

**MAYOR**  
Jason Buelterman



**CITY MANAGER**  
Dr. Shawn Gillen

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions

**CLERK OF COUNCIL**  
Jan LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **AGENDA** **REGULAR MEETING OF TYBEE ISLAND CITY COUNCIL** **January 10, 2019 at 6:30 PM**

*Please silence all cell phones during Council Meetings*

Consideration of Items for Consent Agenda 6:30PM

Executive Session

Opening Ceremonies

Call to Order  
Invocation  
Pledge of Allegiance

Recognitions and Proclamations

- 1. In Memorium**
- 2. Tybee Island Police Department Promotions:**

**To Sergeant:**

Richie Dascall  
TJ LeGuin  
Skylar Strickland  
Chris White

**To Major:**

Joel Fobes

- 3. 2019-01 Proclamation - Arbor Day**
- 4. 2019-02 Proclamation - Official Flower of Tybee Island, Zinnia**
- 5. 2019-03 Proclamation - School Choice Week, January 20 - 26, 2019**

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



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

- [6.](#) Minutes, December 13, 2018
- [7.](#) Minutes, Special Meeting, December 18, 2018

Consideration of Boards, Commissions and Committee Appointments

- [8.](#) Planning Commission Consideration
  - (1) Gary L. Dennis, PhD
  - (2) David McNaughton (re-appointment)
  - (3) Charles Matlock (re-appointment)
  - (4) Alan Robertson (re-appointment)
- 9. Tybee Island Youth Council Swearing in Ceremony

Reports of Staff, Boards, Standing Committees and/or Invited Guest. Limit reports to 10 minutes.

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

- 10. Carolyn Jurick - Tybee Island Maritime Academy

Consideration of Approval of Consent Agenda

Public Hearings

- [11.](#) Intergovernmental Agreement - Chatham County Recreational Authority
- [12.](#) Zoning Variance: consideration of setback encroachment - 701 Butler Avenue – Zone R-2 - 4-0005-19-009 – Lynn Moody. **Withdrawn will be heard Feb 14, 2019 meeting**
- [13.](#) Minor Subdivision: separating one lot to make two single-family lots - 1809 Chatham Avenue – Zone R-2 - 4-0009-13-009 – Kelley B. Parker.
- [14.](#) Site plan approval consideration of a new Restaurant-1601 Inlet Ave. Zone CI/SE 4-0008-17-003 Joshua Navon
- [15.](#) Zoning Variance: Consideration to cover existing deck that is in setback – 23 Atlantic Avenue – Zone C-1(C) – 4-0008-03-012 – Robert Glisson
- [16.](#) Site Plan Approval: consideration of new building for pool restrooms -19 Silver Ave. - Zone C-1 -4-0008-06-015 -Walt Freeman



[17.](#) Map & Text Amendment: consideration of zoning use change from RT To C-2 -Lot 68B Lewis Ave. -Zone RT -4-0003-06-002B -Julie A. Livingston

[18.](#) 20181217 PC MINUTES

Consideration of Local Requests & Applications – Funding, Special Events, Alcohol License

[19.](#) Alcohol License Request - Critz Tybee Run Fest, February 1 and 2, 2019

[20.](#) 2019 Agenda Request-Special Event: Mardi Gras Tybee March 2, 2019

Consideration of Bids, Contracts, Agreements and Expenditures

[21.](#) Out-of-state travel being requested for the Development Authority/Main Street Executive Director to attend the annual National Main Street Conference being held in Seattle, Washington March 25 – 27, 2019.

[22.](#) Attached is a memorandum of understanding for the Coastal Regional Commission to reinstate transit services from Tybee to Savannah. Services are detailed within the attached MOU. A recommended start date for the six month trial is March 1, 2019.

[23.](#) Request City Council approve a change order to the contract with Thompson Engineering to perform a building assessment for additional buildings.

[24.](#) Agreement between COTI & LKS for a design guidelines manual per the approved and awarded Historic Preservation Fund Grant FY2018.

25. Dune Remediation Project

26. Enterprise Leasing Agreement

[27.](#) The Highway 80 Median Project bid process has been completed. There was only one bidder, The Greenery, that submitted a bid. The council action requested is approval of only the base bid of \$213,244.82, and the irrigation system with a bid of \$52,582.40. The total allocated for this project in the budget is \$260,000. The landscape architect is current working with the bidder to lower the cost of the plantings to bring the total cost within budget. The budget line item number is 100-6230-54-1400.

Consideration of Ordinances, Resolutions

[28.](#) 2019-01, Second Reading, Sec 4-050 Zoning Districts (O), South-end Business Overlay District

[29.](#) 2019-01 Resolution - Registrar for the City

[30.](#) 2019-02 Resolution Superintendent of Elections

Council, Officials and City Attorney Considerations and Comments



31. Jason Buelterman

- (1) Solar Panel Project Loan Application
- (2) COLA Pay Increase

Minutes of Boards and Committees

32. Attached are approved meeting minutes to include in the packet for the 1/10/19 City Council meeting:

- Development Authority/Main Street Board of Directors: September, November
- Historic Preservation Commission: August, October, November

Executive Session

Discuss litigation, personnel and real estate

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

Adjournment

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

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



**THE VISION OF THE CITY OF TYBEE ISLAND**

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



**THE MISSION OF THE CITY OF TYBEE ISLAND**

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

**Backup material for agenda item:**

**1. In Memorium**

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## IN MEMORIUM

Sharon Hollerman Akers  
Harris Tillman Anderson  
Kevin Barry  
Lonon Bel  
Odilo Blanco  
Margaret Bowman  
Sandra Hosti Cornelius  
Mary Anne Deborde  
Susan Marie Distelhorst  
Peter Dittmar  
Viola Dowers  
Dr. Bobbie ElLaissi  
Judith Kay Fischer  
Donna Foley  
William Ray Hansill  
Peter Walker Hendry  
Robert Herring, Jr.  
Daniel Hill  
Margaret Carol Horne  
Jana Rogers Howard  
John Humphrey  
Michael Jacobs

Rodney Johnston  
Linda Boykin Kelly  
Julia Kennedy  
Belle Miller King  
Mary Ann Moses King  
Gil McMahan  
Patrick Joseph Menegay  
William Perry, Jr.  
David Postle  
Marilyn Carpenter Price  
John Clifford Richmond  
Richard "Ricky" Simon  
Dorothy Stallworth  
Phil Stevenson  
Dr. Nathaniel Steward  
Michael John Taylor  
Ronnie Thompson  
Brett Wile  
Daniel "Roscoe" Williams  
Royce Woodward

*May they, through the mercy of God, rest in peace. Amen.*

**Backup material for agenda item:**

3. 2019-01 Proclamation - Arbor Day



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor pro tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CITY CLERK**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **PROCLAMATION Arbor Day**

**WHEREAS**, Arbor Day was first observed with the planting of more than a million trees in Nebraska on 1972; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderated the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**WHEREAS**, trees in our city increase the property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, caring for and preserving our natural environment is the responsibility of every citizen;

**NOW THEREFORE**, I, Jason Buelterman, Mayor of the City of Tybee Island, do hereby proclaim, Friday, February 15, 2019 as Arbor Day on Tybee Island and urge all citizens to support the City of Tybee's efforts to care for the island's trees.

**IN WITNESS WHEREOF**, I hereby set my hand and cause the seal of the City of Tybee Island be affixed this 10<sup>th</sup> day of January 2019.

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Jason Buelterman, Mayor  
City of Tybee Island



**Backup material for agenda item:**

4. 2019-02 Proclamation - Official Flower of Tybee Island, Zinnia





## **CITY OF TYBEE ISLAND**

### **PROCLAMATION Official Flower of Tybee Island - Zinnia**

**WHEREAS,** Zinnias are popular with most gardeners and easy to grow from seed or bedding plants; and

**WHEREAS,** Zinnias come in all colors, except blue, shapes and sizes; and

**WHEREAS,** Zinnias adapt well to most growing conditions; and

**WHEREAS,** Zinnias come in single, double or semi-double flowers; and

**WHEREAS,** Zinnias are easy to start from seeds, grow in full sun and not particularly fussy about the soil;

**NOW THEREFORE,** I, Jason Buelterman, Mayor of the City of Tybee Island, do hereby proclaim that from this day forward, the Zinnia will be the official flower of Tybee Island and urge all citizens to recognize this observance by planting some Zinnias in your garden.

**IN WITNESS WHEREOF,** I hereby set my hand and cause the Seal of the City of Tybee Island be affixed this 10<sup>th</sup> day of January 2019.

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Jason Buelterman, Mayor  
City of Tybee Island

**Backup material for agenda item:**

5. 2019-03 Proclamation - School Choice Week, January 20 - 26, 2019





## CITY OF TYBEE ISLAND

### PROCLAMATION National School Choice Week

**WHEREAS**, all children on Tybee Island should have access to the highest-quality education possible; and

**WHEREAS**, Tybee Island recognizes the important role that an effective education plays in preparing all students on Tybee Island to be successful adults; and

**WHEREAS**, quality education is critically important to the economic vitality of Tybee Island; and

**WHEREAS**, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

**WHEREAS**, Tybee Island has many high-quality teaching professionals in the school settings who are committed to educating our children; and

**WHEREAS**, School Choice Week is celebrated across the country by millions of students, parents, educators and schools and organizations to raise awareness of the need for effective educational options;

**NOW THEREFORE**, I, Jason Buelterman, Mayor of the City of Tybee Island, do hereby recognize January 20 – 26, 2019 as Tybee Island School Choice Week.

**IN WITNESS WHEREOF**, I hereby set my hand and cause the Seal of the City of Tybee Island be affixed this 10<sup>th</sup> day of January 2019.

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Jason Buelterman, Mayor  
City of Tybee Island

**Backup material for agenda item:**

6. Minutes, December 13, 2018



### **Consideration of Items for Consent Agenda**

Mayor Buelterman called the consent agenda to order at 6:30PM on December 13, 2018. Those present were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle, Barry Brown, and Shirley Sessions. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; George Shaw, Director, Community Development; Angela Hudson, Finance Director; and Janet LeViner, Clerk of Council.

### **Mayor pro tem Brown listed the following items on the consent agenda:**

- City Council Minutes - November 8, 2018
- Special Meeting Minutes - November 15, 2018
- Ethics Commission - Frances Kay Strickland
- Ethics Commission - Michael Pappas
- Ethics Commission - Zelda Tenenbaum
- Ethics Commission - Patrick Lovato
- Alcohol Licenses and Entertainment Licenses – 2019. **Discussion: Ms. Doyle** recommended approval with the caveat the American Legion Post 154 fees be waived as that was part of the grant process.
- Resolution - Update the Charter of the City of Tybee Island
- Resolution: 2019 Budget Amendment
- Request City Council approve a budget amendment to decrease SPLOST 2003
- City Council's approval to amend the General Fund fiscal year operating and capital budget by \$808,083
- Request Council approve a proposal with Thompson Engineering to perform an assessment of 19 of the City owned buildings. **Discussion: Ms. Doyle** asked the Arts Center, North Beach Bar and Grill, MRS Building, Salty Pelican, and Shrine Club be added to the list as they are City owned buildings.
- City Council approve a budget amendment for the FY19 River's End Campground to transfer \$50,000 from Contingency to Buildings
- FY 19 SPLOST 2014 Budget Amendment
- Out of State Travel to Los Angeles, CA for GFOA Conference for Finance Director and Purchasing/Accounting Clerk
- Ante Litem - Anna Butler – **To Reject**
- Ante Litem - Horsepen HOA - **To Reject**
- Boundary Line: White and Thomas
- Consideration of Waste Water Solar Panel Loan/loan Forgiveness Application. **Discussion:** There was a brief discussion on the location(s) of placement of the solar panels. Mayor Buelterman to bring back at the January 10 2019 meeting.

**Mayor Buelterman** called the regular meeting to order at 7:00PM. All those present for the consent agenda were present.

### **Opening Ceremonies**

- Call to Order
- Presentation of Colors and Pledge of Allegiance – American Legion Post 154
- Invocation: Jan LeViner, Clerk

**Ms. Doyle** commended the Tybee Island Police Department as they are the recipient of a grant in the amount of \$3,406.96 which provides them with funds to purchase vests.

### **Citizens to be Heard**

**Julia Pearce** approached Mayor and Council to give an update on the **Martin Luther King Parade and Human Rights Celebration** on January 12, 2019. Mayor Buelterman thanked Ms. Pearce for all her hard work.

**Jeremy Altman**, approached Mayor and Council to speak in favor of the extension of the Moratorium on the **South-end Overlay District** as well as the City's historic assets on the Island. He stated it is important for the City to protect these assets and showed slides depicting these buildings. Mr. Altman stated the protection he is asking for is needed for the smaller main street Jones as well as the Carbo House. He asked for the support of Mayor and Council in preserving the quaintness of the Island.

**Jan Will** approached Mayor and Council to speak in favor of the preservation of the **South-end Overlay District**. Ms. Will stated preservation is the means to a greater end by resolving the well planned and a well-managed city. Preservation puts the emphasis on residents but welcomes visitors and preservation will ensure Tybee's future will be strong. Mayor Buelterman thanked Ms. Will for her comments.

**Dotty Kluttz**, approached Mayor and Council to speak on the **Hotel/Motel Tax**. Ms. Kluttz asked that Mayor and Council, in regards to the proposed Hotel/Motel Tax increase, that additional monies be distributed equally among the recipients. Mayor Buelterman thanked Ms. Kluttz for her comments.

**Wanda Doyle** made a motion to approve the consent agenda. **Julie Livingston** seconded. Vote was unanimous, 6-0.

### **Public Hearings**

**Minor Subdivision: Move lot line to make two lots – 303 Third Street – Zone R-2 – 4-0004-17-005 – Kitty B. Williams. George Shaw** approached Mayor and Council. Mr. Shaw stated this request is for a minor subdivision for a large lot and meets all the requirements. The Planning Commission voted unanimously in favor and Staff recommends approval. **Barry Brown** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

**Text Amendment to Land Development Code: Sec. 4-050 Zoning Districts (O) South-end Business Overlay District. George Shaw** approached Mayor and Council. Mr. Shaw stated this item started in March of 2018 with a moratorium on demolitions in the South-end Overlay District. The Historic Preservation Commission and the consultants have been working on design guidelines as well as restrictions regarding demolition and relocation of buildings. After much work it has now been paired down to demolition only. Planning Commission recommended approval unanimously as well as Staff approval. Ms. Doyle confirmed this is first reading and would come back to Mayor and Council for second reading. She then asked for confirmation when a historic structure is relocated from the South-end Overlay District and moved to another location which is appropriate, would still remain historical. It is her understanding the structure cannot be relocated outside the District. Mr. Shaw responded it is his understanding that is the case as they want the character of the District to stay. If you remove too many structures outside the District, the District character would change. **Rebecca Fenway and Sarah Ward** approached Mayor and Council. Ms. Fenway made reference to the relocation of buildings. She stated they would like to have the building in question as close to the original context as possible and there are other considerations as well. Mayor Buelterman asked how this text amendment is different from what is in place currently.

Ms. Fenway stated there is no protection for the demolition of historic buildings and this will specifically help buildings that are over 50 years of age and also listed eligible or potentially eligible in the Historic Resource Survey, a demolition permit would have to go before the Historic Preservation Commission for review and make a recommendation to Staff. A discussion ensued regarding the cost to the potential buyer in moving a building from one district to another as well as the process. Mr. Shaw confirmed he would take the recommendation of the Commission as long as they were following the ordinance. Mr. Parks questioned the definition of demolition as it applies to 50% of the building. Mr. Branigin confirmed this is protecting the front of the building so it keeps the historic character. Ms. Fenway confirmed. Ms. Ward clarified the demolition standards as they only apply to full demolition of an entire building. Mr. Branigin stated it is his understanding the intent is to draw a line to create a distinction between a renovation and demolition. Mr. Parks would like to see this text amendment go Island wide. Mayor Buelterman stated that would have to come back before Mayor and Council for consideration and thanked Ms. Fenway and Ms. Ward for their work. **Monty Parks** made a motion to approve as written. **John Branigin** seconded. Voting in favor were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle and Shirley Sessions. Voting against was Barry Brown. Motion approved 5-1.

**Zoning Variance: Sec.5-090 (B) Height for a light monitor above the required 35 foot height – 1809 Chatham Avenue – 4-0009-13-009 –Zone R-2 – Josh W. Bull, AIA representative for Kelly Parker. George Shaw** approached Mayor and Council. Mr. Shaw stated 1809 Chatham Avenue is currently a vacant lot and the petitioner wishes to put a large home there with a light monitor which would extend past the 35' height limit on the Island. There is no hardship associated with this request and Staff recommended denial as well as Planning Commission. **Josh Bull, Hopeline Architecture,** approached Mayor and Council. Mr. Bull gave a brief presentation in regards to the height variance. He stated this is not a variance that the petitioner is requesting for the entire building as the building is below the 35' height limit. What they are requesting is a variance to the 35' height limit for a light monitor. He continued, this request is no different than an elevator, mechanical equipment, etc. request. Mr. Bull stated his firm is committed to the sensitivity of the community and to keeping the character of the Island. He then explained what a light monitor is and how it would provide natural light to the proposed residence. He requested approval of an architectural permit for a light monitor. Ms. Sessions asked what happened to the house that was on the property. Mr. Bull stated it was torn down by the owners of the property. Ms. Doyle asked what the purpose of having a light monitor. Mr. Bull stated there are three functions: (1) to bring natural light into the core of the building; (2) provide ventilation; and (3) adding architecture character to the building. Mayor pro tem Brown asked if the light monitor goes to the ground floor. Mr. Bull responded it goes through the roof and through the second floor so it will provide light to the second and the main floor. **Jan Will** approached Mayor and Council to speak against this request. She asked Mayor and Council to deny. Mayor Buelterman thanked Ms. Will. **Mary Lamar** approached Mayor and Council and spoke in opposition of this request. She asked Mayor and Council to deny. **Dottie Klutz** approached Mayor and Council to speak in opposition of this request. She stated when a community loses its history, it loses its soul and if Mayor and Council are not careful, this is going to happen to Tybee Island. Ms. Klutz continued, the residents of Tybee are asking Mayor and Council to vote no to a variance that is frivolous to the 35' height; to uphold the 35' and not allow this variance. Mr. Parks brought up the demolition of the cottage that was on the property and how it could have been included in this text amendment. Mr. Shaw stated it would not as it is not in the South-end Overlay District. **Monty Parks** made a motion to deny. **Julie Livingston** seconded. Vote was unanimous to deny, 6-0.



### **Consideration of Ordinances, Resolutions**

**Resolution - Change the Hotel/Motel Tax.** **Mr. Hughes** stated City can raise additional funds for the City to use for tourism product development. While maintaining our same distribution scheme with the Chamber of Commerce, the Resolution is designed to that. The City is currently at 6% under a sub-section of the Hotel/Motel Tax State Law. He continued, at the time that sub-section was created, every change in any community hotel/motel tax took an act of the General Assembly changing that Code section. Mr. Hughes further explained the process of the distribution scheme for the first 5, the difference between 5 and 7 has to be divided between the City and the Chamber to promote tourism. Under the first 5%, the City received 3% for the general fund as it always has, the next 2% would be divided under the proposed Resolution, 1% to the Chamber of Commerce and 1% to the Trade Center. This leaves everyone equal but creating one extra cent for Tybee Island to use for tourism product development. Mayor Buelterman stated tourism promotion would receive 2%, 3% to the City, 1% to the Trade Center and 1% toward product development. Mr. Hughes confirmed. Mayor Buelterman asked Mr. Hughes to clarify the procedure by which the City would determine how the money would be used. Mr. Hughes responded Mayor and Council would have to determine what the funds would be used for that would fit within what is defined as tourism product development. This could include re-nourishment of the beach, museums, and Marine Science Center and as things change, Mayor and Council can change the distribution as long as it is considered tourism product development. Mayor Buelterman stated for clarification, tourism product development which is the extra penny, means expenditure of funds for the creation and expansion of physical attractions which are available and open to the public and which improve destination appeal for the visitors and support visitors. Expenditures may include capital and operating expenses. Mr. Hughes confirmed. He recommended the funds are used for the Marine Science Center, beach re-nourishment, restrooms and for the Theater. **Wanda Doyle** made a motion to approve. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

**First and Second Reading: 24-2018, Sec 6-11, Hours allowed for Sunday Sales.** **John Branigin** made a motion to approve. **Julie Livingston** seconded. Vote was unanimous to approve, 6-0.

**Resolution - Third Moratorium - South End Business District.** **Julie Livingston** made a motion to approve. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

### **Consideration of Bids, Contracts, Agreements and Expenditures**

**Marine Science Center: Pricing, Schedule, and Status.** **Ms. Doyle** stated Matt West with West Construction was present and asked he approach Mayor and Council. **Matt West** approached Mayor and Council and made reference to the current packet before them this evening. Mr. West explained the process to date. He stated they are currently working on the Guaranteed Maximum Price 1 (GMP) which is specific to the foundation work. The overall project budget is also included in the packet, which includes the cost of the building, reflective of the foundation cost and the budgets for the balance of the building. This includes the civil construction, allowance for the recreational elements that are part of the exterior work, and contingency which will be adjusted as the project moves forward. The GMP 1 needs to be executed in order for West to move forward for the foundation work. Mr. Parks stated with the approval of Mayor and Council tonight, they are approving the \$4.7M and the GMP 1 for the foundation. Ms. Doyle confirmed. Mr. West stated he will come back before Mayor and Council once the actual costs are entered for the GMP 2. Mr. Parks stated he is trying to understand

the entire package as presented to Mayor and Council. Mayor Buelterman asked Mr. West the height of the bottom level as to the base flood elevation. The Civil Engineer on the project approached. He stated the base flood elevation is 11' and the ground floor is at 9'. The flood elevation is at 20'. Mr. West confirmed everything structurally, will be to Code as there are very strict standards. Mr. Parks expressed his concerns with keeping the name as the Tybee Island Marine Science Center and it not that of a contributor. **Cathy Sakas, Chair, Tybee Island Marine Science Foundation**, approached Mayor and Council. Ms. Sakas explained in the process of raising funds for exhibits and there is a possibility that they would have the name of a contributor but not the Center itself. It is their intent it remain the Tybee Island Marine Science Center. Mr. Parks confirmed there are no other funds for the construction other than the general fund. Ms. Doyle confirmed and is working toward an agreement with Chatham County for a Recreational Bond. A discussion ensued regarding moving forward with the funding process. Mayor Buelterman asked Dr. Gillen for status of the North Beach Traffic Study. Dr. Gillen responded stated the traffic counts have been completed and he is meeting with Mr. Stewart, City Engineer, to review data. Mayor Buelterman then asked for status of the replacement of the lost parking spaces. Dr. Gillen responded with the redesign of the plan, there is a 20 – 30 spot increase overall as it is the intent to open spaces in the green space area along Gullick. Mayor Buelterman asked Mr. Hughes to speak to the Recreational Authority and possible need to add more of a recreational element to the structure. Mr. Hughes responded there have been conversations that have resulted in an addition of playground elements to the project. This would help in obtaining a Recreational Bond, hence a presentation has been scheduled with the Recreational Authority. He also stated the more recreational components there are, the easier for the Authority Board to authorize the Bond. Mayor Buelterman asked Mr. West how long he can hold the GMP 1. Mr. West responded as the foundation package has steel, the longer the City waits, the higher risk you have of it costing more money. **Wanda Doyle** made a motion to accept the GMP for \$4.875M and give Mr. Hughes permission to do the Notice to Proceed. **Monty Parks** seconded. **Discussion:** **Mayor Buelterman** stated for the record, he has expressed his concerns and Dr. Gillen has assured him, if the Hotel/Motel increase is defeated, there is sufficient funds to pay for the construction. Dr. Gillen stated he is confident there will be funding available if the Bond is not approved. Mayor Buelterman stated he would like assurance that if the Hotel/Motel does not go through, Mayor and Council will support the Theater. Ms. Session and Ms. Doyle confirmed. Vote was unanimous to approve, 6-0.

#### **Enterprise Lease Agreement. NO ACTION TAKEN**

#### **Council, Officials and City Attorney Considerations and Comments**

**Dr. Gillen** approached Mayor and Council to give an **Update - Goals and Action Item List**. Mayor Buelterman asked for an update on the Highway 80 Median. Dr. Gillen stated the RFP is out and bids are due soon. Construction should begin immediately thereafter.

**Dr. Gillen** gave an update on the **High Volume Event Protocols**. In his presentation he outlined the work of the Concerned Citizens Group and the representatives of the City. As a result, in the interest of public safety, an objective criteria for assessing different kinds of events and when special protocols might be implemented. Dr. Gillen stated he met with Chief Bryson and Mr. Ryerson to determine the times there were high volumes of traffic on the Island. After review data, there are three (3) events that stand out: (1) St Patrick's Day Parade (Savannah); (2) Orange Crush; and (3) 4<sup>th</sup> of July. He further explained the influx of traffic as well as police calls for the referenced events. Dr. Gillen went on to explain traffic control recommendations to ensure public safety. This included Park of Seven Flags becoming a turnabout; Tybrisa will be closed; side streets along Butler and at Park of Seven Flags will be

closed; once parking lots filled – to be closed; and drivers must find parking and if not, must go off the Island or get back in line at Lazaretto Bridge. Mayor pro tem Brown asked about the placement of barricades. Dr. Gillen stated there would be barricades up and down Butler Avenue on the busiest of the day and around to Lewis. He then described the types of barricades, placement thereof, and possible parking space locations. Reader boards would also be used to assist beach goers in locating available parking. Dr. Gillen stated he is sending a clear message to everyone the City does not tolerate driving and drinking. Mayor Buelterman asked Dr. Gillen to notify the public of the impending protocol as well as a press release. Dr. Gillen confirmed. Also, there will be a Mobile Command Unit set up at the Tybrisa Round-a-Bout and license plate readers will be at Lazaretto Creek Bridge and the Tybee Island Police Department will have mobile readers. Dr. Gillen is also recommending the purchase of French Barricades, cones and Jersey Barricades. He will have a budget for Mayor and Council for their review. Ms. Doyle recommended using the French Barricades as opposed to the Jersey Barricades due to cost. Dr. Gillen stated with recommended surge pricing for parking, funds would be available for the needed barricades. Dr. Gillen then showed a slide for surge pricing for parking for specific weekends and the increased revenue. Ms. Doyle stated the Public Safety Committee voted unanimously to approve Dr. Gillen's Protocols earlier in the day at their meeting. Mayor Buelterman expressed his concerns with the surge pricing and recommended only three weekends. Mr. Parks asked Dr. Gillen to speak to the issue of surge parking prices separate from that of barricades. Dr. Gillen confirmed. Dr. Gillen responded he does not have a budget and needs revenue for the barricades. Mr. Parks recommended using fund balance until discussions can be held. He stated this is the work of the Concerned Citizen Group and the work of the representatives from the City and the biggest concern is traffic flow. Mayor Buelterman confirmed. **Wanda Doyle** made a motion to approve High Volume Event Protocols and to include two weekends, Memorial Day and 4<sup>th</sup> of July for surge pricing as it relates to parking. **John Branigin** seconded. Vote was unanimous to approve, 6-0.

**Dr. Gillen** gave an update on the **Memorial Park Ad Hoc Committee**. **Dr. Gillen** stated the members of the Committees objectives were to review all past plans for Memorial Park, develop a new plan for Memorial Park and develop concepts for new government facilities with the planned layout of the park. They were also asked to develop a conceptual plan for Memorial Park that takes these past plans into account and bring a cohesiveness and uniformity to the layout of Memorial Park. Lastly, they were tasked to develop a concept for govern facilities expansion and upgrade within the Memorial Park campus. Dr. Gillen continued to expound on changes to the Tybee Island Fire Station, City Hall and annex building for City employees, and expansion of YMCA facilities. Mayor Buelterman recommended building the annex rather than remodeling space at the Old School Building. Dr. Gillen confirmed. Ms. Sessions asked if Dr. Gillen had spoken to staff for their needs. Dr. Gillen stated yes. Mayor Buelterman asked Dr. Gillen to contact John Hart at the County to get clarification of the use of SPLOST funds for the building of the annex. Mr. Hughes stated he would contact Mr. Hart. Mayor Buelterman thanked Dr. Gillen for his presentation. **Julie Livingston** made a motion to approve the conceptual plan and finalize and accept the work of the Memorial Park Ad Hoc Committee. **John Branigin** seconded. Vote was unanimous to approve.

**Monty Parks** made a motion to adjourn. **John Branigin** seconded. Vote was unanimous, 6-0.

Meeting adjourned at 10:15PM.

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Janet R. LeViner, CMC  
Clerk

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Jason Buelterman  
Mayor

**Backup material for agenda item:**

7. Minutes, Special Meeting, December 18, 2018



Mayor Buelterman called the Special Meeting to order at 3:30PM. Those present were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle, Barry Brown and Shirley Sessions. Also attending were Bubba Hughes, City Attorney; George Shaw, Director, Community Development; Ricky Stewart, City Engineer; Angela Hudson, Finance Director; and Janet LeViner, Clerk of Council.

**Consideration of Bids, Contracts, Agreements and Expenditures**

**Dune Restoration Project: Dismantle Dune Crossovers.** Dr. Gillen stated this applies to 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> Streets and only a portion of Gullick will be removed. Approval is for demolition, disposal of debris and purchase of wood. Mr. Stewart stated a mobi-mat will be at 18<sup>th</sup> Street and dune construction will begin in January 2019. Ms. Doyle recommended the City do a press release regarding the crossovers and dune construction as there will be limited access to the businesses and beach. Mayor Buelterman asked if there is a way to do a bathroom at 17<sup>th</sup> Street. Dr. Gillen will look into this and get back to him. Ms. Doyle and Ms. Sessions expressed their concerns with notification of the businesses on the South-end as to the closure of the parking areas and limited access to the beach due to the dune construction and crossover repairs/demolition. Dr. Gillen will speak with Ms. Morton as she can contact everyone involved. **Wanda Doyle** made a motion to approve. **Monty Parks** seconded. Voting in favor were Julie Livingston, Monty Parks, John Branigin, Wanda Doyle and Shirley Sessions. Voting against was Barry Brown. Vote was 5-1 to approve.

**GDOT Local Maintenance and Improvement Grant.** Mayor Buelterman requested Mr. Stewart to go over the list of roads that are in line for paving. Mr. Stewart listed the roads and priorities. There was a brief discussion regarding the grinding of the road prior to repaving. Ms. Doyle asked Dr. Gillen to look into conditions on Campbell as there is a dip in the road which could cause vehicle damage. **Monty Parks** made a motion to approve. **Wanda Doyle** seconded. Vote was unanimous to approve, 6-0.

**Julie Livingston** made a motion to adjourn to Executive Session to discuss personnel. **Wanda Doyle** seconded. Vote was unanimous, 6-0.

**Wanda Doyle** made a motion to return to regular session. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

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

Meeting adjourned at 6:00PM

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Janet R. LeViner, CMC  
Clerk

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Jason Buelterman  
Mayor

**Backup material for agenda item:**

8. Planning Commission Consideration

- (1) Gary L. Dennis, PhD
- (2) David McNaughton (re-appointment)
- (3) Charles Matlock (re-appointment)
- (4) Alan Robertson (re-appointment)



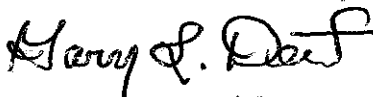
P.O. Box 2439  
214 Butler Avenue Unit 209  
Tybee Island, GA 31328  
January 1, 2019

Ms. Jan LeViner  
Clerk of Council  
City of Tybee Island  
403 Butler Avenue  
Tybee Island, GA 31328

Dear Ms. LeViner,

Please accept the attached application packet for the position of Commissioner on the Tybee Island Municipal Planning Commission. I am excited to start the new year with the possibility of a new challenge and a new way to be of service to my fellow citizens of Tybee.

Sincerely,



Gary L. Dennis, PhD

RECEIVED  
1/2/19



## **PLANNING COMMISSION MEMBER APPLICANT QUESTIONS**

### **1. Why do you want to be a member of the Tybee Island Planning Commission?**

Kathy and I have been coming to Tybee since 2002. Three and one-half years ago, after retiring, we moved here fulltime. We have a longstanding investment in the island and its great people. Personally, I would like to give back to what is now my home and community. For the past 1 ½ years I have been a volunteer at the Tybee Island Light Station and Museum, averaging 25 hours per week. I was recently elected to the Board of Directors of the Tybee Island Historical Society and have served for the past year as a member of the Tybee Island Master Plan Implementation Committee (MPIC). Kathy is on the Board of Directors for the Tybee Post Theater and is a member of the Tybee Island Historic Preservation Commission. She is also a member of Forever Tybee.

I believe that my experience and education would be a valuable asset to the work of the Committee. I have 42 years of administrative experience in state and federal governments where strategic and long-range planning were a large part of my responsibility. I also have earned a Doctorate in Urban and Public Affairs.

### **2. What do you believe to be the most important aspect of the role that a Planning Commissioner plays for the community and the city?**

While the ultimate decision-making authority for land use decisions and development and enforcement of zoning restrictions rests with the elected City Council, the most important roles of a Planning Commissioner include information/opinion gathering with regard to new proposed land use decisions, technical review of existing restrictions/regulations and then, in concert with fellow members of the Planning Commission and staff, providing informed and balanced input to the City Council to assist them in making decisions which are, as much as reasonably possible, in line with existing standards and opinions of members of the Tybee Island Community.

### **3. Explain your understanding of the City of Tybee Island's Land Development Code?**

I must admit that I am not intimately familiar with the intricacies of the Land Development Code, but it is in place for the purpose of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the citizens of Tybee. The code also provides the framework for the orderly development of the city. If selected to serve, I will make every effort to become informed with respect to the specifics by

studying the Code itself and the informed input of the other Planning Commission members, staff and City Manager.

A Land Development Code promulgated by any organ of local or state government, should, in my opinion, seek to address several key issues: (a) protection of the environment; (b) achieving the highest standard of quality of life issues for citizens including protection of their health and safety; (c) preservation of our history; (d) addresses the capabilities, commitment and financial resources of the enforcement entity; and (e) respects the rights of private property ownership.

**4. Briefly explain a land use decision that interested you. Share your observations about the process and the decision.**

One issue that Kathy and I have been following very closely involves the future of the historic Carbo House on Tybrisa Street. This is one, if not the only, remaining historic commercial building in the "downtown Tybee" historic area. As I reflect on Tybee's grand history as a major East Coast resort destination in the late 1800's and into the first half of the 20<sup>th</sup> Century, I realize that we cannot turn back the clock. We should be happy that the 1996 Summer Olympics in Atlanta gave our little island a new lease on a better quality of life. As a result, many people rediscovered Tybee, or in our case in 2002, first discovered Tybee and the "sand got between our toes."

Development is certainly a "two-edged sword" that cuts both ways. While the re-discovery of our grand isle, has led many new in invigorated folks to our island, increasing the spirit of diversity and making our stock stronger, it has also resulted in significant development to meet the needs of the new citizens, which all too often has come at the expense of our history.

The future of the Carbo House is symbolic of the struggle to preserve our history while accounting for changing times, demographics and drivers of our economy, and the rights of new and old owners of private property. The Carbo House is now for sale. Does the owner of the property have a "right" to exercise unfettered control over his investment to the detriment of the community at large by allowing the sale of the property whose value lies not in historic value, but value of the land itself, and would most likely result in the demolition of the historic structure to make way for a new building that will generate significant revenue for new entrepreneurial owner?

As I understand it, the City Council has imposed a time-limited moratorium on the destruction of structures in the South End "historic" district of Tybee. Of course, this is an example of simply "buying time" in case a buyer comes along with intent to destroy

the historic building to make optimum use of the land solely for personal or corporate gain.

This is many-faceted that is much larger than just preservation of the Carbo House. It directly addresses the conundrum of balancing the right of a property owner with preservation of a piece of our history and an identifiable link to our past. With respect to process, I think that the current approach by the Council is on target. I hope that the Council will seek and seriously consider input on the comprehensive South End Overlay Study, which moves this issue from the realm of just being about one area of our island, to consideration of what is in the best interest of the community-at-large with respect to historic preservation. Unfortunately, we cannot turn back the clock to the time of the Marsh Hen, second Hotel Tybee and the grand DeSoto Hotel, nor can we undo two decades growth which has included the rapid development and expansion of short-term summer rentals which have dramatically changed the culture of our island for a large percentage of the calendar year. Yet, we still have a chance to continue to develop a robust tourist economy while preserving what is left of our heritage and maintain a high quality of island life for both fulltime residents and visitors. This will not be easy and will require courage and compromise.

The Planning Commission can and should serve as the "eyes and ears" of the Council to increase the likelihood that the final decision will be in the best interest of the community at large both present and future.

##### **5. Where do you see the City of Tybee Island in ten (10) years?**

Kathy and I were enchanted by the "low key and laid back" lifestyle we found on Tybee sixteen years ago. Tybee was a place, unlike Capitol Hill in DC where we lived, where life was lived at a much slower, yet measured pace. Tybee was a comfortable respite from the more hectic pace of life on "the mainland." As a volunteer/docent at the Tybee Island Light Station, I tell folks that once they have toured our Light Station (105,000 tickets sold in 2017), driven around the Fort Screven Historic District, stopped downtown on Tybrisa (the Carbo House and Doc's Bar) the Strand, the South End Cottages on Chatham and environs, and taken a dolphin cruise they have hit the high spots on Tybee. All that is left is to enjoy some great food and drink, mingle with some great people and enjoy the beach. Nothing above three stories, so don't look for Hilton Head, Myrtle Beach, Destin or Virginia Beach.

Ten years from now I want to be able to tell visitors the same story and have them enjoy our history, going back to the first Lighthouse in 1733.

**6. In your own words, please give your personal opinion as to the meaning of "conflict of interest."**

Having spent the bulk of my career in government service at the policy/decision making level, issues of conflicts of interest were almost always in the mix. One way to look at the issue of conflict of interest is to be more specific by saying that a person has a "stake" in the final resolution of an issue for which he is involved in the decision-making.. That stake can be financial, personal or simply ego-driven, but may *influence* my decision.

In situations where I am the sole decision-maker or part of a group that shares responsibility, if the ultimate decision will directly impact a personal or financial stake (interest). I must recuse myself from the process. This situation is an easy call.

As a public servant, perception must be a major consideration. Even if, in reality, the decision that is to be made will not impact me financially or personally, the perception by key players, *i.e.*, the citizens, public, taxpayers, is that it will, I am best off to recuse myself from the decision-making process to avoid even the perception of a conflict of interest.

Making a decision to recuse oneself is rooted in the ethical foundation of the individual. The ability to ascertain what is right and what is wrong, regardless of one's stake, is rooted in a sound sense of ethical correctness.

**7. What would (you) consider to be the biggest accomplishment that the Planning Commission has made over the last five (5) years?**

My historical perspective is limited in as much as I have been a permanent resident for only 3 ½ years. In my opinion, the single most significant decision made by the City Council, I assume based on a recommendation from the Planning Commission, was to limit the height of construction on the island. With the construction of the Tybee Road in 1923, the termination of rail service in 1933 and the advent of the interstate highway system, tourists abandoned our little island for the likes of Myrtle Beach, Virginia Beach, Ocean City and Destin. After the 1996 Summer Olympics in Atlanta, people have rediscovered our island. They come in search of a quiet, relaxed environment – the antithesis of the "high-rise condo – water park culture" offered by other vacation/resort destinations. The decision to impose height restrictions on construction has preserved Tybee for those who seek this kind of "laid back" vacation environment as well as those of us who ultimately choose to make Tybee home.

**8. If you could change one thing about the Planning Commission, what would that be? Please explain the benefits that would come about as a result of the proposed change.**

There is a perception that Planning Commission hearings are perhaps a waste of time and energy. The Planning Commission is perceived by the citizens of Tybee as having no real authority (power) and the City Council will do what it wants to do regardless of a Planning Commission recommendation. This perception needs to be changed.

As I understand the process, members of the Planning Commission are appointed by the City Council and serve at their pleasure. This represents a delegation of some level of authority (power) which derives from the Council being elected by the citizens of Tybee. The delegation of this authority by the Council to members of the Planning Commission to interpret and apply aspects of the Land Development Code, as well as make recommendations for changes to the code, should send a message to the citizens of Tybee that the Council has confidence in the ability, commitment and integrity of the individuals who are appointed.

The recommendations of the Planning Commission should be devoid of politics and based on assessment of issues within the context of the land use code, taking into consideration input from citizens. The Council should follow the recommendations brought forward by the Planning Commission in almost all circumstances if the appointees, city staff and process are to have any sense of credibility in the eyes of the citizens of Tybee. In cases where the Council overrides all or part of a Planning Commission recommendation, the Council should clearly state the rationale for so doing so. In the spirit of transparency, the citizens of Tybee deserve to know the final decision, but also the "why" behind the decision.



**GARY L. DENNIS, Ph.D.**

**...retired from his position as the Senior Policy Advisor for Corrections in the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in Washington, D.C. on December 31, 2014. Prior to assuming this position, Dr. Dennis was a Senior Associate with The Moss Group, Inc., in Washington, D.C., serving as Project Coordinator for a cooperative agreement with the National Institute of Corrections for the implementation of the Prison Rape Elimination Act.**

**Dr. Dennis had previously retired from the Kentucky Department of Corrections in 2004. During his 34-year career in state government, Dr. Dennis served as Deputy Commissioner, Executive Assistant to the Secretary of Corrections, Director of Correctional Industries, Director of Mental Health, Director of Operations, Director of Corrections Training, and Warden. He began his career in juvenile justice, working as a counselor, chaplain, and assistant superintendent at a reception center for delinquent youth. He was also supervisor of juvenile delinquency grant programs for the Commonwealth under the Law Enforcement Assistance Administration. Dr. Dennis had the privilege of serving for three years as Director of Management and Training Services at the National Institute of Corrections' National Academy of Corrections in Boulder, Colorado. As Director of the MTS Department, he was responsible for the majority of training conducted at the Academy for correctional executives, managers, and staff trainers.**

**Dr. Dennis has also served as the Interim Facility Executive for the Vermont Department of Corrections managing their nine prisons. For the spring semester 2005, Dr. Dennis was a Visiting Assistant Professor at the University of Louisville. He is currently an Adjunct Professor at the University of Maryland and an Adjunct Associate Professor at American University teaching both on-line and face to face courses in criminal justice.**

**A native of Russellville, Arkansas, Dr. Dennis holds a BA from Arkansas Tech University, a Master of Religious Education from Southern Baptist Theological Seminary, and Master of Science in Social Work and Doctor of Philosophy degrees from the University of Louisville.**

**His spouse, Kathy Black-Dennis, is also retired from her last position as the Director of Standards, Accreditation and Professional Development for the American Correctional Association in Alexandria, VA. They reside on Tybee Island, GA with their cats, Decca and Tyrion.**

**Dr. Dennis can be contacted at either [gdennis784@aol.com](mailto:gdennis784@aol.com) or by calling 502-551-8766.**

## **PROFESSIONAL RESUME**

**GARY L. DENNIS, Ph.D.**

P.O. Box 2439  
Tybee Island, GA 31328  
502-551-8766

### **EMPLOYMENT HISTORY** **RETIRED DECEMBER 31, 2014**

**July 2008 to December 2014 Senior Policy Advisor, USDOJ/OJP/ Bureau of Justice Assistance, Washington, DC**

Senior Policy Advisor for Corrections for the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; formulate criminal justice/correctional policy at a national level; serve as the "resident expert" on correctional issues.

**January 2005 to December 2014 Adjunct Professor, University of Maryland College Park, MD**

Teach on-line classes in Juvenile Justice

**September 2005 to December 2014 Adjunct Associate Professor, American University, Washington, DC**

Teach a face-to- face course entitled "The Prison Community"

**June 2005 to July 2008 Senior Associate, The Moss Group, Inc. Washington, DC**

Project Coordinator for a major cooperative agreement with the National Institute of Corrections to provide training and technical assistance on the Prison Rape Elimination Act

**September 2004 to January 2005 Interim Facility Executive, Vermont Department of Corrections, Waterbury, Vermont**

Responsible for the oversight and management of the nine adult prisons in Vermont, including all programs, security and supervision of the wardens, managed the evaluation, negotiation and wards process for a 29 million dollar health services contract.

**November 2001 to May 2004 Director, Division of Correctional Industries, Kentucky Department of Corrections. Frankfort, Kentucky**

Responsible for the overall management of eight production plants with gross sales of over \$13 million annually.

**December 1998 to October 2001 Deputy Commissioner, Kentucky Department of Corrections, Frankfort, Kentucky**

Responsible for the management of the Divisions of Administrative Services, Correctional Industries, Mental Health and Corrections Training.



**October 1993 to December 1998      Director, Division of Mental Health, Kentucky  
Department of Corrections, Frankfort, Kentucky**

Responsible to the Commissioner of Corrections for the management of all mental health services including sex offender and substance abuse treatment and programs for mentally disordered offenders.

**December 1988 to September 1993      Director, Division of Corrections Training, Kentucky  
Department of Corrections, Louisville, Kentucky**

Responsible to the Commissioner of Corrections for the management of training for all staff of the Department of Corrections and local jail employees. Since December 1991, on special assignment serving as an Assistant to the Commissioner and Acting Director of Mental Health.

**December 1987 to November 1988      Principal Assistant, Office of Corrections Training,  
Louisville, Kentucky**

Assistant to the Executive Director of the Office of Corrections Training.

**November 1984 to November 1987      Director of Management and Training Services,  
National Institute of Corrections, National Academy of Corrections, Boulder, Colorado**

Responsible for the administration of the largest department of the Academy providing management and special issue seminars for a national audience of upper management correctional officials.

**December 1981 to November 1984      Executive Director, Office of Corrections Training,  
Louisville, Kentucky**

Responsible to the Secretary of Corrections for the management of pre-service and in-service training for all staff of the Corrections Cabinet and local jail employees.

**May 1980 to December 1981              Executive Assistant to the Secretary, Corrections  
Cabinet, Frankfort, Kentucky**

Principal Policy Assistant to the Secretary of Corrections.

**February 1978 to April 1980              Director of Operations, Kentucky Bureau of  
Corrections, Frankfort, Kentucky**

At the central office level, responsible for the overall operation and supervision of the wardens of five of Kentucky's ten adult correctional facilities.

**August 1976 to January 1978              Corrections Superintendent, Kentucky Bureau of  
Corrections, Burlington, Kentucky**

Responsible for the establishment of a minimum-security institution for adult female offenders; hired staff; developed and implemented basic program components; provided ongoing administration and supervision.

**August 1974 to August 1976                      Juvenile Delinquency Specialist/Section Supervisor,  
Kentucky Department for Human Resources, Frankfort, Kentucky**

On special assignment to the Department of Justice, Executive Office of Staff Services (Kentucky's Law Enforcement Assistance Administration State Planning Agency); Section supervisor for juvenile delinquency programs; responsible for overall management of approximately sixty (60) LEAA funded juvenile justice projects representing in excess of three million dollars of programming; responsible for state-wide juvenile delinquency criminal justice planning.

**October 1973 to August 1974                      Social Worker, Iroquois Child Care, Inc., Louisville,  
Kentucky**

Provided social services in a federally funded low income day care center; administratively functioned as Assistant Director.

**August 1972 to August 1973                      Unit Director, Kentucky Department of Child  
Welfare, Crittenden, Kentucky**

Administratively functioned as Assistant Superintendent of new reception and diagnostic center for delinquent youth.

**July 1971 to August 1972                      Chaplain, Kentucky Department of Child Welfare,  
Louisville, Kentucky**

Chaplain at reception and diagnostic center for delinquent youth; supervised and coordinated all volunteer services; individual and group counseling; general public relations.

**August 1970 to July 1971                      Group Life Counselor, Kentucky Department of  
Child Welfare, Louisville, Kentucky**

Supervision of work and recreation activities for fifty to eighty delinquent boys in a reception and diagnostic center; extensive involvement in individual group and crisis intervention counseling.

**EDUCATIONAL HISTORY**

University of Louisville Louisville, KY 40292	1995	Doctor of Philosophy in Urban and Public Affairs
University of Louisville Louisville, KY 40292	1974	Master of Science in Social Work
Southern Baptist Theological Seminary	1973	Master of Religious Education
Arkansas Tech University	1970	Bachelor of Arts

## SERVICE TO THE COMMUNITY

1966 Ordained Southern Baptist Minister  
Former Chair and Member, Oldham County Democratic Party Executive Committee  
Former member, KY Democratic State Central Executive Committee  
Delegate, 2000 Democratic National Convention  
27 gallon Red Cross blood donor  
Former President, Savannah Beach and Racquet Club Condominium  
Former President, Bennett Condominium  
Member, The Kentucky Society of Washington  
2012 University of Louisville Alumni Fellow for the Kent School of Social Work

## SERVICE TO THE PROFESSION

Member, American Correctional Association (ACA)  
Member, ACA Membership Committee  
Member, ACA Adult Institutions Committee  
Former Member, ACA Mental Health Committee  
Member, North American Association of Wardens and Superintendents  
Member, American Jail Association  
Member, International Community Corrections Association  
Member, Academy of Certified Social Workers  
Member, Kentucky Juvenile Justice Commission (1989-1996)  
Former Chair, KY Sex Offender Risk Assessment Advisory Board  
Member, Editorial Board *Corrections Compendium*  
2012 Attorney General's Award for Distinguished Service

## CONSULTANSHIPS

September 2004 to July 2008

The Moss Group, Inc.

Implementing the Prison Rape Elimination Act (PREA) on a national level. Managed and/or delivered 160 technical assistance and training events

**1998 - 2004 Management and Training Consultant - American Correctional Association**

Consultations with the Virginia Department of Corrections; Alabama Department of Juvenile Justice; Ohio Department of Corrections and Rehabilitation; Oklahoma Office of Juvenile Affairs; Arkansas Division of Youth Services; Indian River Community College, Ft. Pierce, FL; Pennington County Sheriff's Department, Rapid City, SD; Charleston (SC) County Detention Center; Illinois Law Enforcement Training and Standards Board; U.S. Immigration and Naturalization Service; Correctional Services Corporation, Sarasota, FL; Palm Beach County Sheriff's Department; Northern Virginia Criminal Justice Academy; District of Columbia Youth Services Administration; Kansas Department of Corrections; Tennessee Services Administration; Louisiana Department of Corrections and Public Safety; Tennessee Department of Corrections; New York Corrections and Youth Services Association; Consolidated Navy Brig, Miramar Marine Air Station; and the Federal Bureau

of Prisons (Central Office, FCI Big Spring, TX; FPC Bryan, TX, FCI Dublin, CA; FCI Memphis, TN; FPC Duluth, MN; FCI Otisville, NY; FCI Ray Brook, NY; USP Lompoc, CA).  
**July 2006 & December 2007**                      **Institute for Health Policy Analysis/Eurasian  
Medical Education Program - Washington, DC**

July 2006 traveled to Yekaterinburg, Russia to meet with officials of the Russian federal prison system (GUIN) and the Ministry of Health in the Oblast of Sverdlovsk to begin education programs on the HIV-AIDS transmission/conversion. Provided a series of lectures and site visits in December 2006. Returned in December 2007 to evaluate HIV/ AIDS educational project in the GUIN facilities.

**March 2012**                                      **United Arab Emirates, Ministry of Interior, Department of  
Punitive and Correctional Institutions - Abu Dhabi, UAE**

Lectured on correctional administration, working with special needs offenders and inmate culture and behavior as part of a Special Advanced Training for Directors of Punitive and Correctional Institutions



**CITY OF TYBEE ISLAND**  
P.O. Box 2749 · 403 Butler Ave.  
Tybee Island, GA 31328  
Phone (912) 472.5080 · Fax (912) 786.5737

## **PLANNING COMMISSION MEMBER APPLICATION QUESTIONS**

(applications will not be processed without completion of these questions)

1. Why do you want to be a member of the Tybee Island Planning Commission?

The first time I applied to serve on the Planning Commission I viewed that as a way to give something back to the community, if only in terms of my time. I have not changed my viewpoint. It remains my incentive to apply for re-appointment.

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2. What do you believe to be the most important aspect of the role that a Planning Commissioner plays for the community and the City?

The commission is akin to an advance party, asking questions and seeking information from applicants and city staff alike. The goal is to ensure that development follows code, that previously unseen issues are made visible, and that City Council's time is conserved.

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3. Explain your understanding of the City of Tybee Island's Land Development Code.

The Land Development Code is a dynamic guide for orderly and consistent use of the city's limited land and physical resources and can be molded by City Council to fit changing circumstances or needs.

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4. Briefly explain a land use decision that interested you. Share your observations about the process and the decision.

A few years ago, City Council granted an after-the-fact height variance for a residence that had been raised. More recently, an after-the-fact variance was denied and the property owner had to add height to piers under the house. In December, a height variance was denied for a yet-to-be-built house.

The trend appears to be supportive of the current limit, but the 35-foot rule will probably continue to be under attack.

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5. Where do you see the City of Tybee Island in ten (10) years?

Unless design and demolition controls are imposed island-wide, Tybee's small-town, island living character will be overrun, and the city will look like any suburb in any city, with little green space and outsize homes dominating the skyline.

6. In your own words, please give your personal opinion as to the meaning of "conflict of interest."

A conflict of interest would occur if a member of the Planning Commission took part in a deliberation or decision that would benefit the member, related parties or friends.

7. What would <sup>You</sup> consider to be the biggest accomplishment that the Planning Commission has made over the last five (5) years?

A consistent approach to applications before the commission, deliberate debate and deep questioning, with a sprinkling of common sense.

8. If you could change one thing about the Planning Commission, what would that be? Please explain the benefits that would come about as a result of the proposed change.

The city and City Council would benefit from a clear signal from City Council that the commission should be more proactive in planning. The commission was proactive in developing the final South End Business District Overlay amendment, the process of which could serve as a blueprint for future work. The result was to save City Council's time and simplify a complicated undertaking.

Signature



Today's Date

12/24/2018

Printed Name

DAVID MCNAUGHTON

Address

144 LEWIS AVE. (P.O. Box 587)

TYBEE ISLAND, GA. 31328

Telephone:

404-697-7699

Email

MCNAUGHTOND@BELL SOUTH.NET

# David McNaughton

404-697-7699

P.O. Box 587, Tybee Island, Ga., 31328

**Current:** Semi-retired. Member, Chatham County Board of Equalization; member, Tybee Island Planning Commission.

**Education:** B.A. journalism, 1970, Ohio State University. B.A. management with a concentration in accounting, early 1980s, Oakland University, Rochester, MI .

**Experience:** Copy editor, 1970-72, Columbus (Ohio) Citizen-Journal; copy editor, makeup editor, 1972-76, Cincinnati Enquirer; copy editor, assistant Page One editor, business reporter, 1976-1984, The Detroit News; senior business writer, Business Monday editor, The Hartford Courant, 1984-87; assistant business editor, reporter, editorial writer, 1987-2007, the Atlanta Journal-Constitution.

P.O. Box 640  
108 Eagles Nest Drive  
Tybee Island, GA 31328  
December 19, 2018

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

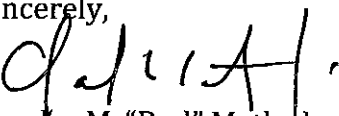
Attn: Ms Janet LeViner  
Tybee Island Clerk of Council

Subject: Planning Commission Application

Dear Ms LeViner:

My term on the Tybee Island Planning Commission is expiring at the end of this month. I have enjoyed my tenure and am hereby applying for one of the three positions that are opening on the Commission next month. Attached are my responses to the application questions and a resume. Please advise if additional information is needed.

Sincerely,



Charles M. "Bud" Matlock



## PLANNING COMMISSION MEMBER APPLICATION QUESTIONS

1. Why do you want to be a member of the Tybee Planning Commission?

I have a desire to be involved in maintaining the right balance between growth and development and the need to maintain the small town aspects of the city.

2. What qualifies you for this position?

First, I have the time and interest. Next, I recognize the importance of land use and management. I am educated in the engineering disciplines and have an MBA that helps to see the big picture. I have experience in conflict resolution and finding solutions to difficult problems. Finally, I have extensive experience in project planning. I also have had the opportunity to use the Tybee Island construction permit process when my wife and I constructed our new home.

3. Explain your understanding of the City of Tybee Island's Development Code.

The Tybee Island Land Development Code is a component of the Tybee Island City Code. It is the law that provides general rules, regulations and guidance for Tybee's development. It also provides the operating rules of the Tybee Island Planning Commission.

4. In your own word, please give your opinion as to the meaning of "conflict of interest."

"Conflicts of Interest" are situations or circumstances whereby decisions or opinions provided by a duly authorized person do not align with the fiduciary duties of that person. The person or persons in the conflict usually obtains some sort of tangible or intangible gain from the conflict. Also, perceived conflicts of interest must be avoided.

5. Please describe your involvement in the Tybee Island community.

Member of the library, have participated in the "Meet the Candidates" forums, have voted and have participated in a many beach activities. Kayaking, Member of the Tybee Post Theater, Past member of the Tybee Island Community Resource Committee, Member of the Gulfstream Retiree Club, Member of the Tybee Island Historical Society, Member of Forever Tybee, Member of Tybee Island Adopt-A-Program, Member of Tybee Island Clean Beach Volunteers.

