

A G E N D A PLANNING COMMISSION December 19, 2022 at 6:30 PM

Call to Order

Consideration of Minutes

1. PC Minutes of November 14, 2022

Disclosures and Recusals

Old Business

New Business

- 2. <u>Variance: requesting setback encroachment 817 1st Street 40019 05001C</u> Zone R-T David Toman.
- 3. Text and Map Amendment: requesting to rezone from R-1 to R-T 1 Van Horn 40003 10009 Zone R-1 Michael Foran.
- <u>4. Variance: requesting to disturb wetland buffer Solomon & Polk Zone R-1 William Christiansen.</u>
 - <u>Text Amendment: Sec. 7-050 Tree removal requirements City of Tybee Island.</u>

Adjournment

Standing Items

<u>Adjournment</u>

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 November 14, 2022

Chair David McNaughton called the November 14, 2022, Tybee Island Planning Commission meeting to order. Commissioners present were **Susan Hill, Whitley Reynolds**, **Marie Rodriguez**, **Elaine McGruder**, **Marie Gooding** and **Martha Williams**.

Consideration of Minutes:

Chair David McNaughton asked for consideration of the October 17, 2022, meeting minutes. **Elaine McGruder** made a motion to approve. **Marie Rodriguez** seconded. Vote was unanimous.

Disclosures/Recusals:

Chair David McNaughton asked if there were any Disclosures or Recusals. **Chair David McNaughton** stated he would have to recuse his self from item two the Text amendment.

Public Hearings:

New Business:

<u>Site Plan Approval with Variance: requesting to remove off street parking -1311 Butler Ave. -40007 16002 – Zone C-2 – Jim Sheffield.</u>

Marie Rodriguez made a motion to approve. **Whitley Reynolds** seconded. Voting in favor to approve were **Susan Hill, Whitley Reynolds**, **Marie Rodriguez**, **Elaine McGruder**, **Marie Gooding.** Voting against the vote to approve was **Martha Williams**. The vote to approve was 5-1.

Text Amendment: Land Development Code - Section 4-051. Short-Term Rentals - City of Tybee.

Susan Hill made a motion to approve. **Marie Gooding** seconded. The vote to approve was unanimous.

Adjournment: 7:15pm

Lisa L. Schaaf



STAFF REPORT

PLANNING COMMISSION MEETING: December 19, 2022

CITY COUNCIL MEETING: January 12, 2023

LOCATION: 817 1st St. C-1 PIN: 40019 05001C

APPLICANT: David Toman OWNER: David Toman

EXISTING USE: Residential PROPOSED USE: Residential

ZONING: R-T PROPOSED ZONING: R-T

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Commercial Gateway

APPLICATION: Variance from Sec. 3-090. Schedule of development regulations.

PROPOSAL: The applicant requests a variance from Sec. 3-090 (A) for expanding a nonconforming deck that is approximately eight feet into the rear setback.

ANALYSIS: The applicant would like to expand an existing nonconforming deck by enclosing it and adding an open deck above.

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

| | Comprehensive Plan – Community Character Area Commercial Gateway | |
|----|----------------------------------------------------------------------------------------------------------------|---------------------------------|
| | Recommended Development Strategies | Meets Strategy Y/N or N/A |
| 1. | Encourage commercial and mixed use development and redevelopment along the US 80 commercial corridor | N/A |
| 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 us | 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 | N/A |
| 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 Staff recommends denial

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Variance application
- B. Survey
- C. Property card
 D. SAGIS map

<u>Fee</u> Commercial \$500 Residential \$200



CITY OF TYBEE ISLAND VARIANCE APPLICATION from the Tybee Island Land Development Code

| Applicant: DAVID Toman |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Telephone #: 912-247-4028 Email Address: DAVIDITOMON @ GMail. Com |
| relephone #: 912-247-4028 Email Address: DAVIDITOMON @ GMail. Com |
| *Note: If the applicant is not the property owner as listed on the property deed, a letter from the listed owner(s), including a telephone number and address along with any other relevant information, authorizing the applicant to act in their behalf must be included in the application. |
| PROCEDURE |
| Application Requirements |
| All applications must be complete, including required supporting documents. Drawings or surveys will be 11" X 17" or larger. Incomplete applications will not be accepted and will delay review. |
| A villar Readling |
| Application Deadline Applications are due by 4:00 p.m. of the last day of the month before the next scheduled Planning Commission meeting. |
| Application Submittal |
| Return one copy of this completed application and all supporting documents to: Tybee Island Planning and Zoning, City Hall, 403 Butler Avenue / P.O. Box 2749 City of Tybee Island, GA 31328 |
| Application Public Hearings Applications will be heard at a public hearing before the Planning Commission on the third Monday of each month, followed by a final decision by City Council at another public hearing on the second Tuesday of the following month. Each hearing will be held at 7 p.m. at the Public Safety Building, 78 Van Horn Dr. |
| 9177 |
| Property Address (Or General Location Description if no Address Assigned): |
| Unit C-1 |
| Tax Map/Parcel ID#: 40019 05001C Current Zoning: R-T |
| Existing use of Property: Home |
| Proposed use of Property: Home |
| Has the property been denied a variance in the past 12 months? If so, please provide brief details: |
| |
| |
| |

Variance Questionnaire:

| 1. Does the requested variance change the Tybee Island character designation for the property as described in the Master Plan? If so, provide a brief explanation. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NO |
| 2. Please explain the purpose of the requested variance and the intended development of the subject property if the variance is granted. |
| Iwould like to Screen in the exciting Deck & Porta Dack above the extiting Deck |
| the oxtiting Dock |
| 3. Please explain the specific provision within the Tybee Island Land Development Code from which the variance is requested. |
| 20 Foot |
| |
| 4. Per the Tybee Island Land Development Code, the Tybee Island Planning Commission shall not make a recommendation on a variance from the terms of the Land Development Code unless it has met the following. Please explain how the requested variance meets each of the following: |
| A. The need for a variance arises from the condition that is unique and peculiar to the land, structures and buildings involved. |
| The unit next tome extends Dast what I would like to do |
| |
| B. The variance is necessary because the particular physical surroundings, the size, shape or topographical condition of the property involved would result in unnecessary hardship for the owner, lessee or occupants as distinguished from a mere inconvenience. |
| |
| |

| F. The variance requested is the minimum variance that will make possible the reasonable use of the land building or structures. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| |
| E. The granting of the requested variance will not conflict with Sec. 26-70-Amendments and modifications to the Fire Prevention Code of the Tybee Island Code of Ordinances or endanger the public. |
| |
| D. The condition is created by the regulation in the Tybee Island Land Development Code and not by the action of the property owner or applicant. |
| |
| |
| C. The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property. |

NOTE: This application must be accompanied by additional documentation, including drawings that include or illustrate the information outlined below.

| Signature of Applicant | | Date | | | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| 1 | 50 | 11-15-22 | | | |
| | ertifies that he/she has read the requie best of his/her ability in a truthful ar | uirements for Variances and has provided the required and honest manner. | | | |
| 5-090 (B) | grade of a property except: (1) See section 2-010, terms and def (2) The following items that were ex- | disting on the date of the adoption of this section; flag and tanks, steeples and bell towers, broadcasting and | | | |
| 5-090 (A) (2) | strict conformity with the provision hardship to the property. | tes or conditions, the property cannot be developed in a sof the Land Development Code, without undue strating conditions on surrounding properties and on uniqueness, etc. | | | |
| 5-090 (A) (1) | properties, including: irregularity; narrowness; or, shallowness of the lot sha | al or other physical circumstances, conditions, or ment, or the safety, or to historical significance, that is | | | |
| 5-040 (D) (3) | | tamped by a State of Georgia certified land surveyor. | | | |
| 3 0 10 (3) (2) | the circumstances where special con- prior owner, affect a particular prop- governing dimensional standards (su- building height) unnecessarily burden | iditions, which were not self-created or created by a serty and make strict conformity with the restrictions of as lot area, width, setbacks, yard requirements, or assome or unreasonable in light of the purpose of this at only where, in the absence of a variance, no feasible | | | |
| 5-040 (D) (2) | of lot restrictions. | the reason for the variance request. (<i>Hardship means</i> | | | |
| REFERENCE 5-040 (D) (1) | | | | | |

5-090(C) Variance longevity. After a variance has been granted by the mayor and council it shall be valid for a period of 12 months from date of approval. Such approval is based on information provided in the application. Building permits may only be granted for plans consistent with the approved application. Any deviation from the information submitted will require separate approval by the mayor and council.

CERTIFICATION AND AUTHORIZATION

I hereby certify that, to the best of my knowledge and belief, the above listed information and all attached supporting documents are complete and accurate. I understand that this application will require public hearings by the Tybee Island Planning Commission and City Council. I have been made aware and I hereby acknowledge the scheduled hearing dates/times and location where this application will be considered. I also understand that review of this application will require a site visit, and I hereby authorize City staff and members of the Planning Commission and City Council to inspect the property which is the subject of this application.

| Signature of Applicant | Date 1/-15-22 |
|------------------------|---------------|
| | |

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 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.

| Disclosure of campaign contributions form attachment hereto:Yes | | | | |
|-----------------------------------------------------------------|--------------|-------------|----------|--|
| 16 | 50 | | 17-15-22 | |
| Signature of Applicant | | Date | | |
| | | | | |
| | | | | |
| | | | | |
| | STAFF US | SE ONLY | | |
| | | | | |
| Date received: | | Received by | | |
| Fee Amount \$ | Check Number | | Date | |
| PUBLIC HEARING DATES: | | | | |
| Planning Commission | c | ity Council | | |
| DECISION: (Circle One) | Approved | Denied | | |
| Approved with Conditions: | | | | |
| | | | | |
| | | | | |



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 | 530 | |
|--------------|------------|--|
| Printed Name | DAUB Toman | |
| Date | 11-15-22 | |

Salt Pines Homeowners Association 817 First Street PO Box 2705 Tybee Island, GA 31328

November 30, 2022

To Whom It May Concern:

The Salt Pines Homeowners Association officers hereby give permission for the owner of Unit C-1, David Toman to build an attached second floor deck above the lower porch and screen in that porch.

Sincerely,

Janice Elliott

Treasurer of Salt Pines Homeowners Association

Item #2.

PARID: 40019 05001C TOMAN DAVID J

817 FIRST ST Unit C-1

Most Current Owner

Current Owner

Co-Owner

Care Of

Mailing Address

TOMAN DAVID J

P.O BOX 1359 TYBEE ISLAND GA 31328

Digest Owner (January 1)

Owner

Co-Owner

Address 1

Address 2

City

State Zip

TOMAN DAVID J

P.O BOX 1359

TYBEE ISLAND

GA

31328

Parcel

Status

Parcel ID

Category Code Bill#

Address

Unit # / Suite City

Zip Code

Neighborhood

Total Units

Zoning

Class Appeal Status ACTIVE

40019 05001C

RES - Residential

2940107

817 FIRST ST

C-1

TYBEE ISLAND

31328-19021.00 - S021 SALT PINES TWN

R-T

R3 - Residential Lots

Legal Description

Legal Description

UNIT C-1 SALT PINES TOWNHOMES FORT WARD TYBEE

ISL SMB 10S 62

Deed Book

1632

Deed Page

0753

Permits

| Permit# | Permit Date | Status | Туре | Amount |
|-----------|-------------|----------|---------------------|-------------|
| 220309 | 06/14/2022 | Complete | RF - ROOF | \$76,000.00 |
| 160193-3 | 04/04/2016 | Complete | HT - HEAT/FURN/HVAC | \$6,000.00 |
| 13-0349-2 | 05/31/2013 | Complete | GM - GENERAL MAINT. | \$368.00 |
| 08-0208-1 | 04/29/2008 | Complete | - | \$500.00 |

Inspection

Inspection Date

11/03/2022

Reviewer ID **RKRYZAK**

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11/17/22, 11:11 AM

Chatham County, Georgia

03/01/2022

RKRYZAK

03/15/2019

ALCUMMIN

12/03/2015 07/14/2011

AVMARCAN AVMARCAN

Appraised Values

| Tax Year | Land | Building | Appraised Total | Reason |
|----------|---------|----------|-----------------|--------|
| 2022 | 175,000 | 89,100 | 264,100 | |
| 2021 | 125,000 | 134,800 | 259,800 | |
| 2020 | 125,000 | 133,200 | 258,200 | |
| 2019 | 125,000 | 133,200 | 258,200 | |
| 2018 | 87,000 | 131,400 | 218,400 | |
| 2017 | 87,000 | 131,400 | 218,400 | |
| 2016 | 87,000 | 131,400 | 218,400 | |
| 2015 | 87,000 | 80,400 | 167,400 | |
| 2014 | 87,000 | 54,900 | 141,900 | |
| 2013 | 87,000 | 55,300 | 142,300 | |
| | | | | |

Sales

| Sale Date | Sale Price | Sale Validity | Instrument | Book - Page | Grantor | Grantee |
|------------|---------------|------------------|------------|-------------|--------------------------------------|-----------------------------------|
| 05/30/2019 | 285,000 | Q | | 1632 - 0753 | AMY B. COURSEY N/K/A AMY SHEPHERD | TOMAN DAVID J |
| 07/20/2017 | 0 | U | WD | 1132 - 119 | COCKSPUR ISLAND ASSOCIATES LLC | COURSEY AMY B |
| 09/09/2009 | 137,000 | U | WD | 355X - 629 | HSBC BANK USA NATIONAL ASSOC | COCKSPUR ISLAND ASSOCIATES LLC |
| 06/02/2009 | 195,500 | U | NA | 352T - 436 | MICHAELS LEE ANN | HSBC BANK USA NATIONAL ASSOC |
| 11/28/2005 | 278,000 | Q | WD | 298M - 0445 | BRIDGES GLORIA JANE | MICHAELS LEE ANN |

Land

Acres

| Line Number | |
|-------------|--|
| Land Type | |

1

U - UNIT

Land Code

07 - TOWNHOME UNITS

Square Feet

0 .03

Influence Factor 1

Influence Reason 1

Influence Factor 2

Influence Reason 2

Residential Building

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Item #2.

Card #

Actual Year Built 1987

Effective Year Built

Type 3 - Town House / Condo

Style/Stories 21 - TWO STORY END UNIT

Percent Complete 100
Quality 300

Condition AV - AVERAGE

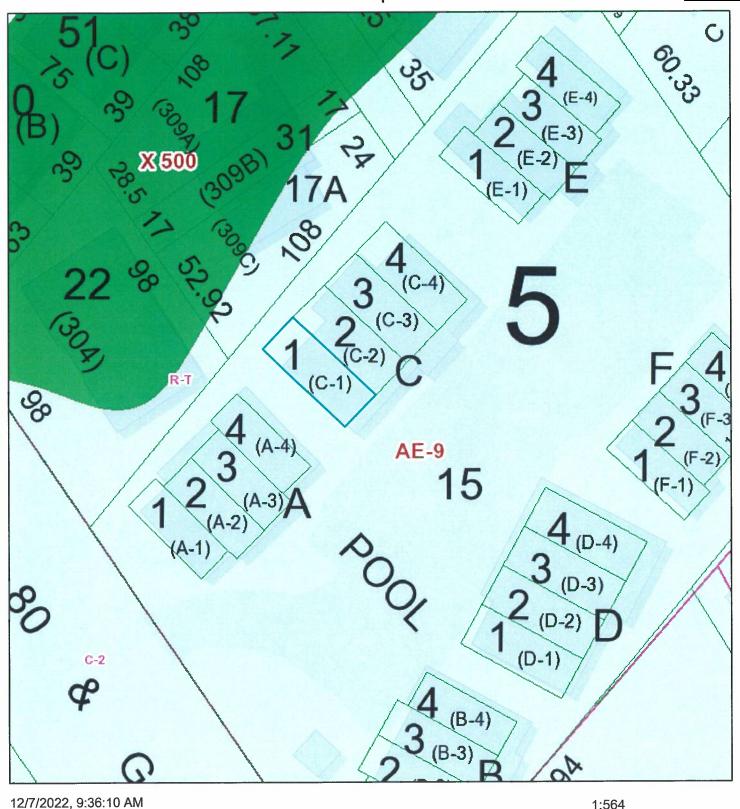
Living Area 1,260
Basement Area 0
Finished Basement Area No
Bedrooms 3
Full / Half Baths 2 / 1



| Item | Area |
|-----------------------------|------|
| Main Building | 612 |
| A1 - 100:100- LIVING SPACE | 36 |
| A2 - 903:903-Wood Deck (SF) | 144 |
| A3 - 903:903-Wood Deck (SF) | 36 |
| A4 - 903:903-Wood Deck (SF) | 72 |



SAGIS Map Viewer



Effective Flood Zones (2018)

AE - Inside the 100 year Flood Zone

A - Inside the 100 year Flood Zone

AE Floodway - Inside a Regulatory Floodway

VE - Inside the 100 year Flood Zone w/ Velocity Hazard

X_500 - Inside the 500 year Flood Zone

X - Outside the 500 year Flood Zone

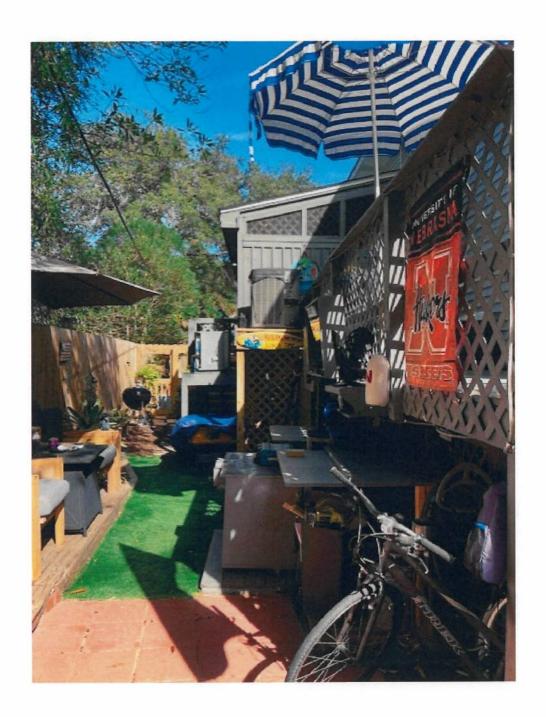
1:564 0 0 0.01 0.02 mi 0 0.01 0.01 0.02 km

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

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SAGIS



Permits

| Date | Number | Amount | Purpose |
|------------|-----------|----------|---------|
| 06/14/2022 | 220309 | \$76,000 | RF |
| 04/04/2016 | 160193-3 | \$6,000 | HT |
| 05/31/2013 | 13-0349-2 | \$368 | GM |
| 04/29/2008 | 08-0208-1 | \$500 | |

