



## **AGENDA PLANNING COMMISSION June 13, 2022 at 6:30 PM**

Call to Order

Consideration of Minutes

1. PC MINUTES MAY 16, 2022

Disclosures and Recusals

Public Hearings:

Old Business

2. SITE PLAN APPROVAL: erect picnic pavilion - 37 Meddin Drive – 40001 03012-Zone R-1/NEC–Tybee Island Marine Science Center.

New Business

3. SITE PLAN WITH VARIANCE: removing six parking spaces wants to include on-street parking-1105 Highway 80-40026 03006-Zone C-2-Michael Hall.

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

Discussions and Presentations

Adjournment

**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 May 16, 2022

**Vice Chair Elaine McGruder** called the May 16, 2022, Tybee Island Planning Commission meeting to order. Commissioners present were **Marie Gooding, Susan Hill, Whitley Reynolds, Marie Rodriguez** and **Martha Williams**. **Chair David McNaughton** was absent.

**Consideration of Minutes:**

**Vice Chair Elaine McGruder** asked for consideration of the April 18, 2022, meeting minutes.

**Whitley Reynolds** made a motion to approve. **Marie Gooding** seconded. Vote was unanimous.

**Disclosures/Recusals:**

**Vice Chair Elaine McGruder** asked if there were any disclosures/recusals: **Susan Hill** stated she would like to disclose that the owners for item 6 were clients of hers that she helped purchase the house so she would like to recuse herself from that item. **Whitley Reynolds** disclosed that the survey used in item 4 is a survey he did fifteen years ago for someone else and he would have no problem voting on this item.

**Old Business:** N/A**Public Hearings:**

**George Shaw** addressed the audience and stated on the STVR discussion item the planning commission has been asked by City Council to look over the ordinance draft and see if there were any conflicts or changes to be made with the land development code. They have not been asked to vote on or make changes to the proposed ordinance draft. But anyone is welcome to speak.

**Site Plan approval: 101 Lovell Ave. – 40004 01015 – Zone C-2 – Emily Liebtog**

**George Shaw** stated this is the Salt Island Fish & Beer Restaurant. Most of the parking is on the Lovell Street side. There is an access road on the first street side of the building that at one time was used to go through to Lovell, but has not been used for that in a long time. They would like to close the access road on the First street side and create two parking spaces on the street for the City. They will add some parking at the back of the restaurant and add a deck on the side of the building. The deck would seat approximately twelve people. The restaurant as it is now does not meet our requirements for parking, this would make it a little better. This is an improvement for safety reasons and the addition of some parking is helpful so staff recommended approval. **Emily Liebtog** who is one of the owners at of 101 Lovell Avenue approached the Planning Commission and stated she has an updated drawing that changes one parking space that she would like to hand out to the Planning Commission. She stated the change was because the utilities for the HVAC would have to be relocated if we did two parking spaces. She stated the drive through has not been used as a driveway in the four years they've owned it, and she feels it is a safety

hazard for customers waiting to get a table. And adding the curb will create two parking spaces for the City. The deck will be low and will not require a variance. Each bike rack will accommodate 12 bikes. **Marie Rodriguez** asked if they were planning on only putting seating on this deck or bands. **Emily Liebttag** stated they might do one acoustic person if any and the deck will be for customers waiting and maybe a few tables that will be serviced. **Martha Williams** stated I want to make sure I understand correctly, you have one or two bike racks. **Emily Liebttag** stated they have two bike racks. **Martha Williams** Asked George Shaw aren't they allowed to substitute a bike rack for a parking space. **George Shaw** stated yes, one rack with eight spaces counts as one parking space. **Martha Williams** asked George Shaw so do they meet the requirement. **George Shaw** stated it will be very close. Whitley Reynolds made a motion to approve. **Marie Rodriguez** seconded. The vote to approve was unanimous 5-0.

**Variance: 6 Taylor St. – 40001 10009 – Zone R-1 – David Terry & Cheryl Thomas**

**George Shaw** approached the Planning Commission and stated the Thomas's currently have an elevated deck on the back and stairs on the side and uniquely there is a ten foot right of way or easement behind their property that is not part of their property and he presumes it belongs to the City. They are asking to build a deck into the rear setback, the steps will be out of the setback. But because it's not necessary for the development of the lot staff recommends denial. What would be nice is if City Council determines one way or the other what to do with that strip of land back there. **Marie Rodriguez** asked if this got denied what would there options be. **George Shaw** stated they could ask to purchase the property or council could divide it amongst all the owners or keep it for future utilities. Those are some options. **Marie Gooding** asked if the City currently maintain that property. **George Shaw** stated no and most of the owners have fences in that easement. David Terry who lives at 6 Taylor St approached the Planning Commission and stated they would like to extend the deck to improve the home. We believe the easement has never been a lane. **Martha Williams** stated she sympathize with the Thomas's request to extend their deck because this area appears to have been abandon the fact is that somebody owns it and I don't think it's a good idea to grant a variance when we have this property to deal with I think a better option to pursue would be to give them the opportunity to either purchase or have the City turn it over to the property owners so there are no ownership questions and they can do what they want on their property without having to seek a variance. **Whitley Reynolds** stated his experience with people buying property from the City is they always walk away from it because it was two difficult. **Whitley Reynolds** made a motion to approve. There was no second. Motion failed. **Marie Gooding** made a motion to approve with the add on that we bring to City Councils attention that this property has an easement that needs to be addressed. **Whitley Reynolds** seconded. The vote was unanimous 4-0. **Susan Hill** recused herself and did not vote.

**Site Plan approval with Variance: 2 8<sup>th</sup> Pl – 40006 02001 – Zone R-2 – Stephen Friedman**

**George Shaw** stated Mr. Freedman has dunes up against the house. The City has a ten foot setback from the toe of the dune. What he would like to do to prevent the dune from encroaching any further into his house is to clear a space and put in a retaining wall and a paver area and also is proposing to put a drainage system into the dune. Staff recommends approval of the retaining wall but not the drainage system in the dunes. He would still have to go to DNR for that approval. **Jason Ball**, who lives at 4 Cedar view Ct. Whitmarsh Island, and the speaker and Engineer for Stephen Friedman, approached the Planning Commission and stated the dunes are compromising the structures at this address and limiting maintenance. **Marie Rodriguez** asked if you don't get permission from DNR for the drainage what is your plan then. **Jason Ball** stated right now it floods on the properties beside him. **Martha Williams** asked so your recommending ten feet out as opposed to eight feet recommended by the City. **Jason Ball** stated yes, we need room to build the wall. Roger Huff, who lives at 52 Captains View, approached the Planning Commission and stated he approves of this. **Whitley Reynolds** made a motion to approve. **Marie Rodriguez** seconded. The vote to approve was unanimous 5-0.

**Variance: 3 10th Place – 40006 18019 – Zone R-2 – Lisa Van Dusen**

**George Shaw** stated Ms. Van Dusen would like to extend her kitchen with a bump out with a cantilevered space that encroaches the setback. There are many homes on that street that have this type of encroachment. This does not meet code so Staff does not recommend approval. **Lisa Van Dusen**, who lives at 3 Tenth Place, approached the Planning Commission and stated they have no room to expand anywhere on their property. And there are other homes that have this same encroachment. **Keith Gay**, who lives at 1106 Highway 80, approached the Planning Commission and stated the extension that Lisa Van Dusen is asking for will not have any negative impact on the neighboring properties or access. **Whitley Reynolds** made a motion to approve. **Martha Williams** seconded. The vote to approve was unanimous 5-0.

**Variance: 10 11<sup>th</sup> Terrace – 4007 01019 – Zone R-2 – Chuck Moore**

**George Shaw** stated Mr. Moore has a large lot and would like to put a new deck on the east side and stairs on the west side of the property that would both encroach the setback. Because the property is completely built out there is no hardship so staff recommends denial. **Chuck Moore**, who lives at 10 11<sup>th</sup> Terrace, approached the Planning Commission and stated the west side will only encroach ten inches to help with her wheelchair access. **Whitley Reynolds** made a motion to approve. **Marie Rodriguez** seconded. The vote to approve was unanimous 5-0.