Signature  Date December 19, 2018

Printed Name Charles Matlock

Resume of  
Charles M. (Bud) Matlock  
P.O. Box 640  
108 Eagles Nest Drive  
Tybee Island, Georgia 31328  
(Cell) 912-398-3411

**Summary of Qualifications:**

- Current member of the Tybee Island Planning Commission.
- Retired after 49 years in the aviation industry.
- Veteran with four years in the U.S. Air Force.
- Educated in the engineering disciplines.
- Broad experience and progressive responsibility as technician, program manager and program director.
- Experienced in factory and field environments including program development, integration, execution and performance; budgeting; risk identification/assessment/mitigation; resource allocation; supplier negotiation/management; personnel training/development; aircraft/component repair and overhaul; site management and contract administration.
- Experience in researching and reviewing construction and fire codes.
- Team player with extensive cross functional team management experience in all aspects of aircraft product support, strategic planning, process based management, proposal management, estimating, supplier negotiations and integrated product teams in a multi-disciplined team environment.
- Knowledge and experience in operating under Federal Aviation Agency, United Kingdom Civil Aviation Agency and European Aviation Safety Agency (European Union) rules, laws and regulations.
- Experienced in developing and applying Technical Assistance Agreements, export compliance processes and U.S. Government contract administration procedures.

**Employment History:** In my career I have worked for the U.S. Air Force, Pratt and Whitney Aircraft, McDonnell Douglas Corporation, Texas International/Continental Airlines and The Boeing Company. The following is a brief description of my most recent duties and responsibilities:

**2013 to Present** – Currently performing odd jobs and volunteering

**2010 to 2013 – C-17 Combined Program Office (CPO)**

- Developed and executed plan to transition work from Southern California to the USAF C-17 sustainment office at Warner Robins, GA.
- Coordinated with multiple internal and external organizations to define the desired skills for relocation to Warner Robins, GA.

**2006 – 2010 – Director, C-17 International Product Support**

- Responsible for C-17 new business capture plans
- Represented Product Support on new business capture teams.
- Responsible for executing support programs for Canada, Australia, NATO, Qatar and United Arab Emirates using the innovative C-17 Virtual Fleet concept.
- Increased the foreign C-17 fleet from 4 aircraft at one international base to 15 at an additional four international bases.

**2002 to 2006 – Support Director, United Kingdom (UK) Future Strategic Tanker Aircraft (FSTA) Program and On-Site Representative, UK Chinook Through Life Customer Support (TLCS) Program**

- Lived in the United Kingdom during this period.
- Boeing representative at the Tanker and Transport Service Company (TTSC), a joint venture company consisting of Boeing, BAe Systems, Serco and Spectrum Capital assembled to bid on the \$19 billion UK Tanker Program.
- Led the multi-disciplined team that developed the support program for TTSC Airline, a start-up airline that was to provide air-to-air refueling and air transport services to the UK Royal Air Force.

**2000 to 2002 – Director, Product Support, C-17 Technical Publications and KC-10/KDC-10 Sustaining Engineering Support**

**1998 to 2000 – Senior Manager, Southern California Product Support and KC-10/KDC-10 Sustaining Engineering Support**

**1995 to 1998 - KC-10 Program Manager**

**1994 to 1995 - Senior Manager, Integrated Logistics Support**

**1987 to 1994 - Divisional Program Manager, KC-10 Contractor Logistics Support Program**

**1984 to 1987 - Douglas Aircraft Company, KC-10 Site Manager Barksdale, AFB, LA**

**1980 to 1984 - Continental Airlines, Manager of Powerplant Maintenance, Houston, TX**

**1973 to 1980 - Douglas Aircraft Company, Branch Manager and Field Service Representative**

**1972 to 1973 - Pratt and Whitney Aircraft, Product Support Engineer, East Hartford, CT**

**1964 to 1968 - U.S. Air Force, C-130 Aircraft Mechanic, Pope AFB, NC**

**Credentials:**

- FAA Airframe and Powerplant License #1983769
- Security Clearance, SECRET (inactive)

**Education:**

- Boeing Leadership Center -(2000) Strategic Leadership Seminar
- University of California, Los Angeles, CA - (1989) Engineering and Management Program
- California State University, Long Beach, CA - (1980) Masters in Business Administration with emphasis in finance and management
- Embry-Riddle Aeronautical University, Daytona Beach, FL - (1972) B.S. Aircraft Maintenance Engineering Technology (with honors)

**Interests:** All things Tybee and all things aviation, Kayaking, History, Member of Smithsonian Air and Space Museum, Member of the Tybee Post Theater, Past member of the Tybee Island Community Resource Committee, Member of the Gulfstream Retiree Club, Member of the Tybee Island Historical Society, Member of Forever Tybee, Member of Tybee Island Adopt-A-Program, Member of Tybee Island Clean Beach Volunteers.



**CITY OF TYBEE ISLAND**  
P.O. Box 2749 · 403 Butler Ave.  
Tybee Island, GA 31328  
Phone (912) 786-4573 · Fax (912) 786-5737  
[www.cityoftybee.org](http://www.cityoftybee.org)

## PLANNING COMMISSION MEMBER APPLICATION PACKET

**Alan W. Robertson**

Thank you for your interest in serving on the Planning Commission of the City of Tybee Island.

To apply for a Planning Commission opening, you must complete the attached form and submit it with your resume to the Clerk of Council before the deadline



**CITY OF TYBEE ISLAND**  
P.O. Box 2749 · 403 Butler Ave.  
Tybee Island, GA 31328  
Phone (912) 786-4573 · Fax (912) 786-5737

## **PLANNING COMMISSION MEMBER APPLICATION QUESTIONS**

(applications will not be processed without completion of these questions)

### **1. Why do you want to be a member of the Tybee Island Planning Commission?**

Tybee is our home. My wife and I purchased our home in June 2008 and have lived here since 2014. Tybee is where we plan to spend the rest of our lives. We have an interest in helping grow Tybee economically while preserving what makes Tybee unique, as well as a strong sense of civic responsibility to participate actively in the life of the community.

The Planning Commission is the fundamental deliberative body of the City's government, advising the City Council on key land use issues, created to "promote the health, safety, convenience, order, prosperity and general welfare of the city" (Article 11, Section 11-010) - no small task. As such, most issues facing the City are brought before the Commission at some point.

I am seeking reappointment for another term to continue the good work I believe the Planning Commission doing to support Council in realizing the City's Master Plan and helping manage the issues of growth in our community: water management, parking, infrastructural improvements, and population density.

### **2. What do you believe to be the most important aspect of the role that a Planning Commissioner plays for the community and the City?**

The Commissioner's role is to make recommendations to the Council on all Land Code matters (paraphrasing Article 11, Section 11-110 Duties). In doing so, the Commission establishes goals and policies for managing the growth and development of Tybee, in a way that represents good stewardship of the City's resources, improves economic development and quality of life for its citizens, protects our environment, provides an effective forum for reaching consensus on tough issues, and connects people to the larger community.

Of most importance today is to help make the Planning Commission a more effective forum for reaching consensus and connecting our citizens to the larger community while providing good and consistent counsel to the City Council.

Being a good steward of our resources: allocating what is never enough money or human resource across competing goals all of which have merit, and improving the quality of life for our citizens while protecting property values and the environment, requires healthy open-minded debate and a search for the middle ground. My experience of Tybee is that we could use more people who value that middle ground. It also requires transparency in deliberation and a public awareness of the issues facing us.

### **3. Explain your understanding of the City of Tybee Island's Land Development Code.**

The Land Development Code codifies "the regulations and zoning districts for the purpose of promoting the public health, safety, morals, general welfare, convenience and prosperity of the citizens of the city. The regulations and arrangements of districts have been designed to lessen congestion in the streets, to secure safety from fire, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of water, sewer, schools, parks and other public requirements and to encourage the most appropriate use of land throughout the city." (Section 1-030)

In sum, the Land Development Code provides the rules by which land is used and developed, providing for zones of different types of use, i.e. R-1 single family, R-T residential tourism, C-1 beach business, C-2 highway business, MT maritime district. These names alone suggest different types of buildings, density, occupancy, and use of buildings given the different nature of their land and infrastructure use. The Code is the "map", often literally, of how the City is organized to make effective use of limited resources and provides for a wide variety of land use.

My experience serving on Planning Commission the past two years is that portions of the LDC should be reviewed and brought current so as to better address the issues the City faces today. Many of the provisions of the LDC date back 20 - 40 years.

### **4. Briefly explain a land use decision that interested you. Share your observations about the process and the decision.**

Rather than speak to any one decision I would like to address the current process by which Planning Commission hears petitions, makes a recommendation to Council, and Council reviews and decides the petition. The process could be improved so as to be more efficient and effective: efficient in the time spent by all parties - petitioners, staff, commissioners, and council and effective in providing clear, consistent, and timely decisions to the public is very clear about the priorities of Council and its intention to support manageable growth according to the Master Plan.

I offer the following recommendations: staff and commission hold petitioners to a higher standard of care in providing information and documentation for consideration; no additional information or documentation be provided to Council that has not been considered by Commission; Council and Commission meet once or twice a month to discuss policy and directions, so Commission can offer better advice and recommendations to Council; a member of Commission join Director of Planning in presenting petitions to Council, so they may be better understand their recommendation and may answer questions of policy and LDC if asked.

## **5. Where do you see the City of Tybee Island in ten (10) years?**

While 10 years seems a long time, it actually is rather quick in terms of Tybee's history and its development plan (and admittedly perhaps my own age.) given that buildings take 6 months to 2 years to complete, and infrastructure improvements (water – think deep well, power - be it electric or wind, road construction – how long has Route 80 improvement been debated when the need is so obvious) could take all of the 10 years.

In 10 years, I'd like to see Tybee with a modestly higher population, higher property values, better transportation on and off the island, more and financially stronger local businesses, the realization of our Master Plan - particularly in the beach commercial district (Tybrisa and Pier area), a reputation nationally as a popular beach resort destination that is well managed, family-friendly, safe, with clean beaches, a healthy environment, manageable congestion during the summer, popular restaurants and businesses, and easy access to and from Savannah.

I'd like to live in a community that is less contentious than it seems today around these issues, despite the fact that my description contains inherent contradictions (popular and yet manageable congestion?). It is the inherent contradictions that we must manage, through Planning Commission to City Council, if we are to realize our potential and improve our quality of life.

## **6. In your own words, please give your personal opinion as to the meaning of “conflict of interest.”**

Serving on the Planning Commission means that I must exercise my duties in the public's interest over my own personal interest. It is typically a situation where one's impartiality in making a decision may be questioned.

It is why petitioners to the Planning Commission must disclose certain financial arrangements with city officials. Because the Planning Commission has such a broad scope of responsibilities, it is imperative that Commissioners disclose their interests and recuse themselves from deliberating on those issues that directly affect their personal interests.

## **7. What would you consider to be the biggest accomplishment that the Planning Commission has made over the last five (5) years?**

In reviewing the minutes of the Planning Commission over the past five years, I am struck more by the consistent application of the Land Development Code and its zoning provisions through hundreds cases than any one significant accomplishment. It is difficult to consistently apply the Code across so many instances (usually variance proposals, many after the fact), over so many years, much less the fact that the composition of the Commission changed over that time period, with Commissioners coming and going. Perhaps the biggest accomplishment is that they have upheld the Code where needed and revised the Code where needed.

Many of the issues that have come before the Commission remain before it or before Council, including Historic Preservation, Zoning use, Shore Protection, Short-term Rental, among others.

Often the best work done by deliberative bodies such as the Planning Commission is the day in and day out tedious work of consistently applying the Code to different situations with often contentious, emotionally charged issues.

**8. If you could change one thing about the Planning Commission, what would that be? Please explain the benefits that would come about as a result of the proposed change.**

I would work with the other Commissioners, the City Manager and staff, the Mayor and City Council to devise ways to have broader public participation in the Planning process, through better public awareness, more education around the role of the Commission, the City's Master Plan, the strategic issues before us, and the rationale for those decisions that have the most impact on the City (i.e. road improvements, beach replenishment, water and power improvements, parking improvements, rental regulations) – those issues that affect the most people or most directly affect the City's budget.

Signature Alan W. Robertson Today's Date December 22, 2018

Printed Name Alan W. Robertson

Address PO Box 1417  
Tybee Island, GA 31328

Telephone: 847-525-5040

Email mkawrobertson@gmail.com



**ALAN W. ROBERTSON**

PO Box 1417, Tybee Island, GA 31328  
847-525-5040 • mkawrobertson@gmail.com

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- AWR Strategic Consulting**, Tybee Island, GA (2018- )  
*Management consulting firm providing an array of services from planning to execution to a variety of clients.*  
**PRINCIPAL**
- Northern Trust Company**, Chicago, IL (1999 – 2014)  
*A leading provider of asset management, fiduciary, banking, asset servicing solutions worldwide.*
- EVP AND GLOBAL HEAD OF SALES AND SERVICE, NORTHERN TRUST ASSET MANAGEMENT** (2010 – 2014)  
*Head of global sales, service, and marketing for asset management business unit with \$860 billion in assets under management, including \$110a billion mutual fund complex. Managed staff of 230. Member, Operating Group, Northern Trust Corporation. Audit Committee and Board Member, Northern Trust Investment, N.A.*
- CEO AND PRESIDENT, NORTHERN TRUST GLOBAL ADVISORS** (2007 – 2010)  
*\$40 billion AUM manager of manager's subsidiary. Managed staff of 100. Chaired independent Board of Directors and Investment Committee.*
- GROUP HEAD, WEALTH ADVISORY, PERSONAL FINANCIAL SERVICES** (2004 – 2007)  
*Built and managed opena architecture platform for ultraa higha neta worth segment (over \$25 million).*
- MANAGING DIRECTOR, PRODUCT MANAGEMENT, NORTHERN TRUST GLOBAL INVESTMENTS** (1999 – 2004)  
*Developed product management function and built investment capabilities.*

**EDUCATION**

**The Darden School of Business Administration, University of Virginia, Charlottesville, VA**  
**Master of Business Administration**

**Eisenhower College, Seneca Falls, NY**  
**Bachelor of Arts, International Relations**

**Backup material for agenda item:**

11. Intergovernmental Agreement - Chatham County Recreational Authority



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INTERGOVERNMENTAL CONTRACT

by and between

CHATHAM COUNTY RECREATION AUTHORITY

and

CITY OF TYBEE ISLAND, GEORGIA

dated as of \_\_\_\_\_, 2019

relating to the  
[not to exceed \$3,700,000] in aggregate principal amount  
CHATHAM COUNTY RECREATION AUTHORITY (GEORGIA)  
REVENUE BONDS (TYBEE ISLAND MARINE SCIENCE CENTER PROJECT),  
SERIES 2019

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INTERGOVERNMENTAL CONTRACT

THIS INTERGOVERNMENTAL CONTRACT (this “**Contract**”), dated as of \_\_\_\_\_, 2019, made and entered into by and between CHATHAM COUNTY RECREATION AUTHORITY, a public body corporate and politic (the “**Authority**”), and CITY OF TYBEE ISLAND, GEORGIA, a municipal corporation of the State of Georgia (the “**City**”);

WITNESSETH:

WHEREAS, the Authority has been created pursuant to an act of the General Assembly of Georgia, Georgia Laws 1995, page 4281 *et seq.* (the “**Act**”); and

WHEREAS, pursuant to the Act, the Authority is authorized to acquire, construct, equip, maintain and operate projects and facilities which include recreational playgrounds, parks, and picnicking areas, and the usual and convenient facilities in connection therewith, and acquisition, construction and equipping of such facilities, all for the essential public purposes of the Authority; and

WHEREAS, under the Act, the Authority is further empowered to enter into contracts and leases and to execute all instruments necessary or convenient, including contracts for construction of projects and leases of projects or contracts with respect to the use of projects which it causes to be acquired or constructed; provided that all political subdivisions of the state or of local government are authorized to enter into contracts, leases, or agreements with the Authority, upon such terms and for such purposes as they deem advisable; and

WHEREAS, under the Act, the Authority is authorized to issue its revenue bonds and use the proceeds thereof for the purpose of paying all or part of the cost of any project, including the cost of extending, adding to, or improving such project and for the purpose of refunding any bonds of the Authority theretofore issued; and

WHEREAS, the Act provides that no bonds so issued by the Authority shall constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation, or political subdivision thereof, that all such bonds shall be payable solely from the revenues pledged to the payment thereof, and that no holder or holders of any such bonds shall ever have the right to compel any exercise of the taxing power of this state or of any county, municipal corporation, or political subdivision thereof, nor to enforce the payment thereof against any property of the state or of any such county, municipal corporation, or political subdivision; and

WHEREAS, pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, any municipality or other political subdivision of the State of Georgia may contract for any period not exceeding 50 years with any public authority for joint services, for the provision of services or for the joint or separate use of facilities and equipment, provided such contracts deal with activities, services, or facilities which the contracting parties are authorized by law to undertake or provide; however, under Georgia law, the City may obligate itself to make the payments required under such contract from money received from taxes and from any other source without creating a debt within the meaning of Article IX, Section V, Paragraph I of said Constitution; and

WHEREAS, in furtherance of the purposes of the Act, on behalf of and at the request of the City, and pursuant to a bond resolution adopted by the Authority on \_\_\_\_\_, 2019 (the “**Resolution**”), the Authority proposes to issue its REVENUE BONDS (TYBEE ISLAND MARINE SCIENCE CENTER PROJECT), SERIES 2019 (the “**Bonds**”), in the aggregate principal amount of [not to exceed \$3,700,000] for the purposes of providing funds required to pay (i) a portion of the costs of financing a new Tybee Island Marine Science Center in the City, which includes recreational picnic and playground areas, a dune walk, and climbable marine life replicas (the “**Project**”), and (ii) the expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, the Bonds shall contain such terms and provisions as provided in the Resolution; and

WHEREAS, the Authority and the City propose to enter into this Contract, pursuant to which the Authority will agree to issue the Bonds to provide funds and services for the above-described purposes and to provide the above-described facilities and services for the citizens of the City and visitors to the City, including the acquisition, construction, and equipping of the Project; and the City, in consideration of the Authority’s doing so, will agree to pay to the Authority from its general fund or from the proceeds of a tax levied on all taxable property located within the boundaries of the City, at such rate or rates as may be necessary to make the payments to the Authority for its services as called for pursuant to this Contract in amounts sufficient to pay the principal of, redemption premium, if any, and interest on the Bonds.

NOW, THEREFORE, in consideration of the foregoing and the respective representations, covenants, and agreements hereinafter set forth, the Authority and the City hereby agree as follows; provided, that in the performance of the covenants and agreements of the Authority herein contained, any obligation it may thereby incur for the payment of money shall not be a general debt of the Authority but shall be payable solely out of the proceeds derived from the sale of the Bonds and the revenues and receipts derived from this Contract:

ARTICLE I

DEFINITIONS AND RULES OF CONSTRUCTION

**Section 1.01. Definitions.** All words and phrases defined in Section 101 of the Resolution shall have the same meanings in this Contract.

**Section 1.02. Rules of Construction.** The definitions referred to in Section 1.01 shall be equally applicable to both the singular and the plural forms of the terms therein defined and shall cover all genders.

“Herein,” “hereby,” “hereunder,” “hereof,” “hereinbefore,” “hereinafter,” “this Contract,” and other equivalent words refer to this Contract and not solely to the particular portion thereof in which any such word is used.

All references herein to particular Articles or Sections are references to Articles or Sections of this Contract unless otherwise specified.

[END OF ARTICLE I]



## ARTICLE II

### REPRESENTATIONS, WARRANTIES, AND AGREEMENTS

**Section 2.01. Representations, Warranties, and Agreements of the Authority.** The Authority represents, warrants, and agrees that:

(a) The Authority is a public body corporate and politic created and existing under the Act and, unless otherwise required by law, shall maintain its corporate existence so long as any of the Bonds are Outstanding. Under the provisions of the Act, the Authority is authorized to enter into and carry out the transactions contemplated by this Contract and the Resolution;

(b) The Authority and the City heretofore have agreed that the Authority will provide financing and services for the undertakings described in the preamble to this Contract by the issuance of the Bonds as set forth in the Resolution;

(c) There is no litigation or proceeding pending or, to the knowledge of the Authority, threatened against the Authority or against any other party which would have a material adverse effect on the right of the Authority to execute this Contract or the ability of the Authority to comply with any of its obligations under the Bonds, this Contract, the Resolution, or any other documents contemplated to be executed by the Authority in connection with the issuance and delivery of the Bonds;

(d) This Contract, upon execution of the same, will constitute the legal, valid, and binding obligation of the Authority in accordance with its terms, and performance by the Authority of its obligations hereunder will not violate or result in a breach of any of the provisions of or constitute a default under any agreement or instrument to which the Authority is a party or by which the Authority is bound;

(e) The Authority has not made, done, executed, or suffered, and warrants that it will not make, do, execute, or suffer, any act or thing whereby the Authority's or the City's title to or interest in the Project will or may be impaired or encumbered in any manner except as permitted herein and the Resolution and except for acts or things done or permitted by the City; and

(f) Except as herein and in the Resolution provided, the Authority will not encumber any part of its interest in the Project or in the Revenues payable under this Contract or its rights under this Contract. The pledge made in the Resolution of the Revenues payable under this Contract constitutes a first and prior pledge of and lien on said Revenues and said pledge shall at no time be impaired by the Authority and the Revenues shall not otherwise be pledged.

**Section 2.02. Representations, Warranties, and Agreements of the City.** The City represents, warrants, and agrees as follows:

(a) The City is a municipal corporation and a political subdivision of the State, having power to enter into and execute, deliver, and perform this Contract, and by proper action of its governing body has authorized the execution and delivery of this Contract and the taking of any and all such actions as may be required on its part to carry out, give effect to, and consummate the transactions contemplated by this Contract and the Resolution, and no approval

or other action by any governmental authority, agency, or other person is required in connection with the delivery and performance of this Contract by it except as shall have been obtained as of the date of delivery of the Bonds;

(b) There is no litigation or proceeding pending, or to the knowledge of the City threatened, against or affecting the City, nor to the best of the knowledge of the City is there any basis therefor, wherein an unfavorable decision, ruling, or finding would materially adversely affect the transactions contemplated by this Contract or which in any way would adversely affect the validity or enforceability of the Bonds, this Contract, the Resolution, or any other documents contemplated to be executed in connection with the issuance and delivery of the Bonds;

(c) This Contract, upon execution of the same, will constitute the legal, valid, and binding obligation of the City enforceable in accordance with its terms, and performance by the City of its obligations hereunder will not violate or result in a breach of any of the provisions of or constitute a default under any agreement or instrument to which the City is a party or by which the City is bound; and

(d) No actions will be taken by the City which shall in any way impair the exclusion of interest on the Bonds from federal income taxation.

[END OF ARTICLE II]

ARTICLE III

ISSUANCE OF BONDS

**Section 3.01. The Bonds.** In order to provide funds for the purposes set forth in the preamble to this Contract, the Authority will, in accordance with the Act, issue the Bonds, and all of the covenants, agreements, and provisions hereof shall, to the extent provided herein and in the Resolution, be for the equal and proportionate benefit and security of the owners of the Bonds without preference, priority, or distinction as to the charge, lien, or otherwise of any one Bond over any other Bond, so that every owner of the Bonds shall have the same rights, privileges, and lien by virtue hereof.

**Section 3.02. Date, Denomination, and Maturities.** The Bonds will be issued in registered form and will mature and be paid pursuant to the provisions of Article II of the Resolution. Interest on the Bonds will be paid to the person or persons and in the manner stated in the Bonds and in the Resolution until the obligation of the Authority with respect to the payment of the principal of the Bonds shall be discharged in accordance therewith.

**Section 3.03. Obligations Relating to the Resolution and the Bonds.** The City agrees to perform all undertakings and obligations which are contemplated or required to be performed by the City pursuant to the provisions of the Resolution.

**Section 3.04. Application of Bond Proceeds.** At and upon the delivery of and payment for the Bonds, the proceeds received therefrom shall be applied in accordance with the provisions of Section 511 of the Resolution.

[END OF ARTICLE III]

## ARTICLE IV

### FINANCING OF THE PROJECT; CONSTRUCTION

**Section 4.01. The Project; Financing of Project.** The Authority, in providing its services hereunder, agrees to acquire, construct, and equip the Project or to cause the Project to be acquired, constructed, and equipped with a portion of the proceeds of the Bonds. The Authority hereby agrees to finance the cost of the Project in accordance with the provisions hereof and of the Act. The City agrees to make the payments provided for in Section 5.01 in accordance with the provisions of this Contract.

**Section 4.02. Completion of Project.** The City, as sole and exclusive agent of the Authority, agrees to undertake the acquisition, construction, and equipping of the Project in accordance with the Plans and Specifications; and the City hereby agrees to undertake and complete the Project on behalf of the Authority with due diligence. Payment therefor shall be made from the Construction Fund in accordance with the provisions of Section 4.03.

**Section 4.03. Disbursements from Construction Fund.** The Authority hereby appoints the City as agent of the Authority to make disbursements from the Construction Fund to pay the Cost of Construction. Such disbursements shall be made only upon the execution and filing with the City of a requisition signed by the City Representative stating (i) the requisition number, (ii) the name and address of the person, firm, or corporation (which may include the City) to whom payment is due or was made, (iii) the amount paid or to be paid, (iv) that none of the items for which the payment is proposed to be made has formed the basis for any payment theretofore made from the Construction Fund, and (v) that each item for which payment is proposed to be made is a proper charge against the Construction Fund in accordance with the provisions of the Resolution and this Contract.

**Section 4.04. Establishment of Completion Date.** At such time as the Project is completed, the City shall so notify the Authority by a certificate executed by the City Representative. Such certificate shall establish the Completion Date and shall state that, except for any amounts retained by the City for any Cost of Construction not then due and payable or the liability for payment of which is being contested or disputed by the City, (i) the Project has been completed substantially in accordance with the Plans and Specifications and all the Cost of Construction has been paid, (ii) all other facilities necessary in connection with the Project have been acquired, constructed, and installed in accordance with the Plans and Specifications, and (iii) payment has been made for all labor, services, materials, and supplies used in connection with the Project. Notwithstanding the foregoing, such certificate may state that it is given without prejudice to any rights against third parties which exist at the date thereof or which may subsequently come into being. Upon completion of the Project, title thereto shall vest in its entirety in the City.

**Section 4.05. Completion of Project if Construction Fund Insufficient.** If money in the Construction Fund available for payment of the Cost of Construction is not sufficient to pay the Cost of Construction in full, the City shall use its best efforts to cause the Project to be completed and the City shall pay that portion of the Cost of Construction in excess of the money available therefor in the Construction Fund. The Authority does not make any warranty, either

express or implied, that the money which will be paid into the Construction Fund will be sufficient to pay all the Cost of Construction. If the City pays any portion of the Cost of Construction pursuant to this Section 4.05, it shall not be entitled to any reimbursement therefor from the Authority or from the holders of the Bonds, nor shall it be entitled to any diminution in or postponement of the payments required to be paid under Article V.

**Section 4.06. Plans and Specifications.** The Plans and Specifications are on file with the City, and any amendments thereto shall be filed with the City. The City may revise the Plans and Specifications at any time and from time to time prior to the Completion Date, provided that no such change shall render inaccurate any of the representations contained in this Contract.

**Section 4.07. Investment of Money.** Any money held as a part of the Construction Fund shall be invested or reinvested as directed by the City Representative in accordance with Article VI of the Resolution.

**Section 4.08. Tax Covenants.** The City hereby covenants and represents to the Authority for the benefit of each holder of the Bonds that:

(a) It will not expend the proceeds from the sale of the Bonds nor take any other action which would cause the interest on the Bonds to be included in the gross income of the owners thereof for federal income tax purposes.

(b) It will not make or permit any use of the proceeds from the issue and sale of the Bonds which would cause the Bonds to be classified as “arbitrage bonds” within the meaning of § 148(a) of the Code and any Treasury Regulations promulgated thereunder as such provisions may apply to obligations issued as of the date of issuance of the Bonds.

(c) It will comply with and take such action and make such payments as may be permitted or required by § 148(f) of the Code to ensure that the Bonds do not constitute “arbitrage bonds” within the meaning of § 148(a) of the Code.

(d) It will comply with all requirements of the Code that must be satisfied in order for the Bonds to remain excluded from federal income taxes.

[END OF ARTICLE IV]

## ARTICLE V

### CONTRACT PAYMENTS BY THE CITY

**Section 5.01. Contract Payments by the City.** Pursuant to this Contract, the City agrees to provide funds sufficient to pay the following:

(a) the principal of, premium (if any), and interest due on the Bonds, upon maturity, redemption, or otherwise. All such payments shall be made to the Paying Agent at its Designated Office in lawful money of the United States of America in immediately available funds on or before the date on which due;

(b) the reasonable fees of the Paying Agent and Bond Registrar as provided in the Resolution. Said fees and expenses shall be paid when due directly to the Paying Agent and Bond Registrar for its own account; and

(c) any payments which may be required by Section 4.08(c) of this Contract.

Each payment to be made by the City hereunder is to be made on a parity with every other payment hereunder.

**Section 5.02. Credits.** Any amounts in the Debt Service Fund prior to any Interest Payment Date or date fixed for redemption of Bonds shall be credited against the payments due by the City under this Contract, and any amount in the Debt Service Fund on any Interest Payment Date or redemption date in excess of the amount required to pay the principal of, redemption premium, if any, and interest on the Bonds on such date shall be applied as provided for in Section 505(a) of the Resolution.

If the Bonds are called for redemption, any funds held in the Construction Fund shall be deposited in the Debt Service Fund and said funds together with all other amounts in the Construction Fund and the Debt Service Fund one Business Day prior to the redemption date shall be credited against the payments due by the City under Section 5.01(a).

**Section 5.03. Place of Payments.** The payments to be made pursuant to Section 5.01(a) shall be paid directly to the Paying Agent for the account of the Authority and shall be deposited in the Debt Service Fund as required by the Resolution. The payments to be made pursuant to subsections (b) and (c) of Section 5.01 shall be paid directly to the party to whom such payment is to be made for its own use.

**Section 5.04. Taxes and Other Governmental Charges.** The City will pay promptly, as the same become due, all taxes and governmental charges of any kind whatsoever that may at any time be lawfully assessed or levied against or with respect to the Project.

**Section 5.05. City's Obligations Unconditional.**

(a) The obligations of the City to make payments required in this Article V on the dates and in the manner herein specified and to perform and observe the other agreements on its part contained herein shall be absolute and unconditional, regardless of any contingencies

whatever and notwithstanding any circumstances or occurrences that may arise or take place hereafter, and shall not be subject to diminution by set-off, counterclaim, abatement, or otherwise. Until such time as the principal of and interest on the Bonds shall have been paid or provision for such payment shall have been made in accordance with the Resolution, the City (i) will not suspend or discontinue any payments for which provision is made in Section 5.01, (ii) will perform and observe all of its other covenants and agreements contained in this Contract, and (iii) will not terminate this Contract for any cause, including, without limiting the generality of the foregoing, impossibility or illegality of performance on the part of the Authority of any of its obligations hereunder or under the Resolution, any acts or circumstances that may constitute failure of consideration, *force majeure*, destruction of or damage to the Project or any part thereof, frustration of purpose, the unavailability for use by the City on the date hereof or on any date hereafter of the Project, any change in the tax or other laws of the United States of America or the State of Georgia or any political subdivision thereof, or any failure of the Authority to perform and observe any agreement, whether express or implied, or any duty, liability, or obligation arising out of or connected with this Contract or out of the Resolution.

(b) The City will bear all risk of damage to or destruction in whole or in part of the Project or any part thereof, including without limitation any loss, complete or partial, or interruption in the use or operation thereof or any manner or thing which for any reason interferes with, prevents, or renders burdensome the use thereof or the compliance by the City with any of the terms of this Contract.

**Section 5.06. City's Remedies.** If the Authority shall fail to perform any of its agreements in this Contract, the City may institute such action against the Authority as the City may deem necessary to compel such performance so long as such action shall not affect, impair, or diminish the obligation of the City to make the payments provided for herein, which obligation shall be absolute, unconditional, and irrevocable. The City may, at its own cost and expense and in its own name, prosecute or defend any action or proceedings against third parties or take any other action which the City deems reasonably necessary to secure or protect its rights of possession and use of the Project, in which event the Authority agrees to cooperate fully with the City.

**Section 5.07. Tax Levy to Make Payments.** The City will exercise its power of taxation to the extent necessary to pay the amounts required to be paid hereunder and will make available and use for the payment of its obligations incurred hereunder all such taxes levied and collected for that purpose together with funds received from any other source. The City, in order to make such funds available for such purpose in each fiscal year, will in its general revenue, appropriation, and budgetary measures whereby its tax funds or revenues and the allocation thereof are controlled or provided for in each fiscal year during the term of this Contract include sums sufficient to satisfy the payments required to be made under this Contract, whether or not any other sums are included in such measure, until all payments required to be made hereby shall have been made in full. The obligation of the City to make the payments provided for pursuant to the terms of this Contract shall constitute a general obligation of the City and a pledge of the full faith and credit of the City to provide the funds required to fulfill such obligation.

**Section 5.08. Priority Lien of Bonds.** The Authority will not hereafter issue any other bonds or obligations of any kind or nature payable from or enjoying a lien on the revenue derived from this Contract superior to the lien created in the Resolution for the payment of the Bonds.

[END OF ARTICLE V]



ARTICLE VI

MAINTENANCE, REPAIR, AND MODIFICATION  
OF THE PROJECT BY CITY

**Section 6.01. Maintenance and Repair.** The City, at its own expense, will from time to time, in the discretion of the City, make all needed and proper repairs, replacements, additions, betterments, modifications, and improvements to the Project so that the use thereof shall at all times be conducted properly.

**Section 6.02. Removal of Equipment.** Neither the Authority nor the City is under any obligation to renew, repair, or replace any inadequate, obsolete, worn out, unsuitable, undesirable, or unnecessary equipment or other personalty forming a part of the Project. In any instance where the City in its discretion determines that any items of such equipment or personalty have become inadequate, obsolete, worn out, unsuitable, undesirable, or unnecessary, the City may remove such items of such equipment or personalty, and the City may sell, trade, exchange, or otherwise dispose of such items, as a whole or in part, without any responsibility or accountability to the Authority, and upon such determination said equipment or personalty shall no longer be a part of the Project.

**Section 6.03. Liens.** Neither the Authority nor the City will permit any lien, debt, pledge, assessment, encumbrance, or charge ranking equally with or superior to the charge or lien created by the Resolution upon the payments provided for in Article V. All lawful claims and demands for labor, materials, supplies, or other charges or assessments which if unpaid might by law become a lien upon the Project will be promptly paid or discharged by the City, or adequate provisions will be made to satisfy and discharge the same promptly after the same shall accrue; provided, however, that the City may, at its own expense and in its own name and behalf or in the name and behalf of the Authority, in good faith and by appropriate legal proceedings contest any such lien, charge, or assessment and, in the event of such contest, may permit such lien, charge, or assessment so contested to remain unpaid during the period of such contest and any appeal therefrom. The Authority will cooperate fully with the City in any such contest.

[END OF ARTICLE VI]

## ARTICLE VII

### INDEMNITY

#### **Section 7.01. Indemnification; Immunity of Members of Authority.**

(a) During the term of this Contract, the City, at its own expense, shall handle to conclusion all claims and pay all judgments obtained against the City or the Authority by reason of (i) any injury to or death of any person or damage to property occurring on or about any facilities constituting the Project or any part thereof occasioned by or growing out of or arising or resulting from any tortious or negligent act on the part of the City, its agents, or employees in connection with the operation, management, or maintenance of any facilities constituting a part of the Project; (ii) any use, non-use, condition of, or defect in any facilities constituting a part of the Project; and (iii) any failure, breach, or default on the part of the City in the performance of or compliance with any of the obligations of the City under the terms of this Contract; provided, however, that the indemnity provided by this Section 7.01 shall be effective only to the extent that the amount of liability arising from any such loss shall exceed the proceeds available therefor obtained from insurance carried with respect to such loss.

(b) Notwithstanding the fact that it is the intention of the parties that the Authority shall not incur any pecuniary liability by reason of the terms of this Contract or the undertakings required of the Authority hereunder by reason of the issuance of the Bonds, the adoption of the Resolution, or the performance of any act requested of the Authority by the City; nevertheless, if the Authority should incur any such pecuniary liability, then in that event, the City shall indemnify and hold the Authority harmless against all claims, demands, or causes of action arising therefrom and all costs and expenses incurred in connection with any such claim or in connection with any action or proceeding brought thereon, and upon notice from the Authority, the City shall defend the Authority in any such action or proceeding.

(c) No recourse shall be had for the enforcement of any obligation, covenant, or agreement of the Authority contained in this Contract or in the Bonds or the Resolution for any claim based hereon or thereon against any member, officer, or employee of the Authority or of any successor thereto, in his individual capacity, either directly or through the Authority whether by virtue of any constitutional provision, statute, or rule of law. This Contract, the Bonds, and the Resolution are solely corporate obligations, and no personal liability shall attach to or be incurred by, any member, officer, or employee of the Authority or of any successor thereto, either directly or by reason of the obligations, covenants, or agreements entered into between the Authority and the City, and all personal liability of any character against every such member, officer, and employee is, by the execution of this Contract, expressly waived and released. The immunity of members, officers, and employees of the Authority under the provisions contained in this Section 7.01 shall survive the completion of the acquisition and construction of the facilities constituting the Project and the termination of this Contract.

[END OF ARTICLE VII]

## ARTICLE VIII

### DEFAULT; REMEDIES

**Section 8.01. Events of Default Defined.** The following shall be “events of default” under this Contract and the term “event of default” shall mean, whenever used in this Contract, any one of the following events:

(a) failure by the City to pay when due any amount required to be paid under Section 5.01(a);

(b) the City shall fail to perform any of the other agreements, conditions, covenants, or terms herein required to be performed by the City and such default shall continue for a period of thirty days after written notice has been given to the City by the Authority, the Paying Agent, or the Bondholder specifying such default and requesting that it be remedied, or within a greater number of days if such remedy has been undertaken and is being diligently pursued and more than thirty days is required for its completion; provided, however, that if, by reason of force majeure, the City is unable, in whole or in part, to perform the obligations on its part herein undertaken (other than the obligations relating to the payments to be made under Section 5.01(a)), the City shall not be deemed in default during the continuance of such inability to perform. The term *force majeure* shall mean, without limitation, acts of God; strikes; work stoppages or similar disturbances; acts of public enemies; orders of any kind of the government of the United States of America or of the State or any of their departments, agencies, or officials, or any civil or military authority; insurrections; riots; epidemics; landslides; lightning; earthquakes, fire; hurricanes; storms; floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accident to machinery or equipment; partial or entire failure of utilities, or any other cause or event not reasonably within the control of the City. The City will, however, use its best efforts to remedy, with all reasonable dispatch, the cause or causes preventing the City from carrying out such obligation; provided, that the settlement of strikes, work stoppages and similar disturbances shall be entirely within the discretion of the City and the City shall not be required to make settlement of such disturbances by acceding to the demands of the opposing party or parties when such course is, in the judgment of the City, unfavorable to the City; or

(c) an “Event of Default” shall have occurred under the Resolution.

**Section 8.02. Remedies on Default.**

(a) If an event of default referred to in Section 8.01 occurs and is continuing, then and in every such case the Bondholder may, by written notice to the City, take whatever action at law or in equity may appear necessary or desirable to enforce the performance and observance of the obligation, agreement, or covenant of the City then in default under this Contract, whether for specific performance of any covenant or agreement contained herein or therein or in aid of the execution of any power herein granted. No remedy conferred upon or reserved to the Bondholder in this subsection (a) is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy

given under this Contract and now or hereafter existing at law or in equity or by statute, subject to the provisions of the Resolution.

(b) No delay or omission to exercise any right or power accruing upon any event of default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the Bondholder to exercise any respective remedy reserved to them in this Article VIII, it shall not be necessary to give any notice, other than any notice required herein.

(c) Any amounts collected pursuant to action taken under subsection (a) of this Section 8.02 shall be applied in accordance with the Resolution to the extent the provisions of the Resolution relate to such amounts.

**Section 8.03. Attorneys' Fees and Expenses.** If the City should default under any of the provisions of this Contract and the owners of the Bonds shall employ attorneys or incur other expenses for the collection of the amounts payable hereunder or the enforcement, performance, or observance of any obligation or agreement on the part of the City herein contained, the City will, on demand therefor, pay the amount of the reasonable fees and expenses of such attorneys and such other reasonable expenses so incurred.

**Section 8.04. No Waiver of Breach.** If any agreement contained herein should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

**Section 8.05. City Authorized to Cure Default of Authority.** With regard to any default on the part of the Authority under this Contract or under the Resolution, the Authority hereby vests the City with full power, for the account of the Authority, to perform any obligation in remedy of such default in the name and stead of the Authority with full power to do any and all things and acts to the same extent that the Authority could do and perform any such acts.

**Section 8.06. Failure to Enforce Agreement Not a Waiver.** The failure of the Authority or the Bondholder to enforce any agreement, condition, covenant, or term by reason of any default or breach by the City shall not be deemed to void or affect the right to enforce the same agreement, condition, covenant, or term on the occasion of any subsequent default or breach.

[END OF ARTICLE VIII]

ARTICLE IX

PREPAYMENT

**Section 9.01. Optional Prepayment.** The City shall have and is hereby granted, subject to the provisions of the Resolution, the option to prepay all or any portion of the amounts payable under Section 5.01(a), at the times and under the conditions provided for in the Resolution, by taking the actions required by of the Resolution to effect the full or partial redemption of the Bonds.

**Section 9.02. Exercise of Optional Prepayment.** To exercise the option granted in Section 9.01, the City shall give written notice to the Authority and the Bond Registrar of the exercise of such option and a direction to effect redemption of Bonds, which notice shall specify therein (i) the maturity or maturities of the Bonds to be redeemed, (ii) the date of redemption, which date shall not be less than 45 days from the date the notice is given, (iii) the principal amount of the Bonds or portions thereof to be redeemed, (iv) the applicable redemption price or prices, and (v) the provision or provisions of the Resolution pursuant to which the Bonds are to be redeemed.

Upon receipt of a notice given by the City pursuant to this Section 9.02, the Bond Registrar shall forthwith take or cause to be taken all actions necessary under the Resolution to effect the redemption of the Bonds in accordance with such notice.

[END OF ARTICLE IX]

ARTICLE X

TERM; MISCELLANEOUS

**Section 10.01. Term of this Contract.** This Contract shall be in full force and effect from the date of delivery hereof until such time as the Bonds shall have been paid or provision for such payment shall have been made in accordance with the Resolution and all payments due or to become due to the Paying Agent and Bond Registrar have been made.

**Section 10.02. Notices.** All notices or other communications required or permitted to be given pursuant to this Contract shall be in writing and shall be considered as properly given if mailed by first-class United States mail, postage prepaid, registered or certified with return receipt requested, by overnight delivery, by delivering same in person to the intended addressee, or by prepaid telegram, telex, or telecopy. Notice so mailed shall be effective three days after its deposit. Notice given in any other manner, including overnight delivery and telecopy, shall be effective only if and when received by the addressee. Each such notice or other communication given hereunder shall be given to all of the other parties. For purposes of notice, the addresses of the parties shall be as set forth herein; provided, however, that hereinafter either party shall have the right to change its address for notice hereunder to any other location within the continental United States by the giving of notice to the other party in the manner set forth hereinabove.

If to the Authority: Chatham County Recreation Authority  
P. O. Box 8186  
Savannah, Georgia 31412  
Attention: Chairman

If to the City: City of Tybee Island, Georgia  
403 Butler Avenue  
Tybee Island, Georgia 31328  
Attention: City Manager

With a copy to: Ellis, Painter, Ratterree & Adams LLP  
2 East Bryan Street, 10th Floor  
Savannah, Georgia 31401  
Attention: Edward M. Hughes

If to the Bond Registrar \_\_\_\_\_  
Paying Agent: \_\_\_\_\_  
Attention: \_\_\_\_\_

**Section 10.03. Binding Effect.** This Contract shall inure to the benefit of and shall be binding upon the Authority, the City, and their respective successors and assigns.

**Section 10.04. Severability.** If any provision of this Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

**Section 10.05. Amounts Remaining in Funds.** It is agreed by the parties hereto that any amounts remaining in any fund after payment in full of the principal of, premium (if any), and interest on the Bonds (or provision for payment shall have been made as provided for in the Resolution), the fees, charges, and expenses of the Paying Agent and Bond Registrar and all other amounts required to be paid under the Resolution, shall be paid to the City.

**Section 10.06. [Reserved].**

**Section 10.07. Delegation of Duties by Authority.** It is agreed that under the terms of this Contract and also under the terms of the Resolution, the Authority has delegated certain responsibilities to the City. The fact of such delegation shall be deemed a sufficient compliance by the Authority to satisfy the responsibilities so delegated and the Authority shall not be liable in any way by reason of acts done or omitted by the City or the City Representative. The Authority shall have the right at all times to act in reliance upon the authorization, representation or certification of the City Representative.

**Section 10.08. Continuing Disclosure.** The City hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate (the “**Continuing Disclosure Certificate**”) to be executed and delivered on the date of issuance and delivery of the Bonds. Notwithstanding any other provision of this Contract, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an Event of Default hereunder; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the City to comply with its obligations under this Section 10.08.

**Section 10.09. Amendments, Changes, and Modifications.** Subsequent to the initial issuance of the Bonds and prior to the payment in full of the Bonds, this Contract may not be amended, changed, modified, or altered except as provided in Article IX of the Resolution.

**Section 10.10. Execution Counterparts.** This Contract may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

**Section 10.11. Captions.** The captions or headings in this Contract are for convenience only and in no way define, limit, or describe the scope or intent of any provisions of this Contract.

**Section 10.12. Law Governing Construction of Contract.** This Contract shall be governed by and construed in accordance with the laws of the State.

[END OF ARTICLE X]

IN WITNESS WHEREOF, the Authority and the City have caused this Contract to be executed in their respective names and their respective seals to be hereunto affixed and attested by their respective duly authorized officers, all as of the date first above written.

CHATHAM COUNTY RECREATION  
AUTHORITY

(S E A L)

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Secretary-Treasurer

CITY OF TYBEE ISLAND, GEORGIA

(S E A L)

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



**Backup material for agenda item:**

12. Zoning Variance: consideration of setback encroachment - 701 Butler Avenue – Zone R-2 - 4-0005-19-009 – Lynn Moody. **Withdrawn will be heard Feb 14, 2019 meeting**



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Zoning Variance

Explanation: consideration of setback encroachment - 701 Butler Avenue – Zone R-2 - 4-0005-19-009 – Lynn Moody.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
  - **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 www.cityoftybee.org**





# STAFF REPORT

PLANNING COMMISSION MEETING: December 17, 2018

CITY COUNCIL MEETING: January 10, 2019

LOCATION: 701 Butler Ave.

PIN: 4-0005-19-009

APPLICANT: Lynn Moody

OWNER: Lynn Moody

EXISTING USE: Single family dwelling

PROPOSED USE: Single family dwelling

ZONING: R-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Inland Cottage Neighborhood

APPLICATION: Zoning Variance (5-090) from Section 3-090 Schedule of development regulations.

PROPOSAL: The applicant is requesting setback variance to add a front porch extension 5.3' into the front yard setback and move the existing stairs so they extend over 6' into the side yard setback.

ANALYSIS: The applicant is requesting to add more porch outdoor living space.

Variance standards require that the applicant meet the following conditions:

- (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, or considerations related to the environment or the safety, or to historical significance, that is 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.
- (3) A nonconforming use or structure does not constitute a unique physical circumstance, condition, or consideration.

This variance does not meet the above criteria. The applicant would like more outdoor living space but as the property is already developed there is no hardship. The applicant can create outdoor living space on the ground in the setback but the vertical construction is not allowed. Additionally moving the stairs to the side yard would put the stairs significantly closer to the property line than it is currently.

The Comprehensive Plan describes the Inland Cottage Neighborhood as follows:

*This character area describes the traditional neighborhood along the west side of Butler, which contains narrow, tree-lined streets laid out in a grid pattern. The area is varied in land use as it contains permanent residential properties, multi-family homes, rental properties, parks, low-impact commercial establishments, and public buildings.*

<i>Comprehensive Plan – Community Character Area The Inland Cottage Neighborhood Sec. 1.2.6</i>		
<i>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</i>
1.	New development, redevelopment, and restoration should be consistent with the existing character of the area in terms of mass, scale, use and density	N
2.	Permit only compatible uses including low density residential, public/institutional, and low impact commercial	Y
3.	Develop and implement design and architectural standards	N/A
4.	Implement streetscape improvement to improve the pedestrian/bicycle environment and encourage safety and mobility	N/A
5.	Historic structures in this area should be restored and/or preserved whenever possible	N
6.	The City should provide appropriate incentives for historic restoration projects	N/A
7.		

**STAFF FINDING**

This application does not meet the defined criteria for a variance. There is clearly no hardship as the lot is fully developed and usable without additional porch area. Additional outdoor living space can be added at ground level or perhaps they could build up. Staff recommends denial of the petition.

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

- A. Variance application (5 pages)
- B. Survey (1 page)
- C. Site Plan (1 page)
- D. SAGIS map (1 page)



**CITY OF TYBEE ISLAND  
ZONING VARIANCE APPLICATION**

**Fee**  
**Commercial \$500**  
**Residential \$200**

Applicant's Name LYNN MOODY

Address and location of subject property 701 BUTLER AVENUE ★

PIN 4-0005-19-009 Applicant's Telephone Number 912-313-3732

Applicant's Mailing Address 329 BONAVENTURE RD. THUNDERBOLT, GA. 31404

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

Property Owner's Name LYNN MOODY Telephone Number 912-313-3732

Property Owner's Address SAME

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 R-2 Current Use RESIDENTIAL

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

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

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

Disclosure of Campaign Contributions form attachment hereto:  Yes

Lynn Moody 11/8/2018  
Signature of Applicant Date

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

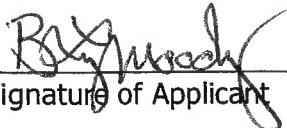
Fee Amount \$ 200.00 Check Number 1686 Date 12/5/18

**- 77 -** Official Lynn Moody

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

- | <u>REFERENCE</u> | <u>DESCRIPTION</u>  |
|------------------|---|
| 5-040 (D) (1)    | Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions.  |
| 5-040 (D) (2)    | Narrative describing the hardship and the reason for the variance request.<br>Explain the hardship: <u>NEED A LARGER OUTDOOR FAMILY AREA.</u><br><u>FAMILY IS GROWING.</u>  |
| 5-040 (D) (3)    | A survey of the property signed and stamped by a State of Georgia certified land surveyor.  |
| 5-090 (A) (1)    | That there are unique physical circumstances or conditions beyond that of surrounding properties, including:<br><input checked="" type="checkbox"/> irregularity;<br><input checked="" type="checkbox"/> narrowness; or,<br><input checked="" type="checkbox"/> shallowness of the lot shape; or,<br><input checked="" type="checkbox"/> exceptional topographical or other physical circumstances, conditions, or considerations related to the environment, or the safety, or to historical significance, that is peculiar to the particular property; and;                                   |
| 5-090 (A) (2)    | 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.<br><u>NOTE: Provide attachments illustrating conditions on surrounding properties and on the subject property, indicating uniqueness, etc.</u>  |
| 5-090 (B)        | If this variance application is for a Height Variance, in addition to other requirements, the petitioner shall be required to:<br><u>NA</u> Add two feet to each side yard setback for each one foot above 35 feet in height, and,<br><u>NA</u> Have safeguards consisting of sprinkler systems, smoke detectors and other fire protection equipment deemed necessary at the time by the Mayor and Council, and,<br><u>NA</u> 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. |

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

  
\_\_\_\_\_  
Signature of Applicant

11/8/2018  
\_\_\_\_\_  
Date

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



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES \_\_\_\_\_ NO ✓

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

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

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

Signature *Lynn Moody*

Printed Name LYNN MOODY

Date 11/8/2018

**Sec. 5-090. - Variances.**

(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.

(B) **Height.** No part of any structure shall project beyond 35-feet above the average adjacent grade of a property except:

- (1) Chimneys, flues, stacks, heating units, ventilation ducts, air conditioning units, gas holders, elevators, solar panels and similar appurtenances needed to operate and maintain the building on which they are located.
- (2) The following items that were existing on the date of the adoption of this ordinance: flag poles, television aerials, water towers and tanks, steeples and bell towers, broadcasting and relay towers, transmission line towers, and electric substation structures.

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

(D) **Reviewing variance applications.** The designated city official, 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.

(E) **Application approval.** Notwithstanding any other provisions of this Code of Ordinances, the designated city official 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:

- (1) When either of the following circumstances exists:
  - a. The proposed improvement or 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.
- (2) When each of the following circumstances also exists:
  - a. No encroachment or construction of habitable space or other prohibited improvements will exist below one foot above the base 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



(F) ***Compliance with ordinances.*** Notwithstanding any other provision of this 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 section does not excuse prior violations including those that have resulted or may result in enforcement action by the city.

