engineer stated based on the flood waters it will be an issue. **David McNaughton** asked if eight foot is necessary. **Daniel Iyer** stated yes that would still keep the dunes intact. **Susan Hill** stated this is a huge undertaking and she hopes it works out for you. **Elaine McGruder** made a motion to approve. **Whitley Reynolds** seconded. The vote to approve was unanimous.

Text Amendment: Land Development Code -4-050(A) (2) -4-050(A),(B), (C) -5-020(A) -5- 040(B) -City of Tybee Island

George Shaw stated these are three separate ordinance amendments to the land development code that involve short term rentals. Z1 provides a method for owner occupied to be allowed in R-1, R-1-B & R-2 districts. Z2's biggest item in it is making short term rentals non-conforming uses. Z3 addresses parking.

Speakers on Text Amendment:

Debbie Kearney, 1101 Second Avenue. Ken Williams, 1710 Chatham Avenue. Dale Williams, 1102 Second Avenue. Nick Sears, 1304 Venetian Drive. Jan Will, 15 N. Campbell.

On Z-1, Whitley Reynolds made a motion to deny. **Susan Hill** seconded. The vote to deny was 3-2. **Whitley Reynolds, Marie Gooding** and **Susan Hill** voted yeah and **Marie Rodriguez** and **Martha Williams** voted nay.

On Z-2, Martha Williams made a motion to send to City Council with all comments. **Marie Rodriguez** seconded. The vote was 3-2. **Marie Gooding, Susan Hill** and **Whitley Reynolds** voted nay. **Martha Williams** and **Marie Rodriguez** voted yeah. Motion failed.

Marie Gooding made a motion to deny as written and incorporate comments from Planning Commission and send back for review again. **Susan Hill** seconded. The vote to deny was 4-1. **Marie Gooding, Susan Hill, Marie Rodriguez** and **Martha Williams** voted yeah and **Whitley Reynolds** voted nay.

On Z-3, Susan Hill made a motion to deny and incorporate comments from Planning Commission. **Whitley Reynolds** seconded. The vote to deny was unanimous.

Adjournment: 8:30pm
Lisa L. Schaaf