



AGENDA
PLANNING COMMISSION
June 17, 2024 at 6:30 PM

Call to Order

Consideration of Minutes

1. PC MINUTES MAY 20, 2024

Disclosures and Recusals

Old Business

New Business

2. **Appeal: Tree ordinance – 2 Carpenter Road – 40002 02001 - Zone R-1-B - Harry Drummond.**

Adjournment

Standing Items

Adjournment

PLANNING COMMISSION

Anna Butler
Beau Livingston
Robert J. Matkowski
Elaine McGruder
Michelle Nooney
David Roberts
Marie Rodriguez



ACTING CITY MANAGER Item #1.
Michelle Owens

**ACTING COMMUNITY
DEVELOPMENT DIRECTOR**
Michelle Owens

CITY ATTORNEY
Edward M. Hughes/ Tracy O'Connell

Planning Commission Meeting MINUTES

May 20, 2024

Chair Elaine McGruder called the May 20, 2024, Tybee Island Planning Commission meeting to order. Commissioners present were **Anna Butler, Marie Rodriguez, Beau Livingston, Robert Matkowski** and **Vice Chair Michelle Nooney**. **David Roberts** was absent.

Consideration of Minutes:

Chair Elaine McGruder asked for consideration of the April 15, 2024, meeting minutes. **Beau Livingston** made a motion to approve. **Marie Rodriguez** seconded. The vote to approve was unanimous.

Disclosures/Recusals:

Chair Elaine McGruder asked if there were any Disclosures or Recusals. There were none.

Old Business:

Chair Elaine McGruder asked if there was any old business. There was none.

Text Amendment: for further definition of recreational vehicles used on a temporary basis for dwelling purposes - City of Tybee.

Michelle Owens stated this is an amendment for text amendment sec. 3-110 to allow owners to live in recreational vehicles on properties that are involved in the FEMA sponsored Hazard Mitigation Grant. **Marie Rodriguez** asked is a year a sufficient time limit. **Michelle Owens** stated yes, so far it has. **Beau Livingston** asked if there is a way to add a renewal process if they were to go over the year. **Michelle Owens** stated yes, on a case-by-case basis, or you can add something to this. **Bob Matkowski** asked is there any definition to the size of the recreational vehicle. **Vice Chair Michelle Nooney** stated that is not indicated in this ordinance. **Robert Matkowski** stated that can we put that in also, to allow the size that is consistent with the Federal Government size. **Marianne Bramble**, who lives at 215 Lovell Avenue, approached the Planning Commission, and stated there should be a size in this amendment. **Marie Rodriguez** made a motion to approve with the two text amendments added. **Beau Livingston** seconded. The motion to approve was unanimous.

Special Review: requesting to live in recreational vehicle on site while house is lifted – 118 Lewis Avenue – 40004 14002 – Zone R-1-B – Deanne & Jeff Cooper.

Michelle Owens stated this applicant has requested to reside in a camper on site during the house lifting process. Request has been granted once or twice before by Council. **Deanne Cooper**, who lives at 118 Lewis Avenue, approached the Planning Commission, and stated that they have sold their home on Wilmington Island and would like to live in the camper while the house is being lifted. **Anna Butler** asked where on the property you will be placing the camper. **Deanne Cooper** stated we will be placing the camper on the back side of the property. Michelle Nooney indicated that it appears the camper has already been placed in the back of the property. **Keith Gay**, who lives at 117 Catalina Drive, approached the Planning Commission, and stated that he encourages

vote for approval for these applicants. **Beau Livingston** made a motion to approve. **Robert Matkowski** seconded. The motion to approve was unanimous.

Item #1.

Map Amendment: requesting to rezone from R-2 to C-1 – 301 Butler Avenue – 40004 19001A – Zone R-2 – Alicia Barrow.