**Discussion item:****STVR amendment**

Sherry Oxendine, 1514 2<sup>nd</sup> Av. Mark Conaway, 913 Lovell Av. Patrick Connell, 3 Long Island. Cody Gay, 2 6<sup>th</sup> Av. Lisa Moore, 711 2<sup>nd</sup> Av. Cody Jones, 2200 old Quacco Rd. Mathew Pelham, 20C Meddin Dr. Roger Huff, 52 Captains View. Wesley Jameson, 1408 2<sup>nd</sup> Av. Tonya Huff, 52 Captains View. Scott Center, 1808 Butler Av. Brent Watts. Larry Phillips, 1310 2<sup>nd</sup> Av. Keith Gay, Tybee beach vacation rentals. Ginny Vanostrum, Willet, 1807 Butler Av. Sean Williams. Jenny Rutherford, 1202 Hwy 80. Any Gaster 1010 Hwy 80. Henry Morgan, 301 10<sup>th</sup> St. Dr. Mo Dixon, 8 Turnball Ln. Carrie Effird, 803 Jones Av. Shell Williams 116 Azalea Av. Walt Freeman. David Stewart, 710 E. 51<sup>st</sup> St. Dee King, 115 Lewis Av. Ken Williams 1710 Chatham Av.

**Whitley Reynolds** stated this thing needs to go straight back to council. It is not anywhere close to anything workable. **Marie Gooding** stated she agrees. And she can't get a clear picture of what it is we are supposed to do with it. We should get a better understanding from City Council on how to approach this. **Martha Williams** stated she has done a line my line analysis in an excel spreadsheet and I'd like that to be part of the record. This is confusing and conflicting and needs to go back to City Council. **Susan Hill** asked George Shaw if he has a clear understanding of what City Council has charged us to do with this ordinance. **George Shaw** stated my understanding is that this body was asked to see what changes to the Land Development Code (LDC) in addition to this ordinance would need to be made. He is not sure if it is worth nit picking this and recommending changes to the LDC at this time. He stated he does not think anyone that reads this will understand what it says. Also this would be very difficult for me to enforce.

**Adjournment: 9:30pm**

**Lisa L. Schaaf**



# STAFF REPORT

PLANNING COMMISSION MEETING: June 13, 2022

CITY COUNCIL MEETING: July 14, 2022

LOCATION: 37 Meddin Dr.

APPLICANT: Tybee Island Marine Science Foundation

OWNER: City of Tybee Island

EXISTING USE: Marine Science Center

PROPOSED USE: Covered picnic area

ZONING: R-1/NEC

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Ft. Screven Historic District

APPLICATION: Site Plan Approval.

PROPOSAL: The applicant is requesting site plan approval for a covered picnic area on the west side of the existing building and a group staging area adjacent.

ANALYSIS: The proposed area is already impervious concrete so the new cover will not affect drainage. The proposed solar panels will save energy needed to operate the Center. The group staging area will remove two parking spaces from the MSC. Some employees may have to park in north beach lot.

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

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

## STAFF FINDING

Staff recommends approval.

*This Staff Report was prepared by George Shaw.*

ATTACHMENTS

- A. Site plan application
- B. Site plan
- C. Elevation certificate
- D. Survey



# SITE PLAN APPROVAL APPLICATION

Item #2.

Commercial \$500  
Residential \$250

Applicant's Name: Cathy J. Sakas for Tybee Island Marine Science Center \_\_\_\_\_

Address and location of subject property: 37 Meddin Drive \_\_\_\_\_

PIN \_\_\_\_\_ Applicant's Telephone Number: 912.660.7164 \_\_\_\_\_

Applicant's Mailing Address: P.O. Box 1879 \_\_\_\_\_

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

We would like to erect a picnic pavilion with solar panels in between the Center's west outside wall and the play area that abuts Fort Screven's east outside wall \_\_\_\_\_

Property Owner's Name: City of Tybee Island \_\_\_\_\_ Telephone Number: 912.660.7164 \_\_\_\_\_

Property Owner's Address: 403 Butler Avenue \_\_\_\_\_

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: AE \_\_\_\_\_ Current Use: The Center is used for educational purposes. \_\_\_\_\_

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.

Cathy J. Sakas \_\_\_\_\_ 19 January 2022  
Signature of Applicant Date

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

Fee Amount \$ \_\_\_\_\_ Check Number \_\_\_\_\_ Date \_\_\_\_\_

City Official





### 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 Cathy J Sakas

Printed Name CATHY J SAKAS

Date 19 January 2022

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)

**MAYOR**  
Shirley Sessions

**CITY COUNCIL**  
Barry Brown Mayor pro tem  
Jay Burke  
Nancy DeVetter  
Michael "Spec" Hosti  
Monty Parks  
Brian West



**CITY MANAGER** Item #2.  
Shawn Green

**CITY CLERK**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

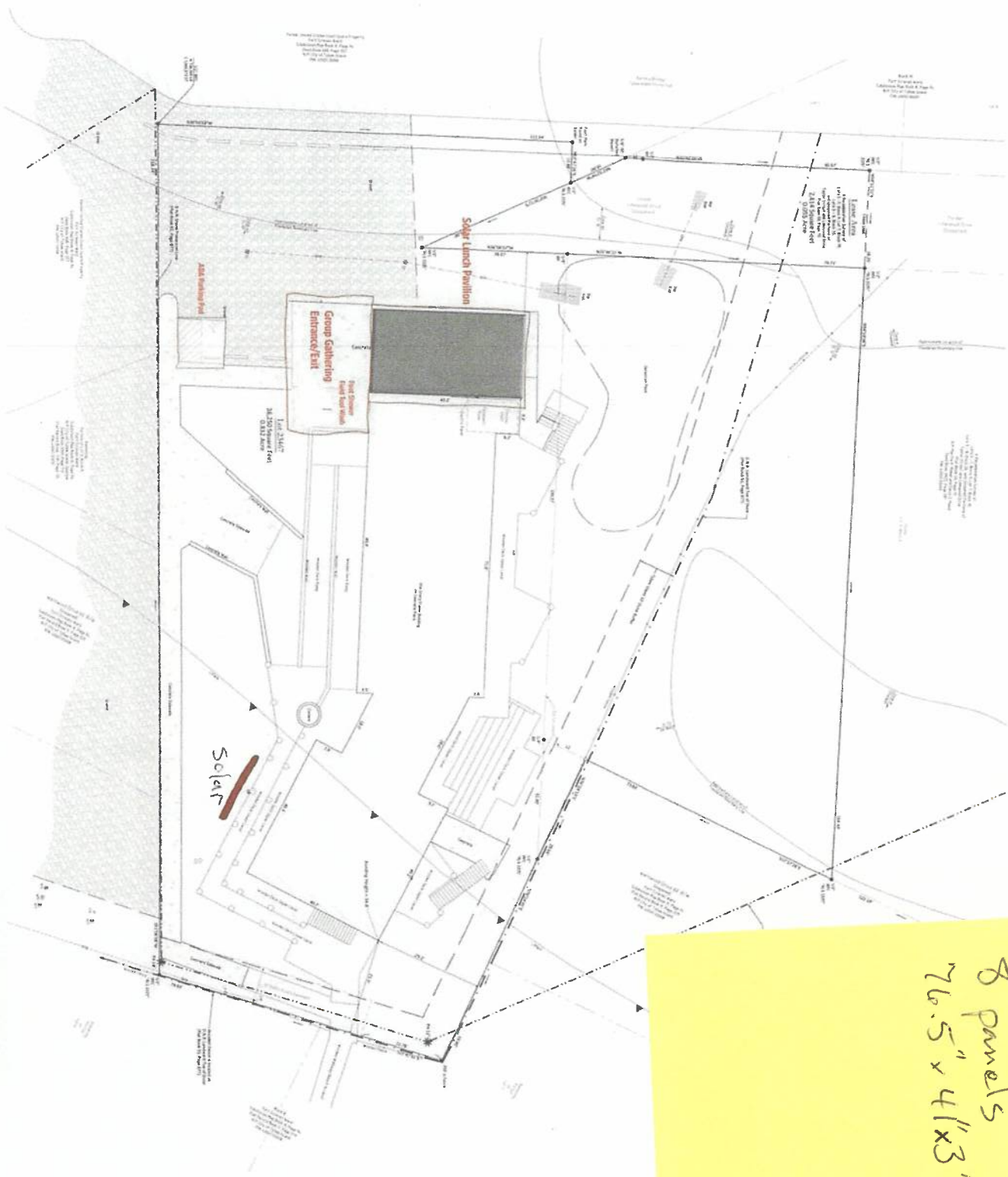
February 14, 2022

The City of Tybee Island gives the Tybee Marine Science Center permission to seek site plan approval for the addition of a covered picnic area on the west side of the building.

