



AGENDA
PLANNING COMMISSION
February 12, 2024 at 6:30 PM

Call to Order

Planning Commission Oath administered by Mayor Brian West

(2-year terms end January 31, 2026):

- 1.
- 2.
- 3.

(1 member term ends January 31, 2025):

- 1.

Elections:

1. Chair
2. Vice Chair

Consideration of Minutes

1. MINUTES-PLANNING COMMISSION DEC. 18, 2023

Disclosures and Recusals

Old Business

New Business

- 2. SITE PLAN: requesting to develop City parking/curbing/sidewalks and landscaping – corner of Inlet and 17th Street-40008 18001 – Zone C-1 – Walt Freeman.**
- 3. SPECIAL REVIEW: requesting to operate a residential Bed and Breakfast – 1206 Venetian Drive – 40011 01016 – Zone R-2 – Judith A. Compton.**

Adjournment

Standing Items

Adjournment

PLANNING COMMISSION

Julie A. Livingston
 Robert J. Matkowski
 Elaine McGruder
 S. Michelle Nooney
 Whitley Reynolds
 Marie Rodriguez
 Anthony Turpin



ACTING CITY MANAGER
 Michelle Owens

COMMUNITY DEVELOPMENT DIRECTOR
 George Shaw

CITY ATTORNEY
 Edward M. Hughes

Planning Commission Meeting MINUTES December 18, 2023

Chair Whitley Reynolds called the December 18, 2023, Tybee Island Planning Commission meeting to order. Commissioners present were **Elaine McGruder, Robert Matkowski, Anthony Turpin, Julie Livingston, Marie Rodriguez,** and **Michelle Nooney.**

Consideration of Minutes:

Chair Whitley Reynolds asked for consideration of the November 20, 2023, meeting minutes.

Julie Livingston made a motion to approve. **Elaine McGruder** seconded. The vote to approve was unanimous.

Disclosures/Recusals:

Chair Whitley Reynolds asked if there were any Disclosures or Recusals. There were none.

Old Business:

Chair Whitley Reynolds asked if there was any old business. There was none.

VARIANCE: requesting to build in marsh buffer– 607A Miller Ave. – 40005 14024 – Zone R-2 – Todd P. Manack.

George Shaw stated this property was an original lot with Fifth avenue access. Over the years the fifth avenue access was taken over by marsh. After the marsh took over Mr. and Mrs. Evans the owners wanted to gain access to the property from Miller Avenue. They came to the city in 2015 to create access from Miller Avenue. **George Shaw** stated his staff report recommends approval but looking into this more he is not comfortable with that recommendation. **George Shaw** stated the plat was signed by the mayor and clerk. The minutes from the City Council on this have not been found and he is not certain what happened, and he would like to do more research. The City Council minutes state they took no action, and they need to come back with a different request. **George Shaw** stated he would recommend tabling this item. The reason the applicant is requesting the variance from the marsh buffer is because the marsh has taken over most of the lot. **Chair Whitley Reynolds** asked if they wanted to waive the whole twenty-five-foot buffer. **George Shaw** stated the application is not clear on that point, and he would not recommend waiving the whole buffer. **David Roberts**, who lives at 603 Sixth Street, approached the Planning Commission, and stated he understands from reading the applica-

that the applicant is asking for the whole buffer. He also thinks it is a terrible idea from a planning standpoint. He stated he urges the Planning Commission to deny this item and not continue it. **Lynda Stoller**, who lives at 510 Seventh Street, approached the Planning Commission, and stated she agrees with David Roberts and there are also other things to consider about this property, like how much more the marsh has encroached since 2018. Properties change every year. **Robert Matkowski** made a motion to deny. **Marie Rodriguez** seconded. The motion to deny was unanimous.

Adjournment: 7:30pm
Lisa L. Schaaf

DRAFT



STAFF REPORT

PLANNING COMMISSION MEETING: February 12, 2024

CITY COUNCIL MEETING: March 14, 2024

LOCATION: Corner of 17th St. and Inlet Ave.

PIN: Beside 40008 18001

APPLICANT: Walt Freeman

OWNER: COTI

EXISTING USE: Right of Way

PROPOSED USE: Right of Way

ZONING: C1

PROPOSED ZONING: C-1

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: The Strand/Historic Downtown District

APPLICATION: Site plan review for right of way upgrades

PROPOSAL: The applicant requests site plan approval for right of way upgrades.

ANALYSIS: Mr. Freeman is developing the site at 17th and Inlet into four townhomes. In conjunction with this project he would like to improve the right of way around his development. Due to the extent of the improvements our City Attorney recommended this go through the site plan approval process so City Council could review the project. The project consists of a paver sidewalk, five designated paver parking spaces, curbing and landscaping. Both our public works director and our parking director approve of the project.

The Comprehensive Plan describes the Strand/Historic Downtown District in which it lies as follows:

This area functions as the traditional Main Street of Tybee Island. The mix of uses includes shopping, restaurant, hotels/lodging, museums/public education, pavilion, and public parking.

<i>Comprehensive Plan – Community Character Area The Strand/Historic Downtown District</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Future development and redevelopment should be very pedestrian oriented with safe connections to adjacent neighborhoods and commercial areas	Y
2.	Promote mixed densities of residential development, including upstairs residential over commercial.	N/A
3.	Encourage mixed uses to provide for the daily needs of residents and tourists.	N/A
4.	Commercial uses should be low intensity and consistent with the existing character.	N/A
5.	Encourage development/redevelopment of existing vacant properties and underutilized structures	N/A
6.	Encourage the preservation, restoration and adaptive reuse of historic structures through incentives	N/A
7.	Beautification and façade improvement projects should be implemented to improve area aesthetics	Y

STAFF FINDING

Staff recommends approval.

This Staff Report was prepared by George Shaw.

ATTACHMENTS

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



**CITY OF TYBEE ISLAND
SITE PLAN APPROVAL APPLICATION**

Item #2.
Fee
Commercial \$500
Residential \$250
Pd 1/25/24

Applicant's Name Walt Freeman

Address and location of subject property 104 17th Street Tybee Island

PIN 40008 18001 In Front of this Inlet/17th Applicant's Telephone Number 9125081711

Applicant's Mailing Address 1801 Chatham Ave Tybee Island Ga

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

Pay For and Develop City Parking, Curbing and Sidewalks and Landscaping at 104 17th Street on Corner of Inlet and 17th

Property Owner's Name Walt Freeman Telephone Number 9125081711

Property Owner's Address 1801 Chatham Ave Tybee Island Ga

Is Applicant the Property Owner? Yes No

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

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

Current Zoning of Property C-1 City Owned Current Use Grass Parking area owned by the City

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

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

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

Walter Freeman

Signature of Applicant

12/13/23

Date

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

Fee Amount \$ 250.00 Check Number on line Date 1/25/24

City Official *[Signature]*

NOTE: This application must be accompanied by following information:

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

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

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

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

<i>Walter Freeman</i>	12/12/23
_____ 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?

YES _____ NO X _____

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 Walter Freeman

Printed Name Walt Freeman

Date 12/12/23

Sec. 5-080. - Site plan approval.

The site plan approval process is intended to provide the general public, planning commission, and mayor and council with information pertinent to how a new development will affect the surrounding area and the city as a whole and to ensure compliance with all applicable regulations and considerations as hereinafter stated. Where a variance, special review, or any other land development activity is involved in connection with a site plan, the standards applicable to the variance, special review, and/or land development activity applied for shall apply.

- (A) **Process.** Upon submittal of the site plan, the designated city official will review the site plan or noticeable discrepancies and determine if there is a need to apply for other zoning actions. The site plan is then forwarded to the city's consulting engineer. Once the engineer has submitted comments to the designated city official, a public hearing before the planning commission shall be scheduled. The public hearing shall be held regardless of whether the site plan meets the requirements of this Land Development Code. Until the applicant addresses all of the engineer's comments and the site plan is satisfactory, the mayor and council will not consider the plan. In addition to all other requirements, any applicant for a site plan must identify all prior site plan applications made by the applicant, any affiliates/relatives, corporate or business entities in which the applicant has had an interest for the property which is the subject matter of the current application. The applicant must identify any parking meters proposed to be eliminated from city rights-of-way by the proposed site plan implementation. The applicant must demonstrate compliance with all other applicable ordinances including but not limited to stormwater, flood damage prevention, and buffering. In considering a site plan, the mayor and council may consider whether the proposed development will be unreasonably detrimental to adjacent or nearby uses and whether the proposed development will adversely impact existing conditions in the overall neighborhood, including but not limited to:
- (1) The impact or lack thereof on available resources and utilities.
 - (2) Whether the proposed development is of a scale and mass so as to be compatible with the character of the neighborhood.
 - (3) Whether the proposed development is consistent with the character area under the master plan.
 - (4) Density considerations for the neighborhood including demands on infrastructure, traffic, and other relevant factors. In considering a site plan, the mayor and council may approve or deny the application as submitted, or add or delete conditions appropriate to protecting the interest of the applicant as well as those of nearby properties. Buffering requirements beyond those expressly identified may also be imposed. If conditions are added or deleted the applicant must subsequently submit a revised plan of the proposed development to the designated city official and all such conditions that had been added or deleted must be accepted by the city's consulting engineer. If all of the foregoing requirements have been satisfied and further if the mayor and council find that the benefits of and need for the proposed use and project are greater than any possible depreciating effects and damages to the neighboring properties, the application may be granted.
- (B) **Other zoning actions.** Because special review, variances and map amendments require site plans, site plan review may be the first step in the permitting process, however, the site plan should identify any other zoning actions necessary in order for the intended development to be constructed so that a public hearing can be held on all such zoning actions simultaneously with the public hearing on the site plan. Site plan approval should encompass approval of all other zoning actions necessary to accomplish the development, however, if the intended development is to be altered from an approved site plan, additional public hearing and review is necessary if an additional special review, variance or map amendment is necessitated by the proposed alteration.
- (C) **Site plan longevity.** After a site plan has been approved by the mayor and council it shall be valid for a period of 18 months from the date of approval. If a building permit has not been obtained and work has not begun, the site plan approval shall be void and a new application must be submitted for site plan approval.