Sales

| Sale Date S | Sale Price | Deed Book | Deed Page | Grantor | Grantee / |
|-------------|------------|-----------|-----------|-----------------------------------|--------------------------------|
| 5/30/2019 | \$285,000 | 1632 | 0753 | AMY B. COURSEY N/K/A AMY SHEPHERD | TOMAN DAVID J 5MB 10-5/62 |
| 7/20/2017 | \$0 | 1132 | 119 | COCKSPUR ISLAND ASSOCIATES LLC | COURSEY AMY B |
| 9/9/2009 | \$137,000 | 355X | 629 | HSBC BANK USA NATIONAL ASSOC | COCKSPUR ISLAND ASSOCIATES LLC |
| 6/2/2009 | \$195,500 | 352T | 436 | MICHAELS LEE ANN | HSBC BANK USA NATIONAL ASSOC |
| 11/28/2005 | \$278,000 | 298M | 0445 | BRIDGES GLORIA JANE | MICHAELS LEE ANN |
| 10/1/2004 | \$220,000 | 276X | 507 | WHITE JOHN PATRICK,III | BRIDGES GLORIA JANE |
| 2/5/2004 | \$0 | 265K | 655 | KOHEL ANGELA M | WHITE JOHN PATRICK, III |
| 8/15/2000 | \$98,000 | 2140 | 0028 | CLAXTON LESTER A & GLENDA | KOHEL ANGÉLA M |

Photos





Clerk of Superior Court 3rd FIR. 652-7198



Chatham County, GA

Summary

Parcel 4001905001C

Number Location

817 FIRST ST UNIT C-1 TYBEE ISLAND GA 31328

Address Legal

UNIT C-1 SALT PINES TOWNHOMES FORT WARD TYBEE ISL

Description **Property Class**

SMB 10S 62 R3- Residential Lots

Neighborhood

19021.00 - S021 SALT PINES TWN (040) TYBEE

Tax District Zoning

0.03

Acres

Homestead

Exemptions

CB125, S25, M1S

View Map



Owner

TOMAN DAVID J P.O BOX 1359 TYBEE ISLAND GA 31328 January 1, 2022 Owner TOMAN DAVID J

Assessment

| | | 2022 Certified | 2021 Certified | 2020 Certified | 2019 Certified |
|---|----------------|----------------|----------------|----------------|----------------|
| | LUC | RES | RES | RES | RES |
| | Class | R3 | R3 | R3 | R3 |
| + | Land Value | \$175,000 | \$125,000 | \$125,000 | \$125,000 |
| + | Building Value | \$89,100 | \$134,800 | \$133,200 | \$133,200 |
| = | Total Value | \$264,100 | \$259,800 | \$258,200 | \$258,200 |
| | Assessed Value | \$105,640 | \$103,920 | \$103,280 | \$103,280 |

Valuation Notice

40019 05001c (PDF)

Land

Description TOWNHOME UNITS Square Feet 1,307

Total Acres: 0.0300

Residential Improvement Information

Card Exterior Wall Style

Frame, Siding, Vinyl

TWO STORY END UNIT

Year Built Effective Year Built Living Area

1987 1260 **Basement Square Footage** 0

Finished Bsmt

Heating Fuel Type Fireplaces Quality Condition

Full Bath/Half Bath 2/1

10

GAS

300

ΑV

WARMED & COOLED AIR

Attic

Heat

Total Fixtures

Additions

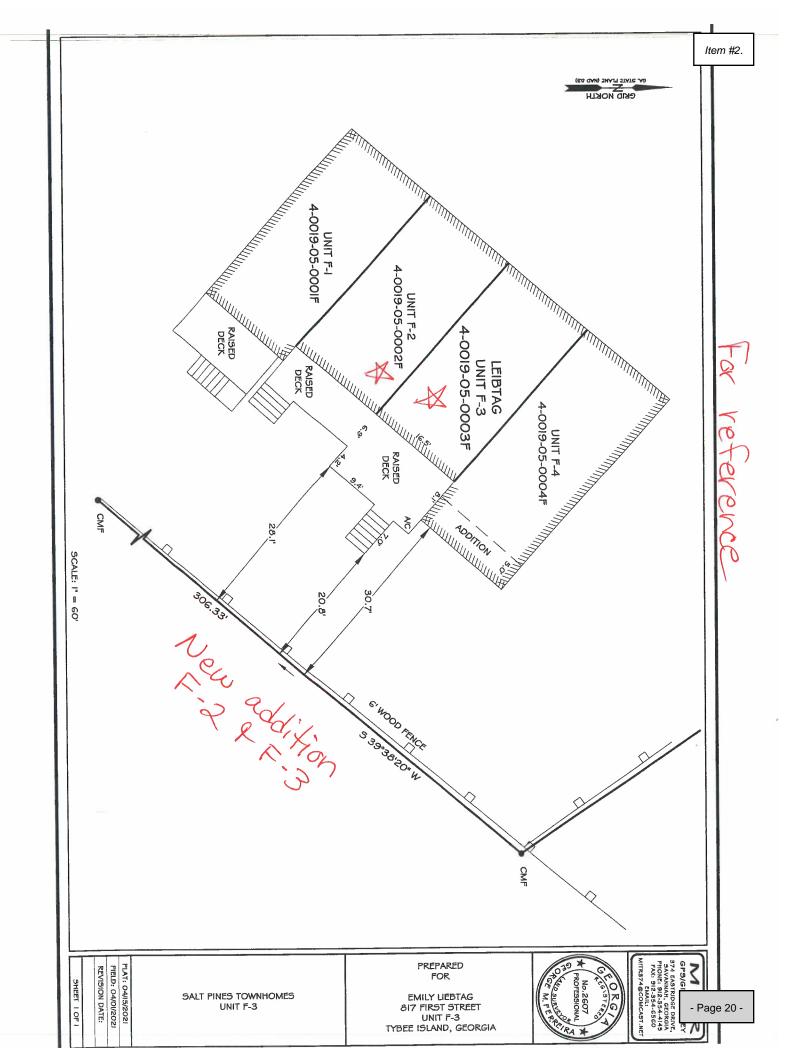
Card 1

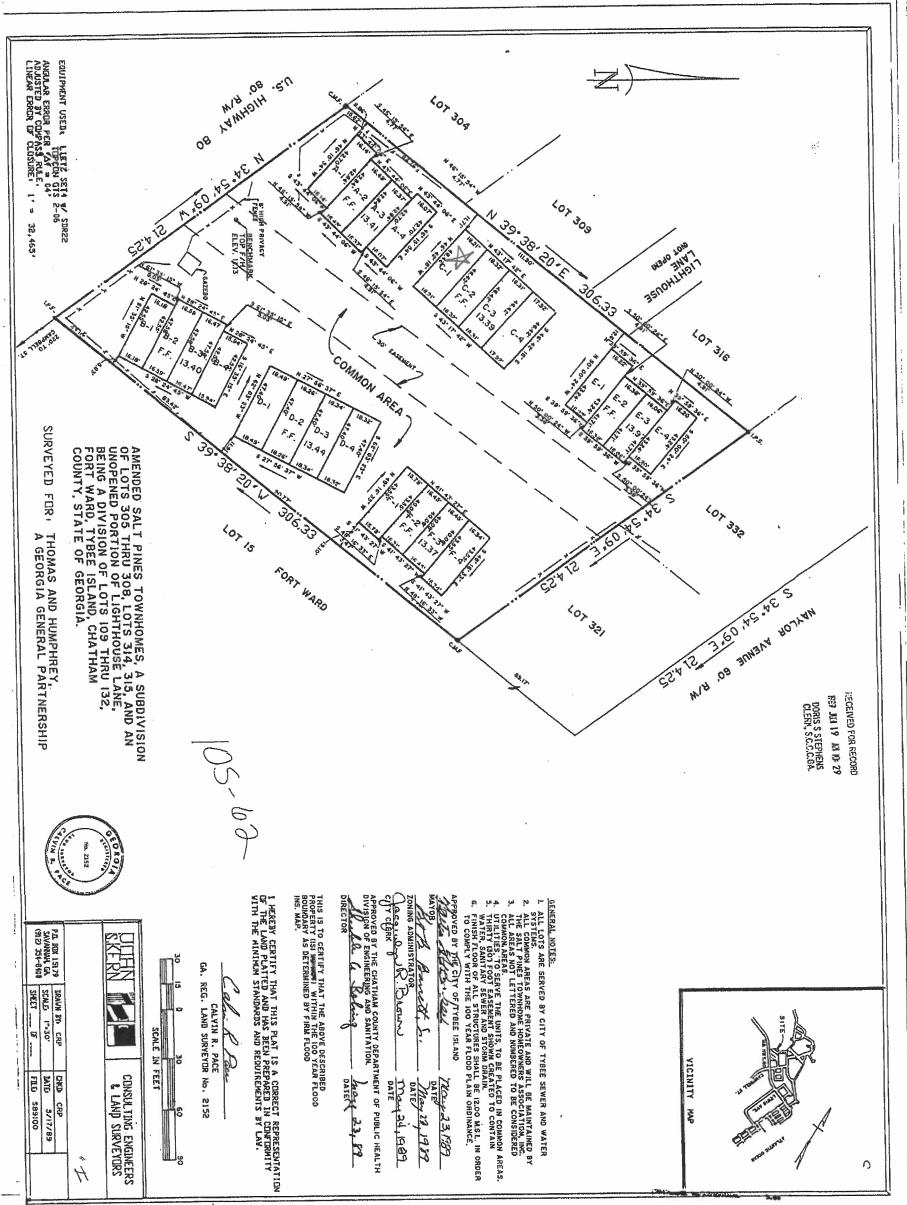
| Lir | ne Lower | First | Second | Third | Area |
|-----|----------|--------------------------|--------|-------|------|
| 0 | | | | | 612 |
| 1 | | 100 - 100 - LIVING SPACE | | | 36 |
| 2 | | 903 - 903-Wood Deck (SF) | | | 144 |
| 3 | | 903 - 903-Wood Deck (SF) | | | 36 |
| 4 | | 903 - 903-Wood Deck (SF) | | | 72 |

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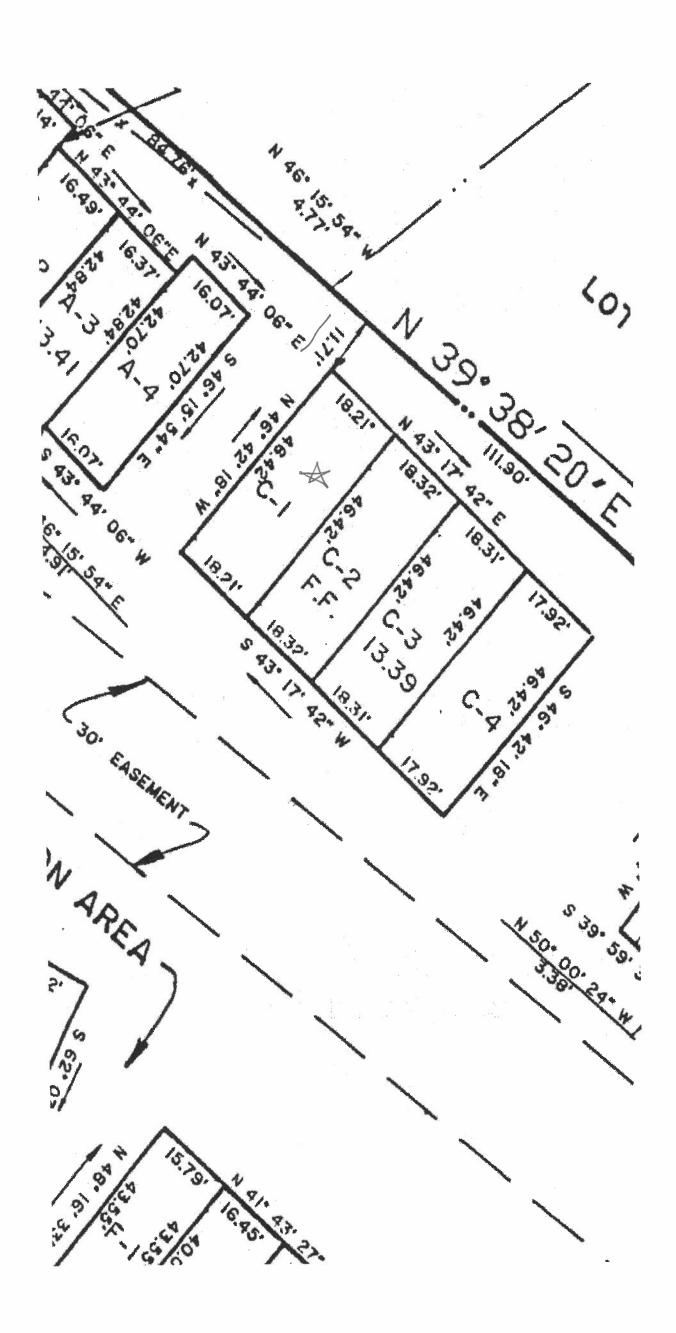
Acres

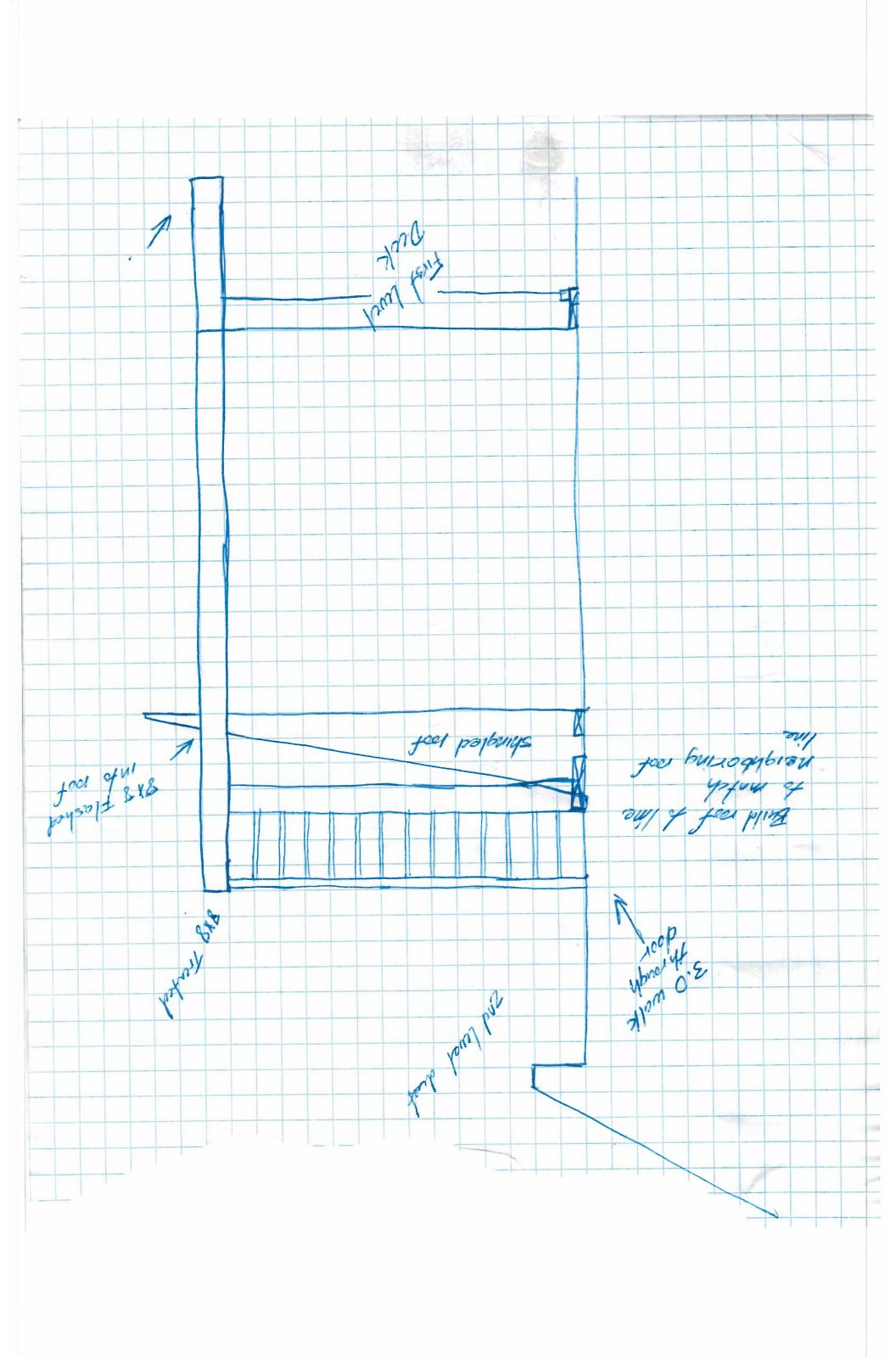
0.0300





Page 1 o







STAFF REPORT

PLANNING COMMISSION MEETING: August 15, 2022 CITY COUNCIL MEETING: September 8, 2022

LOCATION: 1 Van Horn

PIN: 40003 10009

APPLICANT: Michael Foran

OWNER: Savannah Bar Pilots, Inc.

EXISTING USE: Residence

PROPOSED USE: Residence

ZONING: R-1

USE PERMITTED BY RIGHT: Yes

APPLICATION: Map and text amendment to change zoning from R-1 to R-T.

PROPOSAL: The applicant requests the rezoning to match what they believe is the true nature of the neighborhood.

ANALYSIS: This area has multiple zoning districts. Within a short distance one can find R-1, R-1B, R-T and R-2 zoning districts. The area is mostly single family but there are also multifamily condos, the Post Theater, the nursing home and some duplexes.

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

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.

| | Comprehensive Plan – Community Character Area | |
|----|----------------------------------------------------------------------------------|---------------------------------|
| | The Ft. Screven Historic District | |
| | Recommended Development Strategies | Meets Strategy Y/N or N/A |
| 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 makes no recommendation without further guidance from City Council.

This Staff Report was prepared by George Shaw.

Item #3.