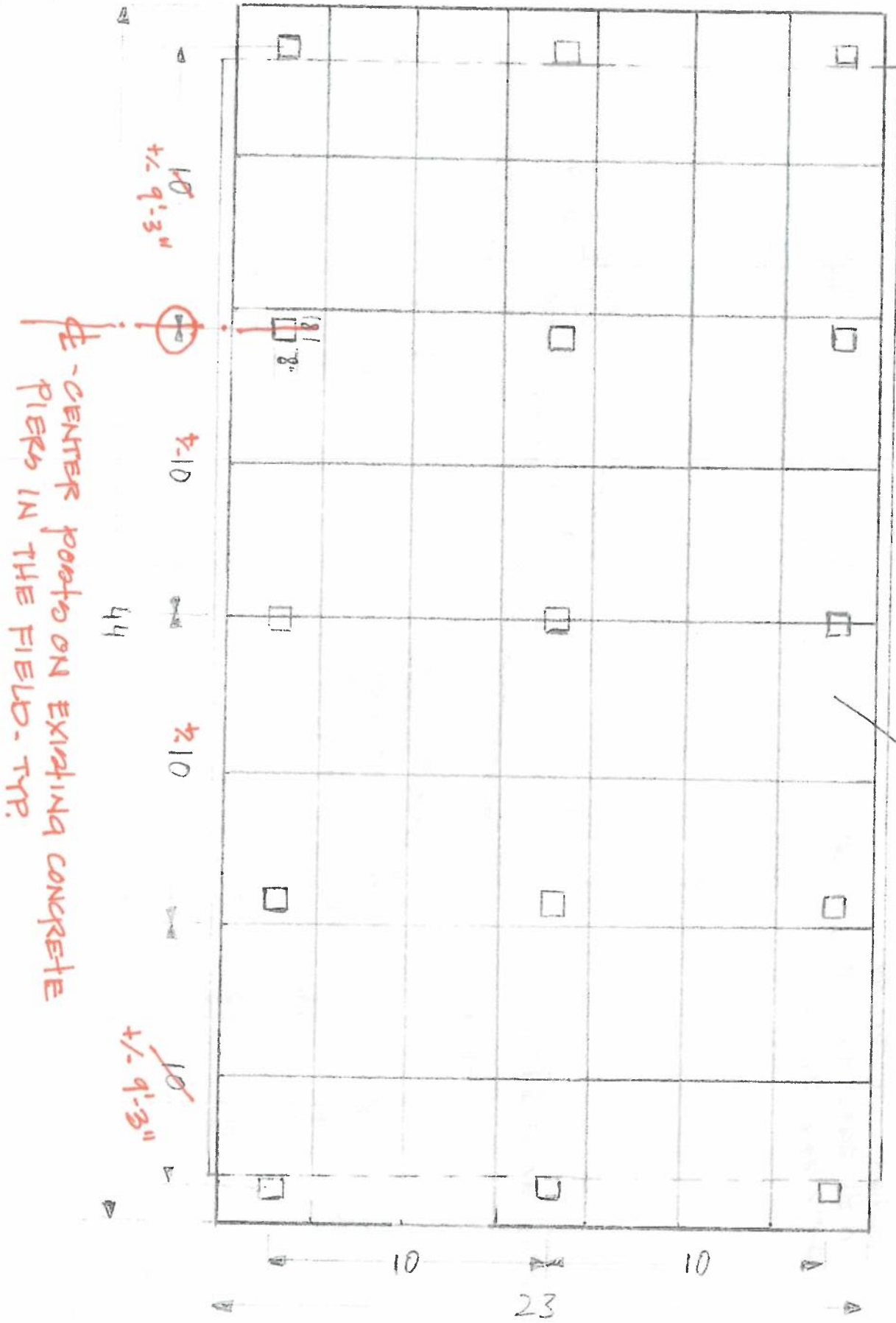
A handwritten signature in blue ink that reads "Shirley Sessions". The signature is written in a cursive style.