(Ord. No. 1999-26, 8-12-1999; Ord. No. 2002-15, 7-11-2002; Ord. No. 2002-15, amended 1-9-2003; Ord. No. 1999-26, amended 8-12-1999; Ord. No. 1999-19, amended 6-15-1999; Ord. No. No. 2005-14, § 1, 5-26-2005; Ord. No. 2005-14, § 1, 5-26-2005; Ord. No. 01-2015, § 1, 1-15-2015)

George Shaw

From: Pete Ryerson
Sent: Thursday, December 14, 2023 2:16 PM
To: George Shaw
Subject: Re: Corner of Inlet and 17th

After review of the plans for 14th/Inlet, Parking believes it will be a positive change for that area.

Pete Ryerson
Director
Parking Services
City of Tybee Island
912-472-5101

From: George Shaw <gshaw@cityoftybee.gov>
Sent: Wednesday, December 13, 2023 11:50 AM
To: Peter Gulbranson <peter.gulbranson@cityoftybee.gov>; Pete Ryerson <Pryerson@cityoftybee.gov>
Cc: Michelle Owens <Michelle.owens@cityoftybee.gov>; Cassidi Kendrick <cassidi.kendrick@cityoftybee.gov>
Subject: Corner of Inlet and 17th

All,

Walt has submitted his site plan application for the streetscape improvements at this corner. As he showed us in the field it includes sidewalk, curbing, designated parking and landscaping. I will at least need written approval from the Petes. If Michelle and Cassidi would like to comment that this doesn't interfere with any known future city plans for the area that would be nice but if you don't wish to comment I think that would be fine as well. The plans will be in our office if you want to see them. The project will go to PC in January and CC in February.

George

Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
SOUTHERN BELLE RENTALS, LLC			331 TATTNALL STREET SAVANNAH GA 31401

Original Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
SOUTHERN BELLE RENTALS, LLC		331 TATTNALL STREET		SAVANNAH GA		31401

Parcel

Status	ACTIVE
Parcel ID	40008 18001
Category Code	RES - Residential
Lot #	2961304
Address	104 17TH ST
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20275.00 - T275 TYBEE INNERSOUT
Legal Units	
Zoning	C-1
Class	R3 - Residential Lots
Appeal Status	

Legal Description

Legal Description	WEST PART OF LOT 3 AND PART OF LOT 4 WARD 5 TYBEE ISLAND
Deed Book	2412
Deed Page	0111

Permits

Permit #	Permit Date	Status	Type	Amount
2023-0513	11/20/2023	In Process	NC - NEW CONSTRUCT	\$2,700,000.00
30239	05/30/2023	Complete	AD - ADDITION	\$5,000.00

Inspection

Inspection Date	Reviewer ID
2/19/2023	RKRYZAK
1/13/2023	RKRYZAK
8/29/2023	RKRYZAK
3/15/2023	RKRYZAK
2/02/2021	RKRYZAK

Tax Year	Land	Building	Appraised Total	Reason
023	481,300	33,600	514,900	
022	481,300	30,200	511,500	
021	282,100	26,500	308,600	
020	282,100	43,100	325,200	
019	282,100	41,000	323,100	
018	282,100	40,900	323,000	
017	282,100	29,500	311,600	
016	282,100	30,000	312,100	
015	281,400	31,300	312,700	
014	281,400	30,200	311,600	

Item #2.

Sales

Sale Date	Sale Price	Sale Validity	Instrument	Book - Page	Grantor	Grantee
3/15/2021	0	U	LD	2412 - 0111	FREEMAN WALTER J.	SOUTHERN BELLE RENTALS, LLC
1/05/2020	470,000	Q	LD	2132 - 0536	LEON JOHN MICHEL, III, WALTER EUGENE CRA	FREEMAN WALTER J.
2/22/2007	0	U	NA	321N - 500	LOGAN MARGARET MARY	THOMAS JOSEPHINE MICHEL
7/27/2002	0	U	NA	239U - 665	MICHEL JOSPEHINE U/W	LOGAN MARGARET ET AL

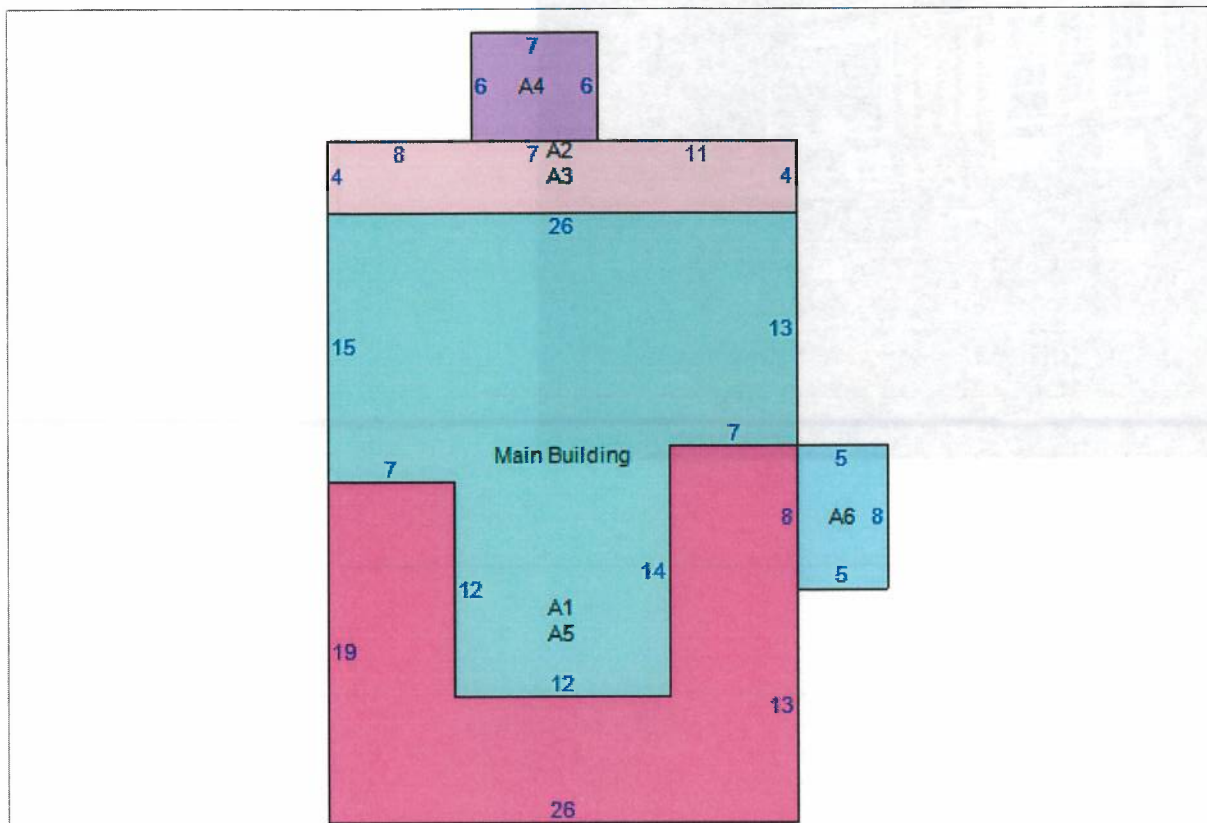
and

Line Number	1
and Type	U - UNIT
and Code	01 - SINGLE FAMILY RES
quare Feet	0
res	.19
fluence Factor 1	75
fluence Reason 1	
fluence Factor 2	
fluence Reason 2	

Residential Building

ard #	1
ctual Year Built	1930
ffective Year Built	1960
ype	1 - Single Family Residence
yle/Stories	2 - TWO STORY
ercent Complete	100
uality	300
ondition	AV - AVERAGE
iving Area	1,404
asement Area	0
nished Basement Area	No
edrooms	2

ard # Description Year Built: Grade: Units: Override: Area:
 1637 : STORAGE BUILDING, WOOD 1970 C 1 400