Michelle Owens stated this applicant is seeking to rezone from R-2 to C-1. It is in the commercial gateway. The rezoning would be consistent with the character area map and master plan. Staff recommends approval. **Robert Matkowski** asked was there any reason for the request to go from R-2 to C-1, by the applicant. **Michelle Owens** stated there was no reason just that they wanted to rezone. **Anna Butler** stated she does not think the application is complete when you look at the requirements in the Land Development codes. First, they don't identify whether the adjacent C-1 properties are C-1(A), (B), (C). which has a big impact on setbacks and the allowable use of those properties. They need to discuss whether the proposed change will be detrimental to the value or improvement of development of the nearby properties. Sec 5040(E)a, requires them to submit a map prepared by a state licensed surveyor of the land that is affected by the requested rezoning. **Robert McCorkle** who lives at 514 Moon River Court and is the agent on behalf of the applicant, approached the Planning Commission and stated that the applicant has lived at this residence for over thirty years and has been having problems with going up and down the stairs. They are attempting to sell the property and the reason for the change to C-1 is to allow the buyer to continue using the home as a short-term rental. **Beau Livingston** asked why not request R-T. **Robert McCorkle** stated they requested C-1 because of the surrounding properties being zoned C-1. **Robert McCorkle** also stated the uses that were mentioned about (A) (B) and (C) to my knowledge those are not zoning districts. There is no such thing or a requirement that a property be rezoned to C-1(A), (B) or (C) to my knowledge. Those are types of uses that are permitted inside of the C-1 zone. We will not be changing the use, which is a residential home as it currently stands and will continue to be a residential use. There is no intent in the immediate future to change the use. We believe the application is complete. Everything was submitted that was required for this zone change. **Robert McCorkle** also stated that every buyer that comes to acquire the property asks about having the ability to acquire a short-term rental. **Marie Rodriguez** asked what hardship in our planning and zoning are they going by. **Robert McCorkle** stated we are not asking for a variance tonight, so I don't believe that hardships are necessarily a requirement for zoning. This application is more focused on the criteria, not the hardship. **Robert McCorkle** also stated that the one good thing about the commercial uses that do exist in C-1 is that they require site plans. If someone bought this property some years from now and decided to turn it into a beach store like the property that is next door already, they would have to go through a site plan process that would come before both the Planning Commission and City Council. The only process that does not require a site plan and a new survey and total review is a use of an existing structure that does not change the use or structure. **Marianne Bramble**, who lives at 215 Lovell Avenue, approached the Planning Commission, and stated that she lives one block behind this home and thinks if this person gets to change to C-1 then the neighbors around the property should also be able to be changed. She is against the change for this property. **Keith Gay**, who lives at 117 Catalina Drive, approached the Planning Commission, and stated that he is in favor of this zoning request. **Vice Chair Michelle Nooney** made a motion to deny. **Robert Matkowski** seconded. The motion to deny was unanimous.

Discussions: Consider time limits for public speaking.

Vice Chair Michelle Nooney stated this came up in our last meeting. We anticipated a lot of people speaking and we had not set time limits in the past. The City Council puts a time limit on the agenda. So, I wanted to know if we should do that as well. **Beau Livingston** stated he thinks this would be good to add to the agenda. **Chair Elaine McGruder** stated she thinks it needs to be said if there's anyone to speak about a particular item, so they don't all speak at once about different items. **Marie Rodriguez** stated we could add "*when that item is presented.*"

Adjournment: 7:30pm
Lisa L. Schaaf

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STAFF REPORT

PLANNING COMMISSION MEETING OF: June 17, 2024

CITY COUNCIL MEETING OF: July 11, 2024

LOCATION: 2 Carpenter Road

PIN: 40002-02001

APPLICANT: Harry Drummond

OWNER: City of Tybee Island

EXISTING USE: Single-Family Home

PROPOSED USE: Same

ZONING: R-1-B

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Fort Screven Historic District

APPLICATION: Appeal of actions Sec. 7-100 regarding denial of tree permit.

PROPOSAL: The applicant is requesting to remove a Palm tree on city property near his driveway. Palm trees are on the city's significant tree list and therefore protected by ordinance. Application was denied.

ANALYSIS: The applicant submitted an application to remove a Palm tree on city property that he felt blocked his driveway access and presented a danger to his car when backing out of the garage. He felt the tree was also too close to the cable wire that connected to his house. The city arborist visited the location and determined the tree location was a sufficient distance away from the driveway and wire.