ATTACHMENTS

- A. Map and text amendment applicationB. Sagis map





CITY OF TYBEE ISLAND LAND DEVELOPMENT CODE TEXT AMENDMENT APPLICATION

Page 1 of 3

Fee \$500

| Applicant's Name <u>Michael A. Foran, Agent for Sava</u> Profit Sharing Plan & Trust | nnah Bar Pilots, Inc. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Applicant's Telephone Number 912-233-9700 | 4.99 |
| Applicant's Mailing Address P.O. Box 9946, Savannah | , GA 31412 |
| If within two (2) years immediately preceding the filing of the Applica Applicant has made campaign contributions aggregating to more than Council or any member of the Planning Commission, the Applicant and must disclose the following: | \$250 to the Mayor and any member of |
| a. The name of the local government official to whom the campaig b. The dollar amount of each campaign contribution made by official during the two (2) years immediately preceding the faction, and the date of each contribution; c. An enumeration and description of each gift having a value of the local government official during the two (2) years imapplication for this zoning action. | the applicant to the local government filing of the application for this zoning \$250 or more made by the Applicant to |
| Disclosure of Campaign Contributions form attachment hereto: \underline{X} | Yes |
| 2 | 11/4/2022 |
| Signature of Applicant | Pate |
| NOTE: Other specific data is required for each propo | sed Text Amendment. |
| 1 Van Horn - 40003 Michael A. Foran | 10009-Zone R-1 |
| request to rezone from R-1 to RT | |
| | |
| City Official Date | 11/15/22 |

NOTE: This application must be accompanied by additional documentation, including drawings and/or text that include or illustrate the information outlined below.

Indicate in the spaces provided whether or not the required information is provided.

| YES or NO | REFERENCE | DESCRIPTION |
|------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| _No_ | 5-020 (E) | An amendment to the text of the Land Development Code requires a hearing by the Planning Commission and approval by the Mayor and Council at a scheduled public hearing. |
| No | 5-040 (E) (1) | In the case of a text amendment, the application shall set forth the new text |
| | 5-110 | to be added and the existing text to be deleted. Section 5-110, Standards for Land Development Code or Zoning Map Amendment Approval, identifies standards and other factors to be considered by the Mayor and Council in making any zoning decision. The Applicant should provide written data addressing each of the below listed standards and factors to assure consideration of applicable information. |
| Yes | 5-110 (A) | The existing land use pattern; |
| Yes | 5-110 (B) | The possible creation of an isolated district unrelated to adjacent and nearby districts; |
| Yes | 5-110 (C) | The existing population density pattern and the possible increase or overtaxing of the load on public facilities; |
| Yes | 5-110 (D) | Whether changed or changing conditions make the passage of the proposed amendment reasonable; |
| Yes | 5-110 (E) | Whether the proposed change will adversely influence existing conditions in the neighborhood or the city at large; |
| Yes | 5-110 (F) | Potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity; |
| Yes | 5-110 (G) | The reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes; |
| <u>Yes</u> | 5-110 (H) | Whether the proposed change will be detrimental to the value or improvement or development of adjacent or nearby property in accordance with existing requirements; |
| Yes | 5-110 (I) | Whether the proposed change is out of scale with the needs of the neighborhood or entire city; |
| <u>Yes</u> | 5-110 (J) | Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and, |
| <u>Yes</u> | 5-110 (K) | The extent to which the zoning decision is consistent with the current city master plan or other local planning efforts, if any, of the city. |

The Applicant certifies that he/she has read the requirements for Land Development Code Text Amendments and has provided the required information to the best of his/her ability in a truthful and honest manner.

Cignoture of Applicant

11/4/2022 Date

Signature of Applicant

Page 3 of 3



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

| aggregate value of \$250 | at two (2) years made camp .00 or more to a member o and Council or any local g | f the City of Tybee Is | sland Planning |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------------------------|
| YES | NOX | | |
| IF YES, PLEASE COM | PLETE THE FOLLOWIN | IG SECTION: | |
| NAME OF GOVERNMENT OFFICIAL | CONTRIBUTIONS OF \$250.00 OR MORE | GIFTS OF \$250.00 OR MORE | DATE OF CONTRIBUTION |
| | | | |
| | | | Color Acceptance to |
| | | | |
| THIS FORM MUST BE PRIOR TO PLANNING GIFTS IN EXCESS OF | AK CONCERNING THE E FILED WITH THE ZON G COMMISSION MEETIN \$250.00 HAVE BEEN M SION OR MAYOR AND | ING ADMINISTRA NG IF CAMPAIGN O ADE TO ANY MEM | TOR FIVE (5) DAYS CONTRIBUTIONS OR |
| Signature | _ 2 | | |
| Printed Name Micha | el A. Foran | | |
| Date 11/4/2 | 022 | | |



CITY OF TYBEE ISLAND LAND DEVELOPMENT CODE MAP AMENDMENT APPLICATION

Page 1 of 3

Fee \$500

| Applicant's Name <u>Michael A. Foran, Agent for Savannah Bar Pilots, Inc.</u> Profit Sharing Plan & Trust | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Applicant's Telephone Number 912-233-9700 | | | | |
| Applicant's Mailing Address P.O. Box 9946, Savannah, GA 31412 | | | | |
| 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. | | | | |
| Disclosure of Campaign Contributions form attachment hereto: X Yes | | | | |
| Signature of Applicant Date | | | | |
| Signature of Applicant Date | | | | |
| NOTE: Other specific data is required for each proposed Map Amendment. | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| City Official Date | | | | |

NOTE: This application must be accompanied by additional documentation, including drawings and/or text that include or illustrate the information outlined below.

Indicate in the spaces provided whether or not the required information is provided.

| YES or NO | REFERENCE | DESCRIPTION |
|------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>No</u> | 5-020 (D) | An amendment to the zoning map is considered to be an amendment of the Land Development Code. Such action requires a hearing by the Planning Commission |
| <u>No</u> | 5-040 (E) (2) 5-040 (E) (2) (a) | and approval by the Mayor and Council at a scheduled public hearing. An application for a map amendment shall include the following information: A map or plat of the land in question, and a description by metes and bounds, bearings, and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of Chatham County then the lot, block, and subdivision designations with appropriate plat reference; and, |
| No_ | 5-040 (E) (2) (b) | The area of the land proposed to be reclassified stated in square feet if less than |
| d w | 5-110 | one acre, and in acres if greater than one acre. Section 5-110, Standards for Land Development Code or Zoning Map Amendment Approval, identifies standards and other factors to be considered by the Mayor and Council in making any zoning decision. The Applicant should provide written data addressing each of the below listed standards and factors to assure consideration of applicable information. |
| Yes | 5-110 (A) | The existing land use pattern; |
| Yes | 5-110 (B) | The possible creation of an isolated district unrelated to adjacent and nearby districts; |
| <u>Yes</u> | 5-110 (C) | The existing population density pattern and the possible increase or overtaxing of the load on public facilities; |
| Yes. | 5-110 (D) | Whether changed or changing conditions make the passage of the proposed amendment reasonable; |
| Yes | 5-110 (E) | Whether the proposed change will adversely influence existing conditions in the neighborhood or the city at large; |
| Yes | 5-110 (F) | Potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity; |
| Yes | 5-110 (G) | The reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes; |
| Yes | 5-110 (H) | Whether the proposed change will be detrimental to the value or improvement or development of adjacent or nearby property in accordance with existing requirements; |
| Yes | 5-110 (I) | Whether the proposed change is out of scale with the needs of the neighborhood or entire city; |
| <u>Yes</u> | 5-110 (J) | Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and, |
| Yes | 5-110 (K) | The extent to which the zoning decision is consistent with the current city master plan or other local planning efforts, if any, of the city. |

The Applicant certifies that he/she has read the requirements for Land Development Code Map Amendments and has provided the required information to the best of his/her ability in a truthful and honest manner.

2-2

11/4/2022

Page 3 of 3



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

| aggregate value of \$250 | .00 or more to a member o and Council or any local g | of the City of Tybee Is | sland Planning |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------|
| YES | NO X | | |
| IF YES, PLEASE COM | PLETE THE FOLLOWIN | IG SECTION: | |
| NAME OF GOVERNMENT OFFICIAL | CONTRIBUTIONS OF \$250.00 OR MORE | GIFTS OF \$250.00 OR MORE | DATE OF CONTRIBUTION |
| | | | |
| | | | |
| THIS FORM MUST BE PRIOR TO PLANNING GIFTS IN EXCESS OF | AK CONCERNING THE FILED WITH THE ZON COMMISSION MEETIN \$250.00 HAVE BEEN M. SION OR MAYOR AND | ING ADMINISTRA' IG IF CAMPAIGN C ADE TO ANY MEM | TOR FIVE (5) DAYS CONTRIBUTIONS OR |
| Signature | 2_ | | |
| Printed Name Mich | ael A. Foran | S | |

Date 11/4/2022

Item #3.

PARID: 40003 10009

SAVANNAH BAR PILOTS INC

1 VAN HORN

Most Current Owner

Current Owner

Co-Owner

Care

Mailing Address Of

SAVANNAH BAR

PILOTS INC

PROFIT SHARING PLAN & TRUST

146 GRAYS CREEK DR MICHAEL A FORAN

AGENT SAVANNAH GA 31410-1041

Digest Owner (January 1)

Owner

Co-Owner

Address 1

Address 2

City

State Zip

SAVANNAH

PROFIT

146 GRAYS CREEK DR MICHAEL A

ACTIVE

2926762 1 VAN HORN

31328-

40003 10009 **RES - Residential**

TYBEE ISLAND

FORAN

SAVANNAH GA 31410

BAR PILOTS INC

& TRUST

SHARING PLAN

AGENT

Parcel

Status

Parcel ID

Category Code

Bill#

Address

Unit # / Suite

City Zip Code

Neighborhood

Total Units

Class

Zoning

R-1

R3 - Residential Lots

Appeal Status

Legal Description

Legal Description

LT 8 OCEAN VIEW SUB SMB Q 51

20204.00 - T204 TYBEE BEACHFRON

Deed Book

167M

Deed Page

0161

Permits

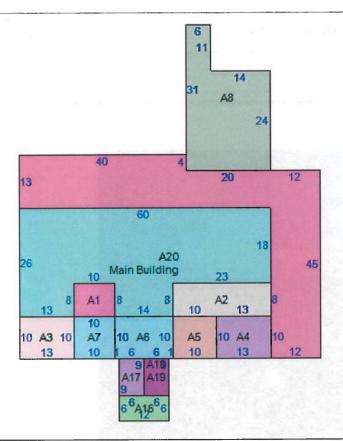
| Permit # | Permit Date | Status | Туре | Amount |
|-----------|-------------|----------|------------------|-------------|
| 10-0243-5 | 05/12/2010 | Complete | RF - ROOF | \$22,000.00 |
| 10-0237-4 | 05/07/2010 | Complete | PL - PLUMBING | \$4,000.00 |
| 090425-2 | 09/29/2009 | Complete | - | \$1,025.00 |
| 090402-3 | 09/11/2009 | Complete | - | \$75,000.00 |
| 03-0111-1 | 02/27/2003 | Complete | RN - RENOVATIONS | \$35,000.00 |

OBY

Card Year Description Grade: Units: Override: Area: Built:

6616: HOUSE LIFTING, ELEV. ABOVE FLOOD PLAIN, 1988 1 C RAISED FLR

1,296



| ltem | Area |
|------------------------------------------------------------------------------------|------|
| Main Building | 1296 |
| - 6616:HOUSE LIFTING, ELEV. ABOVE FLOOD PLAIN, RAISED FLR | 1296 |
| A1 - 904/100/100:904-Slab Porch (SF) with Roof/100- LIVING SPACE/100- LIVING SPACE | 80 |
| A16 - 902:902-Raised Slab Porch (SF) | 72 |
| A17 - 904/904:904-Slab Porch (SF) with Roof/904-Slab Porch (SF) with Roof | 54 |
| A18 - 904:904-Slab Porch (SF) with Roof | 54 |
| A19 - 909:909-Enclosed Porch (SF), Solid | 54 |
| A2 - 904/100/100:904-Slab Porch (SF) with Roof/100- LIVING SPACE/100- LIVING SPACE | 184 |
| A20 - 904/906:904-Slab Porch (SF) with Roof/906-Wood Deck (SF) with Roof | 1240 |

- Page 33 -

Section 5-040 (E) Requirements:



City of Tybee Island Map Amendment Application 1 Van Horne Avenue, Tybee Island, GA 31328



The Applicant, owner of 1 Van Horne Avenue (the "Property"), seeks to rezone the Property from R-1 to R-T. The Property is fully developed and no changes, additions, or revisions to the existing structure or premises are proposed. The Property is a family vacation home that is rented 208 days per year pursuant to Tybee Island Short Term Vacation Rental (STVR) Permit #STR2021-00730. No change of use is proposed.

The Property is bordered by R-T-zoned property to the west and across Van Horne Avenue. The Tybee Post Theater is immediately across Van Horne. The immediate vicinity is comprised of numerous multi-family condominiums and a few single-family homes that operate as vacation rentals. The purpose of the rezoning is to conform the zoning of the Property to the true nature of the neighborhood — multi-family and vacation rental.

Approaching the Property from the east along Van Horne:



10-Unit Condominium directly across Van Horne from the Property:



View of Property and condominiums from the west along Van Horne:

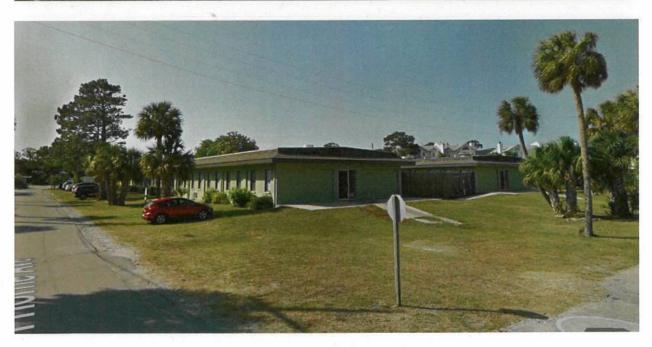


Tybee Post Theatre and 6-unit condominium across Van Horne from the Property:



Condominiums along Oceanview Ct. to the North:





Pin = 4-000 3-10-004

STATE OF NEW YORK)

WARRANTY DEED

ORANGE COUNTY

day of April, 1994 THIS INDENTURE, made and entered into this between WILLIE I. HIGHTOWER and JEANNETTE FRANTZ HIGHTOWER, parties of the first part and MICHAEL A. FORAN, AGENT FOR SAVANNAH BAR PILOTS, INC. PROFIT SHARING PLAN & TRUST, party of the second part.

WITNESETH

Pirst parties for and in consideration of the sum of Ten and no/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto second party, his heirs, successors and assigns, the following described property, to-wit:

All that certain lot, tract or parcel of land situate, lying and being in the City of Tybee Island, Chatham County, Georgia, and known and designated upon a map or plan of Ocean View Subdivision prepared by Barrett & Exley on June 30, 1978, as LOT 8, OCEAN VIEW SUBDIVISION. Said map or plan of Ocean View Subdivision being recorded in the office of the Clerk of Superior Court of Chatham County, Georgia, in Subdivision Map Book Q, page 51. Express reference is hereby made to the aforementioned map or plan of said subdivision for better determining the metes, bounds and dimensions of the above property with improvements thereon, known as #1 Van Horne Street, Tybee Island, Georgia.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members hereditaments, improvements, casements and appurtenances thereunto belonging or in any wise appertaining unto second party, his heirs, successors and assigns, FORBVER IN FEE SIMPLE.

Said first parties, their heirs, executors, administrators, successors and assigns warrant a good and marketable title to said property with a full general warranty of title to said property against the claims of all persons whomsoever.

IN WITNESS WHEREOF, first part have hereby set their hands and affixed their seals hereto the day and year first above written.

SIGNED, SEALED AND DELIVERED

IN THE PRESENCE OF:

THOMAS GENOVA

Notary Public, Scann of New York No. 4777858 Qualified in Dutchess County Commission Expires 10/3/94

Acreage: 0.30

Section 5-110 Standards and Other Factors to be Considered

5-110 (A): The existing land use pattern:

The existing land use pattern is predominantly multi-family residential condominiums. The Tybee Post Theatre is opposite the subject property, across Van Horne Avenue. A single-family residence with an STR ordinance is immediately adjacent to the north. A single-family residence also occupies the parcel across Van Horne Avenue to the south.

5-110 (B): The possible creation of an isolated district unrelated to adjacent and nearby districts:

A rezoning of the Property will not create an isolated district unrelated to adjacent and nearby districts because the three neighboring properties to the west are zoned R-T, as are three adjacent properties across Van Horne.

5-110 (C): The existing population density pattern and the possible increase or overtaxing of the load on public facilities:

There will be no increase in the population density pattern or overtaxing of the load on public facilities because no new development or change of existing use will occur.

5-110 (D): Whether changed or changing conditions make the passage of the proposed amendment reasonable:

Parcels 40003 10010, 40003 10011, and 40003 10306, all zoned R-T and located immediately adjacent to the Property to the northwest, have all recently been developed and are expected to operate as short-term rentals.

5-110 (E): Whether the proposed change will adversely influence existing conditions in the neighborhood or the city at large:

The proposed change will not adversely influence existing conditions in the neighborhood or city at large because no new development or change of existing use will occur.

5-110 (F): Potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity:

There will be no additional impact on the environment because no new development or change of existing use will occur.

5-110 (G): The reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes:

There will be no increase in costs required of the public because no new development or change of existing use will occur.

5-110 (H): Whether the proposed change will be detrimental to the value or improvement or development of adjacent or nearby property in accordance with existing requirements:

The proposed change will not be detrimental to the value, improvement, or development of adjacent or nearby property because no new development or change of existing use will occur.

5-110 (I): Whether the proposed change is out of scale with the needs of the neighborhood or entire city:

There is no proposed change to the existing development or use of the property.

5-110 (J): Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public:

There will be no grant of special privilege to the individual because the existing use of the property will not change.

5-110 (K): The extent to which the zoning decision is consistent with the current city master plan or other local planning efforts, if any, of the city:

The zoning decision is consistent with the current city master plan, which provides for the balancing of facilities and services needed by tourists and residents with the impacts of tourism on permanent island residents. The proposed rezoning will not increase the number of STRs on the island but instead will ensure that one existing STR is allowed to remain in an appropriate location that is dominated by multi-family condominiums and across the street from the Tybee Post Theatre, a tourist attraction.



STAFF REPORT

PLANNING COMMISSION MEETING: December 19, 2022

CITY COUNCIL MEETING: January 12, 2023

LOCATION: Polk and Solomon PIN: 40021 12008 – 40021 11013

Lots along Solomon

APPLICANT: William Christiansen OWNER: William Christiansen

EXISTING USE: Undeveloped lots and R of W PROPOSED USE: Developable lots

ZONING: R-1 USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: North Beach/Maritime District

APPLICATION: Zoning Variance (5-090) from Section 3-090.1 Streams, lakes, coastal marshlands and freshwater wetlands buffer/setback.