(Ord. No. 1999-27, 8-12-1999; Ord. No. 2002-08, 5-9-2002; Ord. No. 2002-08 Variances, amended 8-29-2002; Ord. of 8-11-2005; Ord. No. 14-2010, 8-26-2010; Ord. No. 57-A-2014, § 1, 12-11-2014)

**2018 Chatham County Board of Assessors**

**4-0005-19-009**

**Property Record Card**

**701 BUTLER AVE TYBEE ISLAND**

APPRAISER MWTHOMAS LAST INSP 03/14/2017 APPR ZONE 000008	LOT 10-A & PORTION OF LOT 10-B WARD 2 TYBEE PRB 40P 107 .13 AC	MOODY B LYNN & DONNA H* 329 BONAVENTURE RD SAVANNAH GA 31404	CAMA ASMT 192,600 192,600 LAND 1 528,700 528,700 BLDG 1 OBXF 0 721,300 721,300 Cost - MS
--	--	--	--

SALES	BOOK / PAGE	INS VI QU RSN PRICE
03 Sep 2010	363T 508	WD I Q 300,000
GRANTOR:DAVIS RANDALL L GRANTEE:MOODY B LYNN & DONNA H*		
08 May 2006	306A 0328	WD I Q QW 950,000
GRANTOR:L N GORDON LLC GRANTEE:DAVIS RANDALL L		
21 Jun 2002	236Z 0240	NA I U UN
GRANTOR:GORDON LOU NORA GRANTEE:L.N. GORDON, LLLP		



[Click for larger picture]

CODES		
PROPERTY USE	0006	RESIDENTIAL
UTA	0004	Tybee Island
NBHD	020216.00	T216 TYBEE BTL WEST
EXEMPTIONS		

HISTORY	LAND	IMPR	TOTAL	
2017	192,600	483,900	676,500	Cama
2016	193,300	477,200	670,500	Cama
2015	193,300	489,200	682,500	Cama
2014	193,300	495,700	689,000	Cama
2013	193,300	380,600	573,900	Cama
2012	193,300	142,700	336,000	Cama
2011	193,300	78,700	272,000	Cama
2010	335,900	61,900	397,800	Cama
2009	336,000	193,000	529,000	Over

PERMITS	TYPE	DATE	AMOUNT
11-0013	RN	20 Dec 2011	Comp 59,850
11-0013		20 Dec 2011	Comp NaN
060339	RN	02 Dec 2010	Comp 65,000
10-0521	RN	02 Dec 2010	Comp 1,000

COMMENTS:		
23 Sep 2010	TY11 363T/508:	*SVRSHP
17 Dec 2008	TY09 NEW PIN;	SPLIT OUT OF 4-5-19-6 12/17/08 PL



LAND														
ID#	USE DESC	FRONT	DEPTH	UNITS / TYPE	PRICE	ZONING	LCTN	TOPO	OTHER	ADJ1	ADJ2	ADJ3	ADJ4	MKT VALUE
109548	SINGLE FAMILY RES	0	0	1.00-LT	175100.00	R2				SZ10				192600

Untitled Map



Legend

Google Earth

100 ft

# 701 US-80



Image capture: Aug 2017 © 2018 Google

Tybee Island, Georgia



Street View - Aug 2017





Image capture: Aug 2017 © 2018 Google

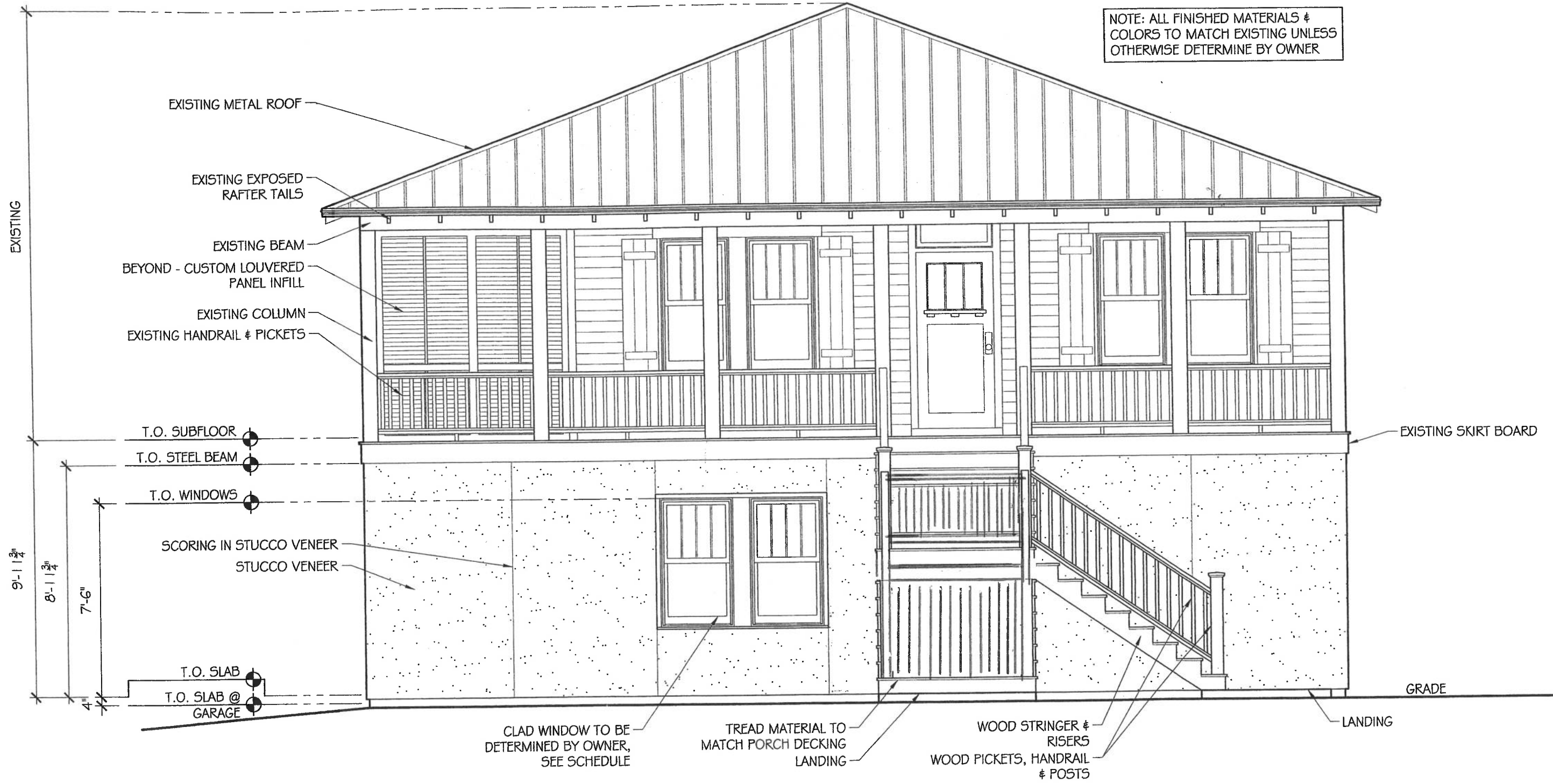
Tybee Island, Georgia



Street View - Aug 2017



NOTE: ALL FINISHED MATERIALS & COLORS TO MATCH EXISTING UNLESS OTHERWISE DETERMINE BY OWNER



EXISTING PROFILE

EAST ELEVATION

NOTE: ALL FINISHED MATERIALS &  
COLORS TO MATCH EXISTING UNLESS  
OTHERWISE DETERMINE BY OWNER

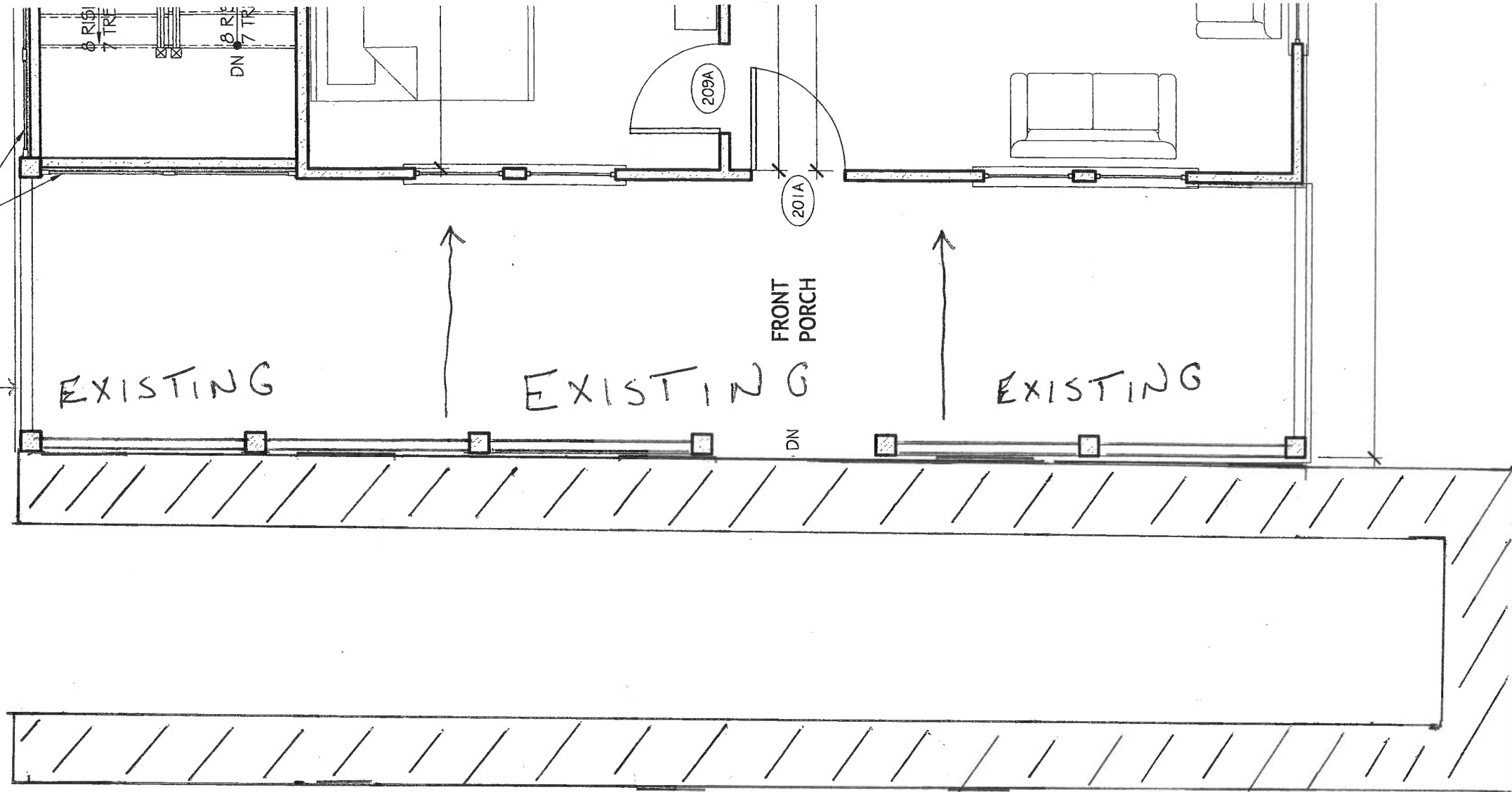


NEW PROFILE  
EAST ELEVATION

SIDE PROPERTY LINE

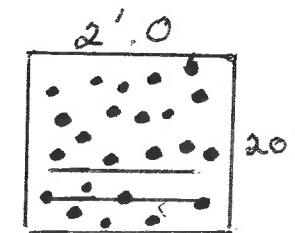
1'-0"

FIXED LOUVERED P  
SEE ELEV.  
FIXED LOUVERED PANELS,  
SEE ELEVATIONS



CONTINUOUS FOOTING DETAIL

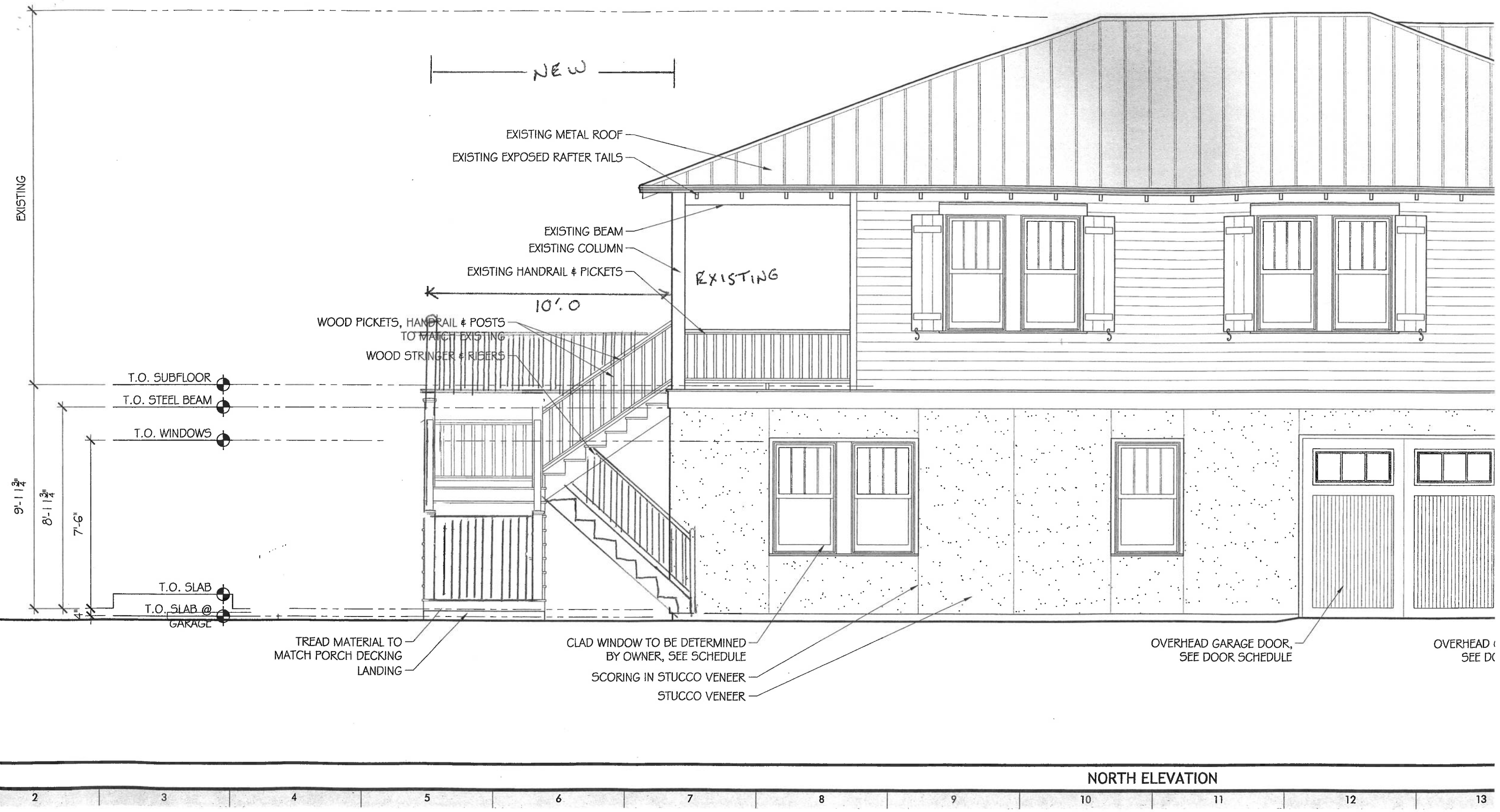
$\frac{1}{4}'' = 1'-0$

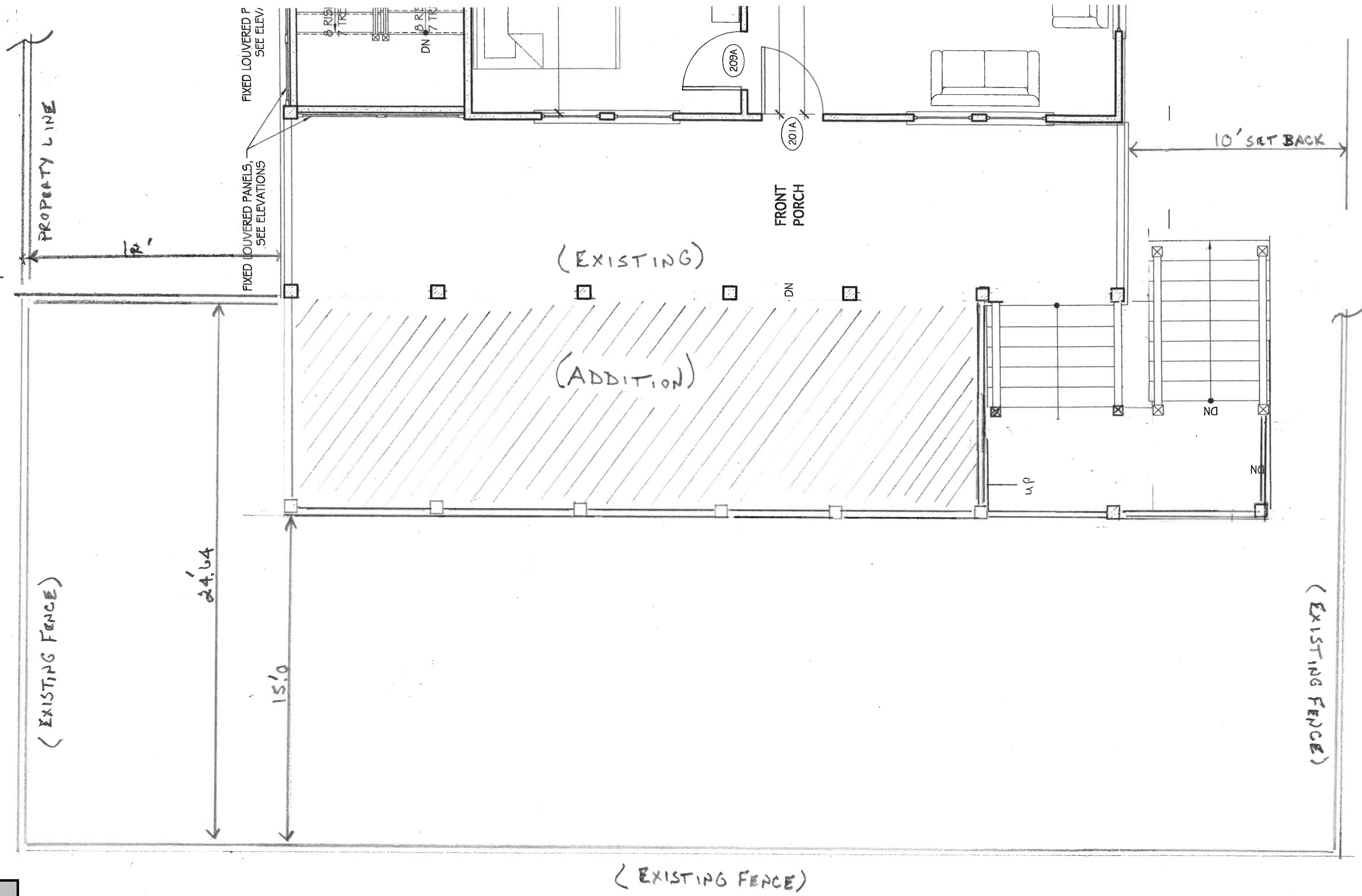


$\frac{1}{2}'' = 1'-0$

FOOTING DETAIL



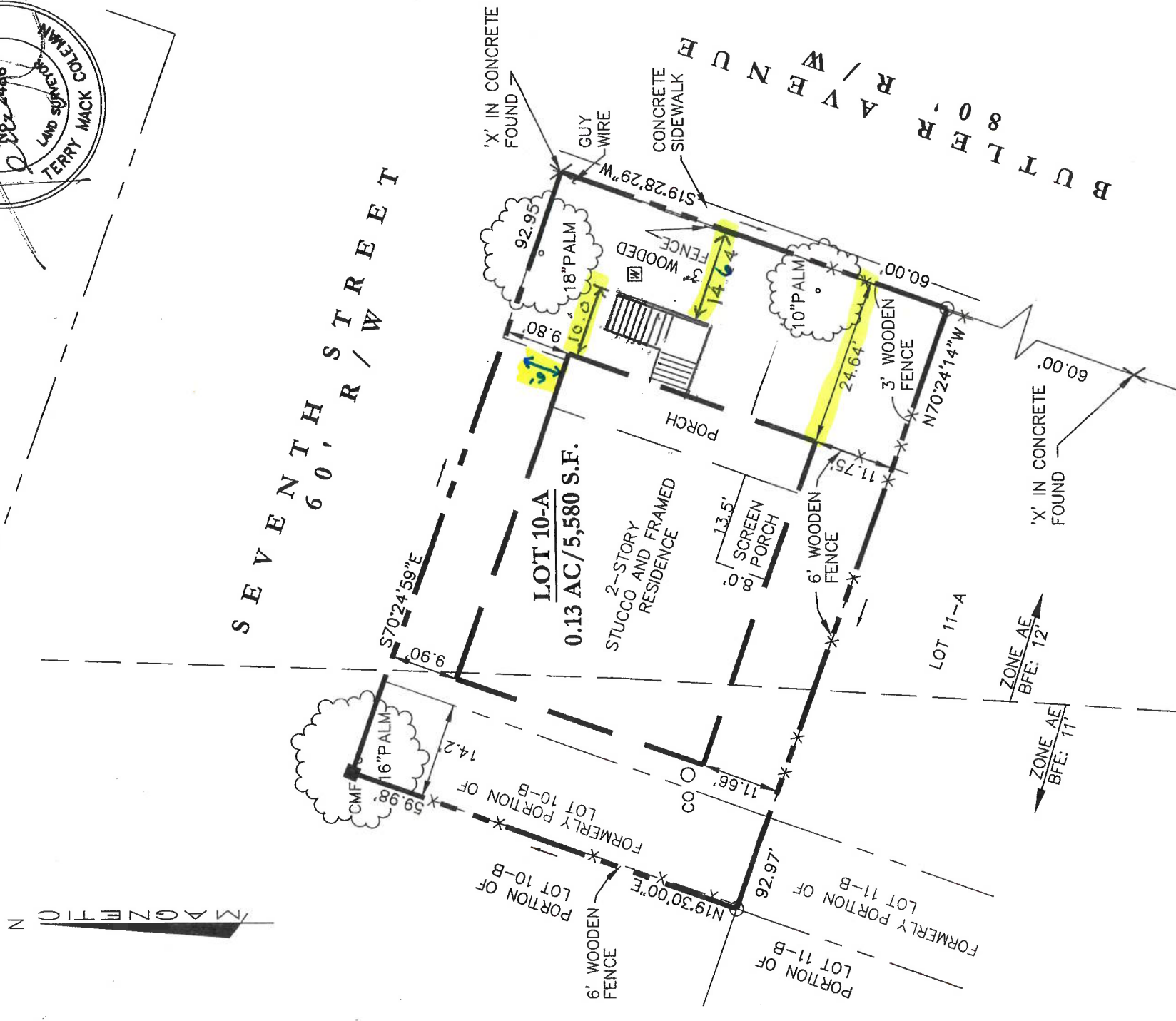
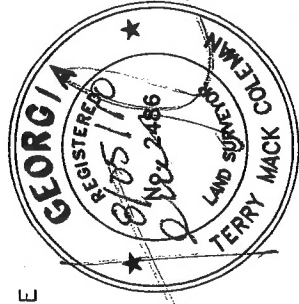




**Kern-Coleman & Co. LLC.**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientists  
 7 Mall Court (31406) P.O. Box 15179 Savannah, Georgia 31416  
 Telephone: (912) 354-8400 Fax: (912) 356-1865 E-mail: info@kerncoleman.com

**LEGEND**

- IRS IRON ROD SET
- CMS CONCRETE MONUMENT SET
- R/W RIGHT-OF-WAY
- BSL BUILDING SETBACK LINE
- CO CLEAN OUT
- ⊞ WATER METER



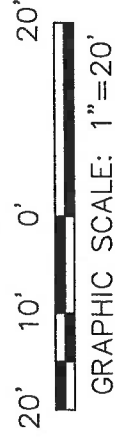
**NOTES:**

1. PROPERTY ADDRESS: 701 BUTLER AVE., TYBEE ISLAND, GA.
2. PARCEL IDENTIFICATION NUMBER: 4-0005 -19-009.
3. THE HORIZONTAL DATUM OF THIS PLAT IS BASED ON PLAT RECORD BOOK 40P--PAGE 107.
4. BASED ON MY OBSERVATION THIS PROPERTY IS LOCATED IN ZONE AE, BASE FLOOD ELEVATIONS 11' AND 12', A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP, COMMUNITY No. 1305C0213F, DATED SEPTEMBER 26, 2008.

**REFERENCE:**

1. PLAT RECORD BOOK 40-P, PAGE 107.
2. PLAT RECORD BOOK D, PAGE 159.

SURVEY DATE: 08/05/10  
 EQUIPMENT USED: ELECTRONIC TOTAL STATION  
 PLAT ERROR OF CLOSURE: 1/204,210



SCALE: 1"=20'	DRAWING TITLE: AS-BUILT SURVEY
PROJECT NO: 10049	
DATE: 08-04-10	
DRAWN BY: MDF	
CHECKED BY: MDP	
SHEET NO:	<b>1/1</b>

**AN AS-BUILT SURVEY OF LOT 10-A, BEING LOT 10-A AND PORTION OF LOT 10-B, WARD 2 5TH G.M. DISTRICT, CITY OF TYBEE ISLAND CHATHAM COUNTY, STATE OF GEORGIA**  
 PREPARED FOR: **LYNN MOODY**



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: consideration of setback encroachment - 701 Butler Avenue –  
Zone R-2 - 4-0005-19-009 – Lynn Moody.

Action Requested: Zoning Variance

Special Review	Subdivision:
Site Plan Approval	Sketch Plan Approval ___ Conceptual ___
Variance X	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
Bishop			Chair
Bossick	X		Vice Chair
Robertson	X		MOTION
Gann	X		
Bramble	X		
Matlock	X		
McNaughton	X		SECOND

Planning Commission Chair:

Date:

1/2/19

Planning & Zoning Manager:

Date:

12-28-2018

**Backup material for agenda item:**

13. Minor Subdivision: separating one lot to make two single-family lots - 1809 Chatham Avenue – Zone R-2 - 4-0009-13-009 – Kelley B. Parker.



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Minor Subdivision

Explanation: separating one lot to make two single-family lots - 1809 Chatham Avenue – Zone R-2 - 4-0009-13-009 – Kelley B. Parker.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
  - **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 www.cityoftybee.org**





# STAFF REPORT

PLANNING COMMISSION MEETING: December 17, 2018

CITY COUNCIL MEETING: January 10, 2019

LOCATION: 1809 Chatham Ave.

PIN: 4-0009-13-009 & 4-0009-12-009

APPLICANT: Kelley Parker & Jason DeCruz

OWNER: Kelley Parker & Jason DeCruz

EXISTING USE: Single family dwelling lot and former Alley 1 PROPOSED USE: Two single family lots

ZONING: R-2

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: Back River District

APPLICATION: Minor subdivision plat approval (Sec. 5-140)

PROPOSAL: The applicant is requesting minor subdivision approval for a two lot subdivision at 1809 Chatham and adjoining parcel.

ANALYSIS: This subdivision would create two lots of a size that meet the requirements of the R-2 zoning district. They will both have sufficient access and will be served by City water and sewer service.

Back River Neighborhood: The Back River Neighborhood character area is a unique residential area with waterfront lots and beach access along the Back River. Zoning consists of R-2 and N-M. In addition to the residential use, low impact commercial service uses exist in this neighborhood.

<i>Comprehensive Plan – Community Character Area Back River Neighborhood</i>		
<i>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</i>
1.	The boat ramp, marina, and fishing pier are essential elements of the neighborhood and should be preserved.	N/A
2.	Encourage safer pedestrian mobility	N/A
3.	Preserve historic structures whenever possible	N
4.	Preserve the scenic value of the area	N/A
5.	Provide appropriate incentives for historic restoration projects.	N/A
6.	Preserve and enhance public access to the beaches and waterways	N/A

## STAFF FINDING

This subdivision plat meets all requirements for a minor subdivision.

*This Staff Report was prepared by George Shaw.*

## ATTACHMENTS

- A. Subdivision application (5 pages)
- B. Survey (1 page)
- C. SAGIS map (1 page)



CITY OF TYBEE ISLAND
SUBDIVISION OF LAND APPLICATION

Fee
Major Subdivision \$500
Minor Subdivision \$125

Applicant's Name Kelley B. Parker

Address and location of subject property 1809 Chatham Ave

PIN Applicant's Telephone Number 912-844-5703

Applicant's Mailing Address 120 East Gaston St, Savannah 31401

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

Property Owner's Name Kelly Parker / Jason DeCruz Telephone Number

Property Owner's Address 120 East Gaston St, Savannah Ga 31401

Is Applicant the Property Owner? [X] 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 Current Use residential

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

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

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

Disclosure of Campaign Contributions form attachment hereto: [ ] Yes

Signature of Applicant Kelly B Parker Date Nov 5, 2018

NOTE: Other specific data is required for each type of Subdivision of Land.

Fee Amount \$ 125.00 Check Number 1769 Date 11/5/18

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 Kelley B Parker

Printed Name Kelley Parker

Date Nov 5, 2018

# 2018 Chatham County Board of Assessors

4-0009-13-009

## Property Record Card

1809 CHATHAM AVE TYBEE ISLAND

APPRaiser FIRDawSS LAST INSP 01/17/2018 APPR 000008 ZONE	WESTERN PORTION OF LOT 24 WARD 6 TYBEE ISLAND BOOK 50 PG 716	DCRUZ & PARKER CAROL M & KELLEy 76 INMAN CIR NE ATLANTA GA 30309	CAMA ASMT 785,400 785,400 LAND 1 BLDG 0 OBXF 0 785,400 785,400 Cost - MS
---	---	--	--

SALES BOOK / INS VI QU RSN PRICE PAGE
18 Nov 957 528 WD I Q 950,000 2016
GRANTOR: SPRAGUE ELIZABETH C ETAL*
GRANTEE: DCRUZ & PARKER CAROL M & KELLEy



CODES		
PROPERTY USE	0006	RESIDENTIAL
UTA	0004	Tybee Island
NBHD	020189.00	T189 TYBEE BACK RIVR
EXEMPTIONS		

PERMITS TYPE DATE	AMOUNT
170002 DM 17 Jan 2018	Comp 30,000

HISTORY LAND	IMPR	TOTAL
2017	785,400	62,600 848,000 Cama

COMMENTS:	
18 Jan 2018	DEMO BUILDING TY 2018
13 Dec 2016	TY2017 NEW PIN; SPLIT OUT OF 4-0009 -13-001 BOOK 50 PG 716

[Click for larger picture]



LAND ID#	USE DESC	FRONT	DEPTH	UNITS / TYPE	PRICE	ZONING	LCTN	TOPO	OTHER	ADJ1	ADJ2	ADJ3	ADJ4	MKT VALUE
154213	RIVER/DIRECT ACCESS	100	163	1.00-LT	748000.00	R2				SZ5				785400

1807 Chatham Ave.  
Mary Swan Lamar  
257 Casson St. NE  
Atlanta, Ga. 30307

1811 Chatham  
William W. Sprague  
315 Commercial Dr. STE B-5  
Sav. 31406

**DAVIS ENGINEERING**

PO Box 1663 Tybee Island, Georgia 31328  
Tel. (912) 695-7262 dkdbus@gmail.com

July 18, 2018

George Shaw, Director of Community Development  
City of Tybee Island  
P.O. Box 2749  
Tybee Island, GA 31328 Phone (912) 786-4573 Fax: (912) 786-9539

RE: Kelly Parker Project on Chatham Ave.

Dear Mr. Shaw:

I have reviewed the revised submittal from Mark Boswell, PE. My review is limited to drainage issues and land disturbing activities. I have not attempted to duplicate the work of the Planning Commission or City staff with regard to setbacks, density, zoning, tree protection or subdivision regulation issues.

Within the scope of my design review, to the best of my knowledge and belief, it is my opinion the drainage design complies with the requirements of the Land Development Code of the City of Tybee Island. As the additional lot eliminated a City R.O.W., this project was reviewed to individual lot standards. Any recommendations do not relieve the project of the requirement to obtain any other required permits, approvals, etc... by the GA D.O.T. or other governmental body or authority having jurisdiction over any portion of this project.

Please contact me if you have any questions on this matter

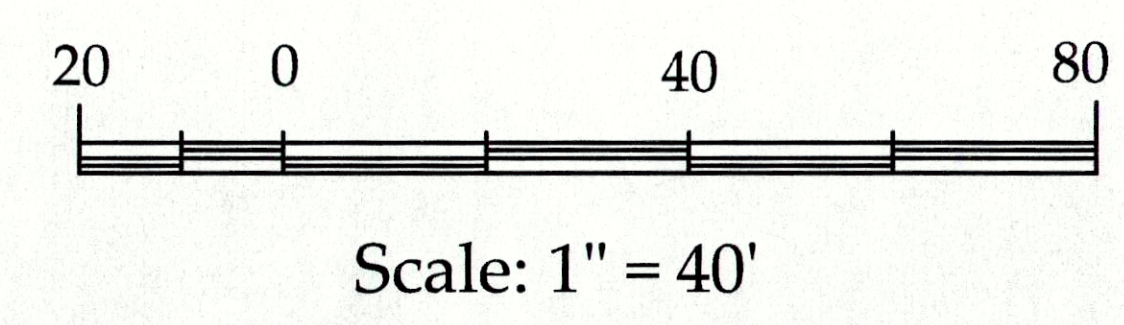
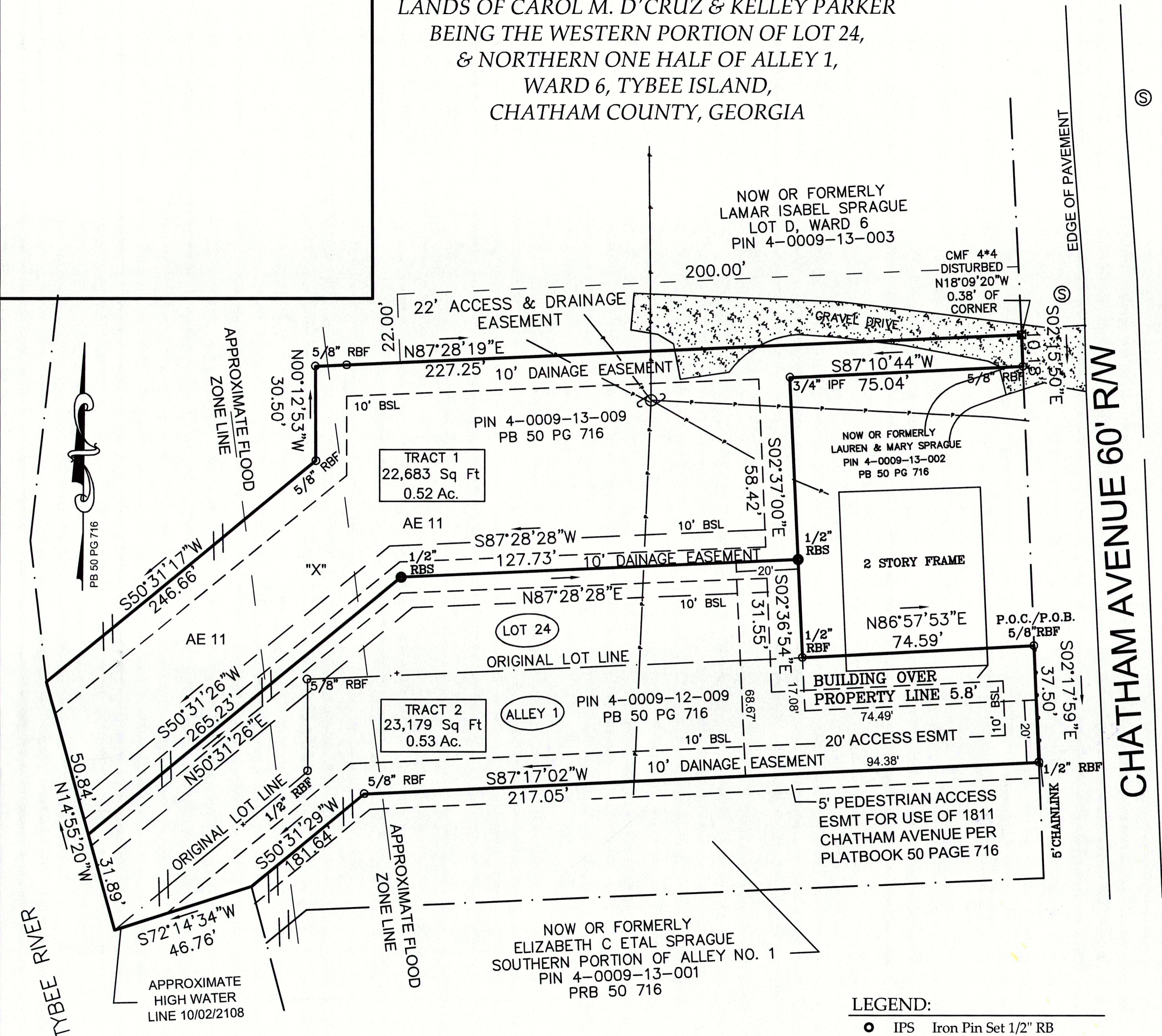
Sincerely,



Downer K. Davis, Jr., P.E.

21803308

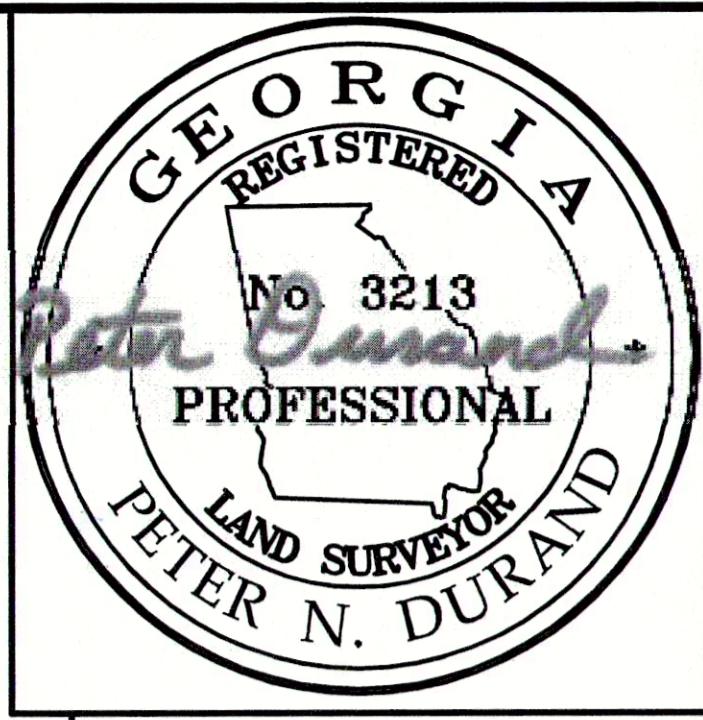
**MINOR SUBDIVISION**  
**LANDS OF CAROL M. D'CRUZ & KELLEY PARKER**  
**BEING THE WESTERN PORTION OF LOT 24,**  
**& NORTHERN ONE HALF OF ALLEY 1,**  
**WARD 6, TYBEE ISLAND,**  
**CHATHAM COUNTY, GEORGIA**



- LEGEND:**
- IPS Iron Pin Set 1/2" RB
  - IPF Iron Pin Found
  - CMF Conc. Mon. Found
  - CMS Conc. Mon. Set
  - ⊙ SSMH Sewer Manhole
  - ≡ GI Grate Inlet
  - ⊕ PP Power Pole

**SURVEYORS CERTIFICATE:**

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by applicable local jurisdictions for recording as evidenced by approval signature heron. Such approval should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulations for Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Peter Durand 10/24/2018  
 Peter Durand, GA RLS 3213

APPROVED BY THE TYBEE ISLAND ZONING MANAGER

ZONING MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY THE TYBEE ISLAND MAYOR AND COUNCIL

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

ALL STREETS, RIGHTS OF WAY, EASEMENTS AND ANY SITES FOR PUBLIC USE AS NOTED ON THIS PLAT ARE HEREBY DEDICATED FOR THE USE INTENDED.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

**Notes:**

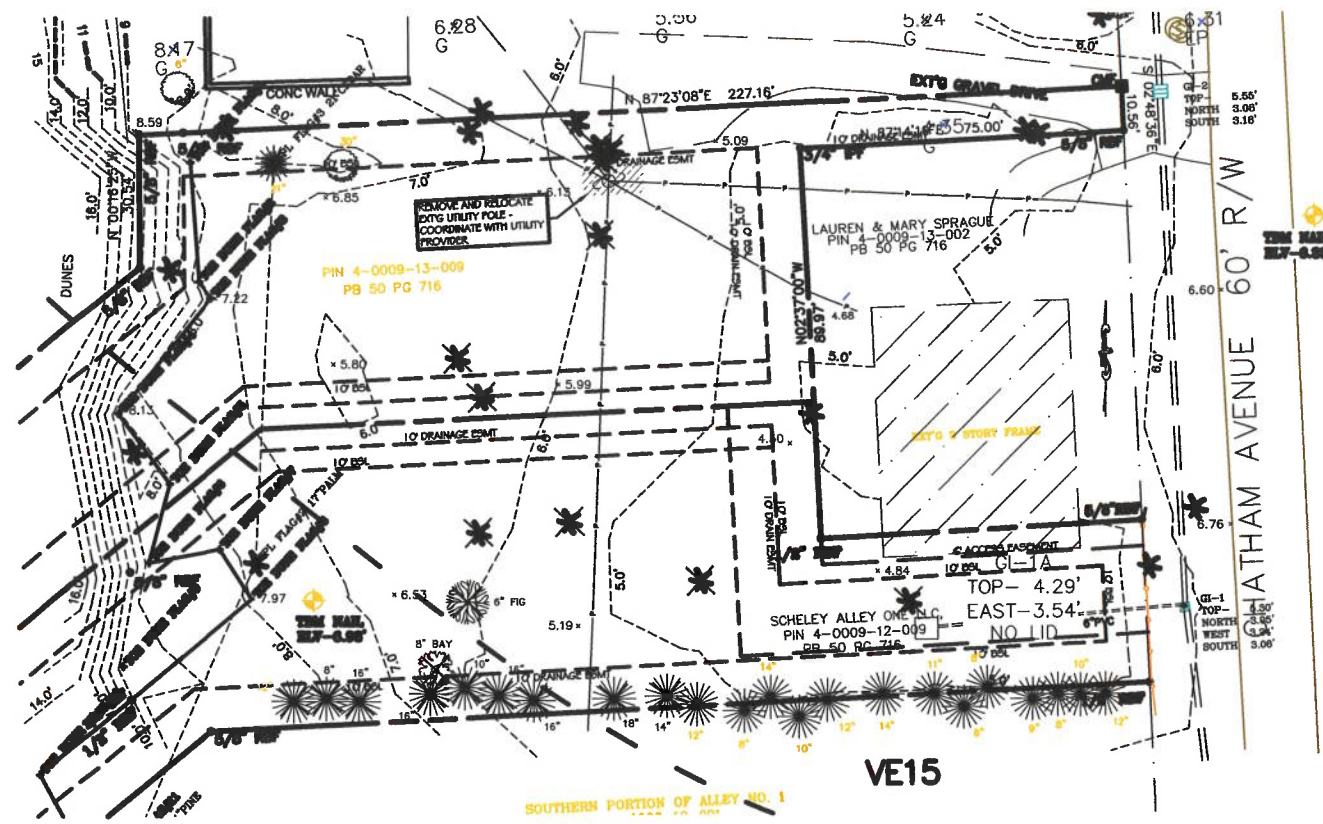
- 1)References: Obtained from Clerk of Courts Chatham County. Deed Books: 377Y PG 761-762 & 176K PG 710-711 Plat Books: 50 PG 716
- 2) Record North and All Bearings Shown Reflect Plat Book 50 PG 716 by James M. Keaton RLS 2743 dated 11/09/2016 for Courtney S. Flexon, ET AL.
- 3) Radial Survey with Redundant Measurements having a positional tolerance of 0.04'
- 4) Referring to FIRM Map 13051C0326G Dated 08/16/2018 a portion of this property lies within Flood Zone "AE" and is in a Flood Hazard Area. Flood Zone Line shown was scaled in and is Approximate Only.
- 5) Minor Subdivision of existing parcels being Tax Parcel ID No. 4-00009-13-009 & 4-00009-12-009.
- 6) This survey was performed without the benefit of a complete and thorough Title Abstract.

Durand Land Surveying  
 184 Apache Road  
 Brunswick, GA 31525  
 (912) 399-2720  
 peterdurand@bellsouth.net  
 durandlandsurveying.com

Survey for:  
**KELLEY PARKER**  
**& CAROL M. D'CRUZ**

Survey of:  
 TRACT 1- 0.52 ACRES &  
 TRACT 2- 0.53 ACRES BEING;  
 THE WESTERN PORTION  
 OF LOT 24 & NORTHERN  
 ONE HALF OF ALLEY 1,  
 WARD 6, TYBEE ISLAND,  
 CHATHAM COUNTY, GEORGIA

Started Survey: 10/02/18  
 Completed Survey: 10/02/18  
 EOC: 1' in N/A  
 Angle Error: 05"  
 Adj.: SEE NOTES: 3)  
 Plat Date: 10/24/18  
 Plat EOC: 1 in 132,564  
 Eqpt: Geodimeter 610  
 Field Book: 028 Page: 74  
 Job#: 17-096



**EXISTING SITE AND DEMOLITION PLAN**  
1" = 20'

NEW	EXISTING	DESCRIPTION
[Symbol]	[Symbol]	BUILDING
[Symbol]	[Symbol]	RESURFACE ASPHALT PAVEMENT
[Symbol]	[Symbol]	ASPHALT PAVEMENT TYPE I
[Symbol]	[Symbol]	ASPHALT PAVEMENT TYPE II
[Symbol]	[Symbol]	CONCRETE PAVEMENT
[Symbol]	[Symbol]	CONCRETE SIDEWALK
[Symbol]	[Symbol]	STORM DRAIN LINE
[Symbol]	[Symbol]	SANITARY SEWER LINE
[Symbol]	[Symbol]	WATER LINE
[Symbol]	[Symbol]	SANITARY SEWER MANHOLE
[Symbol]	[Symbol]	GAS VALVE
[Symbol]	[Symbol]	WATER VALVE
[Symbol]	[Symbol]	WATER METER
[Symbol]	[Symbol]	FIRE HYDRANT
[Symbol]	[Symbol]	SIGN
[Symbol]	[Symbol]	FLARED END SECTION
[Symbol]	[Symbol]	SPOT ELEVATION
[Symbol]	[Symbol]	CONTOUR
[Symbol]	[Symbol]	INVERT ELEVATION
[Symbol]	[Symbol]	CHAIN LINK FENCE
[Symbol]	[Symbol]	DITCH INVERT
[Symbol]	[Symbol]	PROPERTY LINE
[Symbol]	[Symbol]	IRON PIN FOUND

TW 16.63	TOP OF WALK
TP 14.66	TOP OF PAVEMENT
FG 16.1	FINISHED GRADE
TS 16.10	TOP OF STONE
TG 16.10	TOP OF GUTTER
TC 16.10	TOP OF CURB

**SPECIAL AE AND VE ZONE NOTES:**

- BUILDINGS IN 'AE' ZONES ARE TO HAVE THE FINISHED FLOOR SET A MINIMUM OF 1' ABOVE FLOOD.
- BUILDINGS IN 'VE' ZONES ARE TO HAVE THE LOWEST HORIZONTAL STRUCTURAL MEMBER SET A MINIMUM OF 1' ABOVE FLOOD.
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- FLOOD VENTS ARE REQUIRED IN 'AE' ZONES AND ARE TO HAVE 1 SQUARE INCH / SQUARE FOOT OF FLOOR PLAN AREA WITH A MINIMUM ROUND OPENING OF 3". A MINIMUM OF 2 OPENINGS WITH ALL OPENINGS EVENLY SPACED AROUND PERIMETER. BOTTOM OF OPENING SHALL BE 12" OR LESS ABOVE ADJACENT GRADE.
- BREAK AWAY WALLS ARE REQUIRED IN 'VE' ZONES.
- COORDINATE SITE WORK AND FINISHED FLOOR ELEVATIONS WITH ARCHITECTURAL PLANS TO MAKE SURE BUILDING ELEVATIONS ARE SET AS PER CODE.

**NOTES:**

- CONTRACTOR IS TO COORDINATE ALL GAS, LIGHTING, ELECTRICAL, PHONE, CABLE AND ANY OTHER REQUIRED UTILITIES WITH THE APPROPRIATE UTILITY AGENCIES.
- CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES PRIOR TO COMMENCING OF CONSTRUCTION ACTIVITIES AND FOR AVOIDING CONFLICT WITH SAME. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR.
- CONTRACTOR IS TO COORDINATE ALL DEMOLITION WORK WITH THE OWNER. ALL ITEMS NOT TO BE RELOCATED OR GIVEN TO THE OWNER WILL BECOME THE PROPERTY OF THE CONTRACTOR.
- REMOVE ALL TREES AS NECESSARY FOR PROPOSED CONSTRUCTION.

✕ TREES TO BE REMOVED

**SPECIAL AVERAGE GRADE NOTES:**

- THE AVERAGE GRADE TO BE USED AS A BASE ELEVATION TO SET THE BUILDING HEIGHT IS TO BE OBTAINED FROM THE TYBEE ISLAND PLANNING AND ZONING DEPARTMENT.

**SPECIAL BUILDING SET BACK LINE NOTES:**

- THE BUILDING OUTLINE SHOWN ON THE PLANS IS ASSUMING THE MOST OUTSIDE PART OF THE BUILDING.
- THE MOST OUTSIDE PART OF THE BUILDING INCLUDES ALL SIDING, SHUTTERS, GUTTERS, DOWNSPOUTS, DOWNSPOUT BOOTS, TRIM WORK OF ANY KIND OR TYPE OF COVERING OR AESTHETIC PART OF THE BUILDING.
- CONTRACTOR IS TO COORDINATE BUILDING WITH THE OWNER AND ARCHITECT TO MAKE SURE THAT NO PART OF THE BUILDING, WITH THE EXCEPTION OF THE OVERHANG, PROTRUDES OUTSIDE OF THE BUILDING SET BACK LINE VERTICALLY FROM THE GROUND LINE TO THE BOTTOM OF THE ROOF OVERHANG. GUTTER SYSTEM IS TO BE INCLUDED AS PART OF THE ALLOWED OVERHANG.
- CONSULT THE TYBEE PLANNING AND ZONING DEPARTMENT FOR BUILDING SET BACK LINE REQUIREMENTS IF A GUTTER SYSTEM IS UTILIZED AND FOR DOWNSPOUTS, DOWNSPOUT BOOTS, FIREPLACES, ELEVATOR SHAFTS, ROOF DECKS, STAIRS AND AC COMPRESSORS.
- CONSULT THE TYBEE PLANNING AND ZONING DEPARTMENT FOR BUILDING SET BACK LINE REQUIREMENTS IF A SPREAD FOOTING IS USED.
- CERTIFICATE OF OCCUPANCY WILL NOT BE GRANTED IF ANY PART OF THE BUILDING (INCLUDING SIDING, SHUTTERS, GUTTERS, DOWNSPOUTS, DOWNSPOUT BOOTS, TRIM, WATER TABLE OR ANY AESTHETIC WORK, ETC.) EXTENDS OVER THE BUILDING SET BACK LINE WITHOUT A VARIANCE.

**TRAFFIC AND RIGHT-OF-WAY NOTES:**

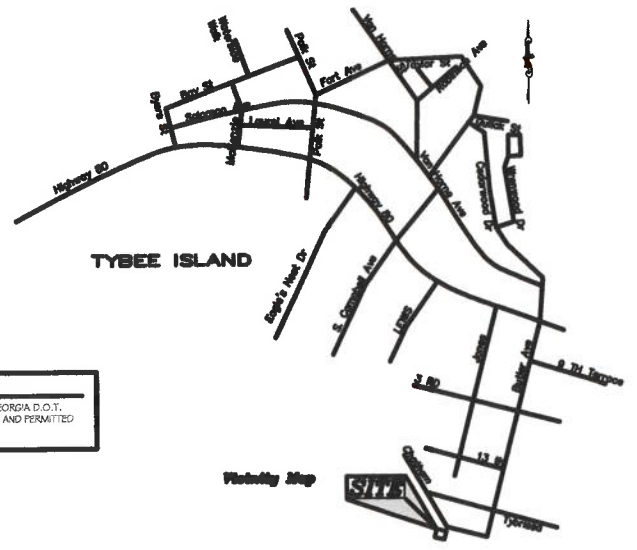
- ALL ROAD CLOSINGS, DETOURS AND ETC. ARE TO BE COORDINATED WITH THE CITY OF TYBEE ISLAND, GEORGIA PERSONNEL.
- ANY AND ALL NECESSARY PERMITS MUST BE OBTAINED FROM THE CITY OF TYBEE ISLAND PRIOR TO COMMENCEMENT OF ANY WORK.
- CONTRACTOR IS TO OBTAIN A R.O.W. PERMIT PRIOR TO PERFORMING ANY WORK WITHIN THE CITY OF TYBEE ISLAND RIGHT-OF-WAY.
- CHLORINATED DISINFECTED WATER SHALL NOT BE DISCHARGED INTO THE STORMWATER SYSTEM.

**GEORGIA D.O.T. NOTES:**

- ANY AND ALL WORK WITHIN ANY GEORGIA D.O.T. RIGHT-OF-WAYS MUST BE APPROVED AND PERMITTED THROUGH THE GEORGIA D.O.T.

**SPECIAL F.F. NOTES:**

- CONTRACTOR TO VERIFY FEMA ELEVATIONS PRIOR TO ANY CONSTRUCTION ACTIVITIES AND COORDINATE WITH GOVERNING AGENCY REQUIREMENTS.
- CONTRACTOR TO COORDINATE FINISH FLOOR ELEVATIONS WITH STRUCTURAL, ARCHITECTURAL AND M.E.P. PLANS.



**Project Information:**

P.I.N.: 4-0009-13-009  
 ADDRESS: 1809 CHATHAM AVE  
 TYBEE ISLAND, GEORGIA 31328

ZONING: R-2  
 SITE SIZE: 0.56 ACRES  
 ESTIMATED DISTURBED AREA: 0.42 ACRES

OWNER: KELLY PARKER  
 OWNER ADDRESS: 120 EAST GASTON STREET  
 SAVANNAH, GEORGIA 31401  
 PHONE: 912-544-5703

**FEMA MAP NOTES:**

- THIS DEVELOPMENT IS WITHIN FLOOD ZONE 'VE-15 AND VE-16' ACCORDING TO F.I.R.M. COMMUNITY PANEL NUMBER 13051 G0326F, MAP REVISED SEPTEMBER 26, 2008 (84 DATUM).
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**Survey Information:**

Survey: Durand Surveying  
 Date of Survey: December, 2017  
 Datum: NAVD 1988



**SPECIAL CONSTRUCTION NOTE:**

IF THE CONTRACTOR KNOWS OR CAN REASONABLY BE EXPECTED TO HAVE KNOWN OF AN ERROR, DISCREPANCY OR CONFLICT IN THE PLANS, SPECIFICATIONS OR CONSTRUCTION STAKING AND FAILS TO REPORT THE PROBLEM PRIOR TO CONSTRUCTION, HE SHALL NOT BE ENTITLED TO COMPENSATION FOR ANY WORK OR EXPENSE INCURRED BY HIM FOR WORK REQUIRED TO BE RE-CONSTRUCTED BECAUSE OF SAID ERROR, DISCREPANCY OR CONFLICT.

**BOSWELL DESIGN SERVICES, INC.**  
 OFFICE: 4700 EAST HIGHWAY 90 SUITE 1  
 MAILING: 103 NASSAU DRIVE  
 SAVANNAH, GEORGIA 31410  
 912-897-6932  
 LAH80@BellSouth.net

PROPOSED MINOR SUBDIVISION  
 CHATHAM AVENUE  
 TYBEE ISLAND, GEORGIA 31328  
 KELLY PARKER  
 SAVANNAH, GEORGIA

EXISTING SITE AND DEMOLITION PLAN

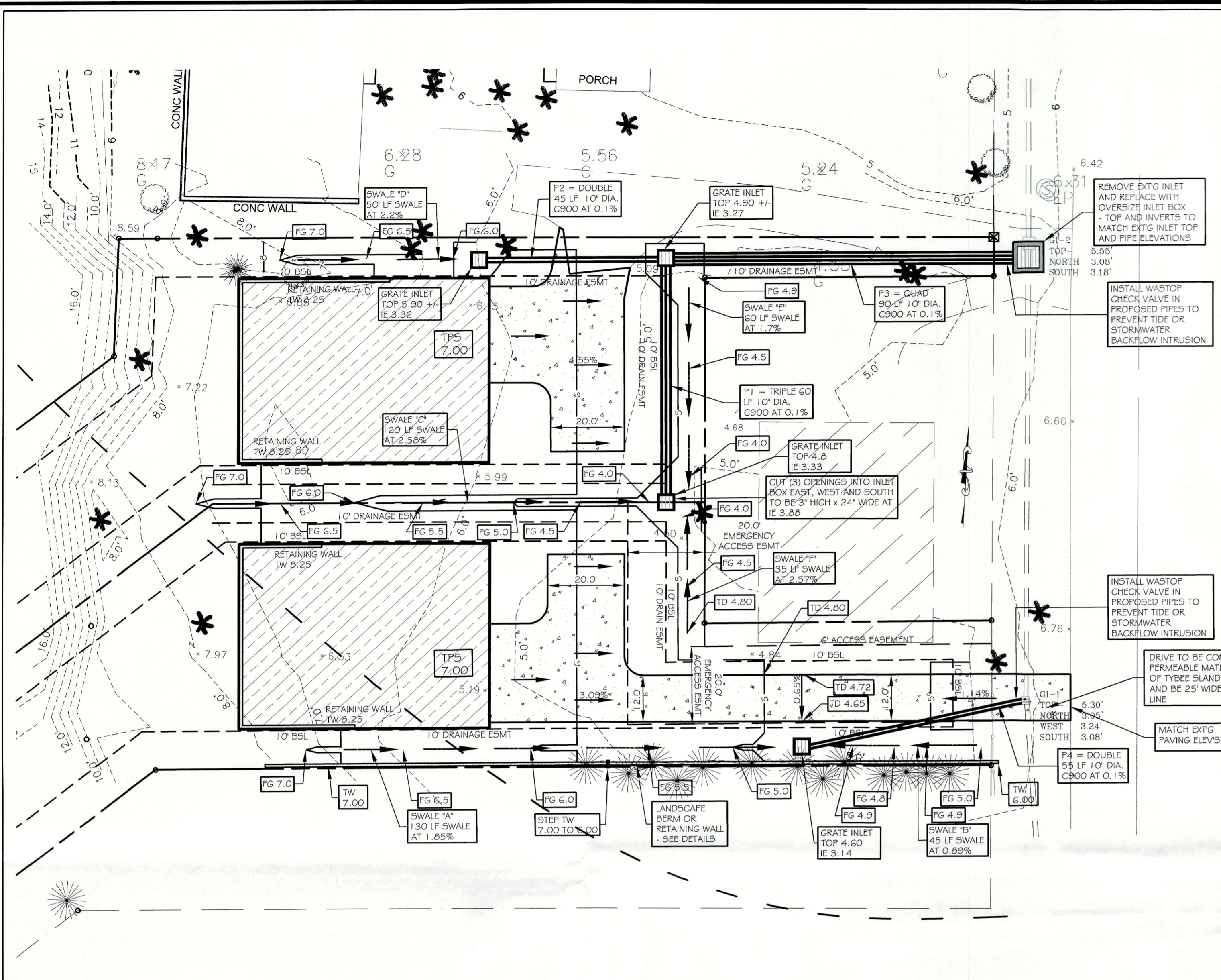
DATE: July 23, 2018  
 JOB NO. ---  
 SCALE: as shown

UTILITIES PROTECTION CENTER  
 1-800-536-7411

GEORGIA REGISTERED PROFESSIONAL ENGINEER  
 No. 2872  
 7-23-18  
 MARK A. BOSWELL

DRAWING NUMBER  
**C-1**

1 OF 6 SHEETS



**PROPOSED SITE PLAN**  
1" = 20'

**RESIDENCE SIZE NOTE :**  
1. THE RESIDENTIAL BUILDING SIZES HAVE BEEN ASSUMED FOR THE SAKE OF THE MINOR SUBDIVISION DESIGNS.

**SPECIAL BUILDING SET BACK LINE NOTES :**

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ITEM	EXISTING	PROPOSED
TOPO	12.4	FG 12.3
CONTOURS		12
DRAINAGE FLOW ARROWS		
TOP OF PARKING SLAB		TPS 12.30

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  - REMOVE ALL UNDERGROUND UTILITIES NOT TO BE UTILIZED. DO NOT ABANDON UTILITIES IN PLACE.
  - REMOVE ALL TREES AS NECESSARY FOR PROPOSED CONSTRUCTION.
  - PREVENT DAMAGE TO EXISTING TREES WHERE POSSIBLE.
- X TREES TO BE REMOVED.