Shirley Sessions  
Mayor, City of Tybee Island

TYBEE ISLAND MARINE SCIENCE CENTER

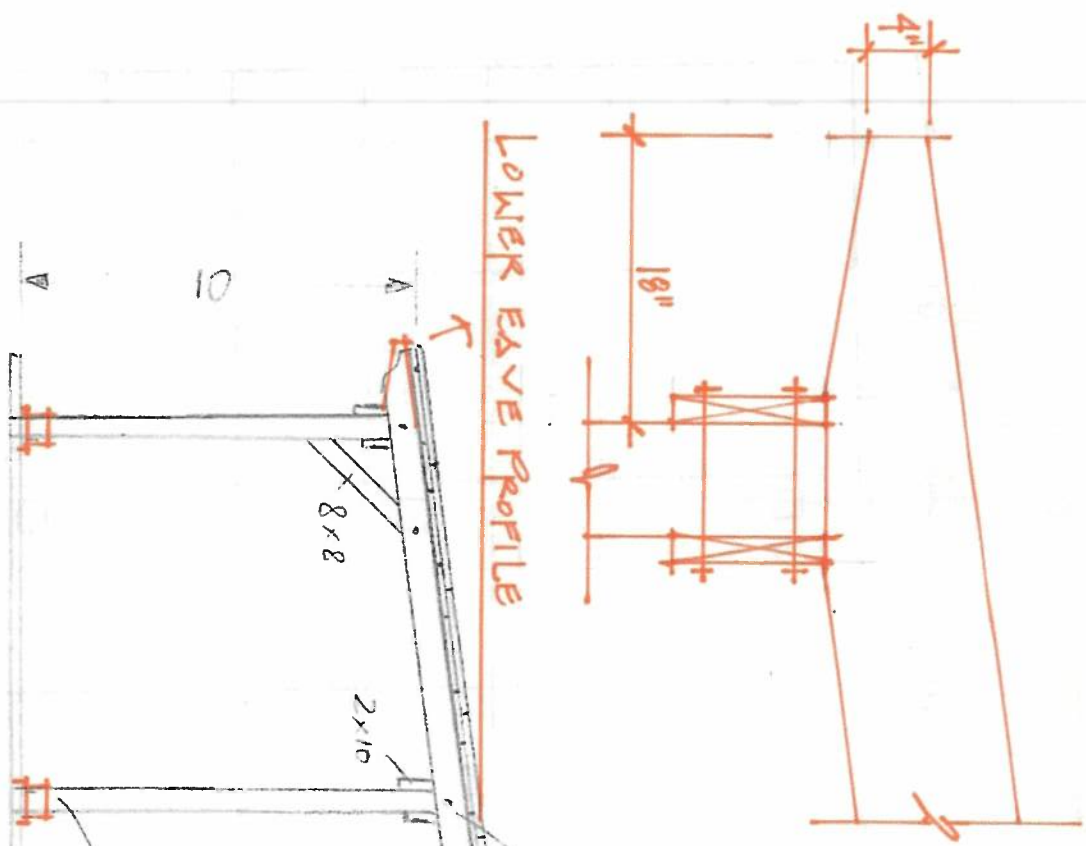


Thermal Solar  
8 panels  
76.5" x 41" x 3" each



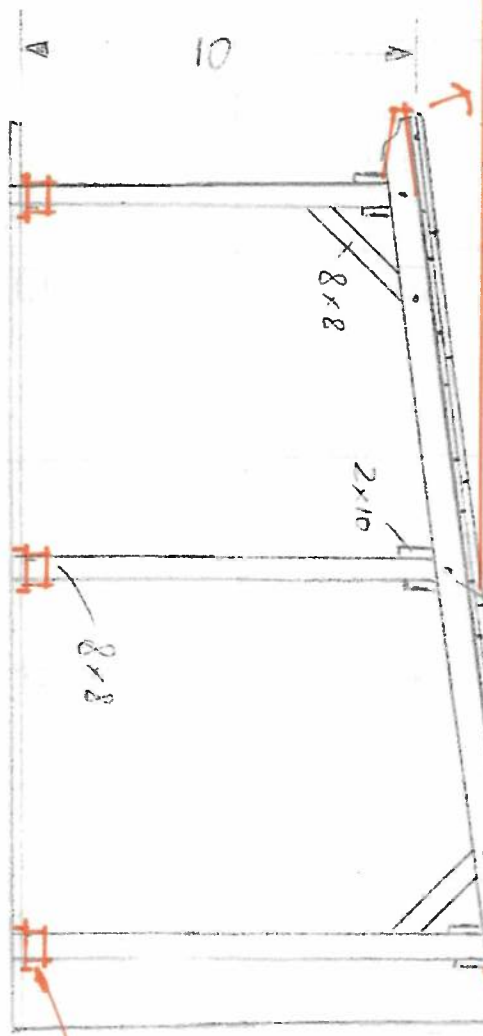
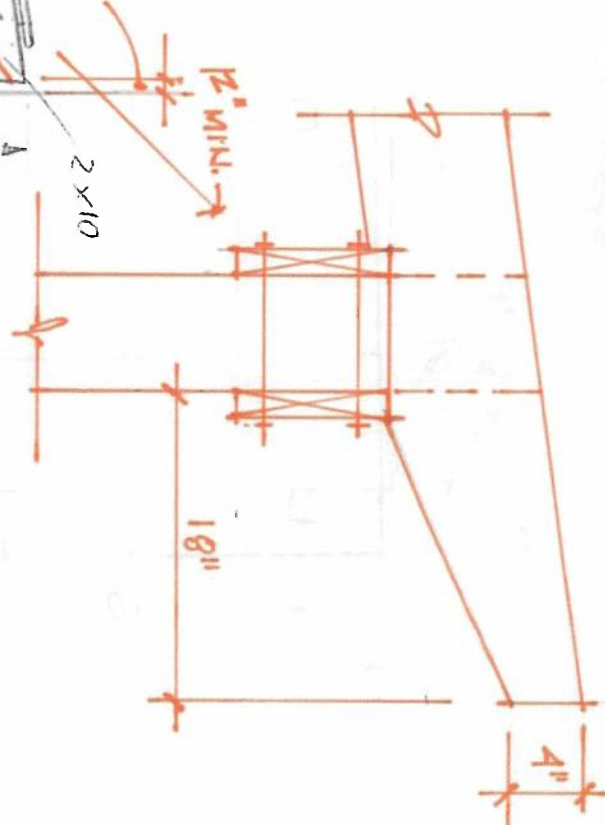
S6 Solar Modules 66" x 39.5"

Office & Office  
07.09.2021



MAINTAIN  
12" MIN  
CLEARANCE  
EAVE TO  
TRUSS/RAFTERS

UPPER EAVE PROFILE



APP CONC. PIER BASE  
& WOOD BASE TRIM  
AS SHOWN IN JOSEPH'S  
EXAMPLE PHOTO

Profile of rafters  
12.01.2021



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: February 14, 2022

Project Name/Description: erect picnic pavilion – 37 Meddin –Tybee Marine Science Center

Action Requested: Site Plan Approval

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

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

The Planning Commission Motion on Petition:  Approval  Denial  Continued

Action on Motion:

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

Planning Commission Chair: \_\_\_\_\_

Date: 2-17-2022

Planning & Zoning Manager: \_\_\_\_\_

Date: 2-15-2022



## STAFF REPORT

PLANNING COMMISSION MEETING: June 13, 2022

CITY COUNCIL MEETING: July 14, 2022

LOCATION: 1105 Hwy. 80

PARCEL: 40026 03006

APPLICANT: Michael Hall

OWNER: Rich Hammons

EXISTING USE: Commercial/Restaurant

PROPOSED USE: Commercial/Restaurant

ZONING: C-2

PROPOSED ZONING: C-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Commercial Gateway

APPLICATION: Site plan review with variance for parking (4 spaces).

**PROPOSAL:** The applicant requests site plan approval for external changes to an existing restaurant space. The applicant wants to add an additional stairway from the deck which would eliminate two parking spaces. Outdoor tables would eliminate four spaces. The applicant would also like to add additional indoor seating which would require additional parking. The applicant is requesting to count on street parking in lieu of the four additional required spaces.

**ANALYSIS:** The property currently has enough parking to handle the seating as proposed. The applicant would like to add more indoor seating which would in turn require more parking. The variance request is to allow four on street spaces to count in lieu of the required off-street spaces.

Variance requirements are the following:

(A) *Standards.* After an application has been submitted to the designated city official, reviewed by the planning commission, and a public hearing has been held by the mayor and council, the mayor and council may grant a variance from the strict application of the provisions in this Land Development Code only if a physical circumstance, condition, or consideration exists as described in subsection (1).

(1) There are unique physical circumstances or conditions or considerations beyond that of surrounding properties, including a substandard lot of record that existed prior to March 24, 1971 (see [section 3-040](#)); irregularity; narrowness; or shallowness of the lot shape; or exceptional topographical or other physical circumstances, conditions, or considerations related to the environment, or to safety, or to historical significance, that is peculiar to the particular property; and;

(2) Because of such physical circumstances or conditions or considerations, the property cannot be developed in strict conformity with the provisions of this Land Development Code, without undue hardship to the property.

(3) A nonconforming use or structure does not constitute a unique physical circumstance, condition, or consideration.

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

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

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

**STAFF FINDING**

The applicant can make all proposed outdoor changes without needing the parking variance. The applicant says that the additional indoor seating is necessary for the viability of the business. Business viability is not an allowable hardship according to the Land Development Code. Staff recommends denial.

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

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



CITY OF TYBEE ISLAND
SITE PLAN APPROVAL WITH VARIANCE APPLICATION

Site Plan Item #3.
Commercial \$500
Residential \$250
Variance Fee
Commercial \$500
Residential \$200

Applicant's Name Michael Hall

Address and location of subject property 1105 Highway 80E Tybee Island GA 31328

PIN 40026 03006 Applicant's Telephone Number 912-308-8820

Applicant's Mailing Address 69 Whipcordville Rd Savannah GA 31410

Brief description of the land development activity and use of the land thereafter to take place on the property:
Extend stair off of the East side of the building

Explain the requested variance To include on-street parking

Explain the hardship currently not enough parking to support the business

Property Owner's Name Rich Hammons Telephone Number 912-661-5225

Property Owner's Address P.O. Box 99 Tybee Island, GA 31328

Is Applicant the Property Owner? Yes No 40026 03006

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

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

Current Zoning of Property C2 Current Use EMPTY

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

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

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

Signature of Applicant [Signature] Date 5/31/22

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

Fee Amount \$1000.00 Check Number 3482 Date 5/31/22

City Official [Signature]

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

- 3 copies, 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
- Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions. *1 copy, no smaller than 11 x 17, of the proposed site plan and architectural renderings.* Section 5-040 (D)(1)
- A survey of the property signed and stamped by a State of Georgia certified land surveyor. Section 5-040 (D)(2)
- Provide attachments illustrating conditions on the subject and surrounding properties indicating that there are unique physical circumstances or conditions including:
  - irregularity,
  - narrowness, or,
  - shallowness of the lot size or shape, or,
  - exceptional topographical or other physical conditions peculiar to the particular property

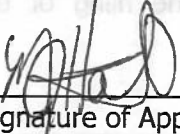
That because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the provisions of the Land Development Code, without undue hardship to the property. Sections 5-090 (A)(1) and 5-090 (A)(2).