PROPOSAL: The applicant is requesting approval to excavate portions of the wetland buffer to remove trash and debris that had been dumped there over many years.

ANALYSIS: The trash needs to be removed for any residential development to occur. It is also better for the environment that the trash is removed and not allowed to deteriorate next to a wetland and near a marsh.

The Comprehensive Plan describes the North Beach/Maritime District as follows:

The North Beach/Maritime District is a multifaceted area with R-1, R-2, R-1B, R-1/NEC, R-T, E-C, PUD, and M-D zoning. Uses include commercial, recreational, campground, public/government uses and buildings, and a mix of residential styles and homes set on narrow streets. In addition to these developed portions, the area also includes extensive undeveloped environmentally sensitive areas with multi-use trails and public water access.

| | Comprehensive Plan — Community Character Area The North Beach/Maritime District | |
|----|----------------------------------------------------------------------------------------------------------------------|------------------------|
| | The North Deach Marttime District | Meets |
| | Recommended Development Strategies | Strategy Y/N or N/A |
| 1. | Establish standards and guidelines for signage in keeping with island character | N/A |
| 2. | Allow for the development of retail, restaurants and services for seasonal and year round populations | 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 development of the Tybee Island bikeway, including bike lanes and multi-use trails | N/A |
| 7. | Facilitate public water access where appropriate and on public property | N/A |
| 8. | Discourage down-zoning from commercial to residential in the Lazaretto Creek area and maintain commercial dock usage | N/A |

STAFF FINDING Staff recommends approval

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Variance application
- B. SAGIS map (1 page)
- C. Erosion and sedimentation control plan showing extent of excavation

Fee Commercial \$500 Residential \$200

Applicant: WILL CHEISTIAN SEN



CITY OF TYBEE ISLAND VARIANCE APPLICATION from the Tybee Island Land Development Code

| Telephone #: 912-675-5585 Email Address: WILLIAM CHEIS 92@ GMAK. COM |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mailing Address 9975 FERGUSSON AVE., SAVANNAH, GA. 31406 |
| *Note: If the applicant is not the property owner as listed on the property deed, a letter from the listed owner(s), including a telephone number and address along with any other relevant information, authorizing the applicant to act in their behalf must be included in the application. |
| PROCEDURE |
| Application Requirements |
| All applications must be complete, including required supporting documents. Drawings or surveys will be 11" X 17" or larger. Incomplete applications will not be accepted and will delay review. |
| Application Deadline |
| Applications are due by 4:00 p.m. of the last day of the month before the next scheduled Planning Commission meeting. |
| Application Culmittal |
| Application Submittal Return one copy of this completed application and all supporting documents to: Tybee Island Planning and |
| Zoning, City Hall, 403 Butler Avenue / P.O. Box 2749 City of Tybee Island, GA 31328 |
| Zoning, City Hall, 403 Butlet Avenue / F.S. Box 27 13 Gity of Types assume, and an army of the second secon |
| Application Public Hearings |
| Applications will be heard at a public hearing before the Planning Commission on the third Monday of each month, followed by a final decision by City Council at another public hearing on the second Thursday of the following month. Each hearing will be held at 6:30 p.m. at the Public Safety Building, 78 Van Horn Dr. |
| Property Address (Or General Location Description if no Address Assigned): |
| CORNER OF SOLOMON AYE. AND POLK ST. |
| |
| Tax Map/Parcel ID#: VARIES Current Zoning: R-1 |
| Existing use of Property: |
| |
| Proposed use of Property. |
| Has the property been denied a variance in the past 12 months? If so, please provide brief details: |
| NOT THAT WE ARE AWARE OF |
| |

Variance Questionnaire:

| 1. Does the requested variance change the Tybee Island character designation for the property as described the Master Plan? If so, provide a brief explanation. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No |
| 2. Please explain the purpose of the requested variance and the intended development of the subject proper if the variance is granted. |
| ASKING FOR FRESH WATER BUFFER VARIANCE |
| FOR PURPOSE OF UNDER GROUND DEBRIS REMOVAL |
| 3. Please explain the specific provision within the Tybee Island Land Development Code from which the variance is requested. |
| 25' BUFFER REQ'O BY TYPER FOR FRESH WATER |
| 25' BUFFER REQ'O BY TYPER FOR FRESH WATER WETLANDS, NOT REQ'D BY US COE. |
| 4. Per the Tybee Island Land Development Code, the Tybee Island Planning Commission shall not make a recommendation on a variance from the terms of the Land Development Code unless it has met the followin Please explain how the requested variance meets each of the following: A. The need for a variance arises from the condition that is unique and peculiar to the land, structures and buildings involved. |
| DEBRIS COULD CAUSE HAZARD TO SUPPOUNDING |
| ENVIRONMENT, ECD SYSTEM AND GROUND WATER |
| B. The variance is necessary because the particular physical surroundings, the size, shape or topographic condition of the property involved would result in unnecessary hardship for the owner, lessee or occupants a distinguished from a mere inconvenience. |
| SEL A ABOVE |
| |

| C. The condition red district as the subject p | quiring the rec property. | quested relie | ef is not ordin | arily fou | nd in properties | of the same zoning |
|---------------------------------------------------|---------------------------------|-----------------------------|---------------------------------|----------------------|-----------------------------------|---------------------------------|
| DEBRIS | DEPUSIT | 120 | IN THE | PAS | 7 | |
| | | | | | | |
| | | | | | | |
| D. The condition is action of the property | created by the | e regulation icant. | in the Tyber | e Island L | and Developme | ent Code and not by the |
| CONDIT | ION Ex | ISTEO | PRIDE | To | OWNER | ACQUISITION |
| | | | | | | |
| | | | | | | |
| E. The granting of to the Fire Prevention (| the requested Code of the Ty | variance wil /bee Island | II not conflict Code of Ordi | with Sec nances o | . 26-70-Amendor r endanger the | ments and modifications public. |
| No Inc | PACT | | | | | |
| | | | | | | |
| F. The variance requipers or structures. | uested is the I | minimum va | riance that v | vill make | possible the rea | sonable use of the land, |
| Ste " | A" A00 | ve | | | | |
| | | | | | | |
| G. If in marsh but | ffer has all po | oints of Sec | :. 3-090.1 b | een con | sidered. | |
| N.A. | | | | | | |

NOTE: This application must be accompanied by additional documentation, including drawings that include or illustrate the information outlined below. REFERENCE DESCRIPTION 5-040 (D) (1) Site plan and/or architectural rendering of the proposed development depicting the location 5-040 (D) (2) Narrative describing the hardship and the reason for the variance request. (Hardship means the circumstances where special conditions, which were not self-created or created by a prior owner, affect a particular property and make strict conformity with the restrictions governing dimensional standards (such as lot area, width, setbacks, yard requirements, or building height) unnecessarily burdensome or unreasonable in light of the purpose of this code. Unnecessary hardship is present only where, in the absence of a variance, no feasible use can be made of the property.) Explain the hardship: DUROSPAJONA DEBELS 5-040 (D) (3) A survey of the property signed and stamped by a State of Georgia certified land surveyor. 5-090 (A) (1) That there are unique physical circumstances or conditions beyond that of surrounding ____irregularity; ____ narrowness; or, __ shallowness of the lot shape; or, exceptional topographical or other physical circumstances, conditions, or considerations related to the environment, or the safety, or to historical significance, that is peculiar to the particular property; and; Because of such physical circumstances or conditions, the property cannot be developed in 5-090 (A) (2) strict conformity with the provisions of the Land Development Code, without undue hardship to the property. NOTE: Provide attachments illustrating conditions on surrounding properties and on the subject property, indicating uniqueness, etc. 5-090 (B) Height. No part of any structure shall project beyond 35-feet above the average adjacent grade of a property except: (1) See section 2-010, terms and definitions; height of building. (2) The following items that were existing on the date of the adoption of this section; flag poles, television aerials, water towers and tanks, steeples and bell towers, broadcasting and relay towers, transmission line towers, and electric substation structures. The Applicant certifies that he/she has read the requirements for Variances and has provided the required information to the best of his/her ability in a truthful and honest manner. Signature of Applicant

5-090(C) Variance longevity. After a variance has been granted by the mayor and council it shall be valid for a period of 12 months from date of approval. Such approval is based on information provided in the application. Building permits may only be granted for plans consistent with the approved application. Any deviation from the information submitted will require separate approval by the mayor and council.

CERTIFICATION AND AUTHORIZATION

I hereby certify that, to the best of my knowledge and belief, the above listed information and all attached supporting documents are complete and accurate. I understand that this application will require public hearings by the Tybee Island Planning Commission and City Council. I have been made aware and I hereby acknowledge the scheduled hearing dates/times and location where this application will be considered. I also understand that review of this application will require a site visit, and I hereby authorize City staff and members of the Planning Commission and City Council to inspect the property which is the subject of this application.

| to inspect the property which is the subject of this application. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Signature of Applicant William Date 09/14/22 |
| |
| 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 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. Disclosure of campaign contributions form attachment hereto: Yes |
| Signature of Applicant Date |
| |
| STAFF USE ONLY |
| Date received: Received by |
| Fee Amount \$ Check Number Date |
| PUBLIC HEARING DATES: |
| Planning Commission City Council |
| DECISION: (Circle One) Approved Denied |
| Approved with Conditions: |



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

| naving an aggregate | past two (2) years mad value of \$250.00 or mo , or Mayor and Council ing application? | ore to a member of the | e City of Types Island |
|-----------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------|
| YES | NO | | |
| IF YES, PLEASE COMP | PLETE THE FOLLOWING | G SECTION: | |
| NAME OF GOVERNMENT OFFICIAL | CONTRIBUTIONS OF \$250.00 OR MORE | GIFTS OF \$250.00 OR MORE | DATE OF CONTRIBUTION |
| | | | |
| | | | |
| | | | |
| PLANNING COMMISSION | AK CONCERNING THE A WITH THE ZONING A ON MEETING IF CAMPA AVE BEEN MADE TO A OR AND COUNCIL. | DMINISTRATOR FIVE AIGN CONTRIBUTION | (5) DAYS PRIOR TO |
| Printed Name Will. | am Christian | sen | |
| Date 09/14/22 | | | |



DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT 100 W. OGLETHORPE AVENUE SAVANNAH, GEORGIA 31401-3604

May 20, 2022

Regulatory Division SAS-2008-01161

Mr. William Christiansen 9975 Ferguson Avenue Savannah, GA 31406

Mr. Shawn Gillen Post Office Box 2749 Tybee Island, Georgia 31327

Dear Ms. Nelligan:

I refer to a request, submitted on your behalf by Mr. Tristan Turner with Sligh Environmental Consultants, Inc., requesting an Aquatic Resources Delineation Review (ARDR) for a 4.05-acre site located west of Polk Street, bisected by Telephone Avenue and Storer Street both City of Tybee right of way, on Tybee Island, Chatham County, Georgia (Latitude 32.0218, Longitude -80.8533). This project has been assigned number SAS-2008-01161and it is important that you refer to this number in all communication concerning this matter.

We have completed an ARDR for this site. Any wetlands on-site were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual. The enclosed survey entitled, "Wetlands Map For: Joseph Christiansen and William Christiansen", dated May 7, 2021, accurately identifies the delineated limits of all aquatic resources located within the review area.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

If you intend to sell property that is part of a project that requires Department of the Army Authorization, it may be subject to the Interstate Land Sales Full Disclosure Act.

The Property Report required by Housing and Urban Development Regulation must state whether, or not a permit for the development has been applied for, issued or denied by the U.S. Army Corps of Engineers (Part 320.3(h) of Title 33 of the CFR).

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state or local laws, or regulations. It does not obviate your requirement to obtain state or local assent required by law for the development of this property. If the information you have submitted, and on which the U.S. Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

Thank you in advance for completing our on-line Customer Survey Form located at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please contact me by phone at (912) 652-5690 or by email at skye.h.stockel@usace.army.mil.

Sincerely,

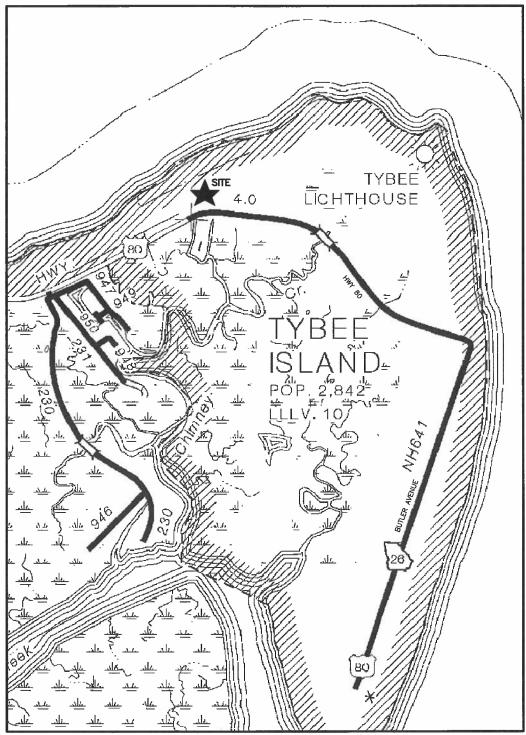
Skye H. Stockel

My H. Hockel

Project Manager, Coastal Branch

Copy Furnished: Mr. Tristan Turner with Sligh Environmental Consultants, Inc.

Enclosures



VICINITY MAP



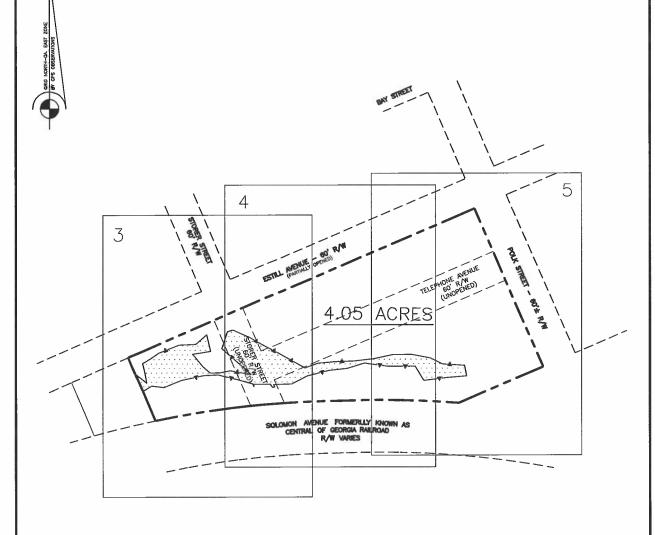
WETLANDS MAP FOR: JOSEPH CHRISTIANSEN & WILLIAM CHRISTIANSEN

LOCATION: 5TH G.M.D. CHATHAM CO., GA.
BAY WARD, CITY OF TYBEE ISLAND
DRAWN: MAY 7, 2021
BY: JAMES M. ANDERSON-GA. R.L.S. 2113
SCALE: N/A 19059WETLAND.DWG SHEET 1

JAMES M. ANDERSON & ASSOCIATES, REGISTERED LAND SURVEYORS P.O. BOX 894 104 OAK STREET STATESBORO, GA. 30459 PHONE: (912) 764-2002

- Page 52 -





OVERALL BOUNDARY ACREAGE BOUNDARY TRACT = 4.05 AC.

TRACT 2 BOUNDARY

WETLANDS = 0.55 AC. UPLANDS = 3.50 AC. TOTAL 4.05 AC.

WETLANDS MAP FOR: JOSEPH CHRISTIANSEN & WILLIAM CHRISTIANSEN

LOCATION: LOCATION: 5TH G.M.D. CHATHAM CO., GA. BAY WARD, CITY OF TYBEE ISLAND DRAWN: MAY 7, 2021
BY: JAMES M. ANDERSON-GA. R.L.S. 2113
SCALE: NTS

19059WETLAND.DWG

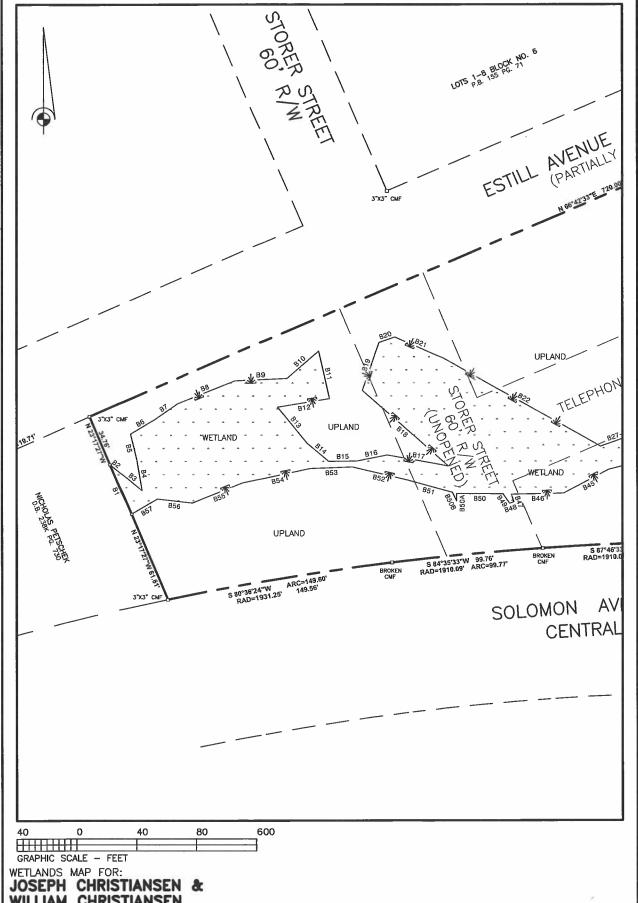
SHEET 2



on M. anderson

5-7-2021

Item #4.