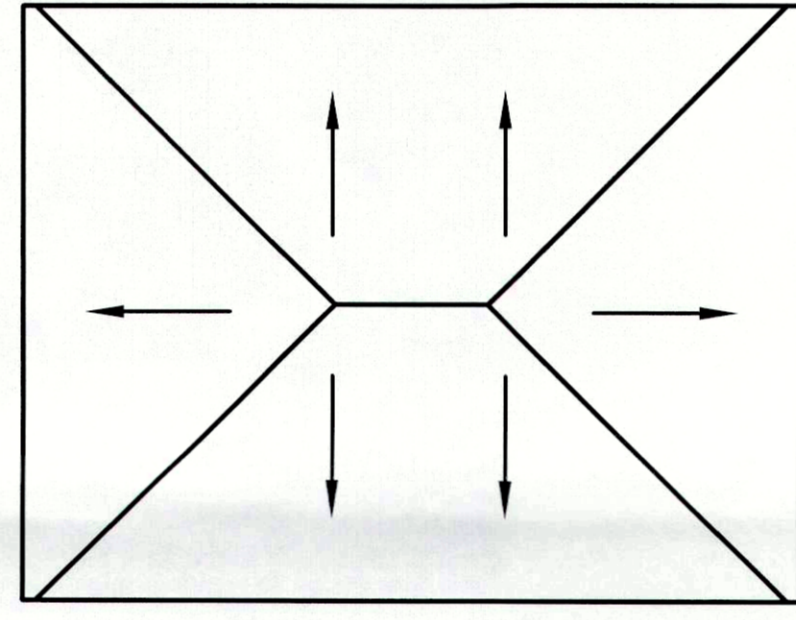
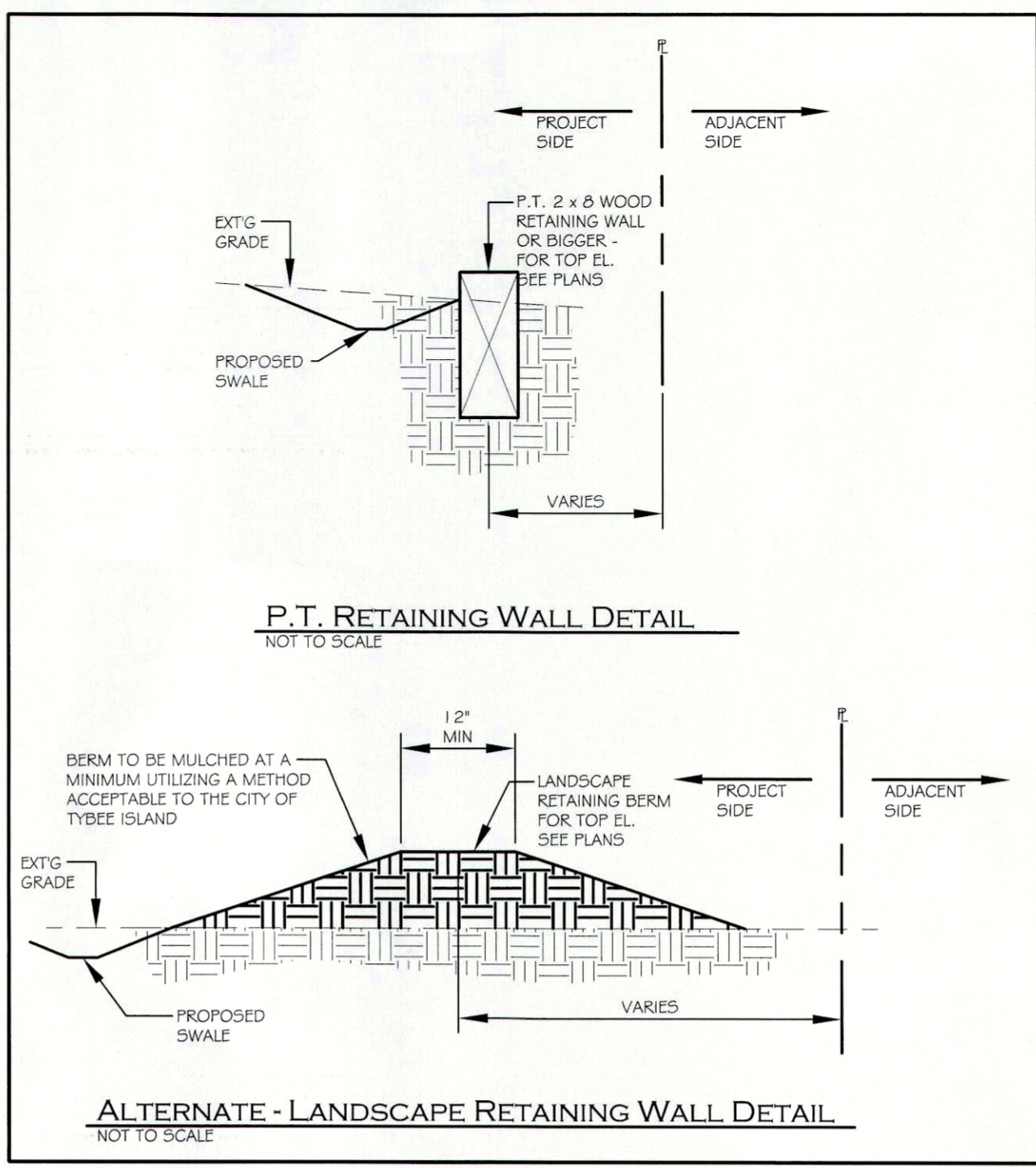
**GENERAL BUILDING INFORMATION NOTES:**

- PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE SET AS PER FEMA FLOOD STUDY MAPS AND AS PER THE CITY OF TYBEE ISLAND, GEORGIA ORDINANCES.
- PROPOSED BUILDINGS ARE TO BE SUPPORTED ON PIERS OR FOUNDATIONS WHICH WILL SATISFY FEMA ELEVATION AND FEMA ZONE REQUIREMENTS AS WELL AS TYBEE ISLAND REQUIREMENTS.

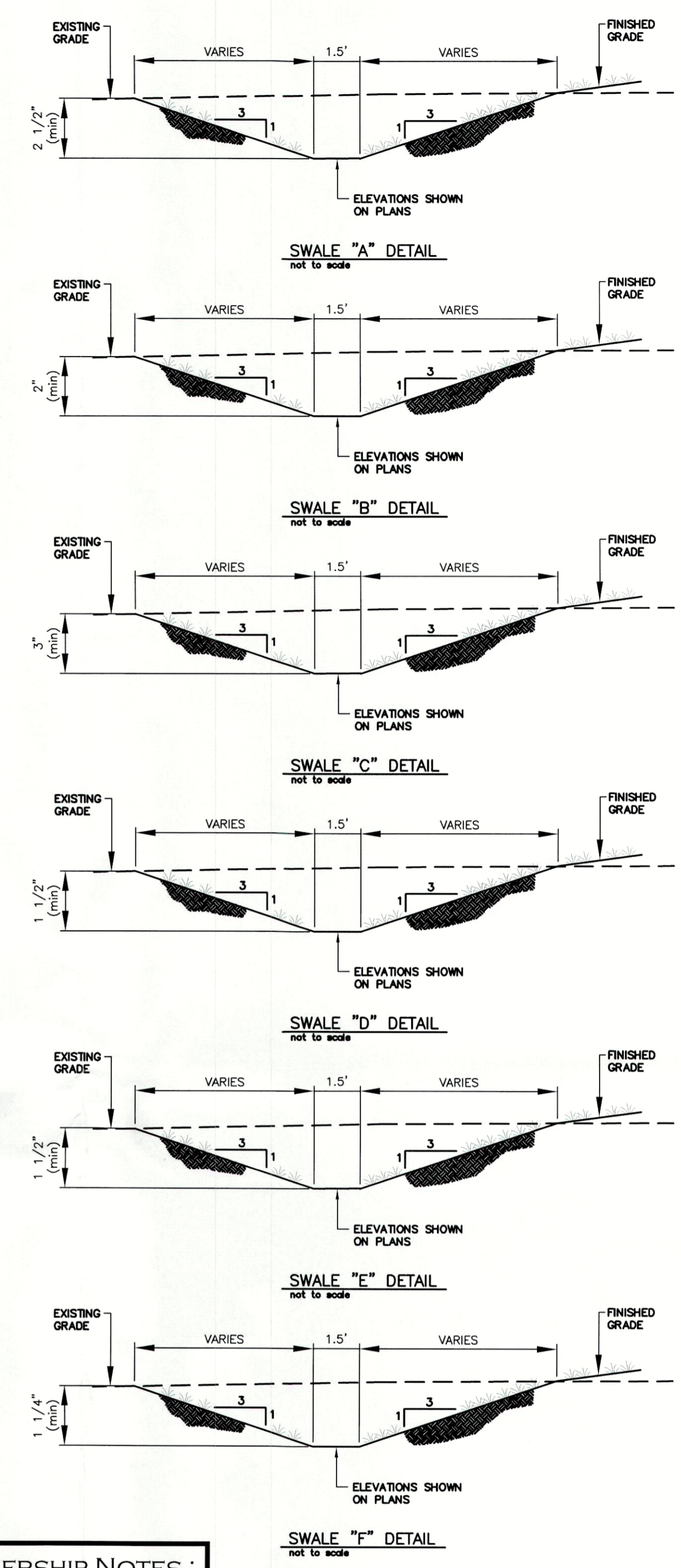
**EASEMENT NOTES:**

- THE OWNER, ENGINEER AND SURVEYOR ARE TO COORDINATE ALL EASEMENTS PRIOR TO FINAL PLAT APPROVAL AND RECORDING.
- ALL DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED.

**Special Pre-Construction Note :**  
Contractor to verify all existing and proposed structure locations (drainage, sanitary, etc.), tops and depths prior to ordering materials or beginning construction.



**ROOF PLAN**



**MAINTENANCE AND OWNERSHIP NOTES :**

- THE NEW STORM DRAIN LINES SERVING THIS MINOR SUBDIVISION WILL BE OWNED AND MAINTAINED FROM THE NEW INLETS ON THE PROPERTIES TO THE EXISTING INLETS IN THE CHATHAM AVENUE RIGHT OF WAY.

**TRAFFIC AND RIGHT-OF-WAY NOTES:**

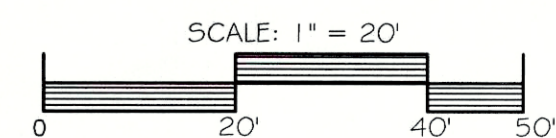
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- CONTRACTOR IS TO VERIFY FEMA ELEVATIONS PRIOR TO ANY CONSTRUCTION ACTIVITIES.

**Survey Information :**  
Survey : Durand Surveying  
Date of Survey : December, 2017  
Datum : NAVD 1988

**SPECIAL CONSTRUCTION NOTE:**  
IF THE CONTRACTOR KNOWS OR CAN REASONABLY BE EXPECTED TO HAVE KNOWN OF AN ERROR, DISCREPANCY OR CONFLICT IN THE PLANS, SPECIFICATIONS OR CONSTRUCTION STAKING AND FAILS TO REPORT THE PROBLEM PRIOR TO CONSTRUCTION, HE SHALL NOT BE ENTITLED TO COMPENSATION FOR ANY WORK OR EXPENSE INCURRED BY HIM FOR WORK REQUIRED TO BE RE-CONSTRUCTED BECAUSE OF SAID ERROR, DISCREPANCY OR CONFLICT.



**BOSWELL DESIGN SERVICES, INC.**  
OFFICE: 4700 EAST HIGHWAY 80 SUITE 1  
MAILING: 103 NASSAU DRIVE  
SAVANNAH, GEORGIA 31410  
912-897-6932  
LAHBOS@bellsouth.net

PROPOSED MINOR SUBDIVISION  
CHATHAM AVENUE  
TYBEE ISLAND, GEORGIA 31328  
FOR  
KELLY PARKER  
SAVANNAH, GEORGIA

PROPOSED SITE PLAN

CONTACT A MEMBER OF THE TYBEE ISLAND UTILITIES PROTECTION CENTER  
1-800-282-7411

GEORGIA REGISTERED PROFESSIONAL ENGINEER  
No. 28372  
7-23-18  
MARK A. BOSWELL

DRAWING NUMBER  
**C-2**  
2 OF 6 SHEETS



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: separating one lot to make two single-family lots - 1809 Chatham Avenue – Zone R-2 - 4-0009-13-009 – Kelley B. Parker.

Action Requested: Minor Subdivision

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

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

The Planning Commission Motion on Petition:     Approval     Denial     Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
Bishop			Chair
Bossick	X		Vice Chair
Robertson	X		SECOND
Gann	X		
Bramble	X		
Matlock	X		
McNaughton	X		MOTION-with exception of determining whether there are wetlands on property.

Planning Commission Chair:

Date:

1/2/19

Planning & Zoning Manager:

Date:

12-28-2018



**Backup material for agenda item:**

14. Site plan approval consideration of a new Restaurant-1601 Inlet Ave. Zone CI/SE 4-0008-17-003 Joshua Navon



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Site Plan approval

Explanation: consideration of a new restaurant – 1601 Inlet Avenue – Zone C-I/SE – 4-0008-17-003 – Joshua Navon.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
  - **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 [www.cityoftybee.org](http://www.cityoftybee.org)**





# STAFF REPORT

PLANNING COMMISSION MEETING: December 17, 2018

CITY COUNCIL MEETING: January 10, 2019

LOCATION: 1601 Inlet Ave.

PARCEL: 4-0008-17-003

APPLICANT: Joshua Navon

OWNER: Joshua Navon

EXISTING USE: Vacant/formerly retail

PROPOSED USE: Restaurant

ZONING: C1/SE

PROPOSED ZONING: C-1/SE

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: The Strand/Historic Downtown District

APPLICATION: Site plan review

PROPOSAL: The applicant requests site plan approval to convert the building into a restaurant and add a roof deck.

ANALYSIS: The use is allowed by right. The drainage will not improve but will not get worse. There currently is little to no green space on the parcel and none is proposed. The applicant is allowed to add up to 2000 sq. ft. without having to add parking but the removal of the existing parking and loading zone behind the building is not helpful.

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
3.	Encourage mixed uses to provide for the daily needs of residents and tourists.	N
4.	Commercial uses should be low intensity and consistent with the existing character.	N
5.	Encourage development/redevelopment of existing vacant properties and underutilized structures	Y
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
8.	Preserve/retain buildings that can house small businesses.	Y

#### STAFF FINDING

The use is allowed in this district. Any loss of parking in this district is difficult. Most service employees live off island and some struggle to find parking during busy times. No effort is made to improve the stormwater runoff from the site and no effort is made to add greenspace. Other than aesthetics staff sees no improvement to the site. Staff recommends denial of the site plan as currently proposed.

*This Staff Report was prepared by George Shaw.*

#### ATTACHMENTS

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



CITY OF TYBEE ISLAND
SITE PLAN APPROVAL APPLICATION

Fee
Commercial \$500
Residential \$250

Applicant's Name Joshua Navon

Address and location of subject property 1601 Inlet Ave

PIN Applicant's Telephone Number 805-746-4754

Applicant's Mailing Address PO Box 276 Tybee Island, GA 31328

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

Restaurant

Property Owner's Name Joshua Navon Telephone Number 805-746-4754

Property Owner's Address 6 White Oak Lane Tybee Island, GA 31328

Is Applicant the Property Owner? Yes No

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

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

Current Zoning of Property C-1/SE Current Use

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

Date 11-20-18

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

Fee Amount \$ 500.00 Check Number 11208 Date 10/29/18

City Official

John Weatherly
695-9754

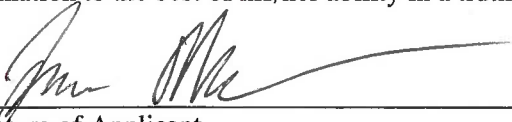
NOTE: This application must be accompanied by following information:

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

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

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

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

  
\_\_\_\_\_  
Signature of Applicant

11 22 18  
\_\_\_\_\_  
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 Joshua Navon

Printed Name Joshua Navon

Date 10-29-18

**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)



## Lisa Schaaf

---

**From:** Downer Davis <dkdbus@gmail.com>  
**Sent:** Thursday, November 29, 2018 1:07 PM  
**To:** George Shaw  
**Cc:** Lisa Schaaf  
**Subject:** Re: 1601 Inlet Ave.-New restaurant  
**Attachments:** image001.jpg

George,

I've reviewed C1.2 with the unsigned engineer's seal, C1.1 Existing Conditions, and the drainage letter from the Engineer. I offer the following comments:

I recognize that the City routinely looks for the signed seal of the design professional(s) for permitting.

- 1) If the site is being developed with 2 levels of deck, has required parking, including HCP'd parking in required proximity to the site been determined and verified?
- 2) With two levels of wood decking, the fire flow demand or fire sprinkler would be addressed in the building plans. Please advise if you need my additional assistance with this item.
- 3) As this project's water and sanitary sewer does not include any mains, please advise of any review you wish from me in that area.
- 4) I didn't observe any activities that would be classified as "land disturbance". Thus, I was not provided with any E&S Plans nor am I requesting any.
- 5) To the point of drainage:
  - If the wood decking is spaced with the normal 1/8th" gap between decking there should be no change in the existing runoff pattern. However, if it's two story decking, I don't believe health related regulations will allow the 2nd level floor to have gaps over the food and beverage consumption area in the first level of the decking. So, if the 2nd level is water tight, the ponding issue would dictate a roof over the decking unless the deck is sloped. If the deck is sloped, it would need to match the slopes of the existing impervious surface. If there's a roof over the 2nd level of decking, the manner in which it sheds runoff could negatively affect neighboring properties, unless controlled discharge is provided. Using gutters and downspouts would need to consider the effect of higher concentrated point discharge.
  - I've attached a snip from SAGIS showing the much lower properties west of Lovell Ave.
- 6) I accept the Engineer's statement that runoff will not be increased from this project. My only drainage concern is how they can confirm that existing drainage patterns will be maintained to not adversely affect nearby properties.

Please advise if you have any questions.

1601 Inlet, LLC  
P.O. Box 2497  
Tybee Island, GA 31328  
(912) 786-9590

October 30, 2018

City of Tybee  
Planning & Zoning  
P.O. Box 2749  
Tybee Island, GA 31328

Re: Letter of Authorization  
Property: 1601 Inlet Avenue, Tybee Island, Ga  
Owner: 1601 Inlet, LLC  
Buyer: JNRHSN, LLC, Josh Navon, Member

Attn: Ms. Lisa Schaaf

Dear Ms. Schaaf:


As property owner for the above captioned, I hereby grant permission to the applicant, Josh Navon, to apply for permits and plans to modify the property in preparation for the sale of the property.

No work will be performed prior to the closing.

The anticipated closing date is November 30, 2018.

Thank you.

Sincerely,

  
\_\_\_\_\_  
1601 Inlet, LLC  
Ronen Navon – Member

**10/30/18**

\_\_\_\_\_  
Date:



10 Chatham Center South Dr., Suite 100  
Savannah, GA 31405  
Phone: (912) 232-6533  
Fax: (912) 233-4580  
www.emc-eng.com

November 19, 2018

City of Tybee Island, Georgia  
Planning and Zoning Department  
403 Butler Avenue  
Tybee Island, Georgia 31328  
Attn: Mr. George Shaw, Manager

Subject: Tybee Restaurant Project  
1601 Inlet Avenue, Tybee Island

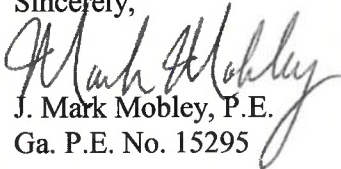
Dear Mr. Shaw:

The subject project is the redevelopment of the old Tybee Post Office into a restaurant with significant open air deck. The existing building will be renovated and expanded to include two levels with wood decking and ramps. The existing site coverage consists of the 2200 SF building and approximately 5000 SF of asphalt and concrete pavement and sidewalk. The site drainage pattern consists of sheet flow to the back of the property and down to inlets located at the intersection of Tybrisa Street and 2<sup>nd</sup> Avenue. See the attached property survey showing the building locations and elevations.

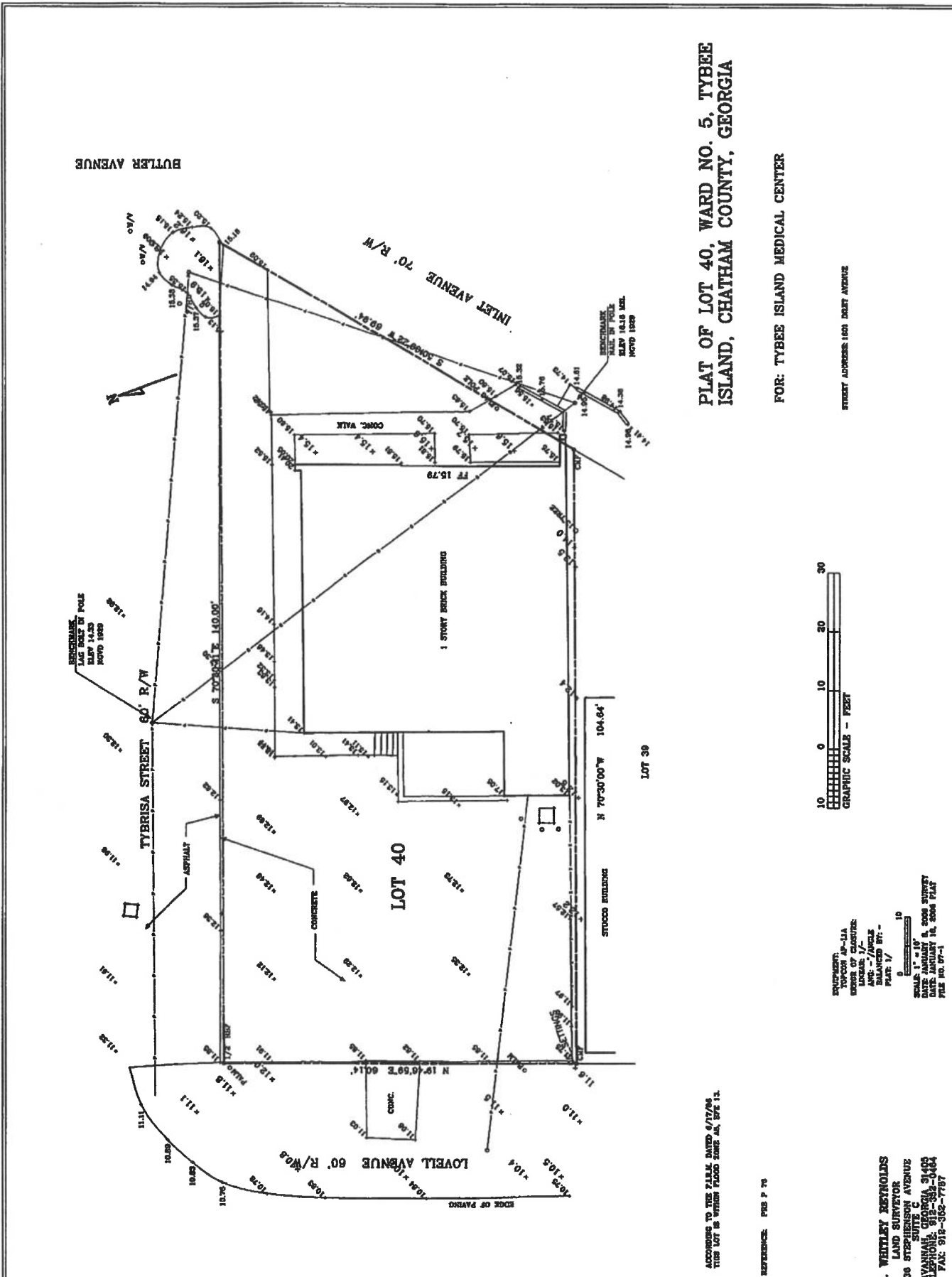
The proposed site coverage will include approximately 4000 SF of wood decking over much of the existing pavement. No significant site modifications and no additional imperious areas are being proposed with the new development. As such, the post-development stormwater flowrates will not exceed the pre-development rates, as is required by the City's development ordinances.

Please let me know if you have any questions or require any further information.

Sincerely,

  
J. Mark Mobley, P.E.  
Ga. P.E. No. 15295





PLAT OF LOT 40, WARD NO. 5, TYBEE ISLAND, CHATHAM COUNTY, GEORGIA

FOR: TYBEE ISLAND MEDICAL CENTER

STREET ADDRESS 1601 INLET AVENUE



EQUIPMENT: TOPCON SP-11A  
 DATE OF OBSERVATION: 6/17/96  
 NAME OF SURVEYOR: J. WENTLEY REYNOLDS  
 AREA: 1.77 ACRES  
 BALANCED BY: J. WENTLEY REYNOLDS  
 PLAT: 1/19  
 SCALE: 1" = 10'  
 DATE: JANUARY 8, 2008 SURVEY  
 DATE: JANUARY 14, 2008 PLAT  
 FILE NO. 97-1

ACCORDING TO THE PLAT DATED 6/17/96 THIS LOT IS WITHIN FLOOD HAZARD ZONE 1A.

REFERENCE: PAGES 7 & 8

J. WENTLEY REYNOLDS  
 LAND SURVEYOR  
 638 STEPHENSON AVENUE  
 SUITE C  
 SAVANNAH, GEORGIA 31405  
 TELEPHONE: 912-383-0464  
 FAX: 912-383-7187

**2018 Chatham County Board of Assessors**

**4-0008-17-003**

**Property Record Card**

**1601 INLET AVE TYBEE ISLAND**

APPRaiser	JNBELL	LOT 40 WARD 5 SAVANNAH BEACH TYBEE ISLAND	1601 INLET LLC	CAMA	ASMT		
LAST INSP	07/12/2016		PO BOX 2497	710,800	710,800	LAND	1
APPR ZONE	000008		TYBEE ISLAND GA 31328	47,000	47,000	BLDG	1
				3,600	3,600	OBXF	3
				761,400	761,400	Cost - MS	

SALES	BOOK / PAGE	INS VI QU RSN	PRICE
17 May 2017	1080 67	WD I U UR	644,525
GRANTOR:CHRISTIAN BRENDA SUE ETAL* GRANTEE:1601 INLET LLC			
01 Mar 2017	1023 734	WD I U TF	640,452
GRANTOR:BREWER CHARLES R & SANDRA C* GRANTEE:CHRISTIAN BRENDA SUE ETAL*			
26 Feb 2014	394S 765	WD I U UF	726,500
GRANTOR:CHRISTIAN BRENDA SUE ETAL* GRANTEE:BREWER CHARLES R & SANDRA C*			
07 Jul 2009	353T 348	NA I U FC	515,001
GRANTOR:CHRISTIAN BRENDA SUE GRANTEE:CHRISTIAN BRENDA SUE ETAL*			
01 Jul 2008	342Y 0203	NA I U FC	150,000
GRANTOR:CRAWFORD ZACHARY & REBECC GRANTEE:CHRISTIAN BRENDA SUE			
30 Jun 1993	160W 127	WD I Q QW	120,000
GRANTOR:MEADOWS INCORPORATED GRANTEE:OSHAUGHNESSY C OWEN			



[Click for larger picture]



CODES		
PROPERTY USE	0002	COMMERCIAL
UTA	0004	Tybee Island
NBHD	020500.00	T500 TYBEE TO BULL R
EXEMPTIONS		
COMMCATEG	344	Office Building

HISTORY	LAND	IMPR	TOTAL	
2017	710,800	50,600	761,400	Cama
2016	721,700	49,900	771,600	Cama
2015	721,700	49,500	771,200	Cama
2014	721,700	143,500	865,200	Over
2013	721,700	143,500	865,200	Over
2012	721,700	143,500	865,200	Cama
2012	721,700	143,500	865,200	Over
2011	721,700	143,500	865,200	Cama
2010	721,700	143,500	865,200	Cama
2009	984,000	249,000	1,233,000	Over
2008	984,000	249,000	1,233,000	Cama
2007	984,000	197,500	1,181,500	Cama
2006	984,000	93,500	1,077,500	Cama
2005	656,000	93,500	749,500	Cama
2004	291,500	100,500	392,000	Cama
2003	291,500	100,500	392,000	Cama
2002	86,000	100,500	186,500	Cama
2001	86,000	106,000	192,000	Cama
2000	86,000	106,000	192,000	Cama
1999	61,500	106,000	167,500	Cama
1998	61,500	106,500	168,000	Cama
1997	61,500	106,000	167,500	Cama
1996	49,200	109,700	158,900	Cama
1995	49,200	111,300	160,500	Cama
1994	49,200	52,150	101,350	Over
1993	49,200	52,150	101,350	Over
1992	49,200	52,150	101,350	Over

PERMITS	TYPE	DATE	AMOUNT
140616	EL	29 Oct 2014	Comp 300
11-0074	RF	16 Dec 2011	Comp 1,500
10-0245	PL	23 Nov 2010	Comp 1,000
10-0234	EL	23 Nov 2010	Comp 150
10-0244	EL	23 Nov 2010	Comp 2,400
9400105	RN	21 Apr 1994	Issued 65,000

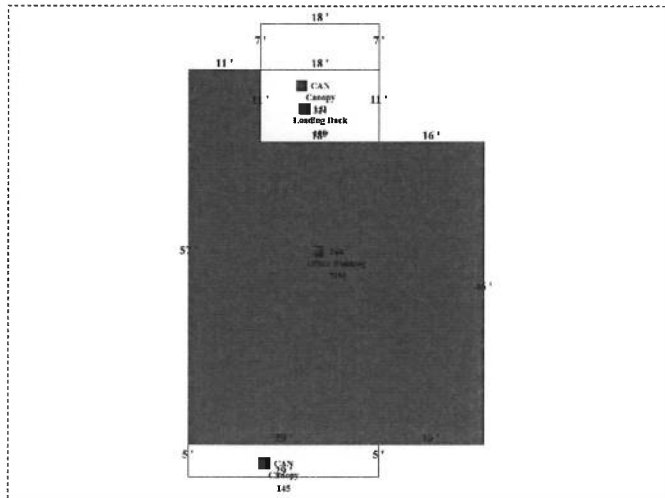
COMMENTS:	
21 Jun 2017	TY18 1023/734T *ETAL: BACHARD INC, RONALD S MCINTOSH
30 Oct 2014	PERMIT #140616. NO VALUE CHANGE
27 May 2014	TY15 394S/765: *SVRSHP
21 Nov 2012	ADD CHG PER USPS 10/20/12
10 Jan 2011	2011- PROPERTY REVIEWED FOR PERMIT ACTIVITY; NVC; LAL
28 Feb 2010	TY2010 RET VAL ENT
18 Dec 2009	TY10 353T/348: *ETAL: BACHARD INC, RONALD S MCINTOSH
23 May 2003	2003, LAND REVIEW
06 Nov 2000	2001,HCC,PROPERTY REVIEWED.
10 Apr 1998	ADD CHG PER TC 4-10-98/AP
28 Feb 1995	1994 CHGE OF ADDRESS PER SALES
28 Feb 1995	INSPECTED BY HCC & AGR 1995. CAMA TURNED ON FOR 1995.
11 Apr 1994	LETTER 4-11-94

EXTRA FEATURES																	
ID#	BLDG #	SYSTEM DESC	DIM 1	DIM 2	UNITS	QL	UNIT PRICE	RCN	AYB	EYB	DT	ECON	FUNC	SP	SP%	RCNLD	MKT VALUE
140196	86252	CAN STY 15 ST AB AVG CANOPY ON FRT & BCK OF BD	0	0	145.00	3	32.00	4,640	1980	1980	40					1,160	1,000
140199	86252	4'CL FENCE PER L F CHAIN LINK FENCE 80'	0	0	80.00	3	9.10	728	1980	1980	20					146	100

**2018 Chatham County Board of Assessors**  
**Property Record Card**

**4-0008-17-003**  
**1601 INLET AVE TYBEE ISLAND**

BUILDING SECTION	CONSTRUCTION TYPE	RCN	AYB	EYB	DEP TYPE	PHYS	ECON	FUNC	OBSV / %	TOTAL DEP %	RCNLD	U.FACTOR	MKT VAL
86252-1-2018	Commercial	234,941	1961		MS	80.00	0.00	0.00	0.00	80.00	46,988		46,988



[Click for larger picture]

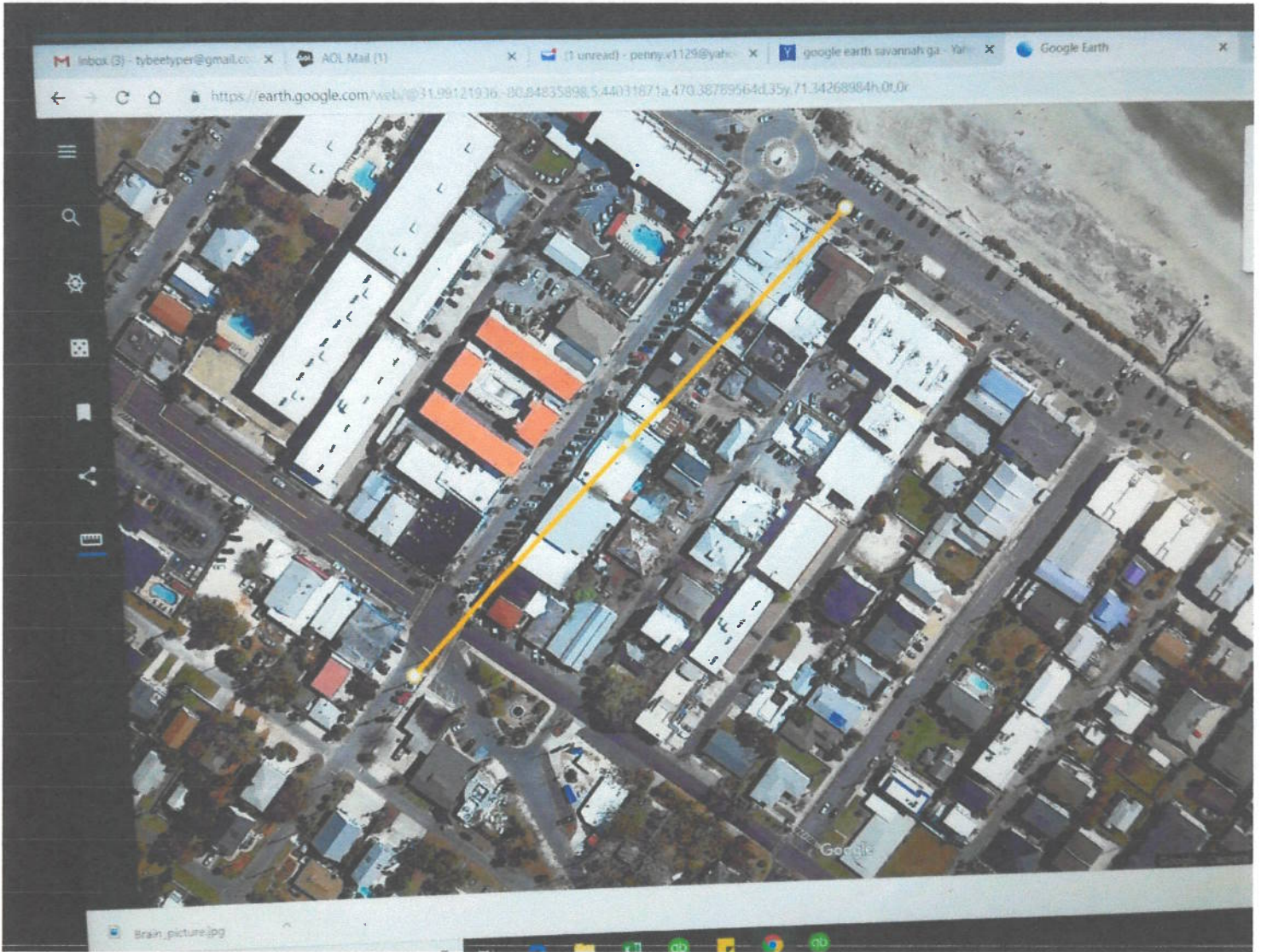
AREA	2191
STORIES	1.0
PERIMETER / SHAPE	204

OCCUPANCIES	AREA	%	CLASS	HEIGHT	QUAL
344 Office Building	2191	100.00	C	10.00	2.00

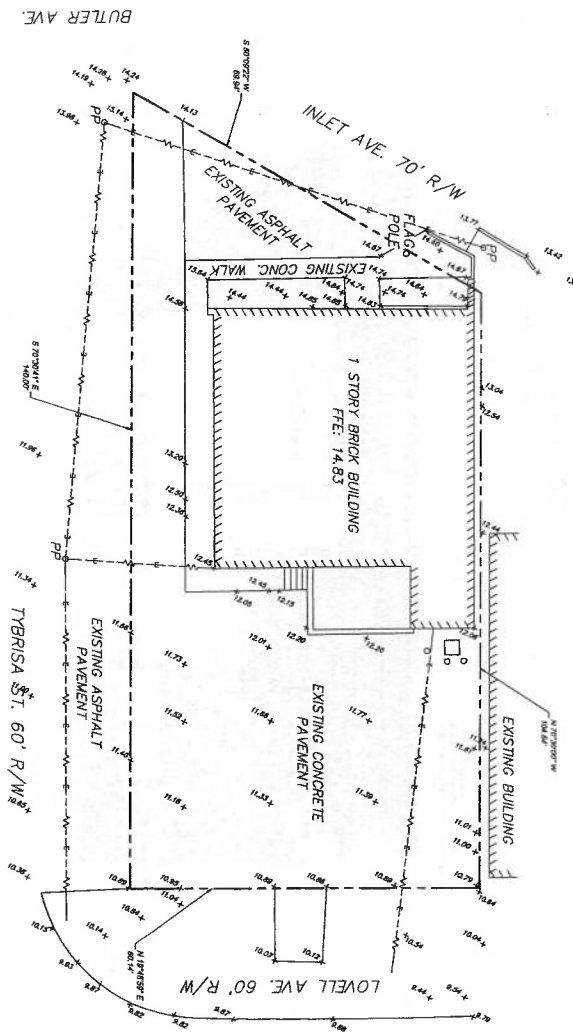
COMPONENTS	Units	%	QUAL
C2 611 Package Unit		100.00	
C1 807 Brick, Solid		100.00	

OFFICE BUILDING " SANDY'S BY THE SHORE" - FORMERLY POST OFF./ THEN CONVERTED TO MEDIC.OFFICE. 1ST BRICK W/ TILE AND GLASS FRONT.PKG A/C.10'WALL HT. WAS 'TYBEE ISLAND MEDICAL CENTER'





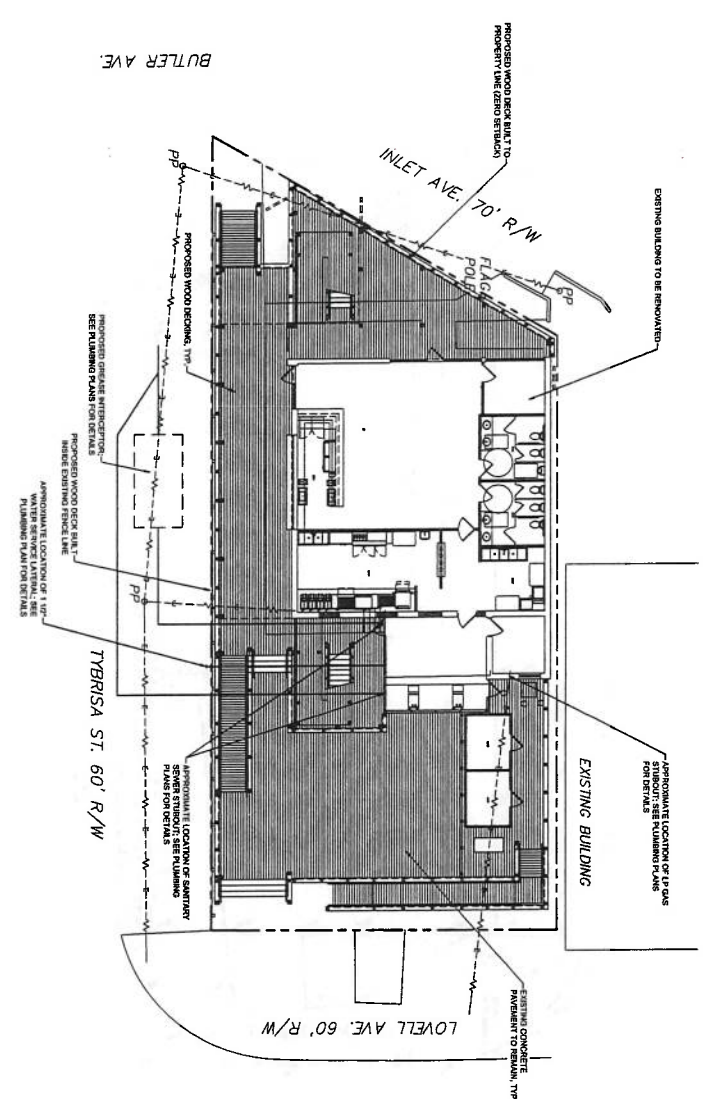




**PLAN**  
SCALE: 1" = 10'

**NOTE**  
1. SURVEY TRACED FROM WHITLEY MENSCHUS PLAN DATED JANUARY 18, 2006.





**PLAN**  
SCALE: 1" = 10'

- NOTE:**
1. SURVEY TRACED FROM WATLEY/HENKUS PLAN DATED JANUARY 14, 2006.
  2. NO LAND DISTURBANCE IS PLANNED WITH THE EXCEPTION OF INSTALLATION OF THE WOOD DECK SUPPORT SYSTEM.
  3. STORMWATER WILL MAINTAIN CURRENT STORMWATER PATTERNS. THERE ARE NO ASSOCIATED WITH THIS PROJECT.

211 SOUTH  
MANNING, GA 31001  
P 702.273.2301  
WWW.GREENPERMITS.COM



# TYBEE RESTAURANT

TYBEE ISLAND, GEORGIA

REVISIONS  
SITE PLAN

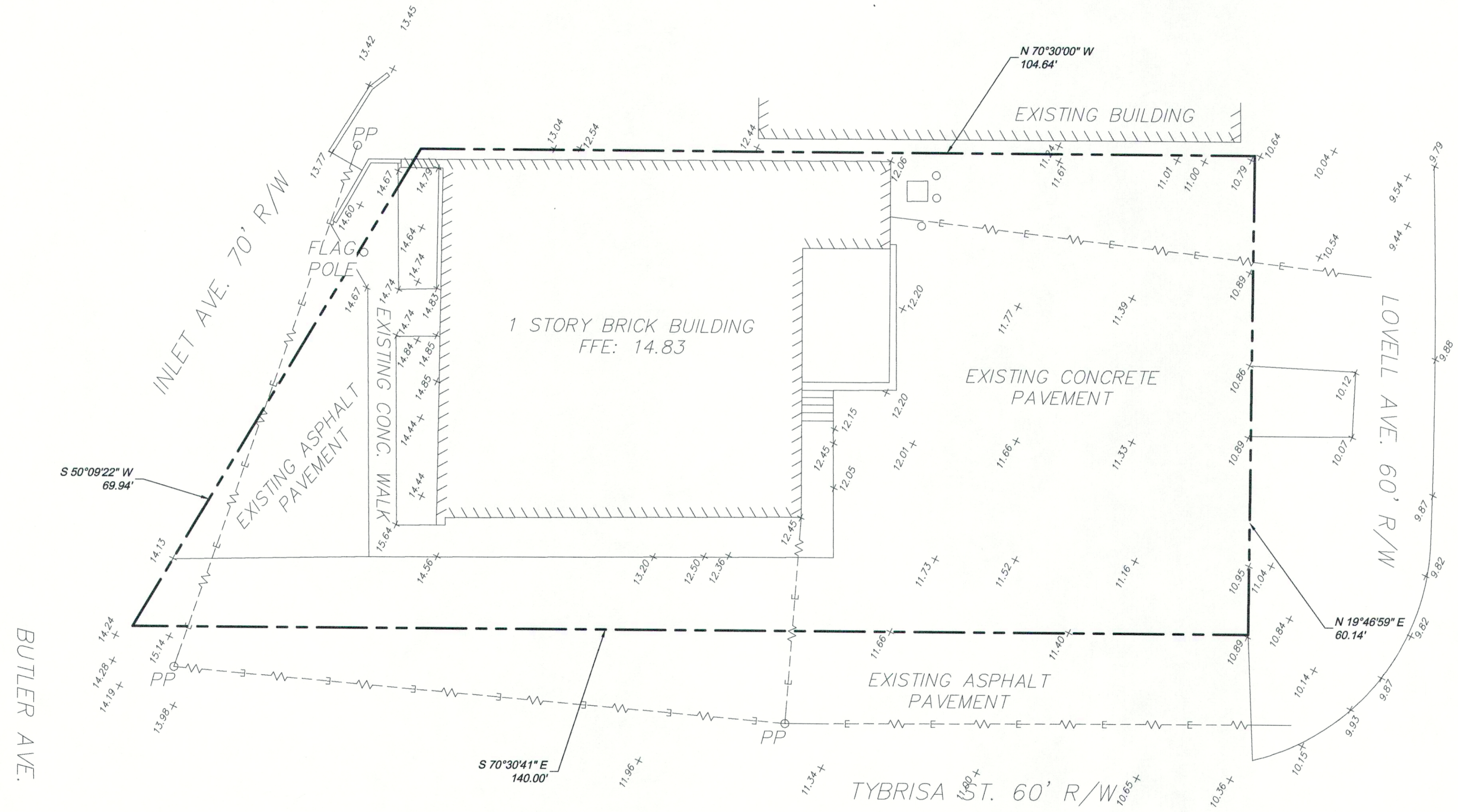


RSUE FOR PERMIT  
ISSUED: 10/05  
REVISED: 11/20/2018  
DRAWN: CRR





28 E 35TH ST  
 SAVANNAH, GA 31401  
 T 912.447.5665  
 F 912.447.8381  
 WWW.GREENLINEARCH.COM



**PLAN**  
 SCALE: 1" = 10'

**NOTE:**

1. SURVEY TRACED FROM WHITLEY REYNOLDS PLAT DATED JANUARY 16, 2006.

**TYBEE RESTAURANT**  
 TYBEE ISLAND, GEORGIA

**EXISTING CONDITIONS PLAN**

**REVISIONS**

1. This drawing is the property of GREENLINE ARCHITECTURE, INC. and is not to be reproduced or copied in whole or in part. It is not to be used on any other project and is to be returned upon request.
2. To alter or delete thereon are void on the original drawing and any other needs are to be in proportion to the difference in size between the print and the original drawing.
3. For all scale dimensions from plans, plans and details are not always drawn to scale. Use dimensions given or consult the Architect for further clarification.



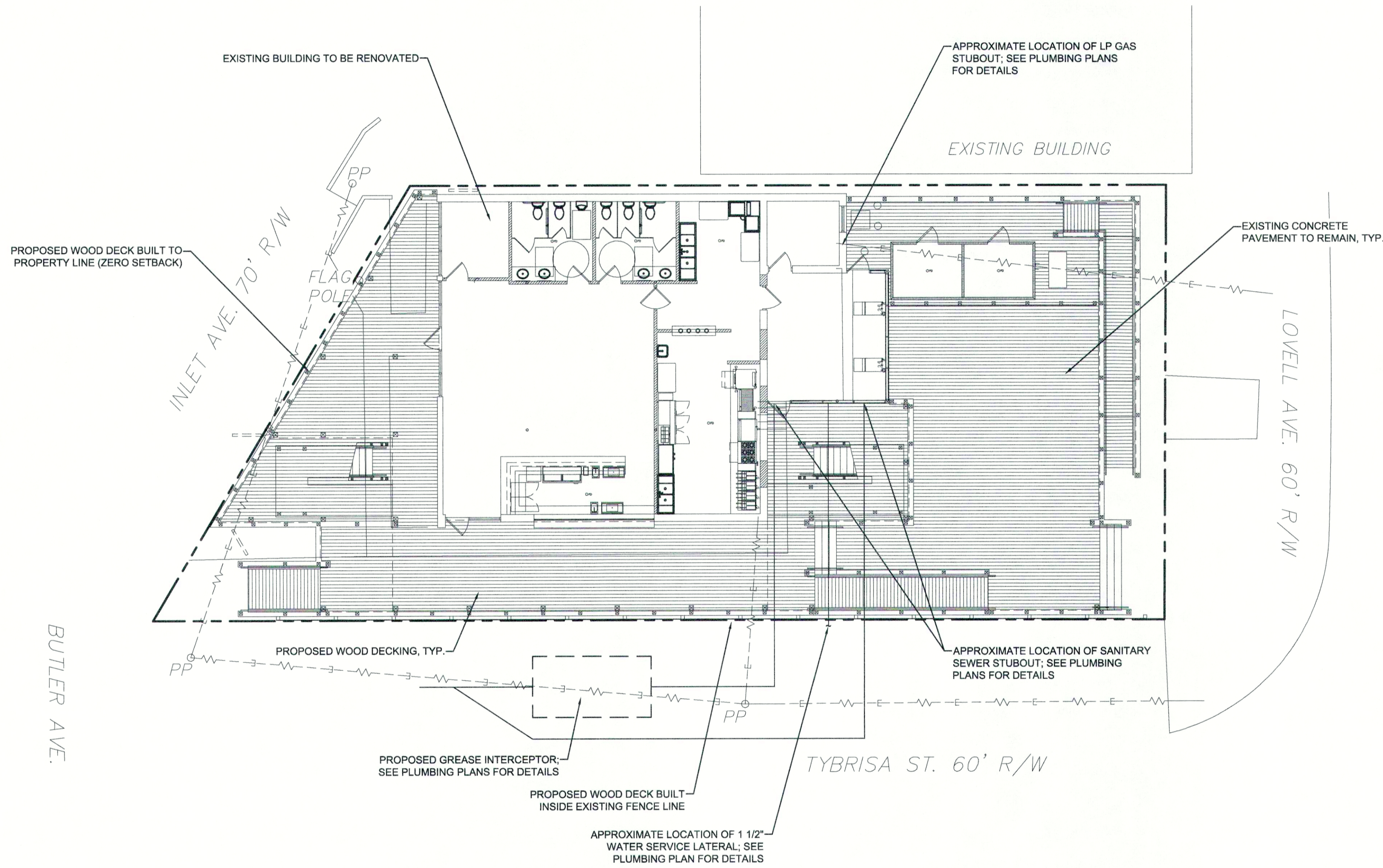
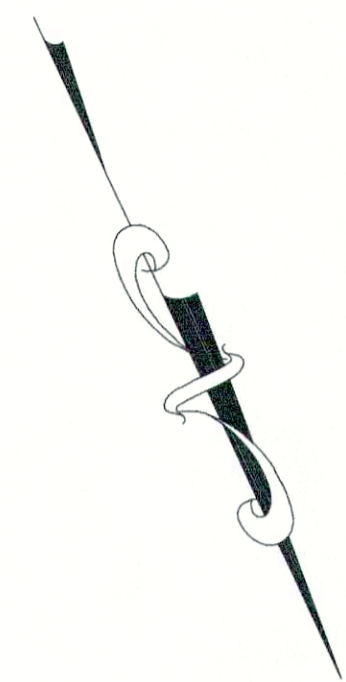
ISSUE FOR PERMIT

JOB NO: 18.025  
 ISSUE DATE: 11/20/2018  
 DRAWN: CPR

**C1.1**



28 E 35TH ST  
SAVANNAH, GA 31401  
T 912.447.5665  
F 912.447.8381  
WWW.GREENLINEARCH.COM



**PLAN**  
SCALE: 1" = 10'

**NOTE:**

1. SURVEY TRACED FROM WHITLEY REYNOLDS PLAT DATED JANUARY 16, 2006.
2. NO LAND DISTURBANCE IS PLANNED WITH THE EXCEPTION OF INSTALLATION OF THE WOOD DECK SUPPORT SYSTEM.
3. STORMWATER WILL MAINTAIN CURRENT DRAINAGE PATTERNS. THERE ARE NO PROPOSED STORMWATER CONVEYANCE IMPROVEMENTS / MODIFICATIONS ASSOCIATED WITH THIS PROJECT.

**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

REVISIONS

SITE PLAN

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2. Copies do added herein are void on the original drawing only and are hereby changed in proportion to the difference in size between the print and the original drawing.

3. Do not scale dimensions from prints. Plans and details are not always drawn to scale. Use dimensions given or consult the Architect for further clarification.