- If this variance application is for a Height Variance, in addition to other requirements, the petitioner shall be required to:
  - Add two feet to each side yard setback for each one foot above 35 feet in height, and,
  - Have safeguards consisting of sprinkler systems, smoke detectors and other fire protection equipment deemed necessary at the time by the Mayor and Council, and,
  - Where a rear yard abuts a side yard of the adjacent lot, the petitioner shall be required to add two feet to the rear setback for each foot above 35 feet height.
 Section 5-090 (B)

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 with Variance and has provided the required information to the best of his/her ability in a truthful and honest manner.


5/31/22

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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 

Printed Name Michael Hall

Date 5/31/22

### 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. Where no variance is necessary for the intended project, or development, there is no evaluation process or set of regulations other than what is required to be shown on the site plan and listed upon the application. Where no variance is requested, site plan requirements are intended as a tool for public information. Where a variance and/or zoning action is requested in connection with a site plan, the standards applicable to the variance and/or zoning action applied for shall apply.

- (A) *Process.* Upon submittal of the site plan, the zoning administrator will review the site plan for noticeable discrepancies and determine if there is a need to apply for other zoning actions. The site plan is then forwarded to the Chatham County Engineer. Once the engineer has submitted comments to the zoning administrator, a public hearing 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 approve the plan. However, once the first public hearing is held, site plan approval may commence at any scheduled meeting of the mayor and council.
- (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 is not issued within said 18 months, an extension of up to 90 days may be issued with the approval of the building and zoning department. In the absence of an extension or at the end of an extension, if a building permit has not been obtained, the site plan approval shall be void and a new application must be submitted for site plan approval.

For site plans approval prior to the effective date of this amendment, such plans shall be valid for 18 months from the effective date hereof and if no building permit is issued during that 18 months or a 90-day extension obtained, a new application for site plan approval must be submitted and the prior site plan approval shall be void.

Ord. No. 2005-14, § 1, 5-26-2005)

### Sec. 5-090. Variances.

- (A) *Standards.* After an application has been submitted to the zoning administrator, reviewed by the planning commission, and a public hearing has been held by the mayor and council, the mayor and council may grant a variance from the strict application of the provisions in this Land Development Code only if the following findings are made:
  - (1) That there are unique physical circumstances or conditions beyond that of surrounding properties, including irregularity, narrowness, or shallowness of the lot size or shape, or exceptional topographical or other physical conditions, peculiar to the particular property; and,
  - (2) That because of such physical circumstances or conditions, the property cannot be developed in strict conformity with the provisions of this Land Development Code, without undue hardship to the property.
- (B) *Height variances.* For height variances, in addition to other requirements, the petitioner shall be required to add two feet to each side yard setback for each one foot above 35 feet in height and have safe-guard consisting of sprinkler systems, smoke detectors and any other fire protection equipment deemed necessary at the time by mayor and council. Where a rear yard abuts a side yard of the adjacent lot, the petitioner shall be required to add two feet to the rear setback for each foot above the 35 feet height, and have safe-guards consisting of sprinkler systems, smoke detectors, and any other fire protection deemed necessary at the time by mayor and council.
- (B) *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.

(C) *[Reviewing variance applications.]* The staff, planning commission, and governing body, shall consider the factors stated herein in reviewing variance applications in taking action on a particular variance. In exercising the powers to grant variances, the mayor and council may attach any conditions to its approval which it finds necessary to accomplish the reasonable application of the requirements of these regulations.

(D) *[Application approval.]* Notwithstanding any other provisions of the Code of Ordinances, the staff of the community development department through its department head may approve applications for variances without the need of public hearings and without the need of review by the planning commission or the mayor and council as follows:

- I. When either of the following circumstances exists:
  - a. The proposed improvement of alteration will not result in an expansion of the existing footprint of the existing structure; or
  - b. No additional encroachment into any setback shall be created by the proposed improvement, construction or addition.
- II. When each of the following circumstances also exists:
  - a. No encroachment or construction of habitable space or other prohibited improvements will exist beyond the flood elevation; and
  - b. The requested improvements or construction will not violate existing zoning provisions.

This subsection shall have specific application to existing nonconforming structures as referred to in [section 3-020](#).

If the staff of the building and zoning department finds that the request needs or should have additional review for any reason, it may request review by the planning commission and if the request is approved or rejected by the planning commission then the planning commission's determination shall control. For purposes of this section, a public hearing before the planning commission shall not be necessary. If the staff of the building and zoning department declines an applicant's request the applicant may apply for the granting of a variance which will follow the procedures applicable to variances in general specifically, those procedures described in sections [3-020](#) and [3-090](#) as well as the public hearing requirements referred to in [section 5-060](#). In the event the staff request review by the planning commission and the planning commission rejects the request, the applicant may apply for the granting of a variance and follow the procedure applicable to such request before mayor and council.

(F) *Compliance with ordinances.* Notwithstanding any other provision of the Code of Ordinances, no application for a variance may be accepted nor may any variance be granted with respect to any property that is then not in compliance with the requirements of ordinances for the condition on which the variance is sought, unless the applicant files with the application a detailed written explanation of how, when, and by whom the need for a variance was created. In such a case, the planning commission shall make a recommendation to the mayor and council as to whether the variance should be approved or rejected or modified and the mayor and council, following a public hearing, may approve, reject or modify the variance request. In the event property is constructed in violation of the ordinances, the violation status remains until such time as the condition is rectified and placed in conformity with the ordinances. Violations of the ordinances may be subject to the enforcement provisions of this Code and all penalties permissible by law. A variance that is granted under this Ordinance does not excuse prior violations including those that have resulted or may result in enforcement action by the City of Tybee Island.

(Ord. No. 2005-14, § 1, 5-26-2005)

### **Sec. 3-080. Off-street parking requirements.**

- (A) In all zoning districts, handicapped parking shall be provided as required by the O.C.G.A. Title 30 Accessibility Code.
- (B) *Residential district parking requirements and residential off-street parking requirements.* Off-street parking facilities shall be provided and maintained on site for all buildings, structures or premises being used in whole or in part for residential purposes, or for any other use permitted in residential districts.
  - (1) *Residential dwelling units.* For every dwelling unit, there shall be provided at least two off-street parking spaces. A caretaker's cottage is a separate dwelling unit and shall be provided at least two off-street parking spaces.
  - (2) *Nursing homes, hospitals.* One parking space for each five patient beds, plus one space for each staff doctor, plus one space for each employee on the largest shift.
  - (3) *Theaters, auditoriums, gymnasiums and other places of assembly.* One parking space for each four seats provided in the main auditorium or for each 50 square feet of floor area available for the accommodation of movable seats in the largest assembly room or area.