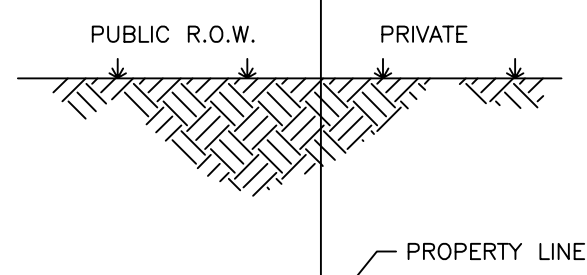
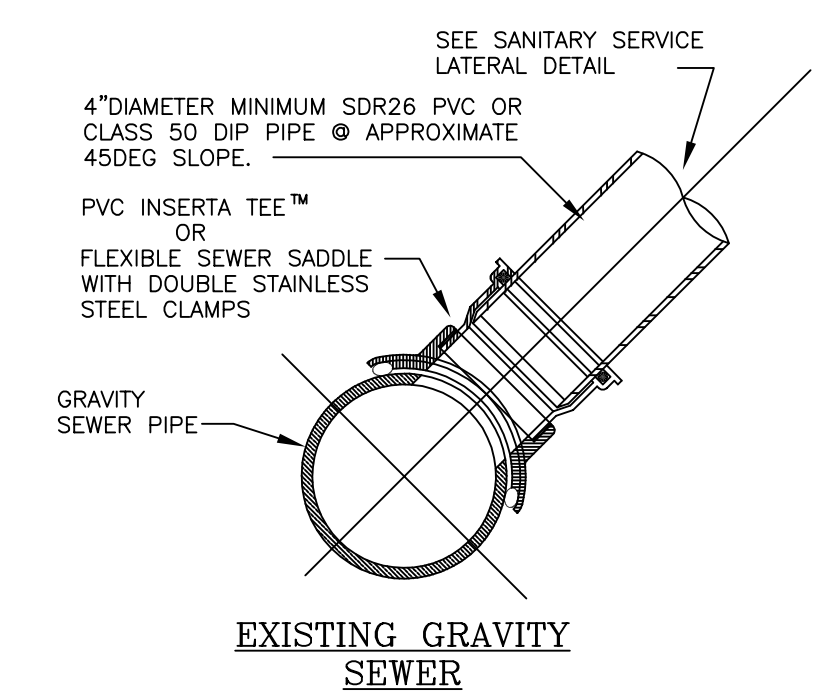
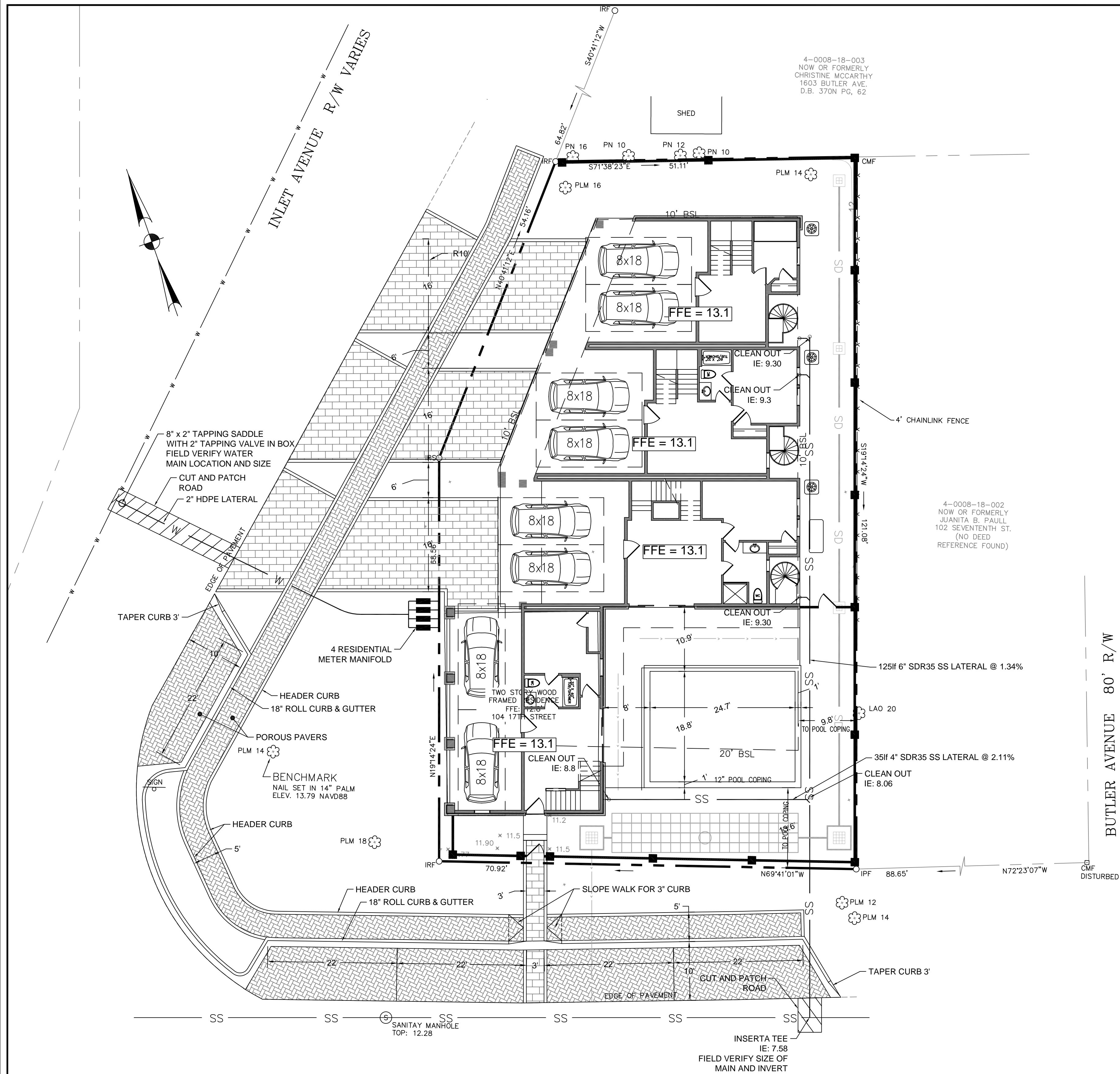


Item	Area
Main Building	520
- 1637:STORAGE BUILDING, WOOD	400
A1 - 100:100- LIVING SPACE	364
A2 - 904:904-Slab Porch (SF) with Roof	104
A3 - 907:907-Enclosed Porch (SF), Scree	104
A4 - 909:909-Enclosed Porch (SF), Solid	42
A5 - 909:909-Enclosed Porch (SF), Solid	364
A6 - 909:909-Enclosed Porch (SF), Solid	40



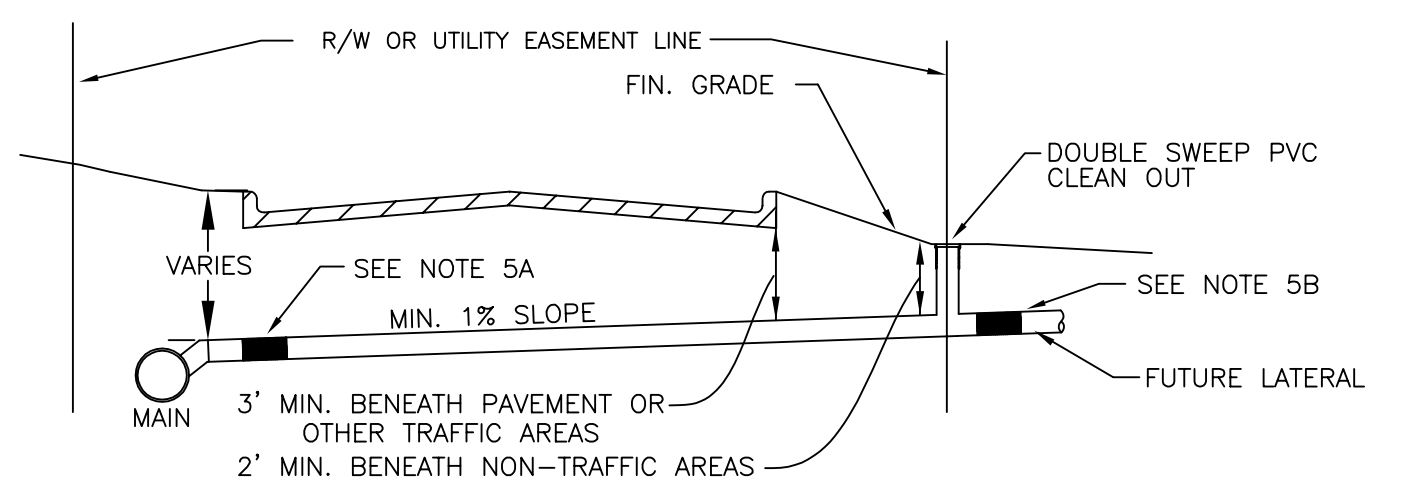
4-0008-18-003
NOW OR FORMERLY
CHRISTINE MCCARTHY
1603 BUTLER AVE.
D.B. 370N PG, 62

4-0008-18-002
NOW OR FORMERLY
JUANITA B. PAULL
102 SEVENTENTH ST.
(NO DEED
REFERENCE FOUND)