The Comprehensive Plan describes the Ft. Screven Historic District as follows:

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

<i>Comprehensive Plan – Community Character Area The Ft. Screven Historic District</i>		<i>Meets Strategy Y/N or N/A</i>
<i>Recommended Development Strategies</i>		
1.	Establish standards and guidelines for signage	N/A
2.	Provide signage for landmarks and historic businesses	N/A
3.	Preserve and restore historic structures whenever possible	N/A
4.	Provide appropriate incentives for historic restoration projects	N/A
5.	Ensure continued preservation of old growth trees, parks, and greenspace	N/A
6.	Support an improved bicycle and pedestrian environment with connected facilities	N/A
7.	Consider adoption of architectural standards for historic structures	N/A
8.		

STAFF FINDING: The arborist found the tree to be a sufficient distance from the driveway. Staff recommends denial of the appeal.

This Staff Report prepared by Michelle Owens

ATTACHMENTS

A. Photos

Arborist Site Visit Photos





CITY OF TYBEE ISLAND APPEAL FORM

Item #2.

Owners Name (Appellant): Harry Drummond

Property Address: 2 Carpenter Road, Tybee Island, GA 31328

Mailing Address: Same

Email Address: hdrummond3@yahoo.com

PIN: _____ Contact Number: 805-738-2985

Name and Address of Representative/Attorney (if any): N/A

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

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

Please read the attached letter requesting removal of an obstructing palm tree in front of our garage.

Thank you for your time and consideration of this matter.

email: hdrummond3@yahoo.com

=====

Harry Drummond
Signature of Applicant

5/18/2024
Date

City Official _____

Harry and Bianca Drummond

2 Carpenter Road, Tybee Island, GA 31328

TEL (805) 738-2985

FAX (912) 208-0404

May 18, 2024

Tybee Island Commissioners
403 Butler Avenue
Tybee Island, GA 31328

RE: Appeal for removal of palm tree obstructing our driveway.

Dear Commissioners,

Thank you for considering our request for the removal of a palm tree that sits on public property directly in front of our garage and blocks the driveway. It is a hazard for us because when my wife pulls her car out of the garage she has several times come near to hitting it. Attached are pictures showing its location and how this location requires our driveway to be routed around the tree.

The tree is also near a power line coming to our home making it a possible hazard in a severe wind like a hurricane.

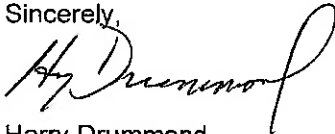
According to Tybee Island, Code of Ordinances, Appendix A, Article 7, § 7-060, (A) Significant trees may be removed only under the following situations or conditions: 1. Upon showing by the applicant that removal of a significant tree is necessary to make reasonable beneficial, economic use of the property; such showing must demonstrate that there is no feasible alternative that would preserve the tree, and must be made for each significant tree the applicant proposes to remove;

The location of the palm tree can potentially cause us economic harm if my wife hits the tree damaging her car or if hitting the tree causes it to fall into Solomon Avenue or onto the power line. There is no feasible alternative because continuing to require her to make a turn around the tree does not reduce the potential of this harm.

We request that you approve our application for removal or transplant of the palm tree. It would look great on the other side of our driveway. If there is any other information that you need please let me know.

Thank you again for time and attention to this matter which affects our enjoyment of the community.

Sincerely,



Harry Drummond



CITY OF TYBEE ISLAND
TREE REMOVAL PERMIT APPLICATION
 Telephone: (912) 472-5033 · Lschaaf@cityoftybee.org

Item #2.

ADDRESS OF PROPERTY (cell : 805-7382985)

Owner's Name <u>Harry Drummond</u>	Applicant's Name <u>Same</u>
Address <u>2 Carpenter Rd, Tybee Island</u>	Address <u>Same</u>
Phone/Email: <u>hdrummond3@yahoo.com</u>	Phone/Email <u>Same</u>

REQUIREMENTS FOR TREE REMOVAL

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

APPLICATION REQUIREMENTS

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

Explain the species of tree(s), the reason for removal, and the location of the tree(s) _____
A palm tree on city property is blocking our driveway access and
presents a danger to our car when backing out of our garage.

WM MORRIS (WM TREE SERVICE)
912-920 3254

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

Owner or Applicant Signature Harry Drummond Date 4-25-24
 Owner or Applicant Printed Name Harry Drummond

City Official <u>[Signature]</u>	Permit Fee _____	<input type="checkbox"/> APPROVED
Date <u>5/16/24</u>	Palms Up _____	<input checked="" type="checkbox"/> DENIED
	TOTAL _____	

STAFF NOTES

Mitigation Required?
 YES NO

Denied

Palm is protected, as per ordinance.