- (4) *Public and private elementary and secondary schools (except assembly halls, auditoriums and gymnasium used in conjunction therewith).* One parking space for each 200 square feet of gross floor area devoted to such use.
- (5) *Private docks.* At least two off-street parking spaces must be provided for any private dock proposed for construction on a lot that has not been otherwise improved. In the event that a private dock is proposed on a lot that has not been improved, the parking must be off-street (not on city right-of-way) and pervious.
- (C) Control of access to structures used for residential purposes including but not limited to single family, duplex, triplex, two family, multifamily, townhomes, apartments, time shares, and condominiums whether owner occupied or held for rental. In order to promote the safety of motorists and pedestrians, the following regulations shall apply to all newly constructed driveways:
- (1) A driveway opening which connects a lot with a public street shall not be greater than 25 feet in width at the property line. Driveways that serve duplex lots shall not have a width greater than 15 feet per unit measured at the property line. This section is not intended to prevent the installation of flared driveway ends. These flared ends, when constructed in accordance with adopted standards and specifications, shall not count towards the width of the driveway.
  - (2) There shall be no more than two driveway openings on any lot of any width. The total of the widths at the property line of two driveway openings shall not be greater than 25 feet.
  - (3) No driveway opening shall be constructed within 25 feet of an intersection, measuring from the nearest improved portion of the right-of-way. However, in any instance where there is not adequate space available and other access is not feasible, staff may permit a reduction in the distance to an intersection from a driveway in order to permit safe access to the property provided the speed limit on abutting or adjacent roads is 30 miles per hour or less.
  - (4) No curb on any city street or right-of-way shall be cut or otherwise altered without prior written approval of the designated city official.
  - (5) All newly constructed and replacements of more than 50 percent of existing driveways serving residential uses shall be constructed of materials designed to allow retention of the first one-inch of stormwater.
- (D) *Commercial off-street parking.* Off-street parking facilities shall be provided and maintained for all structures or premises being occupied or used in whole or in part for commercial activity as follows:
- (1) One parking space per each 200 square feet of retail or commercial gross leasable floor area.
  - (2) With the submission of an application for a business license for either a new business or a business that has expanded the occupancy load of the principle structure, changed use, or created additional occupant loads through other structures where permitting has been required by the city, a parking plan must be submitted with the application for approval by the designated city official. If the plan represents significant changes in parking, the plan may be determined to require site plan approval by the mayor and council.
  - (3) Restaurants, nightclubs, beer parlors and similar establishments shall provide one parking space for each four seats based on a maximum seating capacity of 15 square feet per person plus one space for each two employees. Maximum seating capacity is calculated on the entire seating square footage including outdoor seating area.
  - (4) A miniature golf course shall provide one parking space for every two holes.
  - (5) Hotels, motels:
    - a. One parking space for each guest unit without a kitchen facility.
    - b. Two parking spaces for each guest unit with a kitchen facility.
    - c. Two parking spaces for each manager's unit.
    - d. One parking space per each 200 square feet of retail or commercial gross leasable floor area.
    - e. One parking space for every two employees.
    - f. One designated delivery/loading zone.
    - g. Recreational vehicle overnight connection facilities are prohibited.
  - (6) For all uses, a rack able to accommodate eight bicycles may be substituted for one required standard parking space.
  - (7) Maritime District.

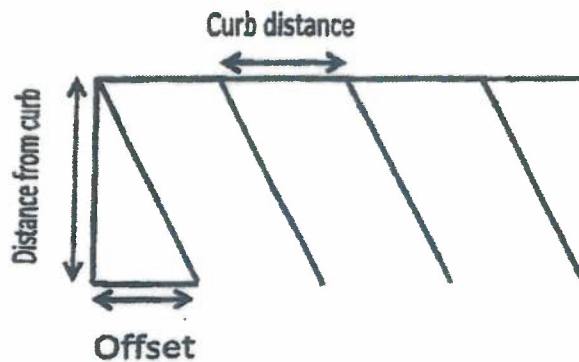
- a. Parking shall be in conformance with the off-street requirements of the uses referenced in this section and the required dimensions of [section 3-090](#)
- b. Dock operators must provide one parking space for every 20 linear feet of each side of dock designated for recreational boaters. Docks leased to commercial boats must allow for one space per boat, plus one space per crew member and one space per each four seats for charter passengers.
- c. All changes to parking in the maritime district that involve loading, unloading and transporting of boats will require a parking plan submitted to the city detailing the turn radii of drive aisles.

(E) *Off-street parking dimensions.*

Standard	Aisle Width	Parking Angle	Traffic Direction
8 x 20 feet	12 feet	Parallel	One-way
8 x 20 feet	24 feet	Parallel	Two-way
9 x 18 feet	15 feet	45 degrees	One-way
9 x 18 feet	18 feet	60 degrees	One-way
9 x 18 feet	24 feet	60 degrees	Two-way
9 x 18 feet	22 feet	75 degrees	One-way
9 x 18 feet	24 feet	90 degrees	One-way or Two-way

*Dimensions of angle parking spaces.*

Angle	Distance from curb	Curb distance	Offset
45	15'	12' 7"	15'
60	16'	10' 4"	9'
75	17'	9' 4"	4' 6"
90	18'	9'	0



(F) *Exemptions from off-street parking requirements.*

- (1) Existing structures with 2,000 square feet or less of floor area that exist in a C-1 zoning district may expand the floor area up to 4,000 square feet without having to meet the off-street parking requirements as long as the structure is completely located within 1,000 feet of a municipal parking lot.
- (2) A structure whose primary use is a church or place of religious worship shall be exempt from all off-street parking requirements.

**Tax Commissioner Summary**

Status ACTIVE  
 Alternate ID  
 Bill #  
 Tax District/Description 040-TYBEE  
 Legal Description LOTS 15, 16, 17 BLK 10 GDN WD TY BEE TYBEE ISL SAVANNAH BEACH  
 Appeal Status

**Parcel Status**

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

**Parcel Information**

Property Class C3 - Commercial Lots  
 Mortgage Company  
 Exemptions

**Most Current Owner**

Current Owner	Co-Owner	Care Of	Mailing Address
RLH HOLDINGS LLC			PO BOX 99 TYBEE ISLAND GA 31328

**Digest Owner (January 1)**

Owner	Co-Owner	Care Of	Mailing Address
RLH HOLDINGS LLC			PO BOX 99 TYBEE ISLAND GA 31328

**Tax (Penalties and Interest Included through Current Date)**

Year	Cycle	Billed	Paid	Due
2022	1	3,406.46	-3,406.46	0.00
2021	1	6,812.41	-6,812.41	0.00
2020	1	7,389.08	-7,389.08	0.00
2019	1	7,389.08	-7,389.08	0.00
2018	1	7,456.40	-7,456.40	0.00
2017	1	7,072.50	-7,072.50	0.00
2016	1	7,286.51	-7,286.51	0.00
2015	1	7,376.47	-7,376.47	0.00
Total:		54,188.91	-54,188.91	0.00

**Payment Information**

Payment Sequence	User ID Location	Effective Date Source	Business Date Pymt Type	Payment Applied	Tolerance/ Overpayment	Payment Methods	Total Payment
4163567711	GOVWIN-88888 WEB	05/27/2021 WEB	05/27/2021 Z21	\$3,694.64	\$0.00 \$0.00	EC/3,694.64	\$3,694.64
4163684235	GOVWIN-88888 WEB	11/12/2021 WEB	11/12/2021 Z21	\$3,117.77	\$0.00 \$0.00	EC/3,117.77	