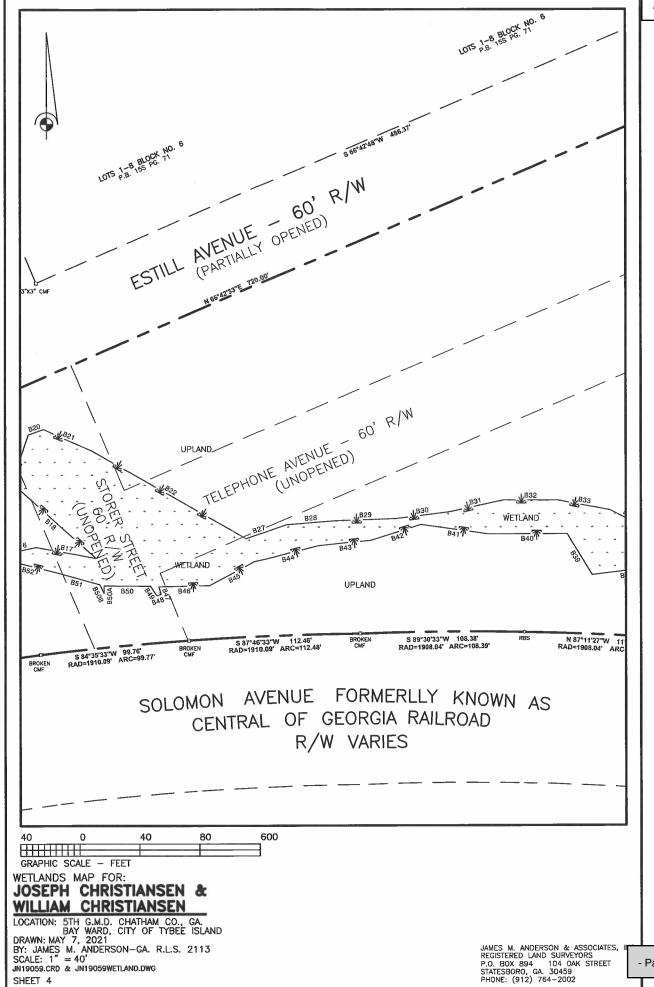
<u> WILLIAM CHRISTIANSEN</u>

LOCATION: 5TH G.M.D. CHATHAM CO., GA.
BAY WARD, CITY OF TYBEE ISLAND
DRAWN: MAY 7, 2021
BY: JAMES M. ANDERSON—GA. R.L.S. 2113
SCALE: 1" = 40'
JN19059.CRD & JN19059WETLAND.DWG SHEET 3

JAMES M. ANDERSON & ASSOCIATES, I REGISTERED LAND SURVEYORS P.O. BOX 894 104 OAK STREET STATESBORO, GA. 30459 PHONE: (912) 764-2002

- Page 54 -

Item #4.

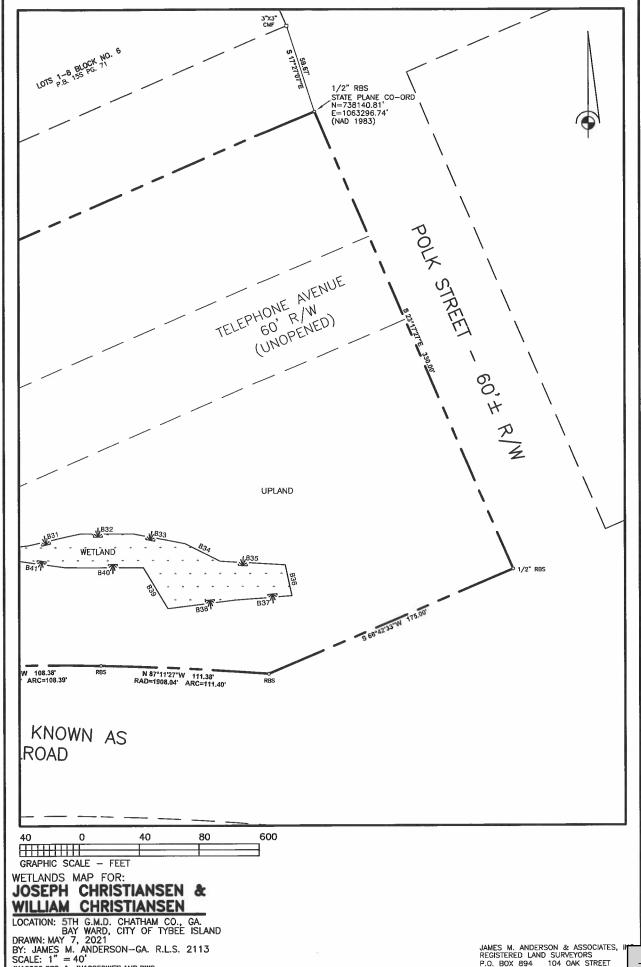


JN19059.CRD & JN19059WETLAND.DWG

SHEET 4

- Page 55 -

Item #4.



JN19059.CRD & JN19059WETLAND.DWG

SHEET 5

JAMES M. ANDERSON & ASSOCIATES, II REGISTERED LAND SURVEYORS P.O. BOX 894 104 OAK STREET STATESBORO, GA. 30459 PHONE: (912) 764-2002

- Page 56 -

| Item | #4 |
|--------|------|
| 100111 | ,,,, |

- WETLAND DELINEATION FLAGGED BY SLIGH ENVIRONMENTAL CONSULTANTS, INC. DATE: APRIL 21, 2021.
 BOUNDARY INFORMATION IS FROM A SURVEY MADE BY ME AND RECORDED IN PLAT BOOK 52 PAGE 33 OF CHATHAM COUNTY CLERK OF SUPERIOR COURT.
 A PORTION OF THIS PROPERTY MAY BE CONSIDERED WETLANDS UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.



"I HEREBY CERTIFY THAT THE WETLANDS AS SHOWN ON THIS SURVEY WERE LOCATED USING SURVEY GRADE GPS EQUIPMENT. THE PURPOSE OF THIS SURVEY IS FOR THE LOCATION OF WETLANDS ONLY AND NOT BOUNDARY ESTABLISHMENT OR PROPERTY CONVEYANCE.

on M. anderson

5-7-2021

LOCATION: 5TH G.M.D. CHATHAM CO., GA. BAY WARD, CITY OF TYBEE ISLAND DRAWN: MAY 7, 2021
BY: JAMES M. ANDERSON—GA. R.L.S. 2113
SCALE: 1" = 40'
JN19059.CRD & JN19059WETLAND.DWG

WETLANDS MAP FOR:
JOSEPH CHRISTIANSEN &

WILLIAM CHRISTIANSEN

SHEET 6

JAMES M. ANDERSON & ASSOCIATES, IN REGISTERED LAND SURVEYORS P.O. BOX 894 104 OAK STREET STATESBORO, GA. 30459 PHONE: (912) 764–2002

- Page 57 -

SOIL EROSION AND SEDIMENT CONTROL **PLANS**

FOR

CORNER OF SOLOMON AVE. AND POLK S REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA

FOR

Joseph Christiansen 9975 Fergusson Avenue Savannah, Georgia 31406

December, 2022

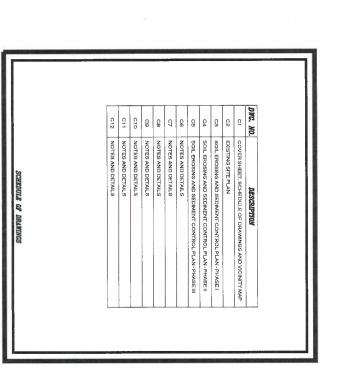


BOSWELL DESIGN SERVICES, INC

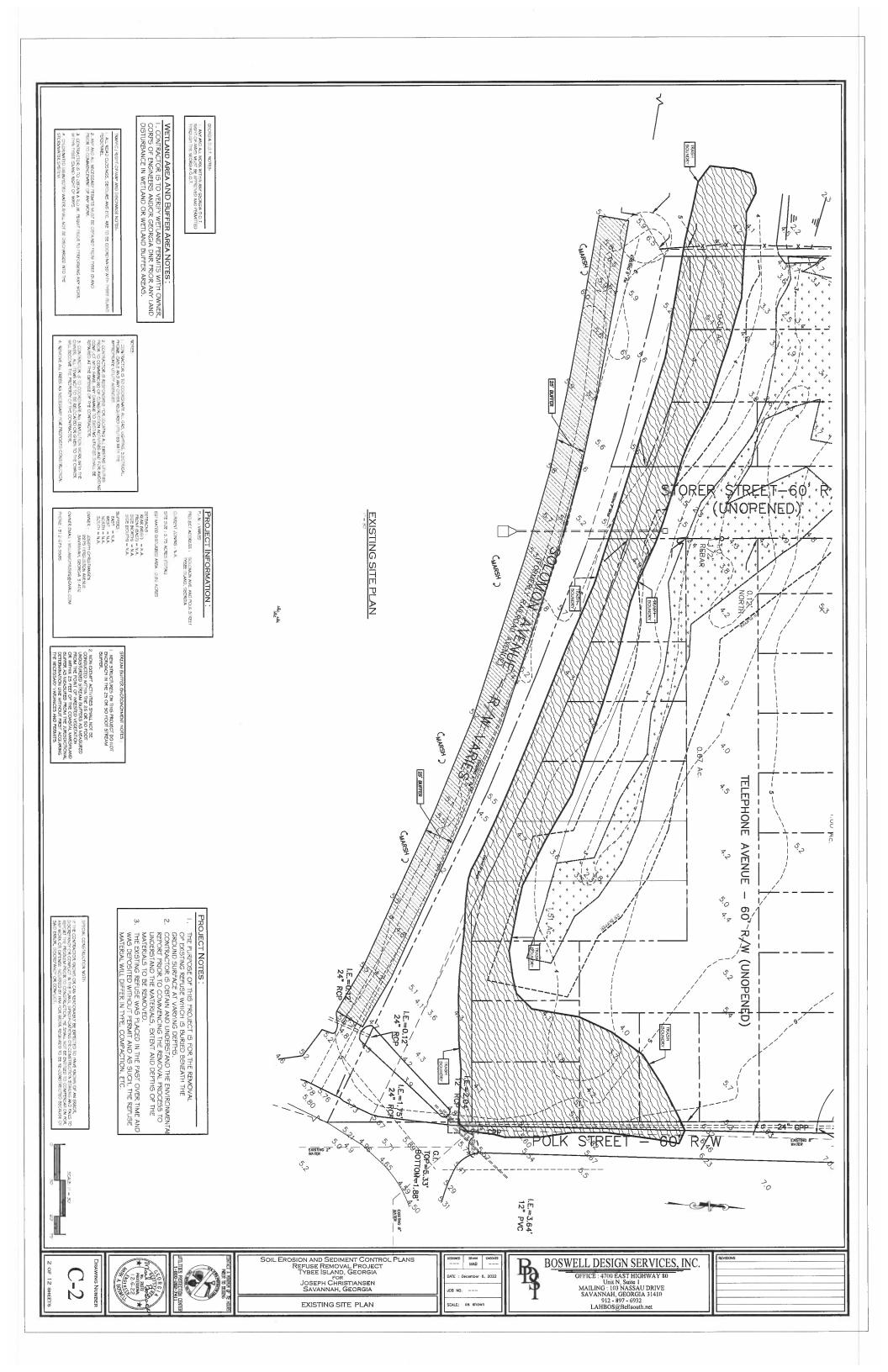
OFFICE: 4700 EAST HIGHWAY 80

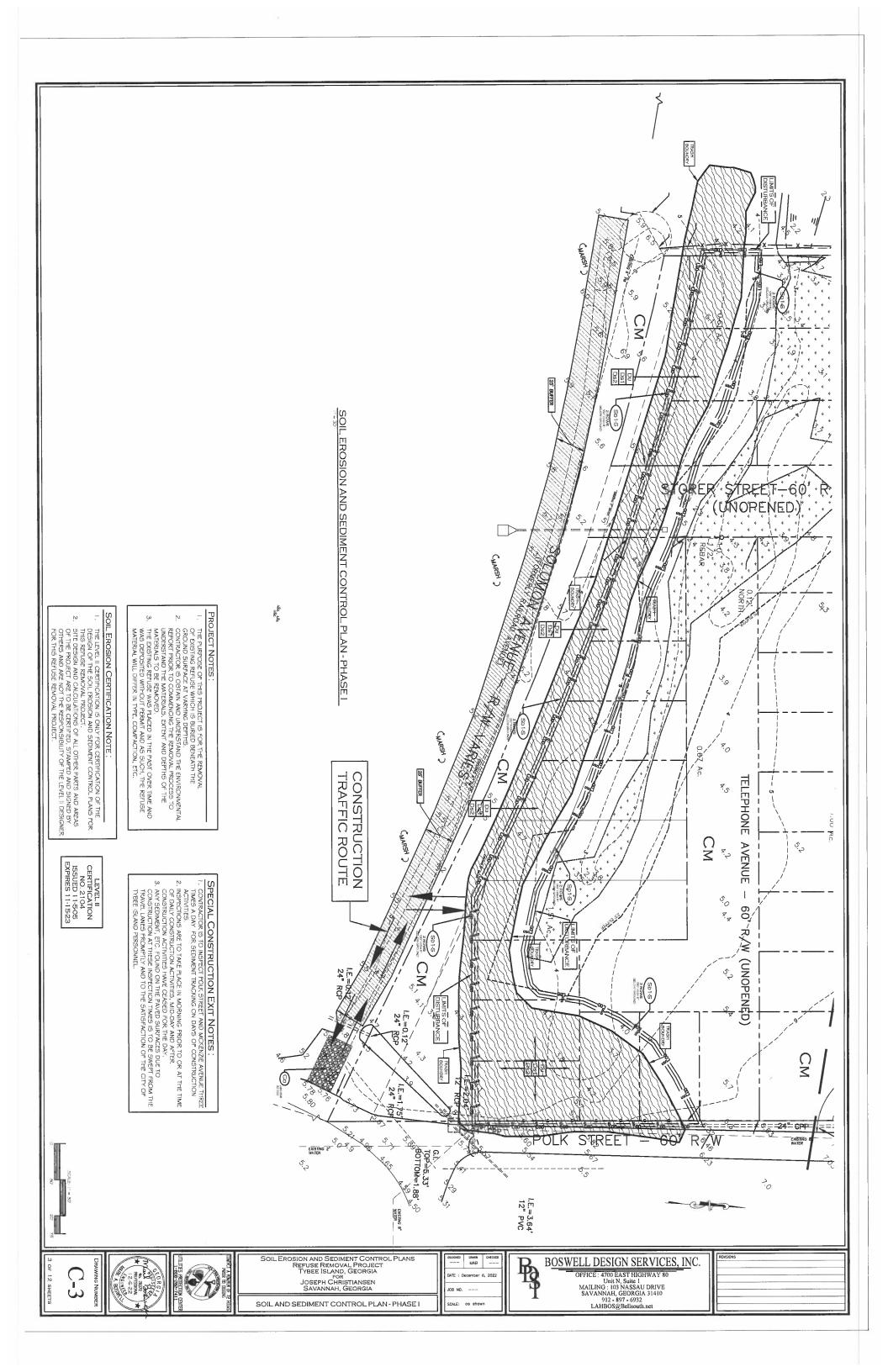
Unit N, Suite 1

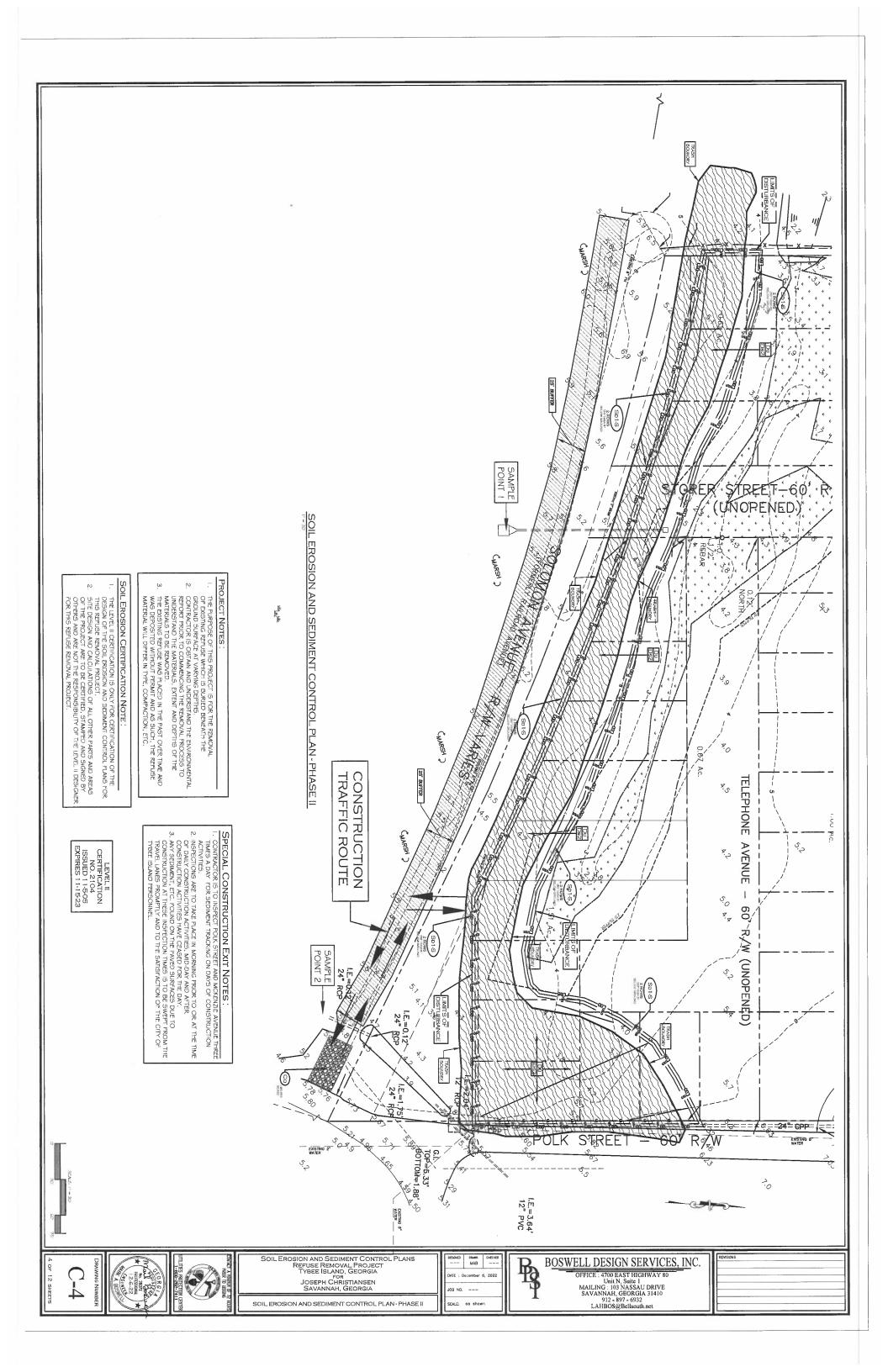
MAILING: 103 NASSAU DRIVE
SAVANNAH, GEORGIA 31410

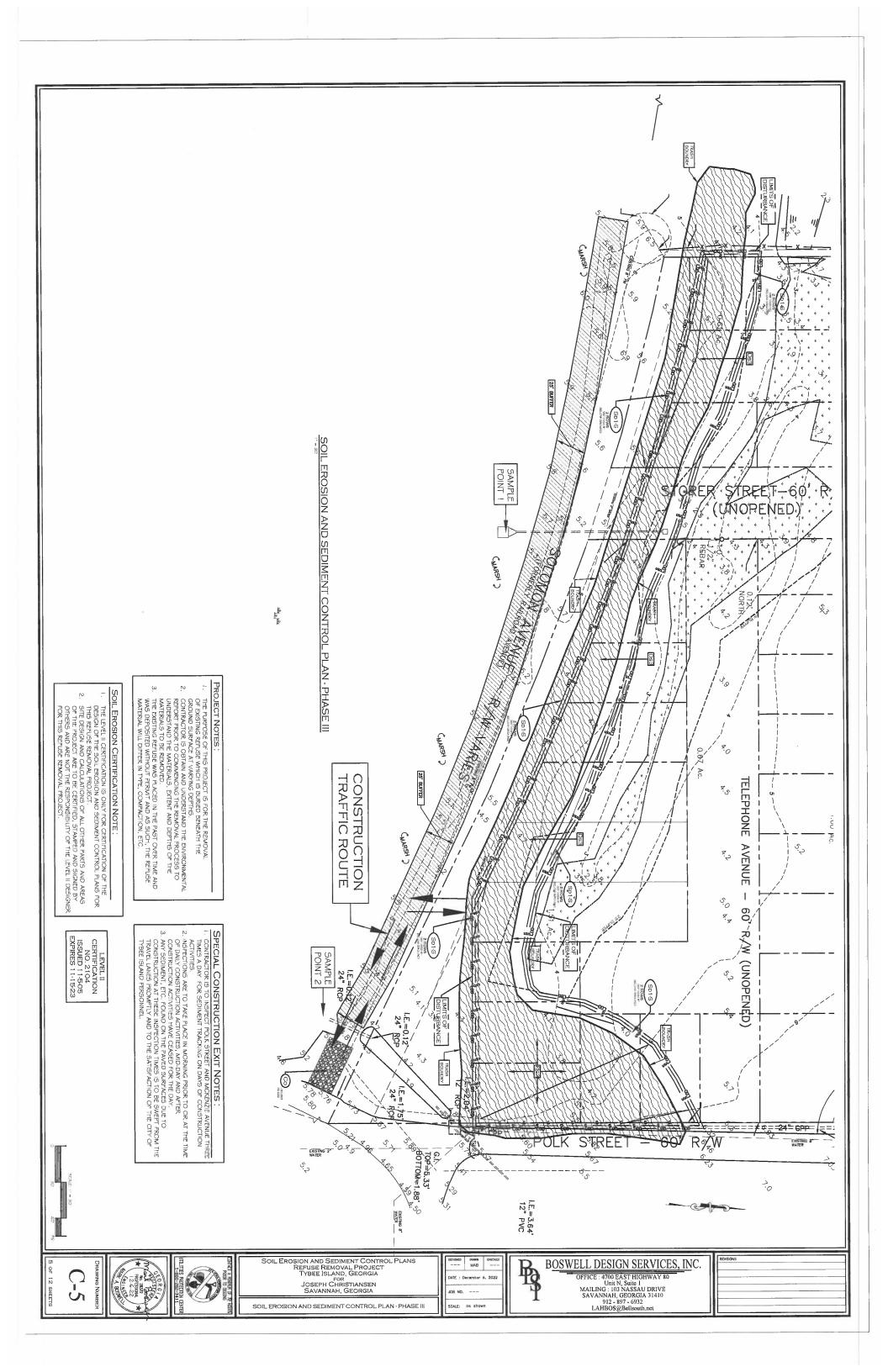












2. NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50 FOOT UNDISTURED STREAM BUFFES AS MASSURED FROM THE FORN TO FARSHED VECETATION OR WITHIN 25 FEET OF THE COSTAL MASSHAWD OR WITHIN 25 FEET OF THE COSTAL MASSHAWD EUPFER, AS MEASURED FROM THE JUREDICTIONAL DETERMINATION LINE WITHOUT FREST ACQUIRING THE NECESSARY VARIANCES AND FERMITS. . NEW STRUCTURES ON THIS PROJECT DO NOT ENCROACH IN THE 25 OR 50 FOOT STREAM BUFFER.

TREAM BUFFER ENCR

CHMENT NOTES:

STORM AND UTILITIES MANHOLE AND BOX NOTES:
.. INVERT ELEVATIONS ARE TO BE CONSIDERED AS PIPE
INVERTS AND NOT AS THE INVERT OF THE MANHOLE, BOX, ETC.

, RETROFITS, PERIMETER SILT FENCE AND CONSTRUCTION EXIT TO BE LEFT IN PLACE INTIL FINAL STABILIZATION HAS OCCURED. ONCE THE SITE IS PAVED THE CONSTRUCTION T IS NO LONGER NEEDED.

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SPECIAL WETLAND NOTE :

SPECIAL SOIL EROSION PREVENTION NOTES:

GSWCC 2016 Edition

This phase shall include construction of any outlet structures, retrofits, dams, inlets protection and temporary grassing.

mediate Phase (Phase II)

This phase shall include outfall protection, any revised inlet protection and any iter permanent devices.

. This phase shall include Silt fencing and construction exits and sediment and etention ponds to be installed prior to any land disturbing activities to prevent edment from feaving the site.

ial Phase (Phase I)

. The state of Georgia requires that the initial soil erosion prevention measures shall be inspected by the designer within 7 days after installation

 Soil erosion prevention plans shall be kept current and on site or readily acce the direction of the project until after final stabilization has occurred. It is the responsibility of the contractor to notify the soil erosion prevention plan designer within 7 days after the initial soil erosion measures are in place for inspection.

cord of his inspections of the soil

5. Contractor is to keep a reco-least the following:

a. date and scope of the inspb. name of person performing
c. major observations (including inspection reports are to be to
inspection reports are to be deduration of the project until aft nspection
ing inspection
uding noncompliance incidents)
s kept current and on site or readily accessible
after final stabilization has occurred.

G. Sampling of the outfall is the responsibility of the primary permittee and sampling requirements be as per the NFDES general permit.

7. Silt fencing is to remain in

place until final stabilization.

Great care shall be taken to prevent oil spills and leaks. In the event that a spill shall occur, stop the spill source immediately and implement BMPs and clean-up for the spill.

These ES & PC plans are in compliance with waste disposal, sanitary sewer and septic tank regulations.

Waste materials shall not be discharged to state waters authorized by a section 404 permit.

LEVEL II
CERTIFICATION
NO. 2104
ISSUED 11-5-05
EXPIRES 11-15-23

WETLAND AREA NOTE:

1. CONTRACTOR IS TO VERIFY WETLAND PERMITS WITH OWNER PRIOR TO ANY LAND DISTURBANCE IN WETLAND OR WETLAND BUFFER AREAS.

OF 12 SHEET

C-6



SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA FOR JOSEPH CHRISTIANSEN SAVANNAH, GEORGIA

NOTES AND DETAILS

2-12

MAB DATE : December 6, 2022 JOB NO. CALE: as shown



BOSWELL DESIGN SERVICES, INC.

OFFICE : 4700 EAST HIGHWAY 8 Unit N, Suite 1 MAILING : 103 NASSAU DRIVE SAVANNAH, GEORGIA 31410 912 - 897 - 6932 LAHBOS@Bellsouth.net

Description of the control of the co

STRUCTURAL PRACTICES

FOR SOIL EROSION AND SEDIMENTATION CONTROL PRACTICES

UNIFORI

M CODING SYSTEM

GEORGIA

GEORGIA SOIL AND WATER CONSERVATION COMMISSION

Description
 Descripti

3 3 3 8 8 8

Section 2

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SMUTTER DEAT

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company contributes of second contributes of statement of the contributes of statement of the contributes of (Co) Consider Annual Constant STRUCTURAL PRACTICES

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VEGETATIVE PRACTICES

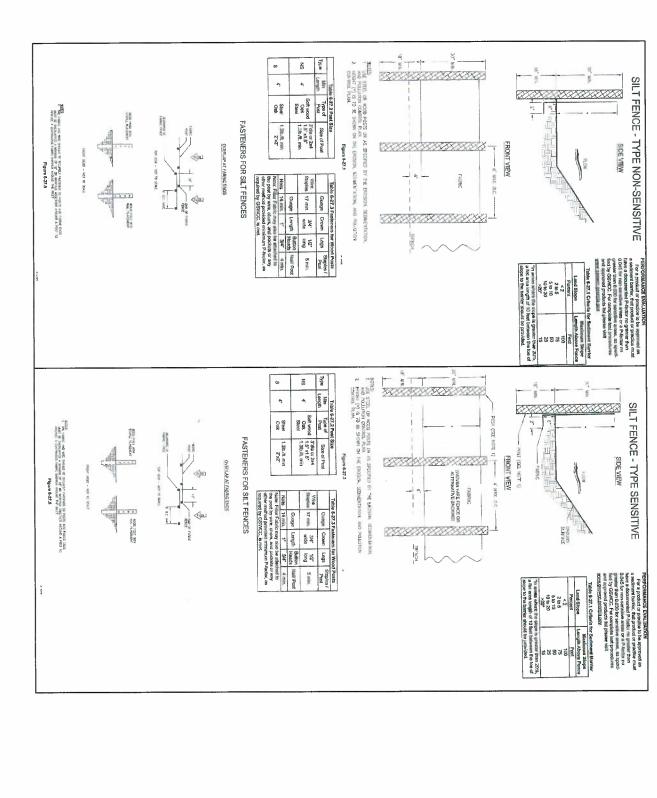
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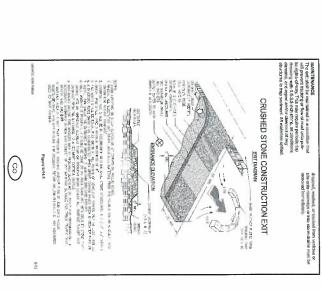
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2. NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 2S OR SO FOOT UNDSTURED STEEMEN BUFFERS AS MESURED FROM THE POINT OF WRESTED VECETATION OR WITHIN 2S FEET OF THE CONSTAL MASSHLAND BUFFER AS MESURED FROM THE LIBREDICTIONAL DETERMINATION LINE WITHOUT FREST ACQUIRING THE NECESSARY VARIANCES AND FERMITS. I, NEW STRUCTURES ON THIS PROJECT DO NOT ENCROACH IN THE 25 OR 50 FOOT STREAM BUFFER.



C-7

WETLAND AREA NOTE:

1. CONTRACTOR IS TO VERIFY WETLAND FERMITS WITH OWNER PRIOR ANY LAND DISTURBANCE IN WETLAND OR WETLAND BUFFER AREAS.

LEVEL II
CERTIFICATION
NO. 2104
ISSUED 11-5-05
EXPIRES 11-15-23





SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA FOR STANSEN JOSEPH CHRISTANSEN SAVANNAH, GEORGIA

NOTES AND DETAILS

MAB DATE : December 6, 2022 IOB NO. ---



PURPOSE

10 propost surface and air movement of dust from outposed soil surfaces.

10 reduce the presence of airborne substitutes the threshold of rejudous to human health, welfare, or safety, or to airmate or plant life.

Permanent Vegetation. See specification Ds3
Discurbed Area Stabilization (With Permanent Vegetation). Existing trees and large strubs may stribe any protection if left in place.

IMITION
Introducing surface and bir movement of dust controlling surface and bir movement of dust construction sites, roads, and demolifion sites

Barriars. Solid board fences, snowfences, unique fences, carb wells, beles of buy and similar maintaid can be used to control air currents and out bowing. Barriars, placed at right singles to prevailing currents at interests of should 15 times heart in the sound of the provided of the solid state.

Irrigation. This is generally done as an enter ney treatment. Site is sprinkled with water until surface is well. Repeat as needed.

Calcium Chloride. Apply at rate that will keep rface moist. May need retrealment.

Permanent Methods

CONDITIONS

This predict is applicable to areas subject to surface and air movement of out where on and off also change may occur who of readvent.

METHOD AND MATERIALS

A. Temporary Methods

Matches. See standard 0 st - Disturbed Area stabilization (With Mutching Only). Synthetic resure may be used treaded of selection from the material. Refer to specification Tac - Tackfifters. Regists should be used according to manufacturer's recommendations.

Stone. Cover surface with crushed parse gravel. See specification Gr-Constoned Stabilization.

opeoiling. This entails covering the surface less erosive soil material. See specification Topsoiling.

Vegetative Cover. See specification Ds2 -Ilsturbed Area Stabilization (With Temporary Seeding).

Tillage. This practice is designed to roughen d bring clods to the surface. It is an emergency sect 2016 Edward pray-on Adhesives. These are used on miner-ols (not effective on muck solls). Keep traffic off searnes. Refer to specification 1ac - 1ackfilers.

Dust Control on Disturbed Areas

Du

measure that should be used before wind ero-son statts. Begin plowing on windward side of the Chica-type plower spaced about 12 inches part, spring-pushed harmer, and derifur plows are examples of equipment that may produce the losited effect.

Cold Water (Trout Stream)
Surface Water Drainage Area, square miles
99 10-24.99 25-49.99 50-99.99 formetric Turbidity Unit (NTU) Tables 50 100 400 50 100 100 300 150 50 25 750 300 200 100 50 500 200 100 75 750 500 300 150 750 750 750 750 750 750 500 500 500 100 Building Moterida – No building materials will be buried or disposed on—site. All such naterials will be disposed of in proper worte disposed procedures.

3. Samilary Sewer will be provided by ktmlclpd Authority/Septic System at the completion of this project. 2. All seakbury weats units will be flootfed in an one where the literation of the unit contributing to atom wother disologogy in negligible. Additional containment Bull's must be implemented, such an organic bags or specially selegated postels still containment are such the base, to prevent wretter from contributing to atom water discharges. The footfair of smilitary vested writter must be identified on the Emoist Coulomb Fail Grands Report of smilitary vested writter must be identified on the Emoist Coulomb Fail Grands Report Selegate the Coulomb Fail C These deficiencies must be addressed immediately and a re-inspection proceed on the site until design Professional Certification is obtained.

scheduled.

Work shall not

SANITARY WASTES:

A minimum of one porticals scattery unit will be provided for every ten (10) waters the allow a second of the control of the porticals with a collected from the porticals with a minimum of time a weak by a feature portical facility provider in complete completes with of and state regulations.

Concrete Truck Washing

k. Fertilber / Herbickes – These products will be applied at rates that do not exceed the nondoclarie's specifications or above the guidelines set forth in the crop establishment in the GSTPC identified for English and Sediment Control in Georgia. Any strongs of hese materials will be under roof in seded contributes.

2. The controller will implement the Spill Prevention Control and Comintenseures (SPCE) Real Road within the SPEPP and will find the present in the proper fearury and handling of spilled metardata, the spilled, becardous metardata or handling of spilled metardata, the spilled, becardous metardata or handling and spilled metardata white spilled which will be defined to come in control. All storm water dehanges, if such contributed on title until appropriate measures in complication with retain and deficit regulated area taken appropriate for the property feature in the toward for the SPCD plants of dispose apportant to property front all presented in the taken of the SPCD plants passed in the such and the SPCD plants.

Make sure such down water goes into and stays in the pit.

Coordinate with sits superintendent to fill in pit and smooth out ground.

Never allow wosh down to enter a starm system. Book equipment into pit.

Wosh down only the chute hopper and rear of the vehicle. DO NOT WASH OUT DRUM. Perfolant Baud Products – Container for products auch as titlet, light-cents and crast is eliminated daily release on qualified the tender on each which and machiners. It is eliminated to the product of the containers of the conjument. Equipment the product of the containers of the control daily interest and all the conjument of the containers was all the containers through the tender only interest products and there a secondary containers through the tender to present products and the confirment containers are to present/minimate all containers of the containers of the containers and the containers are the present products and the containers are the products and the containers are the containers are the products and the containers are the containers Points / Frishes / Solvents - All products will be sittered in tightly sedded original tolerars when not in use. Excess product ail not be discharged to the strom year collection system. Sociese product, notaristic used with threas products and author contained will be disposed of occording to manufacturer's specifications (recommendations.) dent to accorate a pit deep enough to contain the wash

water.

The design professional is to inspect the installation of the initial sediment storage requirements and perimeter control BMPs. The design professional must be retained by the primary permittee to conduct a site inspection within seven (7) days after the the installation of the initial sediment storage requirements and perimeter control BMPs. The design professional must report the results of the inspection to the primary permittee within seven (7) days and the primary manter correct all deficiencies identified in the report within the (2) business days after receiving the report (unless additional time is needed due to adverse weather). The primary permittee may use an afternate design professional to conduct the BMP inspection, provided that they make a written request to EPD to change from the design professional who developed the plan and EPD has agreed. inspection revealed the following discrepancies GSWC LEVEL II DESIGN PROFESSIONAL DESIGN PROFESSIONAL 7 DAY VISIT CERTIFICATION certify the site was in compliance Mark Boswell with the ES&PC Plan on the date of from the ES&PC Plan. CERTIFICATION # 2104

> Locd, State and manufacturer's recommended methods for spill cleanup will be clearly partied and procedures will be made available to alto personnel. Spill prevention practices and procedures will be revelwed offer a spill and adjusted on recessory to prevent fature spills.

6, FOR SPILLS OF AN UNKNOWN AMOUNT, THE NATIONAL CENTER (NRC) WILL BE CONTACTED WITHIN 24 HOURS AT 1-800-424-8802. 7, FOR SPILLS GREATER THAN 25 QUILONS AND NO SURFACE WATER MPACTS, THE GEORGIA EPO WILL BE CONTACTED WITH 24 HOURS. S. FOR STILS THAT MEAST SURFACE WATER (LEAKE A SHEEN ON SURFACE WATER), THE MATIONAL RESPONSE CRUTER (WRC) WILL BE CONTACTED WITHER 24 HOURS AT 1-800-424-8802.

8. The contractor shall notify the licensed professional risk prepared this plan if more than 1,320 platies of profession is stored craits (the habities capacities of suphemeth or if any one piece of equipment tous or capacity greater than 650 places. The Contractor will need a Spill Prevention Containment and Countermeasures Pion prepared by that Econosed professions. 8. FOR SPILLS LESS THAN 25 GALLINS AND NO SURFACE WATER IMPACTS, THE SPILL WILL BE CLEANED UP AND LOCAL AGENCIES WILL BE CONTACTED AS REQUIRED. 2 Metants and equipment necessary for all ofersup all he legs in the melancial storage areas. Typical materials and equipment helders, but is not limited to, brooms, desiponals, maps, raps, glores, popples, call liters, and, servicel and properly labeled plastic and metal words containers.