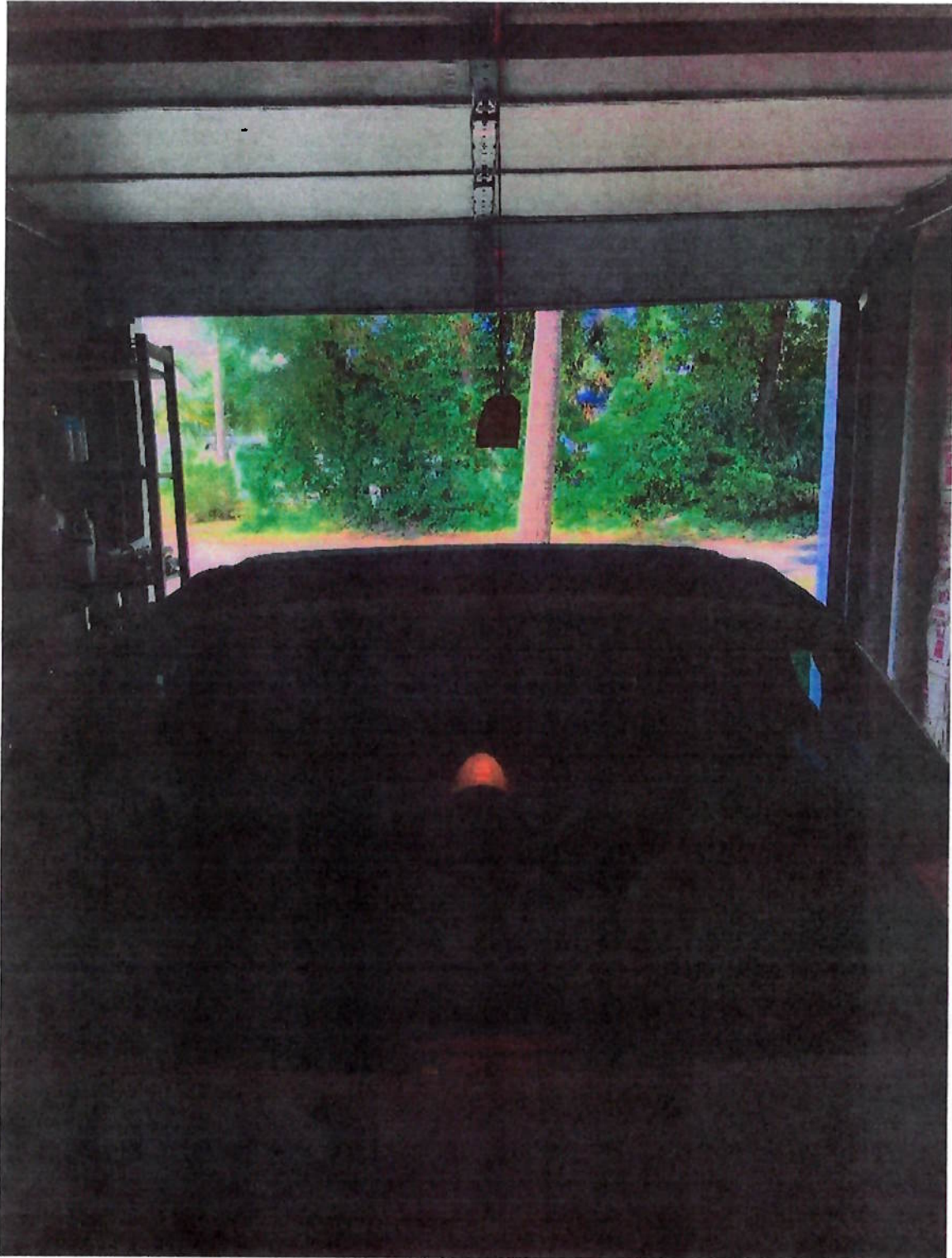
You can see from this photo that the palm tree is directly in front of our garage door and the driveway needed to be routed around it.



This shows her car half way between the palm tree and garage door.