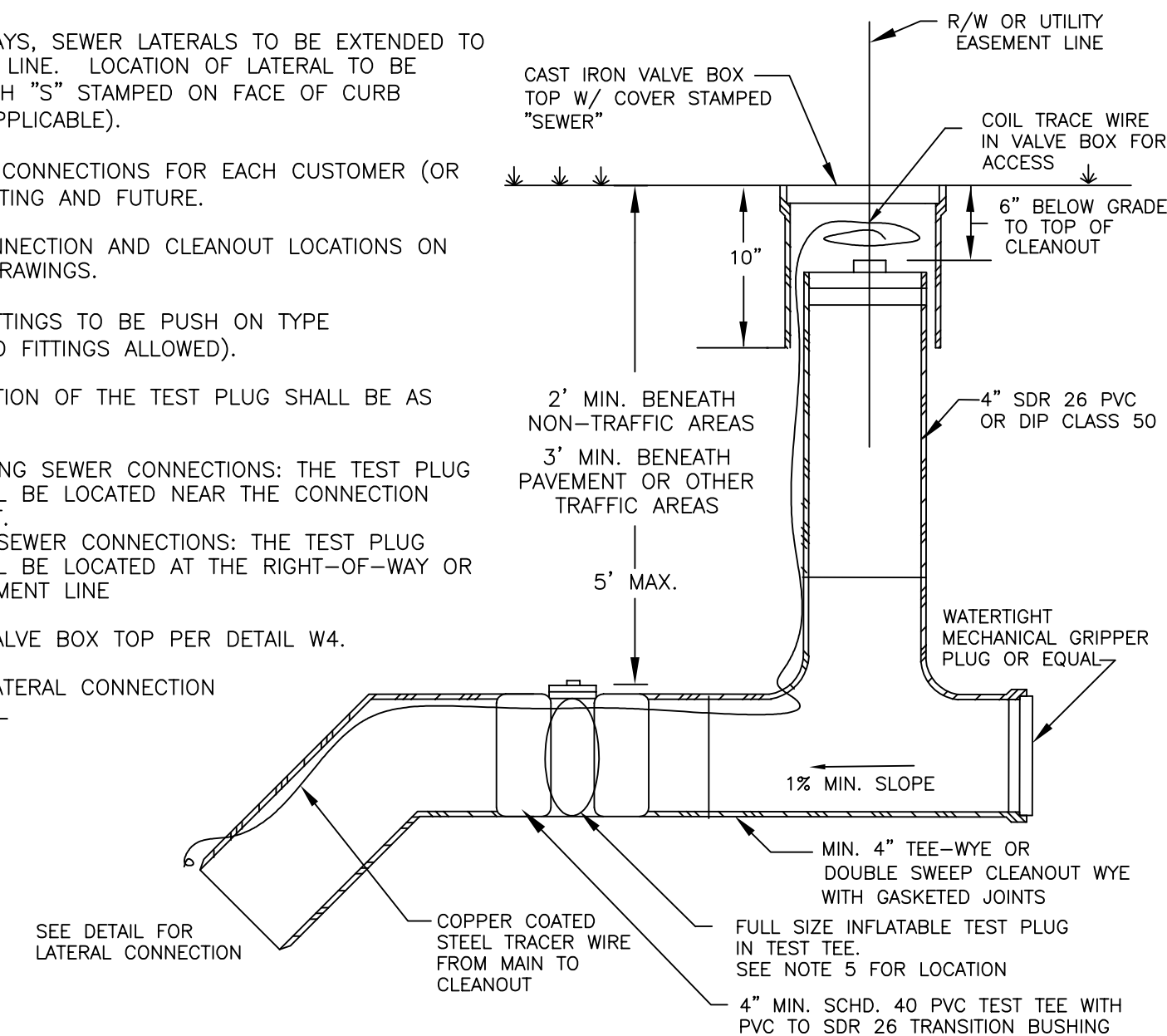
- NOTES:**
1. THE TEE-WYE SHALL BE SET AT THE PROPER DEPTH TO ACCOMMODATE THE PROPOSED OR EXISTING HOUSE LATERAL.
 2. CONNECT TRACER WIRE ON LATERAL TO TRACER WIRE ON MAIN WITH SPLICE CONNECTOR.
 3. CONTRACTOR SHALL NOTIFY THE CITY WASTEWATER CONVEYANCE DEPARTMENT 24 HOURS PRIOR TO CONNECTION TO EXISTING GRAVITY SEWER PIPE. ALL CONNECTIONS TO THE EXISTING GRAVITY SEWER PIPE MUST BE INSPECTED BY THE CONVEYANCE DEPARTMENT PRIOR TO BACK FILLING.

SANITARY SERVICE LATERAL CONNECTION



NOTES:

1. IN ROADWAYS, SEWER LATERALS TO BE EXTENDED TO PROPERTY LINE. LOCATION OF LATERAL TO BE NOTED WITH "S" STAMPED ON FACE OF CURB (WHERE APPLICABLE).
2. PROVIDE CONNECTIONS FOR EACH CUSTOMER (OR LOT), EXISTING AND FUTURE.
3. SHOW CONNECTION AND CLEANOUT LOCATIONS ON RECORD DRAWINGS.
4. ALL 4" FITTINGS TO BE PUSH ON TYPE (NO GLUED FITTINGS ALLOWED).
5. THE LOCATION OF THE TEST PLUG SHALL BE AS FOLLOWS:
 - A: EXISTING SEWER CONNECTIONS: THE TEST PLUG SHALL BE LOCATED NEAR THE CONNECTION POINT.
 - B: NEW SEWER CONNECTIONS: THE TEST PLUG SHALL BE LOCATED AT THE RIGHT-OF-WAY OR EASEMENT LINE
6. INSTALL VALVE BOX TOP PER DETAIL W4.
7. INSTALL LATERAL CONNECTION PER DETAIL



SANITARY SERVICE LATERAL

- WATER NOTES:**
1. NO IRRIGATION SYSTEM IS PROPOSED FOR THIS PROJECT
 2. FIRE PROTECTION SYSTEM IS NOT INCLUDED FOR THIS PROJECT
 3. NO INDUSTRIAL WASTEWATER WILL BE DISCHARGED FROM PROJECT

REVISIONS NO.	DATE	DESCRIPTION

MAUPIN tm
engineering

114 WEST 42ND STREET
SAVANNAH, GA 31401

OFFICE PHONE (912) 235-2915
GENERAL@MAUPINENGINEERING.COM

STAKING PLAN & UTILITY PLAN

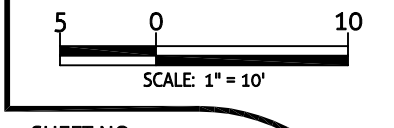
104 17th Street

LEVEL II E&S

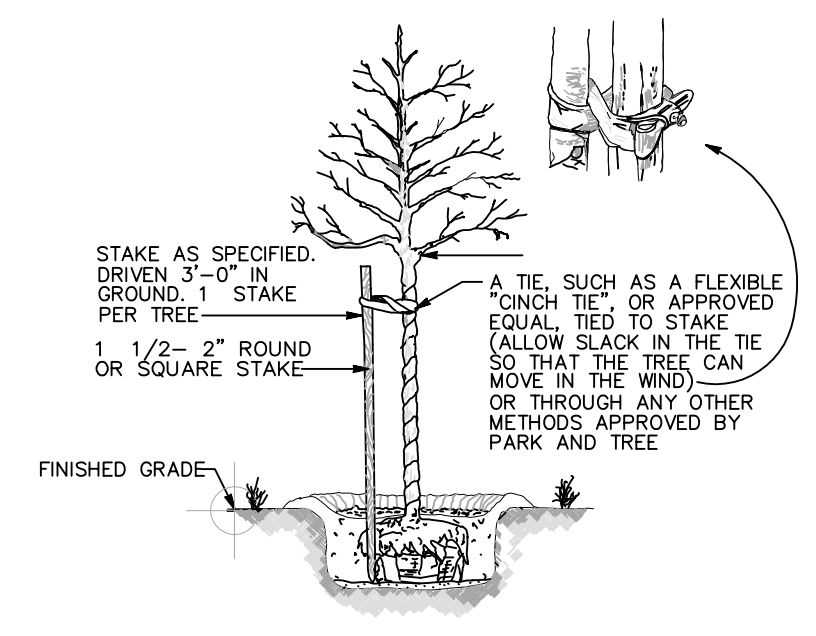
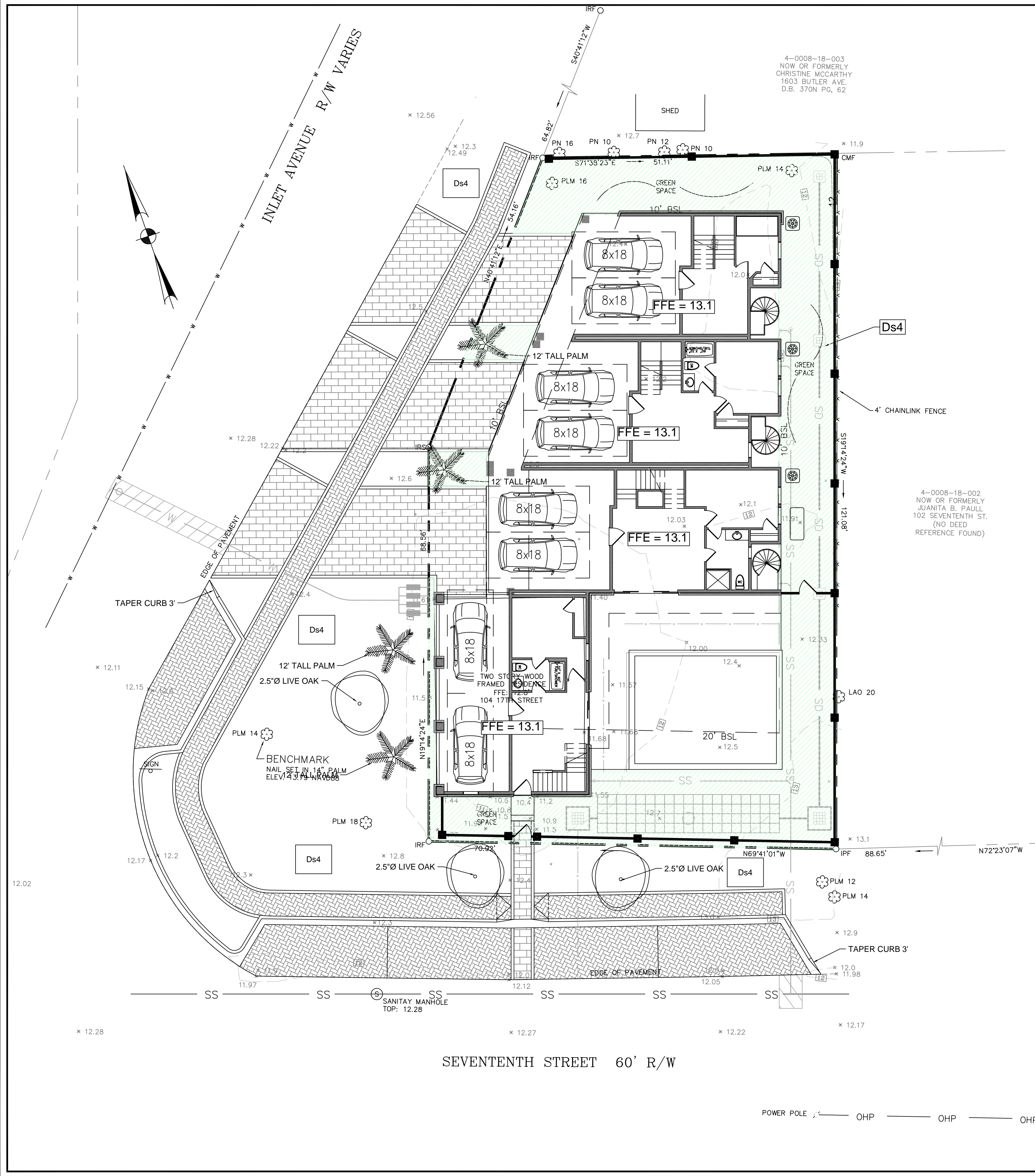
REGISTERED PROFESSIONAL ENGINEER
No. 23758
WAY A. MAUPIN