ISSUE FOR PERMIT

JOB NO: 18,025  
ISSUE DATE: 11/20/2018  
DRAWN: CPR

**C1.2**



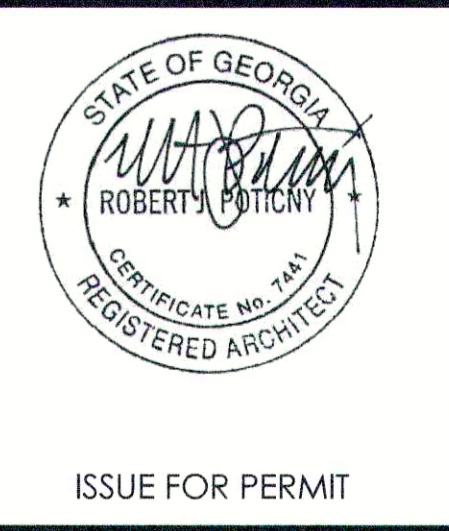
28 E 35TH ST  
SAVANNAH, GA 31401  
T 912.447.5665  
F 912.447.8381  
WWW.GREENLINEARCH.COM

# TYBEE RESTAURANT

TYBEE ISLAND, GEORGIA

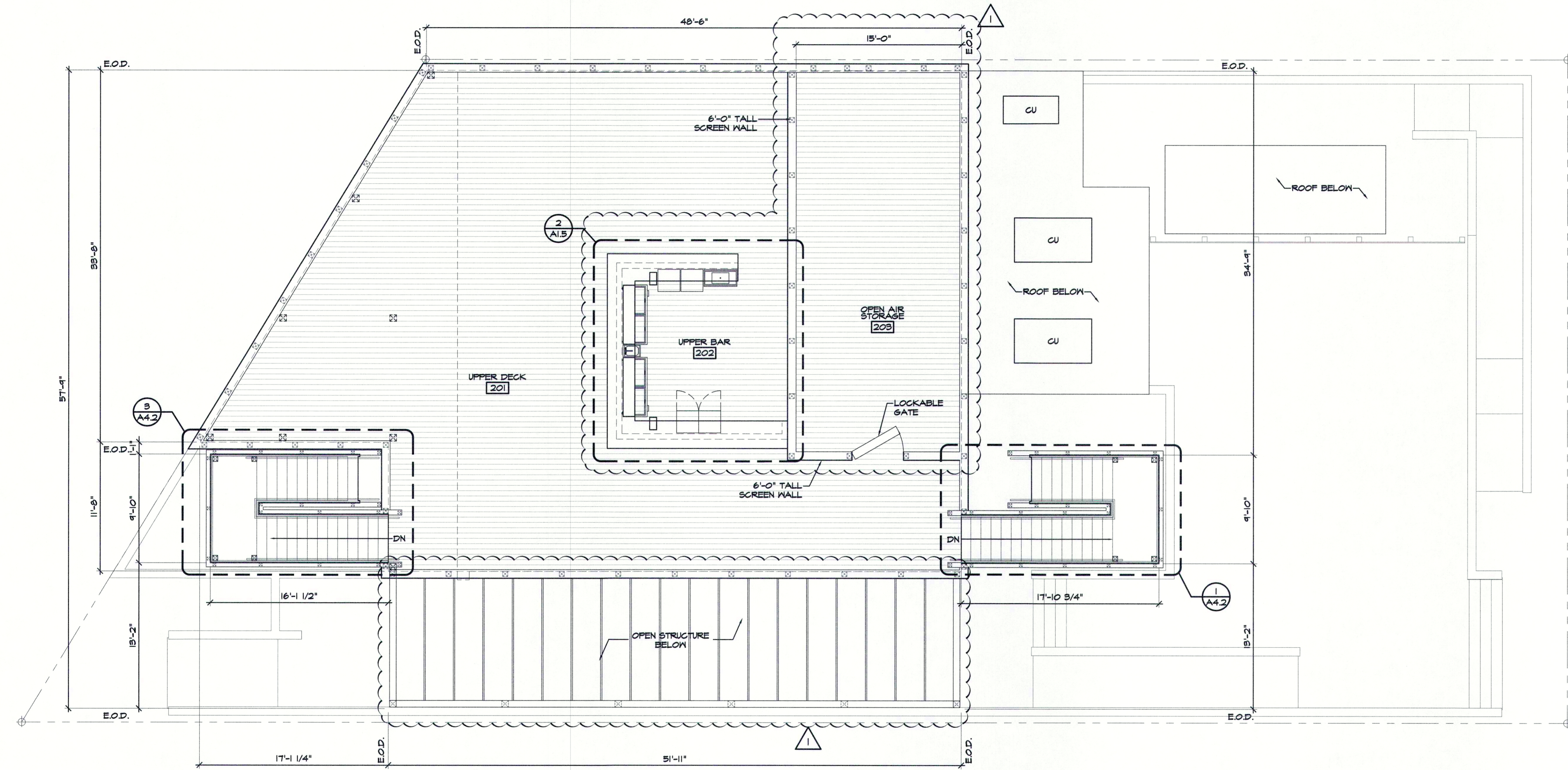
REVISIONS  
 1 12.05.18 PERMIT COMMENTS  
 FLOOR PLAN - UPPER DECK LEVEL

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 2. Scales as stated herein are valid on the original drawing only and are hereby changed in proportion to the difference in size between the print and the original drawing.  
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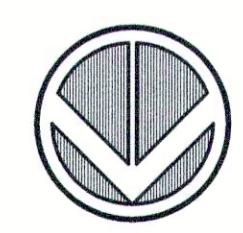


ISSUE FOR PERMIT  
 JOB NO: 18.025  
 ISSUE DATE: 10/26/2018  
 DRAWN: JLE

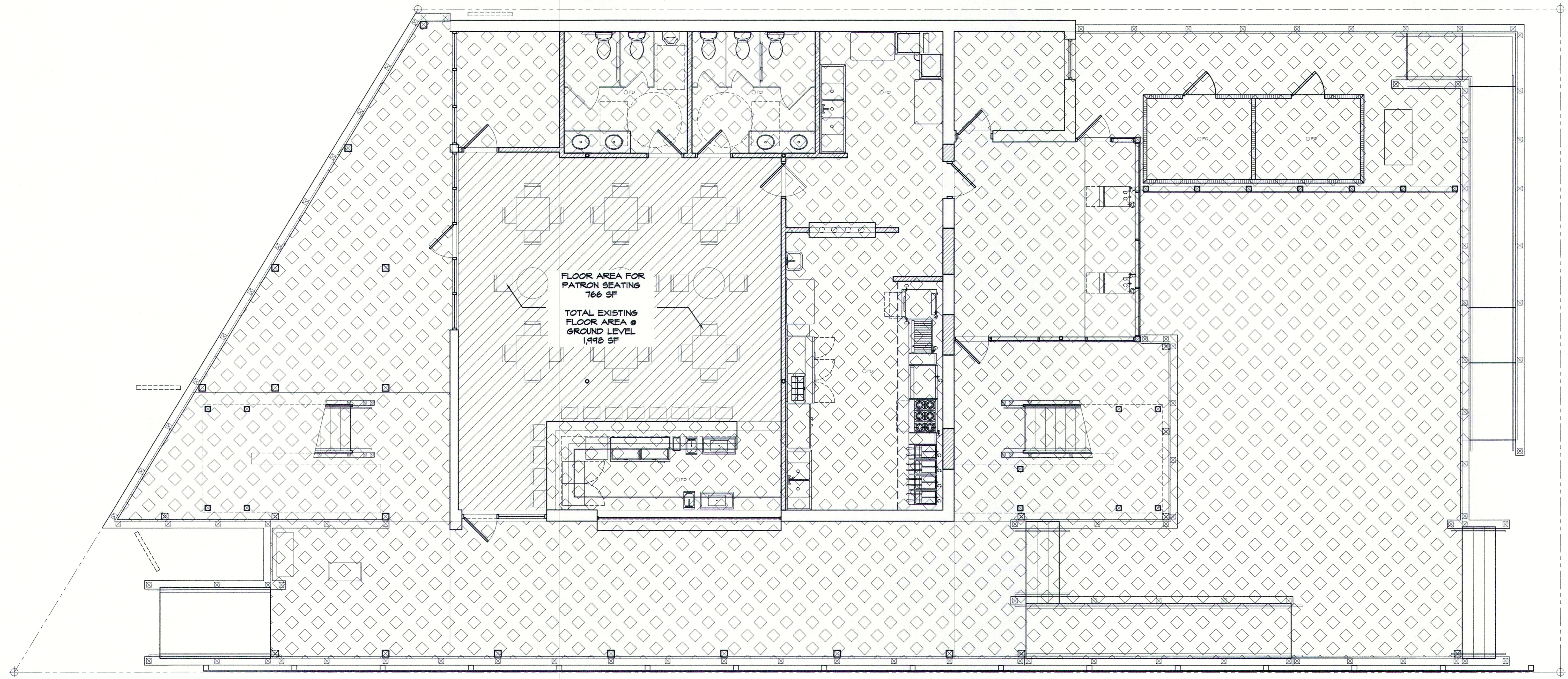
# A1.2



LEGEND	
	EXISTING WALLS TO REMAIN
	NEW WALLS
	E.O.D. EDGE OF DECK
	C CENTER LINE



1 A1.1 SECOND FLOOR PLAN  
 SCALE: 3/16" = 1'-0"



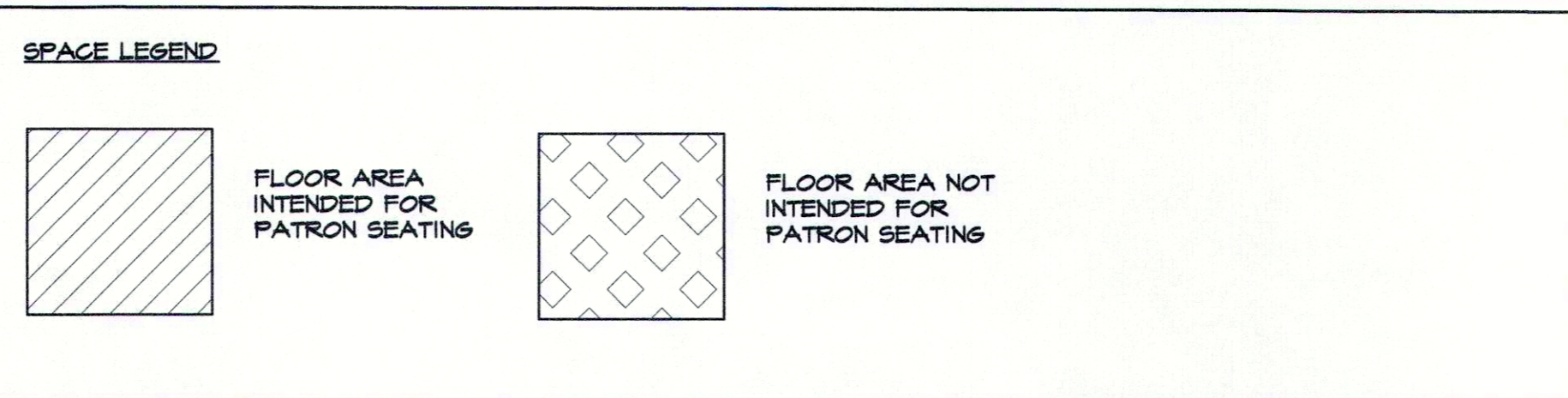
**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

REVISIONS  
12.05.18 PERMIT COMMENTS  
FLOOR UTILIZATING  
DIAGRAM - GROUND  
LEVEL

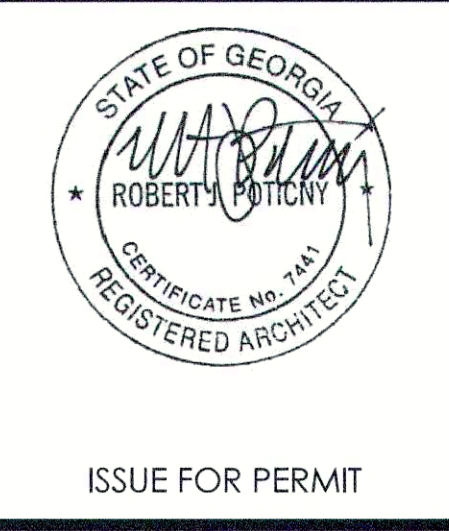
**PARKING REQUIREMENTS**  
PER Sec. 9-080 - OFF STREET PARKING REQUIREMENTS (TYBEE ISLAND CODE OF ORDINANCES)  
RESTAURANTS, BARS AND SIMILAR ARE REQUIRED TO PROVIDE 1 SPACE PER EVERY 6 SEATS ON A MAXIMUM SEATING OF 15 SQUARE FEET PER PERSON PLUS ONE SPACE FOR EVERY TWO EMPLOYEES. MAXIMUM SEATING CAPACITY IS CALCULATED ON ENTIRE SEATING ARE INCLUDING OUTDOOR SEATING.  
(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 REQUIREMENT AS LONG AS THE STRUCTURE IS COMPLETELY LOCATED WITHIN 1,000 FEET OF A MUNICIPAL PARKING LOT.

**BUILDING FLOOR AREA**

- GROUND LEVEL FLOOR AREA (EXISTING):	1,998 SF
- UPPER DECK LEVEL FLOOR AREA (NEW):	2,000 SF
-TOTAL FLOOR AREA:	3,998 SF
<hr/>	
- GROUND LEVEL FLOOR AREA INTENDED FOR PATRON SEATING:	766 SF
- UPPER DECK LEVEL FLOOR AREA INTENDED FOR PATRON SEATING:	1,713 SF
-TOTAL FLOOR AREA INTENDED FOR PATRON SEATING:	2,479 SF



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ISSUE FOR PERMIT  
JOB NO: 18.025  
ISSUE DATE: 10/26/2018  
DRAWN: JLE

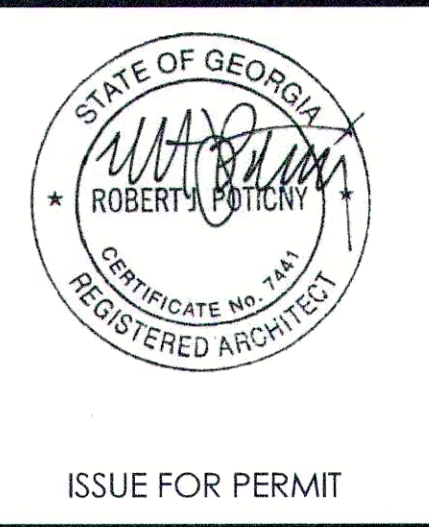


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**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

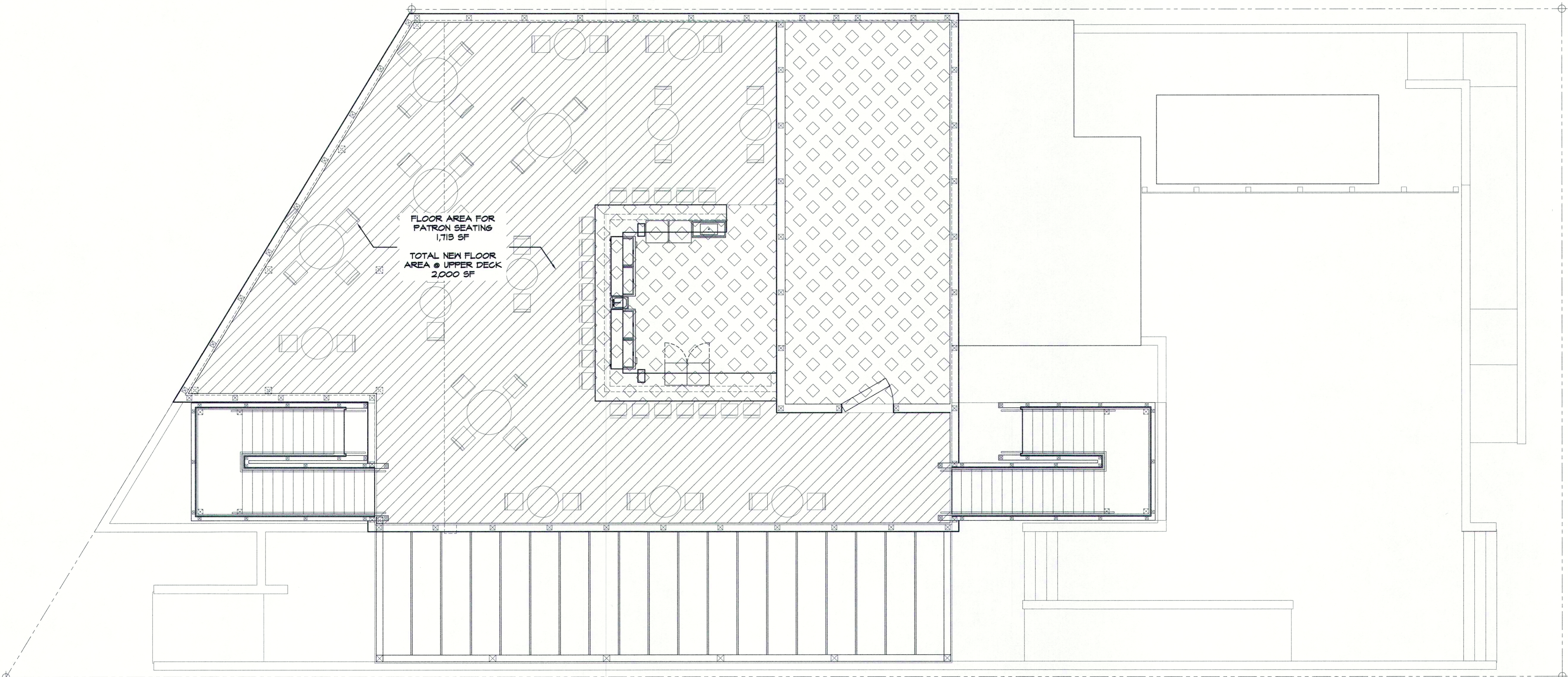
REVISIONS  
12.05.18 PERMIT COMMENTS  
FLOOR UTILIZATION  
DIAGRAM -  
UPPER DECK LEVEL

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**A1.7**



<b>PARKING REQUIREMENTS</b>	
PER Sec. 3-080 - OFF STREET PARKING REQUIREMENTS (TYBEE ISLAND CODE OF ORDINANCES)	
RESTAURANTS, BARS AND SIMILAR ARE REQUIRED TO PROVIDE 1 SPACE PER EVERY 6 SEATS ON A MAXIMUM SEATING OF 15 SQUARE FEET PER PERSON PLUS ONE SPACE FOR EVERY TWO EMPLOYEES. MAXIMUM SEATING CAPACITY IS CALCULATED ON ENTIRE SEATING ARE INCLUDING OUTDOOR SEATING.	
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<b>BUILDING FLOOR AREA</b>	
- GROUND LEVEL FLOOR AREA (EXISTING):	1,998 SF SF
- UPPER DECK LEVEL FLOOR AREA (NEW):	2,000 SF
-TOTAL FLOOR AREA:	3,998 SF
- GROUND LEVEL FLOOR AREA INTENDED FOR PATRON SEATING:	766 SF
- UPPER DECK LEVEL FLOOR AREA INTENDED FOR PATRON SEATING:	1,719 SF
-TOTAL FLOOR AREA INTENDED FOR PATRON SEATING:	2,474 SF
<b>SPACE LEGEND</b>	
	FLOOR AREA INTENDED FOR PATRON SEATING
	FLOOR AREA NOT INTENDED FOR PATRON SEATING

**FLOOR UTILIZATION DIAGRAM - UPPER LEVEL**  
SCALE: 3/16"=1'-0"





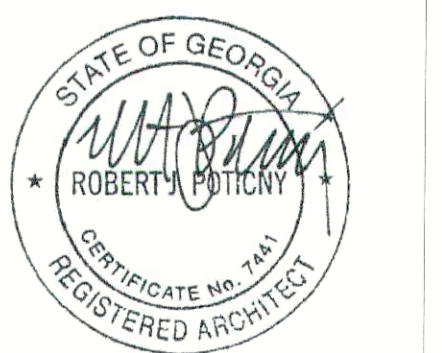
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**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

EXTERIOR ELEVATIONS

REVISIONS

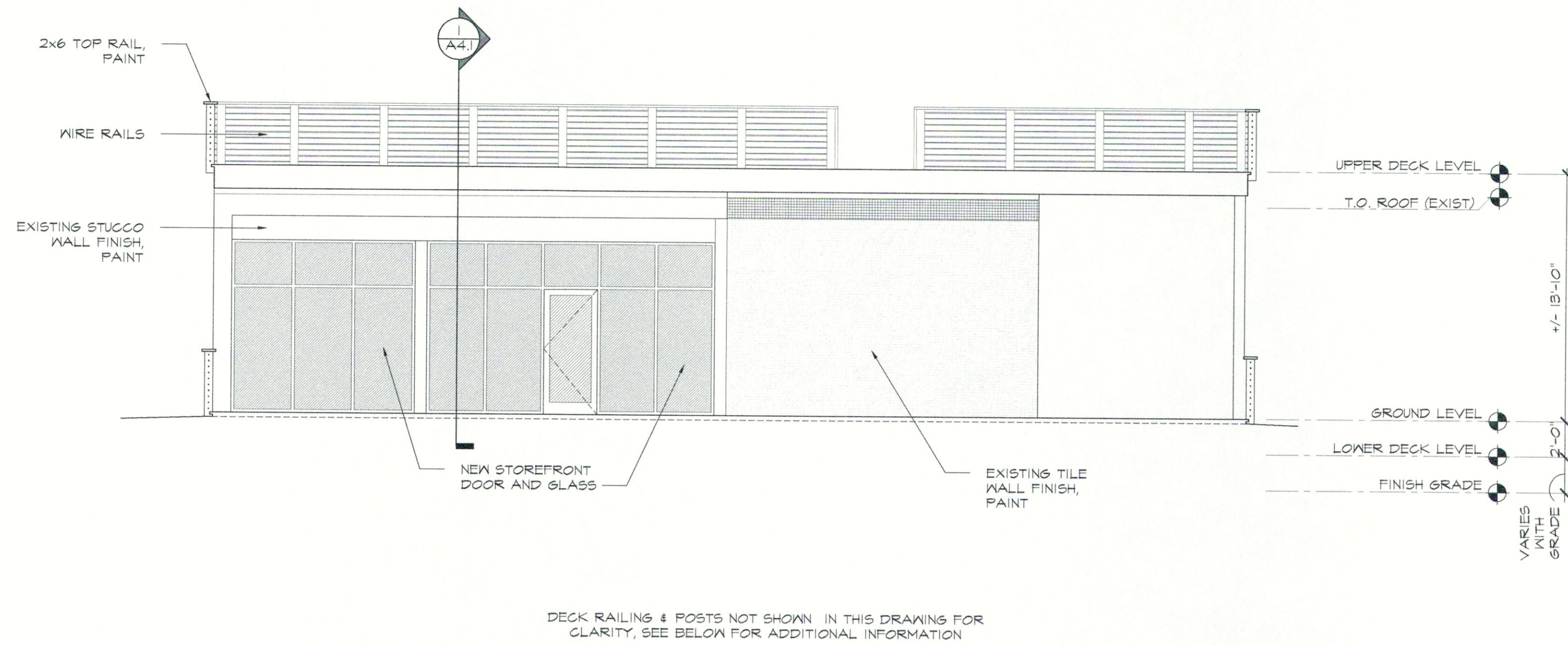
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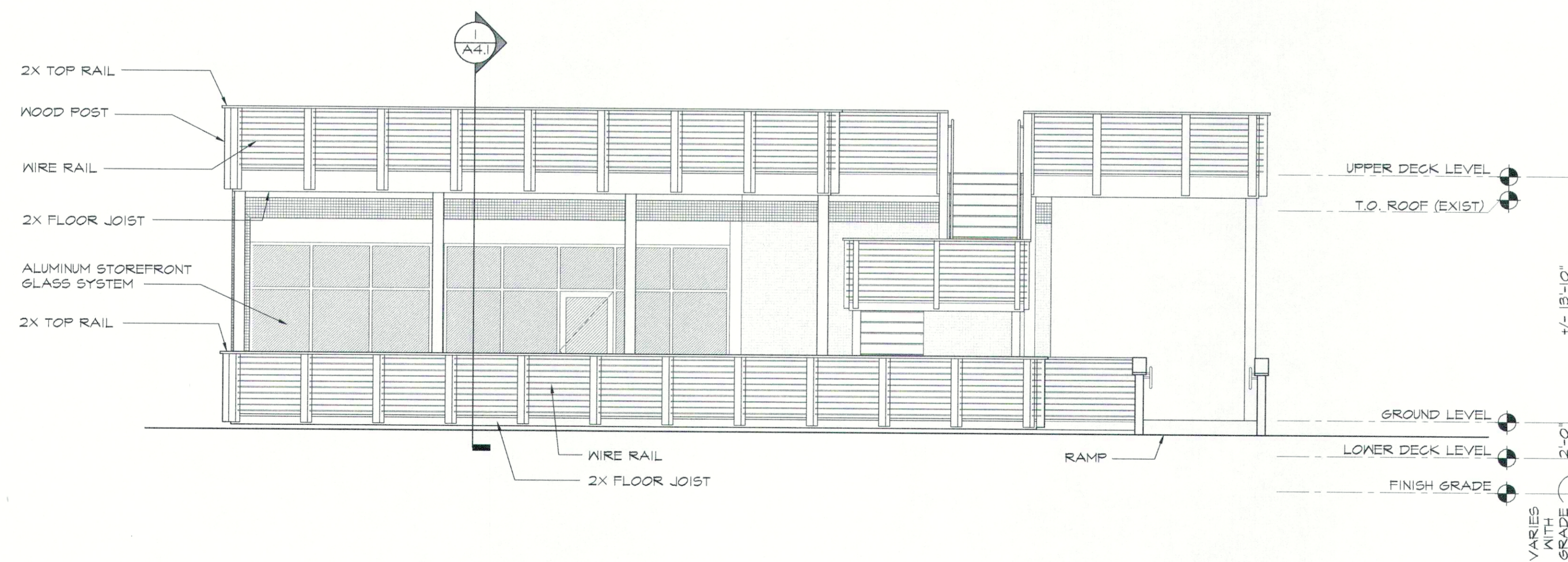
ISSUE FOR PERMIT

JOB NO: 18.025  
ISSUE DATE: 10/26/2018  
DRAWN: JLE

**A3.1**



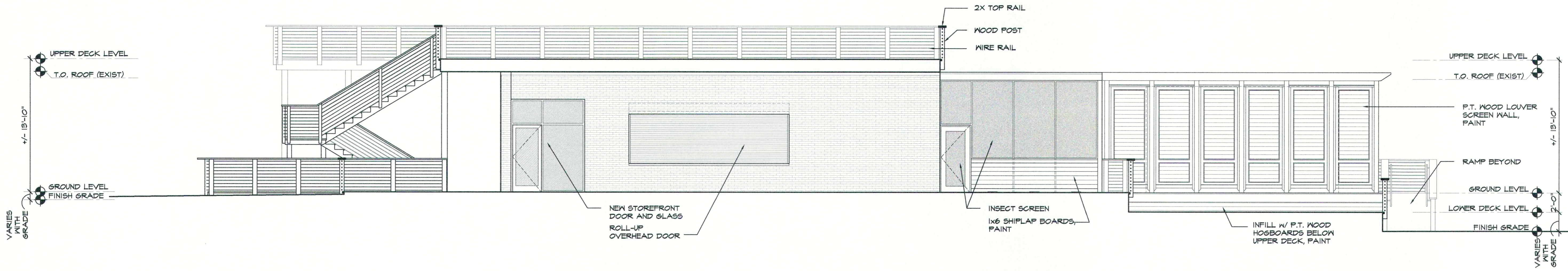
2  
A3.1 EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"



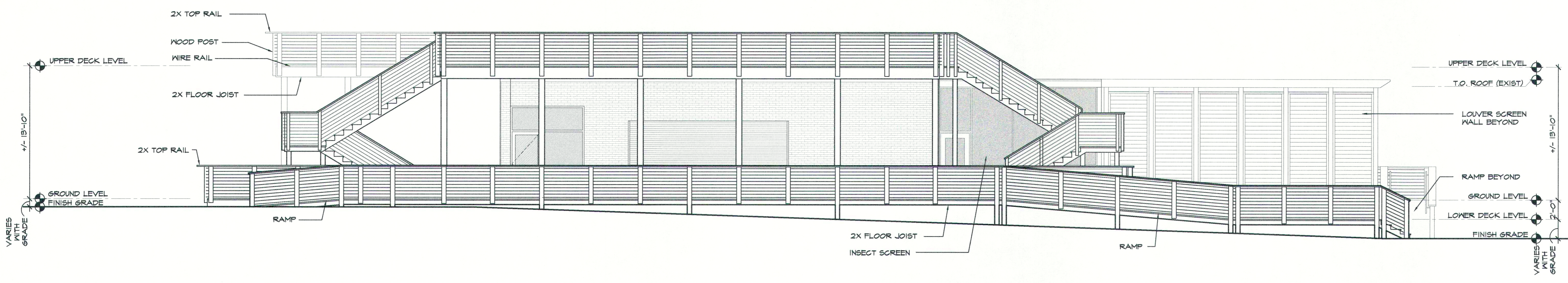
1  
A3.1 EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"



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2  
A3.2 EXTERIOR ELEVATIONS  
SCALE: 3/16"=1'-0"

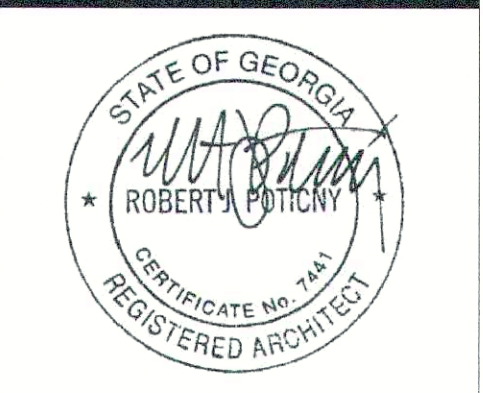


2  
A3.2 EXTERIOR ELEVATIONS  
SCALE: 3/16"=1'-0"

**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

REVISIONS  
EXTERIOR ELEVATIONS

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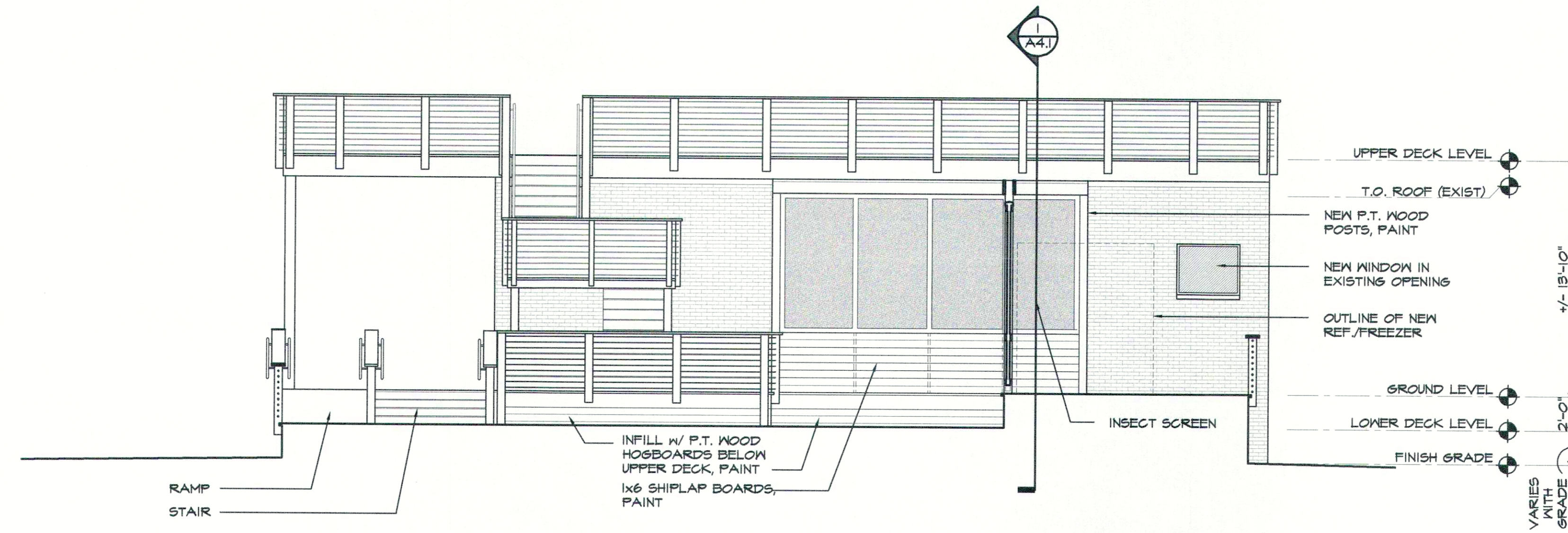


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JOB NO: 18.025  
ISSUE DATE: 10/26/2018  
DRAWN: JLE

A3.2

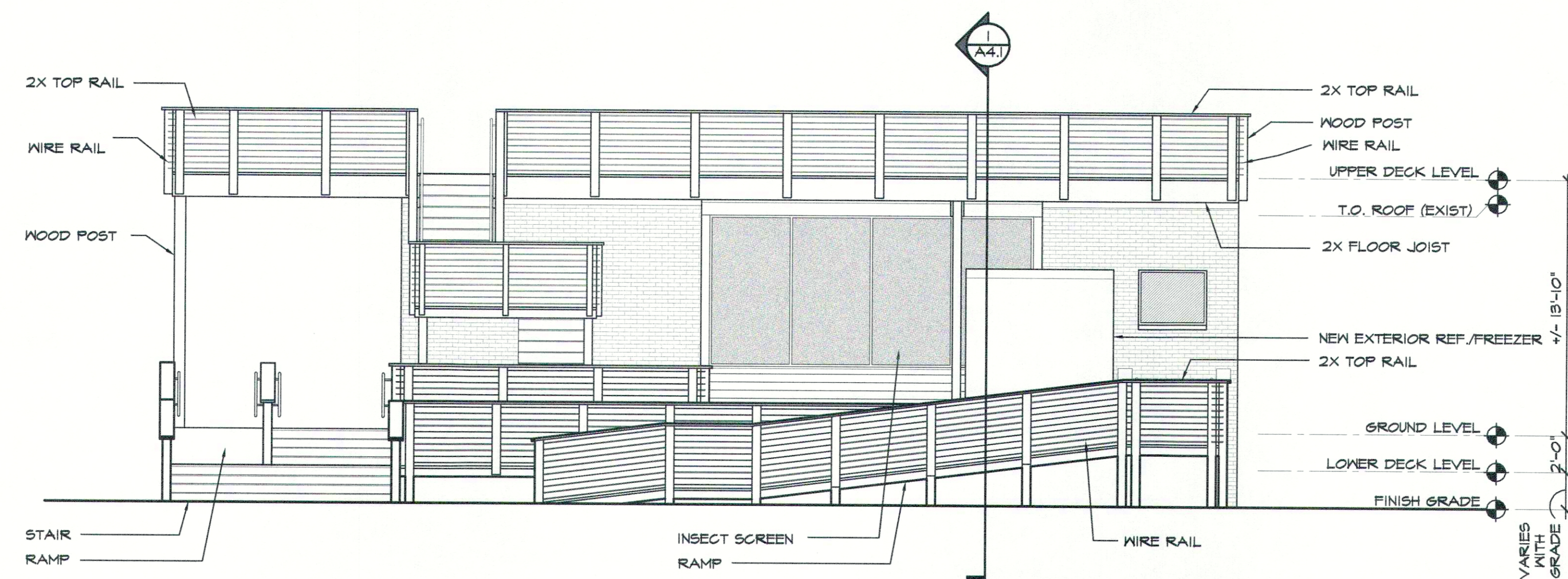


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DECK RAILINGS & POSTS NOT SHOWN IN THIS DRAWING FOR CLARITY, SEE BELOW FOR ADDITIONAL INFORMATION

2  
A3.3 EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"



1  
A3.3 EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"

TYBEE RESTAURANT  
TYBEE ISLAND, GEORGIA

EXTERIOR ELEVATIONS

REVISIONS

- The drawing is the property of GREENLINE and is not to be reproduced or copied in whole or in part. It is not to be used on any other project and is to be returned on request.
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A3.3



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**TYBEE RESTAURANT**  
TYBEE ISLAND, GEORGIA

EXTERIOR ELEVATIONS

REVISIONS

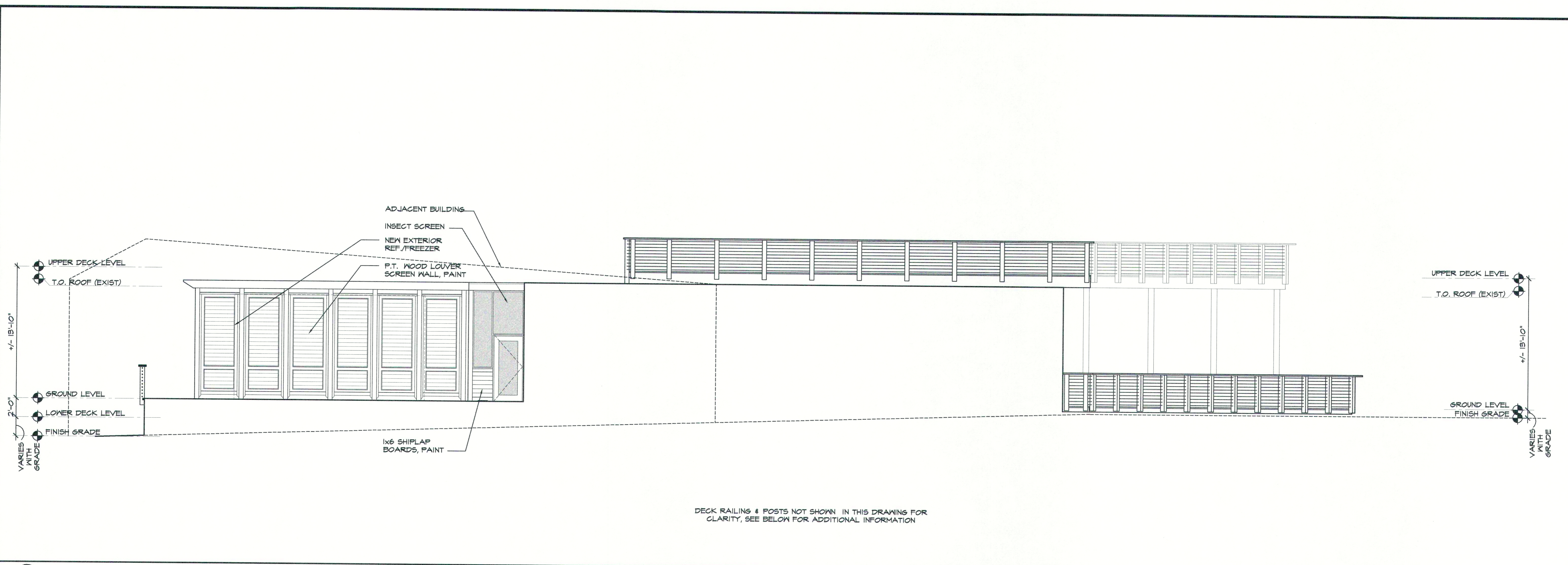
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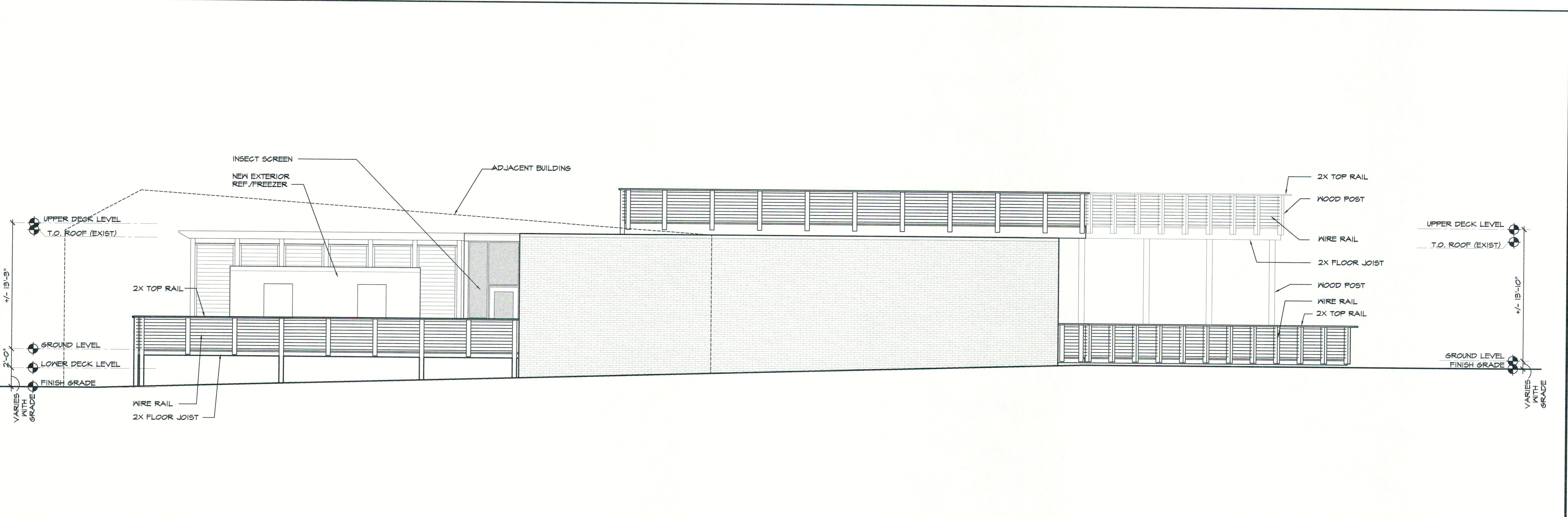
ISSUE FOR PERMIT

JOB NO: 18.025  
ISSUE DATE: 10/26/2018  
DRAWN: JLE

**A3.4**



**2** EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"



**1** EXTERIOR ELEVATIONS  
SCALE: 3/16" = 1'-0"



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: consideration of a new restaurant – 1601 Inlet Avenue –  
Zone C-I/SE – 4-0008-17-003 – Joshua Navon.

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
Bishop			Chair
Bossick	X		Vice Chair
Robertson	X		MOTION
Gann	X		SECOND
Bramble	X		
Matlock	X		
McNaughton		X	

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

Date: 1/2/19

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

Date: 12-28-2018

**Backup material for agenda item:**

15. Zoning Variance: Consideration to cover existing deck that is in setback – 23 Atlantic Avenue – Zone C-1(C) – 4-0008-03-012 – Robert Glisson



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Zoning Variance

Explanation: consideration to cover existing deck that is in setback – 23 Atlantic Avenue – Zone C-1(C) – 4-0008-03-012 – Robert Glisson.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
  - **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 [www.cityoftybee.org](http://www.cityoftybee.org)**





# STAFF REPORT

PLANNING COMMISSION MEETING: December 17, 2018

CITY COUNCIL MEETING: January 10, 2019

LOCATION: 23 Atlantic Ave.

PARCEL: 4-0008-03-012

APPLICANT: Robert Glissom

OWNER: Robert Glissom

EXISTING USE: Multifamily

PROPOSED USE: Multifamily

ZONING: C1/SE

PROPOSED ZONING: C-1/SE

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: The Strand/Historic Downtown District

APPLICATION: Variance for construction in the setback.

PROPOSAL: The applicant requests approval for a roof added to an open deck located entirely within the front setback.

ANALYSIS: The applicant added a roof to an elevated deck without a permit. This application is to request permission for work already completed.

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	N/A
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.	Y
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	N/A
8.	Preserve/retain buildings that can house small businesses.	N/A



**STAFF FINDING**

The roof is not essential to the use of the deck. The entire addition is in the setback. No permit was applied for prior to the construction. Staff recommends denial of this application.

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

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



# CITY OF TYBEE ISLAND ZONING VARIANCE APPLICATION

Fee  
Commercial \$500  
Residential \$200

Applicant's Name Robert G GLISSON

Address and location of subject property 23 ATLANTIC AVE

PIN 4-0008-03-012 Applicant's Telephone Number 912-658-4815

Applicant's Mailing Address P.O. Box 1571 TYBEE IS 31328

Brief description of the land development activity and use of the land thereafter to take place on the property:  
Request Permission to cover EXISTING DECK WITH METAL ROOFING FRAMED IN TREATED WOOD / DECK WILL CONTINUE TO BE USED IN CONFORT FROM SUN & RAIN EXTENDING THE LIFE OF THE DECK

Property Owner's Name Robert G. GLISSON Telephone Number 912-658-4815

Property Owner's Address P.O. Box 1571 TYBEE IS.

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 Current Use APARTMENTS.

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.

Disclosure of Campaign Contributions form attachment hereto:  Yes

Robert G. Glisson  
Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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

Amount \$ 500.00 Check Number 3285 Date 9/3/18

Official [Signature]  
- 138 -

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

- | <u>REFERENCE</u> | <u>DESCRIPTION</u>   |
|------------------|--|
| 5-040 (D) (1)    | Site plan and/or architectural rendering of the proposed development depicting the location of lot restrictions.   |
| 5-040 (D) (2)    | Narrative describing the hardship and the reason for the variance request.<br>Explain the hardship: <u>Deck Need to Be Covered Due to Sun AND RAIN DISCOMFORT AND HELP PRESERVE LIFE OF DECK CONSTRUCTION WITH NOT INCREASE FOOT PRINT OF PROPERTY</u>   |
| 5-040 (D) (3)    | A survey of the property signed and stamped by a State of Georgia certified land surveyor.   |
| 5-090 (A) (1)    | That there are unique physical circumstances or conditions beyond that of surrounding properties, including:<br><input type="checkbox"/> irregularity;<br><input type="checkbox"/> narrowness; or,<br><input type="checkbox"/> shallowness of the lot shape; or,<br><input type="checkbox"/> exceptional topographical or other physical circumstances, conditions, or considerations related to the environment, or the safety, or to historical significance, that is peculiar to the particular property; and;  |
| 5-090 (A) (2)    | 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.<br><u>NOTE: Provide attachments illustrating conditions on surrounding properties and on the subject property, indicating uniqueness, etc.</u>   |
| 5-090 (B)        | If this variance application is for a Height Variance, in addition to other requirements, the petitioner shall be required to:<br><input type="checkbox"/> Add two feet to each side yard setback for each one foot above 35 feet in height, and,<br><input type="checkbox"/> Have safeguards consisting of sprinkler systems, smoke detectors and other fire protection equipment deemed necessary at the time by the Mayor and Council, and,<br><input type="checkbox"/> 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. |

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



Signature of Applicant

Date

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



CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS  
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES \_\_\_\_\_ NO  \_\_\_\_\_

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

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

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

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

**Sec. 5-090. - Variances.**

**(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.

**(B) Height.** No part of any structure shall project beyond 35-feet above the average adjacent grade of a property except:

- (1) Chimneys, flues, stacks, heating units, ventilation ducts, air conditioning units, gas holders, elevators, solar panels and similar appurtenances needed to operate and maintain the building on which they are located.
- (2) The following items that were existing on the date of the adoption of this ordinance: flag poles, television aerials, water towers and tanks, steeples and bell towers, broadcasting and relay towers, transmission line towers, and electric substation structures.

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

**(D) Reviewing variance applications.** The designated city official, 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.

**(E) Application approval.** Notwithstanding any other provisions of this Code of Ordinances, the designated city official 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:

- (1) When either of the following circumstances exists:
  - a. The proposed improvement or 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.
- (2) When each of the following circumstances also exists:
  - a. No encroachment or construction of habitable space or other prohibited improvements will exist below one foot above the base flood elevation; and
  - b. The requested improvements or construction will not violate existing zoning provisions.

**(F) *Compliance with ordinances.*** Notwithstanding any other provision of this 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 section does not excuse prior violations including those that have resulted or may result in enforcement action by the city.

(Ord. No. 1999-27, 8-12-1999; Ord. No. 2002-08, 5-9-2002; Ord. No. 2002-08 Variances, amended 8-29-2002; Ord. of 8-11-2005; Ord. No. 14-2010, 8-26-2010; Ord. No. 57-A-2014, § 1, 12-11-2014)

**2018 Chatham County Board of Assessors**

**4-0008-03-012**

**Property Record Card**

**23 ATLANTIC AVE TYBEE ISLAND**

APPRAISER	LKWOMACK	LT 24 E PT 23 + NE CORNER 41 SUB OF 95 TYBEE	GLISSON ROBERT G TRUST*	CAMA	ASMT		
LAST INSP	09/09/2015		PO BOX 1571	222,300	222,300	LAND	1
APPR ZONE	000008		TYBEE ISLAND GA 31328-1571	242,000	219,900	BLDG	1
				600		OBXF	1
				464,900	442,200	INCOME	

SALES	BOOK / PAGE	INS VI QU RSN PRICE
28 Nov 1995	175Y 0495 NA	I U UG
GRANTOR: GRANTEE: GLISSON ROBERT G TRUSTEE		

PERMITS	TYPE	DATE	AMOUNT
13-0422	CM	31 Dec 2013	Comp 1,100
10-0508	CM	24 Feb 2012	Comp 2,200
110609	CM	24 Feb 2012	Comp 2,197
00083	CM	23 Feb 2012	Comp 1,000
07-0541	PL	23 Jan 2009	Comp 200

COMMENTS:	
07 Oct 2013	PERMIT FIELD REVIEW 10-4-13. IN PROCESS- RECHECK DEC 2013.
07 Oct 2013	PERMIT FIELD REVIEW 10-4-2013. IN PROCESS. RECHECK DEC 2013.
28 Jan 2009	2009, WATER METER UPGRADE. LAL
12 Sep 2008	PROP ADD CNG PER TYBEE ISLAND
23 May 2003	2003, LAND REVIEW.
02 Nov 2001	2002, HCC, REVIEWED PROPERTY, BLDG CONVERTED FROM STG TO APT S. FOR SUPER 8 MOTEL.



[Click for larger picture]



CODES	
PROPERTY USE	0002 COMMERCIAL
UTA	0004 Tybee Island
NBHD	020500.00 T500 TYBEE TO BULL R
EXEMPTIONS	
COMMCATEG	352 Multiple Res (Low Rise)

HISTORY	LAND	IMPR	TOTAL	
2017	222,300	219,900	442,200	Incm
2016	205,200	235,600	440,800	Cama
2015	205,200	234,000	439,200	Cama
2014	205,200	140,400	345,600	Cama
2013	225,700	143,800	369,500	Cama
2012	225,700	132,800	358,500	Cama
2011	225,700	203,500	429,200	Cama
2010	225,700	203,500	429,200	Cama
2009	308,000	388,500	696,500	Over
2008	308,000	388,500	696,500	Cama
2007	308,000	388,500	696,500	Cama
2006	308,000	170,000	478,000	Cama
2005	137,000	147,000	284,000	Over
2004	137,000	147,000	284,000	Over
2003			284,000	A/C
2002	60,000	147,000	207,000	Cama
2001	60,000	14,000	74,000	Cama
2000	55,000	14,000	69,000	Cama
1999	39,500	14,000	53,500	Cama
1998	39,500	15,000	54,500	Cama
1997	39,500	16,500	56,000	Cama
1996	31,460	18,010	49,470	Cama
1995	31,460	19,140	50,600	Cama
1994	35,140	16,620	51,760	Over
1993	35,140	16,620	51,760	Over
1992	35,140	16,620	51,760	Over

EXTRA FEATURES																	
ID#	BLDG #	SYSTEM DESC	DIM 1	DIM 2	UNITS	QL	UNIT PRICE	RCN	AYB	EYB	DT	ECON	FUNC	SP	SP%	RCNLD	MKT VALUE
139603	85846	ASPHALT PAVE TO 500 ASPHALT PAVING	0	0	1650.00	3	1.83	3,020			2003	15				695	600

LAND														
ID#	USE DESC	FRONT	DEPTH	UNITS / TYPE	PRICE	ZONING	LCTN	TOPO	OTHER	ADJ1	ADJ2	ADJ3	ADJ4	MKT VALUE
110355	APARTMENT 1	0	0	3,420.00-SF	65.00	C1								222300

ORDER TO APPEAR

TYBEE ISLAND POLICE DEPT.  
P.O. BOX 1340 PH. 912-786-5635  
TYBEE ISLAND, GA 31328-1340  
PAY AT :WWW.TYBEEISLANDTIX.COM  
Docket No. 201806113

Name Glisson Robert Gene  
Address 25 ATLANTIC AVENUE  
City, State, Zip Tybee Island GA 31328  
Employer \_\_\_\_\_  
DOB 12/4/37 W | L | M  
DL# 057214398 GA Exp. Date 2020

The undersigned states that on or about  
9/4/18 at 11:00 a.m. at 23 ATLANTIC AVE.  
the person named above did unlawfully commit the following  
offense(s).  
5-00 Permit Required for Construction (Roof on Back)

In violation of: 5-010

The undersigned, on oath, says that the facts set forth above are true in substance and in fact.

Dated 9/4/18 Mo. Day Yr. Sgt. Hattich 1015 Officer's Signature Id No.

**YOU ARE HEREBY ORDERED TO APPEAR AT:**  
Court TYBEE ISLAND MUNI. COURT Ph 912-786-5635  
Address 78 VAN HORNE  
City/State/Zip TYBEE ISLAND, GA 31328

On 4-December Yr. 2018 at 3:30 p.m.

I agree to appear in court on the above date  
Signature [Signature]  
(This is not a plea of guilt) VIOLATOR



Chatham County Tax Commissioner  
 www.chathamtax.org  
 222 W. Oglethorpe Ave. Suite 107  
 Phone: (912) 652-7100 Fax: (912) 652-7101



**Tax Payer:** GLISSON ROBERT G TRUST\*  
**Map Code:** 40008 03012 REAL  
**Description:** LT 24 E PT 23 + NE CORNER 41  
**Location:** 23 ATLANTIC AVE  
**Bill No:** 2018-3016120  
**District:** 040 TYBEE

Building Value	Land Value		Stephens / Day	Stephens / Day CPI	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions
219,900	222,300		0	0	442,200	06/01/2018	03/20/2018	06/01/2018	
Entity		Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O		442,200	176,880	0	176,880	6.3960	1,131.32		1,020.86
COUNTY SALES TAX CREDIT						-.6245		-110.46	
COUNTY SCHOOL M&O		442,200	176,880	0	176,880	8.3160	1,470.93		1,470.93
TYBEE ISLAND		442,200	176,880	0	176,880	3.2660	577.69		357.71
TYBEE SALES TAX CREDIT						-1.2437		-219.98	
<b>TOTALS</b>						16.1098	3,179.94	-330.44	2,849.50

*pd to June 18*  
*#3269*



Pay online at [www.chathamtax.org](http://www.chathamtax.org) at your convenience using your checking account, MasterCard, Visa, American Express or Discover. Available 24 hours a day. Applicable Convenience Fees apply.

Our website provides the same real time information that is used in our office. You may also print copies of your tax bill or verify that your payment has been posted.

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

All taxes, including Appeal bills become delinquent if not paid in full by the Due Date. Delinquent taxes are charged interest and penalty as applicable in accordance with O.C.G.A. 48-2-40 and 48-2-44.

Current Due	\$2,849.50
Penalty	.00
Interest	.00
Other Fees	.00
Previous Payment	.00
Back Taxes	.00
<b>TOTAL DUE</b>	<b>\$2,849.50</b>

Printed: 03/20/2018



Customer Name  
ROBERT GLISSON

Account Number  
97480-14029

Please Pay By Jun 15, 2018

Total Due \$ 1,130.92

### Current Electric Service - Residential

Next Scheduled Read Date: On or after June 29, 2018

Service Period	Meter #	Reading Type	Meter Reading		x	Constant	= Usage
			Current	Previous			
May 1 - Jun 1	5235531	Tot kWh	23693	16764	1		6,929

#### Billing Period

May 1, 2018 - June 1, 2018

Current Service	\$ 887.15
Environmental Compliance Cost	83.81
Nuclear Construction Cost Recovery	55.20
Municipal Franchise Fee	30.77
Sales Tax	73.99

**Total Current Electric Service \$ 1,130.92**

### Payment Options (cont.)

**Auto Pay** Auto-Pay by authorizing your bill amount to be automatically debited from your checking or saving account for free.

**Mail** Georgia Power Payments  
96 Annex Atlanta GA 30396-0001

**Phone** Pay by phone via BillMatrix by calling 1-800-672-2402. There is a convenience fee of \$2.25 per transaction.

**In Person** Pay your bill using **Georgia Power Checkout™** for a fee of \$1.50. You can pay at participating CheckOut locations using the barcode found on your bill stub.

Using your account number, pay at thousands of **Authorized Payment Locations (APLs)** for a fee of \$1.50. Locations include most retail and grocery stores that have night and weekend hours.

All APLs, including CheckOut locations, accept cash and some accept debit cards; however, these locations do not accept checks or credit cards. Visit [georgiapower.com/apl](http://georgiapower.com/apl) for more information.

Text GPPAY to 99123 to find the closest location near you.

Visit [georgiapower.com/paymentoptions](http://georgiapower.com/paymentoptions) for a complete menu of available options.

**Consumer Check Conversion** - When you pay your bill by check, you authorize us to make a one-time electronic debit from your banking account.



**City of Tybee Island**  
**PO Box 2749**  
**Tybee Island, GA 31328**  
**912-786-4573**

*11 June*  
*#3264*

\*\*\* AUTO SORT CRRT B013  
 ROBERT G. GLISSON  
 PO BOX 1571  
 TYBEE ISLAND GA 31328-1571



Account Number	Service Dates	Service Address
12-1625-00	04/30/2018 - 05/31/2018	23 ATLANTIC AVE

**Utility Billing**

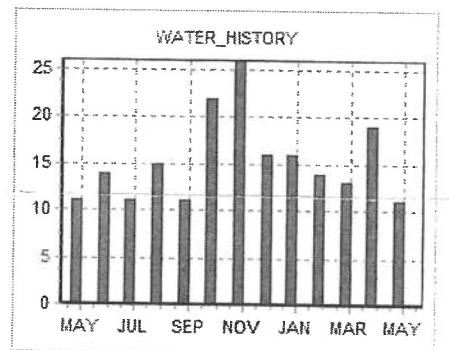
Service Description	Current Reading	Previous Reading	Consumption	Amount
WATER	962	951	11	65.64
SEWER			11	150.30
GARBAGE				48.57
RECYCLING				20.34
SURCHARGE				3.21
ON LINE PAYMENTS- WWW.CITYOFTYBEE.ORG				
<b>Total Amount Due</b>				<b>288.06</b>

To avoid delinquency charge and service interruption pay before:

**06/25/2018**

The following information may be helpful:

1. Bills are normally mailed by the first of month and are due and payable by the 25<sup>th</sup> of each month.
2. Payment must be received prior to due date. Payments not received by the 25<sup>th</sup> will be considered delinquent and subject to disconnection without notice.
3. A late fee of \$15.00 will be applied to unpaid accounts.
4. Failure to receive a bill does not exempt you from payment, late charges, or disconnect.



SEE REVERSE FOR IMPORTANT INFORMATION

FILED FOR RECORD  
REC. BK. 175-2  
PG. 495  
95 NOV 29 PM 3:33  
DEP. *Doris Stephens*  
DORIS STEPHENS  
CLERK, S.C.C. GA.

STATE OF GEORGIA )  
COUNTY OF CHATHAM )

RETURN RECORDED DEED TO:  
VIRGINIA E. PATTERSON, PC  
P.O. Box 30695  
Savannah, Georgia 31410  
912-897-9220

495

GIFT DEED

THIS INDENTURE made and entered into this 28 day of NOV, 1995, between CLARA E. VOGEL DRENNON f/k/a CLARA GLISSON, ROBERT G. GLISSON, GLORIA E. LEWIS and DONALD J. GLISSON, of the State of Georgia, as party of the first part, hereinafter called Grantor, and ROBERT G. GLISSON, Trustee of the Robert Gene Glisson Trust, of the State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W-I-T-N-E-S-S-E-T-H:

WITNESSETH that: Grantor, for love and affection and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever give unto the said Grantee all her/his interest in the following described property, to-wit:

All that certain lot and portions of lot situate, lying and being in the Town of Savannah Beach, Tybee Island, Chatham County, Georgia, and being known as LOT TWENTY-FOUR (24) and the Eastern fifteen (15) feet of LOT TWENTY-THREE (23) and the Northeast portion of LOT FORTY-ONE (41) of a re-subdivision of Front LOTS NINETY-FOUR (94), NINETY-FIVE (95), NINETY-SIX (96) and NINETY-SEVEN (97), Ward Four (4).

SAID LOT TWENTY-FOUR (24) herein conveyed having a frontage of thirty (30) feet on the South side of Atlantic Avenue with a rectangular depth Southwardly of seventy (70)

E46456A001 11/29/95TOTAL 18.00

frontage of fifteen (15) feet on the South side of Atlantic Avenue with a rectangular depth Southwardly of seventy (70) feet, and being bounded as follows: On the North by Atlanta Avenue; on the East by Lot Twenty-four (24), said Re-subdivision and Ward; on the South by the Northeast portion of Lot Forty-one (41), said Re-subdivision and Ward; on the West by the remaining Western portion of Lot Twenty-three (23), said Re-subdivision and Ward.

SAID Northeast portion of Lot Forty-one (41) herein conveyed having a frontage of fifteen (15) feet on the Southern side of Lot Twenty-three (23), said Re-subdivision and Ward with a rectangular depth Southwardly of eighteen (18) feet, and being bounded as follows: On the North by the Eastern fifteen (15) feet of Lot Twenty Three (23), said Re-subdivision and Ward; on the West by the Northwest portion of Lot Forty-two (42), said Re-subdivision and Ward, with a frontage thereon of eighteen (18) feet; on the South by the remaining Southern portion of Lot Forty-one (41), said re-subdivision and Ward with a frontage thereon of fifteen (15) feet; and on the East by a portion of the remaining Eastern portion of Lot Forty-one (41), said Re-subdivision and Ward with a frontage thereon of eighteen (18) feet.