The palm tree is also near our power line.



Looking out of the garage over the top of my wife's car you can see how she needs to go around the palm tree to get out.

Item #2.

PARID: 40002 02001
 DRUMMOND HARRY

2 CARPENTER RD

Most Current Owner

Current Owner	Co-Owner	Care Of Mailing Address
DRUMMOND HARRY	DRUMMOND BIANCE*	2 CARPENTER ROAD TYBEE ISLAND GA 31328

Digest Owner (January 1)

Owner	Co-Owner	Address 1	Address 2	City	State	Zip
DRUMMOND HARRY	DRUMMOND BIANCE*	2 CARPENTER ROAD		TYBEE ISLAND	GA	31328

Parcel

Status	ACTIVE
Parcel ID	40002 02001
Category Code	RES - Residential
Bill #	2990744
Address	2 CARPENTER RD
Unit # / Suite	
City	TYBEE ISLAND
Zip Code	31328-
Neighborhood	20270.00 - T270 TYBEE SCREVEN
Total Units	
Zoning	R-1-B
Class	R3 - Residential Lots
Appeal Status	

Legal Description

Legal Description	LOT F SUB LOT 8 FORT WARD TYBEE
Acres	.09
Deed Book	2926
Deed Page	0250

Permits

Permit #	Permit Date	Status	Type	Amount
230050	01/25/2023	Complete	FN - FENCE	\$5,000.00
220559	11/14/2022	Complete	WO - WOOD DECK	\$19,000.00
200578	12/01/2020	Complete	RF - ROOF	\$10,500.00
190440	08/22/2019	Complete	RN - RENOVATIONS	\$4,465.00
150353-3	06/16/2015	Complete	RN - RENOVATIONS	\$1,000.00

Inspection

Inspection Date	Reviewer ID
08/24/2023	RKRYZAK
01/18/2023	RKRYZAK
08/05/2021	RKRYZAK
01/21/2020	WWROBERT
01/05/2016	MWTHOMAS

Sales

Sale Date	Sale Price	Sale Validity	Instrument	Book - Page	Grantor	Grantee
09/16/2022	592,500	Q	LD	2926 - 0250	SCOTT JEREMY D.	DRUMMOND HARRY
06/14/2019	361,000	Q		1647 - 0737	CLARKE VON SYGNET	Name withheld by request.
03/23/2017	0	U	NA	1038 - 226	WUORI SUSAN	VON SYGNET CLARKE
11/14/2003	0	U	NA	261Y - 0517	WUORI LEO A & SUSAN	WUORI SUSAN
09/30/1996	129,000	Q	WD	181K - 0210	KUSTIN ELIZABETH M	WUORI LEO A & SUSAN

Land

Line Number	1
Land Type	U - UNIT
Land Code	01 - SINGLE FAMILY RES
Square Feet	0
Acres	.09
Influence Factor 1	-40
Influence Reason 1	
Influence Factor 2	
Influence Reason 2	