CERT. #21051 EXP: 12/01/2024
STATUS: **RELEASED FOR CONSTRUCTION**

DRWN: JAM 7-25-2023
CHK'D: JAM DATE

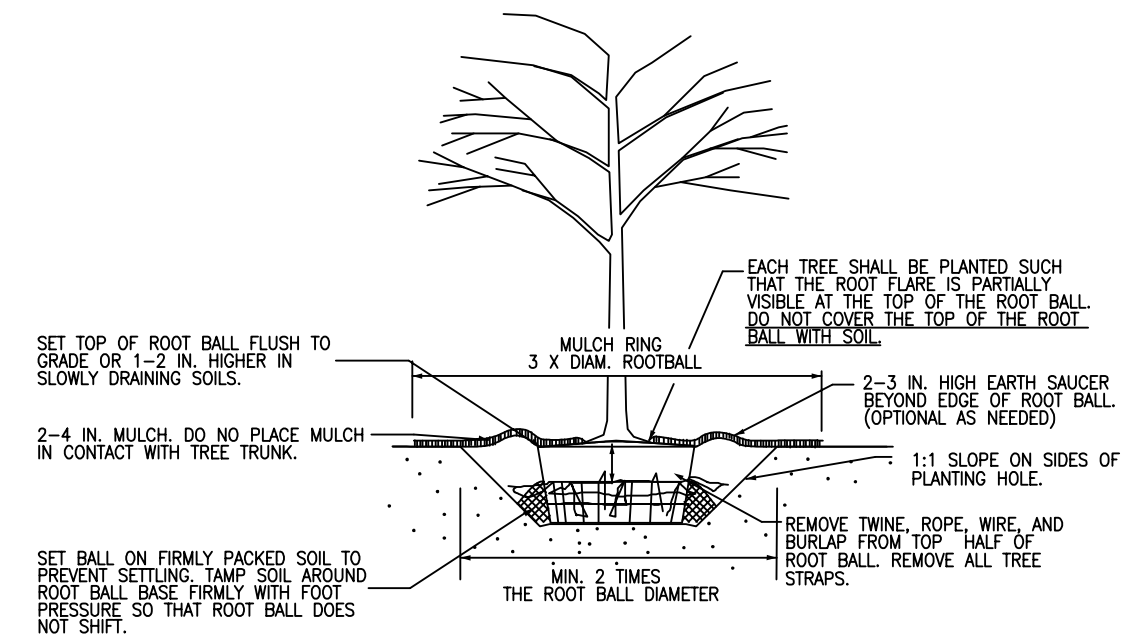


SHEET NO. **C.3**
238-22-03



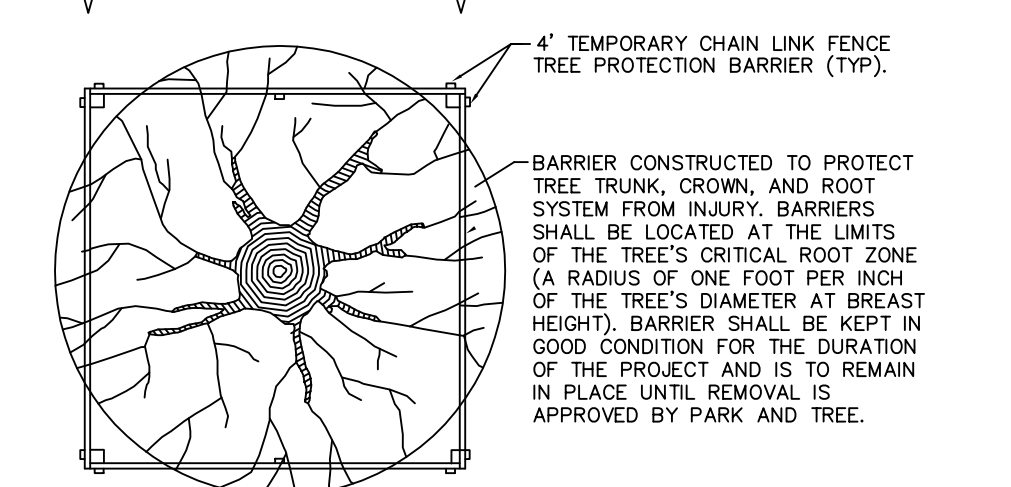
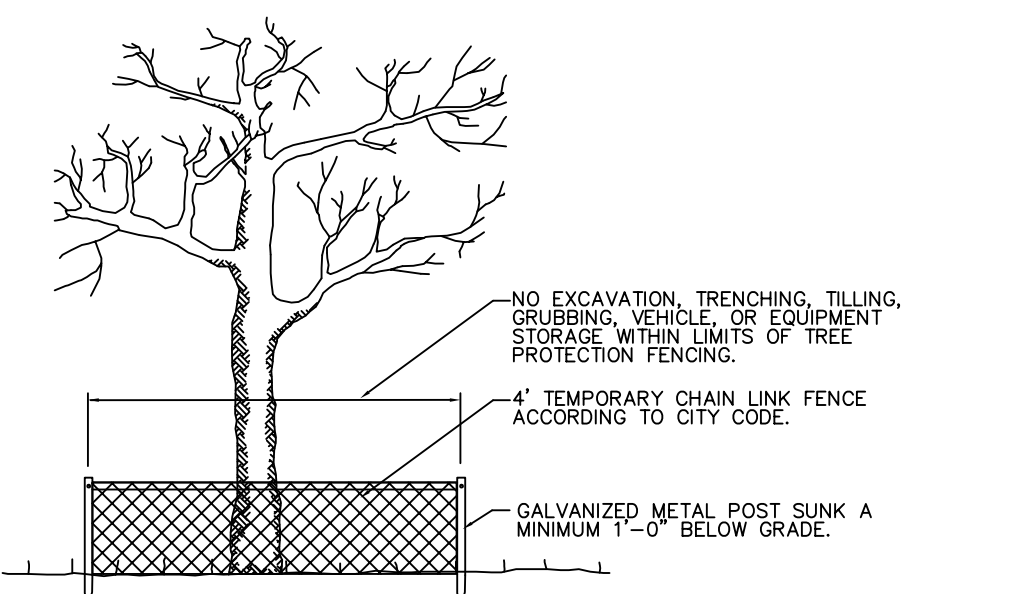
NOTES
 1. STAKE TREES ONLY WHEN NECESSARY. STAKES SHALL BE REMOVED 6 MONTHS AFTER PLANTING.
 2. OTHER ALTERNATE STAKING METHODS MAY BE USED UPON APPROVAL BY PARK AND TREE.

Tree Staking
NTS



NOTES
 1. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED, HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN. ALL PRUNING SHALL CONFORM TO ANSI A300 STANDARDS. IMPROPERLY PRUNED TREES MAY BE REJECTED BY THE CITY.
 2. STAKE TREES ONLY WHEN NECESSARY. SEE CITY TREE STAKING DETAILS.