SAID Lot Twenty-four (24) and the Eastern fifteen (15) feet of Lot Twenty-three (23), and the Northeastern portion of Lot Forty-one (41), said Re-subdivision and Ward lying contiguous. For a more particular description of the metes and bounds of all said property herein conveyed reference is specifically made to a plat of a Re-subdivision of Front Lots Ninety-four (94), Ninety-five (95), Ninety-six (96) and Ninety-seven (97), Ward Four (4), Savannah Beach, Chatham County, Georgia, recorded in Chatham County Records in Plat Record Book Two (2), Page 267.

TO HAVE AND TO HOLD said property together with all and singular, the rights, members, hereditaments, improvements, easements and appurtenances thereto belonging or in any wise appertaining unto the Grantee, so that neither the Grantor, nor any person or persons claiming under her/him shall have, claim or

Signed, sealed and delivered  
on the 28<sup>th</sup> day of Nov.,  
1995, in the presence of:

Carol Porterfield  
Witness

Clara E. Vogel Drennon  
Clara Glisson (L.S.)  
CLARA E. VOGEL DRENNON f/k/a  
CLARA GLISSON

Jacquelyn R. Brown  
Notary Public  
JACQUELYN R. BROWN  
Notary Public, Chatham County, Ga.  
My Commission Expires Jan. 9, 1999  
Carol Porterfield  
Witness

Robert G. Glisson (L.S.)  
ROBERT G. GLISSON

Virginia E. Patterson  
Notary Public  
VIRGINIA E. PATTERSON  
Notary Public, Chatham County, Ga.  
My Commission Expires Sept. 13, 1998

Jacquelyn R. Brown  
Witness

Gloria E. Lewis (L.S.)  
GLORIA E. LEWIS

Angela R. Byers  
Notary Public

Carol Taylor  
Witness

Donald J. Glisson (L.S.)  
DONALD J. GLISSON

Lynna Michel  
Notary Public  
Expires 7-15-99

BUTLER

AVE

ORIGINAL Lot Lines

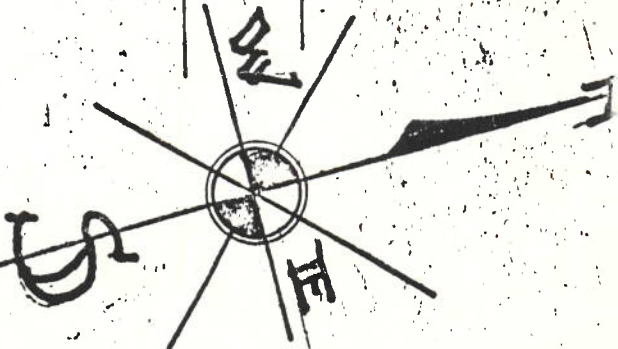
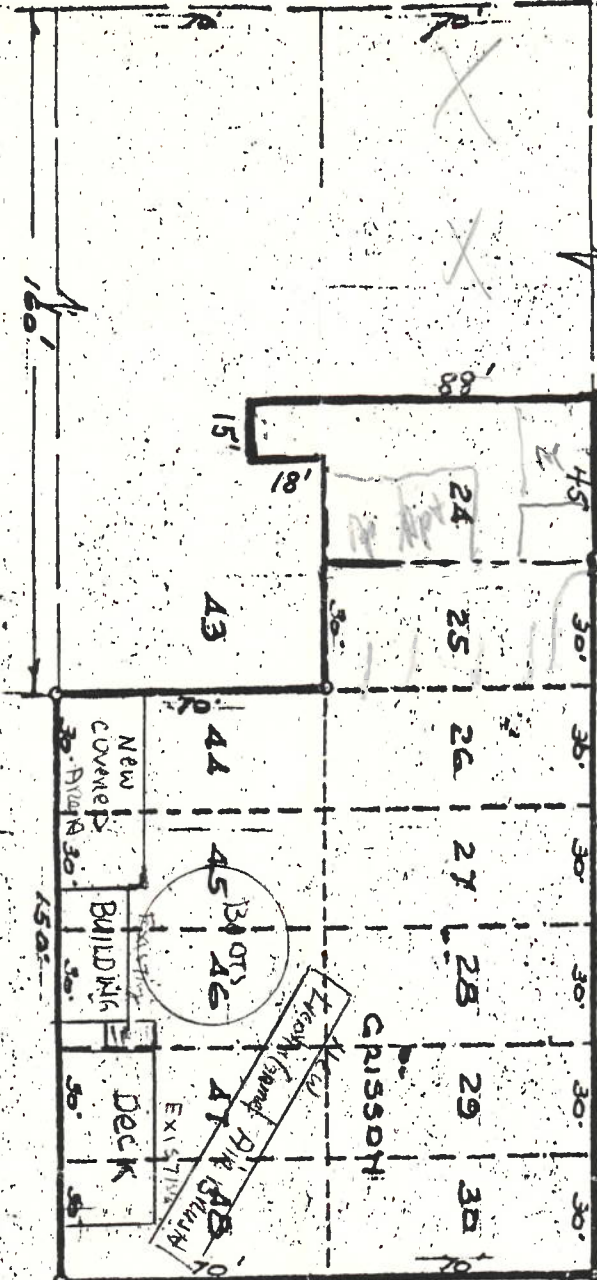
ATLANTIC

AVE.

160'

150'

150'



by  
 J. P. Roach  
 CIVIL ENGR GA 874

MAP  
 OF

A SURVEY OF LOT 24, 25, 26, 27, 28, 29, 30,  
 44, 45, 46, 47 & 48 WARD 14  
 SAVANNAH BEACH GA  
 FOR

ROBERT C. CRISSON

SCALE 1" = 50'

JAN 4, 1964

THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

MAIN STREET (U.S. HWY 80)

ATLANTIC AVENUE 30' R'W



REFERENCES:

1. DB 175Y, PAGE 495
2. MB 2, PAGE 267

ACCORDING TO F.I.R.M. MAP NO. 13051C0326G  
EFFECTIVE DATE 8/16/2018, THIS PARCEL SHOWN  
HEREON LIES IN ZONE X, NOT A SPECIAL FLOOD  
HAZARD AREA.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which create this parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



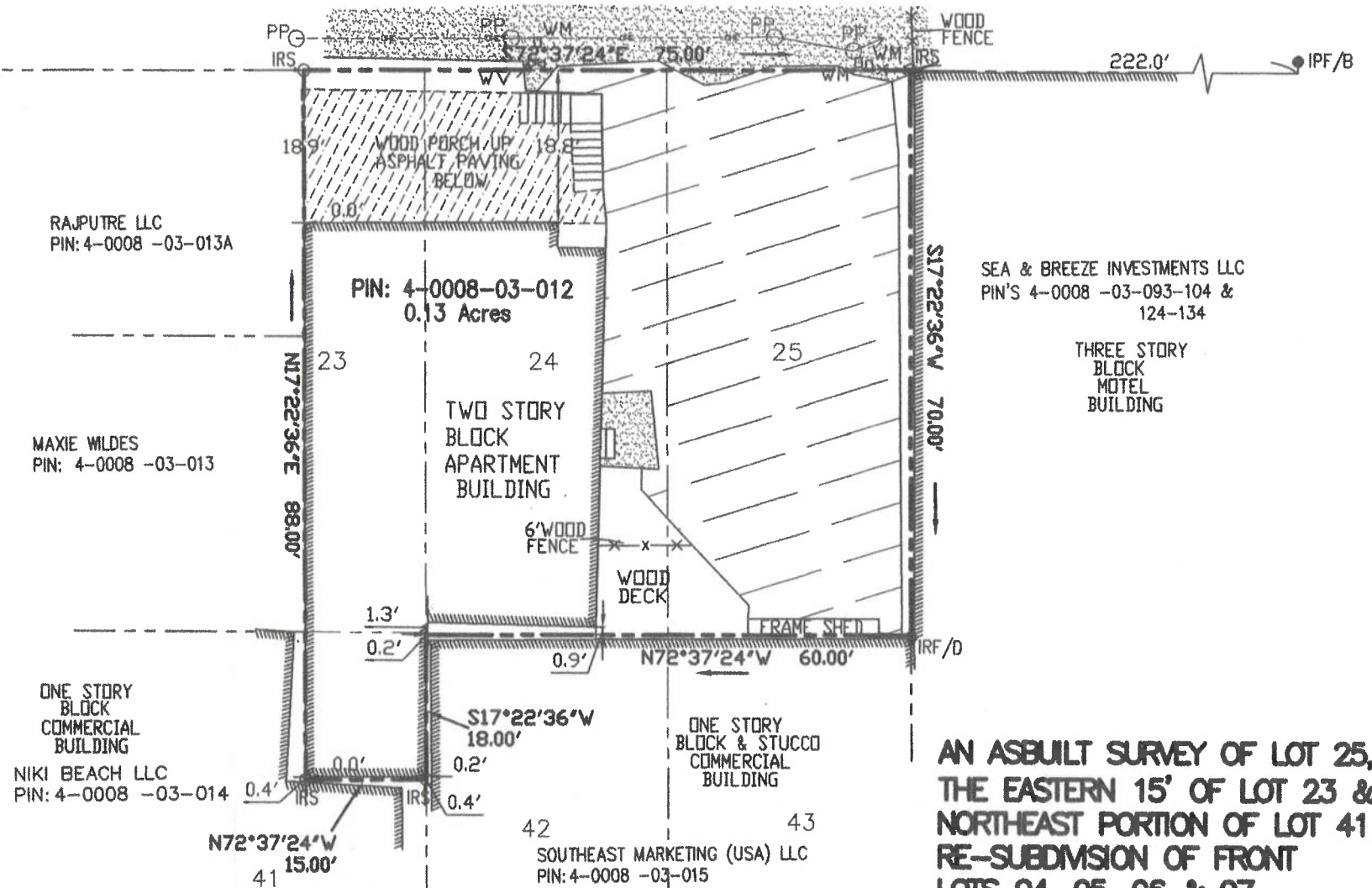
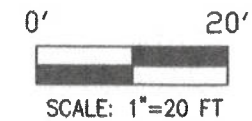
*Vincent Helmlly* 11/9/18  
VINCENT HELMLLY NO. 1882 DATE:

ERROR OF CLOSURE:

FIELD: 1/32,568  
ANGULAR ERROR OF 4" PER  
ANGLE POINT AND ADJUSTED  
BY COMPASS METHOD  
PLAT CLOSURE 1:INFINITY  
EQUIPMENT: TOPCON GTS236W  
TOTAL STATION; SINGLE PRISM

LEGEND

- IRS-IRON ROD SET
- IRF/D-IRON ROD FOUND DISTURBED.
- IPF/B-IRON PIPE FOUND BENT
- CIRF-IRON ROD FOUND CAPPED
- XFC-X FOUND IN CONCRETE.
- PP POWER POLE
- WM WATER METER
- WM WATER VALVE
- ▨ CONCRETE PAVEMENT
- ▨ ASPHALT PAVEMENT



AN ASBUILT SURVEY OF LOT 25, 24,  
THE EASTERN 15' OF LOT 23 & THE  
NORTHEAST PORTION OF LOT 41 OF A  
RE-SUBDIVISION OF FRONT  
LOTS 94, 95, 96 & 97

WARD 4, TYBEE ISLAND, GEORGIA  
ADDRESS: 23 ATLANTIC AVENUE  
PIN# 4-0008-03-012  
Surveyed For: ROBERT G. GLISSON

*Vincent Helmlly*  
129-A BURTON ROAD  
SAVANNAH, GEORGIA 31405  
(912) 925-3523

FIELD SURVEY DATE : 11/2018  
DATE : 11/9/18 JOB No. 18-256





**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: consideration to cover existing deck that is in setback – 23 Atlantic Avenue – Zone C-1(C) – 4-0008-03-012 – Robert Glisson.

Action Requested: Zoning Variance

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

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

The Planning Commission Motion on Petition:  Approval  Denial  Continued

**Action on Motion:**

COMMISSIONER	FOR	AGAINST	COMMENTS
Bishop	X		Chair
Bossick	X		Vice Chair
Robertson	X		SECOND
Gann		X	
Bramble		X	
Matlock	X		MOTION
McNaughton		X	

Planning Commission Chair: 

Date: 1/2/19

Planning & Zoning Manager: 

Date: 12-28-2018

**Backup material for agenda item:**

16. Site Plan Approval: consideration of new building for pool restrooms -19 Silver Ave. -  
Zone C-1 -4-0008-06-015 -Walt Freeman



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Site Plan approval

Explanation: consideration of new building for pool restrooms – 19 Silver Avenue – Zone C-1 – 4-0008-06-015  
– Walt Freeman.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
- **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 www.cityoftybee.org**





# STAFF REPORT

PLANNING COMMISSION MEETING: July 16, 2018

CITY COUNCIL MEETING: August 9, 2018

LOCATION: 19 Silver Ave. Parcel # 4-0008-06-015

APPLICANT: Walt Freeman

OWNER: Walt Freeman

EXISTING USE: Private pool

PROPOSED USE: Private pool

ZONING: C1/SE

PROPOSED ZONING: C-1/SE

USE PERMITTED BY RIGHT: Yes

COMMUNITY CHARACTER MAP: The Strand/Historic Downtown District

APPLICATION: Site plan review

PROPOSAL: The applicant requests site plan approval to renovate an existing private pool. A proposed new structure for bathrooms will be attached.

ANALYSIS: This site has been underutilized for many years. The pool has been beautifully repaired. The existing buildings are also in need of repair. The new bathroom building would add a necessary amenity to the site. The entire site is nonconforming currently. The plan includes adding a bicycle rack, an ADA chairlift, improved drainage, improved screening, and some greenspace. The pool is planned to be used by customers of the owner's short term rental business and not be opened to the public.

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>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</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.	Y
3.	Encourage mixed uses to provide for the daily needs of residents and tourists.	Y
4.	Commercial uses should be low intensity and consistent with the existing character.	Y
5.	Encourage development/redevelopment of existing vacant properties and underutilized structures	Y
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	N/A

	aesthetics	
8.	Preserve/retain buildings that can house small businesses.	Y

**STAFF FINDING**

The use is allowed in this district but with the changing lodging market, this will essentially be a “hotel” pool for several remote sites. This site is in definite need of upgrade. This is a small lot with a large pool. The existing pool and deck makes it difficult to develop this site for any other use. Staff feels that given the existing structure the applicant is proposing significant improvements that will be better for all neighboring properties. Staff recommends approval.

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

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



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

Fee  
**Commercial \$500**  
**Residential \$250**

Applicant's Name Walt Freeman

Address and location of subject property 19 Silver Ave Tybee Island

PIN 4-0008-06-015 Applicant's Telephone Number 9125081711

Applicant's Mailing Address 129 Lewis Ave Tybee Island Ga 31328

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

Property Owner's Name Walt Freeman Telephone Number 9125081711

Property Owner's Address 129 Lewis Ave Tybee Island

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 C1 Current Use Private Pool

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.

Walt Freeman 11/1/18  
Signature of Applicant Date

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

Fee Amount \$ 500.00 Check Number 6044 Date 12/5/18

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.

*Walt Freeman*

11/1/18

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 Walt Freeman

Date 11/1/18



**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)

**2018 Chatham County Board of Assessors**

**4-0008-06-015**

**Property Record Card**

19 **SILVER AVE TYBEE ISLAND**

APPRAISER	VMMCCUEN	E PT LOT 1 W PT LOT 2 WD 5 TYBEE	HARTZ JAMES ELDO	CAMA	ASMT		
LAST INSP	01/03/2018		204 7TH ST	273,000	273,000	LAND	1
APPR ZONE	000008		TYBEE ISLAND GA 31328			BLDG	0
				8,100	8,100	OBXF	4
				281,100	281,100	Cost - MS	

SALES BOOK / PAGE	INS	VI	QU	RSN	PRICE
07 Aug 225J 0509 WD I U UX 2001					450,000
GRANTOR: JAMES & BARBARA CHAFFIN GRANTEE: JAMES ELDO HARTZ					
01 Dec 1890 300 WD I Q QW 1997					450,000
GRANTOR: JAMES & BARBARA CHAFFIN GRANTEE: JAMES ELDO HARTZ					
06 Nov 182C 223 WD I Q QX 1996					425,000
GRANTOR: SHERENGO, M. CLARA GRANTEE: CHAFFIN, JAMES E & BARBAR					



[Click for larger picture]

PERMITS	TYPE	DATE	AMOUNT
160216	BR	03 Jan 2017	Comp NaN
04-326		26 Jul 2004	Issued 400



COMMENTS:	
30 Aug 2017	APARTMENTS ON PARCEL 4-0008 -04-010A
25 Sep 2006	TY06 05 COV SENT 9-1-06 NJV
15 Dec 2004	TY97 HS10 REMOVED NJV 11-22-96
15 Dec 2004	WR&HC 12/9/04 PERMIT \$400 VALUE NO CHANGE TO POOL AREA
23 May 2003	AND LAND REVIEW.
12 Sep 2002	2003, HCC, REVIEWED PROPERTY.
25 Oct 2001	SALE REQUEST SENT 10/26/01
06 Dec 2000	ADD CHG PER LET 12-6-00/BS
23 May 2000	ADD CHG NOTE 5-23-2000 SSB
08 May 2000	POOL AREA FOR PARCEL 4-8-5-2.
17 Feb 2000	ADD CHG P/O 2-17-2000 SSB

CODES		
PROPERTY USE	0002	COMMERCIAL
UTA	0004	Tybee Island
NBHD	020500.00	T500 TYBEE TO BULL R
EXEMPTIONS		
COMMCATEG	352	Multiple Res (Low Rise)

HISTORY LAND	IMPR	TOTAL
2017	273,000 33,100	306,100 Cama
2016	277,200 8,100	285,300 Cama
2015	277,200 8,100	285,300 Cama
2014	277,200 8,100	285,300 Cama
2013	277,200 8,100	285,300 Cama
2012	277,200 8,100	285,300 Cama
2011	277,200 8,100	285,300 Cama
2010	277,200 8,100	285,300 Cama
2009	378,000 8,000	386,000 Over
2008	378,000 8,000	386,000 Cama
2007	378,000 8,000	386,000 Cama
2006		386,000 A/C
2005		260,000 A/C
2004	210,000 27,000	237,000 Cama
2003	210,000 27,000	237,000 Cama
2002	160,000 27,000	187,000 Cama
2001	160,000 27,500	187,500 Cama
2000	67,500 27,500	95,000 Cama
1999	48,300 12,920	61,220 Over
1998	48,300 12,920	61,220 Over
1997	48,300 12,920	61,220 Over
1996	38,640 12,920	51,560 Over
1995	38,640 12,920	51,560 Over
1994	38,640 12,920	51,560 Over
1993	38,640 12,920	51,560 Over
1992	38,640 12,920	51,560 Over

EXTRA FEATURES																		
ID#	BLDG #	SYSTEM	DESC	DIM 1	DIM 2	UNITS	QL	UNIT PRICE	RCN	AYB	EYB	DT	ECON	FUNC	SP	SP%	RCNLD	MKT VALUE
139896		COMM POOL	COMMERCIAL POOL; APPEARS TO BE OUT OF ORDER; SEC	20	40	800.00	3	43.38	34,704	1980	1980	30					6,941	6,200
139897		CONCRETE SLAB	6"	120	12	1440.00	3	2.96	4,262	1970	1970	15					852	800
139898		Storage/Utility	avg CLASS C UTILITY; SEC97 P10	0	0	408.00	3	9.84	4,015	1970	1970	30					803	700
139899		4'CL FENCE	PER L F	0	0	220.00	3	9.10	2,002	1970	1970	15					400	400

LAND															
ID#	USE	DESC	FRONT	DEPTH	UNITS / TYPE	PRICE	ZONING	LCTN	TOPO	OTHER	ADJ1	ADJ2	ADJ3	ADJ4	MKT VALUE
110613	General	Commercial 1	0	0	4,200.00-SF	65.00	C1								273000

Type: WD  
Kind: WARRANTY DEED  
Recorded: 12/6/2018 1:44:00 PM  
Fee Amt: \$14.00 Page 1 of 3  
Chatham, Ga. Clerk Superior Court  
Tammie Mosley Clerk Superior Court

Participant ID(s): 4878462932,  
7067927936

**BK 1507 PG 175 - 177**

---

**ABOVE SPACE FOR RECORDING INFORMATION ONLY**

Prepared by:

**BOUHAN  
FALLIGANT**

ATTORNEYS & COUNSELORS AT LAW  
One West Park Avenue  
Savannah, Georgia 31401  
ATTN: Harris G. Martin  
(912) 644-5744  
File No.: 19446-6

**LIMITED WARRANTY DEED**

**THIS INDENTURE**, made and entered into as of December 6, 2018, by and between **TYBEE POOL, LLC**, a Georgia limited liability company (hereinafter referred to as the "Grantor"), and **SOUTHERN BELLE RENTALS, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits);

**W I T N E S S E T H, T H A T:**

**GRANTOR**, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto said Grantee, all those tracts or parcels of land lying and being located in Chatham County, Georgia, and being known as **Eastern 20 Feet of Lot 1 and Western 40 Feet of Lot 2, Resubdivision of Beach Lot No. 101, Ward 5, Tybee Island, Chatham County, Georgia**, and more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference (hereinafter referred to as the "Property").

**THIS CONVEYANCE** and the warranties contained herein are expressly made subject to

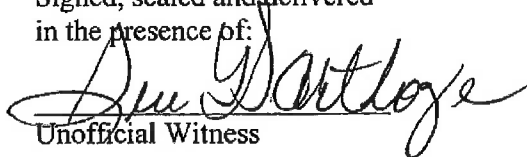
all liens, encumbrances, restrictions and other matters of record.

**TO HAVE AND TO HOLD** the said described Property to the said Grantee, so that neither the said Grantor nor any person or persons claiming under the said Grantor, shall at any time, by any means or ways, have, claim or demand any right or title to the said described Property or appurtenances, or any rights thereof.

**AND THE SAID GRANTOR** will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities owning, holding or claiming by, through or under Grantor, but not otherwise.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Limited Warranty Deed on the day and year first above written.

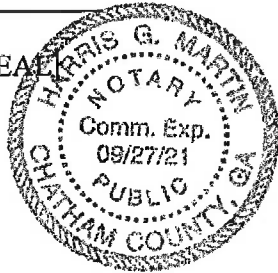
Signed, sealed and delivered  
in the presence of:

  
Unofficial Witness

  
Notary Public

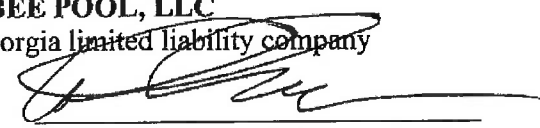
My Commission Expires:

[NOTARY SEAL]



**GRANTOR:**

**TYBEE POOL, LLC**  
a Georgia limited liability company

By:   
Walter J. Freeman, its manager

**EXHIBIT "A"**

All that certain lot, tract, or parcel of land situate, lying, and being in the town of Tybee Island (formerly Savannah Beach), Tybee Island, Chatham County, Georgia, known and designated as the eastern twenty (20) feet of Lot Number One (1) and the western forty (40) feet of Lot Number Two (2) of a resubdivision of Beach Lot No. 101, Ward 5, as shown on a map as recorded in Plat Record Book "A," Page 308, in the public records of Chatham County, Georgia, said portions of said lots lying contiguous and together having a frontage of sixty (60) feet on the southern side of Silver Avenue with a rectangular depth southwardly of seventy (70) feet and being bounded as follows: on the north by Silver Avenue; on the east by the remaining twenty (20) feet of Lot Number Two (2), said subdivision and ward; on the south by a portion of Beach Lot No. 102, said ward; and on the West by the remaining eighty (80) feet of Lot Number One (1), said resubdivision and ward.



Sanders Architecture

Sanders Architecture  
Gary Sanders, Architect NCARB  
3024 Bull Street #223  
Savannah, Georgia 31405  
912-200-7020

Mr. George Shaw  
City of Tybee Island, Building Safety  
403 Butler Ave.  
Tybee Island, GA 31704

19 Silver Ave, Site Plan

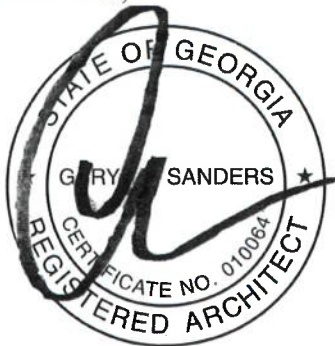
Dear George,

The submitted site plan redirects any water that may have been previously draining from the existing pool patio to the neighboring adjacent properties toward Silver Ave.

Additionally, we have added green and permeable surfaces to greatly decrease site runoff from the site as a whole.

Please don't hesitate to contact me if you need any further questions or concerns on this or any other matter.

Thank You,



Gary Sanders, Architect

JOB: 1036  
 CAD FILE: MS-PLAN  
 DRAWN BY: SLT  
 CHECKED BY: GCS

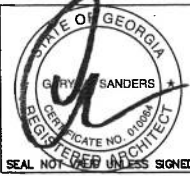
This drawing & all written material herein, is an instrument of service and shall remain the property of Sanders Architecture. Reproduction prohibited without prior written consent.

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Sanders Architecture  
 302.5 Bull Street, Ste. 223  
 Savannah, Georgia 31405  
 Gary Sanders, Architect  
 912-323-1220

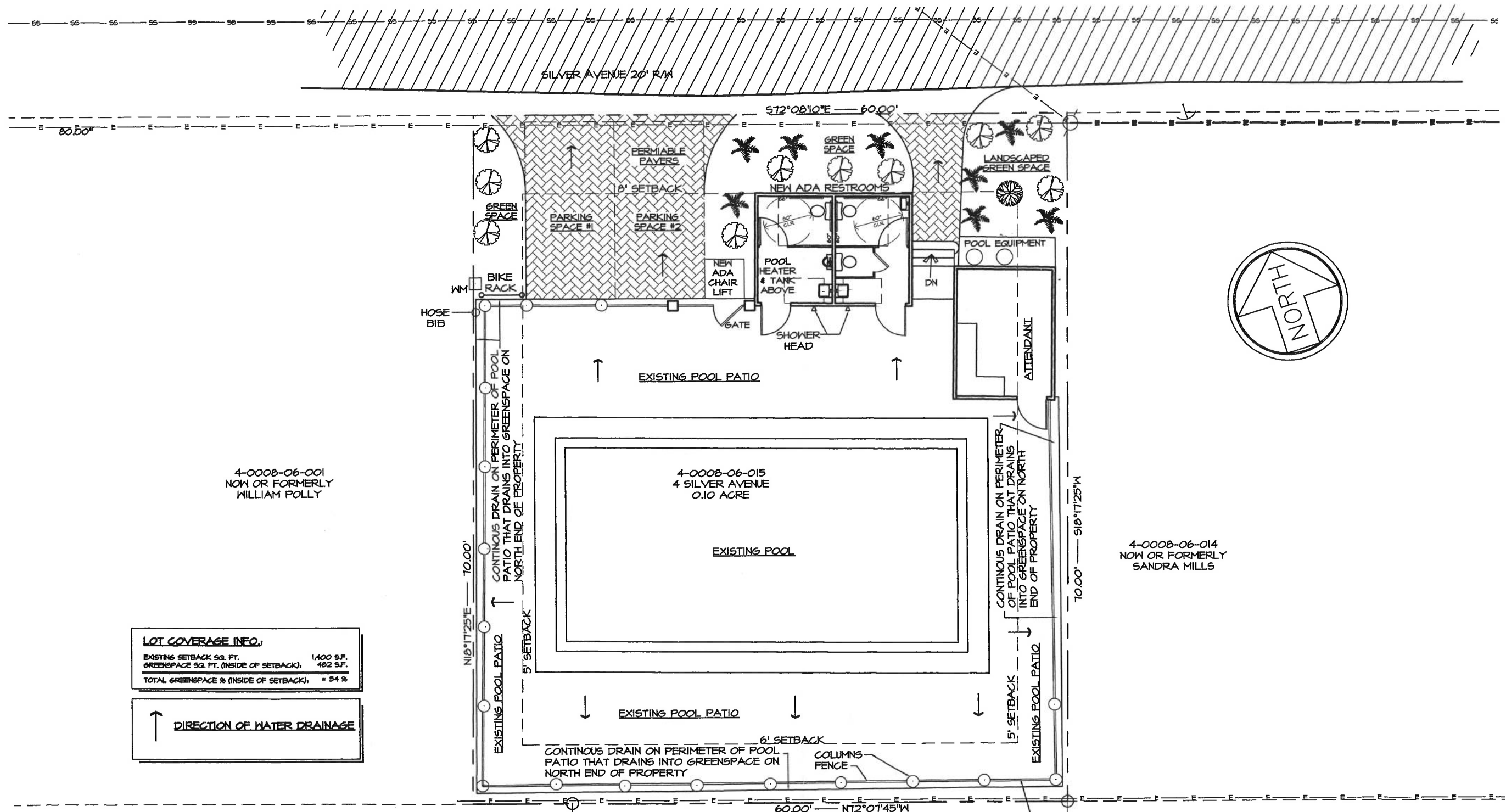


DATE	DESCRIPTION	BY

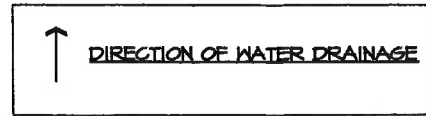


**POOL RENOVATION**  
 for: WALT FREEMAN  
 19 SILVER AVE.  
 TYBEE ISLAND, GEORGIA

ARCHITECTURAL SITE PLAN  
 A.I.O



**LOT COVERAGE INFO:**  
 EXISTING SETBACK SQ. FT. 1,400 S.F.  
 GREENSPACE SQ. FT. (INSIDE OF SETBACK) 482 S.F.  
 TOTAL GREENSPACE % (INSIDE OF SETBACK) = 34 %



4-0008-06-001  
 NOW OR FORMERLY  
 WILLIAM POLLY

4-0008-06-014  
 NOW OR FORMERLY  
 SANDRA MILLS

4-0008-06-002  
 NOW OR FORMERLY  
 ROBERT LINDSEY

4-0008-06-003A  
 NOW OR FORMERLY  
 NANCY EVANS

4-0008-06-003  
 NOW OR FORMERLY  
 DAVID BLACKMON

plan 1 ARCHITECTURAL SITE PLAN  
 3/16" = 1'-0"  
 0' 2' 4' 8'

NOT RELEASED FOR CONSTRUCTION

## Lisa Schaaf

---

**From:** Downer Davis <dkdbus@gmail.com>  
**Sent:** Monday, December 10, 2018 4:57 PM  
**To:** George Shaw; Lisa Schaaf  
**Subject:** Fwd: Silver pool  
**Attachments:** IMG-1639.JPG; IMG-1640.JPG; IMG-1641.JPG; silver pool from SAGIS 12102018.JPG

----- Forwarded message -----

**From:** Downer Davis <dkdbus@gmail.com>  
**Date:** Mon, Dec 10, 2018 at 4:39 PM  
**Subject:** Silver pool  
**To:** <dkdbus@gmail.com>

The snip from SAGIS and my pics show that the pool deck has been replaced. Previously it sloped away from the pool onto property of others.

On DEC 5th when I received it (3 business days ago), I commented at 4:38pm, "*I'll comment in detail later tonight or in the morning.*"

*Regarding impact to neighboring private property, the drainage intent is acceptable. More detail is needed and I'll elaborate on that by tomorrow.*

*Due to increased discharge to Silver, based on my knowledge of that area, I'd recommend that Ricky be copied as his department will be accepting increased flows. Yes, they're real low increases, but the grade differential between the pavement on which the runoff flows and improved properties is really small, too."*

With DPW's verbal comments to you, my concerns were matched on the detail of discharge into the R.O.W.

- 1) Once the redirected runoff enters Silver Avenue, where does it go? I want documentation of how it does not adversely affect other properties afterwards.
- 2) The green space and permeable surfaces should provide at least some reduction of outfall onto Silver Ave. I'm not disagreeing with the Architect's statement that runoff from the whole site has been reduced. However, runoff onto Silver should not be increased unless conveyance capacity has been documented to suitable receiving stormwater infrastructure. If the permeable pavers are the fully permeable pavers as in the CSS and GASWMM, they and the green space may provide adequate reduction. Gary will need to quantify this.
- 3) Also, the deck perimeter collection system needs to be sized and detailed.



# WALT FREEMAN

walterjfreeman@gmail.com | 912.508.1711

Dear Planning Commission,

My name is Walt Freeman and I am a full-time resident of Tybee Island. I have lived at 129 Lewis Ave for almost 3 years and have been working on Tybee for the past 15 Years. My mother lived at 129 Lewis Ave for the previous 15 years from 1999 to 2015 prior to my wife Summer Roberson and I buying the house from her in 2016. I will turn 40 in Jan 2019 and have been coming to Tybee Island since I was born. My grandfather was a Colonel in the Army and was stationed at Hunter Airfield so I spent my summers on Tybee since I was born. My Grandfather was a World War 2 Pilot and My Father was in Vietnam. My Mother Worked for the State School System For over 30 Years and My Wife Was the Patient Relations Rep for St Joseph and then on to Work For Hospice. My wife is now self employed and we run a small Family Business Together.

We are committed to living on Tybee. Our house has been flooded in Matthew and Irma. Our flood claim was one of the largest on the Island and we spent 10 Months trying to get the insurance company to do the right thing while living in a home with no sheetrock for 10 months, with a 4 year old. We are one of the few substantially damaged homes on Tybee from a single hurricane and are on the first round of homes to be lifted should the grant be approved at the federal level. The past two years has not been easy to keep our personal lives and business afloat with the substantial hits to our financial and mental well-being from the hurricanes.

I own a company called Southern Belle Vacation Rentals on Tybee Island located at 1006 US 80. Southern Belle Vacation Rentals is the owner of the parcel of land located at 19 Silver Ave. I renovate and remodel neglected properties and structures on Tybee and have never sold anything that I renovate. My passion is seeing the good in things and through a lot of sweat equity breathing life back into them.

My family and I Contribute to Tybee in Many Ways:

#1 In 2018 so far I have paid \$60,000 in Hotel/Motel Tax to the City of Tybee.

#2 My wife Summer Roberson has been on the board at Tybee Maritime prior to it opening fundraising and has served on the board Since 2016.

#3 My mother Cindy Cupp retired after 30 Years from the state of Georgia as the State Reading and Curriculum Director. Her Connections at the state and federal level helped pave the way for the Maritime Academy. My mother Cindy Cupp was one of the original board members of the Maritime Academy and spent 4 years and over 2000 hours of her time along with \$15,000 of her own money to help the Tybee School. She flew to Washington DC lobbying for the Tybee School on a volunteer basis to help get the school approved as a Maritime Academy. She did this to help Tybee. She was the Vice President of the Founding Board. She is a consultant to Georgia School systems and the Consulting work she did to help the school gain maritime status did not exist Nationally until Cynthia Cupp created it. She wrote the books and created the Curriculum that the school uses. Carolyn Jurick was in Charge of writing the Grant my Mother was in Charge of Writing the Curriculum and Providing Liaison connections through the Chatham County Board of education and the Georgia State Department of Education from her 30 years of work for the state and Retiring as the State Curriculum director.

#4 My company Southern Belle Vacation rentals is a sponsor of the Pirate Fest, Polar Plunge, Tybee Post Theater, Tybee Maritime Academy Tour Of Homes, Tybee Turtle Trot, Tybee Marine Science Center, Tybee Wine Festival, and the Tybee Critz Run Fest. We are members of the Chamber, of TIARA, and donate to Forever

**#5** I have been the 2nd largest sponsor to the Savannah SAFE Shelter Gala for two consecutive years.

**#6** After Both Hurricane Irma and Tybee I paid my cleaning Staff and maintenance staff over \$10,000 to clean up my neighbors yards who could not do it on their own. I dedicated our time to cleaning up people's yards on Tybee that I did not know when I was told that they needed help in other areas of Tybee besides Lewis Ave.

**#7** I have a nephew on my wife's side of the Family that has been abandoned by his mother. We employ him and mentor him and teach him to have a serious work ethic, financial Independence, and how to make it in life.

We are good people and do right by our neighbors, community, and our city.

### **Our Project**

We want to build the structure you see today represented in our drawings so that our guests and owners of vacation homes have a nice place to use the bathroom that will be handicap accessible. The structure will also provide a way to make the site handicap accessible by adding a handicap lift.

Since we have purchased the parcel of land at 19 Silver Ave we have improved many things at the parcel of land and will improve many more upon completion.

When we are finished with the project we will have improved the parcel in the following ways:

**#1** Decreased runoff by 100% from running off of neighboring properties by adding a drain around the entire pool patio area. We have already added this drain around 30% of the pool and when we finish the fence columns around the pool the drain will be finished in the slot you can see around the perimeter of the pool.

**#2** Removed the old chain-link fence and provide an aesthetically-pleasing wood shadowbox fence around 3 sides of the pool to screen the pool from neighboring homes.

**#3** Drastically increased the green-space on the parcel.

**#4** Decreased the chemical usage of chlorine by 100% by converting the pool to salt water.

**#5** Improved the aesthetics of the parcel by investing over \$150,000 in improvements and improving the values of the neighboring homes, which in turn will increase the tax base since they are mainly secondary homes.

**#7** Make the site handicap accessible.

**#8** Adding a handicap lift for handicap accessible entry into the pool.

I look forward to your questions and thank you for your time and consideration.

Sincerely,



- 171 -

RENOVATED POOL, NOVEMBER 26, 2018

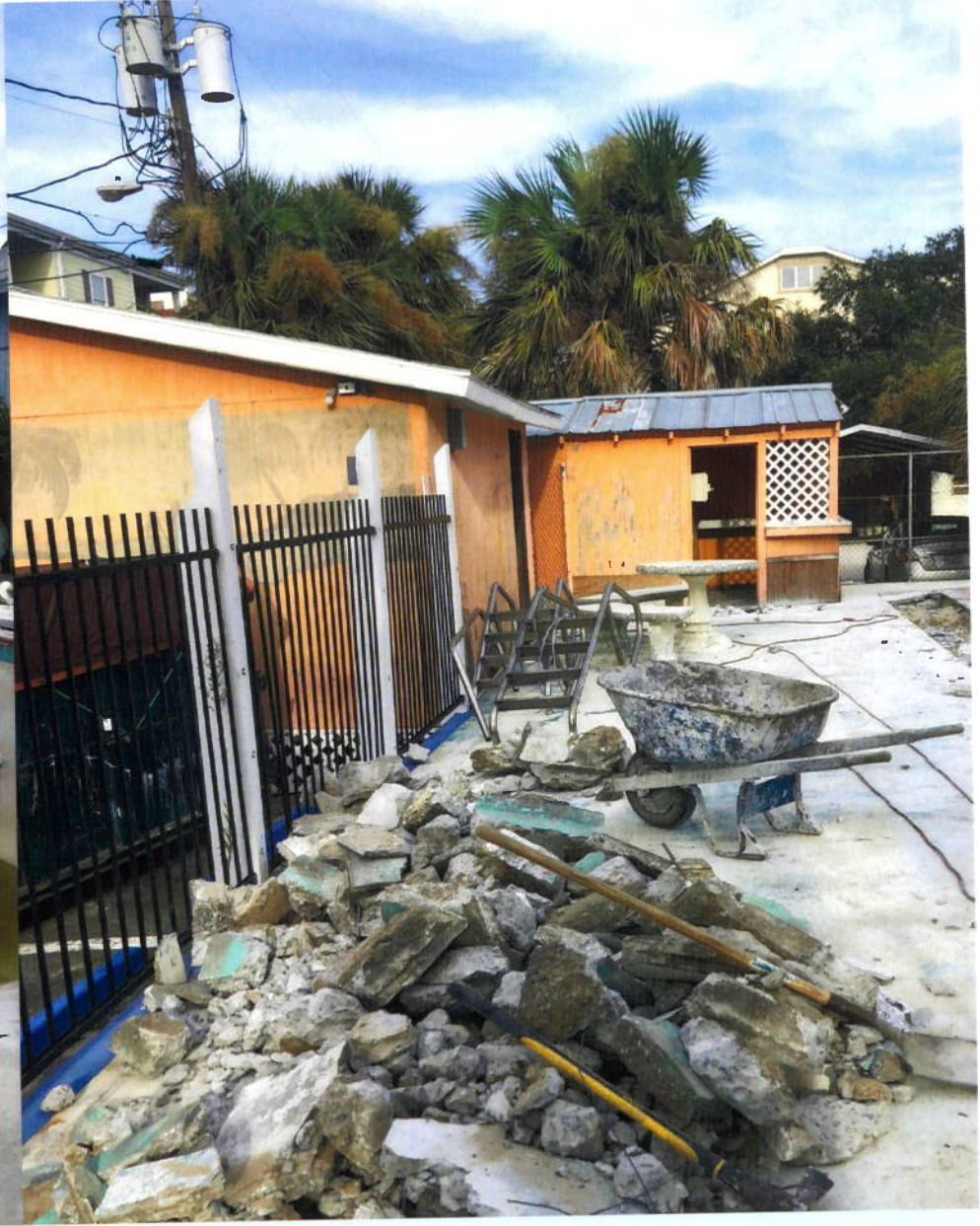


- 172 - BEFORE WE STARTED WORK  
JULY 1, 2018



- 173 -

CEL PRIOR TO IMPROVEMENTS  
JULY 1, 2018



BEFORE IMPROVEMENTS  
- 174 -  
JULY 1, 2018



FINISHED TILE  
- 175 -  
NOVEMBER 26, 2018



THE BUILDING WHICH PREVIOUSLY EXISTED

- 176 -  
JUNE 1, 2018

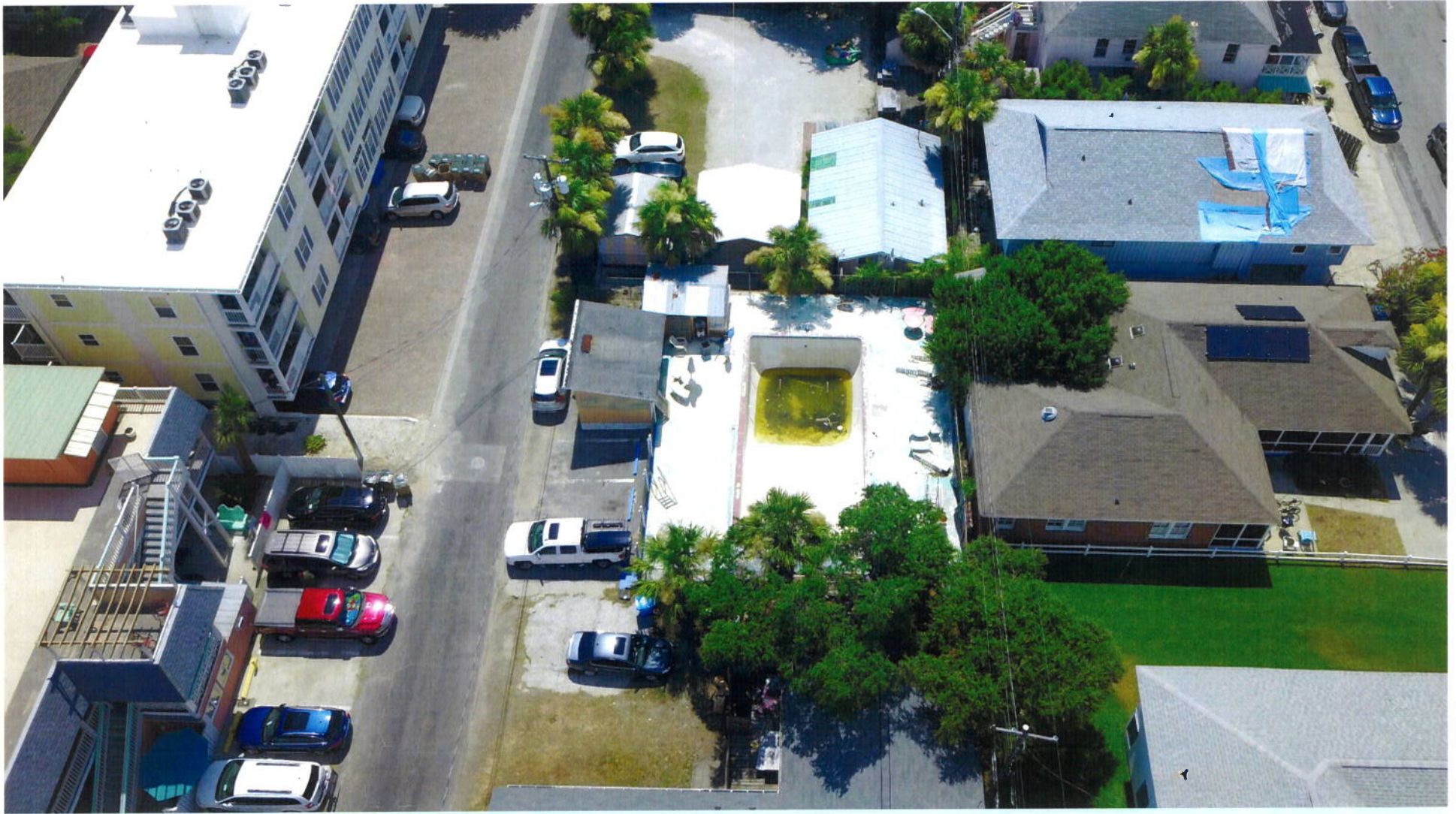




ARIAL VIEW FROM ABOVE  
JULY 1, 2018



- 178 - BUILDING WHICH PREVIOUSLY EXISTED  
JULY 1, 2018



ARIAL VIEW LOOKING EAST  
JULY 1, 2018



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: consideration of new building for pool restrooms – 19 Silver Avenue – Zone C-1 – 4-0008-06-015 – Walt Freeman.

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
Bishop			Chair
Bossick	X		Vice Chair
Robertson	X		MOTION
Gann	X		
Bramble	X		
Matlock	X		SECOND
McNaughton	X		

Planning Commission Chair:

Date: 1/2/19

Planning & Zoning Manager:

Date: 12-28-2018

**Backup material for agenda item:**

17. Map & Text Amendment: consideration of zoning use change from RT To C-2 -Lot 68B  
Lewis Ave. -Zone RT -4-0003-06-002B -Julie A. Livingston



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by noon on Wednesday a week prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three minute limit for all visitors.**

Council Meeting Date for Request: 1/10/2019

Item: Map & Text Amendment

Explanation: consideration of zoning use change from RT to C-2 – Lot 68B Lewis Avenue – Zone RT – 4-0003-06-002B – Julie A. Livingston.

Paper Work: YES Attached  
                     Audio/Video Presentation\*

- **If applicable, a copy of the presentation / report must be submitted with this agenda request.**
- **If applicable, audio / video presentations must be submitted to the IT department at City Hall at least 48 hours prior to the meeting.**
  - **Request will be postponed if necessary information is not provided.**

Submitted by: Lisa L. Schaaf

Phone / Email: Lschaaf@cityoftybee.org

Date given to Clerk of Council: 1/4/2019

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(912) 786-4573 – FAX (912) 786-5737 [www.cityoftybee.org](http://www.cityoftybee.org)**





# STAFF REPORT

PLANNING COMMISSION MEETING: December 17, 2018

CITY COUNCIL MEETING: January 10, 2019

LOCATION: Parcel 4-0003-06-002B

APPLICANT: Julie Livingston

OWNER: Annette Bergman

EXISTING USE: Empty lots

PROPOSED USE: Commercial

ZONING: R-T

PROPOSED ZONING: C-2

USE PERMITTED BY RIGHT: With rezoning

COMMUNITY CHARACTER MAP: Marshfront Neighborhood

APPLICATION: Map and text amendment from R-T to C-2.

PROPOSAL: The applicant is requesting to change zoning from R-T residential tourist C-2 to allow for commercial uses.

ANALYSIS: This lot is zoned R-T and is the only R-T zoning in the area. The lot across the street is C-2, the lots to the north are C-2, the lots to the east are C-2 and R-2, the R-2 lot being city owned marshland and the lot to the south is zoned R-1B but is a city owned utility parcel.

The Comprehensive Plan describes the Marshfront Neighborhood in which it lies as follows:

*Along the marshfront exist residential uses of various ages, sprinkled with intermittent commercial uses. Zoning classifications are R-1, R-1B, R-2, and E-C. Providing natural habitat, scenic views, and access to the water via docks and creeks, natural resources here require special consideration.*

The description does not mention that there is C-2 zoning in this area.

<i>Comprehensive Plan – Community Character Area The Marshfront Neighborhood</i>		
<i>Recommended Development Strategies</i>		<i>Meets Strategy Y/N or N/A</i>
1.	Permit only uses compatible with the area character	Y
2.	Permit only uses that will not adversely affect/impact the marsh environment	Y
3.	Enforce marsh buffer ordinance within the area	Y
4.	Prioritize tree preservation to protect the scenic and habitat value of the area	Y


**STAFF FINDING**

Staff is unsure why this lot is zoned R-T but it is inconsistent for the area. The proposed C-2 zoning would be compatible with the surrounding lots on three sides and the city lot to the south will act as an additional buffer for the R-1B neighborhood to the south. Staff recommends approval

*This Staff Report was prepared by George Shaw.*

**ATTACHMENTS**

- A. Map Amendment application (3 pages)
- B. Photographs (2 pages)
- C. Property card (2 pages)
- D. SAGIS map (1 page)





# CITY OF TYBEE ISLAND LAND DEVELOPMENT CODE MAP AMENDMENT APPLICATION

Fee \$500

Applicant's Name Julie A. Livingston

Applicant's Telephone Number 740-348-6257

Applicant's Mailing Address PO Box 989 Tybee Island GA 31328

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

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

Disclosure of Campaign Contributions form attachment hereto:  Yes

Julie A. Livingston 11/30/18  
Signature of Applicant Date

NOTE: Other specific data is required for each proposed Map Amendment.

Lois J. Schay 12/3/18  
City Official Date  
C - 185 - 198  
\$500.00





CITY OF TYBEE ISLAND

CONFLICT OF INTEREST IN ZONING ACTIONS  
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

YES \_\_\_\_\_ NO  \_\_\_\_\_

IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

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

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

Signature Julie A. Livingston

Printed Name Julie A. Livingston

Date 11/30/18

## Request for Map Amendment Narrative

### Lewis Avenue, Lot 2B

I request a map Amendment (zoning use change) of Lot ~~68B~~, Lewis Avenue.

The lot to be considered is included as a portion of both Lot 1 and 2 which are both zoned C-2 Highway business. The lot is approximately 60' by 153' or 9180 square feet.

The current zoning on the lot is RT and the lot is currently vacant as is the adjacent lot #2, mentioned above. The other adjacent lot (to the SW) is a city owned parcel (67) that contains a sewer lift station. The lots border Lewis Avenue to the West. On the West side of Lewis Avenue, the C-2 zoning extends from the lot directly across Lewis from the lot I am requesting the change for (lot ~~32~~) north to Highway 80. To the East of Lot ~~68B~~ is a city owned unopened right away for Sixth Avenue.

Approval of the requested map amendment (zoning change) would not create an isolated district and would in fact "clean up" the lot lines of the C-2 district by creating as closely as possible, a continuing zoning line across Lewis Avenue.

The requested change would not have any impact on the existing density pattern and very little change on public facilities.

I will be purchasing the three lots (~~68A~~, ~~68B~~ and 69) with the intention of creating a low impact family friendly entertainment venue. The use Lot 67 in a commercial manner is vital to the successful development of this endeavor. My intent is to create a small but well constructed 18 hole mini golf course utilizing Lot 67 generally for parking and possibly a picnic type area. The existing house will be refurbished and used as an office area, restrooms, light snacks and dependent upon space, possibly some video games.

The proposed change should not adversely affect the existing conditions in the neighborhood as parking will be well managed within this area, landscaping and buffers will be placed and business hours will not run past 11:00pm, lighting is being designed with both the neighborhood residents and wildlife in mind. The clientele targeted will be families and discount family packs will be offered.

A drainage plan will be provided with site plan and design does not include poured concrete but instead utilizes permeable materials throughout the course and modular putting greens.

There should be no increased cost to the public and no adverse effect on public safety.

The proposed change will not be out of scale with the neighborhood or the city.

There is no grant of special privilege as any property owner may apply for a similar request and it may be granted under similar circumstances.

Approval of this request is consistent with the current city master plan beginning with the “Vision” which states:

*“We will foster a vibrant, year-round economy and support our business community in its goal to provide quality services and facilities for both residents and visitors. We will provide increased recreational and educational opportunities for all age groups to promote Tybee Island as a family-friendly, four-season vacation destination, while enhancing the distinctive atmosphere of our island life.”*

This theme continues throughout the master plan.

## Zoning

---

From: Annette Bergman (annettebergman@att.net)

To: dixiepedaler@yahoo.com

Date: Thursday, November 29, 2018 02:43 PM EST

---

November 29, 2018

I have given Julie Livingston permission to ask for a change of zoning on the property that I own on Tybee Island. The lot number is the third piece of property behind 104 Lewis Ave. 68-B. Dimensions is 60 feet wide on Lewis Ave and 153.44 feet deep on the south side of the lot.