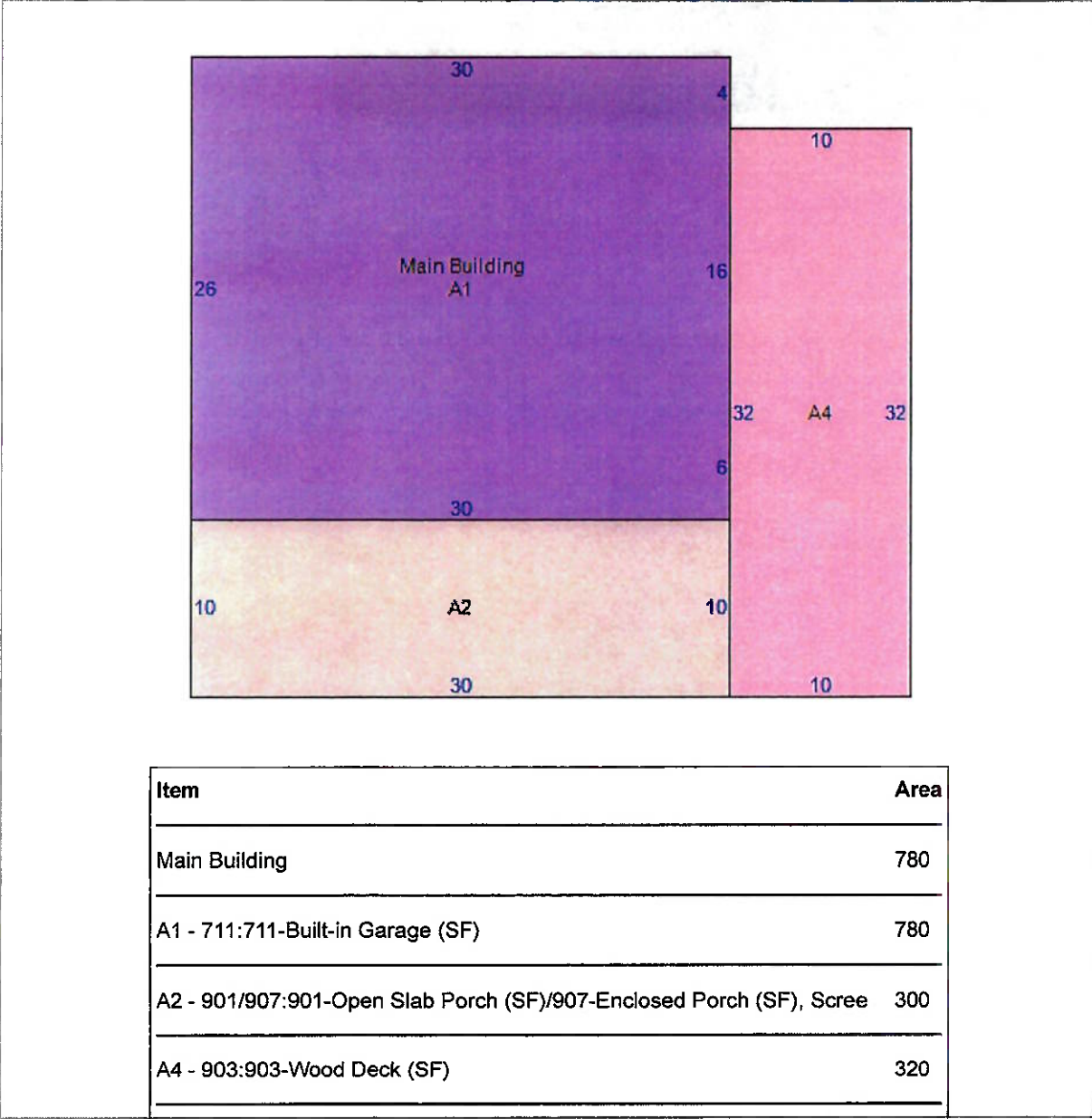
Residential Building

Card #	1
Actual Year Built	1986
Effective Year Built	2010
Type	1 - Single Family Residence
Style/Stories	5 - 1 1/2 STORY FINISHED
Percent Complete	100
Quality	300
Condition	GD - GOOD
Living Area	1,365
Basement Area	0
Finished Basement Area	No
Bedrooms	3
Full / Half Baths	2 / 0

Appraised Values

Item #2.

Tax Year	Land	Building	Appraised Total	Reason
2024	225,000	323,000	548,000	
2023	75,004	145,596	220,600	APPEAL DECISION
2022	75,004	145,596	220,600	APPEAL DECISION
2021	75,004	145,596	220,600	APPEAL DECISION
2020	75,004	145,596	220,600	APPEAL DECISION
2019	75,200	145,400	220,600	APPEAL DECISION
2018	75,200	142,800	218,000	
2017	75,200	146,600	221,800	
2016	75,200	145,100	220,300	
2015	74,500	112,600	187,100	



Item	Area
Main Building	780
A1 - 711:711-Built-in Garage (SF)	780
A2 - 901/907:901-Open Slab Porch (SF)/907-Enclosed Porch (SF), Scree	300
A4 - 903:903-Wood Deck (SF)	320

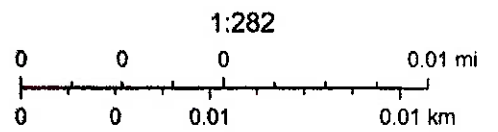
Item #2.





6/3/2024, 10:05:08 AM

 Property Boundaries (Parcels)



SAGIS