Tree Planting
NTS



Tree Protection
NTS

LANDSCAPING REQUIREMENT CALCS		
Total Parcel Area, TA	8,004	SF
Greenscape in Buffer	2,478 (65.6%)	SF (%)
Building Coverage (3,918sf)	49%	%
Trees Required (TA * 3TREES/4,500SF)	5	Trees
Total Trees Preserved (see chart below)	0	Trees
Total Trees Planted	7	Trees
Total Trees Provided (Preserved + Planted)	7	Trees

Landscape Requirement Met

PLANTING SCHEDULE							
ITEM	SCIENTIFIC NAME	COMMON NAME	QTY	SIZE	SPACING	TQP	LQP
-	-	-	0	1 GAL	5' O.C.	--	0
-	-	-	0	1 GAL	5' O.C.	--	0
-	-	-	0	3 GAL	10' O.C.	--	0
-	-	-	0	2.5" CALIPER	AS SHOWN	0	--
TD	SABAL PALMETTO	SABAL PALM	4	12' CLEAR	AS SHOWN	0	--
QV	QUERCUS VIRGINIANA	LIVE OAK	3	2.5" CALIPER	AS SHOWN	0	--
TOTAL			0	0			0

REVISIONS NO.	DATE	DESCRIPTION

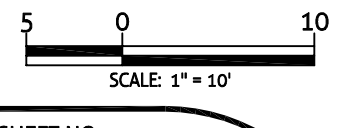
MAUPIN tm
 engineering
 114 WEST 42ND STREET
 SAVANNAH, GA 31401 • GENERAL@MAUPINENGINEERING.COM
 OFFICE PHONE (912) 235-2915

LANDSCAPING PLAN & FINAL EROSION CONTROL PLAN
 104 17th Street

LEVEL II E&S
 GEORGIA REGISTERED PROFESSIONAL ENGINEER
 No. 23758
 PAV A. MAUPIN
 CERT. #21061 EXP: 12/01/2024
 STATUS:

RELEASED FOR CONSTRUCTION

DRWN: JAM 7-25-2023
 CHK'D: JAM DATE



SHEET NO.
C.5
 238-22-03



STAFF REPORT

PLANNING COMMISSION MEETING: February 12, 2024

CITY COUNCIL MEETING: March 14, 2024

LOCATION: 1206 Venetian Dr.

PIN: 40011 01016

APPLICANT: Judith Compton

OWNER: Judith Compton

EXISTING USE: Two family home

PROPOSED USE: Residential Bed and Breakfast

ZONING: R-2
Review

USE PERMITTED BY RIGHT: After Special

COMMUNITY CHARACTER MAP: Back River District

APPLICATION: Special Review for a residential bed and breakfast

PROPOSAL: The applicant is requesting special review approval for a residential bed and breakfast.

ANALYSIS: The applicant would like to operate a residential B & B in her upstairs apartment. This unit has operated as a B & B under a previous owner. The applicant has the support of the neighbor and the previous owner. The applicant has met all requirements for a residential B & B as well as for special review.

The Comprehensive Plan describes the Back River District as follows:

The Back River character area is a distinct neighborhood just northwest of the South End and Downtown areas. It features cottages with waterfront lots facing Tybee Creek and the Back River beach. The area is included in the Back River Historic District in the National Register of Historic Places. Wax myrtles, live oaks, sandy alleys and narrow residential streets favored by bicyclists complete the landscape. There are low impact neighborhood commercial uses in this area as well but the feel is largely scenic and residential.

<i>Comprehensive Plan – Community Character Area The Back River District</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Encourage safer pedestrian mobility	N/A
2.	Continue to encourage the usage of the bike route that passes through the area	N/A
3.	Preserve historic structures whenever possible	Y
4.	Preserve the scenic value of through producing landscaping guidelines and updating the tree ordinance	N/A
5.	Enforce local ordinances related to noise and parking	N/A
6.	Preserve and enhance public access to beaches and waterways	N/A
7.	Implement recommendations of the Beach Management Plan	N/A
8.	Continue to address and mitigate potential damages from flooding	N/A

STAFF FINDING

Staff recommends approval

This Staff Report was prepared by George Shaw.

ATTACHMENTS

- A. Special review application
- B. SAGIS map (1 page)
- C. Site plan
- D. Letters of support



CITY OF TYBEE ISLAND
SPECIAL REVIEW APPLICATION

Item #3.

Fee \$500

AP 1/24/24

Applicant's Name Judith A Compton

Address and location of subject property 1206 Venetian Drive

PIN 40011 01016 Applicant's Telephone Number 912-596-5697

Applicant's Mailing Address P.O. Box 1325, Tybee Island, GA 31328

Brief description of the land development activity and use of the land thereafter to take place on the property: Operate A Bed And Breakfast

Property Owner's Name Judith Ann Compton Telephone Number 912-596-5697
Seagla5802@bellsouth.net

Property Owner's Address 1206 Venetian Drive

Is Applicant the Property Owner? [X] Yes [] No

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

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

Current Zoning of Property R2 Current Use Duplex

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

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

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

Judith Ann Compton Signature of Applicant Date 01/19/2024

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

Fee Amount \$ 500.00 Check Number 2240 Date 1/19/2024

City Official [Signature]



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 X

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 Judith Ann Compton

Printed Name Judith Ann Compton

Date 01/19/2024

Sec. 5-070. - Standards for special review.

Land uses listed in Article 4 of this Land Development Code that are permitted after special review must follow an administrative procedure prior to the issuance of any land development permit.

- (A) **Review criteria.** The planning commission shall hear and make recommendation upon such uses in a district that are permitted after special review. The application to establish such use shall be approved by the mayor and council on a finding that:
- (1) The proposed use will not be contrary to the purpose of this Land Development Code;
 - (2) The proposed use will not be contrary to the findings and recommendations of the master plan;
 - (3) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood or adversely affect the health and safety of residents and workers;
 - (4) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement associated with the use, noise or fumes generated by or as a result of the use, or type of physical activity associated with the land use;
 - (5) The proposed use will not be affected adversely by the existing uses of adjacent properties;
 - (6) The proposed use will be placed on a lot which is of sufficient size to satisfy the space requirements of said use;
 - (7) The parking and all development standards set forth for each particular use for which a permit may be granted will be met.
- (B) **Additional mitigation requirements.** The planning commission may suggest and the mayor and council may impose or require such additional restrictions and standards (i.e., increased setbacks, buffer strips, screening, etc.):
- (1) As may be necessary to protect the health and safety of workers and residents in the community; and
 - (2) To protect the value and use of property in the general neighborhood.
- (C) **Adherence to requirements.** Provided that wherever the mayor and council shall find in the case of any permit granted pursuant to the provisions of these regulations, noncompliance of any term, condition, or restrictions upon which such permit was granted, the mayor and council shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.
- (D) **Permit longevity.** If a building permit or other preparations or conditions are required prior to implementing special review approval granted by the mayor and council such permitting or other preparations or conditions must occur within 12 months from the date of special review 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 planning commission and mayor and council. In the event of a hardship or other extenuating circumstance the permit holder may apply to the designated city official for a one-time extension of permit approval. Permit extensions may not be approved in extenuating circumstances for a period of no more than 180 days. Should the permit not be exercised in the extension period it will expire.

(Ord. No. 05-2013, 1-10-2013)

Description of proposed activities:

Wish to operate a Bed and Breakfast. It is a one bedroom apartment with maximum of two people. It will be rented on a daily basis. This is an owner occupied home.

Hours of operation:

As requested on a daily basis.

Number of units:

One



Tax Payer: COMPTON JUDITH A.
 Map Code: 40011 01016 REAL
 Description: LOT 350 WARD 4 TYBEE
 Location: 1206 VENETIAN DR 31328
 Bill No: 2023-3003862
 District: 040 TYBEE

Item #3.

Building Value	Land Value	STEPHENS / DAY	STEPHENS / DAY CPI	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions	
286,200	250,300	369,200	420,583	536,500	11/15/2023	08/29/2023	11/15/2023	CS12S M1S S2S	
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	HTRG Credit	Net Tax
COUNTY M&O	536,500	214,600	78,920	135,680	11.9130	1,616.36		-189.32	1,237.77
COUNTY SALES TAX CREDIT					-1.3950		-189.27		
COUNTY SCHOOL M&O	536,500	214,600	48,367	166,233	17.6310	2,930.85		-317.36	2,613.49
TYBEE ISLAND	536,500	214,600	146,920	67,680	6.0530	409.67		-63.76	175.96
TYBEE SALES TAX CREDIT					-2.5110		-169.95		
TOTALS					31.691	4,956.88	-359.22	-570.44	4,027.22

pd
 \$1,804.91
 9/26/2023
 CK# 2193

The HTRG Credit Reduction shown on your bill is the result of Homeowner Tax Relief Grant enacted by the Governor and the General Assembly of the State of Georgia.



NEW E-BILL SERVICE

Want to receive your 2024 tax statement electronically? Chatham County is now offering all taxpayers the opportunity to receive future tax statements via email. Simply log on to TAX.CHATHAMCOUNTYGA.GOV and sign up today!

The "Payment Good Through" date listed in the chart is only for the tax year indicated above. If an amount appears in the "Back Taxes" row to the right, a different due date is applicable.

All taxes, including appeal bills become delinquent if not paid in full by the due date. In accordance with O.C.G.A. 48-2-40 and 48-2-44, delinquent taxes will be charged with any applicable penalties and interest.

Current Due	\$4,027.22
Penalty	.00
Interest	.00
Other Fees	.00
Previous Payment	-2,222.31
Back Taxes	.00
TOTAL DUE	\$1,804.91

Printed: 08/29/2023

2. Proof of ownership

Dr. Sam and Dr. Kristine Evans
1210 Venetian Drive

Robert and Suzanne Everette
1202 Venetian Drive

Neighbors Letters


Good afternoon, hope you and Suzanne had a wonderful Christmas. Just wanted to give you a heads up. I am probably going to make application to the city for a B & B license after the first of the year. I understand the process will most likely take a couple of months. This will allow me to make some additional income to help maintain. Rest assured, things will not be any different, because it is my home and I will not allow any problems. I have to list my neighbor's on the application, so you might get a letter. I am sick with pneumonia right now and have major plumbing problems this week

 View all



Dec 28, 2:34PM

some additional income to help maintain. Rest assured, things will not be any different, because it is my home and I will not allow any problems. I have to list my neighbor's on the application, so you might get a letter. I am sick with pneumonia right now and have major plumbing problems this week

 View all



Dec 28, 2:34PM

B

Judy we will support you for whatever you want to do. Hope you get well soon. Can't be too careful with pneumonia!
Happy New Year to you as well.