Sincerely,  
Sylvia Annette Bergman

Annette Bergman  
Author of  
Return to Tybee  
Things That Make Me Nuts  
How to Prepare Your Home for Sale

<https://www.amazon.com/How-Prepare-Your-Home-Sale-ebook/dp/B00EMMW1RC>

# 2018 Chatham County Board of Assessors

**4-0003-06-002B**

## Property Record Card

**LEWIS AVE TYBEE ISLAND**

APPRAISER	MWTHOMAS	LOTS 68B PALM TERRACE HAMMOCK WD	BERGMAN SYLVIA ANNETTE	CAMA	ASMT			
LAST INSP	11/23/2015		104 LEWIS AVE	111,400	111,400	LAND	1	
APPR ZONE	000008		TYBEE ISLAND GA 31328			BLDG	0	
						OBXF	0	
				111,400	111,400	Cost - MS		

SALES	BOOK /	INS VI	QU	RSN	PRICE
	PAGE				
24 Nov 2016	976 792	ED I U UE			
GRANTOR:BERGMAN ROY F & SYLVIA ANNETTE					
GRANTEE:HARDIE NANCY JANE AS TRUSTEE* & SYLVIA ANNETTE BERGMAN					
24 Nov 2016	976 795	ED I U UE			
GRANTOR:HARDIE NANCY JANE AS TRUSTEE* & SYLVIA ANNETTE BERGMAN					
GRANTEE:HARDIE NANCY JANE & BERGMAN SYLVIA ANNETTE					
24 Nov 2016	976 797	QC I U UQ			
GRANTOR:HARDIE NANCY JANE & BERGMAN SYLVIA ANNETTE					
GRANTEE:BERGMAN SYLVIA ANNETTE					
01 Oct 1990		I U U8		22,500	
GRANTOR:					
GRANTEE:					



[Click for larger picture]

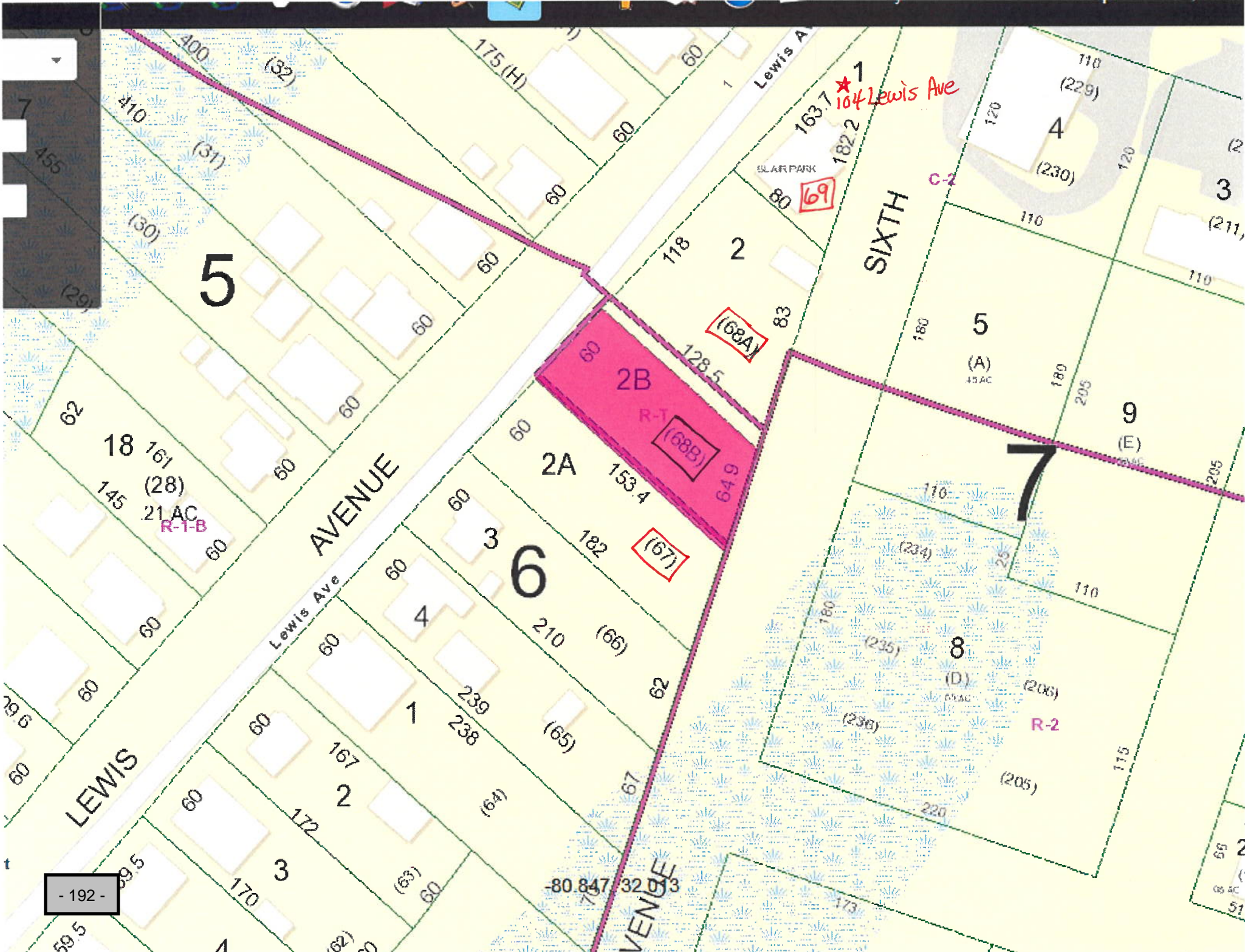


CODES		
PROPERTY USE	0006	RESIDENTIAL
UTA	0004	Tybee Island
NBHD	020222.00	T222 TYBEE HORSE PEN
EXEMPTIONS		

HISTORY	LAND	IMPR	TOTAL	
2017	111,400		111,400	Cama
2016	111,400		111,400	Cama
2015	110,200		110,200	Cama
2014	110,200		110,200	Cama
2013	110,200		110,200	Cama
2012	179,900		179,900	Cama
2011	179,900		179,900	Cama
2010	220,500		220,500	MAV
2009	220,500		220,500	Over
2008	339,500		339,500	Cama
2007	284,500		284,500	Cama
2006	337,500		337,500	Cama
2005	118,500		118,500	Cama
2004	92,000		92,000	Cama
2003	83,000		83,000	Cama
2002	56,000		56,000	Cama
2001	45,000		45,000	Cama
2000	25,000		25,000	Cama
1999	25,000		25,000	Cama
1998	25,000		25,000	Cama
1997	25,000		25,000	Cama
1996	12,000		12,000	Over
1995	12,000		12,000	Over
1994	12,000		12,000	Over
1993	12,000		12,000	Over
1992	12,000		12,000	Over

COMMENTS:	
24 Nov 2015	ADD CNG PER BOA EMAIL
17 Oct 2012	COA PER P/O
14 Dec 2000	ADD CHG PER P/O 12-14-00/BS
19 Nov 1998	ADD CHG 11-19-98 DH PER P/O 98

LAND														
ID#	USE DESC	FRONT	DEPTH	UNITS / TYPE	PRICE	ZONING	LCTN	TOPO	OTHER	ADJ1	ADJ2	ADJ3	ADJ4	MKT VALUE
108644	RESIDENTIAL V L	0	0	1.00-LT	96900.00	C2				SZ15				111400



5

6

7

LEWIS AVENUE

SIXTH AVENUE

VENGE AVENUE

R-1-B

R-T

R-2

104 Lewis Ave

(69)

(68A)

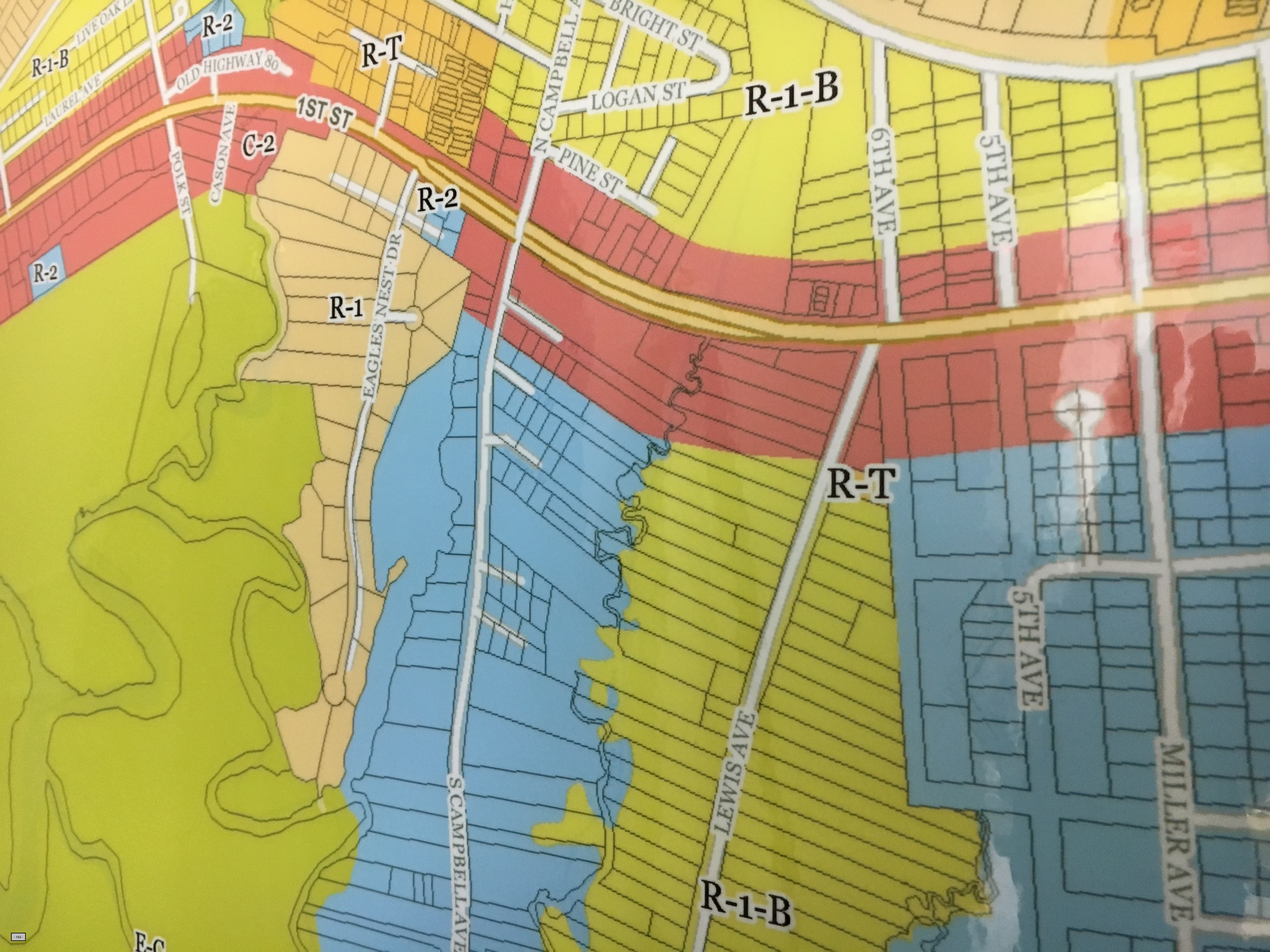
(68B)

(67)

2B  
128.5  
64.9

2A  
153.4





R-1-B

R-2

R-T

R-1-B

C-2

1ST ST

LOGAN ST

PINE ST

6TH AVE

5TH AVE

R-2

R-2

R-1

EAGLES NEST DR

N CAMPBELL AVE

BRIGHT ST

R-T

5TH AVE

MILLER AVE

R-1-B

E-C

SCAMPBELL AVE

LEWIS AVE



**PLANNING COMMISSION  
NOTICE OF DETERMINATION**

Meeting date: 12/17/2018

Project Name/Description: consideration of zoning use change from RT to C-2 – Lot 68B  
Lewis Avenue – Zone RT – 4-0003-06-002B – Julie A. Livingston.

Action Requested: Map Amendment

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

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

The Planning Commission Motion on Petition:     Approval     Denial     Continued

Action on Motion:

COMMISSIONER	FOR	AGAINST	COMMENTS
Bishop			Chair
Bossick	X		Vice Chair - MOTION
Robertson	X		
Gann	X		SECOND
Bramble		X	
Matlock	X		
McNaughton			RECUSED HIMSELF

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

Date: 1/2/19

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

Date: 12-28-2018

**Backup material for agenda item:**

18. 20181217 PC MINUTES



## PLANNING COMMISSION

Demery Bishop  
Ron Bossick  
Marianne Bramble  
Tina Gann  
Charles Matlock  
David McNaughton  
Alan Robertson



**CITY MANAGER**  
Shawn Gillen

**COMMUNITY DEVELOPMENT DIRECTOR**  
George Shaw

**CITY ATTORNEY**  
Edward M. Hughes

### Planning Commission Meeting MINUTES December 17, 2018

**Chair Bishop** called the December 17, 2018 Tybee Island Planning Commission meeting to order. Commissioners present were **Tina Gann, Marianne Bramble, Alan Robertson, David McNaughton, Ron Bossick** and **Charles Matlock**.

#### Consideration of Minutes:

**Chair Bishop** asked for consideration of the November 19, 2018 meeting minutes. **Alan Robertson** made a motion to approve with changes he addressed with planning staff. **Vice Chair Ron Bossick** seconded. The vote to approve was unanimous without **Charles Matlock's** vote; he was not present at the November 19 meeting.

#### Disclosures/Recusals:

**Chair Bishop** asked if there were any disclosures or recusals. **David McNaughton** asked to recuse himself from agenda item five the Map & Text Amendment for 68B Lewis Avenue, and asked to leave the commission to address this application from the floor as an interest party.

#### Old Business:

**Chair Bishop** asked if there was any old Business. There were none.

#### New Business:

**Minor Subdivision: separating one lot to make two single-family lots - 1809 Chatham Avenue – Zone R-2 - 4-0009-13-009 – Kelley B. Parker.**

**George Shaw** stated this area was actually two lots before, one smaller and one larger and now they are moving the lot line to make two conforming lots. This does meet the requirements of the Land Development code and both lots have access and drainage. **Staff** recommends approval. **David McNaughton** asked why the dunes were not marked on the minor subdivision map. **George Shaw** stated that is not required on a survey to be recorded at the courthouse. **Ron Bossick** asked if the city engineer looked at storm water capacity of where they are tying in. **George Shaw** stated the city put a pipe in recently to help with water flow, but they could not get a big enough one in that area. The owners of this property will be putting in some tide flaps so the water does not go on the property from the pipe. The pipe may not be suitable for all of the properties along Chatham to drain into especially at high tide. **Demery Bishop** stated the standing water on that property is a concern. **George Shaw** stated the applicant's drainage plan would help the property drain. The Residents at 1811 Chatham Avenue have the right to tie into that pipe; they have not yet done so. **Frank Kelly** who lives at 1706 Inlet Avenue, Tybee Island, approached the Planning Commission and stated there is definitely a water issue at Ally 3 located beside this property. The water always sits there. He stated he thinks it is a wetland because the water looks blue which is a sign of a swamp or wetlands. In addition, he is concerned the water would come towards Inlet Avenue if they drain that water off that area.

**David McNaughton** made a motion to approve with the condition to determine whether there are wetlands on the property. **Alan Robertson** seconded. The vote to approve was unanimous.

**Zoning Variance: consideration of setback encroachment - 701 Butler Avenue – Zone R - 2-4-0005-19-009 – Lynn Moody.**

**George Shaw** stated this applicant would like to add an addition to the existing front porch. The porch currently is not in the setback, it is a little over twenty-four feet from property line. They would like to encroach into the front setback about five feet and the side setback with a new set of stairs as much as seven feet. **Staff** recommends denial. **Vice Chair Ron Bossick** stated in Sec.3-050 – “Obstruction to visions at street intersections”. Was that measurement done for this application. **George Shaw** stated he has not looked at that and certainly would if this is approved before construction. **Lynn Moody** who lives at 701 Butler Avenue, Tybee Island, approached the Planning Commission and stated he would like to expand the porch 220 square feet to accommodate his expanding family, who all love to sit on the porch at the same time. **Marianne Bramble** asked if the steps were encroaching when he purchased the property. **Lynn Moody** stated yes, we purchased the house in 2010. In addition, did some construction to it at that time. He stated during that time the City asked him to cut the steps back three feet, which he did. **Alan Robertson** stated there has been more and more variance request in the past couple of years and he would like to remind the commission about the risk of waking up one day and the density on the Island will be exhausted. **Alan Robertson** made a motion to deny. **David McNaughton** seconded. The vote to deny was unanimous.

**Zoning Variance: consideration to cover existing deck that is in setback – 23 Atlantic Avenue – Zone C-1(C) – 4-0008-03-012 – Robert Glisson.**

**George Shaw** stated this property has a second floor porch that extends well into the setback and has been there a long time. Additional construction is not allowed by code. The roof was added without a building permit. When it was discovered, he was told it was not allowed and had to seek a variance to keep the roof. **Staff** recommends Denial. **Robert Glisson**, who lives at 23 Atlantic Avenue Tybee Island, approached the Planning Commission and stated he has been on Tybee since 1956 and has built several places on Tybee by code. He stated he built the house at 23 Atlantic Avenue the same time he put in the amusement park on Tybrisa and used it to store the rides, then later his help needed to stay there. He stated a few weeks ago, he had a crew painting the building and it was so hot he decided to have them go ahead and put a roof over the porch for shade. Then he had a curtesy inspection by the county inspector and was told how to build the roof the right way. He went the next day to get the permit and that is when Planning and Zoning told him he could not build the roof because it was in the setback and needed to ask for a Variance. **Charles Matlock** made a motion to deny. **Alan Robertson** seconded. Voting in favor were **Alan Robertson, Vice Chair Ron Bossick** and **Charles Matlock**. Voting against were **David McNaughton, Tina Gnann** and **Marianne Bramble**. Motion tied 3-3. **Chair Demery Bishop** voted for the motion. Motion to deny carried 4 to 3.

**Site Plan approval: consideration of a new restaurant – 1601 Inlet Avenue – Zone C-I/SE – 4-0008-17-003 – Joshua Navon.**

**George Shaw** stated the applicant would like to take the old post office building and turn it into a restaurant. The biggest concern is the parking. The code allows for a structure less than 2,000 square feet to not have to add parking if there within 1,000 feet of public parking in the C-1 district. He stated when he measured it was slightly over 2,000 but the applicant informed him that the interior useable space of the building is just less than 2,000 square feet. Technically, with that measurement they meet that requirement for not having to have parking. There are a couple spaces in the front of the building. The back is mainly a loading unloading area. The applicant plans to put decking in the back area. **Staff** does not recommend approval. **Vice Chair Ron Bossick** asked if the loading dock was included in that square footage, because the way the code reads it should be included. In addition, with that area the building would be over the 2,000 square foot. **George Shaw** stated he did not include that area and now thinks it should have been included in the square footage and he will check on that again. **Vice Chair Ron Bossick** stated the proposed site plan shows decking

completely in the back area. Where will the loading and unloading take place and where will they place the dumpsters. **Keith Gay** of Tybee Beach Vacation rentals, approached the Planning Commission and stated he was here on behalf of Mr. and Mrs. Gosner of 1603 Lovell Avenue across the street and also Mr. and Mrs. Pomeroy who live at 1601 Lovell Avenue north side of the this property. The concerns these neighbors have is the noise and traffic that this new business will contribute to that space. **Mark Reed**, who lives at 1515 Lovell Avenue Tybee Island, approached the Planning Commission and stated he lives caddy corner to 1601 Lovell Avenue and he wanted to address some things for the Planning Commission to consider. They are noise, trash and water. He stated there is already a noise problem in that area from the other restaurants, this will add more. The trash that falls out of the dumpsters from the other restaurants blows down the street and sits there. In addition, the drainage from the cleaning supplies gunk from the deck will be draining to the street and ocean. **Joshua Navon** who lives at 6 White Oak Lane, Tybee Island, approached the Planning Commission and stated that according to his Engineer and Architect the building is under the square footage that is allowed to not require parking. He also stated this would be a family seafood restaurant not a nightclub. His wife will be the chef for the restaurant. **Tina Gann** asked how he would make the neighbors happy. **Joshua Navon** stated he would do whatever is needed to keep the neighbors happy. **Vice Chair Ron Bossick** stated there are too many inconsistencies in the square footage for this building. **Alan Robertson** made a motion to deny. **Tina Gann** seconded. Voting in favor were **Alan Robertson, Tina Gann, Vice Chair Ron Bossick, Marianne Bramble** and **Charles Matlock**. Voting against was **David McNaughton**. Motion to deny carried 5 to 1.

**Map Amendment & Text Amendment: consideration of zoning use change from RT to C-2 – Lot 68B Lewis Avenue – Zone RT – 4-0003-06-002B – Julie A. Livingston.**

**George Shaw** stated that the applicant would like to change the zoning on this lot that is the third lot down Lewis Avenue from Highway 80. The first two lots are already C-2 and this third lot which is lot 68B is zoned R-T. He stated he could not find any record of why it was zoned R-T. For consistency, sake **staff** recommends approval. **Steve Knutson**, who lives at 116 Lewis Avenue, approached the Planning Commission and stated the two lots in front of the lot in question are about 341 feet down Lewis Avenue into the neighborhood from Highway 80. There are four houses directly across from this property that will be impacted by this change as well as others. There has been talk that a miniature golf might be going in this spot. He is very concerned about noise and what might go in that area if the mini golf does not do well. **David McNaughton** who lives at 144 Lewis Avenue Tybee Island, approached the Planning Commission and stated that the staff report suggest that R-T is an inappropriate zoning for this lot and C-2 would be more appropriate. He stated that seventeen years ago residents of Lewis Avenue petitioned the City to rezone the street from R-2 to R-1-B to preserve the lower density of Lewis Avenue. Then there was a Council meeting on April 13 of 2000, with the owner of lot 68A & lot 68B he asked Council to rezone both lots from R-2 to C-2. At that meeting, there was an objection that it would push the commercial into Lewis Avenue more than 300 feet. The result of that was to rezone 68A to C-2 and 68B to R-T. Tybee code describes R-T as “a district where tourist and residence can mix, but primarily residential.” In addition, the C-2 designation states “intended for location along arterial streets or the negative impacts of traffic congestion, noise, intrusions into residential neighborhoods will be minimized.” The definition for Arterial streets reads “those used or intended primarily for fast or heavy traffic.” Right now Highway 80’s speed limit is 35 and Lewis Avenue’s speed limit is 20. That means Lewis Avenue is not an arterial street and not worthy of C-2 zoning. He asked the Planning Commission to recommend the City Council deny the rezoning request. **Dee McCoy Hunter** who owns 161 Lewis Avenue Tybee Island, approached the Planning Commission asked that the Planning Commission deny the Map amendment. She stated the commercial development would bring higher density traffic to an already very narrow street that is very residential. **Fran Galloway**, who lives at 153 Lewis Avenue Tybee Island, approached the Planning Commission and stated this rezoning would be more devastating to our homes and neighborhood than the disasters Lewis Avenue has already been through. **Janice Insley**, who lives at 168 Lewis Avenue Tybee Island, approached the Planning Commission and stated that she bought her home in 1992 and at that time, it was full time

residence and families. She stated this would change the character of the neighborhood and most of the residences do not want any kind of business on that street. **Sherry Simmons**, who lives at 1311 Sixth Avenue Tybee Island, approached the Planning Commission and stated she is here to represent a friend Colleen Bozard who lives at 139 Lewis Avenue Tybee Island. She stated they bought their home on Lewis Avenue for the strong neighborhood feeling and they are very concerned that any kind of business on Lewis Avenue will threaten that small community. In addition, the street is very narrow. **Thomas Lee Jr.**, who lives at 7 Naylor Avenue Tybee Island, approached the Planning Commission and stated he is speaking on behalf of his parents Thomas & Sybil Lee who own 105 Lewis Avenue Tybee Island, that is across from lot 68B and they are planning to build a new home there soon. They strongly oppose this rezoning. **Chair Demery Bishop** read a letter that was sent to him from Mr. & Mrs. Lee opposing the rezoning. He also read a letter from Celeste Crane indicating that she owns the house at 107 Lewis Avenue Tybee Island. She stated she is very opposed to the rezoning. **Angie Hill** who lives at 55 Deerwood Road, Wilmington Island and **Beau Livingston**, who lives at 801 First Street Tybee Island, approached the Planning Commission and stated they are representing the applicants and they stated the business they want to put on this property is a family style venue. They stated lot 68B would be used for parking, family picnic area and buffers. In addition, all of the concerns from the community can be addressed on the site plan later if this is approved. **Deborah Harrell**, who lives at 133A Lewis Avenue Tybee Island, approached the Planning Commission and stated Lewis Avenue cannot handle any more traffic. **Fidelia Fowler**, who lives at 7B Village Place Tybee Island, approached the Planning Commission and stated she thinks this is a bad idea for that area because of how much encroachment there is into the residential area. **Vice Chair Ron Bossick** made a motion to deny. **Tina Gann** seconded. Voting in favor were **Alan Robertson, Tina Gann, Vice Chair Ron Bossick** and **Charles Matlock**. Voting against was **Marianne Bramble**. Motion to deny carried 4 to 1. **David McNaughton** recused himself so he did not vote.

**Site Plan approval: consideration of new building for pool restrooms – 19 Silver Avenue – Zone C-1 – 4-0008-06-015 – Walt Freeman.**

**George Shaw** approached the Planning Commission and stated this applicant is trying to update this property and would like to use this pool for his vacation rental guest. He would like to add greenspace to reduce runoff on the three sides and a new building for restrooms. **Staff** recommends approval. **Alan Robertson** asked if the building that was in the setback going to be moved back. **George Shaw** stated that building was removed and he would like to put a new building in the same area. **Alan Robertson** also asked if the drainage would be sufficient. **George Shaw** stated yes the City Engineer states that in his letter. **Vice Chair Ron Bossick** asked how the pool designation (private pool) was arrived. **George Shaw** stated he used that because it is not a public pool for everyone. **Marianne Bramble** stated this applicant came to us a couple months ago with ideas but no plan and now he is back with a plan. He did as we requested and it looks like a good plan. **Sondra Perry** who lives at 17 Silver Avenue, Tybee Island approached the Planning Commission and stated that she is very excited about this pool and this new owner. The owner before did not take care of the property. **Walt Freeman** and **Summer Roberson**, who live at 129 Lewis Avenue, approached the Planning Commission. **Summer Roberson** stated they are seeking approval for the reconstruction and repairs at 19 Silver Avenue. **Vice Chair Ron Bossick** asked if they have been in contact with Chatham County about the pool requirements. **Walt Freeman** stated he has been in touch with Chatham County and the Health Department on what he needs to do through them. **Keith Gay** of Tybee Beach Vacation Rentals approached the Planning Commission and stated that he is all for this renovation and it would really improve the area. **Alan Robertson** made a motion to approve. **Charles Matlock** seconded. The vote to approve was unanimous.

**Adjournment: Vice Chair Ron Bossick. Marianne Bramble** seconded. Meeting adjourned at 10:30pm.

*Lisa L. Schaaf*

**Backup material for agenda item:**

19. Alcohol License Request - Critz Tybee Run Fest, February 1 and 2, 2019





**MAYOR**

Jason Buelterman

**CITY COUNCIL**

Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



CITY OF TYBEE ISLAND

**CITY MANAGER**

Shawn Gillen

**CLERK OF COUNCIL**

Janet LeViner

**CITY ATTORNEY**

Edward M. Hughes

**City Council Agenda Item Request**

**Agenda Item Requests and supporting documentation must be submitted to the Clerk of Council by 4:00PM on the Thursday prior to the next scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda.**

Council Meeting Date for Request: January 10, 2019

Item: Alcohol License Request-Special Event-Beer, Wine, Liquor –

Critz Tybee Run Fest

Explanation: Critz Tybee Run Fest

Dates of event: February 1 & 2, 2019

Budget Line Item Number (if applicable): \_\_\_\_\_

Paper Work:  X  Attached\*

Audio/Video Presentation\*\*

\* **Electronic submissions are requested but not required. Please email to [jleviner@cityoftybee.org](mailto:jleviner@cityoftybee.org).**

\*\* **Audio/video presentations *must* be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the scheduled meeting.**

Submitted by: Sharon S. Shaver

Phone / Email: 912 472-5072 / [sshaver@cityoftybee.org](mailto:sshaver@cityoftybee.org)

Comments: \_\_\_\_\_

Date given to Clerk of Council December 26, 2018

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



## CITY OF TYBEE ISLAND ALCOHOL LICENSE APPLICATION



Application is hereby made for a license to do business within the City of Tybee Island as a dealer in alcoholic beverages as indicated below:

LICENSE CLASSIFICATION	FEE	CHECK
Retail Beer/Wine – Package Sales Only, Consumption on Premises Prohibited	\$ 350	
Retail Beer/Wine – Sale by Drink for Consumption on Premises Only	575	
Retail Liquor – Sale by Package Only, Consumption on Premises Prohibited	850	
Retail Liquor – Sale by Drink for Consumption on Premises Only	1,250	
Retail Liquor – Sale by Package & Drink both in One Building under One Ownership	2,000	
Sunday Sales of Alcoholic Beverages	150	
Wholesale Beer	765	
Wholesale Liquor	1,500	
Wholesale Wine	150	
Distiller, Brewer, or Manufacturer of Alcoholic Beverages	300	
Special Event – Public or Private Property - Beer, Wine (no current license) per event	50	
Special Event – Public or Private Property - Beer, Wine (no current license) 3 days	100	X
Special Event – Public or Private Property - Beer, Wine (holding current license) per event	10	
Special Event – Business Property – Beer, Wine, Liquor (no current license) per event	50	
Special Event – Business Property – Beer, Wine, Liquor (no current license) 3 days	100	
Special Event – Business Property – Beer, Wine, Liquor (holding current license) per event	10	

Notice: The applicant for a license shall be a citizen of the United States, a resident of Chatham County, and owner of the business or if a corporation, partnership or other legal entity is the owner, a substantial and major stockholder or the applicant may be the manager of the business charged with the regular operation of said business on the premises for which the license is issued.

Business Name <u>Cntz Tybee Run Fest</u>				
Location <u>N. Beach in front of fort &amp; 16th St. parking lot</u>				
Mailing Address <u>PO Box 22999 Savannah, GA 31403</u>				
Phone <u>912-629-7031</u>		Email <u>emily@cntz.com</u>		
Names and Home Addresses of Owners, Partners or Corporate Officers with Ten Percent (10%) Interest in Business				
Names (attach additional pages if necessary)	Date of Birth	Home Addresses	City, State, Zip	Social Security #
<u>Debra Cntz</u>		<u>5 Grinnall River Rd</u>	<u>Sav, GA 31406</u>	
<u>Dale Cntz</u>		" "	" "	

Is business incorporated? yes State of Incorporation GA Date Incorporated 12/12/2008

Names of landlord of the business location \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

What other business is conducted at this location? \_\_\_\_\_

Has application been made for required State and Federal Licenses? \_\_\_\_\_

Has applicant, any person connected with, or any person having an interest in this business:

- ever been convicted of any violation of law other than for a traffic violation? NO
- ever served time in prison or other correctional institution? NO
- ever had an alcohol beverage license suspended or revoked at any time in any location? NO

(if answer is yes, give details) \_\_\_\_\_

If this application is for RENEWAL of an existing license, enter License Number of existing license \_\_\_\_\_

If business is an eating establishment, are SUNDAY sales of alcoholic beverages contemplated? \_\_\_\_\_ If yes, submit additional affidavit.

ALL OF THE FOREGOING INFORMATION IS HEREBY GIVEN AND ALL OF THE FOREGOING STATEMENTS ARE HEREBY MADE ON OATH WILLFULLY, KNOWINGLY, AND ABSOLUTELY, AND THE SAME IS AND ARE HEREBY SWORN TO ME TO BE TRUE UNDER PENALTY OF LAW.

Applicant Signature Ducioz Date 5/8/18

Sworn to and subscribed before me this 8 day of 5, 18  
Michelle Pike  
Notary Public

Michelle Pike  
NOTARY PUBLIC  
Chatham County, GEORGIA  
Commission Expires  
8/18/2018

Approval	Signature	Date
City Manager		
Zoning		
Police		
City Council		

The CONSENT FORM is required for ALL alcohol license applications.

**CONSENT FORM**

I HEREBY AUTHORIZE THE TYBEE ISLAND POLICE DEPARTMENT TO REQUEST ANY CRIMINAL BACKGROUND HISTORY RECORD INFORMATION PERTAINING TO ME WHICH MAY BE IN THE FILES OF ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY. BE IT FURTHER UNDERSTOOD THAT THE PURPOSE OF OBTAINING THIS INFORMATION IS TO SATISFY THE REQUIREMENTS SET FORTH BY THE MAYOR AND COUNCIL OF THE CITY OF TYBEE ISLAND, REGARDING AN ALCOHOL BEVERAGE LICENSE APPLICATION.

Debra Critz  
FULL NAME (PRINT)

5 Ginnball River Rd  
ADDRESS

Savannah, GA 31406  
CITY, STATE, ZIP

F / W / \_\_\_\_\_  
SEX / RACE / DATE OF BIRTH

\_\_\_\_\_  
SOCIAL SECURITY NUMBER

Duciky / 5/9/18  
SIGNATURE / DATE

The ACKNOWLEDGEMENT is required for all LIQUOR BY THE DRINK alcohol license applications.

**ACKNOWLEDGEMENT**

I declare knowledge and understanding of Municipal Code Section 58-80: There is levied an excise tax on the sale of distilled spirits by the drink in the amount of three percent of the charge to the public for the beverage.

Duciky  
SIGNATURE

5/9/18  
DATE

The AFFIDAVIT is required if SUNDAY SALES of alcohol for consumption on premises are contemplated. Food and beverage sales records prepared by a CPA are required to be furnished to the City upon request.

STATE OF GEORGIA  
COUNTY OF CHATHAM

CITY OF TYBEE ISLAND  
**AFFIDAVIT**

I, \_\_\_\_\_, do hereby make this affidavit to be part of my application for an alcohol beverage license in the City of Tybee Island to sell distilled spirits, malt beverages and/or wine for the consumption on the premises in my eating establishment on Sunday. Said establishment is located at \_\_\_\_\_, Tybee Island, Georgia.

I am the \_\_\_\_\_ of the establishment known as \_\_\_\_\_.

I hereby further state that at least fifty percent (50%) of the total annual gross food and beverage sales are derived from the sale of prepared meals or food.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

-----

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Chief of Police \_\_\_\_\_  
Date \_\_\_\_\_

No Georgia History 12-18-18 PS

[Signature] 12/18/18

**Backup material for agenda item:**

20. 2019 Agenda Request-Special Event: Mardi Gras Tybee March 2, 2019



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## CITY OF TYBEE ISLAND

Council Meeting Date for Request: January 10, 2019

Item: Alcohol License Request: Special Event – Beer and Wine– Tybee Festival Association: Mardi Gras Tybee

Explanation: Location of Event: Tybrisa Round-About

March 2, 2019

Budget Line Item Number (if applicable): \_\_\_\_\_

Paper Work:      Attached\*  
                   Audio/Video Presentation\*\*

\* **Electronic submissions are requested but not required. Please email to [jleviner@cityoftybee.org](mailto:jleviner@cityoftybee.org).**

\*\* **Audio/video presentations *must* be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the scheduled meeting.**

Submitted by: Sharon S. Shaver

Phone / Email: 472-5072 / sshaver@cityoftybee.org

Comments: \_\_\_\_\_

Date given to Clerk of Council January 7, 2019

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



# CITY OF TYBEE ISLAND ALCOHOL LICENSE APPLICATION



Application is hereby made for a license to do business within the City of Tybee Island as a dealer in alcoholic beverages as indicated below:

LICENSE CLASSIFICATION	FEE	CHECK
Retail Beer/Wine – Package Sales Only, Consumption on Premises Prohibited	\$ 350	
Retail Beer/Wine – Sale by Drink for Consumption on Premises Only	575	
Retail Liquor – Sale by Package Only, Consumption on Premises Prohibited	850	
Retail Liquor – Sale by Drink for Consumption on Premises Only	1,250	
Retail Liquor – Sale by Package & Drink both in One Building under One Ownership	2,000	
Sunday Sales of Alcoholic Beverages	150	
Wholesale Beer	765	
Wholesale Liquor	1,500	
Wholesale Wine	150	
Distiller, Brewer, or Manufacturer of Alcoholic Beverages	300	
Special Event – Public or Private Property - Beer, Wine (no current license) per event	50	X
Special Event – Public or Private Property - Beer, Wine (no current license) 3 days	100	
Special Event – Public or Private Property - Beer, Wine (holding current license) per event	10	
Special Event – Business Property – Beer, Wine, Liquor (no current license) per event	50	
Special Event – Business Property – Beer, Wine, Liquor (no current license) 3 days	100	
Special Event – Business Property – Beer, Wine, Liquor (holding current license) per event	10	

Notice: The applicant for a license shall be a citizen of the United States, a resident of Chatham County, and owner of the business or if a corporation, partnership or other legal entity is the owner, a substantial and major stockholder or the applicant may be the manager of the business charged with the regular operation of said business on the premises for which the license is issued.

Business Name TYBEE FESTIVAL ASSOCIATION / MARDI GRAS TYBEE  
 Location TYBRISA ROUND-A-BOUT  
 Mailing Address PO BOX 1970 . TYBEE ISLAND, GA. 31328 MARCH 2, 2019  
 Phone 912 604 5927 Email tybeefestivals@gmail.com  
 Names and Home Addresses of Owners, Partners or Corporate Officers with Ten Percent (10%) Interest in Business

Names (attach additional pages if necessary)	Date of Birth	Home Addresses	City, State, Zip	Social Security #

Is business incorporated? YES State of Incorporation GA Date Incorporated 8/2017

Names of landlord of the business location N/A Address \_\_\_\_\_ Phone \_\_\_\_\_

What other business is conducted at this location? \_\_\_\_\_

Has application been made for required State and Federal Licenses? \_\_\_\_\_

Has applicant, any person connected with, or any person having an interest in this business:

- o ever been convicted of any violation of law other than for a traffic violation? NO
- o ever served time in prison or other correctional institution? NO
- o ever had an alcohol beverage license suspended or revoked at any time in any location? NO

(if answer is yes, give details) \_\_\_\_\_

If this application is for RENEWAL of an existing license, enter License Number of existing license \_\_\_\_\_

If business is an eating establishment, are SUNDAY sales of alcoholic beverages contemplated? \_\_\_\_\_ If yes, submit additional affidavit.

ALL OF THE FOREGOING INFORMATION IS HEREBY GIVEN AND ALL OF THE FOREGOING STATEMENTS ARE HEREBY MADE ON OATH WILLFULLY, KNOWINGLY, AND ABSOLUTELY, AND THE SAME IS AND ARE HEREBY SWORN TO ME TO BE TRUE UNDER PENALTY OF LAW.

Applicant Signature [Signature] Date 1/7/19

Sworn to and subscribed before me this January day of 2019  
 Notary Public [Signature]

Approval	Signature	Date
City Manager		
Zoning		
Police		
City Council		

**SHARON S. SHAVER**  
 Notary Public, Chatham County, GA  
 My Commission Expires Dec. 5, 2019

The CONSENT FORM is required for ALL alcohol license applications.

**CONSENT FORM**

I HEREBY AUTHORIZE THE TYBEE ISLAND POLICE DEPARTMENT TO REQUEST ANY CRIMINAL BACKGROUND HISTORY RECORD INFORMATION PERTAINING TO ME WHICH MAY BE IN THE FILES OF ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY. BE IT FURTHER UNDERSTOOD THAT THE PURPOSE OF OBTAINING THIS INFORMATION IS TO SATISFY THE REQUIREMENTS SET FORTH BY THE MAYOR AND COUNCIL OF THE CITY OF TYBEE ISLAND, REGARDING AN ALCOHOL BEVERAGE LICENSE APPLICATION.

CHRISTY D. BYRUM  
FULL NAME (PRINT)

F / W /  
SEX / RACE / DATE OF BIRTH

119 PENROSE DR.  
ADDRESS

SAVANNAH, GA 31410  
CITY, STATE, ZIP

\_\_\_\_\_  
SOCIAL SECURITY NUMBER

[Signature] 1/7/19  
SIGNATURE / DATE

The ACKNOWLEDGEMENT is required for all LIQUOR BY THE DRINK alcohol license applications.

**ACKNOWLEDGEMENT**

I declare knowledge and understanding of Municipal Code Section 58-80: There is levied an excise tax on the sale of distilled spirits by the drink in the amount of three percent of the charge to the public for the beverage.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

The AFFIDAVIT is required if SUNDAY SALES of alcohol for consumption on premises are contemplated. Food and beverage sales records prepared by a CPA are required to be furnished to the City upon request.

STATE OF GEORGIA  
COUNTY OF CHATHAM

CITY OF TYBEE ISLAND  
**AFFIDAVIT**

I, \_\_\_\_\_, do hereby make this affidavit to be part of my application for an alcohol beverage license in the City of Tybee Island to sell distilled spirits, malt beverages and/or wine for the consumption on the premises in my eating establishment on Sunday. Said establishment is located at \_\_\_\_\_, Tybee Island, Georgia.

I am the \_\_\_\_\_ of the establishment known as \_\_\_\_\_.

I hereby further state that at least fifty percent (50%) of the total annual gross food and beverage sales are derived from the sale of prepared meals or food.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

-----

Approved [Signature] Denied \_\_\_\_\_

[Signature] Chief of Police  
\_\_\_\_\_  
Date 1/7/19

No Georgia History 1/7/19 pg 8

**Backup material for agenda item:**

21. Out-of-state travel being requested for the Development Authority/Main Street Executive Director to attend the annual National Main Street Conference being held in Seattle, Washington March 25 – 27, 2019.





**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Dr. Shawn Gillen

**CLERK OF COUNCIL**  
Jan LeViner

**CITY ATTORNEY**  
Edward M. Hughes

**CITY OF TYBEE ISLAND**

**City Council Agenda Item Request**

**Agenda Item Requests and supporting documentation must be submitted to the Clerk of Council by 4:00PM on the Thursday prior to the next scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda.**

Council Meeting Date for Request: 1/10/19

Item: Out-of-state travel being requested for the Development Authority/Main Street Executive Director to attend the annual National Main Street Conference being held in Seattle, Washington March 25 – 27, 2019.

Explanation: The purpose of this agenda request is for consideration to approve out-of-state travel for the Dev'l Authority/Main Street Executive Director to attend the annual Main Street Now Conference.

Budget Line Item Number (if applicable): Travel & Related (100-7300-52-3500), Education & Training (100-7300-52-3700)

Supporting Documentation:  Attached\*  Audio/Video Presentation\*\*  
\* **Electronic submissions are requested but not required. Please email to [jleviner@cityoftybee.org](mailto:jleviner@cityoftybee.org).**  
\*\* **Audio/video presentations must be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the scheduled meeting.**

Submitted by: Chantel Morton, Development Authority/Main Street Executive Director

Phone/Email: 912-472-5071/[cmorton@cityoftybee.org](mailto:cmorton@cityoftybee.org)

Date given to Clerk of Council 1/3/19



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## Main Street Now

The premier historic preservation-based community revitalization conference.

# About the Main Street Now Conference

The Main Street Now Conference is a one-of-a-kind event, providing attendees with an opportunity to convene and learn about the innovative methods and practices that make the Main Street Approach® one of the most powerful economic development tools in the nation. Whether you hail from an urban business district, small rural downtown, or some place in between, you will find real solutions to common problems and techniques to help position your Main Street Program and your community to thrive.

## Who attends the conference?

Main Street Now attracts professionals in preservation-based, economic development and community revitalization, including both experienced and new downtown and neighborhood Main Street directors, volunteers, architects, planners, economic development professionals, public officials, volunteers, and consultants.

## What does the conference offer you?

People from urban neighborhood business districts, small and rural towns, suburban communities, large and mid-sized cities, will all benefit from ideas, solutions, issue discussion, and networking opportunities that only we offer.

## Save the Date



## Join us March 25 - 27 in Seattle for Main Street Now 2019!

We will explore Main Street programs from the inside out, centering on the hard-work of the staff and board, transformative external partnerships, and the myriad of ways in which communities come together on Main Streets. With beautiful Seattle and its surrounding communities as our living laboratory, Main Street Now will leave you feeling inspired and equipped with solutions

- Three full days of learning and networking opportunities
- Daylong Main Street Approach® training;
- Mobile workshops where attendees learn from revitalization successes and challenges in our host city and surrounding Main Street communities;
- Expo Hall filled with product and service providers specializing in commercial district revitalization; and
- Opportunities to network with colleagues who are experiencing similar successes and challenges in their communities.

to help you in your work.

[LEARN MORE](#)

Check out our Main Street Now Conference pages on [Facebook](#) and [Twitter](#) to keep up-to-date on the latest conference news.

## Explore Past Conferences

2018 - Kansas City

2017 - Pittsburgh, Penn.

## Contact Us

P 312.610.5613

F 202.588.6050

[mainstreet@savingplaces.org](mailto:mainstreet@savingplaces.org)

The National Main Street Center, Inc.

53 West Jackson Blvd., Suite 350

Chicago, IL 60604

## About Us

Main Street America has been helping revitalize older and historic commercial districts for more than 35 years. Today it is a network of more than 1,600 neighborhoods and communities, rural and urban, who share both a commitment to place and to building stronger communities through preservation-based economic development. Main Street America is a program of the nonprofit National Main Street Center, Inc., a subsidiary of the National Trust for Historic Preservation.

### MAIN STREET AMERICA

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[The Approach](#)

[The Programs](#)

[Success Stories](#)

[Main Street Awards](#)

[State of Main: Winter 2018](#)

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[Project Spotlight](#)

[Partners & Supporters](#)

### HOW WE CAN HELP

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[Main Street America Institute](#)

[Resource Center](#)

[Technical Services](#)

[UrbanMain](#)

[Main Street Insurance](#)

[Allied Services Directory](#)

[Members Area](#)

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[Career Center](#)

### THE POINT



**Schedule At-A-Glance:** As you make travel plans for Main Street Now 2019, please note that the conference **officially** begins on **Monday, March 25, 2019**, with pre-conference sessions and meetings starting **Sunday, March 23, 2019**. *This schedule is subject to change.*

**Sunday, March 24**

7:30 a.m.–5:00 p.m.  
 8:30 a.m.–5:00 p.m.  
 9 a.m. – 4:00 p.m.  
  
 10:00 a.m.–5:00 p.m.  
  
 12:00–5:00 p.m.

**Mobile Workshops\***  
**Main Street Coordinators Meeting**  
**Main Street Preservation Short Course**  
**MSAI Leadership Development Workshop (Day 1 of 2)\***  
**Main Street 101**

**Monday, March 25**

8:30 a.m. – 12:00 p.m.  
 7:00–7:30 a.m.  
 7:30 a.m.–1:00 p.m.  
 8:00 a.m.–1:00 p.m.  
  
 8:30–9:15 a.m.  
 9:00 a.m.–12:00 p.m.  
 9:30–10:15 a.m.  
 10:30–11:15 a.m.  
 11:30 a.m.–12:15 p.m.  
 12:30–2:00 p.m.  
 2:30–4:00 p.m.  
 4:00–5:15 p.m.

**Main Street Coordinators Meeting**  
**Fun Run in Downtown Seattle**  
**Mobile Workshops\***  
**MSAI Leadership Development Workshop (Day 2 of 2)\***  
**Crash Courses**  
**Deep Dive / Round Table**  
**Crash Courses**  
**Crash Courses**  
**Crash Courses**  
 Lunch on your own  
**Opening Plenary**  
**Opening Reception**

**Tuesday, March 26**

1:00–5:00 p.m.  
 8:00 a.m.–5:00 p.m.  
 8:15–9:30 a.m.  
 9:45–11:00 a.m.  
 11:15 a.m.–12:00 p.m.  
 12:00–1:30 p.m.  
 12:00–1:30 p.m.  
 1:45–3:00 p.m.  
 3:15–4:00 p.m.  
 4:00–5:00 p.m.

**Mobile Workshops\***  
**Exhibit Hall Open**  
**General Session**  
**Classroom Sessions**  
**Crash Courses**  
 Lunch on your own  
**Civic Leaders Forum†**  
**Classroom Sessions**  
**Crash Courses**  
**Exhibitor Reception**

**Wednesday, March 27**

7:00–7:30 a.m.  
 8:00–10:15 a.m.  
 8:00 a.m.–3:45 p.m.  
 8:30–10:00 a.m.  
 10:15–11:30 a.m.  
 11:30 a.m.–1:00 p.m.  
 1:15–2:30 p.m.  
 2:45–3:30 p.m.  
 3:45–5:00 p.m.  
 6:00–10:30 p.m.

Fun Run in Downtown Seattle  
**Exhibit Hall Open**  
**Mobile Workshops\***  
**General Session**  
**Classroom Sessions**  
 Lunch on your own  
**Classroom Sessions**  
**Crash Courses**  
**Closing Plenary**  
**Big Bash\***

\*Requires additional registration  
 † All Civic Leaders will be invited to attend



SEATTLE, WA  
 MARCH 25-27  
 2019

Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
10 Secrets from a Secret Shopper	Alysa Cook, PCED, IOM, Opportunity Strategies LLC			
A Sense of Place: The Intersection of Mayors and Main Street	John Robert Smith, Transportation For America			
Activating Community: The Roslyn Yard Proposal	Jim Nicholls, University of Washington, Department of Architecture, College of Built Environments	Stacy Cannon, University of Washington	Chris Martin	Jennifer Basterrechea
Activating Youth Voice to Revitalize a Community	Stephanie Michel, North 5th Street Revitalization Project	Kimberly Rodriguez, North 5th Street Revitalization Project	Vanahi Diaz, North 5th Street Revitalization Project	James Onofrio, Philadelphia Commerce Department
Addressing Seismic Threats to Our Most Vulnerable Neighborhoods	Erika Lund, City of Seattle Office of Emergency Management	Bradley Padden, Anew Apartments	Maiko Winkler-Chin, Chinatown International District Preservation and Development Authority	Chuck Depew, National Development Council
Advocacy Superheroes: Creating Change for Your Main Street	Sarah Grunewaldt, Main Street Washington	Abby Huff, Hobart Historic Restoration	Renee Kuhlman, National Trust for Historic Preservation	
After the Conference: How to Make it Happen!	Diana Schwartz, River District Association	Rebecca Rowe, Virginia Main Street		
Airbnb Housing Downtown: The Galena, Illinois Experience	Mike Jackson, Upstairs Downtown	Dan Carmody, Eastern Market Corporation		

\*Please note this is a preliminary line-up. Sessions, speakers, and titles are subject to change. An updated schedule will be available soon.

Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Aligning Your Plan of Work with Your Community's Vision for Downtown	Brantley Snipes, Brantley Snipes Landscape & Design, Inc. / Main Street Greenwood, Inc.	Jan Miller, Mississippi Main Street Association		
Any Size Downtown—Anywhere—Can Become a Destination Downtown	Jon Schallert, The Schallert Group, Inc			
Artists on Main Street: A Model for Creative Community Development	Michele Anderson, Springboard for the Arts	Megan Flanagan, City Center Partnership	Emily Kurash, Winona Main Street	Kelly Nygaard, Faribault Main Street
Avoiding Stress, Burnout, and Other Job Hazards (with Humor!)	Jennifer Rose, Downtown Diva			
Becoming #IdeaFriendly: Crowdsourcing the Future of Your Town	Becky McCray, SaveYour.Town			
Beers, Brains, and Ballrooms: Programming Matters	Nicholas Vann, Washington State Department of Archaeology + Historic Preservation	Mike McMenamin, McMenamins	Rory Turner, Commercial Real Estate Services	Michael Sullivan, Artifacts Consulting, Inc
Brand Score: Measuring the Effectiveness of Your Messaging	Ben Muldrow, Arnett Muldrow & Associates			
Breaking the "Black Box" of Economic Impact: A Tutorial on IMPLAN	Leslie Deacon, Jon Stover & Associates	Jon Stover, Jon Stover & Associates		

\*Please note this is a preliminary line-up. Sessions, speakers, and titles are subject to change. An updated schedule will be available soon.



Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
<b>Brownfields Resources: Now is the Time!</b>	Blase Leven, Kansas State University	Rachel McIntosh, Cross Sector Convergence, LLC, a KSU TAB Partner	Ignacio Dayrit, Center for Creative Land Recycling	
<b>Build Positive Proximity with a Statewide Book Club</b>	Douglas Jackson, Virginia Department of Housing and Community Development	Rebecca Rowe, Virginia Main Street		
<b>Building Beyond the Façade: Layering Downtown Spillover Investment</b>	Tash Wisemiller, Montana Department of Commerce	Huston Gibson, Department of Landscape Architecture and Regional & Community Planning College of Architecture, Planning & Design Kansas State University	Micky Zurcher, Helena Business Improvement District	
<b>Building Resiliency on Main Street: Trends in Consumer Preference, Technology, and the Economy</b>	Jon Stover, Jon Stover & Associates	Aaron King, Jon Stover & Associates		
<b>Catalyst Projects Yield Extraordinary Results for Downtowns</b>	Donna Ann Harris, Heritage Consulting Inc.	Isaac Kramer, Downtown Metuchen Alliance	Alex Balloon, Tacony Community Development Corporation	James Harry Calamba, Roxborough Development Corporation
<b>Civility on Main Street: What Does This Mean for Engagement, Democracy, and Downtown?</b>	Anne Ball, Maine Development Foundation	Jan Kearce, Maine Development Foundation		
<b>Collaborative Cultural Tourism: Drawing Visitors Who Love Main Streets</b>	Deiliah Poupore, Heart of Biddeford	Anne Ball, Maine Downtown Center	Abbe Levin, Maine Office of Tourism	

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Combating the Brain Drain: Retaining Students in Your Community	Jessica Buchholz, Emporia Main Street, Inc.	James Willingham, Emporia State University		
Creating Treasured Places—Re-imagining Port Townsend’s “Main” Street	Mari Mullen, Port Townsend Main Street Program	Laura Parsons, City of Port Townsend	Samantha Thomas, Independent Consultant	Kris Nelson, Port Townsend Main Street Program
Crowdfunding for Placemaking: The Successes and Challenges	Jenn Cartee, Greater Ashmont Main Street	Ed Gaskin, Greater Grove Hall Main Streets		
Cultivating Community to Save a Theatre	Anne-Marie Knighton, Town of Edenton	Jennifer Harris, Destination Downtown Edenton, Inc.		
Diverse Revenue Streams: Going Beyond Traditional Sponsorship	Christine Manzella, Boonton Main Street			
Dogs Downtown: Best Practices for Main Street Pets	Britin Bostick, Stewardship Strategies, LLC			
Downtown Collaborations: Using Transformation Strategies to Unite Stakeholders	Josh Adam, Owosso Main Street/DDA	Tracey Peltier, Downtown Owosso Farmers Market	Robert Doran, Owosso Historical Commission	

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Downtown Pedlets: Walking through an Outdoor Dining Transformation	Joan Redeen, Great Falls Business Improvement District	Kellie Pierce, Downtown Great Falls Association		
Economic Development on Main Street	Joe Borgstrom, Place & Main Advisors, LLC			
Enabling Better Places: Zoning Reform for a Stronger Main Street	Lynn Richards, Congress for the New Urbanism	Susan Henderson, PlaceMakers, LLC	Mary Madden, Ferrell Madden	Luke Forrest, Michigan Municipal League
Exit Stage Right: Helping Your Businesses Develop a Succession Strategy	Hialry Greenberg, Greenberg Development Services	Robin Bostrom, Main Street Iowa		
Eyesore or Asset? Downtown Revitalization and Mid-Century Buildings	Caroline Wilson, MacRostie Historic Advisors			
Fill the Hole! Lessons Learned in Partnership and Infill Development	Trey Sherwood, Laramie Main Street Errin Welty, WEDC/Wisconsin Main Street	Sarah Reese, City of Laramie	Marla Petersen, Big Hollow Food Coop	
From Ignored Spaces to Third Places	Chris Wilson, Bartlesville Redevelopment Trust Authority	Todd Scott		
Funding Apartments with Federal Grants	Jim Miller, Historic Valley Junction Foundation	Steven Watts, Addax Development	Carol Lilly, Community Main Street	Deb Sprecker, Woodbine Main Street
GAMSA: Now and Then and In Between		Dan LoBianco, Dubuque Main Street		

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
GAMSA: Taking Your Community to the Next Level	2019 GAMSA Winners	2019 GAMSA Winners	2019 GAMSA Winners	
Go Live! Volunteer Recruitment & Coordination for Today's Main Street Organization	Kaylee Williams, VolunteerLocal			
Golden Nuggets: Sharing Success through Storytelling	Gayle Langley, Colorado Main Street	Matt Ashby, Ayres Associates	Ben Muldrow, Arnett Muldrow & Associates	
Growing Green: Nature, Spending, and Main Streets	Jacob Blue, Ayres Associates Inc	D. Bruce Morrow, Ayres Associates Inc		
Harnessing Place: Placemaking for Learning, Creativity, and Economic Development	Laura Torchio, Project for Public Spaces	Nate Storring, Project for Public Spaces		
Holiday Decor: Types, Tips, and Timing	Amy Meadows, Windows Matter			
Host a Retail Challenge and Fill Your Vacant Storefronts	Megan Tsui, Red Wing Downtown Main Street			
Housing Matters for Your Community, Downtown, and Historic Preservation	Jim Thompson, Main Street Iowa	Michael Wagler, Iowa Economic Development Authority		

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
How \$5 Can Change a Community	Jake Dougherty, Wheeling Heritage	Alex Weld, Wheeling Heritage		
How to Generate Revenue through Marketing Partnerships (AKA Sponsorship)	Sylvia Allen, Allen Consulting, Inc.			
How to Help Your Businesses Win at Marketing	Isaac Kremer, Metuchen Downtown Alliance	Jane Meyer, Central Jersey SCORE	Noelle Starry, 20 Lemons	Susan Wilcox, Edynamic Marketing LLC
How to Prevent Development... On Purpose or By Mistake	Michael Wagler, Main Street Iowa/Iowa Economic Development Authority	Jim Thompson, Main Street Iowa/Iowa Economic Development Authority		
Inside Out: Creating and Maintaining Authenticity	Daniel Carmody, Eastern Market Corporation	Vivian Carmody, Bekley DDA		
It's Hard But We Can Handle It: Tools for Building Community, Consensus, and Collaboration in a Difficult World	Jacqueline Wolven, Main Street Eureka Springs/JacquelineWolve n.com			
Keep, Combine, or Kill: Evaluating Your Downtown Event to Determine Its Future	Suzanne Perreault, Michigan Main Street   MEDC			
Leveraging the Experience Economy to Strengthen Your Downtown	Sharon Yazowski, Mortimer & Mimi Levitt Foundation			

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
<b>Lighter, Quicker, Cheaper: Demonstration Project Best Practices</b>	Kate Herzog, Downtown Bismarck Community Foundation	Dawn Kopp, Downtown Business Association of Bismarck		
<b>Main Street Stories: Fostering Engagement Through Video Stories</b>	Joe Frost, Oakland County			
<b>Main Street Success: Business Attraction and Retention Strategies</b>	Charles Parker, The Retail Coach	Jenny Boulware, Municipal Association of South Carolina	Alex Flachsbart, Balch & Bingham, LLP / Main Street Alabama Board of Directors	Andy Arnes, City of Shelton
<b>Main Streets Assemble! Finding Your Downtown Heroes!</b>	Kristi Trevarrow, Downtown Rochester	Ron Drake, Ron Drake Consulting		
<b>Make It Rain at Your Events</b>	Marissa McGrath, Downtown Bellingham Partnership	Lindsey Payne-Johnstone, Downtown Bellingham Partnership		
<b>Makin' Green by Goin' Green!</b>	Lisa Johnson, Culture Couture/ Montclair BID			
<b>Modernizing Main Street: The Story of Mid-Century design</b>	Michael Houser, WA State SHPO			
<b>Moving from Strategic Planning to Strategic Doing</b>	Darrin Wasniewski, Wisconsin Economic Development Corporation			

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Optimizing Main Street with Pedestrian and Vehicle Data	Jonathan Stone, Downtown Oregon City Association			
Organizations Shouldn't Be Ordinary, Be Extraordinary!	Mary DesMarais, Gig Harbor Downtown Waterfront Alliance	Mary Gorman, Gig Harbor Downtown Waterfront Alliance		
Parking [Public] Spaces	Katie Shannon, VHB	Katy Magruder, Land Development Studio, City of Orlando		
Partnering Libraries with Main Streets to Make Great Third Spaces	Alex Balloon, Tacony Community Development Corporation	Suzin Weber, Free Library of Philadelphia		
pARTnerships	Liz Parham, NC Main Street & Rural Planning Center/NC Department of Commerce	Sharon Jablonski, Main Street Department/City of Morganton		
Pasco: Revitalizing a Latino Main Street without Displacement	Tanya Bowers, Tanya Bowers Consulting	Jacob Gonzalez, Downtown Pasco Development Authority	Martin Valadez, Tri-Cities Hispanic Chamber of Commerce	Michael Morales, City of Pasco
Pintando La Villita: Studies in Immigrant Innovation	Jaime DiPaulo, Little Village Chamber of Commerce			
Pitching Entrepreneurship: Building Partnerships to Jumpstart Your Downtown Economy	Jessica Hupp, Virginia Dept. of Housing and Community Development	Jenny Crittenden, Main Street Preservation Trust	Todd Wolford, Downtown Wytheville, Inc.	Tamyra Vest, Destination Downtown South Boston

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Pocket Parks: New Third Places in Challenged Neighborhoods	Tim McCollow, City of Milwaukee - Environmental Collaboration Office			
Pop Up Shops: Transform Your District with This Affordable Economic Development Initiative	Nora Roughen-Schmidt, Viroqua Chamber Main Street			
Positioning Main Street Programs for 21st Century Volunteers	Ken Culp, III, University of Kentucky, College of Agriculture			
Pro Tips for Main Street Tax Credit Projects	Nicholas Vann, Washington State Department of Archaeology + Historic Preservation	Angela Shearer, National Park Service		
Promoting and Preserving Legacy Businesses	Anthony Veerkamp, National Trust for Historic Preservation			
Rallying Multiple Districts around One Downtown Vision	Cristina Sheppard-Decius, Downtown Dearborn			
Rock Your Downtown: Executing a Badass Concert Series	Janie Pope, Orlando Main Streets	Robert Soviero, Orlando Main Streets		
Rural Revitalization through Local Food	Kelli Kelly, Fallon Food Hub			

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
Saving Our Cities: Is Communication the Key to What's Missing?	Cathleen Edgerly, Howell Main Street Inc.	Kate Litwin, Howell Main Street Inc.		
Seeing Main Street in a Whole New Light	Seanette Corkill, Frontdoor Back, Retail Store Design			
Social Media Planning: Build a Content Calendar for Next Week	Sheila Scarborough, Tourism Currents	Leslie McLellan, Tourism Currents		
Stimulating Economic Development through Preservation: A Case Study	Kevin Daniels, Daniels Real Estate	Allyn Stellmacher, ZGF Architects		
StreetPlan.Net: Free On-Line Complete Street Design Tool	Mike Brown, Metro Analytics	Benjamin Levenson, Downtown Redevelopment Services		
Strengthen Engagement to Strengthen Effectiveness	William SaintAmour, Cobalt Community Research			
Surviving and Thriving Through Major Street Scape Projects	Jennifer Bell, City of Winchester			
Tax Credit Financing: Show Me the Money!	Nicholas Vann, Washington State Department of Archaeology + Historic Preservation	Renee Kuhlman, National Trust for Historic Preservation	Merrill Hoopengardner, NTCC	Stephen Day, Stephen Day Architecture, PLLC

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
The "Opportunity" in Opportunity Zones	Alexander Flachsbarth, Opportunity Alabama	John Lettieri, Economic Innovation Group	Mary Helmer, Main Street Alabama	
The "Reality" of Retail: Creating Dynamic Customer Experiences	Courtney Adkins, Shop Talk II with Courtney Adkins			
The Age of Amazon: Keeping Main Street Competitive	John Bry, Main Street Oakland County			
The Collaboration of FabLab ICC and Independence Main Street	Jim Correll, Fab Lab ICC at Independence Community College	Tabatha Snodgrass, Independence Main Street		
The How Behind the Wow: Creating Stellar Stores	Seanette Corkill, Frontdoor Back, Retail Store Design	Anne Marie Luthro, Frontdoor Back, Retail Store Design		
The Magic Happens When the Property Owner Has Vision	Rory Turner, Rory Turner	Linda Haglund, Wenatchee Downtown Association		
The Power of Play: Sparking Joy and Local Prosperity	Jessica Brauer, Laramie Main Street Alliance			
The Smithsonian Comes to Town!	Terry Poe Buschkamp, Iowa Economic Development Authority/Iowa Downtown Resource Center/Main Street Iowa	Carol Harsh, Smithsonian Institution	Joe Jennison, Mount Vernon/Lisbon Community Development Group	

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
The Upper Story: Creating a Great Downtown Tour	Amy Smith, Madison Main Street Program	Victoria Perry, Madison Main Street Program		
Third Place Coffee Shops: Can All 3 Make It?	Valecia Crisafulli, Madison Main Street	Victoria Perry, Madison Main Street		
Treating Your District as a Product to Sell	Jonathan Stone, Downtown Oregon City Association	Bradly James, McMinnville Downtown Association		
Urban Design for Main Street: A User's Guide	Meredith Bergstrom, Dover, Kohl & Partners	Jason King, Dover, Kohl & Partners		
Urban Main Streets Advocacy: The 5th Point of the 4 Points Approach	Max Gruner, East Boston Main Streets			
UrbanMain Network: Year in Review, Chicago	Nicholas Gauna, Groupon	Rhonda McFarland, Quad Communities Development Corporation	Sandra Bivens, 51st Street Business Association	Dionne Baux, National Main Street Center
Using Social Media to Tell Your Downtown's Story	Megan Tsui, Red Wing Downtown Main Street			
Utilizing Energy Efficiency Finance for Main Street Revitalization	Jessica Bailey, Greenworks Lending			

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Session Title	Presenter 1	Presenter 2	Presenter 3	Presenter 4
What Will You Do If Disaster Strikes?	Lindsey Dotson, Charlevoix Main Street DDA			
Yes, And! Tactics to Tackle Roadblocks	Laura Torchio, Project for Public Spaces	Katherine Peinhardt, Project for Public Spaces		
You Want Me to Do What? Tips for Working With Your Property Owner Support	Casey Woods, Emporia Main Street	Hilary Greenberg, Greenberg Development Services		

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**Backup material for agenda item:**

22. Attached is a memorandum of understanding for the Coastal Regional Commission to reinstate transit services from Tybee to Savannah. Services are detailed within the attached MOU. A recommended start date for the six month trial is March 1, 2019.