All spills will be olemed up immediately upon discovery. All plis will be reported as required by local, State and Federal systetions.

1. Storm water samples are to be with methodology and test pround 40 CFR Part 135 and the guidance Storm littler Sampling Guidance DEPA 833-8-92-001.

2. Som exter is to be for expelianceable bridlity units (MII) of the cuttle fooders, A deshropped referre exter most from disturbed orace where best messignment proclems have not been properly selegated, bestellad, and most been properly selegated, bestellad, and most been properly selegated, bestellad, and sometimes a support of selection are and the disturbed participation of the selection of

The primary permittes shall retain as believed records at the construction as or the records and be seen, asked at a designed distinguis business test commercement of construction until such time as a NOT is which in decordance with Part VE Page 25 of 33 Permit No. GAR 100001

> POST-DEVELOPED = PRE-DEVELOPED = RUN-OFF CO-EFFICIENTS 84 84

WETLAND AREA NOTE:

1. CONTRACTOR IS TO VERIFY WETLAND PERMITS WITH OW PRIOR ANY LAND DISTURBANCE IN WETLAND OR WETLAND BUFFER AREAS.

. NEW STRUCTURES ON THIS PROJECT DO NOT ENCROACH IN THE 25 OR 50 FOOT STREAM BUFFER.

LEVEL II
CERTIFICATION
NO. 2104
ISSUED 11-5-05
EXPIRES 11-15-23

WASTE MATERIALS SHALL NOT BE DISCHARGED TO WATERS OF THE ATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.

sersonal will be instructed on proper procedures for world I. A notice striling these practices will be posted of the and the Contractor will be responsible for seeing that these rea are followed.

If matter notificials will be collected and stored in a securally of, metal duraptier. The dumpater will meet all said worth regument republions. All treats and coordination debtie from allse will be depended in the dumpater. The dumpater will be talled a minimum of orace per seek or more often if necessary treats will be haded or required by Local regulations. No struction scate will be buried or—site.







SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGÍA FOR JOSEPH CHRISTIANSEN SAVANNAH, GEORGÍA

NOTES AND DETAILS

MAB DATE : December 6, 2022

BOSWELL DESIGN SERVICES, INC.

OFFICE: 4700 EAST HIGHWAY 80 Unit N, Suite 1 MAILING: 103 NASSAU DRIVE SAVANNAH, GEORGIA 31410 912 - 897 - 6932 LAHBOS@Bellsouth net

1. NARRATINE: THE EXISTING SITE IS AN EXISTING SUBDIVISION AND IS VANCANT AND THE GROUPD IS GENERALLY RAIT WITH SUPES BETWEEN 0 AND 2 PERCENT WITH SOME TREES WARFING AGES. THE PROPOSED PROJECT WILL BE THE EXCUANTION AND RELIVOU OF EXISTING REPORT WHICH WAS AGO WITHOUT PERMIT. THE TOTAL SITE IS 5.75 ACRES WITH THE DISTURBED AREA BEING APPROXIMATELY 0.92 ACRES. NOTES

2. DEVELOPER / OWNER : DWNER EMAIL: WILLIAMCHRIS92@GMAIL.COM JOSEPH CHRISTIANSEN 9975 FERGUSSON AVENUE SAVANNAH, GEORGIA 31406

3. 24 HOUR CONTACT: JOSEPH CHRISTIANSEN 912-675-5585

4, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE CURRENT STATE SOL, AND WATER CONSERVATION COMMITTEE OF GEORGIA "MANUAL FOR EROSION CONTROL IN GEORGIA. E, Pror 10 any other constructon, stabilized construction exits shall be constructed at each your of details one exity to one exit from the ste. All exits which are not protected shall be barricaded.

6. Immediately after the establishment of construction exits, all perimeter erosion control devices and storm water management devices shall be installed prior to any other construction.

7. ADDITIONAL EROSION CONTROL DEWCES SHALL BE INSTALLED IMMEDIATELY AFTER GROUND DISTURBANCE OCCURS. THE LOCATION OF SOME OF THE EROSION CONTROL DEWCESS MAY HAVE TO BE ALTERNED FROM THAT SHOWN ON THE PLANS IS PRANAMORE PATTERNS, DURING CONSTRUCTION ARE DIFFERENT FROM THE FINAL PROPOSED DRAINAGE PATTERNS, DURING CONSTRUCTION AND EROFFICIALTY IN COMPACING REGISTON DURING ANY PHASE OF CONSTRUCTION, AND PREFICIALTY DISTRICTS GROSSON DURING ANY PHASE OF CONSTRUCTION SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY I

11. EROSION CONTROL DEVICES SHALL BE CLEANED WHEN THEY BECOME HALF FILLED WITH SEDIMENT. 9. THE FAILURE OF ANY EROSION CONTROL DEVICE TO FUNCTION AS INTENDED, FOR ANY REASON, SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY I 10. EROSION CONTROL DEVICES SHALL BE INSPECTED AFTER EACH RAINFALL EVENT AND AT LEAST DAILY DURING PROLONGED PERIODS OF CONTINUOUS RAINFALLS. B. THE LOCATIONS OF EROSION CONTROL DEVICES SHALL BE ADJUSTED AS CONSTRUCTION PROGRESSES IN ORDER TO MAINTAIN A FUNCTIONING EROSION CONTROL SYSTEM.

13. EROSION CONTROL DEVICES SHALL BE MAINTAINED UNTIL PERMANENT COVER IS ESTABLISHED AND THEN REMOVED SO THAT DRAINAGE FROM THE SITE IS NOT IMPAIRED. 12. EROSION CONTROL DEVICES SHALL BE REPAIRED AS NECESSARY TO MAINTAIN A FUNCTIONING EROSION CONTROL SYSTEM. 14. STORM WATER DETENTION DEVICES SHALL BE CLEANED AS SPECIFIED ABOVE AND AFTER PERMANENT GROUND COVER HAS BEEN ESTABLISHED.

18. ANY DISTURBED AREAS WITH SLOPES 2:1 OR FLATTER WHICH ARE NOT STABILIZED BY ANY OTHER MEASURES SHALL BE SEEDED AS SPECIFIED IN "PERMANENT SEEDING". 15. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING.

Webaly inspection of the grass cover shall be performed to identify areas requiring re—establishment of grass. 17. VEGETATIVE METHODS:
A VEGETATIVE COVERS SHALL BE ESTABLISHED AND MAINTAINED OVER ALL FINAL
GRADING AND OTHER DISTURBED AREAS OF THE STE. SEE COASTAL PLAIN VEGETATIVE
COVERS FOR AN CUTLINE OF THE ESTABLISHMENT OF VEGETATIVE COVERS.

LIME RATE: 1 TO 2 TONS PER ACRE FERTILIZER: SEE TABLES

IS, MUCH:

MUCH SHALL BE UNCHOPED, UNROTTED, SAIAL GRAIN DRY STRAW APPLED AT

MUCH SHALL BE UNCHOPED, UNROTTED, SAIAL GRAIN DRY STRAW APPLED AT

MRITE OF 2 TONS PER ACCE. MUCH MATERIAL SHALL BE RELITIVELY PREE PROMISED AND SAIAL BE FREE OF PROMISED MONOLOUS WEEDS WHICH ARE AS FOLLOWS: CANADA

MICHAEL ONNEONICAUS AND CHACKGRASS. SPREAD MILICH MECHANICALLY OR MURICHALLY BY HAND.

MUCH ANCIORING SHALL BE ACCOMPLISED MALEDPACEDEMPRITELY FATER MUCH PLACEMENT TO

MANIMEZE LOSS BY WHICH OR MAITER. THIS MAY BE DONE BY PEG AND TIMME METHOD, MULCH

MANIMEZE LOSS BY WHICH OR LICIDID MULCH BINDERS.

 SOIL TYPE: THE SOILS IN THIS AREA HAVE BEEN CLASSIFIED BY THE SOIL CONSERVATION SERVICE AS: Cuc (Chipley-Urban Land Complex) AND Cm (Chipley Fine Sand). THIS DEVELOPMENT IS WITHIN STORE ZONE WHEN ST

22. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING. THIS SITE IS IN ZONE "...... AND AND IS LOCATED WITHIN THE 100 YEAR FLOOD

SPECIAL NOTES:

1. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL E
PREVENTEDD BY THE INSTALLATION OF EROSION AND
SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR
TO LAND DISTURBING ACTIVITIES.

SITE DATA

3. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL MIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE. 2. THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES SHALL BE INSTALLED PRIOR TO LAND DISTURBING ACTIVITIES.

4. CITY OF BLOOMINGDALE PERSONNEL SHALL HAVE THE RIGHT TO INSPECT STORMWATER FACILITIES AT ALL TIMES.

5. STATE WATERS DO EXIST ON OR WITHIN 200' OF THIS PROPERTY.

8. THE RECEIVING WATERS FOR THIS PROJECT IS THE EXISTING SALT WATER MARSH, UN-NAMED SALT WATER CREEK AND ULTIMATELY THE ATLANTIC OCEAN. 7. THE EROSION AND SEDIMENT CONTROL PLAN DESIGNER HAS VISITED THE SITE PRIOR TO DESIGN OF THE E & SC PLANS. 6. FRESH WATER WETLANDS DO EXIST ON THIS PROPERTY. ADJACENT

10. AMENDMENTS OF THE DESIGN PROPESSIONAL 9. ANY DISTURBANCE AREA LEFT EXPOSED FOR A PERIOD GREATER SEEDING. THAN 14 DAYS SHALL BE STABALIZED WITH MULCH OR TEMPORARY SEEDING.

CLEARING NOTES:

1. ALL ELEVATIONS ARE BASED ON NAVO 88 DATUM.

2. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION ACTIVITIES AND FOR AVOIDING ALL CONFLICTS WITH SAME. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR.

ALL WORK SHALL BE IN COMPLIANCE WITH THE STATE SOIL AND WATER CONSERVATION MAINTIETS." TAMANUAL FOR ERGORN AND SEDUMENTATION CONTROL IN GEORGIA.

L SEDIMENT CONTROL FEATURES SHALL BE MAINTAINED ON A REGULAR BASIS TO SHALL BE REMOVED BY THE CONTRACTOR UPON ACCEPTANCE OF THE SITE 'THE OWNERS. SEE LAND DISTURBING PLAN.

4, ALL DISTURBED AREAS AND PROPOSED EARTH GRADING NOT TO BE COVERED BY OTHER SURFACES SHALL BE GRASSED AS DESCRIBED ON THE LAND DISTURBING ACTIVITY PLAN.

5. EGRESS FROM THE SITE WILL BE SUCH THAT ALL VEHICLES MUST TRAVERSE CONSTRUCTION EXITS TO REMOVE MUD FROM TIRES BEFORE ENTERING ANY PAYED PUBLIC HIGHWAY.

BALES OF HAY, STRAW OR SIT FENCE SHALL BE PLACED AROUND ALL STORM INLETS - PREVENT SEDMENT FROM ENTENING NEW PIPE OR DRAINAGE WAYS DURING NSTRUCTION, THESE MEASURES ARE TEMPORARY.

7. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING POSTITIVE DRAMAGE
OF ALL AREAS, WITHIN THE PROJECT! SITE INCLUDING BEHITS-OF-WINTS, EXSURENTS
OF ALL AREAS, WITHIN THE PROJECT SHALL PROVIDE THE MECESSARY FILL AND OR GRADING
TO MEET THE PRINSTED PLAN GRADES AND ELIMANTE MAY AND ALL AREAS
WHICH ARE COMPANIANCE OF ANY AREAS WHICH ARE CHANGED AS A RESULT OF
FIELD ADJUSTMENTS TO THE CONSTRUCTION PLANS.

8. THE CONTRACTOR WILL NOT BEGIN CLEARING OR ANY CONSTRUCTION ACTIVITY UNTIL THE APPROPRIATE PERMITS HAVE BEEN ISSUED.

9. IF REQUIRED, TREE PROTECTION BARRICADES SHALL BE INSTALLED PRIOR TO ANY CLEARING ACTIVITY AND MAINTAINED UNTIL INSTRUCTED BY OWNER OR ENGINEER TO REMOVE THEM.

10. THE CONTRACTOR SHALL TAKE SPECIAL CARE TO AVOID DAMAGE TO TREES AND ROOT SYSTEMS WHILE WORKING WITHIN TREE PROTECTION BARRICADES. THE CONTRACTOR SHALL NOT WORK WITHIN TREE PROTECTION BARRICADES WITHOUT A REPRESENTATIVE FROM THE OWNER OR ENGINEER PRESENT.

11. PRUNING OF TREE LIMBS, BRANCHES AND ROOTS OF TREES WHICH ARE WITHIN TREE PROTECTION BARRICAGES SHALL BE DONE IN CONFORMANCE WITH SPECIFICATIONS OF THE "NATIONAL ARBORIST ASSOCIATION" (N.A.A.) IN "PRUNING STANDARDS FOR SHADE TREES". ANY VARIATION FROM THE RECOMMENDATION OF THE N.A.A. SHALL BE APPROVED BY THE OWNER IN WRITING PRIOR TO ANY PRUNING.

12. LIMITS OF GRADING AND GRASSING ARE INDICATED ON PLANS AS "LIMITS OF DISTURBANCE".

13. ALL DISTURBED AREAS FROM NEW CONSTRUCTION ACTIVITIES WILL BE SEEDED, MULICHED, FERTILIZED AND WATERED TO PROMOTE A SUFFICIENT GROUND COVER THAT WILL PREVENT SOLL EROSION. SUFFICIENT COVERAGE SHALL BE AS SPECIFIED IN "EROSION CONTROL GRASSING".

A', DRAINAGE: ALL EXCANATON SHALL BE PERFORMED 30 THAT THE SITE AND THE AFEA MANEDIATELY SURROUNDING THE SITE WHOLE PETECTS THE OPERATIONS WILL BE COMMUNALLY AND EFFECTIVELY DRAINED SURFACE WATER, GROUNDWATER, OR ANY PERCHED WATER WHICH MIGHT BE ENCOMMERED DURING EXCANATIONS SHALL BE REMOVED BY ANY ACCEPTABLE MEANS APPROVED BY THE ENGANEER.

TENTATIVE ACTIVITY SCHEDULE

| | | | 2021 | 2 | | |
|------------------------------------------------------------------|----------|-------------|------|-----------|------------|-----------|
| | WAY | NUL | TU. | AUG. | SEP | OCT CI |
| INSTALLATION OF SEDIMENT CONTROLS AND TREE PROTECTION BARRICADES | \equiv | I | | | | |
| SITE GRADING | | | | | | |
| MULCH OR TEMPORARY GRASSING | | | | \equiv | | |
| UTILITY INSTALLATION | | VOT. | APPI | Ō | III III | Ë |
| BUILDING CONSTRUCTION | Z | Z 0 1 | ÀPP! | CA B | BIE | |
| PERMANENT GRASSING | | | | | | |
| PAVING | z | | Í | .i CAB | 8 1 | _ |
| MAINTENANCE OF SEDIMENT CONTROL | | | | | | |
| REMOVAL OF SEDIMENT CONTROL | | | | | | E |

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| | MAY | NUL | 302 | AUG. | SEP | ဌ |
| INSTALLATION OF SEDIMENT CONTROLS AND TREE PROTECTION BARRICADES | | | | | | |
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| BUILDING CONSTRUCTION | Z | 2 0 1 | APP. | CAB | 8 | |
| PERMANENT GRASSING | | | | | | |
| PAVING | Z | | Į | CAB | 100 E | |
| MAINTENANCE OF SEDIMENT CONTROL | | | | | | |
| | _ | _ | _ | _ | | |

(3). Certified personnel (provided by the primary permittee) shall inspect following at least once every seven (7) calendar days and within 22 hours of following at seven that is (3) frinces rainful or greater (unless such summ ands a and of a steem that is (3) frince trainful or greater (unless such summ ands \$500 PM on any Friday or on any non-working Schurday, core-working Sunday where permittee for strange of materials that are exposed to presignation (c) structural counted measures. Become and self-ment counted measures affected in the "law applicable to the primary permitted" site shall be observed some that they are oppositing cornerly. Where the other primary are consistent to the year of the primary permitted to several whether measures are effected, in previously applicated impacts to receiving water(s), for or of a thirty that the time undergoe that additionates or catalizated a curp of or a few lates that the time undergoe that additionates or catalizated a curp of

persistent and cound treaters identified in the Euster piots and the pollution persistent and cound treaters identified in the Eusten, Sedimentation and Pollution County Ha. De Plan shall be revised as appropriate not later than seven (7) calender days following each importion, Implementation of such changes shall be made as once as persisted but in no case liter than sevas (7) caimbrt days following each importion.

inentation and Pollution Control Plan. The report shall be signed velance with Part V.G.2. of this permit. phase (i.e., entation of a taken in

Maintenance. The Plan shall include a description of procedures to course the timely metal-course of vegention, crustom and sediment control necessres and other presenting in themified in the site plan.

(2) Mensure not record critical within disturbed areas of the size that have not not fined absolitations once every 24 mens except any non-secreting Standby, non-working Standby, and non-working Standby with non-working feedual boilary. The data collected for the purpose of compliance with this permit stall be regressizative of the manimum purpose of compliance with this permit stall be regressizative of the manimum artisty. Mensurement of stallful may be expected of all affects of the size of the size

rivers should be labeled prior to collecting the samples.

(2). Samples should be well mixed before transferring to a secondary container.

(4) Manuel, automatic or rising stage ampling may be utilized. Same by this permit should be an antiqued immediate the most three than the control of the control of the stage collection, linewest, amplies from automatic samples must be best than the cost, bestiment department of the control of the stage of the control of the contro Lurge mouth, well cleaned and tinsed glass or plastic jars should be used for lecting samples. The jars should be cleaned thoroughly to avoid contamination. 1. Samples required internal 48 hours out to collected no nices flow through d and the automatic matter must utilize t qualifying event, red directly with a cocled.

(5). Sampling and analysis of the inceriving water(s) or outfalls beyond the minimum frequency stated in this permit must be reported to EPD as specified in Part IV.E.