Lisa Schaaf

From: Shirley Sessions <shirleysessions@gmail.com>
Sent: Sunday, January 21, 2024 11:18 PM
To: George Shaw; Lisa Schaaf
Cc: judith Compton
Subject: Bluebird B&B, 1206 Venetian Dr.

Hi George,

The purpose of this email is to confirm the beginning and ending of the Bluebird B&B business license that I formerly operated, at my then primary residence, 1206 Venetian Drive.

The Planning Commission recommended approval, and City Council unanimously approved my application, (which allowed a maximum of 2 overnight guests), on February 20, 2002. I met all requirements for a residential bed and breakfast business, known as "The Bluebird".

I discontinued the business and canceled the license in 2019. I subsequently moved from 1206 Venetian Dr. in October 2020.

Hopefully Judy Compton will be successful obtaining a B&B license and establishing the tradition of the Bluebird at 1206 Venetian.

Feel free to contact me if I can provide additional information.

Best,
Shirley Sessions
6 Moore Avenue
Tybee Island
912.695.0724
shirleysessions@gmail.com

Sec 3-060. Bed and breakfast regulations.

There are two types of bed and breakfast uses defined in this Land Development Code, a bed and breakfast and a bed and breakfast inn. A bed and breakfast is permitted in certain residential areas and intended to be residential in nature. Any slight diversion from the bed and breakfast parameters will change a residential use to a commercial use. A bed and breakfast inn is intended for commercial districts only. Therefore, there can be no variance from the regulations specific to a bed and breakfast. Such a variance will alter the use of the property and thus require a change in the zoning district. The regulations that list requirements for both types of bed and breakfast uses are as follows:

(A) *Bed and breakfast (residential).*

- (1) Limited to no more than seven rental units consisting of sleeping and sanitary accommodations, and one dwelling unit to be owner occupied.
- (2) The owner is required to live on premises and agree to make available proof of residency.
- (3) Food service limited to breakfast for guests only and to be served between the hours of 5:00 a.m. to 12:00 noon and an afternoon snack.
- (4) Under no circumstances will an alcoholic beverage license be issued.
- (5) No less than one vehicle parking space per rental unit, and a minimum of two vehicle parking spaces for the owner are required on the property. Handicapped parking shall be provided as required by the O.C.G.A. Tit. 30, Accessibility Code.
- (6) A buffer is required with a minimum height of six feet within each of the side and rear yard setbacks.
- (7) One on-premises sign, not to exceed 12 square feet, may either be posted on the structure or on a post. A post sign may not exceed a height of six feet from the highest point of the sign. A post sign is to be located no nearer than ten feet of the right-of-way. No signs are to be allowed that are illuminated from within. Post signs may be downlit with no more than two spotlights with a maximum wattage of 75 watts per bulb located on each side of the sign. Signs posted on structure may be lit with no more than one spotlight with wattage not to exceed 75 watts. All sign designs must be submitted as a part of the conditional use permit drawn.
- (8) A limited site plan approval is required to show the number and location of guest rooms, the parking plan, and the proposed design for the buffer. All site plans must be submitted on or along with a valid survey of the property.
- (9) Small special events are permitted not to exceed 20 guests upon completion of a special review to include standards and restrictions to hours of operation, and requirements with respect to lighting, parking, signage, and buffering so as not to

Current Owner

Current Owner	Co-Owner	Care Of	Mailing Address
COMPTON JUDITH A.			P. O BOX 1325 TYBEE ISLAND GA 31328

Original Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
COMPTON JUDITH A.		P. O BOX 1325		TYBEE ISLAND	GA	31328

Parcel

Status	ACTIVE
Parcel ID	40011 01016
Category Code	RES - Residential
Lot #	3003862
Address	1206 VENETIAN DR
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20222.00 - T222 TYBEE HORSE PEN
Legal Units	
Zoning	R-2
Class	R3 - Residential Lots
Appeal Status	

Legal Description

Legal Description	LOT 350 WARD 4 TYBEE
Deed Book	2089
Deed Page	0224

Permits

Permit #	Permit Date	Status	Type	Amount
00454	09/30/2020	Complete	RF - ROOF	\$7,500.00
80454-7	06/11/2018	Complete	RN - RENOVATIONS	\$500.00
70944-6	12/18/2017	Complete	GM - GENERAL MAINT.	\$1,200.00
30385-5	07/19/2016	Complete	GM - GENERAL MAINT.	\$12,000.00
40754-4	11/10/2014	Complete	RF - ROOF	\$4,500.00

Inspection

Inspection Date	Reviewer ID
4/05/2023	RKRYZAK
1/19/2020	RKRYZAK
3/26/2019	KMMORENO
1/19/2017	MWTHOMAS

Appraised Values

Tax Year	Land	Building	Appraised Total	Reason
2023	250,300	286,200	536,500	
2022	250,300	258,100	508,400	
2021	111,900	188,100	300,000	TRANSACTION
2020	138,600	230,600	369,200	
2019	138,100	159,600	297,700	
2018	138,100	147,800	285,900	
2017	138,100	132,000	270,100	
2016	138,100	102,200	240,300	
2015	139,900	105,300	245,200	
2014	139,900	107,000	246,900	

Sales

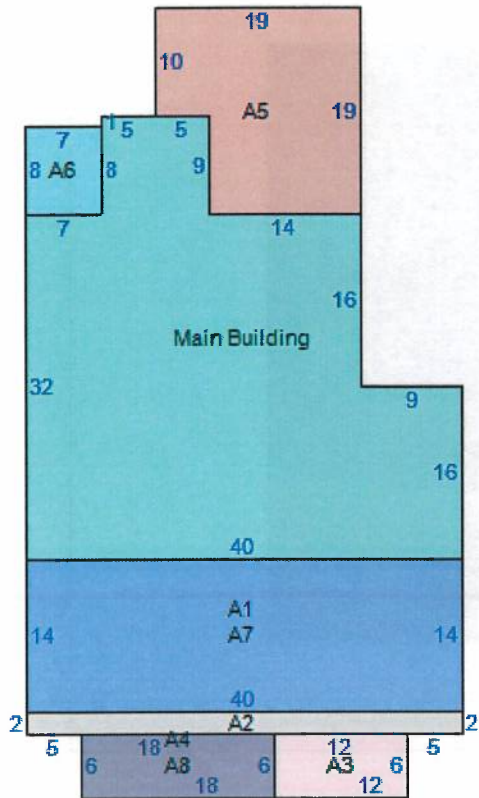
Sale Date	Sale Price	Sale Validity	Instrument	Book - Page	Grantor	Grantee
01/05/2020	300,000	Q	LD	2089 - 0224	SESSIONS SHIRLEY COMPTON	JUDITH A.
02/28/2000	200,000	Q	WD	217V - 0043	CARRELL E.D.	SESSIOMS SHIRLEY
08/18/2000	250,000	Q	WD	214P - 0093	JOHNSON DIANNE L	CARROLL E D

and

Line Number	1
Land Type	U - UNIT
Land Code	119 - MARSH VIEW
Square Feet	0
Acres	.12
Fluence Factor 1	43
Fluence Reason 1	
Fluence Factor 2	
Fluence Reason 2	

Residential Building

Parcel #	1
Actual Year Built	1940
Effective Year Built	1990
Type	1 - Single Family Residence
Style/Stories	1 - ONE STORY
Percent Complete	100
Quality	300
Condition	AV - AVERAGE
Living Area	1,938
Basement Area	0
Finished Basement Area	No
Bedrooms	4
Bath / Half Baths	4 / 0



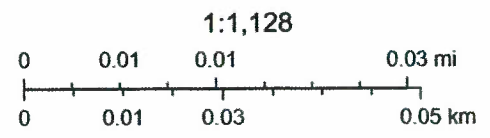
Item	Area
Main Building	1226
A1 - 100:100- LIVING SPACE	560
A2 - 100:100- LIVING SPACE	80
A3 - 100:100- LIVING SPACE	72
A4 - 904:904-Slab Porch (SF) with Roof	108
A5 - 721:721-Carport, Flat Roof (SF)	316
A6 - 903:903-Wood Deck (SF)	56
A7 - 907:907-Enclosed Porch (SF), Scree	560
A8 - 906:906-Wood Deck (SF) with Roof	108





2/5/2024, 1:56:35 PM

 Property Boundaries (Parcels)