**Memorandum of Understanding  
Between  
Coastal Regional Commission  
And  
City of Tybee Island**

THIS MEMORANDUM OF UNDERSTANDING (MOA), is made by and between the Coastal Regional Commission, hereinafter referred to as the “CRC”, and the City of Tybee Island, hereinafter referred to as the “City”.

NOW, THEREFORE, in consideration of mutual promises made by, and benefits to, the parties herein, it is agreed by and between CRC and City as follows:

1. City hereby engages the CRC, as an independent contractor, to provide and manage the operation of transportation services for individuals wanting such service to and from the Island.
2. City acknowledges the CRC is a shared ride, door-to-door, advance request, rural public transportation program that is available to all persons in rural areas within the 10 counties of the coastal region.
3. A service offered to City will be an extension of the CRC’s regional rural public transit system and provide specific transportation for individuals requesting service to and from the Island within the time frames agreed upon between the CRC and City, with oversight from the Development Authority/Main Street Program.
4. This MOU shall become effective on \_\_\_\_\_, 2019 and continue on a trial basis for a period of six (6) months, thereby terminating on or before \_\_\_\_\_, 2019. Should both parties agree the service can be sustainable, a long-term agreement will be established.
5. The transit service will operate six (6) days a week based on two (2) runs per day. The daily run will begin at the Information Center in Savannah and terminate at the Lighthouse and the Pier. The same locale will be used for the return trips. The CRC will charge a \$10.00 fare for each one-way trip for each rider and will not deviate from the agreed upon service run.
6. The days and hours of operation will be Monday to Saturday, except for designated holidays (Attachment A), with two (2) separate runs. The service will commence at the Information Center at 8:00 a.m. with the return trip at 1:30 p.m. A second run from the Information Center will be at 1:00 p.m. with a return trip at 6:30 p.m.
7. All riders must adhere to the conditions of ridership as identified within Attachment B. Riders that fail to adhere to the identified rules and regulations will not be permitted to ride the CRC bus.

8. In the performance of the MOU, neither the CRC nor City shall discriminate against any rider, customer, vendor and/or employee because of race, creed, color, gender, age, or disability.
9. The CRC will not be liable to City for any failure, delay or interruption of services for failure or delay in the performance of the MOU due to acts of God, fire, riots, government restrictions, loss of funding, or any similar acts or conditions beyond the control of the CRC.
10. This MOU may be modified, amended, extended, and/or terminated upon written agreement by both parties.
11. This MOU will be governed by the laws of the State of Georgia and all referenced to the "State" means the State of Georgia.
12. The CRC will be responsible for all contractual obligations necessary for the operation of the service and will utilize the services of a third party operator for drivers, dispatchers, and scheduling as specific to the MOU.

IN WITNESS WHEREOF, the parties have hereunto caused this MOU to be agreed upon and executed the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by duly authorized officials.

**COASTAL REGIONAL COMMISSION**

\_\_\_\_\_  
 Allen Burns  
 Executive Director

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Reggie Loper  
 Chairman

\_\_\_\_\_  
 Date

**CITY OF TYBEE ISLAND**

\_\_\_\_\_  
 Name:  
 Title: \_\_\_\_\_

\_\_\_\_\_  
 Date

# ATTACHMENT A

Transportation services will not be provided on designated holidays observed by the PROVIDER.

- New Year's Day
- Martin Luther King's Birthday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day & Day After
- Christmas Eve and Christmas Day



## ATTACHMENT B

1. All customers /passengers are expected to obey rules and regulations established for the general safety of the other customers/passengers and the transit staff.
2. Seatbelts must be worn at all times. Children under 5 must use a car seat provided and installed by parent/guardian. Children 18 and under must have a signed parental waiver and children under 14 must ride with an adult.
3. No weapons are permitted on the vehicle.
4. No pets; service animals are permitted.
5. Carry-on items are limited to what the customer/passenger can carry on and place under the seat.
6. No smoking, drinking, eating, alcohol, chewing tobacco, illegal drugs or use of abusive language is permitted on vehicle.
7. No inappropriate behavior to impair safety or create a nuisance is permitted on the vehicle.
8. Drivers are not permitted to assist customers/passengers and/or carry packages of the customer/ passenger to or from any building.
9. Customer/passengers must have correct fare amount for fare box. Change cannot be made by the driver.
10. When listening to a radio, mp-3 player, cell phone or any similar device, earplugs must be utilized by the customer/passenger.

**Backup material for agenda item:**

23. Request City Council approve a change order to the contract with Thompson Engineering to perform a building assessment for additional buildings.



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown Mayor Pro Tem  
Wanda Doyle  
Julie Livingston  
Jackson Butler  
Monty Parks  
John Branigin



**CITY OF TYBEE ISLAND**

**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **City Council Agenda Item Request**

**Council Meeting Date for Request: January 10, 2019**

**Item:** To request that the City Council approve a change order to the contract with Thompson Engineering Project 18-1115-0045 for \$5,000 to perform a building assessment for 3 additional buildings.

**Explanation:** On December 13, 2018, the City Council approved a contract with Thompson Engineer for \$32,550 to perform building assessments for 19 City owned buildings. The council requested that three additional building be added to the list of buildings. Those three additional buildings include the following:

- a. Marine Squadron Building – Change Order Cost needed
- b. North Beach Grill Restaurant Building – Change Order Cost needed
- c. North Beach Concession Stand – Change Order Cost needed

Thompson Engineering can perform the building assessment for the three aforementioned buildings for an additional cost of \$5,000. The \$5,000 change order will increase the contract price from \$32,550 to \$37,550.

**Budget:** The cost of the contract will be charged to Public Works Building Maintenance Division, line item 100.1565.52.1300, Contract Services, as \$40,000 was added to this line with December 13, 2018 as a General Fund budget amendment to pay for the actual and potential cost of this project.

Paper Work:             Attached\*  
                               Already Distributed  
                               To Be Handed Out at Council Meeting (by Requester)  
                               Audio/Video Presentation\*\*

Submitted by: Angela Hudson, Finance Director

Phone / Email: (912) 472-5021/ahudson@cityof tybee.org

Comments: \_\_\_\_\_

December 27, 2018

Date given to Clerk of Council



**December 20, 2018**

**City of Tybee Island  
P.O. Box 2749  
Tybee Island, GA 31328**

**Attn: Angela Hudson**

**Subject: General building assessment observations and recommendations**

**Thompson Engineering Project No.: 18-1115-0045**

Pursuant to your email dated December 17, 2018, you requested Thompson Engineering to perform the following scope changes, which were not included in our original contract:

- Evaluate three additional buildings: The Marine Squadron Building, The North Beach Grill Restaurant Building and The North Beach Concession Stand.

In order to provide the additional scope of work specified, we request a modification of our contract. Our fee to perform the described scope change is as follows:

- Evaluate the three additional buildings \$5,000.00

If acceptable, please indicate your authorization to proceed with this additional work by signing where designated below and returning a copy to us for our files. This proposal will be open for acceptance until May 31, 2019, unless changed by us in writing. Please note that no work will be performed without prior written authorization to proceed. This extra work is subject to the terms and conditions of the contract executed for this project dated December 19, 2018.

This proposal between The City of Tybee (Owner), and Thompson Engineering ("Consultant" or "Engineer"), consisting of the Consulting Services on a Lump Sum Basis represents the entire understanding between you and us with respect to the scope change. This agreement may only be modified in writing if signed by both of us.

We appreciate this opportunity to be of service to you on this project. Should you have any questions or need further information, please do not hesitate to call on us.

Respectfully,

**THOMPSON ENGINEERING, INC.**



George "Geep" Bockhold, P.E.  
Branch Manager Savannah Office

ACCEPTED: \_\_\_\_\_, 2019

By \_\_\_\_\_

\_\_\_\_\_  
TITLE

**Backup material for agenda item:**

24. Agreement between COTI & LKS for a design guidelines manual per the approved and awarded Historic Preservation Fund Grant FY2018.





**PARTIES:** City of Tybee Island  
Lominack Kolman & Smith Architects

**PROJECT:** City of Tybee Island – Design Guidelines

**TERM:** January 2, 2019 – June 28, 2019

**AGREEMENT**

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ between the City of Tybee Island hereinafter referred to as "*City*," and Lominack Smith Architects hereinafter referred to as "*Consultant*." This agreement is based on an awarded FFY 2018 Historic Preservation Fund Grant from the Historic Preservation Division of the Georgia Department of Natural Resources, hereinafter referred to as "*Department*'

**WITNESSETH**

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto hereby agree as follows:

1. Scope of Services: The *Consultant* shall provide a manual with complete design guidelines for the South End Overlay District, to include a brief history and evolution of the district, information about the purpose of the document, review process it supports, description of the district's features and characteristics referencing the most current survey information, terms and definitions, and applicable reference information. The *Consultant* shall adhere to the *Department's* Scope of Work within the *City's* agreement that is available to review upon request.
  
2. Description of Services: The *Consultant* shall, in a satisfactory manner as determined by the *City*, in accordance with the *Department's* requirements, complete specific tasks including, but not limited to, the following:
  - a. Preliminary Reconnaissance of District  
This portion of the project involves a thorough review and understanding of existing structures and uniquely specific characteristics in the district. A thorough review shall be conducted of existing ordinances, previous resource surveys and design guidelines, and existing or potential incentives to appropriately incorporate into the final document. A summary' of findings shall be provided that include, but not be limited to, architectural styles, general observations, previous preservation projects, a map referencing a list of all structures and addresses with corresponding physical traits and average year built in order to identify all historic and non-historic resources and characteristics.
  - b. Document Preparation  
The intent of the manual is to provide and promote appropriate improvements or changes to existing historic and non-historic properties and direction for quality development in the district, all the while supporting the CO's Master Plan and overall planning objectives.  
Reconnaissance findings shall be incorporated into the manual with character defining building patterns and forms, architectural styles and features, landscape and streetscape features and other features included to identify intrusive and/or non-contributing resources and/or features.

c. Components of Design Guidelines Manual

- The final design guidelines manual shall be easy to comprehend and organized in a user-friendly format.
- The manual shall include, but not be limited to, the following:
  - table of contents \_ introductory information including: district identification (location, boundaries, applicable resources and surveys) \_ executive summary (acknowledgements, explanation of the importance of protecting the character of the district, purpose of and how to use the guidelines manual).
  - explanation and text of the historic preservation ordinance, introduction to the historic preservation commission and the review process, applicable forms, and review process, appeals process, and other related regulations, as applicable, and a diagram indicating the flow
  - a brief a summary of previous preservation projects; developmental history of the survey area
  - identification and description of the district's historic and individual character defining features reported from the *Consultant's* reconnaissance including, but not limited to:
    - o lot configurations, building-to-building/building-to-site relationships, building types and styles, building materials, features and details, building uses, landscape features, and streetscape features
  - guidelines for treatment of historic properties including, but not limited to:
    - o appropriate treatment of historic features, maintenance, alterations, and additions. Recommendations should follow the Secretary of the Interior's Standards for the Treatment of Historic Properties and should be based on the identified historic character-defining features of the district.
  - recommendations for addressing sea-level rise with historic structures in accordance with preservation goals and federal, state, and local regulations
  - guidelines for new construction including, but not limited to:
    - o appropriate locations, site setting and orientation, setbacks, size, height, styles, materials, and design of various features such as windows, doors, roofs, etc. New construction should be compatible with and complement existing historic properties, it need not replicate existing original historic features.
  - recommendations for future development that includes considerations for sea-level rise and coastal flooding in accordance with federal, state, and local regulations
  - guidelines for demolition, neglect of properties, and relocating buildings
  - manual appendices shall include:
    - o map of district boundaries and all resources with addresses and cross-reference to current surveys
    - o recommendations for incentives that the *City* shall consider offering through its Community Development Department
    - o applicable references such as a glossary of terms, the Secretary of the Interior's Standards for the Treatment of Historic Properties and associated guidance materials, FEMA regulations for contributing buildings in a national historic district and/or considered historic, regulations for historic properties according to local ordinances, and other applicable laws and regulations



- Photographs from the district should be used throughout the manual to illustrate building types and styles, character-defining features, landscape features, appropriate new construction, and other applicable items.

3. Schedule of Project: The project schedule that follows shall be used for deadlines of deliverables in accordance with the grant to fulfill project requirements.

<b>DEADLINE DATE</b>	<b>EXPECTED DELIVERABLES</b>
February 28, 2019	Reconnaissance summary completed and submitted to <i>City</i> for submission to <i>Department</i>
March 29, 2019	A written summary of project status for the <i>City</i> to review
April 30, 2019	First draft of design guidelines to be submitted to <i>City</i> for submission to <i>Department</i>
May 31, 2019	Second draft of design guidelines to be submitted to <i>City</i> for submission to <i>Department</i>
June 28, 2019	Final design guidelines submitted to <i>City</i> for submission to <i>Department</i>

4. Ownership of Work Product: All documents, data, photographs, and reports prepared pursuant to this agreement shall be and become the property of the *City*.
5. Compensation: The *Consultant* shall be compensated \$6,120.00, according to the Historic Preservation Fund Program FFY2018 grant awarded through *Department* for the services pursuant to this agreement. The *City* shall make payments to the *Consultant* in the following manner: \$2,000.00 upon meeting the March 29, 2019 deadline as outlined in Item 3; \$2,000.00 upon meeting the May 31, 2019 deadline as outlined in Item 3; and the remainder of the total amount (\$2,120.00) upon submission and approval of all project materials by the *City* and the *Department*.
6. Term: The term of the contract will commence January 2, 2019 and end no later than August 15, 2019, unless either party gives thirty days prior (30 days) written notice of termination or extension. The *Consultant* shall be compensated for all services satisfactorily rendered prior to and including the date of termination. Notwithstanding any other provision herein, all obligations of the city will end as of the end of the calendar year, if not sooner terminated, however the contract may be renewed with written notice by staff of the city to consultant if the tasks are not completed prior to the end of the year.
7. Status of Parties as Independent Consultants: Nothing contained herein in this Agreement shall be construed to constitute the *Consultant* as a partner, employee, servant, or agent of the *City*. Neither shall either party have any authority to bind the other in any respect. It is intended that each shall remain independent and responsible for their own actions. The *City* is interested only in the results to be achieved and shall have no control over the conduct of work. Further, the *Consultant* shall not be considered as having employee status which might enable her/him to workers compensation, health and accident insurance benefits, retirement benefits, Social Security contributions, unemployment compensation, annual or sick leave, or any other benefit available to employees of the *City*.

8. Liability: The *Consultant* shall assume all liability and risk for all damages and injuries to persons and property which may arise or accrue out of the provision of the above mentioned services by the *Consultant*.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and affixed their seals the day and year written below.

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Rebecca Fenwick, Director of Preservation  
Lominack Kolman Smith Architects

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Date

---

Jason Buelterman, Mayor  
City of Tybee Island

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Date

---

Chantel Morton, Project Manager  
Development Authority / Main Street Executive Director  
City of Tybee Island

---

Date

**Backup material for agenda item:**

27. The Highway 80 Median Project bid process has been completed. There was only one bidder, The Greenery, that submitted a bid. The council action requested is approval of only the base bid of \$213,244.82, and the irrigation system with a bid of \$52,582.40. The total allocated for this project in the budget is \$260,000. The landscape architect is current working with the bidder to lower the cost of the plantings to bring the total cost within budget. The budget line item number is 100-6230-54-1400.



**ATTACHMENT E**

**PROPOSAL SHEET (1)**

**HIGHWAY MEDIAN IMPROVEMENTS**

**RFP # 2018-719**

NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>Base Bid</b>					
1	Remove and dispose of existing plantings, prune remaining crepe myrtles	1	LS	27,996.77	27,996.77
2	Addition of and fine grading of Improved soil (See landscaping specification 3.1)	1	LS	36,558.20	36,558.20
3	3" Double Shredded Hardwood Mulch	1	LS	30,448.33	30,448.33
4	Serenoa repens	203	EA	103.016	20,912.23
5	Andropogon gerardii	386	EA	27.564	10,639.85
6	Bulbine frutescens	451	EA	10.972	4,948.42
7	Helianthus debilis	1,073	EA	10.424	11,184.42
8	Lantana 'Chapel Hill Yellow' Plant Patent #19,548	470	EA	10.972	5,156.89
9	Lantana sellowiana 'Monma'	266	EA	8.229	2,188.94
10	Lomandra longifolia 'LM300' Plant Patent #15,420	1,017	EA	25.943	26,383.97
11	Muhlenbergia capillaris	625	EA	6.766	4,228.83
12	Panicum virgatum 'Northwind'	292	EA	16.458	4,805.78
13	Pennisetum orientale	741	EA	15.544	11,517.97
14	Rosa 'Meigalpio' Plant Patent #17,877	203	EA	27.43	5,568.34
15	Rosa 'Meijocos' Plant Patent #18,874	366	EA	27.43	10,039.48
16	Spartina bakeri	581	EA	12.971	7,536.42
17	Turfgrass overseeding	2,500	SF	.183	457.17
<b>TOTAL BASE BID PROJECT : City of Tybee Island, Georgia - Hwy. 80 Median Improvements</b>					<b>\$ 213,244.82</b>

CONTRACTOR: The Greenery, Inc.

PHONE NUMBER: 843-785-3848

CONTRACTOR SIGNATURE: 

DATE: December 17, 2018

ADDRESS: PO Box 6569 Hilton Head, SC 29938  
2400 Tremont Rd. Savannah, GA 31405

ATTACHMENT E

PROPOSAL SHEET (2)

HIGHWAY MEDIAN IMPROVEMENTS

RFP # 2018-719

ALTERNATE BID ITEMS : City of Tybee Island, Georgia - Hwy. 80 Median Improvements					
NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>HARDSCAPE</b>					
1	Irrigation System, Complete	1	LS	52,582.40	52,582.40
2	1 year of maintenance from time of Owner Acceptance	1	LS	261,423.47	261,423.47
3	Stepping Stones	26	EA	55.00	1,430.00
4	Longleaf Pine Mulch instead of Hardwood Mulch	1	LS	-14,360.97	-14,360.97
<p><b>Do not total alternate bids. They may be selected on a case by case basis and if selected will be reflected on the final contract bid summary.</b></p>					

CONTRACTOR: The Greenery, Inc.

PHONE NUMBER: 843-785-3848

CONTRACTOR SIGNATURE: 

DATE: December 17, 2018

ADDRESS: PO Box 6569 Hilton Head, SC 29938  
2400 Tremont Rd Savannah, GA 31405

**Backup material for agenda item:**

28. 2019-01, Second Reading, Sec 4-050 Zoning Districts (O), South-end Business Overlay District



## ORDINANCE NO. 1-2019

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
FOR THE CITY OF TYBEE ISLAND, GEORGIA,  
SOUTH END BUSINESS OVERLAY DISTRICT

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

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

WHEREAS, the governing authority desires to amend the Code of Ordinances for the City of Tybee Island, Georgia, Section 4-050 (O) relating to the South End Business Overlay District.

NOW THEREFORE, It is hereby ordained by the Mayor and Council of the City of Tybee Island that The Code of Ordinances of the City of Tybee Island, Georgia, Section 4-050-(O) dealing with the South End Business Overlay District so that hereafter the section and Code shall read as hereinafter provided.

Sec. 4-050. – Zoning districts.

(O) *South End business overlay district*

- (1) *Purpose.* The purpose of this district is to promote the welfare and vitality of the city's original main commercial and resort area and preserve its historic character and identity for future generations.
- (2) *Uses.* All commercial and multi-family residential uses are permissible subject to site plan approval, or special review and site plan approval, as is required by the particular zoning classification of the property. In this district, the site plans established herein shall prevail over any setbacks in any other part of this Code, specifically including section 3-090 regardless of the use of the property. Mixed uses of the property are permissible. Site plan approval and special review is required for new construction and redevelopment of existing sites. New construction when a project includes the redevelopment of a parcel, a development agreement with the owner/developer and the city specifying the site plan, location of utilities, improvements, setbacks, driveway locations and dimensions and lot coverage may be required.
- (3) *Signs.* Signage within the district shall be as specified herein to the extent of any inconsistency with the sign ordinance. Permissible signage shall include sandwich boards not to exceed three feet by five feet, which may be displayed during business hours on sidewalks immediately adjacent to the business advertised on the sandwich board. No advertising benches shall be permissible in the district. The existing advertising benches located in the Fourteenth Street parking lot may remain until such time the city provides public benches.
  - a. Within the district, café style seating on sidewalks may be permissible provided that sidewalks in the area involved, must be at least ten feet in width.

- b. Notwithstanding any other provision of this Code, no outdoor selling of merchandise on public or private sidewalks is permissible in the district except as may be allowed in connection with authorized special events.
- (4) *Demolition and relocation of historic buildings.* The following standards apply to all historic buildings within the overlay district that are 50 years of age or older and identified as listed, eligible, or may be eligible for listing in the National Register of Historic Places within the 2016 City of Tybee Island Historic Resources Survey, Phase 1. The Historic Preservation Commission shall review permit applications for demolition and relocation and provide recommendations to the zoning administrator.
- a. *Demolition.* Demolition of historic buildings undermines the character of Tybee Island and shall only be permitted if the demolition is required to alleviate a threat to public health or public safety as determined by the zoning administrator based on supporting documentation from a licensed structural engineer licensed in the State of Georgia.
  - b. *Relocation.* Relocation of historic buildings can impact the character of Tybee Island and should only be considered as a last resort in order to preserve the building. It shall only be permitted if all of the following conditions are met:
    1. The current location and surrounding context no longer contribute to the overall character of the property (i.e. residential property now surrounded by new construction and commercial development).
    2. The character of the property onto which the building will be relocated and its surrounding context are compatible with the historic building (i.e. relocating a residential building within a residential area).
    3. The relocation is as close to the original site as possible (i.e. the relocation of a building to a new location on the same parcel or an adjacent parcel).

(5) Appeals.

- b. Any applicant for a permit shall have the right to appeal to the planning commission and mayor and council should the zoning administrator refuse to approve the issuance of a permit in accordance with Section 9-030.

(6) Definitions. In addition to existing definitions in Section 2-010, the following terms apply to this overlay district.

*Compatibility.* The positive relationship of existing buildings, relocated buildings, and/or designs for new construction to their environs.

*Demolition.* The act of either demolishing or removing 50 percent or more of the exterior walls of a building; or any primary exterior wall facing a public street or beach; or 50 percent or more of the roof area.

*Historic building.* A building that is worthy of preservation by reason of value to Tybee Island, Chatham County, State of Georgia, region, or nation, for one of the following reasons:

- a. It is an example of a building representation of its era;
- b. It is one of the few remaining examples of past architectural style, or building type;
- c. It is associated with an event or persons of historic or cultural significance to Tybee Island, Chatham County, State of Georgia, region, or nation; or



d. It contributes to the cultural or historical development and heritage of Tybee Island, Chatham County, State of Georgia, region, or nation.

Policies and procedures applicable in this district are on file in the offices of the planning and economic development director and are incorporated herein.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

572.001.Ordin2019/01-07-19 South End Business Overlay

**Backup material for agenda item:**

29. 2019-01 Resolution - Registrar for the City



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor pro tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CITY CLERK**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **RESOLUTION 2019-01**

**WHEREAS**, the City of Tybee Island is scheduled to hold a municipal election on Tuesday, November 5, 2019; and

**WHEREAS**, the County Board of Registrars has provided the City with a list of municipal electors; and

**WHEREAS**, a Registrar for the City needs to be appointed to act as Municipal Registrar to review the list of proposed electors and to perform other duties in cooperation with the Chatham County Board of Registrars;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Tybee Island in open meeting assembled, hereby designate Janet LeViner, CMC, Clerk, to act as Registrar for the City in connection with the election to be conducted on Tuesday, November 5, 2019.

Adopted this 10<sup>th</sup> day of January 2019

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Jason Buelterman, Mayor

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Janet LeViner, CMC  
Clerk of Council

**Backup material for agenda item:**

30. 2019-02 Resolution Superintendent of Elections



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown, Mayor pro tem  
John Branigin  
Wanda Doyle  
Julie Livingston  
Monty Parks  
Shirley Sessions



**CITY MANAGER**  
Shawn Gillen

**CITY CLERK**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **RESOLUTION 2019-02**

**WHEREAS**, the City of Tybee Island is scheduled to hold a municipal election on Tuesday, November 5, 2019; and

**WHEREAS**, for the past thirty-years the City has contracted with the Board of Elections of Chatham County to superintend all municipal elections held within this City; and

**WHEREAS**, it is the opinion of the elected officials of the City of Tybee Island that the Chatham County Election Board has performed these duties in a superior manner, giving excellent, impartial service to the citizen of Tybee Island;

**NOW, THEREFORE, BE IT RESOLVED**, by Mayor and Council of the City of Tybee Island in open meeting assembled, that the Board of Elections of Chatham County be invited to superintend the City's upcoming election and that the Board also supervise the preparations for said election to be held on Tuesday, November 5, 2019.

Adopted this 10<sup>th</sup> day of January 2019.

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Jason Buelterman, Mayor

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Janet LeViner, CMC  
Clerk of Council

**Backup material for agenda item:**

31. Jason Buelterman

- (1) Solar Panel Project Loan Application
- (2) COLA Pay Increase



**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown Mayor Pro Tem  
Wanda Doyle  
Julie Livingston  
Jackson Butler  
Monty Parks  
John Branigin



**CITY OF TYBEE ISLAND**

**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

**City Council Agenda Item Request**

**Council Meeting Date for Request: December 13, 2018**

**Item:** The purpose of this agenda item is seek the City Council’s approval to amendment the General Fund fiscal year 2018-2019 operating and capital budget of \$13,761,695, by transferring 55,603 from the Contingency Fund line item to allocate among the departments in the General Fund to cover the cost of a 3% COLA increase.

**Explanation:** The purpose of this agenda item is seek the City Council’s approval to amend the General Fund’s fiscal year 2018-2019 operating and capital budget by transferring 55,603 from the contingency line item, 100.9000.57.9001 to the department budgets listed below in order to cover the cost of a 3% Cost of Living Increase (“COLA”) effective January 1, 2019 :

Current Department Budget	Budget Amendment	01-10-2019 Amended Budget	Department	Department Name
\$ 112,239	\$ 916	\$ 113,155	100.1130	Clerk of Council
\$ 557,447	\$ 2,638	\$ 560,085	100.1320	City Manager
\$ 140,413	\$ 1,502	\$ 141,915	100.1510	Finance Director
\$ 363,027	\$ 1,379	\$ 364,406	100.1512	Finance Accounting Division
\$ 34,749	\$ 771	\$ 35,520	100.1517	Finance Accounts Payable Division
\$ 52,898	\$ 692	\$ 53,590	100.1519	Finance Payroll Division
\$ 653,986	\$ 2,131	\$ 656,117	100.1535	Information Technology
\$ 130,847	\$ 1,213	\$ 132,060	100.1540	Human Resources
\$ 754,326	\$ 2,330	\$ 756,656	100.1565	Building Maintenance
\$ 303,835	\$ 2,533	\$ 306,368	100.2650	Municipal Court
\$ 2,512,621	\$ 17,001	\$ 2,529,622	100.3210	Police Administration
\$ 329,980	\$ 3,253	\$ 333,233	100.3215	Police Beach Patrol
\$ 873,646	\$ 3,374	\$ 877,020	100.3510	Fire Department
\$ 1,823,407	\$ 9,098	\$ 1,832,505	100.4210	Public Works
\$ 247,757	\$ 2,057	\$ 249,814	100.6210	Parks Administration
\$ 715,085	\$ 2,545	\$ 717,630	100.7220	Community Development & Planning
\$ 121,277	\$ 696	\$ 121,973	100.7300	Mainstreet Division



**Budget Line Item Number (if applicable):**

A detail of the General Fund's budget changes by department is shown in the Attachment A schedule included with this agenda item.

Paper Work:                  X       Attached\*  
   Already Distributed

Submitted by:       Angela Hudson, Finance Director      

Phone / Email:       (912) 472-5021/ahudson@cityof tybee.org      

January 10, 2019

Date given to Clerk of Council



51.1100	51.2100	51.2300			Current Department Budget	Budget Amendment	01-10-2019 Amended Budget	Department	Department Name
Wages	FICA 6.2%	Medicare 1.45%	Total Costs						
<b>GENERAL FUND</b>									
\$ 850.71	\$ 52.74	\$ 12.34	\$ 915.79	\$	112,239	\$ 916	\$ 113,155	100.1130	Clerk of Council
\$ 2,449.88	\$ 151.89	\$ 35.52	\$ 2,637.29	\$	557,447	\$ 2,638	\$ 560,085	100.1320	City Manager
\$ 1,394.72	\$ 86.47	\$ 20.22	\$ 1,501.41	\$	140,413	\$ 1,502	\$ 141,915	100.1510	Finance Director
\$ 1,280.15	\$ 79.37	\$ 18.56	\$ 1,378.08	\$	363,027	\$ 1,379	\$ 364,406	100.1512	Finance Accounting Division
\$ 715.86	\$ 44.38	\$ 10.38	\$ 770.62	\$	34,749	\$ 771	\$ 35,520	100.1517	Finance Accounts Payable Division
\$ 642.11	\$ 39.81	\$ 9.31	\$ 691.23	\$	52,898	\$ 692	\$ 53,590	100.1519	Finance Payroll Division
\$ 1,979.15	\$ 122.71	\$ 28.70	\$ 2,130.55	\$	653,986	\$ 2,131	\$ 656,117	100.1535	Information Technology
\$ 1,126.73	\$ 69.86	\$ 16.34	\$ 1,212.92	\$	130,847	\$ 1,213	\$ 132,060	100.1540	Human Resources
\$ 2,164.05	\$ 134.17	\$ 31.38	\$ 2,329.60	\$	754,326	\$ 2,330	\$ 756,656	100.1565	Building Maintenance
\$ 2,352.30	\$ 145.84	\$ 34.11	\$ 2,532.25	\$	303,835	\$ 2,533	\$ 306,368	100.2650	Municipal Court
\$ 15,792.75	\$ 979.15	\$ 228.99	\$ 17,000.90	\$	2,512,621	\$ 17,001	\$ 2,529,622	100.3210	Police Administration
\$ 3,021.12	\$ 187.31	\$ 43.81	\$ 3,252.24	\$	329,980	\$ 3,253	\$ 333,233	100.3215	Police Beach Patrol
\$ 3,133.87	\$ 194.30	\$ 45.44	\$ 3,373.61	\$	873,646	\$ 3,374	\$ 877,020	100.3510	Fire Department
\$ 8,450.61	\$ 523.94	\$ 122.53	\$ 9,097.08	\$	1,823,407	\$ 9,098	\$ 1,832,505	100.4210	Public Works
\$ 1,910.39	\$ 118.44	\$ 27.70	\$ 2,056.53	\$	247,757	\$ 2,057	\$ 249,814	100.6210	Parks Administration
\$ 2,363.57	\$ 146.54	\$ 34.27	\$ 2,544.38	\$	715,085	\$ 2,545	\$ 717,630	100.7220	Community Development & Planning
\$ 646.47	\$ 40.08	\$ 9.37	\$ 695.92	\$	121,277	\$ 696	\$ 121,973	100.7300	Mainstreet Division
\$ 1,368.69	\$ 84.86	\$ 19.85	\$ 1,473.39	\$	511,098	\$ 1,474	\$ 512,572	100.7564	Parking Services
<b>\$ 51,643.09</b>	<b>\$ 3,201.87</b>	<b>\$ 748.82</b>	<b>\$ 55,593.78</b>	<b>\$</b>	<b>10,238,638</b>	<b>\$ 55,603</b>	<b>\$ 10,294,241</b>	<b>Grand Total General Fund</b>	

**MAYOR**  
Jason Buelterman

**CITY COUNCIL**  
Barry Brown Mayor Pro Tem  
Wanda Doyle  
Julie Livingston  
Jackson Butler  
Monty Parks  
John Branigin



**CITY OF TYBEE ISLAND**

**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Janet LeViner

**CITY ATTORNEY**  
Edward M. Hughes

**City Council Agenda Item Request**

**Council Meeting Date for Request: December 13, 2018**

**Item:** The purpose of this agenda item is seek the City Council’s approval to amendment the River’s End Campground and RV Park’s fiscal year 2018-2019 operating and capital budget of \$1,670,000, by transferring \$4,675 from the contingency fund line item to the personnel and benefits line items to cover the cost of a 3% COLA increase.

**Explanation and Budget Line Item Numbers:** The purpose of this agenda item is seek the City Council’s approval to amend the River’s End Campground and RV Park Fund’s fiscal year 2018-2019 operating and capital budget by transferring \$4,675 from the contingency line item, 555.9000.57.9001 to the department’s line items listed below in order to cover the cost of a 3% Cost of Living Increase (“COLA”) effective January 1, 2019:

<b>51.1100</b>	<b>51.2100</b>	<b>51.2300</b>	
<b>Wages</b>	<b>FICA 6.2%</b>	<b>Medicare 1.45%</b>	<b>Total Costs</b>
<b>\$ 4,342.00</b>	<b>\$ 270.00</b>	<b>\$ 63.00</b>	<b>\$ 4,675.00</b>

The contingency line item current balance is \$132,641. The budget amendment will reduce the contingency balance to \$127,966.

Paper Work:  Attached\*  
 Already Distributed

Submitted by: Angela Hudson, Finance Director  
Phone / Email: (912) 472-5021/ahudson@cityof tybee.org

January 10, 2019  
Date given to Clerk of Council



**Backup material for agenda item:**

32. Attached are approved meeting minutes to include in the packet for the 1/10/19 City Council meeting:

- Development Authority/Main Street Board of Directors: September, November
- Historic Preservation Commission: August, October, November





**TYBEE ISLAND DEVELOPMENT AUTHORITY / MAIN STREET  
BOARD OF DIRECTORS MONTHLY MEETING  
Meeting Minutes: September 22, 2018**



**Vision:** *To improve the quality of life for those that live, work, and visit Tybee Island and enhance the cultural experience while preserving the community's barrier island heritage.*

The **Mission** of the Tybee Island Development Authority / Main Street Program is to:

- facilitate efforts to revitalize, redevelop, and enhance that which improves the quality of life;
- create a sense of place and improve the quality of life for residents, business owners, and visitors using the Main Street Four Point Approach;
- encourage quality economic growth and development while preserving Tybee Island's unique architectural and community heritage;
- support and encourage the arts as a cultural endeavor and economic engine on the Island.

**ATTENDANCE**

<i>(Present)</i>	Director:	Sarah Bernzott, Marianne Bramble, Vicki Hammons, Diane Kaufman, Julie Livingston, Ted Lynch
	Ex-Officio Director:	Tim Arnold, Angela Caldwell, Melissa Memory, Kelly Swope
	Program City Staff:	Chantel Morton
	Guest:	Hope Barton, Gordon Matthews, Karen Penick, Marsha Thomas
		Crystal Travaille
<i>(Absent)</i>	Director:	Steve Kellam

**CALL TO ORDER**

Ted called the meeting to order at 6pm. Introductions were provided by all individuals present.

**GUEST PRESENTATION**

Gordon Matthews and Crystal Travaille presented information about the concept of *Dark Sky Month on Tybee*. Crystal provided examples of artwork that has been produced with the presence of dark skies. Gordon provided ideas for economic development with this concept regarding business involvement and potential promotional activities at the Post Theater, involvement of other local and regional groups, and WTOC-TV. Diane inquired who the point of contact would be and what action was being requested from directors. Gordon explained that the presentation was to initiate the conversation and gauge interest for someone or an organization to take the concept and expand on it. Directors thanked Gordon and Crystal for sharing the information and invited them to come to additional meetings to continue the discussion.

**DEVELOPMENT AUTHORITY / MAIN STREET BOARD OF DIRECTORS MINUTES**

Sarah joined the meeting as the agenda item regarding meeting minutes started. Motion was made by Julie, which was seconded by Vicki, to approve the minutes of the Tybee Island Development Authority / Main Street Board of Directors August 22, 2018 meeting minutes. Motion carried.

**2018-19 WORK PLAN/COMMITTEE UPDATE**

*Historic Preservation and Education*

Vicki provided the latest update regarding the text amendment for design standards in the South End Overlay District. A workshop was held with the Planning Commission, City Council, core group, and consultants. Support and understanding was discussed in detail and the consensus was to move forward with strengthening the demolition and relocation sections of the amendment. There is still support to continue with the grant that will provide design guidelines for that district. Chantel confirmed that the grant work has been delayed so that the text amendment receives the necessary attention.

*Ecotourism and Active Lifestyle*

Chantel reported that Kelly has requested to only serve as part of the team that is working on the image campaign and asked if another Director would like to assist with the program's Ecotourism and Active Lifestyle priority goal. Julie confirmed that improvements are being worked on for the bike route. The bike route signs are much larger and will be installed soon.

*Image Campaign*

Ted confirmed that Kelly and he will meet with Chantel in early October to discuss the image campaign work plan items with a focus on the survey.

*Ongoing Outreach & Events*

Sarah provide updates about Tybee Community Day.

Sarah and Chantel confirmed information is coming in for updating the holiday website. Promotional pieces are being designed and activities are being reconfirmed for Lights on for Tybee Celebration and the Parade.

**OTHER BUSINESS**

Sarah confirmed that the Beach Bum Parade is still on the radar for the promotions committee to discuss.

**PARTNER UPDATES**

Melissa shared that there is a National Park Pick Up (litter) Day at Fort Pulaski September 29 from 8am until 12pm. She also confirmed that the Candlelantren Tours during the holidays will be happening. She will send information to Chantel once details are confirmed.

Hope shared that the Historical Society will begin their Sunset Parties for members on Saturday.

**ADJOURN**

The meeting adjourned at 5:15pm.

**TYBEE ISLAND HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES**

October 15, 2018

**ATTENDANCE**

<i>(Present)</i>	Commissioner:	Kathy Black Dennis, Susan Estroff, Marty Harrell, Jan Will
	Advisor:	Sarah Jones
	Staff:	Chantel Morton
	Guests:	Janice Hayden, Shirley Sessions
<i>(Absent)</i>	Commissioner:	J Altman
	City Council Representative:	<i>currently vacant</i>

**CALL TO ORDER-WELCOME**

Jan called the meeting to order 5:31pm and welcomed everyone.

**MINUTES FOR CONSIDERATION**

Jan inquired about Marty's comments noted in the August 20 HPC minutes. Marty clarified her comments were about capturing remarks that support historic preservation and/or promote historic properties on short-term and/or long-term rental company webpages in order to show support for and economic value of preservation. Chantel will make the correction. Motion was made by Kathy, which was seconded by Marty, to approve the Historic Preservation Commission meeting minutes of August 20, 2018 with clarification noted. The motion passed unanimously.

**BEST PRACTICES FOR MEETINGS AND MEMBERS**

Chantel reminded commissioners to turn in their signed Best Practices for Meetings and Members and the Addendum documents if they have not yet done so.

**OLD BUSINESS**

*South End Overlay – Design Guidelines*

Chantel reviewed the most current revision to the SEOD text amendment that will be considered at the Planning Commission meeting this evening.

Jan welcomed Shirley Sessions, the councilperson whom has been appointed to fill Jackson Butler's vacated seat. Shirley reviewed her interests, background, and platforms she is supportive of as an elected official for the city. She also confirmed that a council liaison has not yet been appointed to the HPC, but she is supportive of historic preservation. She expressed interest in improvements to storefronts in the downtown district. Discussion ensued regarding design standards and building height, mass, and scale. All in attendance discussed educational efforts that have been done over the past few years, current efforts, and plans for future efforts, as well as ways to continue the enthusiasm and keep preservation fun.

*Project Updates*

Jan reviewed ideas for a few additional projects that will be discussed more at a future meeting for commissioners to consider.

**Trainings**

Kathy shared information she received at the State Preservation Conference. She requested that Chantel look into a membership with the Georgia Alliance for Preservation Commissions.

Kathy requested that a group photo of all commissioners be taken so she can submit it to the Beachcomber to accompany her article(s). Commissioners agreed to meet in front of city hall on Monday at 5:30pm.

Jan discussed the Tybee Community Day Celebration and HPC involvement for next year.

**ADJOURNMENT**

The meeting adjourned at 6:30pm.

**TYBEE ISLAND HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES**

August 20, 2018

**ATTENDANCE**

<i>(Present)</i>	Commissioner:	J Altman, Kathy Black Dennis, Susan Estroff, Marty Harrell, Jan Will
	City Council Representative:	Jackson Butler
	Advisor:	Sarah Jones
	Staff:	Chantel Morton
	Guests:	Janice Hayden
<i>(Absent)</i>	Commissioner:	Kathy Black Dennis

**CALL TO ORDER**

Jan called the meeting to order at 6pm.

**WELCOME**

Chantel introduced new commissioner, Martha (Marty) Harrell. Marty was appointed to serve on the Historic Preservation Commission at the August 9 city council meeting. Marty shared about her interest in historic preservation on Tybee and her experience. Commissioners welcomed her. Chantel confirmed that Marty and she met prior to the meeting for an HPC orientation.

**MINUTES FOR CONSIDERATION**

Motion was made by Susan, which was seconded by J, to approve the Historic Preservation Commission meeting minutes of July 16, 2018. The motion passed unanimously.

**BEST PRACTICES FOR MEETINGS AND MEMBERS**

Chantel reviewed the Best Practices for Meetings and Members and the Addendum documents that commissioners were emailed for reviewing and signing. Discussion ensued and Chantel requested that forms be returned within the week.

**OLD BUSINESS**

*South End Overlay – Design Guidelines*

Jackson reviewed the discussion from the August 9 city council meeting regarding the South End Overlay District text amendment. He reported that the feedback was decent and discussions tended to focus on accountability of preservation efforts, if disasters occur and new construction. He emphasized the importance of focusing on the preservation part of the amendment and standards for today's Tybee. J commented that he was pleased to see the council members in attendance and that the points made were thoughtful and agrees that strengthening of the teardown portion of the amendment will be helpful. He reviewed discussion points about guidelines for new construction and practical building standards. Sarah commented that the standards are about defining the character of the district and preventing intrusion of what does not compliment the authenticity of Tybee, not to be restrictive nor tell people how they have to build. The standards mainly address height, scale and mass. She emphasized that the direction of strengthening the demolition portion is a positive step for preserving older buildings. Marty commented that remarks in support of historic preservation and/or that promote historic properties on short-term and/or long-term rental company webpages should be captured in order to show support for and economic value of preservation.

*Project Updates*

Jan reported that flyers are being hung up around town for the HMS Otranto dedication. She encouraged everyone to attend the event on September 15.

Jan reported that she spoke with Susan Kelleher at Seaside Sisters about the suggestions made by commissioners to have a tour of homes in February. She was told it would not work because there are not enough people on the island then. Commissioners agreed to revisit the idea for December of 2019 at a later date.

Discussion about additional projects was deferred.

**TRAININGS**

Chantel confirmed that J will be attending the same state preservation conference that Kathy is attending in Macon next month.

**ADJOURNMENT**

The meeting adjourned at 6:40pm.



**TYBEE ISLAND HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES  
November 19, 2018**

**ATTENDANCE**

<i>(Present)</i>	Commissioner:	J Altman, Susan Estroff, Jan Will
	Advisor:	Sarah Jones
	Staff:	Chantel Morton
	Guests:	Joe Amlin, Hope Barton, Shirley Sessions
<i>(Absent)</i>	Commissioner:	Kathy Black Dennis, Marty Harrell
	City Council Representative:	Shirley Sessions

**CALL TO ORDER-WELCOME**

Jan called the meeting to order at 5:30pm and welcomed everyone. Shirley confirmed she will be serving as the City Council liaison for the Historic Preservation Commission.

**MINUTES FOR CONSIDERATION**

Consideration of the October 15, 2018 Historic Preservation Commission meeting minutes were postponed until later in the meeting.

**OLD BUSINESS**

*South End Overlay – Design Guidelines*

Commissioners discussed the South End Overlay District revised text amendment that is being considered again at this evening’s Planning Commission meeting. The design guidelines portion of the document has been removed. The amendment is now mainly focused on strengthening the demolition ordinance portion based on comments made during meetings with the core group, members of City Council, Planning Commission, and the public. Chantel reminded everyone that this version does not provide design guidelines to ensure new construction maintains the character of the district. It also does not provide guidelines that would be true to the same character for what is rebuilt, if a teardown were to happen. However, suggestions and design assistance will still be available. Jan suggested that as many people as possible should speak in favor of the amendment at the Planning Commission meeting. Chantel stated that the Resolution for the moratorium expires in December. She did receive confirmation from the Assistant City Manager/Community Development Director that City Council could decide to have two readings at their one meeting in December. Sarah confirmed she will help prepare visuals for the City Council meeting if a commissioner will be available to present at that time.

*Review of Preservation Ordinance*

Chantel explained that review of the preservation ordinance (Article 14) is on the agenda to request feedback about having commissioners revisit the city’s preservation ordinance at a future meeting in order to review for familiarity. Sarah commented that it would be helpful for everyone to review the commissions charge in serving the city and preservation efforts for the island. Knowledge through being well informed is an important factor for the commission. It is even more of a necessity for everyone to be familiar with all ordinances pertaining to preservation, especially with the current factors affecting historic resources and the flood mitigation grant, of which is being worked on by the city’s Assistant Manager and consultants. Chantel reiterated that the design guidelines grant will be incorporating recommendations regarding climate change factors. Sarah confirmed that she is attending a *Keeping History Above Water* conference in St. Augustine in May. The focus of the conference is on the impacts of sea level rise on historic coastal and river communities and cultural resources and planning. Sarah will invite Bob Ciucevich to attend an HPC meeting and speak with the Commission about Tybee’s history and architecture and/or give them a tour of the island. Review of the Article 14 for familiarity will continue.

## *Project Updates*

### **Articles**

Jan commended Kathy for the articles that are being published in the Tybee Beachcomber. The December article was about Lighthouse Christmases. Sarah confirmed that the January article will be about street names and their origins. Chantel shared that, on Thanksgiving, the owners of Salt Island will be having a special rendition of the Fort Screven holiday menu that was published in the December article.

### **Educational Ideas**

Commissioners discussed various ideas to increase knowledge about the history and architectural features of the island. Chantel reviewed the outline that was started for the preservation brochure that Jackson had started. She will resume work on this project with Commissioners input so that it can be printed and distributed during the 1<sup>st</sup> quarter of 2019.

### **Tour of Homes**

Jan confirmed that the tour of homes event will continue to be a consideration for 2019.

### **Consideration of Additional Project**

Jan reviewed some ideas she would like for the commission to consider for 2019. She provided her comments regarding the Fort Screven National Historic District entrance monument design that was developed based on previous discussions and historic photos. Commissioners discussed revisions to the conceptual design for signage at the entrances to Fort Screven. More work will be done on this and details such as costs, materials, and placement will be presented when ready.

## **PERMIT REVIEWS**

Sarah confirmed that very few permits have been sent to her for review. She will engage Commissioners to aid in the review process.

## **ADJOURNMENT**

The meeting adjourned at 6:32pm.



**TYBEE ISLAND DEVELOPMENT AUTHORITY /  
MAIN STREET BOARD OF DIRECTORS  
MONTHLY MEETING  
Meeting Minutes: November 14, 2018**



**Vision:** *To improve the quality of life for those that live, work, and visit Tybee Island and enhance the cultural experience while preserving the community's barrier island heritage.*

*The **Mission** of the Tybee Island Development Authority / Main Street Program is to:*

- facilitate efforts to revitalize, redevelop, and enhance that which improves the quality of life;*
- create a sense of place and improve the quality of life for residents, business owners, and visitors using the Main Street Four Point Approach;*
- encourage quality economic growth and development while preserving Tybee Island's unique architectural and community heritage;*
- support and encourage the arts as a cultural endeavor and economic engine on the Island.*

**ATTENDANCE**

*(Present)*

Director: Sarah Bernzott, Vicki Hammons, Diane Kaufman,  
Julie Livingston, Ted Lynch  
Ex-Officio Director: Tim Arnold, Angela Caldwell  
Program City Staff: Chantel Morton  
Guest: Karen Penick

*(Absent)*

Director: Marianne Bramble, Steve Kellam  
Ex-Officio Director: Melissa Memory, Kelly Swope

**CALL TO ORDER**

Ted called the meeting to order at 4:30pm and welcomed all in attendance. Ted commended everyone that was involved with Community Day this year. The event was another success. Chantel announced that one board position will be available for a voting director to be appointed starting at the beginning of 2019. The notice will be advertised and posted online within the next few days.

**DEVELOPMENT AUTHORITY / MAIN STREET BOARD OF DIRECTORS MINUTES**

Motion was made by Vicki, which was seconded by Julie, to approve the minutes of the Tybee Island Development Authority / Main Street Board of Directors September 19, 2018 meeting minutes. Motion carried.

**2018-19 WORK PLAN/COMMITTEE UPDATE**

*Historic Preservation and Education*

Vicki provided a status update and details to date about the South End Overlay District text amendment. Chantel thanked Vicki and members of the Historic Preservation Commission that have worked so hard to see this project through. Sarah commended everyone's efforts and mentioned the importance of this step for Tybee and preservation.

Vicki shared a video that she saw online of lights that hang above the streets and look like they are floating. The video was from a town center in. She suggested that the promo committee/board consider this or something similar downtown next year. Directors agreed. Vicki reported that she and Chantel recently met with the city manager, the city's dune restoration project consultant, public works staff, and Councilperson Doyle so they could be shown where the Christmas tree will be planted. The location is behind the bollards at the Tybrisa / Strand Roundabout. Chantel and she discussed decorations for the bollards with public

works. In addition, public works will be adding decorative lighting for the holidays along Tybrisa and Strand.

#### *Image Campaign*

Ted reported that Kelly and Sarah met with him and Chantel regarding the survey for merchants, which is a task under the transformation strategy Image Campaign priority goal. He has sent the questions to Chantel and she will send him additional information to be included. The survey will be sent to merchants at the beginning of the year. In addition, Chantel reported that Sarah provided the name of a professor that Diane K. had talked to her about a few months ago. Chantel is following up with him and others in order to continue the momentum of having an intern assist with priority goal three. However, she confirmed that since there has been a delay with this task, some goals may not be possible to meet this fiscal year even though progress is being made on the other tasks. More updates will be provided as they transpire.

#### *Ongoing Outreach & Events*

Sarah provided updates about decorating the Christmas tree on Saturday, November 24 and the snow machine for Lights on for Tybee Celebration. New ornaments were requested, which Chantel will purchase. Chantel provided updates about the flutist prior to the tree lighting, dance routine and spacing, that Renee and Kim have Island Harmony and TIMA singing, Monty will have more sound equipment for the singers and more lights for the dancers. Karen mentioned that Beach Brigade will escort Mr. & Mrs. Santa in when cued after the last dance. Sarah confirmed that she is assisting Chantel with distribution of Small Business Saturday and Community of Caring materials. She asked directors to assist with holiday poster distribution. All agreed. Chantel shared the outreach that is taking place for the holidays and that Visit Tybee conveyed they will consider events for inclusion in their Connect and Do listings.

### **DEVELOPMENT AUTHORITY – FAÇADE IMPROVEMENT GRANT**

Ted reported he is waiting for the finance director to send the monies that city council approved with the MOU at their September meeting. Other merchants are inquiring about the grant.

### **PARTNER UPDATES**

Tim shared that the Beach Task Force and Clean Beach Volunteers are starting an adopt-an-area program with the City. Robyn Rosner, Facilities Coordinator, has been assisting them with preparing document with information, etc. The program will begin in January.

### **ADJOURN**

The meeting adjourned at 5:04pm.