(1). For construction activities the primary permittee must wazer(s), or all outfull(s), or a combination of receiving we samples taken for the purpose of compliance with Samples taken for the purpose of compliance with representative of the monitored activity and expresentatives the receiving wazer(s) and/or the stormward outfulls the receiving wazer(s) and/or the stormward outfulls (a). The updrawn sample for each receiving water(s) must be taken immediately updrawn of the confluence of the first somewater discharge from the premitted activity (e.g., the databage funds an appearant at the size but downstream of any other stormwater discharges not susceited with the permitted activity. Where appropriate, usered updrawn samples from across the receiving water(s) may need to be taken and the arithmetic average of the utilities; ust sample all receiving gwater(s) and outful(s). b this permit shall be re of the water quality of its using the following S. Sampling Regularments. This penuli requires the meaturing of nephotonic for contributions of conference with this penuling of nephotonic positions and the contribution of ringle-form planes are applied as the contribution of ringle-form planes are constituted with the contribution of planes for many first planes are made of a subfiction on planes do consideration of the contribution of planes are considered. The following procedures considered EPD's guidelines for sampling are during.

(b) The downstream sample for each receiving water() must be taken downstream of the conflictore of the lest stammware discharge from the permitted active) or, the blackarge and dischest downstream at the sich but sustemen of any other streamware discharge not associated with the permitted activity. Where appropriate, swent downstream samples from aroas the receiving water(s) may need to be taken and the arithmetic average of the tarbitative of those samples used for the downstream turbidity value.

EROSION, SEDIMENT AND POLUTION C

ONTROL NOTES

(I) A USGS incompanion may, a recognition map or a dimensing (referrend to as a copargatible map) that is a read reposit to or more detailed than a 1,20000 map showing the benefits of the side or the stand after commention; (a) the benefits of all personnel and intermillent summa and other water bedsets as shown on a CMGS recognition map, and all other personial and immilitent streams and other water bedsets contact forms membastory field weekfloations, in on which the streams are to technique to be contacted of the reserving water another contact and person of the reserving water another contact and the contact of the reserving water(s) and do not shown on the USGS supergoine map, the boundoor of the reserving water(s) and shown on the USGS supergoine map, the boundoor of the reserving water(s) and shown on the USGS supergoine map, the boundoor of the reserving water(s) and shown on the USGS supergoine map, the boundoor of the reserving water(s) and shown on the USGS supergoine map, the boundoor of the reserving water(s) and the standard of the reserving water (s) and t (1). A USGS topographic map, a topographic map or a drawing topographic map) that is a scale equal to or more dealled than copographic map) that is a scale equal to or more dealled than showing the location of the side or the sand above continuous; a topographic map of the side of the scale of the scale of the all personnial and intermittent streams and other water hodies as she all personnial and intermittent streams and other water hodies as she

(c). The sampling container should be held so that the opening faces upstream.

(c), Ideally the samples should be taken from the horizontal and vertical center of the receiving water(s) or the stormwater outfall changel(s). Care should be taken to avoid stirring the bottom sediments in the civing water(s) or in the outfall stormwater channel.

A written narrative of site specific analytical methods used to collect, hands analyze the samples including quality control quality assurance procedures. are units must include precise sampling methodology for each sampling

(g). Permittees do used have to stample shoot from that flowes outs unablanted about faces or areas satisfied by the pulse; ReP upproved of this section, stabilized shall mean, for superal mean as succeed by permanent outstures and must be such contide the varieties of immit of a handlin out that has been confined by EDD for water disposal limits of a handlin out that has been confined by EDD for water disposal many to the pulse of 20% or greater, or handstapped securing to the Than (midlemby covered with beacheaping assuable in phases as defined in the Manual (sectioning a warp of must be vegetation and a scorling of target care procurated proposals of the following a care of a must be vegetation and a scorling of target care procurated proposals for the regions.

(b). When the populate has described that some or all orbits will be usup a nitroutle must be noted and at Facility for the NULL liability solvent if a proposal to make the information must include the size of the constitution site, and the facility of the size of the confidence when the confidence was and the hyper of receive rader(c) flex, bout stream or supporting warm water fishment); and

(4). Any additional information EPD determines necessary to be part of the Plan. EPD will (provide written solete to the parameter of the information necessary and the total entire for the first line for reformation that the collected by "garb samples" and the manipuls of the foreign about the collected by "garb samples" and the manipuls of two garbers are the conditional in accordance with tradhockley and test proceedings that the board and provide properties that the manipuls of the properties that the manipuls of the properties that the properties of the EPD.

(1). The primary permitter treat snapsk is accordance with the Efran is lose excess for each middle result securited blober. For a small-free great, the purillogs shall seem as the England of the posterior advisable or a constituent security and an accordance of the England o

(s), for each use of the did that discharges to receiving water of from mo critical too fixer in less on the critical too fixer in the result that models or exceeded 50 fines with a sourceware discharge that occurs desiring normal becames a defined in this permit after all excharge and publishing overables have been completed, but piece to complete on of many grading operations, in the durings are of the becames and exceed to the sampling foundation. In addition to (a) above, for each zera of the set that divising on an extenting water or from an outfill. Let into all man even that reaches or reaches (3) inch with a format and confidence that course sharing a mental tracks have a divisit a summand confidence that course sharing a state of the first parties of the format confidence of a NOT, in the definings are of the format confidence of the first parties of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties and the first parties of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first parties are of the format confidence of the mental first par

this time of smoking performed, parsonal to (a) and (b) above. If it is an of smoking where or finding water of manufact, our conceive shall be externed and implementate within two (b) business stays, and the size of the size sampling pursuant to (th, (b) of (c) above is required but not it and required because there was no discharge), the parmittee, in white Part IVJA44(s) may include a souther justification, which was many included a souther justification in its required of why sampling was not performed. Providing this is alone not relieve that pursuantee of any subsequent sampling under (a), (b) or (c) aboves; and

by (c) some profession may choose to must be requirement of (s) and (s) acrossly or classing turbully sumplet limit say fail event that reaches or exceeds 0.5 been and allows for sampling at my time out the fail or exceeds 0.5 been and allows for sampling at my time of the day or word.) Il training construction solvation, i.e., those data are occurring on or design of this possil, that have not the surpling given the official solvation of this possil, that have not be experienced by (a) showe shall sample in executions with (b). Those cutar and the solvation of the solvation

wearsater discharges. Rough for fires from fire lighting activities, sources of r litted in Fer III.A.2. of this peans that are consistent with accumulation and the second with construction activity must be insuffered in the Fen. The Part with II leavely implementation of systemate policion previous measures for the non-stream (or of the thin the sage.)

In the applicable permitters are under the state angular product to the EFD at the address from in Darf EfC by the Effects angular are taken in accordance with this print. Sampling washes shall be in a clearly against an extension as more through the print. Sampling washes taken like in a clearly against the supplicable permitter to scatch the sampling results on a zone frequent beat. Sampling and pulsable permitter to scatch the sampling results on a zone frequent beat. Sampling and makes of any sammers and description and scatching stated by the same frequency makes a fix any sammers and the support in a standard matter to the EFD. The sampling reports must be appeared in a standard results of EFD and the same and the support of the same and t

ainfall impount, date, exact place and time of same name(s) of the certified personnel who meets: beginning or personal

sampling ements

der(s) and yet were performed; time(s) analyses were instance; name(s) of the certificing personnel who performed the analyses; receives and written procedures; when available, for the analyses; its used; results of such analyses, including the bench shorts, instrument readouts, com-lupes, etc., used to determine these results: Its which exceed 1000 MU skall for reported as "excess 1000 MUs;" and fication statement that sampling was conducted as per the P-m.

All without correspondence regarded by this permit shall be advented by means needing consistent and for adventional control and for adventional control and the advention of the permit of the construction allowed to the permit of the permit of the construction allowed to the permit of the permit of the permit of the construction allowed to the permit of the permit

LEVEL II
CERTIFICATION
NO. 2104
ISSUED 11-5-05
EXPIRES 11-15-23

C-9

OF 12 SHEE

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SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA FOR JOSEPH CHRISTIANSEN SAVANNAH, GEORGIA

ATE : December 6, 2022

B

BOSWELL DESIGN SERVICES, INC.

DFFICE: 4700 EAST HIGHWAY 80 Unit N, Suite 1 MAILING: 103 NASSAU DRIVE SAVANNAH, GEORGIA 31410 912 - 897 - 6932 LAHBOS@Bellsouth.net

(the All sampling passess to the present must be done in such a vary (uncluding generally sampled sampling methods, bendines, timing, and temperary) are as experienced and the same sense record from the construction as in compliants with the sense of the house III.3.5 or III.3., whithere it is applicable.

NOTES AND DETAILS

SCALE:

as shown

DRAWN MAB

LEVEL II CERTIFICATION NO. 2104 ISSUED 11-5-05 EXPIRES 11-15-23

10 of 12 SHEETS

C-10

emitted of all times after contraction and emission required to the factor and emission and factor of all times after construction has been completed.

If they was add emission are made for an emission of the contraction of contraction and contraction and contraction and contraction of another contraction of contraction co

WETLAND AREA NOTE:

1. CONTRACTOR IS TO VERIFY WETLAND PERMITS WITH OWNER PRIOR TO ANY LAND DISTURBANCE IN WETLAND OR WETLAND BUFFER AREAS.

SOIL EROSION AND SEDIMENT CONTROL PLANS
REFUSE REMOVAL PROJECT
TYBEE ISLAND, GEORGIA
FOR
JOSEPH CHRISTIANSEN
SAVANNAH, GEORGIA

NOTES AND DETAILS

JOB NO. ---SCALE: as shown

ORAMN MAB



To coppose models

To provid uniform supposition of making

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To models gold temperature

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Authorities

Auth Disturbed Area Stabilization (With Mulching Only) II dry area wil remain undstutbed for greate in six morabs, permanent regidal ve tech-ues shall be employed. Refer to Dx2 -Dis-Manufactore shell be required to maintain propriate depth and 50% cores. Temporary peakers may be employed instead of mobility area will denou unconsided by less han six with. SPECIFICATIONS

Mutating Without Seeding

This sendral explain is grashed or cleaned

This sendral explain is grashed or cleaned

areas where sendings may not have a suitable
grashing season in products on reason reliable turbed Area Stabilization (With Temporary Seeding), De3 - Disturbed Area Stabilization (With Fermanent Seeding), and De4 - Dis-turbed Area Stabilization (With Sodding). Applying Mulch
Whan much is used without seeding, mulch
half be applied to provide half coverage of the
exposed area. it defining Matterfela Select over of the following materials and spay at the depth subsectors: Drystraw or hey shall be applied as a slight if 2 to 4 inches providing complete soil cover age. One advantage of this material is coop application. by shar or hay much as wood constant be applied task may by and or by median all equipment. Polyethylene film strail be secured over banks or stockoled soil material for ten-porary protection. This material can be sel-vaged and re-used. rated meded artistion control measures as required such as client, diseasons, Deme, Sara-us and sectment terriers. Stade to partit the use of equipment applying and anchoring mulch. and barding list lab.

The same and the present is a transport in the same and the present in the same and th . Polyany Asia in wall be and or two of the orp as well as recementary as necessary. Noting of the appropriate size shall be used to straight wood week. Questing of the wel-ting shall not be kepar than the average size of the wood instance of the wood instance of the

Disturbed Area Stabilization (With Temporary Ds2 Seeding)

FINITION
The enabliment of a princy values is a serious interest in the seriou

special California
Gradies and Shaping
Excessive earths run-off shall be refused by
properly designed and entered excess contrapractices such as do alone of enter, city-fire, sleep,
directions, auditorial barriers and others.

DANE S-4.1 - Temporary Cover or Comparison Cover Orepa PLANT, PLANTING RATE, AND PLANTING DATE FOR TE

Broadcast Rates

Resource Aves⁴

Pus Liu Sted PLS: Phr Sted

No susping or grading is required if stops can be statisticed by hand-seeded vegetation or if by-drautic seeding emigrneni is to be used.

Sembled Preparation
When a hydrautic kender is used, seedbed
When a hydrautic kender is used, seedbed
propertion is not fine seed. When using convenikend or have seeding seedbeg preparation is
not recurred if the east material is locase and not
seeded by name.

To protect the god surface from a To improve withthe habbase.

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GEORGIA Major Land Resource Areas Figura 6-4.1

WETLAND AREA NOTE:

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2. NON-DEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50 FOOT UNDISTRIBED STREAM BUFFESS AS MEASURED FROM THE FORM TO F WEETEN DYGETATION OR WITHIN 25 FEET OF THE COASTAL MACSHAND BUFFER AS MEASURED FROM THE LURISDICTIONAL WITHOUT FROT ACQUIRING I. NEW STRUCTURES ON THIS PROJECT DO NOT ENCROACH IN THE 25 OR 50 FOOT STREAM BUFFER.

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SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA FOR JOSEPH CHRISTIANSEN SAVANNAH, GEORGIA

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OFFICE: 4700 EAST HIGHWAY 80 Unit N, Suite I MAILING: 103 NASSAU DRIVE SAVANNAH, GEORGIA 31410 912 - 897 - 6932 LAHBOS@Bellsouth.net

SOIL EROSION AND SEDIMENT CONTROL NOTES

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| SOIL EROSION AND SEDIMENT CONTROL PLANS REFUSE REMOVAL PROJECT TYBEE ISLAND, GEORGIA FOR JOSEPH CHRISTIANSEN SAVANNAH, GEORGIA SAVANNAH, G | DESIGN SERVICES, INC. : 4700 EAST HIGHWAY 80 Unit N, Suite 1 NNG: 103 NASSAU DRIVE NNAH, GEORGIA 31410 912 - 897 - 6932 AHBOS@Bellsouth.net |



STAFF REPORT

PLANNING COMMISSION MEETING: December 19, 2022

CITY COUNCIL MEETING: January 12, 2023

LOCATION: N/A

APPLICANT: City of Tybee Island

OWNER: N/A

EXISTING USE: N/A

PROPOSED USE: N/A

ZONING: N/A

USE PERMITTED BY RIGHT: N/A

COMMUNITY CHARACTER MAP: N/A

APPLICATION: Amendment to Article 7, Tree removal regulations.

PROPOSAL: This proposal will eliminate the marsh from being counted for purposes of calculating the number of required trees per parcel.

ANALYSIS: The current ordinance requires parcels to have a minimum of three trees per 4500 square feet. This amendment will eliminate the calculation of marshlands in this determination. There are many lots on Tybee that have more square footage of marsh than they have upland and this can create a situation that required more trees to be planted on the upland than the lot can support.

STAFF FINDING Staff recommends approval.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

A. Amendment

Item #5.



CITY OF TYBEE ISLAND LAND DEVELOPMENT CODE TEXT AMENDMENT APPLICATION

Page 1 of 3

Fee \$500

| OF OF OFFICE AND OFFIC |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant's Name CITY OF TYBEE SLAND |
| Applicant's Telephone Number 912 - 472 - 503 |
| Applicant's Mailing Address P.O. BOX 2749 TYBUE ISLAND, GA 31328 |
| 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. |
| Disclosure of Campaign Contributions form attachment hereto: Yes |
| Signature of Applicant Date |
| NOTE: Other specific data is required for each proposed Text Amendment. |
| Text Amed: Sec. 7-050-Tree removal requirements |
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| City Official Date |

NOTE: This application must be accompanied by additional documentation, including drawings and/or text that include or illustrate the information outlined below.

Indicate in the spaces provided whether or not the required information is provided.

| YES or NO | REFERENCE | DESCRIPTION |
|---------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Y | 5-020 (E) | An amendment to the text of the Land Development Code requires a hearing by the Planning Commission and approval by the Mayor and Council at a |
| Y | 5-040 (E) (1) | scheduled public hearing. In the case of a text amendment, the application shall set forth the new text |
| | 5-110 | to be added and the existing text to be deleted. Section 5-110, Standards for Land Development Code or Zoning Map Amendment Approval, identifies standards and other factors to be considered by the Mayor and Council in making any zoning decision. The Applicant should provide written data addressing each of the below listed standards and factors to assure consideration of applicable information. |
| _ K), | 5-110 (A) | The existing land use pattern; |
| 27 2 2 2 | 5-110 (B) | The possible creation of an isolated district unrelated to adjacent and nearby districts; |
| N | 5-110 (C) | The existing population density pattern and the possible increase or overtaxing of the load on public facilities; |
| N | 5-110 (D) | Whether changed or changing conditions make the passage of the proposed amendment reasonable; |
| N | 5-110 (E) | Whether the proposed change will adversely influence existing conditions in the neighborhood or the city at large; |
| N | 5-110 (F) | Potential impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity; |
| <u>N</u> | 5-110 (G) | The reasonableness of the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed changes; |
| N | 5-110 (H) | Whether the proposed change will be detrimental to the value or improvement or development of adjacent or nearby property in accordance with existing requirements; |
| N | 5-110 (I) | Whether the proposed change is out of scale with the needs of the neighborhood or entire city; |
| A | 5-110 (J) | Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and, |
| N | 5-110 (K) | The extent to which the zoning decision is consistent with the current city master plan or other local planning efforts, if any, of the city. |

The Applicant certifies that he/she has read the requirements for Land Development Code Text Amendments and has provided the required information to the best of his/her ability in a truthful and honest manner.

Signature of Applicant

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? |
| |

| | .00 or more to a member and Council or any local | | | | | |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-------------------------------------|--|--|--|
| YES | NO | | | | | |
| IF YES, PLEASE COM | PLETE THE FOLLOWI | NG SECTION: | | | | |
| NAME OF GOVERNMENT OFFICIAL | CONTRIBUTIONS OF \$250.00 OR MORE | GIFTS OF \$250.00 OR MORE | DATE OF CONTRIBUTION | | | |
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| Signature Syc & She | | | | | | |
| Printed Name Gra | org Shaw | | | | | |
| Date 11-9- | | | | | | |

Sec. 7-050. - Tree removal requirements.

- (A) Under the limits and conditions set forth below, trees may be removed from a lot or parcel provided that a minimum density of three trees per each 4,500 square feet of upland area is maintained. As used here upland means the portion of the parcel that is landward of the GA DNR marsh delineation line.
- (B) Except as provided in <u>section 7-060</u> no significant tree shall be removed from any vacant lot, undeveloped parcel, or public right-of-way within the city.
- (C) If the siting of a building footprint, the associated driveway, and parking areas require the removal of trees to a density less than that stated in subsection (A) [of this section], the city manager or designated city representative may issue a permit to remove trees to a density below this standard under the following conditions:
- 1. The applicant must show that, within the applicable setback limitations, no locations for building footprints and driveway/parking exist that comply with the density requirement above.
- 2. Removal of trees shall be limited to either the fewest number or the least total DBH necessary for siting of the building and the least destructive configuration of driveway/parking.
- 3. Following construction, trees shall be re-planted on the lot/parcel to establish the minimum density as stated in subsection (A) [of this section]. Such planting shall be in accordance with the standards set forth in section 7-090.
- (D) No trees shall be removed from the DNR marsh setback line. Trees in the marsh setback may not be counted as "remaining trees" for mitigation purposes.