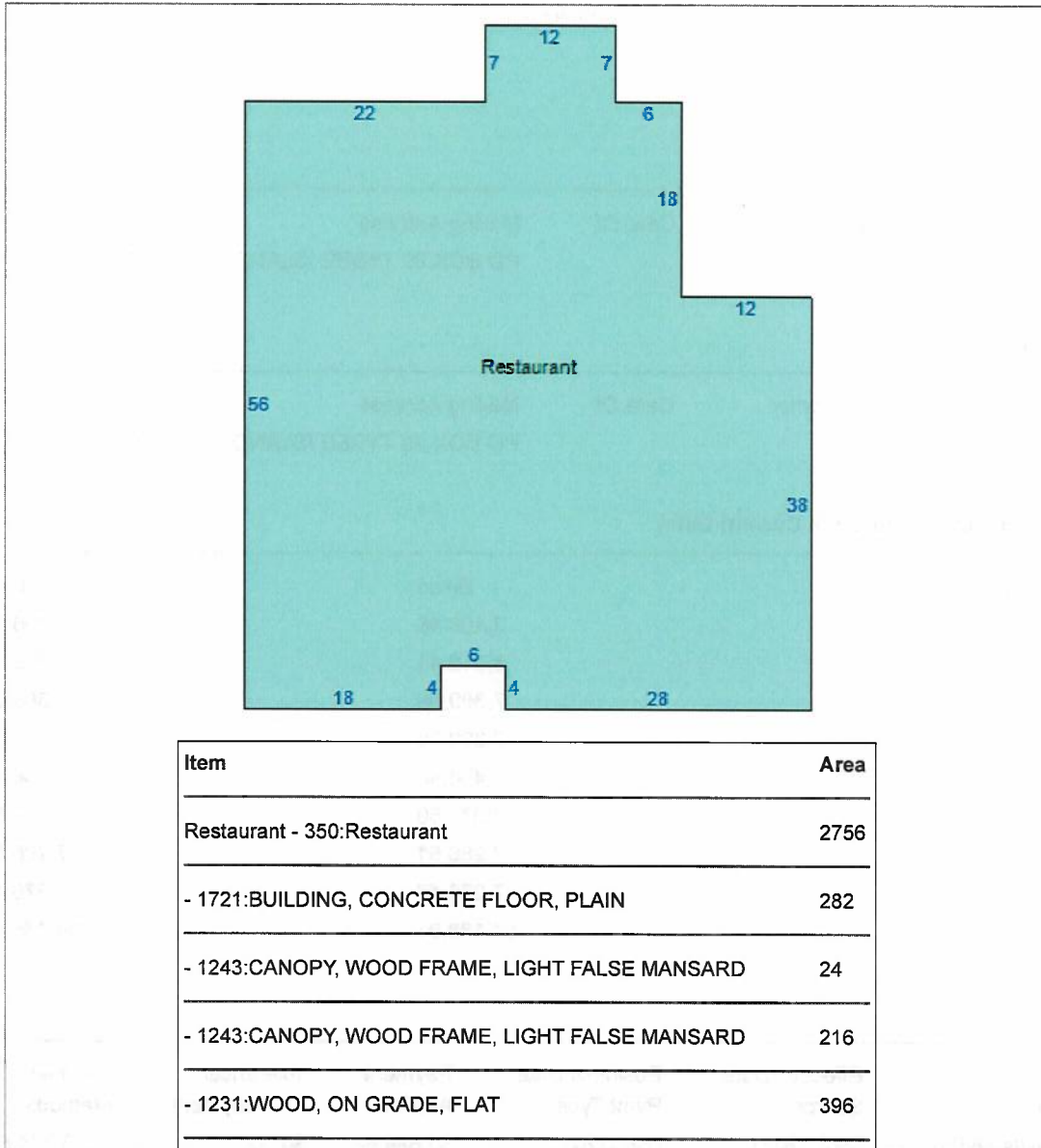
**Payer Details**

Item #3.

Payment Sequence	User ID Location	Effective Date Source	Total Payment	Payer Information
4163567711	GOVWIN-88888 WEB	05/27/2021 WEB	\$3,694.64	RLH Holdings LLC PO Box 99 Tybee Island, GA, 31328
4163684235	GOVWIN-88888 WEB	11/12/2021 WEB	\$3,117.77	RLH Holdings LLC PO Box 99 Tybee Island, GA, 31328

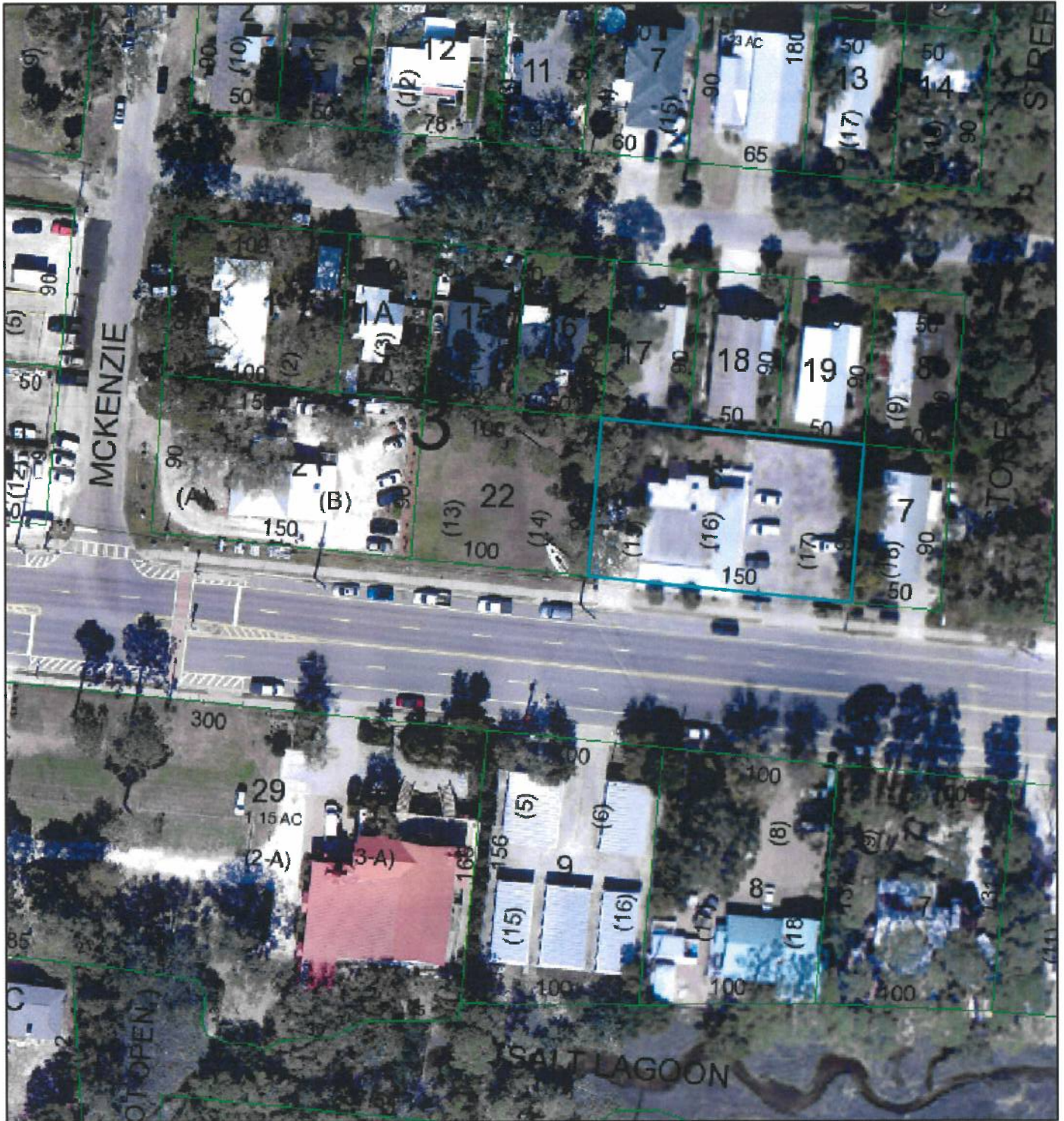
**Billings Detail**

Authority Code	Code	Authority Name	Millage	Billed	Paid	Due
COUNTY - OPER	TAX	COUNTY M&O	11.5430	\$2,340.00	-\$2,340.00	\$0.00
SCHOOL - OPER	TAX	COUNTY SCHOOL M&O	18.1310	\$3,675.52	-\$3,675.52	\$0.00
TYBEE - CITY	TAX	TYBEE ISLAND	3.9310	\$796.89	-\$796.89	\$0.00
Total:			33.6050	\$6,812.41	-\$6,812.41	\$0.00





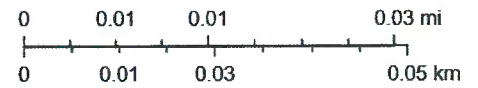
# SAGIS Map Viewer



6/1/2022, 4:41:20 PM

1:1,128

 Property Boundaries (Parcels)



SAGIS

**Chamacos Tacos and Surf 1105 E HWY 80 E Tybee Island GA 31328**

Chamacos is submitting this site survey to get approval to build steps on the eastern side of the existing deck as well as adding seats to increase seating capacity. Adding the stairs will make access easier to the establishment as well as the newly renovated covered outdoor patio. Currently the handicap ramp is the only access to the eastern entrance. All patrons must walk to the front of the building to access the main door or the handicap ramp. The new stairs will allow for better flow and safety for an expedited evacuation.