SAGIS



1. APARTMENT

12 owner



5. PARKING 2 FOR 2



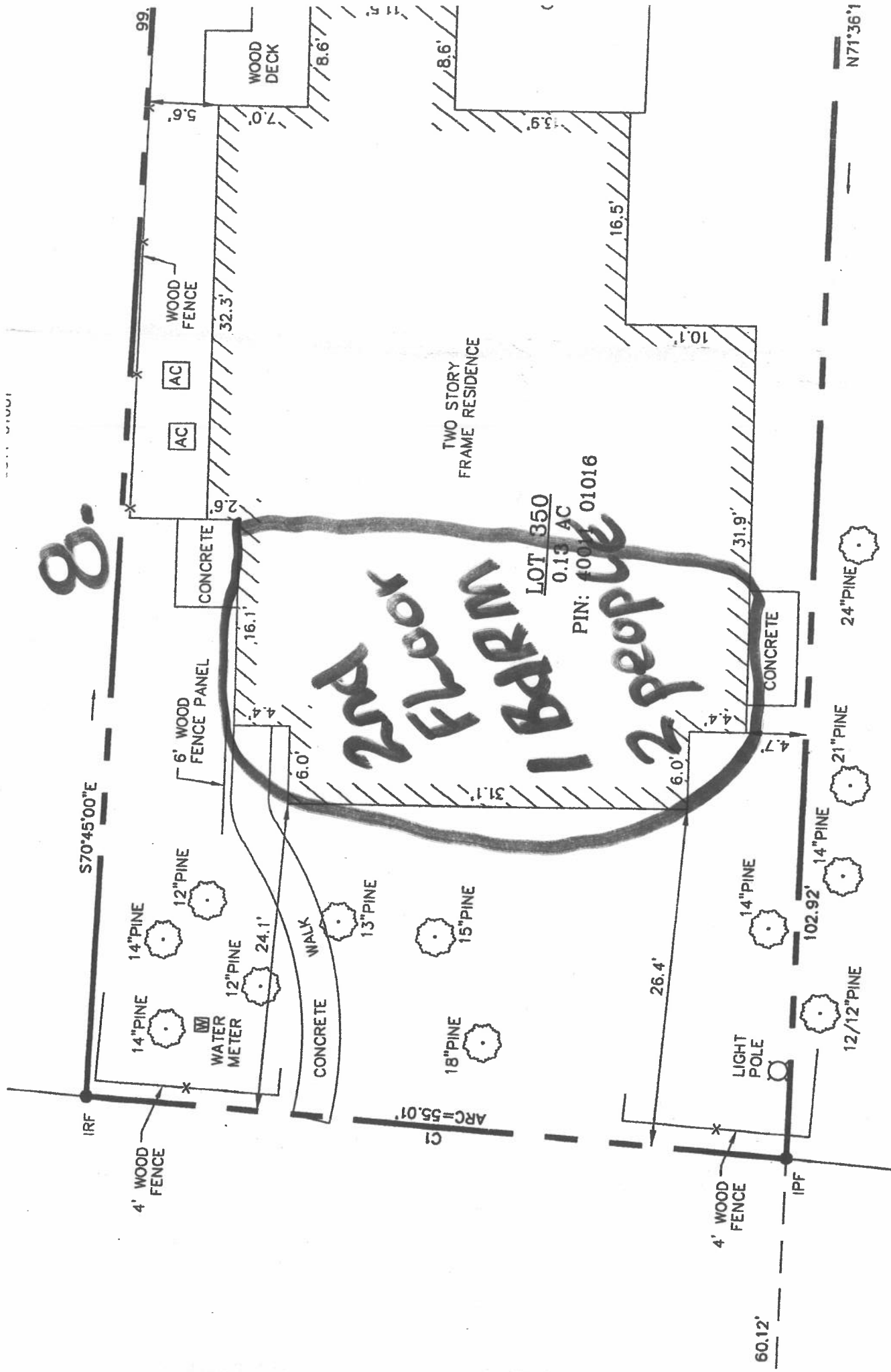
h. Additional Parking Area











8.

LOT 350
0.13 AC
PIN: 1001 01016

NORTHERN PORTION OF LOT 351
WARD 4
TERRY CARROLL
PIN: 40011 01019

ARC=29.10
C4

GEORGIA RESIDENTIAL LEASE AGREEMENT

This LEASE AGREEMENT is made on April 29, 2022 BETWEEN Terry Carroll (LESSOR) and Judith Compton (LESSEE).

PROPERTY: LESSEE agrees to rent from LESSOR and LESSOR agrees to rent to LESSEE, Northern Half Lot 351 Venetian Drive, City of Tybee Is., State of Georgia.

TERM: The term of this lease starts on May 1, 2022 and ends on May 1, 2024.

RENT: The LESSEE agrees to pay \$150.00 as rent, to be paid as follows, due in advance, on the first day of each month. The first payment of rent and any security deposit is due by May 1, 2022. The LESSEE must pay a late charge of \$25.00 for each payment that is more than 7 day(s) late. This charge is due with and shall be considered to be a part of the monthly rent payment for the month in which the rent was paid late. Rent is to be mailed to LESSOR at P.O. Box 2736, Tybee Island, GA, 31328.

SECURITY DEPOSIT: The LESSEE will deposit the sum of \$150.00 with the LESSOR as security that the LESSEE will comply with all the terms of this Lease. The LESSOR will return this deposit within 10 days after the end of the Lease, including any extension. The LESSOR may use as much of the security deposit as necessary to pay for damages resulting from the LESSEE's occupancy or, at LESSOR's sole option and election, to pay for delinquent or unpaid rent and late charges. If the LESSOR uses the deposit for such mentioned instances prior to the Lease termination, the LESSOR may demand that the LESSEE replace the amount of the security deposit used by the LESSOR. If the LESSOR sells the property, the LESSOR may transfer the deposit to the new owners for the LESSEE's benefit. The LESSOR will notify the LESSEE of any sale and transfer of the deposit. The LESSOR will thereupon be released of all liability to return the security deposit.

USE OF THE PROPERTY: The LESSEE may use the property only as a single family residence driveway.

TERMINATION: If the LESSEE fails to pay the rent within 15 days of due date, the Lease may be terminated. The LESSOR may also terminate the Lease if the LESSEE does not comply with all of the terms of this Lease, or for any other causes allowed by law.

CONDITION: LESSEE stipulates, represents, and warrants that LESSEE has examined the PROPERTY and that they are at the time of this Lease in good order and repair. The LESSEE agrees to maintain the PROPERTY in as good condition as it is at the start of this Lease, to include regular lawn maintenance. Damage or destruction by LESSEE, LESSEE's employees, contractors, visitors, or guests to the PROPERTY shall constitute a violation of this Lease.

ALTERATIONS: The LESSEE must get the LESSOR's prior written consent to alter or improve the PROPERTY.

COMPLIANCE WITH LAWS: The LESSEE must comply with laws, orders, rules, and requirements of governmental and insurance authorities.

NO WAIVER BY LESSOR: The LESSOR does not give up any rights by accepting rent or by failing to enforce any terms of this Lease.

SUBLEASE: The LESSEE may not sublease the PROPERTY or assign this Lease without the LESSOR's prior written consent.

ENTRY BY LESSOR: The LESSOR shall have the right to enter the PROPERTY during normal working hours by providing at least 24 hours notice to LESSEE in order for inspection, make necessary repairs, alterations or improvements, to supply services as agreed or for any reasonable purpose.

QUIET ENJOYMENT: The LESSEE may use the PROPERTY exclusively without interference subject to the terms of this Lease.

HAZARDOUS USE: The LESSEE will not keep anything on the PROPERTY which is dangerous, flammable, explosive, or which might increase the danger of fire or any other hazard.

LIMITATION OF LIABILITY: LESSOR is not responsible or liable for any loss, claim, damage or expense as a result of any accident, injury or damage to any person or property occurring anywhere on or from the PROPERTY.

SEE
NEXT
PAGE

RENEWALS AND CHANGES IN LEASE: Upon expiration of the rental term provided for above, this Lease shall automatically renew itself, indefinitely, for successive one month periods, unless modified by the parties. The LESSOR may modify this Lease or offer the LESSEE a new lease by forwarding to the LESSEE a copy of the proposed changes or a copy of the new lease.

If changes to this Lease are offered, the LESSEE must notify the LESSOR of the LESSEE's decision to accept within 10 days of the date of the proposed changes or the copy of the new lease is received by the LESSEE. If the LESSEE fails to accept the lease changes or the new lease within the 10 days of the date the proposed changes or new lease are offered, the Lease may be terminated by the LESSOR.

NOTICES: All notices provided by this Lease must be written and delivered personally or by certified mail with return receipt requested or by email to the addresses listed below, or to other addresses as the parties may from time to time designate.

VALIDITY OF LEASE: If a clause or provision of this Lease is legally invalid, the rest of this Lease remains in effect. If a clause or provision is ambiguous, it shall be interpreted in a manner consistent with existing law.

PARTIES: The LESSOR and LESSEE are bound by this Lease. All parties who lawfully succeed to the LESSOR's and LESSEE's rights and responsibilities are also bound.

ENTIRE AGREEMENT: This Lease and attached documents, if any, are the complete agreement between the LESSOR and LESSEE concerning the PROPERTY. There are no oral agreements, understandings, promises or representations between the LESSOR and LESSEE affecting this Lease.

IN WITNESS WHEREOF: the LESSOR and LESSEE have executed this Lease as of the undersigned date(s).

LESSOR'S SIGNATURE



DATE

04-29-22

PRINT NAME

TERRY CARROLL

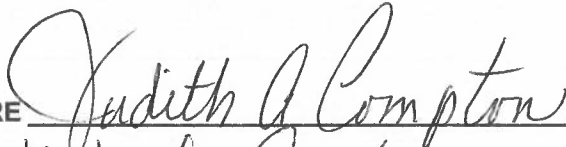
MAILING ADDRESS

P.O. Box 2736 Tybee Is., GA 31328

EMAIL ADDRESS

TTYBEE@MAIL.COM

LESSEE'S SIGNATURE



DATE

04/29/2022

PRINT NAME

Judith A Compton

MAILING ADDRESS

P.O. Box 1325, Tybee Island, GA 31328

EMAIL ADDRESS

seagLAS002@bellsouth.NET