Chamacos is also asking for an on-street parking variance. The current Chamacos location will be shutting down on 9/30/2022 due to the landlord signing a contract with a larger restaurant group.

The current southern location at 1311 Butler is in C1 zoning and has 167 seats. At this number the business is sustainable. The new location a 1105 HWY 80 E has been approved for 84 total seats and is in a C2 zoning location. With the new location being almost twice the size of the existing rent, bills, and all other expenses have almost doubled as well. The current approved seating can not sustain the business at the 1105 HWY 80E location.

With the understanding that Tybee have provided multiple on-street variances to businesses on HWY 80, we are asking for the same authorization to be able to expand our seating to maximize the capacity of our establishment. We are asking to be able to run our new business at the same seating capacity we are operating at 1311 Butler. We need this variance to have a successful operation for our patrons and the City of Tybee.

Thank you for your consideration,

Michael Hall

**RLH Holdings LLC  
PO Box 99  
Tybee Island, GA 31328**

April 26, 2022

Michael Hall  
Taco Aloha, LLC

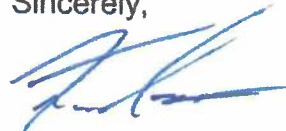
George Shaw  
Planning and Zoning Director  
City of Tybee Island

Mr. Hall,

Per your lease, RLH Holdings LLC grants permission for modifications at 1105 U.S. Highway 80 East, as listed below. Permission is pending review, approval and permitting by the City of Tybee Island.

Modifications requested are addition of steps to deck, and use of parking spaces for outdoor seating.

Sincerely,



Kris Tucker  
Property Manager

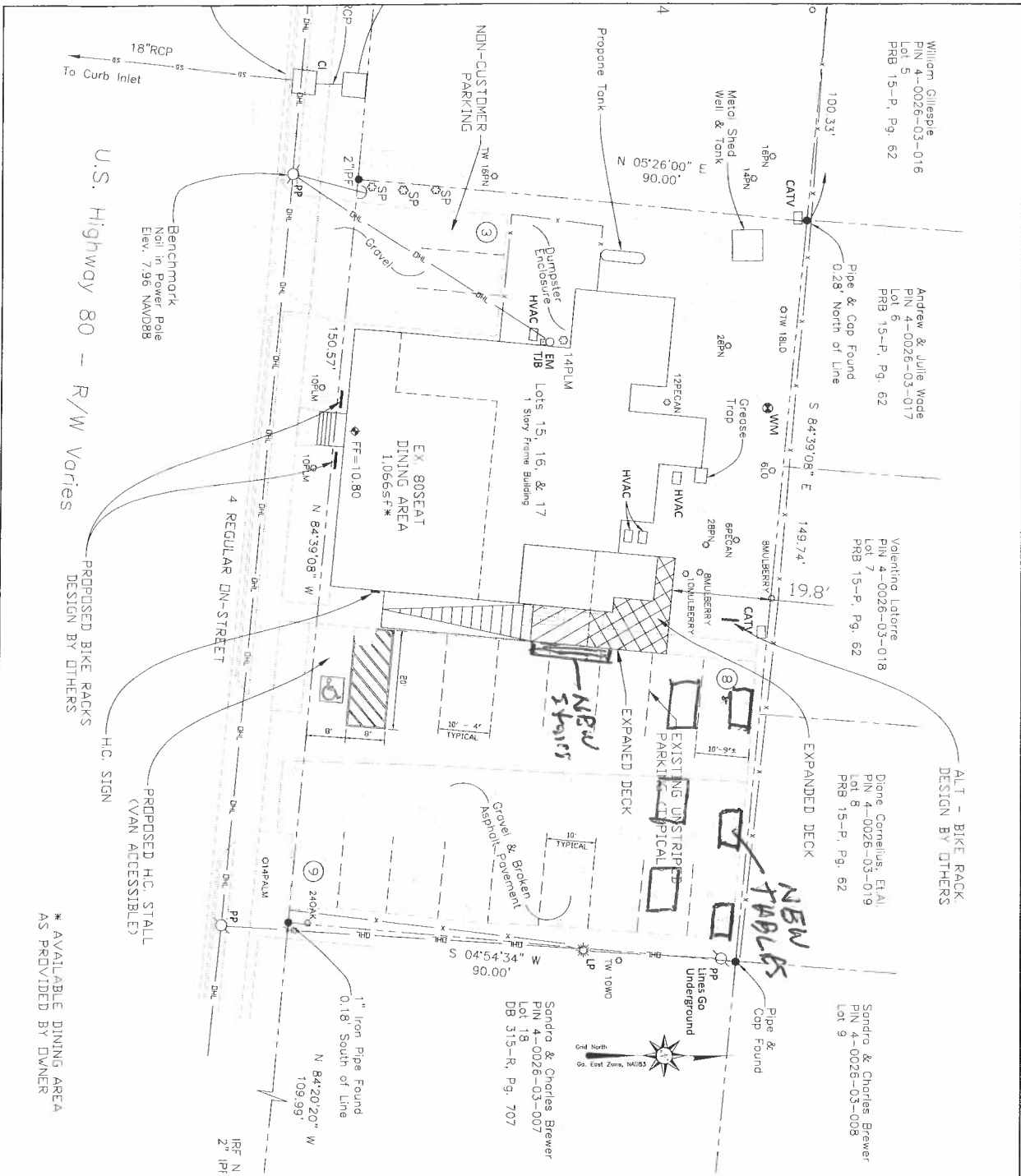


Rich Hammons  
Manager, RLH Holdings LLC

**Chamaco's Hwy. 80 Parking requirement**

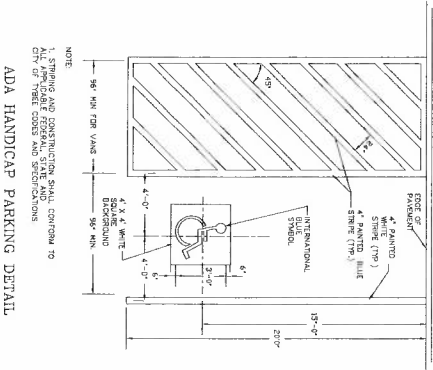
*In Tybee Code restaurants and bars require one parking space for every six seats plus one space for every two employees. A bike rack able to accommodate eight bicycles may be substituted for one standard parking space.*

Inside table seats	24	required parking spaces	4
Inside/outside bar seats	24	required parking spaces	4
Requested additional outside seats	24	required parking spaces	4
Employees per shift	4	required parking spaces	2
		Total spaces required	14
Total spaces available with outdoor seating as requested			14
Bike racks proposed			2



**VICINITY MAP**

- GENERAL DEVELOPMENT NOTES:**
1. PIN: 4-0026-03-022
  2. SITE ADDRESS: 1109 HWY 80 EAST
  3. TOTAL LAND ACREAGE: 0.21 AC
  4. PROPOSED / EXISTING USE OF PROPERTY: RESTAURANT
  5. THE SITE IS PRESENTLY ZONED: C2



<p>DATE: _____</p> <p>DESCRIPTION: _____</p>	<p>MAUPIN ENGINEERING, Inc.</p> <p>PO BOX 30688 SAVANNAH, GA 31410</p> <p>o: 912.687.7757 f: 886.209.4239</p>		<p><b>DECK COMPLIANCE PLAN</b></p> <p>1105 HIGHWAY 80</p>	
			<p>1 OF 1</p>	<p>000-00-00</p>